

# Trauma-Informed Interviewing with Workers & Victims of Labor Violations

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**Rutgers Workplace Justice Lab**

# Today's Agenda

- I. What is Trauma?  
& Common Trauma Responses That Victims  
of Labor Violations May Experience**
  - II. Trauma-Informed Interviewing Techniques  
& Best Practices**
  - III. Overview of Trauma Exposure Responses  
(Secondary or Vicarious Trauma)  
& Prevention Strategies**
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# I. What is Trauma?

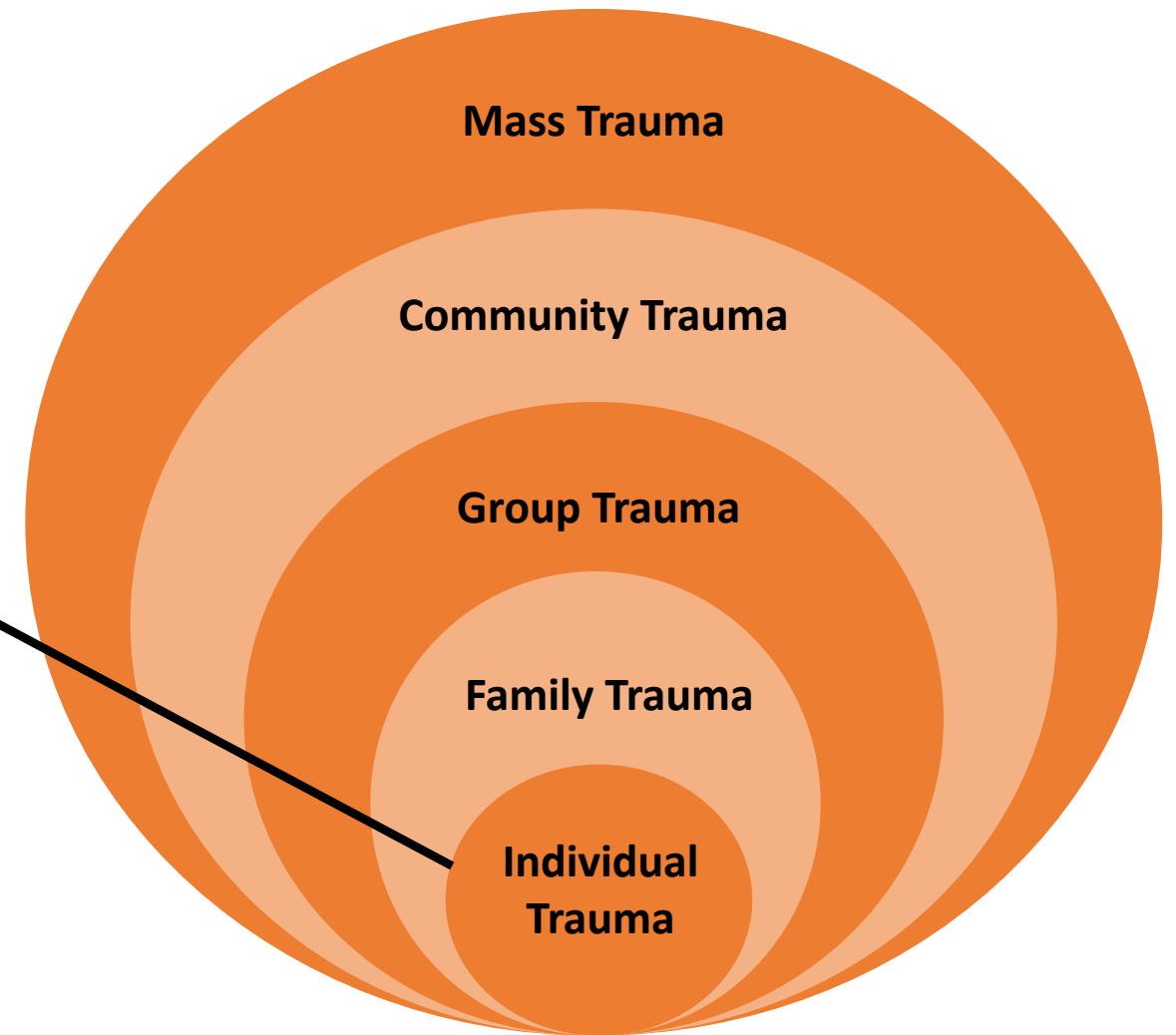


## Definition of Trauma:

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**Individual trauma** results from an event, series of events, or a set of circumstances that an individual experiences as physically or emotionally harmful or life threatening and that may have lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being.

