

Interviewing Children

Thomas D. Lyon, J.D., Ph.D.
Professor of Law & Psychology
University of Southern California
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What we'll do today

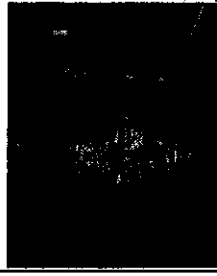
1. State of the art: Narrative interviewing
2. Assessment of credibility
3. Assessing earlier interviews
4. Overrated indicia of credibility

Catherine & Alexis



- 9 years old
- Daughter and Niece of Defendant's girlfriend.
- Accused of sexual abuse during babysitting.
- Chief witnesses: the children.
- Acquitted

Defense



- No physical evidence
- Vindictive adults
- Repeated interviewing
- Lying

1. State of the art: Narrative interviewing

What is narrative interviewing?

- Eliciting a narrative from the child, not a series of short answers to direct questions.
- Requires adequate rapport building (preferably narrative practice) and open-ended questions.
- Videotaping necessary to capture all details
- Note-taking helpful to track needed followups
- Subtle support
 - Facilitators (uh-huh, oh)
 - Wait-time (pauses between Q&A and A&Q)

Advantages of narrative interviewing

- True stories will be easier to distinguish from false stories
 - More details
 - Unusual details
 - Child's perspective
 - Unique actions
 - Details that are unlikely to be
 - Coached
 - Suggested by prior interviewers
 - Imagined by the child

Narrative Practice Rapport Building

- Tell me everything that happened on your last birthday.
- You said you went in a bouncy.
 - Tell me everything you did in the bouncy.
 - What happened next?

Open-ended questions vs. Closed-ended questions

- Open-ended questions:
 - What happened
 - What's the first thing that happened
 - What happened next
 - Tell me more about...
 - You said X (action). Tell me more about X.
 - Tell me everything you saw/heard
- Closed-ended questions:
 - Yes/no questions
 - Forced-choice questions

Peer review of questions

- Fold paper into three
- Write Tell me more/what happened at the top
- Write WH in the middle
- Write y/n/OR at the bottom
- Checkmarks for multiple word responses
- X for single word or nonverbal responses

Catherine: Reluctant child?

- Q. Are you on Christmas break right now?
A. Yes.
- Q. When do you have to go back to school?
A. January 2nd.
- Q. Are you looking forward to going back?
A. Yeah.
- Q. How come?
A. Because I miss going to school.
- Q. Do you like school?
A. Yes.
- Q. What's your favorite subject?
Do you have a class you like the best?
A. I like art.
- Q. You like art?
A. Yes.

Reluctant child?

- A. Yes.
- A. January 2nd.
- A. Yeah.
- A. Because I miss going to school.
- A. Yes.
- A. I like art.
- A. Yes.

Reluctant child?

- Q. Are you on Christmas break right now?
- Q. When do you have to go back to school?
- Q. Are you looking forward to going back?
- Q. How come?
- Q. Do you like school?
- Q: What's your favorite subject?
Do you have a class you like the best?
- Q: You like art?

Reluctant child?

- Q. Are you on Christmas break right now?
- Q. When do you have to go back to school?
- Q. Are you looking forward to going back?
- Q. How come?
- Q. Do you like school?
- Q: What's your favorite subject?
Do you have a class you like the best?
- Q: You like art?

Yes/No

Yes/No

Yes/No

Yes/No

Yes/No

The shortest question is the most productive

II. Assessment of Credibility

1. Suggestibility

- Preschoolers especially suggestible
 - Unaware of sources of knowledge
 - Particularly deferential to adult authority
 - Difficulty in generating memories on their own
- Greater suggestibility risks
 - Aspects of event vs. entire event
 - Remote events vs. recent events
 - Answers to questions vs. memory

2. Spontaneity is key

- Impetus for first disclosure
 - Child disclosed before asked questions?
 - Report to impartial third person?
 - Details about the initial report?
- Number of previous interviews
- Answers to questions
 - Information beyond the question?
 - I.e., more than yeses and forced choices
 - Idiosyncratic details?
 - Details that are not likely to be coached

3. Motive to fabricate?

- Relationship with caretaker
 - Supportiveness/unsupportiveness of allegation
- Relationship with perpetrator (outside of abuse)
 - Children sometimes articulate positive feelings (at least before abuse)
- Child's desires re living situation

4. Aspects of abuse

- Effects on child (physical and emotional)
- Secrecy (pressures not to disclose)
- Confusion with caretaking (bathing, toileting)

Topics to ask about

- Disclosure process
- Reactions of others to disclosure
- Reactions of others to accusations
- Child's feelings about the process
- Child's physical and emotional reactions to abuse

Why ask about disclosures to caregivers?

