

COURSE INFORMATION AND INSTRUCTOR PREPARATION

TITLE: INTERVIEWING THE VICTIM

HOURS: 1

GOAL: THE STUDENT WILL LEARN PROPER AND EFFECTIVE METHODS AND TECHNIQUES TO INTERVIEW VICTIMS OF CRIME.

TEACHING AIDS (CHOOSE ALL THAT APPLY):

Chalkboard and chalk

Easel notepad

Whiteboard and markers

VCR/DVD player

Computer and mouse

TV

Multi-media projector

Overhead projector

Lectern or table

INSTRUCTIONAL TECHNIQUES (CHOOSE ALL THAT APPLY):

Lecture

Group work

Discussion

Scenario-based training

Individual exercise

Hands-on techniques (i.e. driving, shooting, etc.)

STUDENT MATERIALS

None



REFERENCES

Crime Victim Services “Outcome Measurement” Traumatic Emotions Training, Allen & Putnam Counties, Ohio Attorney General's Office

Picking up the Pieces, Your Rights and Responsibilities as a Crime Victim, Attorney General's Office.

Victim Offender Dialogue, State of Ohio, Department of Rehabilitation and Corrections, 1994

“Victim's Rights and Services: A Modern Saga”, Marlene young, Ph.D., J.D. Executive Director National Organization for Victim Assistance.

Web site of <http://www.crimevictimservices.org>

Web site of <http://www.ovc.gov/ncvrvw/2005/pg4c.html>, The History of the Crime Victims' Movement in the United States.

Web site of <http://www.tryNova.org>

SUBJECT MATTER EXPERTS

Robert Denton, Ph.D, Adjunct Professor of Sociology, University of Akron
Cynthia Kuhr, L.S.W., M.S., R.A. Director, Ohio Victim Witness Association



STUDENT PERFORMANCE OBJECTIVES

At the completion of training, the student will be able to:

1. Know specific communication skills for use in the therapeutic and investigative crime victim interview.
2. Know the difference between accusatory and non-accusatory statements
3. Know and understand the procedures in interviewing a child
4. Identify and understand cognitive interview techniques



INTERVIEWING THE VICTIM

The Interview (adult)

HELPING YOUR VICTIM:

This course will present issues and guidance regarding interviewing crime victims. Law enforcement personnel are often depicted as being insensitive toward and disrespectful of victims. Law Enforcement personnel should make a concerted effort to help victims reduce the potential and deal with the real trauma experienced by victims of crime. There are many techniques and consideration of which an officer should be mindful while obtaining information from a victim.

PRIOR TO MEETING THE VICTIM:

Prior to meeting a victim, an officer should learn as much about the crime and the victim as is available. Are there any special needs such as: sign language interpreter, hearing aid assistance, mentally challenged assistance or language barriers (foreign speaking)? Know the physical condition of the victim. Is medical care necessary? How is the victim handling the trauma of the crime? Is the victim coherent? Has the victim been in touch with a crime victim advocate?

Prepare for the interview. Some criminal acts can be very disturbing for the victim and equally disturbing for the officer. Occasionally, an officer will have been a victim of crime or may have a friend or family member with a similar history as a victim. Be aware that the interview may have some affect on you and prepare a plan should you find yourself uncomfortable to the point that you cannot participate in the case.

FIRST MEETING:

If possible, greet the victim by title and/or last name (e.g. Mr. Smith, Dr. Walker, Ms. Jones). Then ask the victim how he/she would like to be addressed. Ask the victim to make him/herself comfortable or if it is on a neutral setting such as a hospital or police station or the victim's home, ask permission to be seated. Help the victim regain some control of his/her situation by asking permission for everything you do. For example, ask, "May I sit here." Or "May I ask you some questions?" or "May I get you a glass of water?" To enhance the success of an interview, it is important to gain the trust of and establish rapport with the victim.

Prepare the victim for the interview by stating the purpose of the questions. Put the questions in the perspective of the overall plan for justice for the victim.



THERAPEUTIC AND INVESTIGATIVE INTERVIEWS

SPO #1

There are two types of interviews: **therapeutic** and **investigative**. The purpose of the therapeutic interview is to assist the person. The purpose of the investigative interview is to obtain information. It is best to consciously and carefully co-mingle the two types. The goal is to help the victim and investigate the case. Any interview must be completed with sensitivity in mind. If a question has been asked before, apologize and explain why it must be asked again. Effective communication requires a certain quality of the messages exchanged between the parties involved.

