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Law Enforcement Bulletin

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105097-105101

U.S. Department of Justice
National Institute of Justice

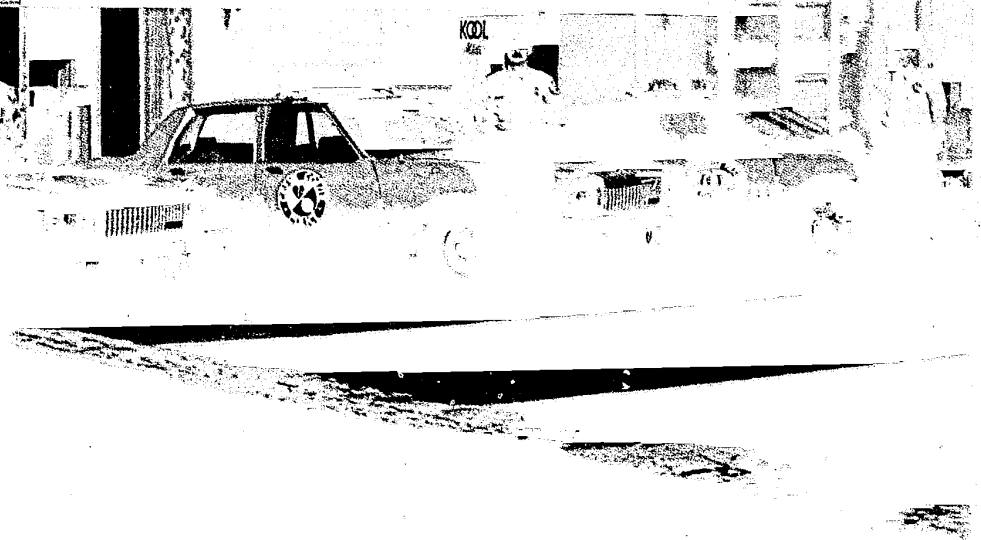
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April 1987, Volume 56, Number 4

Thank You

The newsletter *Crime Control Digest* announced "Outstanding Law Enforcement Publications" in its March 9, 1987, issue, including the *FBI Law Enforcement Bulletin*. The Bulletin staff noted in a reply to this recognition that "the real credit should go to the contributors because it is their cooperation that makes the Bulletin a professional journal—their ideas advance the progress of law enforcement toward professionalism." To all the Bulletin contributors over the years, thank you.

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FBI

Law Enforcement Bulletin

United States Department of Justice
Federal Bureau of Investigation
Washington, DC 20535

William H. Webster, Director

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through June 6, 1988.

Published by the Office of
Congressional and Public Affairs,
William M. Baker, Assistant Director

Editor—Thomas J. Deakin
Assistant Editor—Kathryn E. Sulewski
Art Director—Kevin J. Mulholland
Production Manager—Mark A. Zettler
Reprints—Beth Corbin

The Cover:

The regionalization of police training is symbolic of the spirit of cooperation and commitment to excellence characteristic of the St. Louis Police Academy throughout its history. (See article p. 1.)

The FBI Law Enforcement Bulletin (ISSN-0014-5688) is published monthly by the Federal Bureau of Investigation, 10th and Pennsylvania Ave., N.W., Washington, DC 20535. Second-class postage paid at Washington, DC. Postmaster: Send address changes to Federal Bureau of Investigation, FBI Law Enforcement Bulletin, Washington, DC 20535.

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Police Interviews of Sexually Abused Children

By

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There has been a significant increase in the reporting of child sexual abuse in the past 5 years. This does not appear to be as a result of an actual increase in the incidence of abuse, but rather as a result of an increased awareness of the problem. According to the Attorney General of the State of California, the sexual abuse of children within the family is the most hidden, least publicized form of child abuse. In spite of its taboo nature and the difficulty of detection, some researchers believe such abuse may be more common than physical abuse.¹

While child sexual abuse has always been with us, recent attention has been focused on the issue because of major preschool cases across the country. This has resulted in new educational efforts aimed at school-aged children and more disclosures, particularly in preschool and preadolescent children. While it is difficult to talk to children at any age level about this subject, it is particularly difficult with the younger victims. The problem is compounded by the fact that the vast majority of the offenders are known to the victims, and it is apparent that new approaches are necessary for successful investigation of cases.

