End Violence Against Women International (EVAWI)

Using Virtual Meeting Software for the Law Enforcement Interview of Victims During COVID-19 and Beyond

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With contributions by Mathew Stegner

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Authors

Grace Frances is the Director of Community Partnerships for End Violence Against Women International. One of her focuses is on fund development to expand EVAWI's ability to improve criminal justice and community responses to sexual assault survivors. Grace has also served as a consultant, specializing in non-profit management, change process facilitation, and the anti-sexual violence field. She worked for the Florida Council Against Sexual Violence for 16 years, where she initiated and ran the state's first trauma-informed sexual assault investigations program for law enforcement, dispatchers, and prosecutors, which trained thousands of professionals. She also managed statewide certification of Florida's 31 sexual assault programs, ensuring every center provides quality services. Grace spent five years as a volunteer advocate supporting sexual assault victims and 11 years as a volunteer counselor for a crisis hotline. She has also worked for the Florida House of Representatives and as a political and environmental organizer.

Sgt. Joanne Archambault (Retired, San Diego Police Department) is the Chief Executive Officer for EVAWI. In 2003 prior to founding EVAWI, Sgt. Archambault worked for the San Diego Police Department for almost 23 years, in a wide variety of assignments. During the last 10 years of her service, she supervised the Sex Crimes Unit, which had 13 detectives and was responsible for investigating approximately 1,000 felony sexual assaults each year. Sgt. Archambault has provided training for tens of thousands of practitioners, policymakers, and others – both across the country and around the world. She has been instrumental in creating system–level change through individual contacts, as well as policy initiatives and recommendations for best practice.

Contributions made by Matthew Stegner, a senior investigator with the New York State Police Campus Sexual Assault Victims Unit. He investigates sexual assault, dating violence, and stalking involving students at 26 colleges in New York State. Investigator Stegner also trains university police, campus safety officers, local law enforcement, and victim advocates on responding to trauma and crimes of gender-based violence.

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Amid the COVID-19 pandemic, law enforcement officers are using innovative tactics to connect with victims for investigations and to ensure they get the support they need. Ordinary activities, such as meeting for in-person interviews, can be complicated or even impossible right now. Survivors may be quarantined, they may be in another community or state and unable to travel, or they may be otherwise limited by "stay at home" restrictions. Some agencies, like New York State Police, are using virtual meeting software to interview victims, and they are including victim advocates in that process just like they would when scheduling a traditional interview.

Although there are some concerns about the privacy and security of virtual meeting platforms, we believe the technology is worth exploring. Therefore, we outline several steps that can be taken to mitigate any risks that might compromise a survivor's safety and well-being.

Using Virtual Meeting Software and Cameras

A virtual meeting, where each person uses a camera and audio to link up through a smart phone, tablet, or computer, can be a highly effective way to connect remotely. Interacting using cameras creates the closest replica of an in-person interview.[1] Cameras show body language and expressions, which gives law enforcement a better opportunity to build rapport with victims and convey empathy and understanding. We know that these connections are key to maintaining survivor involvement through the criminal justice process. Cameras also allow advocates to better support survivors. Visually reading the victims' emotions and reactions helps advocates recognize when they might need to ask for a break or offer extra encouragement.

One investigator who regularly uses virtual meeting software to communicate with victims and advocates is New York State Police Investigator Matthew Stegner of the Campus Sexual Assault Victims Unit. He shares tips for investigators below.

1. Ask the victim if there is a safe, private place they can use for the virtual interview. Communicate that the reason for the virtual interview, rather than in-person, is to follow public health guidance and safeguard everyone's well-being.

2. The advocate and investigator should discuss a safety plan with the survivor to address anything that could come up during or after the interview.

3. Make sure the victim understands the purpose of the meeting and/or interview, and if they consent to utilizing the technology offered, let them know how the recording will be used and stored as evidence in a criminal investigation. (These same principles apply to witness and suspect interviews.)

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[1] Three-party phone interviews are another option. Three-way calling connects three parties by adding another person to an existing two-party call. Conference calls allow everyone to call into one phone number.

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4. There is a variety of virtual meeting software on the market, such as Zoom, Skype, BlueJeans, and Microsoft Teams. If possible, choose one that is easy for victims to use, where they can click on a link to join rather than having to download an app to their phone or tablet, or a program to a computer. Ensure the software has encryption capabilities and that they are enabled.

