

# **Idaho Change Initiative**

Transforming Our Work

**December 12, 2012** 

Idaho Coalition Against Sexual & Domestic Violence

Idaho State Independent Living Council





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### INTRODUCTION

Idaho Coalition Against Sexual and Domestic Violence (Idaho Coalition)

The Idaho Coalition Against Sexual & Domestic Violence's mission is to engage voices to create change in the prevention, intervention, and response to domestic violence, dating abuse, stalking, and sexual assault.

As statewide nonprofit membership organization, the Idaho Coalition works to be a leader in the movement to end violence against women and girls, men and boys - across the life span before violence has occurred – because violence is preventable.

Our work is to create statewide learning communities, build the capacity of programs, organizations, and systems to enhance victim safety and provide trauma-informed, safe, and accessible services and to increase offender accountability.

Our work is to transform social norms and create organizational and social change in the prevention, intervention and response to domestic violence, dating abuse, stalking, and sexual assault.

Our work is to engage with advocates, policy makers and others to build sustainable and compassionate community leadership and educate people everywhere about the importance of healthy relationships and compassionate communities.

# Idaho State Independent Living Council

The mission of the Idaho State Independent Living Council (SILC) is to promote the independent living philosophy for all Idahoans with disabilities: choice, self-determination, and access for all. The SILC aspires to promote a philosophy of independent living, including a philosophy of consumer control, peer-support, self-help, self-determination, equal access, and individual and system advocacy in order to maximize opportunities for individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of society.

The Idaho SILC was established in 1993 by Executive Order and became a self-governing entity in 2004. The SILC develops, implements, and monitors the State Plan for Independent Living as required by Section 704 of the Rehabilitation Act and is updated every three years. The SILC promotes independent living for individuals with disabilities and works with the Centers for Independent Living (CILs) to increase and improve their services. The SILC also works with Vocational Rehabilitation, which is the Designated State Unit, and the legislature to improve services for and advocate for and with individuals with disabilities. The SILC is an active member of the Consortium for Idahoans with Disabilities (CID), a thirty member, statewide group of disability related agencies. Through CID membership the SILC serves as a highly effective liaison to the disability community.

### History of Collaboration

The Idaho Coalition Against Sexual and Domestic Violence's former Legal Director, now the Executive Director, has collaborated with the SILC and the three regional Centers for Independent Living (DAC-NW, LINC, and LIFE) on statewide projects since 1994 through a cooperative HUD Fair Housing Education and Outreach grant specific to persons with disabilities through her former position with Idaho Legal Aid Services. The Legal Director worked closely with the SILC and three Centers for Independent Living Executive Directors during the two year grant in educating staff on the Fair Housing Act, and collaborated on the development of Fair Housing materials for the persons with disabilities, i.e. brochures on requesting a reasonable accommodation or modification as well as the development of training curriculum. The alliance between the organizations was a success.

In October 2006 the State Independent Living Council received a three-year cooperative agreement, entitled the *Educational and Technical Assistance Grant to End Violence Against Women with Disabilities*, from the Department of Justice, Office on Violence Against Women, to examine and propose changes to the systems responding to women with disabilities who experience sexual and domestic violence.

The State Independent Living Council (SILC), which is Idaho's only gubernatorial advocacy organization run by and for people with disabilities, then formed a project team. The project team was comprised of the Idaho Coalition Against Sexual and Domestic Violence—the State's largest umbrella organization of domestic violence/sexual assault (dv/sa) service providers and, Boise State University Gender Studies Program—Idaho's largest university, nationally recognized for its work in public policy, research, and service. Together, these three organizations formed the Idaho Equal Access Collaborative (IEAC). The IEAC partnered with three Centers for Independent Living and three DV/SA Programs in three regions in Idaho. As a result of the collaboration efforts, programs received training and education on responding to survivors with disabilities.

In 2011, the Idaho Coalition partnered with SILC and was awarded another *Educational and Technical Assistance Grant to End Violence Against Women with Disabilities*, from the Department of Justice, Office on Violence Against Women. The Idaho Coalition and the SILC recognize the prevalence of domestic violence, relationship abuse, stalking, and sexual violence against individuals with disabilities. Our responsibility as state level organizations is to be change agents in building the capacity for programs, organizations, and systems to promote trauma-informed, safety, and accessibility for all individuals.

## **MISSION**

The Idaho Coalition Against Sexual & Domestic Violence and the Idaho State Independent Living Council have come together to create a catalytic collaboration through the Idaho Change Initiative. The Idaho Change Initiative will demonstrate:

- Commitment to social change within our own organizations as demonstrated by our collective purpose and perseverance to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence;
- Implementation of an effective approach by mapping the theories and ideas to support social change and conduct a strengths and needs assessment within our organizations;

- Sorting of an inventory of possible components of theories and ideas, such as theories of change, social diffusion, and levels of engagement as-well-as an analysis of the strengths and needs assessment to guide an effective approach;
- Designing an effective strategy to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence:
- Scaling to impact through our spheres of influence including Centers for Independent Living, domestic and sexual violence programs, and systems that impact individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence; and
- Sustaining and evaluating our effectiveness in social change to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence.

### VISION

Individuals with disabilities will have full accessibility to programs and services related to domestic violence, relationship abuse, stalking and sexual violence. Built on a foundation of compassion and self-determination, Idaho programs and services will be trauma-informed, safe and accessible.

# SHARED UNDERSTANDING AND VALUES OF THE INITIATIVE

Our responsibility as state-level organizations is to be change agents in building the capacity for programs, organizations, and systems to ensure trauma-informed, safety, and accessibility in the intervention and response to domestic violence, relationship abuse, stalking, and sexual violence built on a foundation of compassion and self-determination.

Open and honest internal assessment of the effectiveness of our work can transform our organizations and impact our sphere of influence.

Social change can be informed by research from multiple disciplines, including but not limited to psychology, sociology, anthropology, philosophy, history, business, and human rights issues.

