

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention



Interviewing Child Witnesses and Victims of Sexual Abuse

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*Portable Guides to
Investigating Child Abuse*

Foreword

Investigating child abuse requires talking to the children involved to seek out the truth regarding allegations. Interviewers must be objective and at the same time sensitive to the differences between children and adults and the special challenges these differences present.

This guide provides practical information for law enforcement officers, child protection workers, child abuse investigators, and others faced with the need to obtain information from children who may be victims or witnesses of child sexual abuse. The approaches and techniques provided can promote a process that is legally defensible and minimizes further trauma to the child. A particularly important aspect of the authors' work is their focus on maintaining an objective stance and avoiding the use of leading questions, especially with young children who may be susceptible to the suggestions of adults.

This guide provides basic considerations for the proper collection of information while focusing on particular techniques for interviewing children. It is my hope that the suggested approaches will prove helpful to all professionals investigating the increasing numbers of allegations of child sexual abuse.

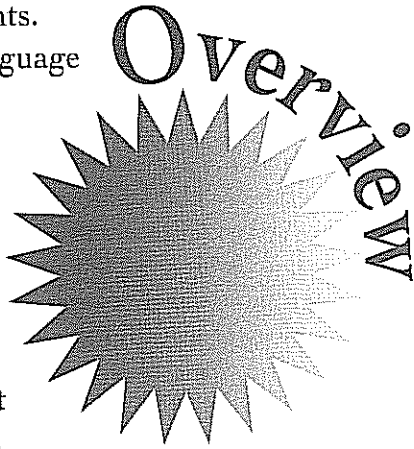
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Children are not miniature adults. They view the world from a different perspective. They relate and communicate in a forgotten language.

When interviewers question children as if they were adults, misunderstandings and avoidable errors undermine children's credibility and contaminate their statements.

Questions are asked in language that is too complex about concepts that are too abstract for them to understand. Children try to answer questions without the requisite skill. This happens when children who cannot count are asked how many times something occurred. Problems can also arise when few precautions are taken to minimize suggestibility or to overcome children's anxieties. As a result, children's statements may contain inconsistencies, distortions, and misinterpretations that are more a function of the interviewer's lack of knowledge than the child's lack of competence.



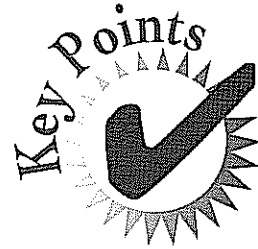
Interviewing children who may be victims of sexual abuse presents a special challenge to law enforcement personnel, not only because of the difficulty of talking about such private matters but also because of the child's potentially complex relationship to the perpetrator. The first part of this guide presents some basic considerations that investigators must keep in mind when interviewing children to ensure that the interviews yield useful, factual information. The second

part focuses on particular child interviewing techniques and other means of information gathering to verify or dismiss allegations of child sexual abuse. Taken as a whole, this guide is designed to help investigators get at the truth in interviews that are sensitive, objective, and fair.

General Guidelines for Interviewing Children

By Karen J. Saywitz

To maximize the accuracy and completeness of children's statements, the interviewer strives to create an accepting, unbiased environment. This is accomplished through understandable questions posed objectively, yet with empathy. The interviewer must build a bridge between the world of the child and the world of the adult to create the best opportunity for the discovery of truth.



The Interviewer's Approach

Interviewers need to exercise four important attributes: sensitivity to the child's stage of development, flexibility, objectivity, and empathy.

- * **Be sensitive to the child's level of development.** This means the child's stage of development in terms of language, memory, knowledge, reasoning, and emotional maturity. The vocabulary and grammar of a question should match the child's language level, and the content of a question must be related to the child's knowledge base and experience level.
- * **Be flexible.** Age alone is not a sufficient predictor of the reliability of children's statements. Be flexible in following the child's lead rather than adhering to rigid protocols or age limits. The pace, breadth, and depth of a single interview will depend on the way the child copes with anxiety, the characteristics of the event to be recalled, and a host of other factors that influence the interview process.
- * **Be objective.** To elicit accurate reports from children, take extra care to maintain an objective, neutral stance. Biases can be conveyed inadvertently in tone of voice, facial expression,

accusatory context, or questions that suggest a particular answer. Keep your own presuppositions in check to avoid adversely influencing young children's statements.

- * **Be empathetic.** Finally, help children overcome the anxiety that is inevitable in the forensic setting. You cannot eliminate children's fears, but you can show understanding. Comments that show understanding reduce anxiety, allowing children to focus mental energy on remembering and reporting accurately.

