

Preparing Clients to Testify

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Kristi House Children's Advocacy Center

- ▶ The nationally accredited CAC for Miami Dade County
- ▶ Provide free services to children and their families affected by trauma and abuse (kristihouse.org/services)
- ▶ Training to the community on childhood trauma (kristihouse.org/education)
- ▶ Locations: Downtown Miami, Palmetto Bay, Miami Gardens, Homestead, and North and South Project GOLD Drop In Centers
- ▶ Multidisciplinary Team— law enforcement, SAO, DCF, CPT, GAL, foster care agencies

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Kristi House Services for Children

Evidence-Based Trauma Therapy for Children and Families

- Trauma-Focused Cognitive Behavioral Therapy (all traumas)
- TF-CBT for UC and CSEC
- Alternatives for Families: a Cognitive Behavioral Therapy (Physical Abuse & Family Conflict)
- Problematic Sexual Behaviors Cognitive Behavioral Therapy
- Risk Reduction Family Therapy (Trauma and substance abuse/risky behaviors)
- Education and Prevention Groups

Family Advocacy

- Provide education, resources and referrals to caregivers and families
- Provide education and advocacy

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Prevention Education

- ▶ Stewards of Children
- ▶ Child Safety Matters
- ▶ Childhood Problematic Sexual Behavior
- ▶ Children and Traumatic Stress
- ▶ CSEC 101
- ▶ Hurricane Trauma

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Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) - Cultural Implications

- ▶ Used to treat children exposed to any type of trauma who are demonstrating trauma symptoms
- ▶ 8-25 sessions with child and caregiver
- ▶ Ages 3-17 years old
- ▶ Component-based approach, with gradual exposure built in throughout treatment
- ▶ Research has found that TF-CBT decreased PTSD symptoms, depression, anxiety, self-injurious behaviors, behavior problems as well as resulting issues of academic problems and negative family interactions.

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Trauma-Focused Cognitive Behavioral Therapy (TF-CBT)

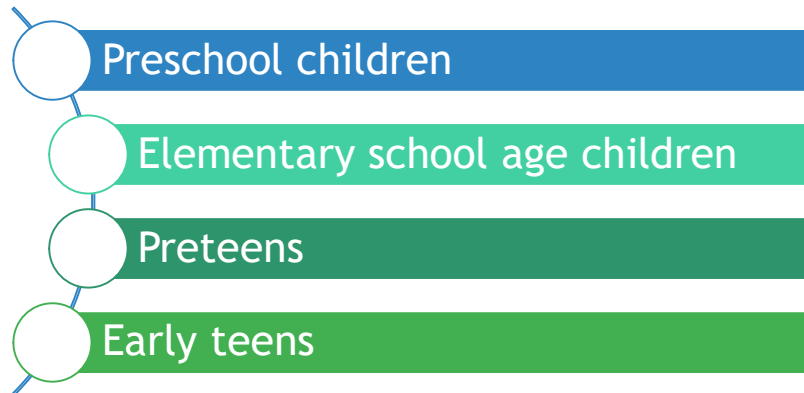
- ▶ **P**sychoeducation
- ▶ **P**arenting Skills
- ▶ **R**elaxation Skills
- ▶ **A**ffective Identification and Regulation
- ▶ **C**ognitive Coping
- ▶ **T**rauma Narrative
- ▶ **I**n-Vivo exposure
- ▶ **C**onjoint Parent-Child Sessions
- ▶ **E**nhancing Safety and Future Development

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Children's Developmental Abilities



