

# **Communicating with Survivors of Sexual Assault and other Crimes**

## **Empowerment and the Facilitative Relationship**

The importance of the response that the survivor receives and its effects on his/her healing process has profound implications for us in our encounters with survivors of crime. The incident of the crime is referred to as the primary injury. "Secondary injuries" are caused by people or institutions the survivor comes into contact with other than the offender that damage a survivor's recovery process and sense of self. Survivor blaming is one common form of secondary injury. Second-guessing or criticizing how the survivor reacted to the crime as well as asking questions about the crime that imply a sense of responsibility ("What were you doing there, anyway?" "What did you do to provoke it?") can be considered survivor blaming. Many survivors will also blame themselves for what happened and second guess their actions prior to the incident. Help the survivor to know it is not their fault and refocus blame on the offender(s). Other forms of secondary injuries include system failures and changes in relationships. These changes in relationship may be due to loved ones' discomfort with or inappropriate responses to the crime or effects of the crime. For example, well meaning family and friends might say things like "Why were you out so late? I told you to always lock the door! I never trusted that person." Some might stay away or remain silent for fear of saying the wrong thing. For example, a person who cannot deal with a partner's rape may end the relationship, eliminating a source of support when the survivor needs it most. Others may hang on every word and repeat the "juicy details" at awkward times. Whatever *we* do, we should be aware of and attempt to minimize our, and our agency or system's, potential to cause secondary injury.

### **The Facilitative Relationship**

Often it is the response of the first people the survivor speaks to about the crime that set the stage for the survivor's recovery process. That response can be nurturing or detrimental. Often, it is important for the "first responder" to step out of their primary role to simply be supportive of the survivor of crime. If you do this, it should be explained to the survivor when you first begin to respond to the survivor in this capacity and again when you shift back into your "professional" role. A facilitative relationship is one that "makes easier", supports, or helps restore a survivor's sense of power and control. The extent to which we, as first responders, or someone important in their lives, can develop facilitative relationships with a survivor will influence and support the healing process. If we are in a position where we, ourselves, (perhaps because of our professional role) are unable to develop that type of relationship with the survivor, we can refer them to someone (like an advocate, friend, therapist, or family member) who can. We can invite the survivor to call that person in to be with them initially and during our every interaction. Establishing a facilitative relationship involves deferring to the survivor, active listening, and empowerment

### **Empowerment**

Because a survivor's power and control over their life has been taken from them by the criminal, empowerment is the key to healing. Another way to think of empowerment is

*deference*. According to the American Heritage Dictionary of the English Language, defer means “to submit to the opinion, wishes, or decision of another through respect or in recognition of his or her authority, knowledge, or judgment”. We defer to survivors by recognizing them as the ultimate authority on themselves and their situation. One of the most powerful gifts you can offer survivors of crime is to believe them and accept their way of coping with the trauma. We can support them by offering them choices at every juncture about the options available and outlining the potential consequences of those choices. We can give them information from others who have endured a similar experience and from the field. We can offer resources and referrals and the space and support to follow up on these leads. We can get below or at their eye level, remove physical barriers, and offer privacy.

When we truly defer to survivors we can be assured of what Sujata Warrior calls “cultural competence”. By using the language the survivor uses to refer to themselves, their loved ones, the crime and its effects, we stay grounded in what the survivor considers respectful and appropriate. By asking the survivor directly what it means to be a part of the culture they identify for themselves, we can avoid the temptation to generalize and make assumptions. We are then free to respond to *the survivor* before us in the ways *they* deem appropriate. We must constantly guard against assuming that what is true for one survivor will continue to be true for the next. Through this deference we can empower survivors and restore to them the authority and control that has been taken.

### **Active Listening**

Volumes have been written describing active listening and how to do it best. Three techniques involved in active listening are most pertinent to communicating with survivors of crime: reflecting, summarizing, and clarifying. Reflecting involves listening for underlying feelings, needs, issues and concerns, and then checking these out for accuracy with the speaker. Summarizing involves distilling the essence of what the survivor said to you in a nutshell. Clarifying is the process of asking questions or reflecting summarizing statements to see if your understanding reflects the truth of the survivor’s perspective.

