

Expanding Our Definition of “Forensic Interview”: Two Models for an Extended Forensic Process



Linda Cordisco Steele, NCAC
Miriam Maples, CornerHouse



Agenda

- History & development
- Referral process
- Session overview
- Explanation of sessions
- Parting thoughts
- Questions

History and Development

- Single-session interview has been standard practice (APSAC 2002; Everson, 2010; Faller, 1996; Faller, Cordisco-Steele, & Nelson-Gardell, 2010)
 - Historical basis
 - Minimize potential trauma
 - Concerns regarding suggestibility
 - Limited resources

History and Development

- Recognize limitations of single-session model
 - May not fit an individual child's needs
 - Child may need more than one opportunity
 - Relies on the child's willingness and ability (Faller, Cordisco-Steele, & Nelson-Gardell, 2010)
- Limitations are increasingly documented in the literature (Faller & Nelson-Gardell, 2010; Goodman & Quas, 2008; Hershkowitz & Terner, 2007; La Rooy, Katz, Malloy, & Lamb, 2010; Patterson & Pipe, 2009)
- Alternatives to single session interview may be appropriate (APSAC, 2002; Everson, 2010; Faller, Cordisco-Steele, Nelson-Gardell, 2010; Cronch, Viljoen, & Hansen, 2006)

History and Development

- Consider *how*, rather than *if* extended process may occur:
 - Should not be driven by other factors
 - Such as lack of collaboration / communication to conduct investigation as an MDT (APSAC, 2002)
- Based upon the needs of the child

Literature

- Reminiscence & Hypernesia in Children's Eyewitness Memory
- David La Rooy, Margaret-Ellen Pipe, & Janice Murray
- *Journal of Experimental Child Psychology*, 2005
- The Effects of Repeated Interviewing on Children's Forensic Statements of Sexual Abuse
- Irit Hershkowitz and Anat Terner
- *Applied Cognitive Psychology*, 2007
- The Effects of Drawing on Children's Accounts of Sexual Abuse
- Carmit Katz and Irit Hershkowitz
- *Child Development*, 2009

Literature

- "Exploratory Assessments of Child Abuse: Children's Responses to Interviewer's Questions Across Multiple Interview Sessions"
- Tess Patterson & Margaret-Ellen Pipe
- *Child Abuse & Neglect*, 2009
- Police Interviews with Child Sexual Abuse Victims: Patterns of Reporting, Avoidance and Denial
- Lina Leander
- *Child Abuse & Neglect*, 2010

Literature

- Do We Need to Rethink Guidance on Repeated Interviews?
- David La Rooy, Carmit Katz, Lindsay Malloy & Michael Lamb
- *Psychology, Public Policy & Law*, 2010
- Repeated Interviewing: A Critical Evaluation of the Risks & Potential Benefits
- La Rooy, Lamb & Pipe
- *The Evaluation of Child Sexual Abuse Allegations: A Comprehensive Guide to Assessment & Testimony*, 2009
- Edited by Kathryn Kuehnle & Mary Connell

Literature

- A Case Study of Witness Consistency and Memory Recovery Across Multiple Investigative Interviews
- Yael Orbach, Michael Lamb, David La Rooy & Margaret Ellen Pipe
- <http://onlinelibrary.wiley.com/journal/10.1002%281SSN%291099-0720>

History and Development

- Recommendations from literature on multi-session interviews (LaRooy, Lamb & Pipe, 2009; LaRooy, Katz, Malloy & Lamb, 2010)
 - Pay attention to fundamental memory concepts
 - High quality training & supervision/peer review of interviewers
 - Implementation of good interview practices
 - Avoidance of suggestive questioning &/or coercion
 - Sessions are close together
 - Same interviewer

Referral Process NCAC EFI

- MDT or investigative team (IT) makes the referral
- Usually follows initial attempt at FI
- Some allowance for direct referral
- Dual process of criminal investigation & exploring protection concerns
- Findings are reported back to IT or MDT