- A. Below are some proven communication and interview skills to be used during an interview.
1. Greet the victim and make eye contact, if possible.
 2. State your name, position, and what you would like to do. Use phrases such as: "My name is John Smith and I am an intake officer for the City of Anywhere. I would like to ask you some questions regarding what happened earlier today. Would this be okay with you?"
 3. Try to conduct the interview in a location that is quiet and private. Get agreement of the victim to use an area for the interview. Say, "Is this room okay for us to talk?" "Will you be comfortable in this room?"
 4. If at all possible, turn off radios, cell phones and pagers.
 5. Talk slowly, gently and clearly.
 6. Do not talk "down" to the victim.
 7. Lower your voice tone. Talk in a monotone. (This may relax victim).
 8. Do not try to imitate the victim's accent or manner of speech.
 9. Use affirmative nonverbal communication of nodding your head that you understand what the victim has said. Followed by, "go ahead" "tell me more."
 10. Make no assumptions about what a crime victim might tell you.
 11. Look at the victim but don't stare.
 12. Give the victim 100% of your attention.
 13. Actively listen to the victim, don't be thinking about what you will say next.



14. Let the victim talk without interruption.
 15. Do not complete the victim's sentence or provide words.
 16. Write notes for follow-up as the victim talks but still pay attention.
 17. Reassure the victim with comforting words such as, "I know this is difficult for you."
"Take your time." "I am not rushing you." "You are doing fine." We are going to get through this together." "Everything is okay." "You are safe now." "I am here to listen. Are you able to tell me what happened? "
 18. Ask the victim if there is something that he/she needs to be more comfortable such as:
water, coffee, pop, tissues.
- B. What is the temperature in this room? The victim will be going through different emotions and body temperature will vary. Does the victim appear cold? Warm? Does the victim need a sweater or a blanket? Or if warm, does victim need some other way to cool down?
- C. Don't rush the victim, even if your shift is about to end and no one will let you stay longer with this victim. Explain that to the victim, apologize for the inconvenience. Reassure the victim that another person will come to talk with him/her in just a few minutes. Give the victim something to do if a person does not show up to assist him/her. Such as: "I am sure an officer will be in here in a few minutes but just in case he gets delayed, if he is not here in 15 minutes, tell the woman at that desk over there that you are waiting to talk to an intake officer." This puts the victim in charge.
- D. If the victim becomes too upset to continue in the interview, tell him/her that you understand and will give him/her a few minutes of privacy. Ask, "Would you like a few minutes to be alone." "I can go just outside the room." "You will remain safe."
- E. Make sure that your attitude is one of nurturing and not one of impatience. Does your attitude say to the victim, "I care about you." Or does it say, "I am just here to do a job and can't wait for the next hour to go by so I can get home." Even the slightest bit of shortness in your tone can be very upsetting to the victim. Remember the victim has been traumatized and may not be thinking clearly or even rationally.
- F. Does the victim need someone to be with him/her? Can a Victim Advocate help? Ask the victim if you can make a call for him/her to call a friend, doctor, clergy or relative.
- G. Ask the victim to tell you what happened. Say, "I need to know what happened so I can best help you." "Please give me as much information as possible." "If you forget something, that is okay. We can come back to it later."
- H. As the victim tells you what happened, summarize what you have heard and repeat it to the victim. This tells the victim that you are listening and you understand what he/she just said. Say, "What I hear you saying is. . . ." or "What happened was. . . ." This stops miscommunication, reinforces messages and prevents miscommunication that usually leads to frustration on the part of all parties.



- I. Ask follow-up questions to clarify what the victim is saying. The victim will appreciate your desire to be accurate.
- J. Remind the victim that this is not his/her fault.
- K. Throughout the victim's recall of the crime, tell him/her how sorry you are that this happened to him/her.
- L. Issues to Avoid
 - 1. Don't insert your personal experience.
 - 2. Don't be judgmental.
 - 3. Don't give advice, but offer explanation or don't give excuses.
 - 4. Keep your hand gestures small.
 - 5. Don't wink.
 - 6. Don't laugh, don't chuckle. Don't make light of the situation.
 - 7. Don't make jokes.
 - 8. Do **not** say, "I know how you feel" because you can't know what the victim feels. Every situation is different.
 - 9. Do **not** say, "Don't cry, it will be okay." Crying is healthy and releases emotions.
 - 10. Do **not** say, "You will get over it." No one ever really gets over victimization.
 - 11. Do **not** touch the victim, not even a gentle touch on the hand.

OPTIONAL EXERCISES:

Activity: #1 - Create a list of five questions that sound accusatory or offensive in nature, and then rephrase the questions so they will elicit the information without offending the victim.

Activity: #2 - Practice listening skills. Two officers role play: one is the victim (rape by an unknown assailant) and one is the intake officer conducting an interview. Use all of the communication skills you have learned to this point. Have a higher ranking officer or another team member(s) critique the communication skills with the victim.



