



INTEGRATING A TRAUMA-INFORMED RESPONSE IN VIOLENCE AGAINST WOMEN AND HUMAN TRAFFICKING PROSECUTIONS

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INTRODUCTION

The most significant injuries suffered by victims of sexual violence, intimate partner violence, stalking, and human trafficking² (hereinafter “violence against women and human trafficking”) are often those least visible. Perpetrators use pre-existing relationships, trust, victim’s alcohol or drug use, or perhaps a victim’s engagement in criminal activity, to name a few, to create vulnerabilities that enable him/her to commit crimes or escape accountability. These vulnerabilities, the trauma associated with the experience of the assault itself, as well as the guilt, self-blame, embarrassment, fear, and other emotions, may have long-lasting psychological wounds deeper than most any physical injury the victim may have suffered during the assault.

The impact of trauma resulting from these crimes is often misunderstood. Traumatic stress is acknowledged as an expected or reasonable response to exposure to war or other forms

of extreme violence, such as shootings or stabbings. Sexual assaults committed by strangers may also be accepted as the type of violent events that may trigger symptoms of trauma. But the trauma caused by other types of violence — nonstranger rape, sexual assault of an unconscious victim, alcohol-facilitated sexual assault, nonstranger stalking,³ sexual exploitation or trafficking, and intimate partner violence — is often mitigated or overlooked even by experienced professional responders. This disparity can discourage victims from reporting and from seeking help, and can also retraumatize victims who do come forward if they are blamed for the crimes committed against them or if their disclosures are minimized, criticized, or not believed.

Trauma is an experience or situation that is emotionally and/or physically painful and distressing, and includes a response that is characterized by intense feelings.⁴ In the immediate short-term following trauma, typical reactions can include shock and denial.⁵ In the longer term, reactions can include

unpredictable feelings and emotions, flashbacks, headaches and nausea, and relationships that are strained.⁶

Victims of violence against women and human trafficking experience trauma that manifests in many different ways, including fear, concern for the safety of themselves and others, embarrassment, shame, and self-blame that can overwhelm their ability to cope. Many “cope” by trying to ignore the victimization or trying to accept it as an inevitable part of their lives. For example, victims may report freezing⁷ during an assault either because of fear, disbelief at the commission of the crime, or shock at the identify of their perpetrator. Others may cope through efforts to deny the victimization.⁸ Many victims of intimate partner violence experience frequent, ongoing trauma that results in life-changing reactions to and survival mechanisms for the abuse, which may include their own and others’ minimization⁹ of the violence.¹⁰ Victims of sexual exploitation and human trafficking, who must continue to “work” after suffering or witnessing violence, may cope by normalizing¹¹ the violence. As a result of the trauma and its short- and long-term impact, most victims of violence against women and human trafficking are unable to seek help or report to authorities.¹²

Over the last several decades, prosecutors of violence against women and human trafficking have carefully reviewed practices with the goal of better integrating an understanding of trauma into responses related to the prosecution of these cases.¹³ There are several examples of improved laws, practices, and policies. A greater understanding of victim behavior has led to the passage of state statutes and other laws allowing for the introduction of expert testimony to explain victim behaviors to judges and juries. Coordinated multidisciplinary responses to domestic violence were developed, in part, out of the recognition for the need to comprehensively respond to the collateral consequences victims face as a result of their abuse and the batterer’s arrest.¹⁴ The understanding of the histories and life-altering victimization of sexually exploited girls and women has led to the passage of expungement laws and diversion courts to support survivors through trauma-informed, holistic care and programming.¹⁵

This STRATEGIES will describe a trauma-informed approach to responding to these crimes and discuss practices where such an approach has already been incorporated, highlight-

ing areas where continued, additional integration is necessary. This article will also identify gaps in the application of the approach, specifically in reference to other co-occurring, violence against women and human trafficking crimes, and suggest strategies to more effectively integrate trauma-informed investigative and prosecutorial practices.

