



Pennsylvania Advocate Accompaniment Guide

A practical guide for Pennsylvania based advocates and law enforcement. This tool clarifies roles, rights, and procedures in police settings, including interviews and sworn statements.



FOR ADVOCATES:

Know what you can do, what you must not do, and how to assert your role while providing trauma-informed services to survivors.



FOR LAW ENFORCEMENT:

Understand the statutory basis for advocate accompaniment, how advocates can support case quality, and how to work collaboratively without breaking privilege or contaminating evidence.

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Shared Goals for Advocates and Law Enforcement



Each role serves a different function but collaborates for the following shared goals:



- **Survivor well-being and safety:** Prioritizing immediate safety, reducing the potential for retraumatization, and respecting survivor autonomy.



- **Reliable participation:** When survivors feel supported, they are more likely to engage consistently with the process.



- **Accurate evidence and stronger cases:** Trauma-informed interviews reduce inconsistencies and improve quality of testimony.



- **Community trust:** Supporting the presence of an advocate builds trust in both victim services and law enforcement, strengthening reporting rates and case follow-through.



- **System efficiency:** Advocates handle survivor needs (transportation, compensation, referrals), freeing officers to focus on investigation.



- **Cultural responsiveness:** Advocates bring knowledge of community specific needs, language access, and accommodations.

Role of the Advocate in Police Settings



What is an advocate's primary obligation to a survivor? Advocates...

- Provide trauma-informed, survivor centered support and safety planning.
- Explain processes in clear, plain language and support consensual, informed, and voluntary decision making.
- Ensure confidentiality and privilege. Obtain written, informed, and time-limited releases if the survivors wants information shared with police or prosecution.

How do advocates do this? Advocates are trained to...

- Facilitate grounding techniques (for example: the butterfly hug or box breathing) to support survivors in regulating their emotions when they are navigating a recent traumatic situation or become triggered.
- Ensure an understanding of rights and options for survivors. Including supporting language access and other accommodations that may be requested.
- Help the survivor in preparing for and participating in police interviews, sworn statements, photo arrays, lineups, and evidence returns.
- Assist with logistics. This may include navigating: transportation, childcare, protective orders, housing, and compensation applications.

What is not the responsibility of an advocate? Advocates do not...

- Act as an investigator.
- Answer questions for the survivor.
- Record or summarize the survivor's private disclosures for police unless the survivor provides written, informed, and time-limited consent.

For Law Enforcement



Practices that help

- Use soft interview rooms and allow an advocate from first contact.
- Offer frequent breaks and a predictable agenda.
- Avoid rapid fire or compound questions. Use plain language.
- Confirm consent before collecting digital evidence from a survivor's device.



Practices to avoid

- Excluding advocates without legal basis.
- Asking the advocate to persuade a reluctant survivor to participate.
- Requesting privileged information or copies of advocate notes.

Access to Law Enforcement Spaces



An advocate may be present when the survivor asks them to be in the following settings:

- Initial contact, interviews, and statement taking in any police facility or field location.
- Review and signing of written statements and affidavits.
- Lineups, photo arrays, and property returns.
- Charging updates and pre-referring meetings with the DA.

An advocate may be asked to step out when:

- The survivor withdraws consent for an advocate's presence.
- Officers need to discuss strategy or confidential information that is not the survivor's information.
- The space is deemed unsafe for safety reasons unrelated to advocacy.

If access is denied:

- Calmly request the specific policy or safety rationale.
- Cite **18 P.S. § 11.201**
- Offer solutions: for example a larger room or waiting with regular check-ins.
- Document the denial, the decision maker's name and the reason given. Provide the survivor with options to file a rights concern with the [Office of Victim Advocate](#).

Before, during, and after the Police Interview



BEFORE THE INTERVIEW

- Clarify your role and confidentiality limits; obtain consent for your presence.
- Arrange for accommodations, such as interpretation services, as requested.
- Explain what is to be expected from the interview process and that the survivor has options to pause, take breaks, or end the interview.
- Ask law enforcement about anticipated topics to be covered and the expected duration of the interview. Request a chair that puts you on a similar level to the survivor. Additionally, request tissues, something to drink, and a quiet space.

DURING THE INTERVIEW

- Sit beside the survivor and maintain nonverbal support.
- Intervene only to support the survivor's comfort and understanding. For example,
 - "Officer, can we pause for a brief break."
 - "I want to check that my client understands this question."
- Track requests, promises, and receipts.

