



Toward a Better Way to Interview Child Victims of Sexual Abuse

by Sara Harris

[A study tests interview protocols in the hope of getting better case outcomes.](#)

Child protection authorities substantiated 68,000 cases of child sexual abuse in 2008, according to the Department of Health and Human Services.¹ In many child sexual abuse cases, there is no witness other than the child and no corroborating evidence — the entire case can hang on a child's recollection of the alleged abuse. One way to help avoid false accusations and ensure justice in these cases is to strengthen law enforcement's ability to elicit accurate information from children. As the authors of the study discussed in this article note, "The quality of forensic interviewing practices is of utmost importance if child victims are to be protected, at the same time as the rights of the innocent suspects are to be upheld."²

We have gained considerable knowledge in the last two decades about child development, memory and cognition, and researchers have developed several techniques for improving the way child victims of sexual abuse are interviewed. One technique that showed promise in a laboratory has now been tested in the field in Utah's criminal justice system. The interview protocol was developed by the *Eunice Kennedy Shriver* National Institute of Child Health and Human Development (NICHD). The NICHD began developing its interview protocol in the 1990s. According to Margaret-Ellen Pipe, a member of the team that has developed and tested the protocol, "In the '80s people started recognizing children could provide reliable

evidence. There had been real skepticism prior to that whether you would believe children.”

In an NIJ-funded study, a team of researchers led by Pipe investigated how the NICHD protocol might affect prosecution outcomes. Their findings make it clear that the training and NICHD protocol elicit more information from possible victims. The findings cannot, of course, determine whether the information is more accurate — that is, the findings cannot definitively confirm details of what happened. But it is clear that after the protocol was introduced, prosecutors accepted more cases; and more cases that went to trial resulted in conviction than before the protocol was introduced.

The NICHD Protocol

The techniques employed by the NICHD protocol were designed to integrate advances in scientific understanding about memory and children’s linguistic and cognitive development.

Over the years, various aspects of the NICHD protocol have been evaluated in the field. In fact, the authors note, the techniques developed under the auspices of the NICHD constitute the *only* protocol for forensic interviews with children to have been evaluated systematically. “The NICHD protocol has been researched in the field; that’s what sets it apart,” Pipe said.

Training in forensic interviewing techniques often increases interviewer knowledge without resulting in any meaningful change in how interviewers conduct the interviews.³ NICHD training is effective in getting interviewers to use the new information learned. Studies testing the protocol have examined how best to train

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people in its use and, in particular, how to ensure that interviewers reliably acquire and actively use the new skills. Training can raise awareness, Pipe et al. note in their report, but it is important to guarantee that new techniques are adopted as a matter of practice. The NICHD training model promotes this by providing guidance and feedback for interviewers even after training has concluded.

The NICHD interview protocol includes three phases:

- Introductory
- Rapport-building
- Substantive or free recall

At the beginning of the conversation, the child and the interviewer discuss expectations and set ground rules: this is the introductory phase. Interviewers then ask children to talk about events unrelated to the suspected abuse; the idea is to encourage the child to be comfortable leading the conversation by developing this rapport. In this phase, the “child learns the conversational rules, because they are different from many conversations in which children take part,” Pipe explained.

Later, interviewers encourage children to recall the target incident and talk about it in a narrative stream,

as opposed to answering directed questions about it, one after another. Evidence indicates open-ended prompts draw out more accurate information than ones that simply elicit a child’s recognition. The techniques discourage suggestive leads or questions with yes/no or either/or answers: “Where were his clothes?” for example, is preferred over, “Were his clothes on the floor?”

Nearly a decade of research confirms that when interviewers follow the guidelines outlined in the NICHD protocol, children give both more and higher-quality information. Their narrative accounts reveal greater detail when the NICHD protocol is implemented.

How the Study Was Conducted

The study examined the outcomes of cases before and after police detectives were trained on the NICHD Investigative Interview Protocol. The 11 detectives in the study performed forensic interviews at the Salt Lake County Children’s Justice Center (CJC), an arm of the Utah Attorney General’s Office. They were all experienced in conducting child abuse investigations and child forensic interviews but had never been trained in the NICHD protocol. The detectives’ NICHD training took place over several days, included both simulated and actual forensic interviews, and included ongoing contact and feedback from the trainers.

Researchers from the City University of New York, Cambridge University in England, the NICHD and the CJC examined 1,280 sexual abuse cases between 1994 and 2000 that were referred to authorities in Salt Lake County, Utah, and investigated by the 11 detectives. Of the total sample, these detectives conducted 551 interviews before receiving

Tailoring the Interview for Special Populations

Evidence shows the NICHD protocol is an effective forensic interviewing technique for eliciting information from children in general, but researchers want to know how to develop similar techniques to be used in a wider range of situations. There is now a sufficient body of research on child interviewing using the NICHD protocol to see if the same methods can be adapted for use in other populations that need specialized protocols, such as the youngest victims, particularly reluctant victims, victims with developmental disabilities and minority populations.

In the Utah study described elsewhere in this article, researchers hypothesized that the NICHD protocol might increase the rate at which prosecutors filed charges in cases involving the youngest suspected victims

included in the study (2.8- to 4-year-olds). While that rate increased, children in this age group were still the least likely to have charges filed against the suspect; and when charges were filed, a higher proportion of them were dismissed than in cases involving older children.

Researcher Margaret-Ellen Pipe and her colleagues note that young children typically give less complete accounts and relay less information in interviews than older children, requiring interviewers to use more prompts. Of greater concern are studies showing that, when compared with their older counterparts, more suspected victims in this age group do not reveal abuse in interviews — perhaps because they do not understand that the information is significant. Findings suggest they might also be more likely to keep a secret when someone asks them to. The vulnerability of these children is understandable, said Pipe, but it “highlights the need to further develop protocol for these youngest suspected victims.”