THE TRAUMA-INFORMED APPROACH

A TRAUMA-INFORMED RESPONSE REQUIRES THE FOLLOWING ELEMENTS:

- Fully acknowledge the trauma caused by the current victimization and its impact on the victim and her/his family;
- Recognize professionals’ and society’s tendency to minimize violence against women and human trafficking crimes involving nonstranger offenders, alcohol, sexually exploited victims, and crimes committed without the use of traditional weapons such as knives or guns;
- Consider the likelihood that the victim may also have experienced significant past trauma that may be independent or may cross over, or be otherwise related to the current victimization, and contemplate the impact of this past on the victim’s current response to trauma; and
- Respond in a manner that fully supports the victim and avoids any retraumatization.¹⁶

Trauma-Informed Multidisciplinary Response

A multidisciplinary response is a core component of a trauma-informed approach throughout the continuum of the criminal justice response. The building blocks for the trauma-informed approach can be found in most jurisdictions’ multidisciplinary response teams, which often include law enforcement agencies, prosecutors, health care professionals, emergency responders, 911 operators, advocates, child protective services, local businesses and employers, and religious leaders. Such response teams’ goals range from providing a first response to providing longer-term services to working to supplant social norms.¹⁷ Many operate with input from survivors, which “can sig-

nificantly enhance the effectiveness of the community's response" to crimes by highlighting offender/victim behaviors and trends in a local community, keeping professionals' focus on the survivor, and providing a level of comfort for other survivors.¹⁸

Crimes involving nonstranger offenders, which constitute a significant percentage of violence against women and human trafficking crimes, call for response teams to address victims' specific needs. Cases of intimate partner violence are addressed by domestic violence response teams (DVRTs) and coordinated community response teams (CCRs);¹⁹ sexual assault response teams (SARTs) offer specialized sexual assault intervention services;²⁰ and human trafficking response teams (HTRTs) are similar to DVRTs and SARTs, but often with the additional recognition that prevention through curbing demand is also a crucial component of a holistic response.²¹

These response teams "strategize, resolve problems, and make changes within the system in order to improve the community's response to" these crimes, but they are not immune to their own challenges.²² The challenges associated with trauma-informed care occur not because communities are not responding collaboratively, but because, even when trauma-informed, cases involving nonstranger offenders are still often misunderstood, minimized, or overlooked.

PRACTICE TIP

Across these coordinated efforts, however, the response may become siloed.²³ Professionals sometimes focus so much on their specific victim population that they fail to screen for co-occurring crimes or other victimization. This can occur, for example, when assault victims are not asked questions that may identify them as trafficking victims, or when domestic violence victims are not asked about sexual violence.²⁴ A comprehensive trauma-informed approach should train triage professionals — who ask the questions about current facts and relevant history — as well as first responders to work with victims and avoid retraumatizing them. Such trainings should take into account that all responders bring their own biases to the work that impact their ability to listen and to identify potential victimization. Even inadvertently, these biases may result in victim blaming and ultimately lead to a minimization of the offender's culpability.

Trauma-Informed Investigation

Law enforcement is most effective when trained to recognize and address psychological and emotional trauma in the aftermath of all violence against women and human trafficking cases.²⁵ This includes their first response,²⁶ interviewing of the victim,²⁷ conducting the investigation, addressing intimidation,²⁸ and working with prosecutors and other allied professionals throughout the case.

Victims are often reluctant to report, concerned that they will not be believed or will encounter harassment, or concerned about retaliation by the perpetrator or her/his family or other associates. The victim's true feelings about her/his victimization — and how the victimization has affected her/his family and friends — will likely only be known to investigators and prosecutors if they take the affirmative step of specifically asking about them. Ideally, responders should be well trained so they have the adequate foundational knowledge through which to process information shared by the victim before they begin interviewing the victim regarding these issues.²⁹

