

Challenging Victims: The Delicate Dynamics of Drug and Alcohol Facilitated Sexual Assault

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Start by Believing



Victim Centered Prosecution

- Traumatic Event
- First Responder
- Follow up Investigation
- Immediate V Care
- Physical, Emotional
- Explanation of Process
- Arraignment
- Protective Orders
- Case Negotiation
- Preliminary Hearing
- Trial
- Sentencing
- Victim Impact Stmt

No One Size Fits All

- ☒ Stranger Assault
- ☒ Acquaintance Assault
- ☒ Human Trafficking
- ☒ Stalking
- n Domestic Violence
- n Child Molestation
- n Cyber Predators
- n Cyber Exploitation

Can You Spot a Rapist?



Perceiving is Believing: The Comfort of Credibility



The Power of Stereotypes



Name that Candy



What Does a Sexual Assault Victim Look Like?



Why Victims Delay Reporting



Other Reasons Victims Don't Report



The Celebrity Effect



Victim Perception of Justice



Actions Speak Louder than Words



Actions Speak Louder Than Words



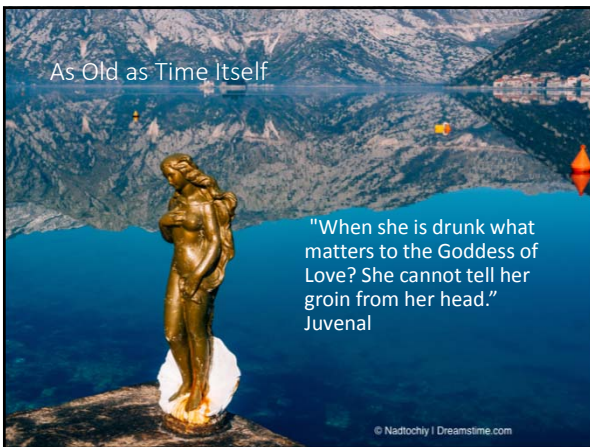
Post Assault Behaviour

- Immediate v. gradual changes
- Family, friends, co-workers as Ws
- Expert testimony
- Compare V before and after assault

Alcohol (and other Drug) Facilitated Sexual Assault



As Old as Time Itself



"When she is drunk what matters to the Goddess of Love? She cannot tell her groin from her head."
Juvenal

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Challenges We Face

- Intoxication- alcohol and/or drugs
- Societal views
- Pick up artist community

What Have We Learned from DUI Cases

- Walking
- Alphabet
- Date/ year



symptomology

- Unsteady
- Slurred speech
- Glazed look
- Pupils dilated
- Sweating
- Drooling



Make it a Double (Standard)



Who Bought the Drinks?



Alcohol + Other Drugs



Testimony Hurdles

- n Adamant
- n Reluctant
- n Forgetful
- n Fragile
- n Impaired
- n Repentant
- n Hostile
- n Surprise



He Said – She Said



Show me the Marks



Juror Bias



Corroboration Focused Investigation



Interview v. Interrogation Victims v. Suspects



Sharing Sexual Details

- Consider being asked by a stranger to share your most recent sexual experience—down to the most intimate details.
- Now add in details of humiliation, perversion, degradation.

Victim Centered Investigation Strategies

- n Time Matters
- n Accessibility
- n Drawing the Sting
- n Increasing Comfort

Bonding with Victims



Similarity and Self Disclosure



Interviewing Consistency



Non-traditional Victims: Appearance v. Identity



Cultural Issues



Home Court Dis-advantage



Lost in Translation



The Interview Stage:
Performance Expectations



She's Emotional. He's Having a Bad Day



Less Emotion=Less Sympathetic



Emotion Increases Credibility



Sad and Exposed, Angry and Resilient?

n Male V - Stronger Perceived Need for Support when expressing sadness not anger.



Why Investigators Might Delay Interviewing

- Trauma
- Intoxication
- Transient
- Relationship to Perpetrator
- ID Issues
- Situational influences

Why Would a V Provide Incomplete Information?

- Intoxication
- Protecting the Perpetrator/ Relationship
- Cultural Barriers
- Humiliating/ Degrading Details
- Fear of Exposing Behavior (adultery, drug use)
- Trauma (Compare to Off Inv Shooting)

Divided Loyalties



Further Investigation



Friends, Fans, and Followers



The Modern Confessional



Justice: The Ultimate Goal