Professionals in the field also work to adapt interviewing techniques to a variety of cultural environments. In April 2009, the Office of Justice Program’s Office for Victims of Crime hosted a Web

forum to encourage discussion of approaches to forensic interviewing in Native American communities. Participants with expertise in this area emphasized how important it is for interviewers to understand the importance of the family and ceremonies and to pay attention to non-verbal behaviors.

Sometimes adaptations to the standard guidelines are a matter of raising awareness among interviewers about differences among particular groups of children, but the need for modifications also suggests potential new avenues for research. Interview techniques that are appropriate to the developing linguistic and cognitive abilities of children at younger ages, for example, require specific approaches researchers are still developing. This is a particularly urgent message regarding children who are more vulnerable to abuse because of age or developmental delays.

In addition to tailoring its use to specific children’s needs, researchers also hope to test the use of the NICHD protocol for a greater variety of investigations. Other research efforts in expanding the uses of the protocol may focus on its applicability to interviews about children’s exposure to family violence.



Read the April 2009 OVC Web Forum on Forensic Interviewing in Tribal Communities at http://ovc.ncjrs.gov/ovcproviderforum/asp/sub.asp?Topic_ID=117.

training on the NICHD protocol and 729 after they had implemented the protocol. The same detectives, prosecutors and judges who handled the cases were used throughout the study period.⁴

Among the cases of alleged abuse that the researchers reviewed, nearly 60 percent involved improper touching and 5 percent were characterized by exposure; penetration was alleged in 35 percent of the cases

reviewed. Detectives interviewed children between the ages of 2 and 14 and then presented their evidence to the district attorney, who decided whether or not to prosecute.⁵

Impact of Using the Interview Protocol

Researchers compared the outcomes of the cases that used the interview protocol with cases that did not. They found that after local detectives adopted the NICHHD interview protocol, the percentage of investigated cases in which the district attorney filed charges rose from 45 percent to over 54 percent. Furthermore, these cases held up as they progressed through the system.

Although the number of cases that went to trial was small — 30 of a total of 513 cases in which charges were filed — 94 percent of those prosecuted after implementation of the NICHHD protocol resulted in conviction (16 of 17 cases), compared with 54 percent before its introduction (7 of 13 cases). In the majority of cases, both before and after the NICHHD protocol was implemented, a plea agreement was reached. Of those, 81 percent led to a guilty plea on one or more charges. See Table 1 for more details on case outcome.

While the percentage of cases in which charges were filed increased for three of the four age groups after the protocol was implemented, the impact of the protocol was strongest in cases in which the children were between 7 and 9 years old. This age group accounted for approximately 26 percent of the pre-protocol and post-protocol samples (135 and 167

Table 1. Case Outcome by Interview Type

	Pre-Protocol	Protocol
Total	551	729
Cases accepted for prosecution	198 (35.9%)	315 (43.2%)
Cases with plea agreements	160 (80.8%)	255 (81%)
Pled guilty	105 (53%)	177 (56.2%)
Reduced	52 (26.3%)	76 (24.1%)
Cases with charges dismissed	15 (7.5%)	36 (11.4%)
Cases that went to trial	13 (6.6%)	17 (5.4%)
Not guilty verdict	6 (3%)	1 (0.3%)
Guilty verdict	7 (3.5%)	16 (5.1%)

(Cases that were diverted or were active/had no outcome information available were omitted from this table.)

cases respectively). For children in this age group, the rate at which prosecutors filed charges rose from 42 percent before to 64 percent after detectives were trained.

Given the nature of testing an interview protocol in the field, results like those in this study cannot definitively determine whether or not a protocol elicits more *complete* or *accurate* information from children; there is usually no way for researchers to know with absolute certainty if the alleged sexual abuse occurred.

Previous studies have established that use of the NICHHD protocol increases the amount of information children report with little or no interviewer input, a core feature of the NICHHD protocol. There is a significant body of research demonstrating that interview techniques emphasizing

the use of open-ended prompts and other methods that encourage a child's free recall elicit more accurate details than more focused prompts — ultimately, the kind of details on which investigators build their case. These techniques have proven effective at getting better information from preschoolers, elementary school children and teenagers alike. The evidence-based nature of the NICHHD protocol lends credence to the researchers' assertion that, when employed by well-trained interviewers, the protocol likely improves the detail and accuracy of information elicited from children in most age groups during forensic interviews and positively affects case outcome.

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Notes

1. U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, *Child Maltreatment 2008*, Washington, DC: U.S. Government Printing Office, 2010, <http://www.acf.hhs.gov/programs/cb/pubs/cm08/cm08.pdf>.
2. Pipe, M., Y. Orbach, M. Lamb, C. Abbott, and H. Stewart, *Do Best Practice Interviews with Child Sexual Abuse Victims Influence Case Outcomes?*,

Final report for the National Institute of Justice, Washington, DC: National Institute of Justice, November 2008, NCJ 224524, <http://www.ncjrs.gov/pdffiles1/nij/grants/224524.pdf>.

3. Lamb, M., Y. Orbach, I. Hershkowitz, P. Esplin, and D. Horowitz, "Structured Forensic Interview Protocols Improve the Quality and Informativeness of Investigative Interviews with Children: A Review of Research Using the NICHHD

Investigative Interview Protocol," *Child Abuse & Neglect* 31 (2007): 1201-1231.

4. The judges and prosecutors were likely aware that the detectives received new training on a forensic interview protocol.
5. The study divided the children into four age groups: 2- to 4-year-olds; 5- to 6-year-olds; 7- to 9-year-olds; and 10- to 13-year-olds. The youngest child in the study was 2.80 years old; the oldest was 13.97 years old.