

**BILL BLACKWOOD**  
**LAW ENFORCEMENT MANAGEMENT INSTITUTE**

**INTERVIEWING VICTIMS OF  
CHILD SEXUAL EXPLOITATION**

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**BY**  
**JOHN INGRAM**

**MIDLAND POLICE DEPARTMENT**  
**MIDLAND, TEXAS**  
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## INTRODUCTION

Interviewing the child is the first and most important step in solving and prosecuting a case of child exploitation. Careful handling of the interview is crucial to the proper resolution of the case; keep in mind that the interviewer's conduct and the child's statements are subject to legal scrutiny. Unlike many cases involving adults, the goal of interviewing the child is not solely to gather information and evidence. Instead, the interview is multifaceted and involves a complex interplay of questioning and counseling, as well as providing comfort to a confused person whose level of communication and perception is limited in comparison to that of the interviewer's.

The word *interview* is a term familiar to both police officers and social workers alike. There are, however, differences in the meaning of this word for the two groups. A social worker utilizes the interview as a means of determining a client's general needs for social services delivery. A police officer, however, views the interview as a necessary step in preparing a case for prosecution. Despite the differences in purpose, both social workers and police officers to often consider the interview merely a process of questioning. The interview is, however, much more than that - especially when it involves a child who has been the victim of sexual exploitation.

To say the least, the interview process is extremely important to development of these types of cases. Because cases involving sexually exploited children very often lack both physical evidence and witnesses to the incident, the interview becomes perhaps the most important source of information available to establish the facts of the offense.

In addition to its importance for case development, the interview is also critical for maintaining the well-being of the victim. For many victims of exploitation, the interview may be the first and last time that someone will have the opportunity to help the child relate his side of the story. The dual purpose of the interview with a victim of exploitation must be both clearly understood and seriously regarded.

## **I. The Interviewer's Role**

### **Improving Communication**

The proper management of an interview requires that an investigator assess the situation, formulate a plan of action, enlist the cooperation of the child, provide necessary emotional support, and address the child's physical trauma. Because the ability to communicate is an essential element to conducting a successful interview, it thus becomes important to first identify some of the major goals that a good interviewer should focus upon. These goals include:

1. Each person in the interview may have different expectations of the interview. The interviewer should talk to the child about what to expect and how the interview will help.
2. Each person must feel that he/she is a part of the interview. The interviewer should take necessary steps to ensure that the child does not feel either isolated or misunderstood.
3. Interviewers must realize that in child sex abuse cases, unlike adult criminal cases, an overbearing display of authority generally results in alienation of the victim. The interviewer should, however, establish a firm interviewing structure to help the child reestablish his or her self control and a feeling of security.
4. It is essential for the interviewer to show genuine concern and to gain the child's trust before asking him or her to reveal confidences. Caution should be taken, however, not to exhibit so much concern that the child is encouraged to embellish upon his or her answers in order to obtain positive reinforcement from the interviewer.
5. Interviewers should be aware of the depth, intensity, and nature of their own personal

feelings so that they may better understand those of the child. Moreover, the burden of controlling overwhelming emotions is undeniably the responsibility of the adult interviewer.

6. Interviewers should make sure that the child is physically comfortable with the site and surroundings of the interview. The child's home may present problems if it is where the abuse allegedly occurred and the child does not feel safe enough to speak freely to an interviewer. On the other hand, some believe that interviewing a child where the alleged abuse occurred makes it easier for the child to remember the events (Pence & Wilson 1994, 78).
7. Interviewers should make sure that the child understands exactly what is said. The child must be able to observe and remember events, must understand the difference between truth and falsehood, and must appreciate the duty to tell the truth in court (Myers 1993, 121-33).
8. Do not schedule the interview during the child's naptime, mealtimes, or the difficult hours from 5:00 to 7:00 p.m. Scheduling at these times will interrupt the child's normal routine causing restlessness and a shortened attention span.

Another essential element of successful communication is, simply, to show interest. This show of interest is accomplished as much by nonverbal as it is by verbal behavior. The use of "body language" and behavioral cuing can aid the interviewer in keeping the child in a responsive and open mood. Key expressions are attentiveness, agreement, and dismissal. Attentiveness can be shown by keeping a good posture. Do not get too close to the child, but lean forward as if "hanging on to every word". Just remember not to encourage embellishment. Face the child. Maintain pleasant eye

contact without staring. Agreement is shown through nodding, smiling, and affirmative verbal responses. Dismissal by the interviewer, which shows a lack of interest and should be used only with extreme caution, can be effective in redirecting the interview back toward the original subject. Dismissal is manifested by actions such as leaning back in the chair, loss of eye contact, and shuffling papers, among others (Evans 1979).

