

Forensic Experiential Trauma Interviews

A Conversation With the Brainstem



Trauma Informed Interviews & Investigations

This document is provided courtesy of Russell Strand, Chief, Behavioral Sciences Education and Training Division, United States Army Military Police School, Fort Leonard Wood, MO

August 2013



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

Traumatized individuals often undergo a process many professionals and victims do not commonly understand. Many professionals inside and outside law enforcement have been trained to believe when an individual experiences an event, to include a trauma event, the cognitive (prefrontal cortex) brain usually records the vast majority of the event including the who, what where, why, when and how and peripheral vs. central information. This approach often ignores the role of bottom-up attention of the more primitive portion of the brain during highly stressful or traumatic event. Therefore, when the criminal justice system responds to the report of a crime most professionals are trained to obtain this type of peripheral and higher level thinking and processing information often discounting the enhancement of memory traces – for what was attended, via bottom-up mechanisms and norepinephrine and glucocorticoid effects on the amygdala and hippocampus. Sadly, collecting information about the event in this manner while overlooking the manner in which the memory and trauma shapes the memory may actually inhibit traumatic or highly stressful or fear producing memory and the accuracy of the details provided.

Trauma victims/witnesses do not generally experience trauma in the in the same way most of us experience a non-traumatic event. The body and brain react to and record trauma in a different way then we have traditionally been led to believe. When trauma occurs, the prefrontal cortex will frequently shut down leaving the less primitive portions of the brain to experience and record the event. The more primitive areas of the brain do a great job recording experiential and sensory information but don't do very well recording the information many professionals have been trained to obtain. Most interview techniques have been developed to interview the more advanced portion of the brain (prefrontal cortex) and obtain specific detail/peripheral information such as the color of shirt, description of the suspect, time frame, and other important information. Some victims are in fact capable of providing this information in a limited fashion.

Most trauma victims however are not only unable to accurately provide this type of information, but when asked to do so often inadvertently provide inaccurate information and details which frequently causes the fact finder to become suspicious of the information provided. Stress and trauma routinely interrupt the memory process thereby changing the memory in ways most people do not accurately appreciate. One of the mantras within the criminal justice system is "inconsistent statements equal a lie." Nothing could be further from the truth when stress and trauma impact memory, research shows.



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

In fact, good solid neurobiological science routinely demonstrates that, when a person is stressed or traumatized, inconsistent statements are not only the norm, strong evidence that the memory was encoded in the context of severe stress and trauma. In addition, what many in the criminal justice field have been educated to believe people do when they lie (e.g., changes in body language, affect, ah-filled pauses, lack of eye contact, etc.) actually occur naturally when human beings are highly stressed or traumatized. Science of memory and psychological trauma must be applied to interview approaches and techniques.

Since the vast majority of traditional training and experience has caused many to focus on the higher functioning portions of the brain and research clearly shows these portions of the brain is not generally involved in experiencing, reacting to or recording the experience, the FETI process was developed and implemented as proven methods to properly interview the more primitive portions of the brain. This technique not only reduces the inaccuracy of the information provided but will greatly enhance understanding of the the experience, thereby increasing the likelihood of a better understanding of the totality of the event. FETI is a highly effective technique for victim, witness and some suspect/subject interviews.

FETI entails the adaptation of the principles used in critical incident stress debriefing and defusing (impact of the event including emotional and physical responses) as well as principles and techniques developed for forensic child interviews (open-ended non-leading questions, soft interview room and empathy) as well as neurobiology of memory and psychological trauma (initially tapping into the lower functioning portion of the brain to understand the experience as well as the meaning of the experience in a non-threatening, non-suggestive manner). This concept and approach of this technique can be described as a *forensic psychophysiological investigation* - an opportunity for the victim to describe the *experience* of the sexual assault or other traumatic and/or fear producing event, physically and emotionally. This method has resulted in reports of better victim interviews by those who have used it. More importantly, the FETI interview process obtains significantly more information about the experience, enhances a trauma victim's ability to recall, reduces the potential for false information, and allows the interviewee to recount the experience in the manner in which the trauma was experienced.