Talking to Children

Phrase the question so the child understands

The grammar and vocabulary you use, as well as the instructions you give, must be appropriate to the child's age and stage of development (see figure 1, next page). To a young child, "court" is a place to play ball and a "hearing" is something you do with your ears. Ask children to define terms in their own words to be certain that they understand what you mean.

Talk about what children understand

The content of the questions must be geared to the child's knowledge base and experience. Forensic questions often request information in the form of feet, inches, pounds, hours, and dates. These are learned gradually over the course of elementary school. For a child who has not mastered them yet, find alternative methods. For example, instead of asking what time something happened, ask what television program was on. For dates, ask about the spring vacation during second grade.

Young children reason on the basis of what they see, not on invisible concepts or suppositions. Terms that are concrete and visual elicit more accurate reports. Don't ask, "How many times were you abused?" Rather, ask, "How many times did he hit you?" Talk in terms of pictures.

Young children also have difficulty viewing the world from other people's perspectives. A question such as "Why didn't you run away when he closed the doors and windows?" is difficult for them to answer because it requires their figuring out someone else's intentions.

Figure 1

Simplifying Language

- * Avoid long, compound utterances.
Use shorter questions and sentences.
- * Avoid three- or four-syllable words (*identify*).
Use one- or two-syllable words (*point to*).
- * Avoid embedded clauses, double negatives.
Use simple grammatical constructions.
- * Avoid multiword verbs (*might have been*) (*Might it have been the case that . . . ?*).
Use simple tenses (*-ed, was, did, has*) (*What happened?*).
- * Avoid hierarchical, categorical terms (*weapon, anything*).
Use concrete, visual terms (*gun*).
- * Avoid the uncommon usage found in legalese (*strike, bearing, parties*).
Use the common meaning of the term (*take out, meeting, people*).
- * Avoid pronouns (*him, her, they, he, she*).
Use proper names (*Mary, Joe*).
- * Avoid passive voice (*Was she hit by him?*).
Use active voice (*Did he hit her?*).
- * Avoid unclear references (*those things, this, it, that*).
Repeat the name of the person or thing you are talking about.
- * Avoid words whose meaning varies with time or place (*here, there, yesterday, tomorrow*).
Use stable terms (*in the front of the room, in the back of the room, a lot, a little*).
- * Avoid relational terms (*more, less*) (*Did it happen more or less than two times?*).
- * Use several short questions to replace one overloaded question.
- * Avoid questions that list several previously established facts before asking the question at hand (*When you were in the house, on Sunday the third, and Sam entered the bedroom, did Mary say . . . ?*).

Adapted from Saywitz K, Elliott D. *Interviewing Children in the Forensic Context*. Washington, DC: American Psychological Association, in press.

Help children deal with questions they don't understand

School-age children also benefit from being warned that they might not understand all the questions. Say, "Some questions will be easy to understand and some will be hard to understand." Urge children to ask you to rephrase a difficult question by saying, "What do you mean?" or "I don't get it."

Be objective and avoid suggesting answers

Children produce limited information spontaneously. Open-ended questions elicit the most accurate information. Use them first. Specific questions can facilitate further recall, but if misleading, they distort young children's reports. Care must be taken especially with 3- to 4-year-olds, who are the most vulnerable to the effects of suggestion. Studies find that by 6 to 7 years of age, children significantly increase their resistance to misleading questions.

This does not mean that young children have insufficient memories or that they are always highly suggestible. Children can provide accurate information that is meaningful to an investigation if asked direct questions about central aspects of the event. Some children remain steadfastly resistant in the face of highly suggestive questioning, but others do not. The reliability of young children's reports can be highly dependent on the manner in which the children are questioned.

Provide a nonjudgmental atmosphere

You can be both kind and matter-of-fact in tone of voice and facial expression, no matter how unbelievable the response. Avoid creating an accusatory context in which suspects are labeled as "bad people" who did "bad things." Uncooperative and reluctant children should not be bullied, bribed, contradicted, coerced, or threatened. Probe inconsistencies by explaining that you are confused, not by challenging children.

Begin the interview with broad, open-ended questions

This provides an opportunity for relatively spontaneous, independent disclosure. If a child provides a brief narrative in response, you can help the child expand on the initial narrative by following up with questions focusing on information from the child first and from other sources afterwards.

Avoid leading questions whenever possible

You can limit the use of leading questions by rephrasing yes/no questions into “wh” questions (who, what, where) that have less potential for distortion. “Did he hit you?” becomes “What did he do with his hands?” (“When” and “why” are more difficult for children 5 years and under.)

If you use yes/no questions, follow with queries that require children to elaborate, justify, or clarify their responses in their own words (“Tell me more” “What makes you think so?” “I’m confused”). This ensures that the child’s yes or no means what the interviewer assumes it means.

