

Criminal Justice from the Child's Perspective: Supporting Child Victims & Witnesses

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Workshop Agenda

- Profile of children's exposure to violence in the U.S.
- How children experience the criminal legal system
- Goals of justice system education and support for kids
- Justice system support strategies
- Introduction to the Center's child witness support materials
- Facilitated discussion on implementation

Children's Exposure to Violence in the U.S.

- 1 in 9 girls and 1 in 53 boys experience sexual abuse or assault
- 1 in 15 children are exposed to IPV
- In 2019, 656,000 children were identified as victims of abuse and/or neglect
- 60% of teens are exposed to violence each year
 - In one study, 22% had witnessed a shooting
- Poly-victimization is very common
- In most cases, the perpetrator is known to the child



Effects of Exposure to Violence

- Traumatization, inc. PTSD
- Depression, suicidality, anxiety
- Problems in family & peer relationships
- Aggression, risk-taking
- Cognitive, developmental and academic difficulties
- Potential re-victimization
- Interaction with adult-oriented systems (i.e. child welfare, criminal legal)

PTSD in Children

- Similar presentation as in adults, with some developmentally-specific differences
- 4 Clusters of Symptoms:
 - 1) Re-experiencing
 - 2) Avoidance
 - 3) Negative alterations in cognitions and mood
 - 4) Alterations in arousal and reactivity

From American Psychiatric Association (2018). DSM-V.

What Might This Look Like?

- Trauma influences how kids respond to the system, and you!
- Flat, volatile and/or 'inappropriate' emotions; flooding
- Guardedness, suspicion, mistrust
- Delayed, fragmented and/or non-chronological disclosures
- Being triggered by trauma reminders and/or loss of control
- Refusal to discuss certain topics, self-censoring

Children's Experience with the Criminal Legal System

- Influenced by adults' response
- Repeatedly telling adult strangers about traumatic, intimate experiences
- Confusion & misinformation
- Secondary consequences of disclosure
- Disruption of routines
- Forced to participate, feel unheard
- Lengthy delays feel like a lifetime!

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Goals of Justice System Education and Support

- 1) Reducing children's anxiety and re-traumatization
- 2) Improving the quality of children's testimony
- 3) Creating a more positive, empowering experience



Justice System Support Strategies

- Consultation with attorneys
- Crisis support
- Kid-friendly justice system education
- Anticipating and addressing emotional issues
- Teaching relaxation/coping skills
- Court preparation and accompaniment
- Processing outcomes

A Note on Working with Parents/Caregivers

Should Children Testify?

- Must be determined case-by-case
- Pros - Can be empowering, chance for child to tell their story, standing up to perp & for self, may be unable to prosecute w/o child as witness
- Cons - May be re-traumatizing and distressing, repeated delays, relationship with defendant



Consultation with Prosecutor

- Should this child testify?
 - Consider impact on child's symptoms and healing
 - Explore need for special accommodations
- Interviewing techniques
- Court preparation strategies
- Crisis support for kids before, during and after interviews

