Interviewing Children Regarding Abuse:

Child Advocacy Centers

An Honors Thesis

By

Melissa Kelley

Faculty Advisor

Ronald S. Truelove

Department of Psychological Science

Ball State University

Muncie, Indiana

May 2005

Expected Date of Graduation: May 5, 2006
Acknowledgements

Professor Truelove, for all his dedication and knowledge attributed to this thesis and my educational career.

Sandy Fields, for being a true friend and helping me emotionally and academically to complete this thesis, I look forward to many years of friendship.

The Psychological Science Honors Department class for all their feedback offered that improved this thesis.
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Abstract

Child abuse has been present in society for many years. Advocating that children receive proper care that meets their developmental needs during an investigation of possible abuse is, however, a relatively recent phenomenon. The most important voice in a child abuse / neglect investigation is the child’s past. Interviewing has regretfully lead to many children being re-victimized by the very system that is supposed to protect them. Therefore, the primary purpose of this literature review is to discuss methods gleaned from empirical research and experiences, that can increase the competency of child interviewers. Specifically, an understanding of children’s cognitive and emotional development, the interviewing environment they encounter, an interviewer’s participation various, investigative tools, and the accurate documentation of the interview will be explored. This understanding hopefully will lead the implementation of more Child Advocacy Centers to promote support and proper quality of care for children during a child abuse / neglect investigation.
Nurturance, safety, stimulation, predictability and unconditional love are fundamentals with which every child should be provided. Caregivers are accountable for providing children with such needs throughout their development. Although all caregivers are entrusted with this difficult, challenging, and important task, sadly, some fail. When an individual reproduces, he or she may not have the ability and/or the motivation to provide a child with a nurturing environment. The inability to provide a child with a proper environment can result in child abuse/neglect. Whether this is due to the caregiver’s psychological state or other reasons, it is unacceptable. Every child is entitled to an enriching environment and no child should have to endure abuse.

A child can become a victim of various types of abuse. There are commonly acknowledged characteristics and/or symptoms observed in children who have been victims of abuse. Physical abuse occurs when a child endures the infliction of physical injury from a caregiver or when the caregiver allows another individual to do so. Evidence of physical abuse can include cigarette burns, unexplained bruises, welts, bumps, fractures, lacerations or abrasions.

Neglecting a child is a chronic failure to meet basic needs of a child for food, clothing, shelter, medical care, education or supervision. Neglect is often noticeable, as a child can appear unbathed, dirty, or wearing torn, or inappropriate clothing for the weather. Malnourishment is also another form of neglect and, depending on the degree, may be noticeable.

Sexual abuse occurs when a child is utilized for sexual gratification by an adult or older child in a position of power, or if a caregiver permits another person to use the child for sexual gratification. Sexual gratification can occur in three ways 1) forcing a child to perform sexual acts, 2) performing sexual acts on a child, or 3) both. Therefore, one sign of sexual abuse can be
bruised or genitalia or dilated rectum.

Emotional abuse occurs when the attitudes or actions of a caretaker are detrimental to a child’s development of a healthy personality. Some behavioral indicators of emotional abuse are low self esteem, difficulty forming positive relationships, and / or having an eating disorder. It is imperative to note that the presence or absence of the signs mentioned above does not necessarily mean that the child is / is not a victim of abuse.

It is impossible to determine the actual numbers of children that are or have been victims of abuse / neglect, but available estimates are disquieting. Specifically, Childhelp USA National Child Abuse Statistics reports that more than 2.9 million reports of possible child maltreatment were made to child protective service agencies in 2003. The actual incidence of abuse and neglect is estimated to be three times greater because not all cases of child abuse / neglect are reported (http://www.childhelpusa.org/abuseinfo_stats.htmology).

Knowing that millions of children are victims of abuse / neglect should not only generate feelings of compassion and empathy for these children, but also a profound concern for them and society’s future. Children are the future and it is the environment a caregiver provides a child that determines his or her thinking and overall feeling towards society (Bross, 1987). Imagine the impact an abusive caregiver can have upon a child throughout his or her entire life. The author of The Foundations of Child Advocacy, Bross (1987) reflects “For a young child, reality is the world portrayed by his parents” (p. 25) and many child development theories reflect this same notion.

Mary Ainsworth’s attachment theory proposes relationships established between an infant and caretakers during the first two years of life can permanently shape a child’s future (Berk, 2006). Although a child’s parental relationship can have the most direct effect on his or
her life, confounding factors must be explored when evaluating the cause and effect of child abuse / neglect in order to correctly understand the issue and find solutions.

A question often asked is, “Why does child abuse / neglect continue to occur?”. To develop a basic understanding of why, one can not look solely to the caregiver(s) for reasons. A complete investigation must evaluate 1) the child, 2) the caregiver, 3) the community, and 4) the social support surrounding the alleged abuser.

Community values, professionals (teachers, doctors, day-care providers) involved throughout childhood, and laws and beliefs of the nation all affect children’s lives. Child abuse / neglect is an area still in need of research that will assist individuals, professionals, and legislatures in making sound decisions regarding what is actually best for children.

Provided below is testimony from a young girl who was fortunate enough to live through her experiences of abuse. Her story brought awareness to child abuse / neglect:

‘My father and mother are both dead. I don’t know how old I am. I have no recollection of a time when I did not live with the Connollys. .... Mamma has been in the habit of whipping and beating me almost every day. She used to whip me with a twisted whip—a raw hide. The whip always left a black and blue mark on my body. I have now the black and blue marks on my head which were made by mamma, and also a cut on the left side of my forehead which was made by a pair of scissors. She struck me with the scissors and cut me; I have no recollection of ever having been kissed by anyone—have never been kissed by mamma. I have never been taken on my mamma’s lap and caressed or petted. I never dared to speak to anybody, because if I did I would get whipped.... I do not know for what I was whipped—mamma never said anything to me when she whipped me. I do not want to go back to live with mamma, because she beats me so. I have no recollection
of ever being on the street in my life.’ (Mary Ellen, April 10, 1874 in Watkins, 1990).

(American Human Association, 2005, ¶11)

The statement above is from 10-year-old, Mary Ellen Wilson’s, testimony to a judge on April 10, 1874. Mary Ellen was a victim of child abuse and is responsible for inspiring the first organization designed to aid victims of child abuse/ neglect, The New York Society for the Prevention of Cruelty to Children (SPCC). Her’s is also considered to be the first legal case of child abuse / neglect.

The legal system has made many changes throughout the centuries to help provide children with protection from an abusive caregiver but additional modifications are needed. The objective of this thesis is to propose a transformation for the justice of an abused / neglected child. But before such recommendations, the transformation our country has already gone through within the realm of child abuse / neglect should be recognized. Both positive and negative alterations should be acknowledged to ensure that further changes will occur: “The development of American family law most likely has its origins in the 16th and 17th centuries when society moved from communal living arrangements to family groups. ... This period is characterized by non-intervention into the family except to the extent a driving social policy warranting intervention arose,” which was mainly concerned with the regulation of poverty and wealth (Ventrell, 1998, p 8). Our present legal system has taken many steps, from once being only concerned with the poverty / wealth of a child, to having a juvenile dependency court system consumed by serving child maltreatment cases continuously.