Sometimes the more specific question is the better choice

General questions do not guarantee accurate accounts. For example, children under age 7 are likely to answer “No” to “Was there a weapon?” but “Yes” to “Was there a gun?” “No” to “Did he put something in your mouth?” but “Yes” to “Did he put a thermometer in your mouth?” In each example, the accurate response came from the specific question. The more general terms “weapon” and “something,” while relatively less biasing, elicited erroneous information.

You will need to balance a variety of interests in deciding what kinds of questions to use. Particularly in cases of suspected sexual abuse (discussed in greater detail later in this guide), be certain to explore alternative possibilities. For example, if a young child confirms that she was touched on her “peepee,” molestation may not be involved. Caretakers are routinely involved in toilet training and bathing. Ask about the circumstances leading to the touch.

Help children overcome their anxieties

Children's anxieties can interfere with their cooperation and recall. Try to see the interview from the children's perspective. Rather than telling children, "Don't feel nervous," which minimizes their feelings and shows you do not understand, admit that you understand how scary it is to be questioned by a stranger.

Let children know the limits on confidentiality

Children are worried about whom you will tell and why. Sometimes you can say you will tell only those who need to know to keep them and their family safe. Telling children about the flow of information from the interview to the trial will reduce the feeling of betrayal that can compromise later testimony when they learn that what they have told you in private is now public knowledge.

Understand children's emotional reactions

Sometimes children's emotional reactions are misinterpreted as indicators of reliability. Children with posttraumatic stress disorder tend to avoid all reminders of past trauma. Interviewers can expect such children to be uncooperative. Children who are clinically depressed are withdrawn, indecisive, indifferent, or hopeless and tend to take a long time in answering questions. Their silences are due to psychomotor retardation, not invention and lying.

Phases of an Interview

Step 1: Preparation

Phrasing questions in an age-appropriate fashion can be difficult for a first-time interviewer. It can be more manageable if you plan ahead. Before the interview, list the most important points to be covered. Then turn each into an age-appropriate, nonleading question.

- * Gather information on the abilities of children in the age range of the child you will be interviewing as well as relevant background information on the child with respect to age, culture, disabilities, language, emotional adjustment, and family functioning.

- * Plan where it will take place, who should be present, and how it will be documented.
- * Determine what information will be needed for the report and for testimony to explain the how and why of interviewer choices.
- * Be prepared to conduct followup interviews if necessary. Children find it stressful to tell their experience to a series of unfamiliar adults, so limit the number of different interviewers by following through yourself.

Step 2: Setting and context

Try to interview children outside the presence of caretakers and other adults with an interest in the case. However, children ages 6 and under may be unbearably anxious about being alone with a stranger.

- * To reassure children, show them where caretakers will be waiting and allow them to check on caretakers when necessary. If this fails, arrange for a familiar, trusted observer who is not involved in the case.
- * Introduce yourself and your role. For school-age children, explain the steps in the investigative and judicial process. Essentially, children need to understand the purpose of questioning—that the information they provide will be given to an attorney and possibly a judge. Tell the child that the information is needed to keep children safe, to make the best plan for the family, or to decide if someone broke the rules.
- * Find a child-friendly setting and remove all distracting and intriguing gadgets. Do not interrupt the session for phone calls. If you give your wholehearted attention, the child is more likely to do so as well.

Step 3: Rapport building and developmental observations

Take time to build up trust. Begin with talk about harmless topics such as favorite foods or television shows, not about family. Don't go overboard with play materials. For many children, it will suffice to offer crayons and paper.

- * In the beginning, take note of the child's language, reasoning, and knowledge.

- ✱ Test the child's understanding in areas relevant for later questioning. For example, to find out if the child possesses the knowledge necessary to answer questions, ask the colors of the crayons, your age or height, the time it is, or the name of the State and city you are in.

What you do to build rapport will depend on the facts of a given case. Figure 2 (next page) suggests ways to assess a child's understanding.

Step 4: Information exchange

It is best to begin questioning about the event under investigation by offering children an opportunity for a spontaneous statement.

- ✱ If children have been told your role in the investigative process, start by asking them if there is anything they want to tell you or want you to tell the judge or the attorney.
- ✱ If this fails to produce a description of the event, try a number of other open-ended approaches. If you know the location of the crime, you can ask children to describe the physical and personal environment of the crime scene (for instance, what it looked like or how it smelled).
- ✱ Then ask for a description of what happened there from beginning to end. Tell children to tell you everything, even the little things they might think are not very important.
- ✱ Over the course of the interview, move from children's spontaneous narratives in response to open-ended questions ("What happened?") to prompts that help children elaborate on the few facts they provided on their own.
- ✱ Do not interrupt children's narratives, and do not introduce information from other sources at this point. Prompt with "What else?" "What happened next?" or repeat their replies with rising intonation to help children elaborate on the facts they have raised.
- ✱ Follow the narrative with open-ended "wh" questions. Closed questions that limit answers to yes or no are reserved for the end. If you use them, employ followup prompts to elicit elaboration in the child's own words ("Tell me more") or justification ("What makes you think so?").