### **What Survivors Need: Safety and Security Ventilation and Validation Prediction, Preparation, and Participation**

Because a survivor’s sense of safety and security, order and predictability, and control and choice have been taken or at least shaken, the extent to which we can offer these things to survivors, wherever and whenever we encounter them, is helpful. These needs may shift in priority over time and may look different for different survivors. In our interactions with survivor/survivors of crime we can (knowingly or unknowingly) support healing and recovery or inflict secondary injury. Therefore, how we respond to survivors in our work, at any point in their process is crucial.

### **Safety and Security:**

The survivor's immediate need for a sense of safety and security is primary and must be paramount. Often survivors are fearful that the perpetrator(s) will come back to get them; another crime will occur; the crime they endured will recur; that others will find out about the crime; and about what those people might think of them. We must all work to ensure that safety and security are considered and provided for at every stage in a survivor's process. In whatever ways we can, we must work to help reduce or remove the immediate "threat to self" experienced by the survivor. It is not redundant to ask the following questions at every exchange or juncture:

- "Are you all right?"
- "Do you have any concerns for your safety...  
...if you speak to me about this?"  
...when coming home at night from \_\_\_\_\_ (work, parenting class, the visitation center, reparative board meeting, etc.)?"  
...when speaking about your situation in front of strangers?"  
...when we file this motion?"
- "Is there anything else you need from me now?"

While not all of survivors' fears for their safety may be grounded in probability, it is important to take all of their fears seriously. It may be helpful to remind the survivor, "You're safe now" if it is true. It may also be helpful to safety plan with the survivor. This involves considering safety needs in the present and anticipating those in future and creatively discussing options that will help to ensure safety. Sometimes safety plans involve signals or code words only the survivor and their support person(s) understand. A safety plan may include:

- Identifying a neighbor with whom the survivor feels comfortable sharing their concerns and making a plan. For example "if I stomp twice, call the police immediately." This could also involve informing a neighborhood watch of the survivor's concerns.
- Planning a strategy for if the offender follows or harasses the survivor. Go to a public place, and call the police.
- Keeping copies of important documents at a friend or relatives home in case it becomes or feels unsafe for the survivor to go home or the survivor needs to leave in a hurry.
- Having a friend stay over, staying at a relative's home, or going to shelter just following arraignment, sentencing, service of a court order or final hearing.

It is our responsibility to bring up these critical issues, to open the door, but then trust the survivor to know their needs. We can say, "I'm concerned for your safety. Have you thought about what you might do when/if?" If the survivor responds, "I feel safe" and you have already expressed your concerns, back off. Remember, the survivor is the expert.

If appropriate, be prepared to support the survivor who chooses to avoid, or is exempted from, participation, because they are concerned about their safety to the point that they cannot appear in public to tell their story. A feeling of safety is enhanced by making eye

contact and introductions as soon as possible. Remember that your workplace may be foreign territory to a crime survivor.

Survivors have the right to protection from intimidation or harassment by the alleged or adjudicated offender. They should be informed of these protection measures and the possible consequences of enacting or enforcing them. This could include:

- “No contact orders” that can or must be a condition of release of the offender
- Notification to the survivor regarding the status of the case, as well as the offender, that can help the survivor make informed decisions regarding personal safety
- Options for recourse for survivors who feel they are being intimidated or harassed, or will be harmed by the offender and/or their family and friends.

### **Ventilation and Validation:**

Sometimes referred to as “testimony”, ventilation involves offering the survivor an opportunity to say how they feel while talking about what happened. Sometimes survivors want to talk about what happened to process or master their experience. The story may come out differently every time. It may be helpful to allow the retelling of the story and embrace this healing repetition. To the extent possible in your role, hold the notion that this experience is for the survivor’s benefit rather than your understanding of what happened. Others may not want to talk about the crime or their feelings about it with you; they may choose to tell other confidants, or none at all. Retelling and thus reliving the story may be re-traumatizing for the survivor, catapulting them to a hopeless and helpless place. There is no one right way. Defer to the survivor you are working with.

