

THE BLUEPRINT FOR

Campus Police:

Responding to Sexual Assault

BRIEFING SHEETS



The University of Texas at Austin
Institute on Domestic Violence
& Sexual Assault
School of Social Work

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Toolkit for Campus Police: Briefing Sheets

BRIEFING SHEET SECTION OUTLINE:

NUMBER 1: UNDERSTANDING THE NEUROBIOLOGY OF TRAUMA

NUMBER 2: THE ROLE OF ALCOHOL AND DRUGS

NUMBER 3: FALSE ALLEGATIONS IN CAMPUS SEXUAL ASSAULT

NUMBER 4: CONFRONTING "REAL RAPE" AND UNDERSTANDING NON-STRANGER SEXUAL ASSAULT






NUMBER 5: ADOPTING A VICTIM-CENTERED RESPONSE

NUMBER 6: FORENSIC INTERVIEWING

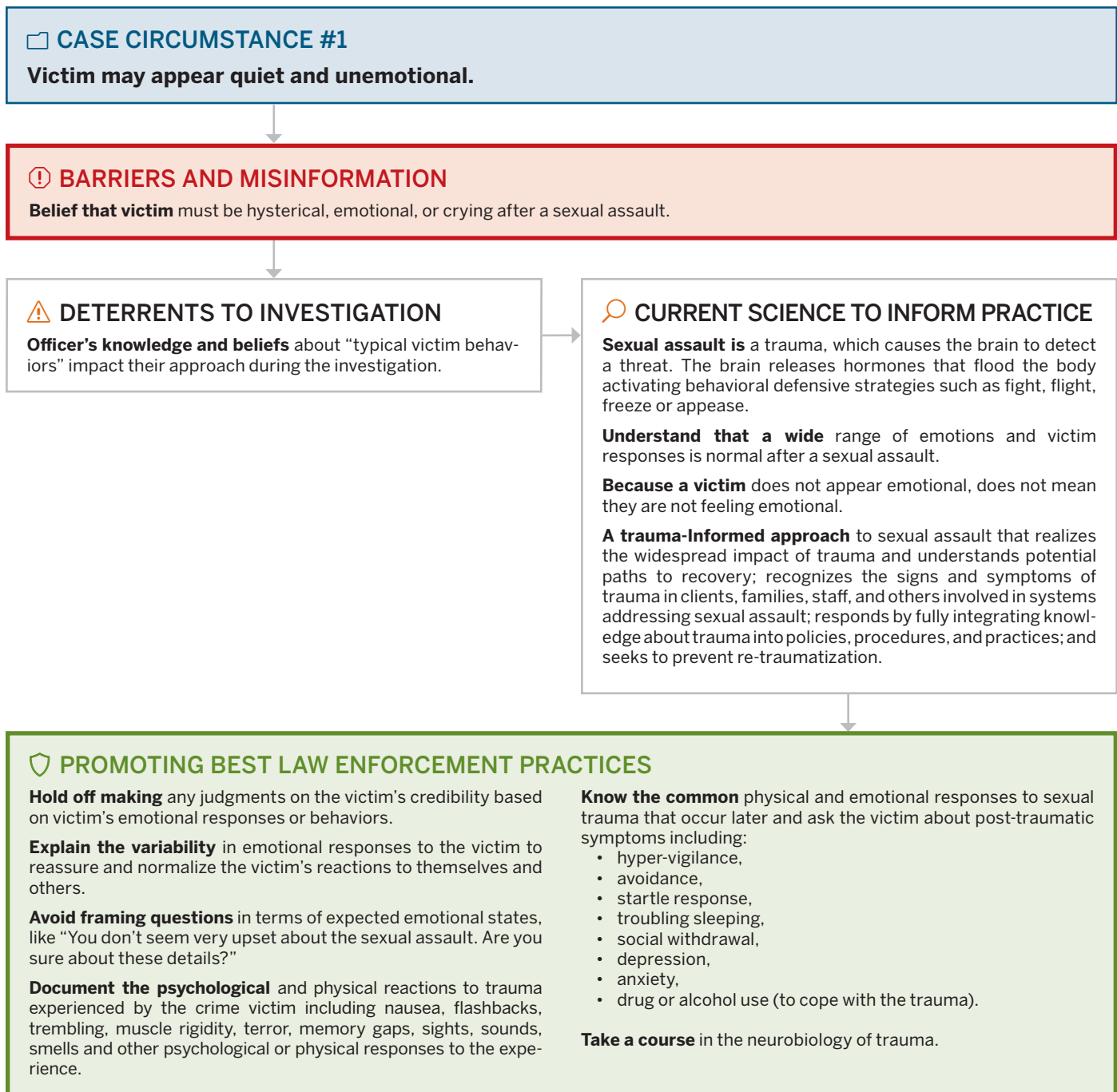
NUMBER 7: THE INTERSECTION OF SEXUAL ASSAULT AND STALKING, DOMESTIC VIOLENCE AND STRANGULATION

Introduction

The Briefing Sheets were created as quick guide references for law enforcement on seven topics particularly relevant to campus sexual assault (CSA). There are five elements included in each briefing sheet and they are described in the key below:

Icon	Briefing Sheet Sections	Content
	Case Circumstance	characteristics and elements of the case that will often reappear because of the nature of sexual assault trauma experienced by victims and perpetrator behavior
	Barriers and Misinformation	ways in which case circumstances are persistently misunderstood
	Deterrents to Investigation	ways that misinformation can deter the police investigation
	Current Science to Inform Practice	current scientific information about the case circumstance generated from existing, published research and reliable sources of practice-based information from professional organizations
	Promoting Best Law Enforcement Practices	best response for investigation of sexual assault based on current science

Briefing Sheet Number 1: Understanding the Neurobiology of Trauma



Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 1: Understanding the Neurobiology of Trauma

📁 CASE CIRCUMSTANCE #2

Victim is not able to relate an account of their assault in a chronological manner and displays errors of recall; avoids eye contact and displays signs of discomfort such as shifting in chair.

⚠️ BARRIERS AND MISINFORMATION

Belief that contradictory, partial and inaccurate statements made by victims most likely means they are being evasive and lying.
Belief that body language can also reveal lying.

⚠️ DETERRENENTS TO INVESTIGATION

Victims' stress response may inhibit their ability to report an organized, coherent and complete account about the sexual assault.

The concurrent intake of alcohol and drugs can further disrupt memory encoding leaving the victim with little to no memory of events.

Victims are often uncomfortable with their lack of memories and may avoid eye contact, fidget in their chair and stammer in an effort to recall.

The content of fragmented memories are accurate, but it just takes time and patience for the memories to consolidate.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Increased levels of stress hormones impair functioning of the brain, which can lead to fragmented memories of the assault, especially when combined with alcohol use that can also affect memory storage.

Traumatized victims often make inconsistent statements; this is a normal reaction to trauma.

Victims' inconsistent statements do not mean they are lying or making a false accusation.

The victim may not be able to recount the sexual assault in a clear, chronological manner.

Traumatic memories encode differently, mainly as unconnected, sensory, emotional fragments leading to memory gaps and loss that victims try to reconstruct in order to make sense of the situation.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Allowing trauma victims to experience a complete sleep cycle or more before doing a comprehensive interview may improve their memory recall.

Allow victims to provide their account in their own words and at their own pace.

Do not ask a lot of questions at first since that may interrupt the flow of the victim's narrative.

Understand because of the trauma, victims' brains are better at remembering sensory information over details. Ask victims about what they remember hearing, tasting, touching, seeing, and smelling over "who, what, and where" questions to prompt memory recall.

Avoid rapid-fire, linear questions. Effective interviews encourage more listening and utilize open-ended questions.

Briefing Sheet Number 1: Understanding the Neurobiology of Trauma

📁 CASE CIRCUMSTANCE #3

Victim may not actively physically resist the assailant.

⚠️ BARRIERS AND MISINFORMATION

Belief that lack of active resistance by victims most likely indicates consent, or that the sexual activity was mutual and not forced.

⚠️ DETERRENTS TO INVESTIGATION

Sexual assault victims may display one or a combination of four automatic defensive strategies: appeasement (make nice), fight, flight, or freeze.

The body's reaction to trauma can make some victim behaviors seem counterintuitive, inexplicable, or suspicious, but they may be normal due to trauma.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

When people are stressed, they revert to a more primitive level of functioning, which represents an uncontrollable (autonomic) response.