The legal systems milestones will now be reviewed to establish a basic understanding of what actions the American legal system has undergone to form the foundation of the current system. When reviewing the historical points in American history’s development of child abuse
neglect, it is essential to acknowledge the mistakes and also the laws that have allowed positive change to occur. Advocates want to better the lives of innocent children. It is critical, therefore, to identify which laws aggravate the circumstances for a child involved within the legal system and which laws provide an opportunity for various professionals involved in the legal system to institute positive change for the millions of victims of child abuse / neglect.

American law was established based on English common law, which viewed children as property of their parents (Smith & Fong, 2004; Sagstun & Edwards, 1995). Society relied on parents to raise their children as responsible members of society and allowed parents to use their discretion in determining proper discipline. Regretfully, parents were held to negligible standards regarding proper child-rearing by many states. Specifically, “when children suffered permanent injury or when parents inflicted manifestly unfair punishment” (Sagstun & Edwards, p 6) then, and only then, was the parent held responsible for his or her actions. Astonishingly, officials often elected to punish a caregiver only when the actions caused permanent injury or were obviously abusive. But, what is even more surprising are the laws that were enacted such as the Massachusetts Stubborn Child Law of 1646. This law “allowed parents to classify their child as “stubborn” and seek state punishment, including capital punishment” (Ventrell, 1998, p 12). During the 17th century, the system’s main concern was apparently not the protection of children. This is demonstrated by the rare incidences of documented child abuse cases that received government intervention; the following three cases seem to be the only ones:

1) The 1655 Massachusetts case of twelve-year-old apprentice John Walker who was killed by his master may be the first recorded American case of child abuse. John was brutally beaten and then neglected until he died. His master was convicted of manslaughter.
2) Massachusetts, Samuel Morison in 1675 and
3) Robert Styles in 1678 had their children removed by the court for failure to provide suitable homes (Ventrell, 1998, p 12).

These cases involved three children from different families, but all three families were poor. During the 17th century when a family was poor, it was often the only reason where a state felt it had the authority to intervene. The system believed it was appropriate because it was considered beneficial to the “common good” if they chose to intervene with a poor family. In addition to a state’s hesitancy to intervene, there were few tools in place to help states attempt to intervene.

In the beginning of the nineteenth century, interventions increased in connection with the rise of industrialization in many cities. Industrialization brought many poor families and immigrants to urban cities where more employment opportunities were available without child labor laws. Many children were working alongside parents in unimaginably filthy, hazardous conditions in order to provide an additional source of income for the family. Other children where left to wonder the streets while parents were at work because child care was not feasible for many families. Civic leaders soon became concerned about the future of society. Sagatun and Edwards (1995) state, “Two significant child welfare reform movements, the Refuge Movement and the Child Saver Movement, developed during the nineteenth century as a response to the welfare of children in the cities” (p 6). Whether these movements were developed with the child as a priority remains debatable.

The House of Refuge Movement in 1820s described its purpose to “… remove children from the almshouses for adults and to place them in institutions for children, so-called houses of refuge” (Sagatun & Edwards, 1995, p 7). Many disagreed with this movement because many children were removed from their homes because they were poor, not abused or neglected
(Ventrell, 1998). In addition, frequently children who were in the houses of refuge where forced
to be work for factory owners, large farms, or other establishments that needed cheap labor
(Sagatun & Edwards, p 7). Moreover, “severe corporal punishment was clearly part of the
House of Refuge system. In fact, conditions in many Houses were quite abusive by modern
standards, including solitary confinement and beatings” (Ventrell, 1998, p 14).

This Refuge Movement was obviously not going to resolve issues of child abuse / neglect
and may have actually increased the frequency of such crimes and even institutionalized them.
As such, describing this movement as being established for “bettering the conditions of children”
seems inaccurate at best and hypocritical at worst. Unfortunately, this movement spread. “By
1869, sixteen Houses of Refuge were opened in the United States” (Ventrell, 1998, p 14) and
courts appeared to have believe the movement was indeed championing child rights. The courts
provided validity for the movement by establishing the English doctrine of parens patriae in
1838. The doctrine of parens patriae established the power of the States to act in the parents’
stead for the purpose of protecting a child and his or her property (Sagatun & Edwards, p 7). In
addition:

the courts adopted the Reformers’ logic that they were entitled to take custody of a child,
regardless of the child's status as victim or offender, without due process of law, because
of the state's authority and legal obligation to save children from becoming criminals. In
Illinois, In re Ferrier, courts adopted the Crouse Policy in which a state's parens patriae
duty and authority permitted seemingly unlimited intervention into family autonomy.

This would include a child's deprivation of liberty (Ventrell, p 15).

Basically, the parens patriae doctrine allowed the state to act as a substitute parent when they felt
the child’s parent(s) were not adequate. Neither parental nor the child’s rights were ever taken
into consideration in such instances. Consideration was only given to what reformers believed was most beneficially to society in general.

Twenty years later, the states wanted additional powers to appropriate abused / neglected children. This led to The Truancy Act in 1853 which assisted the Children’s Aid Society (CAS). This act gave the State power to arrest children for nothing more than the fact that they were poor. The goal of CAS was to pick up poor, urban children and transport them out of the city into suburban and rural foster homes (Smith & Fong, 2004, p 109). This act, and CAS in general, presented themselves as having only honorable intentions based only upon the well being of the children. In truth, however, it appears that a more likely motivation was “shipping out” these children would save the cities money by not having to support them with tax dollars. This illustrates how some policymakers believed that saving money was more important than any consideration of parental rights to raise their children (Smith & Fong, 2004, p 109). Finally, in 1874, a voice captured the nation’s attention and genuine change began to occur that reduced child abuse / neglect.

This voice was that of pioneer reformer Mary Ellen Wilson, the abused child introduced beforehand. The “mamma” Mary Ellen referred to in her testimony, was not her biological mother but the women who raised her after a tragic series of caregiver deaths occurred in Mary’s life. The American Humane Association (2005) describes the real story of Mary Ellen as follows:

Mary’s father passed away, which caused Mary’s mother, Francis, to obtain a job. Since Francis was absent Mary was placed in “child care” with a woman named Mary Score, so the child would have continuous adult supervision. With Francis’s work demands, she could not work and make regular visits with her daughter. Mary Score noticed the difficulties Mary’s
mother was experiencing and felt it was a valid reason to return Mary Ellen to the city's Department of Charities.

The Department then placed Mary Ellen illegally in the home of Mary and Thomas McCormack. Thomas passed away, which left Mary to raise Mary Ellen, and she did not do so properly. Neighbors in the apartment building where they lived were aware of the mistreatment Mary Ellen was receiving. Mary moved out of the apartment with Mary Ellen, but one concerned, old neighbor asked a Methodist mission worker, Etta Wheeler, to check on Mary in their new residence. When Ms. Wheeler did so, she found a '10 year-old appeared dirty and thin, dressed in threadbare clothing, and had bruises and scars along her bare arms and legs' (American Humane Association, 2005). Ms. Wheeler began to explore how to seek legal redress and protection for Mary Ellen.

The city of New York was unwilling to intervene but Ms. Wheeler asked Henry Bergh, founder of the American Society for the Prevention of Cruelty to Animals (ASPCA), to help Mary Ellen through his role as president of the NYSPCA and his ties with both the legal system and the press. Mr. Bergh accepted the challenge and sent a NYSPCA investigator to Mary Ellen's residence. An ASPCA attorney followed up this investigation with a petition to remove Mary Ellen from her home so she could testify before a judge.

