Do you understand the words that are coming out of my mouth?

Tips for Interviewing Adolescents

AMY RUSSELL, MSED, JD, NCC
EXECUTIVE DIRECTOR
GUNDERSEN NATIONAL CHILD PROTECTION TRAINING CENTER
AJRUSSEL@GUNDERSENHEALTH.ORG
507.714.4673

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INTERVIEWING THE ADOLESCENT VICTIM
### Investigations with Adolescents
(Wolf, 2008)

- Delayed disclosure of earlier sexual abuse
- Sexual abuse that started in adolescence
- Unlawful sexual intercourse (statutory rape)
- Acquaintance rape/sexual assault
- Stranger rape/sexual assault
- Sexual exploitation (computer/on-line victimization, street sex, child porn, etc.)
- Survival sex (runaways, prostituted child, street sex, gang initiation, etc.)
- Self exploitation

### What is Sex?
(USA Today, 2005)

- "Technical Virginity"
  - Oral sex
    - 55% of 15- to 19-year-old boys and 54% of girls 15-19 report having oral sex with opposite sex
  - Anal sex
    - 11% of adolescents engaged in anal sex with opposite sex partner

### Communicating with Adolescent Victims
Adolescent Development
(Wolf, 2008)

- Chronological age may be different from developmental stage
- Development is influenced by many factors
- Typical developmental stages
  - Early adolescence (11-14)
  - Middle Adolescence (14-18)
  - Later Adolescence (17-21)

Physical Development
(Wolf, 2008; Turkel, 2008)

- Puberty (early adolescence)
- Hormonal changes
- Changes in brain physiology and biochemistry – continues to develop into early adulthood
- Physical maturity does not correlate with emotional maturity

Sexual Development & Activities
(Wolf, 2008)

- Wide range of physical maturity development
- Wide range of sexual behaviors from abstinence to experimentation to adult-like sexual behaviors
- What they know does not always translate into what they do (e.g. contraceptive use)
- Romantic relationships can be frequent and unstable, continuing into adulthood
- High risk period for GLBTQ teens
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Teens and Sex
(CDC Youth Risk Behavior Surveys, 2008)

- 47.8% of students surveyed had sexual intercourse during their life
  - Male – 49.8%; Female – 45.9%
  - Black – 66.5%; Hispanic – 52.0%; White – 43.7%
- 7.1% of students had sexual intercourse for the first time before age 13 years
  - Male – 10.1%; Female – 4.0%
  - Black – 16.3%; Hispanic – 8.2%; White – 4.4%
- 14.9% of students had sexual intercourse with >4 persons
  - Male – 17.9%; Female – 11.8%
  - Black – 27.6%; Hispanic – 17.3%; White – 11.5%

Teens and Sex
(CDC Youth Risk Behavior Surveys, 2008)

- 35.0% of students are currently sexually active
  - 61.5% reported they or partner used a condom
  - 16.0% reported they or partner used birth control pills
- 22.5% of currently sexually active students drank alcohol or used drugs before last sexual intercourse
- 86% of sexual assaults of adolescents unreported (NIJ, 2003)

Cognitive Development In Adolescence

- Formal operational thought (Jean Piaget)
  - Defined as the ability to reason hypothetically, to take into account a wide range of alternatives, to reason contrary to fact, to understand others’ motives and perspectives
  - This capability actually exists in only 30-40% of the adult population
- Egocentric
- Immediate gratification overrides consideration of future consequences
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Cognitive Development
(Scott, 2008)

- Capable of introspection
- Capable of perspective-taking
- Capable of deception, manipulation
- Better at consequences and dates
- If from impoverished background, may resemble younger children

Social-Emotional Development In Adolescence
(Wolf, 2008)

- Key question: “Am I Normal???”
- Exploration of self & identity (including sexual identity)
- Trying to find a place among their peers
- “Magical Thinking”/belief in invulnerability
- Sexual abuse or other trauma has an effect on development

Social-Emotional Development In Adolescence

- Risk taking
- Self-blame
- Rule breaking
- Differing view of social relationships
- May not trust adults; strong sense of peer identity
Language Development In Adolescence (Wolf, 2008)

- Language in adolescence is similar to an adult’s but not identical
- Slang may have more “meaning” than formal language
- Social-emotional factors (including trauma) affect both expressive and receptive language
- May use adult vocabulary without fully understanding it

Implications of Development on Cases (Wolf, 2008)

- Risk taking/rule breaking, leading to situations they can’t handle
- Their reports can contain bizarre or fantastic elements
- Unwillingness to ask for adult assistance or clarification
- Fear, embarrassment, self-blame, shame that could result from telling overrides disclosure of the sexual assault
- Adolescents can be uncooperative, difficult witnesses
- Trauma affects communication and presentation

Credibility of Adolescents

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Adolescents (Wolf, 2008)

- Their actions sometimes make it difficult for us (and judges & juries) to believe them or even want to work on their cases!!!
- Which begs the question...ARE THEY CREDIBLE?