- M. FACT: Not all victims are likeable. Some victims may have personalities that clash with the officer conducting the interview. However, officers must conduct interviews professionally regardless of the “likeability of the victim.” Focus efforts on the criminal and the criminal act not the personality of the victim. If a personality clash escalates to the point of interfering with the interview, it would be appropriate for the officer to ask for assistance with the interview.
- N. FACT: Sometimes we make gestures or say something that is inappropriate during the interview. A few examples and how to handle them are:
1. Yawning--the victim may take this as being bored with what he/she is saying. Apologize for the yawn and reassure the victim that it is not a result of what he/she is saying but own fault for lack of sleep.
 2. Raising eyebrows--this may be an inadvertent reaction to something the victim said. Some view eyebrow raising as an indication of disbelief. Reassure the victim that you are listening and you have no reason to doubt what he/she is saying.
 3. Avoid starting a question with, “Why didn’t you do. . . .” This may be viewed as accusatory and is inappropriate. Stop, apologize and say, “Let me rephrase that.”
 4. Inadvertent facial expression or gestures such as fist pounding on the table may startle the victim or the victim may feel that you are angry with him/her. These should be avoided. In such an event, apologize and assure the victim that it was not directed in any way at him/her.



INTERVIEWING THE VICTIM The Interview (Child)

NOTE: Some officers are trained specifically to interview child victims of crime. If you are not, child specialists (children services, childcare clearinghouses, or victim assistance professionals) are often available and trained to assist in interviewing this vulnerable population. There may be situations in which you are faced with interviewing children. The following are tips that may assist you in this process. These tips may assist you in navigating the process in a way that is not leading and non-threatening to the victims/ witnesses. These techniques will help reduce trauma to the victim and create an atmosphere conducive to disclosure.

A. Prior to meeting with the child victim:

1. Know as much as possible about the victim.
2. Tell the parents not to rehearse the child for the interview.
3. Ask the parents to tell the child that it is okay to talk to the officer.
4. Talk to any person to whom the child may have initially disclosed any information.
5. Find a room appropriate for the interview.
6. Attempt to find a dual gender interview team.
7. Turn off cell phones, pagers and radios. The child's attention span is often fleeting.
8. Try not to schedule the meeting during a time the child normally would be napping, eating or near bed time.
9. Record the interview if needed (video or audio).
10. Do not put a desk or table between you and the child.

NOTE: The interview is the single-most important part of the case. Remain open minded and objective. Recanting often occurs due to the child's feeling that the investigator does not believe him/her. Similar to adult victims, children may be afraid to take the chance that the case will fail and the perpetrator will still have access to them. Children usually do not make false reports.



B. First Meeting:

1. Greet the victim and make eye contact.
2. Introduce all parties.
3. State why everyone has gathered in the room. Say, "We are here because we talk to children about problems they are having and we are here to help you."
4. Find out why the child thinks he/she is there Say, "Do you know why you are here today?"
5. Tell the child he/she is not in trouble for anything.
6. Ask some age appropriate questions such as his/her birthday, grade in school, name of his/her school, teacher's name, name of other family members, pets, friends, favorite T.V show, favorite movies.
7. Share information about your pets or school. But make it short.
8. Find a comfortable chair to sit in and have the child sit across from you or allow the child to choose where he/she would like to sit.
9. Ask the child to name family members, friends or neighbors.
10. Clarify status of family members (dad vs. step dad).
11. Give your full attention to the child.
12. Speak slowly and clearly.
13. Do not use "baby talk" with the child.
14. Nod your head in agreement so the child understands you heard what he/she said.
15. Smile. But don't laugh at the child. Some children are very sensitive to this.
16. Ask open-ended questions.
17. Ask only one question at a time.
18. Never ask accusatory questions such as: Why did or why didn't you?



SPO #2 – Accusatory versus non-accusatory statements:

- | | |
|---|---|
| <p>a. <u>Accusatory</u>
Why didn't you try to stop him?
Why did you wait so long to tell someone?
Why didn't you fight him off?</p> | <p>b. <u>Non-accusatory</u>
Were you able to stop him?
Did you tell anyone about it?
Were you able to stop him?</p> |
|---|---|

SPO #3 – Procedures for interviewing a child:

19. Before the interview, prepare the child by using some of the following:

- a. "There may be some questions that you do not know the answers to. That is Okay. Nobody can remember everything. If you don't know the answer to a question then tell me 'I don't know'. Don't guess or make anything up. Tell me only what you really remember and only what really happened."
- b. "If you don't want to answer some of my questions, you don't have to. That is okay. Tell me 'I don't want to answer that question!'"
- c. "If I say words that you don't understand, tell me 'I don't understand.' And I will say it in different words."
- d. "Sometimes I forget things, so if I ask you a question more than once, it is okay to give the same answer. Just remember to tell the truth."

20. If the child becomes too stressed during the interview, move to a more comfortable topic.

21. If child acts fearful, ask him/her if he/she is scared or what frightens or worries him/her. Immediately try to deal with his/her fears and diffuse them honestly.

NOTE: The attention span of children varies widely. It will be helpful to move along but not rush the preliminary questions getting to the main purpose with this probable limitation in mind.