Mary Ellen's testimony presented earlier resulted in Judge Lawrence immediately placing Mary Ellen under court control. Mary Connolly was found guilty of felonious assault and was sentenced to one year of labor in a penitentiary (American Humane Association, 2005). Not only was Mary Ellen taken from her home, but because of extensive newspaper coverage of the trial, public awareness was increased and this helped to inspire various agencies and organizations to demand enforcement of laws that would rescue and protect abused children.
The New York Society for Prevention of Cruelty to Children (NYSPCC) was founded by Elbridge Gerry who identified a void in the Refuge System as well as law enforcement’s lack of becoming involved in “family matters” when needed. Eventually, the NYSPCC acquired police power and controlled the welfare of many of New York’s abused and neglected children.

By 1900, 161 similar “cruelty” societies existed in the United States” (Ventrell, 1998, p 20). For example, the American Humane Association (AHA) established a goal to keep families together, if at all possible. With this goal in mind, they began working with abusive families by providing services that would encourage the strengthening of families without separating them. These organizations led the way for the development of private child-rescuing organizations such as child and family services and public organizations and child welfare and protection agencies (Smith & Fong, p 110).

With private and public agencies at work, there needed to be additional legal tools to defend victims of child abuse / neglect. This need lead to the development of a juvenile court system designed exclusively for children which has now been instituted throughout the country. By 1920, all but three states had created separate juvenile courts with unique characteristics that promoted a positive change for children. These changes included:

1) The juvenile court was a special court created for delinquent, neglected, dependent, and ungovernable children.

2) The purpose of the juvenile court was to rehabilitate rather than punish children.

3) No stigma would be attached to children from a court appearance because all records and proceeding were sealed and confidential.

4) Juveniles were to be separated from adults when incarcerated and placed in special
institutions for juveniles.

5) Juvenile court proceedings were to be informal and were to be based more on a social work model rather than a legal model. Therefore, possibly presenting a more comfortable atmosphere for those involved in the court hearing; because it took the form of a meeting than then a court hearing.

6) The use of juvenile probation officers to help the court carry out its purposes.

(Wadlington, Whitebread, and Davis, 1987).

It seemed that the legal system was finally beginning to recognize the need to focus on children.

Federal legislation soon began to address issues surrounding child abuse / neglect. “In 1909, President Theodore Roosevelt had called for the first White House Conference on Children, with the purpose of making child welfare a major social objective (Proceedings of the White House Conference, 1909)” (Sagatun & Edwards, p 8). Roosevelt’s goal seemed to have been realized when the 1909 White House Conference on Children, established the U.S. Children’s Bureau. Legislation such as the Standards of Child Welfare set public standards for the care of children and assigned society the responsibility to provide funding to help keep families together. This also required legislation on the state level (Sagatun et al.). This was the beginning of many changes to come in the twentieth century.

In 1950 and 1970 there were White House Conferences on Children that reorganized federal policies regarding child maltreatment. During these conferences, laws were adopted that are considered to be the force behind today’s child protection agencies. For example, in 1974 the Federal Child Abuse Prevention and Treatment Act established a National Center on Child Abuse and Neglect (NCAN) that was to serve as a clearing house for information concerning any child protection research and programs (Sagatun, 1998). In addition, the Act provided states with
grant money for investigating and preventing child maltreatment if the state had passed a mandatory child abuse reporting law.

This law also required all professionals working with children to report suspected cases of child abuse and/or neglect. When states enacted this law they had to keep “the immunity of reports, confidentiality of records, and the appointment of a guardian ad litem [an independent advocate for the child that represents the best interest of the child] for all abused or neglected children before the juvenile court” (Hardin, 1988). Actions such as these appeared to have been implemented and communities, professionals, and the legal system were responding to what many considered to be an epidemic of child abuse/neglect.

One professional who had a profound affect during 1962 was physician C. Henry Kempe who published a landmark article titled, “The Battered Child Syndrome” in the Journal of American Medical Association (1962). Kempe and his colleagues brought the devastating reality that a significant number of parents/caretakers batter their children; sometime resulting in death, to the attention of the American public: Battered Child Syndrome “describes a pattern of child abuse resulting in certain clinical conditions and established a medical and psychiatric model of the cause of child abuse” (Ventrell, p 24). In addition, introducing Battered Child Syndrome established child abuse as a distinct topic for academic investigation.

In California’s Court of Appeal in 1971, People v. Jackson introduced Battered Child Syndrome as a medical diagnosis and legal syndrome. For these reasons, and many more, Kempe’s work in Battered Child Syndrome is regarded as “one of the most significant events leading to an awareness of the existence and magnitude of child abuse/neglect in the United States and throughout the world” (Ventrell, p 24).

Legislative acts of the 1990’s contributed to progress for victims of child abuse/neglect.
In 1991, Congress passed the Victims of Child Abuse Act of 1990 that included the following provisions:

- Improving investigation and prosecution of child abuse cases.
- Court-appointed special advocate program to be available to every victim of child abuse and neglect.
- Child abuse training programs for judicial personnel and practitioners to improve the judicial system's handling of child abuse and neglect cases.
- Federal victims' protection and rights, authorizing ... the use of an adult attendant in court with the child in cases in which the child was testifying, provisions for a child's live testimony by 2-way, closed-circuit television, videotaped depositions of the child and procedures for handling the videotape, and directions on how to conduct competency examinations and direct examination of the child. It also provided for privacy protection through confidentiality of information and addressed the terms and the appointment of guardians ad litem [an attorney who represents the best interest of the child exclusively] in different types of cases.
- Child care worker employee background checks
- Grants for televised testimony
- Treatment for juvenile offenders who are victims of child abuse or neglect. (Sagatun & Edwards, p 12).

This act addressed some of the many issues surrounding children involved in the legal system as victims of child abuse / neglect. While it was admirable that the federal government recognized the issues that need to be addressed, it was even more important to ensure that such acts were implemented nationwide. Additional changes were required to ensure more efficient handling of
suspected cases of child abuse / neglect.

Our country has made some significant strides toward providing abused children the justice they deserve. Unfortunately, everything is not being done to ensure that every allegation of abuse is addressed appropriately. Since children’s claims of being victims of child abuse / neglect are the foundations for a case (Aldridge, 1999, p 102), it is imperative that a child’s testimony is recorded properly. A victim’s testimony, like Mary Ellen’s, is critical for a conviction during an abuse / neglect case. As such, this review will now discuss the complex factors that can impact a victim’s interview during the investigation of child abuse / neglect. These elements include 1) a child interviewing protocol, 2) suggestibility factors that may occur due to an interviewer’s involvement or the resources used during an interview, 3) development and / or environmental considerations that need to be addressed during the interview and 4) the need for proper and accurate documentation of the interview.

After reviewing the available, empirical data, it is the recommendation of this author to incorporate all factors reviewed throughout this thesis to establish an appropriate setting for children to fully express any incidents of abuse. Such an opportunity can be enhanced through the foundation and utilization of Child Advocacy Centers. Just as America has made specific improvements over the past five centuries when attempting to ensure justice for victims of abuse / neglect, additional steps are needed today.

The physical environment children are in at the time of the interview is one variable that has been found to greatly influence a child’s testimony. Research has suggested that children provide more accurate, detailed information when they are interviewed in informal, private settings (Saywitz, & Nathanson, 1993). It is also critical to conduct a proper interview when the
child is in an environment conducive to their developmental stage and where they feel free to express thoughts, feelings, and concerns openly.

