



Legal Assistance for Crime Victims

An OVC Training and Technical Assistance Initiative

Effective Legal Representation of Child Victims

What Every Lawyer Should Know
About the Impact of Trauma

*Presented in collaboration with the
National Crime Victim Law Institute*



The Office for Victims of Crime's Legal Assistance for Crime Victims Initiative is a comprehensive, capacity-building effort to expand the availability of pro bono/no-cost legal assistance for victims of crime. The initiative aims to ensure that all victims of crime have access to quality representation on legal issues that can arise following victimization.

Through this effort, OVC TTAC and the National Crime Victim Law Institute (NCVLI) are working collaboratively to offer training and technical assistance for attorneys, particularly those currently providing legal assistance to victims.

This presentation was produced as part of a collaboration between OVC TTAC and NCVLI, with funding from the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this presentation are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.



How to Ask Questions:

- A brief survey will follow the webinar, please provide feedback
- You are muted but you can ask questions & participate – and we hope that you do
- You will receive an email with the PowerPoint slides
- www.GoToWebinar.com
- 1-800-263-6317



Presenters



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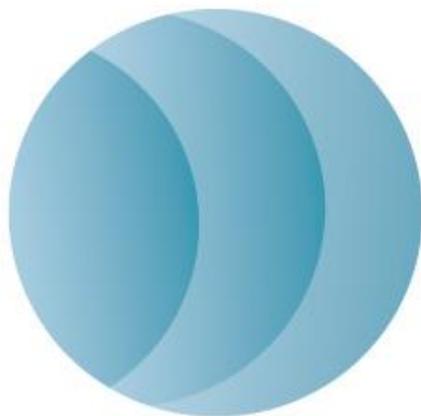
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**NATIONAL CRIME
VICTIM LAW INSTITUTE**

Mission: To actively promote balance and fairness in the justice system through crime victim-centered legal advocacy, education, and resource-sharing



POLL # 1



POLL # 2

Learning Objectives

After participating in this webinar, you will be able to:

- Identify key systems child victims must often navigate
- Articulate why a basic understanding of trauma is necessary for effective representation of child victims
- Recognize key impacts of trauma on child victims

An understanding of the impact of trauma on the brain is beneficial, as it:

- Helps practitioners feel comfortable talking about the brain & normalizing their clients' experience
- Further justifies the importance of giving victims a voice throughout the process of healing

Examples of Multiple Systems

Child victims may interact with a number of different legal proceedings/ systems, including:

Protective Orders

Immigration Proceedings

Indian Law Implications

Education Implications

Civil Suits for Damages

**Divorce/Custody
Proceedings**

Dependency Proceedings

**Juvenile or Criminal
Proceedings**

Tribal Court Proceedings



This can be overwhelming . . .

How can we make it easier?



**A basic understanding of the impact of trauma
can help lawyers better and more effectively
communicate with and represent
child victim clients**

Let's Focus on Trauma and Development



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The Impact of Trauma on Child Victims

Trauma:

- Physical, cognitive, and emotional response to events and situations that are distressing and overwhelm a person's existing or previous coping mechanisms
- Your subjective experience (not the facts/event) determine whether an event is traumatic

Victimization vs. Traumatization



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Many types of victimizations may be humiliating, degrading, stigmatizing and painful but do not create an internal sense of terror or a threat to bodily integrity and the person did not experience a sense of helplessness and powerlessness associated with traumatic stress

Important Information About Trauma Survivors



- Traumatic events happen to competent, healthy, strong, good people. No one can completely protect themselves from traumatic experiences
- Having symptoms after a traumatic event is not a sign of personal weakness
- By understanding trauma symptoms better, a person can become less fearful of them and better able to manage them

(Adapted from a National Center for PTSD fact sheet)

Cognitive Development: *An Overview*

Four Primary Stages of Development:

- Sensorimotor
- Preoperational
- Concrete Operational
- Formal Operational



Summary of Piaget's Stages



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Sensorimotor Stage

The infant constructs an understanding of the world by coordinating sensory experiences with physical actions. An infant progresses from reflexive, instinctual action at birth to the beginning of symbolic thought toward the end of the stage.

Birth to 2 Years of Age

Preoperational Stage

The child begins to represent the world with words and images. These words and images reflect increased symbolic thinking and go beyond the connection of sensory information and physical action.

2 to 7 Years of Age

Concrete Operational Stage

The child can now reason logically about concrete events and classify objects into different sets.

7 to 11 Years of Age

Formal Operational Stage

The adolescent reasons in more abstract, idealistic, and logical ways.