Trauma is a "normal human response to abnormal events"





# Sources of Trauma for Victims of Labor Standards Violations

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- **Labor standards violations themselves**
  - Retaliatory termination
  - Being denied sick leave during the pandemic
  - Being paid less than what they are owed
- **Other Workplace Violations**
  - Discrimination
  - Sexual Harassment
- **Traumatic experiences with the government in a worker's home country**
- **Fear of ICE/Deportation / having their documents withheld**



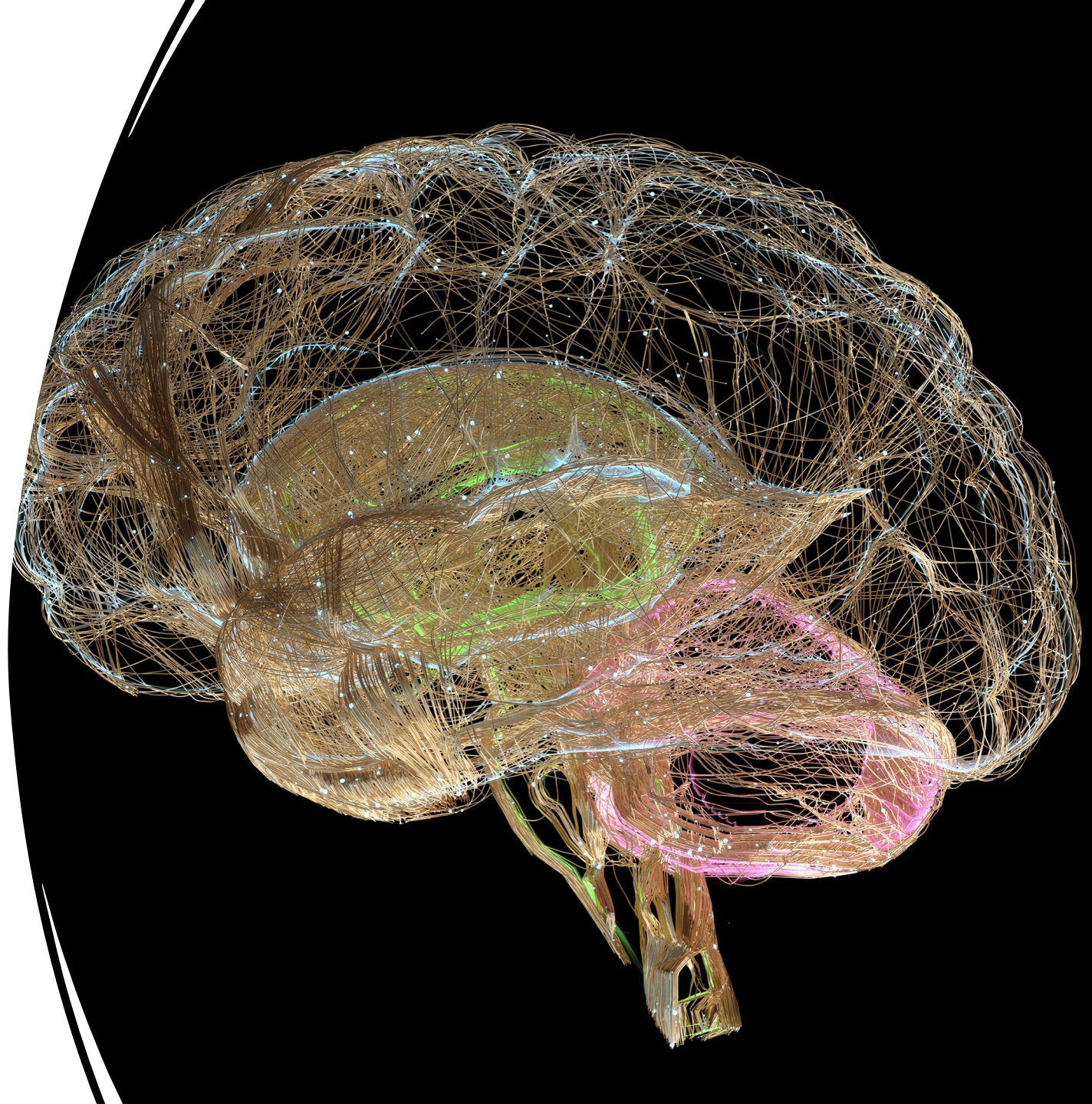
# Impact of Trauma on the Brain

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Traumatic events activates the **fight, flight, freeze response** in reptilian part of brain to get you in “survival mode.” This helps keep humans safe by shutting down thinking in the brain’s pre-frontal cortex and rely on the amygdala. The body also activates hormones (including cortisol and adrenaline) to prepare victims to respond to the traumatic event and avoid danger.

