



1

Support

This project was supported by Grant No. 15JOVW-22-GK-03987-MUMU awarded by the U.S. Department of Justice, Office on Violence Against Women (OVW). The opinions, findings, conclusions, and recommendations expressed in this presentation are those of the authors and do not necessarily reflect the views of the OVW.

2

Objectives

- Build rapport with victims and ensure the provision of multidisciplinary support that helps sustain their engagement in prosecution.
- Conduct thoughtful and effective victim interviews that provide evidence of the victim's experience of domestic violence.
- Minimize any potential trauma to victims and maximize information obtained from victims.

3

Trauma and Responses to Trauma

4

“Trauma is an emotional response to a terrible event like an accident, rape, or natural disaster. Immediately after the event, shock and denial are typical. Longer term reactions include unpredictable emotions, flashbacks, strained relationships, and even physical symptoms like headaches or nausea.”

TRAUMA, AMERICAN PSYCHOLOGICAL ASSOCIATION,
<http://www.apa.org/topics/trauma/index.aspx>

5

“Traumatic events are extraordinary, not because they occur rarely but rather because they overwhelm the ordinary human adaptation to life.”

JUDITH HERMAN, TRAUMA AND RECOVERY: THE AFTERMATH OF VIOLENCE – FROM DOMESTIC ABUSE TO POLITICAL TERROR 33 (Basic Books, 1992)

6

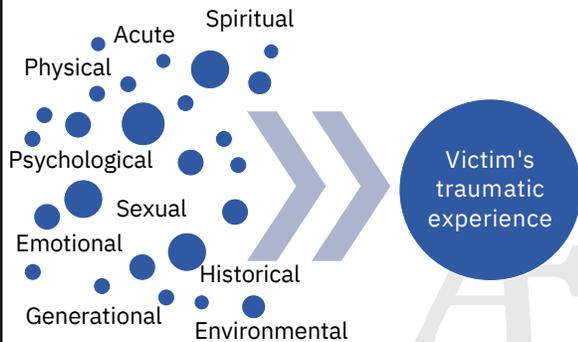
Stress v. Trauma

- Traumatic events are extreme versions of stressful events
- Effects of stress alleviated when stressor removed
- Effects of trauma continue well after event
- Memory lingers on
 - Shock and strain continue
 - Body never fully recovers

Kenneth R. Yeager & Albert R. Roberts, *Differentiating Among Stress, Acute Stress Disorder, Crisis Episodes, Trauma, and PTSD: Paradigm and Treatment Goals*, 3(1) BRIEF TREATMENT AND CRISIS INTERVENTION (Spring 2003)

7

Trauma



8

“With the darker pigment of your skin, your life seems to have less value in the criminal justice system.”

- Kym Worthy, Wayne County Prosecutor

9

Previous Trauma

- Survivors may have been victimized multiple times
 - Many experience physical/sexual abuse as children
- Survivors may have experienced more than one form of abuse as an adult
- An estimated 68% of women who have been physically assaulted by an intimate partner have been sexually assaulted as well

JUDITH MCFARLANE, & ANN MALECHA, SEXUAL ASSAULT AMONG INTIMATES: FREQUENCY, CONSEQUENCES, AND TREATMENTS (Oct. 2005)

10

Common Responses to Trauma

Lack of earnest resistance	Crying, laughing, flat affect	Delayed disclosure	Inconsistent / piecemeal memories
Self-blame	Minimization	Continued contact with offender	Returning to "normal" Behaviors
Reluctance to participate in process	Recantation	Testify for defendant	

See, e.g., Edna B. Foa, et al., *Common Reactions to Trauma*, National Center for Posttraumatic Stress Disorder

11

Common Responses to Trauma

Cont'd

Difficulty concentrating	Difficulty making decisions	Flashbacks / preoccupation
Memory disturbances/ amnesia	Changes in hygiene	A sense that things aren't real
Worrying	Changes in sleeping/eating	Withdrawn/ neediness

Common reactions to traumatic events, MITMedical, <http://medweb.mit.edu/mentalhealth/mh-reactions.html>

12

Effect on Memory

- Memory loss can help a victim cope by allowing them to temporarily forget details of the event
- Some victims suppress memories of a traumatic event until they are ready to handle them

13

...the story can come out in bits and pieces and fits and starts and cycle back over on itself, or, "Oh wait a minute, I remembered this detail." It comes out in a very disorganized way...