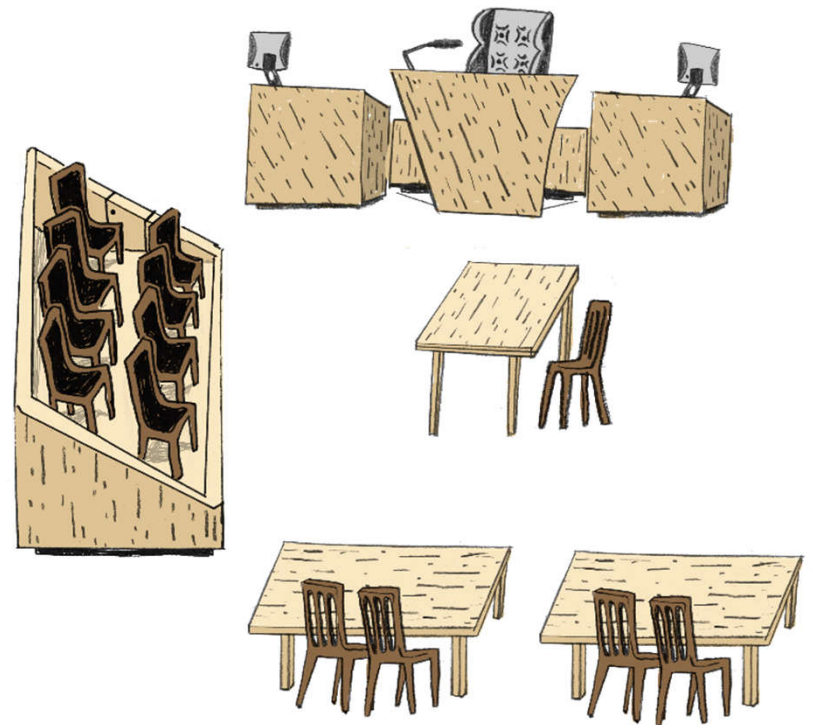


Kid-Friendly Education

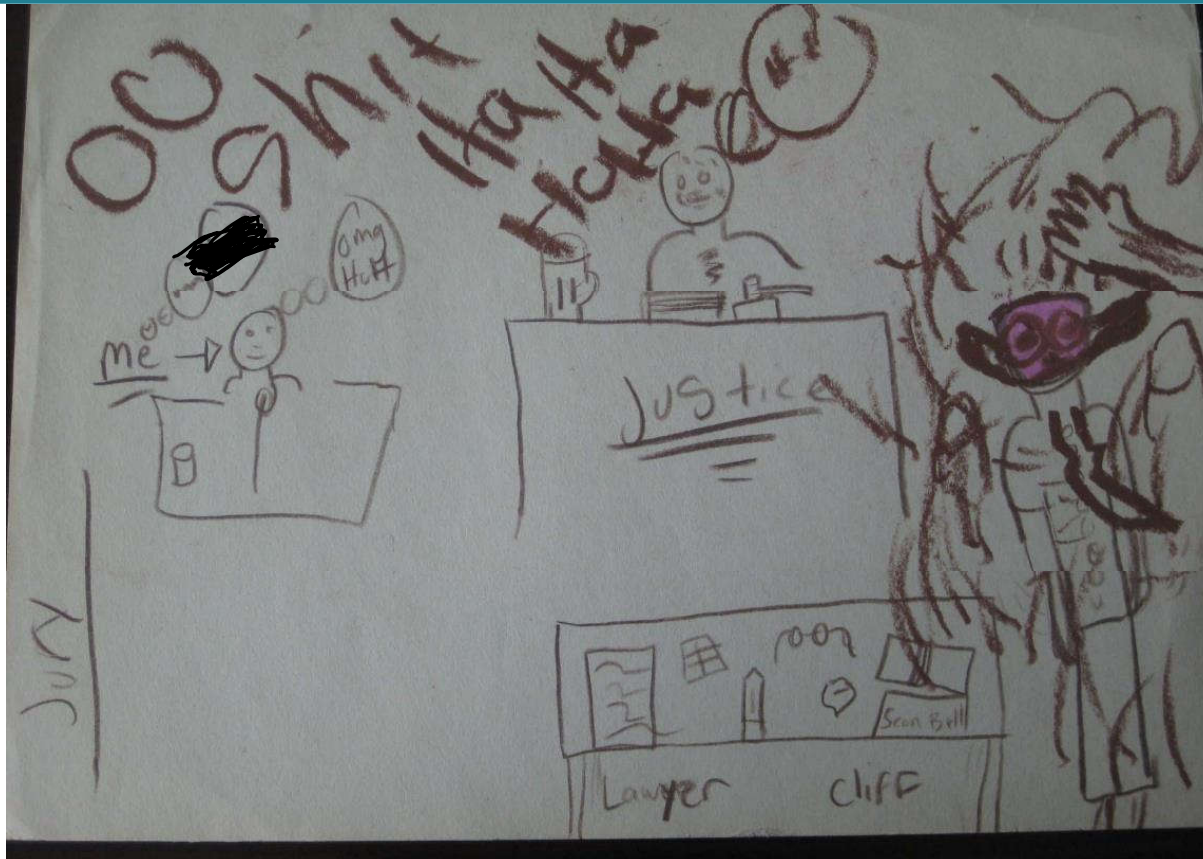
- Increased info → Sense of control & predictability → Decreased anxiety
- Watch your language!
- How does the system work?
 - Inc. role of a witness
- Visiting courtroom, meeting judge, sitting in witness chair
- Courtroom diagram exercise

Don't discuss content of testimony

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Emotional Concerns

- Very case-specific - What will be most distressing or triggering?
- Healthy expression of strong emotions beforehand
- Processing relationship with and feelings toward defendant/respondent, and about the case
- Court Fears & Worries questionnaire
- Role/timing of trauma therapy

CFW Sample Items

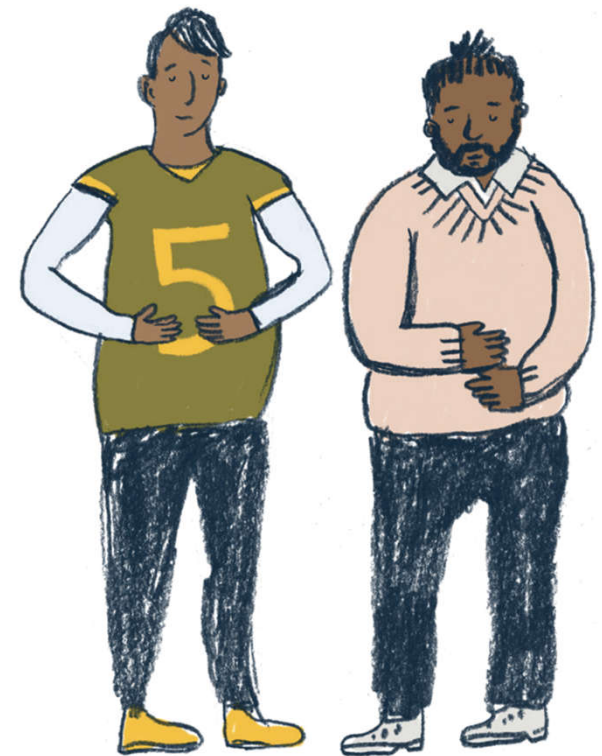
I am worried about...

- Seeing def. in courtroom.
- Crying/being upset in courtroom.
- Being hurt by def. in courtroom.
- Having to describe what happened.
- Not understanding what I'm supposed to do in court.
- Def. lying in court & being believed.

