

Serial Killing Fantasies

continued from page 13

Defining the Interview Process

By Wendy Deaton, M.A. and Lt. Mike Hertica

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INVESTIGATION

Over a decade has passed since a rash of child sexual abuse allegations occurred in day care centers across the nation. One result of these events was a new focus on the child interview process. A decade later, however, the plethora of articles and books that continues to emerge from therapeutic, social service and child abuse fields reveals a continued lack of consensus on a protocol that can be used with young children to produce effective, credible fact-finding interviews.

Questions still under debate include which professional discipline should be responsible for child interviews in cases where child abuse is suspected? Should direct questions be asked or must the child produce a totally spontaneous recounting of events? How susceptible are children to leading questions, direct suggestion, or subtle innuendo? Can the memories of children be trusted? Can anyone's memory be trusted?

This article proposes to add another to this profusion of questions, "What is the purpose of the interview?" It is the authors' contention that the question of purpose is the most critical question to be addressed in the debate about an effective, credible interview process. The purpose of an interview determines what questions can appropriately be asked of the child, clarifies the guidelines for interviewer interaction, and defines how the interviewer can respond to the child's disclosures. It defines which type of professionals, from which disciplines, should most appropriately conduct the interview.

This article draws on the authors' combined experience in law enforcement, social work and mental health to provide an outline of three types of interviews that may be conducted during a child abuse investigation: the investigative interview, the therapeutic assessment (also known as a forensic evaluation), and the treatment interview. Although there are tremendous overlaps, establishing credible and reliable protocols for interviewing children depends upon clearly differentiating the specific types of interviews that may be conducted. While all interviews with both

children and adults use the three phases of rapport, information gathering, and closure, these three types of interviews have different purposes, requirements, goals, tasks and limitations. These differences are described below.

The Treatment Interview

Purpose

The purpose of the treatment interview is to determine what should be done about what has happened. While the outcome of treatment may enable a child to provide a more credible accounting of traumatic events of interest to the criminal justice system, the purpose of treatment is not healthy disclosure, but a healthy child. In fact, the outcome of treatment may result in a recommendation that the child stop participation in the criminal process, as such participation may be seen as too detrimental to the child's prognosis for recovery and health.

Interview Content

The treatment interview identifies goals and objectives that will help the child recover from the current traumatic events. In addition to exploring the allegations of abuse, the interview includes a review of other significant life experiences which may be affecting the child's development and adjustment. The treatment interview explores the child's current level of functioning; his or her internal perceptions, beliefs and attitudes; the defense mechanisms commonly utilized; the weaknesses and strengths demonstrated.

Interviewer

The treatment interview is conducted as a prelude to the treatment process. As such, it is conducted by the treatment therapist, with the goal of establishing a plan of action. The specific areas the therapist explores and the historical information sought are determined, in large part, by the therapist's treatment approach and style. For some therapists, the debriefing of traumatic details may be primary, while others may look to the restructuring of cognitive beliefs, the cathartic release of emotional reaction, or the redoing

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continued on next page

Defining the Interview Process

continued from page 14

of wounded developmental tasks and reestablishment of the normal developmental process.

In the process of conducting the interview, the therapist may model, facilitate, support, or teach his or her client. The child may learn new names and functions for body parts, new rules regarding personal boundaries, and new methods of communicating in a more assertive or aggressive way. The provision of prevention education in the course of therapy, which has the capacity to alter the child's beliefs and perceptions about past abuse events, may also be utilized in the therapeutic evaluation or assessment.

During the process of treatment, therapeutic and supportive statements can be utilized to promote growth and change in the client. The therapist may express judgments about the events, such as stating that the perpetrator was "wrong to do that to you", or promote a value system such as "children are never to blame." In treatment, issues such as other current events and significant events of the past, other concerns of the child, and concerns of the parents and teachers regarding behaviors of the child may appropriately be addressed.

Referral Process & Confidentiality

The treatment process with a child is usually conducted at the request of the parents. Referrals may also be made by social services, law enforcement, attorneys, school or medical personnel. Ordinarily, the issue of confidentiality is established early on with the child, the parents, and the referring parties. All information, except that specifically required by law and determined appropriate for release by the participating parties, is considered confidential. The therapist will go to great lengths, appropriately, to keep confidential the child's revelations, except where disclosure is in the best interest of the child. James (1989) and Donovan and McIntyre (1990) provide examples of treatment assessment interviews.