Interview with Dr. Rebecca Campbell, Nat's Institute of Justice (Jun 18, 2012), <http://nij.ncjrs.gov/multimedia/video-campbell.htm> (last visited December 30, 2019)

14

What does a trauma-informed interview look like?

How is it different?

15

Considerations

When?

Who?

Where?

Why?

16

Minimizing Barriers

- Recognize barriers to disclosure
- Accept that the victim may view you as a representative of others
- Do not be defensive
- Demonstrate that you can be trusted
- Provide immunity when appropriate
- Connect with services prior to interview
- Allow limited disclosures
- Explain ability to protect victim privacy and limitations

17

Language and Culture

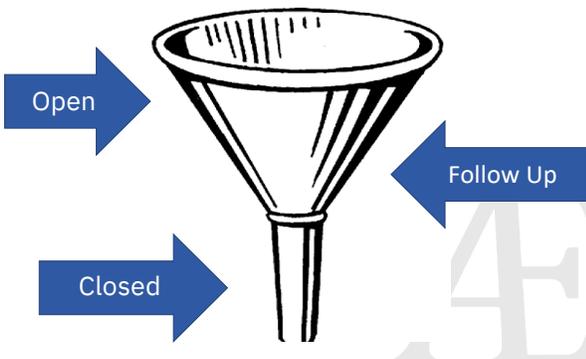
- Be conscious of language used during interviews
 - Make sure you are understood and that you understand the victim
 - Mirror the victim's language
 - Be aware of cultural stigmas that may affect victim's disclosure
- Use trained interpreters sensitive to the situation

21

Initial Interview

22

Funnel Approach



23

Open Questions

- Invites victim to volunteer as much information as they can
- Examples:
 - What happened when he came home?
 - What were you doing earlier that day?
 - Can you tell me about what happened once you were alone?

Be careful not to interrupt flow of the story!

24

Follow-Up Questions

Used to clarify a response to an open question

- You said you felt “scared” – what were you scared would happen?
- Are you able to tell me more about what happened after you left your house?

25

Closed Questions

Narrowly tailored to seek a one- or two-word answer:

- How did your day start?
- Did anyone see you after you left home?
- Do you remember talking to anyone on the phone that day?

26

Magic Word =
“Able”

27

Summary

- At the close of the interview, review what you've learned about the facts and the victim's experience
- Allow victim an opportunity to elaborate or explain anything misunderstood or omitted
- Invite victim to ask you questions

28

Small Group Exercise

29

Case File / State v. Adams

- Requires 3 participants for each breakout group
 - 2 participants to play the role of the prosecutors
 - 1 Faculty Facilitator to play the role of Eva Adams
- Assume Eva has reluctantly agreed to come in to meet with the prosecutor.
- Assess Eva's safety and her needs while also encouraging her to participate in the prosecution.
- Each interview is limited to 5 MIN. and the two interviews should occur one after another
- The second pairing can pick up where the preceding group left off or start fresh.

30

Large Group Discussion

- Prosecutors
 - Discuss the goal(s) of your interview and results
- Victims/Survivors
 - How did you feel during the interview?
 - Which elements were successful? Which were unsuccessful?
- Others
 - Observations?

31

Going Forward

Build rapport with victims and ensure the provision of multidisciplinary support that helps sustain their engagement in prosecution.

Conduct thoughtful and effective victim interviews that provide evidence of the victim's experience of domestic violence.

Minimize any potential trauma to victims and maximize information obtained from victims.

32