Recent statistics indicate that sexual abuse by strangers constitutes approximately 10 percent of the actual abuse.² More specifically, recent studies have shown that in cases of sexual abuse of a victim under 18 years of age, 47 percent occurs in the family (father and stepfathers comprise about 30 percent of this group), and 40 percent of the abuse is committed by those who are nonfamily members but who are known to the family.³ The significance of these statistics is that in approximately 87 percent of the cases that police officers are going to have to deal with, there are going to be unusual psychological issues of which officers need to be aware.

This article addresses some of these major psychological issues of significance to investigators, as well as specific interview strategies. However, by no means are these all the problems that will be encountered or all the approaches that can be used.

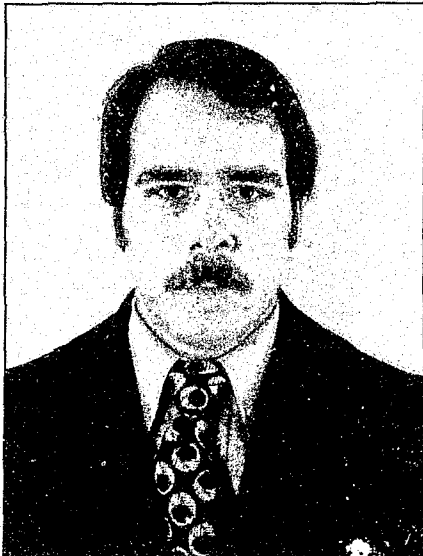
Roland Summit's "accommodation syndrome" is a compilation of theories which explain why victims of child sexual abuse often lie, change their stories, and even recant them.⁴ The accommodation syndrome has five basic concepts. (While basically characteristic of a father-daughter incest model, it is

also applicable to other intrafamilial situations, as well as some extrafamilial molestations.)

Secrecy—Children tend to be secretive about the abuse because they feel ashamed and guilty. When they do disclose, often their fears are realized by disbelief and loss of love from those who are important to them. Because most sexual abuse is committed by those within or close to the family system, this fear is often reinforced by threats.

Helplessness—The child feels powerless against the molester. Because of this, the child may feign being asleep or retreat into other psychological defenses. Since an "adult" will usually fight against unwanted or unsolicited sexual advances, the "adult" expectation is that a child will also. If she doesn't, it is often perceived that the child was seductive or solicited the advances. The child recognizes this and feels helpless.

Entrapment—The child believes she is bad for allowing herself to be in this type of situation. This may be compounded if there are siblings who are also in jeopardy of abuse because the child may assume a responsibility for their safety. If the molester is a parent



Sergeant Hertica



Donald E. Nash
Chief of Police

or other authority figure, the child may believe she has no place to go, so she feels trapped and internalizes feelings which, over a period of time, become "normal" for her.

Delayed, conflicting, and unconvincing disclosure—Disclosure usually occurs more as a result of a reaction to something rather than being a deliberate effort to seek help. In some cases, the disclosure comes about as a result of other internal family conflict. It may occur because the child is displaying socially unacceptable behavior (defiance, drugs, alcohol, runaway, shoplifting) and is being disciplined. Sometimes, this kind of disclosure is perceived as just an excuse for the unacceptable behavior. In other situations, the child may not display antisocial behavior, but in fact, may do just the opposite. She may appear to be well-adjusted and a high achiever. This can be an attempt to compensate for the problems at home. When there is a disclosure by either of these profiles of a victim, unless a trained and sensitized officer is dealing with the situation, it may be difficult to believe that a child would tolerate this type of abuse for so long without reporting it.

Retraction of complaint—After disclosure, it is not unusual for a child to retract her statement. Many of the things she fears may, in fact, have come true. The family may be fragmented; the child may be placed in a foster home; her father (or the offender) may abandon her; the system may treat her like a liar; and she will have to go through numerous uncomfortable interviews and medical procedures. All of these things are perceived by the child as negative and are thought to be worse than the abuse itself. It may seem safer to the child to retract the story and go back to the abusive situation.

Also having impact is the fact that the child may have already been through a similar experience which did not result in improving the situation. One study found that in 41 percent of the families evaluated, there was a history of previously documented sexual abuse.⁵ If the child has already been through the system and is being re-abused, she may be reluctant to be "victimized" by the system again.