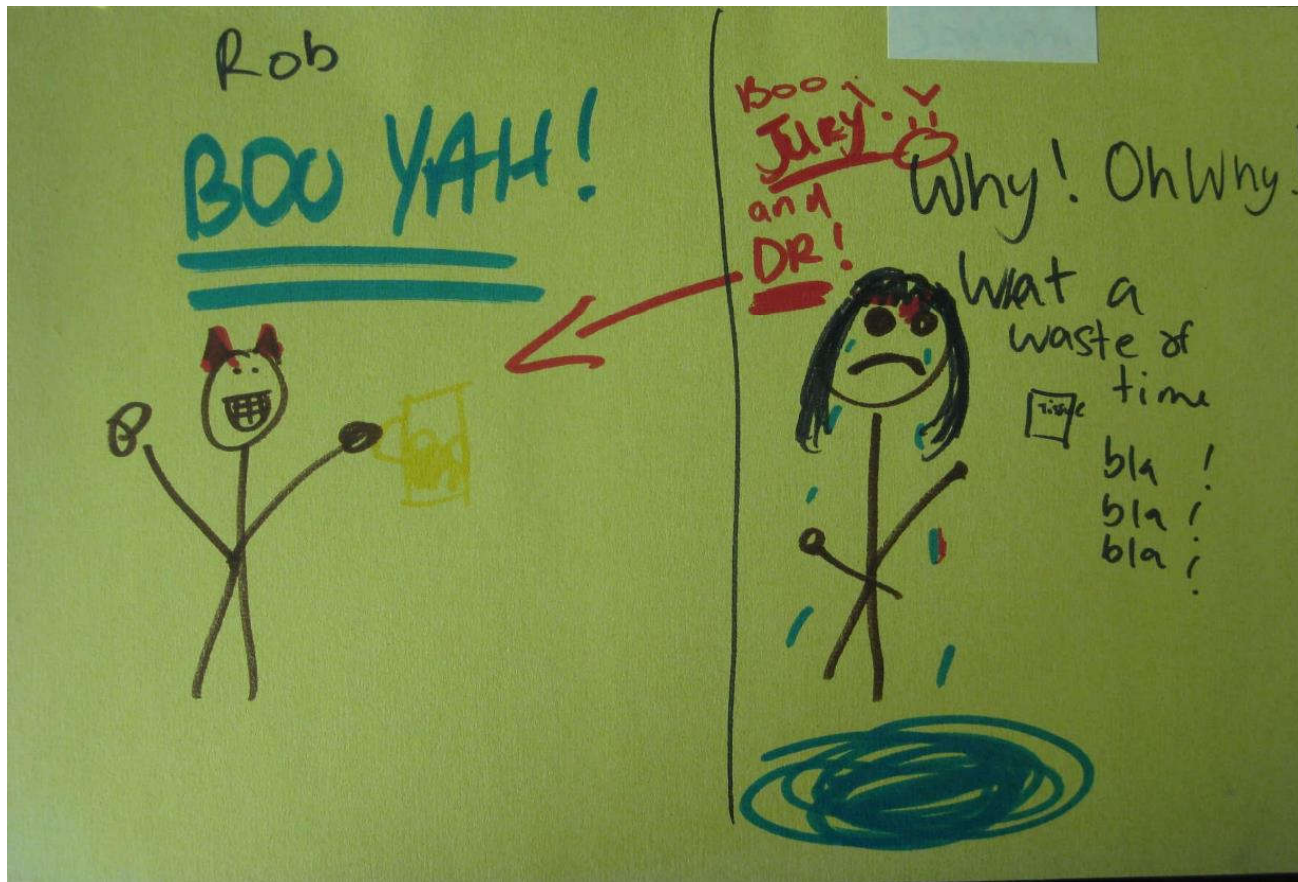
(Adapted from List of Court Fears/Worries, London Family Court Clinic)