Referral Process NCAC EFI

- No disclosure in interview, but previous disclosures or behavioral indicators
- Incomplete or confusing disclosure
- Anxious or frightened child
- Temperamental, developmental needs of child
- Multiple traumatic events

Referral Process

NCAC EFI

- Communication difficulties because of age, cultural differences, disabilities
- No outcry from child / compelling reasons to believe event has occurred
- Trafficked or exploited child
- Other criteria established by Team

Session Overview

NCAC EFI

- Planning & preparation
- Meeting with caregiver (CG)
- Generally 3 to 5 child sessions
- Combination of forensically defensible & child friendly techniques
- MDT may be present for sessions, but not required by protocol

Session Overview

NCAC CFI

- Sessions are close together
- Investigation is to continue during this period
- Written report may be generated at the end of process

Session Overview

NCAC EFI

Care Giver Interview

- Explanation of EFI process & CG role
- Limitations of confidentiality
- Important developmental issues?
- Family structure & care routines
- Suggestions for narrative practice
- Connect with Victim Advocate

Session Overview

NCAC EFI

- **Foundational Sessions**
 - Rapport / Guidelines / Narrative Practice
 - Rapport / NP / Family / Feeling Discussion
- **Allegation Focused Sessions**
 - Allegation Focused Topics
 - Follow-up & Clarification
- **Closure**

Session Overview

NCAC EFI – Foundational Session

Child

- Comfort
- Familiarity
- Trust
- More agreeable pace
- Opportunity for child to “open the door”

EF Interviewer

- Skills screening
- Guidelines
- Assess competency
- Establish pattern
- Increase narrative competency

Session Overview

NCAC EFI – Transitions

Incremental approach

- Focused topics approach

Direct approach

- Use of externally derived info
- Touch inquiry
- Introduction of evidence

Session Overview

NCAC EFI – Allegation Clarification

- Use good forensic questioning
- Open → focused → closed
- Tailor expectations to child's ability
- May have multiple events
- Tools may be used if appropriate
- Decide how far to go

Session Overview

NCAC EFI - Closure

- May not be necessary
- Addressing questions & concerns
- Body safety discussion ?
- Transition to any follow-up

Additional Thoughts

- Review & plan between sessions
- Guidelines reviewed with child at beginning of each session
- Work products or topics from previous session may be used
- Number of sessions is flexible

Referral Process

CornerHouse MultiSession™ Interview

- Typically provided in lieu of one-time FI
- Referrals from LE or CPS
- Criteria for one-time FI applies:
 - Child has made a disclosure
 - Abuse was witnessed/memorialized
 - AP confession
 - Medical evidence

Referral Process

CornerHouse MultiSession™ Interview

Current target population:

- Children 2-years, 8-months up to 4-years-old
 - Young children present with natural barriers to the forensic interview process
- Children 4- and 5-years-old
 - Who have disabilities, or
 - Are multi-lingual and/or require an interpreter
- Any child (or vulnerable adult) with special needs or circumstances
 - Considered and determined by CAC staff and referent

Referral Process

CornerHouse MultiSession™ Interview

- Not an appropriate intervention when:
 - Caregiver is:
 - Unavailable
 - Unprotective
 - Uncooperative (Faller et al., 2010)
 - The timelines would compromise the child's safety
 - Health and welfare hold; alleged offender in custody
 - Child is unavailable for multiple sessions
 - Distance, other needs
- Consider alternatives; weigh pros & cons

Overview of Services

CornerHouse MultiSession™ Interview

- Family Support Services
 - Offered during all "child" sessions; by phone in between sessions and as follow-up
 - Immediate crisis support, information and referral, ongoing support
- Multi-Disciplinary Investigative Team
 - Present for all "child" sessions
 - All sessions include as least brief pre- and post-teamings
 - More comprehensive post-interview meetings typically occur after the final interview session

