

Thursday, January 11, 2018

8:00 – 8:15 **Welcome / Introductions**

Kristina Rose, Executive Director, EVAWI

8:15 – 9:45 **Sexual Assault Dynamics and Gender Bias
Effectively Recognizing & Responding to Sexual Assault**

Sgt. Joanne Archambault, San Diego Police Department (Ret.); Founder and Chief Executive Officer, EVAWI

Those of us working in the field of sexual assault are painfully aware of the stereotype of "real rape" and the way that it so often harms victims. "Real rape," as originally described by Susan Estrich, depicts the stereotype of an assault by a stranger, committed with a weapon and a great deal of physical force. The victim is chaste and responds to the assault with tearful hysterics and a prompt report to police.

Sadly, those victimized by sexual assault continue to be judged in comparison to this artificial standard – and the less their case resembles the stereotype the more likely they are to be viewed with doubt and/or blame. Even those of us in the field are not immune to the power of this stereotype. We see its effects in the perceptions of prosecutors, jurors, call takers, police, and even advocates. This is one way in which gender bias operates.

While there are unquestionably far too many male victims of sexual assault, research also documents that it is a crime disproportionately committed against women and girls. This means that any systemic failure to properly investigate and prosecute sexual assault will deny women and girls an equal chance to pursue justice and healing. This workshop will identify how a police investigation can be affected by gender bias and the stereotype of "real rape," and explore how to overcome these negative effects. The goal is to ensure that law enforcement and others respond appropriately to sexual assault, thereby reducing the negative impact of gender bias against women and girls.

At the conclusion of this session, participants will be better able to:

- Identify the unique challenges faced by communications personnel, officers and detectives when responding to and investigating crimes of sexual assault.
- Explain the significance of cultural myths and misconceptions about sexual assault, and explore the connections with gender bias.
- Discuss realistic characteristics of sexual assault and highlight the contrast with cultural stereotypes of "real rape."
- Demonstrate proper law enforcement responses to crimes of sexual violence, to eliminate gender bias and overcome cultural myths and misconceptions.

9:45 – 10:00

Break

10:00 – 11:15

Opening Doors: Alternative Reporting Options and VAWA Forensic Compliance

Kim Lonsway, PhD, Director of Research, EVAWI

There is currently a welcome national trend emphasizing alternative reporting methods for sexual assault victims. This is partly the result of the Violence Against Women Act (VAWA), which has provisions often described as *forensic compliance*. These provisions are critically important to understand, because they have dramatically altered the field of sexual assault reporting and helped to reduce gender bias. Specifically, they state that:

- Victims of sexual assault must be provided with access to a medical forensic examination free of charge, and;
- This exam must be provided without requiring victims to cooperate with law enforcement or participate in the criminal justice system.

Many communities have worked to implement creative solutions that go beyond the "letter of the law" to honor the "spirit of the law," which is to increase victim access to the criminal justice system and other community resources. These reforms are designed to "open doors" for sexual assault victims to more easily access these systems and resources. Given that the vast majority of sexual assault victims are female, this also helps to reduce gender bias in law enforcement responses that negatively impact women and girls.

In this session, we will explore several community models that have been implemented to improve victims' access to the criminal justice and community response system. We will particularly focus on clarifying the difference between a disclosure and a crime report, and exploring issues related to law enforcement reporting, evidence collection and storage, records retention and retrieval, and collaboration with hospitals and community agencies. Best practices will be reviewed from across the country, and existing tools and resources will be evaluated. With a focus on local implementation, our goal is for participants to leave prepared to make recommendations for positive changes in their own communities.

Objectives

As a result of this training, participants will be better able to:

- Identify key provisions of the Violence Against Women Act (VAWA), often referred to as forensic compliance.
- Examine best practices and tools from across the country to enact VAWA forensic compliance and implement alternative reporting methods for sexual assault.
- Evaluate additional strategies for increasing victim access, and reducing gender bias, within criminal justice and community responses ("opening doors").

11:15 – 12:30

Lunch On Your Own

12:30 – 1:45

Creating a Start by Believing Nation: Improving Our Responses, One Disclosure at a Time

Jerald Monahan, Law Enforcement, EVAWI

Kim Lonsway, PhD, Director of Research, EVAWI

Start by Believing is a public awareness campaign focused on the public response to sexual assault, because the first person a victim confides in after an assault is typically a friend or family member. How they react determines in large part what happens next. A positive reaction can improve their well-being, and increase the chance that victims will report to law enforcement and reach out for help from other sources.

But the bottom line is this: Start by Believing is more than just a few words. It is not simply a pledge that an individual might take, or a public awareness campaign that an agency or community might adopt. It is not a specific phrase that needs to be said to victims. Rather, Start by Believing is a philosophical stance that should guide our responses to sexual assault. It “flips the script” on the message victims have historically received from professionals and support people, which is: “How do I know you’re not lying?”