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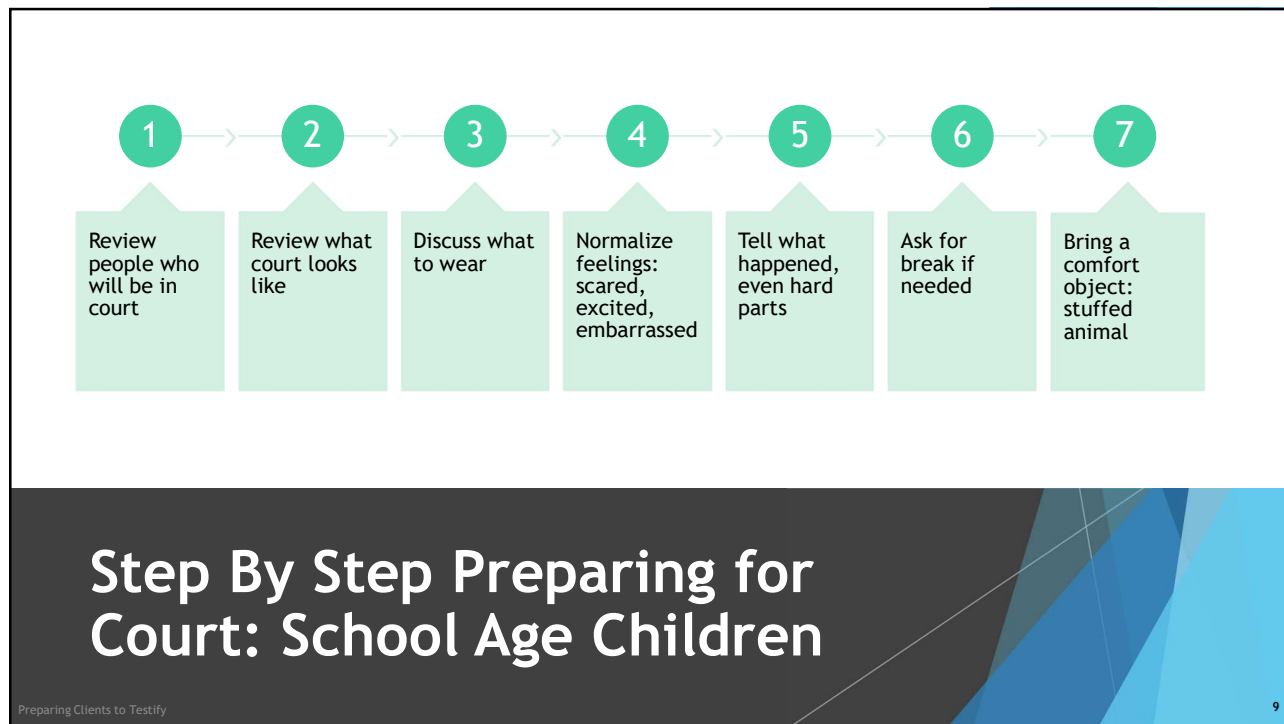
Safety Issues

- ▶ Defendants has been arrested for other violent crimes
- ▶ Defendant has violated no contact orders or arrested for stalking or harassment
- ▶ Incidents of not showing up to court
- ▶ Any behaviors from defendant/spectators that show signs of hostility will impact the child emotionally
- ▶ Paying attention to child's demeanor to intervene on their behalf. Look out for defendant's controlling cues that only the child may recognize

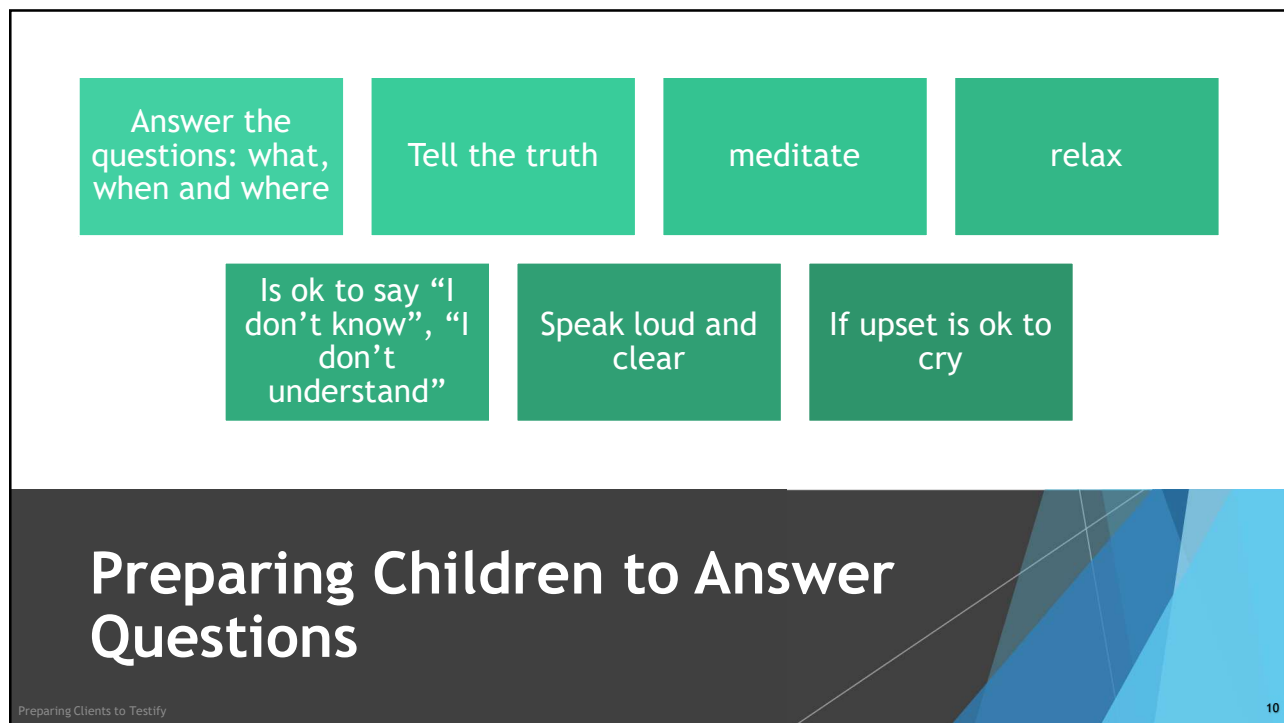
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Explain that the child's job is to tell his/her side of the story and to answer questions as best as he/she can