Interest on behalf of the investigator may be expressed by allowing the child the opportunity to complete what is said. Perhaps the most common damaging error of interviewing is that the interviewer tries to talk too much. In certain instances, the interviewer should refrain from revealing too much information. Sometimes, silence serves as both an appropriate and effective method of soliciting a more thorough response from the victim.

Just as the interviewer must be conscious of his/her own nonverbal behavior, so too should he/she observe the victim's nonverbal behavior. Silence on the part of the child may suggest that he/she is embarrassed about the subject or did not fully understand the questions that were asked. High mobility on behalf of the victim could show either anxiety or exhaustion. Watch for discomfort and respond appropriately to it as it arises. Do not, however try to deflect a victim's show of emotion - respond to it appropriately.

### **DEALING WITH A VICTIM'S EMOTIONS**

The interview with a child victim of sexual exploitation is, as one might expect, laden with a wide range of emotions. The mental health of the child and proper case preparation requires that this emotion be acknowledged and responded to. Unaddressed emotional issues can inhibit the collection of information critical to the efforts of case planning, child protection, and successful prosecution of the offender.

There is a direct link between a child's feelings and behavior, including the discussion of the victimization. To make the child feel as comfortable as possible about the interview, the investigator should show a complete acceptance of the child's feelings. Steady denial of feelings can further aggravate an already difficult situation. Even bad feelings are valid and must be accepted as genuine. Responses such as "There is no reason to be upset" serve no purpose, and they send a message to the children that their feelings are not to be trusted. Recent studies in the trauma of rape victims show that if strong emotions are accepted, the victim's sense of control is restored.

What the child really wants is to be understood and believed. This can be accomplished by confirming the child's emotions: "I understand you are really upset" or "I hear you saying how embarrassed you are." Responding in such a manner lets the child know that you are listening yet, because your response is indefinite, it allows the child either to agree with your statement or to correct it. This type of reply is not perceived as an order or as a firm, definite statement of fact, and it will encourage further dialogue from the child. An additional value of this type of response is that it avoids prompting the child or encouraging embellishment of the story. This technique of responding is called *reflective listening*.

Reflective listening is a method of response that consists of taking what is said, capturing the emotional intent of the words, and reemphasizing and restating the emotion. Its purpose is to show attentiveness and sympathy and to respond without making a judgment. For example, if a child says, "I just don't know what to do," the investigator may reply, "This must seem like a very confusing situation." This response restates, but does not judge, the child's feelings. Reflective listening accomplishes two goals. First, the emotion has been focused and the child has had an opportunity to clarify the emotion. Second, the investigator has expressed understanding. Reflective listening

can be as simple as an affirmative nod of the head. Reflective listening is also useful for expanding a frame of reference, reducing confusion, clarifying emotions, developing feedback and buying time for the interviewer when an extra second is needed to handle a shocking revelation or if the interviewer is at a loss for words and cannot pause tactfully.

### **THE INTERVIEWER'S RESPONSE**

Many competent investigators are very uncomfortable in dealing with victims of sexual assault, especially when children are involved. Each person, based on his experiences, has certain cultural attitudes. Personal prejudices are unfortunate realities of life. Myths about offenders and victims of child sexual exploitation abound. Furthermore, many investigators have developed certain expectations about the behavior of sexual assault victims. Such attitudes make it extremely difficult for some investigators to talk with child victims about sexual assault.

Being unaware of the depth of one's own emotions and the mechanisms employed to deal with them can immobilize an otherwise effective investigator. This is particularly unfortunate in the investigation of child sexual exploitation, in which the interaction between the child and the investigator is critical for the child's successful integration of the trauma and the development of the case for prosecution. Dealing with the emotions of the child can present a challenge to even the most experienced criminal investigator. One investigator described an interview of this type to be "like visiting a funeral home - I just didn't know what to say."

### **MALE OR FEMALE INVESTIGATOR?**

Many agencies have settled into a tradition of using female investigators for the investigation of sex offenses and juvenile matters. Despite the reasons for such practices, the gender of the investigator has little impact upon establishing a relationship with the child victim. What is important



is that the investigator, whether male or female, have an understanding of the dynamics of sexual exploitation, the ability to communicate well with children, an awareness of personal values, a sense of empathy, a commitment to the child as a victim, and the desire to successfully prosecute the case.