Relaxation & Coping Skills

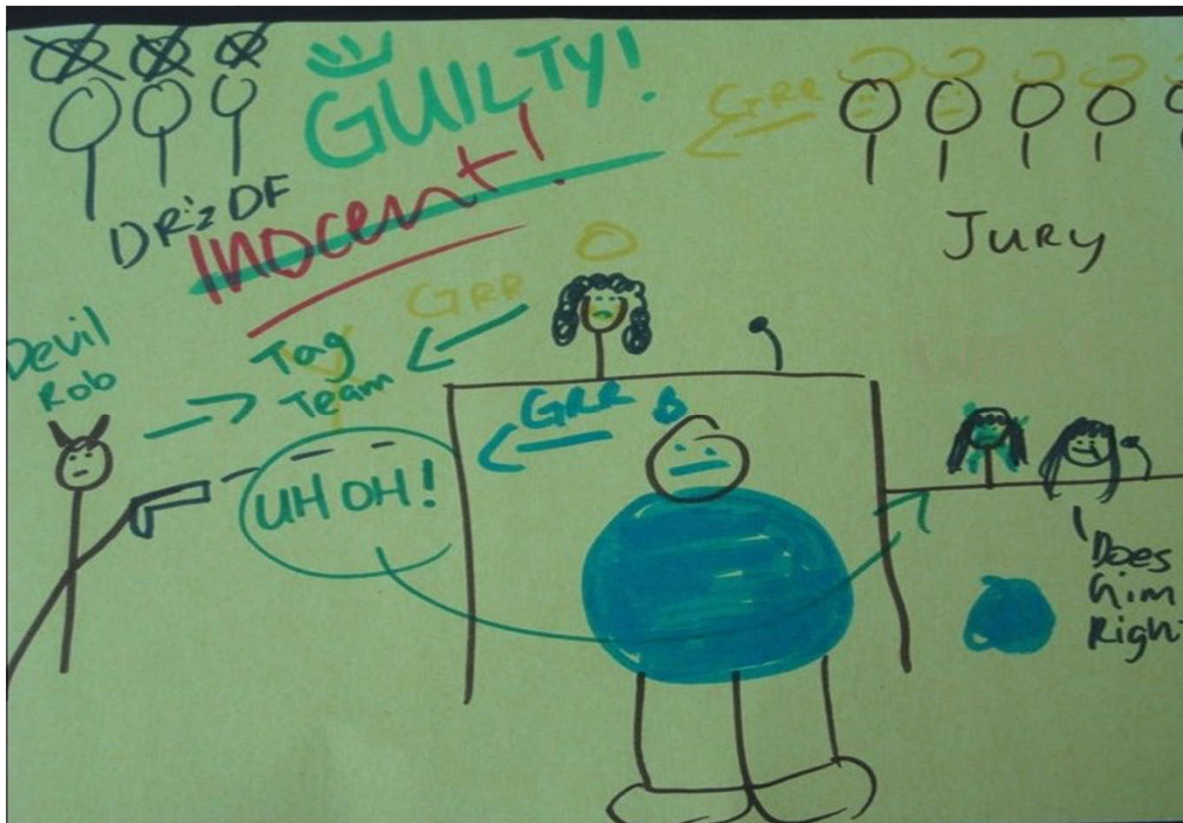
- What does child already do?
- Visualization
- Comfort objects & people
- Self-talk → Is the thought accurate AND helpful? If not, create a replacement thought
- Breathing exercises
- Grounding
- Cultural/spiritual practices



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Court Accompaniment

- To Grand Jury, hearings, trial and/or Family Court
- Distracting activities for wait
- Reinforce coping skills
- Friendly face in the courtroom
- Support during breaks and breakdowns
- Assist with managing unwanted contact



“Having you there was like looking out the window at a butterfly.”

9 y.o. girl who witnessed a DV homicide,
on seeing her therapist in court



Post-Trial Support

- What does the case mean for child's healing process?
- Processing the court experience
- Affirming vs. disappointing outcomes
- Explaining pleas and verdicts
- Victim Impact Statements and sentencing hearings

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Child Witness Materials Development Project

Funded by the U.S. Office for Victims of Crime

Overview of Project

- Formation of Stakeholders Group
- Needs Assessment
- Developing Content and Style
- Pilot Testing
- Expert Review
- Access and Dissemination

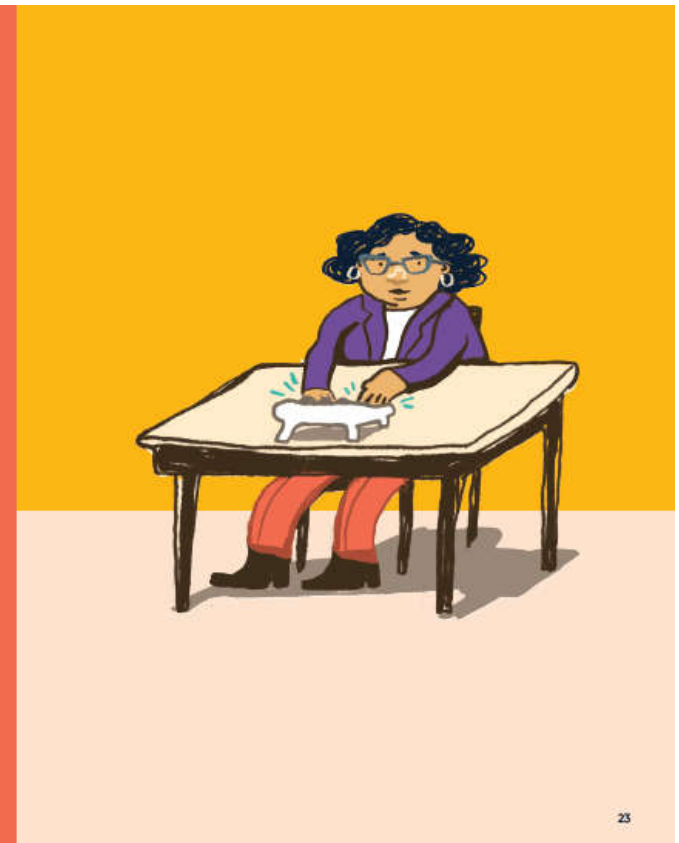
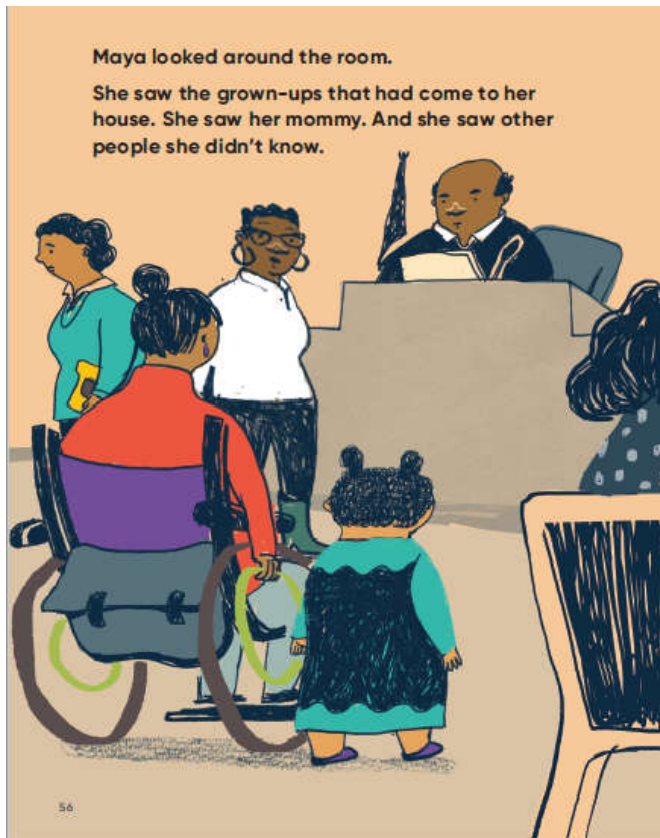