To learn more, check out these videos:

- [Trauma and the Brain](#)
- [How Trauma and PTSD Affect the Brain from “Therapy in a Nutshell”](#)



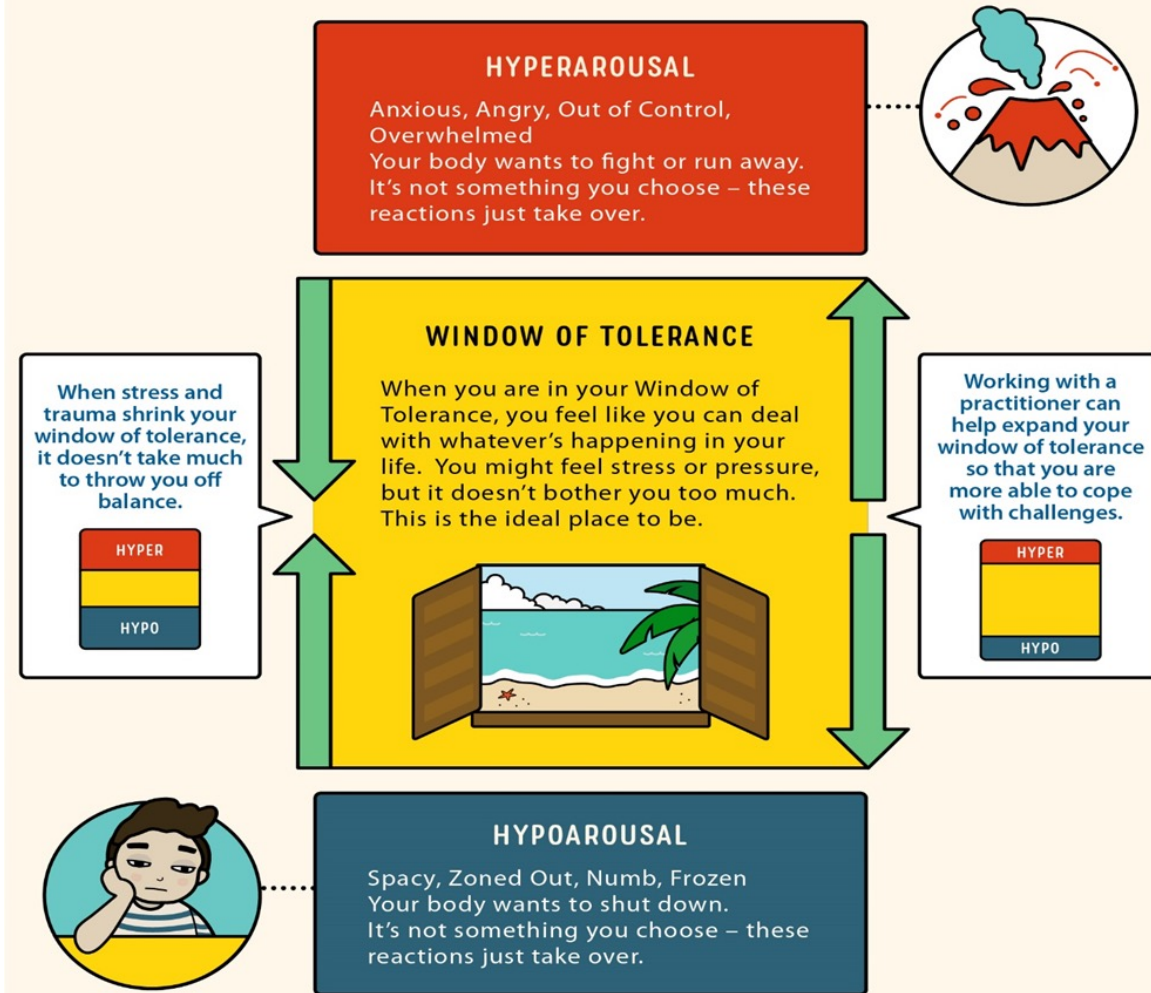
# Impact of Trauma on Victims

Emotional	Behavioral	Physical	Developmental	Cognitive	Intrapersonal	Spiritual
<ul style="list-style-type: none"> <li>• Difficulty regulation emotions</li> <li>• Emotional numbness</li> <li>• Depression and Anxiety</li> <li>• Post Traumatic Stress Disorder (“PTSD”) / Complex PTSD after multiple traumas</li> </ul>	<ul style="list-style-type: none"> <li>• Avoidance of people, places, and situations</li> <li>• Self destructive behaviors</li> <li>• Substance Abuse (self medication)</li> </ul>	<ul style="list-style-type: none"> <li>• Headaches, high blood pressure, fatigue, muscle tension</li> <li>• Hyperarousal and increased startle response</li> <li>• Insomnia</li> <li>• Digestive Issues</li> </ul>	<ul style="list-style-type: none"> <li>• Changes may occur in brain development</li> </ul> <p><i>Note: children and elderly at greatest risk</i></p>	<ul style="list-style-type: none"> <li>• Impaired short-term memory</li> <li>• Dissociation</li> <li>• Flashbacks or re-experiencing event</li> <li>• Decreased focus and concentration</li> <li>• Feelings of alienation or shame</li> </ul>	<ul style="list-style-type: none"> <li>• Withdrawal from family, friends, community</li> <li>• Difficulty trusting others</li> </ul>	<ul style="list-style-type: none"> <li>• Feelings of abandonment and loss of faith</li> <li>• Over time, increased appreciation of life or enhanced spiritual wellbeing</li> </ul>