The decision is up to the judge

Explain that the abuse was not the child's fault, what happens to the defendant is not up to the child.

Prepare Child for the Outcome

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1. Teach the child the laws:

- Sexual abuse
- Physical abuse
- Neglect
- Domestic Violence

2. Normalize feelings

3. Practice relaxation

Preparing Adolescents for Court

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5. Explain the court process depending on the cognitive level of child
6. Discuss the outcome
7. Explain the trial process step by step
8. Explain to child that they have the right to have their feelings heard regarding the sentencing heard

Preparing Adolescents for Court (CONTINUED)

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1. What if no one saw the abuse happen?
2. What if I am too embarrassed to tell?
3. What if I am afraid of my parent's reaction in court?
4. What if the press is there?
5. What if the abuse happened many times?
6. What if I feel worried about punishing the offender?
7. What if I remember things differently after the police report?
8. What if I cry?

Questions Adolescents Have About Court

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9. Will the abuser be in court?

10. Do I have to answer all the questions?

11. Can they ask me about my sexual experience/smoking marijuana/ or any other risky behaviors?

12. Do I have to use medical terms?

Questions Adolescents Have About Court (CONTINUED)

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“Tricky” Questions:

HELPING CHILDREN MANAGE THEIR THOUGHTS AND FEELINGS

1. Questions that seem unfair or confuse the child
2. Questions that focus on details that the child does not know
3. Questions that confuse the child about time or the order of events
4. Questions that make the child feel angry
5. Questions that try to intimidate the child
6. Questions that imply that the child consented (sexual abuse)

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Recantation

- ▶ There is evidence that recantations and inconsistencies are common in child disclosures (Lyons, 2007)
- ▶ One study found 23.1% recantation rate among 257 substantiated cases (Mallow et al., 2007)
- ▶ Inconsistencies and recantations in children's reports may be due to reluctance rather than a false allegation (Lyon & Ahern, 2011)
- ▶ Child sexual abuse victims are more likely to recant or have inconsistencies in their story when abuse is perpetrated by a familiar person, especially family (Lyon & Ahern, 2011)

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Implications from the Research

- ▶ Most children who disclose abuse in dependency proceedings maintain their allegations over time, recantations do happen and are reliably associated with filial dependency
- ▶ The findings highlight the power of familial pressures in influencing some children's willingness to disclose and maintain consistent narratives about a significant personal and potentially traumatic experience
- ▶ Children's disclosures even to law enforcement and other authorities are impacted much more by factors related to family pressure than by memory or interviewer biases.

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References

- ▶ Lyon, T.D., Ahern, E.C., (2011). Disclosure of Child Sexual Abuse. In J.E.B. Myers (Ed.), *The APSAC handbook on child maltreatment* (3d ed.) (pp.233-252)
- ▶ Kids Can Make A Difference, A Guide for Professionals to Help Prepare Children & Caregivers for Court, By Kristi House, Inc. 2005
- ▶ Malloy, L., Lyon, J.D., Quas, J. (2007). Filial Dependency and Recantations of Child Sexual Abuse Allegations *American Academy of Child and Adolescent Psychiatry*, 162-170
- ▶ Malloy, L., Mugno, A.P., Rivard, J.R., Lyon, T.D., Quas, J.A., (2016). Familial Influences on Recantation in Substantiated Child Sexual Abuse Cases. *Child Maltreatment*, 21(3): 256-261
- ▶ Malloy, L.C., & Mugno, A.P. (2016). Children's recantation of adult wrongdoing: An experimental investigation. *Journal of Experimental Child Psychology*, 145, 11-21.
- ▶ Step By Step: Preparing for Court, A Guide for Child Sexual Assault Victims. HAVEN 1988