The Materials

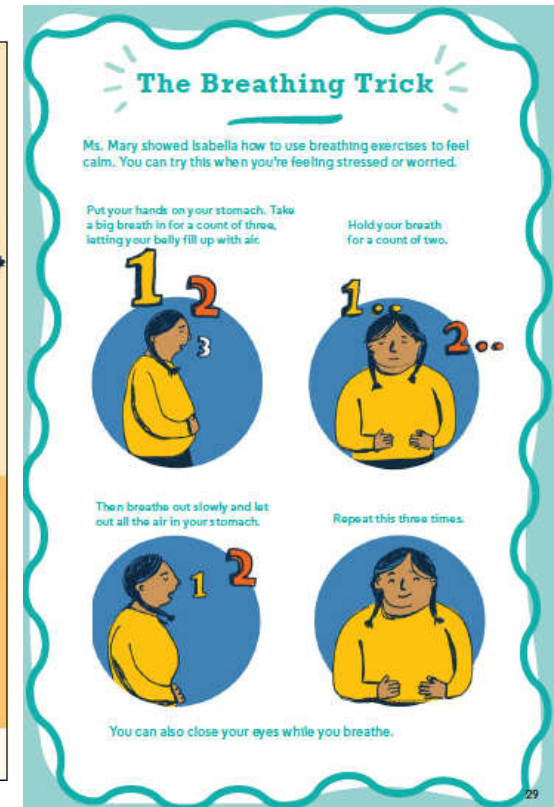
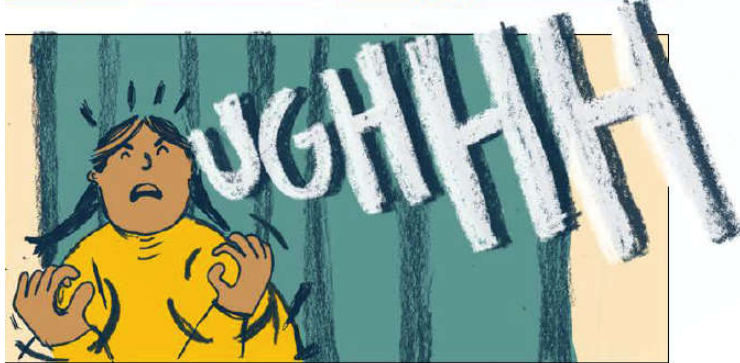
- Three age groups (2-6, 7-12, and 13-18)
- Separate materials: criminal legal and child welfare systems
- Narrative style, developmentally appropriate
- Trauma-informed and emotionally validating
- Topics covered:
 - Roles of practitioners
 - Rights of child victims and witnesses
 - System responses and processes
 - Healthy coping strategies



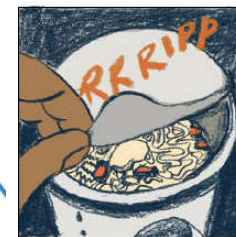
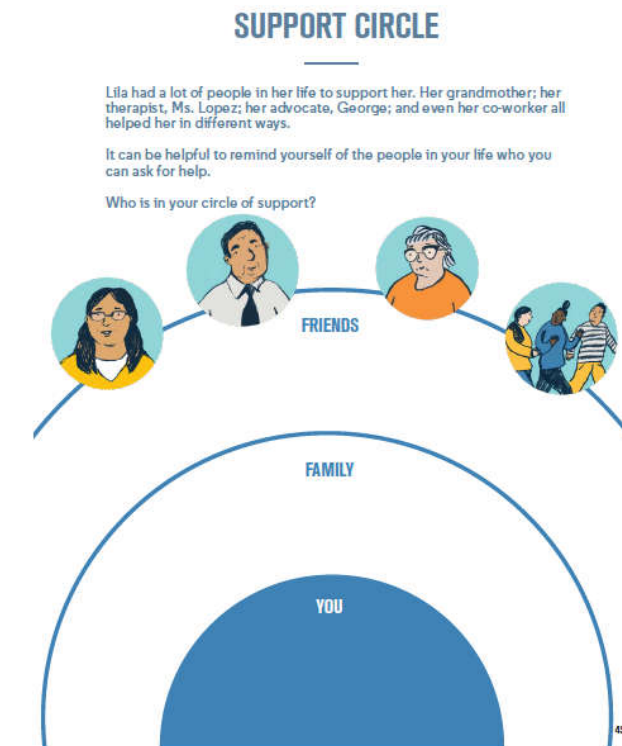
Ages 2-6