- Children's anticipated reactions from caregivers affect their willingness to disclose (Distel, 1999; Hershkowitz et al., 2007; Lawson & Chaffin, 1992)
- Children are more likely to recant if a caregiver disbelieves the allegation or is non-supportive of the allegation (Malloy, Lyon & Quas, 2007).
- Reluctance helps explain past delays and future inconsistencies in children's report (Lyon & Ahern, 2010).

21

Why ask about disclosures to caregivers?

- Test alternative hypotheses
 - Adult pressuring the child
 - Disclosure never occurred
 - Ambiguous or misinterpreted statement

22

Why ask about disclosures to caregivers?

- Don't ask, "Did your mom tell you what to say?"
- Instead, ask less direct questions that will elicit more information *and* are less accusatory/suggestive.

23

Scripted questions for asking about disclosure process

- What happened next?
- How did people find out about this?
- Who did you first tell about this?
- I heard that you told X. Tell me everything that happened when you told X.
- What did you say to [disclosure recipient]?
- What did [disclosure recipient] say?
- What did [disclosure recipient] do after you told?
- What were you thinking when you told X?
- How did you feel after you told X?

24

What did you say to [disclosure recipient]?

- 196, 9 year old
- Q: What did you tell your dad that he did to you?
- A: I told him that he touched me and everything and then after that he didn't do anything and then after that I told my mom so then my mom did something about it.
- 204, 4 year old, I told um my mom uh the thing that I told you right now...Those are the things I told them...And I was crying.
- 283, 9 year old, I told her I don't want to go and something like 'Fine I'm not going'... So like, 'Yeah you are.' And like, 'Why?'... 'Because he you know he likes to touch me sometimes.'

What did [disclosure recipient] say to you?

- 218, 7 year old, She told me 'What happened to you?', Um, 'Why did that happen to you?', 'How did that happen to you?', she told me that, those things.
- 231, 11 year old, It's wrong. He should not do that.
- 232, 12 year old, She said, 'Nothing's going to happen, Savannah you're al-, you're gonna be protected',

What did [disclosure recipient] say to you?

- 237, 8 year old, She said like, 'What happened?' and then I told her it [Q: Uh huh]. Then after, she said, 'What?' Then she, she told my umm, uncle.
- 249, 9 year old, Um, she got, um, she says that she feels bad for me.
- 258, 11 year old, She said umm, I needed to tell my dad and, and I told her yeah I did, but she, but she, she said umm, she, and then I said that he didn't believe me.

What did [disclosure recipient] say to you?

- 77. 11 year old
- C. Your mom told you not to tell anybody?
- A. [rods]
- C. Tell me about that.
- A. Cause I just told my mom what just happened to me while we're eating lunch. And she said, "You know, if you've touched my chest." Then she said to keep it a secret, don't tell anybody.

- 281. 9 year old. She said 'okay,' and then she started to cry. She said 'poor thing' so um we ate, she ate a snack and then we went to bed.

- 273. 11 year old. She said, 'Are you sure that's it?' and I said, 'Yes,' and she said, 'Okay.' [Q: Mhm.] And then she was just serious for awhile because she was crying and I said, 'mom, what are you thinking about?' and she said, 'you know, I'm just thinking about all that stuff. If you would've told me before we would've gone through all these problems.' [Q: Mhm.] A: I would've just, um, like, 'I would've gotten a divorce fast, like, in like, five minutes.' [Q: Why?] A: Well, because, that just seems like now he coulda, some day that you,

Motive to fabricate

205, 4 year old

Q: I heard that you told your mom about a toothbrush. Tell me everything you told your mom.

A: I don't know what comes next.

Q: You don't know what comes next?

A: Can I tell my mom what comes next? Can I tell my mom, real quick, it won't take long.

Child then exited the interview room, approached her mother, and asked "what comes next?"

Motive to fabricate

277 5-year-old

Q: Uh huh, and what did your mom say about talking about that today?

A: Um, um, I forgot.

Q: Tell me what you remember.

A: I remember about my dad, like when I was really little, like small. I was this size.

