

Competencies

- 203-02-001 Understands the importance of developing an investigative plan in child sexual abuse cases

- 203-02-002 Knows types of investigative interview questions to be used when interviewing alleged child victim of sexual abuse, siblings, alleged perpetrator, and nonoffending parent and understands the benefits and liabilities of each type

- 203-02-003 Knows topics that must be addressed in interviewing alleged child victims of sexual abuse, non-offending parents, alleged perpetrators, and collaborative witnesses

- 203-02-005 Understands how cultural factors may affect the investigation and assessment of child sexual abuse cases

- 203-02-006 Understands the necessity of multidisciplinary involvement in investigation of child sexual abuse (including multidisciplinary teams and Child Advocacy Centers), the roles and responsibilities of participating agencies, and the PSCA's policies and procedures regarding multidisciplinary involvement

- 203-02-008 Understands the importance of corroborating children's disclosure of sexual abuse and knows how to corroborate their statements with additional evidence

- 203-02-013 Knows when and how to include law enforcement and the prosecutor in investigations of child sexual abuse cases

- 203-02-014 Knows criteria for determining the credibility of a child's disclosure and how to evaluate the child's disclosure during the investigation

- 203-02-015 Knows strategies for reducing resistance during sexual abuse investigative interviews with the alleged child victim, siblings, alleged perpetrator, and nonoffending parent

- 203-02-017 Knows how to determine who should be interviewed, and in what order, in all types of child sexual abuse cases

Note: Competencies are under revision

ALTERNATIVE HYPOTHESES

Examples of alternative hypotheses specific to a child might include:

- Child has disclosed some allegations that are legitimate but has also fabricated, or been influenced to make up some allegations that are untrue
- Child has named a different perpetrator
- Child misunderstood harmless or improper, but non-abusive behaviors as sexual abuse (Misperceptions by Child)
- Child was influenced or pressured to make completely false allegations for someone else's benefit
- Child was motivated by a desire for retaliation, profit, or attention of peers
- Child has made-up allegations perhaps due to psychological issues
- Child invented allegations but has repeated story so many times, allegations have become real to child
- Child has witnessed others engaged in sexual activities and/or seen pornographic material that influenced child's allegations
- Child engaged in sex play with peers or siblings then alleged abuse by an adult
- Child has undergone repeated questioning; child has attempted to please adults by giving them statements child thinks they want to hear, then adults have reinforced child with praise or attention

Adapted from Ancie Fouche (2007). Facilitating Disclosure of Child Sexual Abuse Victims in Middle Childhood: A Forensic Interview Protocol for Social Workers.

TEAMING PROTOCOL WITH PROFESSIONALS

- ▶ Statement of purpose
- ▶ Discussion of joint and respective missions and organizational responsibilities
- ▶ Types of cases covered
- ▶ Procedures for handling cases, including special investigative techniques
- ▶ Criteria for child's removal
- ▶ Criteria for arrest of suspects
- ▶ Criteria for law enforcement referral to the CPS agency
- ▶ Criteria for CPS referral to the law enforcement agency
- ▶ Procedures to assist the CPS agency
- ▶ Criteria and/or procedures for joint investigations, including timing, determining who has prime decision-making authority, and concurrent prosecutions
- ▶ Provisions for joint training
- ▶ Provisions for multi-disciplinary consultation
- ▶ Criteria and/or procedures for cooperation & coordination with/among agencies.

General Principles of Investigative Interviews

- Be a fact-finder. Remain objective. The interview is intended to determine the veracity of the allegation. Open-mindedness is essential.
- Be objective in your demeanor. Be careful not to differentially reinforce verbal statements made by interviewees through any means. To do so could prompt interviewees to respond in ways they perceive you want them to respond.
- Remain calm. Do not appear upset, judgmental, angry, or sad.
- Allow enough time for a COMPREHENSIVE interview. Don't skip parts of the interview because you think you know the answer or because you are rushed for time.
- Document, Document, Document.
- Remain sensitive to the difficult and personal nature of sexual abuse.
- Be careful with "why" questions. These tend to make people feel defensive. (Why did you do it? Why didn't you tell anyone, etc?) **Note:** This is more specific to interviews with alleged child victims, rather than the non-offending parents or alleged perpetrators.
- Create an investigative interviewing plan that protects the child victim and any other possible victims. Decide who will be interviewed, in what order, and in which locations. Be prepared to change your plan as new information emerges.
- Decide the goals of each interview before conducting it. Then, plan your interview in order to ensure you cover the necessary information.
- Control the interview so that you can implement your planning. Do not allow the person you are interviewing to abduct or hijack the interview.
- Make your expectations clear. Discuss who you are and why you are talking with the person. When interviewing children, discuss the "instructions" for the interview.