Assessing a Child's Understanding

Conventional Systems of Measurement. Ask questions about the day, the room, the interviewer, and so forth that require answers to be formulated in terms of feet, inches, miles, pounds, years, hours, minutes, seasons, months, or days of the week. (How tall am I? How many feet is it from this side of the room to the other? What is today's date? How long have we been sitting here?) Do not overwhelm children. Ask only about the issues germane to a given case.

Basic Concepts. Find out whether children understand basic concepts that may be critical to the facts of a particular case (e.g., first, last, never, always, beside, before, after). For example, line up a row of toys and ask children to identify the first and last one.

Colors. Children may be familiar with common colors, such as red, but unfamiliar with the names of uncommon colors, such as tan, mauve, or turquoise. Use a box of crayons to find out what words they use to identify certain colors if the color of an object is critical.

Locations. Children remember locations in terms of landmarks that are meaningful to them. They may recall a place by the color of the house or by the name of the neighbor rather than the street address. Ask children to name their city, State, or street.

Kinship Terms. Many cases require children to discuss relatives before they have mastered the adult understanding of kinship relations. Elicit children's names for important people in their lives, including family members and anyone else who lives in their house.

Numbers Skills. Giving children a set of objects and asking them to hand you a certain number is one test of counting ability. However, children's ability to count objects may not extend to counting events in time. Adults typically estimate and reason out the number of instances.

Ability To Take Another's Perspective. Try to assess a child's ability to infer others' intentions, feelings, and thoughts. For example, ask what they intend to get a parent for their birthday. Is it an appropriate gift?

Adapted from Saywitz K, Elliott D. *Interviewing Children in the Forensic Context*. Washington, DC: American Psychological Association, in press.

Step 5: Closure

Thank children for their help. Praise their effort, not the content of what they said.

- * Thank children for working hard during the interview, even if no forensically relevant information was forthcoming and additional interviews are needed.
- * If children are upset, give them time to recompose. Offer empathy for doing something that was hard for them to do and praise their bravery. Ask their impressions of the interview. Dispel misperceptions that arise.
- * Tell children what will happen next. This reduces fears about the future. Explain when you will meet again and for what purpose. Educate children about the next steps in the investigative and judicial process.

Interviewing Children Who May Have Been Sexually Abused

By Kathleen Coulborn Faller

Investigators face many challenges when interviewing children who may have been sexually abused. The fundamental dilemma is that if the child has been abused, many factors may keep the child from disclosing information to an investigatory interviewer. At the same time, techniques that might be useful in overcoming the child's reluctance to disclose actual abuse might also result in a cajoled or coerced false allegation or the appearance of one.

- * As the interviewer, your first challenge is that most children have been told by the offender not to tell. The offender may have used several strategies with the child to inhibit disclosure:
 - Manipulation ("If you tell, I won't love you any more").
 - Bribes (giving the child material goods such as food, special clothing, or a car, and allowing special privileges).
 - Threats (loss of love, removal from the home).
 - Threats of bodily harm ("I'll kill you" or "I'll kill your mom").
- * Your second challenge is that many children who have been sexually abused have been told not to trust authority figures. Children may have been told, "If you tell the social worker, she will put you in foster care" or "If you tell the police, I will go to jail."

- * Your third challenge is that in a large percentage of cases of suspected sexual abuse, the child has not made a decision to disclose the victimization. A concerned adult, such as a professional or a family member, has decided to involve authorities. The child may not want to see you or talk to you.
- * Your fourth challenge is that you are asking the child to tell you about shameful and secret experiences. Consider how you would feel if you were asked to provide intimate details about your last sexual encounter to a stranger in a position of authority.

For all of these reasons, it will take patience and time to interview a child who may have been sexually abused. Cases in which a single interview of a half-hour yields a description of sexual abuse are uncommon.

It is also important to understand that the case you investigate may or may not be a case of sexual abuse. Approach the case with an open mind and avoid techniques that can be perceived as leading or coercive.

