

**Specialized Training: Investigating Sexual Abuse in  
Correctional Settings  
Notification of Curriculum Utilization  
December 2013**

The enclosed *Specialized Training: Investigating Sexual Abuse in Correctional Settings* curriculum was developed by The Moss Group, Inc. (TMG) as part of contract deliverables for the National PREA Resource Center (PRC), a cooperative agreement between the National Council on Crime and Delinquency (NCCD) and the Bureau of Justice Assistance (BJA). The PREA standards served as the basis for the curriculum's content and development with the goal of the *Specialized Training: Investigating Sexual Abuse in Correctional Settings* curriculum to satisfy specific PREA standard requirements.

It is recommended that the *Specialized Training: Investigating Sexual Abuse in Correctional Settings* curriculum be reviewed in its entirety before choosing which modules to use. Any alterations to the original materials must be acknowledged during their presentation or requires removal of the PRC and TMG logos.

BJA is currently undergoing a comprehensive review of the enclosed curriculum for official approval at which point the BJA logo may be added.

*Note: Utilization of the enclosed curriculum, either in part or whole, does not guarantee that an auditor will find a facility "meets standard". Rather, an auditor will take into consideration the curriculum used as part of their overall determination of compliance.*



# Module 7: Interviewing Victims of Sexual Abuse

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# Module 7: Objectives

1. Learn techniques for interviewing and interrogating during investigations of sexual abuse in confinement settings.



# Sound Foundation

- In order to conduct a solid, respectful and productive interview you must believe in the importance of the job.
- You must fully understand the profiles of the individuals you are interviewing.
- You must be comfortable with discussing detailed, graphic, sexual situations even if it does not match your beliefs and values.

# A Question of the Audience

## Private Encounter



# What do you think about sex?

**Views**

**Belief  
System**

**Personal  
Values**

**Culture**



**Upbringing**

**Lifestyle**

**Exposure**

**Automatic**

# Interview

The first responders only do an initial, informational interview. The formal interview will be conducted by the staff assigned to the investigation who have been trained to do so.



# What is a Victim Interview?

A controlled conversation where questions are asked of a willing and cooperative ***victim*** or ***witness***

- Why: to illicit information in an effort to get answers to questions regarding a crime
- How: by asking open-ended and non-judgmental questions



# Video and Activity



# Interviewing

# Preparation

## Logistical Preparation

PREA standard 115.21 requires that a victim of sexual abuse be offered the accompaniment of a **victim advocate** during the forensic medical exam and interviews.

- If the victim requests it, you should allow the advocate to be present during interviews.
- However, the advocate may only provide emotional support.
- The advocate may not:
  - advise the victim,
  - coach the victim, or
  - provide answers for the victim unless you ask the advocate a direct question.

# Vulnerable Offenders May Be...

- Developmentally Disabled or Delayed
- Physically Impaired
- Hearing Impaired
- Mentally Ill
- Lesbian, Gay, Bisexual, Transgendered or Intersex
- Previously Victimized
- Juveniles/Young
- Elderly
- Limited Language Ability
- Isolated
- New to the system
- Untreated Addicts
- Uneducated

# Interviewing

# Interviewing Tips

## Be prepared

- Take a moment to set up a rapport with the interviewee
- Be aware of the spectrum of victim responses in sexual abuse cases
- Remain neutral and unbiased

# Interviewing Tips

Do I need an interpreter?

- In-person vs. phone
- Preparing the interpreter
- Never use inmates or facility staff
- If using an interpreter, be aware that it may take time for the offender to trust and feel okay about the interpreter's presence

# Interviewing Tips

## Active Listening: How to?

- Face the speaker and make eye contact
- Listen to what they are saying; **do not interrupt**
- While listening, occasionally nod or say “yes” or “I see” to acknowledge that you are listening.
- When the speaker has finished talking, repeat back what you heard or observed.
  - I hear that you are fearful. What is it that makes your afraid?
  - I see that you are angry at Officer Smith.



# Interviewing Tips

Identify ways to cross reference and verify

- What if they have been a “pair” in the past?