SPO #4

C. The Cognitive Interview (child):

1. Used in interviewing child victims.
2. Develop rapport within guidelines previously outlined for children.
3. Ask the child to reconstruct, out loud, the circumstances surrounding the incident.
 - a. The people
 - b. The place
 - c. The weather



- d. Ask what the child thought
 - e. Ask about feelings
4. Instruct the child to reconstruct events from beginning to end, including those things he/she might not think are important.
 5. Ask the child to recall events in reverse order, from the end of the incident to the beginning. Sometimes this does not work.
 6. If the child cannot remember something use a memory jogger such as:
 - a. Asking the child to run through the alphabet to help remember a forgotten name.
 - b. Reflecting on whether the suspect's appearance reminds the child of someone else.
 - c. Recalling unusual speech characteristics and
 - d. Remembering conversations, unusual words or phrases and the reactions to them by the suspect or the victim.
 7. Ask the child to recount the incident from a different perspective, such as through the eyes of someone else who was present, or through the "eyes" of an inanimate object such as a stuffed animal that was present.



CASE STUDY

A rape victim was given the opportunity tell her story and express her feelings. This is a story full of lessons. We will call our victim Mary as she would like to remain anonymous. However, this is a true story with true feelings. It also illustrates numerous things that law enforcement officers can do differently to help a victim and improve their techniques for dealing with such cases.

As you read this story, think about the rights of the victim as described in the Ohio Constitution and rights listed in Section 2930. Think about how those rights, if granted to this victim, may have affected the outcome for the victim. Refer to the Attorney General's office web site at www.ag.state.oh.us/victim.assistance.asp for more details on the rights of a crime victim. Also, refer to the Attorney General's pamphlet "Picking up the Pieces Your Rights and Responsibilities as a Crime Victim."

In Ohio, victims are guaranteed the right to:

1. Confidentiality
2. Be treated with dignity and respect
3. Know the case status at all times during the prosecution process
4. Receive notification at various times, when significant events occur
5. Be present at all hearings, when the defendant is present
6. Be protected from intimidation and threats of harm
7. Reasonable return of property
8. Information from, and meaningful discussions with, the prosecutor
9. Make a Victim Impact Statement
10. Have a separate waiting area
11. Have protection from punitive action from employer due to hearings
12. Appoint a representative

The Ohio Attorney General's Office is charged with the responsibility to oversee statewide efforts to help crime victims on the road to recovery and ensure their rights have been upheld. There are numerous agencies to assist with the recovery program.



TRUE STORY OF A RAPE VICTIM

As told by the rape victim

It started out as any other day. I went to school in the morning and went to work at my bank processing job in the evening. The work load was rather light that day and I was able to get off work a little early. I left work shortly after midnight. I needed a few things at the store so I headed to a popular grocery store that was open 24 hours. Being very conscious of my personal safety, I took note to park under a light and was able to be the second car closest to the front entrance. (This was before any designated handicapped parking) I also distinctly remember locking my, then barely one year old, car. I did everything I had been taught to do.

I purchased a grocery bag full of groceries including many frozen items. As a junior in college I was able to sustain myself on anything that could go from freezer to oven. As I was leaving the building, and again very aware of my personal safety, I looked around for any potential problems. Observing none, I proceeded to my car with my key ready to unlock the car door. I wanted to spend as little time as possible outside of my car so I brought the bag of groceries with me as I entered the car and quickly locked the door after me. As soon as I did that the passenger door opened and a man got in the car. I attempted to leave my car but I was stopped by a firm hand on my neck. This was followed by the words, "Do as I say and you won't get hurt." I yelled, "What do you want?" He said, "I am going to fuck you." Suddenly, the most normal body functions became difficult. I remember that it was very difficult for me to swallow and simply breathing was strained. I was stunned. I saw what looked like a bat under his jacket. Heat filled my body. This is where it was going to end, I thought. He quickly placed a plastic bag over my head. This was not a grocery type bag but a Longs Bookstore double layer of plastic with a drawstring at the top plastic bag. He tied the bag over my head.

At that time I was a 20 year old college student with a weight of a mere 95 pounds. This monster in the car with me was probably 5' 9" weighing 145 pounds. I knew I would lose any type of physical fight. But really, in that extremely scared condition, I don't think I could have won a battle against a baby.

One cannot breathe very long with a double plastic bag tied over your head. I thought the end was near. I was ordered not to move. He reached around me and unlocked my door then left the car but quickly entered through the driver's side and pushed me to the passenger side. Scared does not begin to describe what I felt. I started gasping for air and he loosened the bag around my head. I was able to get just enough air. At times I thought I would pass out from the lack of oxygen. I felt light headed.

He started my car and pulled out onto the street. As we were traveling, many times he would suddenly take his right hand and push down hard on my neck which placed my head below the window. This then made me unnoticed to any traveling motorist. As he was driving I thought of how I could escape. I thought about suddenly grabbing the steering wheel and pulling it to one side to cause a crash but I didn't think I could get by with that. Even the risk of totaling my relatively new car would not stop me from causing a crash but the thought that I might make him angry, did stop me from even making the attempt. He drove about 15 minutes. He parked the car while holding my head down. We sat in the car for a few minutes with him holding my head down. I thought about gangs coming to get me. I just didn't know what to

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expect. Then suddenly he exited the car and quickly got me out of the car. There were just a few steps until I was told to step up. The steps were aluminum and perhaps only three of them. As I went through the door my clothing brushed against the doorway. I immediately came to the conclusion that this was a trailer or mobile home. I was firmly pulled into the bedroom and pushed to the bed. It was quite obviously a water bed. He quickly removed my clothing and raped me. I thought I was going to die and I wanted to die.

