

## Trauma Informed Response

Getting Beyond  
"Just the Facts, Ma'am"

---

---

---

---

---

---

---

Donna Kelly  
Sexual Assault and Domestic Violence  
Resource Prosecutor  
Utah Prosecution Council  
Office of the Attorney General

This project was supported by U.S. Department of Justice, Office on Violence Against Women the Utah Commission on Criminal and Juvenile Justice - Grant number - 2011-WE-AX-0051. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

---

---

---

---

---

---

---

## The Problem Defined

- Victims may have a wide range of behaviors
- Victims may have bizarre behaviors
- Many behaviors are interpreted as "lying," but are actually the result of trauma




---

---

---

---

---

---

---

## The Problem Defined



Traditional Criminal Justice System Response

Vs.

New Medical Research on Trauma

---

---

---

---

---

---

---

## Significant Researchers

Rebecca Campbell,  
PhD – NIJ Studies



Russell Strand,  
US Military Police School



---

---

---

---

---

---

---

## Rebecca Campbell Research

National Institute of Justice  
Study of Sexual Assault cases  
Six metropolitan jurisdictions  
12 year study period

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---

## Typical outcome withOUT training on effects of trauma

- The stuff they say makes no sense. So no, I don't always believe them, and yeah, I let them know that.
- Then they say "Never mind, I don't want to do this." OK, fine.
- Noted in report: Complainant refused to cooperate. Case closed.

Campbell Study, 2012

---

---

---

---

---

---

---

---

## Police Reaction

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>■ "The stuff they say makes no sense."</li> <li>■ "They lie all the time, I can tell."</li> <li>■ "I see them hedge, making it up as they go."</li> </ul> | <ul style="list-style-type: none"> <li>■ "No way it's true. No one would act like that if it's true."</li> <li>■ "They can't get their story straight."</li> </ul> |
|--|--|

Campbell Study 2012

---

---

---

---

---

---

---

---

## Advocate Reaction

- “It’s hard, trying to change what they do to victims. They don’t believe them and then victims give up. It happens over and over again.”

Campbell Study 2012

---

---

---

---

---

---

---

## Victim Reaction

- “He didn’t believe me and he treated me like s\*\*\*. Didn’t surprise me when he said there wasn’t anything to go on to do anything. Didn’t surprise me but it still hurt.”

Campbell study 2012

---

---

---

---

---

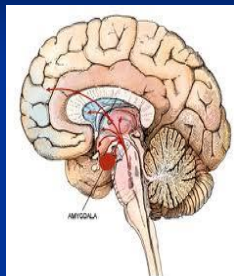
---

---

## Brain Anatomy 101

The human brain experiences events and records memories in two different ways and in two different locations:

- The cortex  
a.k.a. The Rational Brain
- The amygdala  
a.k.a. The Primitive Brain  
a.k.a. The Walnut Brain




---

---

---

---

---

---

---

## Rational Brain (Cortex)

- Controls primitive brain in all situations except trauma
- Chooses focus of attention
- Weighs alternatives
- Reflects on choices
- Inhibits habits and automatic responses
- Regulates emotions and thoughts




---

---

---

---

---

---

---

---

## Primitive Brain (Amygdala)



- In trauma, “turns off” or controls cortex
- Involuntary focus on danger or threat
- Operates on primitive functions only
- Triggers automatic responses; ie., no weighing or problem solving

---

---

---

---

---

---

---

---

## During Trauma of Assault

### Perpetrator Actions

- Not stressed
- Cortex in control
- Thinking is planned, logical and rational
- Full control of behaviors and actions
- Memories are very orderly, narrative is chronological

### Victim Responses

- Terrified, overwhelmed
- Amygdala in control
- Involuntary focus – danger, threats, survival
- Behavior controlled by emotions, reflexes
- Memories fragmented and illogical, not chronological

---

---

---

---

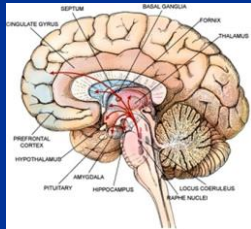
---

---

---

---

When you interview a person about a traumatic experience, you are interviewing the primitive brain.




---

---

---

---

---

---

---

## Memory of Assault

The assault experience for victims is remembered in fragments and is infused with intense emotion and recollections of sensations because memories are stored in the primitive brain, a.k.a. amygdala.