Q: *Ugh hugh.*

A: And I was, and then I, my dad went to get something, and then, and then he got that toy water bug and um we thought he was gonna make it crawl on us, but it was, he just put a needle through it and poked it

Q: Mm hm.

A: And I think I need to practice a little tiny more.

Q: Uh huh, uh huh. And what- and what did your grandma tell you about talk to me today?

A: What to talk about my dad a little bit like something like this, way I told her and the police....

Motive to fabricate

- Q: Uh huh, and what- what were you doing to practice?
 A: Um like talking with my grandma and I got a little bit hang of it, and it just hold it and I just forgot the other one....
 Q: What did you practice?
 A: About the frozen pee.
 Q: Tell me everything that you practiced with the frozen pee.
 A: Well the thing it wa, I was practicing it that, it was, the thing that I told the police.....
 Q: How did you practice?
 A: Like by talking, talking about it. How I did it, how I, I'm going to do it and I just did it.
 Q: What did you do?
 A: Um, practicing with my grandma and I got like a tiny bit, tiny bit and I just missed like two, two words.

Motive to fabricate

- Q: What did you miss?
 A: Um, well I forgot the words, and I just need to tell like my fam, my grandma, my mom, what is the other two words and then I get a hang of it. [uh huh um huh]
 Q: When did you practice with your grandma?
 A: Well, well yeah with the well practice at Monday when the police were, it was the other day with it was the police were gonna come. [hmm mm] And um, we were practicing for a long time and then um I got a tiny bit hang of it. [hmm mm] And that's all....
 Q: Tell me everything your grandma said when you practiced.
 A: Well she said to tell the social worker [uh huh] And I, and I did and then it to tell the police first and I did, [uh huh] And then, tell the social worker, and then tell the social worker there was a police.
 Q: Uh huh, and what did she tell you to say?
 A: Well I told her to whole thing, but I told somebody else that I made a mistake on somebody else.
 Q: What was the mistake?
 A: Um, that I told her that, it was supposed to be white... I told her it was green and yellow but it was supposed to be white to say.

What were you thinking when you told [disclosure recipient]?

- 273, 11 year old, I was, I was actually sort of embarrassed telling her because she was the first person I had ever told.
- 282, 10 year old, (Teacher) That everything's going to be fine... That she would keep it to herself... or like help me.
- 287, 8 year old, [long pause], I was thinking that, that, I'm probably not going to see her, because she's in big trouble right now.
- 293, 9 year old, I feel like I'm supposed to tell her but I feel like I was embarrassed to tell her.
- 282, 10 year old, Uh I told her the truth and I said that Melvin touched me and he put his finger in my butt and she 'okay' and she was crying... And then um my two big sisters were playing... And my little one was playing too. And then um my grandma was talking to me.

What did you think after you told [disclosure recipient]?

- 237, 8 year old, I just like felt like sad too.
- 249, 9 year old, Um, after I told her [Q: Mm hmm] I felt um weird.
- 266, 8 year old, I was like, happy... Because my dad said, after that he said, it's good that you told me because if you didn't tell me, more things, he would do more things.
- 273, 11 year old, Um, I felt a little relieved.
- 281, 8 year old, I felt happier.
- 282, 10 year old, I thought that she was going to get mad... that I told.
- 296, 14 year old, Nothing really. I just, I don't know, I guess I was nervous.

Scripted questions for asking about disclosure motivations

- What made you not tell right away?
- What made you want to tell?

What made you not tell right away?

- 271, 11 year old, Um I was scared... about what happened.
- 243, 11 year old, I was afraid to tell anybody from my family because um I had thought they would laugh at me or make fun of me [pause] or that I was lying.
- 249, 9 year old, Uh 'cause um 'cause they don't trust me. None of my family trust me.
- 257, 9 year old, Cause it's a thing that happened privately

What made you not tell right away?

- 273, 11 year old, I was thinking about telling her but then I also thought it was maybe not such a good idea because that was the time when they were fighting.
- 288, 5 year old, I didn't tell because I don't want my daddy to know.
- 281, 8 year old, I thought that like um something bad would happen to Melvin.
- 287, 6 year old, Because I didn't want to see my social worker. [Q. Uh huh, how come?] Because, I thought I was going to get in trouble.
- 293, 9 year old, My dad having the phone with him.
- 286, 4 year old, I didn't want to um talk to the police [Q. Mm hmm.] Because, because they think that I was being bad.

