

Striking a Balance: Privacy and the Law for US Crisis Centers

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RESEARCH QUESTIONS:

1. What does the crisis organizations domain look like?
2. What are the laws, statutes, and regulations affecting crisis organizations and their pursuit of information security and privacy?
3. What are the unique complexities crisis organizations are facing in light of advancing technologies in terms of privacy and information security and these organizations are able to provide services to victims?
4. What questions and challenges are still unknown as crisis organizations prepare for the future?

LAWS & STATUTES:

- The Privacy Act
- Electronic Communications Privacy Act
- The Family Violence Prevention and Services Act
- Violence Against Women Act
- Victims of Crime Act
- Freedom of Information Act
- Violent Crime Control and Law Enforcement Act of 1994
- Family Education Right to Privacy Act
- Location Privacy Protection Action of 2012
- Health Insurance Portability and Accountability Act

UNIQUE COMPLEXITIES:

- ◆ Privacy Notices
- ◆ Privilege Confidentiality
- ◆ Availability of Public Records
- ◆ Court Proceedings
- ◆ Online Presence - Social Media
- ◆ Internal Privacy Policies



CRITICAL INFORMATION:

- Abuse / Situation Assessments;
- Physical Shelters / Advocates;
- Law Enforcement;
- Financial Information;
- Social Services Benefits;
- Relationship Services;
- Transportation;
- Medical Care Information;
- Post-Shelter Planning;
- Housing Information;
- Employment / Educational Options;
- Children Issues: Information, Support, Custody, Child Protective Services;
- Legal Service. (Westbrook, 2009)

“The courts have been aware of the risks of posting personal information from cases and briefs on the Internet, but the drive to post documents from so many organizations has created a new resource for abusers.” Cantwell, J. (2007).

- ☑ Define rules of professional conduct;
- ☑ Develop written and signed confidentially statements;
- ☑ Identify exceptions to confidentiality;
- ☑ Create confidentially policies;
- ☑ Provide informed consent;
- ☑ Document confidentiality policies;
- ☑ Create communication policies and procedures;
- ☑ Document the maintenance, transmission, storage, and disposal of electronic or physical records.



18 out of 20 crisis organizations reviewed for this research do not have a privacy policy on their website.