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The CornerHouse Forensic Interview Protocol: An Evolution in Practice for Almost 25 Years

Jennifer N. Anderson, MSW, LISW2

The author reviews the CornerHouse Forensic Interview Protocol,™ a widely used protocol in the United States that has evolved and changed with the field since 1990. The article clarifies the Protocol as it has evolved and is now used in the CornerHouse Training Program, reviewing its guiding principles, recent adaptations, structures, and use of interview tools. Although there are many valid ways to approach the forensic interview itself, from structured protocols to flexible guidelines, the CornerHouse Forensic Interview Protocol™ explores a child's experience in a way that is both forensically sound and respects the child's individuality, while accommodating adaptation to meet a myriad of local community standards.

Gathering Information From Children About Child Neglect

Kathleen Coulborn Faller, PhD, ACSW8

This article focuses on gathering information about child neglect, providing strategies for questioning that advise maximizing the use of open-ended questions/probes. The author first contextualizes neglect-related questions/probes by a brief discussion of the structure of a child interview, and then discusses a continuum of questions (from more open-ended to more close-ended) and how the continuum relates to inquiry about child neglect. She concludes by reviewing strategies for asking about important people in the child's life who may elicit information about child neglect and by suggesting questions in domains that are directly focused on child neglect: the child's care and control, the child's environment, and parental behaviors that may result in neglect.

Interviewing Victims and Suspected Victims Who Are Reluctant to Talk

Michael E. Lamb, PhD, Irit Hershkowitz, PhD, & Thomas D. Lyon, JD, PhD16

The authors review the factors that affect child behavior and responsiveness during interviews, looking at specific parts of the NICHD protocol that address these issues. They then discuss revisions to the protocol over time and the revised protocol's effects on children's willingness to be cooperative and disclose abuse, finding that, although the effects of protocol type varied in strength depending on individual and case characteristics, emerging differences were always in the same direction: the revised protocol was always associated with more allegations. The authors conclude best practice recommendations need to underscore the importance of supportive yet nonsuggestive practices when investigating possible occurrences of abuse as well as the importance of using structured protocols for shaping effectively the relationship with children.

A Picture Is Worth a Thousand Words: Incorporating Child Pornography Images in the Forensic Interview

Catherine S. Connell, LCSW, ACSW, and Martha J. Finnegan, MSW, LCSW20

The authors review the challenges presented to investigators in cases with child pornographic images and how these images affect victims and victim disclosure during investigation. They discuss important points about using these images in the forensic interview process and offer techniques that can be considered for introducing them, including details as to how they can be presented and how this presentation should be specifically incorporated into FBI and other existing protocols. The article concludes by noting that further research needs to be conducted to increase our understanding of best practices in this area and to ensure that the needs of child pornography victims are being met as part of the investigative interview to address the special needs of these exploitation victims.



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The CornerHouse Forensic Interview Protocol: An Evolution in Practice for Almost 25 Years

Jennifer N. Anderson, MSW, LISW

Since 1990, CornerHouse has provided a week-long forensic interview training course for forensic interviewers, child protection professionals, law enforcement, and prosecuting attorneys. To date, staff members have trained professionals from every state in the continental United States, Alaska, and 16 countries around the world. The CornerHouse Forensic Interview Protocol™ is the most widely trained forensic interview protocol in the United States; 52% of all Children's Advocacy Center staff report being trained in the model (National Children's Advocacy Center, 2011).

Since we provided our first week-long forensic interview training in 1990, the field of forensic interviewing has matured from relative infancy to the more established and increasingly cohesive level of practice we see today.

As with every quality interview protocol, the CornerHouse Forensic Interview Protocol has evolved and changed with the field, realizing significant evolution over the past several years. This article seeks to clarify the CornerHouse Protocol as it has evolved, as it exists today, and as it is taught in the CornerHouse Training Program.

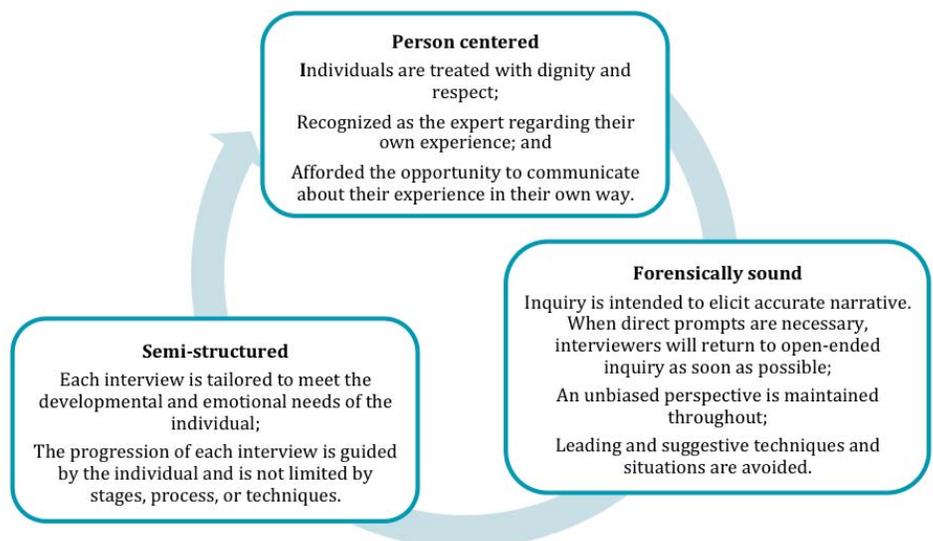
Recent Adaptations

The past three years have brought significant change and innovation to the CornerHouse Forensic Interview Protocol. In 2011, CornerHouse began a program evaluation on the application of narrative practice techniques. In 2012, we began implementation of enhanced orienting messages that also included a program evaluation component. We also increased our use of open invita-

tions early in the interview and redefined our approach to closure. In January of 2013, with consideration given to education, literature review, and interviewing experience, CornerHouse interviewers arrived at a revised description of the CornerHouse Protocol that redefined the stages, purpose, and approaches. These revisions better capture the recent changes and more effectively represent the developmental considerations we have taught and implemented for many years. In February of 2013, we launched a revised training curriculum incorporating these changes.

Guiding the CornerHouse forensic interview are three principles, which are outlined in Figure 1. Above all else, the CornerHouse Protocol is person centered, forensically sound, and semi-structured.

Figure 1. Guiding Principles of the CornerHouse Forensic Interview Protocol™



Source: CornerHouse Interagency Child Abuse Evaluation and Training Center, 2013.

Table 1. CornerHouse Forensic Interview Protocol™

BUILD RAPPORT	
Purpose	To establish a foundation for the interview process by a. Orienting the individual b. Learning about the individual c. Facilitating the individual's best possible functioning
Approaches	Utilize orienting messages Engage in narrative practice Conduct a general assessment of functioning Adjust the interview based on the individual's presentation
SEEK INFORMATION	
Purpose	To provide an opportunity for the individual to report his or her experience
Approaches	Choose a forensically sound strategy for approaching the topic of inquiry, fully utilizing indirect prompts Incorporate interview tools in an intentional manner, when appropriate.
EXPLORE STATEMENTS	
Purpose	To allow the individual to share details of his or her experience
Approaches	Listen to the individual a. Utilize Invitation and Inquiry – Encourage narrative – Ask follow-up and clarifying questions as needed b. Consider the individual's developmental abilities c. Maintain an open mind Utilize interview tools as beneficial, to maximize the individual's ability to communicate his or her experience Return to Seek Information as appropriate d. Explore alternative explanations and/or additional forms of maltreatment
END RESPECTFULLY	
Purpose	To provide a respectful closure to and transition from the interview by attending to the individual's a. Presentation b. Communicated experience c. Observed needs
Approaches	Explore resources, reinforcing information the individual shared, as appropriate Provide a developmentally sensitive and individual-centered transition

Source: CornerHouse Interagency Child Abuse Evaluation and Training Center, 2013.

The current CornerHouse Forensic Interview Protocol includes four distinct stages: Build Rapport, Seek Information, Explore Statements, and End Respectfully. As seen in Table 1, each stage includes its own purpose and approaches.

Narrative Approach

The CornerHouse Protocol advocates for a narrative approach to information seeking and the use of narrative practice techniques in rapport building. One of the primary tenets of the

CornerHouse Protocol is that the process should be child led. That is, the child should be afforded the opportunity to tell in his or her own way, and the information provided in the interview should be from the child. A narrative approach that encourages children to articulate their experience to the best of their developmental ability is integral to this process. Since 2005, CornerHouse has specifically taught interviewers to use opportunities to build narrative during rapport building as a means to understand the child's functioning and increase a child's propensity to give narrative later in the interview (CornerHouse, 2005). Our 2010 publication detailing the CornerHouse Protocol states that the interviewer should make multiple attempts to ask open-ended questions and invite narrative responses during Rapport (Anderson et al., 2010). Additionally, this same article contains numerous references to the use of indirect or open-ended questioning to invite narratives from children throughout the forensic interview. Primarily over the course of four years we have made a series of adaptations to the protocol and its teaching that make the solicitation of narrative information a more distinct task in Rapport; the inclusion of specific episodic memory training occurred in 2011 (CornerHouse, 2008–2011).

The research support for the use of open-ended questions in forensic interviews is evident (Hershkowitz, 2009; Lamb & Brown, 2006; Lamb, Hershkowitz, & Sternberg, 1996; Lamb et al., 2003; Lyon, 2012; Sternberg et al., 1997). While narrative invitation or practice techniques are now used in many forensic interview protocols (Cordisco Steele, 2010; Saywitz, Lyon, & Goodman, 2011), little research has been conducted on the impact of narrative practice techniques across different protocols. In September 2011, in collaboration with the University of Minnesota School of Social Work, CornerHouse began a study to evaluate the use of specific episodic memory training in the CornerHouse Protocol. During and since our program evaluation, we continued to update and hone the techniques used and taught. Comprehensive results of this study have been submitted for publication.

Truth and Lie Discussions and Interview Instructions/Orienting Statements

CornerHouse recognizes the specific implementation of truth/lie assessments and the promise to tell the truth as jurisdictional decisions and areas of jurisdictional variance. In 2001, CornerHouse began teaching students in our training program about the Reality Task developed by Lyon and Saywitz (1999). In 2005, CornerHouse started distributing the Lyon and Saywitz article to our students as recommended reading. In recent years we have focused more discussion in our training program on the promise to tell the truth pursuant to newer research.

CornerHouse practice and training have historically been rooted in the belief that interview instructions are best incorporated as

the situation arises, utilizing developmentally appropriate, concrete statements that are relevant within the context of the interview. For example, when the child corrects the interviewer, this is acknowledged (“thank you for correcting me”) and reinforced with an instruction provided to the child (“if I get something else wrong, let me know, just like you did”). In addition, CornerHouse has always recommended some orienting statements at the interview's outset, although these had historically been limited to providing the child with information regarding other unique elements of the interview setting, such as video recording and observers, as well as messages regarding the interviewer's role.

While many forensic interview protocols focus on establishing *ground rules* early on as a means to reduce suggestibility, some research also questions the efficacy of such approaches for children who do not understand the effects or occurrence of suggestive techniques (London, Bruck, Poole, & Melnyk, 2011). In 2012, CornerHouse began to pilot a modified practice in our interviews. Systematic evaluation of our approach and its impact on child behavior in the interview as well as the impact of development, gender, and other personal factors on outcomes will be completed later this year.

Given the potential value of providing some additional orienting or instructional messages early within the forensic interview, specific orienting messages were added as a planned activity during the introductory portion of forensic interviews conducted at CornerHouse. Recognizing that the forensic interview is a novel experience for most children who are interviewed, these messages have been designed to provide the child with an orientation to the culture of the interview.