Law enforcement officers and prosecutors, in particular, must consider the continuum of trauma that victims experience and seek to avoid any retraumatization of the victim and her/his family. These two groups are crucial components of a holistic response to violence against women and human trafficking, and they frequently assist victims in accessing other crucial services. The nature of the response by law enforcement officers and prosecutors might also have a direct impact on victim's ultimate feelings of whether s/he was provided with meaningful access to justice after engaging with the justice system.³⁰ This is because, more than any others, police and prosecutors are identified by victims as the face of the justice system. Their collective response, therefore, may have a greater impact on the victim's trauma recovery and view of the system's ability to help her/him than any other professionals.³¹

Trauma-Informed Prosecution

For law enforcement and prosecutors, the ongoing need to apply trauma-informed practices spans the case's progress through the justice system. Decisions like collaborating with other professionals and experts, determining whom to

interview and what to ask those persons, charging certain crimes, keeping in contact with the victim at every stage of the process, filing pretrial motions, and employing a certain trial strategy should all be approached with a consciousness of the impact that responders' choices have on victims and witnesses. For example, the filing of a pretrial motion to allow an advocate to sit near a victim when testifying can demonstrate that the prosecutor will pursue all available legal avenues to support the victim during the trial.³² In addition, the prosecutor's referral of the victim to other service providers can demonstrate concern for the victim's overall health and well-being.³³ On the contrary, if law enforcement and prosecutors fail to respond in a trauma-informed manner, the victim's fears — that no one believes or supports her/him — may be realized.

This fear may be fed by the fact that most people outside of the justice system have limited experience with it and have little idea about how it operates. Victims who have had previous contact with the system may feel they were previously mistreated, or they may have been involved with the system in another role (*e.g.*, as a defendant or as an associate of someone accused of a crime), so their views of the system's and person's roles in it may be influenced by prior negative perceptions. The prosecutor should explain the justice system and its participants: the judge, jury, defense attorney, court staff, stenographer, and, if applicable, interpreter. It might also be necessary to discuss who else might be in the courtroom in order to alleviate some of the victim's nervousness. Prosecutors should explain the process of the case from charging through conviction and sentencing, and discuss what could happen at each stage.

During victim interviews and when preparing victims for direct and cross-examination, prosecutors should proceed with a consciousness that each of the stages may trigger traumatic memories that could exacerbate the trauma. A challenge exists here in balancing the prosecutor's need to elicit detailed information about the crime with the victim's comfort level. It can be helpful to have an advocate or other support person with the victim during interviews and at trial and, as much as possible, to pay attention to the victim's emotional state and identify when s/he may need a break. Explore available avenues, such as asking to have the courtroom cleared for the victim's testimony or by alerting observers in the gallery that sensitive testimony

is going to be offered and requesting privacy for the victim. It may also be a good idea to give the victim and her/his family a warning that graphic or potentially embarrassing information will be revealed. In preparing for direct examination, prosecutors should be sensitive about opening up past traumas, and recognize that there may be events that are deeply painful for the victim to recall.

Victims must be prepared for aggressive cross-examination. Prosecutors should explain the role of the defense attorney, the goal of cross-examination (which is often to discredit the victim), and how questions will be phrased in a leading manner. Stress the importance of honesty and clarity, so if a defense attorney's leading question cannot be answered truthfully with a yes or no, the victim should simply say so.

Prosecutors should ask some follow-up questions to clarify facts and ensure they have a clear understanding of the totality of the evidence in order to be able to ask the victim questions that will present all relevant information to the judge and jury. By this point, law enforcement will have provided facts that point to who, what, where, when, and how. At trial, the prosecutor will draw out those facts, and paint a clear picture that recreates the reality of the crime.

Trauma is often shrouded in secrecy and denial,³⁴ so the prosecutor should try to obtain an understanding of the victim's history, as it may help explain the victim's reactions to the assault and her/his processing of the associated trauma. It is important for the prosecutor to know about this information in advance of trial to prevent or minimize retraumatization of the victim, and to elicit testimony about victim behavior and trauma from an expert so factfinders have the proper context through which to process victim testimony.³⁵