Conduct separate interviews with all parties in an investigation in order to minimize contamination and lower the risk of the child or other family members being pressured to provide, or not provide, information.

- Move from more general, open-ended questions to more focused type of questions. The interview with the alleged child victim should specifically avoid the use of leading questions since they limit a child's responses to the questions asked by the caseworker.

Case Scenario

You have just received a referral from your supervisor that provides the following information:

Ms. Tabatha Jones (age 32) is living with her recent boyfriend of three months, Mr. Robert Baines (age 33). Ms. Jones has a five-year old daughter, Amy, as a result of a former relationship. Amy does not have contact with her biological father. She calls Mr. Baines, "Daddy", and she also calls her mother's past boyfriend, "Daddy". Today, Amy went to kindergarten and told her teacher that she doesn't like her daddy because he does mean things to her. When the teacher talked further to Amy, Amy stated that her daddy comes into her room at night when she is sleeping and lays on top of her. The school referred this allegation to the County CPS agency, and this case has now been assigned to you. Since Amy resides with her mother and Mr. Baines, it is important that she be interviewed today. You have asked Ms. Jones to bring Amy to the agency so that you can interview both of them.

Types of Interviews Conducted with an Alleged Child Victim During an Investigation

Therapeutic Interviews

Goal: To determine the effects of victimization on the child.

A therapeutic interview is often conducted with the child victim as part of an over all assessment that determines the cognitive incorporation of the child to the abuse, and possible behavioral responses to victimization.

Advantages:

1. A Mental Health Professional has the ability to subjectively interpret the information provided by the child on one occasion, or multiple occasions, to determine the effect(s) of victimization.
2. Details of the sexual abuse incidents are not the most important variable; emphasis is placed on the *incorporation* of the sexually abusive experiences.
3. There is a multiple array of strategies and techniques that a Mental Health Professional can employ to gather information.
4. There are no strict guidelines for conducting these interviews, nor are these interviews highly scrutinized by the legal system.
5. Therapeutic interviews are conducted by Mental Health Professionals who view themselves as "advocates" for the child.

Disadvantages:

1. Clinical standards are very different from investigative, forensic, or legal standards. However, these interviews are sometimes pulled into these arenas, and the information gathered is often substituted for the other types of interviews.
2. Mental Health Professionals and other Professionals may be unclear about their role in conducting these interviews.
3. Professionals and Caregivers/Parents may expect the Mental Health Professional conducting therapeutic interviews, to serve as investigative or forensic interviewers, and to gather detailed or validating information with the child in order to "help their case."

Investigative Interviews

Goal: To gather detailed information regarding pending allegations of sexual abuse.

In the past, this term had been interchangeable with the term "forensic interviews." However, as forensic interviews have become more structured and legally interwoven, the investigative interview has taken on a broader base. Investigative interviews are now primarily viewed as the interview conducted by Child Welfare Professionals and Law Enforcement Officers during the course of an investigation of child sexual abuse. These interviews are conducted in order to gather detailed information regarding pending allegations of sexual abuse. However, there is a definite slant toward safety and assessment of risk of the alleged child victim. Some also call interviews with the non-offending parent and the alleged perpetrator, "investigative interviews."

Advantages:

1. Investigative interviews focus on the safety and risk of the alleged child victim.
2. Training is available and accessible to professionals who must learn how to conduct these interviews.
3. The investigative interviewer is someone who is neutral in relation to the outcome of the investigation.
4. Information is gathered in open-ended, free-flowing interviews. The interviews then move to more focused questions in order to promote the child providing narrative information.