As such, the traditionally utilized setting of police department probably is not a proper setting for children to be interviewed. Being taken to a police department may convey a message to a child that he or she is “bad” as children often associate a police station with where “bad people” go (National Center for Prosecution of Child Abuse, 2004, 39). There are Child Advocacy Centers that are child-focused and, the environment is far more conducive to a child’s development for interviewing purposes. The entrance, to CAC facilities which is often connected to a waiting area, should be designed with the child cliental in mind. Therefore, art work, toys, books, fish tanks, child size furniture, etc. should be utilized (see figure).

Once a child is inside the police station and is being taken to an interviewing room, he or she can notice a high volume of busy individuals which may cause him or her to be confused and may instill a sense of insignificance. The child may notice police uniforms which may be intimidating or reaffirm thoughts that he or she has done something “bad.” For this reason a police officer, or any other professional conducting an interview, should not be in uniform.

A room that is quiet and free of distractions for both the interviewer and the child is essential. Ideally, an interviewing room should be soundproof; however, other steps can be taken to decrease noise, such as adding carpet to the room. Interruptions, such as a phones
ringing or interviewers being called out of the room should also be eliminated as they serve to make it more difficult for the child remain focused or express himself or herself (National Center for Prosecution of Child Abuse, 2004, 40). Noise may also increase discomfort and promote insecurity (National Center for Prosecution of Child Abuse, 2004).

Furniture in interviewing rooms needs to be comfortable for children. Rooms that have been designed for children have child-sized furniture, instead of traditional office furniture, to help the child feel more comfortable and important (National Center for Prosecution of Child Abuse, 2004, p 40). Furniture should allow for the interviewer and the child to be at the same eye-level. Furniture designed for children may also convey a message to the child that this is indeed a service for him or her and that his or her needs are foremost.

If decorations are present in interviewing rooms, they need to be child-friendly and subtle. The main caution regarding décor is not to create distractions for the child during the interview. A room full of toys, games, and/or posters, can distract the child. It may also serve as an excuse for the child to pretend to be distracted so he or she can avoid the interviewer’s questions (National Center for Prosecution of Child Abuse, 2004, p 40). An example of appropriate décor for an interviewing room might be children’s drawings of former interviewees. Such drawings can let a child know that others have had similar experiences, which may provide comfort. As seen in the photo above there is a clock which allows the time of the interview to be displayed on video recording, and a child-friendly
floor mat to add some color to the interviewing room.

Once a suitable environment has been provided, the next step is conducting an effective interview. Professions that involve children should always be mindful of stages of development in order to interact and understand children. In order to determine whether child abuse / neglect occurred, specific skills and knowledge are necessary for effective interviewing, investigating, and determining when / if allegations of abuse / neglect are founded. An investigator / interviewer should be capable of noting signs of growth retardation, possible indicators of brain damage, or signs of mental retardation, since "physical delays contribute to cognitive delays as well" (Beeler, 1990, p 25). Recognition is critical, as interviewers need to comprehend that although a child is chronologically eight-years-old, they may have the developmental level of an average five-year-old. Interviewers also need to be prepared to work within a child’s current developmental limitations.

The following is a brief overview of child developmental stages that are considered milestones which need to be taken into consideration when interviewing possible abuse victims. It is imperative to recognize that lacking an appropriate level of development does not necessarily mean a child has or has not been victimized (Beeler, 1990).

More than half of all child deaths occur before the age of one (National Center for Prosecution of Child Abuse, 2004, p 22) and a child at this age is restricted verbally from speaking out for help. As an infant (birth until around the age of one) the only vocal expression is crying and laughter. In the toddler years, a child typically begins to speak a select few words. Data is limited regarding infant / toddler expressions. A child at this age often is incapable of providing concrete evidence for an investigator; consequently, an investigator must observe the body language of the child for any subtle indications of abuse / neglect. If sexual abuse is
alleged, a doctor should exam the child’s anal or vaginal area for any indication of trauma. If a child has tearing or irritation of the anal or vaginal area, the possibility of sexual abuse is present but, other possibilities for such tearing or irritation should be explored and evaluated (National Center for Prosecution of Child Abuse, 2004).

From birth throughout the first year of life, a child is going through a period when attachment is imperative to healthy development (Berk, 2004). According to child development psychologist Mary Ainsworth, an infant’s social development concerns attachment to a primary caregiver, most often a mother. Ainsworth has defined four primary types of attachments that children can develop (Ainsworth, 1964 as cited in Keil, 2001, p 289).

An abused / neglected infant’s lack of attachment to a caregiver can result in what Ainsworth describes as avoidant attachment. Avoidant attachment is hypothesized to be evident in a child’s behavior when he or she does not become upset or confused when his or her mother leaves or, when an absentee parent returns, the child may even ignore the parent. In contrast, a child who has a secure attachment to a caregiver becomes sad or apprehensive when left with an unfamiliar individual. Abused / neglected infants / toddlers may willingly go to any adult, familiar or not, and may present the same attitude in the presence of a stranger or a parent. Such lack of discrimination between parent and stranger is thought to be the most striking characteristic of abused / neglected children (Beeler, 1990, p 25-26). Although a lack of separation anxiety is hypothesized to be an overt characteristic of a child’s behavior, the absence of separation anxiety does not necessarily confirm abuse / neglect.

When interviewing preschool children (2-5 years old) regarding child abuse / neglect, an interviewer’s task becomes extremely challenging. Children at this age typically are extremely dependent on the interviewer to ask the “right” question and consequently, there is a need to do
so without increasing suggestibility. Interviewers need to make certain that they use age-appropriate wording and sentence structure because children often misunderstand the more complex language of adults (University of Wisconsin-Extension, 2003). Children below five years of age are typically capable of testifying accurately if asked simple, direct questions (Sagstun & Edwards, 1995, p 162). Interviewers also need to make certain that they incorporating children’s wording appropriately. For example, it is common during this age period for a child to make attributions of human characteristics to inanimate objects or animals, such as when a child refers to a penis as a snake or rope (Beeler, 1990, p 46).

Another consideration is that “early autobiographical accounts are likely to be loosely organized, circumstantial, brief, and confusing to the listener. Although preschoolers can recall events, they cannot give accurate information regarding antecedents, sequences, or context. Time and space are personalized and not necessarily logical” (National Center for Prosecution of Child Abuse, 2004, p 23). Preschoolers tend to think egocentrically, which means their awareness and understanding is limited to their immediate experiences, so they assume other individuals also share their perspective. Therefore, when describing an event, preschoolers can often leave out important and obvious facts, because they assume everyone already knows such details (Beeler, 1990, p 45).

The inability to express themselves clearly may regretfully result in dismissal of abuse allegations (National Center for Prosecution of Child Abuse, 2004, p 23). When this occurs, it is extremely upsetting to the child and it may confirm assumptions that the abuse is a punishment that is deserved. In fact, preschool children almost universally believe that abuse is a punishment that they deserve for doing something wrong (Beeler, 1990, p 48). This may create additional frustration for children.
Developmental Psychologist Erik Erikson describes children’s progression through a psychosocial stage of locomotor, which involves the development of either initiative or guilt (Erikson, 1968 as cited in Kail, 2001, p 14). This developmental stage occurs when a child develops a willingness to try new things. Failure may lead to feelings of guilt. Erikson describes further developmental stages as a time when children actively begin self-discovery. For a preschool child, this is the most vital developmental task (Beeler, 1990, p 54). Most children that are victims of abuse / neglect do not go through Erikson’s stage of locomotor. This stage requires the child to be confident and provided with a sense of trust within themselves and in the environment (Erikson, 1968 as cited in Beeler, 1990, p 54). If a child is experiencing abuse / neglect, he or she is obviously not experiencing an environment that stimulates confidence.

