

# Actively Interviewing DV Survivors

Interviewing anyone, let alone survivors of IPV, is a skill that any attorney should develop for oneself to become better and more comfortable at performing the task at hand. There are probably an infinite number of unique styles of communicating, interviewing, and relating to people in a trauma informed way. Each one of us has our own, I am sure. I have found it becomes more about HOW you say things, than WHAT things you are saying.

The following is an interview outline which you may refer to when wanting to make sure you have covered all you need to know. Sometimes all this won't be covered in one appointment. Sometimes, you won't need to ask half of these questions, because the survivor will volunteer the information. Sometimes you may need to take breaks because the survivor may get triggered, or mentally flustered or exhausted. But this is just one method to be utilized to obtain the necessary information you need/want in order to prepare an effective case at trial.

I believe this outline can also help advocates discuss these issues with survivors, to aid in developing a worthy and practical safety plan.

Please remember: there is not one correct way to do this- this is just a suggestion.

## Possible Interview Outline for Gathering Necessary Information

You will note the below sections have additional lines left blank. This is done on purpose, allowing constant additions by your own hand. This should be a fluid document.

### 1. Preparation for the interview

- a. Things you should already know.
  - i. Demographics
    1. Kids?
    2. Filed anything in court yet?
    3. Undocumented?
    4. English not first language?
    - 5.
  - ii. Issues of concern to Client
    1. Type of DV
    2. Protection
    3. Financial Support
    - 4.
- b. Remember your skills and tools:
  - i. Active Listening
  - ii. Validation
  - iii. Trauma informed communication
  - iv. Cultural responsiveness
  - v.
- c. Environment
  - i. Kleenex
  - ii. White Noise machine (?)

- iii. Lighting
- iv. Senses
  - 1. Music/noise
  - 2. Smells
  - 3. Comfortable seats
  - 4. Ability to fidget or take notes or doodle
  - 5. Water or other beverage available

v.

## 2. Beginning the interview

- a. Introductions
  - i. You
    - 1. Your role
      - a. I explain a little about my background
    - 2.
  - ii. Tough discussion and topics
    - 1. Breaks
    - 2. Need a beverage
    - 3. Triggers
    - 4.
- b. What They need to know
  - i. My ethics are important to me
    - 1.
  - ii. Responsibilities
    - 1. Me to them (currently)
      - a. Confidentiality
      - b. Competent advice
    - 2. Them to me (currently)
      - a. Honesty
- iii.
- c. Demographics
  - i. How long with this partner
    - 1. When to when
      - a. Prior separations
    - 2. Married?
    - 3. Partner's full name
      - a. DOB
  - ii. Kids
    - 1. DOB
    - 2. Living arrangement
    - 3. Visitation arrangement
    - 4.
  - iii. OP
    - 1. Where living
    - 2. DOB
    - 3. Living arrangement

## 3. What we want to discuss today (an overview)

- a. I see on your “intake papers/application/etc.” you wrote “X”, I would like to talk about that, but there are several other things I want to ask you, that may help me understand your situation even better.
- b. If you feel you need a break at any time, just let me know.

**4. Interactions between the parties**

- a. On a daily basis (or when you were living together), what was your relationship like?

- i. *Prompts:*

- 1. Ability to discuss issues
    - 2. Trust in each other
    - 3. Good judgment
    - 4. Disagreements
      - a. Consequences of disagreements

- ii. *Listen for:*

- 1. Balance of power
    - 2. Control
    - 3. Fear of danger
    - 4. Feeling unsafe
    - 5. Vulnerability
    - 6.

- b. Are you comfortable interacting with this person now?

- i. *Prompts:*

- 1. Are you ever alone together?
    - 2. When you do see them, is it in public?
    - 3. Do you communicate by phone/email/text?
    - 4. Do they request to see you often?
    - 5. What happens at these meetings usually?

- ii. *Listen for:*

- 1. Intimidation
    - 2. Humiliation
    - 3. Sabotage
    - 4. Dis/respect
    - 5. Entitlement
    - 6.