Woven into these orienting messages are some statements that may more commonly be viewed as interview instructions. The intent and focus of such messages are for the purpose of communication and providing information, rather than simply a list of rules or expectations. For example: “The video helps me remember and make sure I get it right” (orienting message); if I get something wrong, you can tell me” (commonly viewed as interview instruction). Later in the interview, this orienting message and instruction are reinforced: “Thanks for letting me know I got that wrong. Like I told you before, I want you to tell me when I get something wrong.” The orienting messages are simple, brief, and incorporated into all interviews with some developmental modifications. Messages are reinforced throughout the interview, based upon individual presenting factors and opportunities.

The subtle differences, such as the specific language used, timing of orienting messages given at the beginning of the interview, and joining key orienting messages with examples, are intended to better prepare children to fully engage in the interview process.

The orienting messages are incorporated in a manner consistent with our core values of a forensic interview protocol, that is, they are semi-structured, developmentally and individually flexible, focused on the child as the expert, and prioritize the needs of the child above all else.

Interview Tools

The use of interview tools or media in the CornerHouse Protocol is perhaps its defining characteristic within the current landscape. The use of interview tools in the CornerHouse Protocol serves to enhance fact gathering, allow for visual cues, promote clarity in communication, and provide an alternative to strictly verbal communication when appropriate.

Drawing has not only been shown to enhance a child's event recall but also does so in the context of interactive questioning with an interviewer (Barlow, Jolley, & Hallam, 2011). Research further supports the facilitative effect of drawing on reports of children of all ages (Patterson & Hayne, 2011). CornerHouse uses an easel board in all interviews for shared note taking and free hand drawing. With a child of any developmental level, the use of the easel board can allow both the interviewer and the child a shared space for noting what is heard or expressed (through writing or drawing), therefore inviting clarification when there is a misunderstanding. It also provides a memory cue for further discussion or clarification and allows for a shared focus that may be less intense than direct eye contact when appropriate. With younger children, the use of the easel board includes drawing pictures of themselves and the significant people in their lives. With any child, the use of the easel board may include opportunities for drawing places, objects, or events the child is describing, as well as writing if the child prefers. The use of the easel board within the forensic interview often affords children another medium to communicate their experiences and can provide richer descriptions than a standard verbal format.

CornerHouse does not teach the use of anatomically detailed drawings at the beginning of the interview (Anderson et al., 2010). However, our use of anatomical diagrams with some children for anatomy identification prior to disclosure is a topic of conversation in the field and the source of difference between the CornerHouse Protocol and some other protocols. CornerHouse continues to carefully consider the new research on this topic and the applicability of laboratory research to the practice of forensic interviewing.

Over the past several years, the research community has paid increased attention to the use of anatomical diagrams. Important questions are being asked about their place in the forensic interview process and the potential disadvantages of their use. In a 2011 article by Poole and Dickinson, the authors highlight the potential for false reports when researchers use body diagrams in a laboratory setting. While any interview tool, including anatomical

diagrams, should be used judiciously and only by those trained in their proper use, this study has several significant shortcomings in regard to its applicability to forensic interviews. Specifically, none of the reports determined as false in the study were reports of genital touch; this is a notable limitation of the research findings and reduces the applicability of the study to actual forensic interview settings (Lyon, 2012). Also, the body diagrams utilized in this study omitted genitalia, making them significantly different than the anatomical diagrams used by CornerHouse and of questionable relevance to our Protocol. Finally, child sexual abuse dynamics, which impact abused children's ability to disclose during a forensic interview, are not replicated in the Poole study. As with all laboratory research, the absence of these dynamics limits the applicability of research findings to practice. The incidental touch experienced by these children during an educational activity would not likely result in the shame, guilt, or embarrassment often experienced by abused children. In fact, these touches may not be memorable to the child at all (Lyon, 2012).

Although employed with less regularity than in previous iterations of our Protocol, the use of anatomical diagrams during forensic interviews is still supported by CornerHouse when it is developmentally appropriate to conduct anatomy identification with a child, as a reference when conducting touch inquiry with some children, and as a tool that may be offered for clarification of a verbal description. The use of anatomical diagrams can be a helpful communication tool within the forensic interview process, but like any other interview tool, its efficacy is contingent upon the interviewer's skill and training. The utilization of anatomical diagrams is an important decision that should be based on the interviewer's training as well as the child, her or his development, and case circumstances. Further, their use should not undermine developmentally appropriate questioning that promotes narrative responses. When used appropriately, anatomical diagrams can enhance verbal communication between a child and interviewer and serve as a tool for clarification and reference.

Documentation of the Interview

A respectful introduction of the interview process can build a child's comfort when the child finds herself in what is likely to be a new setting with an unfamiliar professional. The CornerHouse Protocol advocates for interviewers to provide respectful, honest, age-appropriate explanations of audio-video equipment, two-way mirrors, earpieces, or telephones used for communicating with multidisciplinary team members. Interviewers are taught to provide information to the child about video recording of the interview and additional, unseen interview observers, and how to make audio and video equipment unobtrusive to the extent possible. Concerns that a child who is not told about video recording may later feel betrayed by the interviewer, social services, or the legal system are central to this recommendation. In the case that a child refuses to be video recorded, there is no one solution advocated by the CornerHouse Protocol. When this situ-

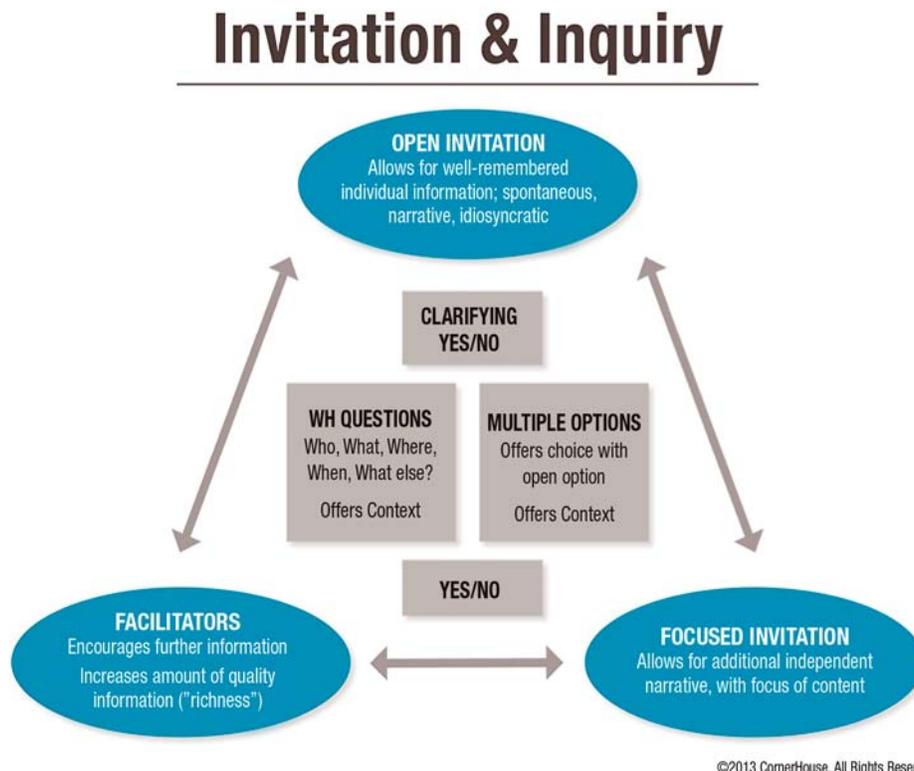
ation arises, the first step we would recommend to an interviewer is to engage the child or adolescent in a conversation about his or her concern and to attempt to problem solve based on that specific child's articulated worry, concern, or need. For example, if the child has concerns about a parent or guardian watching from the waiting room, more detailed information can be provided regarding who can and cannot see the video recording during the interview. For a child who maintains an objection to being video recorded despite discussion and appropriate, honest reassurance, the individual multidisciplinary team in the case will need to make a decision regarding how to proceed. We would expect that this decision would consider the child's best interests and best practice considerations as well as jurisdiction-specific factors. For example, in the State of Minnesota audio-video recording of interviews regarding allegations of sexual abuse is mandated by law (State of Minnesota, 1995). This mandate is an important, but by no means the only, factor to consider for professionals conducting interviews in this state.

Invitation and Inquiry

CornerHouse's current training curriculum teaches our Invitation and Inquiry approach to understanding the questions asked and

invitations made by interviewers. Invitation and Inquiry (Figure 2) emphasizes the role of the interviewer as *not* one who asks questions, but as a neutral fact finder who invites and allows information. Invitation and Inquiry is designed to increase the quality and quantity of information a child is able to provide. The "invitations" are encouraged and taught as preferable throughout and across interviews. Due to the specific context and focus implicit to "inquiries," interviewers are taught to use these sparingly. As has historically been true, CornerHouse training teaches interviewers to use a developmentally appropriate approach that capitalizes on the competency of each child and is more likely to yield a reliable, credible report. CornerHouse teaches the use of facilitators to invite as much narrative as possible; in particular, facilitators may be helpful with young children in meeting their developmental needs. We acknowledge that narratives may be shorter and, with some questions, beyond the developmental capacity of some young children. However, we do not teach interviewers to favor direct questions with this group or to artificially inhibit the developmental capacity of the child in the interview setting by asking direct questions. Further, any time that more direct questions are necessary, CornerHouse teaches interviewers to follow up with more indirect invitations.

Figure 2. Invitation and Inquiry in the CornerHouse Forensic Interview Protocol



The CornerHouse Forensic Interview Protocol is one avenue by which to explore a child's experience in a way that is both forensically sound and respects the child's individuality. There are many valid ways to approach the forensic interview itself, from structured protocols to flexible guidelines. The CornerHouse Protocol is merely one approach that strives to balance the simple with the complex, the amorphous with the prescriptive, and most of all, that offers interviewers principles from which to learn about children and their experiences. The protocol can accommodate considered adaptation by trained professionals, when desired, to meet a myriad of local community standards. Furthermore, adaptations due to developmental considerations and the spontaneity of a child are implicit to the model. Practice guidelines in the field recommend that interviewers adapt their language, pacing, and other aspects of the interview to the particular child with whom the interview is conducted (APSAC, 2012).

In any field where best practice dictates a tailored approach to meet client needs, best practice will continue to comprise a range of specific behaviors and decisions. The challenges for forensic interview protocols and guidelines are to communicate parameters that can be used to encourage good practice and minimize interviewer errors, while allowing enough flexibility for interviewers to tailor their approach to the individual child and situation. Further, the level of research support for many best practice recommendations is greatly varied (Jones, Cross, Walsh, & Simone, 2005), leaving room for different practice within a research-informed approach in the current landscape. Through continued and coordinated efforts of experts, practitioners, and researchers in the field of forensic interviewing, we continue to strive to improve practice in the best interests of children.

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Gathering Information From Children About Child Neglect

Kathleen Coulborn Faller, PhD, ACSW

In assessing for child trauma caused by maltreatment, a central source of information is the child. Information may derive from the child's verbal and behavioral communications, the child's functioning, and the child's physical condition. The focus of these guidelines is on eliciting verbal communication from the child about child neglect. Child neglect is manifest in a variety of forms: failure to provide food, clothing, shelter, or medical care; abandonment and expulsion; lack of adequate supervision or control; and educational neglect (Depanfilis, 2006). Although this article focuses on gathering information about child neglect, in fact, the evaluator may ask about neglect in a larger context of inquiry into child maltreatment and endangerment. Moreover, the child's words will rarely be the only source of information used to determine neglect.

For professionals assessing for child maltreatment, interest in the child as the source of information originated in efforts to gather data about sexual abuse when the evaluator has little to rely upon other than the child's verbalizations or behaviors. Querying about sexual abuse has taught evaluators important lessons. Evaluators should avoid leading and suggestive questions when at all possible and not use coercive techniques. Not only may such practices result in actual inaccuracies or fabrications but these practices also can result in legal and ethical challenges to the evaluator's work.

