

## **Interviewing Victims of Sexual Assault as Part of Sex Offender Management<sup>1</sup>**

### Preparation

*Some things you'll want to remember when contacting or interviewing victims:*

- Remember that the assault was a life changing event for the victim. Don't underestimate the impact it's had on his/her life, or assume a particular assault was "not that bad."
- Don't take a victim's response to you personally. Anger, frustration, and hostility are all common responses to the experience of being assaulted and, for some, to the experience of dealing with the criminal justice system, especially if they have felt unsupported and unheard.
- Remember that sexual assault is a unique crime. It carries such a strong stigma that victims often don't receive the same understanding, compassion, and support that is offered to other crime victims.
- Be aware of whatever prejudices and biases you bring to working with victims and how they may affect your interaction. If you don't feel you can interview a victim fairly or supportively, ask for help from an advocate or colleague.
- Remember that multiple victimization issues and triggers may invoke flashbacks or memories of past abuse.
- Don't assume that pre-release contacts will be "easy" if the offender has been incarcerated for a long time. Be prepared for strong emotional responses, ranging from fear to anger to anxiety to hopefulness.
- Remember that some victims may have been assaulted multiple times by the same or by different people. Understand how the experience of assault, especially as a young person, can make someone vulnerable to additional assaults throughout his or her life, and may very well affect their response to you in this situation.

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<sup>1</sup> Adapted from: Connecticut Sexual Assault Crisis Services, Inc. (1997). *Police Response to Crimes of Sexual Assault Training Manual*. East Hartford, CT.; and Connecticut Sexual Assault Crisis Services, Inc. (1998). *Standardized Training Curriculum*. East Hartford, CT.

## Setting, Tone, and Behavior

*There are things you can do in your contact with victims to reduce their discomfort, inspire their trust in you, and show that you respect their position. The situation will be slightly different depending on whether this is a pre-sentence interview in which you're trying to understand the impact of the assault, or whether this is a supervision interview in which you're trying to establish a relationship with the victim to support his or her role in the management process.*

- Be patient and make necessary accommodations around meeting time, place, or other requests.
- Be aware of the power you hold during an interview. You may be seen as the offender's ally. You can neutralize the power by offering choices to the victim, sitting across from and not above the victim, and letting them lead the discussion.
- Use active listening skills like paraphrasing and open ended questions.
- Don't judge the victim or their decisions, actions, and feelings. If you're concerned about the victim's safety, say so, but don't presume to know what's best for any victim.
- Let the victim control the pace of the interview. Don't rush or belabor questions the victim does not want to answer.
- Remain empathetic but neutral. Don't "bad mouth" the offender. Simple validation of the victim's feelings is more appropriate and effective.
- Don't offer unsolicited advice or tell the victim what he or she should do.
- Don't allow the victim to be abusive to you with their anger. It's important to validate his or her emotions but not at the expense of your safety or emotional well-being.
- Don't minimize a victim's experience. It doesn't matter how much time has elapsed, or whether the assault was not particularly violent. Remain open and non-judgmental. Each person's experience and feelings are different.

## Information Exchange

*You have information that can help keep the victim safe and can potentially help with the healing process. The victim has information that can help you and the offender's treatment provider make appropriate sentencing, probation, treatment, and restitution recommendations, and develop appropriate and effective supervision and treatment plans.*

*In every type of contact with the victim (pre-sentence, post release, etc.):*

- Be clear about the purpose of the interview, how the information will be used, and who will have access to it.
- Explain your role, including what the victim can realistically expect from you.
- Check that the victim is receiving the support she/he needs. If this is a first contact, provide information about local rape crisis services. If this is a follow-up contact, inquire if he or she has been in touch with rape crisis or other support services or if s/he needs additional referrals. Ensure that the victim has a safety plan in place or is working with an advocate to develop one.
- Answer whatever questions the victim may have, and be clear and realistic about your availability to discuss things further – when you are available and the best way for the victim to reach you.
- Tell the victim how you can help and be sure you can do what you say you can do. Don't make promises you can't keep.
- Fight the urge to do anything and everything for a victim. Make referrals to victim advocates or others who are in position to provide support and respond to victim needs.

### *Information specific to Pre-Sentence Victim Interviews*

- Explain that you are interested in hearing about the victim's experiences, feelings, and thoughts during and since the assault.
- Ask the victim what they would like to see happen. What form of restitution makes sense? Do they want the offender incarcerated? Do they have any financial concerns that need to be addressed through compensation?
- Explain their role on the day of sentencing. If they want to make a victim impact statement, make sure they know they can do so and how (both what the format is and how to get on the calendar). Make sure they understand the local protocols, whether someone else can read their statement on their behalf or if it can be submitted as part of the pre-sentence investigation file.
- Make sure they know that a community-based or justice system-based victim advocate can go with them to the sentencing if they want to go. Explain how to set that up.
- Ask the victim if s/he wants a no contact order. Explain what this means, when it would go into effect, and what to do if there is any contact from the offender.

*Information Specific to the Offender's Release to Community Supervision*

- Explain your role as a supervision officer, and explain specifically what you will be doing to maintain the victim's safety and the community's safety. If you work as a team with treatment providers, victim advocates, polygraph examiners, or others, explain their roles and how you work together as well, and be sure to address the limits of confidentiality.
- Inform the victim where the offender is proposing to live and invite the victim to share any concerns. Explain how you plan to keep the victim informed of any changes in where the offender will be living, working, or otherwise spending significant amounts of time.
- If the offender has been incarcerated, tell the victim what the offender has been doing during that time. Has he been in treatment? Has he addressed his responsibility for the sex offenses? Is he in denial about the offense? If so, help the victim understand what this means for his/her safety.
- Explain that the officer can only enforce the actions of the offender, not anyone else – including the victim – who may create high risk situations for the offender. Even if the victim wishes to have contact with the offender, the officer may be obligated to order the offender not to have that contact, if the management team believes the offender is at risk to re-offend.
- If a victim inquires about reunification with the offender, make sure the victim has the appropriate information, resources, and support to explore this option. Be honest with the victim about your concerns regarding the offender's ability to successfully reunify and what your role would be in that process should it occur.
- Explain the probation rules and regulations by which the offender must abide and what will happen if the offender violates these requirements. Explain what options are available to you as an officer to enforce the offender's compliance. Make sure victims know what they can do if they witness an offender's violation.
- Explain community notification procedures and plans as well as the implications of sex offender registration for the victim. Invite input from the victim about community notification procedures. If you are in a state where community notification is required and consistently applied, be sure the victim understands these procedures.
- Give the victim realistic information about what s/he can expect after the offender's release. You don't want to scare victims, but you don't want to give them a false sense of security either.