Are They Credible? Do Teens Lie About Abuse? (Wolf, 2008)

- All people lie, sometimes
- Types of lies: Malicious, Omission, Protection
- Crime statistics and research have found that between 2-10% of reports of sexual abuse and sexual assault are false reports (90-98% are founded)
- Of those 2-10%, teens are the group with the highest rate of false reports
- Studies confirm: It is much more common for all age groups to deny true abuse than it is for them to make up abuse that didn't happen
- Understanding case dynamics is critical to understanding a teen's behavior and statements

Research on Deliberate Lying (Myers, 1994)

- By age 3, children learn to bend the truth
  - however, no evidence that children are any more or less prone to lie/fabricate than adults
- Deliberate fabrication is uncommon
  - particularly young children, not good at maintaining a lie
- Fabricated reports are more likely among adolescents
  - better capacity to make up credible allegations
- Fabrication constitutes a relatively small fraction of reports
  - meta-analysis = fabricated reports occurred in 4%-8%
Evaluating Credibility in Adolescent Cases
(Wolf, 2008)

- Generate multiple hypotheses
- Consider motivation(s) for fabricating
- Consider motivation for disclosing
- Peer influence?
- Relationship to suspect
- Evaluate relative cost/benefit for disclosing disclosure
- Other?
- Do not assume that something improbable is a fabrication

Statutory Relationship

“A relationship between a juvenile and an adult that is illegal under age of consent statutes, but that does not involve the degree of coercion or manipulation sufficient to qualify under criminal statutes as a forcible sex crime.”
(Hines & Finkelhor, 2007, p. 302)

Unspoken Preferences in “Consent” Cases
(Turkel, 2008; Lanning, 2002)

Most Preferred
- Victim can explain that cooperation was due to fear or ignorance
- Victim was tricked
- Victim engaged in sexual activity because s/he enjoyed the sex

Least Preferred
- Victim willing to trade sex for material rewards or money
**Teens Are At Increased Risk**  
(Turkel, 2008)

- Normal developmental factors
  - Sexual desires
  - Curiosity
  - Loneliness
  - Awkward/need for attention/direction
- Vulnerable to flattery about their maturity or “specialness”
- Attraction to risk-taking

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**Grooming**  
(Finnegan & Rogers, 2008)

- Offender provides comfort, affection, understanding, and protection
- Offender makes child feel loved and asks for nothing in return
- Child becomes financially and emotionally dependant on offender and is drawn into exploitation

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**Grooming**  
(Lanning, 2002)

- Control through seduction/grooming results in ...
  - Initial cooperation of victim
  - Decrease in likelihood of disclosure
  - Increase in access and ongoing contact
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Consent
(Wolf, 2008)

- Understanding what is proposed
- Knowledge of social/cultural standards for what is proposed
- Awareness of potential consequences and alternatives
- Assumption that agreement or disagreement will be respected equally
- Voluntary decision
- Mental/developmental competence

Evaluating Consent
(Wolf, 2008)

AFTER narrative elaboration, focused questions about:
- Provision of drugs or alcohol
- Force and duress
- Do parties know each other’s last names?
- Nature of relationship:
  - How do they know each other?
  - Was relationship “secret?”

Evaluating Consent (cont.)

