

Successful Trauma Informed Victim Interviewing

When gathering evidence during the investigation of sexual assault crimes, it is necessary for law enforcement and others in the criminal justice system, such as prosecutors, to ask the victim questions that they may find difficult to answer, in order to establish the facts and circumstances of a reported crime.

To build rapport and trust with victims when starting the interview, it is effective for law enforcement to acknowledge that some of the questions might seem unusual and to explain that all of the questions serve to help the interviewer understand the victim's experience of the event. Victims should also be encouraged to ask questions at the beginning and throughout if they need clarification regarding the process or the purpose of interview questions..

The phrasing of questions during victim interviews is important. Depending on how a question is asked, it might be perceived by a victim as blaming them for their actions, or for what they may be unable to recall. The following examples demonstrate how trauma-informed interview techniques can be used to reframe these questions in a manner that helps victims retrieve memories from a traumatic event and assists law enforcement in gathering more information while making the victim feel more supported and increasing the likelihood that they stay involved in the criminal justice process.

Beginning with questions such as "Where would you like to start?" or "Would you tell me what you are able to about your experience?" sets a supportive tone for the interview. Asking questions in this way also invites the victim to describe what happened, their thoughts, and their feelings in their own words, which is valuable evidence to document in the case report.

In general, law enforcement should consider reframing

- questions that start with "why";
- directives such as "explain to me..."; and
- requests for a chronological account with prompts such as "and then what happened?"

Using open-ended questions and requests when possible gives the person being interviewed the opportunity to share more information about what they are able to recall. For victims, this method helps their brain retrieve information from a traumatic event and offers them more control as they recount a time when they were violated and had no control.

This document should be used in conjunction with IACP's *Sexual Assault Guidelines and Investigative Strategies*, *Sexual Assault Supplemental Report Form*, *Sexual Assault Report Review Checklist*, *Sexual Assault Policy and Training Content Guidelines*, and *Model Policy on Investigating Sexual Assaults (Members Only)*.

Interview Questions to Avoid	Trauma-Informed Reframing	Rationale
<p>“Why did you...?”</p> <p>or</p> <p>“Why didn’t you...?”</p>	<p>“When (specific event happened), what were your feelings and thoughts?”</p> <p>or</p> <p>“Are you able to tell more about what happened when...?”</p>	<p>The original questions are asking for clarification of what happened, which could be perceived as faulting the victim for taking or not taking a certain action. Asking a victim about their thought process provides an opportunity for them to explain what they did or did not do and why. The use of “Are you able to...” reduces the pressure on the victim to fully articulate what they did and why they did or did not act in a certain way.</p> <p>When experiencing trauma, victims do not consciously choose their reactions or what they are able to remember, the survival part of the brain takes over and victims might not understand why they reacted the way that they did. When asking about thought processes, the question should be tied to a specific event, such as, “When he locked the door, how did that make you feel?”</p>
<p>“Start at the beginning and tell me what happened.”</p> <p>or</p> <p>“How long did the assault last?”</p> <p>and</p> <p>Other questions asking for a chronological account.</p>	<p>“Where would you like to start?”</p> <p>or</p> <p>“Would you tell me what you are able to remember about your experience?”</p> <p>or</p> <p>“What are you able to tell me about what was happening before/during/after the assault?”</p> <p>or</p> <p>“If anything, what do you remember hearing during the event?”</p>	<p>The original question may be difficult for the victim to answer because experiencing a traumatic event can impact the storage of memories, which may make it difficult for the victim to remember the length of time that the assault lasted or the chronological order of events.</p> <p>Asking the victim to state the exact timeframe/timeline may increase the confusion and self-blame they experience. As a result, they may come up with their best estimate of a timeframe that may become problematic afterward. Reframing the questions and opening with “What are you able to...” can reduce the pressure on the victim to recall specifics given the impact of trauma on memory.</p> <p>Additionally, asking sensory-based questions can lead to additional evidence that can help law enforcement to begin building a timeline and placing events in chronological order (e.g., hearing the suspect’s phone ring during the assault can give investigators a timeline when compared to the suspect’s phone records).</p>