In the event of a conviction, sentencing is also a time to continue to plan for the victim's safety and ensure that s/he remains engaged with advocates and other professionals who can provide services and support.³⁶ To prepare the victim, the prosecutor should discuss the range of the possible sentence and explain what a sentence of jail, prison, parole, or probation would entail. Possible special conditions should also be discussed, as perhaps the victim has some requests or concerns.³⁷ The victim may share these concerns her/himself, or ask the prosecutor to share them with the court.³⁸

CONCLUSION

Crimes of violence against women and human trafficking are vastly underreported, and perpetrators usually go undetected. By viewing these cases through the lens of trauma, investigators and prosecutors can refine their responses to victims of these crimes in order to support them throughout and beyond the criminal justice process. Fully integrating a trauma-informed approach acknowledges the trauma that the victim has experienced following the assault, as well as other possible experiences and histories, to ensure victims are supported. Responding in a trauma-informed manner minimizes the impact of a victim's past harms suffered while consciously avoiding causing additional trauma, and allows prosecutors to simultaneously focus on some of the most dangerous offenders.

Law enforcement and prosecutors who conduct thoughtful and effective interviews will be better able to explain victim behavior to their multidisciplinary professional colleagues and partners, and, ultimately, to judges and juries. People who have experienced trauma in their lives can and do recover and heal, especially when the professionals charged with responding to traumatic crimes do so in a supportive and informed manner. Supporting victims is a moral and professional responsibility, and leads to better prosecution and, thus, improved community safety.

ENDNOTES

1 Viktoria Kristiansson is an Attorney Advisor and Charlene Whittman is an Associate Attorney Advisor at AEQuitas: The Prosecutors' Resource on Violence Against Women. The authors would like to thank Jennifer G. Long, Director of AEQuitas for her significant contributions to this article.

2 Human trafficking, as used in this article, includes both sex and labor trafficking. Victims of labor trafficking are often subjected to rape, sexual abuse, and sexual harassment by traffickers or other exploiters. COLLEEN OWENS, ET AL., URBAN INSTITUTE, NORTHEASTERN UNIVERSITY, UNDERSTANDING THE ORGANIZATION, OPERATION, AND VICTIMIZATION PROCESS OF LABOR TRAFFICKING IN THE UNITED STATES (Oct. 2014), <http://www.urban.org/UploadedPDF/413249-Labor-Trafficking-in-the-United-States.pdf>

3 Notably, there is a strong connection between domestic violence and stalking. "Seventy-four percent of individuals who were stalked by a former intimate partner experienced violence or coercive control during the relationship and eighty-one percent of individuals stalked by a former or current intimate partner experienced physical assault during the relationship." See Aily Shimizu, *Domestic Violence in the Digital Age: Towards the Creation of a Comprehensive Cyberstalking Statute*, 28 BERKELEY J. GENDER L. & JUST. 116, 117 (Winter 2013) (citing *Intimate Partner Stalking*, NAT'L INST. OF JUSTICE, <http://www.nij.gov/nij/topics/crime/intimate-partner-violence/stalking/welcome.htm> (last visited Dec. 15, 2014)).

4 Traumatic events are more extreme versions of stressful events, and the effects of stress are alleviated when the stressor is removed. The effects of traumatic events continue well after events have passed, but the memory of the event lingers on. Shock and strain may continue, and often the body never fully recovers. Trauma can stay in the brain forever, and this can impact the victim in different emotional and physical ways. See THE ISRAEL CENTER FOR THE TREATMENT OF PSYCHOTRAUMA, <http://www.traumaweb.org/content.asp?PageId=58> (last visited Dec. 19, 2014); KENNETH R. YEAGER AND ALBERT R. ROBERTS, DEP'T OF PSYCHIATRY, OHIO STATE UNIVERSITY, DIFFERENTIATING AMONG STRESS, ACUTE STRESS DISORDER, CRISIS EPISODES, TRAUMA, AND PTSD: PARADIGM AND TREATMENT GOALS (2003), <http://btci.edina.clockss.org/cgi/reprint/3/1/3.pdf>.

5 *Trauma*, AMERICAN PSYCHOLOGICAL ASSOCIATION, <HTTP://WWW.APA.ORG/TOPICS/TRAUMA/> (last visited Dec. 19, 2014).