37

What made you want to tell?

- 253, 7 year old, I felt scared to so my brother told my dad for me.
- 281, 8 year old, Because I didn't want like- I didn't want to keep it inside of me
- 282, 10 year old, What made me want to tell my grandma was um something told me that, "Alright, its time for you to tell, only a family member so you know that your family is going to- they're with you. They're going to make you safe and everything"
- 287, 6 year old, Because it was nasty.
- 289, 10 year old, I needed someone to know 'cause, or they could like help me to tell my mom...Otherwise I would never tell her and I would be too scared.
- 291, 13 year old, Uh that they—that the social worker brought up that if anything is harmed—if you're harmed in any way to tell them.
- 293, 9 year old, What made me want to tell my mom is that [child pauses] that what happened with me and my dad was really bad.

39

What has suspect said to you about [caregiver]?

- 249, 9 year old, To not tell her.
- 258, 11 year old, She said that she, she said bad words, she says bad words about my mom...And she said that umm, my mom is stupid and she said that my mom is a stripper.
- 271, 11 year old, She does drugs, um she sells 'em uh she is a child abuser... She lies to us, she um she's messed up...Crazy, um she could kill us... She doesn't care about us she is just using us for money.

Q. video

41

What made you want to tell?

- 237, 8 year old, I told my mom because she asked.
- 242, 11 year old, So she can know and I can just like not have, I didn't want to be, 'cause it felt better to tell her so I didn't have to be as scared around him.
- 257, 9 year old, That was the only person that was around that I could tell, and then I- I didn't want to deal with it no more so I told.
- 258, 11 year old, Because I know she'll protect me.
- 271, 11 year old, Um that most recent time that um that it happened uh I was afraid of the outcome if he would become more aggressive, um, what would he do?

O. video

Scripted questions for what suspect has said to the child

- What has the [suspect] said to you about
 - [caregiver]
 - what happened
 - talking to [people, police, me]

40

What has suspect said about [what happened]?

- 249, 9 year old, To not tell anybody.
- 271, 11 year old, He doesn't um he doesn't even know what I've said. And he doesn't mention it in the daytime.
- 283, 9 year old, He's like, "No I didn't, no I didn't." And I'm, like, "Yes you did. Yes you did." He's always like, "No I'm not. No I didn't."
- 288, 5 year old, Don't tell anybody
- 289, 10 year old, Mm, he just kept talking to me not to tell my mom.

R. video

42

- Scripted questions for what caregiver has said to the child
- What has the [caregiver] said to you about
 - [suspect]
 - what happened
 - talking to [people, police, me]

49

What has caregiver said to you about [suspect]?

- 201, 10 year old, She's like "It's okay, don't worry about him. Since I have you you'll be safe, and he won't hurt you, and just don't worry about him."
- 234, 7 year old, That she gonna call the police.
- 235, 15 year old, She's just sad that he's in jail...
- And she said, 'Just lock your doors from now on' ... And we have been doing that but I still don't feel safe about it.
- 260, 8 year old, Um well now she says she feels bad for him because he, he, she knows that um he, that he misses us a lot.
- 256, 8 year old, She doesn't, she like, she doesn't talk about him.

T video

44

What has caregiver said to you about the suspect?

- 273, 11 year old, She would talk to me about it because she didn't really have anybody to talk to, she would tell me, um, after I told her that it just sickened her, really.
- 275, 17 year old, Um that I should be careful with him
- 276, 17 year old, He just tells me just don't take anything from him. Don't ask for anything.
- 280, 4 year old, She only said maybe we need the police here.
- 283, 9 year old, She said you're never gonna go. Never ever, ever, ever, ever, ever, ever, ever, ever... Ever again.

45

What has caregiver told you about [what happened]?

- 242, 11 year old, She told me it's not my fault, that I didn't do anything wrong. That he has a problem. [Q: Him mm.] That he needs help.
- 237, 8 year old, She just like, told me nothing really.
- 250, 8 year old, He hasn't told me, because when we go to visit we're not allowed to talk about the, the case.
- 243, 11 year old, She told me, "What has he done to you?"
- 271, 11 year old, Um she thanks me for telling her this and um that this won't go- that this won't go easy... And that we will have a rough time for the next two weeks which is last week and this week.

U video

46

What has caregiver told you about [what happened]?