Accordingly, the guidelines in this article provide strategies for questioning that advise maximizing the use of open-ended questions/probes and minimizing the use of closed-ended questions/probes. The strategies are based upon a history of interview best practice (e.g., Bourg et al., 1999; Carnes, Wilson, Nelson-Gardell, & Orgassa, 2001; Faller, 1993, 2003, 2007) but are heavily influenced by the more recent research on questioning strategies found in the National Institute of Child Health and Human Development (NICHD) protocol (e.g., Hershkowitz, Horowitz, & Lamb, 2005; Lamb, La Rooy, Malloy, & Katz, 2011; Lamb, Orbach, Hershkowitz, Esplin, & Horowitz, 2007). The NICHD protocol was initially employed with cases of sexual abuse and then applied to physical abuse. (e.g., Lamb et al., 2007). This article demonstrates how these research-based strategies can be applied to concerns about child neglect (Faller, 1999), but it also offers additional advice based upon practice and experience in gathering information about neglect.

First, the guidelines contextualize neglect-related questions and probes by a brief discussion of the structure of a child interview. Second, within the discussion of a child interview, the guidelines describe a continuum of questions, from more open-ended to more closed-ended, and how the continuum relates to inquiry about child neglect. Third, the guidelines provide strategies for asking about important people in the child's life. These questions may elicit information about child neglect. Fourth, the guidelines suggest questions in two domains that are directly focused on child neglect: the child's care and control and the child's environment. Finally, the guidelines propose questions about parental behaviors that may result in neglect.

Child Interview Structure and a Continuum of Questions

The role of the evaluator, the structure of services, logistical considerations, safety issues, and the specifics of the allegation or concerns all affect the process and content of the child interview. In addition, the evaluator must judiciously juggle competing priorities: the need to know about child neglect and other trauma, the goal of not re-traumatizing the child, the admonition to avoid leading the child, and the issue of child safety.

With these goals in mind, evaluators will find the framework employed in interviews regarding sexual abuse useful when asking about neglect. That is, an interview generally has a beginning, a middle, and an end (Faller, 2007). This three-phase model is simpler than many other models (Lamb, La Rooy, Malloy, & Katz, 2011; Lamb et al., 2007; Poole & Lamb, 1998; Yuille, 2002) and provides the flexibility needed to gather data about possible neglect.

Beginning Phase

The beginning involves contextualizing the interview for the child, describing the evaluator's role, setting some ground rules or expectations, and building rapport with the child (Faller, 2007). What the evaluator conveys to the child about his or her role will vary depending upon that role and the child developmental level.

Useful ground rules include the following: (1) telling the child that the evaluator will be asking questions and advising the child

that if he or she knows the answer, to answer the question, but to say, “I don’t know,” if the child does not know the answer; that is, “don’t guess,” (2) telling the child if he or she doesn’t understand the question to say so, and the evaluator will ask it in a better way, and (3) finding a strategy for determining the child’s ability to tell real from fiction and obtaining the child’s agreement to tell the truth (e.g., Lyon, Carrick, & Quas, 2013; Lyon, Saywitz, Kaplan, & Dorado, 2001). It may be useful to practice the ground rules, for example the “don’t guess” rule (Lamb et al., 2007). Nevertheless, fewer ground rules are preferred because the child may not remember multiple ones.

Although rapport building is essential in the beginning phase of the interview to engender trust, rapport maintenance is an ongoing task in child interviews involving sensitive topics. As the evaluator asks about difficult material, rapport may wane, thereby necessitating additional rapport-building endeavors (Faller, 2007).

In the beginning phase of the interview, the evaluator assesses the child’s overall functioning and development, usually by asking the child to provide a narrative about positive or neutral events. This process determines the child’s capacity to provide a narrative and imparts to the child expectations about the interview discourse (Lyon, 2001). That is, the narrative opportunity teaches the child that the evaluator will invite the child to provide information and then ask follow-up questions to gather additional details.



Middle or Maltreatment-Neglect Phase

The middle of the interview is the neglect assessment phase. Questions/probes/statements used to transition from the beginning phase to the neglect-related portion may differ from best practice in sexual or physical abuse interviews. When sexual or physical abuse is suspected, there may be a recent, salient abusive event about which the evaluator is inquiring (e.g., I understand something may have happened to you; tell me about it.) (Lamb et al., 2007). In contrast, in neglect situations, there often have been chronic caretaker omissions in multiple domains. Sometimes these have resulted in a consequence that is salient to the child, such as becoming homeless or being removed from the home. In such cases, the evaluator can ask an open-ended question/probe about this salient consequence (e.g., Tell me the reason you aren’t living with your mom.). In other cases, however, the evaluator is endeavoring to gather information about possible neglect *before* a decision is made about child safety. In these instances, some transitional or scaffolding statements are needed to alert the child to a change of topic and to introduce the topic of concern (e.g., Lamb et al., 2007).

Since, as a rule, the evaluator will be concerned about caretaker neglect, a good transition strategy may be to ask the child about people who are important to the child (e.g., Now that I’ve gotten to know you a little, I want to ask you about the people who are important to you.). These *people questions* will be described in greater detail. Other possibilities are open-ended queries about the child’s care or the child’s environment, also to be discussed. Evaluators may need to explore multiple domains in neglect situations and therefore will engage in several transitions during the interview.

The content of the middle phase of the interview will vary depending upon the type of neglect the evaluator is attempting to understand. Types of questions and their order of preference will vary depending upon the child, the type(s) of neglect, and the within-interview context of the questions. Nevertheless, it is useful to apply the guidelines for preferred questions/probes related to sexual abuse to the assessment of neglect, that is, privileging open-ended questions/probes and attempting to exhaust the child’s free recall before resorting to the more closed-ended questions. Closed-ended questions that elicit information should be followed by more open-ended probes (see Table 1).

Invitational questions that invite a narrative are the most preferred (e.g., Tell me everything you remember about being left alone.). Some children lack the developmental skills to respond to invitations and need “*wh*” questions (e.g., who, what, when, where, and how). “Wh” questions can be general (e.g., How did you get food?) or specific (e.g., What meals did you miss?) (Lyon 2001). General “wh” questions are preferred both because they are more likely to elicit a narrative and because they are less likely to evoke a guess (Lyon, 2001).

Table 1. Question/Probe Continuum From Open-Ended to Closed-Ended

TYPE OF QUESTION	DEFINITION	EXAMPLE
Invitational question/probe	A question/probe that invites a narrative	Tell me everything about your family getting evicted.
“Wh” question	Who, what, when, where, and how	Where did you stay after your family got evicted?
Follow-up questions, probes, cues	Cues that invite the child to provide more detail	Say more about what it was like sleeping in the car.
Direct question	A question that invites a yes/no answer	Did you get evicted because your mom didn’t pay the rent?
Multiple-choice question	A question that provides the child a range of responses from which to choose	Did your mom spend the rent money on something else or didn’t have rent money or some other reason?

Both invitational and “wh” questions should lead to *follow-up questions/probes*, such as “say more about that,” “and then what happened?” or “anything else you remember?” Other appropriate follow-up cues that encourage additional information include “okay,” “umhum,” or repeating the child’s last information with an invitation to add more.

It may be necessary to ask a *direct question* (yes/no) (e.g., Did you ever have to sleep in the car?). When asking a direct question, the evaluator should ask it in the most open-ended manner that is feasible, and an affirmative response should be followed by an invitational probe (e.g., Tell me all about sleeping in the car.). Nevertheless, there are contexts in which yes/no questions are more open than “wh” questions. For example, “Was anyone else in the car?” may be less leading than “Who else was in the car?” if there was no one else there.

Direct questions may be the preferred method of querying about parental endangerment behaviors (e.g., Does anyone in your family use drugs?). A positive response from the child should lead to an invitational probe (e.g., Tell me all about the drugs your mom uses.)

Multiple-choice questions may be appropriate to query about contextual details when the child has made a disclosure about neglect and when invitational probes and “wh” questions do not elicit specifics about the context of neglect (e.g., Did you sleep in the car one night or more than one night?) Multiple-choice questions violate the principle of gathering information from the child, rather than the evaluator supplying information. They may,

nevertheless, be preferable to not knowing contextual details. When employing multiple-choice questions, evaluators should take care to avoid giving the child a forced choice between incorrect responses (Bourg et al., 1999). Adding another option is recommended (e.g., Were you left alone at your house, his house, or somewhere else?) but may create a cumbersome question.

End or Closure Phase

The end is interview closure. During closure, the evaluator may recap the child’s disclosures, using the child’s words. Evaluators may also inquire whether the child has had other neglectful, harmful, or endangering experiences or whether other persons have neglected, harmed, or endangered the child. Affirmative responses to these probes return the evaluator to the middle phase of the interview. During closure, evaluators may thank the child for participating in the interview (Lamb et al., 2007) and give the child a general idea about next steps or the interview outcome (Faller, 2003, 2007).

Substantive Areas for Questions Related to Neglect

Evaluators are advised to plan which domains to ask questions about and to have several strategies for approaching these topics, should the first (or second) leave child safety unresolved. Questions about each neglect-related topic discussed next attempt to provide approaches for exploring topics in an open-ended manner. The questions/probes are not exhaustive, but rather illustrative. Evaluators need to tailor their inquiry to the case circumstances and the child’s developmental level.

People Questions

People questions may provide a transition from rapport-building to the neglect-related part of the interview without inquiring directly about neglectful experiences.

a. Transitional statement:

Now I'm going to ask you about the people who are important to you.

b. Invitational probe:

Tell me the people who are important to you.

c. "Wh" questions:

Who are the people who are important to you?

Because the invitational probe and the "wh" question may not be easily understood by some children, the evaluator may need to clarify by using one or more of the following statements:

These might be people who take care of you.

These might be people in your family.

These might be people you are close to.

These might be people you really care about.

Once the evaluator obtains some names, he or she asks about each person in as open-ended a way as possible. If the evaluator thinks that one of these people has neglected or traumatized the child, a good strategy is to save queries about that person until after inquiring about positive people in the child's life. The evaluator will be asking about all of the people the child names. "Your mom" in the suggested questions and probes is merely illustrative.

d. Invitational probes about the people:

Tell me all about (your mom).

Tell me what (your mom) is like.

e. Follow-up probes:

Tell me more about what (your mom) is like.

Anything else you can think of about (your mom)?

f. "Wh" questions:

"Wh" questions about the people are often necessary because invitational questions are too different from ordinary discourse or do not trigger recall, or both. Case characteristics and concerns should be helpful in formulating appropriate "wh" questions. Here are some potentially useful ones:

What do you like about (your mom)?

What don't you like about (your mom)?

It may be more appropriate, however, to ask a yes/no question, such as; "Is there anything you don't like about (your mom)?" and then to follow this up if the child provides an

affirmative response. Similarly, questions such as "Are there any things (your mom) does to you that you don't like?" probably should precede a "wh" question about "What things?"

What sorts of things do you do with (your mom)?

How do you know when (your mom) is pleased with you?

What does (your mom) do when you misbehave?

g. Follow-up probes:

If the child provides a response to a "wh" question, the evaluator should use follow-up probes before asking specific "wh" questions or yes/no questions. Examples are as follows:

Say more about what you like about her.

Anything else you can think of?

Care and Control Questions

Another approach to learning about child neglect is to ask about how the child is cared for. Some of these questions probe for lack of adequate care and supervision and others for failure to provide food and control.



