

## Interview Strategies for the Patrol Officer

It is important to get as much information as possible from both the suspect and victim of assault and/or sexual assault. Everyone has a role in this process and no one's role is any less critical. This is much like the role of a first responder to an accident. The citizen provides first aid, the paramedics and police provide more advanced medical care, and the doctors provide the most advanced care. Each role is important. When investigating a sex crime, it is important for the patrol officer to respect some general boundaries. I have been asked on several occasions to provide training for patrol officers as well as detectives addressing the role of each in a sex crime investigation. The following is a summary of the recommendations I support. It is simply imperative to know, understand and respect our roles. Each role is important and has limitations for very sound reasons.

Here are some general facts about dealing with sex offenses:

1. Patrol officers are the first responder and this is a critical role. Their initial response establishes impression & sets the tone for the investigative process.
2. Victims may cease to cooperate if their first experience with law enforcement is negative or less than expected. This includes the officer's attitude, prejudice, and actions.
3. The officer's attitudes and beliefs may impact the victim's choice to cooperate. Attitudes and beliefs that may interfere with the interview and investigation process may include a bias against homosexual victims; a teen victim who gave verbal consent and actively participated in the sexual acts; male victims; and a belief that victims ask for or deserve abuse or rape).
4. Once victims or suspects are questioned, they may only offer one opportunity of cooperation. The officer must have enough time to dedicate to the entire process or not even begin it. Gather as much general information as possible and allow the detective to interrogate. Interrogation takes time and in general the patrol officer does not have sufficient time to get into all of the offense details.
5. It is imperative to have specialized training in understanding sexual offenses. There are many typologies of sexual offenders and many nonsexual needs that are met in sexual offenses. Without advanced training as well as the time to devote to the interrogation, information vital to gaining an understanding of the offender and offense and obtaining a conviction may be sacrificed.
6. There are times when the victim will only cooperate once with the police and then refuse to cooperate with more vital offense details. Therefore in-depth interviewing needs to be done with detectives.
7. Suspects may also become less cooperative with each instance of interview or interrogation. The more sociopathic or psychopathic the suspect, the more they will provide misleading and often useless information. Detectives should interview the suspects.
8. Perpetrators often begin their assaultive and violent behavior engaging in the use of psychological force and tend to move then into more physically assaultive and physically violent behavior. Psychological abuse and psychological force may include:
  - a. Misuse of position of power or authority

- b. Misuse of money (withholding, bribing)
  - c. Pressuring
  - d. Intimidation
  - e. Belittling
  - f. Objectifying
  - g. Using children for leverage (e.g., threatening to take children away; threatening to create custody issues; spoiling the children; failing to enforce rules and general parental power over children; and threats
9. Remember that male victims may not resist or fight back even with female victims because they may believe that it is wrong to harm someone or especially someone they care for. Respect the male victim's situation. Remember that sex offenses are not all about the use of physical force or the physical overpowering of the victim.

### Victims

1. The sooner the victim is interviewed the better. Information is fresh on the victim's mind immediately following the offense. In addition, the victim should be interviewed before changing clothes or showering.
2. When the victim provides the initial or subsequent statement, they may well be in some degree of shock or depression. Be aware that the victim may offer some variation to the facts they disclose during different interviews and that these differences in facts may not be false but rather more accurate detailed revisions as the brain was able to sort out the facts while at the same time dealing with the emotional state.
3. It is a myth that questioning the victim about specific offense details in some way re-traumatizes them. The reality is that the victim experienced the offense first hand and survived! Talking about what happened helps the victim get the information off of their mind, helps put their physical and psychological pain in perspective, and make sense out of their suffering and pain.
4. The best prevention of moderate to severe PTSD is simply talk therapy! That is encouraging the victim to talk about the offense, vent their feelings, and describe their personal experience without being judged.
5. The victim has vital information about the suspect including physical description, odor, and what sexual behavior occurred, and what physical force occurred. Every detail matters. What occurred when and the duration, what was said or done and what was not said or done.
6. Be aware that once the victim has told their version of the offense, they may experience a venting, a release of energy from having told their story. Some victims may shut-down and refuse further cooperation after this venting. It can be a delicate tightrope to walk between obtaining enough vital information at the initial interview while setting the situation to encourage the victim to cooperate with subsequent detailed interviews.
7. If we make a victim feel better in general, that may trigger a justification on the victim's part that they can now deal with it, forget it, and move on- therefore not cooperating further with interviewing and not acknowledge the full scope of the victimization.