Adaptability, innovation, and creativity will guide our initiative.

Meaningful collaboration at the individual community and statewide level fosters innovative solutions to ensure integration of trauma-informed, safe, and accessible services to meet the needs of survivors with disabilities.

All individuals have the right to independence, choice and self-determination and healthy compassionate relationships.

Domestic violence, relationship abuse, stalking, and sexual violence can involve a broad spectrum of relationships including but not limited to caregiver, intimate partner, same sex partner, dating partner, family member, and/or service provider.

We believe that everyone has the power to create change in the prevention, intervention, and response to domestic violence, dating abuse, stalking, and sexual assault and in creating a future free of violence.

We believe that all forms of oppression – including but not limited to sexism, racism, ableism, classism, ageism, adultism, heterosexism, and religious oppression – create a culture which enables violence to occur. We value inclusiveness and diversity and believe that the voices and experiences of all human beings are vital in preventing violence.

We believe that no one organization offers all the solutions to the prevention, intervention, and response to domestic violence, dating violence, stalking, and sexual assault and is forging new collaborations, coming together with a wide range of partners and creating new approaches.

We believe violence is preventable and that all individuals have the right to healthy relationships demonstrated by respect, safety, equality, mutuality, individuality, support, acceptance, and caring and the right to live in safe, thriving, and meaningful life without fear or the threat of violence.

We believe in comprehensive, integrated and multi-disciplinary approaches that are well designed, and reflect and respond to diverse community needs and assets.

We believe in being a highly adaptive organization, receptive to outside signals, agile enough to change course, and flexible enough to respond to new opportunities in order to stay relevant, effective, and achieve far-reaching outcomes and change social norms to support equality and safety.

### COMMITMENT AND CONTRIBUTIONS

We respect the unique knowledge and influence of all roles, individuals, and agencies in the collaboration. Each organization will actively participate and share responsibility in the collaboration.

# Idaho Coalition Against Sexual & Domestic Violence is committed to:

- Openly sharing our expertise on sexual assault, domestic violence, dating violence, and stalking and our capacity and influence to implement policy, attitudinal, and organizational change
- Providing fiscal and programmatic oversight and reporting to OVW
- Providing administrative support for the collaboration
- For purposes of administration of the grant serve as point of contact to OVW and Vera Institute of Justice

- Providing the following staff, time, and roles:
  - Associate Director as Project Director attend 80% of full working group/collaboration meetings, 100% of the executive group/collaboration meetings, and serve as liaison with OVW
  - Executive Director will serve as part of the executive group/collaboration – attend 80% of full collaboration meetings, 100% of the executive group/collaboration meetings, and endorses changes in policies and procedures
  - Program Specialist will serve as part of the working group/collaboration – attend 80% of full collaboration meetings, 80% of the executive group/collaboration meetings, and day to day management of activities
  - Finance Director fiscal record keeping and meeting participation as needed

# State Independent Living Council is committed to:

- Openly sharing our expertise on individuals with disabilities and our capacity and influence to implement policy, attitudinal, and organizational change
- Providing fiscal and programmatic documentation for reporting to OVW
- Providing the following staff, time, and roles:
  - Executive Director will serve as part of the executive group/collaboration – attend 80% of full collaboration meetings, 100% of the executive group/collaboration meetings, and endorses changes in policies and procedures
  - Management/Program Assistant will serve as part of the working group/collaboration – attend 80% of full collaboration meetings, 80% of the executive group/collaboration meetings, and day to day management of activities
  - Financial Specialist fiscal record keeping and meeting participation as needed

### **Executive Director(s)**

- Endorse changes in policies and procedures
- Participate in 80% of the full working group/collaboration meetings and 100% of the executive group/collaboration.
- Implement recommendations of the initiative
- Collaborate with Board of Directors/Council as needed to implement initiative recommendations

### **Project Director**

- Serves as the point of contact for OVW and Vera Institute of Justice
- Completes all progress reports
- Reviews all invoices
- Provides oversight of collaboration
- Participate in 80% full working group/collaboration meetings and 100% of the executive group/collaboration meetings.

### **Working Group Collaboration**

- Shared equal day to day planning and implementation of collaboration decisions
- Assist with the flow of information between organizations and organizational staff members
- Maintain documentation
- Participate in 80% of the full working group/collaboration meetings and 80% of the full executive group/collaboration meetings.

## COMMUNICATION

Honest and frequent communication among collaboration prevents misunderstandings, builds relationships, and ensures that everyone has an equal understanding of the initiative's work.

### **Project Communication**

- ICI information will be shared with Idaho Coalition and SILC staff by designated collaboration members throughout project to ensure that everyone has an equal understanding of the initiative's work.
- ICI information will be shared at the quarterly business meeting with Board of Directors and Council
- ICI designated collaboration members will communicate with Member Programs and CILs throughout the project to ensure that everyone has an equal understanding of the initiative's work
- Individuals contracted to facilitate needs assessment, issue a report on findings, and assist with strategic plan will communicate all findings and information necessary to further the work of the initiative
- Between meetings, members of ICI will communicate via phone and/or email

All meetings will be held in agreed upon accessible location.