- c. What worries you most about interacting with them?

- i. *Prompts:*

- 1. Stressors?
      - a. Alcohol/drugs
      - b. Criminal activity
      - c. Money
    - 2. Physical violence?
    - 3. Physical/Mental Health issues?
    - 4.

- ii. *Listen for:*

- 1. Danger/fear of danger
    - 2. Predictability
    - 3. Dishonesty
    - 4. Surveillance

5. Volatility
6. Jealousy
7. Rage
- 8.

d. What fears or concerns do you have about interacting with them now?

e.

## 5. Physical Violence and Abuse

a. "We are hear to talk about your personal safety. Lets do that."

b. Has he ever used physical force or threatened physical against you?

i. *Prompts:*

1. Details?

- a. Choke/Strangle
- b. Burn
- c. Cut/poke/stab
- d. Punch/hit
- e. Push/grab/shake
- f. Scratch/pull hair
- g. Twist arm/ear
- h. Slap
- i. Kick/stomp
- j. Bite
- k. Spit on/urinate on
- l. Hold down/pin/restrain
- m. Kneel or stand upon
- n. Tie up/bind/gag
- o. Shave hair
- p. Withhold food/medication
- q. Disable medical equipment
- r.

2. In front of anyone?

- a. Kids
- b. Family
- c. Public
- d. At work
- e. Just in private
- f.

3. Frequency?

- a.
- b. And severity
- c.

ii. *Listen for:*

1. Risk of danger
2. Fear/dread
3. Trauma/anxiety
4. Hopelessness
5. Futility

6. Response to abuse
  - a. Fight
  - b. Flight
  - c. Freeze
7. Primary aggressor
8. Proportionality of force
9. Any wounds
- 10.
- c. What are his intentions when he acts like this?
  - i. Does he tell you why he does these things?
    1. *Listen for:*
      - a. Control
      - b. Intimidation
      - c. Manipulation
      - d. Entitlement/privilege
      - e. Power
      - f. Humiliation
      - g. Instability
      - h. Rule making
      - i. Mental Health
      - j. Anger??
        - i. Jealousy
        - ii. Other trigger?
      - k.
- d. What is the scariest thing he has ever done to you?
- e. Has he ever abused you sexually?
- f. What is the worst thing he has ever done to you?
  - i. *Listen for:*
    1. Potential lethality
    2. Recent escalation
    3. Demands for obedience
    4. Medical attention
    5. Calls to EMS
    - 6.
- g. Were the police every called:
  - i. *Listen for:*
    1. Arrests
    2. Convictions
    3. EPROs
    4. EPRO violations
    5. Hospital visits
    - 6.
- h. Did his treatment of you change or develop over time?
  - i. *Listen for:*
    1. Severity
    2. Frequency

3. Pre/post pregnancy
  4. Pre/post children
  5. Pre/post separation
  6. After unemployment
  - 7.
- i. Has it influenced other relationships in your life?
- i. *Prompts:*
    1. Kids
    2. Family
    3. Friends
    4. Work group
    5. Ability to communicate
    6. Parenting capacity
    7. Daily interactions
    - 8.
  - ii. *Listen for:*
    1. Isolation
    2. Manipulation
    3. Shame/guilt
    4. Hopelessness
    5. Healthy attachments
    6. Stability?
    - 7.

## 6. Survivor's Access to Life's Resources

- a. Do you have access to your own resources, that your partner is not in charge of?
  - i. Are you able to meet your basic needs for food, housing, healthcare, and transportation?
  - ii. If no:
    1. Finances
      - a. *Prompts:*
        - i. Do you work?
          1. If no, why?
        - ii. Do you have your own bank account?
          1. If no, why?
        - iii. Where do your earnings go?
        - iv. Who decides how to spend the money you earn?
    2. Transportation
      - a. *Prompts:*
        - i. Do you drive?
          1. If no :
            - a. Why not?
              - i. No license – Why?
              - ii. No car – Why?
          2. If yes:
            - a. Are you able to transport the kids safely?
            - b. Do you own the car?
            - c. Who owns his car?