Try to be empathetic to your victim

- Do not patronize or sympathize

# Interviewing Techniques

Be prepared

- Review all the available information regarding the case
- Identify all areas in which you want to try to get answers
- Identify areas of common ground before questioning
- Set aside an unlimited amount of time

# Interviewing Techniques

- Learn about the victim (past victimization/trauma, personality, etc.)
- Learn about the suspect (any conflicts of interest, if you resemble the suspect in age/ race/ size/ mannerisms.)
- Be aware of your body language (avoid distracting behaviors, do not interrupt, stay calm.)
- Be aware of interviewee's body language.

# Video



# Interview

- What do I want to know before I interview?
- “Tell me what happened”

# Interviewing Techniques Setting

## Setting

- Conduct the interview away from others in a neutral and safe environment
- Least amount of distractions
- DO NOT put a “barrier” between you and the interviewee
- Interview victim during a shift when suspect is not on duty (when applicable)
- Explain purpose of interview

# Interviewing Techniques

Start with broad and open approach

- Start with a broad topic and be open to any directions the interview may go.
- Give your victim, witness and suspects the opportunity to talk a lot.
- Women are generally more verbal than men and more able to describe details and emotions.

# Interview Techniques

- Bring the conversation to a pin point like a microscope.
- Narrow the conversation with guided questions that focus on previous answers.
- Do not use closed-ended or leading questions.



# Interviewing

# Gender and Communication

Females may...

- Need extra time in conversation to establish trust and safety due to abuse history
- Want
  - an opportunity to talk and tell their story
  - to be heard and shown empathy
- Prefer concise responses and direction
- Be concerned about fairness and inclusivity for others

# Gender and Communication

## Females

- Consider “relational language” vs. “rules language.”
- **Relational language:** Builds on strengths and relationships
  - Use of “I” phrases, “I need for you to help me understand why you aren’t taking your meds”
  - Will help you get to the real issue

# Gender and Communication

Males may...

- Use fewer words
- Talk more one-to-one vs. in groups
- Communicate most comfortably through “parallel play” (side by side.)
- Not verbally express feelings as openly.
- Be more likely to walk away grumbling.
- Be dissociated, inattentive and angry.
- Act out physically instead of talking.

# Interviewing: LGBTI Inmates

- **Lesbian**

Women or girls emotionally, physically and romantically attracted to other women or girls.

- **Gay**

Men or boys emotionally, physically and romantically attracted to other men or boys; can also be used as blanket term for both gay men and lesbians.

- **Bisexual**

A person who is emotionally, physically and romantically attracted to both men and women or people regardless of their gender.

# Interviewing: LGBTI Inmates

- **Transgender**

Someone whose gender identity differs from their birth sex.

- **Gender nonconforming**

Having or being perceived to have gender characteristics and/or behaviors that do not fit with traditional or societal expectations.

- **Intersex**

People who naturally develop primary or secondary sex characteristics that are inconsistent with society's definition of male or female.

# Lesbian, Gay, Bisexual Inmates

Inmates with a sexual orientation other than heterosexual reported significantly higher rates of inmate-on-inmate sexual victimization and staff sexual misconduct

- **10 times** more likely to report sexual abuse by other inmates in prison
- **2.5 times** more likely to report sexual abuse by staff in prison
- **7 times** more likely to report sexual abuse by other inmates in jail
- **2.5 times** more likely report abuse by staff in jail

Beck, Allen Ph.D. et al. *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.  
<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4654>

# Transgender Inmates

- Transgender inmates may face:
  - Alienation from other inmates
  - Alienation from staff
- Transgender inmates may have physical characteristics of the opposite sex
- Law suits of note brought forth by transgender inmates
  - Farmer v. Brennan



# Lesbian, Gay, Bisexual, Transgender and Intersex Inmates

- Use the identifiers stated by the interviewee indicates. Gender identity is a persons' sense of their own gender, which is communicated to other's by their gender expression.
- Use gender neutral language. (e.g. say "partner" instead of girlfriend or wife or boyfriend or husband)

# Video



# Profile: Developmentally Disabled

Developmental Disability is a severe, chronic disability that:

1. Is attributable to mental or physical impairment(s)
2. Manifested before age of 22
3. Likely to continue indefinitely
4. Results in substantial functional limitations in three or more of the following:
  1. Self-care
  2. Receptive and expressive language
  3. Learning
  4. Mobility
  5. Self-direction
  6. Capacity for independent living
  7. Economic self-sufficiency
5. Reflects need for combination and sequence of services, supports or other assistance