Women may be more likely to try to appease an assailant or freeze, than use a "fight or flight" response.

The freeze response is called "tonic immobility" or sexual assault-induced paralysis and it is caused by a flood of hormones that activate in response to a threat. It may be more common in victims that were previously assaulted.

They are literally "scared stiff" or "play opossum," not a pretense, but rather an evolutionary survival tactic.

One study found that only 1 in 4-5 victims used forceful physical resistance. Research shows typical victim responses include: reasoning, pleading, turning cold, physically struggling or crying. Female victims often do not resist because they are taken by surprise, scared, confused, fear injury, or are too incapacitated.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Understand that the freeze response does not mean consent, but instead is the body's automatic neurological response to trauma, threat, and fear.

Document appeasement strategies that may have been used by the victim, like reasoning or bargaining with the perpetrator, submitting to one act to avoid a worse one, and acting "nice" and "complying."

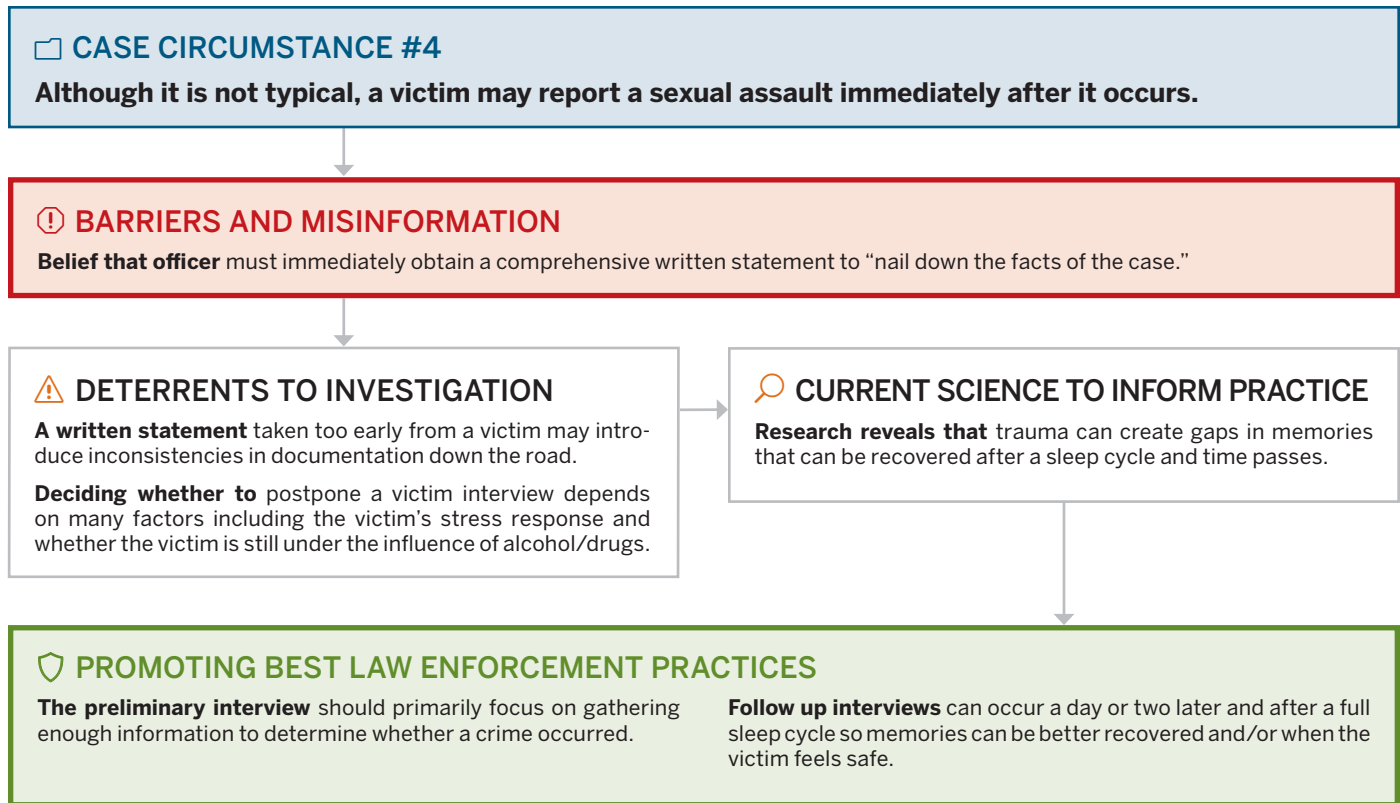
Establish any elements of force, threat, or fear; they do not need to be based on weapon use or actual physical threat for it to seem real to vulnerable victims.

Explain to victims that tonic immobility is a normal reaction to fear and trauma, in order to counter self-blame and guilt that they "did not fight back."

Document all fight, flight, appease, or freeze defensive strategies that the victim demonstrated.

Determine through questioning whether the alleged perpetrator built and then violated the victim's trust, thus making physical resistance less necessary.

Briefing Sheet Number 1: Understanding the Neurobiology of Trauma



Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 2: The Role of Alcohol and Drugs

📁 CASE CIRCUMSTANCE #1

Victim consumed alcohol and/or drugs.

⚠️ BARRIERS AND MISINFORMATION

Belief that victims who engage in alcohol or drug use are somewhat to blame for their assault.

Belief that victims who lie about alcohol and drug use to avoid university or criminal sanctions cannot be trusted to tell the truth about the sexual assault.

⚠️ DETERRENTS TO INVESTIGATION

Drinking and drug use increase victim vulnerability, not culpability.

Victims may self-blame after sexual assault if they were drinking. Being sexually assaulted should never be the consequence of heavy drinking.

Alcohol's negative effect on cognition may result in victims having difficulty recalling details of the trauma.

Victims who are underage drinkers may be less likely to report the assault in order to avoid punishment and blame.

Victims may fear that friends, law enforcement and campus officials will judge them if they were sexual assaulted while intoxicated.

Alcohol can lead to the inability to remember what happened while under the influence and the inability to resist or to remove oneself from the high-risk situation.

Alcohol use does not justify unwanted sexual advances.

Female victims face a sexual double standard that holds men less responsible for their behavior while they are drinking while holding women more responsible for their behavior while they are drinking.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Alcohol is the most common date rape drug.

The majority of campus sexual assault cases involve people who are acquainted and have been drinking.

72% of college sexual assaults occurred when the female victim was too intoxicated to give consent.

Sexual assaults are 19 times more likely to occur when female victims consume four or more drinks.

Drug and alcohol facilitated rape (DAFR) occurs when the perpetrator deliberately gives the victim drugs without their permission or tries to get them drunk, and then commits an unwanted sexual act involving oral, anal, or vaginal penetration. The victim is too drunk or high to know what they are doing to control their behavior, or to provide consent.

Incapacitated rape (IR) occurs when the victim voluntarily uses drugs or alcohol and then experiences unwanted sexual acts when they are too drunk or high to know what they are doing, or to control their behavior or to provide consent.

Studies indicate that depictions of sex and alcohol by the media lead to the misperception that women who drink are sexually willing.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Victim's incapacitation from alcohol can be a case fact, proof of victim selection, rather than a reason to doubt or drop the case.

Be cognizant of evidence that the perpetrator was encouraging the intoxication of the victim or using their state for victim selection, as that can show planning and premeditation on the part of the perpetrator.

Develop rapport with the victim and encourage honesty so they feel comfortable telling you about any drug/alcohol use, even if it embarrasses or implicates them.

Reassure the victim that otherwise unlawful use of alcohol or drugs by the victim in the current encounter will not be a matter for a separate police investigation.

Reassure the victim that they did not cause or deserve the assault due to their alcohol/drug use.

Order timely full drug screening of victim's blood and urine (i.e., first urine post-assault is the best).

Delay taking a written statement while victim is still under the influence of drugs and/or alcohol.

Be cognizant of evidence in a DAFR such as the victim's state of incapacitation from eye-witnesses, or photos/videos on social media.

Document any drug or alcohol use by the victim in a matter-of-fact manner, whether it was forced or voluntary, including number and type of drinks, timeframe, victim's body size, and amount of food consumed that day.

Be cognizant of evidence that the sexual assault was drug-assisted. Did the victim experience any loss of memory, disorientation, slurred speech, dizziness, confusion, severe illness or hallucinations, reduced inhibitions, or impaired motor function.

Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 2: The Role of Alcohol and Drugs

📁 CASE CIRCUMSTANCE #2

Alleged perpetrator was drinking and using drugs.

⚠️ BARRIERS AND MISINFORMATION

Belief that alleged perpetrators are not responsible for their sexual aggression if they were under the influence of alcohol or drugs.

⚠️ DETERRENTS TO INVESTIGATION

Alcohol use does not absolve perpetrators of culpability.

“He said, She said” (perhaps renamed to be gender neutral as “the victim said, the accused said”) may add complexity for a law enforcement investigator, but should not be the ultimate roadblock to an investigation.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Research on rapists reveals some commonalities including: heavy alcohol use, hostility toward women, belief in rape myths, lack of empathy, and misperception of women’s friendliness as sexual interest.

Another study found that heavy drinking in men occurs alongside other identified risk factors for sexual aggression including impulsivity, narcissism, lack of empathy, delinquency, enjoyment of casual sex, hostile masculinity, and peer norms that encourage forced sex.

Research shows that drinking increases the risk of sexual assault. However, heavy alcohol consumption by the victim and/or offender never “causes” or justifies sexual assault.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Focus on alleged perpetrator’s possible predatory behavior rather than the victim’s character or behavior.

Ask the alleged perpetrator how consent was asked for and given.

To corroborate the victim’s account look for other victims in the victim’s and alleged perpetrator’s social circle as IR or DAFR can be a standard modus operandi.

📁 CASE CIRCUMSTANCE #1

Victim makes a sexual assault report to law enforcement, but the account does not conform to what the officer believes is a “real rape.”

⚠️ BARRIERS AND MISINFORMATION

Belief that many sexual assault accusations are false. Sometimes officers cite a flawed study that found 41% of all reported rape cases were false allegations, but the study has been discredited due to major methodological errors.

Belief that victims falsely “cry rape” for a number of reasons, for example, they regret consensual sex, want to get someone in trouble, or are vindictive.

⚠️ DETERRENTS TO INVESTIGATION

Victims who do not feel believed are less likely to cooperate with the criminal justice investigation.

Crimes with high rates of false reports, such as arson and auto theft, are not approached from the “false until proven true” standard that many victims of sexual assault are held to.

Trauma victims often omit, exaggerate, or make up information when trying to make sense of what happened to them or to fill gaps in memory. This does not mean that the sexual assault did not occur.

Common reasons given when reports are improperly classified as false include: the victim delayed reporting, lack of corroborating evidence, lack of cooperation by victim or witness, discrepancies in victim’s stories, victim’s drinking or drug use, victim’s sexual history, recantation by the victim, victim’s belligerence, victim’s uncertainty of events, or victim is a sex worker. None of these are a reason for labeling a report “false,” but rather illustrate typical factors in sexual assault.

Common reasons victims’ change their accounts are they fear they will not be believed and wish to bolster their credibility. However, this often leads to the very opposite result when officers discover that the victim lied, often leading them to doubt the sexual assault allegation itself.

Being supported in their sexual assault claim is paramount for victims, whether or not they are able to prove beyond a reasonable doubt that it occurred.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

The research on false sexual assault allegations found that only between 2-10% of all sexual assault reports are false.

In case classification “unfounded” is a broad category that includes false accusations (i.e., proven false by evidence) and baseless (i.e., does not meet the legal elements of a crime).

Rather than falsely report sexual assault, most victims don’t even report their sexual assaults. Only 9.2% of victims did in a recent Texas study.

Studies on false allegations found that most mimicked the stereotype of a “real sexual assault,” that is, involved a stranger who had a weapon and inflicted injuries. In contrast, most campus sexual assaults involve an acquaintance, no weapon, and minimal physical injuries.

Research shows that men and law officers tend to distrust women’s reports of sexual assault. Officers often overestimate the percentage of false allegations. This may be due to historical bias toward women and the profession’s training to be suspicious in general.

Factors identified in research that lessen victim credibility with law enforcement include: victim was under the influence of alcohol/drugs, delayed reporting, had previous consensual sex with the perpetrator, previously reported sexual assault or abuse, has a mental disorder, perceived immorality by police (e.g., slut), intellectually impaired, previous false sexual assault complaint, and concealed part of the truth.

One study found that three-fourths of sexual assault allegations judged to be false by the police could be attributed to the officer’s stereotypes about the victim’s behavior, attitude, demeanor, or possible motive.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

The determination that a report is false must be supported by evidence that the assault did not happen and can only be made after a thorough investigation.

Requiring a polygraph test on a sexual assault victim is considered an intimidation tactic and is discouraged or prohibited.

Successful sexual assault investigations start by supporting the sexual assault survivor and following the facts and evidence.

Assign a tracking number for every reported sexual assault and document each report in writing. All reports should be taken as valid unless evidence proves otherwise.

Appropriately classify sexual assault cases. Unfounded or unsubstantiated does not equal a false allegation.

Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault

📁 CASE CIRCUMSTANCE #1

Victim is not a straight woman (for example, victim is a straight man or victim identifies with the LGBTQ community).

⚠️ BARRIERS AND MISINFORMATION

Belief that all sexual assault victims are female and all perpetrators are male.

Belief that the consequences of sexual assault are lesser for men than women.

Belief that sexual assault only occurs in the heterosexual population.

Belief that women are not violent; therefore, there is no sexual assault within the lesbian community or that a woman cannot assault a man.

⚠️ DETERRENENTS TO INVESTIGATION

Men may be more hesitant to report being sexually assaulted.

Sexual assault can negatively impact male victims' masculinity and sexuality.

Sexual violence occurs within the LGBTQ community at similar rates as in the straight community.

LGBTQ victims may be less likely to report to law enforcement out of fear of being “outed” and homophobia.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

NISVS survey data suggests that approximately 1.7% of men will be sexual assaulted over their lifetimes. Although most sexual assault cases are male on female violence, men can be sexual assault victims and women sexual assault perpetrators.

LGBTQ individuals are at an increased risk of sexual assault. NISVS survey results estimate that 1 in 8 lesbian women will be sexual assaulted over their lifetimes and 4 in 10 gay men, and nearly half of all bisexual men and women.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Don't make gendered assumptions about victims and perpetrators.

Take cases of sexual assault of male victims seriously without blaming or judging.

Transgender sex workers are particularly vulnerable to sexual assault and victim-blaming.

Ask victim which gender pronouns they prefer if you are not sure which ones to use.

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault

📁 CASE CIRCUMSTANCE #2

A student reports being sexual assaulted by someone they are dating, in a relationship with or casual hook-up.

⚠️ BARRIERS AND MISINFORMATION

Belief that “real rape” only happens if the perpetrator is a stranger

Belief that having casual sexual partners makes the victim blameworthy if they are sexual assaulted.

⚠️ DETERRENENTS TO INVESTIGATION

Some people believe that having consented to sex before makes future consent unnecessary. However, consent is needed for each sexual encounter and for each sexual act.

Terming sexually active women “promiscuous” and therefore somehow deserving of the sexual assault.

A lack of understanding of the prevalence of the hook-up culture.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Nationally, about 3 in 4 victims of sexual violence knew the offender and the number is likely higher on college campuses. Research shows that non-strangers, including intimate partners, relatives, well-known/casual acquaintances commit 78% of rapes or sexual assaults against females between ages 18-24 enrolled in college.

In one study, 70% of college students acknowledged having “hooked up” during college, an average of 10 times over their college careers, with no differences by gender.

However, research shows that female students report more remorse, and negative emotions; loss of social status and more negative consequences including sexual assault, following hook-ups than their male counterparts.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Never dismiss a sexual assault claim because the victim and offender knew each other, rather use it as evidence of victim selection and availability.

Don't deter victims from engaging with the criminal justice system when they know the perpetrator (e.g., telling them how hard the case will be to prosecute).