- 289, 10 year old, She would say "Are you sure about this stuff 'cause' like she- she just said like "Are you sure?"
- 275, 17 year old, [child shakes head] She just doesn't say anything...And that I was lying.
- 276, 17 year old, She said she should- I should have said something in the beginning.

47

What has caregiver said about talking to people?

- 242, 11 year old, She told me to tell the truth. Tell them what happened. Because I know what happened. [Q: Uh huh] No matter what even if it doesn't go the way you want, we do what we have to do and we tell the truth.
- Isabelle, 8 year old, Um, she says that um, to try to be careful, because you, sometimes the social workers they twist the words up and they make them into, and they put them in a report and they tell that um, they put in their report something like we never said.
- 271, 11 year old, Um she said not to worry that they will help and um that this will be solved and that um I will not spend another night with um my dad.

V video

48

Scripted questions for thoughts about the suspect and caregiver

- What do you think about [suspect]?
- What do you think about [caregiver]?

49

Relationship with suspect

- What do you think about [suspect]?
- 234, 7 year old, Sad...Because if he want, if he don't want to go to jail, he don't need to do that.
- 273, 11 year old, Before all that I actually thought he was a nice guy.
- 277, 11 year old, A good guy, I loved him, thought I was Daddy's girl [uh huh] And then near the end, now I just don't know what to believe and I don't think I even um love him.

50

What do you think about suspect?

Q: Right, right and what do you mean you don't know what to believe?

A: I don't know what to believe of him anymore, he has lied so many times to me that it is almost impossible to believe him again....

Q:when you said in the beginning you loved him, what do you mean in the beginning?

51

What do you think about suspect?

A: In the beginning before anything had happened um when I first moved in with him I had um me and him what always s-uh talk a lot we would laugh, me and my sister um my sister would get jealous of us and our bond... Uh what I mean by is it he and I are really close [Mim hmm] And it was um father- daughter bond that seemed to not be able to break but [Mim hmm] I've been proven wrong with the past three years.

52

Asking about preferences

- If you could stay anywhere, where would you like to stay?
- If the judge says you can't stay at X, where would you want to stay?
- Where would you like to live until you are a grownup?
- Who would you like to live with you?
- How do you feel about living with X?

Why ask about child's reactions to abuse?

- Children tend to exhibit flattened affect when disclosing abuse
- Children are capable of *describing* their reactions if asked in a non-leading fashion.

Juror No. 9

"[T]he girls laughed and giggled on the witness stand and did not act like victims of sexual abuse."

Riverside Press Enterprise 8-15-02 (2002 WL 21279565)

Catherine: Feelings?

THE COURT: Okay. And how did that feel?

THE WITNESS: I didn't like it.

THE COURT: Did it hurt at all?

THE WITNESS: No, it did not hurt.

Catherine: Feelings?

Q. How would you react when the defendant would be touching you?

A. I was scared, and I was just hoping it would be over soon.

Q. Did you ever -- did you ever try to get away?

A. Yes.

Q. Why don't you go ahead -- why don't you tell me what you would do.

Feelings?

- Did it hurt?

- Yes/no

- How did you feel when he touched you?

- How did you feel after he touched you?

- How did you feel when you went to the bathroom?

How did you feel?

Physical Reactions

- (S66 6-year-old boy) His finger was hurting me.

- (S60 7-year-old boy) I was gonna puke.

- (S99 6-year-old boy) Bad. Q: Bad. Why bad? A: Because it hurt me so much.

- (S97 11-year-old girl) I only could feel his thing.

- Q: You felt his thing? A: (nods yes) Q: Okay. And how did his thing feel? Q: Like, like a stick.

- (S31 12-year-old girl) I felt bad. Like I felt like like he was entering me, it hurt me, my stomach hurts, all of my hurt, my legs hurt.

Challenges: Feelings

(11-year-old girl, S68)

Q: How did you feel when he put his weenie?

A: It was thick and it hurt.

Q: It was thick and it hurt.

A: And he was more heavy.

Mary Jane (12 years old)

- Q: Okay okay and what did that feel like?
- A: It was like pain and it hurt it hurt
- Q: Where did you feel the pain?
- A: Inside of my vagina
- Q: Okay and what did it feel like when he put it in your butt?
- A: It hurt because um I wasn't ready for it at all. He just stuck it in.

Challenges: Feelings

(12-year-old girl, S52)

Q: How did you feel when he touched you?

A: I felt scared cause I thought he was gonna do something bad to me

How did you feel?

