

Thoughts and Feelings

Child Interviewing Seminar
Spring 2013
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Emotion and Sexual Abuse

- Children tend to exhibit flattened affect when disclosing abuse
- Jurors expect to see emotion
- Reasons for lack of exhibited affect unclear
 - Lack of emotion
 - Inhibition
 - Repeated interviews

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)

Children don't spontaneously describe their emotional reactions

- Lamb et al. (1997): 49% of interviews contained "subjective feelings"
- Westcott & Kynan (2004): only 20% of children spontaneously described reactions

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.

Why ask? Lends credibility to child's report

- Part of a believable narrative (actions/reactions)
- Unlikely to have been coached
- Child's perspective on abuse
- Makes child sympathetic and reminds jury of sexual abuse harms

Asking children about their reactions to abuse

Law and Human Behavior

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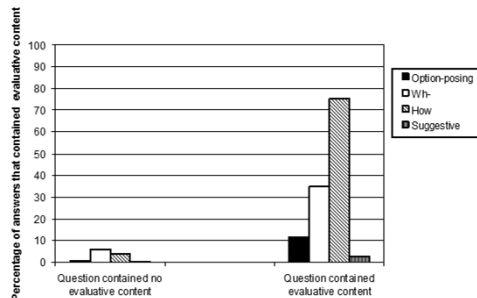
"How Did You Feel?": Increasing Child Sexual Abuse Witnesses' Production of Evaluative Information

Thomas D. Lyon, Nicholas Scurich, Karen Choi, Sally Handmaker, and Rebecca Blank
University of Southern California

Method: Study 1

- 80 5- to 18-year-old victim-witnesses testifying in child sexual abuse prosecutions
- Examined "evaluative" information: emotional, physical, or cognitive reactions
- Considered question-type: Option-posing (yes/no and forced choice), wh-, How, and suggestive

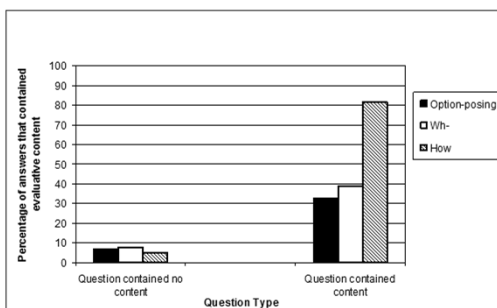
Study 1: What questions led to evaluative information?



Method: Study 2

- 61 6- to 12-year-old children disclosing sexual abuse in forensic interview
- Interviewers trained to ask:
 - 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?

Study 2: What questions led to evaluative information?



Reactions to abuse?

- Not good
 - 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?
- What did you think...
- How did your body feel...
- How did your [body part] feel...

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 hurted because um I wasn't ready for it at all. He just stuck it in.

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.

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

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, S58)

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: Oh. Okay.

A: I felt kind of mad, disappointed. 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: How did you feel after he touched you?

A: I felt like nasty. Like dirty.

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.

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 just a little girl.

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.

How did you feel when you went to the bathroom?

(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.

How did you feel when you went to the bathroom?

- Q: Right, okay, tell, tell me about that, that pain when you were in the bathroom... A: Um well I was urinating... And it felt like it was burning... And it hurt so I started crying 'cause... It was an unusual feeling for me. (13-year-old, 203)
- A: Mm like it was like, my private part was hurting a little bit. (13-year-old, 225)
- A: I was going like pee... Yeah. Q: And it felt like. A: It was burning my uh, my private part. (12-year-old, 232)
- A: Uh, I felt liked if I wanted to throw up. (9-year-old, 249)

How did you feel when you went to the bathroom?

- A: I peed but I'm like okay and then like I had to do number two so I sat down and it's like all of a sudden like, its hard to get out. I'm like [makes grunting noise] (9-year-old, 257)
- A: Like I wanted to take a shower, but it was too, it was too night already. (14-year-old, 270)
- A: It stung a little. (11-year-old, 271)
- A: Um like I- like a couple hours later I had to go to the bathroom [Q: uh huh] so then I went to the bathroom and then it felt like so- I was just like going pee and it was weird- it felt really, really weird and stuff like it felt like he was licking me again [Q: uh huh] in that same way when I was peeing and it was weird. (12-year-old, 272)

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 were you thinking 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 (Sebastian, 4)

Q:...[w]hen Maria licked your pee pee, what were you thinking?

A: Uh to say "stop, I don't like that."

Thoughts (Kimberly, 5)

Q: Okay, okay. And what were you thinking when um when your grandpa was kissing you. What were you thinking?

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

What did you think?

(Matthew, 6 years old)

The D.A. wanted to establish that the father had not originally planned to sleep at the grandfather's home the night of the murder, but moved there in order to cover up the murder.

Matthew might be able to establish this fact. My impulse was to ask "were you surprised that you woke up at your

Q: And when you woke up the next day, what did you think?

A: I think, I think I was still in my house. But I just, I just woke up. My eyes were like: what?! I'm in my grandparent's, grandpa's house. I'm surprised!

Q: So you were surprised when you woke up? And why were you surprised?

A: Because I wake up in Grandpa's house when I'm supposed to be at my house.

Summary

Ask:

- How did you feel when
- How did you feel after
- How did you feel when you went to the bathroom
- How did your body feel
- How did your [body part] feel
- What did you think
- Follow-up (e.g., "you said bad. Tell me about that.")

For more information

- Google "lyon bepress" for copies of ten-step interview, articles, etc.
- Midwestern Regional Child Advocacy Center has registration for weekly webinar on child interviewing.
- tlyon@law.usc.edu

For more information

- Google "bepress lyon" for reprints of the Ten-step interview, other practitioner guides, and articles.
- Google "MRCAC Tom Lyon Spring 2013" to sign up for online viewing of lectures.
- You can reach me at tlyon@law.usc.edu