3. Housing
  - a. *Prompts:*
    - i. Is where you are living now safe for you and the kids?
    - ii. Is there enough room?
    - iii. Is it temporary?
    - iv. Do you have to pay rent there?
      1. Who pays the rent?
4. Have any recent changes happened to your money, transportation, or housing situations recently?
  - a. *Prompts:*
    - i. Anyone lost a job?
    - ii. Anyone loose or inherit a lot of money?
    - iii. Move recently? Or have anyone move in with you?
- 5.
- iii. *Listen for:*
  1. In/Dependence
  2. Rulemaking control
  3. Control of financial support
  4. Lack of financial support
  5. Financial sabotage
  6. Isolation
  7. Child abuse/neglect/dependency
  8. Blackmail
  9. Forced criminal activity
    - a. Prostitution
    - b. Drug trafficking
    - c. Other
  - 10.

## 7. Children

- a. Tell me about your kids
  - i. What grades are they in
  - ii. How are they doing in school?
    1. (developmental delays may be due to exposure to DV)
    2. If concerned- look into ACES
- b. Concerns for their safety
  - i. *Prompts:*
    1. Do you have concerns for your children's safety?
      - a. *Listen for:*
        - i. Direct abuse:
          1. Physical
          2. Sexual
        - ii. Moral corruption
          1. Racism
          2. Sexism
          3. Criminal activity
          - 4.

2. What worries you most now that you are separated?
  - a. *Listen for:*
    - i. Children as pawns/messengers
    - ii. Post-separation violence
      1. To her or kids
    - iii. Intimidation
    - iv. Trauma/terror
    - v. Denial of kids' needs
      1. Physical needs (food/clean clothes/hygiene/ etc)
      2. Emotional needs
      3. Mistreatment of these needs
    - vi. Lack of attentiveness to kids
    - vii. Kids treated as pets/property
    - viii.
3. Has visitation been happening? Have you been able to co-parent?
  - a. *Additional prompts:*
    - i. Safe exchanges?
    - ii. Safety plan?
    - iii. His parenting skills
    - iv. Division of duties
    - v.
  - b. What are things like between the 2 of you when related to the kids?
    - i. *Additional prompts:*
      1. Able to make joint decisions?
      2. Parental involvement
      3. Common values
      4. Trust parental judgment
      5. Nurture the development of the kids
      - 6.
  - c. *Listen for:*
    - i. Erratic behaviors
    - ii. Inconsistent parenting style
    - iii. Lack of empathy/emotion towards kids
    - iv. Denial of kids' feelings
    - v. Boundary violations
    - vi. Instability
    - vii. Manipulation
    - viii. Harassing behaviors
    - ix.
4. Has he ever used the kids or threatened to use them to control or manipulate you?
  - a. *Prompts:*
    - i. Has he called CPS against you?
      1. Have you called CPS against him?
    - ii. Has he threatened to separate you from your kids
      1. Taking them
      2. Deportation



- 3. Having you evicted
- iii. Does he undermine your authority with the kids?
- iv. Does he treat you poorly in front of kids and allows them to treat you poorly?
- b. *Listen for:*
  - i. His needs over kids' needs
  - ii. Lack of empathy for the kids
  - iii. Drawing kids into abuse
  - iv. Punishing kids for being kids
  - v. Using kids as messengers or informants
  - vi. Using the kids as weapons
  - vii.
- c. How are your kids doing now?
  - i. *Prompts:*
    - 1. Since the separation, any changes in their behaviors?
    - 2. Any difference in their schooling?
  - ii. *Listen for:*
    - 1. Kids are acting out more
    - 2. Kids are using violence
    - 3. Kids are anti-social or clingy
    - 4. Inappropriate behaviors for their age
    - 5. Changes in social life

## 8. Coercive Control

- a. (This is where I will often hand the client a copy of the power and control wheel, and go through it with them discussing each topic.
  - i. Often times using this tool, the client will recall things that she never would have thought to tell me.
  - ii. Also, by the end of the wheel, the client often feels a sense of understanding that is not just her. She is not alone. This is what is happening to others all over the globe. She just needs to catalyze change. She is doing that now, by having this conversation with me.)