Emotional/cognitive reactions

- (S93 8-year-old girl) I felt scared. Mad and scared.
- (S59 9-year-old girl) I think "what is he doing?" and then and then I said "stop" and he was run and and then he start putting his hand under my shirt and I said "stop" and then my grandma come.
- (S67 10-year-old girl) Scared cause he told me not to tell anybody and I didn't know what was gonna happen if I told somebody.
- (S72 11-year-old boy) I was hollering for help I was scared Q: How did you feel...go ahead. A: Then afterwards I was shaking.
- (S90 10-year-old girl) I felt grossed out.
- (S89 11-year-old girl) Disgusted.

A: and I would. I would feel really bad inside and that's when I started misbehaving. And I was, I would feel really, like, weird inside and that's it

How did you feel after?

Physical reactions

- (S81 12-year-old girl) I like hurt. Q: Where did you hurt? A: Like in my private area and I had a real bad headache.
- (S88 9-year-old girl) It hurt. Q: It hurt? Where did it hurt? A: My privacy.

How did you feel after?

Emotional reactions

- (S92 9-year-old girl) I feel feel dirty and I felt terrible.
- (S67 10-year-old girl) I got scared and I just didn't, I just wanted my mother to pick me up the next day I didn't say anything.
- (S90 10-year-old girl) Q: You felt grossed out? How did you feel after? A: Sad.
- (S20 girl) Q: Gross. How did you feel after?
- A: Like... I don't really know. Like embarrassed maybe.
- (S89 11-year-old girl) Q: Disgusted. What did you feel after? A: I felt like we were doing something wrong.

Challenges: Feelings

(10-year-old girl, S68)

Q: How did you feel when he touched you?

A: Kind of angry at him cause he shouldn't be doing that and sometimes I thought that he was doing that cause I wasn't his daughter.

Q: How did you feel after he touched you?

A: I felt like nasty. Like dirty.

Q: Uh-huh.

A: And I felt like mad and at the same time felt like dirty because he shouldn't be doing that because I'm a little girl.

Q: Oh. Okay.

A: I felt kind of mad. (IN). Cause in front of my mom he always say that he love me really. And on my mind I always say that if he loves me why was he doing that to me.

Q: Really. Tell me about that, dirty and nasty.

A: Cause he touch, if he touches me, he touch me right. Then he just leaves and like if like if I didn't work anymore just leave me like that.

How did you feel when you went to the bathroom?

(S31 12-year-old girl) I could not go to the bathroom, like, I couldn't do the bathroom. I ate all of the food it would stay here. I felt like I was going to throw up but I couldn't.

(S37 6-year-old girl) I felt like I had a rash and it stung.

(S49 10-year-old girl) I went to the bathroom and when I was in the bathroom my stomach hurt and I couldn't do it.

(S52 12-year-old girl) I felt normal except that, like, later on, I was get infections in my private, and I would go to the doctor because every time I urined it would burn. And, ever since that he, he started molesting me, that's when I started getting the infections.

(S66 6-year-old boy) I felt weird.

Q: Weird, tell me more about weird.
A: I felt like he was doing it again to me.

Feelings: body and emotions

- If child mentions emotions, followup with:
 - How did your body feel when he touched you?
- If child mentions body, followup with:
 - What did you think when he touched you?

Body feelings: Noelle (11 years old)

- Q: Ok, and how did that make your body feel?
- A: It feels like a tingling, like-
- Q: Uh huh
- A: I don't know how to explain it, it feels like a tingling...
- Q: Ok. How did that make your body feel?
- A: I don't know like, I knew I was going to tell somebody so then I was getting kind of, I wanted it to stop, kind of like aggravated at it

Body feelings

(5 year-old-girl)

Q: How did your body feel during the shooting [sodomy]?

A: My body feel like I was dead.

Thoughts: Natalie (12 years old)

- Q: And what were you thinking when that, when he was laying next to you then?
- A: 'Cause I was always like daddy's girl, well, like I thought [inaudible] I thought I was his favorite child and now he did that to me.

Thoughts

(5 year-old-girl)

Q: What were you thinking when um when your grandpa was kissing you?

A: I was thinking to be to pretend to be a zombie so he can think I'm a zombie so he can get away from me.