AFTER THE INTERVIEW

- Debrief with the survivor privately.
- Review next steps and points of contact. Confirm how the survivor wants to receive updates.
- Explain support services available to the survivor: medical accompaniment, compensation, ongoing case management, etc.

Sworn and Written Statements

- The survivor decides whether they want to give a written or recorded statement. An advocate's role is to support informed choice.
- If the survivor asks you to review their statement for clarity or accuracy, do so privately. Do not draft facts for the survivor.
- Encourage the survivor to read the full statement before signing. Suggest inserting clarifying language when appropriate, such as "to the best of my recollection."
- Request a copy for the survivor if they want one and discuss safe storage.

Privilege, Confidentiality, and Releases

- Absolute privilege covers confidential survivor–advocate communications under **42 Pa.C.S. § 5945.1**. Keep notes minimal, factual, and securely stored.
- Use written, informed, and time-limited releases. Avoid blanket releases. Explain that consent can be revoked.
- When police ask for advocate notes or testimony, state: “I am not permitted to share privileged communications without the survivor’s written consent.” Refer to your organization’s counsel if needed.
- Know your program’s policy on mandated reporting under Pennsylvania’s **Child Protective Services Law (23 Pa.C.S. Ch. 63)** and other narrow exceptions. Review at intake and document the discussion.

Special Settings and Populations

- **Sexual assault medical forensic exams:** Advocates should be deployed as early as possible. Survivors may choose testing and notification preferences. Respect anonymous-kit options.
- **Minors and caregivers:** Determine who the child identifies as a support person. Clarify roles of child advocacy centers and MDTs.
- **Limited English proficiency:** Use qualified interpreters. The advocate is not the interpreter. Avoid using family or friends as interpreters.
- **Deaf and Hard of Hearing:** Provide certified interpreters and accessible communication methods.
- **Rural communities and Plain/Amish populations:** Plan for privacy in tight knit communities, transportation needs, and culturally specific safety planning.
- **Human trafficking survivors:** Screen for coercion and immediate safety. Use **42 Pa.C.S. § 5945.3** privilege.
- **Campus settings:** Clarify Title IX and criminal processes. Coordinate so survivor can choose participation level in each system.

Problem Solving

- If a survivor’s rights are violated, explain options to file a complaint with the [Office of Victim Advocate](#) and to notify the DA’s office. Offer to document and support the process.
- Track denials by agency to identify training needs and systemic barriers.
- Debrief with law enforcement partners or within SART/STOP teams after incidents to adjust policies.

Phrasing You Can Use

Setting specific responses you can have prepared to share.

- **Asserting access:** “My client requests accompaniment. Pennsylvania law at 18 P.S. § 11.201 permits a victim advocate to be present. Where would you like us to sit.”
- **Privilege:** “I cannot share communications with my client without written consent. That is protected under 42 Pa.C.S. § 5945.1.”
- **Redirecting during interview:** “Can we pause so I can check in with my client.”
- **When denied access:** “For our documentation, can you share the policy or statute you are relying on to exclude advocacy support.”

Pennsylvania Legal Framework You Can Cite

Reference this section when access is questioned. Become familiar with quoting statute and calmly document the denial if it occurs.

Crime Victims Act (18 P.S. § 11.201)

- Victims have the right to be accompanied at all criminal and juvenile proceedings by a family member, victim advocate, or other support person.
- Victims have the right to prepare and present written and oral victim impact statements. Advocates may assist in preparation at the victim’s direction.

Juvenile Act hearings (42 Pa.C.S. § 6336)

- Confirms that persons accompanying a victim for assistance may be present, subject to court control of the hearing.

Sexual Assault Counselor–Victim Privilege (42 Pa.C.S. § 5945.1)

- Absolute privilege for confidential communications between a sexual assault counselor and a victim. Neither party may be compelled to disclose without the victim’s written consent.

Human Trafficking Caseworker Privilege (42 Pa.C.S. § 5945.3)

- Extends privilege to human trafficking caseworkers; sexual assault counselors may serve in this role if qualified.

Sexual Assault Testing and Evidence Collection Act, “SATEC,” Act 29 of 2019

- Establishes statewide rules for collection, testing, and notification. Allows for advocate involvement at the survivor’s direction, including communications about testing preference and notification.

PCAR Victim Services and Accompaniment Standards

- Programs shall have a trained sexual assault counselor available to accompany the client to examinations, investigations, interviews, and court proceedings related to the client’s victimization.

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