There may be times when the gender of the interviewer impedes the development of investigator-victim relations. If this occurs, the issue should be discussed openly with the victim. If this issue cannot be overcome and the resources are available, obtaining an investigator of the appropriate gender is a reasonable solution.

### **TEAM INTERVIEWING**

The team interview provides the means to elicit information needed by each participating agency in a way that satisfies the specific purpose of each agency. Team interviewing can reduce the need for the child to repeat the account of the experience again. If the luxury of working in teams is available, the investigator should try to learn a great deal about the partner - his concerns, mannerisms, strengths and weaknesses. This is especially true for police/social worker teams, which often are composed of persons with very different work styles and objectives.

Working in the police/social worker team, the law-enforcement officer can concentrate on an impartial and detached assessment of the case. The social worker can focus on counsel and comfort of the child victim. Although the social service professional may do the interviewing and provide the proper support systems for the child victims, care should be taken that the law-enforcement investigator lead the investigation throughout all stages.

The success of police/social worker teams largely depends upon developing a framework of objectives for both parties prior to the interview. Set up a written protocol that details what information is required by each participant and whether there are any evidentiary restraints on

obtaining the information. Since the entire process should focus on the best interests of the child, care should be taken to ensure that the team interview approach does not overwhelm the child.

## **II. The Child Victim of Sexual Exploitation**

### **Developmental Stage of the Child**

A child's knowledge develops gradually. The concepts of time and space start as individualized notions and gradually mature into the adult ideas of chronological order and geographic location. Emotionally, the young child perceives himself as the "center of the universe." He depends on the family to meet all needs and freely concedes all authority to adults.

Interviewers must balance a sensitivity to child development concerns with an awareness of the requirements of the judicial system. Children have cued memories. The younger they are, the more help they may need to recall the details of traumatic experiences. The interviewer should not ask leading questions but should help children reconstruct the events in their minds. Some interviewers use a process called "cognitive interviewing," in which the interviewer explains the interviewing process and the latitude the child has in providing responses (Saywitz 1990, 2-5).

### **Dynamics of Sexual Exploitation**

Sexual exploitation does not always produce the same emotional reactions in each victim. The coping mechanisms that the child has learned from other life experiences most likely will be the same ones employed in the exploitative crisis. The child may be uncontrolled, or in many cases just the opposite. The coping mechanisms of the child may become manifest through crying, trembling, tension, restlessness, depression, withdrawal, silence, nervous laughter, or a normal recital of the experience.

The investigator should recognize that anxiety greatly affects normal cognitive and intellectual

functioning. When high anxiety is present, the investigator can expect the child to have difficulty in perceiving and remembering details and in recounting those details. This phenomenon can offer an explanation for those situations in which the victim's account of the incident may change as the victim becomes more capable of dealing with emotions and anxiety lessens. There is great value in addressing the child victim's emotions as they arise, for the child's sake as well as the successful resolution of the case.

It is vitally important for those persons involved in the investigation of cases of sexually exploited children to understand that a strong bond often develops between the child and the adult offender. The preferential child molester (pedophile) is very good at obtaining cooperation and gaining control of the child through well-planned seduction processes that employ adult authority, affection, attention, gifts, or threats - either articulated or implied.

Quite often the child is fearful of the consequences of reporting the offense. He/she may feel that reporting the incident would disrupt the family structure, especially in cases where the offender is a relative or family friend. Parents normally reject the suggestion that someone they trust has betrayed them. Their skepticism and shock convey a threat of disbelief, disapproval, mistrust, and withdrawal of affection from the child. This removal of emotion can be very frightening to the young child who has a large reliance on the support of the family. Often the child fears or has already encountered disbelief or blame for the act or the disruption of the family. Accordingly, denial by the child is usually the initial response (Goldstein, 1987).

Similarly, the investigator should be aware that, even after proper preparation, the child who makes a disclosure may be so anxious about the confession that he/she recants. It is important that the investigator encourage family and agency support for the child under stress.

## **Children as Witnesses**

Children can be excellent witnesses. The interviewer of children, however, must scrupulously evaluate the information gathered and assess the credibility of the witness. Generally, children are much more observant than adults. Usually, boys are better observers of mechanical or physical things, such as cars, cycles, boats, and weapons. Girls, on the other hand, are more often interested in people and their environment.

Children are often the best source of information concerning possible sexual abuse. They can give moving - and frequently decisive - evidence about their parents' behavior. So much importance is attached to their testimony that most states have relaxed the rules of evidence concerning corroboration, hearsay, and the testimony of very young children (Bulkley 1985, 4).