3. Assessing earlier interviews

Assessing earlier interviews

- Examining the reports
 - Any recordings?
 - Information that wouldn't be captured by closed-ended questions?
- Examining the interviewer
 - Protocol for interview
 - First question about abuse
 - Any questions about alternative hypotheses

4. Over-rated indicia of credibility

Uncertainty regarding time

Catherine: Grade (prosecutor)

- Q. Do you remember when you lived in this house?
- A. No.
- Q. Do you remember what you said you were in fifth grade now?
- A. Yes.
- Q. Did you live in that house when you were in fourth grade?
- A. Maybe third grade.
- Q. Maybe third grade?
- A. Yes.
- Q. You don't look like you are sure.
- A. It was probably third grade.

Catherine: Dates (Defense attorney)

- Q. Okay. Now, when did--when did Alex first show you this tube?
- A. I don't remember.
- Q. Okay. Was it like right before he split up with your mother?
- A. Maybe in the middle.
- Q. In the middle?
- A. Yeah.
- Q. Okay.
- A. Not very sure.
- Q. So would that be in the--you said that they split up, you thought, sometime in the spring, March or April?
- A. Yeah.
- Q. So the middle of that would be they were together a year, so that would be maybe September or October?
- A. Yes.

Catherine: Duration (defense attorney)

- Q. Okay. Now, the whole time you were in that room?
- A. Most of it, yes.
- Q. Okay. And the whole time you were in the room, you and Alex were both naked?
- A. Yes.
- Q. Okay. For that entire two hours, three hours?
- A. Yes.
- Q. Okay. And the whole time that you were in the room for the two to three hours, Alex was touching you?
- A. Yes.

Defense closing argument

Now, is it possible, is it conceivable that these two boys know that their sister is in the bedroom with Alex, the door closed, and this happens *every weekend* and she's in there for *two to three hours*?

Different aspects of time

- Time *within* event and time *between* events
- Sequence (when, before/after, next/after that)
- Location (when):
 - Clock time, days, months, years
 - Landmarks: School years, teachers, holidays
- Distance (how long ago):
 - Clock time, days, months, years
 - Compare 'it was January' to 'it was one month ago'
 - Yesterday, today, tomorrow
 - Little while/long time
- Duration (how long)
 - Seconds, minutes, hours...

Conventional time

- Children can tell time before they can tell what time something occurred
- Timing events requires:
 - Making inferences
 - E.g. it was cold outside so it must have been winter
 - Knowledge about conventional time concepts
 - E.g. if it was winter it must have been around the end of the year

Time: Sequence

- Easiest—children best at narrating a single event in the order in which it occurred.
- Problems:
 - Cause easier than arbitrary order
 - Causal sequences easier to remember ("we cooked food and then we ate it")
 - Arbitrary sequences difficult to remember (e.g. order in which you saw 60 minutes stories)
 - Sex may seem arbitrary to children (e.g. when in sequence does ejaculation occur?)

Estimating time (Friedman & Lyon, 2005)

- 86 4- to 13-year-olds
- Children experienced staged event just before or just after Halloween.
- Questioned about event three months later, including questions about timing.
- Fewer than 20% recalled proximity to Halloween, at chance in determining whether before or after Halloween.

Challenges: Time (before)

(7-year-old boy, \$60)

Q: Well you said he put his pee pee part in your butt. Tell me more about that.
A: That's all.

Q: That's all. Okay. Where were you when that happened?

A: In the tent.

Q: In the tent. Okay. Okay. Alright. What happened just before he put his pee pee part in your butt?

A: I went home and tell my mom.

Q: Okay. What happened just before they saw the dirty magazine?

A: They left and I left. I tell my mom. And that's all.

Problem with Before/After

- Forward order-bias—children will tell you what happened next when you ask what happened before
- Problem: Before now vs. Before then
 - Children initially understand before as “before now” (“have you seen this before?”)
- Advice:
 - What happened next
 - What was the *first* thing that happened

“When” is a good question

- When do you get up in the morning?
 - “9 o'clock”
 - Location
 - “When my brother gets up”
 - Same time (Simultaneity)
 - “When my mom wakes me up”
 - Cause (Sequence)
 - “After I sleep all night”
 - Order (Sequence)

Case Study: Leslie H. (6-year-old)

Mother woke up to find Leslie's uncle in the Kitchen with Leslie, wiping off Leslie's genitalia with a towel. Child interviewed several weeks later

From time/number to
actions/reactions

Avoid how many times, how old, what year.
Do ask about actions of adult and child and child's
reactions.