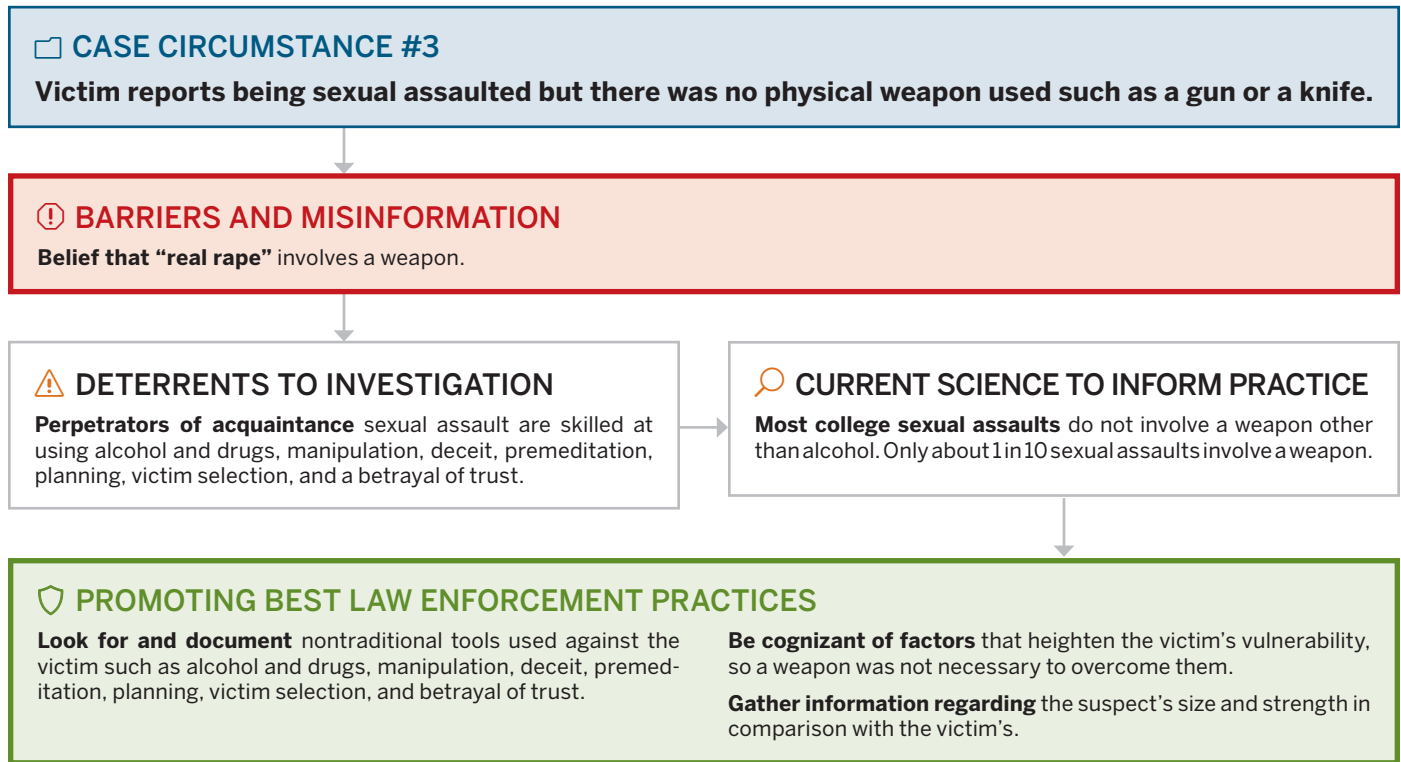
Do not pressure the victim into making decisions about participating in the investigation or prosecution during initial interviews.

Understand the campus hook-up culture and do not blame or judge the victim's behavior.

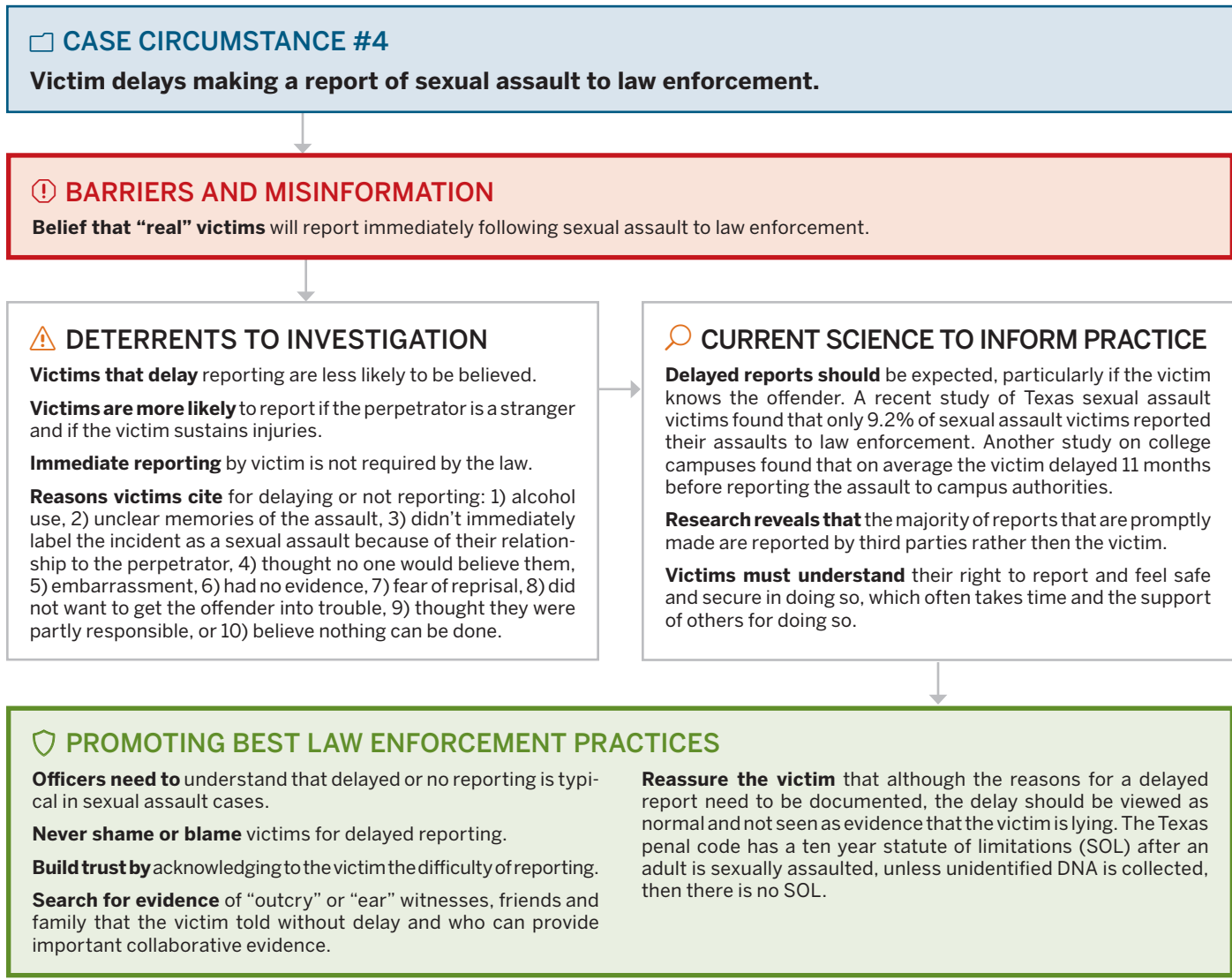
Provide information on risk reduction that identifies risk factors including: freshman/sophomore status, more numerous sexual partners, and alcohol use, without holding victims responsible for their own sexual assaults.

Highlight that the highest risk comes from acquaintances in one's social network.

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault



Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault



Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault

📁 CASE CIRCUMSTANCE #5

The alleged perpetrator says they did not sexually assault the victim who consented to sexual activity.

⚠️ BARRIERS AND MISINFORMATION

Belief that accusations between acquaintances is more about sexual miscommunication than predatory sexual behavior.

⚠️ DETERRENTS TO INVESTIGATION

Most perpetrators are never prosecuted and some college sexual predators are serial offenders. When a sexual assault is not taken seriously, a serial sexual predator can victimize again.

“He said, She said” (or “the victim said the accused said” to be gender neutral) cases lack direct evidence and can be challenging to corroborate. However, predatory patterns can evolve into “he said, they said” cases, when the alleged perpetrator is a serial victimizer.

Intent is not an excuse, i.e. drunk drivers do not mean to kill anyone, but they still must be held accountable for their behavior.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Consent is an informed, voluntary and mutual agreement for sexual activity. It must be gained from each sexual partner and each sexual act. Silence does not equal consent. Nonresistance does not equal consent. There is no consent if force (implied or expressed), coercion, intimidation, threats or duress is involved.

