



Working With Sexually Abused Children

Introduction

One of the many challenges of child sexual abuse cases is that often the only evidence may be the child's statement. Many cases may involve sexual misconduct that does not necessarily involve sexual intercourse or other penetration, thus making corroborating physical evidence difficult to obtain. Professionals who work with sexually abused children often rely on a variety of techniques, some of which are controversial, to enhance the child's testimony and decrease some of the stress associated with testifying and disclosing their abuse. However, the emotional impact of the sexual abuse and the developmental limitations of a young child should be utmost in the interviewer's mind when questioning the child and preparing for the civil suit. An attorney or advocate must be mindful of the potential emotional reactions a child may experience as a result of sexual abuse; the developmental and cognitive limitations of young children; various helpful interview techniques (e.g., suggestive questions and anatomical dolls); and useful courtroom tools (e.g., court school and closed circuit television) that could conceivably reduce some of the child's anxiety related to testifying in open court. Nevertheless, it should be emphasized that all of these tools and techniques can only be beneficial to the child and the victim's suit when they are administered by a trained professional.

Emotional Impact of Child Sexual Abuse

There are a variety of psychological reactions a sexually abused child may experience. The way an individual reacts in a crisis is based on past life experiences and coping mechanisms they have developed. Because a child has limited life experiences, s/he often has not completely developed coping mechanisms or had extensive practice successfully implementing any existing coping mechanisms.

Not all sexually abused children will have experienced all or most of these emotional reactions. Some children may suffer from poor self-esteem and have poor concentration, but may not demonstrate any of the other reactions. Simply because a child demonstrates some, but not all, of the reactions typical of a child sexual abuse victim does not indicate his/her trauma should be considered less intense than that of another victim.

Developmental Characteristics Related to Children as Witnesses

In the course of questioning a child in relation to a specific event, it is important to be aware of her/his cognitive limitations. By taking these factors into account, the interview process will be more successful because the child will be less frustrated and the interviewer should be able to elicit all the facts related to the abuse. In the following list are some basic characteristics of a young child's thinking process.

1. *Generally, children think in concrete terms.* It may be necessary to avoid complex sentences when interviewing a child. Children interpret things literally, so it is important to use age-appropriate language and terms the child can understand. Ask simple questions which can not be misinterpreted. A child's ability to communicate information accurately to the court is not only dependent on his/her communication skills and memory, but also on the ability of adults to communicate in language that the child can understand.

2. *Children do not organize their thoughts logically.* Often the answer a child gives to an interviewer may not provide the desired information. This may happen for two different reasons. Young children do not have enough life experiences to create compartments in which to store memories for easy retrieval. Secondly, they rely on an adult's questions to help guide their recall of events. Therefore, if an adult asks the same questions over time, children will generally provide the same answers. However, if the wording is changed the child may interpret the question differently and provide a different answer, thus causing their testimony to be inconsistent.³⁹ For example, in response to the question, "Did your father touch you in his car?", the child may answer in the negative because the vehicle was a pick-up truck and not a car. If the question was phrased as "Did your father touch you in his truck?", the child should be able to provide a more accurate response.

3. *Children have a limited understanding of space, time and distance.* Children may not be able to give a specific time of day the abuse occurred because young children have not yet grasped the concept of space, time, and distance. However, they may be able to give a time relative to a particular television show or holiday. For example, the child may not know that the abuse occurred at 10 a.m., but they may recall that the abuse occurred after "Sesame Street," which ends at 10 a.m.

THE WARNING SIGNS OF SEXUAL ABUSE

It is important to be aware of the potential emotional side effects of child sexual abuse. Victims may experience emotions ranging from guilt to fear to anger. Sexually abused children may experience or engage in:

- Poor self-esteem
- Aggressive behaviors
- Fearfulness
- Concentration problems
- Inappropriate sexual behavior
- Self-destructive behaviors (suicidal thoughts, substance abuse)
- Excessive neediness to please others
- Problems with interpersonal relationships
- Posttraumatic Stress Disorder³⁸

4. *Children have a limited attention span.* Children will be confused, and may become frustrated by long, wordy questions. Also, constraints should be placed on the length of interviews. It may be more beneficial to have several shorter interviews where the child is concentrating and focused on the questions rather than an interview that lasts several hours.