The accommodation syndrome helps to explain many of the dynamics seen in child abuse cases. There are, however, several other issues of which officers should be aware. It has been stated that children have guilt and other similar feelings about their involvement in sexual activity. A major reason for this is that often they do not resist.

The first reason for this lack of resistance is because of the power structure of the relationship. In the case of intrafamilial abuse, the suspect holds a position of authority over the victim. Be it the father, uncle, or older brother, the victim has been taught to obey. In extrafamilial situations (not a stranger), the victim has usually been instructed by her parents to obey the caretaker (teacher, babysitter, scoutmaster, etc.) as she would her parents. Unless there is specific education in sexual abuse which, until recently, there has not been, the child will do as she has been taught—obey. This is very confusing to a young child.

Another situation which occurs is when the child is rewarded for her sexual activity. This can range from materialistic rewards to feelings of being a favored child with extra privileges to feeling loved. This does not necessarily mean that the child wants the sexual activity to occur. She may, however, accept that what she has to go through to stop the abuse is not worth it when she is being rewarded. Regardless of how

"...once the interview starts, there should be an initial phase of getting acquainted with the child and letting her get acquainted with you."

the victim feels about this issue, the activity is still unlawful.

One concept with which an officer should be familiar is dissociation. Dissociation is a psychological defense mechanism in abuse victims which will affect their ability to recall information, such as time frames, descriptions, and other relevant details.⁶ A person who is victimized over a long period of time develops ways of minimizing the psychological trauma that is caused by the victimization. She is sometimes able to do this by, in effect, removing her mind from her body to a point where the victim does not believe the act is occurring to her. She has developed the ability to "dissociate" her mind from her body so that she is not mentally traumatized by the acts that are happening to her. The result of this is that details of the events or even the whole event may be lost to the victim. She is unable to recall details of the abuse, the description of the suspect, or the time frame in which the event occurred. This phenomenon also holds true for adults, particularly those who have been abused as children. When a rape victim is unable to recall pertinent details of her attack, this may be the cause.

According to hypnotists, victims who have dissociated may be able to recall the details of the abuse through hypnosis. The act did occur; the victim was there; the mind just went into a protective mode. Since the information is there, it may just be necessary to overcome the blockage in the mind, and hypnosis is one approach.

Another thing which may impact the child's disclosure is the fact that "the mother, who would normally be expected to protect the child, may purposely try to stay isolated from a problem of sexual abuse. She may be distant and uncommunicative or so disapproving of sexual matters that the

child is afraid to speak out. Sometimes she is insecure and the potential loss of her husband and partner and the fear of scandal is so threatening that she cannot allow herself to believe or even suspect that her child is at risk. She may have been a victim of child abuse and rejection herself and may not trust her judgment or her right to challenge the male authority. Some mothers know of sexual abuse, but for whatever reasons, they 'look the other way.'"⁷

Compounding this problem may be the "parentification" of the child in a father-daughter situation.⁸ While the mother is ignoring the situation, her other "motherly duties" may fall to the child who may then assume an added responsibility of keeping the family together. This feeling may inhibit the child from cooperating with the officer.

These are the major therapeutic considerations that officers should have knowledge of, because they may affect the disclosure of a victim of child sexual abuse. There is one more theory, however, that should be discussed because it may impact on the officers' questioning and understanding in these situations. This is called transference.

Transference is the transferring or projection of one person's feelings to another person. For example, an officer should not presume that the sexual contact that the suspect had with the victim hurt or was unpleasant because he believes that it should have been. It may not have been unpleasant, and if the officer approaches it from this perspective, it may make the questioning less than objective. Another example would be the transference of the feeling that the victim should hate the suspect for what he has done. The victim may have deep feelings for the suspect, especially if it is a family member. She may not like what the suspect did, but may still love him very much. Don't let

personal feelings or beliefs interfere with an objective investigation.

Now that the issues relative to obtaining a disclosure have been discussed, recommendations will be made as to how to conduct the interview.

Interview

Prior to the interview, it is important to gather as much information as possible. The more you have, the more leverage you will have with the child. If the child believes that you already know what happened, she will usually talk to you more freely. To gather this information, the officer should begin with the person who made the first disclosure. This may be a teacher, therapist, or parent, among others. In addition to gathering information at this point, there may be references made to others who may be able to provide information. When practical, a follow up on all of this should be conducted before the interview.

