Neurobiology of Sexual Assault: Experience, Thinking, Behavior, & Memory

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Value of knowing the relevant neurobiological, memory and other science?

It can **help us answer** four common important questions...

4 Common Questions

- 1. Why didn't they fight, yell, or otherwise resist, leave, etc.?
- 2. Why do they have memory gaps?
- 3. Why do they have memories that are inconsistent and/or contradictory?
- 4. Why do they struggle to recall the sequence of what they can remember?

4 Basic Scenarios

- 1. Encounter was consensual and person reporting sexual assault knows that but is misrepresenting/lying.
- 2. Was consensual, but person reporting it later reinterpreted as non-consensual.
- 3. Wasn't consensual, but accused sincerely believes it was.
- 4. Wasn't consensual and accused knows it.

3 and **4**: Victim's responses and memories may be consistent with the neurobiological impacts of stress/trauma.

Yes, awkward and confusing sexual encounters can be re-interpreted afterward and reported as assaults

That's NOT what I'm teaching about.

Not assuming "evidence."

Pointing to what <u>could</u> be <u>consistent</u> with assault.

Providing knowledge to solve problems you face.

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Defense Circuitry



Defense Circuitry in Control

- Impaired prefrontal cortex
- Bottom-up attention
- Survival reflexes
- Self-protection habits
- Altered **memory** encoding and storage





High Stress and Fear = Impaired Prefrontal Cortex

Arnsten 1998, Science, 280, 1711-1712; Arnsten 2015, Nature Neuroscience, 18, 1376-1385





Reflexes & Habits

Survival Reflexes





Stop everything, hold down brake, scan





Shocked Freezing





Blank mind, no behavior options arising

When behavior options and thoughts **do** (finally) arise...



Self-Protection Habits

- Polite responses to dominant or aggressive people
- Polite responses to unwanted sexual advances
- Hoping and pretending it's no big deal trying to save face



Fear-Habit Paradox

From normal, expected scenario to unexpected attack...

Initial responses can be habit behaviors based on the just-prior normal interaction I have to leave soon. You've got a girlfriend. My roommate is home. My boyfriend will be angry.

Real Case

Perpetrator describing methods on social media:

"Feign intimacy," "then stab them in the back" and "THROW EM IN THE DUMPSTER."

His victim at trial:

- "I didn't kick or scream or push."
- "I felt like I was frozen."
- "I tried to be as polite as possible."
- "I wanted to not cause a conflict"
- "I didn't want to offend him."







Extreme Survival Reflexes

Escape When There's No (Perceived) Escape



Tonic Immobility

- Freezing = Alert and immobile, but **able** to move
- Tonic immobility = Paralysis, can't move or speak
- **Caused by** extreme fear, physical contact with perpetrator, restraint, **perception** of inescapability
- Not uncommon in sexual and non-sexual assaults

Moller et al., 2017, Acta Obstet Gynecol Scand, 932; Marx et al. 2008, Clin Psychol Sci Practice, 74; Bovin et al. 2008, J Trauma Stress, 402; Fuse et al. 2007, J Anx Disord, 265





Collapsed Immobility

Key differences from tonic immobility

- Physiological cause = Heart gets massive parasympathetic input, resulting in...
- \bullet Extreme \checkmark in heart rate and blood pressure
- Faintness, "sleepiness" or loss of consciousness
- Loss of muscle tone Collapsed, limp, etc.

Kozlowski et al., 2015, Harvard Rev Psychiatry, 1-25; Baldwin 2013, Neurosci Biobehav Rev, 1549









Dissociation

Blanked/Spaced Out Disconnected from Body Autopilot



Did not resist

No attempt to escape

Did not scream

'Active participant'

Reflexes & Habits

Freezing

- Detection
- Shocked
- No-Good-Choices

Extreme Survival Reflexes

- Tonic Immobility
- Collapsed Immobility
- Dissociation

- Passive, Polite
- From dating
- From child abuse
- From domination

Dissociative

- Autopilot
- Submission
- Sex acts





- Practiced
- Habitual

• Behavior controlled by habits

and reflexes







DV / Repeated Physical Assaults

Still mostly reflexes and habits

- PTSD / Hypervigilance: Scanning for signals
- Detection freezing triggered by tone of voice, particular words, body language, etc.
- Habits of avoidance triggered by signals
- Habits of appeasing, (depressed) submission, protecting children, etc.