Level of Likelihood

- * Concerns about sexual abuse may be based on strong evidence, such as conclusive medical evidence, observation of the abuse by a trustworthy third party, or the offender's confession.
- * Alternatively, concerns may be based on less compelling evidence, such as behavioral changes in the child (e.g., wetting the bed, nightmares) that could be caused by a variety of factors.
- * An additional situation of lesser likelihood is one in which a child has described sexual abuse that involves other potential victims. These cases may involve documented incest with additional children in a family, or they may be extrafamilial sexual abuse cases such as in a Boy Scout troop or a day care center, where other potential victims may be suspected.
- * However, even in "other potential victim" cases, the level of likelihood can vary. For instance, the child being interviewed may or may not have been identified as a victim.
- * Level of likelihood will guide the extent of investigation, with high-likelihood cases requiring more investigation than low-likelihood cases.

Preparing for the Interview

Sexual abuse can include a wide range of possible behavior, from sexual touching to child pornography. The sexual activity can be carried out by people with a range of relationships to the child, from parent to stranger. Sexual abuse can occur in a variety of contexts—at home, at school, or in a car, for instance. Before interviewing the child, obtain as much information as you can about sexual acts that may have occurred, the identity of the alleged offender, and the place where the abuse is alleged to have occurred. However, be aware that having this information may increase your vulnerability to leading questions. Avoid just asking the child to support the information you already have about the abuse.

You should gather information about the child's family, the child's school situation, recreational activities, and typical day. Information about the child's social situation will help you understand and place in context what the child tells you. Suppose the child's father is a bartender, for instance, and the child speaks of daddy giving people lots of drinks. Knowing the father's occupation will probably lead you to interpret the child's statement differently than not knowing.

Since assessment of possible sexual abuse involves gathering historical information, you will also want to determine the child's ability to recall past events and capacity to provide other factual information.

Questioning

Begin your questioning with a general question or statement, perhaps one that relates to your role. "I am a protective services worker. My job is to make sure kids are safe."

Try to obtain information about alleged abuse from the child rather than getting the child to confirm information you already have. Your previously acquired information about the alleged abuse can guide your questioning, but it must be used in a nonleading way. Once the child has provided information, repeat it to make sure you have heard the child accurately and/or to cue further disclosure.

Strive to use as many open-ended questions as possible

Resort to more close-ended ones only when open-ended ones do not work. The more open-ended the questions, the greater confidence you should have in the response, and conversely, the more close-ended, the less confidence. Figure 3 (see pages 16 and 17) presents the continuum of investigative questions, beginning with the most open-ended, desirable kinds of questions for interviewing children, and concluding with the leading and coercive questions appropriate for interrogating adult suspects of crime but not child victims:

- * **Focused questions.** Young children and reluctant children require focused questions. These questions should focus on "who," "what," "where," or "when," one at a time.
- * **Followup questions.** Most children will not provide a narrative in response to a focused question but rather a brief answer, such as "John hurt my butt." Follow up with additional focused questions or "followup" questions.
- * **Multiple-choice questions.** If open-ended questions are not adequate, you may need to resort to close-ended ones. Multiple-choice questions may be appropriate, but responses to them may be less accurate. Avoid questions when all the choices could be incorrect. The questions should be restricted to "where" and "when," unless the child's previous disclosures make it clear there is a "who" or "what."
- * **Direct questions.** Even if you must resort to a direct question, ask it in an open way. "Did your dad do something to your peepee?" Follow up an affirmative response with a focused question, "What did he do?"

Avoid leading or coercive questions

Leading questions are ones in which the desired response is explicit in the question. Sometimes they are called "tag" questions because they begin or end with a tag, such as "Isn't it true that?" or "Didn't she?" Avoid using these in an investigative interview. Also avoid coercion and inducements.

Interrogation techniques are inappropriate in interviews with children who may have been sexually abused because:

- * Victims of abuse have different motivations than offenders trying to protect themselves.

- * Children are more suggestible than adults, especially children under 6 and especially if the interviewer is an adult and in a position of authority.
- * Deprived and maltreated children may be especially vulnerable to giving confirmatory information. They usually have a history of compliance to adult wishes and may respond to positive attention by giving you the information they think you want.

Use of Anatomical Dolls and Other Media

Children are usually less accomplished than adults in communicating verbally. Because of this, you may need to use media or props in addition to language to gather information. This allows children to demonstrate as well as say what they have experienced. Many media can be employed, but the most useful for investigatory interviewers are anatomical dolls, anatomical drawings, and picture drawing.

However, media, especially anatomical dolls, have some drawbacks. In some jurisdictions, their use may complicate the legal case. In addition, children most in need of props, those under 4, may have difficulty reenacting events with a doll representing themselves and another the alleged offender. They may be more successful using their own bodies and a doll or pointing to relevant body parts on the doll.

Anatomical dolls and drawings

As anatomical models, dolls and drawings help the interviewer conduct a body parts inventory. The interviewer asks the child to name the body parts and perhaps describe their functions. It is advisable to use four dolls or drawings, male and female, adult and child, and to ask the child to name all body parts, not just the sexual body parts. For accurate communication when interviewing, you should use the names the child employs for the body parts. After the inventory, you may ask a focused question on body parts, such as "Did you ever see a man's wingus?"