*11 Years of Age
through Adulthood*

Brain Development



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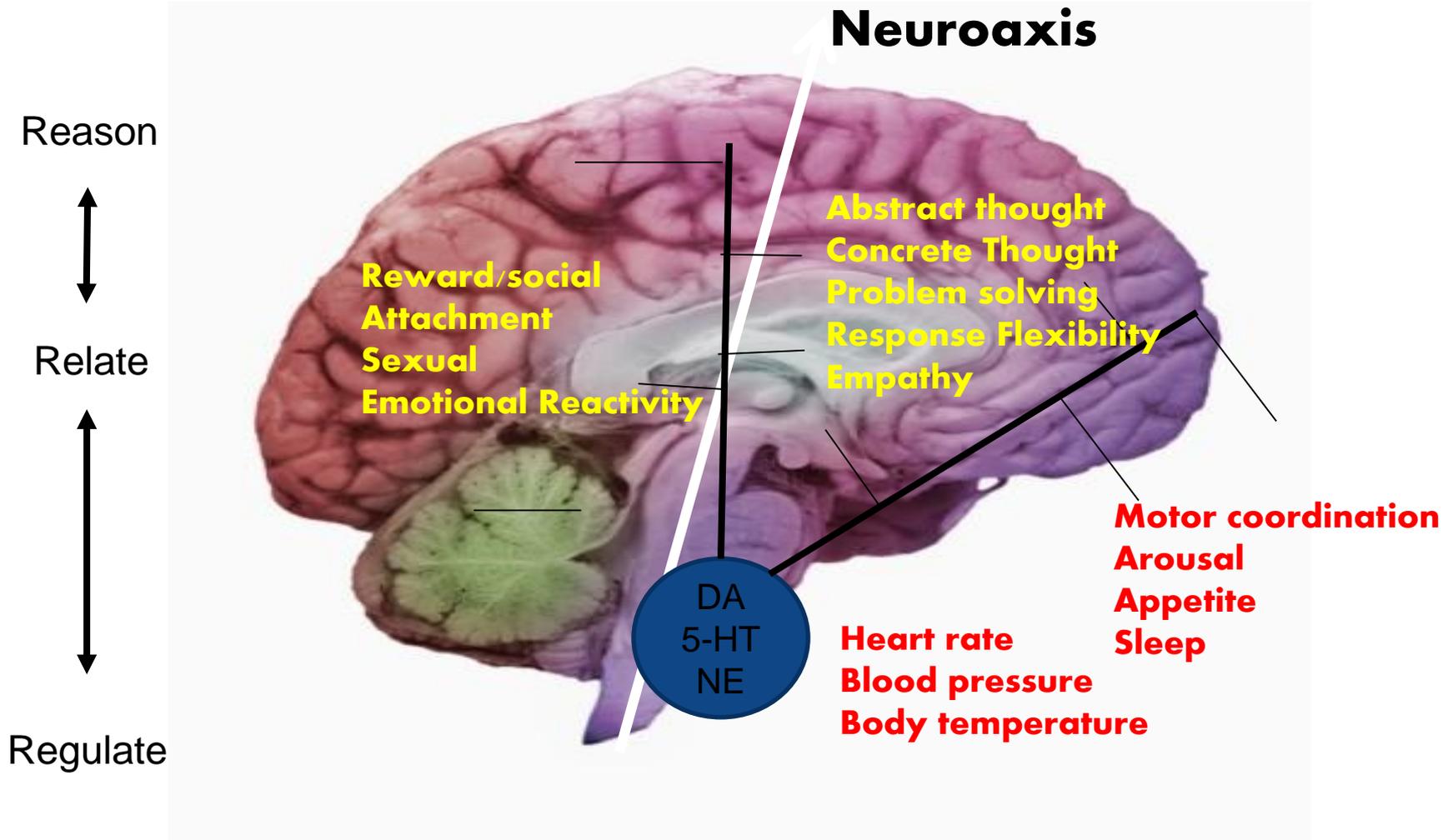
- The brain develops in a sequential, hierarchical manner from the bottom to the top and right side to left
- Higher, more complex functions depend upon the structure and organization of lower, simpler functions
- Higher brain regions develop the capacity to monitor and influence lower brain regions. This allows a person to integrate sensory information, with emotional and cognitive information and choose how to respond.

Sequential Development



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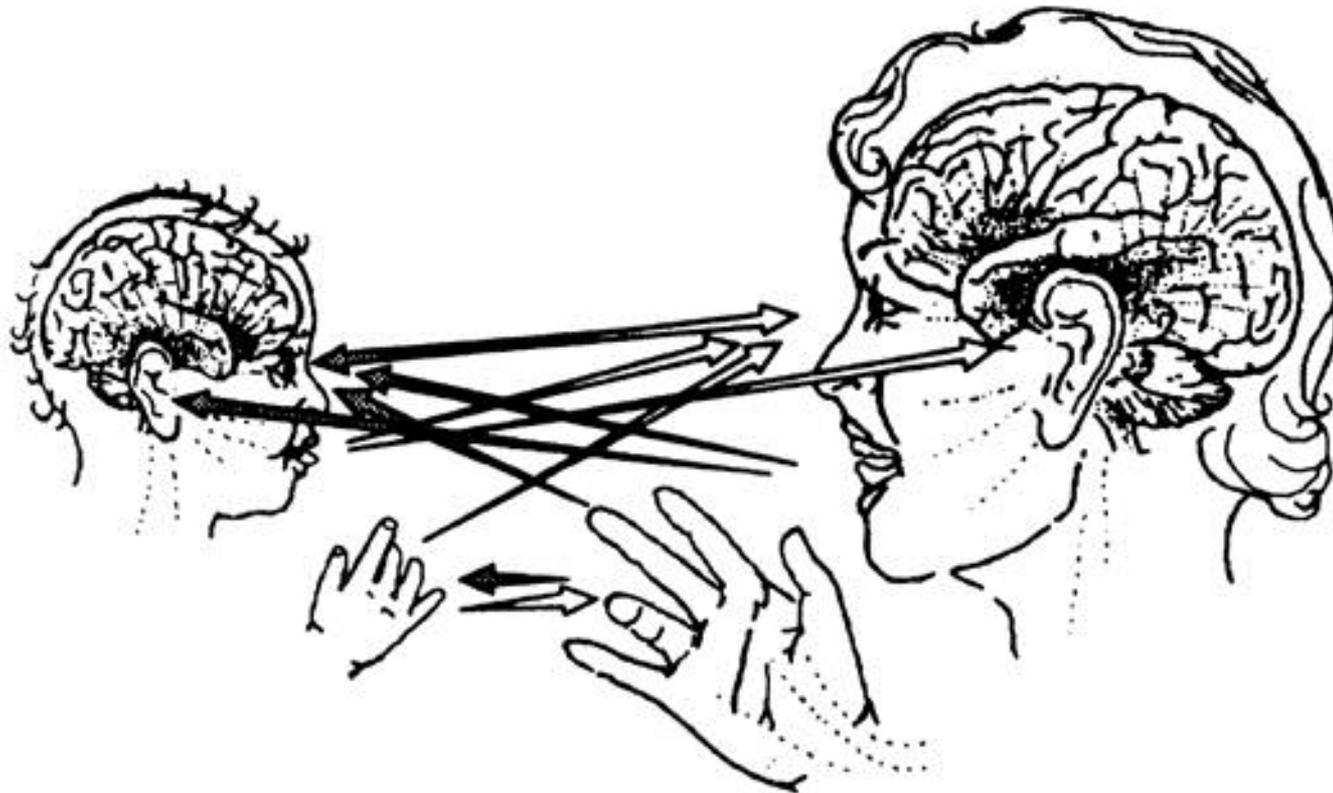