5. *Children experience varying degrees of comfort with strangers.* Most children are told repeatedly by their parents and family members not to speak to strangers. In addition, a child who has been a victim of sexual abuse may have lost trust in adults and may be fearful of authority figures. It is important to establish a rapport with the child prior to questioning him/her in relation to the sexual abuse s/he endured. Rapport can be established by beginning the interview in an informal manner, perhaps by initial discussions of topics that may be of interest to the child, such as his/her favorite television show or game. By choosing subjects that the child can discuss easily, s/he will have an opportunity to relax and, possibly, view the interviewer in a more friendly manner. A child is more likely to disclose information to an individual with whom s/he has established a trusting relationship.⁴⁰

Children as Witnesses

Children are the most important and often the only witnesses to their abuse. Often children are preyed upon because they are viewed as being weak. Yet, ironically, to ensure justice is served, lawyers often depend on the child's strength. Children may be very persuasive witnesses, but they can also be very easily intimidated by having to testify in the presence of their abusers—especially in the many cases where the perpetrator is a parent or another family member. They may also feel the need to hide the truth in order to keep their family intact. Children often feel compelled to protect their parents even when they have been abused by them, most notably when the parent may face criminal penalties or “may go to jail.”⁴¹

Also, young children are taught to respect their parents as authority figures and often believe they are omnipotent. It

is difficult for children to challenge their parents when their perceptions of an event or events differ. For example, when children are told repeatedly by a parent that the abuse they experienced never occurred, they begin to doubt their own perceptions and memories.⁴² There are a variety of methods, though controversial, such as anatomical dolls, closed-circuit television, court school, and the use of suggestive questions, that can be employed to reduce the court-related

Since there are potential problems with suggestive questions, it is best initially if the interviewer allows the child to give a narrative account of the abuse. The interviewer should be cautious and not ask another immediate question if the child pauses. Like adults, a pause in dialogue may occur because the child is attempting to find the proper words to express themselves, or they may have reached a painful or embarrassing part of their story. It is important to be

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stress children may experience. However, when using any of these techniques, it is important to have a trained interviewer who is knowledgeable about child developmental and cognitive capabilities assist with the interview. There is evidence that some well-intentioned, but poorly trained interviewers may distort the child's memory of the events. Thus, the potential for flawed interview techniques should be of greater concern than the possibility of untruths told by the child.

Helpful Interview Techniques

Each child and each sexual abuse case is unique. For this reason, there is no concrete right or wrong way to interview a child in preparation for an upcoming trial. It is important to keep in mind that, for some children, disclosing the abuse they experienced can be as traumatic as the actual abuse. If each child is approached with sensitivity, patience and understanding, then the chances of revictimization will be drastically reduced. As with adult witnesses, it is extremely vital to establish a good rapport with the child as soon as possible.⁴⁴ Children are likely to be more cooperative when they feel comfortable and safe with the person who is conducting the interview. It is also important to initially explain to the child that it is acceptable to say that they do not know, or do not remember, particular information.

patient, so the child does not feel rushed or pressured. Though most young children will not be able to retrieve all the pertinent information required, this technique may provide a foundation for additional questions. The interviewer may be able to use the outline of events the child provided to ask more questions that will help the child to retrieve additional information.

It may be best to start with open-ended questions to encourage the child to give a narrative account of the abuse. Open-ended questions encourage the child to provide more information, but in a way that does not lead or pressure the child.⁴⁵ However, sometimes open-ended questions may not be specific enough for the child. Avoid questions which use the word “why.” The child may interpret the inquiry to mean that (1) there is a reason for the abuse, (2) that s/he is expected to explain why s/he allowed it to occur, and (3) that s/he is partly to blame. Also, questions on the same or similar issues should not be repeated too closely together. The child may assume that the question has been asked twice because his/her first answer was incorrect or inappropriate.