As demonstration aids, dolls and drawings may help the child to show what happened. The interviewer helps the child choose appropriate dolls or drawings for the event to be demonstrated. An advantage of using demonstration aids

Figure 3

Continuum of Questions From Open Ended to Close Ended

The following types of questions progress from the more desirable open-ended ones to less desirable multiple-choice and direct questions, and finally to undesirable leading and coercive questions. The more open-ended the question, the greater the confidence in the response elicited from the child.

General

I talk to kids when grownups don't treat them right. Has any grownup mistreated you?
Tell me everything you can remember about X.
Do you know why we are talking today?

Focused

Who (person who may have abused child)
Tell me about your dad. What do you like about him?
Are there things you don't like?
Are there special things you do with Uncle Joe?

What (abuse)

Does anyone ever touch your peepee?
Did you ever see a penis? Whose?
Are there secrets at your house?
Do you ever play special games?

Where (circumstances of abuse)


Tell me what happens at day care.
What do people do at Dave's house?
What do you remember about the camping trip?

When (circumstances of abuse)

Who puts you to bed?
What happens when your dad drinks?
What happens when you get a bath?



Figure 3 *continued*



Disclosure (prior to interview)

Did you talk to your teacher about someone hurting you?

Did you have to go to the doctor?

Followup

Narrative Cue

What happened after that?

And then what?

Repeat (of child's statement)

He touched your private?

Clarify (previous statement)

You said he bit you down there?

Where exactly did his peepee go?

Multiple choice

Did it happen in the daytime or nighttime or both day and night?

Did he hurt your butt, face, arm, or somewhere else?

Direct

Was it your dad who hurt your peepee?

Did Mr. Jones put his penis in your mouth?

Leading

Isn't it true that your brother bit your peepee?

You were lying about what your mom did, weren't you?

Coercive

If you don't tell the truth, you're not leaving this room.

We can go get ice cream once you tell me what happened.

is that you have to ask fewer questions. This means more information is generated by the child than by the interviewer. However, some focused and followup questions will be useful in gathering information about details of the event. For example, you could ask the child, "Do you remember where the wiener went?" or "And then what happened?"

When the dolls or drawings are used as demonstration aids, they can:

- * Facilitate a child's disclosure. If the child does not want to talk about an incident, you can ask if the child can show you with dolls or drawings.
- * Clarify a child's vague communication, such as, "He hurt me," or "He humped me." You can suggest that the child show you exactly how that was done with dolls or point to the body parts involved, using the drawings.
- * Corroborate the child's verbal disclosure. This provides additional support for the child's statement and may increase your level of certainty about the abuse.

Picture drawing

Sometimes called free drawing, picture drawing can also help children communicate experiences. Mental health professionals may ask the child to draw a person or the family, for instance. Research suggests that these "generic" drawing tasks usually do not yield information helpful in making a determination about sexual abuse (Friedrich, 1993). However, "abuse-specific" drawings may be useful. These include:

- * A picture of the alleged offender, followed by questions about him or her.
- * A picture of the place where the abuse occurred, with specific inquiry about the abusive acts.
- * A picture of the abuse itself.
- * A picture of an instrument, such as a knife or a vibrator, employed during the abuse.

Decisionmaking

At the end of the information-gathering phase, you must decide whether or not you think the child has been sexually abused and what to do next.

Weighing the evidence

You must consider all possible explanations for the allegation. It may be true, partly true, false, or an honest mistake. You weigh the confirming and contradicting evidence for each explanation with the goal of arriving at the most likely one. There is general agreement that child interview data are the most important to consider. However, information from other sources should be considered in the decision process, such as:

- * The child's statements about the abuse in other contexts.
- * The child's symptoms (sexualized behavior, nonsexual symptoms).
- * Other victims or witnesses.
- * The alleged offender's functioning, statements about the abuse (confession, partial admission, explanation), and prior history.
- * The nonoffending caretaker's functioning, statements about the abuse, and prior history.
- * Medical evidence.
- * Physical evidence gathered by law enforcement.

Level of certainty

In only rare instances will the investigative interviewer be either 100-percent certain sexual abuse did occur or 100-percent certain it did not. In fact, professionals should be skeptical about anyone who offers such a guarantee. There is no single profile of a sex offender. Rather, there is a great deal of variability among people who sexually abuse children, and research indicates many of them score within the normal range on psychological tests (Williams and Finkelhor, 1992). Similarly, children react to and describe experiences of sexual victimization in many different ways.

However, 100-percent certainty of sexual abuse is not required, even for criminal conviction.

