

When the Call Comes: APSAC's Historic Recognition of Law Enforcement Officers and Prosecutors as Professionals

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We so easily overestimate our own work and action in its importance in comparison with what we have become only through others. (Matthews, 2005, p. xiv)

The American Professional Society on the Abuse of Children (APSAC) has had a profound impact on the fields of law enforcement and prosecution. This essay includes a discussion on the benefits APSAC has brought to the nation's law enforcement officers and prosecutors, and also the role APSAC has played in helping other professionals understand the critical role of criminal justice professionals in addressing child maltreatment. In addition to looking at these accomplishments, the authors suggest challenges facing APSAC and the child protection field in the years to come.

APSAC's Recognition of Criminal Justice Professionals

Twenty-five years ago, there was an open debate in the field of child protection as to whether or not law enforcement officers and prosecutors should be considered as professionals on par with professors, researchers, physicians, and mental health professionals with multiple initials attached to their professional titles.

Although this was not discussed in journals, it was a water cooler discussion that many in the criminal justice field vividly recall and that, even today, persists in some circles.

Since many law enforcement officers had only an associate's or bachelor's degree and most will not be writing treatises, some in the field of child protection believed that the men and women in blue or brown could learn a lot from the field, but couldn't teach the field anything. Although prosecutors had the degree of juris doctor, many similarly regarded them as having attended no better than a trade school and thus had much to learn and little to offer.

Even today, some of the discussion surrounding research or evidence-based practice by academics and researchers fails to even casually acknowledge the day-to-day successes achieved by law enforcement officers, child protection workers, and prosecutors. No better example of this success exists than the multi-

disciplinary initiatives of David Chadwick and the professionals of the San Diego Children's Hospital or prosecutor Bud Cramer's discussion of the importance of multidisciplinary teams (Chandler, 2006) that led to the development of Children's Advocacy Centers (Cramer, 1985). Field-driven efforts such as those of prosecutor Cramer typically precipitate the research that, eventually, supports the field-driven practices (Faller & Palusci, 2007). The reason for this is that frontline professionals lack the luxury of waiting for research to catch up with emerging issues.

In focusing more on children and less on degrees and titles, the founders of APSAC recognized that law enforcement officers had as much, if not more, to offer the field than any other discipline and that while research can guide the criminal justice field, the vast and rich experiences of criminal justice professionals can and should influence researchers and others working in the child protection field. In extending a hand to law enforcement officers and prosecutors handling child abuse cases, APSAC accorded these criminal justice professionals much needed benefit in several distinct areas.

First, in allowing police and prosecutors to join the American *Professional Society on the Abuse of Children*, APSAC boldly recognized these men and women as the professionals they are. In other words, APSAC recognized that a profession is more than an advanced degree but also includes advanced knowledge, skills, training, and *experience* in a specialized discipline.

Second, APSAC not only recognized law enforcement officers and prosecutors as professionals but gave them the tools to become professionally-recognized experts in the field of child protection. Through membership in APSAC, many criminal justice professionals are accessing peer-reviewed journals, attending conferences designed specifically for child protection professionals, and now have access to many leading child protection professionals they can call for advice or assistance in their work. Simply stated, APSAC has raised the level of professional expertise of criminal justice professionals and has influenced their work.

Third, APSAC accorded criminal justice professionals an ethical code for working cases of child abuse. Although prosecutors have multiple ethical codes, none of these specifically address cases of child maltreatment. Law enforcement officers must adhere to and enforce constitutional and statutory provisions. However, they do not have a national ethical code, much less an ethical code pertaining to the handling of child abuse cases. Upon membership in APSAC, criminal justice professionals agreed to review and adhere to the APSAC ethical code (APSAC, 1997). Suddenly, the standards of the criminal justice field were elevated.

Fourth, APSAC gave the field investigative guidelines. Although some today debate the purposes of a forensic interview, criminal justice professionals who have been in the field for more than a quarter of a century recall the high-profile day care cases that imploded and left investigators and prosecutors holding the bag (Hechler, 1988). Accordingly, the purpose of a forensic interview was to acquire legally defensible information in a reliable manner. Through the development of national forensic interviewing guidelines (APSAC, 2002) as well as guidelines for the usage of anatomical dolls (APSAC, 1995), APSAC helped investigators and prosecutors develop standards for this critical component of an investigation. The APSAC forensic interviewing clinic also became the model for other forensic interviewing courses—most of which follow the APSAC pattern of 5-day courses rooted in research and practical application.