From Substance Abuse and Mental Health Services Administration (SAMSHA), “Practical Guide for Implementing a Trauma-Informed Approach” (2023)



# How Trauma Can Affect Your Window Of Tolerance



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## How Trauma Responses May Show Up For Victims of Labor Violations

- **Trouble remembering what happened in detail or chronological order**
- **Disproportionate focus on non-traumatic details related to the event**
- **Flashbacks and re-experiencing events**, including nightmares and sleep disruptions
- **Demonstrative emotional responses** e.g. crying, yelling, stoicism, mood fluctuation, etc
- **Hypervigilance** - feeling on guard and alert all the time, heightened startle response
- **Avoidance** of meetings or conversations because it is related to the violation/discrimination
- **Difficulty making decisions** or sorting through consequences, e.g. of reporting violations
- **Wariness and distrust**, especially of those with power
- **Heightened protectiveness**, e.g. with IDs, documentation, money, etc.
- **Hopelessness** about outcomes your office may be pursuing

## II. Trauma-Informed Interviewing & Techniques



## Tenets of Trauma-Informed Investigations:

A strategy for providing services, when a program, organization, or system...

...**Realizes** the widespread impact of trauma and understands potential paths for recovery

...**Recognizes** the signs and symptoms of trauma in victims, clients, family, staff, and others involved in the system, and the signs of vicarious trauma in helpers

...**Responds** by fully integrating knowledge about trauma into policies, procedures, and practices

...Seeks to actively **resist re-traumatization** of victims.



# Why Should Enforcement Staff Be Trauma-Informed Generally?

- **Being trauma-informed helps victims by**
  - minimizing re-traumatization and provide the potential for victim empowerment
  - fostering restoration of power and control to the victim
  - helping identify needs for referrals or evaluations to support victim wellbeing

## Why Should Enforcement Staff Be Trauma-Informed Generally?

- **Being trauma-informed helps enforcement staff by**
  - Allowing you to collect all of the relevant information in labor standard investigations
  - Allowing you to build stronger investigations and uncover violations that may have otherwise remained hidden
  - Helping establish and maintain trust in government labor enforcement entities and agencies
  - Minimize further harm to vulnerable workers and communities
  - allowing staff to prevent and mitigate vicarious trauma to ensure sustainability of self personally and professionally
  - avoiding turnover among enforcement staff

# How is a Trauma-Informed Approach Different From Traditional Interviewing?

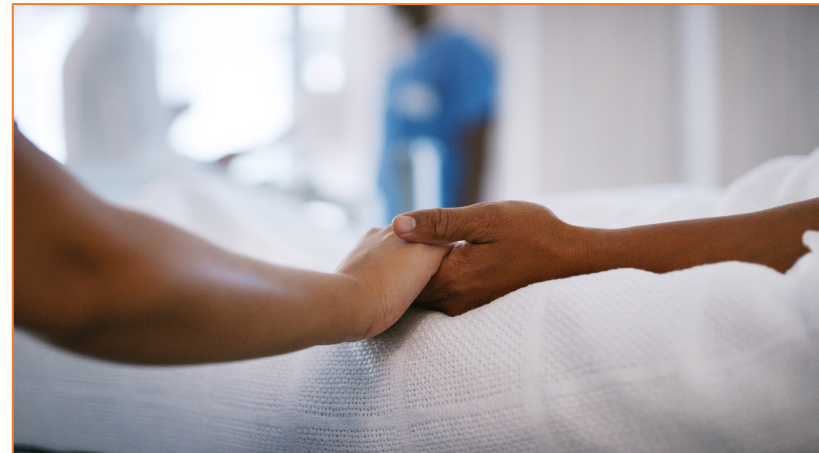
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## Traditional Interviewing

- Focuses on the who, what, when, where, why and assumes victims can tell a story in chronological order and remember all details related to the event. All of which are counter to the neurobiology of trauma.

**Trauma-informed work avoids these assumptions and restructures interviews in ways that create:**

- Safety
- Transparency & Trustworthiness
- Peer Support
- Collaboration & Mutuality
- Empowerment, Voice & Choice



# Setting the stage for a trauma-informed interview

- **Create a warm welcome**

- Consider what the experience is like for victims when they arrive at your offices/facility – is it welcoming? Confidence inducing? Safe?
- Are victims arriving via public transit? Parking? Be mindful of costs that the victims may be bearing and whether they are having to take time off or PTO in order to be present for the interview.
- Are there signs to get them to the right place or is it confusing to get to your office?
- If contact is made before the interview, convey detailed instructions in the best way for the victim, e.g. text, mail, email, etc.
- Respect the victim's identity – asking about and using preferred name, preferred pronouns, etc. (Make sure these questions are on any forms as well)