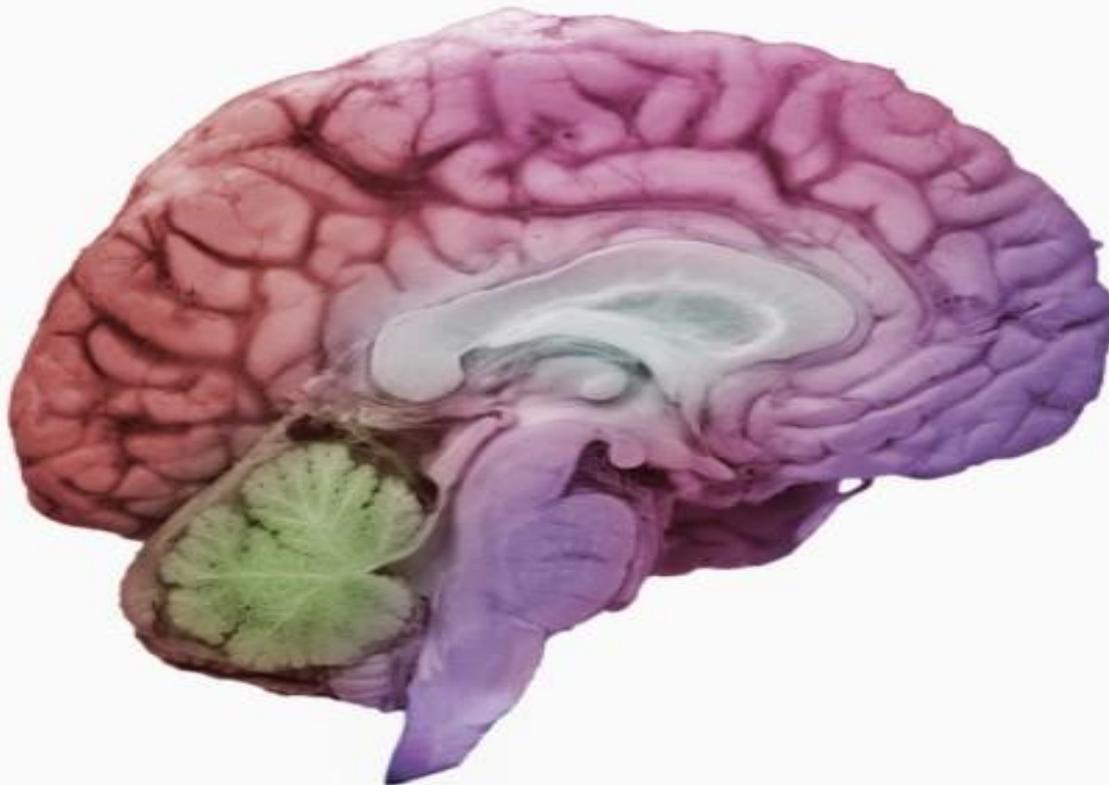
FIGURE 1. Brain–brain interactions during face-to-face communications of proto-conversation, mediated by eye-to-eye orientations, vocalizations, hand gestures, and movements of the arms and head, all acting in coordination to express interpersonal awareness and emotions. Adapted from Aitken & Trevarthen (1993) and used with permission of Cambridge University Press.

Cortical Inhibition



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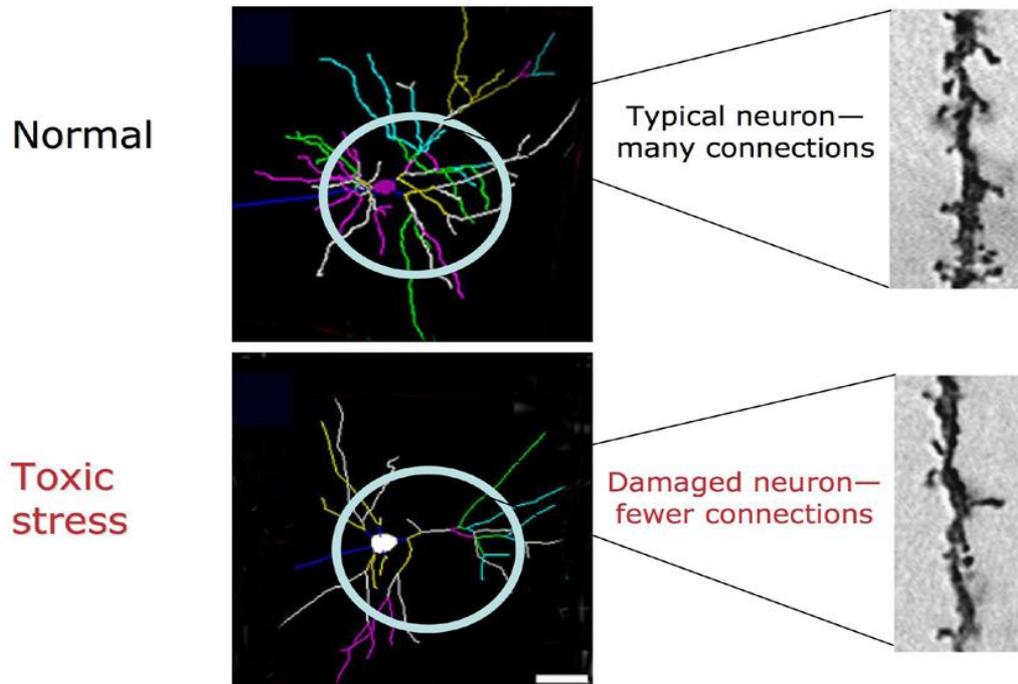