The Therapeutic Assessment

Purpose

The purpose of the therapeutic assessment is to determine how the child is functioning and how the child has been affected by the events in his or her life, including those that are the focus of investigation. The therapeutic assessment examines the child's internal mental processes and emotional state related to the current events (Barker, 1990).

Interview Content

A therapeutic assessment differs from an investigative interview in that there is less emphasis on the production of "evidentiary statements" and more emphasis on the child's view, perception, and overall reaction to the alleged events. The assessment differs from a treatment interview in that it does not detail

treatment needs. The therapeutic assessment is concerned with what happened but not with how to resolve what happened. The goals of the assessment may include determining if the child can safely remain in the home during the investigative process and whether the child can participate in a meaningful way in the investigation without serious further harm.

Interviewer

A therapeutic assessment may be conducted by a social worker, medical professional, forensic psychologist or mental health therapist whose skills include the ability to constructively deal with the child's emotional reactions to the process. A therapeutic assessment should always be conducted by a neutral party who has had no prior and will have no further dealings with the child, a significant departure from the treatment assessor, who will have an on-going relationship with the child. This limitation of role ensures that the interviewer will not be biased by prior contact with the child and will not be influenced by personal interests (further business, etc.).

The therapeutic assessment is not a true fact-finding process, in that there is a bias towards the child's perceptions of the events. The investigator may offer an opinion on the accuracy of the child's perceptions, but detailed corroboration examination is left to law enforcement personnel. Information that emerges during a therapeutic evaluation very often has significance to the criminal-justice process as well as the treatment process. It is at this point, in particular, that confusion between the investigative, evaluative and treatment purposes may occur.

While the evaluator may offer the child reassurance, the evaluator will refrain from providing prevention education or working with the child to resolve emotional reactions or cognitive perspectives. The therapeutic assessment does not provide opportunity to significantly intervene or to promote change. The evaluator limits him/herself to modeling and supportive interactions. In the therapeutic assessment, both therapeutic and supportive statements may be utilized. Although the evaluator will show concern for unrelated events and issues the child introduces to the interview, the assessment remains focused on the events which initiated referral. As with the treatment assessment, props may be used to assist the child in communicating about what happened and how they have been affected.

Referral Process & Confidentiality

The therapeutic assessment is ordinarily conducted at the request of parents, attorney, police department or the court. As such, much of the information produced will not be held confidential. A written

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continued on next page

Defining the Interview Process

continued from
page 15

summary or report is usually prepared and made available to a number of individuals. As with the investigative interview, the therapeutic assessment has time constraints imposed upon the process by the succession of events unfolding during an evidentiary search.

Examples of therapeutic assessments are available on the San Diego Children's Hospital Tape on Child Interviewing, in MacFarlane, et al (1986) and Barker (1990).

Investigative Interviews

Purpose

The purpose of an investigative, or forensic, interview is to obtain information to be used in the criminal justice system. An investigative interview seeks to determine what happened. It is a fact finding process intended to provide information that can be corroborated and used in the prosecution phase of the case.

Interview Content

The investigative interview must focus on data that can be corroborated. The best methods of corroboration, in descending order of importance, are: confessions, physical evidence, other victims, and witness statements. The type, level and strength of the corroboration needed depends on the case, but it is always necessary. As a general rule, as the age of the child decreases, the necessary level of corroboration increases, as judges and juries tend to give less credibility to disclosures by younger children (Goodman and Bottoms, page 177).

Interviewer

The focus of attention in a trial involving testimony by children is quite often upon the professionals involved in the investigative process, rather than on the victim. The specificity and intensity of this focus requires that those involved in the process of investigating suspected child abuse be as thoroughly trained, competent and familiar with the criminal justice mandates, requirements and restrictions as possible. A criminal justice investigative interview is therefore best conducted by professionals from the criminal justice system or by someone specifically trained in the complexities of the system's process.

To ensure that an interview meets the requirements of the criminal justice process, the primary training of the interviewer should be as an investigator, however additional training in the area of child development is critical and necessary for professionals who work with child victim-witnesses.

In the investigative interview, the interviewer scrupulously maintains a position of neutrality, refraining from giving much, if any feedback, and

focusing instead almost entirely on gaining information. Positive feedback is appropriately limited to supportive, rather than therapeutic statements, as therapeutic statements have the potential to alter the child's perception and recall regarding the events. For example, a therapeutic response to a child's disclosure may be: "You are brave to talk about what happened", while a supportive response may be the more neutral "Some things are hard to talk about."