Surprisingly, he tossed me my clothing and told me to get dressed. He led me out of the place and put me back in the car. He drove my car again for about 15 minutes. He parked it. He loosened the ties to the bag as he told me not to move for five minutes. He said he would be watching me and he told me not to tell anyone, especially the police. As he exited my car, he threw my car keys on the ground. I sat motionless for what seemed to be an eternity. I struggled with the ties to the bag and eventually was able to remove the bag. He had parked my car next to a building around the corner from the 24 hour grocery store. I got my keys and started to drive. Where I was going I didn't know. I just drove. What do I do now, I thought. I didn't know. Finally, I decided to return to my place of employment. It was only a few miles away. Maybe my boss would still be at work. My boss was a nice guy, sort of kid like.

By this time it was 3:30 in the morning. My boss wasn't at work but there was a security guard. I asked the security guard if I could talk to him. He took this as a formal request for help. I started to tell him what happened. It surprised me that at that time I was able to talk coherently. I was upset but still able to function.

It is important to understand a few things about me. I was raised in a family that had great respect for the police officers, judges, and really any person in authority. I was raised to understand that there were bad people in the world and our officers and judges brought people to justice and bad people went to prison for a long time. To report this incident to the police wasn't really something that I had to think about. It was just the manner in which I would report it. My thought was that this guy would continue to do this until he was caught and sent to prison. So I had to report it and of course the police would work diligently (putting every officer on duty on the case) and then he would go to prison for the rest of his life, so I thought! The security guard reported on his radio that he had an "alleged" rape case. It started to bother me that this security guard would announce what happened to the world. I couldn't bear for my co-workers to know about this, or my roommates or my family.

An officer arrived and offered me a seat in the front of the police car. This officer was rather young, perhaps maybe only a couple of years older than me at that time. He made no attempt to smile and I seemed like a major inconvenience to him. He asked me to tell him what happened. He asked me to describe the man to him. I said he was probably 25 years old. He then said, was he 23-25 or 25-27? I said I didn't really know. He seemed to be getting a bit irritated with me so I chose one, 23-25. He asked me if I knew the man and I said no. I described the man as best I could as a white male, 25, with a protruding Adam's apple, shoulder length hair, wearing jeans, shirt (couldn't describe color) and a jean jacket. He asked me why I was out at the store at that time. Where I worked (even though we were sitting in front of the building I worked in) He then asked me again if I knew the man. I again said, "no." He asked me if I had seen any other car around. I could only describe a white older car that I saw near the grocery store as I pulled out onto the street. But I had no reason to believe that this was the man. He then asked me, what's this guy's name? I said I didn't know him. He then asked if

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the man went to college with me. I told him that I had never seen the man before. I told the officer that I believed he had taken me to a trailer. He asked me why I said that and I told him about the aluminum steps, narrow doorway, and few steps from my car. He said he wasn't convinced that it was a trailer. He said a trailer wouldn't hold a water bed. I had the feeling he wasn't believing anything that I told him. He told me he would file a report and that I had to go downtown at 8:30 a.m. and complete the report with officers there. I thought this officer was rude but I also thought it could have been me.

I was left to get myself home. Reality of what had happened was setting in and I was getting more and more upset. Driving was difficult. Even trying to remember how to get home was a challenge even though I had traveled this route for the last year. I made several wrong turns and I still don't know why. Sometimes I found myself making a turn that I knew was wrong. I wanted to just stop the car and cry but I didn't.

I finally got back to my apartment near campus which I shared with five other girls. I knew that none of them would be up at that hour but what would I do. I wanted to talk but yet I didn't want to explain what happened. I thought that I had to be at the police station at exactly 8:30 a.m. so I decided to not even attempt to go to sleep. By this time it was after 5:30 in the morning. I just sat reliving the ordeal until daylight then I went out to my car to inspect it. How did he get the door unlocked? What happened to my groceries?

On the passengers side door I saw what looked like crowbar marks in the middle of the panel and near the latch. My groceries were on the floor in the back. The frozen foods were now at room temperature and becoming liquid. I threw everything in the nearby dumpster.

I left a little early for the police station as I thought I just couldn't be late. I continued wearing the same clothing as somehow I thought that was important. Upon arriving at the station I saw a woman sitting at a sliding glass window. As I approached her, she slid the window open and asked, "Can I help you?" I told her I was there to complete a report. She said what kind of report and as I started to tell her I felt the tears coming, my throat closing, my lips quivering and my arms shaking. She looked at me for a moment then she looked at me as if to examine my whole body. Emotionless, she told me to sit down and someone would be with me soon. There were several other people in the room which I couldn't bring myself to look at.