## Best Practices:

- **Train front line staff** to look victims in the eye and welcome them, not to make them feel like a number
- **Consider offering choices upon arrival** – offering water or coffee, access to the bathroom, etc
- **Language Access:** make sure to post signs for a language line in multiple languages prominently so the victim can request language services in their best language





## Setting the stage for a trauma-informed interview

- **Create a safe environment within your facility**
  - Is the space where you are conducting the interview neutral and confidential? Can others see the interview being conducted? Is there a door to the space? If noisy/pseudo-public, consider a white noise machine
  - How is the interview space laid out? Can the victim see and access the door/exit if needed?
  - Is the interview on-on-one or with multiple individuals? What is the gender of the person interviewing the victim, if relevant.
  - Consider having tools on hand in interview rooms: fidget toys, water and cups, toys for children, etc



# Beginning the trauma-informed interview

- **Be Prepared before you start the interview**
  - Have your interview questions ready. Avoid shuffling papers or preparing in front of the victim.
  - Turn off your phone (and email notifications/sounds if using a computer)
  - Explain in advance if you expect to be interrupted
- **Begin by building rapport through trauma-informed introductions**
  - Who are you? Break this down in layman's terms
  - What is your role?
  - What are your responsibilities in this interview?
- **Explain confidentiality and any limits on that confidentiality**
  - If they are signing any confidentiality forms, explain in layman's terms and if possible, make sure the form is in the victim's best language or have it explained through an interpreter
  - If you have a computer or notebook, explain why, what notes will be taken, and who will have access
- **Invite collaboration in decision-making from the very beginning**
  - Asking questions like, "do you need a moment before we begin?" "do you have any questions before we begin?" etc
- **Make space for the unexpected**
  - Allow sufficient time for the victim to have trauma responses, aka schedule time to allow for late arrival and avoid back-to-back meetings



# Conducting the Interview Itself

- **Set expectations**
  - How long will the interview last?
  - What will you be talking about? What won't you be talking about?
  - Is this the first of multiple meetings or the only meeting?
  - Are there documents you will need to see or go over together?
- **Be Conscious of Your Body Language and Approachability**
  - Are you looking at the victim or staring at a computer/phone/tablet?
  - Is your posture closed off or open?
  - Are you distracted or actively listening?
  - Are you wearing a uniform? Dress clothes? Does this create a barrier of formality?
  - Where are you sitting? Does this create any physical power dynamics in the room?
- **Consider Your Own Tone**
  - Make victims feel heard and that you understand their side of the story
  - Avoid displaying skepticism, especially in initial interviews
  - When asking questions that may reflect the employer's side of the story, be conscious of what your tone is conveying and your goal, e.g. are you wanting to/needing to convey skepticism? Is it appropriate to frame why you are asking the question?



# Conducting the Interview Itself



- **Provide context for your questions**
  - Explain why you're asking various types of questions throughout the interview.
  - Flag difficult questions beforehand.
    - Note: Make sure your staff are not asking for unnecessary or invasive information.
- **Consider starting with open-ended questions and then following up for specific details**
  - Asking open-ended questions gives victims a choice about what information to share and when.
  - If using a form to add your interview, ensure that staff are instructed about whether the form is an aide vs. a formula for the interview.
  - Keep in mind whether you are likely the first person they've talked to about this or whether you are one of many individuals – especially persons in authority – who they've talked about this with, especially if law enforcement have been involved
- **Invite opportunities for reflections and when appropriate, be responsive**
  - Telling one's story to another individual has the opportunity to be healing but a standard interview where an individual is recounting traumatic experiences without acknowledgement is likely not healing
  - Asking questions like “what effect has this experience had on your life”?
  - Don't be afraid to make space to explicitly acknowledge victim experiences of pain, trauma, and fear and naming them as difficult while also not presuming that a victim has had a specific response to their experience



# Conducting the Interview Itself

- **Always take the opportunity to offer victims a choice during the interview**
  - What questions does the victim want to start with?
  - Would they rather write down their responses to questions? (Keeping in mind literacy limits)
  - Would they rather have one person in the room or two?
  - Do they want to take a break? (Especially while talking about traumatic content)
- **Be aware of victim body language**
  - Is the victim crossing their arms?
  - Holding onto their bags or documents tightly?
  - Is the victim displaying any signs of hypervigilance, e.g. being startled easily, eyes darting around, high levels of distraction?
  - Consider gently calling attention to these responses and asking if they are concerned about the interview may be helpful
- **Summarize and recap at different points in the interview**
  - Summarizing what the victim has told you shows them that you are actively listening and gives them the opportunity to correct you or clear up any miscommunications early in the interview
  - Mirroring victim's word choice and avoiding formal language/jargon will also be helpful