8. Once feeling better as a result of some degree of revealing offense details, some victims may begin to minimize the perpetrator's behavior, such as:
  - a. *"He didn't mean it"*
  - b. *"I should have said no"*
  - c. The victim focusing only on the positive attributes of the perpetrator and minimizing or refusing to further acknowledge the negative, abusive and violent behaviors of the perpetrator.
  - d. The victim focusing on the perpetrator's role in the relationship (e.g., time together, parenting role, reputation, social face, religious concerns).

To counter the above and other similar concerns, the officer should redirect the focus of the victim onto the current offense details, keeping the focus on the negative behavior of the perpetrator.
9. Avoid making value, moral or ethical judgments. It is nearly impossible to not allow our own values and morals in some way show in the course of highly emotionally charged situations. Being aware of your emotional and moral reaction is important. For example:
  - a. Prepare to provide a neutral reaction to what the victim discloses. This means avoiding a "shocked" or "angry" reaction in behavior or voice tone.
  - b. Be aware of the limitations of touching the victims. Even well intended pats on the back or a hug can result in a negative reaction from the victim.
  - c. Crying is a normal reaction to having been victimized. Do not try to make the victim feel better too quickly or they may stop cooperating with the interview. The victim's pain and fear is what will likely result in more cooperation with the investigation.
  - d. Maintain appropriate physical proximity. Too close may scare the victim and too far may give the impression you do not care.
  - e. Do not joke about or laugh to a joke about the crime. This demeans the victim and lessens the appearance of seriousness of the offense.
  - f. Be aware of your biases. For example, a common bias is the belief that intoxication justifies rape or sexual contact. The belief that because the victim was intoxicated and may have cooperated with the perpetrator in isolating her that some how she deserved to be raped. These are myths and may prevent you conducting a nonbiased and thorough investigation. In addition, if the victim becomes aware of your bias they may cease cooperation with the investigation.
  - g. Carefully choose the language used during the interview. Taking a "sanitized" approach (e.g., using medical terminology versus street language) may work for some victims while for others they may not connect with the officer and may not fully understand the questions. Children may have learned slang language for the genitals and therefore the victim's language should guide the officer's choice of language even if not medically neutral. Simply put some victims and perpetrators relate better to slang and vulgar terms than to politically correct or medically appropriate terms.
  - h. Remember the courage it took for the victim to report the offense, an offense that involved extremely personal and embarrassing behavior that

they are telling to a stranger. And not just once, but the victim will likely be interviewed several times by different professionals for perhaps different reasons (e.g., patrol officer, investigator, physician, SARS nurse, prosecutor, defense attorney, family and friends). It took courage to make the initial report and it takes continued courage to cooperate in subsequent interviews.

10. Caution: once the victim is talking, they may need to continue until they have told their version of what happened in detail. This may take fifteen minutes or five hours. Once the victim is being questioned in detail, the process should not be interrupted. A patrol officer needs to gather as much general information as possible without gathering all of the detailed information. The issue here is that as the victim recalls the offense details, they are also likely to become depressed, angry, or may begin to minimize their role as victim. These reactions may occur as the reality of the situation sinks in and how the victim reacts is dependent upon their own coping skills, emotional strength, and the degree to which they are ready to accept the victim role. To begin in-depth questioning requires that the officer allow enough time for the victim to tell their version of what occurred and react to it. The patrol officer often has limited time to invest in the interviewing process with the victim.
11. It is best to allow a detective or investigator to question the victim in detail because they will have the time to devote to the victim.
12. It is also important to have appropriate training to understand the sexual offense, the sexual offender, and to understand victims of sexual assault. This involves additional training that most patrol officers do not have.
13. Avoid stressing that the perpetrator will be arrested or go to prison. Remember that 80-90% of victims are acquainted in some way with the perpetrator and they may be resistive of wanting to “get them” in trouble. In fact the perpetrator may have already insinuated to the victim that it is the victim’s fault and that if the perpetrator goes to jail, the family will suffer. Only stress arrest and prison if that is what the victim wants. Focus on gathering the facts, statements, etc., and move on.
14. Avoid making promises you might not be able to keep. Use neutral statements versus definitive statements when ever possible. For example, “*I will do my best*” versus “*I will get the perpetrator to confess.*” Also use statements with qualifiers such as “*appeared empathetic*” versus “*demonstrated empathy*” or “*was empathetic*”. For example, state that “*the victim appeared genuine*” versus “*the victim was genuine*”. This avoids having to prove your interpretation of a statement made and may prevent your testimony from becoming impeached at trial.
15. Victims may have been previously victimized and that experience, whether it resulted in a positive or negative outcome, may impact the victim’s cooperation with the current offense. Be aware of this and respect the victim’s concerns, while gently guiding the victim to cooperate.
16. The victim may have had an OFP/Restraining Order and it may not have worked to protect them.