DV / Repeated Physical Assaults

Dissociation increasingly likely

- Mentally escape the physically inescapable
- Block out physical and emotional pain
- Block out hopes of escape
- Lots of autopilot mode

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Sexual Assault and Memory

Bottom-Up Attention and Memory

Defense circuitry focus: what seems most important to survival and coping Attended = Central Details = Encoded







central details?

Are you getting the







Are you getting and using central/early details?



Implications

- Very stressed or traumatized victims cannot recall everything recorded in their brains, no matter how good and gentle the interview.
- 2. Two or more interviews (over days) may yield much more information than one.
- 3. Yes, recall can get better over time!

Vulnerability to Distortion?

- Central Details = Very Low Vulnerability
- Peripheral details = High Vulnerability



Implications

- 4. Lots of details missing, even some central details? **Gist still there.**
- 5. More time since assault = More of recall is gist + reconstructed details.
- 6. However long ago, <u>central</u> details can be vivid and accurate. Don't miss them!



Alcohol and Memory

- Low-moderate dose/intoxication
 - Impairs context encoding
 - Does not impair encoding of sensations
 - Resembles effect of fear/trauma
- <u>High</u> dose/intoxication:
 - Impairs hippocampus-mediated encoding and consolidation of <u>both</u> context and sensations

Melia... LeDoux, 1996, Neuroscience, 74, 313 al. 2009, Psychopharmacology, 204, 655; Bisby et al. 2010, Biol Psychiat











DV / Repeated Assaults

Like arguments of married couples

• Fight over same things, say same things

What do we remember?

- Not every detail, date, order of things said
- First/early really bad argument, and last one
- One or two really bad ones in the middle
- Common phrases, very disturbing details

Are you getting information about brain-based responses? Are your expectations realistic? Are you getting central details? Islands of memory?

Value of knowing and applying the relevant neurobiological, memory and other science?

It can help us **understand** victims, help them feel **safe and supported**, and get their ongoing **cooperation**.









Basic Principles of Interviewing







Key Method: Funnel

- Open-ended questions
- Open-ended prompts
- Option-posing questions
- Yes/no only at the end, very carefully
- Never leading questions





Open-Ended Questions

- "What are you able to remember about your experience?"
- "What are you able to remember about what happened with [reported perpetrator] that night?"

Open-Ended Prompts

- "You said he had his hand over your mouth. Tell me everything about that."
- "You said that you couldn't move at one point. Tell me everything you can remember about that."
- "You said you were terrified. Tell me all about that."

Option-Posing & Yes/No Questions

Only at the end, and only if open-ended prompts haven't worked...

- "Did he hold you down with his hands or with another part of his body?"
- "Did he say anything?"
- Follow with open-ended prompt (e.g., "Tell me everything you remember about him holding you down with his forearms.")

Centrality of Sensations

What if anything do you remember...

Seeing? Hearing? Touching you? Feeling in your body? Smelling? Tasting? Thinking?



Thoughts Important Too

What if anything do you remember thinking?

"Even if they were thoughts or ideas that you now think are ridiculous, that's OK."



"You mentioned a time when your legs were pinned down. What if anything do you remember thinking then?"

Interviewer pushing for peripheral details or sequence, asking leading questions...



Can CREATE inconsistent memories

Interviewer doubting and disbelieving...



Can CAUSE inconsistencies, even lies

Practical Advice 1

Make sure you get "big shifts"

- When attack detected, e.g., initial freeze and appraisal
- When extreme survival reflex or other "defeat" responses kicked in

Practical Advice 2

Make sure you get as much information as possible about:

- Prefrontal cortex deficits
- Survival reflexes
- Habit behaviors
- Central details
- Sensations and thoughts that convey victim's experience

Practical Advice 3

Why victim's experience with police/investigators can contribute to inconsistencies:

- Can't feel comfortable or safe
- Focused on **investigator's** behavior, speech, apparent intentions and beliefs, etc.
- Can't remember things during interview that they **can** remember later
- Don't feel safe reporting all they **do** remember
- Trouble judging accuracy of some memories that come up in response to questions