The sex of the police officer conducting the interview is not as important as having an officer who is caring, sympathetic, and can relate to the child victim. It is preferable to have officers of both sexes available, in case the victim has a fear of a gender in general or the officer has a physical appearance similar to the abuser. More often than not, however, the child will open up to the police officer, regardless of sex, who the child trusts will believe her.

Thought should be given to the location of the interview. The following advice on the setting for a therapeutic interview, as presented by David Mrazek to therapists, has its application to the police interview.

"A primary consideration is to provide a setting in which a child can feel safe. Only after a sense of security is established can a child be expected to trust the examiner suffi-

ciently to be able to describe the events which took place as well as his or her emotional reactions to both the sexual relationship and its subsequent discovery and exposition. The setting for this evaluation should be private and provisions made to prevent interruptions. It is essential that at some point in the evaluation the child be seen alone to provide an opportunity to discuss sexual matters without censorship from either parent."⁹

Since in the majority of cases the suspect is known to the victim and may even be a family member or someone with the legitimate custodial privileges over the victim, the abuse may have occurred in or near the home. When this is the case, the interview should not take place in the home or any other place which may have a negative psychological significance to the child. A place where the child will feel safe should be chosen. More often than not, this place will be the police department.

Ideally, there should be a room set up for this type of interview. If there is not, a quiet place away from distractions and interruptions should be chosen. Hopefully, this will not be the traditional "sterile" police interview room designed to make people uncomfortable. Accessories that are necessary (anatomical dolls, paper, crayons, drawing, etc.) should be available. Since one of the fears that a child has is that other people will find out what happened, care should be taken that there are no other people around during the interview.

It is usually preferable to interview the child alone. This is because the interviewer may not be aware of what psychological stress may be placed on a child victim by having another family member present. All of the previously mentioned psychological problems may

impact at this point. If, however, the child wants a particular advocate present during the interview, it should be allowed.

It is important to remember when interviewing a child that she does not have the same frames of reference that adults do. In terms of time, she will usually not be able to think in terms of months, days, etc. If this is the case, attempt to have her think in terms of specific events which may be important to her, e.g., birthday, Christmas, going to a special place, a TV show, etc. This approach will usually have more significance to her.

Another consideration is speaking in the child's language. Children may not be able to identify specific body parts by proper names or understand terms police officers and other adults use to describe people and things. While establishing rapport with the child, ask what terms she uses to describe certain things and then use those terms. It is important to the child that she believes that you believe what she is telling you. By talking to her at a language level she understands, it is much easier for the child to talk and trust you. Be careful, however, not to talk in a condescending manner.

With these concepts in mind, once the interview starts, there should be an initial phase of getting acquainted with the child and letting her get acquainted with you. You must build up a sense of trust, or it is likely that you will receive little information. Remember, an adult, or one who is perceived as an adult, is most often the abuser and there may be an inherent distrust of all adults. By taking the time to show the child that you are interested, care, and believe what she is disclosing, walls that have been previously built will be torn down.

Be direct with the child. When you are going to start talking about the mo-

lestation, start with something like, "Do you know why we are here today?" This will give you an assessment of which direction you are going to take and let the child know that it is time to start responding to you. At this time, the officer must make an assessment as to how the child is going to respond to the interview. Consideration should be given to talking in the third person (as if the child were talking about someone else), using puppets, anatomically correct dolls, and drawings. None of these techniques take the place of getting a direct disclosure from the child, but they may open doors which will allow you to begin the process which will later lead you to the necessary disclosure.

It may be helpful to start with the first abuse incident, rather than the last. The first events will likely be less traumatic, both in severity of the incident (fondling will usually precede the more traumatic events) and because they are further removed in time from what is going on now. Once the child has told you some of the earlier events and she realizes that you believe her and are not shocked or judgmental of them, it will be much easier to continue with the progression of events, which are likely to be more severe.

As the child is disclosing the facts of the abuse, the investigator should be understanding and supportive. It may help to get the child over the rough spots by stating, "I know how hard this is because other children have told me that it is." This may make the child believe that you have a good understanding of what she is experiencing.

Finally, be aware of the child's attention span and realize that you may not get all of the information that you are looking for in one interview. As the age of the child decreases, so does the attention span and the effective length of time that you have with the victim.

"One specific thing that can be done is to walk the child through the courtroom process."