# Getting a Coherent Narrative

- **Chronology of Events**
  - Let them tell their own narrative first without requiring a linear, chronological story.
  - Afterwards, guide them towards a chronology and explain why that may be important
  - Make space for the victim not to remember by sharing that they can answer “I don’t know” and don’t need to guess as to the answer (and why it may be important not to guess for credibility reasons)
  - Experiment with having the victim tell the story in reverse chronological order, which may help them examine their memories themselves and elicit other details
  - Ask them to recall the traumatic event chronologically from a different perspective such as 3<sup>rd</sup> party observer. What do they think you would have seen if you were there? (May also allow them to recount the narrative with less risk of re-experiencing the events)
- **Strategies for struggle with recall**
  - If a worker is struggling with recall, try asking questions that focus on their emotional and sensory experience. What was the environment like (location of furniture, lighting people, objects, etc.) How were they feeling emotionally or what were they thinking about during the experience?
  - If difficult issues arise, move on with the interview and then circle back and give them the option to talk about it again gives them the opportunity to think about if they can talk about that subject



# Addressing “Credibility” Issues

- **Carefully consider when and how to address questions related to the victim’s credibility**
  - If you have documents where the victim has recounted their experience in another setting, e.g. with law enforcement soon after an incident, keep in mind that initial trauma responses (fight, flight, freeze, fawn) may have impacted their responses.
  - Make space to ask individuals about incidents on multiple occasions, if possible, as traumatic memory may limit how much they remember on different occasions, especially if anxious
  - If you do need to address an inconsistency in their narrative, provide context for why you are doing so and why it may be important to do
  - If possible, wait to confront victims about inconsistencies until a later meeting and after you’ve built trust and can authentically reassure victims while talking through inconsistencies
  - Work towards cultural competence – asking about and acknowledging cultural differences without judgment may elicit reasons for inconsistencies that you had not previously considered and make victims feel heard
- **Getting Outside Support and Help**
  - Consider creating a list of mental health resources in the area that victims might be able to connect with



# Resources to Learn More About Trauma & Trauma-Informed Approach

## Read:

SAMSHA's Concept of Trauma and Guidance on a Trauma-Informed Approach. (2014)

## Watch:

- Watch: Trauma and the Brain (8:44 minutes) at: <https://www.youtube.com/watch?v=4-tcKYx24aA>
- Watch: Four Ways Trauma Affects the Brain, "Therapy in a Nutshell" (10:40 minutes) <https://www.youtube.com/watch?v=wdUR69J2u6c>

## Tools for Organizations:

- SAMSHA, [Practical Guide for Implementing a Trauma-Informed Approach](#) (2023)
- Trauma Informed Care Project, [Agency Self Assessment](#) (categories)
- National Council for Behavioral Health, [Organizational Self Assessment on Adoption of Trauma-Informed Care Practice](#) (rating scale)



# III. Trauma Exposure Responses & Prevention Strategies







**Professional Burnout**: When a professional's personal experiences combined with the negative cumulative effects of providing services to individuals over a particular time and organizational dynamics of the employment environment result in "emotional exhaustion, depersonalization, and reduced sense of personal accomplishment."



**Secondary trauma**: When a professional engages in an empathetic relationship with an individual suffering from a traumatic experience and bears witness to the intense or horrific experiences of that person's trauma. Also referred to as **proximate trauma**.



**Compassion Fatigue**: When a professional experiences burnout and secondary trauma.



**Vicarious trauma**: The (negative) change that occurs *within* a professional as a result of empathetic engagement directly with survivors of trauma, specifically "the resulting cognitive shifts in beliefs and thinking."

**To Learn More:**

J. Newell & G. MacNeil, "Professional burnout, vicarious trauma, secondary traumatic stress, and compassion fatigue: A review of theoretical terms, risk factors, and preventive methods for clinicians and researchers," *6 Best Practice In Mental Health 2*, 57–68 (2010).

# Trauma Exposure Responses

*“Trauma will assail [a victim’s] sense of self and will, over time, assail yours as well.*

*And so, it is more than just the stress of overwork; it is a disintegrating ray gun aimed at your sense of who you are, what you think the world is like, and where you find meaning in the world.”*