The FETI interview enhances the investigative process by taking a one-dimensional traditional investigation and turning it into a three-dimensional offense-centric investigation including subjective experiences indicative of trauma-based brain states. Traumatic memories are often encoded and



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

retrieved differently than non-traumatic memories, so they have that dimension of the experience, and then presenting the fullness – and limitations – of the victim’s memories, including the fragmented sensations and emotions, lack of narrative and sequencing, etc., which are then critical facts of their own. This technique significantly enhances the quality and quantity of testimonial and psychophysiological evidence obtained. This method has also been shown to drastically reduce victim recantations, increase victim cooperation and participation and significantly improves chances for successful investigations and prosecutions.

The forensic experiential trauma interview includes using interview techniques described below:

A Paradigm Shift...

Forensic Experiential Trauma Interview

- **Acknowledge their trauma/pain/difficult situation**
 - What are you **able** to tell me about your **experience**?
 - Tell me more about ... or that...
 - What was your thought process during this experience?
 - What are you **able** to remember about...the 5 senses
 - What were your reactions to this experience
 - Physically ☹
 - Emotionally
 - What was the most difficult part of this experience for you?
 - What, if anything can't you forget about your experience?
 - Clarify other information and details...after you **facilitate** all you can about the “**experience**”



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

a) Acknowledge the victim's trauma and/or pain. This will assist you, the listener, to demonstrate genuine concern and empathy towards the interviewee in an attempt to provide a sense of psychological and physical safety during the interview process. It may be difficult to establish trust with someone whose trust may have been horribly violated by another human being they may have trusted. Every effort should be made by you to demonstrate genuine empathy, patience and understanding towards the person with whom you are facilitating a disclosure of their experience. You may need to spend additional time establishing this - your sincere empathy and caring concern to be invited into their traumatic and/or painful experience.

One of the greatest needs of anyone who has experienced or is experiencing high stress and/or trauma is the need to be safe, trust is central to that need. The interviewer must take responsibility to build trust in the most effective and appropriate way. Once trust is established, the interviewer may be invited into what can be termed as "the trauma bubble." The trauma bubble is where much of the most important psychophysiological evidence may reside. It is vitally important for the interviewer to demonstrate patience, understanding, and empathy in a non-judgmental manner throughout the interview process.

b) Ask the victim/witness what they are able to remember about their experience. Two key words in this question are "able" and "experience." Not all victims are able to recall all significant information about something that happened to them initially or even after a period of time. Using the word "able" has been proven to relieve some pressures on the trauma victim thereby increasing the information they are able to provide. Using the term "experience" encourages the victim to describe their actual experience relieving the pressure on the interviewee to try to figure out what is important to the interviewee in the context of a criminal investigation.

As the victim/witness describes their experience, the interviewer can better understand what happened as they are provided a recounting of the events that are generally extremely rich in details. Following the initial open-ended prompt, employ active listening techniques allowing the interviewee to free-flow their description of what they remember about their experience. The interviewer will enhance this description by adding additional open-ended prompts such as "tell me more about that" or "tell me more about ____." This technique will allow the interviewee to provide even more significant information about their experience by prompting their memory in a more natural way.



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

Open-ended prompts should include the interviewee's emotional and physical experiences, before, during, and after the reported incident. Do not tell the interviewee to start at the beginning. This technique often inhibits trauma memory recall. Providing an opportunity for the victim to communicate his/her experience in the manner in which he/she recalls what happened is much more effective than initially requiring the victim to provide a chronological narrative. A sequential narrative may come to the victim later.

c) Ask the victim/witness about their thought process at particular points during their experience. What was he/she thinking and how was he/she processing his/her experiences? This will assist the interviewer to better understand the actions/inactions and behaviors of the victim before, during, and after the assault. This will also reduce or even eliminate the need for the interviewer to ask the victim/witness why they did or did not do something such as fight back, kick, scream, run, etc. Why questions of this nature have been proven to re-victimize victims, close them down, increase false information, and destroy or damage fragile trauma memories. By asking what their thought process was not only provides additional understanding of the victim/witness reaction and behaviors, but also increases their ability to recall additional psychophysiological evidence.