More About Suggestive Questions

Child sexual abuse, by its very nature, is shrouded in secrecy. In cases of ongoing sexual abuse, a child is told time after

time not to tell anyone. As mentioned previously, children may not want to disclose the abuse for a variety of reasons—the threat of violence, shame, or not wanting to destroy their family unit. Under ideal circumstances, suggestive questions should be avoided. However, based on the cognitive and developmental limitations of young children, suggestive

occurred. Although there is no data to substantiate the claim that these dolls make the child more suggestible, interviewers who choose to use the dolls should take extra precautions so as not to jeopardize the information obtained.⁴⁷ Some precautions may include not introducing the doll until the child has indicated that abuse has occurred, and then allowing the child to

sometimes embarrassing details to a room full of strangers and his/her abuser. Familiarizing the child with the courtroom prior to trial can alleviate some of her/his anxiety concerning the unknown. Many victim-witness assistance programs offer court schools that provide the child the opportunity to understand the justice system and what role they play in the process. Victim-witness assistance programs are generally located in the prosecutor's office; however, occasionally they are part of a law enforcement agency. Usually the class will provide a tour of an actual courtroom and an explanation of the roles of the court personnel, how to behave in the courtroom and general courtroom rules. Court school curricula can be designed to provide a measurement of the child's competency to testify and their emotional stamina for testifying.⁵¹

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questions could be instrumental, or even essential, in recalling the abuse. While young children have good memories, they may need assistance in the form of "triggers" to reveal these memories. Generally, young children do not respond as well to open-ended questions as they do to suggestive questions. The interviewer may have to use suggestive questions if other techniques and questions are unsuccessful in helping the child disclose memories of the sexual abuse.

If the child has difficulty focusing on the purpose of the interview, the interviewer may wish to incorporate more specific questions which remind the child of the focus of the interview without asking leading questions. For example, "What color was the man's car?" Children sometimes are not able to differentiate between relevant information and non-relevant information. Indicating what is relevant enables a witness to focus his or her testimony. Specific, yet non-leading, questions allow the interviewer to guide the witness in an evidentially sound manner.⁴⁶

Using Anatomical Dolls

Anatomical dolls are controversial and have been used to facilitate interviews with child sexual abuse victims. Some critics fear that the dolls may contaminate or distort a child's memory, or may cause the child to experience anxiety at the sight of genitalia or to indicate the existence of sexual abuse that has not actually

choose which doll will be used and to undress or position the doll.⁴⁸

Proponents of anatomical dolls feel that the dolls have a variety of benefits for the child and the information-gathering process. For instance, using dolls makes the interview room less intimidating and more child-oriented.⁴⁹ The dolls provide the interviewer with an excellent way to understand the child's sexual terminology, which is instrumental in the proper wording of questions. At times the doll allows for the child to demonstrate portions of the abuse which may be too painful or embarrassing to verbalize. Anatomical dolls also may assist the interviewer in gathering information without using suggestive questions.⁵⁰ Again, though controversial, these dolls can be useful in certain situations. But they should always be used by a trained interviewer in conjunction with other assessment tools and with potential legal liabilities kept in mind. Finally, the interviewer should always ensure that the child leaves on a positive note. Every effort should be made to reassure the child that s/he has done a good job.

Court School

Adequate preparation of the child witness is crucial to a successful civil suit. Keep in mind that courtrooms are designed for adults, not children. To children, the courtroom is an unfamiliar and frightening place where the child will be expected to recall the most intimate and

Closed-Circuit Television

Closed-circuit television allows for the child to provide live testimony via video cameras and television equipment. The child is able to testify in a location outside the courtroom, but the judge, defendant, jury and attorneys are able to see the child's live testimony. There are several advantages to closed-circuit television testimony. The child may not be as intimidated by the defendant when testifying. It is extremely difficult for the child to face the abuser—someone who may have threatened his/her life or the life of a loved one—in open court and disclose the details of the sexual abuse. Another advantage is that the child does not have to testify in front of spectators and other court personnel. Also, closed-circuit television provides a buffer between the child and any potential courtroom disputes between attorneys. The sound can be turned off during animated disputes that could be potentially disconcerting to the child.

Like any other technique, there are potential disadvantages. The child may feel uncomfortable and feel alienated because s/he is being kept separate from the other participants in the case. The child may be easily distracted or frightened by all the electronic equipment and may not fully concentrate on the ques-

tions. Also, the child may have difficulty concentrating over a long period of time on the person on the television who is asking them questions.⁵²

Conclusion

Attorneys and/or advocates will be presented with many unique hurdles when involved in a child sexual abuse case. It is important to treat the child-victim with respect, dignity and sensitivity. Incorporating various innovative techniques into the courtroom and questioning process can reduce some of the child's fear and apprehension. Though the techniques and tools briefly discussed in this article can be beneficial when gathering evidence and in reducing the child's stress associated with disclosing intimate details of the abuse, it is important to have these techniques administered by a trained professional who is familiar with child development and evidentiary rules. **A**

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38. Whitcomb, Debra. (1992). *When the Victim is a Child* (2nd ed.). Washington, D.C.: National Institute of Justice, U.S. Dept. of Justice.

