

Effective Communication with Difficult Victims

(2.0 Hours)

Every victim is different, they come from all walks of life. Depending on the type of crime that has been perpetrated on them to make a victim very difficult to communicate with. Difficult victims in sexual assault cases are not immune to this because of several different reasons. Not knowing who and what your victims are can affect your communication with them.

Investigators need to recognize several things when it comes to understanding their victims, such as gender, sexual preference, race, culture, creed, age, economic situation, criminal background, education, experiences in life, family, friends, coworkers and their relationship with the suspect.

There's always a reason the victim is being difficult, the investigator needs to find that reason. The investigator needs to find out why the victim is being difficult; it might be an easy fix. The victim may have been under someone else's control, emotionally or financially.

When communicating with the victim, the investigator needs to stop the cop talk and use soft language. The investigator needs to display a caring attitude including watching their body language. The investigator needs to make the victim and themselves a team, "Us" versus "Them."

Investigators tend to ask the typical questions such as, who, what, when, where, why and how? This type of basic interview is not effective when dealing with victims who have been traumatized and are difficult to deal with.

Learning Objectives

- Defining difficult.
- Attitude vs. Behavior.
- Active listening.
- How to stay in contact with your victim.
- Interview vs. Interrogation.
- Interview Techniques.
- The power of stereotypes.
- The recanter.

- Connecting with difficult people.
- Bonding with victims.

This Presentation's History

April 15, 2015 – End Violence Against Women International, “Investigating Difficult Sexual Assault Cases” “Contesting the “He said, She said” defense – **New Orleans**

April 22, 2015 – West Virginia State's Attorney's Office, 15th Annual West Virginia Sexual Assault & Stalking Symposium, “Investigating Difficult Sexual Assault Cases” and “False Reporting” - **West Virginia**

June 2016 – Live Violence Free – “Sexual Assault Investigations” & “False Reports” one-day training for local law enforcement and Domestic Violence & Sexual Assault advocates. **South Lake Tahoe County**

April 5, 2018 – End Violence Against Women International, “Investigating Difficult Sexual Assault Cases” “Contesting the “He said, She said Defense.” – **Chicago**

November 5, 2018 – Delaware Law Enforcement Training Conference, “Investigating Sexual Assault by Intoxication Cases” “Why Doesn't She Leave” “Effectively Communicating with Difficult Victims” – **Delaware**

June 19, 2019 – Northeast South Dakota Conference, Brown County State's Attorney's Office, “Investigating Sexual Assault by Intoxication Cases” “Effective Communication with Difficult Victims” – **Aberdeen, South Dakota**

Presenter's History

I have presented this presentation, in full or in part, for the following law enforcement agencies, Department of Defense (All branches of the United States military) and civilian organizations; Center for Community Solutions in San Diego, (SAVI & SARC Programs) for the United States Military, Sexual Assault Examiner Training for Health Care Professionals Training, Sexual Assault Examiner Training for Healthcare Professionals, National Sexual Assault Institute, *“Pursuing Justice through Civil Legal Remedies, “Sexual Assault by Intoxication, Credibility & Consent,”*

October 2001 – Present – San Diego Police Regional Law Enforcement Academy as an instructor for 18 years for the following menu classes, Sex Crimes Investigations, Victimology of Sex Crimes, First Responders to Sex crimes, Crime Scene Investigations, Cold Case Sexual Assault Investigations (CODIS Hits), Stalking, California Sex Crimes Laws and Drug Facilitated Sexual Assaults, Investigations 101 and Basic Interviewing & Interrogations.

May 10, 2015 – November 2017 – Department of Defense, “Sexual Assault Investigations” & “False Reports” two-week training for United States JAG Corps. **Army Base Fort Leonard Wood, MO.**

April 18 – 20, 2017 – End Violence Against Women International, Start by Believing: “Can I Really Say I Start by Believing?” “What about Perceptions of Bias and Objectivity?” Orlando, Florida

- Jerald Monahan, Chief of Police of Yavapai College, Prescott, Arizona
- Herbert Tanner Jr, JD, Consultant Trainer, HR Tanner Consulting, Portland Maine
- Miriam Falf, JD, Assistant Attorney General, Prosecutor for Domestic Violence and sexual assault, Wisconsin Department of Justice, Madison, Wisconsin
- Roger Canaff, Esq., Legal Expert, Child Protection and Special Victims Advocate, New York, New York

April 5, 2018 – End Violence Against Women International, “Investigating Difficult Sexual Assault Cases” “Contesting the “He said, She said Defense.” – Chicago

Detective Carlton R. Hershman (Ret.)
San Diego Police Department
(858) 349-7908
E-mail: crhershman@gmail.com