Interview Questions to Avoid	Trauma-Informed Reframing	Rationale
<p>“What were you wearing?”</p>	<p>“Sometimes we can get valuable evidence from the clothes you were wearing, even if you’ve put them through the laundry. We would like to collect the clothes you were wearing at the time of the assault as evidence. Can we pick up those items at a time and place that is convenient for you?”</p>	<p>The original question could be perceived as blaming the victim for the assault due to their attire, i.e., that the suspect chose victim because of what they were wearing. Explaining that gathering clothing, sheets, towels, etc., is part of the evidence collection process removes the victim’s specific experience from the equation and instead focuses on the process.</p>
<p>“Were you drinking or taking drugs?”</p>	<p>“Can you tell us if you had been drinking or taking drugs at the time of the assault? We are not investigating your drinking/drug use. We are concerned for your safety and about what happened to you. This helps us to establish an element of the crime and get a better picture of what was happening during the assault and provide you with additional support.”</p>	<p>The original question could be perceived as implying that what happened to the victim happened to them because they were drinking alcohol or taking drugs. Additionally, victims may be afraid that there will be ramifications, possibly criminal, for their actions and so hesitate to admit it to law enforcement, especially if they are underage and/or the drug use was illegal.</p> <p>The use of drugs and/or alcohol can also greatly increase the victim’s experiencing of self-blame, guilt, and shame. It is recommended that law enforcement communicate to the victim that any voluntary consumption of drugs or alcohol does not justify a sexual assault.</p>
<p>“Why did you go with the suspect?” or “Do you think you led them on?” or “Do you think you contributed to this happening?”</p>	<p>“Can you describe what you were thinking and feeling when you went with the suspect?” and “Did the suspect’s behavior change after you went with them? How did this make you feel?”</p>	<p>The original questions could be perceived as blaming the victim for choosing to go with the suspect or implying that it was a consensual encounter because the victim initially engaged with the suspect. Reframing the question clarifies the victim’s decision-making process without judgement or blame.</p> <p>These questions also set the stage for asking about what the suspect did, how the suspect’s actions and demeanor may have changed, and how this may have made the victim feel threatened, afraid, or helpless. Information from this question can assist in identifying the suspect’s tactics, approaches, and strategies as well.</p>

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<p>“Why were you out at this time and at this location?”</p>	<p>“What are you able to tell me about what brought you to the location at this time/day?”</p>	<p>The original question could be perceived as blaming the victim for being in a place where they could be assaulted. Reframing the question can invite the victim to explain the circumstances that brought them to a particular location, which helps fill in details of the incident without laying blame on the victim for the actions of the suspect.</p>
<p>“Why didn’t you leave?”</p>	<p>“Are you able to describe what was happening while you were in... (the room, the car, the house, etc.)?”</p> <p>or</p> <p>“What were your thoughts and/or feelings while you were in... (the room, the car, the house, etc.)?”</p>	<p>The original question could be perceived as blaming the victim for not removing themselves from the situation and implying that they had the opportunity and ability to do so but chose not to. When experiencing a traumatic event, the brain goes into survival mode and logical, rational, conscious thought is inhibited. The survival mode directs the body to either flight, fight, or freeze.</p> <p>Reframing can allow the victim to describe the circumstances of the assault, what they were thinking, if they felt they could move, and if they felt attempting to leave would increase danger. This provides context to their account. Reframing the question may also uncover tactics and/or threats the suspect used to restrict the victim’s movement.</p>
<p>“Did you say no?”</p>	<p>“What are you able to recall doing or saying during the incident?”</p> <p>and</p> <p>“How did the suspect respond to your words or actions? Do you remember how that made you feel?”</p> <p>or</p> <p>“Do you remember smelling/hearing/feeling/tasting/seeing anything when...? Tell me more about that.”</p>	<p>The original question could be perceived as blaming the victim for what happened to them by not saying “no” or not saying it clearly or loudly enough for the suspect to understand. It could also be perceived as not believing the victim when they say what happened was nonconsensual. The absence of a verbal “no” does not mean “yes” or that consent was given.</p> <p>Reframing the question to ask what they were able to do or say also provides an opportunity for the victim to expand on what happened beyond the original yes/no question. Documenting what the victim did, said, felt, thought, smelled, heard, tasted, and saw can lead to discovering important evidence that can be corroborated by subsequent investigation.</p>

Interview Questions to Avoid	Trauma-Informed Reframing	Rationale
<p>“Did you fight back?”</p>	<p>“What did you feel like you were physically capable of doing during the incident?”</p> <p>or</p> <p>“What was going on in your mind when you realized you were in danger?”</p> <p>or</p> <p>“What can you tell me about what you remember feeling during the incident?”</p>	<p>The original question could be perceived as implying that the victim did not do enough to prevent the assault. Reframing the question to ask what they were thinking, and feeling can provide an opportunity for them to explain what they did or did not do and why. This can also allow the victim to provide more information than the original yes/no question.</p> <p>Flight, fight, and freeze are involuntary survival reactions. Victims sometimes experience tonic immobility (frozen fright) and cannot move. However, there are times a victim may choose not to fight back. For example, because they may fear greater injury or death if they try or they believe the suspect’s threats to themselves or others.</p>
<p>“Why didn’t you report right away?”</p>	<p>“Did anything in particular cause you to come tell us about this incident today?”</p> <p>or</p> <p>“Would you tell me about your thoughts leading up to reporting this incident?”</p> <p>or</p> <p>“Was there someone you trusted to tell about the incident after it occurred? When you told them, what were you thinking and feeling?”</p> <p>or</p> <p>“What were you feeling—physically and emotionally—immediately after the assault?”</p>	<p>The original question could be perceived, to the victim, as expressing a lack of belief because of the delay in reporting or asking for justification for the delay. There are many reasons a victim may not immediately report, and delayed reporting is extremely common in sexual assault cases.</p> <p>Victims often turn to a trusted family member or friend initially, though they might not tell anyone. An initial disclosure that did not go well can also discourage victims from reporting immediately to law enforcement. They often believe that they can ignore and move past the assault and not experience painful consequences.</p> <p>Reframing the question to ask about how they felt after the assault may elicit more information about their decision to not report immediately and why they are choosing to report now. Reframing the question can also invite victims to explain what they were thinking and feeling after the assault.</p>