## **Meeting Schedule / Inter-collaborative Communication**

- Executive group/collaboration meetings will be held a minimum of monthly, on the third Wednesday from 12:00-4:00 pm. to ensure meaningful collaboration of all members, including executive directors. Meeting times, dates, and frequency will be revised as needed. Full group will finalize all steps of grant (planning through implementation)
- A minimum of bi- monthly meetings to ensure meaningful collaboration of all members; working group/collaboration meetings will be held on the first and second Wednesday of each month from 12:00-4:00pm. Meeting times, dates, and frequency will be revised as needed
- Agendas will be emailed out to the full collaboration committee one week before the next meeting; agendas will also be placed in Dropbox which all collaboration members have access to. Additions or changes to agenda should be sent to Project Director three business days prior to meeting.
- All documents, meeting minutes, and collaboration information will kept in a location accessible to all collaboration members (Dropbox)

- Minutes will be taken at all of the full collaboration meetings and will be kept in a location accessible to all collaboration members (Dropbox); Dropbox is available as a cloud-based service to all members and is accessible on any internet ready device; Dropbox immediately notifies collaboration members when a document is added or changed
- A summary of meetings held between Project Director and OVW and/or Vera Institute will be emailed and placed in Dropbox for the full collaboration committee; full working group/collaboration will be invited to participated in bi-weekly calls with Vera (Thursdays, 10:00am MST) and Project Director will participate in Project Director call (4<sup>th</sup> Tuesday of the month, 2:00pm MST). Meeting times and dates will be revised as needed
- Between meetings, members of ICI will communicate via phone and/or email

#### Media

• The Executive Directors of SILC & the Idaho Coalition, or agreed upon representatives, will be the press spokespersons for the Idaho Change Initiative or the intersection domestic violence, relationship abuse, stalking and sexual assault and disability. The Executive Directors must be present to act jointly as press spokespersons. If both Executive Directors are unavailable, the media interview or teleconference must be postponed or cancelled. As the collaboration evolves, the joint press spokesperson requirement may change to reflect the increasingly uniform knowledge of all collaboration members.

The Idaho Change Initiative will also develop a jointly written media fact sheet, which depending on the circumstances may include the following talking points (see Appendix A for detail):

- o Mission
- o Vision
- Shared Understanding and Values of the initiative
- Responding to any incident specific request for information or comment will be jointly agreed upon by the Executive Directors of both organizations prior to responding to media

#### CONFIDENTIALITY

In order to foster open and honest communication the collaboration agrees to keep confidential any sensitive information identified specific to the other collaborative partner. Each collaborative partner will disclose information specific to their own organization to ensure trauma-informed, safety, and accessibility.

Information gathered throughout the needs assessment process will remain confidential. No identifying information will be disclosed in the findings report. Idaho is a mandatory reporting state for the abuse and neglect of children and vulnerable adults (see APPENDIX B regarding mandatory reporting statutes).

#### **CONSENSUS DECISION MAKING**

To increase ownership, the collaboration embraces a process of consensus. Consensus is an essential part of creating a new understanding and approach. The collaboration agrees to a consensus decision making process in which the stakeholders seek to reach consensus on a mutually agreeable solution.

Collaboration will make decisions by agreement. Through consensus, the collaboration will work to achieve better solutions and promote the growth of community and trust.

The input and ideas of all collaboration members are voiced and considered in order to reach a group decision. Conflict or exploring differing ideas about a subject is an essential and healthy part of creating a new understanding and approach. Consensus building requires honest cooperation and respect. It is the responsibility for those who are having difficulty with the issue to put forward alternative solutions. All ideas and collaboration members are valued as a part of the solution.

Consensus does not mean that the decision made is the best one possible, or even if the decision will work. What it does mean, that in coming to a decision no one felt her/his opinions or position on the issue was misunderstood or that it was not given proper consideration.

# **CONFLICT RESOLUTION**

In the event there is difficulty reaching consensus the collaboration will take the following steps to facilitate further conversation with the goal of reaching consensus.

# Step 1- Review Issue

- 1. Present the issue, not the solution
- 2. Define the issue
- 3. Listen
- 4. Generate options

### Step 2- Achieving Consensus

- 1. Review all options
- 2. Identify benefits and drawbacks
- 3. Create/agree on solution

In the event there remains difficulty reaching consensus the collaboration will seek outside technical assistance by a mutually agreed upon party.

# **DECISION MAKING AUTHORITY**

While it is neither realistic nor feasible for every member of the collaboration to be involved in every instance, all members must be involved in decision making that affects the group's fundamental direction.

#### **WORK PLAN**

Date	Key Activities
Sept. 2011	ICASDV Receives DOJ/OVW Grant Award
Oct. 2011	ICASDV partners with SILC
	OVW Grant Project Begins
Nov. 2011	Project Director and New Grantee Orientation Louisville, Kentucky

Dec. 2011	Budget Revision Requested by OVW
	Grant placed on hold pending budget approval
Feb. 2012	Budget Approved
March -	Collaboration Building and Charter Development
Oct. 2012	a) Name Adopted
	b) Mission Statement Adopted
	c) Guiding Principles Adopted
	d) Roles & Responsibilities Adopted
	e) Decision Making & Dispute Resolution Protocols Adopted
	g) Communication Plan
	i. Minutes
	ii. Informal Communications
	iii. Formal Communications
	h) Definitions i) Work Plan
May 2012	Collaboration Retreat
July 2012	Project Director and All Site Meeting, Columbus, Ohio
Oct. 2012	Disability Conference, Louisville, Kentucky
Nov. 2012	1st submission of completed Collaboration Charter
- Feb.	
2013*	Revisions to Charter as requested by OVW
	Contract with Individual to assist with Needs Assessment
	Identifying the areas and agencies for focus groups
	Design focus group guestions and submit for approval
	Design focus group questions and submit for approval
	Vera TA Site Visit
Feb	Conduct Focus Groups with Collaboration, member programs,
May	individuals with disabilities and individuals who have experienced
2013*	domestic violence, dating abuse, sexual assault, or stalking

June-July 2013*	Compile results and submit report of findings to OVW
Aug. 2013 – Nov. 2013*	Develop strategic plan based on report from needs assessment  a) Determine priority areas b) Develop strategies for behavioral change c) Draft and finalize plan d) Submit to OVW for approval
Oct. 2013  - Sept. 2014*	Strategic Plan Implementation  Provide Technical Assistance to Centers for Independent Living and Domestic Violence Programs in Idaho

<sup>\*</sup> After approval of OVW Deliverable

#### SHARED UNDERSTANDING OF LANGUAGE

### **Accessibility:**

A general term used to describe the degree to which a system is usable by as many people as possible. In other words, it is the degree of ease with which it is possible to reach a certain location from other locations. Accessibility can also be viewed as the "ability to access" the functionality, and possible benefit, of some system or entity; such a definition brings in access-based individual rights laws and regulations that are discussed below. One meaning of accessibility specifically focuses on people with disabilities and their right of access to entities, often through use of assistive devices such as screen-reading web browsers or wheelchairs. Accessibility is strongly related to universal design when the approach involves "direct access." This is about making things accessible to all people (whether they have a disability or not). An alternative is to provide "indirect access" by having the entity support the use of a person's assistive technology to achieve access (e.g., screen reader).