There is an inverse relationship between the activation of higher cortical functioning and activation of our subcortical stress response system



Center on the Developing Child
HARVARD UNIVERSITY

Persistent Stress Changes Brain Architecture



Prefrontal Cortex and
Hippocampus

Sources: Radley et al. (2004)

Bock et al. (2005)

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The Impact of Trauma

Exposure to trauma results in:

- A more sensitive amygdala
 - Hyper-sensitivity to seemingly innocuous stimulus

Or

- You're startled easily



The Impact of Trauma



When is a bang more than just a loud noise?

When you can't put it in context!



Fear and Anxiety Affect the Brain Architecture of Learning and Memory

Corpus Callosum

Information super highway

PREFRONTAL CORTEX

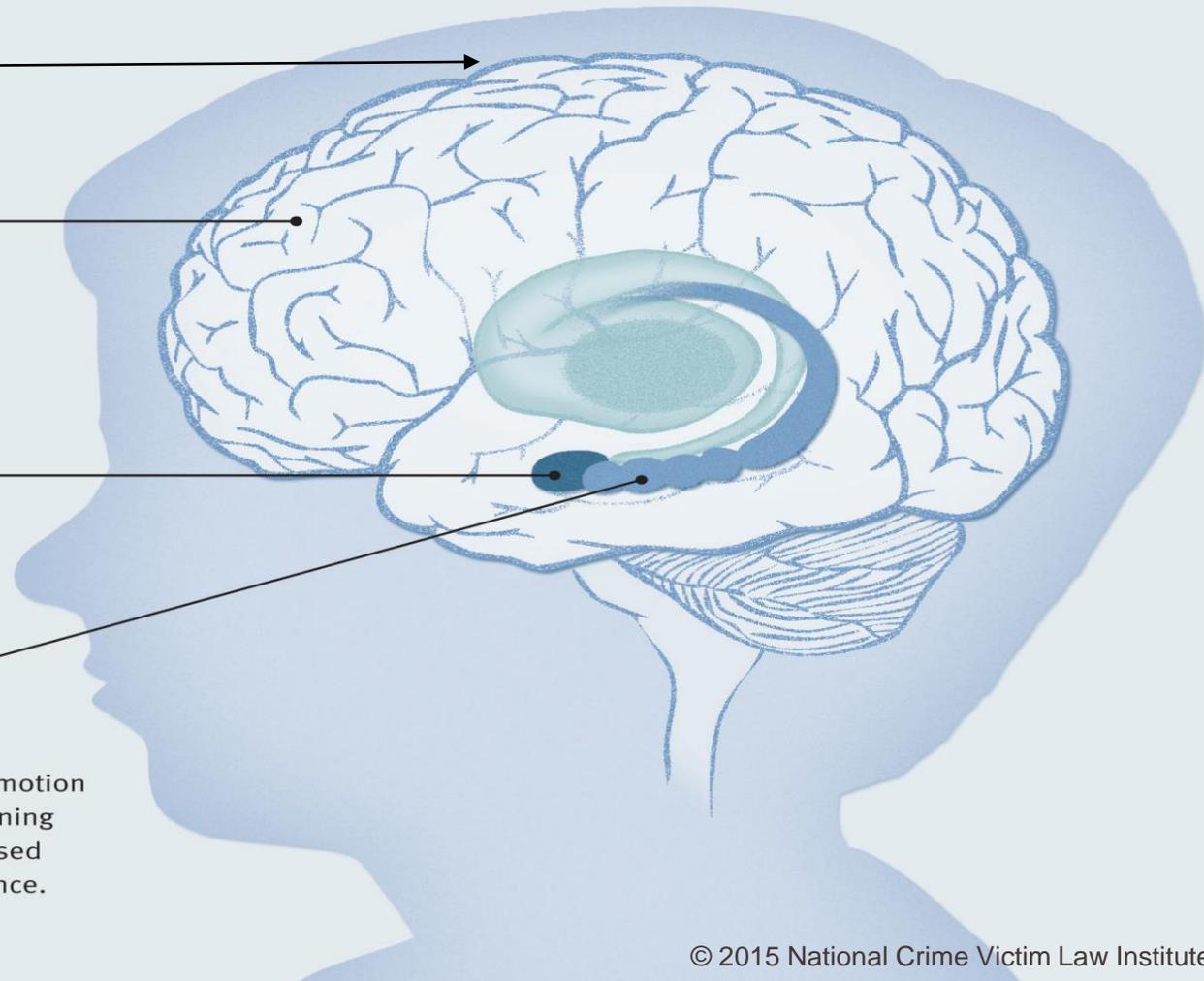
Center of executive functions; regulates thought, emotions, and actions. Especially vulnerable to elevation of brain chemicals caused by stress. Matures later in childhood.

AMYGDALA

Triggers emotional responses; detects whether a stimulus is threatening. Elevated cortisol levels caused by stress can affect activity. Matures in early years of life.

HIPPOCAMPUS

Center of short-term memory; connects emotion of fear to the context in which the threatening event occurs. Elevated cortisol levels caused by stress can affect growth and performance. Matures in early years of life.