Much happens, however, before cases ever get to court. Diligence by adults who have contact with children, whether or not mandated reporters, is essential to our society's efforts to protect children. Older children, especially, often seek help from an adult whom they know and trust. A schoolteacher who seems concerned about the child, a social worker whom the child gets to know, a volunteer in a runaway shelter in which the child seeks refuge, a friendly neighbor, or, in fact, any approachable adult may be told about acts of abuse or neglect in the home. Many cases of sexual abuse, for example, come to light only after the child has told an outsider. Children who seek help should be supported and encouraged.

Potential reporters are not expected to determine the truth of a child's statements. That is the job of the child protective agency. As a general rule, therefore, all doubts should be resolved in favor of making a report. A child who describes being sexually abused should be reported unless there is clear reason to disbelieve the statement.

When should a child's statements be questioned? Basically, there are two situations, the major difference between them being the child's age. For younger children, the key issue is whether a distorted version of the incident may have been fixed in the child's mind by others who questioned the child about the possibility of abuse. Has an interested party (such as a parent in a custody dispute) or a careless interviewer (who used leading or suggestive techniques) implanted a distorted or untrue idea in the child's mind?

For older children, who may know the implications of what they are saying, the primary issue is the question of motive: Is there some reason the child, usually an adolescent, may want to be out of the home? Some older children try to escape from what is, for them, an unhappy home situation by claiming to be maltreated. Thus, it is important to find out whether there has been a history of conflict between the parents and the child. A teacher or guidance counselor, for example, could review school records to see whether there are "psychological reports, behavior incidents, disciplinary reports which bear on credibility such as theft, lying, false accusations, etc., a psychiatric diagnosis with reference to fantasies, delusions, and the like" (Heeney 1985, 12-13).

### **III. Preparing for the Interview**

#### **Reviewing Preliminary Information**

Before interviewing the child victim of sexual exploitation, the investigator should be fully prepared by gathering as much existing information as possible. This includes a thorough review of information about the victim, his/her situation, the identity of the offender, as well as the nature and circumstances surrounding the offense. Such information can come from many different sources. A primary source is the individual who originally brought the information to official attention or the person to whom the child has made a disclosure. In cases where the child has not made a disclosure,

primary sources may be those who have had close contact with the child such as parents, teachers, school counselors, or social workers. In this stage of collecting information, the investigator must be mindful of the confidentiality of the situation and of the need to protect the victim against embarrassment. Since interviewing one victim may lead to identification of other potential victims, confidentiality is also important to avoid cross-contamination of emerging evidence.

Following is a list of the preliminary information to be gathered before the interview: (1) The full name of the child and what the child prefers to be called, (2) Age and developmental assessment, (3) Address or current location of the child, and best way to contact child, (4) Custodian of the child, and best way to contact custodian, (5) Identification of the suspected offender, (6) Offender's relationship and duration of relationship to child, (7) Offender's access to child, (8) Name, address, and method of contacting potential witnesses, (9) Present condition of the child, and (10) Identification of any other victims or potential victims.

Such information is not only useful in preparing for the interview but is required for tactical case planning. It is helpful to know how the original information that has led to this stage of the investigation was developed. Questions to elicit such information follow:

1. Has the child reported the situation to family, friends, teachers, or anyone else?
2. What triggered the report: a TV program, behavior problem, family conflict, direct questioning?
3. What were the exact words the child used to disclose the abuse?
4. How was the report received (shock, indignation, blame, shame, threats of retribution, and toward whom)?
5. How does the child feel about the abuse, about the offender, about the reaction of the

family, and about his personal safety?

6. What does the child want to see happen - *i.e.*, his personal concerns?
7. Is the child displaying any behavior that may be associated with trauma (frustration, acting out, depression, sleep disturbance, withdrawal, aggression, self-destructive acts, sexualized approaches to others)?
8. How many people have talked with the child about the abuse?

The response to such questions will help the investigator evaluate how best to form an effective relationship with the child and establish the child's attitude about the incident.

The investigator should also evaluate the child's verbal skills, reading ability, normal range of behavior, memory, and past sexual experience or sexual knowledge. This information may be available from social service agencies that have dealt with the child. Otherwise, the information may be obtained from the child throughout the course of the interview.