Gathering Information From Children About Child Neglect

a. Transitional statement:

Now I'm going to ask you (more) about who takes care of you.

b. Invitational questions:

Tell me who takes care of you. Children will usually mention just one person—my mom. The evaluator can then state, Tell me all about how your mom takes care of you. Children may respond that “she’s nice,” or “she loves me.” The evaluator can then probe, Tell me about the last time she was nice or showed that she loves you.

c. Follow-up probes:

Tell me more about that time.

And then what happened?

d. “Wh” questions:

These may be employed if invitational probes do not produce information or produce insufficient information. They can be followed by additional “wh” questions, invitational probes, or follow-up probes and questions, or both.

Who takes care of you?

– How do they do it?

What things do you like about how they take care of you?

– Say more about the things you like.

What things don't you like?

– Tell me all about the things you don't like.

When (your mom) isn't there, who takes care of you?

Who helps you get dressed?

Who sees you get to school?

Who takes care of you when you're sick?

Tell me about the last time you were sick.

Who puts you to bed?

– What time?

Who cooks?

– What meals do you eat?

– What do you eat?

e. Yes/no questions:

These are probably preferred when the evaluator is trying to determine whether there are times when there is no food.

A positive response can be followed by more open-ended probes:

Are there any times when there's no food?

– What do you do then?

– Tell me about the last time there was no food.

A yes/no question is probably a preferred question when the evaluator is trying to determine if there is lack of adequate supervision.

– Are there times you baby-sit for/take care of yourself?

A yes/no question is probably preferred to determine whether there is another person available when the child is alone.

Is there someone you can call?

More probes about lack of adequate supervision include the following.

How long are you alone?

Can you tell me about the last time you took care of yourself?

Are there any younger kids you look out for when you babysit yourself?

Tell me about the younger kids.

Parental control is both an abuse and neglect issue. Excessive parental control may signal abusive behavior whereas lax or no parental control may signal neglect. Since the focus of these guidelines is neglect, that is the focus of the questions. Questions related to rules and chores may shed light on neglect.

f. Transitional statement:

Now I want to ask you about the rules at your house.

g. Invitational probes:

Tell me what rules you have at your house. This query is likely to be too abstract. The evaluator might follow up with rules about having friends over, curfew, homework, or hitting.

h. “Wh” questions:

The evaluator may need to ask “wh” questions to determine the rules.

What time to you have to be home (at night, after school)?

What are the rules about doing homework?

Similarly, questions that may elicit a pattern of neglect are probes about chores.

i. Invitational probes:

Tell me what chores you have to do.

The evaluator will need to ask what happens when rules are not followed or chores are not done to determine if there is a pattern of neglect.

Environment Questions

Environment questions may be useful in learning about child neglect or the child's living situation. Responses can supplement an assessment of home.

- a. Transitional statement:
Now I want to talk about the place you live.
- b. Invitational probes:
Tell me all about the place you live.
Tell me all about who lives with you.
Tell me what your house is like.
- c. "Wh" questions:
Who lives at your house?
Where do you sleep? Who else sleeps there?
Where do others sleep?
How many rooms? Tell me about the rooms.
Who cleans at your house?
Where do the pets go to the bathroom?
Who does the laundry?
- d. Direct questions:
Do you have a regular place to sleep? Tell me about that place.
- e. Multiple-choice questions:
Does your dog poop in the house, outside, or both?



Parental Behaviors That Might Endanger the Child or Result in Neglect

The child welfare literature documents that parental behaviors or traits that are not specifically acts of omission (neglect) may result in child neglect or other child endangerment (US DHHS, 2009). Examples are substance abuse, domestic violence, mental health problems, developmental disabilities, and criminal activity. These are important areas of inquiry when there are concerns about neglect and usually require a combination of direct, invitational, and "wh" questions. Questions related to substance abuse and domestic violence are illustrative and will be covered.

Substance Abuse

Substance abuse is the parental problem most highly correlated with child neglect because it compromises a parent's ability to provide adequate care and supervision (U.S. Children's Bureau, 2009; DePanfilis, 2006). Additionally, spending family resources on substances may compromise the caretaker's ability to provide food, clothing, and shelter. Caretakers may use a range of drugs and alcohol, may manufacture drugs such as methamphetamine, or may sell drugs, all of which can result in child neglect.

- a. Transitional statement:
Now I want to ask you what you know about people using drugs and alcohol.
- b. Invitational and follow-up probes related to alcohol:
Does anyone at your house ever drink alcohol, such as beer, whiskey, or wine? If the child says "yes," the evaluator should ask who and then ask about each person the child names.
Tell me about (your dad's) drinking.
Anything else about (your dad's) drinking?
And then what happens?
- c. "Wh" and direct questions related to alcohol:
What does (your dad) drink?
How many times a week does (your dad) drink? A multiple-choice question might elicit more accurate information.
 - *Does (your dad) drink often or every once in a while?**How does (your dad) act when he drinks? Direct questions may be needed.*
 - *Does (your dad) ever fall down?*
 - *Tell me about the time he fell down.*
 - *Can (your dad) take care of you OK when he's drinking?*
 - *Does he ever just fall asleep?*
 - *And then what happens?*
 - *Does he ever get mad when drinking?*

– Does he ever hurt anyone when he drinks?

– Say more about that.

Does (your mom) ever go to the bar?

– How often?

Does (your mom) ever drive a car when she's been drinking?

– Did (your mom) ever have an accident?

Did (your mom) ever have to go to the hospital or to a counselor for drinking?

– Tell me what you know about her going to the hospital.

d. Direct, invitational, and “wh” questions related to drug use:

Are there any drugs at your house?

– Tell me about the drugs. This might be too vague a question, necessitating – “wh” and direct questions.

– Which ones?

– Who uses them?

– What happens when they use them?

– Do you know how they get them?

– Where does the money for drugs come from?

– Did (your mom) ever get sick from drugs?

– Then what happened?

– Did (your mom) ever have to go to the hospital?

How old you were when (your mom) started using drugs?

Do you know how many times a day/week (your mom) has to have the drug?

Family Violence

Research demonstrates a high correlation between domestic violence and child abuse (Child Welfare Information Gateway, 2009). However, domestic violence may also result in child neglect (Antle et al., 2007). A battered woman may be so preoccupied with her safety and the impact of domestic violence on herself that she neglects her children.

a. Transitional statement:

Now I'm going to ask you about disagreements in your family.

b. A yes/no questions may be the most appropriate initial query:

Do your mom and dad have disagreements?

If the child responds “yes,” the evaluator may use an invitational probe.

Tell me all about the disagreements.

Tell me about the last disagreement they had.



c. A yes/no questions may be the most appropriate way of asking about actual fights in the family:

Do your parents ever have fights?

If the child provides an affirmative response, the evaluator may then follow with an invitational probe.

Tell me all about the fights.

d. “Wh” questions may be employed to gather details:

What do they fight about?

How do they fight?

e. Multiple-choice questions may be needed to gather details:

Do they just yell or do they ever hit or what?

Does this happen a lot or has it happened just a few times?

f. Similarly, direct questions followed by more open-ended probes may be appropriate:

Does anyone ever get hurt?

– *Tell me all about the last time.*

Does anyone ever have to go to the doctor/hospital?

Do any kids ever get hurt when they are fighting?

– *Tell me about getting hurt.*

Does anyone in your family have a gun or knife? If the child says “yes,” ask,

– *Who?*

What can you tell me about (gun or knife)?



Conclusion

Interviewing children with a possible history of neglect is a challenging task because neglect tends to be manifested as a pattern of non-startling omissions, which require more focused and less open-ended probes than sexual abuse. In addition, evaluators often have to inquire into multiple domains to understand whether there is a pattern of neglect. Nevertheless, questioning strategies that were developed in research on sexual abuse can be applied to questioning about neglect. They need to be supplemented with practice knowledge.

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Interviewing Victims and Suspected Victims Who Are Reluctant to Talk

Michael E. Lamb, PhD, Irit Hershkowitz, PhD, and Thomas D. Lyon, JD, PhD

Most professionals know that many alleged victims do not disclose abuse when formally interviewed and that disclosure is affected by a variety of factors, among which the relationship between suspects and children appears to be especially important (see Pipe, Lamb, Orbach, & Cederborg, 2007, for reviews). Children—especially boys and preschoolers—are hesitant to report abuse by parents and guardians, particularly when sexual rather than physical abuse is suspected. For example, Pipe, Lamb, Orbach, Stewart, Sternberg, and Esplin (2007) reported that only 38% of the preschoolers interviewed disclosed sexual abuse by a parent even when the allegations were independently substantiated by corroborative evidence. Indeed, only 12% of the preschool-aged boys included in Hershkowitz, Horowitz, and Lamb's (2005) analysis of Israeli national statistics disclosed suspected (not necessarily substantiated) sexual abuse by parents. Even though some nondisclosure by preschoolers may be attributable to immaturity rather than reluctance (Sjöberg & Lindblad, 2002), substantial evidence indicates that large percentages of older abused children will deny abuse as well (Pipe, Lamb, Orbach, & Cederborg, 2007). Laboratory experiments have shown how easy it is to induce denials among children who have themselves transgressed (Lewis, Stanger, & Sullivan, 1989; Polak & Harris, 1999; Talwar, Lee, Bala, & Lindsay, 2002), have witnessed the transgression of others (Bottoms, Goodman, Schwartz-Kenney, & Thomas, 2002; Ceci & Leichtman, 1992; Pipe & Wilson, 1994; Talwar, Lee, Bala, & Lindsay, 2004), or have been jointly implicated in wrongdoing (Lyon & Dorado, 2008; Lyon, Malloy, Quas, & Talwar, 2008).

Factors Affecting Child Behavior and Responsiveness in Interviews

In addition to characteristics of children or of child-suspect relationships, the quality of the interaction between children and forensic interviewers may profoundly affect whether or not victims disclose and how much information these children provide when they do. In a study exploring the dynamics of interviews with children whose victimization had been independently verified, Hershkowitz, Orbach, Lamb, Sternberg, and Horowitz (2006) identified a pattern of escalating uncooperativeness and coercion. In a rapport-building pre-substantive phase, the children's initial uncooperativeness was clearly challenging for the interviewers, but interviewers' responses—in the form of intrusive

questioning, unsupportiveness, and premature discussion of sensitive topics—were counterproductive. Specifically, the children who later failed to disclose abuse seemed to avoid establishing rapport with the interviewers early in the interviews; they were less responsive to interviewers' questions than their disclosing peers and provided fewer personally meaningful details about neutral experiences when invited to do so. In response, interviewers were unsupportive and then attempted to explore the possibility that abuse had taken place by transitioning prematurely into the substantive phase. Interviewers also addressed fewer open-ended questions and fewer supportive comments to uncooperative than to cooperative children. Hershkowitz et al. concluded that the interviewers' strategies were counterproductive because they did not address the children's emotional needs; the researchers recommended that, in such circumstances, interviewers should make increased efforts to establish rapport and should avoid shifting the focus to substantive issues until children appear comfortable and cooperative. Interviewers, they advised, should be more, rather than less, supportive of resistant children.

Because the nondisclosing children had started showing their reluctance early in the rapport-building phase, Hershkowitz et al. (2006) stressed the importance of identifying and addressing reluctance at the very beginning of the interview, before negative dynamics emerged. Subsequent research showed that nondisclosers expressed their initial reluctance nonverbally as well (Katz, Hershkowitz, Malloy, Lamb, Atabaki, & Spindler, 2012), thereby providing interviewers with additional cues for identifying uncooperative interviewees. Although studies such as these show the potential importance of emotional factors affecting children's behavior and responsiveness in the interview context, research-based best practice guidelines such as the NICHD Protocol have to date emphasized cognitive factors associated with children's memory retrieval and reporting in interview contexts. They have also paid much less attention to the motivational factors that may inhibit children's cooperativeness and informativeness.