6 *Id.*

7 Webinar Recording by Rebecca Campbell, *The Neurobiology of Sexual Assault*, <http://nij.gov/multimedia/presenter/presenter-campbell/Pages/presenter-campbell-transcript.aspx> (recorded Dec. 3, 2012).

8 See Sandra Bloom, *Understanding the Impact of Sexual Assault: The Nature of Traumatic Experience* in SEXUAL ASSAULT: VICTIMIZATION ACROSS THE LIFESPAN 405-32 (A. Giardino et al. eds., GW Medical Publishing 2003), http://www.sanctuaryweb.com/PDFs_new/Bloom%20Understanding%20impact%20sexual%20assault.pdf; see also Audrey Rogers, *Prosecutorial Use of Expert Testimony in Domestic Violence Cases: From Recantation to Refusal to Testify*, 8 COLUM. J. GENDER & L. 67 (1998).

9 See, e.g., *What is Domestic Violence?*, MASS.GOV, <http://www.mass.gov/essexda/victim-assistance/dv/what-is-domestic-violence.html> (last visited Dec. 19, 2014).

10 For some, trauma can last for an extended period of time. "11% of stalking victims have been stalked for 5 years or more." STALKING RESOURCE CENTER, THE NATIONAL CENTER FOR VICTIMS OF CRIME, STALKING FACT SHEET (Aug. 2012), http://www.victimsofcrime.org/docs/src/stalking-fact-sheet_english.pdf?sfvrsn=4 (citing KATRINA BAUM ET AL., BUREAU OF JUSTICE STATISTICS, STALKING VICTIMIZATION IN THE UNITED

STATES (2009)). The trauma of frequent victimization can manifest in many ways, including a “prevalence of anxiety, insomnia, social dysfunction, and severe depression [that] is much higher among stalking victims than the general population ...” *Id.* (citing Eric Blauuw et al., *The Toll of Stalking*, 17(1) *JOURNAL OF INTERPERSONAL VIOLENCE* 50-63 (2002)). In addition to minimization of abuse, coping mechanisms for intimate partner violence include denial of abuse, secrecy, continued contact with offender, recantation of abuse, and more.

11 For a discussion on “normalizing,” see PATRICIA L. FANFLIK, NAT’L DISTRICT ATTORNEYS ASSOC’N, *VICTIM RESPONSE TO SEXUAL ASSAULT: COUNTERINTUITIVE OR SIMPLY ADAPTIVE?* 9 (2007), http://www.ndaa.org/pdf/pub_victim_responses_sexual_assault.pdf.

12 See ANDREW R. KLEIN, U.S. DEP’T OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, *PRACTICAL IMPLICATIONS OF CURRENT DOMESTIC VIOLENCE RESEARCH: FOR LAW ENFORCEMENT, PROSECUTORS AND JUDGES* 5 (June 2009), <https://www.ncjrs.gov/pdffiles1/nij/225722.pdf>; “Most cases of domestic violence are never reported to the police.” NAT’L COALITION AGAINST DOMESTIC VIOLENCE, *DOMESTIC VIOLENCE FACTS* (2007), (citing I.H. Frieze & Browne, A., *Violence in Marriage* (In L.E. Ohlin & M.H. Tonry eds., University of Chicago Press 1989).

13 Integrating survivor input is crucial to creating effective laws, policies, and practices. See *Tahirih Rallies to Urge Reauthorization of the Violence Against Women Act (VAWA) and To Defend Against Rollbacks!*, TAHIRIH JUSTICE CENTER, <http://www.tahirih.org/2012/09/tahirih-rallies-to-urge-reauthorization-of-the-violence-against-women-act-vawa-and-to-defend-against-rollbacks/> (last visited Dec. 19, 2014) (Tahirih, a survivor-informed organization, educated Members of Congress and their staff about protections for immigrant survivors and related issues when Congress was considering the reauthorization of VAWA in 2012). See also *White House Task Force to Protect Students from Sexual Assault Invites Participation in Public Listening Sessions*, U.S. DEP’T OF JUSTICE (Feb. 6, 2014), <http://www.justice.gov/ovw/blog/white-house-task-force-protect-students-sexual-assault-invites-participation-public> (last visited Dec. 19, 2014). See also *Survivor Led Organizations*, GEMS, <http://www.gems-girls.org/survivor-leadership/resources/survivor-led-organizations> (last visited Dec. 19, 2014).