For example, if the victim was sexually assaulted and during the sexual assault they may have "frozen" due to tonic immobility, asking them what they were thinking at the time they were being assaulted will often prompt will often solicit responses such as "I thought he was going to kill me," "I couldn't move or scream," "I couldn't understand what was happening at that moment." This type of information not only assists the interviewer in determining a better understanding of why the victim/witness did or did not do something, but also identifies significant forensic physiological evidence that will assist in proving or disproving and or corroborating the reported offense.

d) Ask about tactile memories such as sounds, sights, smells, and feelings before, during, and after the incident. This is one of the most important aspects of the FETI process and a central theme. Because the primitive portion of the brain is optimized to collect, store, and recount this information far more efficiently than peripheral information or details, this is crucial evidence to collect as well. It is also believed that tactile and sensory details may block some memories and negatively impact on the victim's ability to disclose additional information.



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

Asking about sensory information has been shown to increase the victim's ability to relate to the experience in a way that produces significantly more information. Sensory information also assists fact-finders and juries to better relate to the experience of the victim as well. Asking about sights, sounds, smells, feelings (physical and emotional), and tastes throughout the interview about specific memories related by the interviewee is extremely beneficial for the interviewer to better understand the experience and assist the interviewee in remembering and relating essential memories including central details (those details most important to the interviewee) and peripheral details (those details judged not important to the interviewee).

For example, during the interview of an experienced police officer who witnessed a woman shooting herself in the head (specifically – “blew her brains out,” as related by the officer) following an attempt to talk her out of shooting herself, this officer provided details of the events surrounding this experience. Following open-ended questions about this officer's experience, the officer concluded he recounted all the details he could recall. This officer was then asked what, if anything he was able to remember about what it smelled like after the woman “blew her brains out.” This officer appeared to reel back in his chair, his nose started to twitch and he appeared to become emotional following this question. The officer then recounted in a very animated manner that he smelled “honeysuckle.”

Following his disclosure about the honeysuckle, this officer became even more animated and disclosed, and demonstrated, that this woman's hand was shaking and she was breathing deeply after she shot herself. This officer then added that her blood flowed from her open head “like motor oil.” This officer had not remembered these specific details during previous traditional interviews and was surprised by the amount of detail he was able to recall following the sensory cue provided by the FETI interviewer. This is but one example of many in which victims and witnesses of trauma can be assisted to recall specific sensory memories, which often assist them in remembering not only explicit memories, but implicit memories as well.

Sensory information is often at the core of central details for most individuals. Therefore, asking specific questions about the various senses throughout the FETI process greatly enhances the likelihood of obtaining accurate experiential information increasing the ability of the interviewee to recall essential central details of the experience. Some individuals will recall certain senses better than others, so it is important to ask about all senses separately while obtain specific



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

memories during specific aspects of the experience before, during and after the traumatic event.

e) Ask the interviewee how this experience affected them physically and emotionally. This is extremely important to understand because the effects of the assault will increase the interviewer's understanding the context of the experience, as well as provide evidence and insights about the trauma in ways that will further an in-depth conception of the impact of the assault on the victim.

How the victim felt before, during, and after the event under investigation is fundamentally important for the interviewer to understand and collect. During fear producing and traumatic events the sympathetic and parasympathetic system of the human body react to the fear stimulus in significant ways. The victim/witness may experience the emotional feelings of fear, shock, anger, rage, sadness, etc.

The victim/witness may also experience physiological reactions to the trauma including the emotional feelings combined with the physical manifestations of stress, crisis, and trauma such as shortness of breath, increased heart rate, dilated pupils, muscle rigidity and/or pain, light-headedness and or headache, tonic immobility, dissociation, etc. Identifying and properly documenting these reactions to their experience are essential pieces of information that can greatly assist the interviewer in understanding the context of the experience and provide significant forensic psychophysiological evidence.

f) Ask the victim/witness what the most difficult part of the experience was for them. Trauma victims/witnesses will often intentionally or unintentionally repress extremely difficult to handle information about their experiences. A sensitive inquiry about the most difficult part of their experience may provide significant evidence of the trauma experience and/or crime and will in many cases increase understanding of the totality of circumstances in reference to the victim/witness experience. Additionally, the most difficult part of the interviewees experience is more often than not the "key" central detail that may have not only framed the manner in which the trauma was experienced and remembered, but may also be fundamentally important aspect for investigators to better understand the context of that experience and subsequent reactions/behaviors of the interviewee following that experience.

g) The interview should inquire what, if anything, can't the interviewee forget about their experience. This question may assist the interviewer and interviewee to better understand another critical "central detail" and a better



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

understanding of the interviewee's perception and response to the trauma. This question also may obtain additional psychophysiological evidence.

