

CHILD ADVOCACY STUDIES
CAST 401/501
Child Advocacy II: Professional and System Responses to Child Maltreatment
Four semester hours including a one-credit lab

Spring 2010
Class T,Th 7:00-9:00 PM
Maxwell Hall 287 (lab – 281)

FACULTY

Grant Bauer, LICSW
Clinical Coordinator
Dept. of Psychiatry and Psychology
Mayo Clinic
507/884-4659
Bauer.Grant@mayo.edu
GBauer@winona.edu

Amy Russell, MEd, JD, NCC
Staff Attorney
National Child Protection Training Center
507/457-2893 (ofc)
612/384-5110 (cell)
Amy.Russell@ncptc.org
ARussell@winona.edu

CATALOG DESCRIPTION

This course focuses on the responses of professionals to allegations of child maltreatment. The purpose of this course is to expand the student's knowledge and skills in identifying, investigating and prosecuting child maltreatment. The course is designed for students majoring in criminal justice, education, social work, sociology, psychology, nursing, paralegal and other areas where knowledge of child maltreatment investigation and advocacy are necessary. Students will receive competency-based skills training such as forensic interviewing, documentation, etc. Prerequisites: CAST 301, PSY 250, and CMST 290 or equivalent course content within one's major, or instructor's permission.

OBJECTIVES

Upon completion of the course, the student will be able to:

1. Understand the criteria for alleged maltreatment so appropriate action can take place
2. Describe the initial responses to child maltreatment by professionals
3. Understand the differences in system responses between civil and criminal proceedings
4. Identify applicable state statutes, the case work process and potential complications
5. Describe the investigative process and the roles of multidisciplinary team members
6. Demonstrate the beginning interviewing skills needed for child maltreatment investigation and prosecution, using developmentally-appropriate questions
7. Explain the courtroom procedures, standards of evidence and other trial-related issues
8. Understand issues related to child witnesses such as recantation, suggestibility, memory and the impact of multiple interviews

9. Understand preparation of prosecution witnesses and the effects of child treatment and testifying on the child
10. Understand perpetrator issues such as characteristics of perpetrators, interviewing the perpetrator, legal charges, etc.
11. Understand the roles of other professionals including medical, educational, mental health personnel and other mandated reporters
12. Identify needed support systems for the child and the family and access child placement needs
13. Demonstrate the skills needed to serve as an effective child advocate throughout the investigative process
14. Explain how issues of race, class, sexual orientation, religion, gender, poverty and social justice influence investigation of child maltreatment

COURSE OUTLINE

- I. Course Overview
 - a. Intro to child maltreatment systems
 - b. Ethical, legal, moral and professional obligations
- II. Initial System Response to Child Abuse
 - a. Criminal and civil response to child abuse
 - b. State and federal legislation
 - c. Review of the role and laws related to mandated reporters
- III. Systemic and Coordinated Responses to Child Maltreatment
 - a. Overview of different systems involved in addressing child maltreatment
 - b. Health care and mental health systems
 - c. Role of children's advocacy centers
- IV. Forensic & Clinical Response to Child Maltreatment
 - a. Confidentiality and privilege in child abuse cases
- V. Understanding and Practicing Cultural Diversity in Child Maltreatment Investigations
 - a. Race
 - b. Religion and ethnicity
 - c. Gender and sexual orientation
 - d. Class and socioeconomic status
- VI. Working with Non-Offending Parents of Child Victims of Abuse
- VII. The Goal to End Child Abuse: Unto the Third Generation
- VIII. Forensic Interview Protocols: A Comparison
 - a. Overview of forensic interviewing protocols
 - b. Preparing for the interview
 - c. Interview guide
- IX. Observe forensic interview and practice interview stages
 - a. Review forensic interviewing protocols
 - b. Establishing rapport/nonverbal communication
 - c. Environmental considerations
 - d. Relationship between child and interviewer