Ages 7-12



Ages 13-18



Using the Materials

- Provide materials to child and caregiver as early as possible and regardless of projected case outcome
- Ensure that appropriate adult support is available
- Materials can be read through in one sitting or at different times
- Use the activities to help children learn coping skills
- Be mindful that some content may be distressing or triggering
- Ask questions to keep the child engaged with the content
- Adapt the materials for your local context

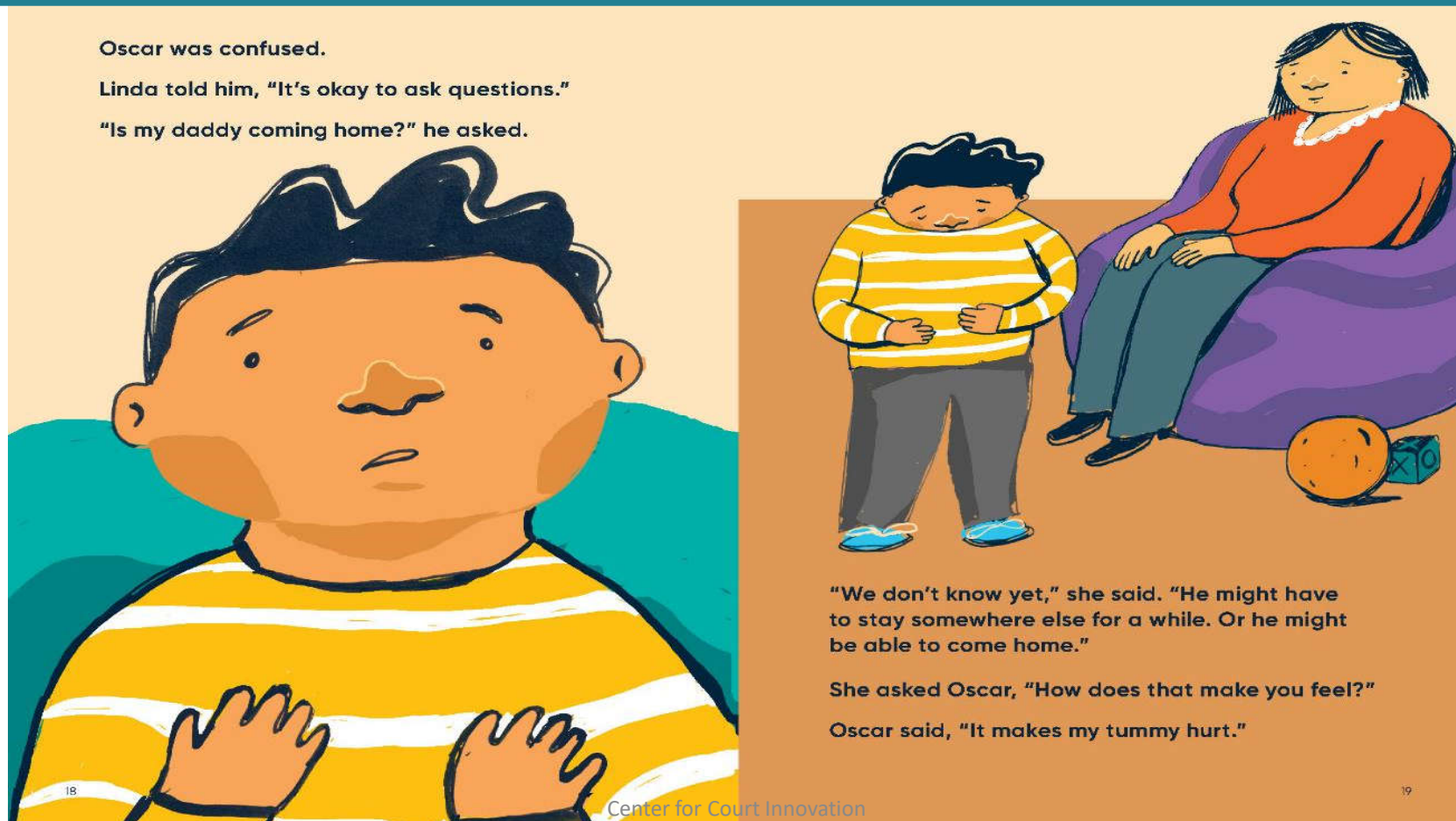
Using the Materials: Example, Brave Oscar (Ages 2-6)

One day Linda said, "Some of the grown-ups think maybe your daddy did something wrong."