Children at this age (2-5 years old) are also not typically aware of the concept of time (Keil, 2001). Therefore, a child's limited ability to specify a date and time of an incident of abuse does not imply that the event was not significant in a child's life (Sagstun & Edwards, 1995, p 162). Often times, because of egocentric thinking, the child will talk about events not in the specific sequence in which they actually occurred, but instead in the order of importance to himself or herself (Kail, 2001). Therefore, such a discrepancy does not necessarily mean that interviewers are unable to determine the correct timing of events, because often, a child will provide enough information for a skilled interviewers to do so.

First through fifth graders (6-10 years old) will generally feel responsible for external events that occur and this may lead them to believe they will suffer consequences for disclosing experiences of abuse (National Center for Prosecution of Child Abuse, 2004, p 24). Interviewers must keep this in mind when interviewing children. Children at this stage of development have developed cognitively and socially. With normal cognitive development, they begin to actively
listen to what other people are saying, ask questions when they may not understand, consider the
needs of the listeners, and can begin to describe events logically and sequentially (Beeler, 1990,
p 68). In addition, children's memory skills have developed such that they can remember events
that happened years earlier (Beeler, p 71). Unfortunately, the impact of being a victim of abuse /
neglect can cause such cognitive development to be delayed so the interviewer should not
assume such development has occurred (National Center for Prosecution of Child Abuse, 2004).
Children who may have been abused / neglected may display the same thinking patterns as
discussed earlier in connection with younger children, such as being unable to organize and
structure thoughts, think from an egocentric viewpoint, or display speech / language delays.

Interviewers may have trouble convincing the child that they can be trusted. Abused /
neglected children are typically suspicious and mistrustful of adults (Beeler, p 67). Interviewers
not only have to convince the child to trust them, but also that he or she is entitled to justice. The
child may have damaged self-esteem due to demeaning messages and / or lack of positive
attention from caregiver(s) (Beeler, p 155).

When children reach adolescent and enter middle school (age 11-13) cognitive
development has likewise progressed and they often become more self-conscious. This creates
additional challenges for an interviewer. When adolescent are asked directly if they have been
abused, they often will deny it (Beeler, 1990, p 168) primarily due to feelings of self-
consciousness, fear, blame, and feeling somehow responsible for the abuse.

Children at this age are skilled at telling narratives in a sequenced order. Children may
not begin at the beginning of the incident, but rather where they feel the significant details
occurred (National Center for Prosecution of Child Abuse, 2004, p 26). This illustrates a typical
child's ability to think logically, although, emotions or confusion over similar events of abuse
may overwhelm their cognitive processing ability (p 26). Such confusion illustrates how critical it is for interviewers to provide children with an environment that does not contribute to feelings of being confused, overwhelmed or insecure.

During adolescent years (13-17 years old), children develop in many areas and their cognitive abilities may now be more similar to an adult’s. Research conducted by Cole and Loftus (1987) demonstrated a child’s understanding of the concept of time is usually fully mastered upon reaching adolescence. The impact of abuse however, may result an adolescent having cognitive abilities resembling a younger child’s development. Therefore, an interviewer should find a balance between an adolescent’s need to be treated in a mature manner while still conducting an interview around an adolescent’s cognitive capacity (National Center for Prosecution of Child Abuse, 2004, p 26). Such balance can be accomplished by asking an adolescent the appropriate types of questions in a professional tone, comfortable to an adolescent.

Lawrence Kohlberg has identified predictable stages of moral development that adolescents experience. One significant change is in adolescents’ moral thought pattern (Keil, 2001, p 340). An increase in cognitive capacity also allows for advancements in abstract thinking, perspective taking and insight (Beeler, 1990, p 96) and typically leads to developing a perspective referred to as conventional morality (Kohlberg, 1971). Once children develop to the conventional level, they may experience feelings of shame, guilt, and self-blame if they feel they have failed to live up to traditional moral standards because of their victimization.

A child discovering that he or she holds beliefs and values much different than his or her peers can lead to what Erikson has identified as “identity confusion” (Erikson, 1968 as cited in Keil, 2001, p 302). Identity confusion is the most common clinical disturbance in a child’s first
two decades of their life (Erikson, 1968 as cited in Berrell, 1990, p 101). Victims of abuse and neglect are highly susceptible to experiencing identity confusion. Chronic exposure to events of abuse / neglect may influence victims to believe the abuse to be typical behavior because that is all they have known. Once children reach the moral development stage discussed above and can then learn from others perspective, they may fully come to realize that abusive and neglectful behaviors are not typical and this can lead to further identity confusion. Identity confusion can prevent children from developing a positive identity for themselves. If identity confusion is not resolved appropriately negative consequences can hamper a child throughout their life (Erikson, 1968). Therefore, if abuse is discovered, an interviewer should provide children with support and counseling that enables them to deal with the resulting confusion.

An interview regarding a child abuse / neglect case often contains issues that elicit strong emotions within a child. A child often has to extend trust to an interviewer, who is a stranger, when disclosing experiences of abuse (Bourg, 1999, p 35). In addition, children are often asked to disclose their experiences of abuse to multiple individuals, multiple times. For instance, a child may initially disclose experiences of abuse to a teacher or school counselor. After such a disclosure, a caseworker usually will ask the child to relate the experiences again. At some point, a police officer becomes involved. Unfortunately, according to research by Van de Kamp (1986) the estimated number of interviews a child goes through within a police investigation of child abuse is seven (http://www.accapc.com/mandated.cfm). A child repeatedly sharing his or her horrific experiences of abuse several times is unfortunate as multiple interviews during an investigation can lead to extreme feelings of embarrassment, shame, and stress (Bourg et al.).

Having a child go through multiple interviews can also generate additional stress for the child, and also possibly diminish the strength of the case as the chance for inconsistent
statements increases. The two main concerns facing investigators and courts are inconsistent and incomplete statements from children because these two elements often lead to a dismissal of the abuse/neglect charges (Ceci, Ross, & Toglia, 1989; Fivush & Hudson, 1991). The reasons for inconsistency and incomplete statements is rooted in the child collecting information from interviewers' questions and then carrying it over into future interviews (Parker, 1984). Therefore, children may not receive justice when improper interviewing and questioning techniques and repeated interviews generate apparent inconsistent and incomplete statements (Myers, 1994, Ceci, & Bruck, 1995).

Is there a way to decrease multiple in-depth disclosures children are asked to give? Yes. The initial individual(s) who are in contact with the child should gather only enough information needed to substantiate a need for further investigation. Investigators should allow the child to freely disclose as much information as desired. Interviewers should always provide a child with support but not question a child in-depth. Once the child provides sufficient information, the interviewer should reassure the child that he or she is going to receive help. It can also be reassuring to the child if he or she is also told that the person he or she is going to meet has helped other children with similar experiences. Hopefully, the child will be less intimated when meeting a stranger after knowing that other children have experienced such incidents and received adequate help.

The percentages of interviews that are currently being conducted in such a manner seem to be minimal; “the likelihood that each of these interviewers will be completely unbiased, as well as being skilled at posing appropriate questions, is very low” (Conte, 1999, p 35). Therefore, improperly held interviews can create confusion and lay a foundation for a child’s
memories to be distorted. Myers (1994) believes this is one of the most important issues that professionals working to protect children need to be focused on improving.