14 See, e.g., ELLEN PENCE & MARTHA McMAHON, *A COORDINATED COMMUNITY RESPONSE TO DOMESTIC VIOLENCE* (1997), <http://files.praxisinternational.org/ccrdv.pdf>.

15 See, e.g., 725 ILL. COMP. STAT. ANN. 5/116-1-5 (2014) (Post-Trial Motions) & 18 PA. CONS. STAT. ANN. § 9122 (2012) (Expungement); see, e.g., *Philadelphia Problem-Solving Court Participants Successfully Graduate*, PENNSYLVANIANS FOR MODERN COURTS, <http://www.pmconline.org/node/1003> (last visited Dec. 19, 2014); see also Tara Murtha, *A New Dawn: Philly Court Uses Compassion to Fight Prostitution*, PHILADELPHIA WEEKLY (Aug. 3, 2010), <http://www.philadelphiaweekly.com/news-and-opinion/cover-story/A-New-Dawn-Philly-Court-Uses-Compassion-to-Fight-Prostitution.html>; see also MARTHA FELINI, ET AL., *ANNUAL REPORT 2009-2010: PROSTITUTE DIVERSION INITIATIVE*, <http://www.pdinewlife.org/wp-content/uploads/2012/01/PDI-Annual-Report-2011-Final-RS.pdf>.

16 There are a number of resources available to help jurisdictions to build and/or refine their existing practices. For example, see Webinar Recording by Chic Dabby and Cindy Liou, *Survivor-Centered, Trauma-Informed Advocacy and Services for Human Trafficking Victims*, <http://www.apiidv.org/resources/webinars.php> (recorded Oct. 11, 2012); ALISA KLEIN, NAT’L SEXUAL VIOLENCE RESOURCE CENTER, LOUISIANA FOUNDATION AGAINST SEXUAL ASSAULT, *SEXUAL VIOLENCE IN DISASTERS: A PLANNING GUIDE FOR PREVENTION AND RESPONSE*, http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Guides_Sexual-Violence-in-Disasters_A-planning-guide-for-prevention-and-response_0.pdf; *Trauma-Informed Care Toolkits*, ACES CONNECTION, <http://www.acesconnection.com/blog/trauma-informed-care-toolkits-1> (LAST VISITED DEC. 19, 2014); *MODULE 1: UNDERSTANDING THE IMPACT OF TRAUMA, TRAUMA*

INFORMED CARE: PERSPECTIVES AND RESOURCES, <http://trauma.jbsinternational.com/traumatool/Module1.html> (LAST VISITED DEC. 19, 2014).

17 See, e.g., *Anti-Human Trafficking Task Force Initiative*, BUREAU OF JUSTICE ASSISTANCE, https://www.bja.gov/ProgramDetails.aspx?Program_ID=51 (last visited Dec. 19, 2014); *COMMUNITY ORIENTED POLICING SERVICES, COMMUNITY POLICING DEFINED*, <http://www.cops.usdoj.gov/Publications/e030917193-CP-Defined.pdf> (last visited Dec. 19, 2014); and *COMMUNITY POLICING CONSORTIUM, UNDERSTANDING COMMUNITY POLICING: A FRAMEWORK FOR ACTION* (Aug. 1994), <https://www.ncjrs.gov/pdffiles/commpp.pdf>.

18 Survivor input has many benefits beyond those mentioned in this article. See, e.g., *Survivor Led Organizations*, GEMS, <http://www.gems-girls.org/survivor-leadership/resources/survivor-led-organizations> (last visited Dec. 19, 2014). See also *supra* note 13.