### **The Child's Family**

Before the interview, the investigator should develop a healthy and positive relationship with the child's parents. Assuming, of course, that they are not they offenders. This is needed to ensure the long-term support necessary throughout the period up to and including criminal prosecution. Prepare to familiarize the child and the family with the steps in criminal prosecution, the techniques used by defense and prosecution, and the decorum of the court. Such briefings should be positive and realistic to prepare both child and family for the long process ahead of them and to ensure their continuing commitment to the case (Adams & Fey, 1981).

### **The Medical Examination**

Another important concern in cases of child sexual exploitation is the physical health of the

victim. Is the child experiencing physical trauma? Has the child been examined by *trained* medical authorities? Any child sexual assault victim who has experienced physical intrusion into any of the body cavities must be examined by a competent medical authority and tested for venereal disease and, where females are involved, the possibility of pregnancy. Because results of the examination may also be used for evidence, the interviewer may wish to remind medical authorities to consider penetration of the anus even when the victim has not admitted to it. Victims generally have a great deal of difficulty discussing anal penetration and may only tell about it after the opportunity to gain medical evidence has been lost.

A medical examination is a very sensitive issue. Approach the subject gently. Otherwise, the interviewer will create a traumatizing situation for the victim and a serious impediment to communication. Consider the age of the victim. With an older child, there is nothing wrong with openly discussing the possibilities of venereal disease and pregnancy. The subject of possible evidence from the examination should also be handled tactfully. Reasons such as "our policy requires" or "we need proof" are inappropriate. The former excuse reduces the victim-investigator relationship to an impersonal level and implies that the examination is just another part of the job, while the latter excuse challenges the credibility of the victim. Also, the investigator should fully explain what will occur and should be supportive of the child throughout the exam.

### **Others Present During the Interview**

The number of people who are present during the course of an interview is often a critical issue. In most circumstances, two people should be present. This approach allows one person to concentrate on the conversation and the other to evaluate the progress of the interview. Only one person should pursue a particular issue at any given time. The decision to include a parent in the



interview is, of course, the prerogative of the interviewer. Usually, it is advisable not to include the parent in the interview. A possible exception is the case in which the child has openly discussed the situation with a parent and that discussion has not had a negative effect on the child. Even then, it is likely that the child has tried to protect the parent from the full extent of the abuse. A sensitive interviewer will not only learn more from the child alone, but can also lighten the child's burden by offering to share the more embarrassing details with the parents on his/her behalf, should it become necessary.

### **Decision to Record**

Since it is possible that almost any kind of information collected might prove useful in the future, it is important that some sort of documentation be made of every interview that is conducted with the victim. Several methods are available, such as note taking, audiotaping, videotaping, and post-interview synopsis. Prior to the interview, a decision must be made about which of the preceding methods best suits the needs of the case. The investigator should thus decide how to appropriately record the interview after first considering the legal implications posed by a particular approach. These considerations include, but are not limited to state rules of criminal procedure on discovery, privilege, and evidentiary use of videotape and also any statutory provisions for confidentiality imposed on any of the participating agencies. In addition to these legal concerns, it is also important to consider the effects of the decision upon the victim, because his/her responses may be affected by the method of recording.

Most investigators believe it is best not to record an initial interview using audiotape or videotape due to the great length of time and the rambling nature of exploratory conversation. Furthermore, the private nature of a conversation that comes to grips with the child's feelings toward

self, family, and others should not be available for subpoena. The investigator should also be aware that quite often during this kind of interview, information may be developed regarding more than one suspect, and premature disclosure of such information could be harmful to future prosecution.

During a later interview with the child, in which conversation may be specifically directed, a tape-recorded or videotaped discussion may be very beneficial to prosecution. Whatever method is used, however, it is important to ensure that the child clearly understands what is occurring and why. It is also important to ensure that the recording process does not become a distraction or inhibitor to the interview. It is therefore best to develop an agency policy defining proper recording and to also observe that policy during defense demands for videotaping or similar defense tactics which might have an intimidating effect upon the child.

### **Selecting the Interview Site**

Selection of the interview site is a critical decision in the interview process. Both the interview site and the pre-interview setting can significantly affect the responsiveness of the child. Some investigators suggest that the most comfortable place for the interview is at the child's home. However, it is suggested that this approach may not be appropriate when interviewing a child who has been sexually exploited at home. Experience has demonstrated that effective interviews can occur in many places, such as playgrounds, automobiles, or walking around the block, to provide only a few examples. It is still recommended, however, that the investigator maintain a separate room designed specifically for interviewing a child victim (Finkelhor, 1986).

