

Interviewing Child Witnesses

Handbook Of Eyewitness Psychology 2 Volume Set (pp. 73-75).

We conclude this chapter by focusing specifically on interviewing children, as this has become an area of intense research since the highly publicized day-care abuse cases, starting in the early 1980s (Nathan & Snedecker, 1995). In these cases, preschoolers accused their day-care teachers of having sexually abused several teachers and children, with some accusations involving ritualistic elements. Not surprisingly, the validity of these allegations was examined in the ensuing criminal investigations, where expert witnesses identified and criticized several questionable interviewing techniques. We highlight here some of the targeted interviewing techniques that may have encouraged the children to make false allegations (Ceci & Bruck, 1995; see also the chapters in Part III of this volume.)

One of the problematic techniques, selective reinforcement, can take several forms: (a) praising or otherwise rewarding a child (You are such a smart boy!) for reporting the desired answer, (b) giving a child negative feedback (Maybe you don't have a very good memory.) for failing to provide the desired answer, or (c) indicating that praise, rewards, or negative consequences will follow, depending on what the child says (I am sure you are smart enough to remember.). Most variations of conventional learning theory would predict that positive reinforcement should increase, and punishment (negative feedback) should decrease, the probability of eliciting a desired response. In line with these predictions, Garven, Wood, and Malpass (2000) showed that children who were reinforced were more likely to agree with misleading questions than children who were not reinforced.

A second problematic technique that was identified in day-care abuse cases is peer pressure or co-witness information. This refers to interviewers informing child witnesses about other witnesses' alleged statements. The concern is that this technique can potentially create conformity pressure on the child to agree with other witnesses' statements (Garven et al., 1998, 2000; Leichtman & Ceci, 1995).

A third technique that may promote incorrect testimony, inviting speculation, may occur by asking a child to speculate about the events in question or to pretend that an event has happened. Introducing this new "reality level" into the interview is known to have a detrimental effect on the accuracy of a child's later statement (Ceci, Huffman, Smith, & Loftus, 1994; Ceci & Loftus, 1994; Schreiber et al., 2001, Schreiber & Parker, 2004).

Several other interviewing techniques identified in day-care and other abuse cases have also been shown to encourage children to make false statements. Three such techniques are interviewer bias (the investigator has a preconceived notion about the event or the suspect in question), repeated questioning (asking a question that the witness has already answered), and introducing a negative stereotype of the accused (Ceci, Leichtman, & White, 1995; Garven et al., 2000; Leichtman & Ceci, 1995; Lepore & SESCO, 1994; Poole & White, 1991). Given that each of these techniques, in isolation, has been shown to influence children's statements, it is not surprising that combining these suggestive techniques, the more likely scenario in a real-world investigation, can have a particularly detrimental effect on children's testimony (Garven, Wood, Malpass, & Shaw, 1998; Garven et al., 2000).

Based on the empirical research findings, several guidelines have emerged to promote effective child interviewing procedures (see Ceci & Bruck, 1995, and Poole & Lamb, 1998, for

comprehensive reviews). Many of the suggested techniques are common to those recommended for interviewing adults, including establishing the desired social dynamics (that the interviewer has little prior knowledge about the critical incident), developing rapport, asking primarily open-ended questions, avoiding complex and suggestive/leading questions, and encouraging the witness to say “I don’t know” rather than to guess. The sequential structure of the interview also mirrors that recommended for adults, progressing from broader, open-ended questions and funneling toward more specific follow-up questions. This design is best exemplified in the Step-Wise procedure (Yuille et al., 1993) and the “Memorandum of Good Practice” (Home Office, 1992).

Special considerations have been recommended for interviewing children to accommodate their reduced cognitive skills and background knowledge. For instance, children are often found to provide relatively impoverished narratives in response to open-ended questions (Poole & Lamb, 1998). To promote more elaborate narratives, and in general to assess children’s verbal skills, interviewers are encouraged to make more effective use of the rapport-building phase. Here interviewers may ask children to describe innocuous, specific events in their lives (e.g., a birthday party) that are unrelated to the focus of the investigation. The resulting narratives provide the interviewer with baseline data on the child’s verbal skills and should reinforce and train the child to give information-rich narratives (Yuille et al., 1993). Another method, Narrative Elaboration, provides children with cues to describe the various elements of a narrative, such as participants, settings, actions, and conversations (e.g., Camparo, Wagner, & Saywitz, 2001; Saywitz & Geiselman, 1998). These cues can be presented by showing pictures or providing verbal prompts (Brown & Pipe, 2003). Both of these approaches can be implemented early in the interview, before the critical event is addressed, to train children to provide more extensive narratives.