Contributions of Criminal Justice Professionals to APSAC and the Field

The trust APSAC placed in criminal justice professionals has been rewarded throughout the past 25 years. These contributions include the following:

The Shaping of APSAC

According to Herman Stasse, it is a sign of deep sickness when an organization forgets its forefathers and mothers (Harrison, 2011). In the case of APSAC, law enforcement legends such as Ken Lanning, Bill Walsh, Mike Hertica, Dana Gassaway, and Rick Cage published articles, conducted trainings, and served in leadership roles. In the field of prosecution, pioneers including Patti Toth, Robert Parrish, and Brian Holmgren labored to ensure that the work of prosecutors reflected relevant research and was worthy of the professional status APSAC accorded them. Even today, APSAC continues to draw strength from the criminal justice field with two current or past law enforcement officers and one prosecutor serving on the Board. These and other criminal justice professionals did not make APSAC what it is, but APSAC wouldn't be the same without them.

The Shaping of Other Disciplines

In giving law enforcement officers and prosecutors a significant role in APSAC, these professionals not only shaped the organiza-

tion but they also shaped other disciplines. To a greater extent, medical professionals realized that diagnosis of abusive head trauma or other forms of maltreatment could not be made without a comprehensive investigation and that it was the primary province of law enforcement officers to collect the evidence the medical community needed in making definitive findings. Mental health professionals began to realize that although they could diagnose PTSD and any number of other mental health conditions, it was the work of law enforcement officers and prosecutors that detailed the victim's pain and that procured the court orders to get victims, families, and even perpetrators into the psychologist's office. Child protection workers and child protection attorneys also gained a deeper appreciation of the fact that when law enforcement officers excel in proving a criminal case of abuse, proving a civil child protection case becomes much easier.

The Shaping of Research

There is also a growing awareness that the best researchers, those whose work actually impacts and improves the lives of children and is applicable to first responders and intervenors, are those researchers who regularly share a cup of coffee with law enforcement officers and prosecutors. Simply stated, many researchers have come to value the practical experience of frontline professionals who, in the course of their careers, interact with thousands of child abuse victims, extended family members, and survivors. To the extent this wealth of experience contributes or drives the research, the research will also drive the work of frontline criminal justice professionals. In other words, researchers realize more than ever that the only research that impacts the field of child protection is research that is actually relevant to the work of frontline professionals.

The Shaping of the Law

Criminal justice professionals working closely with leading medical, mental health, and other professionals from APSAC have also influenced the law. Twenty-five years ago, the field was struggling with interviewing children in a manner that did not contaminate the process. Today, a number of appellate courts recognize the concept of forensic interviewing as an emerging discipline that many members of the MDT, including law enforcement officers, are qualified to conduct (Vieth, 2009). Prosecutors have also worked with the medical and mental health community in limiting the scope of questionable practices of some defense experts. Recently, APSAC expanded its involvement with the legal community and is expediting a review of possible amicus (friend of the court) briefs in child protection cases that will significantly impact the field.

This is not to say that criminal justice professionals have also spoken with a unified voice or that our field always got it right. Twenty-five years ago, many prosecutors and law enforcement officers expressed concern about videotaping forensic interviews

(Stern, 1992). Today, recording forensic interviews is widely practiced, and the research to date shows this practice generates more evidence and is more likely to produce convictions, including guilty pleas (Vandervort, 2006). Even when criminal justice professionals have erred, we all learned, and the stronger alliance with researchers and other disciplines has helped the criminal justice community chart a new course—as has largely been the case with recording forensic interviews.

Future Challenges for APSAC and the Field

In the decades ahead, the child protection field will face many new challenges. If the past is prologue, APSAC will play a significant, even deciding, role in meeting these challenges. As vital members of APSAC, law enforcement officers and prosecutors will be critical in addressing emerging issues. From the perspective of the authors, there are at least six emerging issues that warrant the attention of the field and of APSAC.