Issues surrounding why and how to avoid inconsistent and improper interviews will now be addressed in-depth. This should foster an understanding promoting an increased awareness that changes need to occur for the thousands of children who are victims of abuse / neglect and then are revictimized within a legal system due in part to improper investigations. I believe this inexcusable revictimization is absolutely unacceptable, especially given the fact that these children have reached out for help.

Asking an individual to conduct an interview without increasing suggestibility would be a request almost impossible to expect. However, interviewers can attend interview training classes to receive instruction on the proper ways to conduct an interview. In addition, training sessions may also cover information pertaining to child development issues, such as those discussed previously.

Training is available internationally for professionals who interview children. Interviewing protocols are studied during training sessions. These protocols are based upon empirical data and professional’s practical experiences. This generates more accurate recollections when conducting interviews with children. Finding Words is one of the best known training programs for forensic interviewing, involving five days of intense instruction for child abuse professionals who interview children (National District Attorneys Association, 2005).

A child’s introduction to an interview should be seen as an opportunity for child and interviewer to get to know one another. During this time the interviewer can also come to understand the child’s communication style and level of cognitive development. The importance of an interviewer introducing him or herself is to help assist the child in relaxing and acclimating
him / her to the potentially stressful interview situation. Interviewers should introduce
themselves and ask the child to confirm his or her name instead of asking for the child’s name
since most children are reluctant to introduce themselves to strangers. At all time,
communication between interviewer and child should be undertaken at the child’s eye level.
Interviewers should never initiate any physical contact with a child unless the child reaches out
to them because unwelcomed contact can make the child feel uncomfortable.

Once in the interviewing room, interviewers should present the child with an option of
where to sit, if possible, while keeping in mind the restrictions highlighted previously (ie: not
having a table in between interviewer and child). Once seated, interviewers begin by describing
their role and expectations for the child during the interview. Interviewers then ask the child if
he or she knows why they are there and about the job of the interviewer. Typically, an
interviewer can expect a simply “no” response. Consequently, interviewers may want to
commence by informing the child that they have talked to other children who have had similar
experiences that required adult assistance to resolve.

Before obtaining any information regarding details of the alleged abuse, an interviewer
should establish whether the child know the difference between the truth and a lie. To determine
this, the interviewer can ask the child basic questions formulated upon the child’s cognitive
development. For example, the interviewer can show the child a picture of a boy and ask, “If
someone said this was a girl, would that be the truth or a lie?” Hopefully the child will respond
with, “lie.” Then the interviewer can emphasize to the child the importance of only telling the
truth. Interviewers should always avoid placing themselves as the liar in such questions, because
a child may not want to call an adult a liar. For instance, the interviewer would not want to say,
“If I said this was a girl, would that be the truth or a lie?”
When establishing whether the child knows the difference between the truth and a lie, an interviewer can provide the child with an opportunity to answer cognitive questions that do not involve case relevant issues (such as incidents of abuse or neglect) that are specific to the investigation at hand. Researchers, Saywitz, Geiselman, and Bornstein (1992) found children between the ages of 7 - 8 years and 10 – 11 years give more accurate information regarding a specific incident when first interviewed with a cognitive interview protocol regarding irrelevant information. For example, discussing a previous birthday or holiday before initiating questions regarding the events of the specific case. The primary purpose of the experiment was to measure possible benefits children may demonstrate utilizing recall performance protocols.

The experiment involved a staged-live event with children, 7 - 8 and 10 - 11 being either involved in the event (active) or observing one. Interviewers asked children questions resembling questions presented during child abuse investigations, such as “Did he touch you?” Nine detectives from a sheriff’s department (with prior training interviewing child witness) served as interviewers; two additional hours of training were given to detectives two weeks before participating in the experiment. In addition, detectives had to have at least four years of field experience interviewing child witnesses and victims.

Detectives were not given any information regarding the purpose of the experiment nor any information pertaining to the staged scenario. Detectives interviewed children two days after they participated in the experiment’s staged event. All interviewers were instructed to explain to the children the acceptability of telling the interviewer that they do not understand a question or do not know an answer.

Detectives who were randomly assigned to standard interviewing technique section were told to interview children how they normally would during an investigation. The only exception
was being told that the first question had to allow children to give a narrative account of the staged event. Detectives randomly assigned to the interviewing technique section that allowed children to first respond to questions irrelevant to the investigation were instructed to ask specific types of questions irrelevant to the staged event.

Researchers then analyzed data from the two interviewing protocols. Condition 1: cognitive interviewing prior to event specific questions (staged event). Condition 2: cognitive interviewing questions but only regarding the targeted event therefore not allowing the child time to practice cognitive interviewing questions before questions referring to staged event. Researchers hypothesized that exposing children to cognitive interviewing questions before answering questions regarding the staged event would increase accuracy and even relevant information due to the following three factors:

1. It would familiarize children with the process of being interviewed thereby affecting their willingness to speak freely and reducing their feelings of anxiety
2. It would identify and correct specific misconceptions that a given child may have about being interviewed such as what it means to say “I don’t know;” and
3. It would familiarize children with the cognitive interview techniques giving them both practice and corrective feedback to improve their ability to use the techniques accurately in the formal interview.

The benefits of providing children adequate time to practice the cognitive interviewing technique could have occurred due to researcher’s expectations. When children were given prior experience with the cognitive technique before being interviewed about the event, a 45% improvement occurred in children’s correct responses. Therefore, interviewers should interview children with questions irrelevant to the investigation before asking questions pertaining to
allegations of abuse. Some professionals may disagree due to the resulting increased length of interviewing time but the benefits of utilizing this technique seem to outweigh the potential cost as the time increase proved to be minimal. Specifically, interviews that involved practicing cognitive questions before the targeting questions had an average of 22.19 minutes and interviews that did not have children practice before targeted questions had an average of 16 minutes. The additional six minutes seems to be an investment in more accurate and useful details. An irrelevant question also provides interviewers with information that will allow them to assess a child's mental / emotional capabilities while also allowing children to become more comfortable with the interviewing protocol.

Guidelines developed by Miriam Wolf of the Central California Child Welfare Training Academy have served as a general outline for questions that should be asked when questioning children. Questions are sequenced from first to last. This module follows the general consensus gathered from the empirical data surrounding interviewing children. Sample questions follow:

A- General/open-ended:
- Do you know why you’re here?
- Tell me more about that…
- What else do you remember?

B- Focused or direct (directed toward possible abuse, but still open-ended, frequently “WH” questions- who, what, where, when) are:
- What do you do when you visit your dad?
- What are those marks on your back from?

C- Multiple-choice (used to get context when there has been some disclosure. Always give a probably-correct answer among the choices as well as an alternate possibility):
- Did it happen in the day, night, or some other time?

- Were you wearing shorts, pants, or something else?

D- Yes / no (Used as a last resort)

- Did someone touch your pee-pee?

- Did Grandpa do something you didn’t like?

E- Leading questions (should never be used in a forensic context):

- Uncle Johnny touched your privates, didn’t he?

F- Coercive (should never be used in a forensic context):

- If you tell me what Grandpa did I’ll buy you an ice cream cone?

- Tell me what Jo-Jo did or I’ll have to put you in a foster home.