There are three phases of an investigative interview: rapport building, disclosure and closure. Much has been written about the first two stages, but equally important, and often overlooked, is closure. Child abuse victims have been exploited, used, and often feel they have been thrown away or discarded. Regardless of the fact that the interviewer has good intentions, to the child the interview may feel similar to the abusive events. The closure portion of the interview can soften this feeling of being "used". From a practical perspective, the first interview will seldom provide all the information necessary for investigative purposes. If there is not good closure in the first interview, it will make subsequent interviews more difficult for everyone involved.

In closure, the child will usually ask questions such as "Is my daddy going to go to jail?"; "Am I in trouble?"; "Am I going to a foster home?" These questions should be answered as honestly as possible, taking care to put the answer in the least frightening terms for the child. The investigator may need to explain details of the medical or social work portion of the investigative process.

Examples of investigative interviews are generally located in the law enforcement literature, however, in the therapeutic field, Hoorwitz (1992) provides a comprehensive example useful to all professionals.

We recognize that individuals in the roles of investigator, evaluator, and treatment therapist often find themselves crossing the boundaries into other disciplines' expertise in questioning. Although some crossover cannot be avoided, interviewers with a clear understanding of their purpose will find it is possible to contain their interview to their own discipline's focus.

In this article, we utilize the concept of purpose as a focal point for establishing practical guidelines for the three types of interviews that are likely to be conducted with a child victim-witness to a crime of violence. While cross-training can provide professionals with sufficient technique to conduct an interview from another discipline's purpose and perspective, the depth and completeness of such an interview are likely to be greatly reduced. Each discipline has subtleties, intricacies, and complexities that are difficult to learn

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continued on next page

Defining the Interview Process

continued from
page 16

without sufficient "in the trenches" experience. Thus, didactic cross-training alone is unlikely to provide the skill needed for a successful interview process.

This discussion has attempted to clarify some of the critical differences between the investigative or forensic interview, a therapeutic assessment or evaluation, and the treatment interview. The purpose of this differentiation is to redirect professional energy from an unproductive debate regarding interview guidelines and protocols, to a productive action-oriented multi-disciplinary approach to the problems involved in interviewing child victim-witnesses.

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Aloha Challenge Rules

1. Prize includes seven nights accommodations in a one bedroom condominium at the luxurious Pono Kai resort on the island of Kauai in Hawaii. Facilities available at the condominium complex include swimming pool, tennis courts and outdoor barbecues. Golf, snorkeling, and swimming beaches are nearby. The condo can accommodate four adults. Winner will be responsible for transportation to and from the island, and all other personal expenses incurred.
2. The contest is open to any individual who is a current APSAC member in good standing. Members of APSAC's National Board of Directors, staff and paid consultants are not eligible. Members of the Advisory Board, Editorial Boards, Volunteer committees and State Chapter leaders are eligible.
3. Winner will be the APSAC member who recruits the most new members between October 1, 1997 and June 30, 1998. The winner will be announced at the Sixth Annual Colloquium in Chicago, Illinois, July 9-12, 1998.
4. In order to receive credit for a recruited new member, the new member must indicate on his/her application form the name of the current APSAC member who referred him/her. New memberships received between October 1, 1997 and June 1, 1998 will be eligible for the prize. Former APSAC members who have been lapsed from membership for 180 days or more will qualify as new members for the purposes of this contest. Renewal memberships and lapsed members who rejoin less than 180 days after lapsing will not count toward the prize.
5. The name of the referring member **MUST BE INCLUDED ON THE ORIGINAL APPLICATION** in order for the member to receive credit. Referral names cannot be called in, faxed in or otherwise added after the application has been received at the APSAC office.
6. Winners will be required to sign a damage waiver accepting responsibility for any damages or loss that occur to the property during their stay in the condominium. The winner will also agree to hold APSAC harmless for any damages or injuries that occur as a result of this prize.
7. In the event of a tie, the names of the members who tie will be placed in a drawing, and one will be selected at random as prize winner.
8. The prize must be used by July 31, 1999. Dates are subject to availability, and must be reserved in advance. A fee of up to \$100 could be required if winner desires a date other than the times available.
9. The value of the prize is \$750 - \$1,200, depending on the time of year the prize is used. The winner shall bear full responsibility for any taxes on the prize. This prize cannot be exchanged for cash.
10. It is understood that members participating in this contest are responsible for their own recruitment efforts, including mailing, postage, duplicating, labels, envelopes, etc. Membership brochures and other recruitment materials are available upon request from the APSAC office.

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