- Where do they “hook up?” “Dates?” Sneaking out?
- Birth control? Who supplied?
- Definitions of words, e.g. “had sex”
- Victim’s interests & expectations of relationship
- Sodomy?
- Pregnancy or abortion?
Lack of Understanding of Compliance
Results In...  
(Turkel, 2008; Lanning, 2002)
- Victims failing to disclose
- Victims denying victimization
- Victim shame, embarrassment and guilt
- Suicide
- Offenders being able to have numerous victims over an extended period of time
- Ineffective prevention programs

Compliant Victims
(Finnegan & Rogers, 2008)
- Difficult for jury to understand
- Important for prosecutor to explain grooming process to jury as explanation for complicity

Teen’s View of Statutory Relationship
- Help teens gain independence
  - Poor familial relationships may increase need
- Provide a substitute for peer relationships
- Speed up motherhood and “family” formation
- Allow experimentation regarding sexual orientation
**Tips for Interviewing Adolescents**

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**Teen’s View of Statutory Relationship**
- Offender may treat teen well prior to and after sexual exploitation
- Offender may make sexual relationship pleasurable
- May move from sexual contact initiated by adult to teen initiation

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**Why Adolescents Do Not Disclose**
*(Turkel, 2008; Lanning, 2002)*
- Fear of not being believed
- Feelings of culpability or guilt
- Embarrassment and humiliation
- Desire to protect abuser, family or self
- Fear of reprisal
- Fear of getting into trouble
- Victim will often deny certain sexual acts

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**Why Adolescents Do Not Disclose**
*(Turkel, 2008; Lanning, 2002)*
- Stigma of “homosexuality”
  - Safety issues – bullying, etc.
- Belief that s/he is not a victim
- Worried about opinion of others
- Believes can cope with situation alone
- Issues of independence and individual coping
- Lack of societal understanding
Why Adolescents Do Disclose
(Turkel, 2008; Lanning, 2002)
- Sexual activity is discovered or suspected
- Victim finds safe relationship to share experience
- Angry with or jealous of offender
- Abuse becomes intolerable
- Medical concerns
- Victim realizes implications of abuse
- Offender abusing or threatening a sibling or friend
- Offender is absent
- Want to move on to different relationship

Prevalence and Dynamics
(Hines & Finkelhor, 2006)
- Adolescent female/adult male sexual relationships
  o Of 7557 statutory rape incidents reported to LE, 95% were female victims w/ male offenders
  o 60% of females aged 14 or 15
  o Median age difference of six years
  o Higher risks for pregnancy, single-parenthood, psychosocial problems
- Girls who start young voluntary sexual activity more likely to start with substantially older partners
  o Adult men can provide financial security, material things, prestige among peers, too “mature” to date same-age boys

Dynamics: Adolescent Female/Adult Male
(Hines & Finkelhor, 2006)
- Characteristics / risk factors
  o more likely to be risk taker
  o have poorer judgment
  o history of sexual abuse . . oriented to older partners
  o history of physical abuse and/or neglect
  o drug or alcohol abuse
  o chaotic home environment
  o family structure other than two biological/adoptive parents
  o parents with a high school degree or less
  o mothers were teenage mothers
  o parental bonds weak and/or nonexistent
Tips for Interviewing Adolescents

Prevalence and Dynamics
(Hines & Finkelhor, 2006)

- Adolescent male/adult male sexual relationships
  - 5% of all statutory rape victims reported to LE
  - 6% of their offenders were male
- Four types of adolescent male/adult male relationships
  - Sexual relationship is the primary motive
  - Affection and friendship are paramount
  - The youth is prostituted – sex for money
  - One or both partners use the relationship as a means to explore their sexual identity

Dynamics: Adolescent male/adult male
(Hines & Finkelhor, 2006)

- Dynamics
  - May be exploring a gay lifestyle
  - Provide financial security and a better standard of living
  - Family issues, such as drug or alcohol abuse, that make for a chaotic home environment and possibly weak and/or nonexistent parental bonds
  - Engage in sexual relations with adult men for money or adventure

Prevalence and Dynamics
(Hines & Finkelhor, 2006)

- Adolescent male/adult female sexual relationships
  - Most likely to be viewed as sexual initiation rather than sexual exploitation
  - Approximately 5% of men report they had a consensual sexual relationship as an adolescent with an adult woman
- Prevalence
  - Median age difference between is nine years
  - Relationships constituted 25% of all heterosexual statutory rape cases
  - Over 65% of the males reported sexual experiences as voluntary and wanted
- Risk factors: being younger and coming from disadvantaged homes
  - Adolescent males more likely to view the relationship as casual (83% vs. 38% females)
**Dynamics: Adolescent Male/Adult Female**
(Hines & Finkelhor, 2006)

- Typology of female sexual abusers:
  - "lover" — older female views self as in love with the youth; sustainable relationship
  - "teacher" — older female provides sexual initiation or experience to the youth; not perceived as a romantic or sustainable relationship
  - "convenience/unaware" — adolescent youth and young adult woman have casual sexual contact; no one paying attention to age or youth tries to appear older
  - "prostitutes" — traditions of adolescent boys paying adult females for sex
  - "exploitation" — older women take advantage of confused or inexperienced youth