# American with Disabilities Act (ADAA):

In 1990, the ADAA was passed to address discrimination faced by people with disabilities and has two purposes: eliminating illegal discrimination and integrating people with disabilities into the community.

## **Adult Learning Style:**

Neil Fleming's Visual Auditory Kinesthetic Theory (1987):

There are three basic styles of learning that impact how an adult comprehends, retains, and recalls new information. These three include:

- Visual learners will learn best when they have written material to accompany webinar or lecture. They tend to take notes and doodle which help them to incorporate and retain new information.
- Auditory learners learn best when information is presented in lecture or webinar format. They prefer to work in groups to share ideas and will ask questions for clarification of concepts.
- Kinesthetic learners prefer to learn through hands-on activities and experience. They prefer to be holding something while learning and do best when a variety of teaching methods are employed such as lectures and group discussions. They may fidget or doodle during lectures.\

## David Kolb's Theory (1984):

- Diverging (feeling and watching CE/RO) These people are able to look at things from different perspectives. They are sensitive. They prefer to watch rather than do, tending to gather information and use imagination to solve problems. They are best at viewing concrete situations several different viewpoints. Kolb called this style 'Diverging' because these people perform better in situations that require ideas-generation, for example, brainstorming. People with a Diverging learning style have broad cultural interests and like to gather information. They are interested in people, tend to be imaginative and emotional, and tend to be strong in the arts. People with the Diverging style prefer to work in groups, to listen with an open mind and to receive personal feedback.
- Assimilating (watching and thinking AC/RO) The Assimilating learning preference is for a concise, logical approach. Ideas and concepts are more important than people. These people require good clear explanation rather than practical opportunity. They excel at understanding wide-ranging information and [organizing] it a clear logical format. People with an

assimilating learning style are less focused on people and more interested in ideas and abstract concepts. People with this style are more attracted to logically sound theories than approaches based on practical value. Individuals with this learning style are important for effectiveness in information and science careers. In formal learning situations, people with this style prefer readings, lectures, exploring analytical models, and having time to think things through.

- Converging (doing and thinking AC/AE) People with a Converging learning style can solve problems and will use their learning to find solutions to practical issues. They prefer technical tasks, and are less concerned with people and interpersonal aspects. People with a Converging learning style are best at finding practical uses for ideas and theories. They can solve problems and make decisions by finding solutions to questions and problems. People with a Converging learning style are more attracted to technical tasks and problems than social or interpersonal issues. A Converging learning style enables specialist and technology abilities. People with a Converging style like to experiment with new ideas, to simulate, and to work with practical applications.
- Accommodating (doing and feeling CE/AE) The Accommodating learning style is 'hands-on', and relies on intuition rather than logic. These people use other people's analysis, and prefer to take a practical, experiential approach. They are attracted to new challenges and experiences, and to carrying out plans. They commonly act on 'gut' instinct rather than logical analysis. People with an Accommodating learning style will tend to rely on others for information than carry out their own analysis. This learning style is prevalent and useful in roles requiring action and initiative. People with an Accommodating learning style prefer to work in teams to complete tasks. They set targets and actively work in the field trying different ways to achieve an objective.

#### Advocate:

One who represents and intervenes with or on behalf of others. An advocate is a person who supports individuals while making sure that their rights are respected and works to improve the response of an agency or institution.

### **Assistive Technology:**

A general term that describes devices, equipment, software and services designed to assist people with disabilities.

## **Attitudinal Change:**

Focuses on changing perceptions about individuals or groups.

#### Audism:

A form of discrimination when a given person with hearing loss is judged as incapable of a particular behavior, occupation, skill, ability, or achievement due solely to that hearing loss, whether or not there is evidence of that incapability.

# **Auxiliary Aids and Services (ADA, Title III):**

Required of places of public accommodation under the ADA refers to aids and services that are necessary to ensure effective communication with individuals with hearing, vision or speech impairments. *Examples include qualified interpreters, assistive listening devices, audio taped text, and materials in Braille or large print.* 

#### Barrier:

A tangible or intangible obstacle that impedes progress or achievement of an objective. There are four categories of barriers: physical, communication, attitudinal, and systemic. Physical barriers interfere or impede a person from accessing the particular location or service. Communication barriers deter a person from accessing information in a usable format. Attitudinal barriers are inaccurate beliefs or perceptions about a person's ability. Systemic barriers occur when practices of an organization discriminate individuals by "screening them out" from participation.

# **Capacity Building:**

A conceptual approach to development that focuses on understanding the obstacles that inhibit people, governmental, non-governmental, and international organizations from realizing their developmental goals while enhancing their abilities that will allow them to achieve measureable and sustainable results.

### **Caregiver Abuse:**

Some persons with disabilities require the assistance of others with activities of daily living. For that purpose, caregivers may take many forms (i.e. family members, intimate partners, paid staff, friends, etc.). We acknowledge that there are instances where caregivers become perpetrators of different forms of abuse. Their actions may include the withholding of medications and/or assistive devices, battering, sexual violence, emotional abuse, neglect, financial exploitation, coercion, rights violations, etc.

## **Change Agent:**

An individual/organization with a vision willing to take the first step in successfully challenging the status quo to initiate societal change.