- X. Roles & Responsibilities of the Medical Professional
 - a. Medical providers – who can be involved?
 - b. Medical evidence of child maltreatment
 - c. Reporting and treatment issues
- XI. Controversial Issues in Investigations, Interviews and Prosecution of Child Abuse
 - a. Documentation of interviews
 - b. Use of anatomical diagrams
 - c. Use of anatomical dolls
 - d. Interview instructions and truth-lie discussions
 - e. Child witnesses in court and courtroom modifications
 - f. Child witness testimony via closed-circuit television
- XII. The Dynamics of Child Sexual Abuse
 - a. Challenges to disclosure
 - b. Child Sexual Abuse Accommodation Syndrome
 - c. Allegations made during divorce/custody situations
- XIII. Communicating with Children
 - a. Question types in the interview
 - b. Linguistics and questioning children
 - c. Establishing a narrative
 - d. Clarification questions
 - e. Memory and suggestibility in the interview
 - f. Open-ended questioning
 - g. Alternative hypotheses/explanations
 - h. Introducing topics
 - i. Impact of multiple interviews
- XIV. Adult and Juvenile Sex Offenders - Treatment and Consequences
 - a. Defenses used
 - b. Characteristics of perpetrators
 - c. Treatment vs. punishment of sex offenders
 - d. Differences between adult and juvenile offenders
- XV. Corroborating Children's Interview Statements
 - a. Difficulties corroborating the child's statements
- XVI. Roles of Multidisciplinary Team Members
 - a. Demonstration of Multidisciplinary Case Review
- XVII. Testifying in Court
 - a. Expert and fact witnesses
 - b. How far can you go as an expert?
- XVIII. Defending the Forensic Interview
- XIX. Courtroom Procedures and Roles of Criminal Justice Professionals
 - a. Charging decisions
 - b. Plea negotiations
 - c. Pre trial motions
 - d. Defense and prosecution approaches
- XX. Evidentiary Issues in Criminal and Civil Child Protection Cases
 - a. Medical and DNA evidence

- XXI. Child Witnesses in Court: Witness Preparation, Support and Impact of Testifying on the Child
- a. Support systems for the child during the court process
 - b. Possible trial motions to aid victims

INSTRUCTIONAL PLAN

This course will include lectures, small-group discussions and role-play exercises; students will examine relevant case studies, and will complete exercises and assignments that require them to demonstrate mastery of the analyses and skills developed in the course.

COURSE REQUIREMENTS AND METHODS OF EVALUATION

1. Attendance & participation	5%
2. Interview Self-Evaluation	10%
3. Interview Peer-Evaluation	10%
4. Group Presentation	10%
5. UTG Reflection Paper	5%
6. Quizzes	20%
7. Midterm Examination	15%
8. Final Examination	25%
<hr/>	
TOTAL	100%

Grading Scale

A = 92-100 B = 84-91 C = 74-83 D = 62-73 F = 61 or less

Assignments

1. Attendance and class participation are expected. All unexcused absences will count against students when final grades are calculated. Students may be excused only when they contact at least one of the professors via phone or email **before** the class they expect to miss. If seeking excuse via phone, students should always leave a message, and follow up with an email to both professors as soon as possible.
2. Each student is to conduct one investigative interview of a “child.” Students will be assigned a “child” of a particular age and a situation for the interview. Students are to use the course text and other sources, such as lectures and supplemental readings, to write a paper about their interview, express understanding of the child interviewed and to evaluate their own interview.
 - A. Child demographic data: Name, age, living situation, family members and ages
 - B. Narrative of the abuse situation reported by the child: Onset, duration, circumstances, types of contact, alleged abuser, responses of child and family members