A child likes to be flexible and may express a need to be mobile. This should be allowed by nonrestrictive positioning of the child in an area that will allow a good degree of movement, has comfortable seating, and contains age-appropriate diversions. Drawing materials and coloring books

are excellent for younger children and may also provide an opening for the interview. The actual interview room should be comfortable and absent of authority symbols that increase distance between the child and the interviewer. Physical barriers psychologically distance people and can intimidate children. The investigator should strive to position himself close enough to the victim to facilitate touching, if required, but not so close as to invade the victim's personal space. The positioning should not make the child feel trapped, threatened, or insignificant.

The interview site must be free of distractions and private enough to minimize interruptions which can divert the child's attention or increase tension in an apprehensive child. Particularly inappropriate are posters or photographs which depict "graveyard humor." Intense dark colors should also be avoided. Overall the design of the interview room should provide a space to facilitate open conversation with a child in a comfortable and supportive environment.

#### **IV. The Interview**

##### **Beginning the Interview**

At the beginning of the interview, some time should be spent engaging in "conversational visiting" with the child, in which familiar and non-threatening subjects are discussed in a very informal manner. This approach eases the child's anxiety, puts the child in a responsive frame of mind, and helps accustom the child to answering questions. This approach also allows the investigator time to obtain those pieces of information that are not available in the preparation stage and also to evaluate the child's ability communicate (Macdonald & Michaud). The investigator should note "body language" and maintain an awareness of the child's sensitivity to certain issues. During this time the investigator should show that he or she is comfortable with what the child says and how it is expressed. Eventually, the investigator should make a smooth transition into more relevant questions

about the details of the offense.

Throughout the interview the investigator should resist the temptation to make judgments about the child, the offender, or any kind of activity described. At some later point it may be appropriate for the investigator to express emotion, but before he/she understands how the child feels, a judgmental reaction may have a negative effect on the child and very well may end the interview. Reflective listening skills, again, are a good way of clarifying such emotions.

### **The Importance of the Written Proviso in Securing Victim Confidence and Cooperation**

At the outset of the interview the investigator may find it advisable to introduce a "Proviso" - a written document which states that anything the child says concerning the exploitation will not be used in any way to prosecute the child victim. This document is signed by both the investigator and the child and then given to the child. This simple, formal gesture has some very positive benefits and also legally restricts the use of any information developed that may harm the child. Not only is the youth given a sense of control over the events that are occurring, but he/she also has something tangible in his possession for reassurance. Often, experienced interviewers have reported observing a child, during a particularly difficult part of the conversation, look at or touch the Proviso and then continue talking.

Should the investigator decide to use a Proviso, care should be taken to comply with local statutes and federal court rules. For these reasons it is important to consult with the prosecutor, the district attorney's office, and the investigator's supervisor.

### **Anatomically Correct Dolls**

One of the difficulties involved in interviewing the sexually exploited child is encouraging the victim to openly discuss the details of the abuse. Often, children lack the terminology to discuss

sexual matters or, if they do know the terminology, they may still be reluctant to do so. The use of anatomically correct dolls therefore may be both helpful and appropriate in these types of cases.

*Anatomically correct dolls* are male and female replications of the human body, complete with appropriate genitalia. When properly used, these dolls can be a valuable tool to simplify otherwise sensitive communication with a child. Such dolls also allow the victim to "show and tell" graphically what occurred during the offense. As such, they are designed to simplify the interview process by clarifying any language barriers which might exist and by providing a medium for demonstrating visually what is too difficult for the victim to otherwise express verbally.

Some training is necessary to use the dolls effectively. The first step of this training requires that the investigator become comfortable with the use of the dolls. Any discomfort on the investigator's part will be sensed by the child and may ultimately affect the interview.

The best way for the investigator to become comfortable with the doll is to sit with a group of coworkers while undressing and dressing the dolls. While doing so, the investigator should try to recall difficulties that he/she has encountered in past interview situations. Practice using the dolls to overcome those problems. For example, one problem that generally occurs is that a child may feel either too old to use the dolls or may be embarrassed by them. A reasonable response by the investigator to such a situation may be to set the dolls aside but to keep them accessible, should the victim change his/her mind. Some additional suggestions for using the dolls are the following:

- Treat the dolls seriously when working with them. They are professional tools - not toys.
- If it is necessary to explain the use of the dolls to the child's parents, do so privately to avoid possible prejudice of the child.
- Introduce the dolls according to the age of the child. For an older child, it is proper to say,

"These are tools I sometimes use to make it easier for you to describe what happened." For a smaller child, say, "These are my dolls." (Give the dolls to the child.) "Do you have any dolls?" (Be prepared for the child to undress the dolls and react to the genitals.) "How are my dolls different from yours? Can you show me the difference? What do you call this part of your body?" (It is important at this time to point to several body parts besides the genitals. This tactic will also help to evaluate the child's verbal skills.)