Rapport-building is clearly important, but interviewers often fail to behave supportively when interviewing children who appear uncooperative. The question is this: Can these dynamics be changed? Fortunately, the answer is "Yes" as shown in our recent studies, which we summarize in this article. In these studies, we have

revised the well-studied NICHD Investigative Interview Protocol by providing interviewers with more guidance about how to behave supportively and build rapport with interviewees. We hoped that adherence to the so-called Revised NICHD Protocol would help interviewers build rapport more effectively with children, and that this would in turn help children overcome any reluctance to cooperate early in the interview, thus enhancing willingness to discuss experiences of abuse, if they had indeed been abused. Of course, the challenge was to increase interviewer support without pairing support with leading or suggestive prompts that might elicit substantive information. Laboratory/analogue research has found that reassurance (telling children that they will not “get in trouble” for disclosing) not only increases children’s disclosure of transgressions but also increases the number of false allegations if the interviewer specifically mentions the transgression (Lyon & Dorado, 2008; Lyon et al., 2008).

The Standard NCHD Protocol

The standard NICHD Protocol (Lamb, Hershkowitz, Orbach, & Esplin, 2008) is fully structured, covering all phases of the investigative interview. In the introductory phase, interviewers introduce themselves, clarify the children’s task (i.e., the need to describe actually experienced events truthfully and in detail), and explain the ground rules and expectations (i.e., that they can and should say “I don’t remember,” “I don’t know,” or “I don’t understand” or correct the interviewers when appropriate). Because lab research has also found that a promise to tell the truth increases children’s disclosures of transgressions without increasing errors (Evans & Lee, 2010; Lyon & Dorado, 2008; Lyon, Malloy et al., 2008, Talwar et al., 2002, 2004) such promises have been incorporated into NICHD Protocol guidelines in some interview centers (Stewart, personal communication, 2013).

The subsequent rapport-building phase comprises two sections. The first is a structured open-ended section designed to encourage children to provide personally meaningful information (e.g., what they like to do). In the second section, children are prompted to describe in detail at least one recently experienced event to further develop rapport between children and interviewers. In addition to its rapport-building function, this phase of the interview is designed to simulate both open-ended investigative strategies and the retrieval of episodic memory employed in the substantive phase as well as the related pattern of interaction between interviewers and children. This phase is also intended to demonstrate to children the specific level of detail expected of them. The productivity of the open-ended rapport-building approach has been supported by field and lab research (Roberts, Lamb, & Sternberg, 2004; Sternberg et al., 1997).

In a transitional phase between the pre-substantive and the substantive parts of the interview, open-ended prompts are used to identify the target event(s) to be investigated (e.g., Tell me why



you came to talk to me today). If the child does not disclose in response to open-ended prompts, the interviewer proceeds to increasingly focused yet nonsuggestive prompts, making reference to available information about previous disclosures, physical marks, or other evidence only as a last resort. As soon as an allegation is obtained, the substantive part of the interview takes place (for a description of the full Protocol, see Lamb et al., 2008).

Revisions to the Protocol

Several changes and additions were made to the rapport-building part of the Protocol when constructing a “revised” Protocol for purposes of our field research. To enhance trust and cooperation, the rapport building preceded (rather than followed) explanation of the ground rules and expectations, and additional guidance was provided to interviewers with respect to building and maintaining rapport. In addition to both inviting free-recall narratives about recent experiences and prompting children to provide more information about personally meaningful topics using open-ended invitations, interviewers were encouraged to express interest in the children’s experiences during the rapport-building phase (“I really want to know you better”), to echo children’s feelings (“You say you were [sad/angry/the feeling mentioned]”), to acknowledge such feelings (“I see/ I understand what you’re saying”), or to explore them (“Tell me more about [the feeling]”). The revised instructions advised interviewers to encourage the children verbally and nonverbally to describe experienced events. Positive reinforcement of the children’s efforts (“Thank you for sharing that with me” or “You’re really helping me understand”), but not of what they said, was recommended. Similarly, expressions of empathy with the children’s expressed feelings regarding the interview experience (“I know [it is a long interview/there are many questions/other difficulties the child expressed]”), but not regarding past experiences, were also encouraged. In other respects, interviewers were encouraged to use all the same cognitively focused strategies that the Protocol comprises.

Comparing the Standard and Revised Protocols

The effects of the Revised Protocol (RP) on children's willingness to be cooperative with interviewers and to report abuse were tested in two recent studies, both concerned with suspected victims of intra-familial abuse because they have been shown to avoid making allegations when abuse is suspected. In one study, we analyzed the rapport-building phase in nearly 200 interviews with children who had made allegations in order to determine whether the youth investigators followed the RP instructions, thus establishing better rapport and providing them with more support than did interviewers using the Standard Protocol (SP) (Hershkowitz, Lamb, Katz, & Malloy, n.d.). Comparisons made clear that interviewers using the RP indeed adhered to the instructions and that, as expected, the RP interviews were characterized by better rapport between the children and interviewers than the SP interviews. Specifically, we found that interviewers provided more supportive and fewer unsupportive comments to reluctant children in RP than in SP interviews and that children in RP interviews showed fewer signs of reluctance: That is, children displayed fewer omission responses, less often failing to respond to interviewers' prompts and to provide the requested information. Suggestive and other risky questions were equally uncommon in both types of interviews. Use of the RP thus changed the negative dynamics between reluctant children and their interviewers that had been observed previously (Hershkowitz et al., 2006).

In the second study, we sought to compare the rates of allegations when either the RP or SP procedures were followed when interviewing suspected victims of intra-familial child abuse. There was independent evidence that all children had indeed been abused, so we had increased confidence in the validity of any allegations made. The study showed that interviewer behavior significantly affected the likelihood that children would make valid allegations. As expected, children were more likely to make (valid) allegations

when the RP rather than the SP was used, presumably because the RP had successfully altered interview dynamics. Allegation rates were significantly higher when the RP (59.8%) rather than the SP (50.3%) was used, representing an increase of 18.8% in the allegation rate. Moreover, the effects were still evident after we controlled for other factors that might affect the likelihood that children make allegations of abuse, including individual differences among interviewers.

Better rapport building and the provision of emotional support seemed to have enhanced the children's motivation and engagement with their interviewers. Effects on disclosure rates were greater for boys than for girls. Surprisingly, however, use of the Revised Protocol did not affect rates of disclosure by the youngest (5- to 7-year-olds) alleged victims, suggesting that older children may recognize social expectations and social dynamics better than do younger children and are therefore more responsive to manifestations of support.

In sum, these studies revealed important effects of interview practices on children's motivation to make allegations of abuse. Although the effects of Protocol type varied in strength depending on individual and case characteristics, emerging differences were always in the same direction, with use of the RP always associated with more allegations than use of the SP. By creating more meaningful rapport with children and providing them with emotional support throughout the interview, forensic interviewers using the RP better helped children overcome their reluctance to communicate. Best practice recommendations clearly need to underscore the importance of supportive yet nonsuggestive practices when investigating possible occurrences of abuse, and the importance of using structured protocols for shaping effectively the relationship with children (Langer, McLeod, & Weisz, 2011). As with use of the established Standard Protocol (e.g., Lamb et al., 2008; Orbach et al., 2000), the changes in interviewer behavior brought about by use of the Revised Protocol were achieved following intensive training supplemented by regular monitoring and supervision throughout the course of the study. Although the use of structured Protocols is clearly associated with improved interview practices (Poole & Dickinson, 2005), such changes are assured only by ongoing monitoring and supervision (Lamb et al., 2002).

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A Picture Is Worth a Thousand Words: Incorporating Child Pornography Images in the Forensic Interview

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Research has been conducted, articles have been written, and opinions have differed with respect to abuse disclosures by sexual exploitation victims. After analysis of the most recent research studies done, London, Bruck, Ceci, and Schuman (2005) wrote that “evidence indicates that the majority of abused children do not reveal abuse during childhood” (p.194). Further, London explained that most sexual abuse victims who have made some type of tentative disclosure to someone would disclose the abuse when asked by an interviewer. This research did not take into consideration those victims who have not disclosed abuse even when evidence of the abuse exists. Palmer, in her article “Just One Click from Abuse” (2004), observed that little research has been done into the impact on victims who have been exploited in images; however, based on her research, she has found that “being filmed or photographed by their abusers makes children even more reluctant to reveal their ordeal” (p. 1).

The advancement of technology has resulted in the recovery of evidence in cases where there has been no previous disclosure of abuse. This leaves the victim with little control over the disclosure process. At least partly because of the permanency of the images, it is believed that photographing and video recording create added incentives for victims to conceal abuse. This phenomenon begs the question, How does the use of technology in the course of sexual exploitation affect the interview process? Should forensic interviewers continue conducting interviews pursuant to previously established protocols, or is it time to incorporate this type of evidence into our interview process to meet the needs of these victims? This article is based on over 10 years of experience in presenting evidence to victims by the Federal Bureau of Investigation’s (FBI) Child/Adolescent Forensic Interviewers (CAFI). It discusses the rationale for doing so and recommended techniques for introducing child pornography (CP) images during the forensic interview.

Forensic interviewing protocols for suspected victims of sexual exploitation have been developed, recommended, and widely implemented. Most protocols are based on research and utilize

specific phases to facilitate reliable and detailed disclosures. The FBI forensic interviewing protocol was modeled after the State of Michigan protocol (1998; Poole & Lamb, 1998). The goal of the forensic interview is to obtain a statement from a child or adolescent in a developmentally sensitive, unbiased, legally defensible manner that will support accurate and fair decision making in the criminal justice and child welfare systems (State of Michigan, 1998). The forensic interview is one piece of a comprehensive investigation. Technology has had a significant impact on the manner in which victims are exploited. The findings from a national study on Internet crimes against children stated that “the domain of technology-facilitated crimes against children has been characterized by two features: rapid growth and changing dynamics” (Wolak, Mitchell, & Finkelhor, 2011, p. 1).

This article also states that in addition to rapid growth of these cases, there was a significant increase in the use of video by offenders to communicate with victims and to produce CP. Although some professionals disagree about whether CP should be referred to or used in an interview setting, no current research documents the long-term impact to victims. However, a few studies provide insight into the mindset of these victims.

Impact on Victim Disclosure

The “Just Click It” (Palmer, 2004) study examined victims that were in therapy at the Barnardo’s Children’s Charity. The study revealed that abusive images may have the following impact on victims:

- Victims feel like they are seen as letting the abuse happen.
- Viewers may believe that victims enjoyed the sexual activity because offenders made victims smile in the images.
- Victims feel that others believe they could have stopped the abuse but didn’t.
- Victims experience “shame” at being involved and fear they may be recognized in the material by family, peers, and so on.

- All of these factors may impact victims and their willingness to disclose during the forensic interview.

In her July 2010 presentation at the University of Regensburg 6th International Summer Conference: Research in Forensic Psychiatry, von Weiler suggested, “What enables victims to disclose abusive images is the professional letting them know that [he or she] know[s] about the images, as well as [demonstrating] a trusting relationship and patience” (in von Weiler, Haardt-Becker, & Schulte, p. 214). This presentation was intended for therapeutic service providers working with victims of child pornography. However, the same could be said for the rapport-building phase of the forensic interview, that is, interviewers should establish trust and have patience with the victim. Von Weiler’s presentation and Palmer’s “Just Click It” study indicated the issues that may be roadblocks in the victim interview.

Historically, other kinds of evidence have been introduced in the forensic interview. For example, it is not uncommon to use chat logs, text messages, diaries, medical evidence, police reports, subject confessions, or victim disclosures during the interview process. However, it seems that professionals, including those in the fields of interviewing and law enforcement, have strong and widely differing opinions regarding the use of CP images as evidence during an interview. Some have questioned why this is necessary, especially when someone else (e.g., parent or guardian) can identify the victim. During several presentations conducted by FBI CAFIs, members of the audience have been asked to discuss how they feel about this process. When pressed on this issue by the presenters, most professionals in the audience expressed being uncomfortable with the images and therefore assumed that victims would feel the same way.