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<p>“Did anyone see this happen?”</p>	<p>“Can you tell me about any people or witnesses who might have seen you and the suspect together or who might have seen the incident?”</p> <p>and</p> <p>“Can you tell me about any people or witnesses who might have seen you after the event?”</p> <p>or</p> <p>“Can you identify anyone who was at the party/bar (any location)?”</p> <p>and</p> <p>“Can you share information with me on any friends/colleagues/classmates that might have noticed a change in your physical appearance or behavior (withdrawn/sad/angry) after the assault?”</p>	<p>The original question may be perceived as disbelief that the incident occurred absent witnesses. Society sometimes has the perception that the only evidence in sexual assault cases is the victim’s statement that it occurred. The reality is that while most of these crimes occur in isolation without witnesses, there may have been witnesses to events leading up to or after the incident that can corroborate details. Additionally, acquaintances of the victim can provide evidence of the impact of trauma from the assault on the victim, such as changes in the victim’s physical appearance or behavior.</p> <p>To obtain evidence in addition to the victim’s statement, suspect forensic exams and sexual assault kit exams can also be conducted to gather physical evidence. As most sexual assaults do not result in anogenital or other injuries, a lack of these injuries does not mean an assault did not occur. It is important however for investigators to ask about physical effects that they cannot see, such as internal injury from strangulation or suffocation. It is also necessary to document evidence of non-consent to corroborate any DNA evidence.</p>
<p>“Have you had sex with this person before?”</p> <p>or</p> <p>“Are you dating/in a relationship with this person?”</p> <p>or</p> <p>“Why does this keep happening to you?”</p>	<p>“Has this person done anything like this to you in the past?”</p> <p>and</p> <p>“Can you tell me how this instance was different from previous consensual sexual acts?”</p> <p>There is no need to ask about prior sexual assaults committed by other suspects.</p>	<p>The common questions could be perceived as implying that the incident could not be sexual assault if there were prior consensual sexual acts. The new question gives the victim the opportunity to disclose prior assaults by the same individual, which can be used as evidence of course of conduct, and/or explain how this instance was different from previous consensual occasions. Investigations can be opened regarding any prior assaults by the same individual that the victim discloses.</p> <p>Whether the victim has previously been assaulted by another person does not impact the present investigation.</p>

Quick Reference Guide to Trauma Informed Interviewing

 Instead of...	 Try...
“Why did you...?” or “Why didn’t you...?”	“When (specific event happened), what were your feelings and thoughts?” or “Are you able to tell more about what happened when...?”
“Start at the beginning and tell me what happened.” or “How long did the assault last?” and Other questions asking for a chronological account. “What were you wearing?”	“Where would you like to start?” or “Would you tell me what you are able to remember about your experience?” or “What are you able to tell me about what was happening before/during/after the assault?” “Sometimes we can get valuable evidence from the clothes you were wearing, even if you’ve put them through the laundry. We would like to collect the clothes you were wearing at the time of the assault as evidence. Can we pick up those items at a time and place that is convenient for you?”
“Why did you go with the suspect?” or “Do you think you led them on?”	“Can you describe what you were thinking and feeling when you went with the suspect?” and “Did the suspect’s behavior change after you went with them? How did this make you feel?”
“Why were you out at this time and at this location?” “Why didn’t you leave?”	“What are you able to tell me about what brought you to the location at this time/day?” “Are you able to describe what was happening while you were in... (the room, the car, the house, etc.)?” or “What were your thoughts and/or feelings while you were in... (the room, the car, the house, etc.)?”
“Did you say no?”	“What are you able to recall doing or saying during the incident?” and “How did the suspect respond to your words or actions? Do you remember how that made you feel?”
“Did you fight back?”	“What did you feel like you were physically capable of doing during the incident?” or “What was going on in your mind when you realized you were in danger?”
“Why didn’t you report right away?”	“Did anything in particular cause you to come tell us about this incident today?” or “Was there someone you trusted to tell about the incident after it occurred? When you told them, what were you thinking and feeling?” or “What were you feeling—physically and emotionally—immediately after the assault?”
“Did anyone see this happen?”	“Can you tell me about any people or witnesses who might have seen you and the suspect together or who might have seen the incident?” and “Can you tell me about any people or witnesses who might have seen you after the event?” and “Can you share information with me on any friends/colleagues/ classmates that might have noticed a change in your physical appearance or behavior (withdrawn/sad/angry) after the assault?”
“Have you had sex with this person before?” or “Are you dating/in a relationship with this person?”	“Has this person done anything like this to you in the past?” and “Can you tell me how this instance was different from previous consensual sexual acts?”