Consider child's ability to report
actions/reactions

Compare child's difficulty in
estimating the time

Q: Do you remember when it was?

A: [shakes head]

Q: Was it a day ago? Or a lot?

A: A day ago.

Q: It was one day ago that this happened? Okay.

Q: What time in the day was it?

A: Like... I think it's six o'clock.

Q: Six o'clock? So it was in the...

A: Afternoon.

Q: Afternoon? Where was your dad?

A: At work. He comes at four.

Q: He comes home at four? He hadn't come home
from work yet?

A: I think he comes at... I mean he comes home at
nine at night.

Q: He gets home late? Is it dark when your dad
comes home?

A: I don't know. He doesn't tell me.

Q: Are you awake when he comes home?
A: No. I'm asleep.
Q: Okay.

Time recommendations

- Do ask "what happened next/first"
 - Be careful with "what happened before"
- Do ask tell me *everything that happened* the last time
 - Be careful with "Tell me about the last time..."
 - Don't ask "what time"
- Do ask "when" questions, including what was happening when abuse occurred
- Do ask "where" questions, which often allow you to date abuse
 - Residences, Vacations

Number

- Children can count objects before they can enumerate events.
- Enumerating events requires
 - Making inferences about frequency
 - Knowledge about conventional time concepts
- E.g., "how many times did you go to the bathroom last week?"
 - Estimate frequency (e.g. "every four hours")
 - Multiply frequency by duration (hours in day/days per week)
- Compare "How many times did he touch you?"

Number

Catherine: Number

THE COURT: How many times did that happen?
THE WITNESS: I don't know. Same—fifty times out of the whole entire year. I don't really do numbers—around —
THE COURT: About how many times did it happen all together? How many times did he touch his private part to your private part?
THE WITNESS: I don't know how many.
THE COURT: Okay. More than once?
THE WITNESS: More than once, yes.
THE COURT: More than five times?
THE WITNESS: Yes.

Juror No. 9

They weren't consistent on their story. We know that they were young and we understand they are children but the story was like did he touch you three times, yes, did he touch you five times, yes, did he touch you 50 times, yes. Everything was yes, yes, yes.
Riverside Press Enterprise 8-15-02 (2002 WL 21279565)

Brandon (11-year-old)

- Originally reported that man with gun and mask had raped him.
- Changed story to accuse a 16-year-old gang member

Interview #1 (number and duration)

- Q: What did he do?
A: Rape me.
Q: How many times did he rape you?
A: About ten times.
Q: Multiple times?
A: Yes.
Q: How long do you think you were there with him when he was raping you?
A: I don't know.
Q: Can you guess?
A: About [pause], about a minute or two. [inaudible]
Q: A minute or two?
A: Yes.
Q: Could you tell his penis moving in and out of your butt?
A: Yes.
Q: How many times?
A: It's probably more than ten times.
Q: More than ten times?
A: It's probably more, but I'm just guessing.
Q: Guessing? But it seemed like a lot of times?
A: Yes.

Interview #1 (number and duration)

- A: Rape me.
A: About ten times.
A: Yes.
A: I don't know.
A: About [pause], about a minute or two. [inaudible]
A: Yes.
A: Yes.
A: It's probably more than ten times.
A: It's probably more, but I'm just guessing.
A: Yes.

Nancy (11 years old)

- Q: Oh, so how many times do you think it happened that his mouth was on your private part?
- A: Um, I think probably about like six, out of fifteen, we said, we made it, at the police office we were figuring everything out, and we made it fifteen times out of the whole time that we said out of the two years from 2005 and then we said like, six out of fifteen times is when he would do that

Inconsistencies in reports across time

- Pressures to guess
- Question type differences (e.g., "did he say anything" vs. "what did you hear")
- Reluctance (e.g., acknowledgement of agency, embarrassing aspects)
- Memory (reminiscence, hypernesia)

Recantations

- 1 in 4 sexual abuse allegations are recanted in LA dependency court (Malloy, Lyon, & Quas, 2007)
- Maternal unsupportiveness
- Suspect living in household
- Child under 10
- Foster care?
 - Non-significantly *lower* rate

Summary (google "bepress lyon")

1. Narrative interviewing
10-step interview, training DVD
2. Assessment of credibility
Supplemental questions, articles on
suggestibility, disclosure
3. Assessing earlier interviews
4. Over-rated indicia of credibility
Recantation study, Time study, others in
progress