- C. Evaluate your own performance. What did you learn from the interview? What did you learn for your readings? What did you learn from doing the interview? What did you learn from peer feedback?
 - D. Address developmental considerations (level of development, speech, child's understanding of abuse, interventions that would facilitate communication) and diversity issues as appropriate
 - E. Formulate determination as to whether abuse occurred and support your decision.
 - F. Provide reflection on how it was to interview child: comfort level, expectations for self and child, peer evaluation, etc.
 - G. Include references as appropriate and use APA format (if other, please indicate what); 1" margins; 12 pt. font; double-spaced; student name/ID and page number on each page
 - H. Due in D2L dropbox **before** class April 15, 2010
3. Each student is to write one paper evaluating five of their peers' interviews. How did they do? What should they do differently? Evaluations must include written resources, feedback from others & lectures.
- A. One-two pages for each peers' interview
 - B. Discuss appropriate interview techniques and phases of interviews, noting appropriate applications in interview and explaining deviations from interview phases
 - C. Use APA format (if other, please indicate what); 1" margins; 12 pt. font; double-spaced; student name/ID and page number on each page
 - D. Due in D2L dropbox **before** class April 15, 2010
4. Group Presentations – Controversial Issues in Investigating/Prosecuting CA
- A. Student groups (3-4 people) will choose a “controversial” topic and will conduct a literature review exploring all sides of the issue. Groups will turn in detailed outlines of their findings, an annotated bibliography, and a copy of any and all materials presented in class. Students will critique the reliability and validity of each source included in their bibliographies.
 - B. Each item submitted should include, at minimum, the name/ID number of the group “chair”
 - C. This assignment is due when groups present on their topics. An electronic copy is to be placed in the drop box on D2L. Due in D2L dropbox **before** presentations on either February 16th or 18th.
 - D. Possible Topics:
 - i. Documentation of interviews
 - ii. Race and/or gender-matching in forensic interviews
 - iii. Using evidence in forensic interviews
 - iv. Use of anatomical diagrams in forensic interviews
 - v. Use of anatomical dolls in forensic interviews
 - vi. Interview instructions and truth-lie discussions
 - vii. Child witnesses in court and courtroom modifications
 - viii. Child witness testimony via closed-circuit television

5. Reflection Paper
 - A. Provide a 2-page reaction paper in response to the presentation by Victor Vieth entitled "Unto the Third Generation." This is NOT a recitation or summary of what you heard. Please reflect upon, evaluate and assess the information presented by this speaker. Did you agree with the presenter? Why or why not? Is the plan realistic/feasible? Explain. Describe your feelings/emotions/thoughts upon hearing this material.
 - B. Due **before** class February 9, 2010
6. Quizzes – Two throughout semester based on lectures and reading assignments
7. Midterm Exam – Due March 5, 2010 at 11:59 p.m.
8. Final Exam – Due May 6, 2010 at 11:59 p.m.
9. **IF** extra credit opportunities are offered, student submissions will be considered only if they adhere to the directions for the specific assignment/activity offered. Appropriate extra credit submissions will be used to "bump" students up to the next higher grade if students are within three (3) points of that grade.

NOTE: All written work in this class must be grammatically correct, well-researched and well written. All work should be typed and double-spaced, with student ID numbers and page numbers on each page, unless the assignment specifically indicates otherwise. Work should demonstrate students have put time, thought and effort into it. Work should demonstrate students understand the content and information. Papers should have the appropriate documentation and references. Citations must be placed appropriately throughout the paper. Incorrect or poor grammar, misspelled words, typographical errors and plagiarism will result in significantly lowered grades.

TEXTS

Primary Text

Faller, Kathleen Coulborn (2007). *Interviewing Children About Sexual Abuse: Controversies and Best Practice*. New York: Oxford University Press.

Required Reading

American Professional Society on the Abuse of Children (2002). *Practice Guidelines: Investigative Interviewing in Cases of Alleged Child Abuse*. Chicago: APSAC.

American Prosecutors Research Institute [APRI] (2004). *Investigation and Prosecution of Child Abuse* (3rd ed.) Thousand Oaks: Sage Publications (selected readings).

Hiltz, Barb & Bauer, Grant (2003). Drawings in forensic interviews of children. *Update*, 16(3), Available at

http://www.ndaa.org/publications/newsletters/update_volume_16_number_3_2003.html.