Disadvantages:

1. Most professionals who conduct these interviews (Child Welfare Professionals, Law Enforcement) have not received extensive training on conducting these types of interviews, and may not be familiar with strategies/techniques to employ in investigative interviews.
2. The court system has highly scrutinized these interviews over the years, and is constantly adding legislative guidelines to these interviews. Thus, investigative interviewers must always be aware of legislative changes and adapt their interviewing skills to the changes taking place in the field.
3. Child Welfare Professionals and Law Enforcement Officers have been de-valued in terms of conducting these interviews. In some jurisdictions, once these interviews are conducted, children are then interviewed in a "forensic interview" conducted by a forensic interviewer.

Forensic Interviews

Goals:

These are fact-finding interviews conducted by highly trained interviewers who are conducting detailed and age-appropriate interviews with alleged child victims of sexual abuse.

Advantages:

1. Forensic interviewers are perceived in the community and in the court system as expert witnesses in relation to their knowledge base and court proceedings.
2. A solidly conducted forensic interview can gather significant and detailed information that can be used by many professionals (law enforcement, mental health, court personnel) in assisting the child and his/her family in receiving necessary services.
3. Forensic interviews are highly structured interviews that are conducted by persons using "best practice" research, and operating within legal guidelines.
4. Information is gathered in open-ended, free-flowing interviews. The interviews then move to more focused questions, in order to promote children providing narrative information.
5. Forensic interviewers are neutral professionals who conduct these interviews without bias in terms of the outcome of the information received. They consider all of the information provided by the child. They also consider all hypotheses for the gathered information.

Disadvantages:

1. Forensic interviewers are perceived in the community and in the court system as expert witnesses due to their position. However, they may not possess the skills or knowledge base associated with this level of interview.
2. Forensic interviewers may not understand their role in conducting a forensic interview, and may be unaware of the ramifications of the information that they gather.
3. Forensic interviewers may operate independently of other professionals involved in the case, and sometimes are not "team players".

A Continuum of Types of Questions to Be Used In Interviewing Children Alleged To Have Been Sexually Abused

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Open-Ended	Question Type	Example	Child Response	More Confidence
	A. General *	Do you know why you came to see me today?	To tell you about my daddy.	
	B. Focused	How do you get along with your dad?	OK, except when he babysits for me.	
		What happens when he babysits?	He plays a game with my hole.	
		What does he use to play with your hole?	His "wiener."	
	C. Multiple Choice	Does he play with your hole with his finger, his "wiener," or something?	He used his "wiener."	
Did he say anything about telling or not telling?		Don't tell or you'll get punished.		
Did you have your clothes off or on, or some off and some on?		I took my pants off.		
D. Yes-No Questions	Did he tell you not to tell?	Yup.		
	Did you have your clothes off?	No, just my panties.		
E. Leading Questions **	He took your clothes off, didn't he?	Yup.		
Close-Ended		Didn't he stick his "wiener" in your hole?	Yup.	Less Confidence

* Children usually are not very responsive to general questions.

** Not appropriate when interviewing children.

Instructions for the Interview

In 1996, Dr. Karen Saywitz conducted four research studies that addressed the issue of gathering correct and valid information from children. She summarized that children can be provided with “instructions” during the interview process that they can understand and apply. It is important that these instructions be explained to the children, and that they have an opportunity to practice and apply these instructions. The instructions are as follows:

- There will be some questions that you do not know the answers to. That’s okay. If you don’t know the answer, say “I don’t know the answer.”
- We are only going to talk about what REALLY HAPPENED. No pretending or making up answers.
- If you don’t know what something means that I ask you, say “I don’t understand” and I will use new words.
- I may ask you something that I already asked you – sometimes I forget. Don’t change your answer because I asked you the same question 2 or 3 times.
- I may say something to you that is wrong. If I say something that you know is wrong, you have my permission to tell me I am wrong.

NON-OFFENDING PARENT INTERVIEW INQUIRIES

During the interviewing process, questions should be asked to determine the following:

1. Whether the non-offending parent believes the child's disclosure to be true;
2. Whether the non-offending parent had prior suspicion or knowledge of the abuse; and, whether she questioned the child or the alleged perpetrator about her suspicions, and how the child or alleged perpetrator responded;
3. Whether she fears the alleged perpetrator, particularly whether she fears physical or emotional harm to the child or to herself as a result of the disclosure;
4. Whether the child has previously displayed indications of abuse, such as: avoiding the alleged perpetrator; receiving special treatment from the alleged perpetrator; complaining about the alleged perpetrator's behavior; sexual acting out; running away from home; inappropriate sex play with other children; any physical signs of abuse such as bleeding or bladder infections; frequent nightmares; and other behavioral indicators of abuse;
5. Whether, and when, the alleged perpetrator has had access to the child, and whether the alleged perpetrator has had opportunity to be alone with the child;
6. Whether the non-offending parent is either physically absent from the home or emotionally detached from the family; does she work long hours, go out often, assign responsibility for child care and other household responsibilities to her spouse or older children;
7. Whether there has been a history of substance abuse, domestic violence, marital problems, or prior sexual abuse in the family;
8. Whether the non-offending parent can corroborate or verify specific information from the child's allegations; such as: the alleged perpetrator did take the child camping for a weekend last month; the alleged perpetrator does play poker and other card games with the child; the alleged perpetrator does threaten to ground the child if she dates; the alleged perpetrator does have a Polaroid camera.

9. Whether there are other children in the home or immediate neighborhood who may have been victimized or are at potential risk of victimization.
10. What is the NOP's relationship with the AP like, i.e.
 - a. Sexual relationship
 - b. Marital history
 - c. History of violence
 - d. History of arrests for any family member
 - e. Mental health treatment for any family member
 - f. Any awareness of past allegations of sexual abuse by AP
 - g. Employment history of NOP and AP
11. To clarify the family's roles and behaviors with regard to privacy in bedrooms or bathrooms; the degree to which family members are clothed in each others' presence; sleeping arrangements in the home;

In situations of extra familial abuse, the child victim's parents should be asked similar questions. They should also be asked to share as much information as they can about the alleged perpetrator, including their knowledge of his contacts with other children.

Adapted from: Institute for Human Services, 1996. Field Guide to Child Welfare, Rycus, J., Hughes, R. Institute for Human Services, 1998, Washington D. C.: CWLA Press

SCENARIO: INTERVIEWING A NON-OFFENDING PARENT

Mrs. Katherine Davis is a 34 year-old mother of two small children. She has been married for the past 8 years to Mac Davis, a construction worker. Mrs. Davis' earlier marriage of 5 years ended in divorce. Mrs. Davis' children, Melvin (Age 12) and Tierra (Age 9) do not see or visit their father. Mr. Davis is the only father that the children have known and they call him "Daddy."

Mrs. Davis states that she is happily married and that the Davis family is a "typical" American family. Both Mr. & Mrs. Davis work full-time and rely on after-school programs for child-care arrangements. Mrs. Davis states that she is happily married but that lately there has been some friction in the family due to Tierra's lying. Mrs. Davis states that Tierra has "always been her daddy's favorite" and that she knows how to get his attention. Mrs. Davis adds that Tierra is an openly affectionate child that will climb on the lap of an adult to get something that she wants.

You have contacted Mrs. Davis and asked her to come to the agency to discuss the pending allegations of sexual abuse. A referral was made to the local child welfare agency by a family member who states that Tierra told her, "My daddy rubs me and puts his tongue in my mouth." Mrs. Davis is upset with the allegations, but believes that Tierra has told "somebody lies for attention." Mrs. Davis told the investigator early on in the interview that she would never believe that anything has happened to Tierra since Tierra would tell her if something did.

INTERVIEWING ALLEGED PERPETRATORS

1. Introduce self and give clear purpose for interview.
2. Gather background information on alleged perpetrator (address, past addresses, date of birth, SS#, family members, employment history, and military history.)
3. Explore family life and relationships (who lives in the home, how many children stay there, how many bedrooms are there, who sleeps where, bedtime, bath rituals, etc. These questions are planned in advanced based on information collected thus far in investigation.)
4. Evaluate the alleged perpetrator's intellectual status, English literacy, individual and cultural style in verbal and non-verbal communication.
5. Observe behavior for non-verbal communication patterns.
6. Make note of any exculpatory or incriminating statements and any inconsistencies in the AP's statement:
 - a. General questions about allegation
 - b. Specific questions about details of allegation
7. If the allegation involves multiple children, each child's situation should be addressed individually.
8. Be comfortable asking very personal and detailed questions.
9. Collect any available evidence.
10. Seek the assistance of the AP in protecting the child. If the caseworker has reason to believe the abuse happened, the child and the AP should have no contact and cooperation by the AP is sought.
11. Answer any questions the AP has, discuss next steps, and thank the AP for the interview.