One tempting method of overcoming children’s reduced skills and knowledge has been to introduce aids such as drawings or anatomically correct dolls. Many researchers, however, caution against using these aids, because of their potential to distort the child’s recollection (Ceci & Bruck, 1995). The safer and generally recommended approach is to allow for such interviewing aids only after the child has already provided a verbal description of the event (Poole & Lamb, 1998).

Some unique concerns arise when children are interviewed, and especially when the alleged event is physical or sexual abuse. One of the most challenging problems is to introduce the topic of abuse without the use of suggestive questions. Furthermore, and especially with young children, interviewers must assess the child’s ability to distinguish between truthful and untruthful responses. Because of space limitations, we cannot develop the relevant issues properly. The interested reader can find comprehensive reviews of these and related topics and several recommended procedures in Poole and Lamb (1998) the “Memorandum of Good Practice” (Home Office, 1992) and within publications by various professional organizations (e.g., National Institute of Health and Human Development; American Professional Society on the Abuse of Children). Conclusion and Recommendations

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A national survey of child forensic interviewers: Implications for research, practice, and law.

Fessinger, Melanie B. and McAuliff, Bradley D.

Law and Human Behavior, Vol 44(2), Apr, 2020. pp. 113-127.

Abstract (English):

Objective: We surveyed a national sample of child forensic interviewers to learn the types of information they wanted to have before interviewing children, their attitudes and beliefs about forensic interviews, the characteristics of their interviews, and their professional

experiences. Hypotheses: We predicted (1) interviewers would want many different types of information before interviewing children, but specifically details about the child, alleged abuse, and disclosure, and that interviewers would find this information helpful and accessible; (2) interviewers would consider their own interviews to be neutral and nonleading and to yield accurate and complete information from children; interviewers' concern about false reports would be related to (3) the amount of preinterview information they wanted and (4) their years of experience and amount of training. Method: Forensic interviewers (N = 781) from all 50 states and the District of Columbia completed all (n = 754) or part (n = 27) of a questionnaire that consisted of open- and closed-ended questions. Results: (1) Interviewers wanted many different types of information before interviewing children, but most often information about the child, alleged abuse, and disclosure. They thought these types of information were the most helpful and very frequently had access to that information before interviewing. (2) Interviewers thought their interviews were fairly neutral, slightly leading, mostly accurate, and fairly complete. Interviewers who were more concerned about false denials (3) wanted more preinterview information than interviewers who were more concerned about false allegations and (4) had fewer years of experience. Conclusions: Our survey results underscore the need for future research examining the effects of preinterview information on forensic interviews and children's reports. They provide a current snapshot of forensic interviewing and a national benchmark to which local child advocacy centers can compare their practices. They highlight the inherent difficulty courts face when determining the admissibility of a child forensic interview based on its primary purpose.

Child eyewitness researchers often bin age: Prevalence of the practice and recommendations for analyzing developmental trends.

Bainter, Sierra A., et al.

Law and Human Behavior, Vol 44(4), Aug, 2020. pp. 327-335.

Abstract (English):

Objective: Effective practices for eliciting and analyzing children's eyewitness reports rely on accurate conclusions about age differences in how children retain information and respond to memory probes. Binning, which is the practice of categorizing continuous variables into discrete groups, can lower studies' power to detect age differences and, in some situations, produce significant but spurious effects. In this article, we (a) describe a systematic review that estimated the frequency of binning age in child eyewitness studies, (b) analyze real and simulated data to illustrate how binning can distort conclusions about age and covariate effects, and (c) demonstrate best practices for analyzing and reporting age trends. Hypotheses: We expected that researchers would frequently bin age and that we would replicate the negative consequences of binning in the demonstration data sets. Method: For the systematic review, we retrieved 58 articles describing child eyewitness studies and determined whether researchers binned age for one randomly selected analysis per article. We then compared alternative ways of analyzing actual and simulated data sets. Results: Researchers binned age for 64% of the analyses (88% of analyses involving experimental manipulations vs. 35% of the nonexperimental analyses, $\phi = .55$, $p < .01$). A significant age trend in the real data example was nonsignificant when age was treated as categorical, and in the simulated data sets we demonstrate how this practice may lead to detecting a spurious effect. Conclusions: Treating age as a continuous variable maximizes power to detect real differences without inflating the frequency of spurious results, thereby ensuring that policies regarding child eyewitnesses reflect developmental changes in children's needs and abilities.