# Profile: Developmentally Disabled

## **Interviewer should..**

- Allow person to use their own words
- Not ask leading questions
- Use concrete ideas (who, what, when, where, how)
- Use simple vocabulary

# Limited Language Ability

- Use vocabulary and sentences that are at the individual's level of cognitive and language development
- Ask one question at a time; avoid lengthy complex, multiple-part questions
- Speak slowly and allow sufficient wait time
- If using an interpreter, be aware that it may take time for the inmate to trust and feel okay about the interpreter's presence

# Mentally III

- Obtain information about the victim's mental health diagnosis so you are prepared to respond appropriately
- Make sure the interviewee feels safe
- Be prepared to let him/her walk/pace during the interview
- Offer breaks; keep the interview short
- Consider the time of the interview in terms of the victim's medications
- Consider allowing a mental health staff to assist

# Mentally III

- Inconsistencies in story may not = lying
- Do not underestimate the interviewee
- Takes time - multiple interviews may be necessary

# What is an Interrogation?

- Formal, planned questioning of a suspect, uncooperative witness or possibly a victim who becomes uncooperative or untruthful
- Why: to gather and verify information given by cooperative people and the physical evidence at hand
- How: by asking open-ended questions with the ability to move quickly with the flow of information, “drilling down” to the core information



# Activity

## Interrogating



# Techniques for Interviewing Your Suspect

## Setting

- Away from others, in a neutral environment, a small interrogation room is best
- Least amount of distractions
- DO NOT put a barrier between you and the interviewee
- Explain purpose of interview
- Know your case inside and out

# Techniques for Interviewing Your Suspect

- Be aware of the need to read Miranda as you are in a custodial setting with the inmates and possibly the corrections staff
- “Good Cop/Bad Cop” can work well but needs both people to be involved and aware of the case.

# Techniques for Interviewing Your Suspect

- Look for changes in the suspect's story
- Develop a line of questions that encourages change
- Articulate that changes can look untruthful and it is important to look truthful
- Don't be afraid to ask emotionally charged questions

# Techniques for Interviewing Your Suspect

- Look for and introduce themes, motives, intent.
- Ask the questions that can cause discomfort.
- Lock them into a story with details.
- There are two sides to every story and I would like to hear your side.
- Allow them to **think** they are in control.

# Techniques for Interviewing Your Suspect

- Do not strive for a confession - solve the crime by identifying truth and lies, and gathering circumstantial evidence
- Run their story backwards and forwards, start in the middle
- Do not outwardly pass judgment
  - You do not have to “get it” to get it

# Past Complaints - Same Staff

- Do you have access to past claims made against a staff person?
- What was the end result?
- Do any of the claims have a similar “MO?”
- Do the alleged victims have anything in common (location, housing unit, body style, age, hair color/style, vulnerability, past victimization)?

# Past Complaints - Same Staff

- What do co-workers say?
- Are there any phone calls from the inmates to the staff?
- Can you covertly monitor the staff person's behavior for an elongated amount of time?
  - Example: Kitchen worker, covert camera



# Credibility Assessment

## **After the interview...**

- Was the information internally consistent?
- Was the information logical? Specific?
- Was the information externally consistent - did the chronology of events deviate significantly from others?
- Is there any motivation for the individual to lie - obvious relationships or alliances?
- Is there corroborating or contradicting evidence?

# Covert Operations

- What are your parameters?
- What are your state guidelines for one party and two party recordings?
- Are your facilities posted with reminder signs?

# Covert Operations

- Are you skilled enough to set up a covert camera?
- Do you know people that are?
- Are staff often your worst enemy?

# Covert Operations

- What steps do you need to take to perform covert steps outside of the facility?
- What type of relationship do you have with your local law enforcement agency?
  - The Post Office staff?

# Systemic Issues

- You may not be able to prove sexual abuse but are there other issues to deal with?
- Identify any policy violations; such as over familiarization
- Identify what caused the violation

# Systemic Issues

- If there are other policy or training issues identified, add them to an addendum report
- Mention the addendum in the main report
- Or...mention the systemic issues at the end of the abuse allegation report (If not, it may get lost in the mix)

Practice... Practice... Practice



# Questions?