General / open-ended, yes / no, focused or direct questions will now be reviewed to further explain the ordering of protocol and to illustrate why it is essential for this protocol to be followed as precisely as possible. General / open-ended questions are most effective when interviewing a child because they can initiate a running narrative. Therefore, open-ended questions generally allow a child to speak more freely on the most important issue to them.

Bourg (1999) provides some examples of open-ended questions that can increase the chance of a running narrative. “I wasn’t there, but it is important that I know everything that happened. Can you tell me everything that happened starting with how it began?” “What happened next?”. In addition, research demonstrates that children consistently answer open-ended questions at a highly accurate rate comparable to adult’s accuracy to similar questions (Bourg, 1999, p 80).

Information gathered through open-ended questions requires free recall memory. Free recall is the most complex form of recall because it requires information to be retrieved without
any cues or props (National Institute of Child Health and Human Development (NICHD), 2000).

Michael Lamb, Ph.D., Chief of Institute of Child Health and Human Development Section on Social and Emotional Development explains why using free recall memory more accurate information:

_The results of laboratory and field studies suggesting that open-ended questions are preferable because they access free-recall memory, whereas focused questions frequently engage recognition memory processes that are more prone to error and narrow the retrieval of information considerably. In addition, recognition probes refocus the child on domains of interest to the investigator and exert greater pressure to respond, whether or not the respondent is sure of the response (National Institute of Child Health and Human Development (NICHD), 2000)._ 

Also, a research team at NICHD, University of Haifa; Israeli Ministry of Labor and Social Affairs; and a psychologist in private practice, incorporated the use of free recall memory into an interviewing children training session and found that the training increased response accuracy (NICHD, 2000). Specifically, interviewers obtained three times more accurate information from the child than before adopting the new questioning technique (i.e. the use of open-ended questions).

While leading / suggestive questions are not to be used when interviewing, Myers (1999) states that in some circumstance an interviewers may have to use such questioning but still agrees that leading questions should only be used as a last resort. Myers provides two reasons for the use of suggestive questions: 1) psychological dynamics of sexual abuse and 2) child development considerations.

 Victims of sexual abuse are often reluctant to disclose their experiences. For reasons
discussed earlier within developmental considerations (such as the child believing abuse is his or her fault) they may not know how to verbally express incidents, etc.. Myers (1999) refers to a study by Sorensen and Snow that reviewed interviews of 116 substantiated sexual abuse cases and found 80% of the alleged victims initially denied abuse or hesitated to disclose if only open-ended questioning was utilized by investigators.

DeVoe and Faller (1999) reviewed 70 cases of children, ages 5 - 10, who were interviewed because of suspected sexual abuse. Interviewers used open-ended and general questions and only one child disclosed that they were sexually abused. Most of the other children required focused or direct questions. Therefore, interviewers may feel pressured to use suggestive questioning for the child to disclose their experiences of abuse. But, interviewers should never use suggestive questioning to obtain information from a child because the information provided may be inaccurate.

Since the 1970's an anatomically correct doll (ACD) has been used when interviewing a suspected sexually abused child. An ACD is to be used as a communication tool for the child (Morgan, 1995, p 3) to help them disclose his or her experiences of sexual abuse. An ACD, also referred to as “anatomically complete” is designed to represent a human body in full-detail which includes, oral, anal, and vaginal openings. There is much controversy regarding the use of this interviewing tool.

A wide variety of research (Everson & Boat,1989; Realmuto, Jensen, & Wescoe, 1990; Skinner & Berry 1993) demonstrates that anatomical dolls have too many concerns surrounding the conclusions that can be gathered from a child’s interaction with ACD. Therefore, I will state that an anatomical doll should not be used when interviewing a child because of all the precautions required. For example, a child often goes through multiple interviews during an
investigation of abuse / neglect and research demonstrates that repeated interaction with an ACD can impact a child’s testimony. Specifically, researcher Ceci (1993) found that children who experience repeated exposure to anatomical dolls may display behaviors “that are considered highly indicative of sexual abuse” such as repeated insertion of objects in a doll’s vagina. Such actions require interpretation, and after introducing ACD’s, a child may place their finger inside the vaginal or anal hole of the doll out of curiosity and an interviewer might consider this as an indication of abuse. Additional research is needed for professionals still interested in using this controversial tool.

Another factor that was introduced by Myers (1999) was the child’s development which refers to the child’s ability to respond to non-specific, open-ended questions. Myers demonstrates this with an example that many parents have faced: “Ask your four- or five-year-old, "What happened at preschool today?" and the answer is predictable, "I played." It is not that the child cannot remember. Rather, he or she needs specific questions to “bring the memory to the surface.” The challenge for interviewers when trying to “bring memory to the surface” is making sure they are not being suggestive.

If focused or direct questions are used, they are to be utilized with extreme caution and as a last resort because inverse correlations can occur with suggestive questions and the child's statements (Myers, 1999). Yes-no questions are also to be used as a last resort of questioning due to various concerns surrounding why the child may choose to respond “yes” or “no”. Some concerns with yes-no questions are: 1) the child can remember an event in question but will respond with “no” when asked whether the incident occurred because it is difficult for them to discuss the issue (Bourg, 1999, p 101) and / or 2) the child may have learned that responding with “no” will
terminate further questions (Brady, 1999, p 48).

When a child is given a chance to answer with only a “yes” or “no” response, he or she will often do just that without elaborating (Bourg, 1999, p 101). Also, a child could believe that the only response options are yes-or-no. Therefore, if a child does not understand a question, he or she may choose yes or no randomly without letting the interviewer know he or she is confused. Although an interviewer should always inform the child that it is appropriate to let them know if he or she does not have an answer or understand the question, stating this does increase the frequency of such a response from the child (Walker, Lunning & Eilts, 1996). However, this instruction is not very effective with younger children (Memon & Vartoukian, 1996). A child should be informed of this option both before and during an interviewing.

A child also needs to be informed that responding “no” to the interviewer does not mean he or she is disagreeing with the interviewer. Also, an interviewer should avoid repeating the same question, especially if it is a yes / no question, because the child may infer that he or she gave a “wrong” answer the first time. Therefore, the child may feel influenced to change his or her answer from what was given previous in an effort to try to please interviewer (Wolfe, 2002, p 33). Therefore, if an interviewer elects to use yes / no questioning, which is often the case; interviewers need to keep these precautions in mind.

With so many concerns regarding the use of yes-no questions when interviewing children, it is difficult to understand why the questioning technique is used so often.

“Nonetheless, yes-no questions appear frequently in transcripts of primary investigative interviews and cross-examinations in the courtroom (Warren, Woodall, Hunt, & Perry, 1996). For example, “when Warren et al. analyzed 42 sexual abuse interviews conducted by child protective services personnel, they found that yes-no questions comprised 66% of the abuse-
related questions posed to children ages 2-13 years” (Brady, 1999, p 47). This emphasizes the need for any professional that involves children need to be training on the ways to effectively conduct such an interview.

It is imperative that the child leaves an interview feeling comfortable with the experience (National Center for Prosecution of Child Abuse, 2004, p 62). Therefore, interviewers should always thank the child for his or her participation even if the child was not cooperative. Interviewers should also ask the child if there is anything he or she would like to ask them or talk about. Interviewers can also give the child a card with their name and number, if age appropriate, and let them know they can call if the child wants to talk or needs help in the future.