Mechanisms of Transgenerational Transmission



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Genetic- 22,500 genes

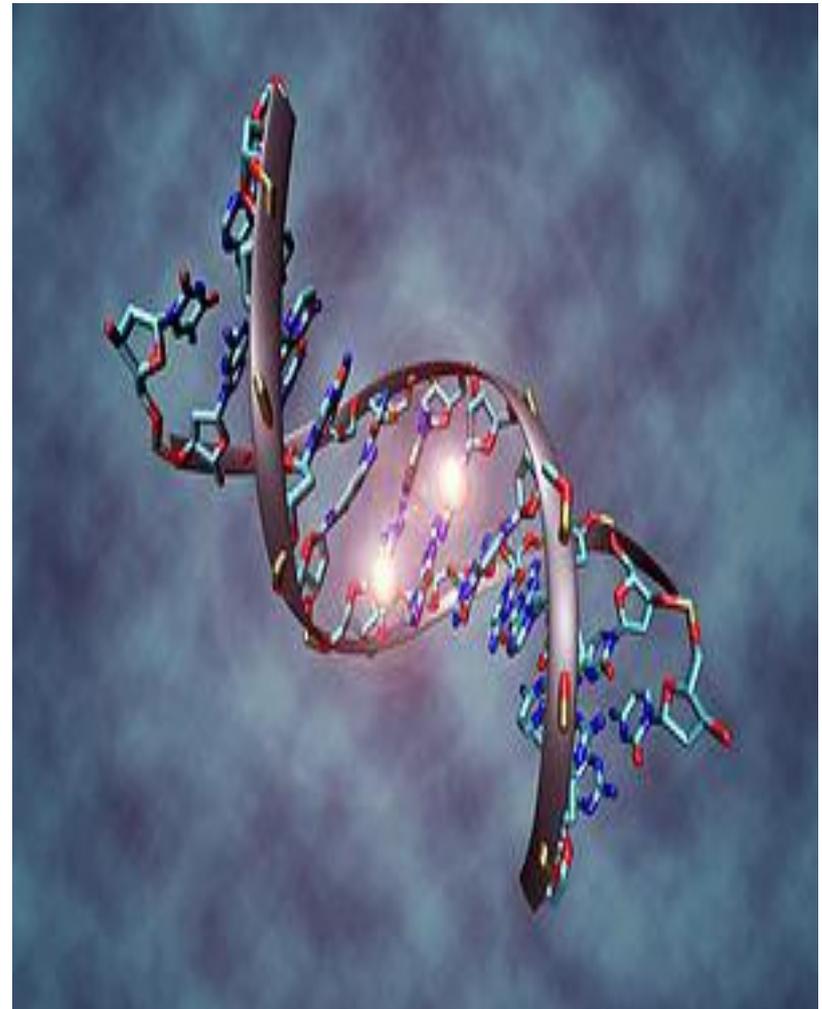
- DNA

Epigenetic

- Histones (CH3)- methylation

Intrauterine Environment

- Stress
- Toxins
- Nutrition
- Health



Mechanisms of Transgenerational Transmission



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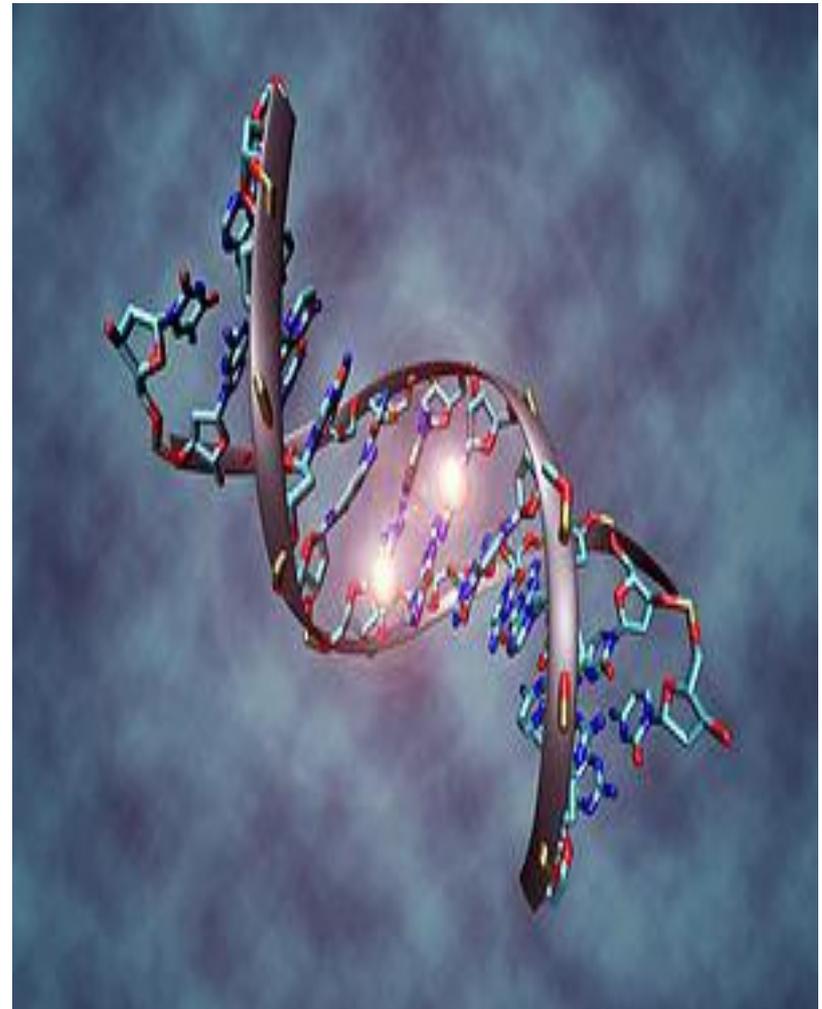
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Perinatal experiences