---

---

---

---

---

---

---

## “Flashbulb” Memories

Traumatic memories are often called “flashbulb” memories because they are brief and intense - but provide a scattered account of the traumatic event with some pieces missing.



*Are Rape Memories Different?*  
*Journal of Traumatic Stress*  
*Tromp et al, 1995*

---

---

---

---

---

---

---

## Effects of Trauma on Memory

- Poorly encoded/poorly remembered
  - Sequence of events
  - Context and consolidation of events
  - Events and details outside of perceived threat
- Well encoded/well remembered
  - Details most important to survival
  - Threat of harm (often called "weapon focus")
  - Emotions
  - Sensations (five senses)




---

---

---

---

---

---

---

---

## Perpetrator Memory vs. Victim Memory

Which account is more understandable?

Which account is more believable?




---

---

---

---

---

---

---

---

## Officer Involved Shooting Investigations Research

- Critical Incident Amnesia
- "This temporary amnesia will affect both the officer's memory and the officer's ability to write a detailed report."
- After first sleep cycle, officer's memory increases by 50 per cent
- After second sleep cycle, officer's memory increases up to 90 per cent

■ *Force Science Institute*

---

---

---

---

---

---

---

---

## Critical Incident Amnesia Law Enforcement Officers

The brain does not have infinite capacity to observe, so it narrows the focus and ignores the rest.



We can either see the forest or the tree, but not both at the same time.

*Force Science Institute, Honig and Lewinski, 2010.*

---

---

---

---

---

---

---

---

## Responses of Body to Trauma



The Real Response:

**FREEZE – then Fight or Flight IF POSSIBLE**

Always freeze first to assess

THEN, Fight or Flight to avoid further attack  
IF POSSIBLE

---

---

---

---

---

---

---

---

## Involuntary Behavior in FREEZE mode: Two Common Types

- 1) Dissociation or “disintegrated experience”
  - Purpose: Brain’s method of protecting from overwhelming sensations, emotions
  - Victim may report:
    - “I felt like I was standing in a corner watching.”
    - “It was like I went to another place.”
    - “I just ‘spaced out.’”
    - “It was like I was in a dream or watching a movie.”

---

---

---

---

---

---

---

---



## Involuntary Behavior in FREEZE mode: Two Common Types

### ■ 2) Tonic Immobility

- Purpose: Preserve life.
- Caused by perceived inability to escape
- Usually follows a failed struggle to fight or escape
- Usually sudden onset; body flooded with hormones (Oxytocin primarily)
- Pronounced verbal and physical immobility
- Can last for minutes or hours




---

---

---

---

---

---

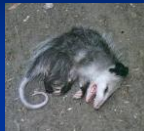
---

---

## Involuntary Behavior in FREEZE mode: Two Common Types

Victim May report:

- "I was frozen."
- "I felt numb."
- "My arms/legs/hands wouldn't move."
- "I tried to scream but I couldn't."




---

---

---

---

---

---

---

---

## Tonic Immobility



Chicken in Tonic Immobility State

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

## Tonic Immobility



Shark in Tonic Immobility State

---

---

---

---

---

---

---



---

---

---

---

---

---

---

## Tonic Immobility Research

- 2008 study of Tonic Immobility
- Looked at serious traffic accidents, serious physical assault, sexual assault, close call with death
  - 44 % had significant immobility
  - 11 % had extreme immobility
  - Greatest immobility was from:
    - Sexual assault (60 %)

Bados et al, 2008

---

---

---

---

---

---

---

---

## Officers' Stress Reactions to Lethal Force Encounters

Fast Motion Time	17%
Slow Motion Time	62%
Diminished Sound	84%
Intensified Sound	17%
Tunnel Vision	79%
Heightened Visual Acuity	71%
Memory Loss	52%
Auto Pilot	74%

-- Dr. Alexis Artwohl, 2002  
*"Surviving Deadly Force Encounters"*

---

---

---

---

---

---

---

---

## Tonic Immobility Case Study

- Rebecca Campbell research
- College party - 20 year old woman drinking
- Agreed to go back to one of the bedrooms
- Things go farther than she wants – told him to stop
- He didn't
- She froze
- He raped her and then told his friends
- They lined up outside bedroom door and took turns raping her

---

---

---

---

---

---

---

---

## Tonic Immobility Case Study

- Woman's friends go in and have to "drag" her out
- Victim had rape exam and reported crimes
- Police never got Code R report, never investigated beyond her initial statements
- Police report wrote:
  - "Victim unable to establish all elements of crime. Case closed."
  - "She just laid there, so she must have wanted it. No one wants to have a train pulled on them, so if she laid there and took it, she must have wanted it."