Perhaps twenty minutes later an officer, probably in his mid fifties, came to a doorway and told me to follow him. We went into a closet-sized room with just a very small table and two chairs. He had something in his mouth, perhaps a cigar (back then you could smoke in an office) that he kept taking in and out of his mouth. We sat down and he told me to tell him what happened. He wrote nothing down and didn't seem to be listening to what I said to him. He seemed to be more worried about that thing in his mouth. In fact he didn't even bring paper and pencil with him. It was hard for me to talk. I needed water badly. Swallowing was a major chore. He asked me who the man was. I told him I didn't know him. A minute or two later he said, "What did you say the man's name was?" It was obvious to me that he wasn't believing me, either. He said, "Describe the car you were in." I said it was my car and proceeded to describe my own car. He said, "So you drove to this guys place?" I said, "no." He said, "but it was your car." I felt like I was being interrogated. I started over with the story. He kept referring to the incident as an "alleged" rape. That hurt, because it was not alleged to me, it happened. Frustration was setting in. I could barely talk. Tears were plentiful. I started to



wonder why I was there. I was feeling sick to my stomach and probably would have vomited if I had anything in my stomach. He asked me several more times, in different ways, about the identity of the man. I felt so alone. I wanted to just get away from there. I thought I didn't feel this bad last night when I had a plastic bag over my head and difficulty breathing. This wasn't at all what I expected. I thought they would dust for prints, thank me for reporting this incident so they could catch this horrible person and lock him up for good.

A knock at the door brought a woman into that closet who motioned for the officer to come out of the room. He left the room. Several minutes later he came back with paper and pencil. He asked me the name of the store that I was at. Upon hearing my answer, he informed me that a woman had called into the police to report that a man attempted to get into her car as she was leaving that same store. It was later verified to be just minutes before he got me. The attitude changed. I never met that woman, but I am so ever grateful to her for reporting her experience from that night. I don't know the woman's age but somehow I got the feeling that she may have been much older than me and maybe that made a difference somehow. That same officer looked at me a little different. He sat down ready to write this time. But first he asked me if I would prefer to talk to a female. At this point, I thought the devil would have been more pleasant to talk to than this guy, so I said, "yes."

The female officer was more pleasant but still very uncaring. She took her notes, as I expected, but offered no compassion. I was told to go to the hospital for an exam. Again I was left to get to the hospital on my own. I left the police station in much worse shape than when I had entered. Oh how I wished I had never called the police. I should have just gone home and pretended this whole thing never happened.

I went to the designated hospital. I was asked why I was there and told to complete a form listing all personal information. After I turned in the form, I was called to the nurses' station and was informed that they were getting my parents on the phone. I never gave them permission to call my parents. Oh no! They would never understand, I thought. I told the woman that I was leaving the hospital. She said she had to talk to my parents because I was a minor (21 was the legal age, I was 20). I said, "No" and started to leave. She stopped me and said she would hang up the phone and get an administrator to approve the exam. A while later she said it had been approved and they would proceed with the exam.

I left the hospital to go home alone. What a terrible mistake I had made by reporting this horrible incident. Later in the day, a friend came over and we talked. She was able to calm me down. She got me out and away from this ordeal. We went shopping and eventually I calmed down. I missed a day of school and a day of work, but thanks to my friend, I no longer felt like crawling into a hole. I had to throw away the clothes that I had on that night. I just couldn't bear to wear them again.

Several times I was called by the police to answer questions. Some times the same question would be asked by a couple of people at different times. I didn't know if they were trying to see if I would give them the same answer twice or if they weren't communicating with each other.

Old beliefs die hard. A woman that I worked with but who was not aware of the event said, "I don't understand any woman screaming "rape." A woman can always run faster with her



dress up than a man can with his pants down.” I wanted to educate her but that would mean getting into a verbal altercation and I just wasn’t up to attempting to change her mind. Nevertheless, hearing this type of language can hurt because you know that many people still believe this type of nonsense. This is one of the reasons it is difficult to talk about rape.

Months went by, then, one day as I returned home from school, found several officers and police investigators in my apartment. One of my roommates had let them in the apartment. They seemed a bit upset with me because they had to wait on me to return from my classes but I had no knowledge that they were coming. They wanted to know where I had been. They said that they needed to take me back to the scene and have me verify some things.

We went back to the grocery store. I showed them where I had parked. I even demonstrated to them how I got into the car. I pointed to where he had parked my car and thrown my keys to the ground. They then blind-folded me and told me to tell them which way to turn out of the parking lot and onto the street. Luckily I could remember that. I was asked at different times if it seemed like the distance that we had traveled. This I was unsure about. We arrived at what I later found out was the trailer of the rapist. I was led into the trailer and asked if I could identify anything. I very definitely could identify the aluminum steps, distance to the car, and the doorway and even the distance to the bedroom and the water bed not by sight but by sense of feeling.