"The other grown-ups will try to understand what happened with your daddy, and what should happen next," she said. "It can take a long time."



Using the Materials: Example, Brave Oscar (Ages 2-6)



Using the Materials: Example, Brave Oscar (Ages 2-6)

"Sometimes my tummy hurts when I get scared or worried," Linda said.

"When that happens, there's something I do that helps me feel better. Do you want to try it?"



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ACTIVITY.

Do you ever get scared or worried?
You can try what Linda showed Oscar.



1.
Put your hands on
your tummy.



2.
Take one deep breath
in, counting 1 - 2 - 3.
Feel your tummy go up
when you breathe in.



3.
Then breathe out,
counting 1 - 2 - 3.
Feel your tummy
go down.



4.
Take another deep
breath in, counting
1 - 2 - 3. Then breathe
out, counting 1 - 2 - 3.



5.
Take a third deep breath
in, counting 1 - 2 - 3.
Then breathe out,
counting 1 - 2 - 3.

That helped Oscar feel better.
How do you feel after trying it?

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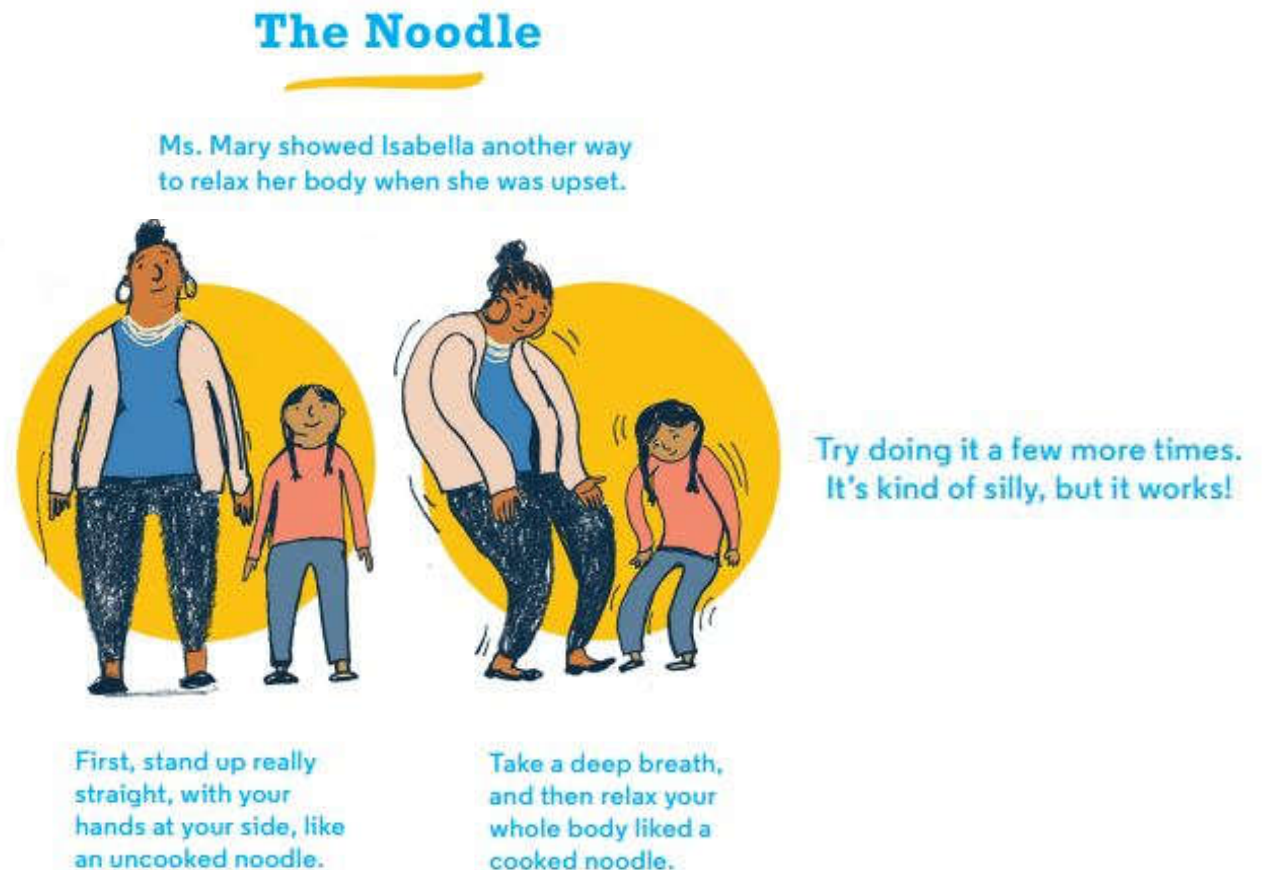
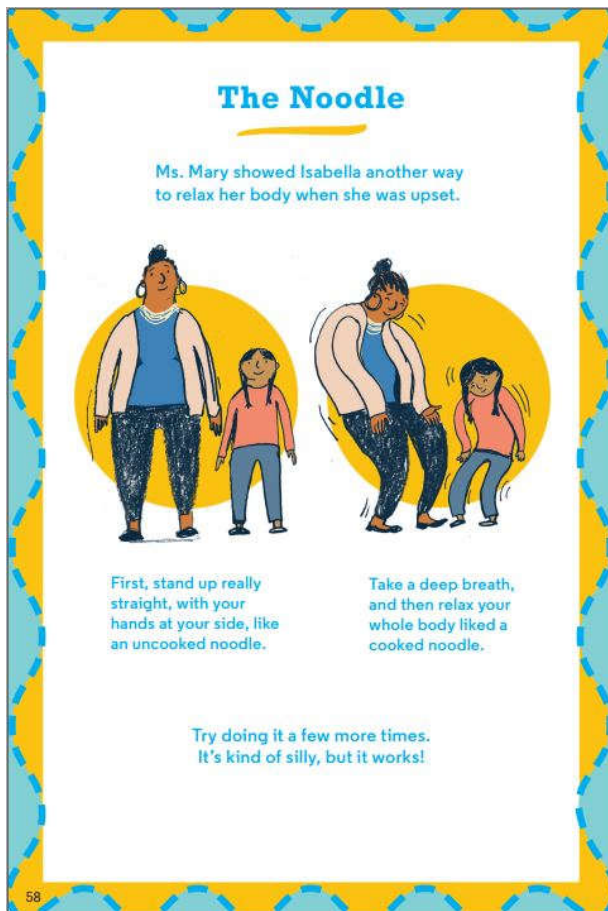
Using the Materials: Example, I Am Isabella (Ages 7-12)



