

Understanding Interviewing from the
Victim's Point of View: Helping Child
Abuse Victims Making Sense of their
Experiences
Santa Clara Child Abuse Prevention
Council Symposium

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Overview:

- ▶ Understanding Neurobiology of Trauma leads to Trauma Informed Interviewing
- ▶ Many Victims Experienced Complex Trauma and Adverse Childhood Experiences
- ▶ What Might Investigators do to Maximize a Victim's Capacity to Disclose?
- ▶ Summary
- ▶ Homework & Questions

Neurobiology of Trauma

- ▶ The way the brain processes traumatic events accounts for victim behavior that confounds investigators, prosecutors and juries.
- ▶ Explains why victims might respond in ways that make it seem like they are lying, when they are not.
- ▶ Essentially the Prefrontal Cortex gets overwhelmed, goes “off-line”, the Amygdala and Hippocampus step in and record sensory info in a fragmented way-more on this later.
- ▶ Simultaneously, stress hormones such as cortisol are released because of fear.
- ▶ Amygdala is saying ‘fight or flight’, but neither is realistic - fear takes over, so often there is a tonic immobility.
- ▶ Freezing is a very common reaction- Making it appear that there was no resistance, or even consent-more on this later.

Complex Trauma and Adverse Childhood Experiences

- ▶ To make matters worse for children in the child welfare system, there are often multiple forms of trauma in the “caregiver system”. We call this complex trauma.
- ▶ Children who experience complex trauma: Impaired ability to trust adults. Thus you have to work hard at being trustworthy. (Let us discuss)
- ▶ The Adverse Childhood Experience (ACE) study (Felitti, De Anda, 1998) showed us that adults who had multiple ACEs were at increased risk for early death and other subsequent traumatic events. These individuals are the kind of victims that are especially fragile and sometimes easier to discredit.
- ▶ The majority of sexual assault victims are girls age of <18 (Finkelhor, 2008); Important to acknowledge that many male victims do not disclose, we think this problem is seriously under reported.

What Might Investigators Do To Maximize Disclosure?

- 1) **Begin with the end in mind: Justice** - Be willing to do whatever it takes to achieve it. This means:
 - ❑ (A) Building your relationship with the victim
 - ❑ (B) Being willing to be aware of and contain your responses
 - ❑ (C) Looking for what he/she can tell me rather than having them provide you a linear account
- 2) **Relationship Building**
 - I. Address the victim's needs and fears
 - II. Know that he/she is not sure they want to talk to you, not fully "in"
 - III. Can they contact you at any time with more info (remembered) or questions or any possible harassment
 - IV. When can they expect you to respond (trustworthy)
 - V. Inquire about support from family/friends
 - VI. Sincerity and eye contact; don't forget to smile.
 - VII. Give control: Breaks, location, support person, ready to start?

Manage Your Own Responses and the Victim's

3) We have all inherited a world of myths and stigma about sexual assault and child maltreatment. Professional's reactions are often unconscious. Sometimes we call this a counter transference reaction.

- Know that victims will be studying you for how much you can handle and whether or not you will judge them
 - ❑ Know that sexual assault often co-occurs with “rule breaking”. You need to explain why you are asking about ...
 - ❑ One way: Practice holding back judgement. This is hard to do, but will serve you well. Perspective Shift: From what's wrong with you to what happened to you? (Winfrey, 2018)
 - ❑ Another way: Keep your focus on justice. Ask yourself how will offering my opinion to the victim serve justice?
 - ❑ Another way: Be sensitive to victim's shifts in reacting to you.
 - ❑ Victim decision making is fluid and highly dependent on the relationship with the interviewer.

Look for what He/She Can Tell You

4) Use an open ended narrative approach like the National Institute of Child Health Development/Ten Step recommends (Lyon, 2014). Lets discuss “*cue*” questions. Eg: You said he took you upstairs. Tell me everything that happened upstairs.

