CAMPUS SEXUAL ASSAULT CASE STUDY: SURVIVOR & LAW ENFORCEMENT PERSPECTIVE PART 1

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DISCLAIMER

The views expressed herein are those of the presenters and not necessarily those of the Austin Police Department or TAASA.

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Learning Objectives

- Participants will identify common barriers to reporting for victims of sexual assault.
- Participants will identify various ways law enforcement can help to overcome these barriers.
- Participants will become familiar with the concept of institutional betrayal and how it might influence engagement with campus law enforcement.

Use of Language: Victim/Survivor

The terms ***survivor*** and ***victim*** are used interchangeably throughout the presentation.

Our ultimate goal is to honor the personal choice of all individuals while still acknowledging certain legal designations within the criminal justice system.

WHO IS HERE TODAY?

Index Card Activity – *3 mins*

On your index card please write the following for us –

- Name
- Agency you are with (i.e. Austin PD, University of Dallas, etc.)
- An account of your last sexual encounter

Index Card Activity, Debrief – 5 *mins*

- Did you feel like you had enough information from us to make an informed decision about completing/participating in this activity?
- What information did you want to know from us?
- Would knowing this information have changed what you shared?

HOW DO YOU THINK THIS RELATES TO A VICTIM'S ENCOUNTER WITH LAW ENFORCEMENT?

What is this all about?

"It is important to be human. Take care of people –
the police work will hold."

*being human ≠ being perfect, it means being human!

Why am I here?

- Because I feel that I won the lottery in terms of the response that I received from law enforcement.
- My first contact with law enforcement impacted my recovery, case, and ultimately my life.
- If just one of you gains something from my story, then you continue to help me.

"My Case"...

IS NOT ANYONE ELSE'S... IT IS MINE.
EVERY VICTIM, EVERY SURVIVOR,
EVERY CASE IS UNIQUE.

...just like each of you are.

-WARNING-
IT IS A CRIME
(MISDEMEANOR)
TO CONSUME LIQUOR OR
BEER ON THESE PREMISES.

Don't take it personally...

We don't want to meet you - professionally

There has been such a profound violation of trust that it makes it hard to trust anyone.

Don't expect our trust to be given automatically, for any reason.

If we're meeting you, our ability to feel safe in the world has likely been shattered.

*Be patient with us, and know it is not you!

The First contact is EVERYTHING!

Your victims will likely **never** reach your best trained investigators if their first point of contact is poor.

Believing someone or telling them that you're sorry for what happened to them doesn't require an investigation.

This is <u>really important</u>, remember -

Why did I call a municipal agency?

I don't recall knowing that the University had police!

If I had known, I was no longer a student and thus, I believed I was no longer eligible for 'University services'.

What makes campuses unique?

- Live, Learn, Work, Play – all occurs in the same space
- Closed System
- Frequently "**identity based**"
- Have unique "cultures"
- Have set of norms, policies, rules
- Trust in the institution
- Future events dependent on today

Are there other places with these characteristics?

Institutional Betrayal

Institutional Betrayal happens "when an institution causes harm to an individual who *trusts or depends* upon that institution."

Smith, C.P., & Freyd, J.J. (2014) Institutional Betrayal. American Psychologist, 69(6). 575-587.

Types of Institutional Betrayal

Omission: Failure to act, tolerance for bad acts, investigations lacking transparency, untimely complaint resolution, inadequate or inconsistent sanctions – effectively, this is *indifference*

Commission: Retaliation is most common example

Institutional Betrayal

- Can sometimes be "worse" than the original trauma itself.
- Can occur when group membership/brand/image is given priority over individual needs
- Creates 'divided' or 'split loyalty' – people must choose

Who are you?

Pseudonym?

How much does offering a victim the option of a pseudonym help your case?

The Texas native was a student at U-M's School of Public Health when she fell and hit her head after suffering a stroke in 2003. Higgins became her social worker in the recovery program.

It can be one component to a response but it doesn't prevent a victim from potentially **being** identified (to those who are in their social circle) or prevent them from **feeling** identified.