Don't push too hard or the child may lose confidence in you. Remember, the child needs to feel the strength, support, and protection of the interviewer, which can only be experienced by the child if it is indeed felt by the interviewer.

After the disclosure, if the case is going to be prosecuted, the victim is going to experience several more processes that may cause stress. These may include further disclosures, medical examinations, testimony in court, and placement. Since the officer may be the first person in the "system" to establish rapport with the victim, it is helpful if the officer acquaints the child with what is going to happen. This does not mean that the officer has to explain things like specific medical procedures, but should generally tell the child what is going to happen and reassure her that she is going to be supported throughout the process. It is helpful if the officer accompanies the child to the hospital and through any other segments of the system, if possible. Since the case is totally dependent on the child's testimony, it is important that she not be frightened to the point that she will not follow through. Remember the reasons a child may want to retract her story.

One specific thing that can be done is to walk the child through the courtroom process. The physical courtroom is overwhelming to the child simply because it is unknown to her. Take some time with the victim and acquaint her with the courtroom. Walk her through an empty courtroom; let her sit on the stand or at the prosecutor's table and ask some questions; and introduce her to a judge, if it is possible. This will make the child more comfortable and ultimately make her a better witness.

Also, consider that a child will have a fear that by testifying in court, people who she knows will find out what hap-

pened to her. Reassure the victim that newspapers are prohibited from printing minor's names. The information about her identity is not released to the public.

Now that there have been some suggestions made as to how to conduct an interview, here are some cautions:

Don't interview victims in front of other victims or witnesses. It may taint their statement.

Don't assume that you are obtaining all the information: Children are sensitive about certain details and acts, and it may take very extensive interviewing to get it.

Don't ask leading questions. This will be hard at times, but let the child tell the story in her own words and then ask clarifying questions. Don't interrupt, but guide the direction of the statement if the child starts wandering.

Don't ask questions that reflect on the child's feelings of guilt. She already feels bad enough, and a question like "Why did you wait so long to tell somebody about this?" will make the child feel worse and cause her to distrust you.

Don't tell the child not to feel guilty or that she shouldn't cry. Let the child be herself and express her emotions. Be understanding.

Don't push the child too hard or expect to get all of the information in one session. Be patient.

Conclusion

Police officers generally have good interviewing techniques developed over many years of talking to and questioning countless people. Those officers who work with juveniles may refine these abilities even further because of the nature of their assignment. It is im-

portant for them to recognize, however, that we are in a new era of interviewing juvenile sexual abuse victims. Even though we have significant expertise in this area, there are other professionals who can contribute significantly. The therapeutic community is one of these.

In the past, there has been resistance to therapists, which this author believes is due to different professional goals. Their goal is to provide therapy to help the child. To do so, they must learn the child's "secret," and asking leading questions is often the only way to elicit this information. Police officers also need to know the "secret" to put together a legal case, but they must obtain this information in a manner that will meet legal standards.

While the goals may be different, they are the same in the respect that all are trying to protect the child. Though different, they need not be mutually exclusive. Police officers should be aware of and use therapeutic interviewing techniques when appropriate, and the therapeutic community can also learn from police techniques. Always remember the beneficiaries of all our efforts are our children.

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Footnotes

¹Crime Prevention Center, Office of the Attorney General of California, *Child Abuse Prevention Handbook*, 1983, p. 10.

²Diana Russell, "The Incidence and Prevalence of Intrafamilial and Extrafamilial Sexual Abuse of Female Children," *Child Abuse and Neglect*, vol. 7, 1983.

³"Adolescent Sex Offenders-Vermont, 1984," *Morbidity and Mortality Weekly Report*, December 1985, p. 177-193; *ibid*.

⁴Roland Summit, "Accommodation Syndrome," *Journal of Child Abuse and Neglect*, vol. 7, 1983, pp. 177-193.

⁵David Mrazek, *Sexually Abused Children and Their Families*, chap. 11, eds. Patricia Mrazek and C. Henry Korin (Pergamon Press, 1981), p. 151.

⁶Denise Gelineau, "The Persisting Negative Effects of Incest," *Psychiatry*, vol. 46, November 1983, pp. 313-328.

⁷*Supra* note 1, p. 11.

⁸*Supra* note 6, p. 319.

⁹*Supra* note 5, p. 145.