A victim cannot give consent in the following situations: under the legal age of consent (e.g., under 17 years old in Texas), mental or physical incapacitation, due to cognitive limitations or incapacitation due to alcohol or drugs.

Consent cannot be freely given when one person is in position of power over the other, such as physician-patient, therapist-client, or professor-student relationship.

Alleged perpetrators will selectively ignore or reinterpret cues from the victim while using miscommunication as an excuse for sexual assault.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Ask the alleged perpetrator how consent was specifically asked for and given.

Detail and corroborate what “No” looked like or felt like for the victim (e.g., closing eyes, looking away, freezing).

Document the level of awareness and consciousness of the victim and any alcohol or drug use.

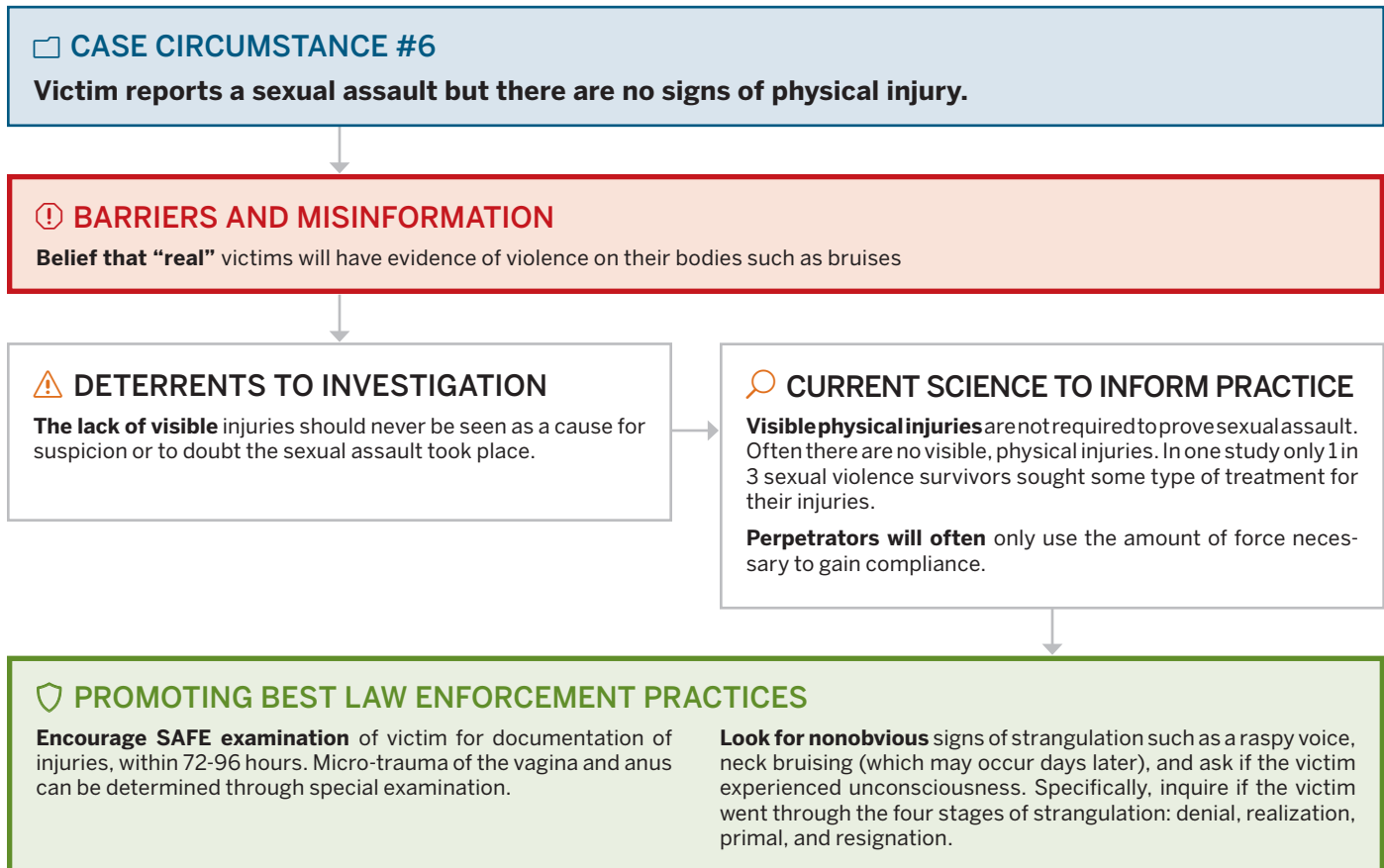
Obtain an in-depth statement from the suspect in a non-threatening manner to gain as much information as possible.

Perpetrators can provide helpful information in an attempt to justify their actions.

Interview the social circle of the suspect and victim to see if there are additional victims.

Review the three types of defenses used in sexual assault cases, denial, identity, and consent, and know what evidence is effective in countering each.

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault



Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault

📁 CASE CIRCUMSTANCE #7

The alleged perpetrator seems like a nice person and is held in high regard by those that know them.

⚠️ BARRIERS AND MISINFORMATION

Belief that a likeable suspect is most likely not guilty and an unlikeable victim is lying.

⚠️ DETERRENTS TO INVESTIGATION

Perpetrators can be likeable, and sometimes even charismatic. This is in contrast to the media’s portrayal of perpetrators as individuals whose actions are the result of a severe mental illness.

Likability is not a marker of guilt or innocence.

Perpetrators will often use their high status or position to both exploit victims and shield themselves from scrutiny.

Perpetrators are skilled at manipulation.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

One study found that one-third of college men said they would be more likely to sexually assault if they could be assured of not getting caught or punished.

The victim’s trauma response may make them appear less credible due to fragmented or lost memories and their attempts to make sense of what happened. Whereas, the alleged perpetrator knows what happened and therefore, appears to make more sense, which can be mistaken for credibility.

Victims often self-blame and feel bad about what happened, while alleged perpetrators often don’t feel badly about it, except for being caught.

Studies have consistently shown that detecting deception is difficult, so officers may not realize when a perpetrator is lying.

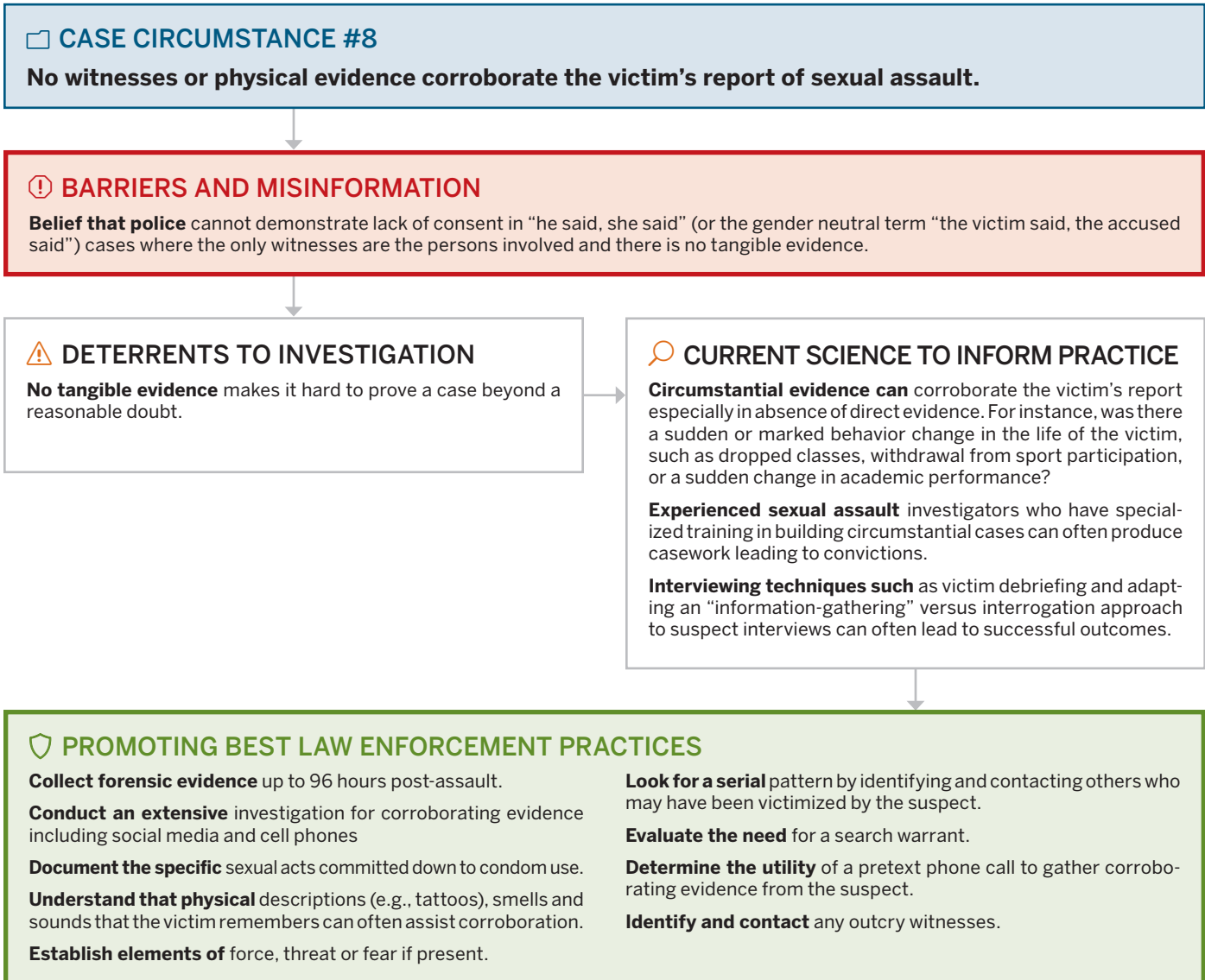
🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Stereotypes about sexual perpetrators are not useful.

