



TRAUMA INFORMED PRACTICES IN TITLE IX PROCESS AND BEYOND

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APPROPRIATE FOR....

Title IX Team
BIT Team
HR Professionals
Investigators
Decision-Makers
Student Affairs Professionals



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PURPOSE

- Tool for your toolbox
- Create Consistency
- Create Comfort

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GENERAL PRINCIPLES

- Not adversarial
- Not a court proceeding
- Remove your advocacy hat
- Trauma informed principles transcend working with victims/survivors

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Utilizing Trauma Informed Practices

WHAT DOES IT MEAN?

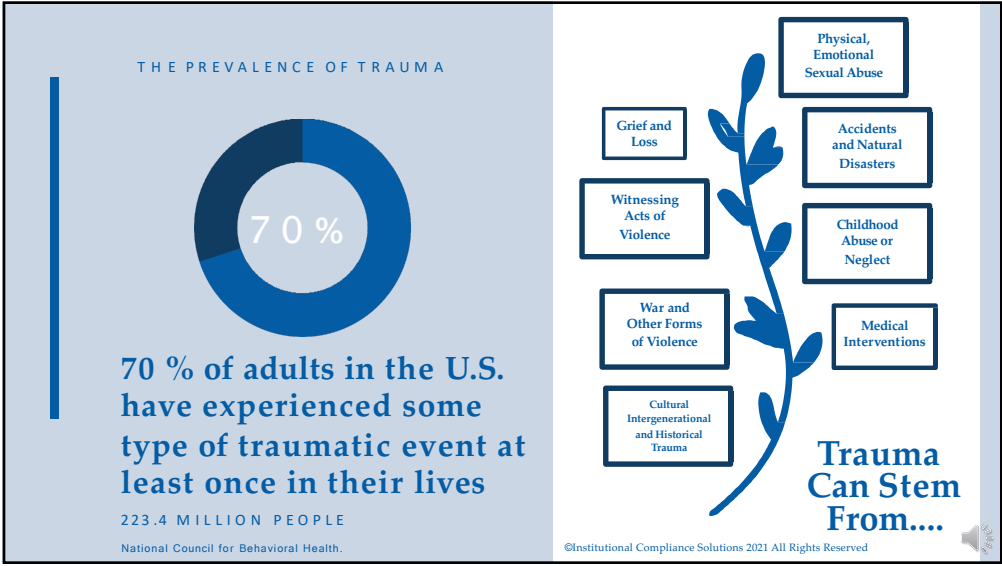
- Realizing the prevalence of trauma
- Understanding the impacts of trauma
- Avoiding the creation of additional trauma



Using Non-Trauma Informed Practices:

- JEOPARDIZES FUTURE REPORTING
- RESULTS IN PREMATURE JUDGMENT AND ACCUSATIONS OF FALSE REPORTING
- CAN CAUSE ADDITIONAL TRAUMA





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Neurobiological Impact of Trauma

HOW DOES TRAUMA IMPACT THE BRAIN?

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TRAUMA & AMYGDALA, HIPPOCAMPUS, PREFRONTAL CORTEX

- Brain detects threat – trauma triggers chemical reaction
- Impacts:
 - Decision-making;
 - Rational thinking;
 - Perception;
 - Planning effective responses;
 - Memory
- During trauma – may function less effectively
- “Survival Mode” – may not be able to think through the situation clearly

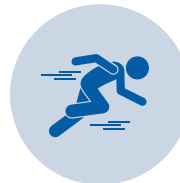
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Fight, Flight, or Freeze

OR ALL THREE...

Or Something Completely Different...



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Response to Trauma

THE POSSIBLE IMPACT

SHOCK

DENIAL

SELF-BLAME

EMBARRASMENT

FEAR

ANGER

CONFUSION

DISRESPECT

HUMILIATION

LIMITED EMOTION

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AVOIDING ADDITIONAL TRAUMA



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Investigative Trauma May Trigger Same Reactions

FIGHT

- Hostile; Angry; Explosive; Annoyed

FLIGHT


- Stop participating; Run Away

FREEZE

- No Response; Radio Silence

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#1 SKILL= ADAPTABILITY

- ✓Take the lead from the person you are meeting with
- ✓Use empathy
- ✓Listen actively
- ✓Develop rapport
- ✓Withhold judgment