19 It is widely recognized that victims of intimate partner and dating violence receive better overall services when responding professionals coordinate their efforts to support victims through CCRs and DVRTs. *Coordinated Community Response*, STOP VIOLENCE AGAINST WOMEN, http://www.stopvaw.org/coordinated_community_response (last visited Dec. 15, 2014). See also, e.g., *Coordinated Community Response Teams*, OKLAHOMA DISTRICT ATTORNEYS COUNCIL, http://www.ok.gov/dac/Grants/Coordinated_Community_Response_Teams/index.html (last visited Dec. 15, 2014). Collaborative community responses to stalking usually occur as part of, or are otherwise related to, the domestic violence response team, as “66% of female victims and 41% of male victims of stalking are stalked by a current or former intimate partner.” *STALKING RESOURCE CENTER, THE NATIONAL CENTER FOR VICTIMS OF CRIME, STALKING FACT SHEET* (Aug. 2012), http://www.victimsofcrime.org/docs/src/stalking-fact-sheet_english.pdf?sfvrsn=4.

20 SARTs have “a multidisciplinary interagency team of individuals working collaboratively to provide services to the community.” *Sexual Assault Response Teams*, NATIONAL SEXUAL VIOLENCE RESOURCE CENTER, <http://www.nsvrc.org/projects/sexual-assault-response-teams-sart-0> (last visited Dec. 19, 2014).

21 See, e.g., *End Demand/ Human Trafficking/ Sexual Exploitation*, COOK COUNTY SHERIFF, http://www.cookcountysheriff.com/womens_justice_services/wjs_HumanTrafficking.html (last visited Dec. 15, 2014); for a detailed discussion of demand in the context of human trafficking and commercial sexual exploitation, see RACHEL DURSCHLAG & SAMIR GOSWAMI, *CHICAGO ALLIANCE AGAINST SEXUAL EXPLOITATION, DECONSTRUCTING THE DEMAND FOR PROSTITUTION: PRELIMINARY INSIGHTS FROM INTERVIEWS WITH CHICAGO MEN WHO PURCHASE SEX* (May 2008), <http://www.slaverynomore.org/wp-content/uploads/2011/07/Deconstructing-the-Demand-for-Prostitution.pdf>.

22 *Coordinated Community Response Teams*, OKLAHOMA DISTRICT ATTORNEYS COUNCIL, http://www.ok.gov/dac/Grants/Coordinated_Community_Response_Teams/index.html (last visited Dec. 15, 2014).

23 “Siloe approach” refers to the lack of a coordinated response to sex trafficking and interrelated violence against women.

24 Opportunities to screen for types of victimization exist at various points of entry, such as when victims engage with medical professionals or when sexually exploited women present as defendants. It is incumbent upon medical and justice system professionals to tailor questions, responses, and follow-up in a trauma-informed manner that delves beneath the surface of existing health and other issues, and comprehensively explores the circumstances surrounding the patient, or arrest and history of the exploited defendant. See, e.g., Lynn Stevens, Barbara Sheaffer, *Screening for Sexual Violence: Gaps in Research and Recommendations for Change*, VAWNET.ORG, http://www.vawnet.org/applied-research-papers/print-document.php?doc_id=1191 (LAST VISITED DEC. 19, 2014); NADEJDA BESPALOVA, JULIET MORGAN, & JOHN COVERDALE, *A PATHWAY TO FREEDOM: AN EVALUATION OF SCREENING TOOLS FOR THE*

IDENTIFICATION OF TRAFFICKING VICTIMS, *ACADEMIC PSYCHIATRY* (Nov. 15, 2014).

25 See LINDA A. MCGUIRE, *CRIMINAL PROSECUTION OF DOMESTIC VIOLENCE* (1999), <http://www.mincava.umn.edu/documents/bwjp/prosecutev/prosecutev.pdf>. "Experts agree that in addition to a victim-centered approach and sensitivity during interviews, improved response to sexual assault cases by police can be linked to increased transparency, meaningful accountability for investigations, leadership, training, and public outreach to encourage reporting." HUMAN RIGHTS WATCH, *IMPROVING POLICE RESPONSE TO SEXUAL ASSAULT 2* (2013), http://www.hr.org/sites/default/files/reports/improvingSAInvest_0.pdf.