I was then presented several pictures and asked to identify the man. I could. They had arrested him the night before, at the same grocery store while he attempted to pick up his fourth victim. Three victims plus the woman who got away filed reports. He wrote out a confession. Now the rapist who had undisputedly raped multiple women, was picked up attempting to get another victim went before a judge who released him on his own recognizance. The short time that he was in jail, he asked for and received solitary confinement because he feared for his own safety. When I found out he was back on the streets, I became frightened all over again. How could this happen. He was a bad guy. He told me not to tell the police but I did. Now what will happen? Would the rapist come after me? I asked for some answers from anyone who would listen to me, but got none. It was reported in the paper that they had picked up the rapist and he was let go again. A judge interviewed by the newspaper reported that the rapist could get probation and not serve any time. This was only preparing us for what was to come.

I was young, thought I could change the world because this was definitely wrong. I sought out assistance from my state representative who agreed with me that rapist, particularly multiple rapists should not get probation. He asked me to come downtown for a visit and he would show me how the system worked. I sat through some rather boring introduction of bills. This was only to appease me. He told me he would not introduce any legislation forbidding probation of rapist because he didn’t want to ruin his voting record.

I went to the probation officer who proceeded to tell me a sad story. He said the rapist had gone through a difficult time. It seems his girlfriend who was older than him broke up with him and he was just devastated from that. Plus he was in law school and under a lot of stress. He was really a nice guy, I was told. I responded that nice guys don’t commit rape. He was under a lot of stress, I was told. The probation officer while pleasant tried to distract me and minimize the damage. He laughed it off. It seems the probation officer was also a law student. I wasn’t joining in the laughter. The probation officer told me how hard law school was and he



could understand the stress this rapist was under. After the case was decided, I asked to see the probation officer's report. I was told that was confidential.

Sure enough I read in the paper that the rapist got probation. Even though we were warned, I was still crushed. To describe my feelings at that time I can only say that it hit me like someone telling me a close relative had died. I felt that by giving this guy probation that the judge and probation officer were telling me that I wasn't good enough for this guy to go to jail for raping me. What if I was someone famous, would he go to jail then. This hit me very, very hard. What if I was rich? Would he go to jail then? Not good enough was how I saw it.

I tried to talk to the judge, who by this time had lost all of my respect, but was denied access. I was told by the probation officer that the rapist's father sent the judge a letter asking for his son to get probation because of all the stress he had been under. I thought nobody wanted my thoughts on what he should receive. For several days the newspaper ran numerous letters to the editor criticizing the judge for giving the rapist probation.

Also reported in the newspaper was a story about a man who had raped two little boys and was also given probation. Very soon thereafter, the rapist of the two boys was picked up again for raping yet another boy. The judge said, "I didn't think he would do it again."

Research at that time indicated that only 1 in 20 rapes were ever reported. This statistic came from the Federal Bureau of Investigation. To be conservative let us imagine that a more accurate statistic was only half that amount (1 in 10 were reported). As this rapist had three victims come forward, that would mean that he could have raped 30 women, yet he went free.

It would seem that this would end here but it doesn't. Rape lasts forever. Many years later, when I was taking swimming lessons, the instructor put his hand firmly on my neck to demonstrate a point. I freaked. I screamed and started shaking. The memory of that hand on my neck pushing me down, so I wouldn't be seen by passing motorist, came back quickly. The instructor apologized for his actions but he didn't know and he really didn't do anything in appropriate. It was just my mind flashing back to that horrible night.

After the incident and to this day, I cannot watch television where there is anything that would resemble a rape or discussion about rape. I usually just leave the room without saying a word.

Do I have faith in the system? Absolutely not. I read in the paper a story about a mentally challenged man who had picked up a piece of paper that was on the ground and then threw it back down. He was formally charged with some ridiculous crime and given 30 days in jail. I thought, a piece of paper is worth 30 days but I am worth nothing.

It has been very difficult for me to write this story. I cried a few times but given the opportunity to get my feelings heard is appreciated. Even though this took place over three decades ago, the pain is still there.

I was asked if I would report it again. The answer is no. Here is why: The rape occurs. You can either do nothing and pretend it didn't happen or you can report it. If you don't report it, it is over. You remember only the rape not the pain of telling the story over and over again and



having people doubt you. You remember only the pain of the rape and not the “not good enough for this guy to go to jail” pain. You remember only the rape not the pain of having a probation officer tell you that he is such a nice guy. You remember only the rape not the pain of months and months and then years and years of remembering all the times you were called by the police, and the words of the judge, and the words of the probation officer. If I didn’t report it, would the end result have been any different? He was out of jail when he committed the rape and then he got right back out of jail. Either way he was going to be on the streets.