- ❑ **Add a focus on sensorium:** What you saw, heard, smelled, tasted or touched? Use these to look into what happened, rather than pursuing a linear account.
 - ❑ *Time segmentation questions, “And then what happened?”* - may not serve the purpose well enough
 - ❑ Examples: Clocks, phones, scents, conversations, radio overheard
 - ❑ In a sense, you need to enter the victim’s experience and see it from their point of view.
 - ❑ The use of “wait time” will serve you well; some traumatized people take time to respond fully.

Victim Self Blame

5) Anticipate the victim's self blaming. At some point, you want to clearly state that it does not matter to me what -- happened, even if it broke the law.

- ❑ You may need to explain why you are asking for who else saw, heard, etc. because your search for corroboration may seem like disbelief to the victim.
- ❑ This will undermine your relationship and your focus on justice, so do address it directly.
- ❑ If you see what De Becker (1998) calls Pre Incidence Indicators (*PINS*), you may want to point them out:
 - ❑ *Too many details* *Forced teaming*
 - ❑ *Refusing to take no for an answer*
 - ❑ *Will you allow yourself to be engaged against your will?*

Is a victim more likely to disclose if they feel believed?

In this clip, Ms. Trujillo discusses whether victims who feel believed are more likely to disclose information about abuse. Ms. Trujillo draws on her own personal experience as a survivor and how she chose to share, or not share, details of her assault. Source: End Violence Against Women International (2018) DOJ funded

<https://vimeo.com/249568012>

Take a break!

- ▶ 6. In the spirit of giving the victim control, ask him/ her if they need a break.
 - ❑ If you are not able to gather useful information, consider reinterviewing the victim after she has had 2 nights of *restorative* sleep.
 - ❑ Victims who do not develop PTSD were able to give more details with brain rest (Preston, 2015, citing the work of Campbell).

Understanding Fear and Self Protective Behaviors

7) Ask what the victim thought would happen if he/she did not comply with the suspect?

- ❑ Remember crime victims make moment to moment decisions about compliance and may have been looking for an escape opportunity. Sometimes compliance leads to less injury. (Burgess, Regehr & Roberts, 2013)
- ❑ Remember that victim's state of mind/ suspect induced fear are key elements in a court trial.
- ❑ Remember that by allowing the victim to tell you this, you might be jump starting the victim's healing journey. You are delving into the realm of the Amygdala, so putting words to these sensations might be difficult, yet necessary.

- ▶ Source for both videos: End Violence Against Women International (2018)
- ▶ Why Should Investigators Understand Trauma?
- ▶ Dr. James Hopper, Psychologist
- ▶ <https://vimeo.com/249564022>

- ▶ One Moment Investigators Should Listen for :
Fear
- ▶ Dr. James Hopper, Psychologist
- ▶ <https://vimeo.com/249563867>

Use Cognitive Interview Techniques

8) Reverse Perspectives in Three Ways: A) The Cognitive Interview (Geiselman & Fisher, 2014) asked victims to take the perspective of someone else in the room, and often this yielded more details. While this may be worth trying, young children have difficulty with this.

B) Ask the victim if he/she would like to close their eyes while they are remembering and use “wait time” to allow them to narrate without interruption.

C) Ask the victim to take your role, ask if there is anything I forgot to ask you?

- ❑ With children, this often got us significant details that had escaped our awareness. For example: Guns, camera, someone present we had not expected, etc.
- ❑ You may capture something the victim was waiting for you to ask, and did not know how to tell you.