A forensic interviewer’s role is to conduct the interview in an unbiased manner. Even though the entire investigation or interview process, or both, could be traumatic to victims, criminal justice professionals do not forgo these processes out of fear of inflicting potential trauma. Instead, FBI CAFIs use a research-based, interviewing protocol and questioning continuum that are designed to minimize secondary trauma to victims. The FBI CAFIs have considered several questions while conducting these types of interviews: Is showing an image any more “traumatic” than asking victims to verbally tell the interviewer what happened? Is recall easier for victims when they have an image in front of them?

FBI CAFIs have observed that in cases in which evidence has been found before a disclosure is made, victims failed to disclose the abuse during a protocol-based interview without the use of the evidence. In a study conducted by Sjöberg and Lindblad (2002) in which they looked at children’s descriptions of sexual abuse and the process of disclosing, the authors surmised that there was a “significant tendency among the children to deny or belittle their



experience.” They concluded, “Professionals will most likely never be able to identify all cases of sexual abuse on the basis of children’s narrative” (p. 314).

There is no research to support the assertion that use of evidence will automatically trigger a disclosure of abuse. Therefore, interviewers must consider anecdotal information. It is entirely possible that the victim was not ready to disclose or had no intention of disclosing. This creates a dilemma: What if the interview is conducted, the victim does not disclose, and the interviewer is opposed to presenting the evidence? What is the next step? Do interviewers allow a victim to leave the interview knowing that he or she is still burdened by a secret? Do interviewers refer the victim to sexual abuse therapy when the victim never disclosed abuse?

Using Images During Interviews

Presentation of the images during the interview process may prompt a disclosure. For example, a 4-year-old denied any abuse during an initial interview. Video evidence was discovered a few weeks later, and the victim was re-interviewed even though some of the professionals involved in the case believed she was too young to remember the abuse. When evidence was presented, the victim made a full disclosure and included significant details about how the abusive act felt to her body. Disclosure associated with the presentation of evidence may alleviate the victim’s concerns about when, and if, she should report the abuse. Most important, the disclosure may help initiate the healing process.

Some critics ask, Why not simply inform the victim about the image or have someone else identify the child in the image? The phases of the forensic interview are intended to make a victim feel comfortable enough to disclose what may have happened. Some victims find it very difficult to verbally describe what happened to them. Interviewers are trained not to react to what they hear. If

interviewers refuse to show images because of their own discomfort or assumptions, then what is being conveyed to the victim? Is it that somehow this is more shameful than verbally telling us what happened? Showing the images to the victim in a neutral and nonjudgmental manner may help the victim feel less shame and embarrassment. It also provides the victim with the opportunity to learn that law enforcement is aware of the images rather than discovering this information for the first time in a courtroom. FBI CAFIs have conducted interviews prior to the discovery of evidence in which the victim did not disclose abuse. As the investigation proceeded, the images were recovered, and FBI CAFIs conducted second interviews using the images. In one particular case, conducted by a CAFI, the 7-year-old victim was asked “how come he [victim] didn’t tell [the CAFI] about the pictures [during the previous interview]?” The victim said he was “afraid [the CAFI] would think he [victim] was a baby” because he was wearing diapers in the images of him being victimized.

In the majority of interviews conducted by CAFIs in which evidence was presented, the victims were aware that the images had been taken (i.e., they had been conscious and awake). CAFIs have seen a small percentage of victims who have no awareness of the images for reasons such as they were sleeping, drugged, or the images were taken by use of a hidden camera. The victims who were aware of the images seemed to have good cognitive recall about the event when looking at the image. They were also able to identify other perpetrators and victims present for the picture or video that were previously unknown to law enforcement (LE). This type of information may not have been obtained if someone else had identified the images or if victims had simply been told about the images rather than being shown the same.

There are victims who will not disclose even when evidence is presented in the interview. Should this occur, FBI CAFIs encourage interviewers to cease presentation of the images. A victim’s unwillingness to acknowledge the abuse may indicate that he or she is not ready to disclose the victimization. However, having displayed only one image gives the victim the benefit of knowing that investigators have found the images and the victim no longer has to keep this secret. In some cases, victims have requested to speak with CAFIs at a later date, and others have started to discuss the abuse in therapy.

Presenting child pornography images in the forensic interview should be given careful thought and consideration prior to implementation. Only specially trained interviewers or law enforcement personnel should present this material to victims. Additionally, we recommend that the number of law enforcement personnel who view the images be limited to those who have a specific need to view the material.

The Technique for Presenting Evidence

There are a few items to consider as interviewers or law enforcement officers prepare to present child pornography images in the forensic interview. First, interviewers need to have a comprehensive understanding of the evidence that exists prior to scheduling the interview. Second, interviewers should ensure that a copy of the evidence is available for the interview. Third, if the victim is in a safe place and there is no known acute incident of abuse, interviewers may want to consider delaying the interview until they will have access to the necessary evidence. As computer forensic exams can be lengthy, this may mean a delay of several months. An alternative is to conduct a primary interview, knowing that a second interview may be needed if evidence is located on the seized media at a later date.

Careful consideration should be given when selecting the images to be used in the interview. The interviewer and the law enforcement agent should be the ones to decide upon such images. It is recommended that no more images than necessary be used in the interview, and selected images should reflect activity that supports the potential state and federal criminal charges. This process minimizes the amount of material shown to the victim and limits the display to only those items necessary for the criminal investigation. Consideration should be given to not include images in which the victim is smiling to avoid needlessly upsetting the victim, as referenced in the “Just Click It” study (Palmer & Stacey, 2004). The CAFIs *recommend not showing videos to a victim* as these are more difficult to control in an interview. It is suggested that the investigator instead create still images from the videos. It is also recommended that interviewers avoid the use of images of body parts without faces unless the interviewer is asking the victim to identify peripheral details in the image, such as bedding, furniture, and so forth. As with all evidence, the images should be brought to the interview by the assigned law enforcement investigator and returned to the investigator after the investigative interview.

Since many victims in exploitation cases have not yet disclosed their abuse, they may not know why they are being interviewed. It is important to inform victims at the beginning that the interviewer has some pictures he or she may want to talk about. Mentioning this ahead of time gives victims a clue as to why the interviewer wants to talk to them and may help lower the victims’ anxiety.

Interviewers should conduct a forensic interview in accordance with the protocol utilized in their jurisdictions or the protocol they have been trained to use. Interviewer experience and discretion becomes critical when deciding to utilize the images. It is standard practice for the CAFIs to ask children about pictures that people in their lives take of them (“Tell me about pictures that people take of

you.”). The response may be about school, vacation, and family pictures. However, it may lead to victims disclosing something about the images before the interviewer has shown them.

If the victim discloses information about what is depicted in the images, the interviewer can proceed with showing the images to the victim to confirm what she has already disclosed. The decision may also be made at that time not to show the images or to show only part of an image for confirmation. If the victim denies that any pictures or videos were taken, the interviewer could prompt the victim by saying, “Remember I told you I had some pictures I wanted to talk with you about today? I am going to show you the pictures and then ask you some questions about them.” It is important to approach this in a nonconfrontational manner. When it is clear that the victim will continue to deny, the interviewer should not continue to ask questions but instead consider that this is a good time to introduce the images.

The FBI’s CAFIs use two methods for introducing images during an interview to give victims some control of the process. The interviewer can give the victim a choice about how he would like to be shown the images. The victim may choose to have the interviewer describe the image before looking at it, or he may choose to look at the image without description from the interviewer. While some have suggested that exposed genitalia should be covered before showing images to children, FBI CAFIs are reluctant to do so because it may convey that victims should feel embarrassed or ashamed.

Once the image is in front of the victim, the interviewer needs to proceed with forensically sound questions to gather information about who is in the picture and what is happening in the picture. CAFIs usually start with phrases such as, “Tell me about this picture” or “Tell me what’s happening in this picture.” As with

most forensic interviewing approaches, open-ended questions that encourage narrative responses should be maximized, and use of direct questions should primarily be used for clarification purposes. As the victim discusses each image, the interviewer should place a number on the back of the photo to indicate the order shown to the victim and write down brief notes about what the victim said, such as who is in the picture, who took the picture, and what it was taken with. On the one hand, interviewers should never force a victim to view the images. On the other hand, interviewers should not necessarily be deterred in continuing the interview simply because a victim shows emotion while viewing the images.

Victims frequently express emotions (e.g., crying, anger) during interviews in which evidence is not presented, and interviewers seldom stop an interview because of this. The same should be true for interviews in which evidence is presented. In some situations, victims cannot go forward with the interview and the presentation of evidence. Interviewers will need to use their skills and clinical judgment to determine when to stop. A FBI Cafi once interviewed a victim who had been previously interviewed twice without any of the known evidence being presented. When the FBI Cafi interviewed the victim, she cried while being presented with the images as well as when she described what was happening in the images. At the end of the interview, she drew a picture that said, “I feel much better about myself—you’ve inspired me to become a police officer.” This victim no longer had to live with the secret of abuse and exploitation; it was now out in the open, and she could start the healing process. At the conclusion of the interview, the multidisciplinary team (MDT) should discuss follow-up services pertinent to the victim’s needs. The FBI CAFIs utilize the expertise of the FBI Victim Specialist to help obtain support services for the victim and her family.

If victims do not know that images were taken because they were drugged, asleep, or the camera was hidden, we recommend verbalizing to them that images have been found, telling who took the pictures or videos (if known), and explaining what is in the images if a victim wants to know. There may be circumstances in which a victim has been drugged and does not realize the extent of his or her victimization. It is important for these victims and their parent or guardian to be informed about the abuse because a medical exam may be required. In one case involving multiple victims, the victims were drugged and unaware that they had been fully penetrated by the perpetrator until law enforcement found the videos.

It became very important to interview all victims not only to learn if they were aware of their victimization but also to inform them of the existence of the videos. Interviewers should remember, if a perpetrator trades images of a victim, these might show up in other cases, domestically and internationally. In the



United States, the Victims' Rights and Restitution Act (42 U.S.C. 10607) requires federal law enforcement officials to identify victims and affords victims the right to be notified of investigations and prosecutions and to receive assistance services. One can imagine their shock if no one has ever told them about the images and they are notified that they are now considered a victim in a federal case because a defendant is in possession of their image.

FBI CAFIs also show the victim images of other children in a case to identify those children. When this is done, only the faces of the children are shown to the victim and all pornographic material is obscured. Child pornography images should never be shown to parents or guardians out of respect for the victim. Rather, parents can be verbally informed that the images exist.

Conclusions

Technology has affected all of our lives in both positive and negative ways. Individuals who work in the field of child exploitation have seen firsthand the destructive ways that perpetrators use technology to gain access and to exploit victims. This article began by posing some questions about the use of child pornography images in the forensic interview setting. The FBI CAFIs have been presenting images in their interviews for the past 10 years. Their methods have been developed using research-based protocols and extensive experience. Other professionals in the field of forensic interviewing are beginning to address the special needs of these exploitation victims. In 2011, the revised State of Michigan Forensic Interviewing Protocol added "Guidelines for the Use of Physical Evidence." In 2012, APSAC updated its guidelines to reflect the changing needs of victims. Critics have weighed in on incorporating evidence into forensic interviews; some agree and others do not.

The FBI poses one last question: How do professionals conduct a forensic interview, have a victim deny the abuse when the abuse has been confirmed with evidence, and let the victim leave the interview still harboring a secret? Research needs to be conducted to increase understanding and ensure that the needs of child pornography victims are being met as part of the investigative interview. Until then, the FBI and other agencies will continue to refine the process by which interviews are conducted in these challenging cases and address the impact that ever-changing technology has on the victim interview.