- Bonding and attachment
- Environmental

Postnatal

- Family
- Community
- Culture

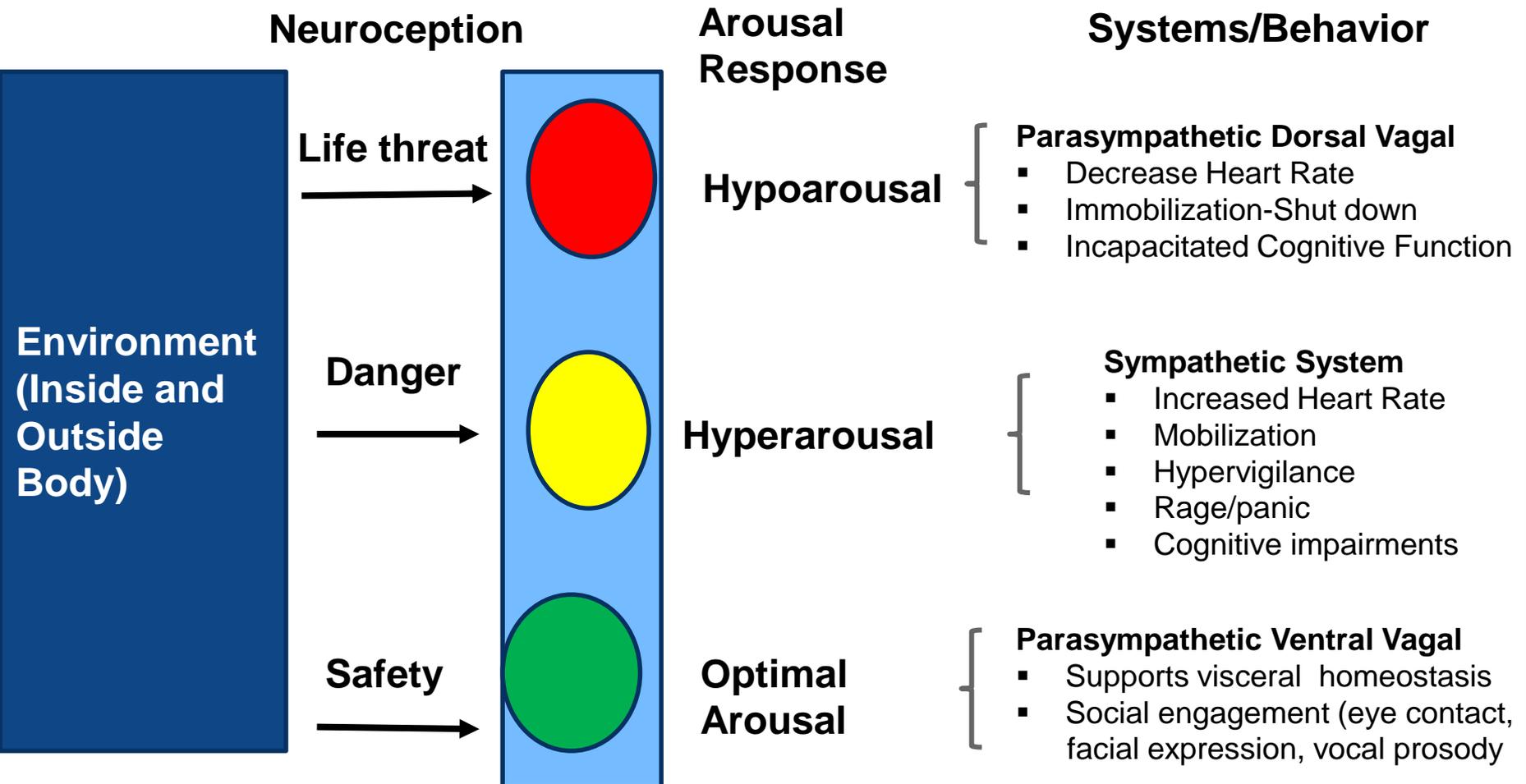


The Neurobiology of Trauma

Exposure to trauma results in:

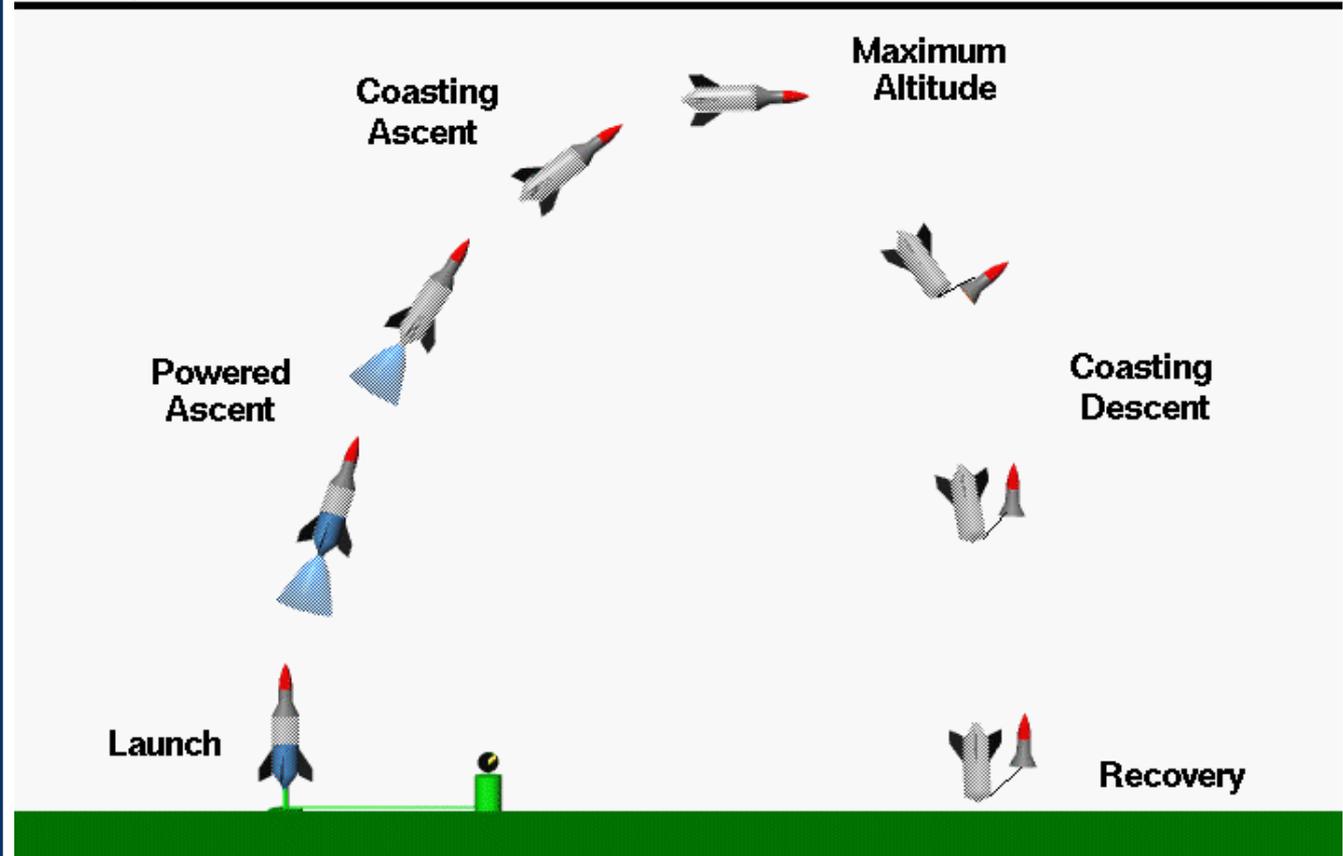
- A neural network that leads to an automatic response to perceived threat
- This response may make one feel like s/he's "going crazy," when it's just the reality of the impact of trauma on the brain
- It can also result in a neural network that defends against any vulnerable emotions by either shutting down or dissociating

Regulatory Strategies





Flight of a Water Rocket



Developmental Trajectory

The consequences of victimization are dynamic and not static because the impact of early development insults influences the expression of more complex functions during later stages of life.