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**Prevalence and Dynamics**
(Hines & Finkelhor, 2006)

- Adolescent female/adult female sexual relationships
  - least researched type of statutory relationship
  - survey of all-female sample
    - 1.2% had a sexual experience prior to age 15 with an unrelated adult female that included masturbation
    - 1.4% reported that an adult female masturbated them
  - Typology unknown

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**Forensic Interview Process**
# Forensic Interview Phases

- Interviewer Preparation
- Rapport Building
  - Conduct developmental assessment
  - Prepare the child for the interview
- Transition/Task Introduction
- Information Gathering/Disclosure
- Closure with Child
- Closure with Family

# Conduct an Investigative Interview

- Employ a recognized protocol
- Be able to explain any deviations from protocol
- Function as part of an MDT
- Obtain family background information
- Obtain fact pattern information
- Obtain corroborative details
- Test multiple hypotheses
- Do NOT interrogate the adolescent

# Interview Preparation

- Interviewer well-trained in conducting a traditional victim interview
- Adept in conducting non-traditional interview
- Skilled in conducting legally defensible interview
- General guidelines:
  - Electronically record the interview
  - One interviewer in the room
  - No parents/friends in room
  - Team members observe and assist as necessary
Address Issues with MDT in Advance

- Victim willingly sent pictures of self to perpetrator
- Victim reveals information during interview that they could be charged as a suspect
  - Sexually victimizing others
  - Soliciting participation of other children
- Other “consensual” sexual activity
- Victim’s use of drugs or alcohol
- Other statutory violations

Rapport Building

Setting the stage:
- What you first see is not always what you get
- Acknowledge what adolescent has already gone through (patrol interview, medical exam, etc.)
- Address what you may need to share with parents
- Address gender issues (if an issue)
- Give as much control as possible
- Spend as much time as adolescents seems to need or want

What to Expect

- Denial
- Minimization
- Incomplete account
- “I forget”
- Claim of consent
- Exaggeration
- Lying
- Blaming self, others – not alleged perpetrator
Strategies for Exploring Tentative Disclosures

- Teens frequently move between acknowledgment of victimization and denial, or may give a partial disclosure
  - Recognize/label resistance/ambivalence
  - Return to rapport building stage
  - Explore themes
  - Compartmentalize
  - Explore their perception of events
  - Explore impact on the teen’s life

The Importance of Narrative Elaboration

- Focused, specific questions only provide answers to those questions asked, without a context
  - Instead, ask:
    - “Tell me about that…” gives context without sending a message to the teen that you are seeking certain information
    - “Tell me everything…” (I wasn’t there, I want to hear what you think and feel about what happened)
    - “Then what happened? … What happened next?”

The Importance of Narrative Elaboration

- Allows the teen to freely report, minimizing use of externally derived or “leading” questions
- Won’t give everything you need in the first question, but can be followed up with focused questions, as needed
- Provides spontaneous, unsolicited information
- This spontaneous info can often be corroborated and it helps evaluate witness credibility
Corroboration

- Controlled phone calls
- Suspect statements
- Other witnesses/victims statements
- Emotional and behavioral observations of witnesses, parent(s) and/or siblings, therapists, teachers, etc.
- Physical evidence:
  - clothing
  - medical exam findings
  - results from search warrants (e.g., phone records, motel receipts, diaries, letters, cell phone pictures, text messages, phone messages, computers, work or school locker contents)
  - if pregnancy – DNA swabs or fetal tissue, etc.

Closure

- Thank teen for participating in the interview
- Provide information about next steps (investigative, medical, legal, etc.)
- Discuss what you will tell parents/guardians
- Encourage questions

Closure

- Explore concerns regarding health and body
- Crisis intervention/suicide assessment, if needed (work with victim advocate/MH professional on team)
- Provide referral for support and counseling
**Tips for Interviewing Adolescents**

**REMEMBER....**

ALWAYS START WHERE THE VICTIM IS:
DON’T CONFRONT THE VICTIM’S
PERCEPTION

**Interview vs. Interrogation**

**Interrogate or Interview the Victim?**

- Avoid judgmental responses
- Communicate to the victim that he/she is not at fault
- Communicate to the victim that you are not judging him/her
- DO NOT polygraphs adolescent victims