Likeability does not equal credibility.

There are no typical sexual predators they come from every culture, socioeconomic background, and demographic.

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault



Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 4: Confronting “Real Rape” and Understanding Non-Stranger Sexual Assault

📁 CASE CIRCUMSTANCE #9

The victim fails to follow through with the investigation or the victim recants.

⚠️ BARRIERS AND MISINFORMATION

Belief that victims only recant when they made false accusations.
The victim is uncooperative; therefore, the case should be dropped.

⚠️ DETERRENENTS TO INVESTIGATION

Victims face hostility and blame for coming forward and fear not being believed. The focus on their behavior over that of the suspect’s may lead victims to be emotionally overwhelmed or frustrated by the lack of a supportive response.

The victim may fear retaliation by the suspect or further trauma or revictimization in a public trial.

Victims may fear that they lack credibility due to their drug use, immigration status, occupation (e.g., sex worker) or an ongoing mental disorder. Of note, many serial, predatory offenders choose their victims for this very reason.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

There are numerous legitimate reasons for victims to recant or refuse to cooperate with the investigation that have nothing to do with lying or making false allegations.

Victims can be uncooperative in order to protect themselves.

They may fear being blamed, loss of privacy, further trauma, lack of supportive resources, or low chance of successful prosecution.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Understand victim intimidation and vulnerabilities. Educate victims on intimidation behaviors and document any reported incidents.

Assess victim’s fears and concerns and reassure them with identified safety solutions.

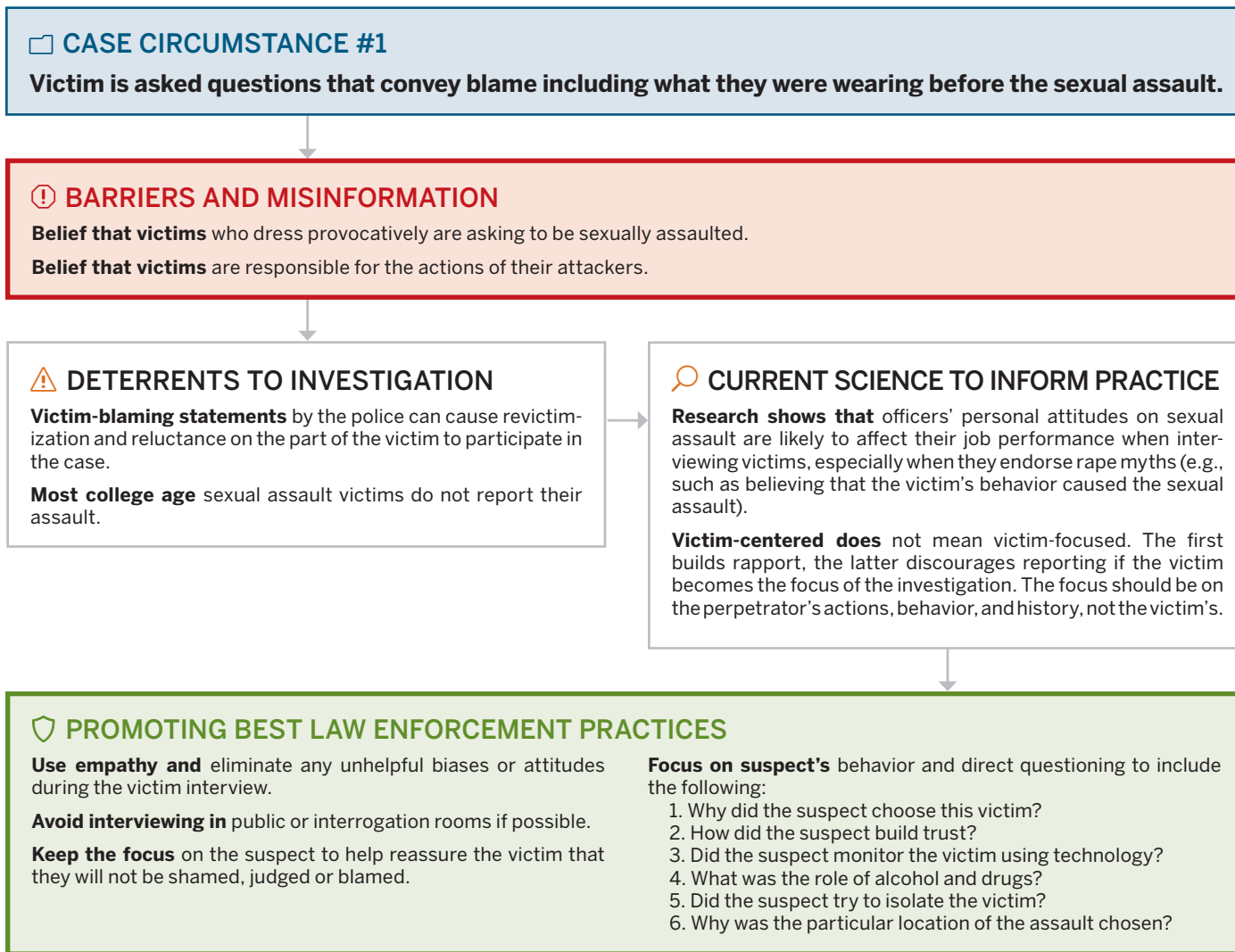
Follow-up any victim recantation with a formal investigation to ensure absence of coercion.

Understand the trauma of sexual victimization, which can lead to recantation, such as feeling overwhelmed, lack of sleep, or wanting to forget the sexual assault.

Respect the victim’s decision about whether or not to be involved and continue to offer assistance and referrals.

The victim might change their mind at a later date and the case can be re-opened. Victims have a right to accept or decline all service.

Briefing Sheet Number 5: Adopting a Victim-Centered Response



Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 5: Adopting a Victim-Centered Response

📁 CASE CIRCUMSTANCE #2

Victim is scared, seeks comfort and reassurance from the officer.

⚠️ BARRIERS AND MISINFORMATION

Belief that officers should focus just on the facts, evidence, and doing their job investigating. They are police officers, not social workers.

⚠️ DETERRENENTS TO INVESTIGATION

Victims who do not feel a rapport when dealing with law enforcement are less likely to stay involved with the criminal justice process, and less likely to provide the type of information necessary to build a case.

Officers can focus on the facts of the case while being compassionate and sensitive to the victim needs.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Research supports the fact that the victim is more likely to stay involved if they have built rapport with the police and feel believed.

Studies show that when police officers take the time to build rapport with victims it leads to better information gathering and increases the chances of taking the case forward for prosecution.