- Johnson, Mike (2009). The investigative windows of opportunity: the vital link to corroboration in child sexual abuse cases, *CenterPiece*, 1(9). Available at http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.
- Johnson, Toni Cavanaugh (2001a). Understanding the sexual behavior of children. *CYC-Online*, 31. Available at <http://www.cyc-net.org/cyc-online/cycol-0701-toni1.html>.
- Johnson, Toni Cavanaugh (2001b). Understanding the sexual behaviour of children – II. *CYC-Online*, 30. Available at <http://www.cyc-net.org/cyc-online/cycol-0801-toni2.html>.
- Kellogg, Nancy & the Committee on Child Abuse and Neglect (2005). The evaluation of sexual abuse in children, *Pediatrics*, 116,506-512
- Malloy, Lindsay C., & Lyon, Thomas D. (2006). Caregiver support and child sexual abuse: Why does it matter? *Journal of Child Sexual Abuse*, 15(4), 97-103.
- Minnesota Statutes Annotated §§626.556 and 260C.007
- Myers, John E.B. (2002). The legal system and child protection, in *The APSAC Handbook on Child Maltreatment* (2nd ed., J.E.B. Myers, et al, eds.), pp. 305-328. Thousand Oaks: Sage Publications.
- Pence, Donna & Wilson, Charles (1994). *Team Investigation of Child Sexual Abuse: The Uneasy Alliance*. Thousand Oaks: Sage Publications (pp. 9-29 & 30-42).
- Rogers, Laura L. (2004). Emergency medical professionals: assisting in identifying and documenting child abuse and neglect. *Update*, 17(7), Available at http://www.ndaa.org/publications/newsletters/update_volume_17_number_7_2004.html.
- Russell, Amy (2004). Forensic interview room set-up. *Half a Nation: The Newsletter of the State & National Finding Words Courses*, Fall, 1-4. Available at http://www.ndaa.org/publications/newsletters/half_a_nation_contents.html.
- Salter, Anna C. (2003). *Predators, Pedophiles, Rapists, and other Sex Offenders: Who They Are, How They Operate, and How We Can Protect Ourselves and Our Children*. Cambridge: Basic Books (pp. 47-68).
- Summit, Roland C. (1983). The Child Sexual Abuse Accommodation Syndrome. *Child Abuse & Neglect* 7(2), 177-93.
- Vaughan-Eden, Viola (Summer/Fall 2008). Be prepared, be proactive, and be professional: Key points to testifying in child abuse cases, *APSAC Advisor*, 23, pp. 23-26.
- Vieth, Victor I. (1999). When a child stands alone: the search for corroborating evidence. *Update*, 12(6), Available at http://www.ndaa.org/publications/newsletters/apri_update_vol_12_no_6_1999.html.
- Vieth, Victor I. (2008a). A children's courtroom bill of rights: Seven pre-trial motions prosecutors should routinely file in cases of child maltreatment. *CenterPiece*, 1(2). Available at http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.

Vieth, Victor I. (2008b). Testifying in court as a forensic interviewer: Defending an investigative interview from the witness stand. *CenterPiece*, 1(3). Available at http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.

Walker, Anne Graffam (1999). *Handbook On Questioning Children: A Linguistic Perspective* (2nd Ed.).

Supplemental Articles

Anderson, Jennifer & Heath, Rachel (2006). Forensic interviews of children who have developmental disabilities Part 1 of 2, *Update*, 19(1), Available at http://www.ndaa.org/publications/newsletters/update_index.html#.

Anderson, Jennifer & Heath, Rachel (2006). Forensic interviews of children who have developmental disabilities Part 2 of 2. *Update*, 19(2), Available at http://www.ndaa.org/publications/newsletters/update_index.html#.

American Professional Society on the Abuse of Children (1997). *Practice Guidelines: Code of Ethics*. Chicago: APSAC.

American Professional Society on the Abuse of Children (1995). *Practice Guidelines: Use of Anatomical Dolls in Child Sexual Abuse Assessments*. Chicago: APSAC.

Canaff, Roger A. (2004). Pediatric sexual assault nurse examination: challenges and opportunities for MDTs in child sexual abuse cases. *APRI's Update*, 16(9), Available at http://www.ndaa.org/publications/newsletters/update_volume_16_number_9_2004.html.

Dalenberg, Constance J. (1997). Fantastic elements in child disclosure of abuse. *APSAC Advisor*, 9(2), 1, 5-10.

Everson, Mark D. (1997). Understanding bizarre, improbable, and fantastic elements in children's accounts of abuse. *Child Maltreatment*, 2(2), 134-149.

Faller, Kathleen Coulborn (2005). Anatomical dolls: Their use in assessment of children who may have been sexually abused. *Journal of Child Sexual Abuse*, 14(0), 1-xx.

Finkelhor, David & Browne, Angela (1985). The traumatic impact of child sexual abuse: A conceptualization. *American Journal of Orthopsychiatry*, 55, 530-xx.

Hiltz, Barbara & Anderson, Jennifer (2002). Using interpreters in forensic interviews. *Update*, 15(12), Available at http://www.ndaa.org/publications/newsletters/update_volume_15_number_12_2002.html.

Holmes, Lori S. (2000). Using anatomical dolls in child sexual abuse forensic interviews, *Update*, 13(8), Available at http://www.ndaa.org/publications/newsletters/update_volume_13_number_8_2000.html.