Survivors of crime often question themselves, their feelings, and their decisions. Supporting them means we validate what they tell us about their feelings, reactions, and the effects of the crime. Often, survivors of crime feel fear, powerlessness, guilt, shame, embarrassment, humiliation, anger, betrayal, denial, and helplessness. The survivor may minimize the crime or its effects. The survivor may want to get on with daily business. They may feel “crazy” or out of control. It may help to let the survivor know that their feelings are normal. Let them know that they have every reason to be upset, angry, or scared. Try to remain non-judgmental about the survivor’s feelings. They may not make sense to you, but they reflect the survivor’s subjective and constantly evolving reality. Avoid saying “I understand” or “I know how you feel” even if you have experienced something similar. It is impossible to truly understand the impact of *this* crime on *this* survivor—unless they tell you. Utilize active listening skills. It is almost always helpful to say:

- “I am sorry this happened.”
- “What was done to you was wrong.”
- “I can’t know the impact this crime had on you.”
- “You did not deserve this.”
- “It wasn’t your fault.”

**Prediction and Preparation:**

Before the crisis of victimization, the world seemed orderly and predictable. Crime has changed all that for the survivor. Our efforts should be aimed at returning a sense of normality and routine to the survivor's world. One way we can do this is by offering the survivor all the information we have in as many forms as possible. Crime survivors will depend on you for information at several stages. Before the first meeting, help them to understand what is involved in working with you, your agency, program, or system. Explain both your role and theirs in the system that forms the context of your work with them and each meeting if this changes. Let them know the times, dates, and places of upcoming meetings, hearings, and/or other events. Tell them what to expect, who will be involved and how. Discuss or review next steps and be sure they know who to contact with lingering questions or to assist with referrals. If you do not know, refer them to someone who does. Some survivors are in a traumatized state and need clear written information for themselves and their support people. Be sure to include cards and/or lists of important phone numbers. You may want to create a brochure or orientation packet to make this information readily available. Know and share with survivors the confidentiality policy you are bound by—if any. Inform them about who will have what information when and under what circumstances. Survivors need preparation for special stresses, like dealing with the media. Discuss any safety concerns and extra protections that may be available. Let the survivor know what is likely to happen next in the process as soon as you are aware of it. Help them to anticipate emotions that are likely to come up. Survivors will frequently inquire about the chances of recovering stolen property or the criminal being arrested and charged. Be tactful, but candid, and do nothing to knowingly mislead the survivor. It is especially important not to deceive them at this time. It is not helpful to predict what others will decide to do if you do not know. Avoid speculation imbedded with opinion. Familiarize yourself with the rights of survivors under state and federal law and share this information with survivors.

**Participation:**

We can ask and then defer. The little things do count:

- “Where do you want to sit?”
- “What would you like me to call you?”
- “How would like me to refer to you (on the stand, during the meeting, when I introduce you to others)?”

When meeting with survivors it may be helpful to record the options available, highlighting the choices the survivor made and next steps, for future reference. Keep in mind that there may be options you can help design with a survivor. The most important thing is that they have the greatest possible opportunity to decide how they want to participate. If a survivor will not participate in any way (including not taking your calls) it is an opportunity to examine your process. Are there things that can change or improve for next time? Often survivors of crime are fearful of things, people, and places that remind them of the crime. Sometimes the very people and systems designed to support survivors of crime can become associated with the crime itself and “trigger” a response similar to the reaction to the crime. Psychologists call this “second order conditioning”. We need to recognize and understand that this phenomenon may be at play when

survivors fail to return phone calls or show up at meetings etc. even though we are doing our best to be helpful and supportive. Involve the survivor to the greatest extent possible within legal, ethical, and procedural parameters as well as the physical, mental, and emotional state of the survivor. Seek his or her opinions, thoughts, and input as much as possible and tell them you value their information and assistance. Remember to leave the door open for future contact. A survivor may originally reject help, but later recognize they need it.

When a survivor wants something that they can't have, it may be helpful to ask questions that help to reveal the underlying need they are trying to meet through the expressed desire. Once you have helped to identify the underlying need, check it out with the survivor for accuracy. Then, brainstorm and problem solve with the survivor to find other ways to meet that underlying need if possible. Be sure to acknowledge the survivor's feelings about not being able to get what they originally wanted. Permit them to voice the impossible dream: "I wish this had never happened". Validate the grief and pain that accompanies this desire. Be clear in setting limits yourself and help the survivor distinguish between areas where they do and do not have choice or control. This can go a long way supporting the survivor's healing process.

In summary, we can all impact a survivor's experience through our communication with the survivor. Knowing this empowers us to support survivors by forming or supporting facilitative relationships and addressing their needs. We can't take away the fact that they have experienced this assault or crime but we can influence their healing journey through our every interaction.