Aftermath

- This case was the people of the state of Michigan
- Pled out, received 10 yr prison sentence
- As time goes on, you have to become better at advocating for yourself – there are more victims coming in behind you.
- Once a case is adjudicated – now what?
- Everyone heals & grows differently
- The trauma never goes away completely

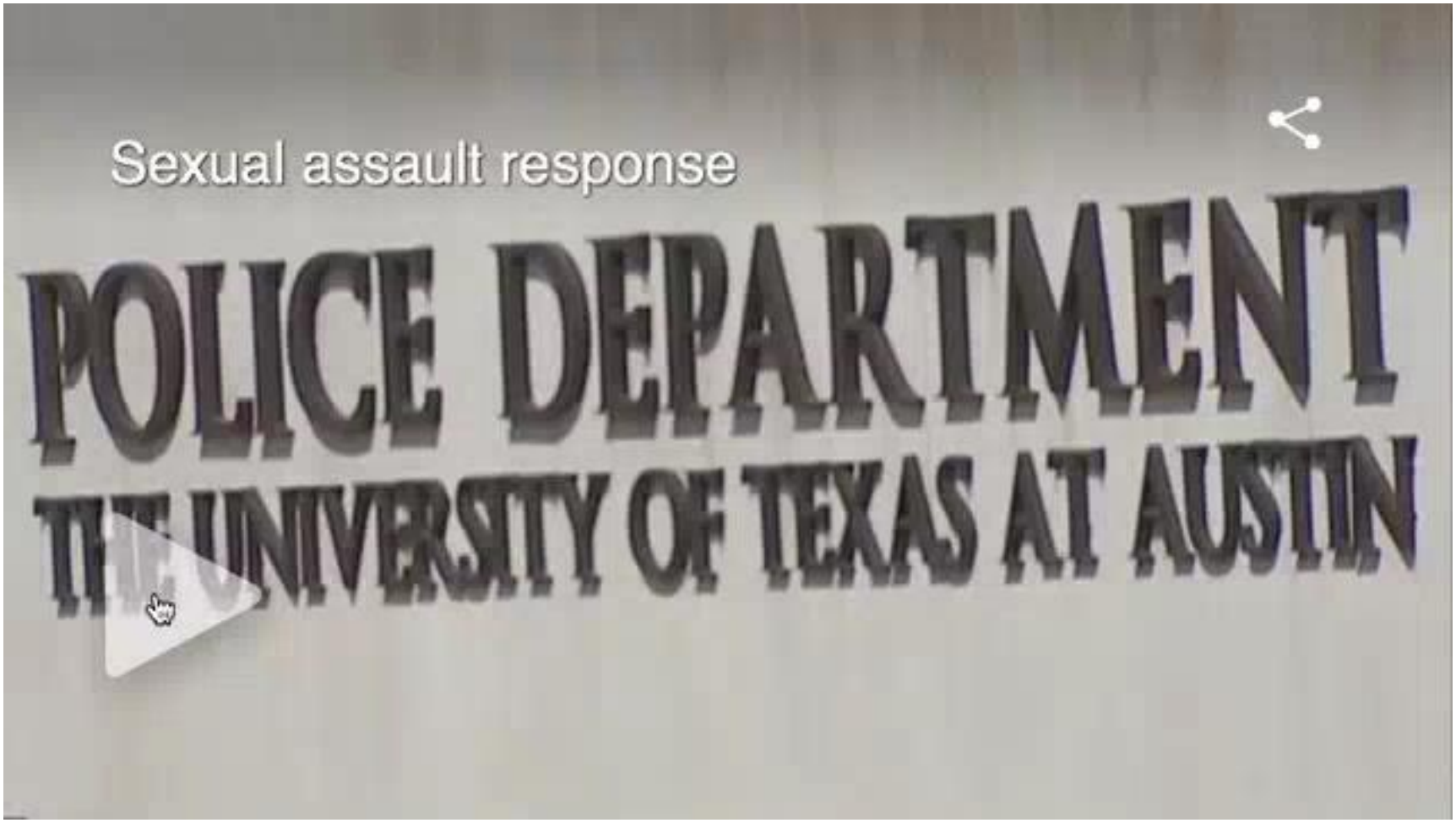
What can I do?

- Focus on smaller components
  - "are you willing to talk to a detective/investigator?" instead of "do you want to file a report?"
- Victims aren't carbon copies of your last case – each person and experience is unique, treat them as such. *Don't forget to be human.*
- Answer questions honestly that come up & explain the process!
  - A victim/survivor is entering your world – it's a new, strange, and foreign place!

BREAK IT DOWN INTO SMALLER, MORE MANGEABLE STEPS

We can't have full knowledge all at once. We must start by believing; then afterwards we may be led on to master the evidence for ourselves.