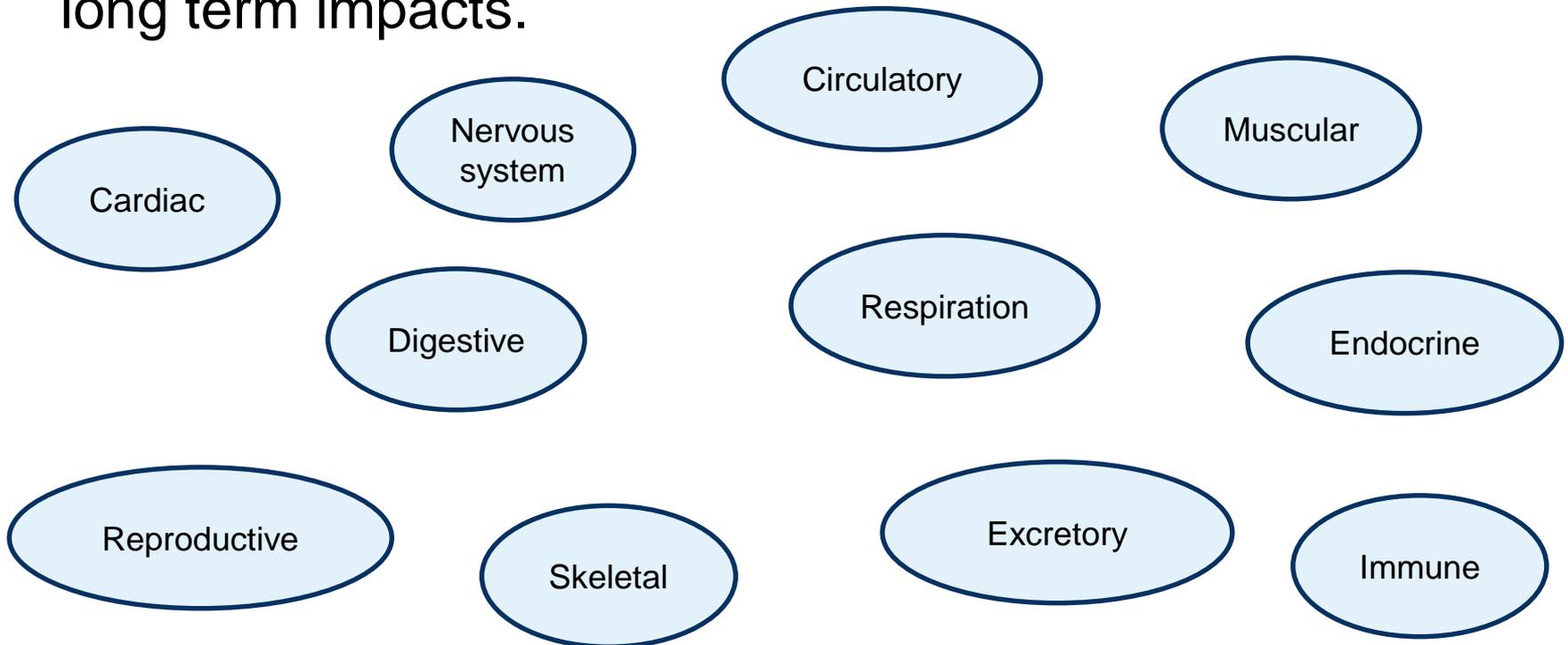
Trauma vs. Complex Trauma

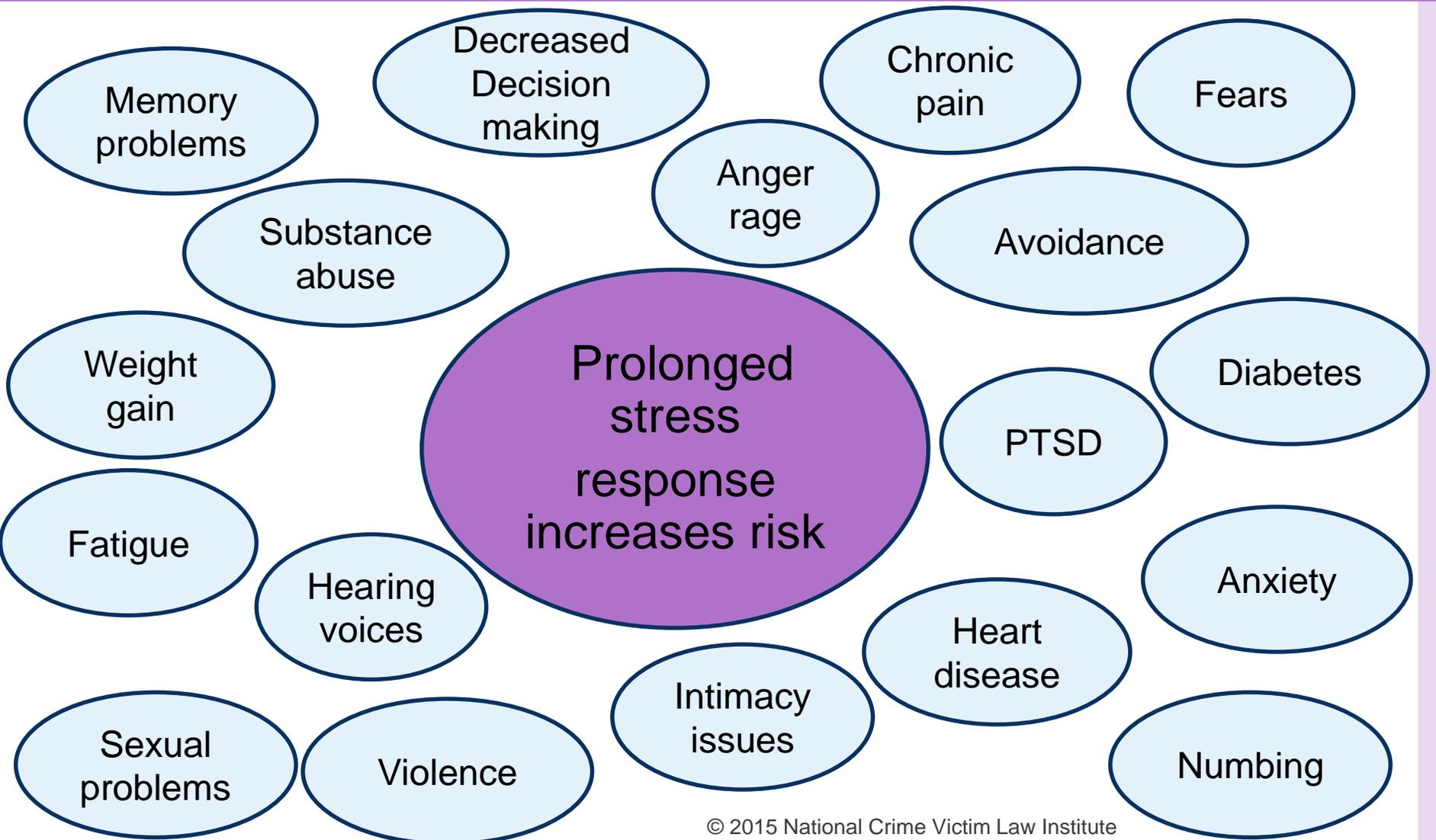
Isolated traumatic events tend to produce a conditioned, biological response to cues associated with the memory of that event.

Trauma in children: Youth who grow up experiencing chronic maltreatment and then are the victims of an isolated adverse experience, such as a sexual or physical assault, the victimizing experience has a more pervasive effect on their development.

Long-Term Consequences

Humans have a way of associating many things with actual danger and then activating powerful protective systems. After many repetitions a habit is created that has profound long term impacts.





Healing From Trauma



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The brain's ability to change in response to internal and external stimuli is called:
Neuroplasticity

Our ability to express our potential is influenced by our genetic capacity, which is either expressed or inhibited by our experiences, both internal and external.

Implications for Legal System



The reality of changing stories:

- Due to the way the brain stores emotionally charged memories, stories will change over time
- A victim who has her/his own attorney will have a safe place to consistently express their story without ramification
- The attorney must strive to protect the child from re-traumatization



The culture of silence versus the importance of integrating the story of trauma:

- Healing trauma comes not just from having a voice but from integrating the story
- Victims' rights, including the right to be present and the right to be heard, are crucial in helping victims integrate the story of the trauma, and heal

Implications for Representing child victims



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Communicating with a child victims often requires different techniques and strategies

Next webinar:

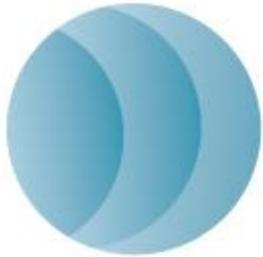
**In-depth discussion of strategies for effectively communicating with
child victims who
have experienced trauma**

Questions?



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Final Thoughts

- Completion Code: [2015CVTRAUMA](#)
- A brief survey

Special Thanks



NCVLI gratefully acknowledges Dr. Jerry Yager for participating as a guest presenter in today's webinar and for creating some of the slide content displayed during this webinar.

NCVLI also gratefully acknowledges Dr. Chris Wilson, who created some of the slide content displayed during this webinar.

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