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Trauma Informed Necessities

THE 4- C'S



Comfortable



Clear



Consistent



Convenient

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PRE INTERVIEW:



NOTIFY THE PARTY/WITNESS WHAT IS THIS ABOUT WHO WILL BE THERE



HOW DO THE PARTICIPANTS GET THERE? (VIRTUALLY AND/OR IN PERSON)



TIME ZONES



SURPRISES UNDERMINE YOUR CREDIBILITY

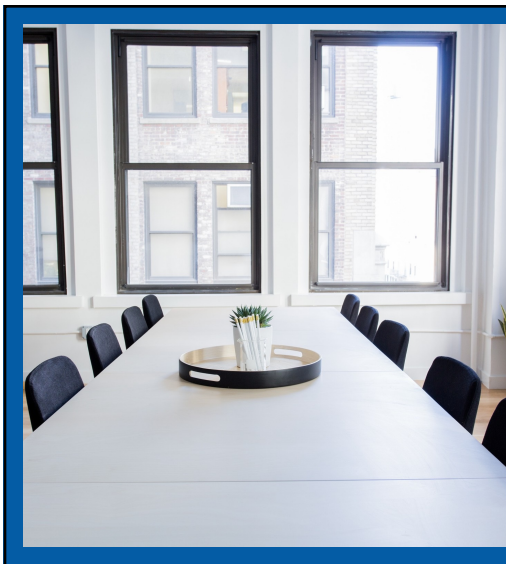
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PRIVACY IS IMPERATIVE

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TRUST BEGINS WHEN THE PARTICIPANT "ENTERS" THE ROOM

- What does the room look and/ or feel like?
- How do you appear when the participant enters?
- How do you introduce yourself/describe yourself?
- How do you explain the interview/process?
- How do you address housekeeping items?

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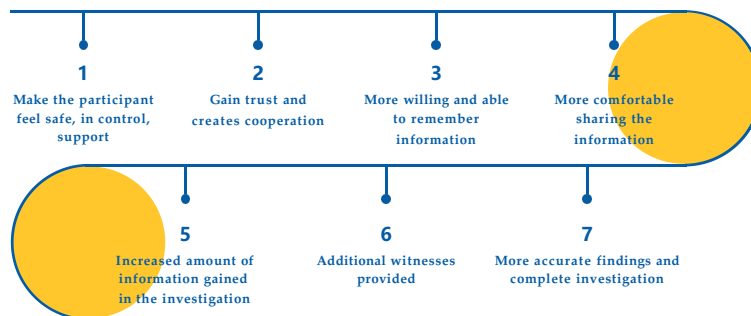
ACCESS TO SUPPORTIVE SERVICES?

- Counseling, Financial, Etc.
- Advisor in meetings/process
- Post Investigation
- Let them know early



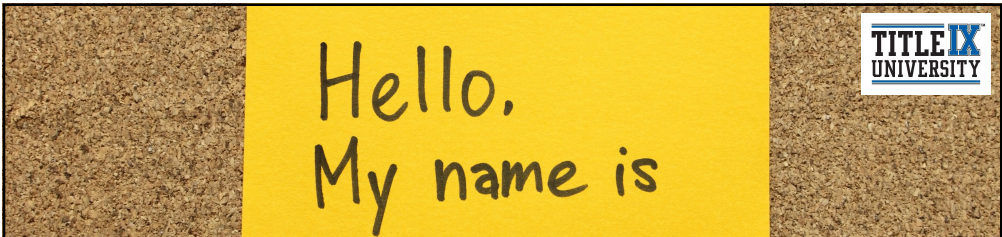
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Leading with Empathy