- b. Go through wheel with the client
- i. (I like to end with Intimidation because it is a good segue into lethality, so I personally start at)
  - ii. Read the items out loud, or let the client read them to themselves, and ask the questions:  
**Prompt: Does he do any of these things? What has he said or done specifically?**  
**Listen for the factual stories the court can/may use to legally protect the survivor, and note them.**
  - iii. Using Emotional Abuse:
    1. Constant putdowns
    2. Making her feel bad about herself

3. Name calling
4. Making her think she is crazy
  - a. ie: moving the keys or phone; turning up the heat; turning off the stove, etc.
5. Playing mind games
6. Humiliating her in private OR public
7. Shaming her
- 8.
- iv. Using Isolation
  1. Controlling who she sees and communicates with
  2. Controlling where she goes
  3. Controlling what she reads/watches on TV/on the computer
  4. Limits her outside interactions
  5. Often uses jealousy as justification
  - 6.
- v. Minimizing, Denying, and Blaming
  1. Not taking her concerns seriously
  2. Joking about the abuse
  3. No validity/accountability
  4. Saying it didn't happen
  5. Saying it wasn't that bad
  6. Shifting responsibility for his behavior
  7. Saying she caused it
  - 8.
- vi. Using the Children
  1. Using the kids to make her feel guilty
  2. Using the children as messengers
  3. Using visitation time/exchanges to harass her
  4. Threatening to take the children away
  5. Threatening to separate the children and her
  6. Coaching the children to act a certain way or demand certain things
  - 7.
- vii. Using Male Privilege
  1. Making all the big decisions
  2. She is "just a woman"
  3. Treating her like a servant
    - a. Acting like "master of the castle"
  4. Making all the rules
    - a. Defining men's role and women's roles
  5. Double standards
  - 6.
- viii. Using Economic Abuse
  1. Preventing her from getting a job
  2. Preventing her from keeping a job
  3. Making her ask him for money
  4. Making her ask others for money
  5. Giving her an allowance

- a. Only giving her a specified amount for groceries
    - b.
  - 6. Taking her earned income
  - 7. Not allowing her access to the family bank account
  - 8. Not allowing her access to her own bank account
  - 9. Forcing her to spend her cash-aid on “incorrect” items
  - 10.
- ix. Using Coercion and Threats
  - 1. Making threats to hurt her
    - a. And carrying them out
  - 2. Threatening to leave her
  - 3. Threatening to commit suicide
  - 4. Threatening to kill her or the kids
  - 5. Threatening to take the kids away
  - 6. Threatening immigration consequences
  - 7. Threatening CPS
  - 8. Threatening to call the police
  - 9. Threatening to make her 5150
  - 10. Threatening to report her to welfare
  - 11. Threatening to have her evicted
  - 12. Threatening to make her do illegal things
  - 13. Threatening to tell the police she has been doing illegal things
  - 14. Threatening her to drop the charges/DVRO/Court request
  - 15.
- x. Using intimidation
  - 1. Certain Looks/Actions that have meaning to her
  - 2. Certain Gestures he will do that have meaning to her
  - 3. Breaking things
  - 4. Punching walls
  - 5. Kicking doors
  - 6. Breaking windows
  - 7. Destroying stuff (her stuff?)
  - 8. Abusing the pets
  - 9. Displaying weapons
  - 10.

Remember. ***Listen for the factual stories the court can/may use to legally protect the survivor, and note them. The survivor may not always remember immediately unless they are reminded.***

## 9. Threats /lethality factors

- a. I look at this part of the conversation as a duty I owe to the person I am speaking with, as well as perhaps a duty to my community. Lethality is scary, and the statistics behind the lethality factors are scary too.
  - i. Threats or ANY-cide
  - ii. Gun availability
  - iii. Strangulation
  - iv. Stalking

- b. I will inform my client of the issues I have heard that fall into these categories, as well as the other (hopefully) non applicable categories, and discuss with them how the factor that any or multiple of these issues are present immediately increases the risk of harm and death.
- c.