5. When using a virtual meeting software program, determine ahead of time whether the participants will be using cameras during the interview or meeting and whether it will be recorded depending on an agency's policies and procedures.[2] Participants can use the software telephonically or with computer audio only, but this loses the enhanced human connection cameras provide.

6. Practice ahead of time. Investigator Stegner says coordinating the software between phones, computers, and tablets can sometimes be tricky. Practice starting and operating the virtual meeting with an advocate and another law enforcement officer, or two advocates. This helps ensure the responding professionals know how to use the software on any device.

7. If the victim is unfamiliar with the virtual meeting software being used, the advocate or investigator can facilitate a practice meeting before the official interview.

8. Investigators should identify a quiet, private space with minimal background noises or distractions to conduct the interview. All parties should remove personally identifying information or images from the background, so cameras do not pick it up during the interview.

9. Investigators and advocates should use professional accounts for virtual meetings rather than any personal accounts they may have. Agencies may already have virtual meeting software accounts that can be used for interviews with victims. Be cautious of using apps like Facebook Messenger or Google Duo, which can be tied to personal accounts; it could open ALL the investigator's or advocate's personal account information to defense attorneys or prosecutors.

Increasing Virtual Meeting Security

As with almost any technology there is some risk for security breaches. To mitigate these risks, the FBI and other cybersecurity experts recommend the following.

*   Keep meeting invitations private. Provide the meeting link directly to invitees.

*   Require invitees to enter a password, and change the password for every meeting, or use a waiting room feature and control admittance of all guests.

*   Ensure all participants are using the updated version of remote access/meeting applications because they have more security features.

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[2] For more information see Recording Victim Interviews by Archambault and Lonsway, 2012.

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- Set options so that only the host can share their screen or allow others into the meeting.

Recording and Confidentiality

Many jurisdictions record victim interviews, with audio only or with a camera and video, and most virtual meeting software programs have a recording feature. Check your agency's policies to determine how you will securely store these interviews as evidence. Virtual meeting software allows you to download the recording as a digital file that can then be impounded as evidence like a recording of an in-person interview.

As with an in-person interview, when all the parties have logged into the meeting platform, it is **critical** to document the names of the parties present, the date, the start time of the interview as well as the victim's consent to record the interview. There should be verbal acknowledgement from each participant that they are aware that the interview or meeting is being recorded. Also, state the end time of the interview in the recording.

After a traditional interview, advocates will usually debrief with the survivor and provide crisis counseling and resources. This is good practice after a virtual meeting or interview too. The safest option is for the advocate and victim to hang up or log off and reconnect on a separate, unrecorded call or virtual meeting. Otherwise, if the recording feature is not turned off, *the conversation between the advocate and the survivor will be exculpatory and will not be privileged*.

Victim Interview Policies

While the format is different, by and large, the same rules and protocols apply to virtual interviews as in-person interviews with victims. The same agency policies apply regarding involvement of advocates, confidentiality, recording interviews, and essentially every other aspect of the investigation. Refer to your agency's directives for guidance related to specific questions about victim interviews.

Accessibility

Consider in advance how you will meet accessibility requirements for persons with disabilities or survivors whose dominant language is not English. Plan for how you can involve live interpreters in the virtual interview, either with a camera or using a phone line, or how you will use other assistive technology. Agencies may choose to involve the same interpreters they use now or engage a service like Language Line, which offers interpretive services for virtual meetings, including sign language. Involving interpreters is often as simple as sending them a link to the virtual meeting.

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📖 **Resources for Accessibility**

[Registry of Interpreters for the Deaf](#)
[National Resource Center for Reaching Victims](#)
[Casa de Esperanza – National Latin@ Network](#)
[Asian Pacific Institute on Gender-Based Violence](#)
[Vera Institute of Justice](#)

Make Every Contact Count

Face-to-face, in-person contact is by far the best way to connect with victims. But conducting an effective, compassionate investigation means law enforcement must consider alternatives that do not require victims to wait weeks for an in-person interview or travel to the police department when it may be unsafe or unfeasible. Virtual interviews involving advocates offer realistic and practical ways to do this, now and even after the current crisis has passed.