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Washington Update

John Sciamanna

Introduction

Congress returned after Labor Day, and since that point, the most significant action taken has been legislation to temporarily open the government, raise the debt limit, and agree to revisit the same issues by early next year. What follows is more a collection of actions that Congress has not been able to move or complete action on.

Appropriations

The government shutdown and threat of default ended on October 16, when the House of Representatives voted to approve the package (HR 2775) by a vote of 285 to 144. Eighty-seven Republicans supported the agreement, but the bulk of votes came from 198 Democrats. Just minutes earlier, the Senate had voted by a margin of 81 to 18, with all 18 votes of opposition coming from Republicans. The deal set out three new deadlines. The debt ceiling has been extended until February 7, with the Treasury having some ability to stretch that time period. FY 2014 funding to run the government extends to January 15, when the sequestration cuts first imposed last year will once again hit if a budget deal is not reached. The agreement also included a deadline of December 13 for the House and Senate budget to reach an overall deal (at least for FY 2014). That wasn't written into the actual legislation but was agreed to by all sides.

The negotiation through a budget-conference committee is part of the normal annual appropriations process, but it is supposed to take place in April after each house passes its budget resolutions. House Republicans held up a vote to send their budget resolution to a conference committee, while Democrats did not vote for conferees due to objections by some senators, led by Senator Ted Cruz (R-TX). A budget negotiation could lead to appropriations for FY 2014 that would eliminate across-the-board cuts. The likelihood of that seems dependent on an agreement over long-term budget spending and other changes, including reforming the tax code and somehow addressing certain entitlement programs.

By mid-November, little progress had been accomplished by the budget committee conferees. No formal proposals were considered and the two chairs, Congressman Paul Ryan (R-WI) and Senator Patty Murray (D-WA), sent mixed messages about the



committee's progress. Ryan indicated that nothing had really changed, though Murray suggested that the two leaders had been having informal discussions. At this point, it looks like the negotiations are narrowly focused on whether or not they can avoid the sequestration cuts scheduled to take effect on January 15—the same day that temporary funding runs out.

If they do not reach a deal by January 15, the current frozen-funding level of \$986 billion would be reduced again to the sequestration level of \$967 billion, the same as last year's amount. The difference this time is that some of those cuts would hit the Defense Department. Last year, Congress managed to give some protection to that half of the budget. Democrats would like to see at least the \$986 stay in place, if not a 3% increase to slightly above the trillion level. The only way to do that is to replace the shortfall either with cuts in something mandatory and in entitlements or with new income from tax and other revenue, or by a combination of the two. The Republicans are saying “no” to any new revenue; the Democrats are willing to entertain small cuts in some limited areas of entitlements or mandatory programs but only if revenue is on the table. That position by both parties has stayed unchanged since the end of the government shutdown. Appropriations leaders from both parties have wanted an appropriations spending target by December 3 at the latest and had asked for a more reasonable date of before Thanksgiving. The budget conference did not make that Thanksgiving target, however.

Adoption Incentive Fund Reauthorization

As soon as the Congress returned, the U.S. House of Representatives approved the Promoting Adoption and Legal Guardianship for Children in Foster Care Act, HR 3205. The bill was approved on suspension, skipping the normal debate process and passing by a voice vote of 402 to 0 (Roll call no. 552). Committee on Ways and Means Chairman Dave Camp (R-MI), Ranking Member Sandy Levin (D-MI), Human Resources Subcommittee Chairman Dave Reichert (R-WA), and Ranking Member Lloyd Doggett (D-TX) introduced this bipartisan bill on September 27. It would extend a reauthorization of the Adoption Incentive Fund and the Family Connections Grants. Currently, states are rewarded for an increase in the overall adoptions (\$4,000 per child), special needs adoptions (\$4,000), and older child adoptions—considered a child age 9 or older (\$8,000). In the last reauthorization, a \$1,000 incentive was included for states that experienced an increase in their adoption rate. This part of the award was provided to states only if the funding did not run out after the other categories were satisfied. The bill would provide for the following:

- Extend the authorization of the program through FY 2016 (aligning its next reauthorization with that of the Title IV-B programs)
- Add a \$1,000 award for placements with legal guardians/kin (with the definition of these guardianship placements mirroring certain requirements under Title IV-E)
- Phase in awards based on improvements in the rate of adoptions and guardianships instead of actual increases in numbers of adoptions
- Provide a \$2,000 award for overall adoptions, \$4,000 for children ages 9–13, and \$8,000 for a new category of youth 14 years and older
- Require states to calculate savings resulting from the gradual delinking of and increased federal funding support for adoption assistance
 - HHS to create the formula or work with states to develop a calculation
 - States to document how they are reinvesting these funds beyond what they currently spend under Title IV-B and Title IV-E programs
- Extend the Family Connections Grants at their annual \$15 million a year awards
- Enact a fix to current guardianship law that will allow a child to receive continued support when there is successor guardian due to death or incapacity

The legislation was sent to the Senate shortly after its October 20 passage, and it has not moved. Senate Finance Committee Chairman Senator Max Baucus (D-MN) posted a draft of his bill, but no final product or bill has been released. However, any number of options for action are available: from taking up the House bill and taking it as it is, to making some adjustments and voting on that and sending it back to the House, to countering with the Senate's own version of the bill for a final negotiation. This may be another area of legislation pushed to next year unless a deal is reached across house lines before the holiday break.

Child Welfare Finance Proposals Unveiled

Shortly after Labor Day, on September 18, Senator Orrin Hatch (R-UT) introduced [S 1518](#), “the Improving Outcomes for Youth at Risk for Sex Trafficking Act of 2013.” Because Hatch is the ranking member of the Senate Finance committee, the bill is not without its significance. Perhaps most significant is the fact that the bill would eliminate all \$1.7 billion in the Social Services Block Grant (SSBG) and funnel it into various child welfare services with the emphasis on older children/youth and a heavy emphasis on addressing domestic sex trafficking. It would also cut off federal funding for residential care for children under age 13 and place time limits on reimbursements for children over 13. Some but not all of the key provisions are as follows:

- Requirements on state child welfare systems to set up a screening process to determine victims of sex trafficking
- Strict limitations on classifying youth in foster care under “Another Planned Permanent Living Arrangement (APPLA)” with an outright ban of this classification for children under age 16 and requirements on states for those children 16 and older who have this case plan
- Title IV-E foster care reimbursements eliminated after 15 days if a child is under age 13 and reimbursement for children 13 and older cut off after 365 consecutive days or 548 days
- Family foster care defined with limits on the number of placements by age group
- Social Services Block Grant (SSBG) eliminated and funding relocated into the Child Welfare Services (CWS) Title IV-B part 1, into the Promoting Safe and Stable Families (PSSF), Title IV-B part 2 with specific designations for the reallocated funds and Title IV-E Independent Living funds
- The \$400 million allocated to CWS divided between two \$200 million block grants to fund activities through an exploitation prevention fund and normalcy support amount to target sex trafficking and implement a “new prudent parent” program, requiring certain new requirements for foster parents

- \$700 million reallocated into PSSF with \$200 million for residential family treatment programs (currently funded through a \$20 million substance abuse grant), \$150 million more for court improvement programs (currently funded at approximately \$30 million), \$40 million for postpermanency services for adoption, reunification, and guardianships, \$15 million for family connections grants, \$40 million for therapeutic funds, and \$49 million for technical assistance by HHS to address sex trafficking
- States allowed to transfer 30% of their Temporary Assistance for Needy Families (TANF) into elder abuse programs and programs that address developmental or physical disabilities without conditioning services to be directed to families with children as currently required by TANF law
- \$440 million added to the Chaffee Independent Living program for increased housing vouchers and \$60 million for education vouchers

Currently, SSBG has been a major funding source for child welfare services with the biggest being child protective services. In 2010, \$289 million was spent on CPS (\$120 million of that SSBG only and an additional \$170 million transferred from TANF into SSBG). SSBG is also a big provider of adult protective services at \$180 million (\$6 million from TANF); much of this addresses domestic violence services outside of the elderly population.

A little more than a month later on October 23, the Annie E. Casey Foundation presented a new finance reform proposal, “When Child Welfare Works: A Proposal to Finance Best Practices,” which included a range of changes within the Title IV-E and Title IV-B child welfare funding streams. Foundation presenters suggested their changes would alter the way that child welfare practice is carried out across the 50 states. The presenters emphasized that they were doing this because comprehensive reform is necessary, reforms can be cost neutral, flexibility is necessary but not sufficient, system reform can trump program services, and we can improve foster care while reducing it.

The Annie E. Casey proposal was framed under four broad categories: permanence, foster and kinship care, workforce development, and therapeutic and support services. Some of the key proposals include the following:

- Create a time limit of 36 months for federal foster care (Title IV-E) reimbursement for any child in a lifetime
- Eliminate Title IV-E reimbursement for group foster care for any child under age 13 and eliminate funding for shelter care
- Limit to 12 months Title IV-E reimbursement for children age 13 and older



- Allow continued reimbursement to foster parents while children are in 90-day emergency-treatment care
- Support older youth in foster care and encourage them to stay in care until age 21 by creating federally funded Individual Development Accounts that match their contributions up to a maximum equal to the Adoption Tax Credit
- Strengthen and expand current licensing standards, especially for relative foster care, while allowing flexibility for kinship care
- Revamp current administrative costs by capping and separating out overhead from services; allow a higher 75% match for foster family development costs and a 50% match on casework services, and expand training to frontline (Child Protective Services) staff
- Increase the current foster parent tax credit from \$1,000 to \$5,000
- Reduce an existing loan forgiveness program for social workers from the current requirement of 10 consecutive years to 4 years in social work
- Eliminate the current link of foster care eligibility to the old AFDC program by allowing states to claim federal costs for all children in foster care, but reduce each state's current match rate (currently ranging from approximately 50% to 80%) so that the coverage of all children is cost neutral

- Allow states the option to increase their current penetration rate or coverage by improvements such as documentation over a 3-year period before implementation
- Reconfigure SSBG and Title IV-B block grants to require greater accountability of Temporary Assistance for Needy Families (TANF) funding

Universal Prekindergarten

On November 13, Senator Tom Harkin (D-IA), Congressman George Miller D-CA), and Congressman Richard Hanna (R-NY) introduced the Early Childhood Education Improvement Act. The proposed legislation is modeled after the administration's proposal and included in the FY 2014 budget submitted to Congress last April. It would establish a new federal-state partnership to provide greater access to high-quality prekindergarten programs (Pre-K) for all low- and moderate-income children. To qualify, states would receive a grant based on their 4-year-old population. The state would have to meet certain requirements, including establishing early learning standards that align with K-12 systems, preschool data banks linking to the state's K-12 data systems, a state early childhood education and care council, and state-funded kindergartens. In the state planning process, they would outline how each will serve 4-year-olds living in families with incomes below 200% of poverty. After they've achieved that, they would be able to then serve 3-year-olds. A number of other requirements include coordinating with other programs for which a state may qualify, such as Head Start, the Social Services Block Grant (SSBG), Individuals With Disabilities Education Act (IDEA), the Child Care and Development Block Grant (CCDBG), home visiting programs, and the Race to the Top funds.