Tele-forensic interviewing can be a reasonable alternative to face-to-face interviewing of child witnesses.

Dickinson, Jason J., et al.

Law and Human Behavior, Vol 45(2), Apr, 2021. pp. 97-111.

Abstract (English):

Objective: Tele-forensic interviews have the potential to aid investigations when children live far from interviewers, there is a risk of disease transmission, or when expertise is not locally available. However, it is unknown whether tele-forensic interviewing is an effective alternative to face-to-face interviewing, particularly for children most prone to suggestibility and lapses of attention. Hypotheses: Previous studies suggested that school-age children would provide similar amounts of information across interview modes but provided no basis for predicting how misinformation impacts accuracy across modes or how 4- and 5-year-olds would react to tele-forensic interviewing. Method: Children (4–8 years, $N = 261$, $Mage = 6.42$ years, 48% female) interacted with male assistants who violated a no-touching rule, parents read children a book containing misinformation about that event, and female assistants conducted interviews (usually 2 weeks after the event) face-to-face or via a video conference application. Results: The children were more talkative during a practice narrative phase when interviewed face-to-face rather than on screen (incidence rate ratio [IRR] = 1.26, 95% CI [1.06, 1.51]), and 4-, 5-, and 6-year-olds said more in response to open-ended prompts when interviewed face-to-face (IRR = 1.50, 95% CI [1.08, 2.09]). Children younger than 7 years also disclosed the face touch and noncompleted handshake in response to earlier and less directive prompts when interviewed face-to-face, $rs(53) = .28$, $p = .037$, and $rs(48) = .33$, $p = .021$, respectively. Children 8 years and older, however, disclosed the face touch more readily when they spoke on screen, $rs(28) = -.38$, $p = .036$, and older 7-year-olds and 8-year-olds disclosed the noncompleted handshake more readily on screen, $rs(30) = -.36$, $p = .042$. Across interview modes, children reported comparable numbers of touch events, however, and were equally accurate on challenging source-monitoring and detail questions. Conclusions: Tele-forensic interviewing can be a reasonable alternative to face-to-face interviewing.

Don't know responding in young maltreated children: The effects of wh- questions type and enhanced interview instructions.

McWilliams, Kelly, et al.

Law and Human Behavior, Vol 45(2), Apr, 2021. pp. 124-137.

Abstract (English):

Objective: Two studies examined 4–7-year-old maltreated children's 'I don't know' (IDK) responses to wh- questions after receiving various interview instructions. Hypotheses: We predicted (H1) children would be less inclined to give IDK responses and more inclined to guess to color/number questions compared to other wh- questions; (H2) IDK instructions would increase children's IDK responding compared to no instructions, with an increase in accuracy; but (H3) instructions would be less effective in reducing guessing for color/number questions than other wh- questions. In Study 1, we predicted that (H4) verbalizing a commitment to answer IDK would be particularly effective. In Study 2, we predicted that (H5) IDK instructions would reduce children's accurate corrective responses, but that (H6) the negative effect of IDK instructions on corrective responses would be alleviated by a 'correct the interviewer' instruction. Method: Across 2 studies, 301 four- to seven-year-old ($M = 5.60$, $SD = 1.09$) maltreated children viewed videos and answered wh- questions about true and false details. Both studies included a within-subjects manipulation of wh- types (color/number & wh- detail) and a between-subjects manipulation of instructions (Study 1: IDK practice, IDK practice/verbalize, control; Study

2: IDK, correct me, IDK + correct me, control). Results: In both studies, (a) color/number questions elicited more guessing than wh- detail questions, (b) IDK instructions decreased inaccurate responses, but they also decreased accurate responses, including accurate corrective responses, and (c) IDK instructions had a larger effect on wh- detail questions, reducing accurate corrective responses. In Study 1, verbalization failed to enhance the effect of instructions. In Study 2, the negative effect of IDK instructions on accurate corrective responses was not alleviated by instructions to correct the interviewer. Conclusions: Among young maltreated children, color/number questions elicit higher rates of guessing than other wh- questions. IDK instructions reduced inaccurate responses, but also reduced accurate responses.