- * A criminal case must be proved "beyond a reasonable doubt" — a probability level of 95 percent.
- * Child protection intervention requires much less certainty. In most States, a child protection case can be opened if there is "some credible evidence," or about 25-percent probability that the child was sexually abused.

- * To take temporary juvenile or family court jurisdiction requires “preponderance of the evidence,” or 51-percent probability.
- * To terminate parental rights, the case must be proved at the “clear and convincing” evidence standard, 75 percent.

The polygraph

Law enforcement investigators often ask if the accused is willing to take a polygraph test, and prosecutors often make decisions about whether or not to prosecute based on polygraph results. Although these professionals put considerable weight on polygraph findings, polygraph results are not admissible in most court proceedings because they are viewed as having an unacceptable level of false positives and false negatives. They measure whether the individual experiences physiological arousal (increased heart rate, breathing rate, galvanic skin response) to abuse-focused questions, not whether the individual is lying. Their utility has been especially questioned in cases of sexual abuse (Cross and Saxe, 1992).

Null findings

The absence of findings does not necessarily mean that no sexual abuse has taken place. Many children fail to disclose. For some children there is just a small window of opportunity. For others, disclosure is an incremental process. If you are unsuccessful in making a determination but remain concerned about possible sexual abuse, it may be prudent to refer the child to a child interview specialist, a multidisciplinary team, or a therapist who can devote more time and expertise to the case.

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General Guidelines for Interviewing Children

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Interviewing Children Who May Have Been Sexually Abused

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Supplemental Reading

General Guidelines for Interviewing Children

American Psychological Association Council of
Representatives. *Statement on the Use of Anatomically Detailed
Dolls in Forensic Evaluations*. Washington, DC, February 8,
1991.

Melton G, Goodman G, Kalichman S, Levine M, Saywitz K,
Koocher G. Empirical research on child maltreatment and the
law. *Journal of Clinical Child Psychology* 24(suppl.):47-77, 1995.

Saywitz K. Children in court: Principles of child development
for judicial application. In Bulkley J (ed): *A Judicial Primer on
Child Sexual Abuse*. Washington, DC: American Bar
Association, 1994, pp. 15-48.

Saywitz K. Improving children's testimony: The question, the answer, and the environment. In Zaragoza M (ed): *Memory, Suggestibility, and Eyewitness Testimony in Children and Adults*. Newbury Park, CA: Sage Publications, 1995, pp. 113–140.

Saywitz K, Elliott D. *Interviewing Children in the Forensic Context*. Washington, DC: American Psychological Association, in press.

Saywitz K, Goodman G. Interviewing children in and out of court: Current research and practice implications. In Briere J, Berliner L, Bulkley J, Jenny C, Reid T (eds): *APSAC Handbook on Child Maltreatment*. Newbury Park, CA: Sage Publications, 1996, pp. 297–318.

Interviewing Children Who May Have Been Sexually Abused

American Professional Society on the Abuse of Children (APSAC). *Guidelines for the Use of Anatomical Dolls During Investigative Interviews of Children Who May Have Been Sexually Abused*, 1995. (Available from APSAC, 407 South Dearborn, Chicago, IL 60605.)

Cross T, Saxe L. Critique of the polygraph testing in child sexual abuse cases. *Journal of Child Sexual Abuse* 1(4):19–34, 1992.

Everson M, Boat B. Putting the anatomical doll controversy in perspective: An evaluation of the major uses and criticisms of the dolls in child sexual abuse evaluations. *Child Abuse and Neglect* 18:113–130, 1994.

Faller KC. *Evaluating Children Suspected of Having Been Sexually Abused*. APSAC Study Guide 2. Thousand Oaks, CA: Sage Publications, 1996.

Friedrich W. Sexual victimization and sexual behavior in children. *Child Abuse and Neglect* 7(1):59–66, 1993.

Groth N, Stevenson T. *Anatomical Drawings for Use in Investigation and Intervention in Child Sexual Abuse*. Dunedin, FL: Forensic Mental Health Associates, 1990.

Lanning K. Section I: Criminal investigation of sexual victimization of children. In Briere J, Berliner L, Bulkley J, Jenny C, Reid T (eds): *APSAC Handbook on Child Maltreatment*. Newbury Park, CA: Sage Publications, 1996, pp. 247–263.

Morgan M, Edwards V. *How To Interview Sexual Abuse Victims: Including the Use of Anatomical Dolls*. Thousand Oaks, CA: Sage Publications, 1995.

Sorenson T, Snow B. How children tell: The process of disclosure of child sexual abuse. *Child Welfare* 70:3–15, 1991.