*–Jean Koh Peters–*



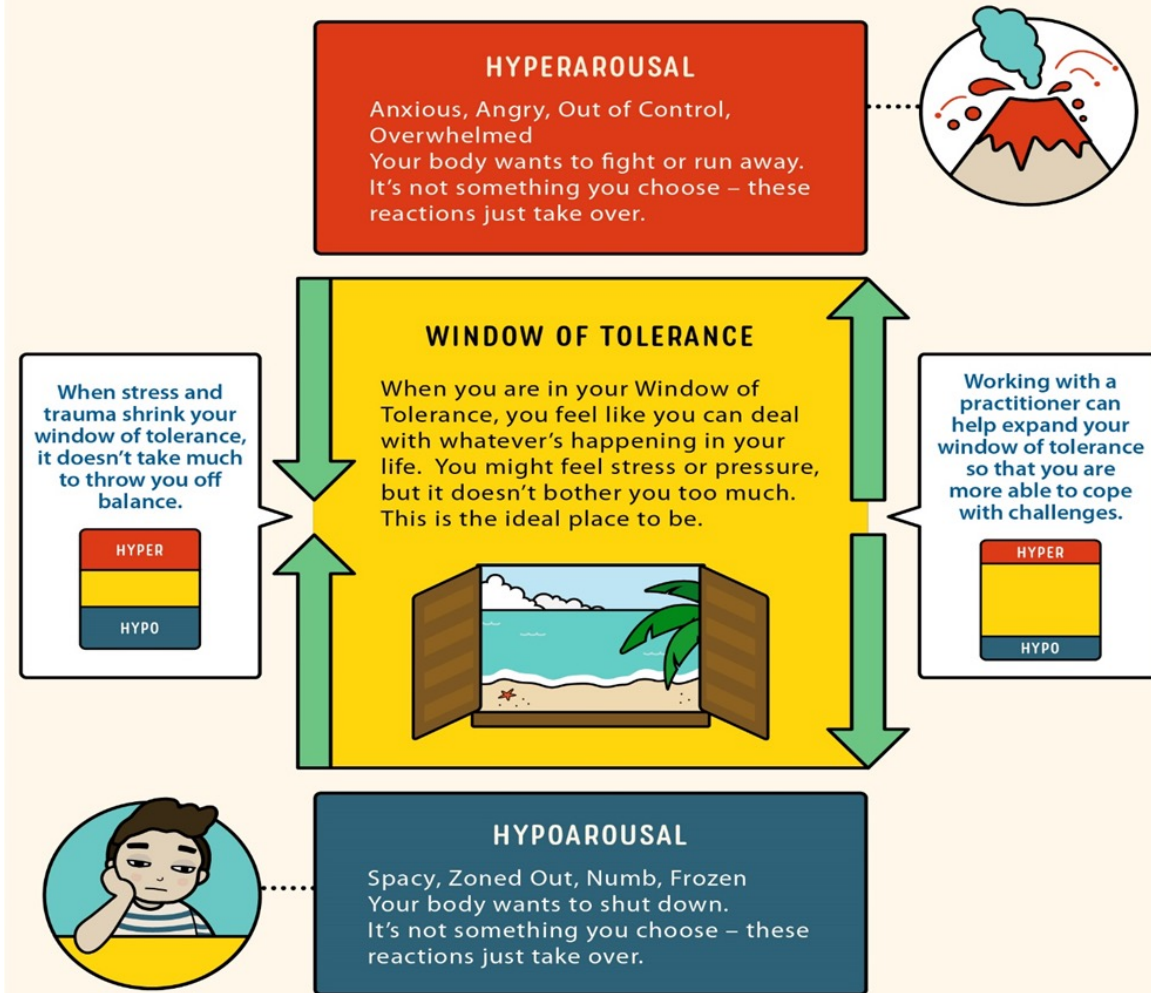
# Consequences of Vicarious Trauma (framed another way)

Checking Out	Turning Inwards	Turning Outwards	Managing Danger
<ul style="list-style-type: none"> <li>• Substances</li> <li>• Dissociation</li> <li>• Forgetting</li> <li>• Minimizing</li> <li>• Distraction</li> <li>• Stoicism</li> </ul>	<ul style="list-style-type: none"> <li>• Self Doubt</li> <li>• Shame</li> <li>• Isolation</li> <li>• Self harm</li> <li>• Suicidal Ideation</li> </ul>	<ul style="list-style-type: none"> <li>• Judging, not believing and, or blaming victims</li> <li>• Aggression</li> <li>• Rage</li> <li>• Revenge Fantasies</li> </ul>	<ul style="list-style-type: none"> <li>• Hypervigilance</li> <li>• Avoidance</li> <li>• Procrastination on tasks &amp; delaying documentation</li> <li>• Persistent absenteeism</li> <li>• Rigid routines/lack of flexibility</li> </ul>











# How Trauma Can Affect Your Window Of Tolerance



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# Specific Consequences of Vicarious Trauma for Front-Line Enforcement Staff

-  Doubting, denying, or minimizing victim experiences
-  Failing to respond with empathy / becoming non-responsive
-  Avoiding interaction with victims
-  Violating boundaries, whether with victims, coworkers, other stakeholders
-  Trying to “rescue”/“control” victims or begin to feel undue responsibility for participants
-  Judging victim behaviors, reactions or experiences

# Self Assessment Skills

Know Thyself. Monitor Thyself. Routinely.

## Sample questions:

- What situations with victims cause you the most “stress”?
- What are the trauma exposure responses that you experience most often when you are stressed?
- What are the skills, practices and coping mechanisms that most contribute to your resilience in this work?
- What privilege, intersectional identities, past traumas and/or experiences do you bring to your work which shape your responses?

These may include: adverse childhood experiences (ACEs), family/friend experiences of trauma, particularly difficult cases, as well as intersectional factors that shape your identity and may involve experience with systemic oppressions e.g. racism, sexism, homophobia, xenophobia, ableism, classism, etc.