I was asked what I would like the law enforcement officers to know about rape. I would like officers to know that it hurts when: you don’t believe us, when you use that word “alleged,” when you say some thing that might imply that we did something wrong such as: ask us why we were at the store at 1:00 a.m., don’t interrogate us, we are not the bad person, we can’t always remember every detail. As unhappy as you may be about your own situation in life remember don’t let it show, take care of the victim. A victim needs compassion, not someone who is cold, judging and condescending. Victims do the best they can to understand the circumstances. It is easy for someone to say well you should have done this or you should have done that. You don’t know what you would do at the time.



DISCUSSION

Now that you have read the story of a rape victim, what do her feelings tell you?

If you were the responding officer, how would you have responded to this victim?

Is the response to such a crime any different today than what is described in the story?
How?

What could we learn from this story?

Do you blame the victim for not believing in the system and being reluctant to report another similar crime? Why or Why not?

How would this crime differentiate from a robbery in which a perpetrator put a gun to a clerk's head, demanded money then left?

This victim objected to the use of the word, "alleged." Is it necessary to use this word?
Is there something else we could say instead?

The victim has some issues with the judge. What do you think about the judge's decision? How might things be different today?

The victim was shopping at 1:00 a.m. Do you think the victim could be viewed as responsible for the crime because she was shopping at night?

The probation officer, the perpetrator and the judge were all law students. Do you think this had any influence on the outcome of the case?

Describe how a Crime Victim Advocate could have helped this victim.



QUESTIONS

1. Name four things that might be helpful to know about your victim prior to meeting him/her.
2. What are the two types of interviews?
3. What is the distinction between the two types of interviews?

True or False

4. Upon meeting the victim, make eye contact and state your name and position.
5. Tell the victim, "I know how you feel."
6. If the victim starts crying, hush her up so as not to bother other people and tell her not to cry because it will make her feel worse.
7. Tell the victim jokes so she will forget what happened.
8. Below are some accusatory statements, rephrase to make them non-accusatory.

Why didn't you fight him off?

Why didn't you take someone with you when you were walking across camp at 10:30 at night?

What were you doing going shopping at 2:00 in the morning?

What did you do that made your husband hit you?

9. What is the reasoning behind asking your victim such questions as, "May I sit here? May I ask you some questions?"



10. If you suddenly start yawning, how should you address this with the victim?

11. Name 10 of the 12 rights guaranteed to Crime Victims.

12. What is the purpose of talking in a lower, monotone voice?



QUESTION/ANSWER KEY

1. Name four things that might be helpful to know about your victim prior to meeting him/her.

Is there a need for a sign language interpreter?

Is there a need for hearing aid assistance?

Is there a need for mentally challenged assistance?

Is there a need for foreign language interpreter?

Does your victim need medical care?

Is the victim terrorized?

2. What are the two types of interviews?

Therapeutic and investigative

3. What is the distinction between the two types of interviews?

In the therapeutic interview the goal is to assist the victim and in the investigative interview the goal is to get information.

True or False

4. Upon meeting the victim do make eye contact and state your name and position.

True

5. Tell the victim, "I know how you feel."

False - You don't know how the victim feels.

6. If the victim starts crying, hush her up so as not to bother other people and tell her not to cry because it will make her feel worse.

False - Crying is releasing the emotions. Let the victim cry.

7. Tell the victim jokes so she will forget what happened.

False - Telling jokes or joking with the victim can cause more harm as it may be perceived as minimizing the crime. Being a crime victim is not funny.



8. Below are some accusatory statements, rephrase to make them non-accusatory.

Accusatory Statements:

Why didn't you fight him off?

Why didn't you take someone with you when you were walking across camp at 10:30 at night?

What were you doing going shopping at 2:00 in the morning?

What did you do that made your husband hit you?

Non-Accusatory Statements:

Were you able to hurt your attacker?

Did you see anyone else out walking before you were attacked?

Just preceding the attack can you describe where you were?

Before your husband hit you, did he say anything? Did he appear to be angry with you, the children, his boss, friend etc?

9. What is the reasoning behind asking your victim such questions as, "May I sit here? May I ask you some questions?"

It gives some power back to the victim. The victim has been robbed of own ability to control his/her life. Asking permission allows the victim some control.

10. If you suddenly start yawning, how should you address this with the victim?

Apologize, and state that you are unusually tired. Take responsibility for your own sleepiness. Example: "Please excuse my yawn. I was up too late last night. Please continue."

11. Name 10 of the 12 rights guaranteed to Crime Victims.

1. Confidentiality
2. Be treated with dignity and respect
3. Know the case status at all times during the prosecution process
4. Receive notification at various times, when significant events occur
5. Be present at all hearings, when the defendant is present
6. Be protected from intimidation and threats of harm
7. Reasonable return of property
8. Information from and meaningful discussion with the prosecutor
9. Make a Victim Impact Statement
10. A separate waiting area
11. Protection from punitive action from the employer due to attendance at hearings
12. Appoint a representative

12. What is the purpose of talking in a lower, monotone voice?

It helps relax the victim and can make understanding your words easier for the victim.