---

---

---

---

---

---

---

---

## Uninformed Interview From the Victim Perspective

Real Utah Rape Case – Victim Facebook Posts

- My AWAKE Facebook friends... I'm pretty sure I was RAPED last night... Please HELP ...
- I'm surrounded by Utah cops that believe this was MY FAULT... PLEASE HELP...
- I don't know what to do...
- MFG... PLEASE S.M.E.NE HELP ME... THERE ARE N. FEMALE P.L.I.C.E HERE....
- @ the hospital... Officer (X) won't tell me his first name...

---

---

---

---

---

---

---

---

- Officer (Y) says he had awful things happen to him growing up on a Border Town... This brings us closer together...
- Out of the hospital... Thank you to everyone that called... I was still under the influence of whatever got slipped in my drink last night... My flight home is at 6... I want to go home...
- Finally heading home, hour and half delay... Spent 45 minutes with Det (Z) and maybe not all Utah police are not total worthless a\*\*\*\*\*... Just now getting back to all the texts and messages... Thank you guys for the support and positivity you provided this morning and throughout the day... I was all alone and I needed it... Thank you...

---

---

---

---

---

---

---

---

- Hello FB family...
- I'd like to say thank you again for the outpouring of support and positive energy I've received from you all... I was pretty terrified and confused when I put it all out on blast on here... Between the act itself and my inability to even think/remember what happened, being alone in a different state (Utah), being treated like a stupid whore by a\*\*\*\*\* police and having to defend myself without knowing or expecting to, I knew I needed help... I needed as much help from as broad a scope of folks/friends that I could get and this is where I went... So many have asked if there is anything they can do to help and in answer I say just keep sending the positive vibes... Trust me, I can feel them and I appreciate it ... Thank you all again...

---

---

---

---

---

---

---

---

- Hello FB family...
- I'd like to say thank you again for the outpouring of support and positive energy I've received from you all... I was pretty terrified and confused when I put it all out on blast on here... Between the act itself and ~~my inability to even think/remember what happened~~, being alone in a different state (Utah), being treated like a stupid whore by a\*\*\*\*\* police and having to defend myself without knowing or expecting to, I knew I needed help... I needed as much help from as broad a scope of folks/friends that I could get and this is where I went... So many have asked if there is anything they can do to help and in answer I say just keep sending the positive vibes... Trust me, I can feel them and I appreciate it ... Thank you all again...

---

---

---

---

---

---

---

---

If we want to be effective, we  
**MUST** interview traumatized  
victims in a different way




---

---

---

---

---

---

---

---

But wait . . . Aren't cops/prosecutors supposed to be objective and independent, not "victim centered?"




---

---

---

---

---

---

---

---

## Developing a Pool of Experts



- Have an in-house expert
- Keep a current "bibliography"
- Develop a list of "common defense cross exam questions" (And, appropriate answers)
- Looking for experts to testify
  - Law enforcement
  - Therapists and counsellors
  - Interested community folks

---

---

---

---

---

---

---

---

## Trauma Informed Interview For Law Enforcement




---

---

---

---

---

---

---

---

## Forensic Experiential Trauma Interview (FETI)




---

---

---

---

---

---

---

## Forensic Experiential Trauma Interview (FETI)

- Term "Forensic Experiential Trauma Interview" coined by Russell Strand
- Three principles of FETI:
  - 1) Genuine Empathy
    - "Never treat a victim as a witness to their own crime."
  - 2) Facilitate detailed statement by victim
    - "Help me understand what you are able to tell me about your experience."
  - 3) Shut your mouth, open your ears and listen

---

---

---

---

---

---

---



## Trauma Informed Interview For Law Enforcement

REMEMBER: We only prosecute  
a small percentage of our cases,  
but we have an impact  
on the victim in 100 per cent  
of our cases.

---

---

---

---

---

---

---

## We have an impact on victims in 100 per cent of our cases.

- *"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."*

■ -Maya Angelou




---

---

---

---

---

---

---

---



**"You can do it."**

---

---

---

---

---

---

---

---




---

---

---

---

---

---

---

---