**Learners:**

Social Workers and In-Service Police Officers from various Child Welfare and Law Enforcement agencies.

**Length of Instruction:**

Two 8-Hour Days for 16 Hours Total

**Objective:**

To assist the participant in developing a better understanding of how to successfully conduct a forensic interview of a child by understanding each of the following topic areas:

# Day 1: 0800-1700:

**The Child/The Beginning Two Stages of the Interview Process:**

**Stage 1: Rapport Building**

* Setting:
* Composition of room
* Neutral
* Getting to know the child
* Rapport building questions
* Where to begin
* Pre-Interview Information Gathering
* Primary Questions
* Age, School, Family
* Secondary Questions
* Relationship oriented questions about family
* Begin to assess developmental stages
* Assess developmental capabilities during rapport building
* Show interest
* Verbally and Non-Verbally
* Explain roles and expectations
* Interviewer’s role
* Give child permission to correct interviewer
* Setting up Ground rules

**Stage 2: Developmental Assessment**

* Demonstrate Developmental Competency
* Truth/Lie
* Developmental Screening
* Language Development assessment
* Ages and Stages of Child Development
* What to expect and how to relate to children of different ages
* Anecdotes about developmental stages and understanding
* Pitfalls: Pleasing/Impressing the Interviewer
* Credibility
* Assess with questions

**The Child: The last Two Stages of the Interview Process:**

**Stage 3: Fact-Finding, The 4 W’s**

* Who
* What happened
* When
* Where
* How
* Development of Fact Finding Skills
* I don’t know instruction
* I don’t understand instruction
* Questions to Ask
* Obtaining Factual Information
* Open Ended Questions
* False Allegations
* Be aware of this possibility and assess credibility
* Custody Battles/Family History
* Child’s Reliability/Forensics and Credibility
* Open Ended/ Focused/Leading Questions
* Factors Affecting the Interview
* Avoid child’s lunch/nap time/other distractions
* Factors of the Adolescent Interview
* Fear of being labeled/Shame

## **Stage 4: Closure/Termination with the Child**

* Thank the child
* Thanks v. Praise
* Leave the door open for future interviews
* Acknowledge
* Validate
* Provide what will happen next
* Provide opportunity for child to ask questions
* Avoid dishonest responses
* Contact Information
* Provide child with phone number/access to you

**Interview Techniques:**

* Gear toward child
* Let child do the talking; be an attentive listener
* Normalize experience
* Let the child know that he/she is not alone
* Check your own feelings
* Conceal shock/biases
* Don’t Rush
* No time constraint
* Thank child, Don’t praise
* Keep it Simple
* Use language the child can understand
* Avoid abstract terms
* Details
* Avoid compound/complex questions

**Setting:**

* Quiet and Private
* Neutral: Strongly consider Child Interview Center
* Kid Friendly
* Avoid child’s home
* No distractions
* Not too many toys, games, T.V., noise, etc.
* No phones
* Distraction
* Help child to familiarize setting
* Show them around the place, where they will sit, what will take place

## **Cultural Competency**

* Cultural sensitivity
* Awareness
* Impact on interview

## **Assessing Current Level of Risk**

* Risk Factors
* If child discloses, must assess safety of child
* Does child live with perpetrator?
* Is one parent the sole provider?
* Staying neutral
* Don’t take sides
* Remain impartial fact gatherer

## **Some Do’s and Don’ts:**

* Open Minded
* You only know what you know
* Don’t make promises or threats
* Assessment/Interview Plan
* Formulate plan before the interview
* Which child will you interview first?
* What questions will you ask?
* Acceptance
* You won’t always get a clear answer
* Truth of Allegations
* Recognize that allegations are not always true
* Positive Environment
* Confidence, Patience, Calm, Acceptance
* Awareness of own reactions
* Thank child for effort, not content
* Don’t Teach
* Don’t do therapy
* No rewards or promises

**Day Two: 0800-1700:**

## Forensic Interviewing of Child Abuse Victims

## (Or, Fact Finding to Establish the Elements of Crimes)

## Child Molest - Disclosure

## Why it matters

## Common circumstances = accidental, rite of passage, emotional trauma, protection of younger siblings

## Interviewing the reporting party

## Anticipating the defense

## Child Molest - Force

## Force and duress distinguished

## Proving force and duress

## Sentencing consequences

## Child Molest – Other Victims

## Locating and interviewing other victims

## Do not assume police reports for other victims are accurate

## Admissibility of prior offenses under Evidence Code section 1108

## Keep victims separate and ignorant of each other

## Child Molest - Corroboration

## Crime scene investigation

## *Anything* which supports the child’s statement

## Pretext phone calls to suspect

## Non-abusive caretaker

## No marital communication or witness privilege applies

## Child Molest – Time Frame

## Use a child’s frame of reference

## Holidays, birthdays, school years, residences

## Confirm with non-abusive caretaker

## Needed for statute of limitations

## Needed for effective date of new crimes (ex post facto rule)

## Child Molest - Crimes

## Traditional – Penal Code section 288(a), 288(b), 288.5 and 266j

## Misdemeanor 647.6

## Modified – Penal Code section 269 as of January 1, 2007

## New – Penal Code sections 288.3 and 288.7, effective January 1, 2007

## Child Molest - Testifying

## Defending the Interview

## Use free recall, open ended questions, emphasize importance of telling the truth

## *Do not ask leading questions*

## Videotape should show both interviewer and child

## Use the child’s vocabulary

## Child Molest – Testifying as an Expert Witness

## Child Sexual Abuse Accommodation Syndrome

## Helplessness, Secrecy, Accommodation, Delayed Disclosure, Retraction

## Forensic Interviews of Children

## Qualities of a good (and poor) interview

## “Red flags” in a child’s statement

## Juror Issues and how they affect your investigation

## Child Sexual Abuse Accommodation Syndrome

## Case Study