## 10. Closing the interview

- a. After gathering all this information, you assess the risk factors:
  - i. Access to firearms
  - ii. Strangulation
  - iii. Threats to kill
    - 1. Threats of suicide
    - 2. Threats to use a firearm
  - iv. Stalking
  - v. Forced Sex
  - vi. Recent Separation
  - vii. Increase in Severity
  - viii. Loss of Employment
  - ix. Illegal drug use
  - x. Alcohol dependency
  - xi. Assault during pregnancy
  - xii. Threat to harm children
  - xiii. Serious Mental illness
  - xiv. Control of daily activities
  - xv. Violent and/or constant jealousy
  - xvi. Belief in the capacity to kill
  - xvii.
- b. What are the immediate concerns and the action plan?
  - i. Immediate Safety Concerns:
  - ii. Immediate Economic concerns:
  - iii. Immediate Parenting concerns:
  - iv. Long Term Concerns:
  - v. Other Concerns:

## 11. Following up

- a. What are you going to do?
- b. What is the client going to do?

What is to be done next? Don't let the client leave without a next step, or all of this would have been in vain.

Perhaps it is, "Call me back after you have filed your paperwork."

Perhaps it is giving the client resources such as the DV organizations in the Community, or how to contact the self help center.

But, perhaps the best thing is to arrange the preparation of the forms, including their review and signature by the client, to obtain legal protection. (As well as a Pro Bono Project Volunteer Representation Agreement 😊)

I hope at least parts of this outline have been helpful.

I can be reached at [rmckenzie@probonoproject.org](mailto:rmckenzie@probonoproject.org)

Be well.

## Op Ed: Having Humanity While Working With DV survivors

For many of us who interview survivors of domestic violence on a regular basis, we have a “script” that we follow, or perhaps more of an outline, to make sure we glean from this person in front of us, enough of the necessary information to make a competent decision regarding their case.

We discuss the personal interactions between the couple, the children and the family, any access to resources the survivor is lacking, custody, visitation and other issues surrounding children, power and coercive control (often using the power and control wheel), physical abuse and strangulation, firearms, staking, threats of ANY-cide, sexual abuse or sexual assault.

All these topics are very personal, very emotional, and very triggering, especially to the teller. As practitioners, I find some of us forget that sometimes. Just as bias should be consciously always in the forefront of your mind, to make sure you are addressing it, so should the humanity you need to feel and express to put this person telling you their story more at ease. By humanity, I mean one should do more than just employ all those communications skills we have learned (such as active listening, confidence, friendliness, using statements like “I hear you saying...”), but also communicating as an empathetic respectful person- validating, being trauma informed, being culturally responsive, and simply building rapport with this person. Language barrier be damned! It CAN be done through an interpreter.

Letting this person know they are not alone, that none of this is their fault, and the other party may have done this to others in the past (as they often times do) is a way to build that rapport, to build the necessary trust you will need to gain to have this survivor *want* to tell you the often-times gruesome things they have to divulge that were committed against them. Validating what they say, letting them know that those actions committed against them, those things that make them feel like they are losing their mind, those are ways they are being manipulated by the partner – and, quite frankly, this happens to many other people. As well, letting them know that, “Yes – he quite possibly could be stalking you, you are not imagining it,” is enough to allow this person to open up.

Often times, the survivor has had no one to speak with, out of fear, out of isolation, out of language barrier, etc. And when they did speak, perhaps it was to the wrong person, someone who did not follow up, someone who did not know what to do. Thus, when this survivor realizes you actually want to hear what they have to say, and are going to provide assistance in fixing this horrible situation, and help them to be able to move on in their life - possibly to blossom and grow – that can be a powerful thing for them. Even if you aren’t going to represent the survivor, perhaps just prepare them for their court hearing, you are still empowering them to face their monster, to move forward in life, and to be healthier and better, and be able to do better by their children.

Choose respect and open communication, validation and personalization. Choose to actively help.

Thanks for reading.