Research confirms that when police collaborate with victim advocacy services it can lessen the negative damage of sexual trauma.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Be sure to ask what their biggest concern is at the moment. It may be something you least suspect, but if you address the issue they may remain engaged. For example, it may be less about the assault and more about the exam they might miss.

Thank them for coming in and commend their courage in doing so.

Be aware of any special situations, such as cultural differences, disabilities, LGBT, male victim, language barriers, or being a prior sexual assault victim or family/dating violence victim.

Provide referral information in writing and address safety planning for victims, especially when the situation involves intimate partner violence (IPV).

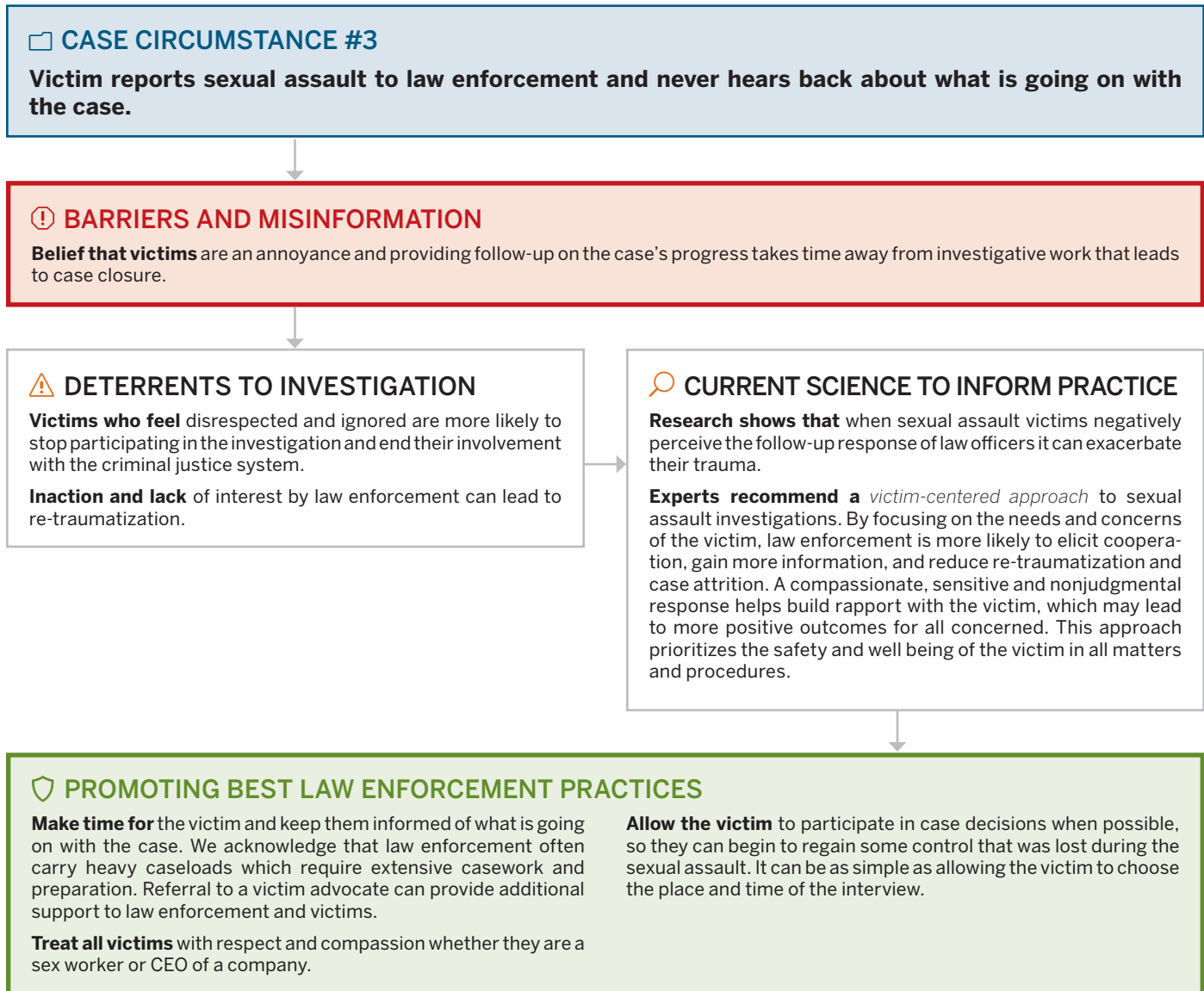
Offer to call a campus or community victim advocate to support the victim during first report and before and after the second interview.

Understand that advocates can be law enforcement partners, who keep the victim engaged and calm while the officer's attention is elsewhere.

Keep the victim informed of the investigation with frequent updates.

Inform the victim when the case is ready for presentation for the prosecutor. Provide the name and contact information of the prosecutor or arrange a meeting.

Briefing Sheet Number 5: Adopting a Victim-Centered Response



Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 6: Forensic Interviewing

📁 CASE CIRCUMSTANCE #1

A sexual assault is reported and an investigator is assigned to the case who has never conducted a sexual assault investigation before.

⚠️ BARRIERS AND MISINFORMATION

Belief that any police officer can conduct a sexual assault investigation and the best training for sexual assault cases is on the job.

⚠️ DETERRENTS TO INVESTIGATION

While most criminal investigations focus on physical and testimonial evidence, overlooked is a class of evidence called "forensic physiological evidence." This takes special skill and training.

Handling sexual assault cases requires really understanding human behavior and being able to connect the dots.

It takes years of experience and maybe even a special personality to successfully investigate sexual assault cases.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

It takes specialized training, skill and experience in sexual assault investigations to handle these cases. One must know the right questions to ask and leads to pursue. Officers must be familiar with the neurobiology of trauma. The necessary skills and specialized expertise required of successful sexual assault investigations often takes many years of experience to develop.

Research reveals that given the investigative difficulties inherent in sexual assault cases, detectives have to want to work sexual assault cases; otherwise they may do a disservice to the victims.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

The most successful officers who respond to and investigate sexual assaults are those with the associated special training and a depth of experience in dealing with such offenses.

It is critical that departments continuously seek out appropriate training that may include an externship in an adjacent municipal police department or targeting candidates for lateral employment who bring with them the desired level of criminal investigative skills.

Patrol officers should embed with investigators for 30-90 days to gain a greater understanding of what is necessary at the patrol level to start a good case for the investigation and prosecution.

Every campus police officer should have basic knowledge of:

- 1) Proper forensic skills for interviewing sexual assault victims,
- 2) the neurobiology of trauma,
- 3) what is involved in a victim-centered and trauma-informed approach, and
- 4) proper report writing to build a strong case for possible prosecution.

Responding to sexual assault cases can be intense and officers can burnout. Don't be afraid to ask for support and seek help. It is a sign of strength, not weakness.

Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 6: Forensic Interviewing

📁 CASE CIRCUMSTANCE #2

Victim reports sexual assault and the investigating officer places them in a suspect room and aggressively questions them.

⚠️ BARRIERS AND MISINFORMATION

Believe victims should be asked rapid-fire questions in order to discover the truth.

Believe most victims lie about consensual sex or make false accusations to hide embarrassing behaviors (e.g., hook-ups) or illegal activities (e.g., underage alcohol/drug use).

Law officer presents with a stern face and demeanor in order to display an objective stance.

⚠️ DETERRENTS TO INVESTIGATION

Victims of aggressive questioning often feel blamed for their sexual assault, which causes further trauma and revictimization.

Victims who experience negative interactions and accusatory interviewing techniques are at risk of becoming uncooperative and dropping the case.

An unemotional demeanor can be intimidating to the victim and may suggest skepticism or disbelief.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Research reveals that when police officers' actions cause the victim to feel disbelieved and invalidated, it can exacerbate the victim's post-traumatic stress symptoms.

When officers support, validate and build rapport with victims, it can increase their feelings of safety, result in more information to help with the investigation, and increase the likelihood that the case will be prosecuted.

A friendly and compassionate demeanor is more than humane; the victim is also more likely to be able to relate the facts of the case when treated with compassion and respect.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

It is okay to express sympathy/empathy by saying, "I'm sorry that this happened to you."

Understand that how you question the victim is key to conveying support and building rapport.

You are not questioning the victim as much as you are walking through the events with the victim and providing key prompts to elicit recall. Sit at the level of the victim, wear plainclothes if possible, and avoid touching the victim even in an attempt to comfort.