Using the Materials: Example, I Am Isabella (Ages 7-12)



Using the Materials: Example, I Am Isabella (Ages 7-12)



Using the Materials: Example, Lila's Story (Ages 13-18)



Using the Materials: Example, Lila's Story (Ages 13-18)



Using the Materials: Example, Lila's Story (Ages 13-18)

WHAT'S GOING ON?

Lila had to leave her home and stay with her grandmother during her case.

If the caseworkers think a kid is not safe, then the kid has to stay somewhere else until it's safe to be at home again. This might be called a "removal."

Lila got to stay with her grandma. Other kids might stay with a family member, a friend of the family, or in foster care with another family, depending on their situation.

How would you feel if you were in Lila's place?

What do you think would be helpful for Lila? What would be helpful for you?



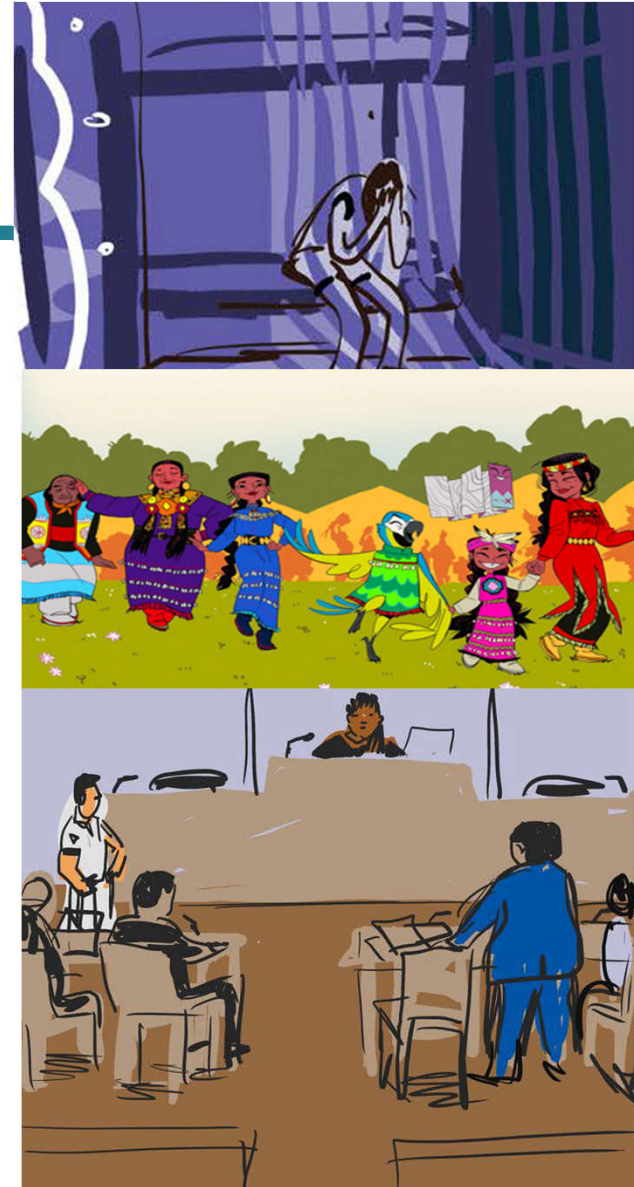
Next Steps: General Materials

- Published by OVC—June 2021
- Materials available for free online in multiple download formats
- Accompanying guides for practitioners and caregivers
- Translation into Spanish, Chinese (simplified), Vietnamese, Arabic & Haitian Creole

Next Steps: Specialized Materials

- Target audiences:
 - Children who have experienced trafficking
 - American Indian/Alaska Native children and families
 - Practitioners who work with child victims & witnesses
- Projected publication: Spring 2022

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Discussion Questions:

Which of these justice system support strategies could you utilize in your work? How might you use these materials in your practice?

Questions? Thank you!

<https://ovc.ojp.gov/child-victims-and-witnesses-support>



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