For example, a victim of a robbery in which the victim was brutally beaten by two assailants with hammers, was initially interviewed by a responding police officer utilizing traditional who, what, where, why, when, and how police questions in an attempt to obtain a chronological narrative immediately following the event. This particular victim became increasingly frustrated during the interview because he could not remember and did not know the answers to the majority of the questions the police officer was asking the robbery victim. Questions such as "what time did the incident occur," "how many times did they hit you," "how long did they hit you," "what did they look like," how tall were they," what were they wearing," "why didn't you let them take your watch" (the victim continued to hold his arm on which he was wearing the watch during the attack – possible tonic immobility). As these questions, and many others, were being asked, the victim continued to become more frustrated and agitated because he felt he should know the answers simply because the police officer was asking them. This line of questioning was potentially increasing the victim's stress level, increasing stress hormones, decreasing the ability of the victim to answer the questions and possibly increasing the possibility that the victim, with a desire to assist the officer, to provide inaccurate information.

During a subsequent FETI interview of this same victim, the victim was initially unable to provide any additional experiential information. This victim was then asked, "what, if anything, can't you forget about your experience?" Following this question, the interviewee began to hit his head stating "the hammers hitting my skull, the hammers hitting my skull, I can't get that sound out of my mind, I can't sleep well, I can't concentrate, the hammers hitting my skull." After this disclosure, this victim was able to remember significant details about the robbery including other sensory information, what happened before, during and after the robbery, and other significant information about this experience.

h) The interviewer should clarify other information and details (e.g. who, what, where, when, and how) *after* facilitation and collection of the forensic psychophysiological experiential evidence. Although the primitive portions of the brain collect, store, and recall information pertaining to the experience, the cognitive brain may have collected or is able to retrieve from other portions of the brain information pertaining to the who, what, where, when, and how types of information. Interviewers should be careful about asking specific questions pertaining to length of time and elements of distance due to the fact that fear and



Forensic Experiential Trauma Interviews

Trauma Informed Interviews and Investigations

trauma often distorts time and distance. The interviewer should explore the additional central/peripheral information and who, what, where, when, and how type of information in a sensitive and empathetic manner taking great care not to inhibit or change already fragile testimonial trauma evidence.

The FETI interview techniques are specifically designed to provide an opportunity for the interviewer to obtain significantly more psychophysiological evidence than traditional interview techniques. Psychophysiological evidence is defined as “evidence which tends to prove or disprove the matter under investigation based on psychological and physical reactions to the criminal conduct the person experienced or witnessed. Examples would include, but are not limited to: nausea, flashbacks, muscle rigidity, trembling, terror, memory gaps, etc.” In addition, these techniques provide the victim a better avenue for disclosure, reducing the potential for defensive feelings and uncooperative behavior, which can limit the information/evidence provided to an interviewer.

Memory encoding during a traumatic event is diminished and sometimes inaccurate, and due to bottom-up attention processes focused only on central details perceived as essential to survival and self-defense, many aspects of the event, including those deemed by investigators as essential facts of the crime, may not be encoded strongly or at all. But the assault’s psychophysiological impact is registered with much greater accuracy and strength in the brain’s circuitries of fear and stress, and remembered with far more precision. The impact of the psychophysiological experience also continues to produce potential psychophysiological evidence long after the event. Indeed, psychophysiological evidence is often the only evidence available to distinguish between consent/non-consent and levels of incapacitation. It is also extremely beneficial in demonstrating the ‘three dimensional’ assault experience and subsequent victim reactions and behaviors.