Professional Quality of Life Measure may be helpful to fill out as an initial self assessment or benchmark:  
<https://proqol.org/proqol-measure>

# Exercise: Your Life Well

1. Name 5 activities/tasks\* that "drain" your well when working with victims.
2. Name 5 activities/tasks\* that "replenish" your well when working with victims.
3. Think about the activities/tasks that drain your well. What do you need in terms of self care, workplace care, and community care to complete these tasks?

\*Which tasks drain or replenish you are very likely to change and evolve over your career and may change depending on what is going on in your life at the time.



Jennifer Louden (self-care expert) said: *Self-care is not selfish or indulgent. We cannot nurture others from a dry well. We need to take care of our own needs first, and then we can give from our surplus, our abundance.*

Consider the things in life that drain your "Life Well;" these could be physical, psychological, emotional, spiritual, relationship-based, workplace-related aspects of your life. Make a list above of the ways in which your well becomes dry.

Similarly, consider the things in your life that allow you to replenish your well. Make a list of those on the other side. What is it about those things or activities that allow you to feel replenished?

[1] Exercise adapted by Lindsay M. Harris, Director of the Immigration and Human Rights Clinic at the University of the District of Columbia's Law School from Liala Buoniconti, LICSW with the Harvard Immigration and Refugee Clinical Program

# Boundary Setting



{Internet meme based on *The Giving Tree* by Shel Silverstein}

## With victims:

- Set expectations for victims for what you can/cannot do
- Practice the empowerment model with victims as much as possible
- Avoid giving out your personal email address, phone number or cell phone number, or if you do have a plan for in what circumstances you are willing to do this

## With your team/supervisor

- Share preferred communication methods and frequency, especially for weekends & paid time off (PTO)
- Learn when to say "no"

### Reading Suggestion!

Nedra Glover Tawwab's book,  
'Set Boundaries, Find Peace: A Guide to Reclaiming Yourself (2021)

# Intentional Recovery Practices

- Physical wellness activities that increase the heart rate (reducing anxiety)
- Scheduled personal retreats
- Ongoing Therapy
- Intentional engagement with nature
- Intentional Engagement with Creativity
- Advocacy on behalf of victims
- Non-work engagement with victims and communities
- Taking meaningful breaks from social media/news



Quote by adrienne marie brown  
Image Credit @juliakerry



Q&A



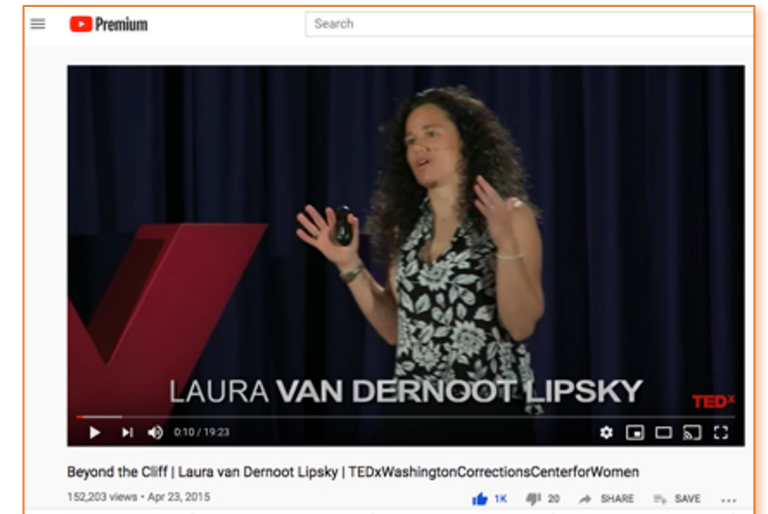
# Vicarious Trauma Prevention Resources Cont.

## Listen:

- Meditation Apps: *\*denotes apps that offer meditations in multiple languages*  
Examples: **Headspace, Insight Timer\***, **Muse Meditation Studio, Meditopia\***, **Calm**
- Podcast: The Resilient Lawyer with Jeena Cho (2016-2019)

## Watch:

- Ted Talk: Beyond the Cliff, Laura Van Dernoot Lipsky (2015)
- Ted Talk: Drowning in Empathy: the Cost of Vicarious Trauma, Amy Cunningham (2016)
- Intro to Alternate Nostril Breathing



# Vicarious Trauma Prevention Resources Cont.

## Reading (Books & Web Materials):

- ***Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others*** by Laura van Dernoot Lipsky & Connie Burk (2009)
- ***Burnout: The Secret to Unlocking the Stress Cycle*** by Emily Nagoski, et al (2019)
- ***Rest is Resistance*** by Tricia Hersey (2022)
- ***Set Boundaries, Find Peace: A Guide to Reclaiming Yourself*** by Nedra Glover Tawwab (2021)