To truly implement a Start by Believing approach for victims of sexual assault, this will have profound implications for virtually every aspect of an agency’s and community’s response. The philosophy should carry over into policies, daily practices, and multidisciplinary protocols. It should affect the language we use, and the way we do our jobs.

This session is designed to explain how you can launch a campaign in your own community, and enact the philosophy in your agencies. Campaigns and reforms can utilize a variety of different strategies, but they require consistent leadership from the top of the law enforcement agency, to ensuring that the message remains front and center: “In our police department, our prosecutor’s office, and our community - we Start by Believing.”

Objectives

As a result of this training, participants will be better able to:

- Explain research on the impact of positive versus negative reactions to disclosures, from informal support people as well as responding professionals.
- Discuss the purpose of the Start by Believing campaign, and evaluate materials that are available to help professionals launch a local initiative.
- Examine preliminary evidence for the impact of a campaign on a variety of outcome measures, including sexual assault reporting and contacts with local agencies.
- Explore the type of reforms that need to be enacted to support this philosophy.

1:45 – 2:00

Break

2:00 – 3:00

Revolutionary Technology Connects Victims with Reporting and Recovery Options: Seek Then Speak and Victim Link

Kim Lonsway, PhD, Director of Research, EVAWI

Anthony Formhals, President and Chief Executive Officer, Ten8Tech

This presentation will introduce a revolutionary new technology to expand the reporting and recovery options available for sexual assault victims. With a public-facing component titled Seek Then Speak, and an agency-facing service known as Victim Link, this innovative technology provides sexual assault survivors and their support people a way to interact with a multi-lingual platform to gather information, explore options, and connect directly with local resources. They can even begin the process of reporting the crime to law enforcement and requesting community services for longer-term help. In other words, the program helps to close gaps in service delivery and promote justice and healing.

Discussion will highlight links with the Start by Believing campaign, and the training resources available from EVAWI for responding professionals. Again, the goal is to "open doors" for survivors to more easily access the criminal justice system and local services.

Information will also be provided about an opportunity for law enforcement agencies and victim advocacy organizations to apply for a free one-year subscription to Victim Link, supported by a grant awarded to EVAWI by the Office for Victims of Crime, U.S. Department of Justice. For more details, and the application form, visit VictimLink.com.

Objectives

As a result of this session, participants will be better able to:

- Explain the unprecedented capability of technology to open lines of communication between sexual assault victims, law enforcement, and victim advocacy.
- Explore how the public-facing site Seek Then Speak helps victims gather information, explore options, and connect with law enforcement or victim advocacy.
- Examine the agency-facing portal Victim Link, which allows law enforcement and advocacy agencies to review information provided by survivors and offer services.
- Understand how the Start by Believing campaign and Seek Then Speak can work together, and the opportunity for eligible agencies to apply for a free one-year subscription.

3:00 – 3:15

Break

3:15 – 5:00

Can Criminal Justice Professionals Say, 'I Start by Believing?' What about Perceptions of Bias and Objectivity?

Herbert R. Tanner, Jr., JD, Trainer/Consultant, HR Tanner Consulting LLC
Sgt. Joanne Archambault, San Diego Police Department (Ret.); Founder and Chief Executive Officer, EVAWI

The first time they hear the Start by Believing message, some criminal justice professionals may wonder if this compromises their professional perspective of objectivity. “Whatever happened to ‘innocent until proven guilty?’” they may ask, or: “It’s not our job to believe victims. It’s our job to find out the facts and determine what really happened.” In this interactive session, we will explore responses to these important questions. First, we will provide information you can use to prepare your own response to such challenges. Second, we will view mock courtroom testimony, with a detective responding to defense challenges stemming from the agency’s involvement in a Start by Believing campaign. Watch a defense attorney try to undermine the detective’s credibility with accusations of bias, and see how the detective takes a stand by defending both professional integrity and the legitimacy of the campaign.

Objectives

As a result of this training, participants will be better able to:

- Review the evidence base for the Start by Believing public awareness campaign.
- Recognize strategies that could potentially be used by a defense attorney to try to undermine the credibility of a police investigator for involvement in the campaign, and explore effective strategies for responding.
- Practice responding to challenges against the campaign, particularly for criminal justice professionals such as police officers and prosecutors, as well as other professionals such as medical forensic examiners and forensic interviewers.

Friday, January 12, 2018

8:00 – 9:30

Overcoming Bias in the Investigation and Prosecution of Sexual Assault

Jerald Monahan, *Law Enforcement Liaison, EVAWI*
Sheila Polk, *County Attorney, Yavapai County*

Bias is a significant barrier to successfully investigating and prosecuting sexual assault and other gender-based crimes. This session is designed to identify, challenge and overcome bias in the investigation and in the courtroom, and offer techniques to keep victims safe and hold offenders accountable.