- Use the dolls to establish the child's ability to recognize color by asking "What color is this?" while pointing to various items of clothing.
- Use extreme caution in "naming" the dolls. Only use the child's name and the name the child calls the offender. Introducing other names for the dolls could be construed as fantasizing by a defense attorney.
- Avoid any misleading reference to the "offender" doll, such as "the bad guy," "the creep," or "the nasty man." The defense may argue that you suggested the idea of the suspect as a bad man.
- Similarly, avoid using any form of dialogue between the dolls. The defense may accuse you of leading the witness or suggesting situations. It is appropriate, however, for you to ask the child what the dolls said to each other.
- It is best to let the child play with the dolls without prompting but with observation. Follow up by asking the child to furnish details on what was demonstrated.

Anatomically correct dolls are an investigative aid and should complement, but not replace, good interviewing skills. The dolls may allow younger victims to show or verbalize what occurred - perhaps for the first time - thereby exposing a trauma cloaked in secrecy for too long. This should

simplify further discussion of the experience. The objective of the interview is for the investigator to help the child in verbalizing the exploitation in a healthy way (Everson & Boat 1994, 113-29).

### **Questioning the Child Victim of Sexual Exploitation**

When beginning to question the child about the sexual exploitation, the investigator should make sure the language used is simple and non-judgmental. Be alert to signs of confusion or inappropriate responses from the child. Try to ensure that the child truly understands what you are saying and asking.

The investigator should never attempt to obtain the answers to a question by threat, intimidation, or coercion. Doing so will only jeopardize any relationship that has developed and may result in the child viewing the investigator as just another adult manipulator whose interest is not in the child but in obtaining the answer to a question.

One unfortunate characteristic of sexual exploitation that may become a hindrance to the investigation is that the offender has usually established a bond or secret pact with the child, whether through affection, coercion, or guilt. Such a bond is a source of trauma for the child and may inhibit the child from revealing what has occurred. The investigator must make a conscious effort to make the child understand that he or she can freely talk about the exploitation.

Effective questions, of course, are the primary tools of the interviewer. The interviewer's questions should be as precise and relevant as possible. Keep questions simple, direct, and open ended. Complex, multidirectional questions lead to confusion and misunderstanding by the victim. Such questions may also elicit unintentionally false responses. Questions requiring a *yes* or *no* answer should be used mainly for clarification and summation purposes. Make sure to consider the possibility of more than one sexual exploitation offense, not just those that the child is willing to relate

to the investigator now. As for obtaining a statement about the incident, the traditional questions are still perhaps the best investigative tools to use - *who, what, when, where, how, and why*. The answers to these questions must be obtained in a manner that is both sensitive to the needs of the victim yet responsive to the legal requirements necessary for case prosecution.

### **Important Information to Obtain**

The investigator should have a firm idea of what information needs to be obtained from the interview, due to the fact that specific and complete details of an offense must be present before a prosecution can be initiated. Therefore, the investigator must be thoroughly knowledgeable of the statutory requirements for specific offenses relating to child sexual abuse so that the interview will successfully reveal all elements required for prosecution (Besharov 1985). Guidelines for obtaining important information from the interview include:

1. Obtain a description of the offender in as much detail as possible, even if the offender is known by name.
2. Obtain a description of the offender's clothing, vehicle, or house.
3. Ascertain and document the number of and specific acts committed by the offender.
4. Find out how the offender induced the child to engage in the alleged acts.
5. Attempt to pinpoint dates and times of the offense.
6. Find out if pornography or erotica was present or used and, if so, what kind, how much, and where it was kept.
7. Find out if drugs were used and, if so, what kind and where they were kept.
8. Determine if the child was photographed and, if so, what kind of camera was used and where it was kept.