Use a conversational interviewing style, ask victims to give their own account in their own words, at their own pace.

Avoid "why" questions, such as "Why did you invite them back to your room?" Instead ask open-ended questions such as "Can you tell me what happened?"

Engage in careful listening and occasionally clarify and summarize.

Victims are more engaged and cooperative if they feel believed and supported.

Ask about experiential information such as what they smelled, tasted, heard, saw, and felt to prompt memory recall.

Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 6: Forensic Interviewing

📁 CASE CIRCUMSTANCE #3

A victim advocate explains and offers their supportive services to the victim, and the victim agrees to work with the advocate.

⚠️ BARRIERS AND MISINFORMATION

Police officers may be reluctant to work with victim advocates because they feel they will disrupt or interfere with the investigation or expect them to be adversarial.

⚠️ DETERRENTS TO INVESTIGATION

The reporting process can intimidate victims, especially if the officer and the assailant are of the same gender.

Officers are often focused on securing the facts of the case while an advocate can focus on offering emotional support and securing resources to meet victim needs.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Advocacy services have been shown to augment victims' recovery from trauma while increasing access to the delivery of criminal justice and community services.

Research supports the use of an embedded victim advocate in sex crime investigations.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Encourage the victim to seek the services of a victim advocate and refer to available community resources that can support and assist the victim. Victim advocates also support law enforcement by allowing them time to pursue other investigative leads while the victim is being supported.

Call a campus or community victim services advocate to support the victim during first report and before and after the second interview.

Understand that advocates can be law enforcement partners, who keep the victim engaged and calm allowing for more successful investigations and better outcomes for the victim.

Establish partnerships with local municipal police departments and community-based victim service agencies to improve victim response and access to victim advocates.

Shifts in Evidence-Based Knowledge that Impact Policing

Briefing Sheet Number 6: Forensic Interviewing

📁 CASE CIRCUMSTANCE #4

Investigation is complete and it is time to write the report.

⚠️ BARRIERS AND MISINFORMATION

Belief that the best report is a short report.

⚠️ DETERRENENTS TO INVESTIGATION

Most investigators are overworked and have to juggle multiple caseloads on minimal resources and lack funding for additional training.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Your report may be the only official “witness” and will be crucial to the successful prosecution of the case.

Remember that most sexual assault victims never come forward to report, so make this victim’s voice count by writing a detailed report that can be used by the prosecution.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Use the victim’s own words when possible in quotation marks; make sure to include what the victim was thinking, feeling, and experiencing before, during and after the attack.

Describe the victim’s voluntary alcohol or drug use in a neutral tone, free of judgment.

Use descriptive language to paint a “word picture” in order to recreate the assault from the victim’s perspective for the potential prosecutor and jurors.

Corroborate the use of force, threat or fear.

The report should be complete and detailed.

Avoid using language that sounds as like the sexual act was consensual. For example, do not say, “the victim performed fellatio on the suspect,” if in reality “a penis was forced into the victim’s mouth.”

Write the report with potential defense strategies in mind. Anticipate what type of defense will likely be raised at trial (e.g., consent defense).

Summarize the evidence in order to connect the dots and put all of the pieces of the puzzle together.

Exclude personal opinions or bias in the report.

Have a colleague proofread the report.

Briefing Sheet Number 7: The Intersection of Sexual Assault and Stalking, Domestic Violence, and Strangulation

☐ CASE CIRCUMSTANCE #1

Victim reports being sexually assaulted by a former partner who is also stalking the victim by unexpectedly appearing at the victim's house and workplace and calling and texting constantly. The victim also reports a history of prior emotional abuse from former partner.

⚠ BARRIERS AND MISINFORMATION

The police officer focuses on the sexual assault and does not ask about the commission of other crimes.

⚠ DETERRENTS TO INVESTIGATION

The officer narrowly focuses on "just the facts" of this particular case, which does not allow for a broader view of other forms of violence that might have been perpetrated against the victim concurrently or previously.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

The Campus Sexual Violence Act, a 2013 amendment to the Clery Act, requires schools to collect and report statistics on domestic violence, dating violence, and stalking, as well as sexual assault. Campus prevention programs are also required to define each of these crimes.

People who experience one form of violence are at a higher risk for being a victim of other forms of violence. For example, girls who are sexually abused are more likely to suffer physical violence and sexual re-victimization as adults, engage in self-harming behaviors, and be a victim of intimate partner violence.

An estimated 15.2% of women and 5.7% of men have been a victim of stalking during their lifetimes.

People who commit violence are more likely to commit other forms of violence.

Prior victimization may influence current behavior in response to sexual assault. For example, the victim may not have resisted if they learned as a child that resistance is futile, they have no right to set sexual boundaries, or that their sexual boundaries will not be respected.

Domestic violence includes physical, emotional, sexual, financial, and psychological abuse, and reproductive coercion. Many of these behaviors are illustrated in the Power and Control Wheel.

🛡 PROMOTING BEST LAW ENFORCEMENT PRACTICES

Ask the victim if they experienced other crimes, such as stalking, domestic violence, and dating violence during or before the current commission of the crime.

Use technology to document stalking behaviors via texting, phoning, and geo-locators. Refer victim to get a protective order as needed.

If these additional crimes were committed on-campus, on public property within and adjacent to campus, or at a non-campus university property within the past year, they are likely Clery reportable crimes.

Learn the risk factors that are common between stalking, dating violence, intimate partner violence, and sexual violence.

Learn the risk factors for perpetration, which include cultural norms that support aggression toward others and harmful norms around masculinity and femininity.

Protective factors include connection/commitment to school and community support.

Briefing Sheet Number 7: The Intersection of Sexual Assault and Stalking, Domestic Violence, and Strangulation

📁 CASE CIRCUMSTANCE #2

Victim has red marks on neck and may have been “choked.”

⚠️ BARRIERS AND MISINFORMATION

Belief that neck redness is not a serious injury that warrants follow up.

Belief that substantial injuries leave bruising and anyone who was choked would remember.

⚠️ DETERRENTS TO INVESTIGATION

The signs, symptoms and seriousness of strangulation are often unknown to victims and law officers.

Strangulation leaves emotional as well as physical trauma since the victims often believe they were going to die.

Often the physical signs of strangulation are not outwardly visible until days later if at all.

The seriousness of strangulation has often been minimized, which is why many states including Texas have increased the penalties for strangulation.

Most victims of strangulation do not self-identify.

Lack of physical evidence can lead strangulation cases to be misclassified as minor incidents.

Impeding air or blood flow is often not a visible injury. Relying on visible evidence like in traditional cases will not lead to prosecution.

🔍 CURRENT SCIENCE TO INFORM PRACTICE

Strangulation is the external compression of the neck that impedes oxygen transport by preventing blood flow to or from the brain or direct airway compression.

The majority of strangulation victims are female and most perpetrators are male.

Research reveals that strangulation often leaves few visible injuries, with possibly critical injuries (e.g., brain damage) hidden, until they evolve over the next several days into potentially life threatening conditions.

Lack of oxygen to the brain can leave the victim restless and combative, and even result in long-term amnesia or psychosis.

As a result of strangulation loss of consciousness can occur within 10 seconds and death within 5 minutes.

Research shows that the presence of strangulation in domestic violence and sexual assault cases signals an elevated level of violence with suspects more likely to kill their partner/victim and children as well as police officers.

🛡️ PROMOTING BEST LAW ENFORCEMENT PRACTICES

Ask victims of sexual assault and domestic violence if they were strangled, as most victims do not volunteer this information without prompting.

Ask the victim to demonstrate how they were strangled.

Assess for signs and symptoms of strangulation such as raspy voice, sore throat, burst capillaries, scratching, bruises, redness on victim’s throat, loss of consciousness, trouble breathing, involuntary urination or defecation, difficulty swallowing.

Document evolving physical injuries by taking photos of victim’s face and neck as soon as possible and then at 24, 48, and 72 hours respectively.

Check for defensive wounds on alleged perpetrator’s hands, face, etc. inflicted by the victim, including bite marks.

Suggest need for medical evaluation in all cases involving strangulation.

Use the term “strangulation” rather than “choking” in documentation.

Record the victim’s words to describe the physical and emotional aspects of the experience such as “felt like I was dying,” “gasping for air” or “hurt to breathe.”

Officers should attend a strangulation-specific training to learn how to identify and respond to strangulations.

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