Caregiver Meeting

CornerHouse MultiSession™ Interview

- Purpose
 - To explain the MultiSession™ interview process and respond to caregiver's questions
 - To gather information about how to best conduct the interview to meet the unique needs of the child
- Usually occurs by phone, prior to first interview session with child

Caregiver Meeting

CornerHouse MultiSession™ Interview

- Caregiver is asked:
 - "What is important for me to know about ____"
 - Social functioning
 - Communication and language
 - Special needs
 - Child's responses or indicators
 - Changes or concerns observed in the child
 - Strengths
 - Daily routine / schedule
 - Significant life events, transitions, people
 - Health and safety

Session 1: Overview

CornerHouse MultiSession™ Interview

- Stages
 - The CornerHouse Forensic Interview Protocol™
 - Build Rapport & End Respectfully (Closure)
- Purpose
 - Extended opportunity to build rapport
 - Gathering information to utilize in Session 2
 - Establish the child's comfort, communication, and competence

Session 1: Overview

CornerHouse MultiSession™ Interview

- Comfort
 - Transition & adjustment to unfamiliar person, environment, situation particularly when there is some awareness of the reason for interview
- Communication & Competence
 - Ways child communicates
 - Verbal and nonverbal
 - Speech
 - Encourage the child as the expert: narrative practice
 - Attention span, ability to refocus
 - General developmental abilities: cognitive, social, emotional

Session 1: Overview CornerHouse MultiSession™ Interview

- Tools and Techniques
 - Face Drawing, Family Circles, Paper, Markers
 - Shape Stacker
 - Blocks
 - Picture Cards
 - Puzzles
 - Bead Maze
- Specifically selected *options*
- Used for distinct purposes
 - Must understand and explain why and how utilized



Session 1: Overview CornerHouse MultiSession™ Interview

- *Brief Closure*
 - Thank the child for spending time with you
 - Let the child know that you will talk again
 - "Thanks for talking with me. I'll see you again tomorrow."
- Facilitate continuation of the interview process
 - When exiting with the child, leave all tools, items in the room
 - Unless child requests, do not give Face Drawing to child at this time

Session 2: Overview CornerHouse MultiSession™ Interview

- Preparation for Session 2
 - Review video recording, focusing on child's:
 - Speech
 - Abilities
 - Attention span and focus
 - Affect
 - Identify questions, clarification, etc. to seek from caregiver and/or MDT
 - Develop plan for next session

Session 2: Overview CornerHouse MultiSession™ Interview

- Typically one –two days later
- CornerHouse Forensic Interview Protocol™:
 - Relatively brief, transitional Rapport stage
 - Continue with remaining stages
- Tools and techniques
 - Drawing, Anatomical Diagrams and Anatomical Dolls
 - Used as appropriate
 - Additional MultiSession™ tools from Session 1
 - May be used, but not necessarily

Additional Sessions: Overview CornerHouse MultiSession™ Interview

- Two Sessions standard
- Additional Session(s)
 - Determining need and appropriateness
 - Identify reason
 - Consider effectiveness
 - Consider child's perspective
 - NOT for simple lack of disclosure
 - Planful approach
 - Within the interview
 - Discussion with MDT
 - Cooperation of all parties

Parting thoughts...

- Valid challenges, concerns, and considerations
- Multi-session/extended forensic process appears beneficial:
 - Ultimate goal to provide best opportunity to children to communicate about their experience whatever that may or may not be
 - May increase opportunities through impacting
 - child's ability to participate in the interview
 - interviewer's ability to conduct interview in a way that best meets individual child's needs

Parting thoughts...

- Implementing an extended interview model
 - Requires shift in approach, long-held beliefs
- Traditional single-session interview remains most common model
 - Valid and appropriate for many children
- Practice decisions should consider findings of analogue and field research along with clinical practice
- Increased recognition in the field of need for
 - openness to other options
 - flexibility in practice

Questions

- What's happening in your community?
- Population(s) where more than one session might be beneficial
- Supports & barriers

More questions?

lcsnm@hotmail.com
miriam.maples@childrensmn.org