Holmes, Lori S., & Finnegan, Martha J. (2002). The use of anatomical diagrams in child sexual abuse forensic interviews, *Update*, 15(5), Available at http://www.ndaa.org/publications/newsletters/update_volume_15_number_5_2002.html

- Holmes, L.S. and Vieth, V. I. (2003). *Finding Words/Half a Nation: The forensic interview training program of CornerHouse and APRI's National Center for Prosecution of Child Abuse*. *APSAC Advisor*, 15(1).
- Lamb, M. E., Garretson, M.E. (2003). The effects of interviewer gender and child gender on the informativeness of alleged child sexual abuse victims in forensic interviews. *Law and Human Behavior*, 27(2), 157-171.
- Lamb, Michael E., Orbach, Yael, Hershkowitz, Irit, Esplin, Phillip W., & Horowitz, Dvora (2007). Structured forensic interview protocols improve the quality and informativeness of investigative interviews with children: A review of research using the NICHD Investigative Interview Protocol. *Child Abuse Neglect*, 31(11-12), 1201-1231.
- Letourneau, Elizabeth J. & Miner, Michael H. (2005). Juvenile sex offenders: A case against the legal and clinical status quo. *Sexual Abuse: A Journal of Research and Treatment*, 17, 293-312.
- Lohrbach, Suzanne & Sawyer, Robert (2009). Creating a constructive practice: Family and professional partnership in high-risk child protection case conferences. *CenterPoint*, 1(7).
- Lukas Miller, Anne (2008). Bizarre & fantastic elements: a forensic interviewer's response, Parts I-III. *Update*, 21(2-4), Available at http://www.ndaa.org/publications/newsletters/update_index.html.
- Lyon, T.D. (2005) Ten step investigative interview. Available at <http://works.bepress.com/thomaslyon/5/>.
- Lyon, Thomas (2007). False denials: overcoming methodological biases in abuse disclosure research. In *Disclosing Abuse: Delays, Denials, Retractions, And Incomplete Accounts*, 41-62. (M. E. Pipe, M. Lamb, Y. Orbach, & A. Cederborg, eds.). New Jersey: Lawrence Erlbaum Associates, Inc.
- Lyon, T.D., & Saywitz, K.J. (1999). Young maltreated children's competence to take the oath. *Applied Developmental Science*, 3, 16-27.
- Minnesota Department of Human Services (2007). *Minnesota Child Maltreatment Screening Guidelines*. Available at http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_003712.
- Olafson, Erna & Kenniston, Julie (2004). The Child Forensic Interview Training Institute of the Childhood Trust, Cincinnati Children's Hospital. *APSAC Advisor*, 16(1), 11-19.
- Russell, Amy (2006). Best practices in child forensic interviews: interview instructions and truth-tellie discussions. *Hamline Journal of Public Law & Policy*, 28, 99-130.
- Russell, Amy (2008). Out of the woods: A case for using anatomical diagrams in forensic interviews. *Update*, 21(1) Available at http://www.ndaa.org/publications/newsletters/update_vol_21_no_1_2008.pdf.
- Russell, Amy (2009a). Assessing children's statements for investigative and court purposes. *CenterPiece*, 1(6), Available at

http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.

Russell, Amy (2009b). Electronic recordings of investigative child abuse interviews, *CenterPiece*, 1(8), Available at

http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.

Sorenson, Tina & Snow, Barbara (1991). How children tell: the process of disclosure in child sexual abuse. *Child Welfare*, 70, 3-xx.

Steele, Linda Cordisco (2003). Child Forensic Interview Structure, National Children's Advocacy Center. *APSAC Advisor*, 15(4), 2-5.

Vieth, Victor (2009). Picture this: Photographing a child sexual abuse crime scene. *CenterPiece*, 1(5). Available at http://www.ncptc.org/index.asp?Type=B_BASIC&SEC={E9333BA5-535C-4A89-873A-84F19906C349}.

Vieth, Victor I. (2007). Unto the Third Generation: A call to end child abuse in the United States within 120 years, *Hamline Journal of Public Law & Policy*, 25.

Walker, Nancy E. (2002). Children as victims and witnesses in the criminal trial process: Forensic interviews of children: The components of scientific validity and legal admissibility. *Law and Contemporary Problems*, 65(1), 149-178.