9. Ask if the child saw photos of other children and, if so, obtain their descriptions.
10. Determine if other children were involved or present during any of the acts, and attempt to identify them.
11. Determine if the child knows any other adults who participated in the acts or associated with the offender.
12. Find out if the child has been victimized by other persons.
13. Ask if the offender went to the child's home or called the child on the phone.
14. Ask the child if he ever gave his name, address, or phone number to the offender and, if so, how it was recorded by the offender.
15. Find out if the child saw other children give such information to the offender and, if so, how it too was recorded.
16. Ask if the offender has a diary or computer.
17. Ask if the child played with any toys or books at the offender's home and, if so, obtain detailed descriptions.
18. Find out if the child left any personal belongings in the offender's possession.
19. Ask if the offender gave the child any gifts.

Many other questions may also be important to a specific case, but those mentioned above have general relevance to almost all sexual exploitation cases. These kinds of questions assist the investigator in obtaining information for a search warrant and may also serve to corroborate a victim's account of the incident. Finally, a special effort should be made in every interview to identify other potential victims or offenders (Burgess & Groth & Holmstrom 1978).

With especially young children who may have to undergo a competency hearing before being

allowed to testify, an additional question may be in order. That question being whether or not the child knows the difference between the truth and a lie. In doing so, it is not necessary to use a dictionary definition. For example, the investigator might ask the child "If I say it is raining in this room, is that the truth?" Based upon the response given, the investigator should then ask the child if what he/she has told you during the interview has been the truth.

### **Questioning Techniques: When?**

The investigator should be cautious in asking "when" questions. Repeated verbal pounding regarding specific times may prompt the child to provide unintentionally false responses or to perceive that he is not believed, thereby increasing his/her anxiety (Lanning 1986). The child's responses to "when" questions depend, to a large degree, upon the stage of the child's development (both at the time of the incident and the time of the interview), the time between the incident and the interview, and the number of occurrences (multiple incidents tend to merge into an almost indistinguishable mix).

Especially young children may experience difficulty in describing dates and times in an adult context. For instance, the abstract notion of "August 12, 1986" is difficult for the child to conceive, but "the day you got your shot at the hospital" is not. Older children, on the other hand, can usually provide reliable information about dates and times. A useful technique to obtain reliable date and time information from children is to associate the incident with familiar events: holidays, the child's birthday, the birthdays of family members, the school year and grade level, seasons of the year, and special events within the family. Similarly, time frames can be established by referencing the incident to known events in the child's day, such as getting out of school, mealtimes, television shows, or bedtime (Greenspan 1981).

### **Questioning Techniques: Do Not Imply Blame**

It is important that the investigator ask questions in such a manner so as not to imply blame or active participation by the child. For instance, the question "Did you put his penis in your mouth?" implies active participation by the child. This kind of question reinforces guilt and is often more difficult for the child to respond to than "Did he put his penis in your mouth?" Both questions refer to the same act of oral sodomy, but the latter of the two questions emphasizes the actions of the offender, not the actions of the child. Similarly, it is important to avoid direct "why" questions, since they too place an accusatory burden on the child.

### **Closing the Interview**

At the end of the interview, the investigator should spend time finding out how the child feels about the interview and his concerns, fears, and future expectations. It is very important that no promises be made by the investigator to the child that cannot be fulfilled. The investigator should not allow the child to leave the interview with an unreal expectation of what he/she is going to do. Reaffirm the fact that the child is not to blame for what happened, emphasize that the child did the right thing by revealing the abuse. Make sure to close the interview on a positive, supportive note in which the child clearly understands that he/she can call upon you as often as needed for support or reassurance (Royal & Schutt)

### **Conclusion**

Although the interview is fundamental to the investigation of child sexual exploitation, it is only a small portion of the total amount of work that must be done for successful case conclusion. The investigator must use every legitimate technique to validate the child's statements independently. "Proof beyond a reasonable doubt" should be the criterion for presenting a case for prosecution.

Ideally, such a wealth of evidence should be available that no doubt is cast on the child's statement. However, only in very few cases does physical evidence of sexual abuse provide obvious support for the child's statement. More common are cases in which there exist only corroborating statements by witnesses. Sometimes there may not be witnesses at all but, rather, a pattern of incidents which bring together a single offender and multiple victims. In more difficult cases there may be no physical evidence, no witnesses, and no pattern of incidents.

The decision to present a case for prosecution should be a joint decision of both law enforcement and the social services agency, based on the determination that the elements of the offense can be proved and that prosecution will not adversely affect the child. The decision not to prosecute does not imply disbelief of the child, however.

In some situations it may become necessary to doubt either some portion or all of the victim's account of the alleged offense. Simply because some parts are false, however, does not mean that all of the victim's statements are necessarily false. The general opinion is that the child victim should be believed until such time as it can be reasonably demonstrated that the event could not have possibly occurred.

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