17. Victims second-guess themselves all of the time. They repeatedly may ask themselves the many “why” questions. Understand with compassion that this is a normal process and as the victim’s brain deals with the trauma of the offense, the “what if’s...?” help sort out what really happened and perhaps what would be done differently in the future.
18. The victim may genuinely fear loss and an uncertain future if they cooperate with prosecution. For example, the victim may reasonably or irrationally fear:
  - a. Loss of the relationship
  - b. Retaliation by friends or family
  - c. Loss of custody
  - d. Loss of income, the home, car
  - e. Loss of reputation

### Myths

There are many myths about physical and sexual abuse, rape, and incest. These myths need to be addressed upfront with the victim if the victim expresses belief in any of the myths.

1. The victim may believe that they deserved to be raped or abused- address this directly. Explain how the perpetrators count on the victim blaming themselves and how the perpetrator knew full well what they were doing and that they were committing a crime.
2. Religious beliefs- the victim may believe that they deserve the abuse or rape because they have not been a good spouse, lover, or parent, and that in some way God wanted to teach them a lesson.
3. That it is God’s will that victim’s get pregnant. Nonsense. What type of God would punish a victim? And if you believe this, then perhaps the perpetrator should pay child support, have joint custody, and have access to the victim in marriage and in raising of their child. The reality is that God gave people freewill, and the meeting of sperm and ovum may or may not result in pregnancy, but is not an issue God is controlling but rather biology. In the same way, standing on the freeway is not a bright thing to do. But if you were hit by a car while on the freeway you did not deserve to be hit.
4. Victims blame themselves all of the time (e.g., intoxication, trusting the perpetrator, being alone with the perpetrator). Reassure the victim that the perpetrator made a conscious and purposeful decision to commit the offense and may have succeeded even if they had resisted.
5. Some victims surrender to the perpetrator with little or no resistance or fight. This is not consent.
6. That when drunk, men can not control their physical and sexual behavior
7. That men must have an orgasm if they achieve an erection or they may experience medical problems.
8. That once sexually aroused, people must finish what was started.
9. That people can not change their minds and withdraw consent or set new limits.
10. That consent to any sexual activity implies consent to anything and everything.