## **Companion / Emotional Support Animal:**

Animals that provide assistance for a person with a disability. Such animals, often referred to as "assistance animals," "support animals," or "therapy animals," provide disability-related services such as providing emotional support to persons who have a disability related need for such support. These animals are often used as part of a therapeutic medical treatment plan. Support animals differ from "service animals," as defined by the ADA as they are not required to have special training and may be any type of animal (the ADA limits service animals to dogs and miniature horses that are individually trained to do work or perform tasks for people with disabilities). Individuals with disabilities may request a reasonable accommodation for emotional support animals under the FHA or Section 504. (24 CFR part 5) In situations where the ADA, FHA and Section 504 apply, housing providers must meet the broader FHA/Section 504 standard on support animals in deciding whether to grant reasonable accommodation requests.

# Center for Independent Living (CIL):

A consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency that is designed and operated within a local community by individuals with disabilities and provides an array of independent living services.

#### Collaboration:

A mutually beneficial and well-defined relationship entered into by two or more organizations to achieve results they are more likely to achieve together than alone.

#### Consumer:

A term that may be used by an individual to self-describe who does could or has received health care or services. This term also includes more specialized terms, such as beneficiary, client, customer, eligible member, recipient or patient. A consumer might refer to someone who has been diagnosed with a particular disability and has received treatment and/or services in some manner as a result of that diagnosis.

### **Dating Abuse:**

A relationship in which one or both partners feel unequal, unsafe, and unsupported, typically demonstrated by a pattern of destructive behaviors such as the use of emotional, sexual and/or physical abuse by a person to harm, threaten, intimidate, or control another person in a relationship of a romantic or intimate nature, regardless of whether that relationship is continuing or has concluded or the number of interactions between the individuals involved.

# deaf/Deaf/Hard of Hearing:

#### deaf:

This term refers to individuals with severe to profound hearing loss. The lowercase "d" reflects a physical or audiological perspective.

#### Deaf:

This term refers to individuals who identify with and participate in the language, culture and community of Deaf people, based on sign language. The capital "D" reflects this socio-cultural point of view.

# Hard of hearing:

This term refers to individuals who experience hearing loss from a physical or audiological perspective. An individual who is hard of hearing may primarily use spoken language (their residual hearing and speech) to communicate.

### **Disability:**

As defined by the ADA and implementing regulations, disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of having such an impairment; or being regarding as having such an impairment. (28 CFR Part 36).

# Distinction between "handicap" and "disability":

Handicap is not a synonym for disability. Disability refers to a physical, sensory or mental limitation that interferes with a person's ability to move, see, hear or learn. Handicap, on the other hand, refers to a barrier imposed by the environment, society or oneself. As such, physical and programmatic barriers constitute a handicap to a person with a disability.

#### **Domestic Violence:**

Domestic violence is a pattern of abusive behavior in a relationship that is used by one partner to gain or maintain power and control over the other partner. Domestic violence can be actions or threats of actions that influence or control another person's behavior and decisions and are meant to intimidate, manipulate humiliate, isolate, frighten, coerce, threaten, blame, or injure.

#### Domestic Violence—Idaho Code:

In Idaho Code § 39-6303 domestic violence is defined as "the physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship."

### **Domestic Violence Civil Protection Order:**

An order issued for the purpose of preventing violence or threatening acts of harassment against, or contact or communication with, or physical proximity to, another person where the order was issued pursuant to the Idaho Domestic Violence Crime Prevention Act, in another jurisdiction pursuant to a provision similar to the Idaho Code section 39-6306, or in any criminal or civil action, as a temporary or final order (other than a support or child custody order), and where the order was issued in a response to a criminal complaint, petition or motion filed by or on behalf of a person seeking protection, and issued after giving notice and an opportunity to respond to the person being restrained. (I.C. 39-6301-6317)

### **Fair Housing Act:**

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability). Under the fair housing act, if a tenant or potential tenant or someone associated with that person:

- Has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities:
  - Has a record of such a disability; or
  - Is regarded as having such a disability

## a landlord may not:

- Refuse to let the tenant make reasonable modifications to the dwelling or common use areas, at the tenant's expense, if necessary for the person with disabilities to use the housing. (Where reasonable, the landlord may permit changes only if the tenant agrees to restore the property to its original condition upon moving.)
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the person with disabilities to use the housing.

However, housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.

#### **Fundamental Alteration:**

A phrase in the Americans with Disabilities Act, Title II and III, meaning a "modification that is so significant that it alters the essential nature of the goods, services, or facilities."

### **Independent Living (IL) Philosophy:**

The Independent Living philosophy is based on the belief that persons with disabilities have the same basic human rights as persons without disabilities to participate in and contribute to community life. It is about persons with a disability having the right and seeking the opportunity to be self-determined in matters such as living arrangements, transportation, social life, employment, and physical care. Independent Living is a philosophy and a movement of people with disabilities who work for self-determination, equal opportunities and self-respect.

#### Informed Consent:

The requirements of informed consent are: a clear understanding of the facts, implications, and future consequences. This information must be provided in a format that the individual understands.

# Instrumental activities of daily living (IADL):

Activities performed in supporting the activities of daily living, including but not limited to: managing money, preparing meals, shopping, light housekeeping, using the telephone, taking medications correctly, or getting around in the community.

#### Intervention:

An act performed to prevent or lessen the negative impact on a person's well-being or health. It is in the middle of the continuum of prevention – intervention – response. Public health interventions are grouped into three prevention categories based on when the intervention occurs. In the case of violence intervention, primary prevention takes place before initial exposure to violence; secondary prevention takes place immediately after exposure to violence; and tertiary prevention is the long term response after exposure.

### **No-Contact Order (Criminal):**

When a person is charged with or convicted of committing certain crimes, including domestic violence, sexual assault, stalking, or violation of an existing protection order, a no-contact order, or any other offense for which a court finds that a no contact order is appropriate, an order forbidding contact with another person may be issued. A no contact order will expire on a specific date or upon dismissal of the case and may only be modified by a judge. A violation of a no contact order may be prosecuted as a separate crime. (I.C. § 18-920, CrimPro 46.2)

# **Organizational Change:**

A process in which an organization changes its working methods to improve effectiveness based on new research, policies and procedures, societal changes, etc.