Williams L, Finkelhor D. Incest and paternal absence: A test of the biosocial model of incest avoidance. Paper presented at the Center for Child Protection Conference: Responding to Child Maltreatment, San Diego, January 17, 1992.

Other

National Council of Juvenile and Family Court Judges. *Child Development — A Judge's Reference Guide*. Reno, NV: National Council of Juvenile and Family Court Judges, 1993.

Shepherd JR, Dworin B, Farley RH, Russ BJ, Tressler PW, National Center for Missing and Exploited Children. *Child Abuse and Exploitation: Investigative Techniques*. 2d ed. Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1995.

Walker AG. *Handbook on Questioning Children: A Linguistic Perspective*. Washington, DC: American Bar Association Center on Children and the Law, 1994.

Organizations

American Professional Society on the Abuse of Children
(APSAC)
407 South Dearborn
Chicago, IL 60605
312-554-0166
312-554-0919 (fax)

Sponsors an annual colloquium and provides workshops and institutes on child interviewing at other conferences.

American Prosecutors Research Institute (APRI)
National Center for the Prosecution of Child Abuse
99 Canal Center Plaza, Suite 510
Alexandria, VA 22314
703-739-0321
703-549-6259 (fax)

APRI provides extensive training on the investigation and prosecution of child abuse and child deaths. The national trainings include timely information presented by professionals experienced in the medical, legal, and investigative aspects of child abuse.

Fox Valley Technical College
Criminal Justice Department
Law Enforcement Training Programs
P.O. Box 2277
1825 North Bluemound Drive
Appleton, WI 54913-2277
800-648-4966
414-735-4757 (fax)

Participants are trained in child abuse and exploitation investigative techniques, covering the following areas:

- * Recognition of signs of abuse.
- * Collection and preservation of evidence.
- * Preparation of cases for prosecution.
- * Techniques for interviewing victims and offenders.
- * Liability issues.

National Resource Center on Child Sexual Abuse (NRCCSA)
National Children's Advocacy Center (NCAC)
2204 Whitesburg Drive, Suite 200
Huntsville, AL 35801
NRCCSA: 205-534-6868
NRCCSA Information Service:
800-543-7006 (800-KIDS-006)
NCAC: 205-533-5437

NRCCSA provides training in investigative interviewing and multi-disciplinary approaches and presents teleconferences. NCAC presents an annual symposium on child sexual abuse.

National Center for the Prosecution of Child Abuse
99 Canal Center Plaza, Suite 510
Alexandria, VA 22314
703-739-0321
703-549-6259 (fax)

Provides training on a range of aspects of criminal prosecution.

Additional Resources

American Bar Association
(ABA)
Center on Children and the
Law
Washington, D.C.
202-662-1720
202-662-1755 (fax)

American Humane Association
Englewood, Colorado
800-227-5242
503-792-9900
503-792-5333 (fax)

American Medical Association
(AMA)
Department of Mental Health
Chicago, Illinois
512-464-5066
512-464-5000
(AMA main number)

American Professional Society
on the Abuse of Children
(APSAC)
Chicago, Illinois
512-554-0166
512-554-0919 (fax)

C. Henry Kempe National
Center for the Prevention
and Treatment of Child
Abuse and Neglect
Denver, Colorado
503-521-3963
503-529-3523 (fax)

Federal Bureau of Investigation
(FBI)
Child Abduction and Serial
Killer Unit and Morgan P.
Hardiman Task Force on
Missing and Exploited
Children
Quantico, Virginia
800-634-4097
540-720-4000

Fox Valley Technical College
Criminal Justice Department
Appleton, Wisconsin
800-648-4966
414-755-4757 (fax)

Juvenile Justice Clearinghouse
(JJC)
Rockville, Maryland
800-638-8736
501-251-5212 (fax)

National Association of
Examiners
St. Louis, Missouri
514-577-8298
514-268-5124 (fax)

National Center for Missing
and Exploited Children
(NCMEC)
Arlington, Virginia
703-235-5900
703-235-4067 (fax)

National Center for the
Prosecution of Child
Abuse
Alexandria, Virginia
703-739-0521
703-549-6259 (fax)

National Clearinghouse
Child Abuse and Neglect
Information
Washington, D.C.
800-FYI-5566
703-585-7565
703-585-5206 (fax)

National Committee to
Prevent
Child Abuse (NCPA)
Chicago, Illinois
800-CHILDREN
512-663-5520
512-939-8962 (fax)

National Resource Center
Child Sexual Abuse
(NRCCSA)
Huntsville, Alabama
800-543-7006
205-554-6868
205-554-6883 (fax)

National SIDS Resource
Center
Vienna, Virginia
703-821-8955, ext. 249
703-821-2098 (fax)

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention
Washington, D.C. 20531

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