Thomas Aquinas


Sexual assault response
POLICE DEPARTMENT
THE UNIVERSITY OF TEXAS AT AUSTIN

The Blueprint for Campus Police: Responding to Sexual Assault

Provides a practical tool that is grounded in research for police to address the issue of campus sexual assault.

http://sites.utexas.edu/idvsa/title-blueprint-for-campus-police-responding-to-sexual-assault/

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

Shifts in Evidence-Based Knowledge that Impact Policing

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

CASE CIRCUMSTANCE #4

Victim delays making a report of sexual assault to law enforcement.

BARRIERS AND MISINFORMATION

Belief that "real" victims will report immediately following sexual assault to law enforcement.

DETERRENTS TO INVESTIGATION

Victims that delay reporting are less likely to be believed.

Victims are more likely to report if the perpetrator is a stranger and if the victim sustains injuries.

Immediate reporting by victim is not required by the law.

Reasons victims cite for delaying or not reporting: 1) alcohol use, 2) unclear memories of the assault, 3) didn't immediately label the incident as a sexual assault because of their relationship to the perpetrator, 4) thought no one would believe them, 5) embarrassment, 6) had no evidence, 7) fear of reprisal, 8) did not want to get the offender into trouble, 9) thought they were partly responsible, or 10) believe nothing can be done.

CURRENT SCIENCE TO INFORM PRACTICE

Delayed reports should be expected, particularly if the victim knows the offender. A recent study of Texas sexual assault victims found that only 9.2% of sexual assault victims reported their assaults to law enforcement. Another study on college campuses found that on average the victim delayed 11 months before reporting the assault to campus authorities.

Research reveals that the majority of reports that are promptly made are reported by third parties rather then the victim.

Victims must understand their right to report and feel safe and secure in doing so, which often takes time and the support of others for doing so.

Other Resources

Topic	Source	Website	Brief Summary
Brief: In Context – Campus Sexual Assault	Chronicle of Higher Education	http://chronicle.com/items/biz/pdf/sex_assault_brief_fall2014.pdf	This brief provides a summary of the Chronicle's reporting on sexual assault on campuses nationwide.
Changing Our Campus Culture	Office on Violence Against Women (OVW)	http://www.changingourcampus.org	This website is a comprehensive clearinghouse for higher educational institutions on sexual assault, domestic violence, and stalking The audience for this resources includes campus administrators, faculty and staff, campus/community law enforcement, victim service providers, students, parents, and other key stakeholders.
The Clery Center	The Clery Center	http://clerycenter.org	The Clery Center for Campus Security focuses on advocacy, education, training and policy around violence and other crimes on campus.
Colleges Wrestle with How to Define Rape	The Chronicle of Higher Education	http://chronicle.com/article/Colleges-Wrestle-With-How-to/151245/	Colleges attempt to strengthen their responses to sexual assaults while defining rape.
End Rape on Campus	End Rape on Campus	www.endrapeoncampus.org	End Rape on Campus (EROC) is an organization that works to end campus sexual violence through support for survivors and their communities; prevention through education; and policy reform at the campus, local, state, and federal levels.
End Violence Against Women International (EVAWI)	EVAWI	http://www.evawintl.org/	Website offers education on gender-based violence, support for victims, holding perpetrators accountable. Focus on victim-centered, multidisciplinary collaboration.
Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence	Department of Justice	http://www.justice.gov/opa/file/799366/download	DOJ guidance is designed to help law enforcement agencies prevent gender bias in their response to sexual assault and domestic violence, and describes the need for clear policies, robust training and responsive accountability systems. It provides the principles that ensure that efforts for victim safety and offender accountability are not underminded by gender bias.

Q&A

You Have Questions
We Have Answers

THANK YOU!

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

~ Maya Angelou

Resources:

The Blueprint For Campus Police: Responding to Sexual Assault
University of Texas at Austin, Institute on Domestic Violence & Sexual Assault (IDVSA)
http://sites.utexas.edu/idvsa/title-blueprint-for-campus-police-responding-to-sexual-assault/

Start By Believing – By End Violence Against Women International (EVAWI). Has law enforcement Action Kits available for downloading.
www.startbybelieving.org

You Have Options Program (YHOP) – Focuses on identifying serial sexual perpetration. Moves beyond tradition sexual assault investigative practices. Ashland, OR (Southern Oregon University most well known).
www.reportingoptions.org