Professionals are sometimes reluctant to believe, or unable to recognize, that they have biases or harbor stereotypes that can undermine the investigation and prosecution of sexual assault. In fact, worldviews, lived realities, and cultural messages become self-fulfilling prophecies that inevitably shape how we think. Criminal justice professionals must understand sexual assault dynamics, victimology, and the role of bias to develop proper law enforcement and prosecution responses.

The session will open with an interactive exercise to allow attendees to explore their own biases to gain insight and build a foundation of understanding. Using real life case examples, attendees will learn to identify how acceptance of certain practices, societal norms and boundaries evolve into worldviews which can undermine the investigation, prosecution and outcome of a sexual assault. The session will also highlight strategies that bring awareness to bias, such as the Forensic Experiential Trauma Interview (FETI), Start by Believing, and similar trauma-informed campaigns and training. The session will conclude with techniques for a proper victim-focused response, a proper investigation, and a proper prosecution both in and out of the courtroom.

Objectives

At the conclusion of this session, participants will be better able to:

- Recognize cultural and inherent bias in sexual assault cases.
- Demonstrate strategies to overcome bias in the investigation.
- Identify strategies to overcome bias in the courtroom.
- Develop strategies that are victim-focused and help achieve justice.

9:30 – 9:45

Break

9:45 – 11:15

Neurobiology of Trauma and Sexual Assault Investigations

Kim Lonsway, *PhD, Director of Research, EVAWI*

Victim credibility is judged based on the information they are able to recall and report their sexual assault at the time of the initial law enforcement interview. However, traumatized individuals undergo a process that many professionals – and victims themselves – do not understand. This session will explore the impact of trauma on the brain, including responses to a threat such as sexual assault. An understanding of these neuroscientific processes can potentially transform the way law enforcement conducts victim interviews, indeed, how victims are perceived. This will allow us to become truly “trauma informed” in our interviewing and investigative practices.

Objectives

As a result of this training, participants will be better able to:

- Explain how the brain responds to sexual assault, including the “defense cascade,” automatic survival responses, and habitual behaviors.
- Describe the impact trauma can have on attention and memory.
- Explore the implications of these neuroscientific processes for interview techniques and the perceived credibility of sexual assault victims.

11:15 – 12:30 Lunch On Your Own

12:30 – 2:00 False Reports and Unfounded Cases

Kim Lonsway, PhD, Director of Research, EVAWI

Concerns about false reporting underlie challenges we face in responding to sexual assault. This workshop will explore many aspects of this complex problem, including its consequences for individual victims and wider impact on communities, critically review existing research on the topic, and identify recommendations for best practice. Discussion will address the question of whether and when to charge someone with filing a false report.

Objectives

As a result of this training, participants will be better able to:

- Explore the complex problem of unfounded cases and false reports.
- Critically review existing research on the percentage of false reports.
- Identify recommendations for best practices to address this problem.

2:00 – 2:15 Break

2:15 – 3:45 Successfully Interviewing Victims of Sexual Assault

Sgt. Joanne Archambault, *San Diego Police Department (Ret.); Founder and Chief Executive Officer, EVAWI*

In a study of the factors that influence a prosecutor's decision to charge in a sexual assault case, researchers validated what many experienced investigators already know – that charging decisions are primarily, if not exclusively, determined by the victim's perceived character, credibility, and behavior at the time of the assault. Unfortunately, victim credibility is often judged based on the information they are able to recall and report at the time of the law enforcement interview, and traditional interviewing techniques often fail to take into account the neurobiological impact of trauma. For example, law enforcement traditionally uses a "who," "what," "where," "why," "when," and "how," approach in their interviews. Yet collecting information in this way fails to address how trauma shapes memory and recall, and leads to increased inaccuracies. In this session, we will discuss ways that a trauma-informed and victim-centered approach should be incorporated into the techniques for effective victim interviewing.

Objectives

As a result of this training, participants will be better able to:

- Recognize inappropriate approaches and barriers to effective victim interviews.
- Explore how a trauma-informed approach can be applied to victim interviews.
- Examine specific techniques for conducting a successful victim interview.

3:45 – 4:00

Break

4:00 – 5:00

Building Your Trainer's Toolbox

Kim Lonsway, PhD, *Director of Research, EVAWI*

Join us for an hour-long "walking tour" through your toolbox as a trainer and consultant, with suggestions to improve your training materials (including abstracts, learning objectives, and PowerPoint slides) and professional tools (biographical sketch, resumé, and CV). Guidance will also be provided on how to use and cite research properly, both to increase your own credibility as an expert and avoid any potential fear of plagiarism.

Objectives

As a result of this training, participants will be better able to:

- Evaluate strategies for using and citing research in training presentations.
- Consider specific ways to improve training materials and professional tools.