Partner with and Protect the Victim

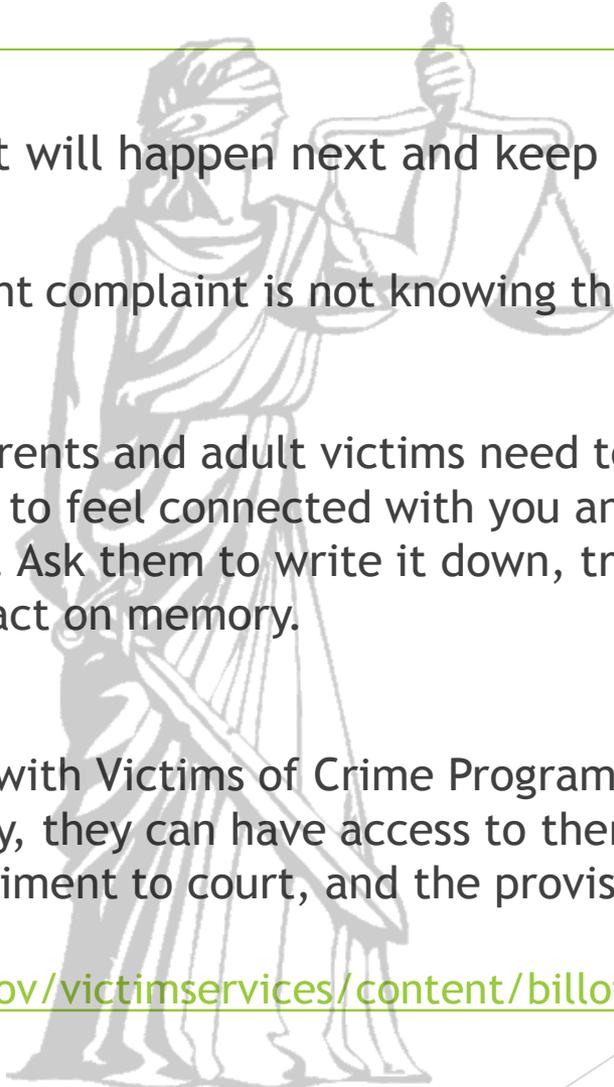
9) Be a partner with the victim and an authority figure with anyone who harasses, intimidates, etc.

- ❑ Explain to the victim what you are looking for. Consider asking them to tell you everything, even if they think it's not important, because together, you might be able to figure it out.
- ❑ Let the victim know that suspects and their associates may try to intimidate them and they need to call you ASAP when this happens. Then you must respond ASAP to stop this.
- ❑ Remember the suspect is highly motivated to undermine your relationship with the victim. Will you allow this to happen?

Interview Wrap Up

10) Tell the victim what will happen next and keep them updated

- ❑ The most frequent complaint is not knowing the status
- ❑ Child victims, parents and adult victims need to have this info in order to feel connected with you and the quest for justice. Ask them to write it down, trauma can have an impact on memory.
- ❑ Connect victims with Victims of Crime Program through your DA. This way, they can have access to therapy, victim accompaniment to court, and the provisions of Marsy's Law.
(<https://oag.ca.gov/victimservices/content/billofrights>).



Summary: Ten Points

- ▶ We reviewed the neurobiology of trauma in a computer analogy, we said in a traumatic event, the Pre-Frontal Cortex can go “offline” and leave the Amygdala and Hippocampus as “back up”, recording information in a fragmented way.
- ▶ Relationship building is critical to your success as an interviewer.
- ▶ Use an open ended narrative approach ie cue questions, add a focus on sensorium.
- ▶ The use of “wait time” will serve you well.
- ▶ Explain why you are pursuing corroboration, because it can “feel” like disbelief to a traumatized person.

Summary Con't

- ▶ Listen for and probe about fear; and that know you could be jumpstarting the healing journey.
- ▶ Try perspective switching.
- ▶ Partner with and protect the victim.
- ▶ Anticipate what will happen next and ask them to write it down.
- ▶ Connect victims and families with Victims of Crime Program.

Homework

- ▶ Practice using a narrative approach with children. This weekend, find a child and engage in cue questions. Observe tendency to insert “Can you” before “Tell me”. Notice that a child may come up with details you could not have otherwise uncovered, because they are the expert in their own experience.
- ▶ Following the Buddhist saying, “When the student is ready, the teacher arrives,” who among your interviewees has been your teacher? We need to remain humble in the face of trauma and remind ourselves that our interviewees are our teachers.
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- ▶ Talk about what you do to help dismantle some of the stigma. Be a beacon of light that attracts curious young persons to our interdisciplinary professions. Over the last 15 years, we have made progress in conducting interviews, understanding trauma and translating neuroscience; this deserves to be built on by a new generation of recruits.

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