Videotaping the child's interview can serve as a potential advantage for investigators and any child involved in a child abuse / neglect case. The traditional method of handwritten documentation of an interview does not provide an outsider with substantial information of what exactly occurred during an interview. For example, the child’s emotions that are expressed through body language cannot be represented through handwritten words. Handwritten documentation does not show where an interviewer and child are situated within an interviewing room nor will it document any gestures that may be given, and / or how questions are presented to the child. This lack of information can benefit an alleged perpetrator’s defense because it can increase the opportunity for an accusation of suggestibility during the interview. Documenting an interview through videotaping can allow professionals to show other professionals and jurors that the interview was conducted in a proper manner.

When interviews are conducted at a CAC, the interview is videotaped, and additional professionals see, hear, and can provide the interviewer with questions and comments during the actual interview. These other professionals are those representing the multidisciplinary team that
is coordinated by the CAC. A multidisciplinary team is usually representative of professionals from many disciplines: law enforcement, child protection, prosecution, mental health, medical and victim advocacy. These professionals can view what is occurring during an interview through a one-way mirror or view the interview on a television in a room comparable to a conference room, through the transmission of a video camera. As a result, the interview is also videotaped for documentation purposes. The other professionals can assist the interviewer because a small microphone is in the interviewing room and the interviewer wears a small ear piece that provides them with the other professionals’ comments. This prevents the need for additional interviews in the future because all necessary questions can be asked at one time. Also, all the professionals are able to observe the interview and gather the information they need.

Testifying in court can be an intimidating and frightening experience for children and adults alike. A courtroom's structure itself can be very overwhelming. There is sparse research regarding the influence a courtroom environment can place on the quality of a child's testimony. However, researchers Rebecca Nathanson and Karen Saywitz (2003) conducted a study that examined the effects a courtroom setting can have on children’s memory and anxiety when answering direct questions. Eighty-one 8- to 10-year-old children (44 males and 37 females), were recruited from public elementary schools to participate in this study. Participants were involved in a 30-minute staged event where they were taught the parts and functions of the human body. During the staged event, activities involved bodily touch such as someone listening to the participants’ lungs. Such activities permitted later questioning that could resemble those asked of allegedly abused children to be used. For example, “Did he put something in your mouth?” During the staged event, participants’ heart rates were monitored for further research in this study.
Throughout the following week, the participants were taken out of their class so various tests (Wide Range Assessment of Memory and Learning, Legal Knowledge Test, the Court Experiences Questionnaire, and the State-trait Anxiety Inventory for Children) could be administered. The reason for administering such tests was noted by the researchers as providing a preliminary analysis to ensure that all participants were comparable on memory ability, legal knowledge prior court experience, self-image, perceived social support, trait anxiety, and social desirability. In addition, two weeks after participating in the staged event, participants were taken to a university law school where additional tests were administered including the Self-Perception Profile for Children, the Social Support Scale for Children, and the CSDS, in an empty classroom.

Participants were then randomly assigned to one of two interview conditions 1) courtroom (N=41) or 2) private room (N=40) and all possible confounds were controlled. Participants who were interviewed in a private room were shown another participant being interviewed in the private room. Participants interviewed in the courtroom were shown a courtroom involving actors as the judge, attorney, bailiff, jurors and a child being questioned at the witness stand. Both groups were told that they would be interviewed next in the environment they had just witnessed. After receiving this information, participants returned to a waiting room and tests were administered (Court-Related Stress Scale and State-trait Anxiety Inventory for Children) to measure participants’ levels of anticipatory anxiety. Participants were then interviewed during which time their heart rates were also monitored. When the interview was completed, participants were escorted back to the waiting room and interview performance assessments were administered.

Results found significant effects of interview environment on memory. For example,
participants interviewed in the courtroom (5.11) recalled significantly fewer pieces of information than participants interviewed in the private room (9.90). Also, there was a statistically significant finding of 27% of participants interviewed in the courtroom failing to recall the staged event at all when asked to respond to free recall questions. This was only found in 7.5% of participants interviewed in the private room. Significant main effects were also found with the interview environment and participant’s anxiety through the measurement of participants’ heart rates. Specifically, the mean value of 13.88 was found for participants in the courtroom interview and 7.91 for participants interviewed in the private room.

After reviewing the effects the environment and question types can have on a child’s ability to recall information and answering questions, the following results of this study should come as no surprise:

1) an univariate test on the individual items on the Court-Related Stress Scale revealed a significant interview-environment effect with children interviewed in the courtroom as significantly more stressed than children interviewed in the private room.

2) A significant positive relationship between legal knowledge and correct responses to specific questions was also found.

Specifically, researchers Nathanson and Saywitz state that the more legal knowledge a participant possessed, the more detailed information he or she provided and the more specific questions that were answered correctly, the fewer responses of “I don’t know / remember” were given. Various explanations are provided for the significant positive correlation but all rationales support the contention that the child who will be testifying in court should be provided with knowledge of the legal system and exposure to the environment to promote higher quality of testimony.
As previously discussed, an unfamiliar, formal environment is confusing, distracting and stressful for children. In addition, high levels of stress decrease an individual's attention, motivation, and can interfere with memory (Nathanson & Saywitz, 2003). Therefore, a child's ability to perform such memory tasks required for free recall (the most appropriate questioning technique) and can be diminished when in a courtroom environment. This can lead to inconsistent testimony and increase the probability of dismissal of charges. Therefore, additional research is needed to disseminate the most suitable conditions for children who have to testify during a trial.

Child abuse has been present in society for many years. But advocating for children to receive proper care that meets their developmental needs during an investigation of possible abuse is a more recent phenomenon. The importance of such advocacy is derived from the most important evidence in a child abuse / neglect investigation: the child's own voice. It must be recognized that the system being used in many American communities correctly (although a system comprised of agencies committed to the protection and best interest of every child it encounters) often cannot meet many of these children's needs. This has, regretfully, resulted in far too many being re-victimized by the very system that is supposed to protect them.

The inability to fully represent a child who has been a victim of alleged abuse during the investigative stage and courtroom trial is often influenced by the lack of an appropriate environment as the lack of a properly trained interviewer for the child. Instead, an unnecessary number of interviews are conducted because agencies are not working together as a multidisciplinary team. It is imperative that such a team is created for each child abuse investigations because child abuse is a complex multifaceted problem. No single agency, individual, or discipline independently has the necessary knowledge, skills, or resources to serve
children who have regrettably become victims of abuse. Child Advocacy Centers (CAC) need to be established in every community to provide an environment that is both child-friendly and child-focused to investigate, prosecute, and treat abuse in a coordinated, multidisciplinary manner that promotes support and proper quality of care for children during the investigation process.

Children In Crisis, Inc. states that CACs cost communities approximately 70% less than the “fragmented” services used in other communities. Most importantly, however, they state that conviction rates are much higher for child abuse cases when a CAC is involved. Not only is it a benefit to society to ensure that the child is provided with the best services during and after his or her investigation of abuse, but it is also the judicial system’s responsibility to take action. The author believes that CAC’s should be mandated in every community because the traditional services provided by police departments are not acceptable for the various reasons documented herein. It is imperative that children be provided with the most effective, child and family-focused system response, which is present in CACs. Just as the judicial system recognized five centuries ago the glaring inadequacies of protecting children from child abuse, it is now time to future acknowledge that children are not receiving proper services during many investigations of alleged abuse / neglect. Changes need to be mandated and made.
Reference


http://www.americanhumane.org/site/PageServer?pagename=wh_mission_maryellen