# Mapping:

The overriding objectives of mapping tools are similar, with differences in their application. Mind mapping imagines and explores associations between concepts; concept mapping allows the participant to understand the relationships between concepts and hence understand those concepts themselves and the domain to which they belong.

## Concept Maps

- Are commonly used to organize and represent tacit knowledge.
- Usually contain general concepts at the top of the map, with more specific concepts arrayed hierarchically below.

- Connector lines usually contains keywords or phrases that summarize the relationship between the topics they connect. Such as topic A "causes" topic B.
- Topics may be cross-linked with each other to depict more complex relationships between topics. Topics in mind maps may only have one parent; in a concept map, a topic may have multiple connector lines, each one representing a different relationship.

## Mind Maps

- Tend to be more flexible and personal than concept maps.
- Are used to slice and dice the map's central topic or concept in multiple ways.
- May contain images and color, to make them more visually stimulating
- Topics may only have a single parent

#### Paratransit:

Paratransit is a specialized, door-to-door transport service for people with disabilities who are not able to ride fixed-route public transportation. This may be due to an inability to:

- board, ride or disembark independently from any readily accessible vehicle on the regular fixed-route system
- access existing accessible fixed-route transportation because that transportation is not available at the needed time on that route
- get to boarding/alighting locations of regular public transportation.

Paratransit has a specialized meaning in the context of transportation regulations. The term refers to the complementary paratransit service, comparable to public fixed-route systems, which must be provided. Typically, paratransit is provided in a demand-responsive mode (i.e., the person with a disability must make a telephone call to arrange service).

The goal of the paratransit program is to ensure that all Americans have access to transit to meet basic mobility needs. The passage of the Americans with Disabilities Act (ADA) in 1990 recognized that people with disabilities have the same rights as other citizens to access services and facilities that are available to the public, including transportation. The U.S. Department of Transportation (DOT) is responsible for the enforcement of ADA's transportation requirements.

### **People First Language:**

Emphasizes the person, not the disability or the situation an individual may have experienced. By placing the person first, the disability or the experience is no longer the primary, defining characteristic of an individual, but one of several aspects of the whole person.

#### Personal Assistance Services:

In Idaho, personal assistance services includes both attendant care services and personal care services and means services that involve personal and medically oriented tasks dealing with the functional needs of the participant and accommodating the participant's needs for long-term maintenance, supportive care or IADLs. These services may include, but are not limited to, personal assistance and medical tasks that can be done by unlicensed persons or delegated to unlicensed persons by a health care professional or participant. Services are based on the participant's abilities and limitations, regardless of age, medical diagnosis or other category of disability. (I.C. 39-5602)

### Place of Public Accommodation:

A facility operated by a private entity whose operations affect commerce and fall within at least one of the following categories:

- Place of lodging, except for an establishment located within a facility that contains not more than five rooms for rent or hire and that actually is occupied by the proprietor of the establishment as the residence of the proprietor.
- 2. A restaurant, bar or other establishment serving food or drink,
- 3. A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment.

- 4. An auditorium, convention center, lecture hall, or other place of public gathering.
- 5. A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment.
- 6. A Laundromat, dry-cleaner, bank, barber shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider or hospital, or other service establishment.
- 7. A terminal, depot, or other station used for specified public transportation.
- 8. A museum, library, gallery, or other place of public display or collection.
- 9. A park, zoo, amusement park, or other place of recreation.
- 10. A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education.
- 11. A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment.
- 12. A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation. (28 CFR Part 36.104)

#### **Power Based Violence:**

Power-based personal violence happens when someone commits some kind of violence or abuse against someone who is in a less powerful position that they are. The difference in power could be related to age, physical strength, popularity, positions of authority, or even mental capacity. This can include sexual assault, dating violence, stalking, or bullying. This kind of violence can happen to anyone.

#### Prevention:

*Primary prevention* - To protect individuals in order to avoid problems prior to signs or symptoms of problems. Includes those activities, programs, and practices that operate on a fundamentally non-personal basis and alter the set of opportunities, risks, and expectations surrounding individuals.

Secondary prevention - Identifies persons in the early stages of problem behaviors and attempts to avert the ensuing negative consequences by inducing them to cease their problem behavior through counseling or treatment. It is often referred to as *early intervention*.

Tertiary prevention - Strives to end problem behavior and/or to ameliorate their negative effects through treatment and rehabilitation. This is most often referred to as treatment but also includes rehabilitation and relapse prevention.

### **Program:**

Used within the domestic violence, sexual assault and stalking community to refer to an organization that shelters and/or provides crisis services for individuals and/or families who have experienced violence. Also, these organizations may provide information on counseling, treatment programs, education, support groups, intervention, and referral services.

### Readily Achievable:

A phrase used in the Americans with Disabilities Act (Title III) meaning "easily accomplished and able to be carried out without much difficulty or expense." (28 CFR Part 36.104) It is flexible and determined on a case-by-case basis.

#### Reasonable Accommodation:

Under the ADA (Title I), the term reasonable accommodation may include making existing facilities used by employees readily accessible to and usable by individuals with disabilities and job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modification of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities. (42 USC § 12111(9))

#### Reasonable Modification:

Modifications in policies, practices, or procedures, which are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations. (42 USC § 12182(b) (2)(A)(ii). Under the Fair Housing Act a modification means any change to the public or common use areas of a building or any change to a dwelling unit. (24 CFR Part 100.201). It is unlawful for a person to refuse to permit, at the expense of a person with a disability, reasonable modifications of existing premises, if the proposed modification may be necessary to afford that person full enjoyment of the premises of a dwelling. (*Id.*)

### Rehabilitation Act of 1973, Section 504:

Prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment of Federal contractors. Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service. Section 504 may be enforced through private lawsuits and it is not necessary to file a complaint with the agency or receive a right-to-sue letter before going to court.

# Safety Plan:

A safety plan is ongoing and flexible strategy developed between an advocate/counselor and an individual who has experienced abuse that contains specific activities and /or safety strategies. Safety planning is an essential step to be completed with all individuals who have experienced abuse.