### Perpetrators

1. Initial statements from the suspect are vital and imperative to allowing for more in-depth interrogation. The patrol officer should question the suspect about the general facts of the case but not push for too much detail.
2. Suspects may only cooperate for a short time before initiating their “right to remain silent” and “right to legal counsel”. Therefore, it is imperative that the patrol officer gather the general facts as soon as possible from the suspect and then notify a detective to interrogate the suspect.
3. It is imperative the detective who is working a sexual offense case have appropriate training in understanding both the victim and the offender, including interview strategies. Understanding both the victim’s experience and the offender’s pathology and needs help structure the interrogation and investigation process.
4. Suspects may initially cooperate with interrogation and once they begin telling their version of the offense it is best to keep it going and allow as much time as necessary to gather the most facts and confession details. The patrol officer does not generally have the time to devote to interrogation of the suspect. Just as with interviewing victims, interrogating suspects may take fifteen minutes or several hours, as well as several interviews.
5. Gathering specific details is important in an interrogation. Simply having the suspect confess to “rape” may not result in a conviction. It is imperative to have the suspect admit to and explain their behavior during the entire offense, from the point of deciding to commit a rape, procuring a victim, removing clothing, engaging in the physically abusive behavior, and engaging in the sexually abusive behavior, and of course escape. Every detail from beginning to end is necessary and this requires training as well as a commitment of time.
6. It is appropriate to mislead the perpetrator or even to blatantly lie! For example, the victim alleges that she removed her own panties out of fear from the perpetrator. So you may state to the perpetrator “*you took her panties off...*” and the perpetrator responds, “*no, she did, she took her panties off*”. You mislead the perpetrator right into a confession of an offense detail.
7. Search for the perpetrator’s pornography stash and review it. Search for pictures of the victim in the pornography and even in video or DVD’s. Many perpetrators include their offenses or pictures/videos of their victims as trophies in their pornography collection.
8. Pornography offers a playground for sexual and violent fantasies to be thought about, perfected, masturbated to, and eventually acted-out. Hazelwood & Warren (1995; 2009) indicate that sexual fantasies are an important component of sexual crimes. Fantasies serve an important role for the sexual offender, helping to influence the offender’s choice of physical, sexual and verbal interaction with the victim, and the offender’s preferred sexual acts and rituals.
9. Several researchers (e.g., Revitch, 1965, 1980; Reinhardt, 1957; MacCulloch et al., 1983) found a similarity between the content of sexual fantasies and the actual crime. Prentky & Knight (1991) indicated that the degree of deviant sexual arousal may be related to both the frequency of offending and to the amount of violence in offenses (also Abel, et al., 1977). Preference for deviant sexual arousal may be implied by the type of pornographic material the offender views and

possesses. Over time, the offender generally becomes more diverse in the type of pornography viewed, and the preferred pornography tends to become more deviant and aggressive in nature. As a result of repeated viewings, the offenders themselves assume a more deviant and aggressive nature. Imagine then how a batterer or sexual offender begins their criminal career with minimal physical aggression, but escalates over time to more deviant and violent behavior (see Johnson, 2007). Pornography is certainly a strong component that can inspire deviant behavior.

Importance of keeping up with current research requires dedication. Keep up with the latest relevant journals and books. Consult with peers and professionals in the community to keep up on the latest news as well as to utilize consultation. Consultation allows for the discussion of an incident and feedback from another source to allow a fresh and educational review of the incident.

Feel good about your role:

- Supportive
- Facilitate the next step (e.g., investigation)
- Inquisitive
- Problem solving
- Crisis intervention
- Support

Difference between counseling & therapy

- Counseling is problem focused, short-term, helping get over a specific problem
- Therapy focuses on changing behavior and/or changing thinking patterns; long-term; intense.

General boundaries: consider the following examples of boundary limitations and yet how each role is no less important nor anyone's competence threatened. For the patrol officer it is important to consider role limitations. For example:

1. Hostage negotiator- advanced training.
2. SWAT member- advanced training.
3. College professor vs. psychologist- even though a professor may well be a psychologist, their role as a professor has limitations, which include not providing therapeutic advice or services. The professor must be able to remain in the teaching role and allow another professional to address the student's psychological concerns, despite being licensed to do both!

Abel, G.G., Barlow, D.H., Blanchard, E.B., & Guild, D. (1977). The components of rapists' sexual arousal. *Archives of General Psychology*, 34, 895-908.

Hazelwood, R.R., & Warren, J.L. (2009). The relevance of fantasy in serial sexual crime investigations. In R.R. Hazelwood & A.W. Burgess (Eds.), *Practical aspects of rape investigation: A multidisciplinary approach* (4<sup>th</sup> ed.) (pp. 55-64). Boca Rotan, FL: CRC Press.

Johnson, S.A. (2007) *Physical Abusers and Sexual Offenders: Forensic and Clinical Strategies*. Boca Raton, Florida: CRC/Taylor & Francis.

MacCulloch, M.J., Snowden, P.R., Wood, P.J.W., & Mills, H.E. (1983). Sadistic fantasy, sadistic behavior and offending. *British Journal of Psychiatry*, 143, 20-29.

Prentky, R.A., & Knight, R.A. (1991). Identifying critical dimensions for discriminating among rapists. *Journal of Consulting and Clinical Psychology*, 59, 643-661.

Revitch, E. (1965). Sex murder and the potential sex murderer. *Diseases of the Nervous System*, 26, 640-648.

Revitch, E. (1980). Gynocide and unprovoked attacks on women. *Correctional and Social Psychiatry*, 26, 6-11.