Thirty-nine states and the District of Columbia currently offer state-funded prekindergarten programs. The proposal would require states to reach certain measures and targets, such as increasing school readiness for the age group, narrowing the school readiness gap among the younger ages, reducing special education placements, reducing the need for grade retention, and increasing the number of high-quality programs. Under the legislation, there would be a phased-in federal and state match with the federal government putting up 90% of the funding, gradually decreasing to a 50-50 match by the tenth year. Similar to the way President Obama's proposal works, the bill would provide grants to states that do not have programs in an effort to help states establish pre-K programs. The proposal does not extend the Maternal Infant and Early Childhood Home Visiting (MIECHV) program but instead includes wording indicating the sponsor's desire for future action or legislation to extend the program. Such wording does not have the force of law, and MIECHV does not come under the jurisdiction of the same House and Senate committees as do child care and education programs. The bill

does not provide the mandatory funding the President had included in his budget. That proposal would be funded by an increase in cigarette and tobacco taxes, which could happen only if the tax-writing committees agree to it. The bipartisan legislation is seen as a significant step forward to implement a pre-K proposal similar to what the President has offered. Information about the Strong Start for America's Children Act can be found here: <http://www.nwlc.org/strong-start-america%E2%80%99s-children-act>

Immigration Reform Dead for 2013: Maybe 2014

In May, the Senate Judiciary Committee approved S.744—the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013—by a vote of 13 to 8. The final vote included all ten Committee Democrats, joined by Republicans Senator Lindsey Graham (R-SC), Senator Jeff Flake (R-AZ), and Senator Orrin Hatch (R-UT). The bill now includes some protections for families and children who may get caught up and separated as a result of a raid by Homeland Security. The committee had 300 amendments for consideration, and members were allowed to offer a range of proposals from various perspectives. First Focus (<http://firstfocus.net/our-work/comprehensive-immigration-reform>) has developed a useful resource on its Web page that provides descriptions of important children's amendments. Some of these have been viewed as positive and others as having a negative impact on children and families. The final passage of S.744 received 68 votes of approval and 32 votes against the bill. It gained the support of all 54 Democrats as well as 14 Republicans in a significant bipartisan vote for a major piece of legislation. After the Senate action, virtually nothing happened in the House. Shortly before Thanksgiving, Speaker Boehner rejected any possibility of taking up the Senate bill and indicated action would have to wait until 2014 for a House version.

About the Author

John Sciamanna is Executive Director of the National Children's Coalition and was Director of Policy and Government Affairs for the American Humane Association (AHA), overseeing AHA's legislative agenda in Washington, D.C., and working specifically with the Administration, Congress, and other national groups. For close to two decades, he has been working on children's issues, and in the last decade, he has more specifically focused on child welfare issues. Before joining AHA, he worked in the U.S. Senate as a Legislative Assistant, with the American Public Human Services Association (APHSA) as Senior Policy Associate, and most recently as Codirector of Government Affairs for the Child Welfare League of America. Contact: john.sciamanna962@gmail.com

APSAC News

Advanced Training Institutes Scheduled

The APSAC Advanced Training Institutes are being held in conjunction with the 27th Annual San Diego International Conference on Child and Family Maltreatment on Monday, Jan. 27, 2014. Three scheduled Institutes will offer in-depth training on selected topics. Taught by nationally recognized leaders in the field of child maltreatment, these seminars offer hands-on, skills-based training grounded in the latest empirical research. Participants are invited to take part by asking questions and providing examples from their own experience.

APSAC Preconference Institute #1:

Monday, January 27, 8 a.m.–4:30 p.m.,
lunch break on your own (7.5 hours)
Advanced Issues in Child Sexual Abuse
Debra Esernio-Jenssen, MD, and Barbara Knox, MD

APSAC Preconference Institute #2:

Monday, January 27, 8 a.m.–4:30 p.m.,
lunch break on your own (7.5 hours)
Exploring Technology in the Forensic Interview, and Managing Your Victim Throughout Investigation and Prosecution in the Age of Technology
Julie Kenniston, MSW, LSW, and Detective Chris Kolcharno

APSAC Preconference Institute #3:

Monday, January 27, 8 a.m.–4:30 p.m.,
lunch break on your own (7.5 hours)
Take Two: Cognitive Processing—Advanced Clinical Strategies for the CBT Trauma Therapist
Monica Fitzgerald, PhD, and Jessica Gorrone, MSW

Details and registration are available on the APSAC Web site under the Events tab, Event List.

APSAC Issues Statement on the Harm to Child Pornography Victims

APSAC's Board of Directors recently approved a statement on this subject. With more than 26 years of existence and a central role in the development of professional guidelines addressing child abuse and neglect, APSAC is well qualified to help inform the multidisciplinary field about the current nature of child pornography and the harm it causes its victims. A complete copy of the statement is available on the organization's Web site at www.apsac.org

APSAC's 2014 Colloquium to Be Held in New Orleans

APSAC's 22nd Annual Colloquium will take place June 11–14, 2014, at the Sheraton New Orleans Hotel in New Orleans, Louisiana. Colloquium details will be posted on the Web, www.apsac.org as they become available.

APSAC Now Accepting Nominations for Service on the Board of Directors

APSAC is now accepting nominations from individuals who are interested in serving on the Board of Directors. To qualify, individuals must be a member of APSAC at the time of their nomination for the Board and must remain a member throughout their term of office. To be nominated for a 3-year term, an individual must have been an active member of APSAC for at least the 4 preceding years and submitted a biography of 200 words or less stating current professional achievements that emphasize the candidate's work on behalf of APSAC (e.g., presenting at colloquiums, clinics, and other APSAC events; involvement with a state chapter; committee service; fundraising activities, prior Board service). The APSAC Nominating Committee will review all candidate submissions and recommend a slate of candidates for the Board's vote. **The submission deadline is January 31, 2014.** If you are interested, please e-mail your biography of 200 words or less to APSAC's Executive Director, Michael Haney, mhaney@apsac.org

2014 Advanced Forensic Interview Clinics Scheduled

APSAC is offering two forensic interview clinics in 2014. These clinics offer 40 hours of intensive training on investigating interviewing of children. Attendees will receive a balanced review of several protocols and will develop their own customized narrative interview approach based on the principles taught during the clinics.

APSAC pioneered the Forensic Interview Training Clinic model to focus on the needs of professionals responsible for conducting forensic–investigative interviews with children in suspected abuse cases. Interviews with children face intense scrutiny and increasingly require specialized training and expertise. These comprehensive clinics provide a unique training experience that offers personal interaction with leading experts in the field of child forensic interviewing. Developed by top experts, APSAC's curriculum teaches a structured narrative interview approach that emphasizes best practices based on research and guided by the best interests of the child.

The first clinic will be held April 28–May 2, 2014, in Norfolk, Virginia. A second clinic is scheduled for July 14–18, 2014, in Seattle, Washington. Details and registration are available on the APSAC Web site, www.apsac.org

The Third Russian–American Child Welfare Forum

APSAC cosponsored the Third Russian–American Child Welfare Forum in Khanty-Mansiysk, Russia, on September 22–24, 2013. The Forum was hosted by the government of the Khanty-Mansiysk Autonomous Region, the Russian National Foundation for the Prevention of Cruelty to Children, and the Institute for Human Services (Ohio). The Forum highlighted best child welfare practices in both the United States and Russia, and featured master classes by the U.S. delegation, composed of APSAC Board members and professionals from the Institute for Human Services and the University of Minnesota School of Social Work.

Participants continued discussions begun at the first forum in Ulan Ude, Russia, in 2011 and the second Forum in Chicago in 2012. Attendees shared insights and expertise to further develop child welfare policy and practice. APSAC President Viola Vaughan-Eden joined IHS Director Ronald Hughes, APSAC Board member

Vincent Palusci, Russian Children’s Rights Commissioner Pavel Astakhov, Governor Natalya



Russian Children’s Rights Commissioner Pavel Astakhov presents a plaque to President Viola Vaughan-Eden recognizing APSAC for its participation in the Forum.

Komarova, NFPPCC President Alexander Spivak, and other Russian officials in discussions at the Government House of Khanty-Mansiysk.

Plenaries focused on topics that included child abuse prevention, protecting vulnerable children, rehabilitation after abuse, and support strategies for families and children. Parallel workshops included platform presentations about modern systems for the protection of children, innovative technologies and practices, work with children suffering from violence, the role of foster families in rehabilitating children, and the prevention of abuse in residential care institutions.

Master classes led by the U.S. delegation included the following:

- Understanding the effects of trauma on children in the child welfare system (Kelley Gruber and Ruby Johnston);
- Understanding child sexual abuse (Sally Dine Fitch);
- The role and responsibility of medical professionals in preventing, identifying, and evaluating child abuse and neglect (Arne Graff and Vincent Palusci);
- Forensic interviewing in child maltreatment, including collaboration between social work and law enforcement (Viola Vaughan-Eden and William Marshall);
- Preventing abuse, placement disruption, and re-institutionalization (Elizabeth Smalley and Traci LaLiberte);
- Case management in child protection, focusing on interdisciplinary collaboration to meet the needs of children and families (Judith Rycus and Nan Beeler).



Conference Calendar

January 26–31, 2014
The 28th Annual San Diego International Conference on Child Abuse and Neglect
Chadwick Center for Children and Families
San Diego, CA
858.966.5980
ChadwickCenter@rchsd.org
<http://www.sandiegoconference.org>

January 27, 2014
APSAC Advanced Training Institutes
American Professional Society on the Abuse of Children
San Diego, CA
877.402.7722
apsac@apsac.org
<http://www.apsac.org>

April 13–16, 2014
32nd Annual Protecting Our Children National American Indian Conference on Child Abuse and Neglect
National Indian Child Welfare Association (NICWA)
Fort Lauderdale, FL
503.222.4044
lauren@nicwa.org
<http://www.nicwa.org/conference>

April 22–24, 2014
Extended Forensic Interviewing Training
National Children's Advocacy Center
Charlotte, NC
256.533.5437
<http://www.nationalcac.org/ncac-training/efi-training.html>

April 28–May 2, 2014
APSAC Child Forensic Interview Clinic
American Professional Society on the Abuse of Children
Norfolk, VA
877.402.7722
apsac@apsac.org
<http://www.apsac.org>

April 29–May 2, 2014
19th National Conference on Child Abuse & Neglect
Children's Bureau, Administration for Children and Families
New Orleans, LA
703.243.0495
NCCAN@pal-tech.com
<http://www.pal-tech.com/web/NCCAN19>

May 4–6, 2014
International Conference on Shaken Baby Syndrome/Abusive Head Trauma
National Center on Shaken Baby Syndrome
Paris, France
801.447.9360
dvazquez@dontshake.org
<http://www.dontshake.org>

May 21–23, 2014
European Conference on Child Abuse and Neglect
Netherlands Society for the Prevention of Child Abuse and Neglect
Amsterdam, Netherlands
info@euccan.eu
<http://www.euccan.eu>

June 11–14, 2014
22nd APSAC Annual Colloquium
American Professional Society on the Abuse of Children
New Orleans, LA
877.402.7722
apsac@apsac.org
<http://www.apsac.org>

July 14–18, 2014
APSAC Child Forensic Interview Clinic
American Professional Society on the Abuse of Children
Seattle, WA
877.402.7722
apsac@apsac.org
<http://www.apsac.org>

September 7–10, 2014
19th International Conference on Violence, Abuse, and Trauma
“Linking Research, Practice, Advocacy, and Policy”
Institute on Violence, Abuse, and Trauma (IVAT)
San Diego, CA
858.527.1860
ivatconf@alliant.edu
<http://www.ivatcenters.org/Conferences.html>

September 14–17, 2014
XXth ISPCAN International Congress on Child Abuse and Neglect
International Society for Prevention of Child Abuse and Neglect
Nagoya, Japan
303.864.5220
ispcan@ispcan.org
http://www.ispcan.org/events/event_details.asp?id=315532

September 9–11, 2014
Extended Forensic Interviewing Training
National Children's Advocacy Center
Salt Lake City, UT
256.533.5437
jhardy@nationalcac.org
<http://www.nationalcac.org/ncac-training/efi-training.html>

Opinions expressed in the *APSAC Advisor* do not reflect APSAC's official position unless otherwise stated. Membership in APSAC in no way constitutes an endorsement by APSAC of any member's level of expertise or scope of professional competence.
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