# Scaling:

The measurable impact that we and our grantees have on the lives of a measurable number of people and their communities. "Scaling up" means seeking to have more impact on more people.

#### Self-Advocate:

Individuals who identify themselves as having a disability while possessing the tools to assert their rights.

#### Self-Determination:

Refers to the right of individuals to have full power over their own lives, regardless of presence of illness or disability. It encompasses concepts such as free will, civil and human rights, freedom of choice, independence, personal agency, self-direction, and individual responsibility. Self-determination in the mental health system refers to individuals' rights to direct their own services, to make the decisions concerning their health and well-being (with help from others of their choice, if desired), to be free from involuntary treatment, and have meaningful leadership roles in the design, delivery, and evaluation of services and supports.

#### Service Animals:

Means any dog that is individually trained to do work or perform tasks for the benefit of and individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the handler's disability. The Crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. (28 CFR part 36.104.) A miniature horse may also be considered a service animal for the purposes modifications in policies, practices, or procedures. (28 CFR Part 36.302(c)).

#### Sexual Assault/Abuse:

Sexual assault is any behavior or contact of a sexual nature that is unwanted or makes a person uncomfortable. Sexual assault occurs any time a person is forced, coerced, and/or manipulated into any unwanted sexual activity. People of all ages, all economic classes, all races, and all levels of educations can be victims of sexual assault.

Sexual assault includes a range of behaviors which may take the form of degrading verbal comments, unwanted touches, or invasions of space. Some forms of sexual assault are against the law (for example, rape) and others are not (for example, cat calling). However, even noncriminal forms of sexual assault are unacceptable and can have an impact on the people the behavior is directed towards. With any type of sexual assault, there is a lack of respect for the individual who was or is being abused.

## **Social Change:**

Refers to any significant alteration over time in behavior patterns and cultural values and norms. By "significant" alteration, sociologists mean changes yielding *profound* social consequences. Examples of significant social changes having long-term effects include the abolition of slavery, and the feminist movement.

#### **Social Diffusion:**

Social diffusion theory (Rogers, 1983) is based on the premise that behavior change in a population can be initiated and then will diffuse to others if enough natural and influential opinion leaders within the population visibly adopt, endorse and support an innovative behavior.

# Stalking:

Stalking is any behavior directed at a specific person that would cause a person to feel fear. Stalking behaviors may include repeated unwanted phone calls, unwanted gifts or letters, damage to a home, car, or property, monitoring phone calls or computer use and other actions that control, track, or frighten.

Most victims are stalked by someone they know.

Stalking is serious, often violent, and can escalate over time.

#### **State Level:**

State governmental or non-governmental organizations that have responsibility or authority to impact policy on a state level.

#### **Technical Assistance:**

The provision of training, expertise, and problem-solving strategies they need to meet the challenges of addressing sexual assault, domestic violence, dating violence, and stalking.

#### **Trauma Informed:**

Exploring all aspects of services through a trauma lens, constantly keeping in mind how traumatic experiences impact individuals neurologically, biologically, psychologically, and socially. Programs and organizations that are traumainformed respond to those who have experienced trauma by addressing their needs and avoid engaging in re-traumatizing practices.

#### Victim/Witness Coordinator:

In support of the Idaho's Victim "Bill of Rights" the Victim/Witness Coordinator provides advocacy, notification, and assistance with restitution and referral services to individuals who have been a victim of or have witnessed a crime. The Victim/Witness Coordinator is employed by the criminal justice system and usually begins working with individuals as soon as criminal charges are filed against the offender.

#### APPENDIX A - MEDIA TALKING POINTS

#### MISSION

- The Idaho Coalition Against Sexual & Domestic Violence and the Idaho State Independent Living Council have come together to create a catalytic collaboration through the Idaho Change Initiative. The Idaho Change Initiative will demonstrate:
- Commitment to social change within our own organizations as demonstrated by our collective purpose and perseverance to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence;
- Implementation of an effective approach by mapping the theories and ideas to support social change and conduct a strengths and needs assessment within our organizations;
- Sorting of an inventory of possible components of theories and ideas, such as theories of change, social diffusion, and levels of engagement as-well-as an analysis of the strengths and needs assessment to guide an effective approach;
- Designing an effective strategy to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence;
- Scaling to impact through our spheres of influence including Centers for Independent Living, domestic and sexual violence programs, and systems that impact individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence; and
- Sustaining and evaluating our effectiveness in social change to promote trauma-informed, safe and accessible services for individuals with disabilities who may or have experienced domestic violence, relationship abuse, stalking and sexual violence.

#### VISION

 Individuals with disabilities will have full accessibility to programs and services related to domestic violence, relationship abuse, stalking and sexual violence. Built on a foundation of compassion and selfdetermination, Idaho programs and services will be trauma-informed, safe and accessible.

#### SHARED UNDERSTANDING AND VALUES OF THE INITIATIVE

- Our responsibility as state-level organizations is to be change agents in building the capacity for programs, organizations, and systems to ensure trauma-informed, safety, and accessibility in the intervention and response to domestic violence, relationship abuse, stalking, and sexual violence built on a foundation of compassion and selfdetermination.
- Open and honest internal assessment of the effectiveness of our work can transform our organizations and impact our sphere of influence.
- Social change can be informed by research from multiple disciplines, including but not limited to psychology, sociology, anthropology, philosophy, history, business, and human rights issues.
- o Adaptability, innovation, and creativity will guide our initiative.
- Meaningful collaboration at the individual community and statewide level fosters innovative solutions to ensure integration of traumainformed, safe, and accessible services to meet the needs of survivors with disabilities.
- All individuals have the right to independence, choice and selfdetermination and healthy compassionate relationships.
- Domestic violence, relationship abuse, stalking, and sexual violence can involve a broad spectrum of relationships including but not limited to caregiver, intimate partner, same sex partner, dating partner, family member, and/or service provider.
- We believe that everyone has the power to create change in the prevention, intervention, and response to domestic violence, dating abuse, stalking, and sexual assault and in creating a future free of violence.