First, there is a critical need to address child maltreatment in Indian Country. Native American children suffer higher rates of abuse than children in the general United States population (US DHHS, 2009). The distrust of federal authorities likely results in underreporting of abuse in Indian Country (Fox, 2003). APSAC must continue to value the unique culture of Indian Country and devote more resources to empowering child protection professionals to better serve Native American children. APSAC should also expand its collaborations with organizations serving Indian Country, including the Native American Children's Alliance (see www.nativechildrensalliance.org).

Second, the field needs to more fully assess the benefits and limitations of the alternative or differential response system. Although this system has shown some promising results, many prosecutors and law enforcement officers are worried that critical child protection decisions are now made unilaterally without the involvement of criminal justice professionals, and many times without the involvement of medical and mental health professionals. In 85% of the states using this model, the decision of whether or not to forward a child into the alternative response system was made by the assigned social worker with approval or other involvement from a supervisor (US DHHS, 2003). If this trend continues, traditional MDT/CAC investigations will be relevant to only about 25% of the child abuse cases reported to the child protection system (those cases involving child sexual abuse and severe physical abuse). APSAC needs to be a leader in assessing the strengths and weaknesses of the differential response system and the wisdom of excluding so many members of the multidisciplinary team from assessing these cases.

Third, there is a need to expand CAC and MDT work beyond sexual abuse cases. APSAC has played an important role in expanding multidisciplinary and child protection teams and

Children's Advocacy Centers throughout the United States. However, many CACs and MDTs continue to serve primarily sexually abused children (Chandler, 2006)—the smallest percentage of maltreated cases reported to the child protection system (US DHHS, 2011). In the years ahead, APSAC members can play a critical role in the expansion of CACs and MDTs in addressing other forms of maltreatment. As one example, most states have civil and criminal laws prohibiting emotional abuse, and a large body of research exists documenting that this form of maltreatment is just as harmful as other forms of abuse (Vieth, 2004). Unfortunately, most cases of emotional abuse are not investigated, much less investigated by a multidisciplinary team.

Fourth, child protection professionals need to more fully address the role of spirituality in the abuse of children. Law enforcement officers often lament how often child abusers use religious or spiritual themes in the abuse of children (Vieth, 2012). Prosecutors have often faced the spectacle of theologians and church leaders who fill a courtroom in support of an accused offender, and in implicit opposition to a child alleging abuse. There is a growing body of research that offenders not only wound their victims physically and emotionally but also spiritually (Eshuys & Smallbone, 2006; Firestone, Moulden, & Wexler, 2009). This is critical because more than one study finds that, for many victims, their ability to cope with abuse may depend on their ability to cope spiritually (Gall, 2006). MDTs need to devote more attention to this issue, and APSAC should also recognize this growing body of evidence and involve members of the faith community in the organization to a greater extent.

Fifth, the recent events at Penn State University and other institutions have focused the attention of a number of leading professionals to the woeful undergraduate and graduate preparation of future child protection professionals (Vieth, 2012). This poor preparation is a problem for medical schools, law schools, and for undergraduate and graduate psychology, social work, and criminal justice programs (Vieth, 2006). APSAC is well represented in academia and, in the years to come, this representation needs to result in far better training of future child protection professionals at the undergraduate and graduate levels.

Sixth, there is a need to grow APSAC membership among nurses. Law enforcement officers and prosecutors have long recognized the critical role of nurses in documenting behaviors or actions indicative of abuse (Canaff, 2010). Generally speaking, nurses at hospitals and clinics spend as much if not more time with patients and families and are in a better position to document evidence that may be critical in proving abuse, protecting a child, and repairing a family impacted by maltreatment. In child abuse trials, it is not unusual for the prosecutor to call many more nurses than doctors to the witness stand. In recognition of this fact, there is a need to involve more nursing professionals in APSAC.

Conclusion

A lot has happened in 25 years. In the past quarter century, the child protection field has improved markedly—in no small part thanks to leadership of APSAC. This has translated into hundreds of thousands of maltreated children receiving better medical and mental health care, and in more humane treatment from the social service and criminal justice systems. If it is true that child abuse is declining, the vast improvement in our child protection system, and the critical role APSAC played in that improvement, should bring a great deal of pride. As we celebrate these accomplishments, it is also important to remember the millions of children and adults still suffering under the weight of abuse. In focusing on their needs, APSAC is poised to say to hurting children, in the words of Aeschylus: “Take heart. Suffering when it climbs highest lasts but a little time” (Kennedy, 1998, p. 145).

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