39. *Id.*, p. 16.

40. *Id.*

41. Schetky, Diane H. and Arthur H. Green. (1988). *Child Sexual Abuse: A Handbook for Health Care and Legal Professionals*. New York: Brunner/Mazel.

42. *Id.*, p. 175.

43. Myers, John E.B. (1994). "Adjudication of Child Sexual Abuse Cases." *Future of the Children*, Vol. 4(2): p. 84-97.

44. Whitcomb, p. 16.

45. Bull, Ray. (1995). "Innovative Techniques for the Questioning of Child Witnesses, Especially Those Who Are Young and Those With Learning Disability." *Memory and Testimony in the Child Witness*, Vol. 1: p. 182-188.

46. *Id.*, p. 184.

47. MacFarlane, Kee and Sandy Krebs. (1986). "Videotaping of Interviews and Court Testimony" and "Techniques for Interviewing and Evidence Gathering" in MacFarlane et al., *Sexual Abuse of Young Children*. New York: Guilford Press.

48. MacFarlane and Krebs, p. 174.

49. Whitcomb, p. 34.

50. *Id.*

51. MacFarlane and Krebs.

52. *Id.*, p. 177, 178.

HELPING CHILDREN THROUGH THE SYSTEM

The Child Advocacy Center Revolution

By Charles Wilson, M.S.S.W. & Rhonda Brewster

Fourteen years ago, children who reported sexual abuse faced a situation sometimes as terrifying as the trauma they had just suffered: a one-size-fits-all justice system. They were treated no differently than someone reporting a property crime, often being passed from one agency to another, forced to retell and re-live their trauma, time and time again.

Each agency, from the police to child protective services to medical services, needed to hear the details, and few seemed to share information. As the abused children and their families wandered through a maze of bureaucracy, many began to feel re-victimized and some eventually gave up, leaving the child unprotected and the perpetrator free to continue abusing.

Fortunately, a revolution in child abuse response began to stir in 1985, led by District Attorney Robert E. "Bud" Cramer of Madison County, Alabama. He vowed to change the system after meeting a young girl who had been traumatized by the very system that was supposed to protect her. He called together professionals and volunteers who cared deeply about these children, and they began to redesign their community's response.

This kind of cooperation became the basis for the first Children's Advocacy Center, and the professionals who helped it succeed formed the Multidisciplinary Team, which is the heart of the Center. The Team includes representatives from social services, law enforcement, medical services, the prosecutor's office, and mental health services.

The Team determined that the primary focus of each case would be the children and their families, rather than the convenience of the social service or legal service. A cozy, home-like center was established as a place where all abused children are directly referred for interviews. This means they no longer have to re-live scary or embarrassing details in front of dozens of strangers, but only have to talk about their experiences once with a member of the Multidisciplinary team. Using special interviewing techniques, the professionals gather accurate information and share it with all the involved team members. This allows the investigative process to move forward while still helping the child begin the healing process. To ensure that cases proceed in a timely manner and that the child receives the necessary services, the Multidisciplinary Team meets weekly to review active cases and make recommendations on their progress.

Today the original CAC in Huntsville, Alabama, has become a model for more than 400 programs nationwide, giving thousands of children a voice they did not previously have. Communities that have adopted the CAC/Multidisciplinary Team concept experience numerous benefits, including more immediate follow-up to child abuse reports, more efficient support for victims and non-offending parents. **A**

For more information about the CAC concept, contact the Regional Children's Advocacy Center serving your area. These are: Southern Regional Children's Advocacy Center, (800) 747-8122; Midwest Regional Children's Advocacy Center, (312) 363-6700, ext. 421; Northeast Regional Children's Advocacy Center, (800) 662-4124; and the Western Regional Children's Advocacy Center, (800) 582-2230. The National Alliance, (800) 239-9950, can also provide information on CAC's. For additional information about the National Children's Advocacy Center, contact 106 Lincoln Street, Huntsville, AL 35801, (256) 533-0531.