26 NAT'L SHERIFF'S ASSOCIATION, *FIRST RESPONSE TO VICTIMS OF CRIME: A GUIDEBOOK FOR LAW ENFORCEMENT OFFICERS* (Apr. 2008), <http://ojp.gov/ovc/publications/infores/pdftxt/FirstResponseGuidebook.pdf>.

27 Webinar Recording by Viktoria Kristiansson & Olga Trujillo, *Integrating a Trauma-Informed Response*, <http://www.aequitasresource.org/trainingDetail.cfm?id=112> (recorded Sept. 16, 2014).

28 See *Improving the Justice System Response to Witness Intimidation*, AEQUITAS: THE PROSECUTORS' RESOURCE ON VIOLENCE AGAINST WOMEN, <http://aequitasresource.org/Improving-the-Justice-System-Response-to-Witness-Intimidation.cfm> (last visited Dec. 15, 2014).

29 See, e.g., *Trauma Informed Sexual Assault Investigation Training*, INTERNATIONAL ASSOCIATION OF CHIEFS POLICE, <http://www.theiacp.org/Trauma-Informed-Sexual-Assault-Investigation-Training> (last visited Dec. 19, 2014).

30 Jennifer G. Long & Elaine Nugent-Borakove, *Beyond Conviction Rates: Measuring Success in Sexual Assault Prosecutions*, 12 STRATEGIES (Apr. 2014), available at www.aequitasresource.org/library.cfm.

31 See, e.g., Bonnie Bucqueroux, *What Community Policing Teaches Us About Community Criminal Justice*, POLICING.COM, <http://www.policing.com/articles/pdf/ccj.pdf>.

32 Contact AEQUITAS for assistance in developing motions.

33 See, e.g., KRISTIANSSON & TRUJILLO, *supra* note 27. Truly being trauma-informed calls for more than a referral in the form of, for example, a pamphlet or a phone number. The prosecutor should offer privacy and time so the victim can call the agencies and offer to place the call from her/his office to ensure the victim is able to call in a timely manner.

34 It is important for the prosecutor to consider that there may be things that the offender may know about the victim's history or other trauma, and to prepare for the possibility that the offender could attempt to introduce these at trial. If the prosecutor doesn't know about these things, s/he cannot file motions to exclude irrelevant evidence that is often designed to distract from the offender's criminal behavior. See, e.g., Sakthi Murphy, *Rejecting Unreasonable Sexual Expectations*, 79 CAL. L. REV. 541 (1991).

35 JENNIFER G. LONG, NAT'L DISTRICT ATTORNEYS ASSOC'N, *INTRODUCING EXPERT TESTIMONY TO EXPLAIN VICTIM BEHAVIOR IN SEXUAL AND DOMESTIC*

VIOLENCE PROSECUTIONS (Aug. 2007), http://www.ndaa.org/pdf/pub_introducing_expert_testimony.pdf.

36 Although many states have crime victim compensation programs that may cover medical bills, counseling, and other expenses related to crime victimization, the prosecutor should ask the victim for a list of expenses and those anticipated in the future so the prosecutor can seek restitution on the victim's behalf. Expenses may include dental care, medical care, prescriptions, counseling, rehabilitation, work lost, lost support, caregiver work loss, crime scene clean up, funeral or burial expenses, and other costs incurred as a result of victimization.

37 See, e.g., *About Victim Rights*, OFFICE OF JUSTICE PROGRAMS: VICTIM LAW, <https://www.victimlaw.org/victimlaw/pages/victimsRight.jsp> (last visited Dec. 19, 2014).

38 See, e.g., *Victim Impact Statements*, THE NATIONAL CENTER FOR VICTIMS OF CRIME, <http://www.victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/victim-impact-statements> (last visited Dec. 19, 2014).

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