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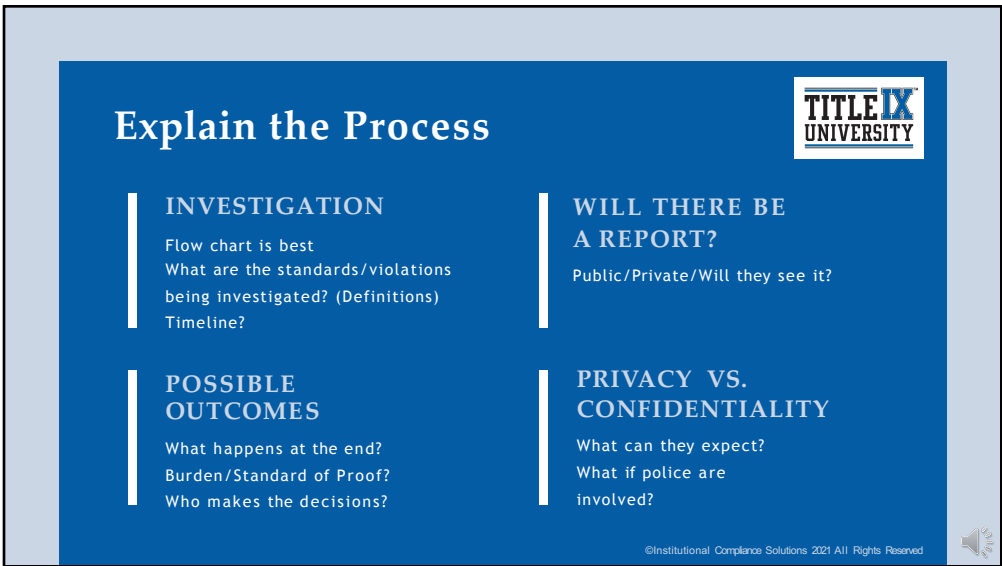
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Hello,
My name is

REGARDLESS OF WHO YOU ARE INTERVIEWING, THE INTRODUCTION MATTERS

- Who are you?
- Why are you interviewing
- What are your qualifications?
- Why now?
- Who is the participant?
- What do they prefer to be called?
- What do they do for a living?
- Where are they from?
- Do they have questions, concerns, etc.?
- How should the let you know if they need a break?
- Do they have a hard stop time?

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Explain the Process

- INVESTIGATION**
Flow chart is best
What are the standards/violations being investigated? (Definitions)
Timeline?
- POSSIBLE OUTCOMES**
What happens at the end?
Burden/Standard of Proof?
Who makes the decisions?
- WILL THERE BE A REPORT?**
Public/Private/Will they see it?
- PRIVACY VS. CONFIDENTIALITY**
What can they expect?
What if police are involved?

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Initial Questions:
What are you able to tell me?
Where would you like to begin?

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Use these types of questions:

Help me understand

Do you have any additional information to share?

Can you tell me a little more?

Questions for clarity

NOT these types of questions:

The "Why" Questions
Why didn't you?

Leading Questions

Blaming questions

Interrogating questions

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FRAMING THE QUESTION EXAMPLES

- Why didn't you ask for help?
- Why did you drink if you didn't want to?
- Why didn't you report right away?



- Was there anyone around or available?
- What happened after you had the drink?
- Was there anything in particular that helped you decide to report?



TREAT THE PARTIES EQUITABLY, INTERVIEW THEM UNIQUELY

- Ensure that the complaint and response are being taken seriously
- No prejudgments
- Prohibitions against retaliation
- Ask hard questions, but acknowledge that they are hard

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REMINDER: BODY LANGUAGE & FACIAL EXPRESSIONS

- Virtually and in person

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Don't go Overboard

IT CAN GO TOO FAR...
You cannot lead investigations with your emotions

ACKNOWLEDGE CONFLICTS OF INTEREST AND/OR BIASES
Truly reflect on how they are impacting your ability to investigate

IF YOU FIND YOURSELF HERE, TAKE A BREAK
From the interview, the witness/party, the project

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Scenarios Complainant



COMPLAINANT CRIES HYSTERICALLY

Unable to get composure

COMPLAINANT REFUSES TO GIVE ANY DETAILS

Won't talk about what occurred, but will talk around it

COMPLAINANT REFUSES TO SPEAK

Absolutely NOTHING

COMPLAINANT DEMANDS IMMEDIATE ACTION

Expects that the process should be concluded immediately after their interview

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Scenarios Respondent



RESPONDENT SCREAMS AND SLAMS FIST

Will not calm down

RESPONDENT REFUSES TO TALK

Lawyers up and attorney wants to speak for Respondent

RESPONDENT REPORTS ABUSE OF THEIR OWN

Sexual or physical abuse

RESPONDENT CRIES HYSTERICALLY

Unable to finish interview

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QUESTIONS?

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