- We believe that all forms of oppression including but not limited to sexism, racism, ableism, classism, ageism, adultism, heterosexism, and religions oppression – create a culture which enables violence to occur. We value inclusiveness and diversity and believe that the voices and experiences of all human beings are vital in preventing violence.
- We believe that no one organization offers all the solutions to the prevention, intervention, and response to domestic violence, dating violence, stalking, and sexual assault and is forging new collaborations, coming together with a wide range of partners and creating new approaches.
- We believe violence is preventable and that all individuals have the right to healthy relationships demonstrated by respect, safety, equality, mutuality, individuality, support, acceptance, and caring and the right to live in safe, thriving, and meaningful life without fear or the threat of violence.
- We believe in comprehensive, integrated and multi-disciplinary approaches that are well designed, and reflect and respond to diverse community needs and assets.
- We believe in being a highly adaptive organization, receptive to outside signals, agile enough to change course, and flexible enough to respond to new opportunities in order to stay relevant, effective, and achieve far-reaching outcomes and change social norms to support equality and safety.
- Responding to any incident specific request for information or comment will be jointly agreed upon by the Executive Directors of both organizations prior to responding to media

#### **APPENDIX B - MANDATORY REPORTING**

CHAPTER 16
CHILD PROTECTIVE ACT

- **16-1605.** Reporting of abuse, abandonment or neglect. (1) Any physician, resident on a hospital staff, intern, nurse, coroner, school teacher, day care personnel, social worker, or other person having reason to believe that a child under the age of eighteen (18) years has been abused, abandoned or neglected or who observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or the department. The department shall be informed by law enforcement of any report made directly to it. When the attendance of a physician, resident, intern, nurse, day care worker, or social worker is pursuant to the performance of services as a member of the staff of a hospital or similar institution, he shall notify the person in charge of the institution or his designated delegate who shall make the necessary reports.
- (2) For purposes of subsection (3) of this section the term "duly ordained minister of religion" means a person who has been ordained or set apart, in accordance with the ceremonial, ritual or discipline of a church or religious organization which has been established on the basis of a community of religious faith, belief, doctrines and practices, to hear confessions and confidential communications in accordance with the bona fide doctrines or discipline of that church or religious organization.
- (3) The notification requirements of subsection (1) of this section do not apply to a duly ordained minister of religion, with regard to any confession or confidential communication made to him in his ecclesiastical capacity in the course of discipline enjoined by the church to which he belongs if:
- (a) The church qualifies as tax-exempt under 26 U.S.C. section 501(c)(3);
- (b) The confession or confidential communication was made directly to the duly ordained minister of religion; and

- (c) The confession or confidential communication was made in the manner and context which places the duly ordained minister of religion specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine. A confession or confidential communication made under any other circumstances does not fall under this exemption.
- (4) Failure to report as required in this section shall be a misdemeanor.

# CHAPTER 53 ADULT ABUSE, NEGLECT AND EXPLOITATION ACT

- **39-5303**. Duty to report cases of abuse, neglect or exploitation of vulnerable adults. (1) Any physician, nurse, employee of a public or private health facility, or a state licensed or certified residential facility serving vulnerable adults, medical examiner, dentist, ombudsman for the elderly, osteopath, optometrist, chiropractor, podiatrist, social worker, police officer, pharmacist, physical therapist, or home care worker who has reasonable cause to believe that a vulnerable adult is being or has been abused, neglected or exploited shall immediately report such information to the commission. Provided however, that nursing facilities defined in section 39-1301(b), Idaho Code, and employees of such facilities shall make reports required under this chapter to the department. When there is reasonable cause to believe that abuse or sexual assault has resulted in death or serious physical injury jeopardizing the life, health or safety of a vulnerable adult, any person required to report under this section shall also report such information within four (4) hours to the appropriate law enforcement agency.
- (2) Failure to report as provided under this section is a misdemeanor subject to punishment as provided in section 18-113, Idaho Code. If an employee at a state licensed or certified residential facility fails to report abuse or sexual assault that has resulted in death or serious physical injury jeopardizing the life, health or safety of a vulnerable adult as provided under this section, the department shall also have the authority to:
- (a) Revoke the facility's license and/or contract with the state to provide services;
- (b) Deny payment;
- (c) Assess and collect a civil monetary penalty with interest from the facility owner and/or facility administrator;

- (d) Appoint temporary management;
- (e) Close the facility and/or transfer residents to another certified facility;
- (f) Direct a plan of correction;
- (g) Ban admission of persons with certain diagnoses or requiring specialized care;
- (h) Ban all admissions to the facility;
- (i) Assign monitors to the facility; or
- (j) Reduce the licensed bed capacity.

Any action taken by the department pursuant to this subsection shall be appealable as provided in chapter 52, title 67, Idaho Code.

- (3) Any person, including any officer or employee of a financial institution, who has reasonable cause to believe that a vulnerable adult is being abused, neglected or exploited may report such information to the commission or its contractors.
- (4) The commission and its contractors shall make training available to officers and employees of financial institutions in identifying and reporting instances of abuse, neglect or exploitation involving vulnerable adults.
- (5) Any person who makes any report pursuant to this chapter, or who testifies in any administrative or judicial proceeding arising from such report, or who is authorized to provide supportive or emergency services pursuant to the provisions of this chapter, shall be immune from any civil or criminal liability on account of such report, testimony or services provided in good faith, except that such immunity shall not extend to perjury, reports made in bad faith or with malicious purpose nor, in the case of provision of services, in the presence of gross negligence under the existing circumstances.
- (6) Any person who makes a report or allegation in bad faith, with malice or knowing it to be false, shall be liable to the party against whom the report was made for the amount of actual damages sustained or statutory damages in the amount of five hundred dollars (\$500), whichever is greater, plus attorney's fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater.