The View from the Trenches

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The View from the Trenches: Recommendations for Improving South Carolina's Response to Child Sexual Abuse Based on Insights from Frontline Child Protection Professionals

"It's not hearing the kids' stories that kill you,
[it is] coming in every day and deciding which kids I *can't* help."

--South Carolina Law Enforcement Officer[1]

INTRODUCTION

The National Child Protection Training Center (NCPTC) has worked with child protection professionals from South Carolina in myriad capacities over the past ten years. For instance, we worked with the Children's Law Center at the University of South Carolina and the Assessment and Resource Center (ARC) in Columbia in developing the very first *ChildFirst*[2] forensic interview training program—a model that has been replicated in eighteen states and two countries.[3] We also worked with the University of South Carolina Upstate and area child protection professionals in implementing an intensive undergraduate child protection minor entitled "Child Advocacy Studies" or CAST. We have worked with many South Carolina children's advocacy centers (CACs) in providing training and otherwise collaborating to meet the needs of maltreated children. From these and other experiences, we have come to realize the extraordinary heart and dedication of South Carolina child protection professionals.

Perhaps the greatest example of the heart of these child protection professionals is the *Silent Tears* project. Two years ago, community leaders and child protection professionals from South

[1] All of the quotes used in this report are taken from our notes of interviews with front line professionals.
[2] The program was originally called *Finding Words.*
[3] These programs are located in Alaska, Arkansas, Connecticut, Delaware, Georgia, Indiana, Illinois, Kansas, Maryland, Missouri, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Virginia, West Virginia, Japan and Colombia.

Carolina approached NCPTC about conducting a large-scale study of the response of South Carolina professionals to cases of child sexual abuse (CSA) and to make recommendations for improving the system. In the ensuing months, it became clear to NCPTC that hundreds of child protection professionals were eager to assess the state's strengths and weaknesses and to move to an even higher level in protecting children. It was clear from the outset that these professionals had something to say—and they wanted a vehicle in which to express their hopes for the children for whom they labor.

To this end, NCPTC implemented a five stage process for evaluating South Carolina's response to instances of child sexual abuse. In the first stage, we held in person meetings in Columbia, Spartanburg, and Greenville with various child protection leaders to discuss the scope of the project and to receive their input. We also had a conference call with leaders assembled in Charleston.

In the second stage, we surveyed all of the CACs in South Carolina to help us select seven counties that would be representative of the state as a whole. With this input, we selected the following counties:

1. Greenville (population 451,225) (CAC in county)
2. Aiken (population 162,099) (CAC in county)
3. Spartanburg (population 284,307) (CAC in county)
4. Richland (population 384,504) (CAC in County)
5. Charleston (population 350,209) (CAC in county)
6. Dillon (population 32,062) (served by Florence CAC)
7. Allendale (population 10,419) (served by Beaufort CAC)

In selecting these counties, NCPTC attempted to include both urban and rural communities and counties from each region of the state.

In the third stage, NCPTC worked with the CACs located in or serving the seven counties to assist in identifying local child protection professionals and assisting us in arranging for onsite interviews. As a result of the leadership of these CACs, we were able to arrange onsite interviews with 166 front line solicitors, child protection workers, law enforcement officers, doctors, nurses, victim advocates, sex offender treatment providers and other professionals who work directly with sexually abused children.

In the fourth stage, NCPTC selected three teams[4] that would spend a total of six weeks in the selected counties conducting literally hundreds of hours of interviews with front line professionals. To increase the chance for candor, we agreed not to record the interviews and to keep confidential the names of those interviewed. However, two NCPTC employees were taking detailed notes during each interview and these notes were cross-compared to ensure accuracy. When completed, the final type written notes exceeded 1,000 pages.

In conducting the interviews, NCPTC employees used a survey instrument consisting of 90 questions divided into 21 categories that would aid in determining the background of the interviewee and his or her thoughts on South Carolina's mandated reporting system, the local multi-disciplinary team (MDT) response to cases of child sexual abuse, the collection of physical evidence, the handling of cases involving juvenile offenders, the delivery of services to victims, the effectiveness of South Carolina's appropriate response system (ARS), the length of time it takes to get to trial, and the role of faith in responding to abuse.

The professionals interviewed were asked to respond only to the questions they felt they had enough knowledge to speak substantively. Accordingly, none of the 166 professionals

[4] The NCPTC teams consisted of Victor Vieth and Alison Feigh; Amy Russell and Rita Johnson; Susanne Walters and Stephanie Smith. The curriculum vitae of these professionals are attached as **Exhibit E.** Jennifer Parker from USC Upstate also sat in on a number of interviews. This was done in order to assist Dr. Parker in developing the online survey. The research on state and federal speedy trial legislation (exhibit C) was compiled by Megan Rowley, a law student at William Mitchell College of Law.

interviewed answered all the questions. The instrument used in the on-site questioning is included in this report as **Exhibit A.**

In the fifth stage, the Metropolitan Studies Institute (MSI) at the University of South Carolina Upstate reviewed the notes of all the team interviews and developed an online survey that would assist the team in determining if the information gathered in the onsite interviews was representative of the state as a whole. The survey was online for several weeks in March and April of 2013 and was taken by 404 respondents. Once completed, MSI prepared a "Silent Tears Survey Analysis" report. This report is attached as **Exhibit B.**

THEMES EMERGING FROM THE INTERVIEWS AND SURVEYS

In both the onsite interviews and the online surveys, a number of themes were repeated across disciplines and geographical location. These themes included inadequate training at the undergraduate and graduate level, a lack of "experiential training" in the field, the length of time it takes for a child sexual abuse case to come to trial, the lack of corroborating evidence and confessions, and both the positive and negative roles of faith in responding to CSA cases.

In South Carolina, there is broad consensus supporting the efficacy of children's advocacy centers and the importance of responding to CSA cases as part of a multi-disciplinary team (MDT). There is strong support for the state's forensic interview training program, and a clear recognition that forensic interviews played before jurors increase the chance for a conviction.

There are also areas in which the child protection professionals we queried were divided. We found mixed reviews on the state's mandated reporting system and the willingness of at least some professionals to report. The greatest divide, though, occurs when asking South Carolina's child protection professionals for their views of the state's Appropriate Response System (ARS).

Generally speaking, the Department of Social Services (DSS) is strongly supportive of the emerging system while many in the criminal justice field expressed strong reservations and even outright hostility to the program.

These and other themes, as well as our recommendations, are detailed below.

IMPROVING TRAINING AT THE UNDERGRADUATE AND GRADUATE LEVEL

In the 166 field interviews, the vast majority of respondents indicated very little undergraduate or graduate training on child sexual abuse. In fact, most respondents indicated they had no training on CSA cases before entering the field. For example, one law enforcement officer told us he had "no college training on child sexual abuse cases" and no training at the police academy. Indeed, the officer told us the "the academy didn't really talk about children at all."

A sheriff's deputy with a bachelor's degree in criminal justice told us he has handled more than 600 CSA cases in his career but his entire training was "on the job." Similar sentiments were expressed by child protection professionals with graduate degrees. When asked about law school training on CSA, a solicitor told us he received "none." A pediatrician told us there were a "couple of lectures in medical school" and in her residency training on child abuse but her formal schooling on the subject could best be described as "very little."

The results of the online survey echo the onsite interviews. Although 85% of the respondents had a bachelor's degree or higher, only 16% had "some" undergraduate training on CSA cases and only 17% had "some" graduate training.[5] Although the online survey did not ask if the training received was adequate, the onsite interviewers did ask this of the professionals we spoke to and nearly all of the professionals said the training they received was insufficient.

[5] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 113, March 2013 (attached as Exhibit B).

Inadequate undergraduate and graduate training is the national norm

These findings are not unique to South Carolina. There is a significant and growing body of research documenting that judges, prosecutors, child protection attorneys, doctors, nurses, psychologists, social workers, law enforcement officers, clergy, teachers, and other child protection professionals or mandated reporters are inadequately trained at the undergraduate and graduate level.[6]

In a 2006 study, Winona State University analyzed the web sites of 1,416 universities and colleges. These universities offered baccalaureate degrees in criminal justice/law enforcement (393), social work (340), human services (113), nursing (390), medicine (96), psychology (794), sociology (639), and education (105). WSU professors searched these sites using the terms "child maltreatment," "child abuse and neglect," "child protection," "child welfare," and "child advocacy." Only 29% (410) of these web sites had *any* course work addressing issues of child maltreatment. Moreover, when course work was offered, it was typically in fields of sociology or psychology—thus leaving the vast majority of child protection professionals with no training at the undergraduate level.[7]

Even when universities had some undergraduate coursework on child maltreatment, the coverage was often cursory. Indeed, not one of the 1,416 universities analyzed had a concentration, much less a minor on child maltreatment.[8] This research echoes findings by other researchers and commentators.

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[6] *See generally*, Victor I. Vieth, *Unto the Third Generation: A Call to End Child Abuse in the United States within 120 Years (revised and expanded)*, 28 HAMLINE JOURNAL OF PUBLIC LAW & POLICY 1 (2006).
[7] This research was conducted by Dr. Jackie Hatlevig, nursing professor at Winona State University. For further details concerning this study, contact the National Child Protection Training Center at 507-457-2890.
[8] *Id.*

Reporter Anna Quindlen describes a child protection worker's obstacles as follows:

> Their training is inadequate, and the number of workers is too small for the number of families in trouble. Some of the cases would require a battalion of cops, doctors, and social workers to handle; instead there are two kids fresh out of college with good intentions and a handful of forms.[9]

Commenting on his lack of training, social worker Marc Parent said he received "two weeks of solemn discussion on child protective issues, but little on getting a drug dealer to let you into an abandoned building or talking a restless police officer into sticking around until you get through with a case and back into your car."[10]

The problem extends to graduate schools as well. A study of American Psychological Association (APA) accredited graduate programs found that many of the programs "fall far short" of guidelines proposed by the APA for minimal levels of competence in handling child maltreatment cases.[11] The study finds the lack of graduate training for psychology students "contradicts the rapidly expanding literature on responding to maltreatment and the demands of this interdisciplinary, professional endeavor."[12]

Discussing her educational background, psychologist Anna Salter writes:

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[9] Anna Quindlen, *Forward* to MARC PARENT, TURNING STONES: MY DAYS AND NIGHTS WITH CHILDREN AT RISK (1996). Many individuals in the general public, as well as those in professions other than social work, use the term "social worker" to describe individuals who work in the child protection field. This is inaccurate and uninformed. Social work is a profession grounded by a specific theoretical orientation, body of knowledge, history, and code of professional ethics. Professional social workers comprise approximately 30% of the child welfare workforce nationwide. Many individuals in the child protection field are not professionally educated and trained social workers. The term "social worker" and "caseworker" are not synonymous. Working in a law firm or a hospital doesn't make an individual a "lawyer" or a "doctor" anymore than working in child welfare makes one a "social worker" if that individual does not have the requisite educational qualifications.

[10] *Id.*

[11] Kelly M. Champion, Kimberly Shipman, Barbara L. Bonner, Lisa Hensley, and Allison C. Howe, *Child Maltreatment Training in Doctoral Programs in Clinical, Counseling, and School Psychology: Where Do We Go From Here?,* 8 CHILD MALTREATMENT 211, 215 (August 2003). As is true of most child protection professionals, many of our best and brightest psychologists acquired their knowledge through on the job training.

[12] *Id.* at 215. To improve graduate training of psychologists, the authors recommended "team-taught classes, visiting instructors, and class visits by outside professionals" as "means by which to increase interdisciplinary training without developing entirely new programs." *Id.*

> In the two years I spent at Tufts getting a Masters degree in Child Study and the five years I spent at Harvard getting a Ph.D. in Psychology and Public Practice, there was virtually nothing on child sexual and physical abuse in any course I took. I had one lecture on the victims of child abuse, but not a single lecture anywhere on offenders. Ironically, many of the lectures were on maladies so rare I've yet to see them in twenty years of practice.[13]

The training provided to medical professionals is similarly inadequate. When it comes to medical schools, the reality is that "more than 40 years after the diagnosis of battered child syndrome entered the literature, our pediatric residency programs do not have a significant education requirement for preventing, recognizing, or managing child abuse."[14] As a result, egregious errors occur. In one study, for example, researchers found that 31% of abusive head trauma cases were not recognized by the physicians who first evaluated these victims.[15]

In a study published last year, researchers concluded the ability of medical professionals to "correctly identify genital and anal findings and interpret medical findings" in possible instances of child sexual abuse was "significantly associated" with "(t)raining, discipline, and clinical experience…."[16] In a national survey of pediatricians, researchers found "(t)hose who had received some child abuse" training in the field "expressed more confidence in their ability to identify and manage child abuse."[17] However, 22% of the pediatricians who had received field training did not feel adequately trained.[18] The researchers concluded "(g)reat variability in self-reported training and experience were noted in the current study, suggesting these variations may

[13] ANNA C. SALTER, PH.D, PREDATORS 2 (2003).
[14] Ann S. Botash, *From Curriculum to Practice: Implementation of the Child Abuse Curriculum,* 8(4) CHILD MALTREATMENT 239 (November 2003).
[15] Carole Jenny et al., *Analysis of Missed Cases of Abusive Head Trauma,* 281 JAMA 621-626 (1999).
[16] Joyce Adams, Suzanne P. Starling, Lori D. Frasier, Vincent J. Palusci, Robert Allan Shapiro, Martin A. Finkel, & Ann S. Botash, *Diagnostic Accuracy in Child Sexual Abuse Medical Evaluation: Role of Experience, Training, and Expert Case Review,* 36 CHILD ABUSE & NEGLECT 383, 392 (2012).
[17] Emalee G. Flaherty, Robert Sege, Lori Lyn Price, Katherine Kaufer Christoffel, David P. Norton, and Karen G. O'Conner, *Pediatrician Characteristics Associated with Child Abuse Identification and Reporting: Results from a National Survey of Pediatricians,* 11(4) CHILD MALTREATMENT 361, 366 (2006).
[18] *Id*.

be partially responsible for previously observed problems in identification and reporting of child abuse" from pediatricians.[19]

U.S. Attorney General's Task Force Recommendations for undergraduate/graduate reform

The United States Attorney General's Task Force on Children Exposed to Violence has recognized the need to improve undergraduate and graduate training in this area and has called for a "national initiative to promote professional education and training on the issue of children exposed to violence."[20] The task force specifically urges academic institutions to "include curricula in all university undergraduate and graduate programs to ensure that every child and family serving professional receives training in multiple evidence-based methods for identifying and screening children for exposure to violence."[21] The Attorney General's Task Force included sexual abuse of children in its definition of violence.[22]

Addressing inadequate undergraduate and graduate training in South Carolina

South Carolina is one of at least fifteen states making meaningful progress in improving undergraduate and graduate training of future child protection professionals. The University of South Carolina Upstate has implemented an intensive, inter-disciplinary twenty-one credit minor entitled *Child Advocacy Studies* or CAST. The minor provides practical, experiential training for students studying social work, criminal justice, psychology, nursing or other disciplines likely to encounter child abuse cases. Preliminary research on CAST is positive with students more likely to recognize instances of abuse and respond appropriately and thoroughly.[23]

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[19] *Id.*
[20] *Executive Summary*, REPORT OF THE ATTORNEY GENERAL'S TASK FORCE ON CHILDREN EXPOSED TO VIOLENCE 5 (2012), available online at: http://www.justice.gov/defendingchildhood/ (last viewed May 6, 2013).
[21] *Id*. at 6.
[22] *Id*. at 1.
[23] *See e.g.* Michele S. Knox, Victor Vieth and Heather Pelletier, *Effects of Medical Student Training in Child Advocacy and Child Abuse Prevention and Intervention*, PSYCHOLOGICAL TRAUMA: THEORY, RESEARCH, PRACTICE & POLICY (Forthcoming 2013)

Although not exclusively focused on child abuse, the University of South Carolina Law School has implemented a course entitled *Children and the Law* that directly addresses a number of issues related to child abuse. We applaud and urge the expansion of reforms of this kind.

At the same time, there is more to do. In the summer of 2012, NCPTC reviewed the course catalogues of 45 South Carolina colleges and universities and could find little evidence of courses, much less concentrations in responding to cases of child maltreatment.

Recommendations

Reflecting the concerns of the nearly 600 South Carolina child protection professionals who participated in this study, as well as the numerous other studies on this issue, we have three recommendations.

1. **All universities and colleges in South Carolina should scrutinize existing curricula on child maltreatment and, if need be, implement undergraduate and graduate reforms**
    a. **Undergraduate reforms**

In 2003, Winona State University (WSU) received funding from the United States Department of Justice to develop an inter-disciplinary child protection minor to better prepare future social workers, law enforcement officers, mental health professionals, and nurses to respond to instances of child abuse. WSU contracted with the National District Attorneys Association to create the National Child Protection Training Center (NCPTC), a national entity that would assist in developing the curriculum and disseminating it to other interested universities.

In developing the curriculum, WSU and NCPTC examined 56 child protection training programs developed through federal funds to ascertain what content is being taught in the field that could be taught in the undergraduate level. The committee also worked from a curriculum outline originally published in the Journal of Aggression, Maltreatment and Trauma.[24]

Once developed, the minor was reviewed by panels of front line professionals as a check on the suitability of the training to prepare a student for work in the field of child protection.[25] The curriculum, entitled Child Advocacy Studies (CAST) has now been implemented at twenty-four colleges or universities[26] in fifteen different states with some universities implementing the curriculum as a certificate, minor, major or even graduate program.[27] Preliminary research on CAST is promising.[28]

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[24] Victor I. Vieth, *Unto the Third Generation: A Call to End Child Abuse in the United States within 120 Years,* 12 JOURNAL OF AGGRESSION, MALTREATMENT & TRAUMA 5 (2006). A revised version was published in volume 28 of the HAMLINE JOURNAL OF PUBLIC LAW AND POLICY 1 (2006).

[25] This practice of involving front line professionals in the development of the courses has also been followed by other universities implementing the reform. For example, Montclair State University worked closely with New Jersey's Division of Youth and Family Services (DYFYS) and other child welfare experts in implementing its curriculum. *See* Robert H. McCormick, *The Master of Arts in Child Advocacy: A Contribution to an Emerging Discipline,* 12 (3/4) JOURNAL OF AGGRESSION, MALTREATMENT & TRAUMA 149 (2006).

[26] These universities are: Winona State University (MN), Montclair State University (NJ), Kennesaw State University (GE), University of Pittsburgh (PA), University of South Carolina-Upstate, Wilmington University (DE), Oklahoma City University, Michigan State University (first course offered in 2012, with plans for certificate to follow), University of Wisconsin-Platteville, Missouri State University, Athens State University (AL), Northern State University (SD), University of the District of Columbia, Judson University, New Mexico State University, Northeastern Illinois University, Arkansas State University, Northwest Arkansas Community College, Liberty University (CAST approved but not yet taught), University of Toledo (implemented CAST at the medical school), Florida Institute of Technology, Houston Community College, University of St. Louis-Missouri, and Alliant International University in San Diego.

[27] Montclair State University in New Jersey, for example, offers a post BA "certificate in child advocacy" for child protection workers and a Master of Arts in Child Advocacy with an optional concentration in child public welfare. This master's program provides students with knowledge of mandated reporting laws, investigative techniques including the child interview, and legal issues surrounding these cases. Reflecting the multi-disciplinary nature of child protection work, the faculty is drawn from diverse fields. *See* Robert H. McCormick, *The Master of Arts in Child Advocacy: A Contribution to an Emerging Discipline,* 12 (3/4) JOURNAL OF AGGRESSION, MALTREATMENT & TRAUMA 149 (2006).

[28] Winona State University has conducted examinations of students at the beginning of the CAST courses and again upon completion of the courses. This research shows a dramatic improvement in the knowledge of students who complete the courses. Students themselves acknowledge a dramatic improvement in their knowledge after completing only the first of the three courses. After the first class, for example, students were asked: "When I started this class I knew (0 very little; 10 a great deal about child maltreatment)." The answers ranged from 0-8 with the mean at 5.1, the median at 5 and the mode at 5. When asked their knowledge base after completing just the first course, the students had a range of 8-10 with the mean at 9.3, the median at 9 and the mode at 10. For additional information about the research being conducted on the CAST curriculum, contact the National Child Protection Training Center at (507) 457-2890.

The University of South Carolina Upstate is one the universities that has adopted the CAST minor and at least one other South Carolina university has attended the annual CAST conference to learn more about the curriculum.[29]

Although other institutions may choose a curriculum other than CAST, all institutions of higher education must assess their current courses (if any) on child abuse and make necessary reforms. At a minimum, though, there must be inter-disciplinary training of future child protection professionals that adequately, if not fully prepares them to work with families impacted by child sexual abuse and other forms of trauma. Undergraduate institutions may wish to go beyond the twenty-one credit hours offered at USC-Upstate but they should not go below this standard.

Although NCPTC's long standing work in implementing this reform may pre-dispose us to making this recommendation, other organizations have also recognized the need for this reform. In addition to the United States Attorney General's Task force on Children Exposed to Violence, the Academy on Violence and Abuse has said that a requirement for "institutional competence" in this area is to "adopt an interdisciplinary approach to (training on) violence and abuse."[30]

2. **Law schools, medical schools and seminaries should develop or expand child protection curricula**

Given the low percentage of South Carolina child protection professionals claiming *any* child sexual abuse training at the graduate level, and the small numbers reporting the training received was adequate, we urge all graduate institutions to examine their existing curricula and consider making improvements.

[29] For more information, visit: http://www.uscupstate.edu/academics/arts_sciences/psychology/default.aspx?id=34566 (last visited May 22, 2013).
[30] AMERICAN ACADEMY ON VIOLENCE AND ABUSE, COMPETENCIES NEEDED BY HEALTH PROFESSIONALS FOR ADDRESSING EXPOSURE TO VIOLENCE AND ABUSE IN PATIENT CARE 9 (April 2011).

a. Seminaries

We recommend that seminaries provide a minimum of ten hours on child abuse training. The specific content of this training is detailed later in this report.[31]

b. Law schools

As noted earlier, the USC law school offers a two credit course entitled "Children and the Courts" that addresses "issues related to children in the courts, with particular attention to children who are in criminal or family court as witnesses (including as victims of abuse and neglect) and to children who are in family court as delinquents. Specific issues covered will include an overview of legal systems, the role of counsel in representing children, evidentiary rules, and systemic issues involving children and the courts."[32]

The law school also offers an externship in which students work 6-8 hours a week on child welfare and juvenile matters in family court as well as a Child Advocacy Law Clinic in which students, under supervision, handle child protection cases for the Department of Social Services

The Charleston School of Law also has a course entitled "Children and the Law" which "explores the shifting and balancing relationship between the State, parents, and children while also examining dependency and delinquency issues facing children, their parents, and the State. Particular attention is paid to South Carolina law."[33]

We applaud these and other efforts by South Carolina's law schools to prepare students for child protection careers. We also encourage graduates of South Carolina law schools to be proactive in

[31] See notes 156-159 and accompanying text.
[32] This course description is taken from the USC law school website at: http://bulletin.law.sc.edu/preview_course_nopop.php?catoid=39&coid=78763 (last visited May 22, 2013).
[33] Charleston School of Law Catlogue 2012-2013, available online at: http://www.charlestonlaw.edu/charlestonSchoolOfLaw/files/04/042bf786-33bd-434c-960b-f51c5824cddf.pdf (last visited May 22, 2013).

communicating what additional information, if any, would have better prepared them for their work. Should the schools determine a need to expand their course offerings related to child maltreatment there are at least three options.

First, explore the value of a course focused exclusively on child abuse that is specifically designed for students interested in a career as a child abuse prosecutor or child protection attorney. Some schools have taken this route and there are existing curricula which may be worth considering. Even if a course devoted exclusively to child abuse is not feasible, there may be topics taught at other law schools worthy of inclusion in South Carolina's schools as well.[34]

Second, if this is not done already, law schools may wish to incorporate child abuse topics into courses on ethics, criminal law, criminal procedure, constitutional law, family law, evidence and other subjects which have a direct bearing on child maltreatment cases. In this way, all students, even those who do not take a course on children and the law will have some exposure to the issue.

Third, schools may want to survey interest among South Carolina solicitors for an LLM in child protection law. If there is an interest in such a program, law schools may want to work with interested solicitors and child protection attorneys in developing and implementing the program. In order to be accessible to professionals in the field, the LLM should be offered on weekends or online. At least one law school in the United States is pursuing such a program.[35]

[34] A working group of child abuse prosecutors selected by the National Center for Prosecution of Child Abuse (NCPCA) developed a list of skills and subject matter expertise ideal for any fledgling child abuse prosecutor or child protection attorney. NCPCA then contracted with a child abuse prosecutor from the Hennepin County Attorney's Office in Minneapolis to develop a course which teaches the suggested skills and knowledge. The course, entitled *Child Abuse and the Law*, has been implemented at three ABA accredited law schools: Hamline University School of Law, William Mitchell College of Law, and Liberty University School of Law.

[35] NCPTC is working with William Mitchell College of Law in St. Paul, Minnesota in developing a child protection LLM designed for professionals already in the field.

c. Medical Schools

The Council on Medical Student Education in Pediatrics (COMSEP) suggests the following competencies for medical students in the area of child abuse:

- list characteristics of the history and physical examination that should trigger concern for possible physical, sexual, and psychological abuse and neglect such as inconsistency in the history, unexplained delays in seeking care, injuries with specific patterns or distributions on the body, or injuries incompatible with the child's development;
- describe the medical-legal importance of a full, detailed, carefully documented history and physical examination in the evaluation of child abuse;
- discuss the concurrence of domestic violence and child abuse and describe markers that suggest the occurrence of family violence;
- describe the unique communication skills required to work with families around issues of maltreatment;
- summarize the responsibilities of the "mandatory reporter" to identify and report suspected child abuse; and know to whom a child abuse report should be made.[36]

Although these standards provide important guidance on what medical education in maltreatment should address, such training remains scarce and inconsistent. According to a survey of medical students and deans, 21% of medical students had no instruction on child abuse, and the median amount of child abuse instruction during medical training was just two hours.[37] When medical school training does take place, it is often a single offering, separated from the medical curriculum, rather than a coordinated, multifaceted, multidisciplinary approach.[38]

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[36] Council on Medical Student Education in Pediatrics (2012, August, 6) Retrieved from: http://www.comsep.org/curriculum/curriculumcompetencies/ChildAbuse.cfm (last visited May 22, 2013)

[37] Elaine J. Alpert, Robert D. Sege, & Ylisabyth S. Bradshaw, *Interpersonal Violence and the Education of Physicians*, 72 ACADEMIC MEDICINE s41-S50 (1997).

[38] JR Hill, *Teaching about Family Violence: A proposed Model Curriculum*., 17(2) TEACHING AND LEARNING IN MEDICINE 169-178 (2005).

To address this issue, the University of Toledo College of Medicine and Life Sciences has implemented a nine month medical school curriculum on child maltreatment. The course is taught by a multi-disciplinary group of child protection professionals and addresses prevention, identification, reporting and responding to all forms of child and adolescent maltreatment. When compared to students not taking the elective, the medical school students completing the child maltreatment course were "significantly more prepared" to:

- identify signs of maltreatment;
- report a case of suspected maltreatment (even if they were not 100% certain abuse occurred);
- recommend or secure services for a maltreated child or adolescent; and
- demonstrate improved knowledge in the areas of maltreatment identification and reporting.[39]

Although the medical school curriculum at the University of Toledo may not be optimal, we believe it represents a minimal standard all medical schools should meet.

3. Child protection employers should actively recruit candidates with adequate undergraduate and graduate training

Many of the front line professionals who spoke to us about inadequate training at the undergraduate and graduate level are also in supervisory positions or otherwise play a role in hiring child protection professionals. To the extent these professionals believe undergraduate and graduate training on child sexual abuse is important, they should actively seek candidates who have graduated from institutions that provide this training. As more academic institutions move in this direction, finding suitable candidates will become easier. In the meantime, all

[39] Michele Knox, Heather Pelletier, & Victor Vieth, *Educating Medical Students About Adolescent Maltreatment,* INTERNATIONAL JOURNAL OF ADOLESCENT MEDICINE (forthcoming 2013); *see also, See e.g.* Michele S. Knox, Victor Vieth and Heather Pelletier, *Effects of Medical Student Training in Child Advocacy and Child Abuse Prevention and Intervention,* PSYCHOLOGICAL TRAUMA: THEORY, RESEARCH, PRACTICE & POLICY (Forthcoming 2013)

advertisements for open jobs should express a strong preference for students who have been trained in the core competencies required for the field of child protection. In doing this, these agencies will assist academic institutions in understanding that reform is necessary if their graduates hope to obtain jobs in the field of child protection. There is some indication this may already be happening in South Carolina, with many of the graduates of the CAST program at USC Upstate quickly finding jobs in the child protection field or admission to MSW programs.[40]

IMPROVING TRAINING IN THE FIELD

Nearly all of the 166 child protection professionals interviewed onsite indicated they had received training on child sexual abuse cases once in the field. However, the professionals had numerous suggestions for additional training for themselves or other team members. A consistent theme from these interviews was the preference for "hands on" training in which skills are not simply presented in a lecture but the students are required to conduct mock forensic interviews, suspect interrogations, crime scene investigations, or mock trials. Although training of this nature is available in South Carolina—such as the state's *ChildFirst* forensic interview training program—there is a clear desire for more experiential learning opportunities.

In the online survey, a majority of solicitors, law enforcement officers and clinicians/therapists noted at least some barriers to receiving ongoing training including lack of funding, lack of time and, in some instances, the unavailability of training.[41] Although 64% of DSS workers noted "no barriers" to accessing ongoing training, only 37% considered themselves sufficiently trained to work with victims of child sexual abuse.[42] Sixty-one percent of DSS workers who took the survey received no undergraduate or graduate training on child sexual abuse and 18% had not

[40] Telephone interview with Jennifer Parker, director of the USC Upstate CAST program, May 22, 2013.
[41] Jennifer Parker, Kathleen Brady and Sarah Wilson, *Silent Tears Survey Analysis*, page 133-137, March 2013 (attached as Exhibit B)

[42] *Id.* at 23-24.

received any training on child sexual abuse once in the field.[43] Only 31% of DSS respondents have received training through the South Carolina's *ChildFirst* forensic interview training program, a number that is considerably lower than the percentage of attendees from law enforcement (46%) and clinicians/therapists (41%).[44]

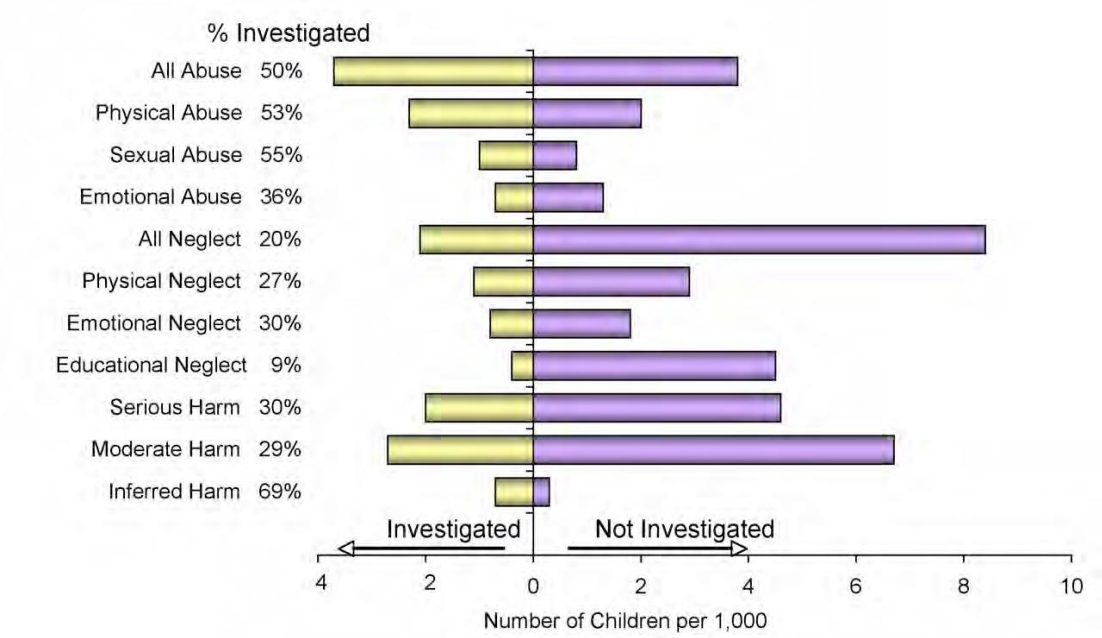
The impact of inadequate training generally—what other studies suggest

A number of studies illustrate the danger of inadequate training of child protection professionals at the undergraduate or graduate level or once these professionals are in the field. The greatest danger, of course, is that clear instances of abuse will be missed or that important evidence will not be collected.

According to the Fourth National Incidence Study of Child Abuse and Neglect (NIS-4), a large percentage of maltreated children *identified* by mandated reporting professionals did *not r*eceive child protection investigation.[45] Specifically, only 50% of the nation's *identified* abused children received a child protection investigation and only 30% of the children suffering "serious harm" received child protection investigation.[46] The NIS-4 researchers labeled "serious harm" cases as those child abuse or neglect cases in which "an act or omission result in demonstrable harm."[47]

[43] *Id*.
[44] *Id.* at 16.
[45] The NIS-4 uses "sentinels" to collect data on children they encounter who may have been abused. For this study, the researchers had over 10,000 sentinels from 122 counties. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOURTH NATIONAL INCIDENCE STUDY OF CHILD ABUSE AND NEGLECT (NIS-4), 2-7, 2-8, 2-9 (2010).
[46] *Id.*
[47] FOURTH NATIONAL INCIDENCE STUDY OF CHILD ABUSE AND NEGLECT (NIS-4), U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES EXECUTIVE SUMMARY 3 (2010)

The NIS-4 data are summarized in the following graph taken from the report to congress:



This is not a recent or isolated finding but, rather, a finding that has been found repeatedly over a period of decades. Indeed, researchers note "Throughout its history, the NIS has consistently found that child protective services agencies (CPS) investigate maltreatment of only a minority of the children the NIS identifies."[48]

Although the NIS research is broader than simply inadequate training, other studies highlight the danger of limited training and experience. For example, a recent study of medical professionals found that "training, discipline and clinical experience were significantly associated with the

[48] *Id.* at 16.

ability to correctly identify medical findings and apply medical knowledge to correctly interpret findings" in cases of possible sexual abuse.[49]

In 1996, Richard Gelles, a pioneer in the field of child protection, wrote "If the current child welfare system is to be improved it will require three things: (1) training, (2) training, and (3) training."[50] More than twenty years later, national child protection experts continue to echo this refrain.[51]

Recommendations for improving training in South Carolina

Improving training in South Carolina may be as simple as developing minimal training standards on child sexual abuse, emphasizing experiential training, locating or developing facilities ideal for hands on training, and developing cross-jurisdictional resources to free up professionals for training. These suggestions are explored more fully below.

1. **Minimal initial and ongoing training standards.**

The National Children's Alliance has minimal training standards for forensic interviewers working in accredited CACs. These standards include at least 40 hours of initial training as well as ongoing training in the field of child abuse. We believe these standards should apply to each member of the MDT including law enforcement, DSS, and solicitors assigned to prosecute child sexual abuse cases. Specifically, we recommend a minimum of 40 hours of training on child sexual abuse that includes child development, the dynamics present in most CSA cases, and the process of disclosure. This standard can be easily met by attending the state's ChildFirst forensic

[49] Joyce A. Adams, Suzanne P. Starling, Lori D. Frasier, Vincent J. Palusci, Robert Allan Shapiro, Martin A. Finkel, & Ann S. Botash, *Diagnostic Accuracy In Child Sexual Abuse Medical Evaluation: Role of Experience, Training and Expert Cast Review,* 36 CHILD ABUSE & NEGLECT 383, 392 (2012).
[50] Richard J. Gelles, THE BOOK OF DAVID (1996).
[51] Viola Vaughan-Eden & Frank E. Vandervort, *Invited Commentary on "Issues in Differential Response",* RESEARCH ON SOCIAL WORK PRACTICE 3 (published online February 27, 2013).

interview training course or any number of trainings offered by professionals in the state. Indeed, of the professionals taking the online survey, 46% of the law enforcement officers, 31% of DSS workers, and 41% of the clinicians have already taken this course—with 82% of the law enforcement officers, 73% of the DSS workers, and 74% of the clinicians rating the investigative protocol taught at the course as a 4 or 5 out of scale of 1-5 (five being the highest).[52]

We also recommend core MDT members receive a minimum of 10 hours of additional training each year on child abuse cases. With the proliferation of high quality online child protection training initiatives,[53] this standard can be met with little or no additional expense to the MDT. This is simply a matter of educating MDTs about the availability of the training and for MDT supervisors to require a minimal base of ongoing training.

The critical importance of ongoing training on child sexual abuse was reflected in the comments of many of the front line professionals with whom we spoke. One law enforcement officer told us "these cases are worse than murder. When you're dead you're dead. These children die a little every day. You should have to work your ass off to be a child abuse investigator just like a homicide detective." Accordingly, this officer suggested that any child abuse detective be required to have 40 hours of training in forensic interviewing and specific training on child abuse crime scene investigation, corroborating evidence, and interrogation of sex offenders. One solicitor told us he had observed a direct correlation between the level of training of various officers and the amount of corroborating evidence obtained and percentage of offenders from whom they received confessions or incriminating statements. One of the better trained officers

[52] Jennifer Parker, Kathleen Brady and Sarah Wilson, *Silent Tears Survey Analysis*, page 127-128, March 2013 (attached as Exhibit B).

[53] For example, the Midwest Regional Children's Advocacy Center hosts a number of on demand as well as low cost online courses. To learn more, visit their website at: www.mrcac.org This includes not only workshops for forensic interviewers but also investigators and prosecutors on topics such as corroborating evidence.

we interviewed told us she had some corroborating evidence in 100% of the cases she worked and obtained incriminating statements from offenders in over 60% of the child sexual abuse cases she worked.

2. **Emphasis on experiential learning**

Many of the professionals interviewed expressed a strong desire for hands on training courses such as mock trials, mock crime scene investigations, or mock forensic interviews. As one law enforcement officer told us "I don't need any more PowerPoint presentations—I don't remember what's on the slides. I need trench training." According to this officer, "trench training" is experiential learning in which the MDT is processing a mock crime scene, testifying in a mock trial, conducting mock forensic interviews or suspect interrogations. To this end, every institution in South Carolina providing training to child protection professionals, and every department or supervisor sending staff to training should emphasize experiential training as the first resort. Only when "trench training" is unavailable, should traditional lecture training be considered.

3. **A training facility**

Trench training is best conducted in mock houses, courtrooms or forensic interview rooms that enable participants to practice skills or techniques. Accordingly, child protection professionals may want to combine resources and work with public and private funders to develop a state child protection training facility ideal for experiential learning. In the meantime, law schools, police academies and other institutions may have mock courtrooms, houses or other facilities available for trial advocacy or other laboratory training environments. We suggest that South Carolina child protection professionals have available to them at least 15 "hands on" child abuse courses of 2.5 to five days that are offered annually.

4. **Training portal**

There are some basic child abuse workshops every solicitor, law enforcement officer, DSS worker, forensic interviewer and other members of the MDT should take and that do not change very much, if at all, over the years. For example, every child abuse solicitor needs to know how to cross examine a suspect in a child sexual abuse case, how to prepare a child for court, and how to give an effective closing argument. Every law enforcement officer needs to know how to search for and collect corroborating evidence and to interrogate a suspected sex offender. Rather than offer these workshops sporadically as part of state or regional conferences, South Carolina should have a training portal that can be accessed 24 hours a day, seven days a week. Within that portal, there should be sub-portals appropriate for each discipline from the team. Accordingly, a law enforcement officer could go into the criminal justice portal and watch a training on suspect interrogation.

Once developed and fully functional, this would be a low cost, efficient manner for ensuring that all child protection professionals have immediate and permanent access to basic training. The portals can be used to supplement more intensive, experiential learning programs. For example, certain portal workshops could be a pre-requisite for attending more intensive, crime scene courses.

The National District Attorneys Association and the Midwest Regional Children's Advocacy Center have already developed a number of online, on demand workshops on basic investigation and prosecution topics. Simply providing a link to these already existing online programs could be immensely helpful.[54]

[54] For a list of already existing "on demand" workshops for MDTs, visit: http://www.mrcac.org/elearning/on-demand/ (last visited May 12, 2013)

There should be a centralized body that controls and maintains the portals and a passcode should be required. For obvious reasons, it would not be appropriate for sex offenders or child abusers to be able to access information they could use to avoid detection or apprehension.

5. **The unique needs of rural child protection professionals**

In rural communities and counties, the MDT faces unique challenges. Child protection professionals, by necessity, may not be able to specialize in child abuse but must handle everything from cases of speeding to murder. Distance may make it more difficult to attend an MDT meeting or get a child to a CAC in a timely manner. With a limited number of employees, attending a multi-day training can be particularly burdensome to rural practitioners. In light of these and other challenges, resource guides and training programs should consistently take into account the unique factors of smaller communities and tailor their recommendations accordingly. When this is done, history shows that rural communities can do as well if not better than their metropolitan counterparts in responding to child maltreatment.[55]

6. **The next steps**

In order to carry out these recommendations, we recommend that the Silent Tears Task Force develop a working committee of representatives from the CACs, solicitor's offices, DSS, medical and mental health professionals, as well as statewide training organizations such as the Children's Law Center, to develop a plan for making sure training is in place that will enable all child protection professionals to meet the minimal standards and that will move toward an emphasis on experiential learning. This committee should also recommend one or more options for providing experiential training in a mock house, courtrooms, hospital and other "laboratory"

[55] *See generally*, Victor I. Vieth, *In My Neighbor's House: A Proposal to Address Child Abuse in Rural America*, 22 HAMLINE LAW REVIEW 143 (1998)

settings. In selecting such a site, factors should not only include accessibility but the willingness of a community to contribute funding and otherwise support such a facility.

IMPROVING THE COLLECTION OF EVIDENCE

A recurrent theme in our onsite interviews of South Carolina's child protection professionals is the rarity of collecting corroborating evidence in child sexual abuse cases. Many MDT members said that crime scene photographs are rarely taken and that corroborating evidence of any kind is seldom collected. This sentiment was echoed in the online survey wherein 66% of the responding solicitors and law enforcement officers reported that crime scene photographs were taken in no more than half the cases.[56]

In terms of corroborating evidence, 86% of the solicitors and law enforcement officers agreed "there is usually not much corroborating evidence."[57] One MDT member told us "in the past three years, I've worked with 375-425 child sexual abuse cases and it's pretty rare there was corroborating evidence collected." However, this low rate of obtaining corroborating evidence was not universal. For example, one law enforcement officer told us he obtains some corroborating evidence in at least 75% of his cases. Another officer told us she obtains corroborating evidence in 100% of the cases, noting "you can always find it if you dig." This same officer said that, in most cases, she collects 3-4 pieces of corroborating evidence per case.

With respect to obtaining incriminating statements from suspects, many officers told us that incriminating statements are rare and outright confessions are even more rare. One experienced officer said confessions occur in only about 3% of the cases he has worked. When incriminating

[56] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 138 (question #31), March 2013 (attached as Exhibit B).

[57] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 138, March 2013 (attached as Exhibit B).

statements are collected in South Carolina, it is often the result of a failed polygraph examination. Indeed, 57% of the law enforcement officers and solicitors taking the online survey noted that polygraphs are "routinely used" in child sexual abuse cases. Although polygraphs can be an effective tool in obtaining incriminating statements, research suggests this tool may only lead to confessions in about 25% of CSA cases.[58]

As is the case with corroborating evidence, low confession rates are not uniform in South Carolina. One officer reported obtaining incriminating statements or confessions in as many as 95% of the cases worked and noted the effectiveness of obtaining and using corroborating evidence in the interrogations. Another officer reported obtaining incriminating statements from at least 60% of the suspects interrogated and an outright confession in at least 20% of the cases investigated. The same officer told us her success with interrogating offenders was directly attributable to training, noting that other officers "can't play the game" of getting in the suspect's head because they have not specifically been trained on interrogating sex offenders.

There is a growing body of research documenting the critical role that corroborating evidence and suspect interrogations play in convincing prosecutors to file charges and in convicting suspects of child sexual abuse. For example, child sexual abuse cases involving at least one corroborating witness are "nearly twice as likely" to result in a conviction.[59] If, for instance, a child says he was molested on a fishing trip, a witness who corroborates the boy and the offender went fishing together can have a significant impact. This same study suggests that evidence of this kind is more commonly present than many believe. Specifically, the researchers concluded "these results suggest that police and prosecutors are indeed finding evidence in many cases and

[58] S.E. Smith & G.S. Elstein, *The Prosecution of Child Sexual and Physical Abuse Cases,* AMERICAN BAR ASSOCIATION FUND FOR JUSTICE AND EDUCATION (1993).
[59] Wendy A. Walsh, Lisa M. Jones, Theodore P. Cross, & Tonya Lippert, *Prosecuting Child Sexual Abuse: The Importance of Evidence Type*, 56(3) CRIME & DELINQUENCY 436, 459 (2010).

that evidence has a bearing on the decision to file charges and on the conviction rate of offenders."[60]

There is also a predictable correlation between corroborating evidence and confessions. Generally speaking, the more corroborating evidence obtained, the greater the chance a suspect will confess or at least make incriminating statements.[61]

Inadequate training on interrogation and corroborating evidence clearly plays a role in the relatively low collection of this evidence. One officer, for example, told us that in 80% of the cases, the victim's statement is all that is necessary and that crime scene photographs are only important in the "big cases." We believe training on corroborating evidence and suspect interrogation in child sexual abuse cases would dramatically change the landscape in South Carolina.

Inadequate training, though, is only one factor leading to a low rate of collecting this evidence. The delay in South Carolina of conducting a forensic interview of alleged victims also contributes to a loss of evidence. Many onsite interviewees told us it may take two or more weeks to conduct a forensic interview. Although actions are taken to protect the child in the interim, this delay in conducting the forensic interview gives the suspect time to destroy evidence or pressure the child into recanting.

One law enforcement officer told us:

> I think we have a pretty good working relationship [with the CAC]. I know in other states, if a report comes in they have a forensic interview immediately. That could be an improvement [here]…A lot of times you interview a child, they

[60] *Id* at 452.
[61] See generally, Tonya Lippert, Theodore P. Cross, Lisa Jones, & Wendy Walsh, *Suspect Confession of Child Sexual Abuse to Investigators*, 15 CHILD MALTREATMENT 161 (2010).

> disclose, and by the time the forensic [interview is completed] a few weeks later the child has recanted or doesn't know the details. A more timely…interview could help.

Although the MDT may take steps to preserve a crime scene or other potential evidence, until the forensic interview is completed, it is likely the team has insufficient information to determine the location or locations of the crime or sources of potential corroborating evidence.

According to the forensic interviewing guidelines of the American Professional Society on the Abuse of Children (APSAC), interviewers are, when developmentally appropriate, to obtain "as many details as possible" during the investigative interview.[62] The APSAC guidelines also note the forensic interview "should occur as close in time to the event in question as feasible….The possible impact of delays on the child's ability to recall and willingness to report an experience should also be taken into account."[63]

The APSAC forensic interviewing guidelines also note the critical importance of corroborating the forensic interview:

> No interview is perfect. The child interview is only a part of a complete child protection or criminal investigation. Further investigation should be conducted to confirm or refute the allegations, and to see if details supplied by the child can be corroborated. Interviewers should always attempt to elicit information about specific facts that can be verified later—during a search of the scene as well as during interviews with other witnesses and the suspect. Additional investigation may corroborate facts elicited during the interview and thus prove the reliability of those facts, even at times when the interview was not conducted in a manner consistent with these Guidelines.[64]

[62] American Professional Society on the Abuse of Children, *Forensic Interviewing in Cases of Suspected Child Abuse* 19 (2012)
[63] *Id.* at 7-8.
[64] *Id.* at 4.

Another difficulty in obtaining corroborating evidence is that many team members we spoke with see this as only the obligation of law enforcement when, in reality, DSS, mental health providers, medical providers, and other team members may have access to corroborating evidence.

Recommendations to increase the collection of evidence

1. **MDTs should set a goal of taking crime scene photographs in every case of child sexual abuse**

We suggest that, within a year, the taking of crime scene photos should be the norm. The sexual abuse of children always occurs in a physical location. Even when the abuse happened years ago, that physical location is often still present or, if it is not, family photo albums or other documentation of the crime scene may still be available. In speaking with solicitors in South Carolina, they routinely expressed the value of crime scene photographs in court. One solicitor said his investigators produce crime scene photographs in 80% of his cases and that "jurors love the crime scene photographs." The solicitor spoke of a case in which a child described items in her closet that the offender used in the abuse and told us the photographing of the closet and the seizure of the items proved critical in demonstrating the child's credibility to the trier of fact.

2. **MDTs should set a goal of at least five items of corroborating evidence in every case**

At first blush, this may seem to be an unrealistic or unobtainable goal. In reality, though, many experts have argued there is corroborating evidence in all child sexual abuse cases and that collecting "multiple pieces of corroborating evidence" should be routine.[65] Indeed, we

[65] Victor I Vieth, *When the Child Has Spoken: Corroborating the Forensic Interview*, 2(5) CENTERPIECE (2010).

encountered MDT members in South Carolina who said they were always able to collect some corroborating evidence and, in many cases, multiple items of corroborating evidence.

To achieve this goal, team members must be taught that corroborating evidence is more than semen, saliva or blood.[66] Corroborating evidence includes crime scene photographs documenting the child's description of the scene, finding witnesses that place the child and offender in a particular location, and documenting unusual sexual positions or preferences of the suspect. In one South Carolina case, for example, a child told the interviewer that the offender made a "whinny" or "horsey" sound when reaching orgasm. In speaking with other sexual partners of the suspect, the officer was able to confirm the offender made unusual sounds during climax. In most cases, the child loves the offender. When this happens, documenting letters, gifts or artwork the child has made for the offender illustrates the child has no motive to lie. These are the sort of things that should be gathered routinely and, if they are, research suggests the confession, charging and conviction rates will increase in South Carolina.

It is important to note that this recommendation is not limited only to law enforcement officers. DSS, victim advocates, therapists, solicitors and others who work with child sexual abuse victims and will often learn of or even encounter evidence that should be seized or otherwise documented. We suggest that a routine question in all case review teams should be whether the team has looked for and in fact obtained corroborating evidence.

[66] *See generally*, Victor I Vieth, *When the Child Has Spoken: Corroborating the Forensic Interview,* 2(5) CENTERPIECE (2010).

3. **Within five years, CACs/MDTs should have the ability of conducting forensic interviews within two hours of a report to the authorities**

The MDT members we spoke with were nearly unanimous in praising South Carolina's children's advocacy centers and the profound impact they have had in bringing communities together, in establishing MDTs, in helping families access medical and mental health care, and in conducting quality forensic interviews.[67] These sentiments were also reflected in the online survey. Online respondents said the vast majority of the interviews are recorded, are conducted by well-trained interviewers and are helpful to the case.[68] However, only 26% of the forensic interviews in metropolitan communities are conducted within a week and only 33% of the interviews overall are conducted within a week.[69] In fact, 41% of forensic interviews in metropolitan communities take more than two weeks and 34% of all forensic interviews take more than two weeks.[70] This is problematic because, as noted earlier in this report, a delay in conducting the forensic interview makes it more difficult to collect corroborating evidence and obtain incriminating statements.

The delay in conducting forensic interviews was noted by some of the CAC personnel we spoke with as well. Unfortunately, the number of highly skilled interviewers does not currently match the demand for this service. Accordingly, this is not a problem that can be fixed overnight nor is it possible to develop a solution that will work for every community.

Instead, we urge each CAC to establish a goal of being able to conduct a forensic interview within one week and to meet this standard within two years. Within five years, the goal of each

[67] The positive impact of CACs in addressing child abuse is found in other studies as well. *See e.g.*, Debbi Joa & Meredyth Goldberg Edelson, *Legal Outcomes for Children who Have been Sexually Abused: The Impact of Child Abuse Assessment Center Evaluations*, 9(3) CHILD MALTREATMENT 263 (2004) (noting that cases referred to a CAC resulted in more filings of cases, more charges, more guilty pleas, and more cases filed involving young children).
[68] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 118, March 2013 (attached as Exhibit B).
[69] *Id*. at 118.
[70] *Id*. at 118.

CAC should be to have the resources to conduct a forensic interview within two hours of the time a report is made to the authorities. The timeliness of forensic interviews is urged by APSAC[71] and by many leading child protection professionals.[72]

This is not simply a responsibility of the CACs, but the MDT as a whole must work together to make sure forensic interviews are expedited and, when they are, that the team is following up quickly to seize corroborating evidence and otherwise complete the investigation in a timely manner.

To achieve this goal, each CAC should assess their annual volume of cases and determine what additional resources would be needed to have interviewed all these children in a more timely manner. To expedite the delivery of interviews, CACs should consider not only the possibility of adding additional full time interviewers, but also part time interviewers who can help fill the need. Finally, CACs may want to consider the possibility of using well-trained law enforcement officers or DSS workers to conduct forensic interviews when a CAC interviewer is not available. Private and public funders should work closely with CACs in developing the financial resources necessary to expedite the delivery of forensic interviewing services.

Having the ability to conduct an interview within two hours does not mean the team will always choose this option. There may be any number of exceptions to the rule of a timely interview, but these exceptions should be well thought out and reduced to writing so that all team members are on the same page. For example, if there are five reports of child sexual abuse in a matter of hours, it may be necessary to select the cases involving recent or ongoing abuse, as opposed to a case involving an offender no longer in the home. If a child is physically or emotionally injured

[71] APSAC urges the forensic interview occur "as close in time to the event in question as feasible." APSAC, *Forensic Interviewing in Cases of Suspected Child Abuse* 4 (2012).
[72] *See generally,* Detective Mike Johnson, *The Investigative Windows of Opportunity: The Vital Link to Corrobortion in Child Sexual Abuse Cases,* 1(9) CENTERPIECE (2009).

to such an extent that a prompt interview cannot be completed, there may be justification for the delay. If a report is made late at night and there is no reason to believe lives are in danger or critical evidence will be lost, it may be prudent to wait until a child has a good night's sleep. Although these and other exceptions may be appropriate, the goal of the team should be to expedite interviews whenever possible and appropriate and to make delays the exception and not the rule.

4. **Solicitors should increase their role in MDT meetings**

In both the onsite interviews as well as the online interviews, it became apparent that solicitors are often not present at forensic interviews or MDT case review meetings.[73] Although some CACs have worked with solicitors to set up separate meetings at the prosecutor's office, we believe the presence of at least one solicitor at forensic interviews, MDT case review or other critical MDT meetings will increase the chance that critical evidence is collected. Simply stated, the prosecutor understands better than any other team member what evidence may help him or her make the case in court. Accordingly, a solicitor present at forensic interviews[74] and at MDT case review can help medical, mental health, law enforcement officers, forensic interviewers and other MDT members function in such a way as to maximize the amount of evidence collected.

According to the National Center for Prosecution of Child Abuse, a program of the National District Attorneys' Association,

[73] For example, in the online survey, we asked professionals to list which professionals "most often" attend MDT meetings and to "check all that apply." Although solicitor attendance at these meetings was equivalent to that of the guardian ad litem, it was below the attendance of medical professionals, DSS workers, law enforcement officers and CAC personnel. Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis,* question 17, page 115, March 2013 (attached as exhibit B).

[74] The solicitor would not be present in the room for the interview but would observe the interview via closed circuit, a two way mirror or some other mechanism. There are a number of ways prosecutors throughout the United States accomplish this. In some jurisdictions, a prosecutor is simply assigned to work out of the CAC or else prosecutors rotate in and out of the CAC to always make sure at least one prosecutor is present when interviews take place.

> "(c)ommunities in which the prosecutor has taken a leadership role in designing the investigation process tend to be the same communities that have demonstrated the greatest success prosecuting child abusers…The prosecutor must develop policies requiring prompt, thorough, objective, sensitive, and coordinated investigation despite the initial drain of such planning on time and personnel….Because of prosecutors' prominence in the charging process they are in the best position to ensure the success of a coordinated approach."[75]

We realize there is a tremendous burden on the state's child abuse solicitors and greater involvement in interviews, MDT meetings, or the investigation as a whole may be burdensome for some departments. In the long run, though, we believe greater involvement in the interviews and MDT meetings will build stronger cases and save time.[76] Most cases are won or lost during the investigation stage, and thus it is important for the prosecutor to be involved in the case as early as possible.

FROM CRIME SCENE TO TRIAL: RESOLVING CASES MORE QUICKLY

Another recurring theme in both the onsite interviews and online surveys is the frustration many South Carolina child protection professionals have with the time it takes to resolve a child sexual abuse case. Many professionals told us it often takes more than two years for a case to come to trial with some professionals reporting instances in which a case was delayed for three or more years. One law enforcement officer described these delays as "the biggest problem South Carolina faces" and causes "children and families to be beaten down" which, in turn, results in more lenient plea agreements and longer periods of time in which sex offenders are free to offend again.

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[75] AMERICAN PROSECUTORS RESEARCH INSTITUTE, INVESTIGATION AND PROSECUTION OF CHILD ABUSE THIRD EDITION XXX-XXXI (2004).

[76] *See generally,* Victor I. Vieth *In My Neighbor's House: A Proposal to Address Child Abuse in Rural America,* 22 HAMLINE LAW REVIEW 143 (1998) (noting the dramatic improvement in handling child abuse cases when a number of reforms were implemented—including involvement of the prosecutor as an advisor to the team during the investigation).

The National Center for Prosecution of Child Abuse, a program of the National District Attorneys Association, echoes these sentiments:

> Continuances are a plague of the criminal justice system—exasperating to the courts and frustrating to victims and their families. Continuances are especially detrimental to the success of child abuse prosecutions. Pressures on the child and child's supporters are magnified when accompanied by the emotional rollercoaster of repeated changes in schedule…Once a determination has been made that enough evidence exists to file a child abuse case, most prosecutors find that the typical case only becomes weaker as time passes. When the prosecutor and child are prepared for trial, delays can decrease the likelihood of conviction by discouraging victims from cooperating, causing all witnesses to remember less, and reducing any sense of urgency by putting more time between the offense and the trial. Defense attorneys are well aware of this and often seek continuances in child abuse cases for these reasons.[77]

In recognition of these issues, the federal Victims of Child Abuse Act allows federal courts to give scheduling priority in cases of child abuse and to take into account the child's age and the impact of any delay in the proceedings on the child's well-being.[78] Although failing to specify a minimum time period in which a case must come to trial, at least 13 states have enacted "speedy trial" provisions related to cases of child abuse.[79] The American Bar Association notes that "long periods of uncertainty and judicial indecision can put pressure on children and families." The ABA proposes that 99% of all felony cases be resolved within 180 days from the date of arrest.[80]

South Carolina has not adopted a speedy trial statute with respect to child abuse cases and, at least with respect to child sexual abuse cases, the court system is scheduling trials well outside

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[77] NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE, INVESTIGATION AND PROSECUTION OF CHILD ABUSE254-255 (2004).
[78] 18 U.S.C.. § 3509(j).
[79] Wendy Walsh, Tonya Lippert, Theodore P. Cross, Danielle M. Maurice, and Karen S. Davison, *How Long to Prosecute Child Sexual Abuse for a Community Using a Children's Advocacy Center and Two Comparison Counties,* 13(1) CHILD MALTREATMENT 3, 5 (2008).
[80] *Id.*

the guidelines proposed by the ABA. According to the child protection professionals responding to the online survey, less than 6% of CSA trials take place within 6 months of arrest and less than 4% of CSA cases in metropolitan communities come to trial within 6 months.[81]

Recommendations to improve timely resolution of CSA cases in criminal court

1. **All CSA cases should come to trial within 6 months of arrest or charging**

To accomplish this goal, we suggest the governor of South Carolina appoint a bi-partisan commission of legislators, court administrators, appellate and trial judges, solicitors specializing in child abuse cases, defense attorneys, medical and mental health professionals and, most importantly, child abuse survivors or their families impacted by lengthy court delays. The commission should be charged to develop concrete recommendations to resolve CSA cases within the ABA guidelines. The recommendations may include:

a. Speedy trial legislation;
b. Court rules designed to expedite child abuse cases;
c. Required training of judges and other court personnel pertaining to the impact of lengthy delays in the court process on abused children and their families;
d. Standards for granting a continuance and requiring courts to make specific findings as to the likely impact of a continuance on the alleged victim;
e. Giving victims and their families the right to submit affidavits or other evidence concerning the impact of delays on their well-being;

[81] Jennifer S. Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 119, March 2013 (attached as Exhibit B).

f. Clearly enunciated ethical standards prohibiting any attorney from requesting a continuance merely to intimidate a child witness—and permitting sanctions against any attorney shown to abuse the court system in this manner; and
g. Funding research to show the efficacy of any enacted court reforms

In order for this to be successful, the governor must make it clear to the commission that South Carolina is making child abuse cases a top priority and that reform is coming. Accordingly, the commission should freely discuss barriers to speedy resolution of child abuse cases but the discussion should focus on overcoming these barriers. Simply stated, excuses will not be tolerated. In appointing members to the commission, the governor should actively seek those who believe this problem can be addressed and who are fully committed to making sure it is addressed.

In terms of a timeline, we suggest the commission complete its work within a year of its formation, that the proposed reforms be enacted within two years, and that research on the efficacy of the reforms be conducted and published within four years.

To assist in considering the possibilities, NCPTC reviewed the statutes in all 50 states to determining what, if any, speedy trial provisions exist and how, if at all, these laws address the needs to expedite cases of child abuse. This summary of these state statutes is attached to this report as "**exhibit c.**"

IMPROVING THE ALTERNATIVE OR APPROPRIATE RESPONSE SYSTEM (ARS)

The South Carolina Department of Social Services is unfolding an alternative or "appropriate response system" to provide services to families reported as possible cases of abuse but that are

screened out as low risk. Cases screened out are referred to professionals employed with a contracted program entitled Specialized Alternatives for Families and Youth (SAFY).[82]

In our onsite interviews with DSS workers, supervisors, and SAFY workers, numerous advantages of the program were explained. Most of these workers believed the SAFY program was allowing DSS to focus its efforts on the families at highest risk for abuse while providing services to low risk families in the hopes of preventing abuse. Prior to SAFY, many of these cases would have been screened out with no intervention at all and may have returned to the system months or years later involving a much greater risk.[83]

One DSS worker told us "I love it. I'm a huge advocate of this. I think it is great." This same worker went on to explain:

> In the past [the intake screener] would decide if they would accept for DSS investigation or screen it out in which case nothing is done. Now with the differential response system we still have those choices but now we can send it to SAFY. It's a great system. DSS now works with more severe cases of abuse and neglect. SAFY can skip the issue of investigating for abuse and start with services from the get go. I think it is huge that we can just give [the family] services rather than dragging it out. It's less accusatory. People have developed a stigma around DSS—thinking we are just taking kids away and not here to help. It's not true, our goal is to help. SAFY's strength is that they are not DSS, they aren't affiliated with DSS and they are here to help….I'm a huge advocate….I think it is working extremely well and I only wish they would have implemented it sooner.

A DSS supervisor explained the benefits of the program in this way:

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[82]To learn more about the South Carolina SAFY program, visit their website at: http://www.safy.org/locations/southCarolina.aspx (last visited May 8, 2013)

[83] According to at least one study, many unsubstantiated cases of child abuse often return to the system and become documented instances of abuse. Brett Drake, Melissa Jonson-Reid, Ineke Way & Sulki Chung, *Substantiation and Recidivism*, 8(4) CHILD MALTREATMENT 248, 257 (November 2003).

> The strength [of ARS] is that families are more apt to engage with a private provider than they are DSS. The cases referred to [SAFY] are low risk. If they [SAFY] get in there and see it isn't low risk, they can send it back to us. It's a two way street. The other strength that I see is that up until July 1st, there were 65-70 cases [SAFY] had taken. That is 70 cases our case workers didn't have to take on. That lessened the treatment loads. Some people had 42 cases involving 148-160 children being seen in a month. Now they are down to 25. It has impacted case load size. [DSS workers] can actually do some work [with families] instead of [only] seeing children. They used to only have time to see the children.

However, a number of medical, criminal justice, and CAC professionals expressed strong reservations about the appropriate response system. A CAC employee told us she was working with a family she considered high risk because a child had been sexually abused but that DSS labeled the case low risk because the perpetrator was no longer in the child's home. Another worker told us that although SAFY can refer a case back to DSS or the MDT for a traditional investigation, they are not fully aware how to do this. According to this worker, she has had requests from SAFY workers to conduct forensic interviews of children suspected of being physically or sexually abused without realizing the CAC provides this service only as part of an investigation—and thus the case should be referred back to DSS or law enforcement.

A pediatrician expressed her reservations this way:

> I think it is very scary. I am having a problem with a computer generated risk assessment. I have seen children fall through the cracks already. I had three cases of children with sexually transmitted diseases [that were screened out]….We recently had a child death where there was a call to DSS for neglect but the case was screened out—the child was hit by a car. I'm not confident in the system we have in place at this time. The other problem is that it was rolled out without any education to community partners.

A law enforcement officer bluntly said the alternative response system "stinks" and that he had little confidence in any computer screening system being fool-proof. The officer said he was involved in a case in which a woman had been sexually exploiting her daughter by selling her to men in exchange for drugs. The officer said the abuse began when the child was 11 and continued until she was 16. In the interim, the officer claimed there were 23-24 reports to DSS but all of them were screened out.

Another law enforcement officer told us:

> It worries me. The experiences I have had with it, they said we aren't sending kids to [ARS] that are sex abuse cases, but that has happened…[DSS] says 'we didn't send it to SAFY for sex abuse, we sent it for something else.' But SAFY gets involved.

This same officer told us "when you talk to the folks {SAFY] working these cases, you hear them say 'I shouldn't do that.' They aren't trained at the level they should be if they are going to have involvement with some of these families."

Some of the SAFY workers we spoke to also expressed concerns. One SAFY worker told us they had as many case referrals in three months as they had been led to believe they would have in a year. A SAFY worker told us that once a case is referred to them, they can't refer it back to DSS without closing out the case and that this has created an obstacle in having a true multi-disciplinary response to a family's needs. Another SAFY worker expressed concern regarding the voluntary nature of ARS. Even though there is some level of risk that lead to the SAFY referral in the first place, families can choose whether they participate with the services offered. This worker expressed concern that once services were refused, it was unlikely that DSS would

subsequently become engaged with the family to alleviate the risk factors for which the family was initially referred.[84]

A DSS supervisor supportive of the ARS system also expressed the need to make sure cases were properly screened. According to this DSS official, "We get really good at dumping in the child welfare system and we had to work with our [DSS] workers on this [to make sure they understand] this isn't how to get rid of cases. If it doesn't work well, it will come back."

Although most interviewees commenting on ARS were strongly supportive or strongly critical, we also encountered more moderate voices. For example, one SAFY worker said the concept of alternative response is great but "we have a lot of work to do in educating the community of who we are and what we do." The same worker said the advantage of not being DSS increases the level of cooperation from families and enables the provision of immediate services. At the same time, this worker observed that SAFY has limited powers, noting, for example, the inability to access a parent in prison or access a child in school. This worker said the contract with SAFY extends over a five year period and she is hopeful that, at the end of that period, there will be clear evidence that low risk families were not only served better but that SAFY played a meaningful role in preventing future abuse.

The disparate, often strong opinions about the appropriate response system expressed in the onsite interviews was also apparent among the child protection professionals who took the online survey. For example, more than 60% of DSS workers consider the Appropriate Response System as enabling them to work with high risk families more quickly, but less than 10% of the solicitors and law enforcement officers considered this to be the case.[85] Clinicians, law enforcement

[84] Some of the professionals we interviewed also expressed concern about the tracking of cases in ARS.
[85] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 130 (question #36), March 2013 (attached as Exhibit B).

officers and solicitors were also much more likely to claim that the Appropriate Response System sometimes improperly screens cases.[86]

Although bridging the divide among MDT members over the ARS system is challenging, there is reason for hope. When asked to rate the quality of ARS on a scale of 1-5 with 5 being the highest, the largest percentage of respondents labeled ARS as a 3—meaning it was "somewhat hopeful."[87] Specifically, 44% of law enforcement officers/solicitors, 49% of clinicians/therapists, and 36% of DSS workers used this label. The fact that a large percentage of MDT members see hope in the ARS system may enable the system to succeed at the level it hopes to. To do this, though, we believe DSS must not only educate other team members about ARS but also work with these same team members to address concerns that some cases are improperly screened or inappropriately handled in the ARS system.

ARS in the context of child protection history

In the past 40 years, there have been numerous shifts in federal child welfare policies which, in turn, have influenced the response of child protection agencies to instances of child maltreatment. The Child Abuse Prevention and Treatment Act of 1974 "set the tone for more frequent use of intrusive intervention in CPS."[88] As a result, child protection agencies removed "many at-risk children from their families and placed them in foster care."[89] However, research subsequently documented that "foster care placements were often unstable and were inherently traumatic for children"[90] Accordingly, there was a "national permanency planning movement"

[86] Jennifer Parker, Kathleen Brady and Sarah Wilson, *Silent Tears Survey Analysis*, page 130 (question #36), March 2013 (attached as Exhibit B).
[87] Jennifer Parker, Kathleen Brady and Sarah Wilson, Silent Tears Survey Analysis, page 130 (question #35), March 2013 (attached as Exhibit B).
[88] Ronald C. Hughes, Judith S. Rycus, Stacey M. Saunders-Adams, Laura K. Hughes, and Kelli N. Hughes, *Issues in Differential Response*, RESEARCH ON SOCIAL WORK PRACTICE (PUBLISHED ONLINE JANUARY 9, 2013).
[89] *Id*. at 1.
[90] *Id* at 1

that "sought to elevate permanence for maltreated children to a level of importance equal to that of child safety."[91] The federal government enacted legislation requiring states to make "reasonable efforts" to prevent removal of children from their families and to quickly reunify families when removal was necessary.[92] Unfortunately, this over-emphasis of keeping families together resulted in some children continuing to endure egregious abuse. In 1997, the federal government enacted the Adoption and Safe Families Act "which reaffirmed and expanded programs to preserve and support families but which also clarified the reasonable efforts provisions….to ensure that children's health and safety would be the foremost criteria when making decisions to remove or reunify children."[93]

The need to balance child safety while also promoting family support structures made the concept of "alternative" (AR) or "differential" response (DR) attractive in that it allowed social service agencies to place "low risk" families in a supportive, engaging environment while utilizing the more traditional child protection investigation and court processes for families at higher risk to abuse. The "eventual development of a national advocacy team and access to significant federal and foundation resources to support the initiative together made DR one of the more widely replicated child welfare reform efforts in recent history."[94]

The national debate over alternative, differential or appropriate response systems

The strong feelings about ARS expressed by many South Carolina child protection professionals, reflects a national debate over this emerging system which also involves strong views. In January of this year, a team of researchers headed by Ronald Hughes of the North American Resource

[91] *Id* at 1.
[92] *Id*. at 1.
[93] *Id*. at 2.
[94] I*d* at 2.

Center for Child Welfare, published a strong critique of the differential response system.[95] Hughes and his colleagues made five critiques of the differential response system.

First, Hughes concluded "there is considerable variation in how DR programs have been defined, designed, and implemented across states and agencies and over time."[96] Hughes finds this problematic because "(w)ithout a consistent program model which is implemented with fidelity across jurisdictions and comparably evaluated, it is impossible to draw valid conclusions about the effectiveness, benefits and limitations of DR."[97]

Second, Hughes concluded there were significant "methodological problems" in the DR research "thereby calling into question the reliability and accuracy of many of the claims and conclusions made in these studies."[98]

Third, Hughes found there is "insufficient data" to conclude that children are, in fact, safe. Hughes says "this does not necessarily mean that children in AR tracks are unsafe. It does mean that child safety is not being uniformly assessed, accurately measured, or fully addressed in either DR programming or research."[99] Hughes also cautioned that "the principles that underlie DR programming may prevent a thorough assessment of risk and safety from occurring in alternative tracks. DR's stated preference that workers focus on family needs rather than incidents of maltreatment could clearly discourage practitioners from having the sometimes difficult conversations with families that are necessary to fully assess risk and to address safety concerns."[100]

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[95] Ronald C. Hughes, Judith S. Rycus, Stacey M. Saunders-Adams, Laura K. Hughes, and Kelli N. Hughes, *Issues in Differential Response*, RESEARCH ON SOCIAL WORK PRACTICE 1-28 (2012).
[96] *Id* at 5.
[97] *Id* at 6.
[98] *Id*. at. 6
[99] *Id* at 8.
[100] *Id*. at 11.

Fourth, Hughes found some evidence that scarce social service resources were being shifted to families in alternative response systems as opposed to families in the traditional CPS system. Hughes and his colleagues cautioned "in an environment of chronically limited resources, CPS agencies should carefully consider the consequences of diverting their resources to serve lower risk families in alternative tracks, when families in traditional tracks cannot be adequately served because of insufficient fiscal, staffing, and community resource resources."[101]

Finally, Hughes concluded that "DR literature" misrepresents traditional CPS investigations in an effort to "enhance the alternative track."[102] Specifically, Hughes found "unprofessional and negative" stereotypes of the traditional CPS system as being inflexible, adversarial, judgmental, and "unable to provide sufficient services."[103] Hughes found this distortion to be inaccurate and lamented that "accepting the distortion as fact prevents a legitimate, balanced assessment of the real strengths and limitations."[104]

In the past three months, Hughes' critique of the differential response system has drawn strong and varied reactions. Viola Vaughan-Eden, the president of the American Professional Society on the Abuse of Children, co-authored a commentary in which she contends the Hughes' paper "may be the most important article in the child welfare arena in the past 15 years."[105] Vaughan-Eden concludes the literature and research supporting differential or alternative response is "deeply flawed methodologically and riddled with bias. In some instances, what has been presented as empirical research is, but thinly veiled advocacy…one must ask how a program

[101] *Id.* at 12.
[102] *Id.* at 12
[103] *Id.* at 13
[104] *Id.* at 13.
[105] Viola Vaughan-Eden and Frank E. Vandervort, *Invited Commentary on "Issues in Differential Response",* RESEARCH ON SOCIAL WORK PRACTICE (published online February 27, 2013).

with so little empirical support gained such favor—at least 35 states utilize some form of differential response—in this era of evidence based practice."[106]

Vaughan-Eden answers her own question, in part, by suggesting the differential response system is "politically popular" in that it "speaks to the concerns" of liberals "who see much of child welfare as unwarranted attacks on the poor, minorities, and otherwise disadvantaged" and to the needs of conservatives who "often for religious reasons promote a 'hands off' approach to family life."[107]

L. Anthony Loman and Gary Siegel from the Institute of Applied Research in St. Louis, Missouri, concluded the Hughes paper was full of "misunderstandings, misinterpretations and errors" and is thus a "flawed vehicle" for assessing differential response.[108] Indeed, Loman and Seigel contend "(t)he only good we see coming out of the Hughes et al, paper is that readers may decide to read for themselves the reports referenced in it."[109]

Brett Drake from the Brown School of Social Work similarly objected to the Hughes paper, finding the "tone of the article to be unrealistically critical, casting one of the most well-researched areas in child welfare practice in undeservedly negative terms. Both the rigor of the research and the validity of the findings in DR are, in my view, considerably stronger than the authors of the current article suggest."[110]

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[106] *Id.* at 1.
[107] *Id.* at 1.
[108] L. Anthony Loman & Gary L. Siegel, *Hughes et al.: Science of Promotion?*, RESEARCH ON SOCIAL WORK PRACTICE (published online February 5, 2013).

[109] *Id.* at 5.
[110] Brett Drake, *Differential Response: What to Make of the Existing Research? A Response to Hughes et al*, RESEARCH ON SOCIAL WORK PRACTICE 5(published online January 22, 2013).

Bryan Samuels and Brett Vaughn Brown from the Administration on Children, Youth, and Families of the United States Department of Health and Human Services responded to the Hughes critique by stating they have a "more favorable view of the more recent and rigorously designed evaluations of DR, which, while certainly not perfect—as no field-based research can be—are overall of good quality and establish DR as promising practice."[111]

As reflected in the Hughes critique of differential response, and in the responses to the critique, the ARS system being implemented in South Carolina is part of a national movement for which there is both strong support and criticism.

Recommendations

Some national experts, such as Viola Vaughan-Eden, have argued that "(p)olicy makers and child welfare staff on the frontlines should impose a moratorium" on the use of differential response "until the program is better defined and its utility is rigorously and honestly studied."[112] According to Vaughan-Eden, "(f)ailure to do so runs too high a risk of violating the fundamental commitment of child welfare practice: keeping children safe."[113]

Other experts claim the "notion that DR or any other systems level reform should not be implemented until the highest standard of research is conducted is unrealistic. The logical outcome of this perspective would have us suspending or eliminating many aspects of our

[111] Bryan Samuels and Brett Vaughn Brown, *Differential Response: Response to Hughes and Colleagues,* RESEARCH ON SOCIAL WORK PRACTICE (published online May 1, 2013).

[112] Viola Vaughan-Eden and Frank E. Vandervort, *Invited Commentary on "Issues in Differential Response",* RESEARCH ON SOCIAL WORK PRACTICE 4 (published online February 27, 2013)
[113] Id.

approach to child protection, including training programs, judicial review procedures, and perhaps the entirety of the CPS system."[114]

We do not agree with Vaughan-Eden that there should be a "moratorium" on the implementation of differential response since there is some research to support the model even though, as Hughes points out, that research may be "overstated" or exaggerated. We also note that many child protection professionals in South Carolina, including those outside the field of DSS find the program at least "somewhat helpful" to the children in this state. It is also our impression that if differential response in South Carolina were scrapped or temporarily stopped, the children in the ARS system would not receive any services—they would simply be screened out.

Although the issue of improperly screening children into the ARS system is of real concern, it should be noted that screening children in or out of the traditional child protection system is also concerning—with national data suggesting that a majority of identified instances of child abuse are never investigated.[115]

As we see it, then, the primary concern with the ARS system is ensuring the initial screening is conducted in the most rigorous manner possible and that SAFY or other professionals working with these families are fully equipped to conduct ongoing screening to ensure child safety. As noted in the recommendations below, there is solid research suggesting that MDT involvement in child maltreatment cases is critical to increasing the accuracy of screening decisions and child abuse assessments. We believe this research may be a basis for improving the ARS system in South Carolina and increasing the confidence of other team members in the screening decisions.

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[114] John D. Fluke, Lisa Merkel-Holquin, and Patricia Schene, *Thinking Differently: A Response to Issues in Differential Response*, RESEARCH ON SOCIAL WORK PRACTICE (published online March 28, 2013).

[115] U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOURTH NATIONAL INCIDENCE STUDY OF CHILD ABUSE AND NEGLECT (NIS-4), 2-7, 2-8, 2-9 (2010).

Within this context, we have several suggestions:

1. **Public policy makers must engage in the debate**

The differential or alternative response system is one of the most important public policy debates in the history of child protection and will, for good or ill, impact the lives of millions of children in South Carolina and throughout the United States. Accordingly, it is critical for the governor, congressional delegation, and state legislators to make sure they are fully apprised of this issue and that these policy makers ask concrete questions of federal and state leaders advocating for ARS and implementing the system nationally and locally. This includes hard questions about the research supporting this model. These same policy makers should support funding for rigorous, impartial review of the ARS system and insist that any research neither over nor understate the positive and negative features of the system. South Carolina is implementing ARS under a five year contract with SAFY and, at the end of that contract, policy makers must insist on rigorous, reliable data to measure the program and to determine its future course.

2. **The ARS screening instrument should be reviewed by multi-disciplinary team members and ARS cases should be subjected to MDT case review**

There is strong research suggesting that any screening or case assessment conducted by a limited number of professionals, particularly professionals from the same agency, may be prone to human error and bias. Dr. Mark Everson from the University of North Carolina at Chapel Hill notes there are seven studies documenting "substantial unreliability in professional judgments about abuse allegations" but that these studies had several limitations including sample size.[116]

[116] Mark D. Everson, PhD, *Assessing Evaluator Bias in Cases of Alleged Child Sexual Abuse,* presented at the San Diego International Conference on Child and Family Maltreatment, January 31, 2013.

To this end, Dr. Everson and Jose Miguel Sandoval[117] developed the *Child Forensic Attitude Scale (CFAS),* an instrument that was administered to 1,613 child abuse professionals, including over 500 child protective service workers, over a six year period.[118] What Everson and Sandoval found is that *all* professionals have different subjective biases that can play a role in our evaluation of various child sexual abuse case scenarios.[119] Indeed, depending on an individual's biases, he or she may be 6-7 times less likely than his or her peers to view a case of child sexual abuse as credible.[120]

In their research on bias, Everson and Sandoval include a finding that may help understand the disagreement among some South Carolina MDT members about screening and assessment decisions and, at the same time, offer a possible solution. Specifically, Everson and Sandoval found that child protective service (CPS) workers "exhibited an overall attitude profile…associated with a higher probability of disbelieving sexual abuse allegations."[121]

Everson and Sandoval conclude:

> This finding is troubling in light of the role of CPS as one of the primary gatekeepers for sexual abuse cases entering the system. Other players in the system include law enforcement, prosecuting attorneys, judges, juries and various mental health professionals. Ideally, these other players, in combinations that vary with case characteristics, function as checks and balances for CPS substantiation decisions. However, in most cases, there are no checks and balances for CPS decisions against substantiating allegations of abuse. As a result, if CPS sets standards for accepting or substantiating allegations that are too high, there is a

[117] Mr. Sandoval works at the Center for Child and Family Policy at Duke University.
[118] Mark D. Everson, PhD, *Assessing Evaluator Bias in Cases of Alleged Child Sexual Abuse,* presented at the San Diego International Conference on Child and Family Maltreatment, January 31, 2013.
[119] *Id.*
[120] *Id.*
[121] Mark D. Everson & Miguel Sandoval, *Forensic Child Sexual Abuse Evaluations: Assessing Subjectivity and Bias in Professional Judgements,* 35 CHILD ABUSE & NEGLECT 287-298 (2011).

> risk of many true cases of child sexual abuse being screened out or unsubstantiated, leaving little recourse for abuse victims.[122]

One of the remedies to individual or agency bias, is a "'team' approach to assessment that emphasizes diversity in professional position or discipline, gender, and experience level…"[123] Everson and Sandoval contend a team approach to assessment is "likely to be useful in providing alternative perspectives to counterbalance individual biases."[124]

Consistent with Everson and Sandoval's research, we have two recommendations for reducing the possibility of screening or assessment errors and otherwise increasing MDT confidence in the ARS system.

First, the DSS screening instrument and process should be reviewed with solicitors, law enforcement officers, medical and mental health professionals and other pertinent MDT members. The background and experience of these individuals may provide valuable information for improving the initial screening of these cases and possible referral of some cases to law enforcement or other agencies.

Second, ARS cases should be part of MDT case review. A number of MDT members we spoke with reported instances in which they believed an egregious case of child abuse was inappropriately referred to SAFY or inappropriately retained by SAFY even though there were concerns the family may be at higher risk than originally suspected. Since we did not review individual case files, we are unable to conclude whether or not errors of this kind occur and, if they do, the extent of the problem. However, each MDT should make it clear that when concerns of this nature arise, the case in question should be discussed at the MDT case review and the

[122] *Id*. at 296.
[123] *Id*. at 297
[124] *Id* at 297.

appropriate DSS or SAFY personnel should be present to discuss the case with the team. In this way, DSS/SAFY will be able to alleviate any misunderstandings or, if there are real issues present, work with the team to address them.

In addition to allowing team members to raise concerns about individual children or families, each case review meeting should include a review of a limited number of randomly selected SAFY cases for discussion with the team. In this way, the team will gain a deeper appreciation that many SAFY cases are appropriately handled and DSS/SAFY workers may be able to access more services for families in the ARS system. Simply stated, the benefits of the MDT case review process should not be limited only to children whose cases have resulted in criminal or civil child protection filings but should also include some work with and assistance for families in the ARS system. Other national experts have also recommended this as a common sense reform that would improve the country's emerging differential response systems.[125]

There is one more critical factor warranting greater involvement of the MDT in ARS cases. In South Carolina, as is the case nationally, DSS workers experience the highest rate of turnover of any discipline represented on the MDT. This fact was mentioned repeatedly in our onsite interviews and was also apparent in the online survey with 72% of MDT members in metropolitan communities and 70% of all South Carolina communities agreeing that DSS turnover in their jurisdiction is "very high."[126]

The Children's Bureau of the United States Department of Health and Human Services calls DSS turnover a "major concern in many child welfare agencies" and the president of the American Professional Society on the Abuse of Children recently wrote:

[125] Viola Vaughan-Eden & Frank E. Vandervort, *Invited Commentary on "Issues in Differential Response",* RESEARCH ON SOCIAL WORK PRACTICE 3 (published online February 27, 2013) (noting federal law urges the development of MDTs and that these teams "hold real promise for getting better educated, more seasoned, and more resourceful professionals involved in child welfare decision making." *Id.*).
[126] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 9, March 2013 (attached as Exhibit B).

> Unfortunately, one result of high turnover is that child welfare professionals with the least amount of experience receive the most difficult cases. They lack the experience and training necessary to identify risk factors, differentiate severity of cases, distinguish their own biases, and make objective assessments of the children and families they are assigned, and are often left feeling overwhelmed and unappreciated.[127]

Although better training, beginning at the undergraduate level is part of the long term solution to this issue, getting more MDT members involved in developing screening tools and otherwise adding their own resources to the DSS system will reduce some of the concerns referenced above.

We believe that many DSS and other frontline professionals will be receptive to the above referenced reforms as well as any additional reforms consistent with this proposal. After all, these are the very professionals who raised these concerns and are in the best position to work toward a solution. The professionals supportive or concerned about ARS are compassionate child protection professionals genuinely striving to help children in their communities. We believe this concern for children is the common denominator that will enable MDTs to reach a consensus on moving forward with ARS.

If this can't be done, the governor and legislature may need to intervene and work with front line professionals in developing a process in which MDTs are involved in reviewing screening policies and serve as an additional check on the system by reviewing randomly selected cases referred to ARS.

[127] Viola Vaughan-Eden and Frank E. Vandervort, *Invited Commentary on "Issues in Differential Response",* RESEARCH ON SOCIAL WORK PRACTICE 3 (published online February 27, 2013).

DEVELOPING PARTNERSHIPS BETWEEN FAITH AND CHILD PROTECTION COMMUNITIES

Faith is an important part of American culture. More than 90% of Americans believe in God,[128] 55% of Americans say religion is "very important" in their life,[129] 40% of Americans attend church weekly and 85% attend religious services at least sometimes.[130] Contrary to popular myth, church membership today is "far higher than it was in colonial times, and…the membership rate has been rising for more than 200 years."[131] Sociologists predict a rise in religious involvement in the years ahead fueled partly by our aging population, the rise in minorities (who tend to be more religious), and a migration to more religious regions of the United States.[132]

Faith is a particularly important aspect of the culture of South Carolina. South Carolina has the third highest percentage of weekly church attendance in the nation.[133] In 2009-2010, Gallup measured the "net religiousness" of all 50 states and South Carolina was deemed the fourth most religious state in the country.[134] Although 54% of Americans are protestant, this is not true in South Carolina and eight other southern states with protestant populations exceeding 71%.[135] This is a significant demographic because, as measured by Gallup's "net religious" index, protestants are "more religious than the national average."[136]

In our meetings with stakeholders, in our interviews with front line child protection professionals, and in the online survey results we consistently saw evidence of the impact faith

[128] FRANK NEWPORT, GOD IS ALIVE AND WELL: THE FUTURE OF RELIGION IN AMERICA 10 (2012)
[129] *Id.* at 11.
[130] *Id*. at 11.
[131] ROGER FINKE & RODNEY STARK, THE CHURCHING OF AMERICA 1176-2005 (Rutgers University Press)
[132] FRANK NEWPORT, GOD IS ALIVE AND WELL: THE FUTURE OF RELIGION IN AMERICA 241-247 (2012)

[133] Frank Newport, *Mississippians Go to Church the Most; Vermonters, Least,* Gallup Poll (February 17, 2010) available online at www.gallup.com
[134] FRANK NEWPORT, GOD IS ALIVE AND WELL: THE FUTURE OF RELIGION IN AMERICA 146-149 (2012
[135] FRANK NEWPORT, GOD IS ALIVE AND WELL: THE FUTURE OF RELIGION IN AMERICA 150-151 (2012).
[136] *Id*. at 150-151

has in South Carolina. On a scale of 1-10, we asked on site interviewees to rate the importance of involving the faith community in child abuse prevention efforts. Of the 37 child protection professionals asked this question, 24 rated this importance a 10, two respondents rated the importance 9-10, two respondents didn't give a number but said it was "very important" or "extremely important" to engage the faith community. Seven professionals rated the importance of engaging the faith community as an 8. One respondent was "neutral" on the issue and one respondent rated the importance as a 5.

Typical responses from South Carolina child protection professionals include:

- "Religion is a very important factor in the lives of South Carolina's families. Engaging them would be helpful because their members rely so much on the church for guidance."
- "A lot of church members have problems and they would feel more comfortable if they thought their church was open to discussing these issues and trained in how to respond."
- "A HUGE need to educate the faith community about reporting and how to work with families in these situations."
- "Faith community is already involved in the family's life so they are a natural place for services to be accessed. They need training on recognizing child sexual abuse and working with families in these types of situations."
- "The churches can be most effective in prevention because they are already doing outreach and they can engage those who attend their church in a different way and be accepted. Churches are part of the community and it helps people be involved and have ownership in the well-being of the community."
- "I think it is very important as many families are not connected to any other organization but are connected to a church. Having the church leaders informed and involved can help the families. They [the churches] need education because they can also be a barrier when they are not informed."
- "This is the Bible belt. There [are] more churches here than fast food restaurants."

Although the South Carolina child protection professionals we spoke with recognized the critical

role the faith community can play in helping maltreated children, many lamented that such assistance is often rare. Many of these professionals shared with us instances in which a church was supportive primarily of an offender and was, at best, insensitive to the needs of the victim. A solicitor told us he has seen "lots of instances" in which children have had their faith impacted by abuse and questioning the existing of God because they "begged" God to make it stop but their prayers were not addressed. Unfortunately, this solicitor reported, pastors are not aware of or simply ignore these issues and instead testify on behalf of or otherwise support the offender. When this happens, the solicitor says he always asks the pastor "Didn't the child attend your church, too?"

Other examples child protection professionals gave of inappropriate church responses include:

- A child protection professional told us of a mother charged with force feeding her child. Rather than support the child, the pastor and various members of the church rallied around the allegedly abusive mother. According to this child protection professional, child abusers "use the church. They speak the language and use the church."
- Another child protection professional told us of a Sunday school teacher charged with sexually abusing a child. Church leaders supported the teacher, resulting in the victim and her mother changing churches. The offender was convicted and is serving a prison sentence.
- One child protection professional lamented "I don't know why but the preacher is always behind the suspect." In one case a pastor "kicked the girl" victim out of church "and stood behind the dad." According to this professional, clergy "are so vocal for the person [charged with sexual abuse] because they want to say how good he is. I want to say 'you weren't there. You are on the wrong side of the aisle [in the courtroom]. They just need to be educated."
- A number of child protection professionals lamented that church leaders often keep instances of child abuse "in house." One professional told us "Many perpetrators seek their victims through religious affiliations. Here at the center, we see so many cases

where churches cover it up. The minister, the faith community has covered up what has happened [by] encouraging families to forgive and forget and not make reports."

- A clinician told us of a child sexual abuse victim she was working with who was excommunicated from her church because she "couldn't forgive immediately." This same clinician commented "We all know how important spirituality and religion can be in a child's recovery. [I came] from a state where religion was not a huge focus as it is here—here it is a daily part of children's lives. It can be such a part of their healing process. Many of the children I work with wonder if God blames them or they ask how God views them."
- A clinician told of a victim who called for six months pertaining to her sexual abuse but was afraid to give her name because "you don't go against the church or God." Reflecting the theology of her offender and her church, the victim said "Pure children aren't abused" and that her victimization was the result of the fact she had "unholy thoughts." According to the child's provider, "her faith is destroyed."

Concern that the faith community frequently shields offenders and fails to protect children was also expressed in the online survey. When asked which professionals were *least likely* to report cases of child sexual abuse, 66% of child protection workers, 44% of law enforcement officers/solicitors, and 49% of clinicians said pastors were the least likely to report.[137]

The importance of working with faith communities: a summary of spiritual injury research

The views expressed by child protection professionals in South Carolina are consistent with a large and growing body of research concerning the use of religion in sexual or other acts of child abuse, the impact this has on a child's sense of spirituality, and the frequency with which child sexual abusers manipulate the faith community into shielding an offender and further harming the victim. This research is summarized below.

[137] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 126, March 2013 (attached as Exhibit B).

The use of religion in sexual abuse

There is evidence that most sex offenders are religious and that many of them use religion to their advantage. In a study of 3,952 male sex offenders, 93% of these perpetrators described themselves as "religious."[138] Research suggests that "religious" sex offenders may be the most dangerous category of offenders. One study found that sex offenders maintaining significant involvement with religious institutions "had more sexual offense convictions, more victims, and younger victims."[139] According to another study, clergy sex offenders share the same characteristics of non-clergy sex offenders with the exception that clergy are *more likely* to use force.[140]

The vast majority of these offenders use religious or spiritual themes in the abuse of their victims. For example, an offender may point to a child's biological reaction to sexual touching and comment "You had an erection, just like me. You enjoy the sexual contact as much as I do and you are as much to blame as me."

The frequency with which sex offenders manipulate church leaders

Child molesters, particularly those meeting the diagnostic criteria of pedophilia, are extremely manipulative not only of their victims but also the church as a whole. According to one treatment provider, "If children can be silenced and the average person is easy to fool, many offenders report that religious people are even easier to fool than most people."[141]

In the words of one convicted child molester:

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[138] GENE ABEL & NORA HARLOW, THE STOP CHILD MOLESTATION BOOK (2001).
[139] Donna Eshuys & Stephen Smallbone, *Religious Affiliations Among Adult Sexual Offenders,* 18 SEX ABUSE 279 (2006); *see also,* Philip Firestone, et al, *Clerics Who Commit Sexual Offenses: Offender, Offense, and Victim Characteristics,* 18 JOURNAL OF CHILD SEXUAL ABUSE 442 (2009).
[140] Langevin, et al, *A Study of Clerics Who Commit Sexual Offenses,* 24 CHILD ABUSE & NEGLECT 535 (2000)

[141] ANNA C. SALTER, PREDATORS 28 (2003).

> I consider church people easy to fool…they have a trust that comes from being Christians…They tend to be better folks all around. And they seem to want to believe in the good that exists in all people…I think they want to believe in people. And because of that, you can easily convince, with or without convincing words.[142]

Child molesters are skilled at deception because, in part, they have considerable practice at lying to their families, their victims, their friends, and to themselves. Sex offender treatment provider Anna Salter describes the abilities of molesters to lie convincingly in this way:

> Very few of us have ever been suspected of a crime, and fewer still have been interviewed by the police about one. Under such circumstances, detection apprehension would be very high for most of us…But that would change had we practiced lying over serious matters every day, had we lived a double life, had we been questioned by upset parents or by police numerous times in the past. You are never going to run into a child molester who is not a practiced liar, even if he is not a natural one.[143]

Not only are child molesters skilled at lying to pastors and parishioners alike, they are often *proud* of their abilities to fool the leaders and members of their congregations. In the words of one convicted child molester:

> (T)here was a great amount of pride. Well, I pulled this one off again. You're a good one…There were times when little old ladies would pat me on the back and say, 'You're one of the best young men that I have ever known.' I would think back and think 'If you really knew me, you wouldn't think that.'[144]

[142] *Id* at 29.
[143] *Id.*at 203.
[144] *Id.* at 199.

The impact of child abuse on spirituality

Whether or not a child is abused in the name of God, many children have profound spiritual damage as a result of maltreatment. For example, a study of 527 victims of child abuse (physical, sexual or emotional) found a significant "spiritual injury" such as feelings of guilt, anger, grief, despair, doubt, fear of death, and belief that God is unfair.[145]

In a review of 34 studies reporting on a total of 19,090 adult survivors of child maltreatment, scholars noted that most studies found abuse damaged the faith of children, often by damaging the victim's view of and relationship with God.[146]

When the perpetrator is a member of the clergy, the impact on the victim's spirituality may be even more pronounced. Clergy abusers often use their religion to justify or excuse their sexual abuse of children. According to one study, clergy in treatment for sexually abusing children believed that God would particularly look after the children they had victimized and otherwise keep them from harm.[147] Through their religious role, these offenders also engaged in "compensatory behavior" and believed that their good works in the community would result in God excusing their moral lapses with children.[148]

The religious cover used by clergy abusers is often communicated to the victims in a manner that irreparably damages their spirituality. Specifically, church attendance of these survivors

[145] Lawson, Drebing, Berg, Vincellette, & Penk, *The Long Term Impact of Child Abuse on Religious Behavior and Spirituality in Men*, 22(5) CHILD ABUSE & NEGLECT 369, 376-377 (1998).
[146] Donald F. Walker, et al, *Addressing Religious and Spiritual Issues in Trauma-Focused Cognitive Behavior Therapy with Children and Adolescents*, 41 PROFESSIONAL PSYCHOLOGY: RESEARCH & PRACTICE 174 (2010).
[147] Adam Saradjian & Dany Nobus, *Cognitive Distortions of Religious Professionals Who Sexually Abuse Children*, 18 J. OF INTERPERSONAL VIOLENCE 905, 918 (2003).
[148] *Id.*

decreases, they are less likely to trust God, and their relationship with God often ceases to grow.[149]

The importance of spirituality for many abused children

Spirituality is of critical importance to most children. Indeed, a "growing body of theoretical and research literature suggests that spiritual development is an intrinsic part of being human."[150] Research from UCLA's Higher Education Research institute found that 77% of college freshman believed "we are all spiritual beings."[151] Eighty percent of these freshmen said they had an "interest" in spirituality.[152] Some studies suggest spirituality may be particularly important to vulnerable children. In a study of 149 youth in an institutional care setting, 86% of these children considered themselves spiritual or somewhat spiritual.[153] As an example of the importance spirituality plays for some vulnerable youth, a teenage survivor of the sex industry told a journalist "I admit that I'm still struggling, even after six months away from the business…Because I dropped out of school I have few career options…Yet I know what God wants for me. I need to be healed."[154]

With respect to victims of child abuse, research consistently shows that abuse victims "who maintained some connection to their personal faith (even if it was damaged as a result of abuse) experienced better mental health outcomes compared to adult survivors of abuse who did not."[155]

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[149] Barbara R. McLaughlin, *Devastated Spirituality: The Impact of Clergy Sexual Abuse on the Survivor's Relationship with God,* 1(2) SEXUAL ADDICTION & COMPULSIVITY (1994).
[150] *Id.* at 14 (citations omitted).
[151] *Id.* (citations omitted).
[152] *Id*.
[153] *Id*. at 14-15.
[154] PHILIP YANCEY, WHAT GOOD IS GOD? 73-74 (2010).
[155] Victor I. Vieth, Basyle Tchividjian, Donald F. Walker, & Katlin R. Knodel, *Child Abuse and the Church: A Call for Prevention, Treatment and Training*, 40 JOURNAL OF PSYCHOLOGY & THEOLOGY 323, 330 (2012); *see also,* Shondrah Tarrezz Nash & Latonya Hesterberg, *Biblical Framings of and Responses to Spousal Violence in the Narratives of Abused Christian Women*, 15(3) VIOLENCE AGAINST WOMEN 340 (2009).

Many victims turn to their sense of spirituality to cope with one study noting that many survivors of childhood abuse report praying more frequently and having a "spiritual experience."[156]

Recommendations for developing child protection and faith partnerships

Given the importance of faith to many families in South Carolina, it is critical to improve the ability of the faith community to meet the needs of children impacted by abuse and to work collaboratively with child protection professionals. To this end, we suggest seven reforms.

1. Training at the seminary level

As is true of most child protection professionals, clergy are poorly trained to address any aspect of child abuse. As an illustration of the need for training, the pastoral care department of the Children's Hospital Medical Center of Akron, Ohio surveyed 143 clergy of numerous faiths and found that 29% believed that actual evidence of abuse, as opposed to suspicion was necessary before a report could be made. The same study found that only 22% of the respondents were required by their denomination/faith group to receive child abuse training. This study also documented an under-reporting of suspected abuse cases.[157] The 143 clergy responding to this survey impact, at some level, the lives of 23,841 children.[158]

To address this gap in training, we believe that existing and future seminaries in South Carolina should include ten hours of instruction on child abuse as a pre-requisite to graduation. Since it is impossible to oversee a congregation for any extended period of time without encountering families impacted by child abuse, and given the manipulation of so many offenders of the faith community, it is critical to improve the skills of clergy. We believe the acquisition of these skills should begin at the seminary level with additional training throughout a minister's career.

[156] *Id.*
[157] Daniel H. Grossoehme, *Child Abuse Reporting: Clergy Perceptions*, 7 CHILD ABUSE & NEGLECT 743-747 (1998).
[158] *Id.*

Seminaries choosing to move in this direction do not need to start from scratch. The National Child Protection Training Center has developed such a curricula and at least one seminary in South Carolina has attended coursework in Minnesota to consider the possibility of implementing the program.

Six hours of the curriculum developed by NCPTC address these topics:

- The prevalence of child abuse
- How children disclose sexual abuse
- The impact of sexual abuse on spirituality
- Behaviors indicative of sexual abuse
- What can be done to keep children safe in our faith institutions
- The interest sexual offenders have in faith based camps and schools and the methods often used in selecting children to be abused
- Effective policies for deterring sexual offenders
- Effective policies should a sexual offender nonetheless become active in a faith institution
- Helpful rules and lessons from youth-serving organizations
- Physical abuse signs (students learn to distinguish unusual bruising patterns, understand the meaning of a “patterned injury”, and to recognize a potential hand slap)
- The five types of emotional abuse
- The role of background checks and worker interviews
- Correlation between animal abuse and child abuse
- Research on the effects of corporal punishment, the present status of state and international law on this issue, and suggestions for discussing this issue in our seminaries, churches, and other faith institutions.

- How to respond when the church, seminary or other faith institution is sued by a victim or group of victims
- Case study of child sexual abuse (students look at a case of child sexual abuse arising in the church and, applying all the knowledge gained in course, walk through possible approaches to responding to the case)
- Suggestions for speaking with:
    - An adult survivor disclosing childhood maltreatment
    - An adult confessing child sexual abuse

In addition, each participating seminary is expected to develop at least four hours of instruction on addressing spiritual injuries resulting from abuse. Seminary students receive actual cases of child abuse in which survivors ask profound spiritual questions. The students are asked to write papers or give presentations addressing these issues. For example, one of the questions students are asked to address is:

> I am a police officer and a Christian. I've been baptized, confirmed, and have faithfully attended church all my life. I am, though, deeply troubled. When I was a boy, my father cruelly abused me. One of his favorite things to do was to take me into the barn (we lived on a farm), strip me naked, bind my hands together with a rope and then toss the other end of the same rope over the rafters in the barn so that I would hang naked in the barn as he beat me with a stick. The sound of that stick, the smell of that barn, and the sight of my blood are never far from my memory. I am a good person, and I believe Jesus is my savior. At the same time, though, I know I'm going to hell. I recall the Sunday School lesson of Jesus scolding Peter that our obligation is not to forgive seven times but seventy times seven—meaning an infinite number of times. I recall Jesus saying that if we can't forgive others, we won't be forgiven. Try as I might, I cannot forgive my father.

> Why should I have to go to hell because I can't forgive the man who tortured me?[159]

Obviously, seminaries can choose to develop their own curriculum. In doing so, though, it must be rigorous in design and implementation, and it must adequately prepare future clergy to recognize and respond competently—if not with excellence to instances of abuse.

2. Mandated reporter training for churches

All clergy and other church workers involved with youth should receive high quality mandated reporter training. Once completed, those involved with youth should receive refresher training at least once every two years. South Carolina has many high quality mandated reporter training programs which local CACs can help churches access. As one example, the Children's Law Center at the University of South Carolina Law School provides both online and in person mandated reporter training and, in the past nine months alone, has trained 3,708 mandated reporters.

Parishioners, particularly those who are parents, should insist that churches have in place minimal training standards for those working with youth. Martin Luther said "It is to the little children we must preach, it is for them that the entire ministry exists."[160] Churches in agreement with Luther's sentiments will develop minimal standards of training on child abuse for workers and volunteers interacting with youth.

[159] This anecdote is based on a case on which NCPTC consulted.
[160] CHARLES DAUDERT, ED., OFF THE RECORD WITH MARTIN LUTHER: AN ORIGINAL TRANSLATION OF THE TABLE TALKS 233 (2009).

3. MDTs and faith leaders should collaborate on church policies

Although many churches have child protection policies, and many insurance companies require these policies, the writers of these policies are oftentimes not child abuse experts.[161] One area for collaboration between child protection and faith leaders is for clergy and other church leaders to consult with child abuse solicitors, DSS, and law enforcement officers in their community and ask for feedback on individual policies. In turn, these other agencies should be willing to provide this collaborative service to churches in the hope of preventing instances of child abuse in faith settings.

4. CAC/MDTs should have a chaplain specially trained in child abuse assisting the team

Given the large amount of research on the use of religious themes in the sexual abuse of children, as well as the large body of research about the profound impact of child sexual abuse on a child's sense of spirituality, MDTs should begin to discuss this aspect as part of case review processes and, in appropriate instances, assist children in accessing culturally appropriate spiritual care. To assist in this dialogue, it may be wise for each CAC to select a chaplain specially trained in child abuse to participate in case review processes under the same levels of confidentiality that would be required of any team member. The selected chaplain must pass a background check, be recommended by at least two members of the MDT, and must complete at least 40 hours of training on child abuse with the training being approved by the participating CAC. If the *Chaplains for Children* program contemplated in this report[162] becomes a reality, the participating chaplain must also participate and complete that training program successfully.

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[161] For a discussion of this issue as well as a detailed proposal for ideal child protection policies, *see* Victor I Vieth, 2(1) JACOB'S HOPE (2011), available online at: http://www.ncptc.org/vertical/Sites/%7B8634A6E1-FAD2-4381-9C0D-5DC7E93C9410%7D/uploads/JacobsHope.NL.6.11.pdf (last visited May 12, 2013)

[162] *See* recommendation #5 *infra.*

In addition to serving the MDT in this way, the CAC/MDT may find other roles for clergy to add resources to the team and otherwise serve the needs of maltreated children. Attached to this report as **"Exhibit C"** is an article co-authored by child protection leaders from NPCTC, APSAC, NDAA and the University of North Carolina-Chapel Hill proposing 12 possible roles for clergy on the MDT. At the discretion of local MDTs, one or more of these additional roles may also be appropriate.

5. Implement a "Chaplains for Children" training program within one year

We suggest that South Carolina develop and implement a five day training program entitled *Chaplains for Children.* This intensive program will be designed for police chaplains, hospital pastoral care workers, and clergy seeking to improve their skills in providing spiritual counseling to survivors of child abuse and in working with MDTs providing mental health and other services to maltreated children and their families. The course should cover all of the topics suggested in the seminary curriculum and also provide hands on experience in speaking with survivors of abuse who are asking spiritual questions about their victimization. The "survivors" would be portrayed by professional actors (similar to the concept used in South Carolina's *ChildFirst* forensic interview training program) and be critiqued by a team of pastoral care and mental health professionals assisting with the course. The students must also complete a written or oral examination demonstrating knowledge of pertinent child abuse literature, mandated reporting laws, and other subjects covered in the course.

In looking for an agency ideal for hosting this training and promoting it throughout the state, we suggest the South Carolina Law Enforcement Assistance Program and Chaplaincy Service (SCLEAP). This chaplaincy service is part of the South Carolina Law Enforcement Division and is modeled on a concept currently used by the FBI. The SCLEAP program has staff and

volunteers that currently serve over 2,500 South Carolina law enforcement officers and their families. The services provided by SCLEAP include "regular training for staff and volunteers in those areas where SCLEAP provides services."[163] We believe a "Chaplains for Children" training program would be a natural extension of the current work of SCLEAP and could become a model replicated nationally.

We discussed this concept with a number of front line child protection professionals with the vast majority expressing support provided there were appropriates checks and balances on who was admitted to the program or what they may eventually do as part of an MDT. In the online survey, 57% of clinicians, 47% of DSS workers and 43% of law enforcement officers/solicitors said involving chaplains in cases of child sexual abuse was a "good idea."[164] Only 4% of DSS workers, 7% of clinicians and 23% of law enforcement officers said it was not a good idea—with large percentages unsure.[165] We suspect the large number of "unsure" respondents indicate that the online survey did not fully explain the concept in the manner that was done in the onsite interviews.

6. Within 3 years implement a "Chaplains for Child Protection Professionals" training program

In addition to the chaplaincy programs offered through SLED, South Carolina has a great many law enforcement chaplains, pastoral care workers and other spiritual counselors assisting MDT members cope with the stressors of their work and lives. We suggest a 2.5 day course specifically focusing on addressing the spiritual needs of child protection professionals. Chaplains attending this course must have completed the five day *Chaplains for Children* course and must be approved by a law enforcement agency, pastoral care department, or other program

[163] For additional information, visit: www.scleap.org
[164] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 132, March 2013 (attached as Exhibit B).
[165] Jennifer Parker, Kathleen Brady and Sarah Wilson, *Silent Tears Survey Analysis*, page 132, March 2013 (attached as Exhibit B).

affiliated with an MDT. We suggest that this course also be provided under the auspices of SCLEAP.

7. The HALOS program in Charleston should be replicated throughout the state

One of the most creative programs in the country for involving faith communities with child protection professionals is located in Charleston, South Carolina. In 1997, a pediatrician by the name of Eve Spratt worked with local churches, synagogues, public policy makers and DSS workers in creating a program called HALOS which stands for Helping and Lending Outreach Support.

The concept behind HALOS is simple. Local DSS workers articulate the unmet needs of children and families they are working with and participating churches provide financial or other resources to meet the need. In Charleston County alone, there are more than 1,800 open case files on abused and neglected children.[166]

The needs met by HALOS can be as simple as helping cover registration fees for summer camp, or assisting a child in foster care in acquiring a prom dress. A posting on the HALOS website tells of a case involving "a woman on a fixed income who took in two young grandchildren while their mother struggled with drug addiction. When the children outgrew their cribs, she needed beds to keep the children out of a foster home, but she could not afford new furniture. HALOS stepped in to provide a lightly used bunk bed donated by a local family."[167]

In 2004, HALOS received a federal grant from the Office for Victims of Crime to duplicate the program in three other locations including Dillon and Lancaster counties in South Carolina. The

[166] This information is taken from the HALOS website at: http://www.charlestonhalos.org/index.php/site (last visited May 11, 2013)
[167] http://charlestonhalos.org/critical_needs.html (last visited May 11, 2013)

program has also been replicated in Greene County, Missouri and a similar program, called *Care in Action* operates in Minnesota.[168]

We applaud the HALOS program for its work in three South Carolina counties, as well as other states. We suggest that ministerial and other associations of faith leaders in every county in South Carolina form a working group to consider the feasibility of a HALOS program in their communities. In turn, these working groups will need to work closely with local DSS workers and officials to make sure the program is adding meaningful resources to families served by DSS and SAFY.

From our interviews with South Carolina professionals working with children, including children who have offended, we learned of many needs that are not being met. For example, a group home worker told us:

> We have a child now who has pulled out all his teeth…he is 11, he needs teeth. The system doesn't pay for teeth. He is going to go through life without teeth. The child [also] needs a specific medication [but] we are told he can't get it because it is too expensive. It is those kinds of things you have to bring to everyone's attention. I think talk is cheap.

It is cases like this, cases in which a child needs the simple dignity of having teeth, that we believe the South Carolina faith community can help.

[168] http://careinactionmn.org/ (last visited May 11, 2013)

IMPROVING THE MANDATED REPORTING SYSTEM IN SOUTH CAROLINA

In the wake of the child sexual abuse scandal at Penn State University, many in the nation were shocked that so many men, many of them well educated, failed to report even clear instances of sexual abuse to the authorities.[169] As a result of public outrage, there has been a great deal of work at federal and state levels to expand the list of professionals mandated to report and to increase the penalties for failing to report abuse. South Carolina is one of many states in which legislators are considering these reforms.

Although some South Carolina child protection professionals we spoke with expressed support for expanding the state's mandated reporting law, the vast majority of the professionals did not see the current mandated reporting law as the primary problem in South Carolina. One law enforcement officer told us simply "It is a pretty air tight law. If you are one of those people, you have to report…I can't think of any weaknesses off the top of my head."

However, these same professionals did see instances of under-reporting (failing to report clear suspicions of abuse) as well as over-reporting (reporting instances not suspicious of abuse) and suggested that both problems are rooted in inadequate training. Examples from the frontlines include these comments:

- "I think it [the law] is written very clear. I think it is unfortunate that [some] people don't know about it. I see teachers, resource officers, and others who aren't aware of mandated reporting. We had a school official who said [to a teacher he suspected of sexually abusing a child] 'if you don't tell on yourself then I will tell someone.'"

[169] As summarized by one national media source: (T)he 23-page grand jury report is littered with instances in which university officials and other authorities failed to act, effectively allowing the list of victims to grow. *Victim 1,* USA TODAY at 1A, 2A November 11, 2011

- "I deal a lot with cases in schools. I feel like our schools need a lot of help. Their concerns tend to be more superficial…They do report a lot of our cases [but] there is nit-picking…"
- "Schools do the best job of reporting. Medical professionals struggle with reporting because they don't want to go to court."
- "Teachers and therapists do the best job of reporting. Medical staff struggles with this….Many people are afraid of having their name revealed during the investigation even though that is not supposed to happen."
- "Mental health professionals and doctors do the best job of reporting. The school is the least likely to report [in our community]."
- "Doctors and pediatricians [in my community] have been hard. You have to show up with a SWAT team to find out what the kid told them."
- "I feel like knowledge is power. I feel there aren't enough people who have knowledge about it [mandated reporting]. I have pediatricians calling and second guessing themselves. Teachers and guidance counselors [are] calling over here and their questions are no brainers to me. Of course you have to report. There is a lot of handholding. I worry about those who don't call us. Education needs to be out there."

One of the mandated reporters we spoke to said she knows of people who have stopped reporting suspicions of abuse because so many cases are screened out. Specifically, this reporter told us:

> I don't think it [mandated reporting] is working….[Our] attitude became 'why report when they [DSS and law enforcement] won't do anything. Does he have a bruise on him now? No. He has been here a month. If he doesn't have a bruise on him now I can't do anything. If his mom isn't smoking weed with him [but] is only smoking in the house you get laughed at for calling.

In the online survey, we asked frontline professionals to rate the effectiveness of the mandated reporting system on a scale of 1-5 with five being the highest. Nearly half of

the professionals working in metropolitan communities (49%) and the state as a whole (46%) rated the system as a 4 or a 5. A large number (42% in metropolitan communities and 43% overall) rated the system "somewhat effective."[170]

As stated previously, when asked what professionals were least likely to report suspicions of child sexual abuse, law enforcement officers/solicitors, DSS workers and clinicians all said pastors were the least likely to report sexual abuse.[171]

Putting the South Carolina findings in the context of other research

The contention of South Carolina professionals that at least some reporters fail to report instances of abuse, and the stated reasons for these failures, is consistent with other studies over the past several decades.

A 1990 study found that only 40% of maltreatment cases and 35% of the most serious cases known to professionals mandated to report were in fact reported or otherwise getting into the child protection system (CPS).[172] A study published one decade later found that 65% of social workers, 53% of physicians and 58% of physician assistants were not reporting all cases of suspected abuse.[173]

In a survey of 197 teachers, these educators were given two hypothetical cases of abuse. In the first hypothetical, the teachers were asked if they would make a report when a student tells them a stepfather has been touching their genitals. In the second hypothetical, the teachers were asked if they would make a report when a student tells them that another teacher was touching their

[170] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 114, March 2013 (attached as Exhibit B).
[171] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 126, March 2013 (attached as Exhibit B).
[172] David Finkelhor, *Is Child Abuse Overreported?*, PUB. WELFARE, Winter 1990 at 25.
[173] Steven Delaronde, et al, *Opinions Among Mandated Reporters Toward Child Maltreatment Reporting Policies*, 24 CHILD ABUSE AND NEGLECT 901, 905 (2000).

genitals. Only 26% of the teachers said they would report the first instance to the authorities and only 11% said they would report the second incident to the authorities.[174]

According to this same study, 73% of teachers reported they had *never* made a report of child abuse and those who had a made a report averaged only one report.[175] This is true even though the teachers in this study averaged 10 years of experience.[176] When reports are made, it is typically only to a supervisor.[177]

Reasons some mandated reporters fail to report: what other studies tell us

The reasons offered to us for the failure of some South Carolina reporters to call in suspicions of abuse mirrors other research. In other studies, insufficient evidence, lack of certainty that abuse has occurred, the belief a report will cause additional harm, and the need to maintain a good relationship with patients and clients are some of the reasons cited by reporters failing to comply with the law.[178]

Physicians often worry about the effects of an unfounded report on their private practice.[179] In small towns, patients may be reluctant to visit a physician who has previously reported abuse, particularly if the report is viewed as frivolous.[180] Although the identity of a reporter is to be handled in confidence, small-town life is such that the identity of the reporter can often be detected.[181]

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[174] Maureen C. Kenny, *Child Abuse Reporting: Teachers' Perceived Deterrents,* 25 CHILD ABUSE & NEGLECT 81, 88 (2001). Journalists are echoing the work of scholars by documenting in mainstream media egregious instances of professionals failing to report unequivocal cases of child abuse. *See e.g.,* Annette Foglino, *Teachers who prey on kids: Why they're still going free,* GOOD HOUSEKEEPING (December 2003) p. 61.
[175] Maureen C. Kenny, *Child Abuse Reporting: Teachers' Perceived Deterrents,* 25 CHILD ABUSE & NEGLECT 81, 88 (2001).
[176] *Id.*
[177] *Id.*
[178] Maureen C. Kenny, *Child Abuse Reporting: Teachers' Perceived Deterrents,* 25 CHILD ABUSE & NEGLECT 81 (2001).
[179] Martha Bailey, *The Failure of Physicians to Report Child Abuse,* 40 U. TORONTO FACULTY L. REV. 49, 55, 57 (1982).
[180] *Id.*
[181] Victor I. Vieth, *A Strategy for Confronting Child Abuse in Rural Communities,* 28 THE PROSECUTOR 15, 16 (September/October 1994).

Some skilled reporters recognize that child protection investigators must prioritize the reports received and may be able to respond to only the most serious. Recognizing this, some reporters may not call in a suspicion of abuse because it is believed no action can be taken.[182]

The correlation between reporting and training: a review of other studies

A lack of training may explain the ignorance of some mandated reporters about their obligations. In a 1989 survey of 480 elementary school teachers, 50% said they had not received any in-service training on mandated reporting and most of the teachers were not fully aware of their school's policies as to the handling of child abuse cases.[183] In a 1999 survey of 382 master's level social workers, pediatricians, physicians, and physician assistants, researchers found that 57% of the respondents had received less than ten hours of training on their obligations as mandated reporters.[184] In a 2001 study of 197 teachers, 74% said they received "minimal" or "inadequate" preparation in college to prepare them for the work of being a mandated reporter and 58% said they were receiving minimal or inadequate training on child abuse once they entered the field.[185]

In the case of the Penn State scandal, inadequate training of mandated reporters may have played a role in the failure of many adults to disclose evidence of abuse to the authorities. In a survey of 1,400 mandated professionals from 54 counties in Pennsylvania, 14% said they had *never*

[182] Gail Zellman, *Reducing Underresponding: Improving System Response to Mandated Reporters*, JOURNAL OF INTERPERSONAL VIOLENCE 115, 116-117 (March 1991).
[183] *Teachers and Child Abuse,* National Center for Prosecution of Child Abuse UPDATE (American Prosecutors Research Institute, Alexandria, Virginia), October, 1989.
[184] Steven Delaronde, et al., *Opinions Among Mandated Reporters Toward Child Maltreatment Reporting Policies,* 24 CHILD ABUSE AND NEGLECT 901, 905 (2000). Inadequate training leading to a shortage of quality reports is also a problem in the faith community. The pastoral care department of the Children's Hospital Medical Center of Akron, Ohio surveyed 143 clergy of numerous faiths and found that 29% believed that actual evidence of abuse, as opposed to suspicion was necessary before a report could be made. The same study found that only 22% of the respondents were required by their denomination/faith group to receive child abuse training. This study also documented an under-reporting of suspected abuse cases with the most prevalent reason being "lack of trust in Children's Services Bureaus." The 143 clergy responding to this survey impact, at some level, the lives of 23,841 children. Daniel H. Grossoehme, *Child Abuse Reporting: Clergy Perceptions,* 7 CHILD ABUSE & NEGLECT 743-747 (1998).
[185] Maureen C. Kenny, *Child Abuse Reporting: Teachers' Perceived Deterrents,* 25 CHILD ABUSE & NEGLECT 81, 88 (2001).

received mandated reporter training.[186] Another 24% said they had not received mandated reporter training in the past five years.[187] The professionals that had received training on their obligations as mandated reporters, may not have received quality training. Approximately 80% of the respondents to the survey said the training was not approved for continuing education units or they were uncertain.[188]

A number of researchers have recognized the urgent need to improve the training of mandated reporters at both the undergraduate and graduate level as well as when these reporters are in the field.

Commenting on three decades of studies, one team of researchers concluded:

> Failure of professionals to report child maltreatment may leave hundreds of thousands of children and their families without needed interventions and at increased risk of further maltreatment. During the past 30 years, several reasons have been consistently found to influence professionals to ignore legal mandates to report suspected child abuse and neglect, including inability to recognize signs and symptoms of child abuse and neglect, misunderstanding State child abuse and neglect reporting laws, and fear of negative consequences resulting from the report. *These concerns may be easily allayed through increased availability of training programs, implementing educational programs that emphasize potential consequences of reporting, and improving the working relationship with CPS* (emphasis added).[189]

[186] *Mandated Reporter Survey Report,* THE PROTECT OUR CHILDREN COMMITTEE 1, available online at www.protectpachildren.org (last visited November 14, 2011).
[187] *Id.*
[188] *Id.* at 2.
[189] Krisann M. Alvarez, Maureen C. Kenny, Brad Donahue, & Kimberly M. Carpin, *Why are Professionals Failing to Initiate Mandated Reports of Child Maltreatment, and are there any Empirically Based Training Programs to Assist Professionals in the Reporting Process?,* 9 AGGRESSION AND VIOLENT BEHAVIOR 563, 574-575 (2004).

Recommendations for improving mandated reporting in South Carolina

The vast majority of child protection professionals responding to the online survey rated the South Carolina system as somewhat effective or very effective.[190] This may be attributable to the fact that most professionals (53%) said mandated reporter training was available in their community, although some of the onsite interviewees lamented that available training was not always taken advantage of by local reporters. A consistent theme throughout the onsite interviews was that most, if not all problems with mandated reporting could be rectified with training. This view is supported by other research studies.

From this information, we have the following recommendations:

1. **MDTs must increase community awareness of mandated reporter training**

Every CAC, solicitor's office, law enforcement agency, hospital or other agency working as part of an MDT should list on their respective websites and other social media outlets available mandated reporter trainings in their community or state. At a minimum, this should include mandated reporter training offered through the Children's Law Center at the University of South Carolina School of Law which, from our review, has a sophisticated mandated reporter training program that has been well received throughout the state.

2. **MDTs should target faith communities for MR training**

Given the striking percentages of MDT members claiming clergy are the least likely to report instances of child sexual abuse, we suggest that South Carolina's multi-

[190] Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 114, March 2013 (attached as Exhibit B).

disciplinary teams make a concerted effort to reach out to faith communities and offer training on child abuse and mandated reporting.

We suggest this training also provide an overview of the impact of child abuse on spirituality. To this end, mandated reporter trainers working with churches may want to supplement their training with the DVD *Hear their Cries,* a 48 minute DVD and training packet produced by Faith Trust Institute that includes comments from survivors abused in the name of religion or whose abuse was ignored by church leaders.[191] The National Child Protection Training Center has also produced a number of articles and presentations appropriate for the faith community which local trainers can use free of charge.

3. Implement a "two plus ten" plan

Nearly all of the available data on mandated reporting suggests that the success or failure of the system is largely dependent on training. Accordingly, the state should focus most of its efforts in this area.

We suggest the state adopt as its goal a minimum of two hours of in person training each year for mandated reporters. Through the Children's Law Center, South Carolina already has a 7.5 hour course in which law enforcement officers and other members of the MDT can be trained to provide mandated reporter instruction. Although every county can decide the number of trainers it may need, fully utilizing this vehicle can quickly expand the number of qualified instructors available in each community.

[191]To learn more about this training program, click here: http://www.faithtrustinstitute.org/store/01tA0000000M7rjIAC

We also suggest that the two hours of annual training be supplemented with an additional ten hours of training that mandated reporters can access 24/7 online but must complete every three years. These courses can be included on a training portal accessed with a password provided through the Children's Law Center or another statewide entity overseeing the project.

The online courses should supplement the onsite training by covering topics not commonly discussed with mandated reporting professionals including recognizing cases of emotional maltreatment, the impact exposure to domestic violence has on children, adverse childhood experience research,[192] the impact of child abuse on spirituality, and the role of youth serving organizations in building resiliency factors that assist maltreated children in overcoming their trauma.

4. **Parents should raise their voices**

Child protection is not simply the responsibility of mandated reporters and child protection professionals—it is first, and foremost, the job of parents. Simply put, parents and other caretakers who enroll their children in school, day care, little league, church or other youth serving organizations should inquire what child protection policies, if any, the organization has in place. Moreover, parents should inquire as to what training the organization provides its employees in recognizing and responding to instances of abuse. CACs should educate parents on the type of questions consumers should ask before enrolling their children in various community activities. If parents have a choice in which organizations to enroll their children, they should consistently choose schools, day cares,

[192] *See generally,* Vincent J. Felitti & Robert F. Anda, *The Relationship of Adverse Childhood Experiences to Adult Medical Disease, Psychiatric Disorders and Sexual Behavior: Implications for Healthcare,* in RUTH A LANIUS, ET AL, EDS, THE IMPACT OF EARLY LIFE TRAUMA ON HEALTH AND DISEASE: THE HIDDEN EPIDEMIC (2010)

churches and other organizations that take child protection seriously. If even a small percentage of parents demand this change, change will come.

5. **Prosecute egregious cases of failure to report child sexual abuse**

In onsite interviews, child protection professionals told us there have been some consequences for failure to report instances of child abuse—such as reporters losing their jobs. However, some professionals told us the prosecution of reporters, even in egregious instances of failing to report child abuse, is rare. A 13 year child protection veteran told us "Failure to report is not taken seriously" and added "I don't know of one person who has been prosecuted for not reporting."

We did, though, find instances wherein charges were filed against mandated reporters who failed to contact the authorities even when they had clear evidence of sexual abuse.[193] Although prosecutors should exercise discretion in filing any criminal charges, in cases when a reporter has clear evidence of sexual abuse—such as a child making a clear disclosure or a reporter walking in on abuse—prosecution for failing to report should be routine.

The reason South Carolina and other states have mandated reporting laws is because children are often unable physically and emotionally to protect themselves. Accordingly, it is primarily the responsibility of adults to protect children and when reporters willfully fail to fulfill this function in clear violation of South Carolina law, they should be held accountable.

[193] *See e.g.* Tracy Freeland, *Police: Teacher, counselor failed to report child sexual assault,* CAROLINALIVE.COM (available online at: http://www.carolinalive.com/news/story.aspx?id=719912) (last viewed May 11, 2013)

EXPANDING PREVENTION INITIATIVES IN SOUTH CAROLINA

South Carolina is one of only nine states that does not collect, or at least report data to the United States Department of Health and Human Services on the level of preventative services implemented throughout the state.[194] Accordingly, it is challenging to assess the actual level of, much less impact of prevention programming in the state.

It is clear, though, that there are prevention programs in South Carolina. For example, the prevention program *Darkness2Light* began in Charleston, South Carolina and has been utilized in communities throughout the United States.[195] The program is evidence based and has resulted in a much greater awareness of child sexual abuse among those participating in the program.[196]

In the onsite interviews, we asked several questions to determine the existence of prevention programs and policies that may be present in the state.[197] In some instances, child protection professionals told us they were not aware of any prevention programs in their communities. A veteran child protection professional of 20 years said "there are no prevention programs I am aware of."

Others spoke of personal safety and dating violence workshops in public schools. A number of professionals mentioned *Darkness2Light*. To the extent prevention programming and policies were in place, a number of professionals commented that these practices have not extended to the faith community. One child protection worker commented "They don't understand it at my small church. They don't do screenings for Sunday School teachers or anything."

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[194] UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES, CHILD MALTREATMENT 2009, TABLE 6-1, P. 88.
[195] For more information, visit the Darkness2Light website at: www.d2l.org
[196] *Id.*
[197] *See* Exhibit A, questions 76-79.

A law enforcement officer told us she does child protection policy training for community groups. In her experience, the officer told us most churches don't have child protection policies and, when they contact her for training or other assistance, the "vast majority" of the time it is "reactionary" to a case of sexual abuse having occurred as opposed to being proactive in preventing the abuse at the outset.

In the online survey, we asked child protection professionals if they were aware of child safety programs in their community that were targeted to adults, to children generally, or to children in high risk populations. In metropolitan communities, 38% of respondents were unaware or were not sure of any such program and, overall, 44% were not aware of such programs in their communities.[198]

Recommendations

1. **A prevention resource guide**

A number of frontline professionals expressed an interest in promoting prevention but were unaware of available programs—sometimes even programs that were operating in their communities. Some of these professionals suggested the utility of a resource guide listing all the available programs in their jurisdiction so they could easily refer families in need or advocate for programming in the schools, day cares, churches and other institutions with which they interact professionally or personally.

We suggest the CACs ask their MDTs to list all of the prevention programs operating in their communities and develop a comprehensive list of these programs complete with contact

[198]Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 121, March 2013 (attached as Exhibit B).

information, websites, etc. To this list should be added state or even national prevention programs—such as *Darkness2Light*--that could be implemented in interested communities.

Once developed, the resource guide should be on the website of every CAC and agency participating in the MDT. Simply put, every team member has a responsibility to educate themselves about prevention programming and to promote these efforts at every opportunity. This can't happen, though, until everyone is aware of existing programs and programs that could be implemented.

2. **Prevention planning**

The prevention of sexual abuse is more than simply adopting cookie cutter programming and putting it in place throughout a state or country. The reality is that not only is child abuse complex, but so are the communities in which child abuse exists. Accordingly, it is incumbent on child protection professionals, those closest to the children and families impacted by abuse, to periodically step back and analyze what, if any, prevention programs would actually make a difference in their communities.

To this end, we suggest that, once a year, an agency in each MDT agrees to host a "prevention planning" day or, if need be, two days. During this event, the MDT would look at typical cases handled in the previous year and ask what, if anything, could have been done to prevent abuse? Perhaps the team noticed an increase in teenage pregnancies and observed that many of these young parents were lacking in parenting skills and ended up physically hurting their children. In such a scenario, teenage pregnancy prevention programming or, where pregnancy cannot be averted, public health nurses or parenting classes for young mothers may have made all the difference.

There should also be an open discussion in which MDT members can share their observations over the years and offer thoughts on available programs that may have prevented at least some instances of abuse. From this discussion, the team should select 1-2 prevention initiatives they would like to implement (more than 2 likely becomes too much). A sub-committee should be formed to implement the program within a year.

There should also be an open discussion about prevention programming that is currently operating in a community but for which the team believes there is little evidence it is making a difference. Simply put, every program, no matter how popular, should be put under the radar of the local MDT.

If at all possible, MDTs should invite local colleges or universities to be part of the discussion and to consider helping the team research the efficacy of any new program being implemented or to research the efficacy of old programs the team is not sure are working.

The prevention planning contemplated in this report should become an annual event for every MDT in South Carolina.

3. **Prevention scouting**

Each year, every MDT should assign one or more team members to be prevention scouts. Those assigned this honor agree to attend at least one national and as many state conferences as possible with the specific task of looking for evidence based prevention programs that might be a good fit for their communities. Once discovered, the job of the scout is to share these ideas with the local team and community. In this way, the team is constantly being invigorated with fresh ideas for taking prevention to a continually higher plane.

4. Color South Carolina Blue

Within 5 years, every MDT in South Carolina should be able to claim that the counties in which they operate have at least five evidence-based child abuse prevention programs. The CAC chapter website should have a state map and, once the MDTs in a particular county can list the five prevention programs they have up and running—and also cite the research or other evidence to support the models--the county should be shaded blue on the state map.

Within five years, then, every county in South Carolina should be colored blue. If policy makers are so inclined, counties meeting this standard should be able to post road signs at their borders announcing they are so dedicated to preventing child abuse that they have met the state standard necessary for being deemed a "blue county." It would be breathtaking to drive through every county in South Carolina and, with the crossing of each border, read a sign proclaiming "you are entering a blue county."

Because child sexual abuse often exists with other forms of abuse, the prevention programs should not focus only on sexual abuse. We also suggest that at least one of the five prevention programs focuses on physical abuse, one on neglect, and one on emotional abuse.

IMPROVING SOUTH CAROLINA'S JUVENILE SEX OFFENDER REGISTRY

A consistent theme in our interviews with front line solicitors, law enforcement officers, DSS workers and treatment providers, is that South Carolina's sex offender registry, at least with respect to juveniles, is too harsh and may be *increasing* the risk these children will not be able to function in society as adults and may, as a result, offend again. Simply stated, most child protection professionals we spoke with articulated an understanding that juveniles do not necessarily offend for the same reasons as adults and that their

developing brains make them very different from most adult offenders. This is not to say that some juveniles should not have to register, and register for life, but that there is a need to recognize that a "one size fits all" approach contradicts research, practice, and common sense.

A professional working with South Carolina's juvenile sex offenders told us "if you treat a child as a prisoner, you get a prisoner…(The) community gets the difference between the adult pedophiles and the children." With respect to the registration of juveniles as sex offenders, particularly registration for life, this provider said:

> It [registration of juveniles] prevents them from getting jobs, housing or being on campus. It is very negative. We have children leave [treatment] and do well and [then] someone finds them on the registry and [makes] their life a living hell. I don't see any benefit for the sex offender registry for children…If they are adjudicated as an adult and believed to be a risk then I'm all for it…juvenile family court judges look at these 12 and 13 year olds and plead them down…They are trying to keep them off the registry. People think the numbers are going down because it [registration] worked. I think family court judges have to sleep at night and that is why the numbers are down.

In the online survey conducted as part of this research project, a majority of law enforcement officers/solicitors (52%), DSS workers (55%), and clinicians (53%) agreed with the statement that "juvenile offenders need special consideration as they are often victims themselves and shouldn't be on the registry for life."[199] Only 22% of law enforcement officers/solicitors, 14% of DSS workers and 10% of clinicians/therapists disagreed with this statement with the remainder of respondents unsure.[200]

[199]Jennifer Parker, Kathleen Brady & Sarah Wilson, *Silent Tears Survey Analysis*, page 129, March 2013 (attached as Exhibit B).
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[200] *Id.* at 18.

The National Center for Prosecution of Child Abuse (NCPCA), a program of the National District Attorneys' Association, recently published a "cheat sheet" for prosecutors trying to determine the danger juvenile offenders pose to society and otherwise offering some guidance to MDTs confronted with these cases. The article, entitled *Juvenile Sex Offenses: Finding Justice*, is authored by Ann Ratnayake and was peer reviewed by nationally recognized sex offender treatment experts Anna Salter and Barbara Bonner as well as former child abuse detective Mike Johnson, who is currently serving as the director of youth protection for the Boy Scouts of America. The article is available online.[201]

As noted in the NCPCA article, children below the age of 12 initiating sexual contact fall into a "special subgroup" and the younger the child is "the more likely he or she is only mimicking behaviors seen or repeating behaviors the child has experienced."[202] Accordingly, NCPCA proposes an "initial step" of "screening these children for possible sexual abuse." Although each case is different, NCPCA suggests that the best course for many of these children is "applying for a child protection petition to ensure the child gets treatment.…"[203]

With respect to children 12-18, NCPCA notes the following factors have been linked in research to an increased risk of sexual recidivism:

- Reporting deviant sexual fantasies with an interest in prepubescent children and/or sexual violence;

[201] Ann Ratnayake, *Juvenile Sex Offenses: Finding Justice*, 23(9) UPDATE 1 (2013) (available online at: http://www.ndaa.org/pdf/Update%20Vol23_No9.pdf) (viewed last May 11, 2013)
[202] Ann Ratnayake, *Juvenile Sex Offenses: Finding Justice*, 23(9) UPDATE 1 (2013) (available online at: http://www.ndaa.org/pdf/Update%20Vol23_No9.pdf) (viewed last May 11, 2013)
[203] *Id.*

- Committing sexual offenses despite prior charges or conviction of a sexual offense;
- Targeting a stranger as a victim;
- Unwillingness/inability to form peer relationships, or social isolation for other reasons; and
- Unwillingness/inability to participate in treatment.[204]

Recommendations

1. **Give South Carolina's judges the option of not requiring juveniles below the age of 12 to register as sex offenders for life**

Unless a juvenile court judge finds unusual circumstances, juveniles below the age of 12 should be screened as possible victims and receive appropriate treatment. As noted by a number of experts, "Among preteen children with sexual behavior problems, a history of sexual abuse is particularly prevalent."[205] This proposal is consistent with research that only a small fraction of this population will re-offend after treatment but still allows the trial court to make an exception for juveniles for whom there is evidence suggesting a higher risk.

2. **Children 12-14 should be required to register as sex offenders for life only when the court finds specific evidence of an increased risk of recidivism**

As the NCPCA article points out, there is no magic "litmus test" for determining recidivism but there are a number of common sense factors that make recidivism more likely including deviant arousal, interest in pre-pubescent children, multiple victims and unwillingness or inability to undergo treatment. Judges should be given discretion to

[204] *Id* (citations omitted).
[205] David Finkelhor, Richard Omrod, and Mark Chaffin, *Juveniles who Commit Sex Offenses Against Minors*, JUVENILE JUSTICE BULLETIN (OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION, December 2009).

apply these and other relevant factors in determining the child's sentence, including registration for life.

3. **Children 14 and older should face registration consistent with federal law**

With respect to children 14 and older, South Carolina, like all states, must comply with the Adam Walsh Child Protection and Safety Act (AWA). To this extent, the issue of registering offenders in this age range may be more of a federal than state issue. There is every reason to believe the issue will continue to be debated at the federal level and that proposed changes to the law will be advanced.[206] Accordingly, it is critical for survivors of abuse, for child protection professionals, and for those working directly with juvenile offenders to communicate their thoughts and suggestions to their elected leaders. It is also critical for these leaders to ask hard questions of those advocating for reform or the status quo. With studies suggesting that juvenile offenders constitute more than one-third of sexual offenses committed against minors,[207] it is also important to consider what, if any, additional resources can be committed in our communities to preventing offenses in this age range.

4. **DSS should consider accepting cases of inappropriate sexual acting out in children below the age of 10**

As noted above, the younger the child is who is initiating inappropriate sexual conduct, the greater the likelihood the child is mimicking behaviors seen or repeating behaviors experienced. From our interviews with MDT members, including DSS workers, we were consistently told that

[206] For example, Carolyn Atwell-Davis, the Vice-President for Policy and Government Affairs for the National Center for Missing & Exploited Children argues that while juveniles should continue to be registered, it may not be necessary to have juvenile registries public. Marc Georges, *Do Children Belong on Adult Sex Offender Registries*, BBC News Magazine, May 12, 2013, available online at: http://www.bbc.co.uk/news/magazine-22362837 (last visited May 22, 2013).
[207] David Finkelhor, Richard Omrod, and Mark Chaffin, *Juveniles who Commit Sex Offenses Against Minors*, JUVENILE JUSTICE BULLETIN (OFFICE OF JUVENILE JUSTICE & DELINQUENCY PREVENTION, December 2009).

these cases would not be considered a child protection issue unless there was evidence a parent knew of the sexual offenses committed by a child in his or her home and failed to protect.

Many sexual acts by young children are perfectly normal and should be screened out. It may also be appropriate to work voluntarily with many parents to address even troubling behaviors. However, when the behaviors are violent or otherwise far outside the norm for a young child, we discourage a bright line rule that uniformly screens out such cases—at least without any sort of assessment by the MDT.

REDUCING VICARIOUS TRAUMA

A significant body of research documents that law enforcement officers, prosecutors, forensic interviewers, therapists, DSS workers and other child protection professionals working daily with cases of child abuse can experience "vicarious trauma" as a result of hearing about these events or in otherwise aiding someone who has endured trauma.[208] The symptoms of vicarious trauma may resemble the symptoms of post-traumatic stress disorder including avoiding reminders of traumatic reports, withdrawal and isolation from others, anxiety and depression.[209]

A consistent theme throughout our interviews with South Carolina's front line child protection professionals was a concern about burnout. Indeed, many of the child protection professionals were poignant in describing their own pain and the emotional pain of their colleagues.

Comments we heard included:

- "One of the things I noticed about doing this work, you don't have memory anymore. I can hardly even remember. It is a self-preservation mechanism, because it is gone. I can't be really specific."

[208] *See generally,* Amy Russell, *Vicarious Trauma in Child Sexual Abuse Prosecutors,* 2(6) CENTERPIECE (2010).
[209] *Id.*

- "It's not hearing the kids' stories that kill you, but it is truly coming in every day and deciding which kids I *can't* help. They all deserve help and it is gut wrenching and nearly inhumane. [Lowering our case load] would go a long way in stopping vicarious trauma."
- "Well our agency isn't very good at [dealing with vicarious trauma]. We don't have a lot of resources to handle burnout. We have a lot of time off and you can take that whenever you want. That's how I handle it, [if] I feel like I'm getting burned out I take a few days off and not think about work and do something else."
- "The sheriff brought in a therapist to meet with us…I haven't used her because she is the therapist for the kids I [work with] so it seems creepy. I work with her professionally. As a team we are pretty good checking in when people have a problem. We are conscious of each other…Honestly, our biggest issue would just be if they would properly staff us."
- "I feel like from team member to team member we are all very good at supporting each other. We are good at recognizing when we need someone to talk to and when we need to talk before we go home. As an agency we need to do a whole lot more—white water trips or other ridiculous things. I would love a week to audit charts and not have new clients so I could feel really good about where my work is [at]."
- "How do you win a war when soldiers are dying on the battle field? We need for our leaders to have creative ways to provide [emotional support]. Not just make us feel better…When we get desensitized we can't serve. We *need* to be upset about what is happening. We need to be attentive, not taking it home all the time. Specific therapists that could see staff that we don't work with all the time. A debriefing meeting where people can support each other [would also help]."

Recommendations

1. **Within 12 months, every agency represented on South Carolina MDTs should have a written plan to address vicarious trauma**

Although many child protection professionals acknowledged their supervisors and agencies are aware of vicarious trauma and are generally sympathetic, it is critical to develop a concrete plan to ensure workers are exercising self-care. Given the volume of cases many agencies see, and the

dire consequences for any error, many employees will not, or cannot take care of themselves without strong leadership from within their organizations.

Although the specifics of the plan will vary from organization to organization, common features may include:

a. **Training.** When workers feel lacking in the skills necessary to help children, their anxiety levels predictably increase. Accordingly, supervisors should ask employees what additional training, if any, they would like that can help with their work. The supervisor should make every effort to help the worker secure the training requested. In addition to increasing skills, training often "energizes child abuse professionals and gives…important contacts that can assist in the handling of difficult cases."[210]

b. **Mandated vacations.** Some workers we spoke with recognized the importance of vacations in reducing vicarious trauma. However, this is not true for every child protection professional we encountered. Child protection professionals in South Carolina, as is true around the country, sometimes worry that any leave of absence will hurt a child and they feel personally responsible for all the children whose cases are on their desk. When this happens, supervisors must intervene and remind the worker that the entire agency, indeed the entire team is responsible for the children and it is necessary for each member to practice self-care. Doing so is in the best interests of the MDT and the children for whom this is all about. Supervisors may want to remind workers of the instructions provided by flight attendants in case of an emergency—that it is critical to put on our own oxygen masks before assisting others.

[210] Victor I. Vieth, *When Days are Gray: Avoiding Burnout as Child Abuse Professionals*, 14(4) UPDATE (2001) (published by the National Center for Prosecution of Child Abuse).

c. **Encourage, if not require workers to have a "self-care" list.** Lisa Yazdanni, a child psychologist from Mississippi suggests that each child protection professional have a "self-care list" that is "specific, measurable, achievable, rewarded and time limited."[211] Yazdani suggests that each worker develop an annual list of things he or she will do to exercise self-care. The list must be concrete and include things that are easily achievable. For example, if a worker has always wanted to visit Paris but doesn't have the funds to do so, that should not be on the list. If, though, the worker has always wanted to canoe a nearby river, that can be on the list. To enforce the self-care plan, each worker can have a buddy whose job it is to periodically check in and see how you are doing and how much of the list has been checked off. To some extent, there is already an informal "buddy system" in place at many agencies in South Carolina. Many of the MDT members we spoke with told us that child protection professionals look out for one another. We believe making this informal system more formal through the creation of a "buddy system" may help ensure that no professional falls through the cracks.

d. **Social events.** It is important for MDT members to get together in informal events and unwind. We suggest agencies host such an event at least once a month. It can be as simple as an ice cream social or more involved such as white water rafting (the suggestion we received from one of the professionals with whom we spoke). If at all possible, these events should be held during office hours. It does not alleviate stress to require workers to come in for a social event that simply takes them away from their families. If community members or public policy leaders object to such events taking place on "company time," supervisors should strongly—and bluntly--explain that workers who spends months or years interacting with children who have been beaten,

[211]Lisa Yazdani, *Vicarious Trauma: Coping with What we Hear,* presented at Beyond Finding Words, Tunica, Mississippi, March 6, 2009.

bludgeoned, burned, raped, starved, tortured and, in some cases murdered need some "company time" breaks in order to survive. Simply stated, the lives of the children depend on our ability to keep these workers emotionally healthy.

e. **Encourage and create opportunities for workers to vent.** As one worker told us, "(w)e *need* to be upset about what is happening. We need to be attentive, not taking it home all the time." Simply stated, workers need to be able to express their frustrations and their feelings about children who have died, cases that have been lost, or even cases that have been successfully handled but the child's outcry has emotionally impacted one or more members of the team. Supervisors must be vigilant in asking workers how they are feeling, in organizing de-briefing sessions after particularly traumatic cases, and otherwise inviting honest expression of feelings, including worker frustrations with management. In the field of child protection, it is our work that inflicts the most pain and, if at all possible, it is at work where we should leave the pain.

f. **Mental health support.** Every child protection agency must have an employee assistance plan that allows employees to access mental health care. As noted by some of the professionals with whom we spoke, the mental health provider must be someone other than a psychologist working on the team. As one law enforcement officer told us, it is "creepy" to speak to a psychologist who is also serving the children with whom you are working. Since a child protection professional may need to express frustration he or she has with other team members, it is critical that the therapist be someone who is not in any way connected to the MDT.

g. **Spiritual care.** Many hospitals, police departments, fire departments and branches of the military provide pastoral care or chaplains for their employees. Many of the child protection professionals we spoke with told us of the importance of their faith in coping

with trauma. Accordingly, we support chaplaincy programs for child protection professionals. To make these programs as effective as possible, though, we also encourage the development of training programs to assist these professionals in understanding the unique form of vicarious trauma experienced by so many child protection professionals.

h. **Manageable case loads.** Although managers and supervisors may currently lack the funding to reduce the case loads of their workers, they should get input from their workers to assist in determining reasonable case-loads as well as look at any recommended standards for a given profession. Supervisors should be visibly active in working to reduce case loads. Even if they are not successful, managers seen fighting the good fight for the child protection professionals they supervise will aid in reducing the feeling of aloneness that some professionals experience.

i. **Rotation.** From time to time, a child protection worker may need to rotate out of a child protection unit. For example, a solicitor may need to take a break from sexual abuse cases and, for a year or more, simply be assigned to prosecute crimes not involving children. If this happens, though, the supervisor must make sure it is a clean break. Other workers should not be calling or e-mailing the prosecutor rotated out of the unit for his or her advice on incoming child protection cases.

j. **In-house training.** Every year, every agency should have an in-house training on vicarious trauma. Simply stated, if there is not an open discussion about this issue, and management does not make it clear that addressing vicarious trauma is a top priority, every other effort will fall by the wayside.

k. **Getting out of the office.** There may be times a worker has to work through lunch or otherwise forego any break. This, though, should not be routine. All team members,

including supervisors, should model self-care by getting out of their office for lunch—even if this simply means going to the break room and interacting with colleagues.

l. **Thank you files.** Workers should be encouraged to have a "thank you file" in their file cabinets or on their computer. Whenever children, parents or fellow child protection professionals send a note of thanks, particularly in egregious cases in which a worker excelled, the note of gratitude should be maintained. When days are gray and the worker feels he or she has not made a difference, a supervisor or colleague may want to remind the worker to pull out the thank you file and remind herself of all the cases, and all the children to whom she made a world of difference.

m. **Community service.** Many professionals told us they like getting out in the community to teach a class or otherwise interact with the public in a manner that doesn't involve asking children where they were touched or looking for semen on bed covers. Simply stated, being proactive in teaching a prevention class or educating a local youth serving group about child protection efforts in the community is a welcome change of pace for many professionals. Whenever possible, supervisors should encourage these sort of activities.

n. **Public recognition.** Given the high stress, high burnout nature of this field, it is critical for child protection managers and supervisors to frequently and publicly praise the workers who have dedicated their lives to serving maltreated children. There should also be opportunities at staff meetings or other gatherings for colleagues to single out someone who excelled in handling a difficult case or who has otherwise assisted the team.

THE SILENT TEARS TASK FORCE MUST CONTINUE

If any of the recommendations in this report, much less most or all of them are to be enacted, it is crucial that the Silent Tears Task Force remain in place and assist in aiding individuals and agencies in taking next steps. Most of the proposals will not take very much money, but they will likely involve some expense. To this end, the Task Force should take a leadership role in finding philanthropists willing to fund entities engaging in activities consistent with this report. *Silent Tears* was not a project designed to generate paper—it was designed to make a difference in the lives of children. Until this goal is reached, the Task Force needs to remain engaged.

CONCLUSION: MAKING A VERY GOOD SYSTEM EVEN BETTER

In reviewing this report, readers should keep in mind that, in many respects, the child protection system in South Carolina is among the best in the nation. South Carolina has a nationally recognized child sexual abuse prevention program (Darkness2Light), a nationally recognized program for bringing child protection and faith communities together (HALOS), was among the first states to develop a forensic interview training program (ChildFirst), and is one of only 15 states to have begun the process of dramatically improving undergraduate training of child protection professionals (the CAST program at USC Upstate). The state offers a number of high quality training programs and the ability of the Children's Law Center to provide technical and other assistance to child protection MDTs is an invaluable resource many states lack.

As reflected in this study, the CACs and MDTs in South Carolina are functioning at an extremely high level. With the possible exception of the speed in completing a forensic interview, child protection professionals heralded the impact CACs have had in bringing teams

and communities together and in otherwise impacting the lives of children in a meaningful way. When asked about his local CAC, one law enforcement officer told us "I can't sing their praises enough."

When asked to rate the functioning of their MDTs on a scale of 1-5, 74% of professionals in metropolitan communities and 63% of professionals overall gave their team a 4 or a 5. Given the candor these team members had in critiquing all aspects of the system, we have no reason to believe this self-analysis is inflated. Indeed, from our experience in working with MDTs throughout the United States, we consider South Carolina's MDTs to be among the finest in the country.

Many of the challenges South Carolina child protection professionals discussed with us—high turnover for some agencies, vicarious trauma, disagreements over the emerging ARS system, the inability to get CSA cases to court timely, properly responding to juvenile sex offenders, conducting timely forensic interviews and collecting all the evidence available—are challenges faced by most states.

What is unique about South Carolina, though, is that front line professionals—not office holders or statewide administrators or even supervisors—banded together to find private funding to hire an outside organization to *ask them* what they were seeing and offer concrete suggestions for making a good system the envy of the world.

Yes, indeed, the child protection professionals we encountered in South Carolina think that big and we, for one, do not believe such a flickering candle should be snuffed out. On the contrary, we believe all of South Carolina should listen to the voices of these professionals and help them set a blaze that will forever impact the lives of children in this state and that is suitable for

replication for any state in which abused children dwell—and for which there burns a desire to spare no effort in helping them.

Until our dying day, all of us involved with this project will remember the faces, the voices and, in some instances, the pain of the front line child protection professionals who spoke with candor and through hearts that were often overflowing. We hope this report accurately captures what you told us and offers concrete steps that will enable you to continue this journey.

The child protection train that runs throughout South Carolina is fueled with faith, labored with love and carries the hopes and dreams of millions of children. We hope this report will aid in getting all the children on board—and getting them all home on time.

Exhibit A: Onsite Survey Instrument

Assessing the Strengths and Areas for Improvement in responding to Child Sexual Abuse Cases in South Carolina

Background on interviewee

1. Occupation of interviewee
2. Experience in responding to cases of child sexual abuse
    a. How many years assigned to these cases
    b. Number of cases handled in career
    c. In the past five years, is your caseload of CSA cases increasing, decreasing, or remaining the same? How about for your department?
    d. What, if any undergraduate or graduate training on responding to child sexual abuse cases did you receive? Was the training adequate? If not, what improvements would you like to see?
    e. What training have you received on child sexual abuse cases once in the field? What training has been the most helpful? What has been the least helpful? What, if any, challenges do you have in accessing training? What recommendations do you have for improving CSA training in South Carolina?

Mandated reporting

3. What, if any, strengths do you see in the mandated reporting system in South Carolina?
4. What, if any, weaknesses do you see?
5. From your experience, what professions are the most likely to comply with mandated reporting laws? What professions are the least likely to comply? What factors influence whether or not a report is made?
6. What, if any, suggestions do you have for improving the mandated reporting system in South Carolina?
7. Please describe the training offered to mandated reporters in your community.
    a. How often is this training provided? It is required? Is it effective?
    b. What suggestions, if any, do you have for improving the training of mandated reporters in South Carolina?

Local MDT responses to CSA

8. Does your agency respond to CSA cases as part of a team? If so, please describe how that works. Is there a written protocol for your team? Could we receive a copy? Does your agency have regular case reviews of child sexual abuse cases?
9. In responding to CSA cases, what are the three greatest strengths of your department and local MDT? What are the three greatest challenges or areas for improvement?

10. How quickly does your agency respond to a report of child sexual abuse? Does response time vary depending on when the report is made? Does response time vary on the basis of who makes the report? If so, how? Are anonymous reports handled differently? How quickly does the child receive a forensic interview? Who conduct the forensic interview? Where is the forensic interview conducted? If conducted at a CAC is there a 24/7 capability for doing the forensic interview? Are all forensic interviews recorded? What forensic interviewing protocol is used? Has that protocol proved helpful? Why or why not? Are forensic interviewers participating in any sort of ongoing peer review of their work? If so, describe that process?
11. Are medical examinations in child sexual abuse cases done in all cases, most cases, some of the cases or something else? Who does the medical examination? Who decides whether or not the medical examination is conducted? How quickly does a medical examination take place?
12. How would you assess the strengths and weaknesses of your MDT in responding to:
    a. Allegations of CSA arising in the midst of a divorce/custody proceeding?
    b. Allegations of CSA involving a child victim who is pre or non-verbal?
    c. Allegations of CSA when the victim has a physical or mental disability?
    d. A multi-victim case?
    e. Allegations of CSA in which the perpetrator is a juvenile?
13. What, if any, steps does your MDT take to ensure a culturally sensitive response to allegations of CSA? What have you found to be effective? What suggestions do you have for improvement?
14. What, if any, steps does you MDT take to address the vicarious trauma of handling child abuse cases in general and CSA cases in particular? What, if anything, have you found to be effective for addressing vicarious trauma? What, if anything, have you found to be ineffective?
15. What is the turnover rate among MDT members? Do certain agencies have a higher turnover rate? What factors contribute to turnover? With respect to the agencies that have a lower turnover rate, is there anything you can point to that keeps the turnover rate low?

Children's Advocacy Centers

16. Does your MDT work with a local CAC? If so, please describe:
    a. The strengths of CACs you have worked with
    b. Any areas for improvement in CACs in South Carolina

Juvenile sex offenses

17. What are the strengths of your MDT response to cases of sexual abuse in which the offender is a juvenile?
18. What are weaknesses of your MDT response to cases of sexual abuse in which the offender is a juvenile?

19. What, if any, recommendations, do you have for improving the handlings of cases involving juvenile sexual offenders?
20. Is your community seeing a change in percentage of CSA cases perpetrated by juveniles? If so, what factors are influencing this change?
21. What, if any, treatment options or other services are available for juvenile sexual offenders? Are these responses appropriate to the age / mental health issues of the offender? Are these responses appropriate to the child victim and his/her families?
22. What is the community / system response to young children (<10 years of age) who act out sexually? Are these responses appropriate to the age / mental health issues of the offender? Are these responses appropriate to the child victim and his/her families?
23. Has the registration of juvenile sexual offenders in South Carolina been effective in deterring juvenile offenders from committing additional offenses? Why or why not? What, if any, suggestions to do you have for improving the registration of juvenile sexual offenders in South Carolina?
24. How does your community respond to cases of "sexting"? Who is perceived as the perpetrator, and who is perceived as the victim?

The collection of physical or corroborating evidence

25. How often are search warrants executed in child sexual abuse cases in search of physical evidence? In a typical child sexual abuse case in the past two years, would you have no physical evidence, 1-3 pieces of corroborating physical evidence, 4-6 items of physical evidence, or some other number? In what percentage of cases is there physical evidence that needs to be sent to a crime lab? When evidence is sent to the crime lab in a CSA case, how long does it take for the evidence to be processed? What, if anything, could be done to improve response time?
26. In what percentage of CSA cases are photographs of the crime scene taken? When these photographs are taken have they proved helpful in the investigation? In the interrogation of the suspect? At trial?
27. How often is pornography used in the grooming of CSA victims, in your experience? How often does the offender take sexually explicit photographs or other media of the victim? Are victims routinely asked whether they have been photographed?
28. What percentage of sex offenders make incriminating statements when interviewed? What percentage of sex offenders make complete confessions? What, if anything, might help increase the confession rate?
29. Is the prosecutor or child protection attorney involved during the investigation stage of a CSA case? If so, describe that involvement. If not, what, if any involvement would you like to see the prosecutor or child protection attorney have during the investigation stage?
30. How long does a typical child sexual abuse investigation take? When the investigation is completed, how often is the offender arrested? How often is a child taken from the home? How often is the non-offending caretaker supportive of the child? When the mother (or other caretaker is not supportive), how does the MDT typically handle this situation?

From investigation to trial

31. What percentage of cases of CSA result in a plea agreement or other guilty plea? When there is a plea agreement, how long does that typically take? In your experience, are the plea agreements too tough, too lenient, or just about right? If the plea agreements are too lenient or too tough, what recommendations do you have for a more just outcome?
32. What, if any tactics, have you seen defense attorneys, defense investigators or other agents of the defense team use to intimidate or otherwise negatively influence children in the interim between investigation of the case and the actual trial? What, if any tactics have you seen that serve to intimidate or negatively influence the victim's family? Do you have recommendations on what, if anything, could be done to address this?
33. What percentage of CSA victims receive mental health services? How soon are these services received? From your perspective, are the mental health services provided adequate or inadequate? Why do you say this? What, if any recommendations do you have for improving the delivery of mental health services to victims of CSA?
34. What, if any, community support do CSA victims receive? What, if any, community pressures are placed on children?
35. How often do CSA victims in your community recant an allegation of abuse? When this happens, what are the factors you most commonly see that lead to a recantation? Have you found some interventions to be more effective than others in preventing a recantation? If so, what are those interventions? Is there anything else that could be done to reduce the chance a child will recant a CSA allegation?

Preparation for court

36. Who is responsible for preparing children for court? How is this done?
37. To your knowledge how often are these pre-trial motions filed:
    a. Child friendly oath
    b. Silent objections
    c. Request the court to order attorneys to ask only developmentally and linguistically appropriate questions
    d. To grant the child a support person when testifying
    e. A comfort item (blanket, teddy bear, etc)
    f. Closed circuit or alternative means for taking the child's testimony
    g. Other courtroom modifications (i.e. allowing the child to sit on the floor, or on a pillow, etc)

Victim assistance services

38. Does your agency have a Victim Advocate on staff?

    □ Yes □ No

39. If yes, what services does your Victim Advocate provide (check all that apply)

□Referrals	□Case Management	□Crisis Counseling	□On Scene Response
□Community Outreach	□Court Preparation	□Court Accompaniment	□Crime Victim Fund Assistance
□Criminal Justice System Education	□Home Visits	□Safety Planning	□Other_____

40. If no, which (if any) of the following provide Victim Assistance Services to victims of child maltreatment in your community?

□Sheriff's Office □Prosecutor's Office

□Police □Private Agency

□Other_____

41. Do any of the above agencies have a Victim Advocate to respond **on scene** in cases of child maltreatment?

□ Yes □ No

42. If two or more agencies provide Victim Assistance to victims of child maltreatment in your community, who takes the lead? What kinds of policies are in place?
43. What services would your ideal Victim Advocate provide in cases of child abuse?
44. Is there a Victim Advocate on your Multi-Disciplinary Team?

□ Yes □ No

45. Does the Victim Assistance agency that you work with most frequently provide materials in English, Spanish, and other languages as appropriate for your community?

□ Yes □ No

46. Do you feel these materials are helpful to those who use them?
47. How could the materials be improved?
48. Using a scale of 1 to 10 with (1 being poor and 10 being outstanding) please rate the service provided by the Victim Assistance Agency that you access most often for your cases of child maltreatment.

Child Sexual Abuse Trials—criminal court

49. After a case is charged, how long does a CSA case take to get to trial? What causes the delay? What, if any, recommendations do you have for expediting CSA trials?
50. What, if any, precautions do judges take to protect child witnesses?
51. What are the most common defenses to CSA crimes? What defenses are the least effective? What defenses are the most effective? What, if any, additional training or resources might assist the prosecution team in overcoming the most successful defenses?
52. What percentage of cases that goes to trial result in a conviction? What, if any, training, resources or policy changes could increase the conviction rate?
53. How often are expert witnesses used in a CSA case by the prosecution?
    a. How often are medical experts used?
    b. How often are mental health experts used?
    c. DNA or crime lab experts used?
    d. Forensic interviewers as expert witnesses?
    e. When used, and on a scale of 1-10, how helpful (in your opinion) are these experts in convincing a jury of the defendant's guilt?
    f. If experts are not used, why not?
54. How often are <u>defense</u> experts used in a CSA case?
    a. How often are medical experts used?
    b. How often are mental health experts used?
    c. DNA or forensic experts used?
    d. Forensic interviewers as expert witnesses?
    e. When used, and on a scale of 1-10, how helpful are these experts in obtaining an acquittal? On a scale of 1-10, how successful is the prosecutor in undermining the testimony of these defense experts on cross-examination?
    f. If defense experts are not used, why not?
55. How often do defendants take the witness stand in their own defense? Is this generally helpful or unhelpful to the prosecution? When defendant's take the witness stand, how effective is the prosecution in undermining their credibility during cross examination—on a scale of 1-10?
56. How often is the forensic interview played for the jurors? On a scale of 1-10, how helpful in convincing the jury of the defendant's guilt have you found the admission of the forensic interview to be? Can you explain your answer? How, if at all, has Crawford v. Washington impacted the usage of recorded forensic interviews in criminal courts of law? When the victim is unavailable, have you had success in admitting a forensic interview pursuant to the doctrine of forfeiture by wrongdoing?
57. On a scale of 1-10, how effective have you found defense attorneys in representing their CSA defendants? How effective are they in creating reasonable doubt in the minds of jurors?

Child Sexual Abuse Trials—civil child protection court

58. Do familial CSA cases typically result in a civil child protection petition, termination of parental rights petition or something else? What factors influence this decision?
59. After a civil child protection petition is filed, how long does a CSA case take to get to trial? What causes any delay? What, if any, recommendations do you have for expediting CSA trials? Does the petition have to wait until the criminal case is done?
60. What level of coordination/involvement does the child protection attorney have with the criminal prosecutor and vice versa? Is there communication about how cases proceed (whether the civil or criminal trial proceeds first)? What is your experience with testimony/evidence generated in one court proceeding (civil or criminal) being used in the other court proceeding? How is this coordinated?
61. Does the victim typically testify in a civil child protection case? If so, what, if any, precautions do judges take to protect child witnesses?
62. What are the most common defenses to CSA petitions? What defenses are the least effective? What defenses are the most effective? What, if any, additional training or resources might assist the civil child protection attorney in overcoming the most successful defenses?
63. What percentage of cases that goes to trial result in a finding of need for protection or services? What, if any, training, resources or policy changes could increase the government's success rate?
64. How often are expert witnesses used in a CSA case by the government's attorney?
    a. How often are medical experts used?
    b. How often are mental health experts used?
    c. DNA or crime lab experts used?
    d. Forensic interviewers as expert witnesses?
    e. When used, and on a scale of 1-10, how helpful are these experts to the government?
    f. If experts are not used, why not?
65. How often are <u>defense</u> experts used in a CSA civil child protection case?
    a. How often are medical experts used?
    b. How often are mental health experts used?
    c. DNA or forensic experts used?
    d. Forensic interviewers as expert witnesses?
    e. When used, and on a scale of 1-10, how helpful are these experts in obtaining a dismissal or all or part of a child protection petition? On a scale of 1-10, how successful is the government's attorney in undermining the testimony of these defense experts on cross-examination?
    f. If defense experts are not used, why not?
66. How often do accused CSA perpetrators take the witness stand in a civil child protection trial? Are they typically called by the government or the defense attorney? Is this

generally helpful or unhelpful to the government? When CSA suspects take the witness stand, how effective is the government's attorney in undermining their credibility during cross examination—on a scale of 1-10?

67. How often is the forensic interview played for the court in a child protection proceeding? On a scale of 1-10, how helpful in convincing the judge of the suspect's offense have you found the admission of the forensic interview to be? Can you explain your answer?
68. On a scale of 1-10, how effective have you found defense attorneys in representing their CSA clients in civil child protection cases? How effective are they in getting a petition dismissed?

Post-trial

69. Are CSA sentences in South Carolina too lenient, too strict, or just about right? Explain your answer.
70. Please provide your assessment of South Carolina's sex offender registration laws. Are they effective in deterring offenders from re-offending? Why or why not? What, if any recommendations would you make for:
    a. Improving these laws with respect to juveniles
    b. Improving these laws with respect to adults
    c. Improving the enforcement of these laws
71. What adult sex offender treatment programs are available in South Carolina? Have you found these programs to be effective? Why or why not? What recommendations, if any, do you have for improving sex offender treatment programs in South Carolina?
72. What juvenile sex offender treatment programs are available in South Carolina? Have you found these programs to be effective? Why or why not? What recommendations, if any, do you have for improving sex offender treatment programs in South Carolina?

Civil Child Protection Response to Cases of CSA

73. How are children and families involved in case planning? With what frequency are case plans reviewed? Are recommended services generally available? If so, are they effective? What makes the services effective or ineffective?
74. When children are in foster care, how long do they stay? What strengths or weaknesses do you see in your local foster care system?
75. What, if any, challenges are you facing in making "reasonable efforts" to reunite parents with children? Under what circumstances are reasonable efforts waived? How often do child protection workers and attorneys pursue this option and proceed directly to termination of parental rights? Should termination of parental be pursued more frequently, less frequently, or is the frequency of TPR about right?

Prevention

76. What, if any, child sexual abuse prevention programs are offered in your community? Personal safety classes for children? Classes for parents? Public information campaigns? Darkness to Light? Other programs? Have you found these programs to be effective? Why or why not?
77. What, if any, policies are in place to prevent CSA at youth groups, schools, day cares, religious institutions and other settings where children gather? Do these policies address only sexual abuse? Do the policies take into account the cross-occurrence of sexual abuse with other forms of maltreatment including physical abuse, child neglect and emotional abuse?
78. Would you, or your agency, be interested in training or better educating the community on CSA prevention? What, if any, additional resources would you need to provide this service?
79. On a scale of 1-10, how important is it to engage the faith community in CSA prevention efforts?

Working with immigrant children

80. With respect to immigrant children who may have been abused or in need of protection or services:
    a. Is there a system in place for identifying immigrant children?
    b. Are there services in place for non-English speaking children including
        i. Interpreters for forensic interviews, therapy or other services
        ii. Providing benefits to immigrant children
81. Are immigrant children encouraged to seek out available services?
82. What, if any recommendations do you have for improving the child protection system's handling of cases involving immigrant children?

Training needs

83. On a scale of 1-10, how important is it to provide additional or improved training in the following areas:
    a. Assessing sexual abuse among pre and non-verbal children
    b. Assessing sexual abuse among children with physical or developmental disabilities
    c. Advanced forensic interview training
    d. Interrogation of CSA suspects
    e. Investigating/prosecuting CSA cases arising in the context of a divorce or custody case
    f. CSA crime scene investigation
    g. Trial skills:
        i. Jury selection/voir dire

ii. Opening statements/closing arguments
iii. Cross examination of defendants and defense witnesses
iv. Cross examination of expert witnesses

h. What, if any, additional training needs do you think are critical?

Differential response

84. South Carolina is implementing an alternative or differential response system for handling cases of child abuse deemed less severe. Have you had experience with this system? If so, how would you describe your experience? What strengths do you see with this model? What weaknesses? What suggestions would you have for improvement? How, if at all, do you see this model impacting South Carolina's response to cases of CSA?

Cross-concurrence of CSA with other forms of maltreatment

85. On a scale of 1-10, how likely have you found CSA to exist with these additional forms of maltreatment:
    a. Child physical abuse
    b. Neglect
    c. Emotional abuse
    d. Spiritual abuse (using religious or spiritual themes in the abuse of a child)
    e. Animal abuse
    f. Domestic or interpersonal violence
86. On a scale of 1-10, how effective have you found your MDT in cross-screening for multiple forms of maltreatment? Would additional training in cross-screening be helpful?

Public policy

87. What, if any, statutory or court reforms would you like to see in South Carolina?

Trafficking/sexual exploitation

88. What, if any, involvement does your agency have in the trafficking or sexual exploitation of children (child pornography, etc)? If you have a role in addressing these cases, how would you assess the strengths and weaknesses of your agency's response to these cases?
89. Does your community have one or more strip clubs, adult bookstores or other sexually exploitive establishments? What if, any, efforts are made to make sure children are not being exploited or trafficked through these establishments? Have you found these efforts to be effective? Why or why not?

The role of police chaplains

90. Do you see benefit in expanding the involvement of police or other chaplains in South Carolina's response to CSA cases? If so, where would you like to see this expansion

occur? In providing victim services? Family support? Emotional support at trial? In assisting investigators and prosecutors with handling the vicarious trauma of working CSA cases? Something else?

Adult survivors

91. What, if any, services are available in your community for adult survivors of child maltreatment, including child sexual abuse? How effective do you believe these services are? Please explain your response. What barriers do adult survivors have in accessing any existing services? What improvements need to be made? What else should be done to meet the needs of adult survivors?

Silent Tears Survey Analysis

March, 2013

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Silent Tears Survey Analysis

A survey of providers of services to victims of Child Sexual Abuse (CSA), and of other adults who routinely come into contact with victims in South Carolina, was undertaken in February and March of 2013. The purpose was to determine the extent of providers' academic and on-the-job preparation, their experience, how well they work together, legal processes, treatment options, geographic differences, and the quality of systems in place to address CSA. The following is an analysis of the 404 total surveys submitted from respondents around the state of South Carolina.

In an effort to avoid redundancy and to maximize robustness of this analysis, aggregations and disaggregations are only reported where remarkable or for comparison purposes.

Overall Respondent Demographics

Most respondents were female (86%), had worked with victims of Child Sexual Abuse (CSA) for many years (41% for more than 10 years, and 23% for 6-10 years), and were well educated (at least 51% of respondents had graduate or professional degrees). At least 45% of respondents were mental health counselors, social workers, clinicians, caseworkers, or law enforcement personnel, although 36% of these had no training in CSA before entering the field. Almost all respondents had obtained some form of training in CSA since entering the field. Most respondents (53%) reported that there are some CSA prevention programs available in their counties, such as Project BEST, Darkness to Light, Talk About Touching and Healthy Relationships. Thirty-one percent reported that there are one or more excellent programs in their communities, and 22% were unsure. A significant portion (20%) of respondents came from Greenville County, and a number of the smaller, poorer counties were not represented. Some general demographics follow.

1. In which South Carolina county do you work? (n=378)

1. Greenville – 75 responses (20%)
2. Charleston – 30 responses (8%)
3. Anderson – 25 responses (7%)

- Counties with zero responses: 11 (Bamberg, Barnwell, Calhoun, Edgefield, Fairfield, Hampton, Laurens, Marion, McCormick, Saluda, Williamsburg)

2. What is your job category? (n=385)

1. Clinician/therapist/mental health professional – 67 responses (17%)
2. DSS caseworker – 53 responses (14%)
3. Law enforcement – 52 responses (14%)

- Zero responses: 2 (defense attorney, principal)

3. How long have you worked with victims of child sexual abuse (CSA)? (n=380)

1. Less than one year – 29 (4%)
2. 1-5 years – 107 (28%)
3. 6-10 years – 88 (23%)
4. More than 10 years – 156 (41%)

4. What is your gender? (n=380)

1. Male – 53 (14%)
2. Female – 327 (86%)

5. What is your highest level of education? (n=384)

1. Graduate degree – 166 (43%)
2. Bachelor's degree – 132 (34%)
3. Law degree – 30 (8%)

6. What is the field of study in which you obtained your degree/training? (n=373)

1. Social work/counselor – 116 (31%)
2. Psychology – 84 (23%)
3. Other – 64 (17%)

- Other responses: public relations, journalism, business, child life, criminal justice & mental health, education, English, finance, liberal arts, sociology, pastoral counseling, public administration, sciences and business administration

7. How much training did you have in CSA prior to entering the field? (n=382)

1. Some undergraduate academic courses - 61 (16%)
2. Some graduate academic courses – 65 (17%)
3. Some on the job – 109 (29%)
4. None – 138 (36%)
5. Unsure – 9 (2%)

8. How much formal training in CSA have you had on the job? (n=378)

1. 1-3 seminars/training programs - 84 (22%)
2. More than 3 seminars/training programs – 240 (69%)
3. 1 or more academic courses – 26 (7%)
4. Other – 28 (7%)

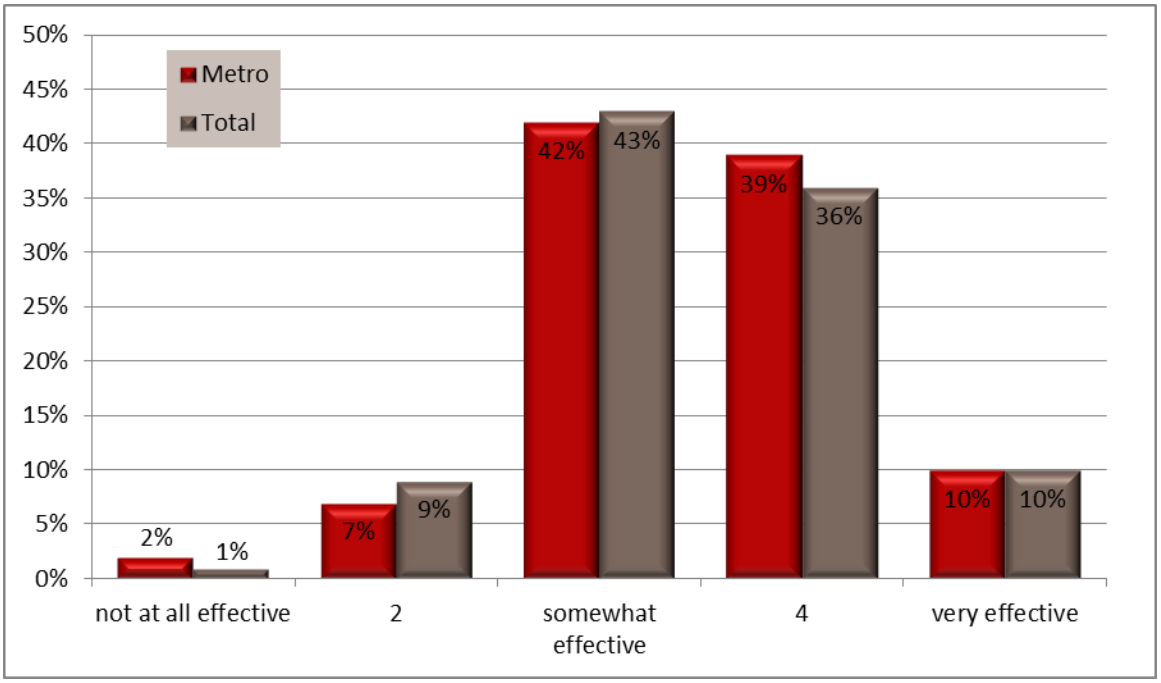
Disaggregation by Metropolitan Classification

The following questions examine differences by county size. Total response sets are provided, along with metropolitan counties as a group - Anderson, Charleston, Greenville, Lexington, Richland, and Spartanburg (n = 183).

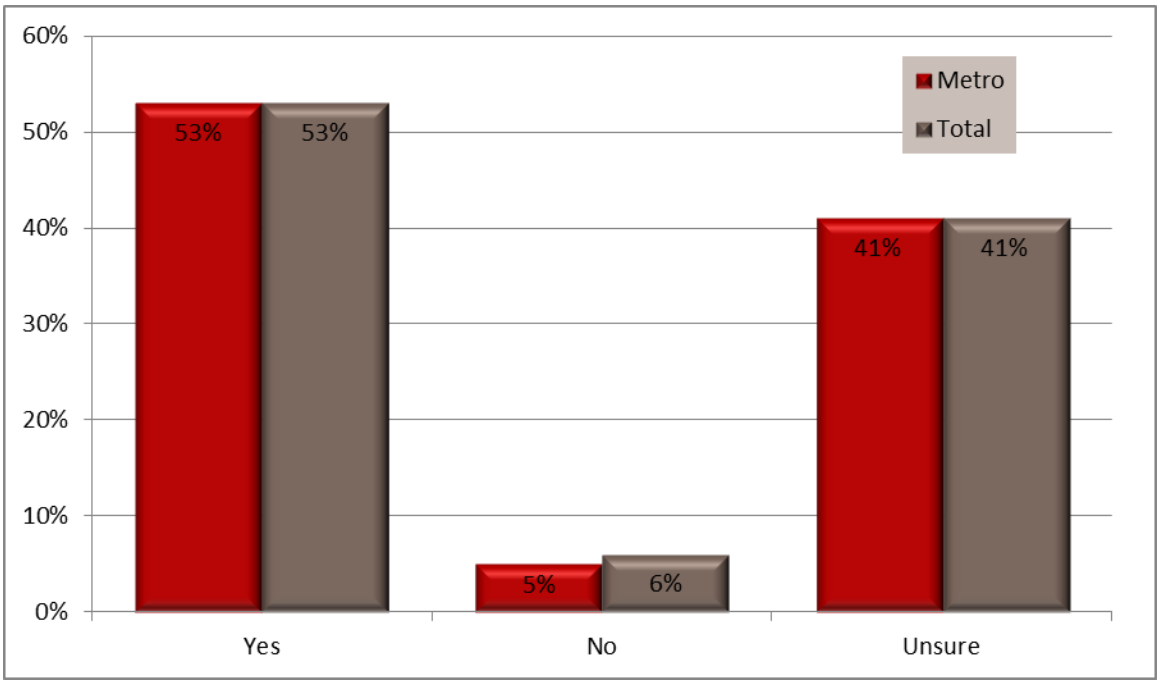
The greatest differences in the metropolitan counties, compared with the whole, pertain to who attends the multidisciplinary team (question 17) and how well the team functions. Metropolitan counties report that their teams function more efficiently than the whole (question 18). Forensic interviews are provided at higher rates in metropolitan counties and by better trained interviewers. Although these interviews are more helpful to cases in metropolitan counties, it also takes longer to obtain them (question 28). Other differences in forensic interviews are also evident (question 52).

Metropolitan counties have more resources than smaller counties, including bilingual caseworkers and interpreters to facilitate working with immigrant victims and their families, treatment programs for offenders and victims, and more child safety events. Further, more cases in metropolitan areas go to trial in criminal court.

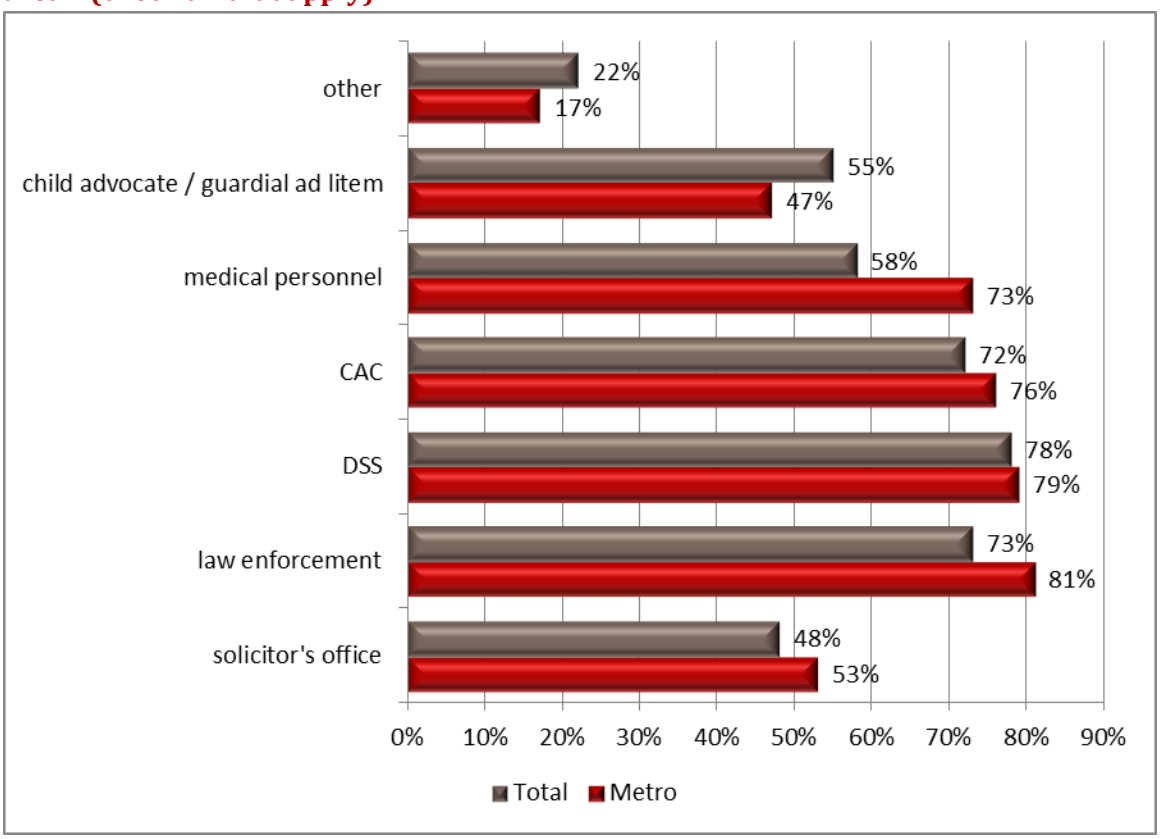
11. On a scale of 1 to 5, please rate the effectiveness of the mandated reporting system



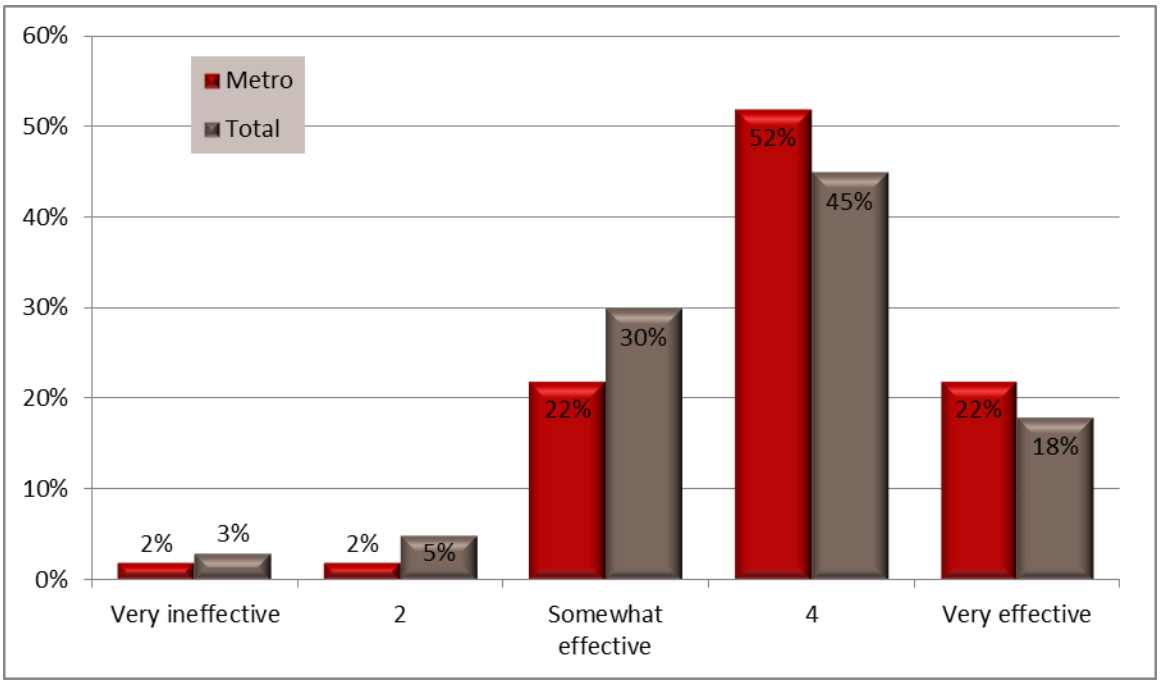
13. Is there mandated reporting training available to your community?



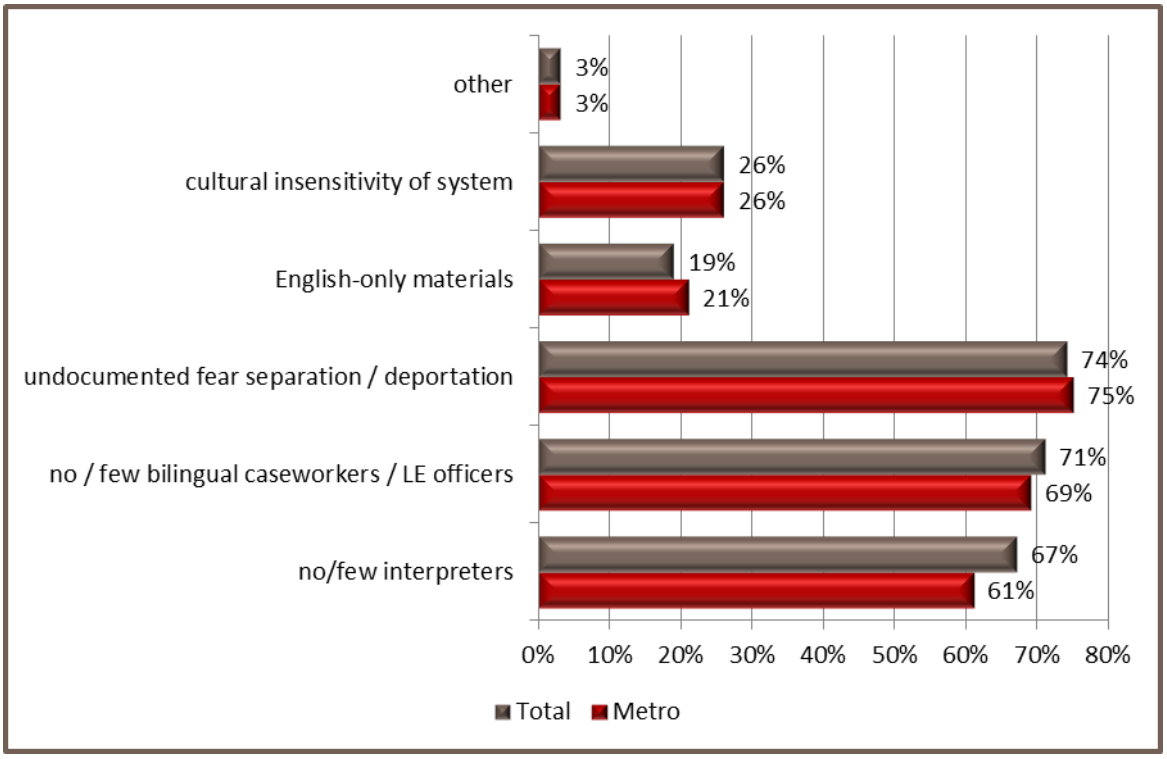
17. Which representatives most often attend the multidisciplinary team meeting in your area? (check all that apply)



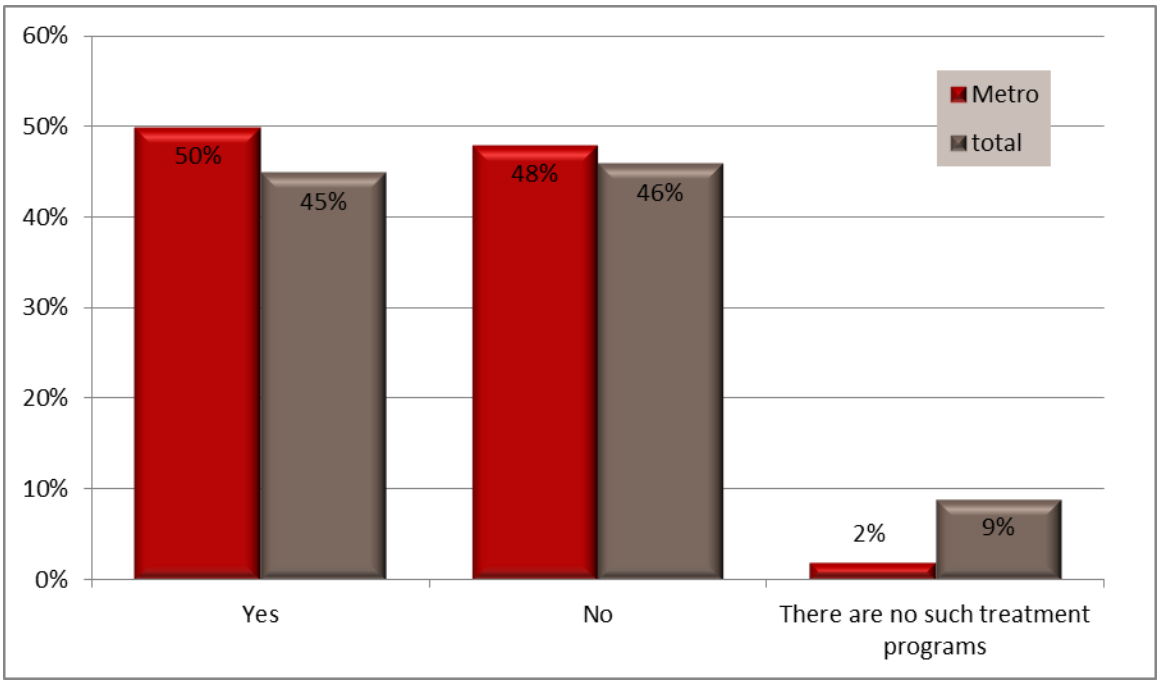
18. How well does your Multidisciplinary Team function?



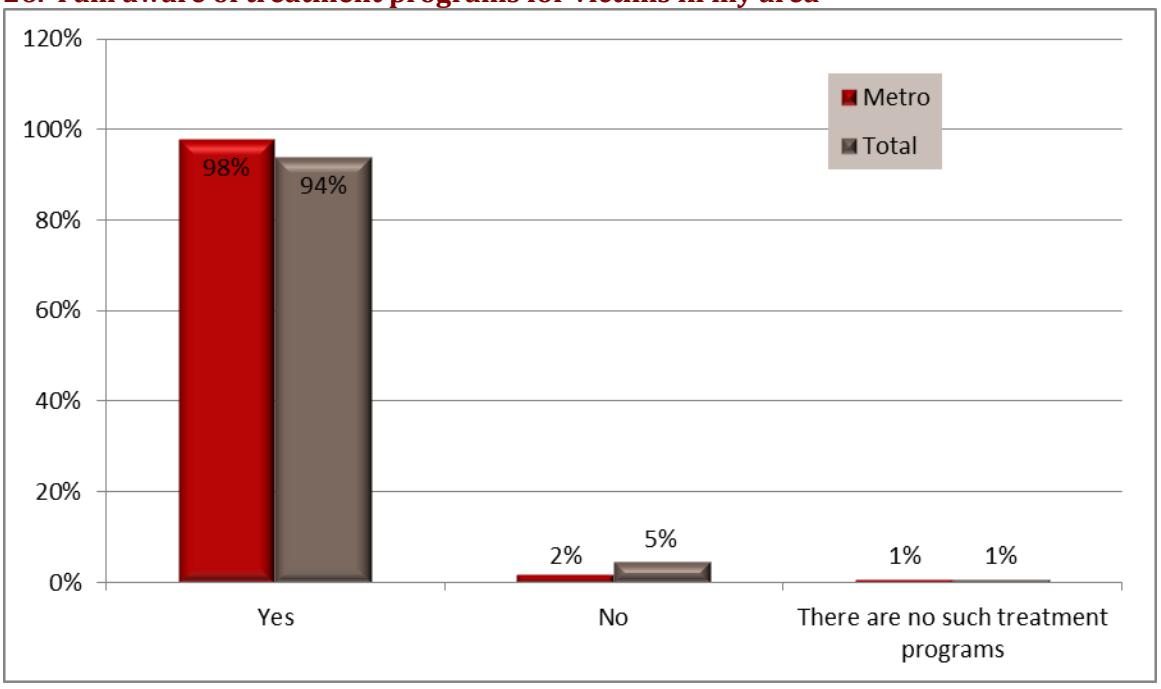
21. What are the challenges / barriers in working with immigrant victims / families? (Check all that apply)



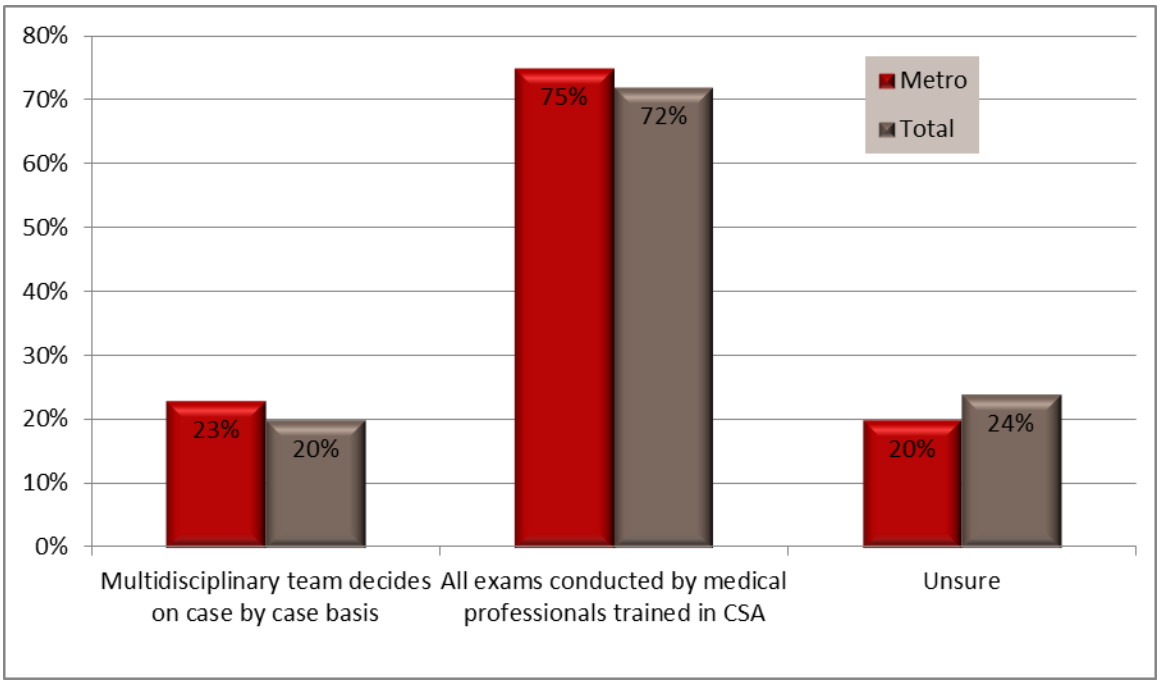
25. I am aware of treatment programs for adult offenders in my area



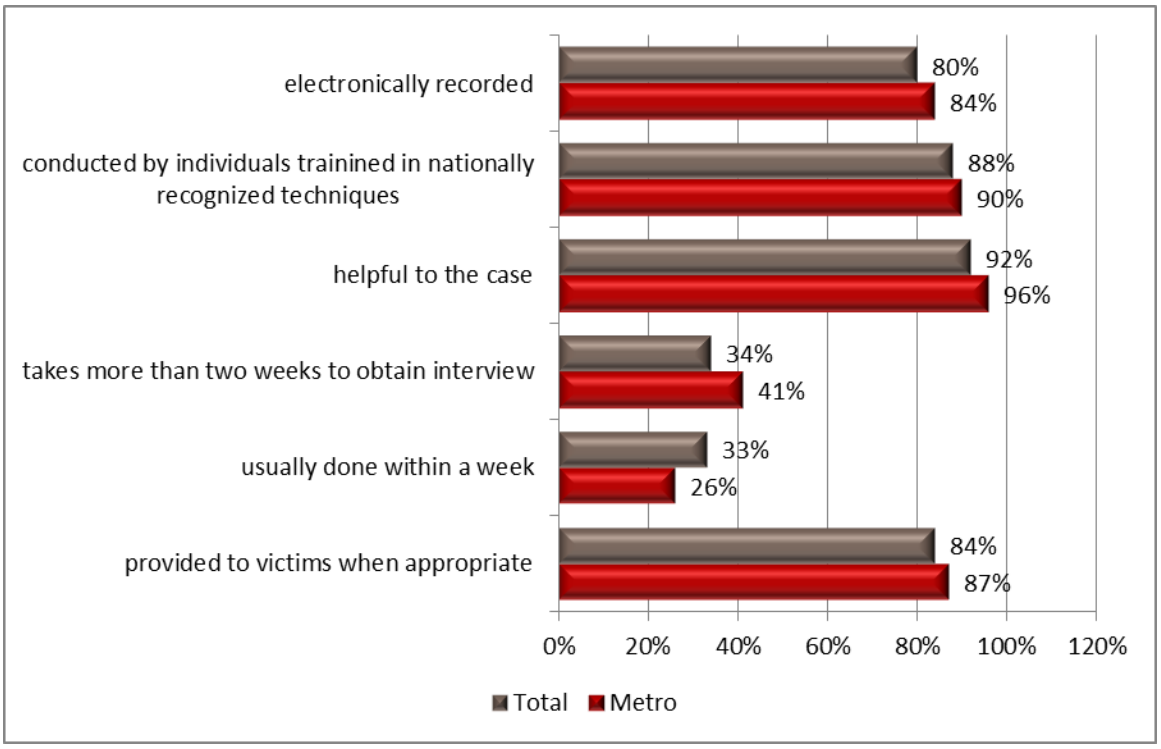
26. I am aware of treatment programs for victims in my area



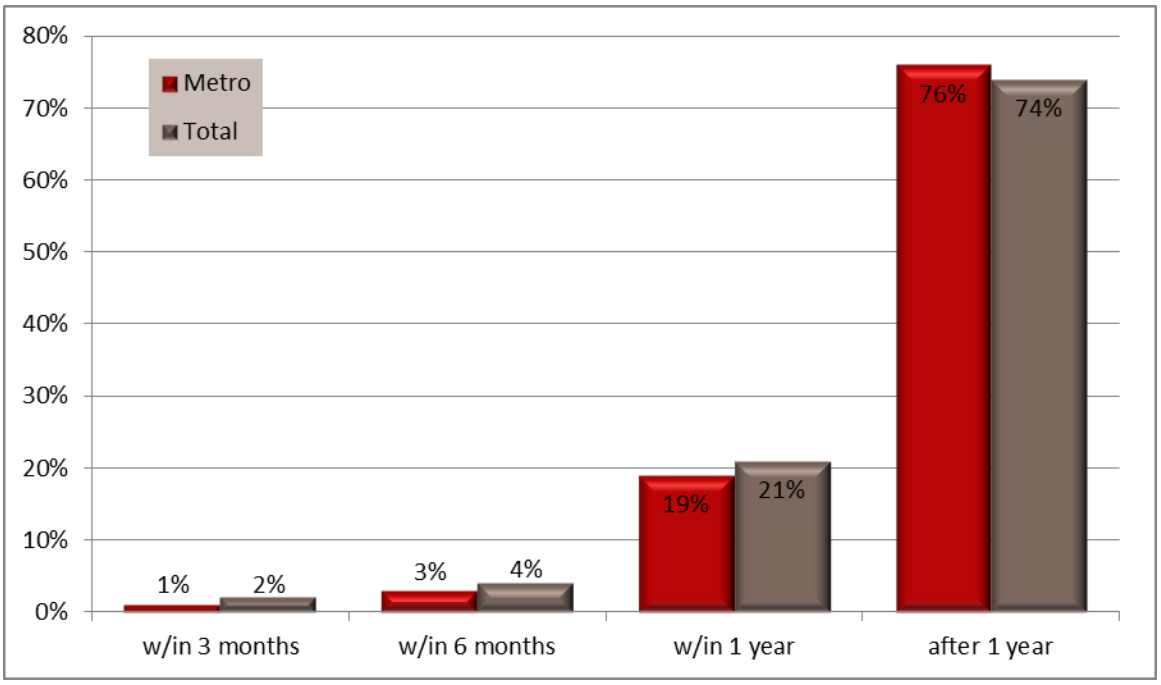
27. Regarding medical exams of victims in your area, please check all that apply.



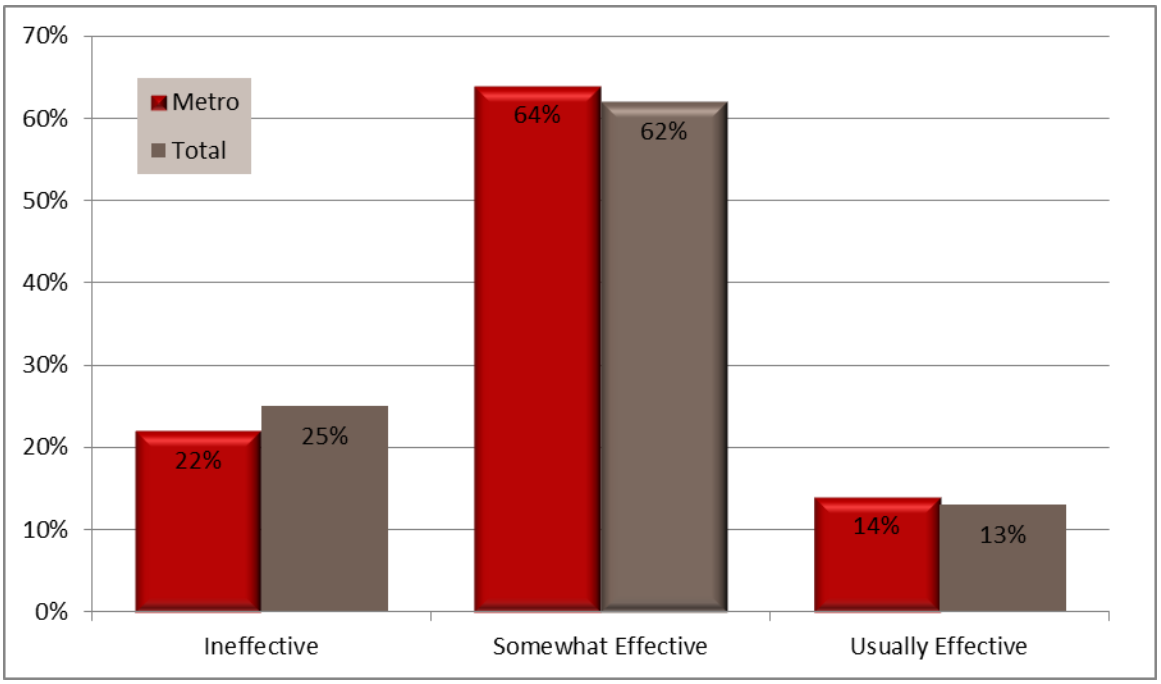
28. Regarding forensic interviews of victims in your area, please check all that apply.



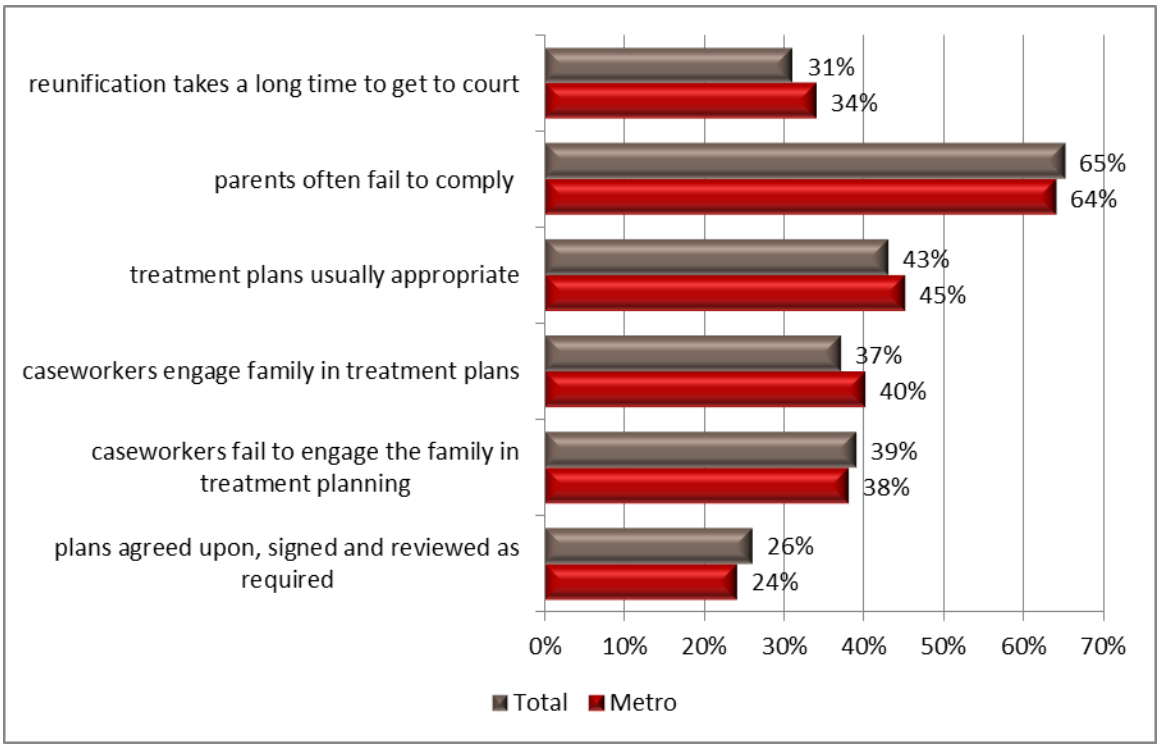
40. Cases that make it to court usually go to trial:



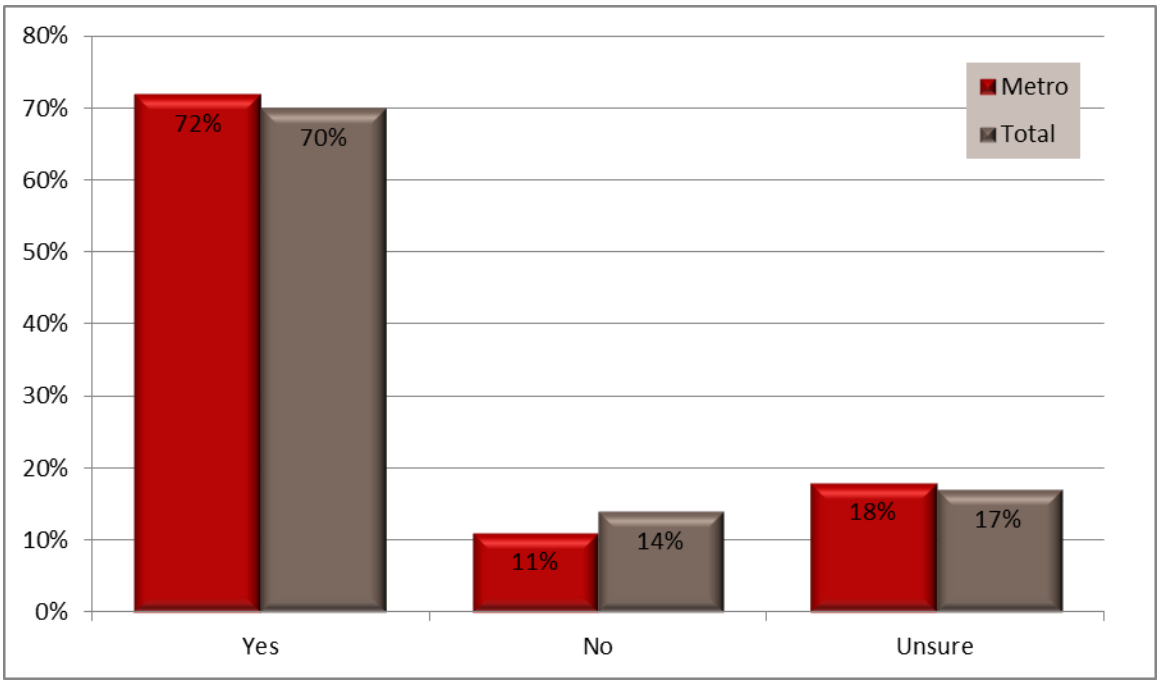
44. How effective is DSS family treatment / family reunification?



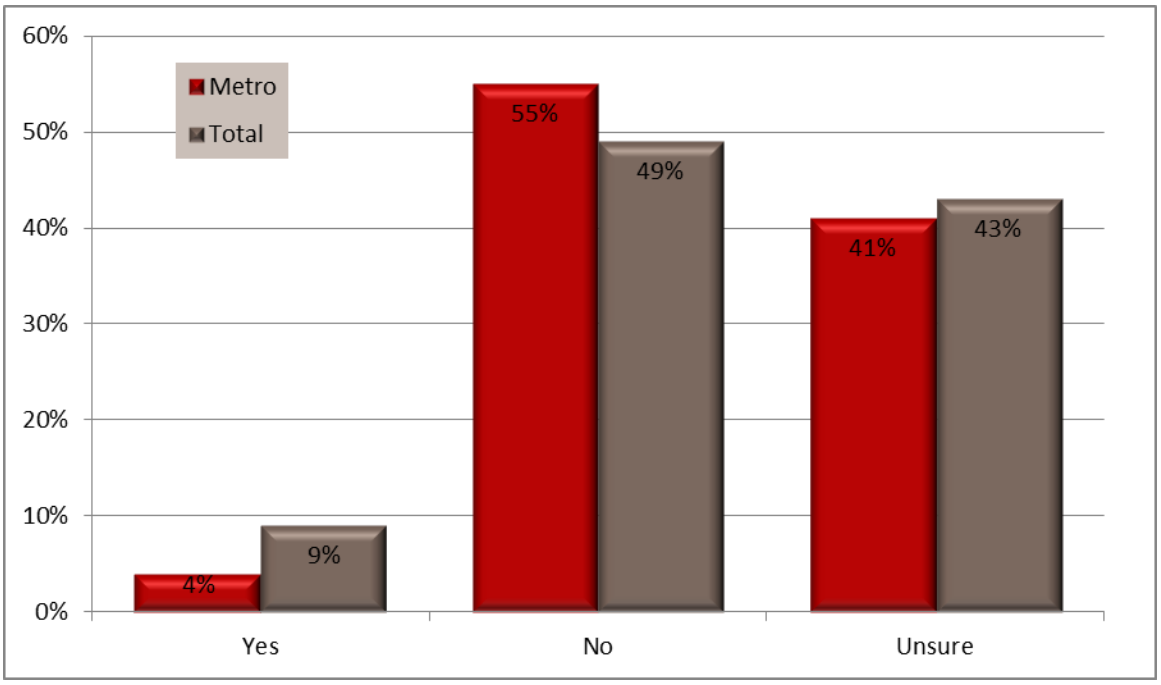
45. Regarding DSS family treatment plans, please check all that apply.



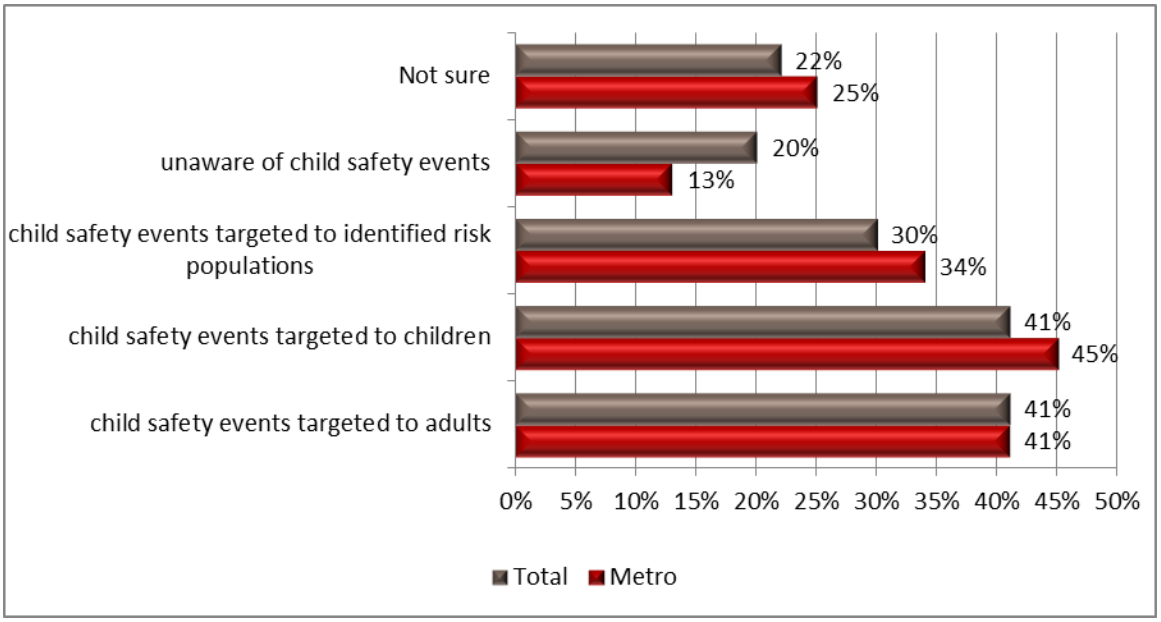
46. DSS worker turnover is very high in my area.



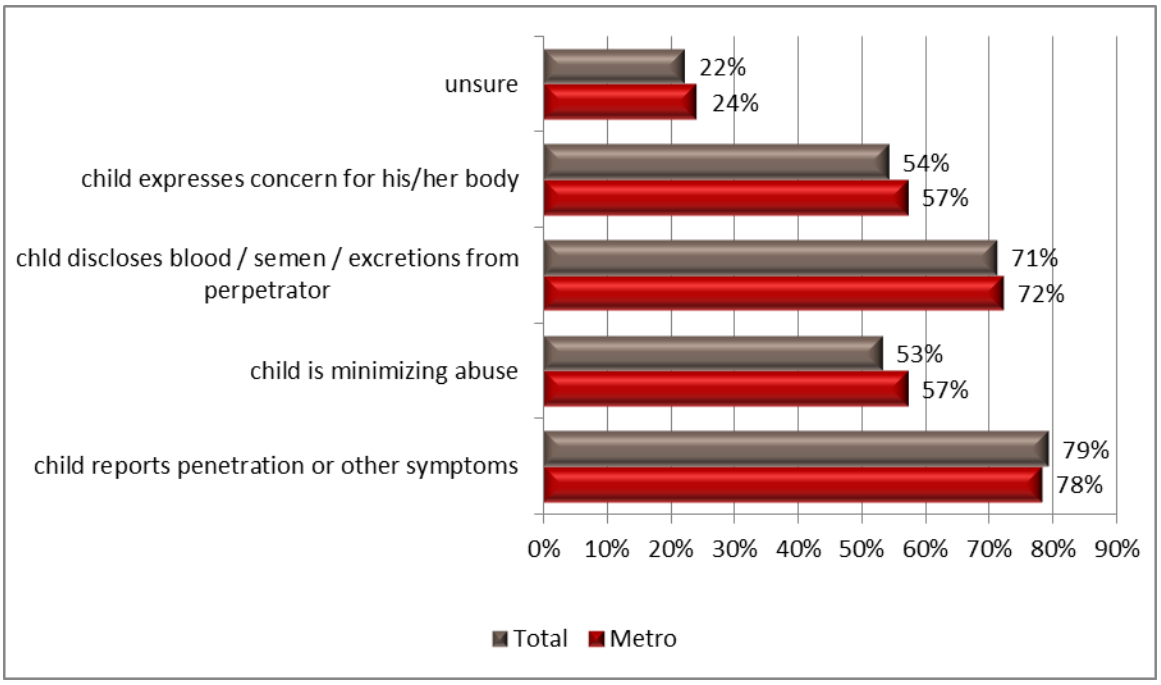
47. Solicitor turnover is very high in my area.



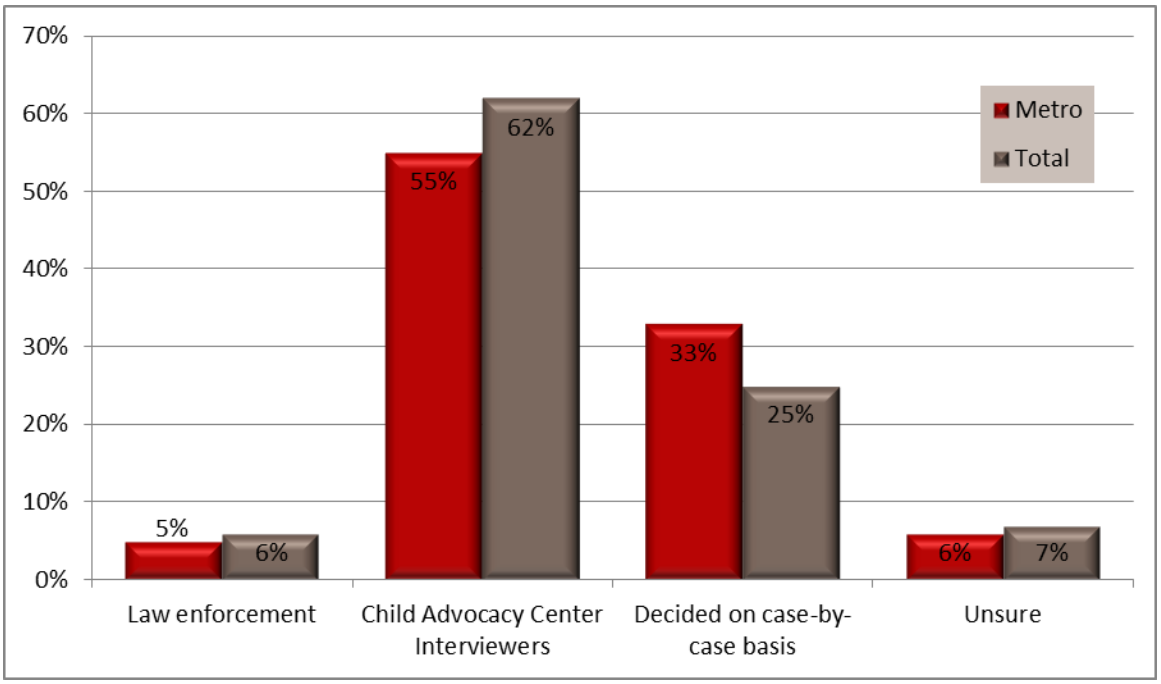
49. Tell us about safety programs in your community. (Check all that apply).



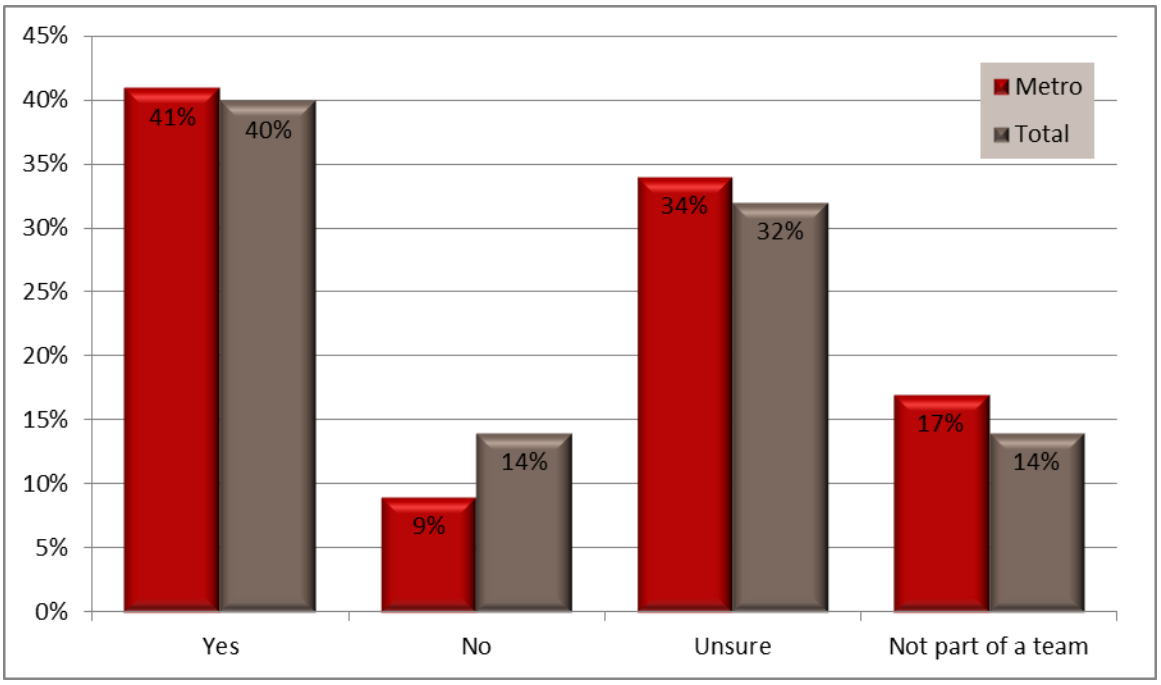
50. Exams are always recommended when: (check all that apply)



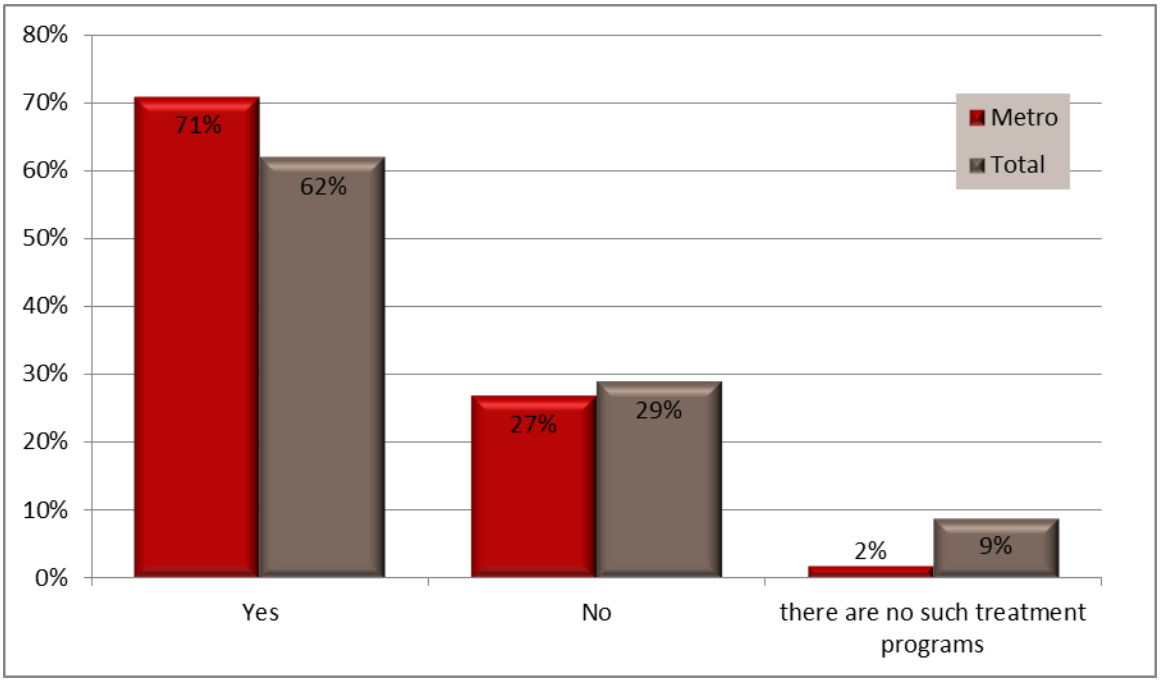
52. Forensic interview of adolescents are conducted by:



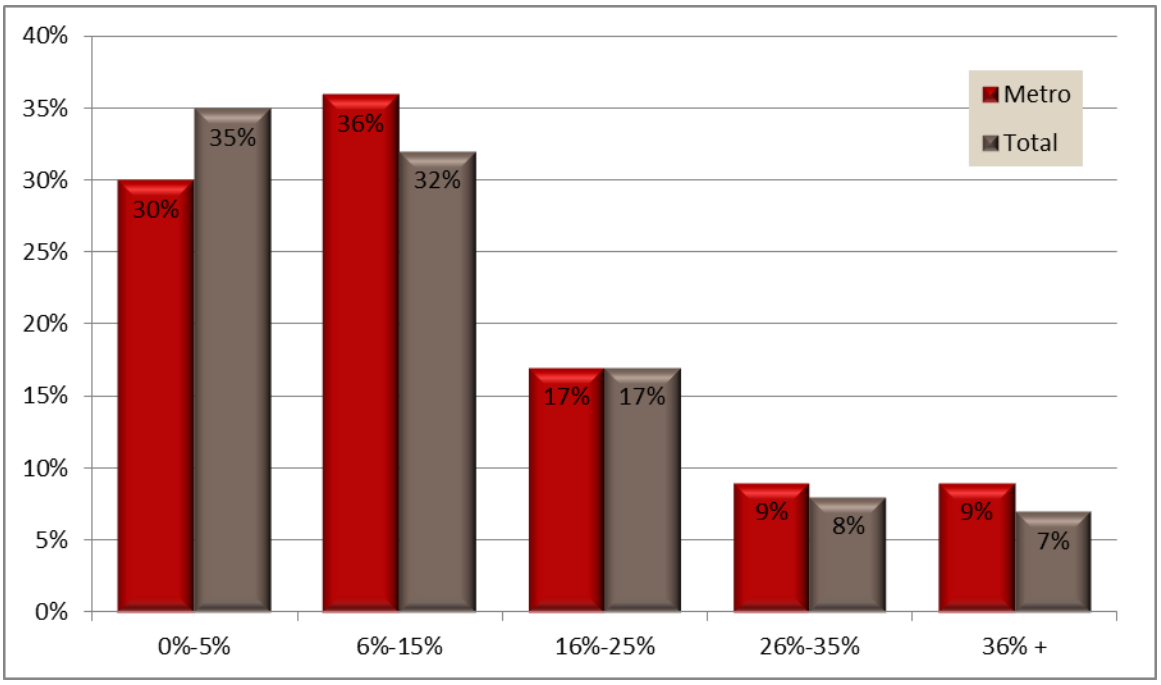
53. Does your Multidisciplinary Team include a culturally appropriate service provider?



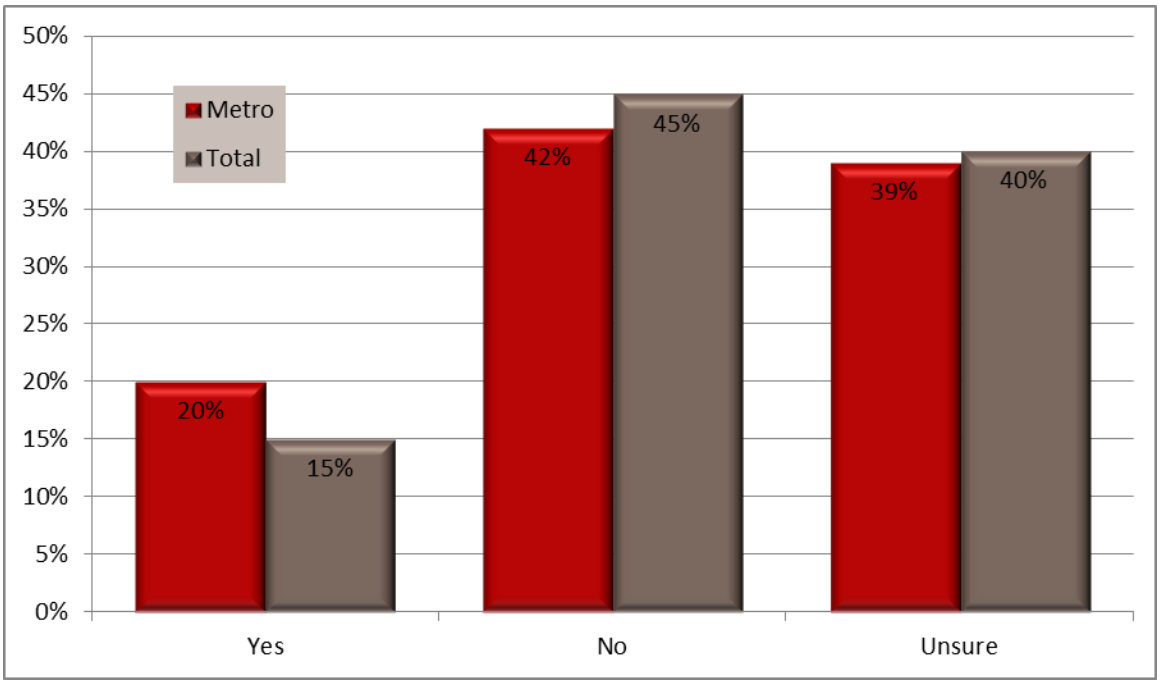
54. I am aware of treatment programs for juvenile offenders in my area.



55. In your experience, what percentage of CSA cases actually goes to trial in criminal court



56. Turnover of law enforcement officers who work with CSA is very high in my area



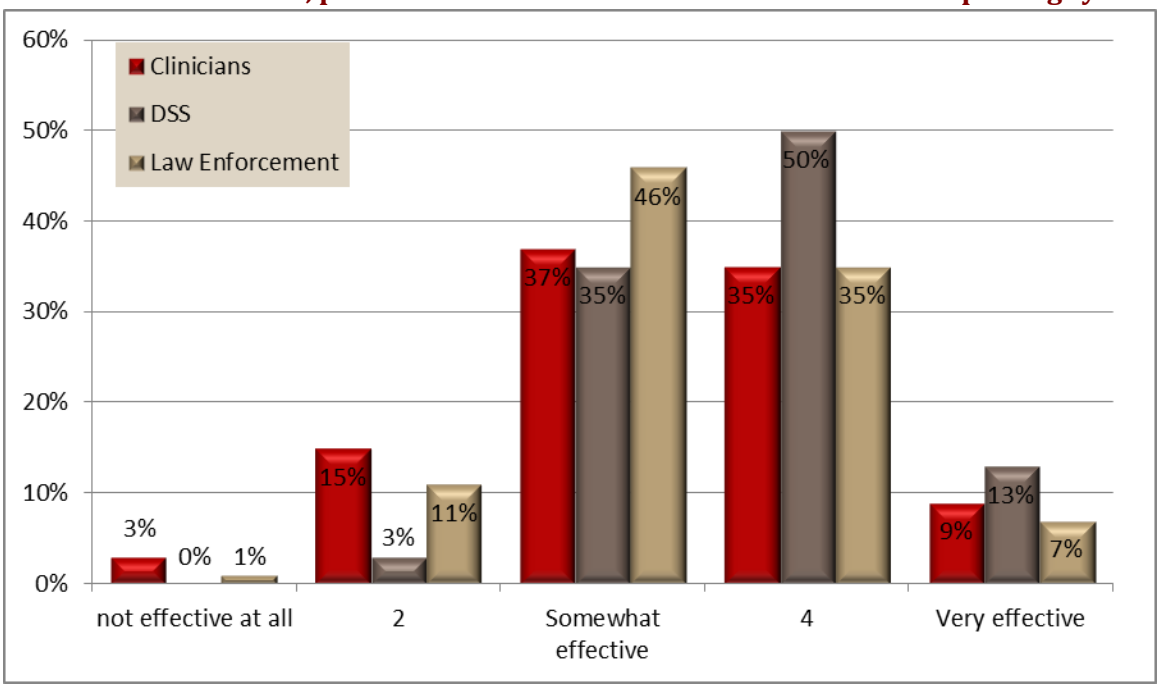
Disaggregation by Occupational Area

In order to compare responses by occupation, results were disaggregated into four categories: 1) clinician/therapist/mental health professional, 2) law enforcement personnel and solicitors, 3) Department of Social Services personnel, and 4) school personnel. However, school personnel was not analyzed as a separate category due to small sample size (15), because 47% of respondents (n = 7) came from one county (Florence), and because only six counties are represented. Further disaggregations by occupation did not render meaningful sample sizes.

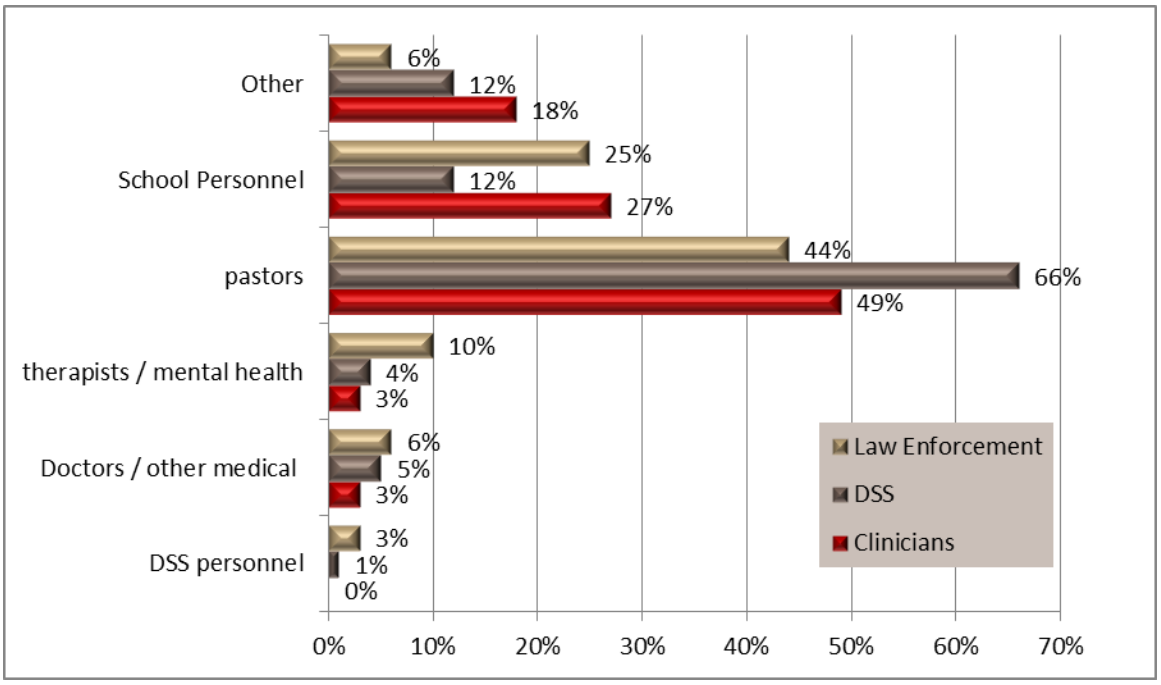
The following compare responses for the three occupational areas on select questions, followed by each of the three occupational areas considered on its own. Differences by occupation are significantly more marked than responses by metropolitan classification.

Several findings are of note. For example, response options for question 12 regarding groups least likely to report CSA should have included "parents" or "family members" as many respondents noted this as "other".

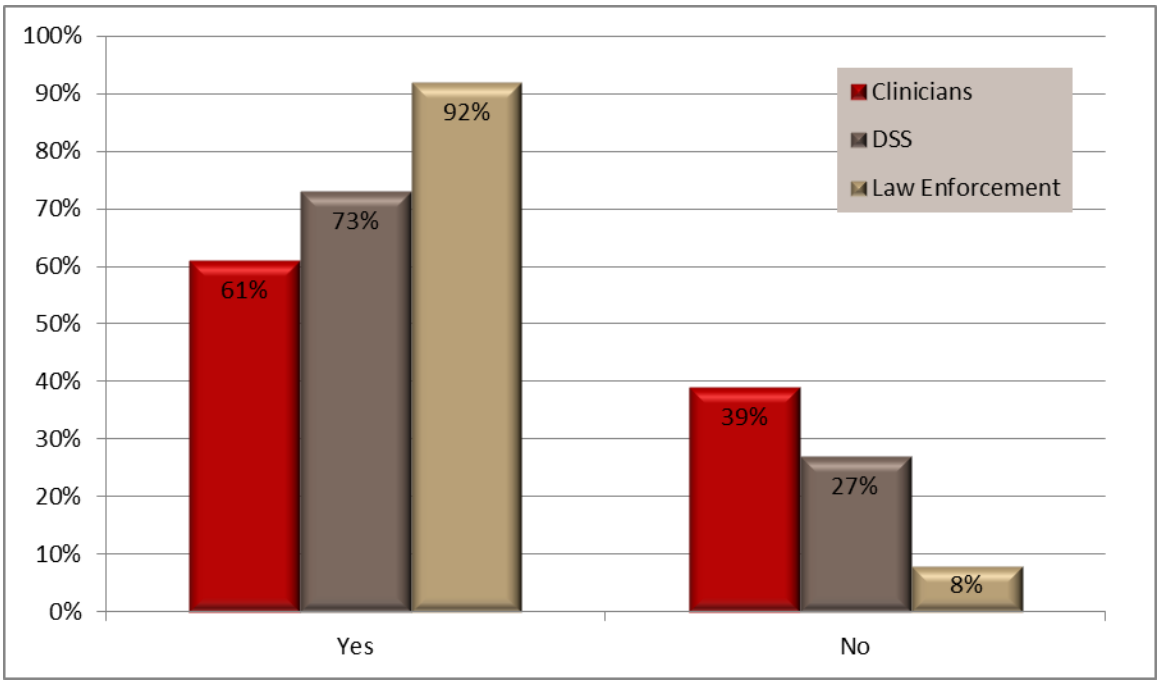
11. On a scale of 1 to 5, please rate the effectiveness of the mandated reporting system.



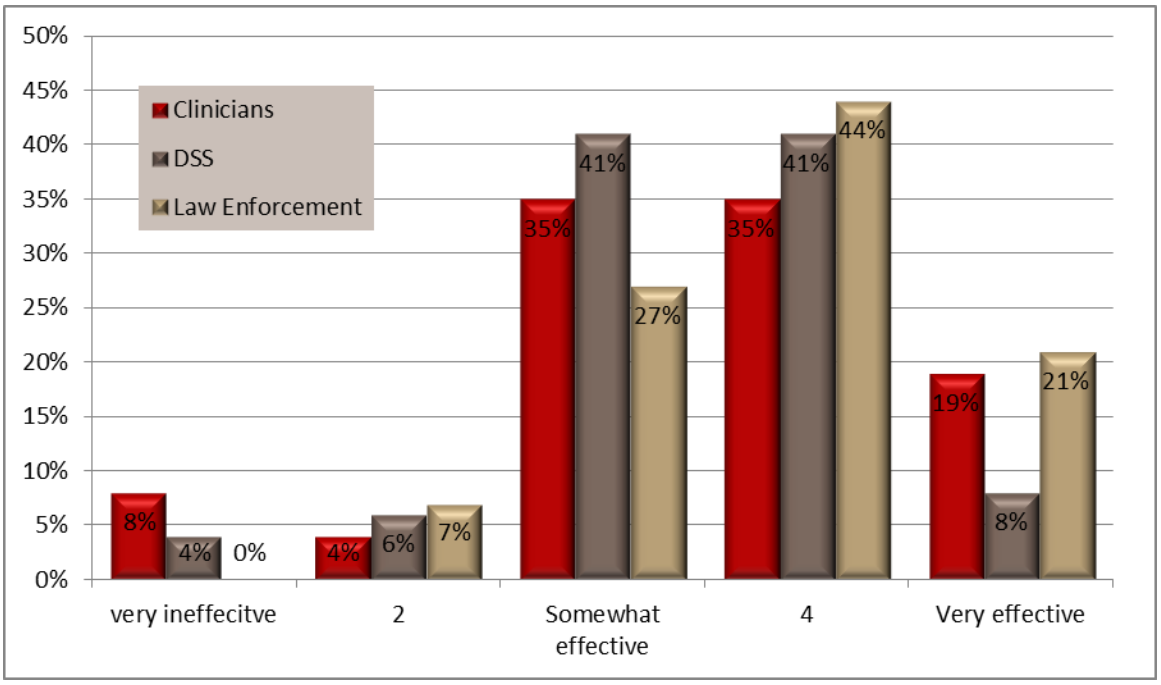
12. In your experience, who is least likely to report CSA directly to law enforcement or DSS?



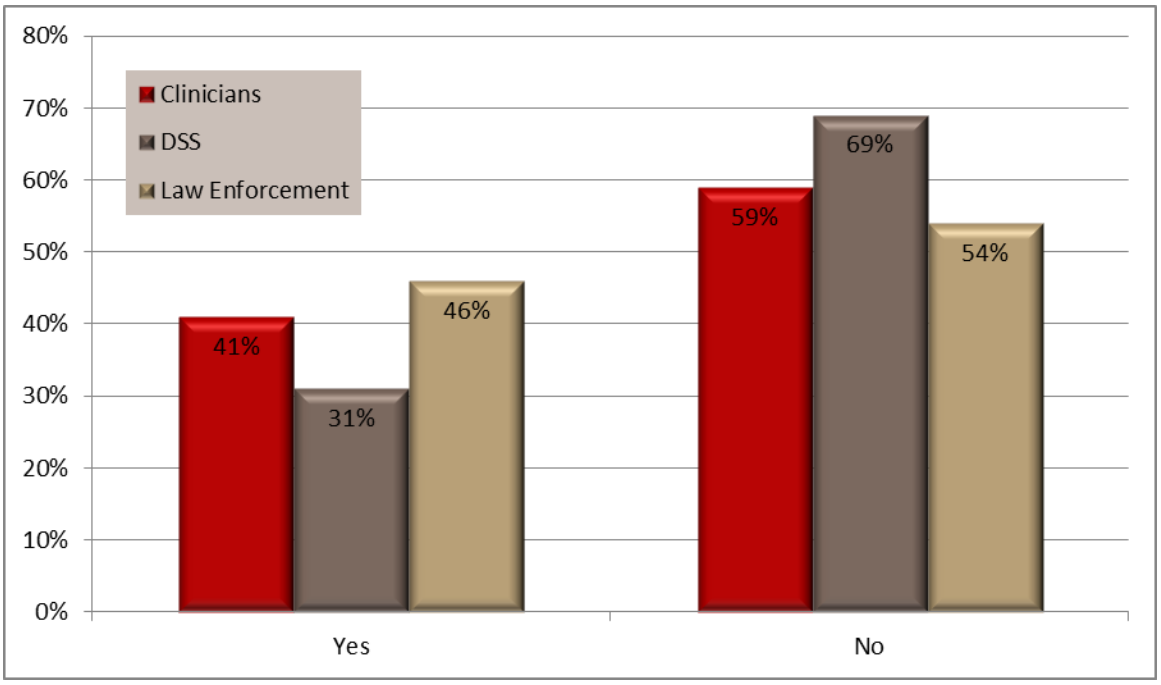
16. Do you participate in a multidisciplinary team?



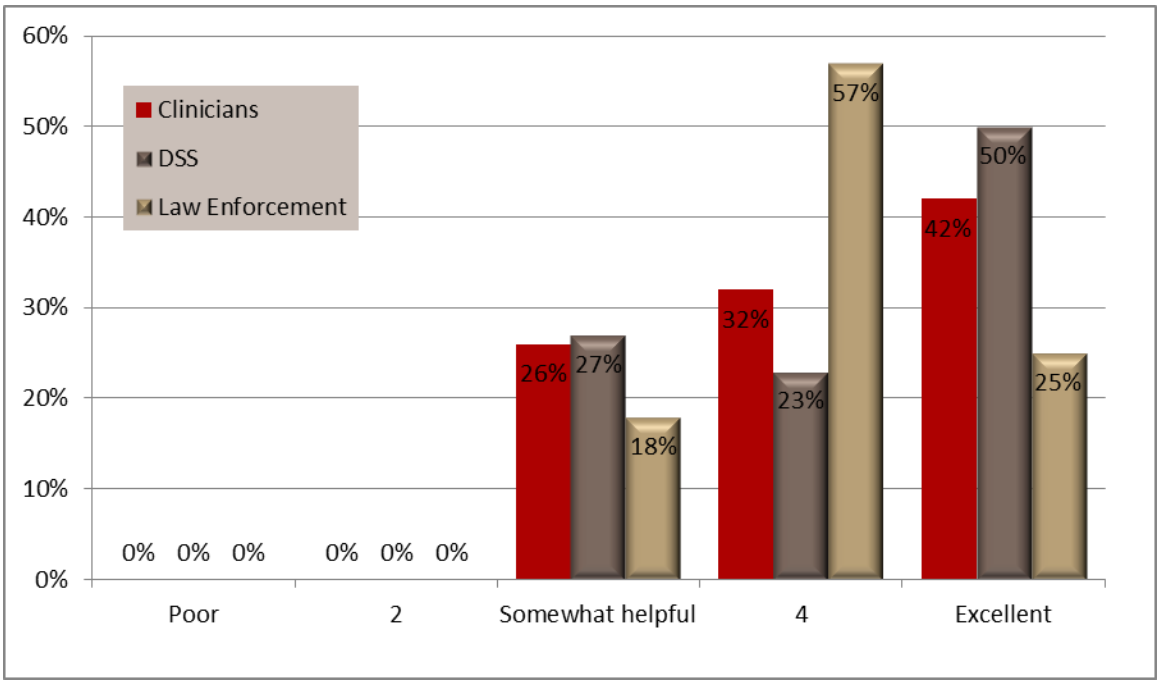
18. How well does your multidisciplinary team function?



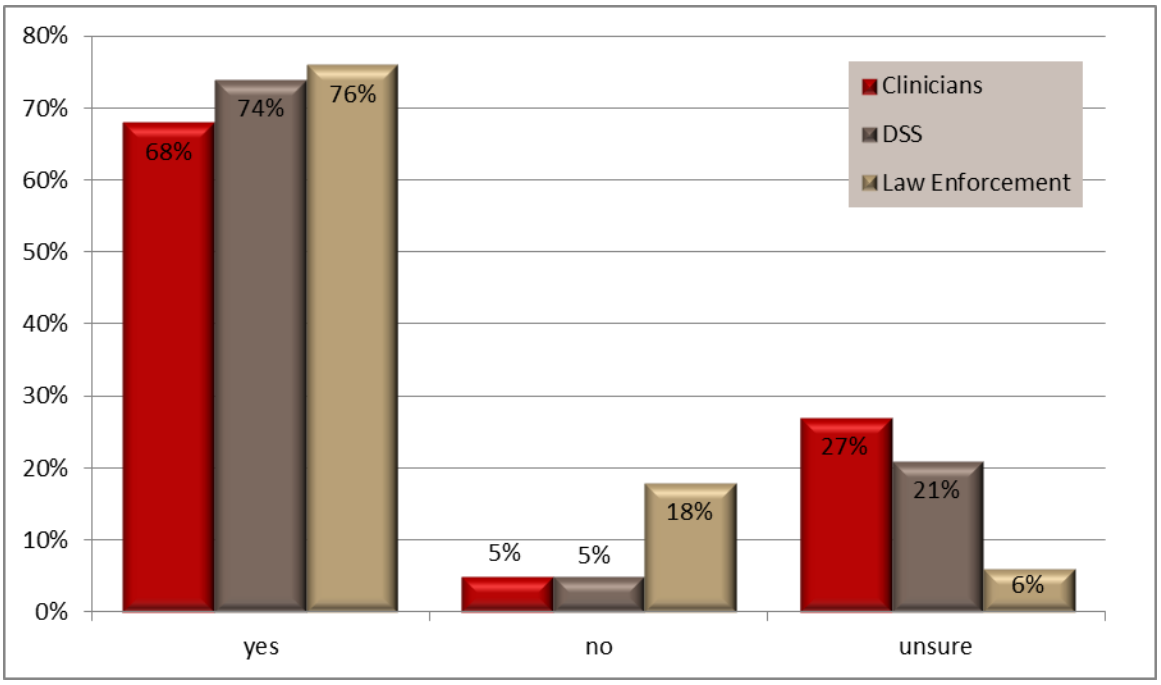
19. Have you completed training through child First / Finding Words South Carolina or other nationally recognized training programs?



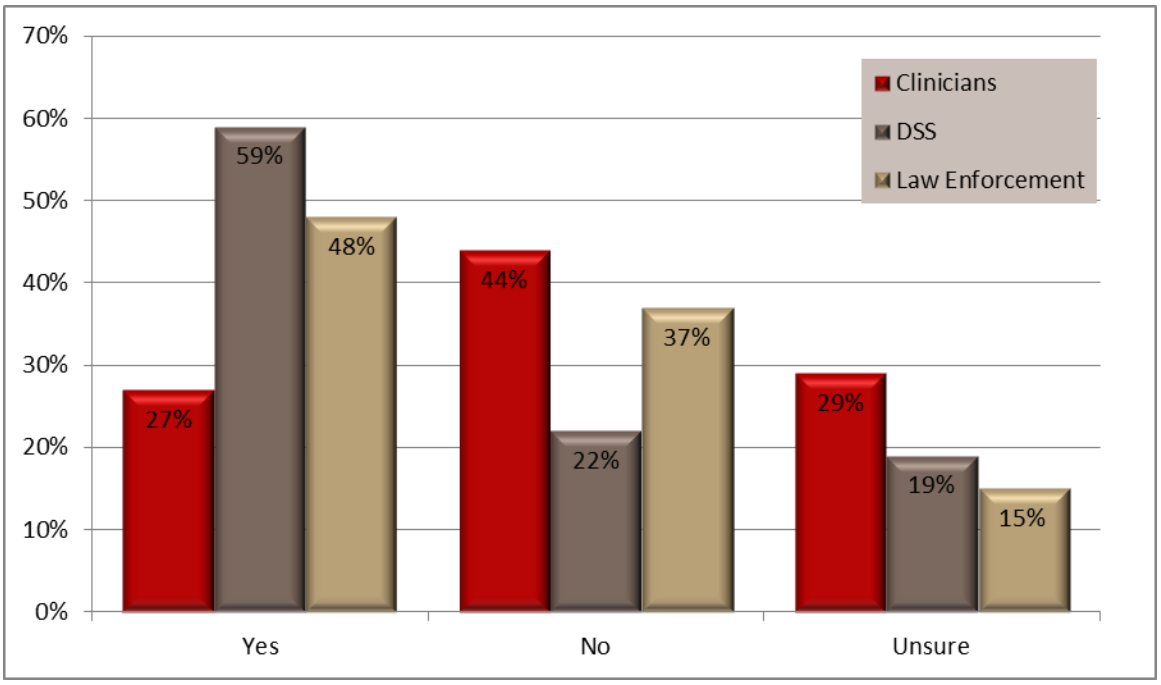
20. Please rate the RATAC protocol.



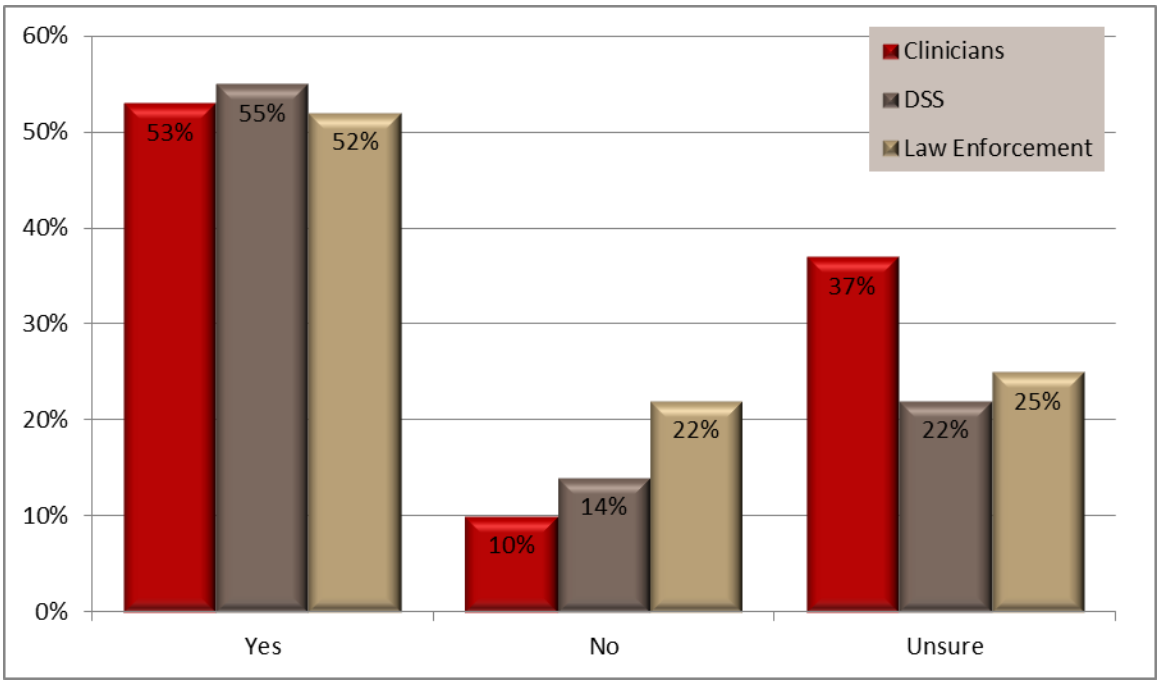
22. Offender sentences are too light.



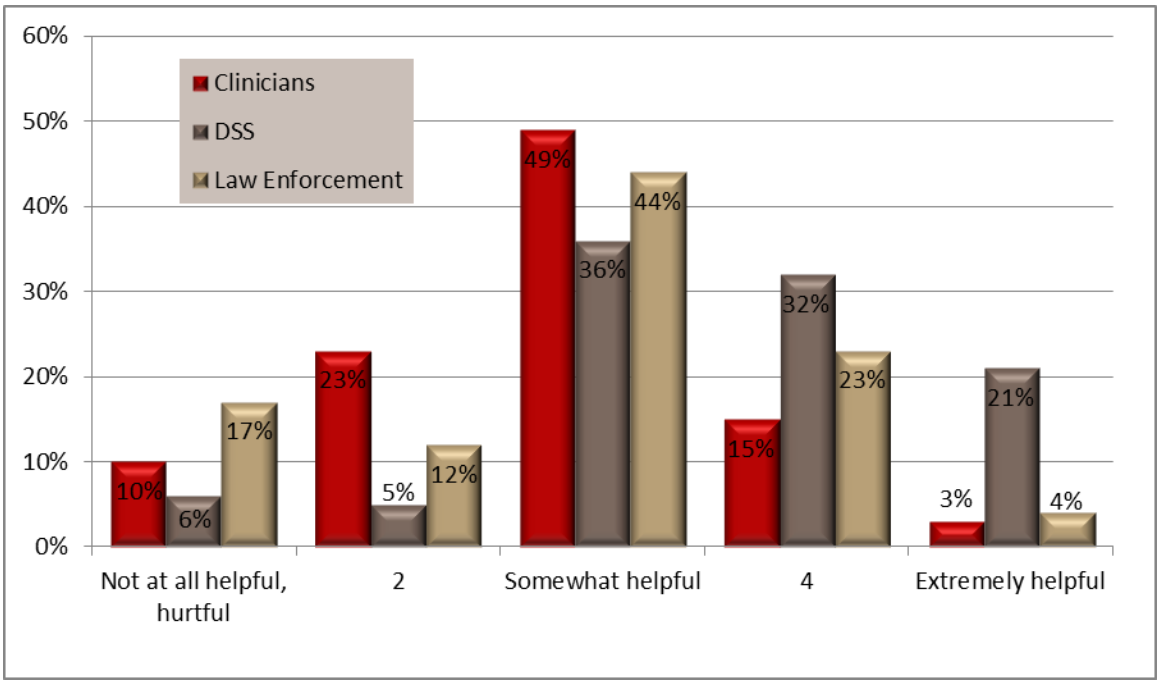
23. The sex offender registry is effective.



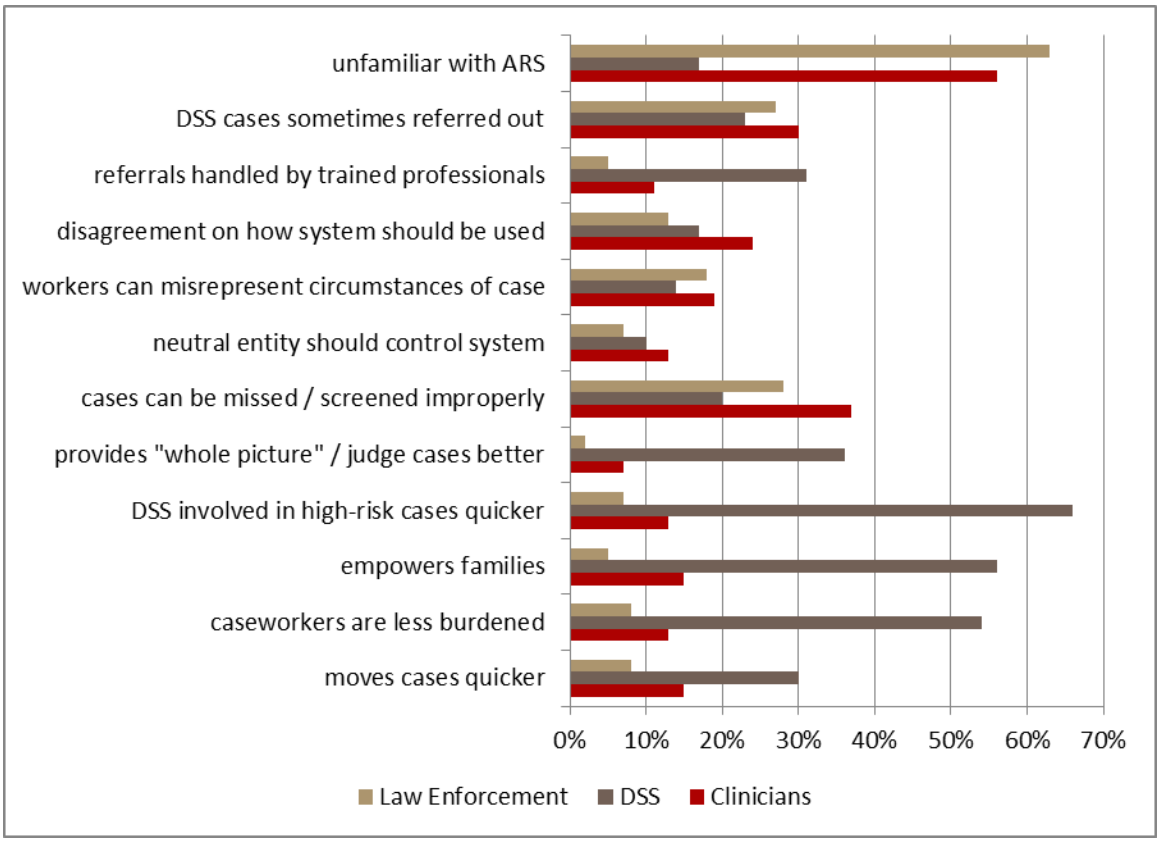
24. Juvenile offenders need special consideration as they are often victims themselves and shouldn't be on the registry for life.



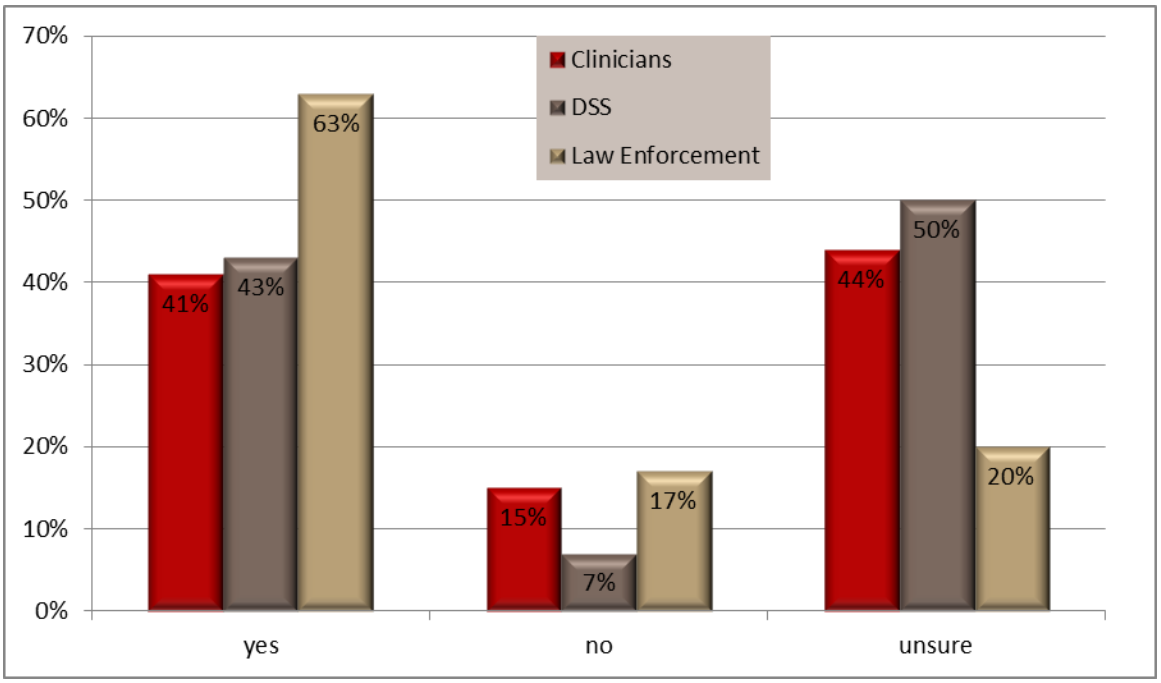
35. Please rate the quality of the Appropriate Response System (ARS) for victims of CSA.



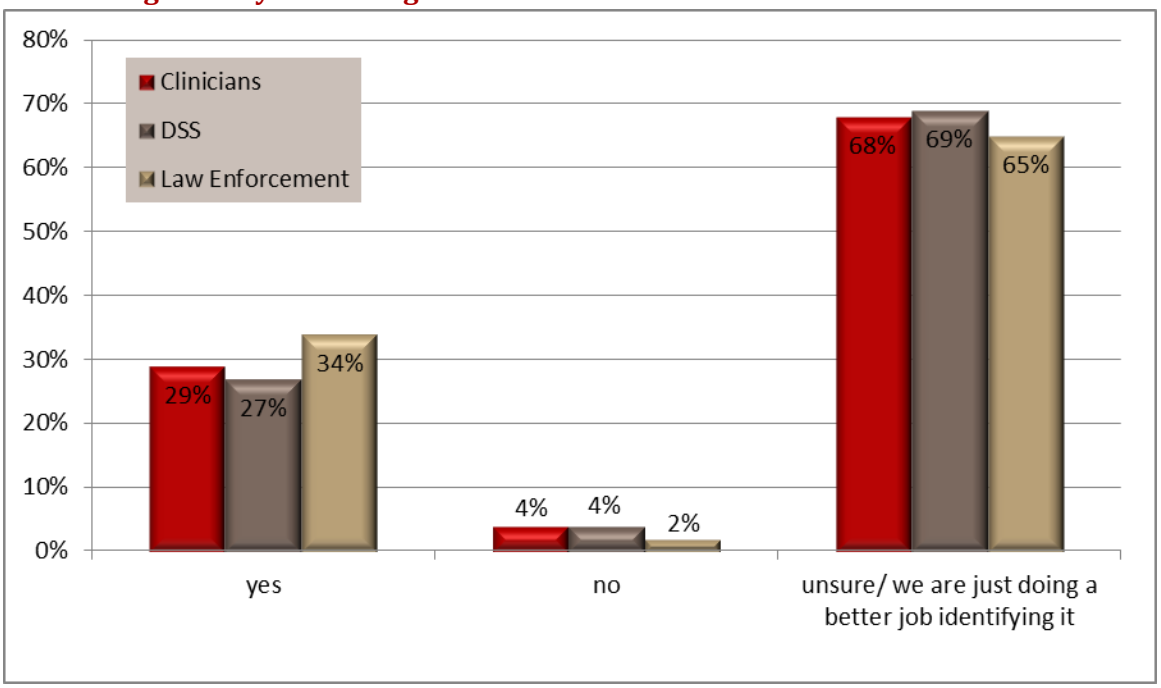
36. Regarding the ARS, please check all that apply:



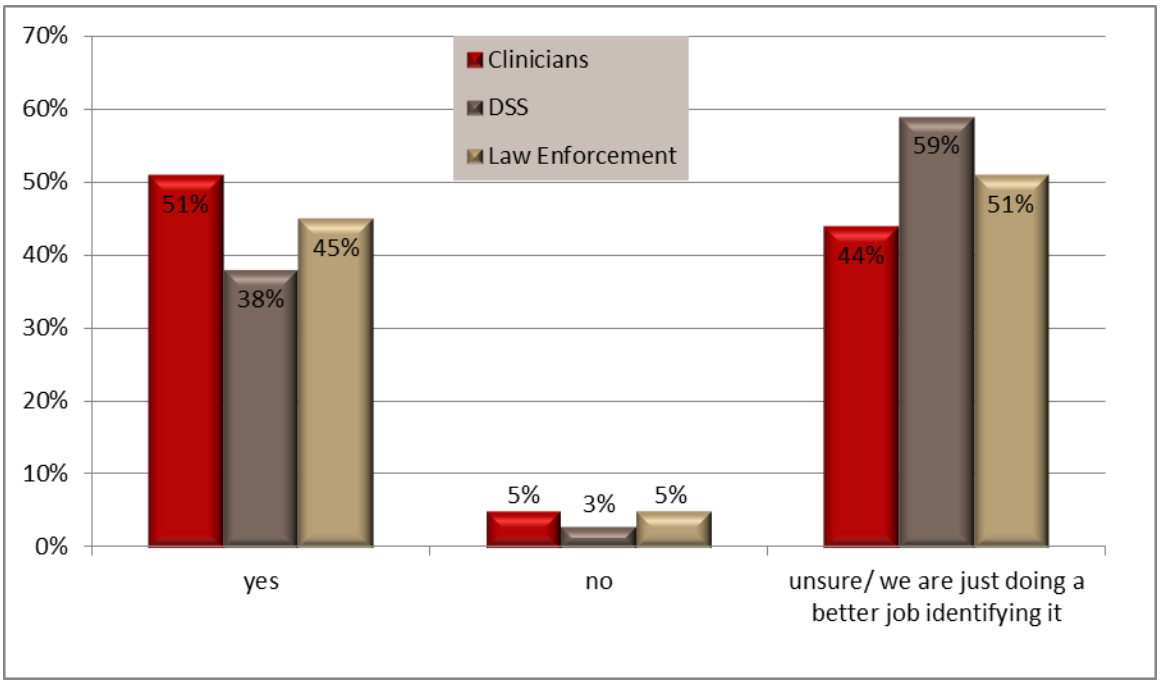
41. Solicitors routinely consult other professional involved in the case before deciding whether to take cases to trial.



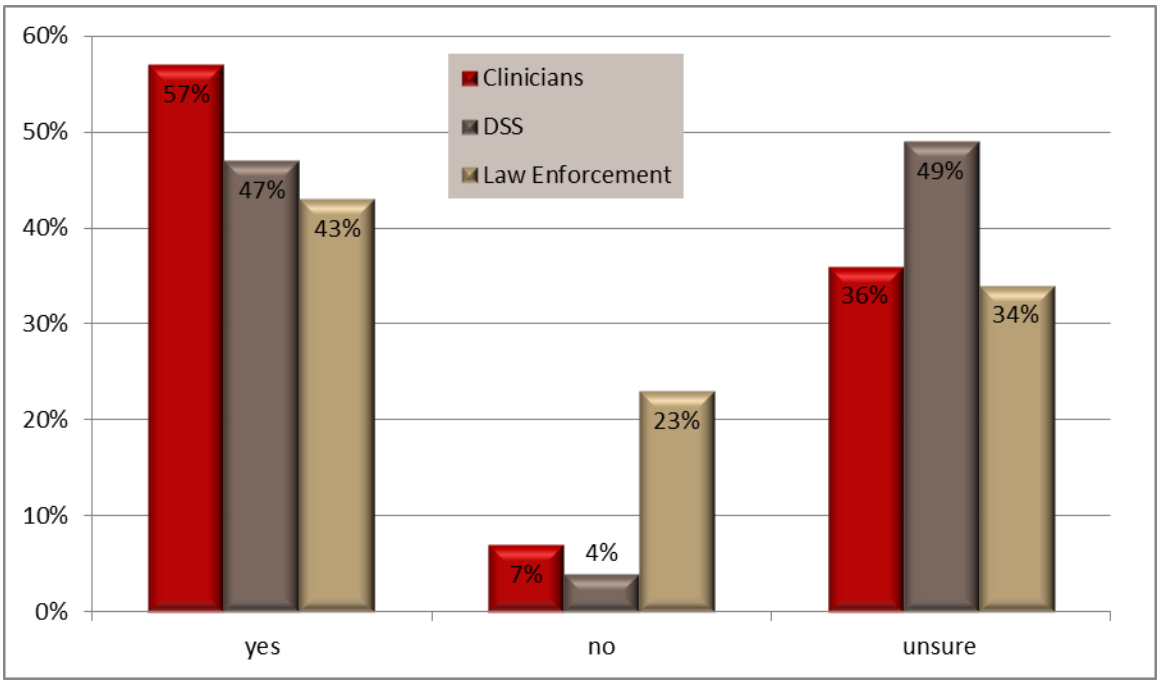
42. CSA is generally increasing



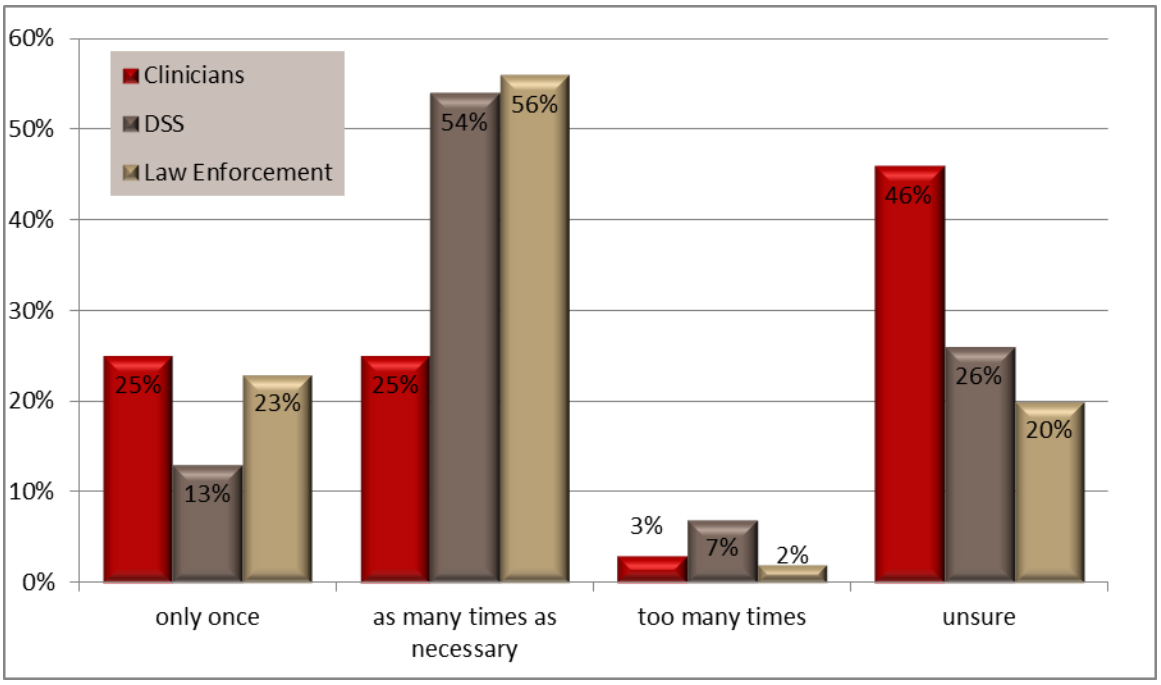
43. Child-on-child sexual abuse is increasing



48. Involving chaplains in CSA Cases is a good idea.



51. In my county, forensic interviews occur for the same allegations or a series of abuse:

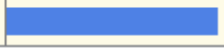


Clinicians / Therapists (n = 66)

Of all clinicians / therapists responding, 35% had worked with victims of CSA for 0-5 years, 22% for 6-10 years, and 43% for more than 10 years. Including two physicians, 99% had graduate degrees. However, only 63% considered themselves sufficiently trained to work with victims of CSA. Academic preparation showed 4% having some undergraduate training in CSA, 34% having some graduate training in CSA, and 34% having no academic training in CSA at all. However, 88% had attended on-the-job seminars / training in CSA, including Project Best and TF-CBT.

Although 45% of respondents felt they had no barriers to accessing ongoing training in CSA, 39% reported that their organization wouldn't pay for training, and many of the "other" responses cited lack of time or funding for training. Only one respondent indicated a lack of interest in training.

What barriers do you have in accessing ongoing training in CSA?

Answer		Response	%
I have no interest in training		1	1%
There is no training available		7	10%
Other		12	18%
My organization won't pay for training		26	39%
No barriers		30	45%

Other (open-ended) responses to the question:

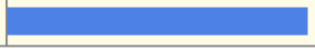
Other
Getting approved for time off from work and locating weekend or summer time trainings.
Taking time away from work reduced productivity
Location and financial concerns
i would like to see more trainings offered
I'm a contract employee, so I have to pay for my own training and child care for my children.
time from other duties; organization lacks funding to support
sometimes my organization will not give training leave
Grant funding cuts which used to pay for training
funding has been cut
having time away from office for training
self-employed, training expense
Lack of staff to cover daily functions at agency/lack of funds

DSS Personnel (n = 80)

Of all DSS personnel responding, 43% had worked with victims of CSA for 0-5 years; 28% for 6-10 years, and 30% for more than 10 years. Including one physician, 23% had graduate degrees. However, only 37% considered themselves sufficiently trained to work with victims of CSA. Academic preparation showed 28% having some undergraduate training in CSA, 10% having some graduate training in CSA, and 61% having no academic training in CSA at all. However, 82% had attended on-the-job seminars / training in CSA.

Although 64% of respondents felt they had no barriers to accessing ongoing training in CSA, 10% reported that their organization wouldn't pay for training, and 18% reported that there is no training available. Many of the "other" responses cited lack of time, little information about training, or lack of targeted training. No respondent indicated a lack of interest in training.

What barriers do you have in accessing ongoing training in CSA?

Answer		Response	%
I have no interest in training		0	0%
My organization won't pay for training		8	10%
Other		13	17%
There is no training available		14	18%
No barriers		49	64%

Other (open-ended) responses to the question:

Other
Need more training opportunties
the number of cases won't allow time for training
Trainings not allowed due to work schedule.
not sure they offer thorough training on this, if so it is not advertised
training is limited
Time and other duties
Combination of training and payment issues
Trainings tend to repeat same material (appropriate for review, but less on advances/research);also, many trainings are less focused on front-line practice issues (investigation/family preservation/non-offending caretakers, MDT coordination etc.), more focused on medical practice issues; strictly criminal justice issues and the like
Time is a problem/short staff
I am currently in CWS training at the Center for Child and Family Services and am awaiting supplemental training in dealing with CSA.
I would like to have more direct training on the job in how to approach children or adults who may have been sexually abused.
Not sure when training is happening, no training available
Would like more information about available trainings.

Law Enforcement Personnel and Solicitors (n = 73)

Of law enforcement personnel and solicitors, 41% had worked with victims of CSA for 0-5 years; 16% for 6-10 years, and 42% for more than 10 years. Of these respondents, 33% had bachelor's degrees, 27% had law degrees, and 16% were graduates of a criminal justice academy. However, only 45% considered themselves sufficiently trained to work with victims of CSA, 40% did not consider themselves sufficiently trained, and 15% were unsure. Academic preparation showed 7% having some undergraduate training in CSA, 6% having some graduate training in CSA, and 45% having no academic training in CSA at all. However, 83% had attended on-the-job seminars / training in CSA, and some had completed academic coursework in CSA after they began working with victims.

Although 45% of respondents felt they had no barriers to accessing ongoing training in CSA, 27% reported that their organization wouldn't pay for training, and many of the "other" responses cited lack of time or funding for training. Only one respondent indicated a lack of interest in training.

What barriers do you have in accessing ongoing training in CSA?

Answer		Response	%
I have no interest in training		1	1%
There is no training available		7	10%
Other		17	24%
My organization won't pay for training		19	27%
No barriers		32	45%

Other (open-ended) responses to the question:

Other
Agency has limited funds
restricted budgets and travel.
My agency will allow officers to attend training as funding is available.
Time
they will pay for about 1 training a year
Time constraints
Retiring in less than 4 years. All my training was 11 years ago when I took this job.
Training is expensive
Depending on the class funds may not be available
Time and funding, mainly time
budget problems for training at times due to cost and location of training.
Cost, dept will pay for training but we have very low budget for it. I have found the best training classes is out of state.
My office is great about paying for training but certainly the funds have to be spread around to other departments. So there are defintely more training opportunities I would like to take part in but there are no funds for.
training is available but subject to budget constraints as most of the training is out of state
My organization will not pay for training every year.
None much training due to budget constraints

Results for questions directly related to law enforcement and prosecution of CSA cases follow below (responses are provided by law enforcement personnel and solicitors only).

29. The number of cases where a search warrant is executed is generally low.

Answer		Response	%
Yes		52	78%
No		11	16%
Unsure		4	6%
Total		67	100%

30. CSA is usually reported too late to execute a search.

Answer		Response	%
Yes		42	63%
No		19	28%
Unsure		6	9%
Total		67	100%

31. Please rate the extent to which crime scene or other photographic evidence is collected.

Answer		Response	%
1 - Extremely rarely		7	10%
2		19	28%
3 - About 50% of the time		19	28%
4		13	19%
5 - Almost always		7	10%
Not applicable to my profession		2	3%
Total		67	100%

32. Regarding evidence, please check all that apply.

Answer		Response	%
There is usually not much corroborating evidence		56	86%
DNA is rarely used as evidence		26	40%
Suspect interrogations are usually videotaped		26	40%
Polygraphs are routinely used		37	57%

33. When evidence is sent to the crime lab, how long does it take to obtain results?

Answer		Response	%
Results are returned quickly		2	3%
It usually takes several months		37	57%
It takes so long that it interferes with the case		24	37%
Not applicable to my profession		2	3%
Total		65	100%

34. In your experience, how often is pornography used to groom victims of CSA?

Answer		Response	%
1 - Usually		3	5%
2		12	18%
3 - Sometimes		35	54%
4		9	14%
5 - Rarely		5	8%
Not applicable to my profession		1	2%
Total		65	100%

37. In your experience, what percentage of CSA cases actually goes to trial in family court?

Answer		Response	%
0% - 5%		22	42%
6% - 15%		16	30%
16% - 25%		8	15%
26% - 35%		5	9%
more than 35%		2	4%
Total		53	100%

38. When cases go to trial, expert testimony is used by the prosecution.

Answer		Response	%
Never		0	0%
Rarely		3	5%
Sometimes		13	20%
Usually		41	64%
Unsure		7	11%
Total		64	100%

39. The vast majority of perpetrators plead to a much lesser charge.

#	Answer		Response	%
1	Yes		50	78%
2	No		10	16%
3	Unsure		4	6%
	Total		64	100%

Exhibit C

NCPTC CHILD SEXUAL ABUSE SPEEDY TRIAL COMPILATION

(Created May 2013)

This compilation contains legislation, session laws, and codified statues. All statutes, laws, and bills listed in this compilation have been signed by the pertinent governor and enacted into law. This report was compiled using West and Lexis Search Services. This compilation is up-to-date as of the month it was created. However, please note we recommend checking both case law and current legislation for any possible modifications to the statutes listed below.

Please be advised that these statutes are subject to change in forthcoming legislation.

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ALABAMA

ALA. CODE §15-25-6 (2013). Actions to minimize length of proceedings stressful to child; considerations in ruling on motion for delay or continuance.

In all criminal cases and juvenile proceedings involving offenses set out in Section 15-25-1, wherein the victim hereof or a witness to the offense is under the age of 16 years, the court and the district attorney shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement in the proceedings. In ruling on any motion or other request for a delay or continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

ARCrP Rule 8.1 (2012). Priorities in scheduling criminal cases.

Insofar as is practicable, trials of criminal cases shall have priority over trials of civil cases. In determining priority among criminal cases, the court shall consider, among others, the following factors:

(1) The right of a defendant to a **speedy trial** under the constitutions of the United States and the State of Alabama;

(2) Whether the defendant is in custody;

(3) The relative gravity of the offense charged; and

(4) The relative complexity of the case.

ARCrO Rule 8.2 (2012). Duty of prosecutor.

The prosecutor shall inform the court of facts relevant to determining the order of cases on the docket.

ALASKA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

ALASKA R. CRIM. PRO. RULE 45 (2012). Speedy Trial.

(a) Priorities in Scheduling Criminal Cases. The court shall provide for placing criminal proceedings upon appropriate calendars. Preference shall be given to criminal proceedings and the trial of defendants in custody shall be given preference over other criminal cases. The court shall consider the circumstances of the victim, particularly a victim of advanced age or extreme youth, in setting the trial date. Trial dates in criminal cases in the superior court shall be set at the time of arraignment, and if a trial date is thereafter vacated, the trial shall be immediately set for a date certain.

(b) Speedy Trial Time Limits. A defendant charged with a felony, a misdemeanor, or a violation shall be tried within 120 days from the time set forth in paragraph (c) of this rule.

(c) When Time Commences to Run.

(1) *Generally.* Except as provided in subparagraphs (2) through (5), the time for trial shall begin running, without demand by the defendant, from the date the charging document is served upon the defendant.

(2) *Refiling of Original Charge.* If a charge is dismissed by the prosecution, the refiling of the charge shall not extend the time. If the charge is dismissed upon motion of the defendant, the time for trial shall begin running from the date of service of the second charge.

(3) *New Charges.* The **Rule 45** commencement date for a new charge arising out of the same criminal episode shall be the same as the commencement date for the original charge, unless the evidence on which the new charge is based was not available to the prosecution on the commencement date for the original charge. When the new charge is based on new evidence and the prosecution has acted with due diligence in investigating and bringing the new charge, the **Rule 45** commencement date for the original charge shall be the same as the commencement date for the new charge.

(4) *Mistrial, New Trial or Remand.* If the defendant is to be tried again following a mistrial, an order for a new trial, or an appeal or collateral attack, the time for trial shall run from the date of mistrial, order granting a new trial, or remand.

(5) *Withdrawal of Plea, or Notice That Defendant No Longer Intends to Enter a Plea of Guilty or Nolo Contendere*. When a defendant withdraws a plea of guilty or nolo contendere, the time for trial shall run from the date of the order permitting the withdrawal. When a defendant who previously informed the court of an intention to plead guilty or nolo contendere notifies the court that the defendant now intends to proceed to trial, the time for trial shall run from the date of that notification.

(6) *Minor Offenses.* In cases involving minor offenses under District Court Criminal Rule 8, the defendant must be tried within 120 days from the date the defendant's request for trial is received by the court or the municipality, whichever occurs first.

(d) Excluded Periods. The following periods shall be excluded in computing the time for trial:

(1) The period of delay resulting from other proceedings concerning the defendant, including but not limited to motions to dismiss or suppress, examinations and hearings on competency, the period during which the defendant is incompetent to stand trial, interlocutory appeals, and trial of other charges. No pretrial motion shall be held under advisement for more than 30 days and any time longer than 30 days shall not be considered as an excluded period.

(2) The period of delay resulting from an adjournment or continuance granted at the timely request or with the consent of the defendant and the defendant's counsel. The court shall grant such a continuance only if it is satisfied that the postponement is in the interest of justice, taking into account the public interest in the prompt disposition of criminal offenses, and after consideration of the interests of the crime victim, if known, as provided in (h) of this rule. A defendant without counsel shall not be deemed to have consented to a continuance unless the defendant has been advised by the court of the right to a speedy trial under this rule and of the effect of consent.

(3) The period of delay resulting from a continuance granted at the timely request of the prosecution, if:

(a) The continuance is granted because of the unavailability of evidence material to the state's case, when the prosecuting attorney has exercised due diligence to obtain such evidence and there are reasonable grounds to believe that such evidence will be available at the later date; or

(b) The continuance is granted to allow the prosecuting attorney in a felony case additional time to prepare the state's case and additional time is justified because of the exceptional complexity of the particular case.

(4) The period of delay resulting from the absence or unavailability of the defendant. A defendant should be considered absent whenever the defendant's whereabouts are unknown and in addition the defendant is attempting to avoid apprehension or prosecution or the defendant's whereabouts cannot be determined by due diligence. A defendant should be considered unavailable whenever the defendant's whereabouts are known but the defendant's presence for trial cannot be obtained or the defendant resists being returned to the state for trial.

(5) A reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run and there is good cause for not granting a severance. In all other cases, the defendant shall be granted a severance in order that the defendant may be tried within the time limits applicable to the defendant.

(6) The period of delay resulting from detention of the defendant in another jurisdiction provided the prosecuting attorney has been diligent and has made reasonable efforts to obtain the presence of the defendant for trial. When the prosecution is unable to obtain the presence of the defendant in detention, and seeks to exclude the period of detention, the prosecution shall cause a detainer to be filed with the official having custody of the defendant and request the official to advise the defendant of the detainer and to inform the defendant of the defendant's rights under this rule.

(7) Other periods of delay for good cause.

(e) Rulings on Motions to Dismiss or Continue. In the event the court decides any motion brought pursuant to this rule, either to continue the time for trial or to dismiss the case, the reasons underlying the decision of the court shall be set forth in full on the record.

(f) Waiver. Failure of a defendant represented by counsel to move for dismissal of the charges under these rules prior to plea of guilty or trial shall constitute waiver of the defendant's rights under this rule.

(g) Absolute Discharge. If a defendant is not brought to trial before the running of the time for trial, as extended by excluded periods, the court upon motion of the defendant shall dismiss the charge with prejudice. Such discharge bars prosecution for the offense charged and for any other lesser included offense within the offense charged.

(h) Victim's Interest in Ruling on Motion to Continue. Before ruling on a motion for a continuance in a case involving a victim, as defined in AS 12.55.185, the court shall consider the victim's position, if known, on the motion to continue and the effect of a continuance on the victim.

AS § 12.55.185, subd. (19), (2013). Definitions.

(19) "victim" means

(A) a person against whom an offense has been perpetrated;

(B) one of the following, not the perpetrator, if the person specified in (A) of this paragraph is a minor, incompetent, or incapacitated:

(i) an individual living in a spousal relationship with the person specified in (A) of this paragraph; or

(ii) a parent, adult child, guardian, or custodian of the person;

(C) one of the following, not the perpetrator, if the person specified in (A) of this paragraph is dead:

(i) a person living in a spousal relationship with the deceased before the deceased died;

(ii) an adult child, parent, brother, sister, grandparent, or grandchild of the deceased; or

(iii) any other interested person, as may be designated by a person having authority in law to do so.

ARIZONA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

ARIZ. REV. STAT. § 13-4435 (2013). Speedy trial; continuance; notice

A. In any criminal proceeding, the court, prosecutor and law enforcement officials shall take appropriate action to ensure a speedy trial for the victim.

B. The prosecutor shall make reasonable efforts to notify a victim of any request for a continuance, except that if the victim is represented by counsel who has filed a notice of appearance, the court, if the request for a continuance is in writing, shall make reasonable efforts to notify the victim's counsel in the same manner in which a party is notified.

C. A motion to continue shall be in writing unless the court makes a finding on the record that exigent circumstances exist to permit an oral motion.

D. The court shall grant a continuance only if extraordinary circumstances exist and the delay is indispensable to the interests of justice. A continuance may be granted only for the time necessary to serve the interests of justice.

E. Subsections B, C and D do not apply to justice of the peace and municipal courts.

F. Before ruling on a motion for a continuance, the court shall consider the victim's views and the victim's right to a speedy trial. If a continuance is granted, the court shall state on the record the specific reason for the continuance.

16A A.R.S. Rules Crim. Proc., Rule 8.1 (2013). Priorities in scheduling criminal cases

a. Priority of Criminal Trials. The trial of criminal cases shall have priority over the trial of civil cases. Any scheduling conflicts will be resolved in accordance with Rule 5(j), Uniform Rules of Practice.

b. Preferences. The trial of defendants in custody and defendants whose pretrial liberty may present unusual risks shall be given preference over other criminal cases.

c. Duty of Prosecutor. The prosecutor shall advise the court of facts relevant to determining the order of cases on the calendar.

d. Duty of Defense Counsel. The defendant's counsel shall advise the court of the impending expiration of time limits in the defendant's case. Failure to do so may result in sanctions and should be considered by the court in determining whether to dismiss an action with prejudice pursuant to Rule 8.6.

e. Extraordinary Cases. Within twenty-five days after the arraignment in Superior Court either party may apply in writing to the court for a hearing to establish extraordinary circumstances requiring the suspension of Rule 8 in a particular case. Within five days of the receipt of the application the court shall hold the hearing and make findings of fact. The findings shall be immediately transmitted to the Chief Justice who may approve or decline to approve them. Upon approval of the findings by the Chief Justice, they shall be returned to the trial court where upon motion of either party the trial court may suspend the provisions of Rule 8 and reset the trial date for a time certain.

16A A.R.S. Rules Crim. Proc., Rule 8.5 (2013). Continuances

a. Form of Motion. A continuance of a trial may be granted on the motion of a party. Any motion must be in writing and state with specificity the reason(s) justifying the continuance.

b. Grounds for Motion. A continuance of any trial date shall be granted only upon a showing that extraordinary circumstances exist and that delay is indispensable to the interests of justice. A continuance may be granted only for so long as is necessary to serve the interests of justice. In ruling on a motion for continuance, the court shall consider the rights of the defendant and any victim to a speedy disposition of the case. If a continuance is granted, the court shall state the specific reasons for the continuance on the record.

c. Other Continuances. No further continuances shall be granted except as provided in Rules 8.1(e), 8.2(e) and 8.4 (d).

16A A.R.S. Rules Crim. Proc., Rule 8.7 (2013). Acceleration of trial

Where special circumstances relating to the victim so warrant, the court may accelerate the trial to the earliest possible date that is consistent with the defendant's right to a fair trial. If necessary, the presiding judge shall assign another judge of the court to preside at trial in order to insure that the trial commences as scheduled.

16A A.R.S. Rules Crim. Proc., Rule 39 (2013). Victims' rights

a. Definitions.

1. *Victim.* As used in this rule, a "victim" is defined in accordance with the definition provided in the Arizona Revised Statutes. With regard to the rights to be notified and to be heard pursuant to this rule, a person ceases to be a victim upon the acquittal of the defendant or upon the dismissal of the charges against the defendant as a final disposition. If a victim is in custody for an offense, the victim's right to be heard pursuant to this rule is satisfied through affording the victim the opportunity to submit a written statement, where legally permissible and in the discretion of the court. A victim not in custody may exercise his or her right to be heard pursuant to this rule by appearing personally, or where legally permissible and in the discretion of the court, by submitting a written statement, an audiotape or videotape. The victims' rights of any corporation, partnership, association, or other similar legal entity shall be limited as provided by statute.

2. *Criminal Proceeding.* As used in this rule, a "criminal proceeding" is defined as a trial, hearing, (including hearing before trial), oral argument, or other matter scheduled and held before a trial court at which the defendant has the right to be present, or any post-conviction proceeding.

b. Victims' Rights. These rules shall be construed to preserve and protect a victim's rights to justice and due process. Notwithstanding the provisions of any other rule in these Rules of Criminal Procedure, a victim shall have and be entitled to assert each of the following rights:

1. The right to be treated with fairness, respect and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.

2. The right to be provided with written notice regarding those rights available to the victim under this rule and under any other provision of law.

3. Upon request, the right to be given reasonable notice of the date, time and place of any criminal proceeding.

4. The right to be present at all criminal proceedings.

5. The right to be notified of any escape of the defendant.

6. Upon request, the right to be informed of any release or proposed release of the defendant, whether that release be before expiration of the sentence or by expiration of the sentence, and whether it be permanent or temporary in nature.

7. Upon request, the right to confer with the prosecution, prior to trial when applicable, in connection with any decision involving the preconviction release of the defendant, a plea bargain, a decision not to proceed with a criminal prosecution, dismissal of charges, plea or sentence negotiation, a pretrial diversion program, or other disposition prior to trial; the rights to be heard at any such proceeding and at sentencing.

8. The right to be accompanied at any interview, deposition, or judicial proceeding by a parent or other relative, except persons whose testimony is required in the case. If the court finds, under this subsection 8 or subsection 9 below, that a party's claim that a person is a prospective witness is not made in good faith, it may impose any sanction it finds just, including holding counsel in contempt.

9. The right to name an appropriate support person, including a victim's caseworker, to

accompany the victim at any interview, deposition, or court proceeding, except where such support person's testimony is required in the case.

10. The right to require the prosecutor to withhold, during discovery and other proceedings, the home address and telephone number of the victim, the address and telephone number of the victim's place of employment, and the name of the victim's employer, providing, however, that for good cause shown by the defendant, the court may order that such information be disclosed to defense counsel and may impose such further restrictions as are appropriate, including a provision that the information shall not be disclosed by counsel to any person other than counsel's staff and designated investigator and shall not be conveyed to the defendant.

11. The right to refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant. After charges are filed, defense initiated requests to interview the victim shall be communicated to the victim through the prosecutor. The victim's response to such requests shall also be communicated through the prosecutor. If there is any comment or evidence at trial regarding the victim's refusal to be interviewed, the court shall instruct the jury that the victim has the right to refuse an interview under the Arizona Constitution. For purposes of a pretrial interview, a peace officer shall not be considered a victim if the act that would have made him or her a victim occurs while the peace officer is acting in the scope of his or her official duties.

12. At any interview or deposition to be conducted by defense counsel, the right to condition the interview or deposition on any of the following:

(i) Specification of a reasonable date, time, duration, and location of the interview or deposition, including a requirement that the interview or deposition be held at the victim's home, at the prosecutor's office, or in an appropriate location in the courthouse.

(ii) The right to terminate the interview or deposition if it is not conducted in a dignified and professional matter.

13. The right to a copy of any pre-sentence report provided the defendant except those parts excised by the court or made confidential by the law.

14. The right to be informed of the disposition of the case.

15. The right to a speedy trial or disposition and prompt and final conclusion of the case after conviction and sentence.

16. The right to be informed of a victim's right to restitution upon conviction of the defendant, of the items of loss included thereunder, and of the procedures for invoking the right.

c. Assistance and Representation.

1. The victim shall also have the right to the assistance of the prosecutor in the assertion of the rights enumerated in this rule or otherwise provided for by law. The prosecutor shall have the responsibility to inform the victim, as defined by these rules, of the rights provided by these rules and by law, and to provide the victim with notices and information which the victim is entitled by these rules and by law to receive from the prosecutor.

2. The prosecutor shall have standing in any judicial proceeding, upon the victim's request, to assert any of the rights to which the victim is entitled by this rule or by any other provision of law.

3. In any event of any conflict of interest between the state or any other prosecutorial entity and the wishes of the victim, the prosecutor shall have the responsibility to direct the victim to the appropriate legal referral, legal assistance, or legal aid agency.

4. In asserting any of the rights enumerated in this rule or provided for in any other provision of the law, the victim shall also have the right to engage and be represented by personal counsel of his or her choice.

d. Victims Duty to Implement Rights. Any victim desiring to claim the notification rights and privileges provided by this rule must provide his or her full name, address and telephone number to the entity prosecuting the case and to any other entity from which notice is requested by the victim. If the victim is a corporation, partnership, association or other legal entity and has requested notice of the hearings to which it is entitled by law, that legal entity shall promptly designate a representative by giving notice thereof, including such representative's address and telephone number, to the prosecutor and to any other entity from which notice is requested by the victim. Upon receipt of such notice, the prosecutor shall notify the defendant and the court thereof. Thereafter, only such a designated representative shall be entitled to assert a claim to victims' rights on behalf of that legal entity. Any change in designation must be provided in writing to the prosecutor and to any other entity from which notice is requested by the victim.

e. Waiver. The rights and privileges enumerated in this rule may be waived by any victim. Failure to keep the address and telephone number current or to designate such representative of a legal entity shall be considered as a waiver of notification rights under this rule.

f. Court Enforcement of Victim Notice Requirements

1. At the commencement of any proceeding which takes place more than seven days after the filing of charges by the prosecutor and at which the victim has a right to be heard, the court shall inquire of the prosecutor or otherwise ascertain whether the victim has requested notice and been notified of the proceeding.

2. If the victim has been notified as requested, the court shall further inquire of the prosecutor whether the victim is present. If the victim is present and the prosecutor advises the court that the victim wishes to be addressed by the court, the court shall inquire whether the victim has been advised by the prosecutor of the rights conferred by this rule. If the victim has not been so advised, the court shall recess the hearing and the prosecutor shall immediately comply with subsection (c)(1) of this rule. The court shall also provide the victim with a written list of the victims' rights enumerated in subsection (b) of this rule.

3. If the victim has not been notified as requested, the court should not proceed unless public policy, the specific provisions of a statute, or the interests of due process otherwise require. In the absence of such considerations the court shall have discretion to reconsider any ruling made at a proceeding of which the victim did not receive notice as requested.

g. Appointment of Victim's Representative. Upon request, the court shall appoint a representative for a minor victim or a representative for an incapacitated victim, as provided by ARS § 13-4403. Notice of appointment of such representative shall be given by the court to the parties.

ARKANSAS

ARK. CODE ANN. § 16-10-130 (2012). Criminal victim under fourteen

Notwithstanding any rule of court to the contrary and in furtherance of the purposes of Arkansas Rule of Criminal Procedure 27.1, all courts of this state having jurisdiction of criminal offenses, except for extraordinary circumstances, shall give precedence to the trials of criminal offenses over other matters before the court, civil or criminal, when the alleged victim is a person under the age of fourteen (14).

Ark.Code Ann. § 16-80-102 (2012). Minor victims--Priority

Notwithstanding any rule of court to the contrary and in furtherance of the purposes of the Arkansas Rules of Criminal Procedure, Rule 27.1, all courts of this state having jurisdiction of criminal offenses, except for extraordinary circumstances, shall give precedence to the trials of criminal offenses over other matters before the court, civil or criminal, when the alleged victim is a person under the age of fourteen (14) years.

Ark.R.Crim.Pro., RULE 27.2 (2013). Assignment of Cases

The court shall control the trial calendar and shall provide for the scheduling of cases upon the calendar.

CALIFORNIA

CAL. PENAL CODE § 1048 (2013). Calendar; priorities; minors, persons over 70, or dependent adults as victims or witnesses to crimes; sex offenses committed by use of force, violence, or threats; continuances

(a) The issues on the calendar shall be disposed of in the following order, unless for good cause the court directs an action to be tried out of its order:

(1) Prosecutions for felony, when the defendant is in custody.

(2) Prosecutions for misdemeanor, when the defendant is in custody.

(3) Prosecutions for felony, when the defendant is on bail.

(4) Prosecutions for misdemeanor, when the defendant is on bail.

(b) Notwithstanding subdivision (a), all criminal actions in which (1) a minor is detained as a material witness or is the victim of the alleged offense, (2) a person who was 70 years of age or older at the time of the alleged offense or is a dependent adult, as defined in subdivision (h) of Section 368, was a witness to, or is the victim of, the alleged offense or (3) any person is a victim of an alleged violation of Section 261, 262, 264.1, 273a, 273d, 285, 286, 288, 288a, or 289, committed by the use of force, violence, or the threat thereof, shall be given precedence over all other criminal actions in the order of trial. In those actions, continuations shall be granted by the court only after a hearing and determination of the necessity thereof, and in any event, the trial

shall be commenced within 30 days after arraignment, unless for good cause the court shall direct the action to be continued, after a hearing and determination of the necessity of the continuance, and states the findings for a determination of good cause on the record.

(c) Nothing in this section shall be deemed to provide a statutory right to a trial within 30 days.

Cal. Const. Art. 1, § 28 (2013). Findings and declarations; rights of victims; enforcement

(a) The People of the State of California find and declare all of the following:

(1) Criminal activity has a serious impact on the citizens of California. The **rights** of **victims** of crime and their families in criminal prosecutions are a subject of grave statewide concern.

(2) Victims of crime are entitled to have the criminal justice system view criminal acts as serious threats to the safety and welfare of the people of California. The enactment of comprehensive provisions and laws ensuring a bill of **rights** for **victims** of crime, including safeguards in the criminal justice system fully protecting those rights and ensuring that crime victims are treated with respect and dignity, is a matter of high public importance. California's victims of crime are largely dependent upon the proper functioning of government, upon the criminal justice system and upon the expeditious enforcement of the **rights** of **victims** of crime described herein, in order to protect the public safety and to secure justice when the public safety has been compromised by criminal activity.

(3) The **rights** of **victims** pervade the criminal justice system. These rights include personally held and enforceable rights described in paragraphs (1) through (17) of subdivision (b).

(4) The **rights** of **victims** also include broader shared collective rights that are held in common with all of the People of the State of California and that are enforceable through the enactment of laws and through good-faith efforts and actions of California's elected, appointed, and publicly employed officials. These rights encompass the expectation shared with all of the people of California that persons who commit felonious acts causing injury to innocent victims will be appropriately and thoroughly investigated, appropriately detained in custody, brought before the courts of California even if arrested outside the State, tried by the courts in a timely manner, sentenced, and sufficiently punished so that the public safety is protected and encouraged as a goal of highest importance.

(5) Victims of crime have a collectively shared right to expect that persons convicted of committing criminal acts are sufficiently punished in both the manner and the length of the sentences imposed by the courts of the State of California. This right includes the right to expect that the punitive and deterrent effect of custodial sentences imposed by the courts will not be undercut or diminished by the granting of rights and privileges to prisoners that are not required by any provision of the United States Constitution or by the laws of this State to be granted to any person incarcerated in a penal or other custodial facility in this State as a punishment or correction for the commission of a crime.

(6) Victims of crime are entitled to finality in their criminal cases. Lengthy appeals and other post-judgment proceedings that challenge criminal convictions, frequent and difficult parole hearings that threaten to release criminal offenders, and the ongoing threat that the sentences of criminal wrongdoers will be reduced, prolong the suffering of crime victims for many years after the crimes themselves have been perpetrated. This prolonged suffering of crime victims and their families must come to an end.

(7) Finally, the People find and declare that the right to public safety extends to public and private primary, elementary, junior high, and senior high school, and community college, California State University, University of California, and private college and university campuses, where students and staff have the right to be safe and secure in their persons.

(8) To accomplish the goals it is necessary that the laws of California relating to the criminal justice process be amended in order to protect the legitimate **rights** of **victims** of crime.

(b) In order to preserve and protect a **victim's rights** to justice and due process, a victim shall be entitled to the following rights:

(1) To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

(2) To be reasonably protected from the defendant and persons acting on behalf of the defendant.

(3) To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

(4) To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

(5) To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

(6) To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

(7) To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

(8) To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a **right** of the **victim** is at issue.

(9) To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

(10) To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

(11) To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

(12) To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant,

and the release of or the escape by the defendant from custody.

(13) To restitution.

(A) It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

(B) Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

(C) All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

(14) To the prompt return of property when no longer needed as evidence.

(15) To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

(16) To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

(17) To be informed of the rights enumerated in paragraphs (1) through (16).

(c)(1) A victim, the retained attorney of a victim, a lawful representative of the victim, or the prosecuting attorney upon request of the victim, may enforce the rights enumerated in subdivision (b) in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.

(2) This section does not create any cause of action for compensation or damages against the State, any political subdivision of the State, any officer, employee, or agent of the State or of any of its political subdivisions, or any officer or employee of the court.

(d) The granting of these **rights** to **victims** shall not be construed to deny or disparage other **rights** possessed by **victims**. The court in its discretion may extend the right to be heard at sentencing to any person harmed by the defendant. The parole authority shall extend the right to be heard at a parole hearing to any person harmed by the offender.

(e) As used in this section, a “victim” is a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term “victim” also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The term “victim” does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim.

(f) In addition to the enumerated rights provided in subdivision (b) that are personally enforceable by victims as provided in subdivision (c), victims of crime have additional rights that are shared with all of the People of the State of California. These collectively held rights include, but are not limited to, the following:

(1) Right to Safe Schools. All students and staff of public primary, elementary, junior high, and senior high schools, and community colleges, colleges, and universities have the inalienable

right to attend campuses which are safe, secure and peaceful.

(2) Right to Truth-in-Evidence. Except as provided by statute hereafter enacted by a two-thirds vote of the membership in each house of the Legislature, relevant evidence shall not be excluded in any criminal proceeding, including pretrial and post conviction motions and hearings, or in any trial or hearing of a juvenile for a criminal offense, whether heard in juvenile or adult court. Nothing in this section shall affect any existing statutory rule of evidence relating to privilege or hearsay, or Evidence Code Sections 352, 782 or 1103. Nothing in this section shall affect any existing statutory or constitutional right of the press.

(3) Public Safety Bail. A person may be released on bail by sufficient sureties, except for capital crimes when the facts are evident or the presumption great. Excessive bail may not be required. In setting, reducing or denying bail, the judge or magistrate shall take into consideration the protection of the public, the safety of the victim, the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case. Public safety and the safety of the victim shall be the primary considerations.

A person may be released on his or her own recognizance in the court's discretion, subject to the same factors considered in setting bail.

Before any person arrested for a serious felony may be released on bail, a hearing may be held before the magistrate or judge, and the prosecuting attorney and the victim shall be given notice and reasonable opportunity to be heard on the matter.

When a judge or magistrate grants or denies bail or release on a person's own recognizance, the reasons for that decision shall be stated in the record and included in the court's minutes.

(4) Use of Prior Convictions. Any prior felony conviction of any person in any criminal proceeding, whether adult or juvenile, shall subsequently be used without limitation for purposes of impeachment or enhancement of sentence in any criminal proceeding. When a prior felony conviction is an element of any felony offense, it shall be proven to the trier of fact in open court.

(5) Truth in Sentencing. Sentences that are individually imposed upon convicted criminal wrongdoers based upon the facts and circumstances surrounding their cases shall be carried out in compliance with the courts' sentencing orders, and shall not be substantially diminished by early release policies intended to alleviate overcrowding in custodial facilities. The legislative branch shall ensure sufficient funding to adequately house inmates for the full terms of their sentences, except for statutorily authorized credits which reduce those sentences.

(6) Reform of the parole process. The current process for parole hearings is excessive, especially in cases in which the defendant has been convicted of murder. The parole hearing process must be reformed for the benefit of crime victims.

(g) As used in this article, the term “serious felony” is any crime defined in subdivision (c) of Section 1192.7 of the Penal Code, or any successor statute.

COLORADO

Colo. Rev. Stat. § 18-3-411 (2010). Sex offenses against children--"unlawful sexual offense" defined--limitation for commencing proceedings--evidence--statutory privilege

(1) As used in this section, "unlawful sexual offense" means enticement of a child, as described in section 18-3-305, sexual assault, as described in section 18-3-402, when the victim at the time of the commission of the act is a child less than fifteen years of age, sexual assault in the first degree, as described in section 18-3-402, as it existed prior to July 1, 2000, when the victim at the time of the commission of the act is a child less than fifteen years of age; sexual assault in the second degree, as described in section 18-3-403(1)(a), (1)(b), (1)(c), (1)(d), (1)(g), or (1)(h), as it existed prior to July 1, 2000, when the victim at the time of the commission of the act is a child less than fifteen years of age, or as described in section 18-3-403(1)(e), as it existed prior to July 1, 2000, when the victim is less than fifteen years of age and the actor is at least four years older than the victim; unlawful sexual contact, as described in section 18-3-404(1)(a), (1)(b), (1)(c), (1)(d), (1)(f), or (1)(g), when the victim at the time of the commission of the act is a child less than fifteen years of age; sexual assault in the third degree, as described in section 18-3-404(1)(a), (1)(b), (1)(c), (1)(d), (1)(f), or (1)(g), as it existed prior to July 1, 2000, when the victim at the time of the commission of the act is a child less than fifteen years of age; sexual assault on a child, as described in section 18-3-405; sexual assault on a child by one in a position of trust, as described in section 18-3-405.3; aggravated incest, as described in section 18-6-302; trafficking in children, as described in section 18-3-502; sexual exploitation of a child, as described in section 18-6-403; procurement of a child for sexual exploitation, as described in section 18-6-404; indecent exposure, as described in section 18-7-302, soliciting for child prostitution, as described in section 18-7-402; pandering of a child, as described in section 18-7-403; procurement of a child, as described in section 18-7-403.5; keeping a place of child prostitution, as described in section 18-7-404; pimping of a child, as described in section 18-7-405; inducement of child prostitution, as described in section 18-7-405.5; patronizing a prostituted child, as described in section 18-7-406; class 4 felony internet luring of a child, as described in section 18-3-306(3); internet sexual exploitation of a child, as described in section 18-3-405.4 ; or criminal attempt, conspiracy, or solicitation to commit any of the acts specified in this subsection (1).

(2) No person shall be prosecuted, tried, or punished for a misdemeanor offense specified in section 18-3-402 or 18-3-404, unless the indictment, information, complaint, or action for the same is found or instituted within five years after the commission of the offense. The limitation for commencing criminal proceedings and juvenile delinquency proceedings concerning unlawful sexual offenses that are felonies shall be governed by section 16-5-401(1)(a), C.R.S.

(3) Out-of-court statements made by a child describing any act of sexual contact, intrusion, or penetration, as defined in section 18-3-401, performed with, by, or on the child declarant, not otherwise admissible by a statute or court rule which provides an exception to the objection of hearsay, may be admissible in any proceeding in which the **child** is a **victim** of an unlawful sexual offense pursuant to the provisions of section 13-25-129, C.R.S.

(4) All cases involving the commission of an unlawful sexual offense shall take precedence before the court; the court shall hear these cases as soon as possible after they are filed.

(5) The statutory privilege between the victim-patient and his physician and between the husband and the wife shall not be available for excluding or refusing testimony in any prosecution of an act of child abuse.

Colo. Rev. Stat. § 18-6-401.1 (1985). Child abuse--limitation for commencing proceedings--evidence--statutory privilege

(1) For the purposes of this section, "child abuse" means child abuse as defined in section 18-6-401(1).

(2) No person shall be prosecuted, tried, or punished for an act of child abuse other than the misdemeanor offenses specified in section 18-6-401(7)(a)(V), (7)(a)(VI), and (7)(b), unless the indictment, information, complaint, or action for the same is found or instituted within ten years after commission of the offense. No person shall be prosecuted, tried, or punished for the misdemeanor offenses specified in section 18-6-401(7)(a)(V), (7)(a)(VI), and (7)(b), unless the indictment, information, complaint, or action for the same is found or instituted within five years after the commission of the offense.

(3) Out-of-court statements made by a child describing any act of child abuse performed on the child declarant, not otherwise admissible by a statute or court rule which provides an exception to the objection of hearsay, may be admissible in any proceeding in which the child is a victim of an act of child abuse pursuant to the provisions of section 13-25-129, C.R.S.

(4) All cases involving the commission of an act of child abuse shall take precedence before the court; the court shall hear these cases as soon as possible after they are filed.

(5) The statutory privilege between the husband and the wife shall not be available for excluding or refusing testimony in any prosecution of an unlawful sexual offense.

COLO. REV. STAT. § 18-1-405 (1999). Speedy trial

(1) Except as otherwise provided in this section, if a defendant is not brought to trial on the issues raised by the complaint, information, or indictment within six months from the date of the entry of a plea of not guilty, he shall be discharged from custody if he has not been admitted to bail, and, whether in custody or on bail, the pending charges shall be dismissed, and the defendant shall not again be indicted, informed against, or committed for the same offense, or for another offense based upon the same act or series of acts arising out of the same criminal episode.

(2) If trial results in conviction which is reversed on appeal, any new trial must be commenced within six months after the date of the receipt by the trial court of the mandate from the appellate court.

(3) If a trial date has been fixed by the court, and thereafter the defendant requests and is granted a continuance for trial, the period within which the trial shall be had is extended for an additional six-month period from the date upon which the continuance was granted.

(3.5) If a trial date has been fixed by the court and the defendant fails to make an appearance in person on the trial date, the period within which the trial shall be had is extended for an additional six-month period from the date of the defendant's next appearance.

(4) If a trial date has been fixed by the court, and thereafter the prosecuting attorney requests and is granted a continuance, the time is not thereby extended within which the trial shall be had, as is provided in subsection (1) of this section, unless the defendant in person or by his counsel in open court of record expressly agrees to the continuance or unless the defendant without making an appearance before the court in person or by his counsel files a dated written waiver of his rights to a speedy trial pursuant to this section and files an agreement to the continuance signed by the defendant. The time for trial, in the event of such agreement, is then extended by the number of days intervening between the granting of such continuance and the date to which trial is continued.

(5) To be entitled to a dismissal under subsection (1) of this section, the defendant must move for dismissal prior to the commencement of his trial and prior to any pretrial motions which are set for hearing immediately before the trial or prior to the entry of a plea of guilty to the charge or an included offense. Failure to so move is a waiver of the defendant's rights under this section.

(5.1) If a trial date is offered by the court to a defendant who is represented by counsel and neither the defendant nor his counsel expressly objects to the offered date as being beyond the time within which such trial shall be had pursuant to this section, then the period within which the trial shall be had is extended until such trial date and may be extended further pursuant to any other applicable provisions of this section.

(6) In computing the time within which a defendant shall be brought to trial as provided in subsection (1) of this section, the following periods of time shall be excluded:

(a) Any period during which the defendant is incompetent to stand trial, or is unable to appear by reason of illness or physical disability, or is under observation or examination at any time after the issue of the defendant's mental condition, insanity, incompetency, or impaired mental condition is raised;

(b) The period of delay caused by an interlocutory appeal whether commenced by the defendant or by the prosecution;

(c) A reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run and there is good cause for not granting a severance;

(d) The period of delay resulting from the voluntary absence or unavailability of the defendant; however, a defendant shall be considered unavailable whenever his whereabouts are known but his presence for trial cannot be obtained, or he resists being returned to the state for trial;

(e) The period of delay caused by any mistrial, not to exceed three months for each mistrial;

(f) The period of any delay caused at the instance of the defendant;

(g) The period of delay not exceeding six months resulting from a continuance granted at the request of the prosecuting attorney, without the consent of the defendant, if:

(I) The continuance is granted because of the unavailability of evidence material to the state's case, when the prosecuting attorney has exercised due diligence to obtain such evidence and there are reasonable grounds to believe that this evidence will be available at the later date; or

(II) The continuance is granted to allow the prosecuting attorney additional time in felony cases to prepare the state's case and additional time is justified because of exceptional

circumstances of the case and the court enters specific findings with respect to the justification;

(h) The period of delay between the new date set for trial following the expiration of the time periods excluded by paragraphs (a), (b), (c), (d), and (f) of this subsection (6), not to exceed three months;

(i) The period of delay between the filing of a motion pursuant to section 18-1-202(11) and any decision by the court regarding such motion, and if such decision by the court transfers the case to another county, the period of delay until the first appearance of all the parties in a court of appropriate jurisdiction in the county to which the case has been transferred, and in such event the provisions of subsection (7) of this section shall apply.

(7) If a trial date has been fixed by the court and the case is subsequently transferred to a court in another county, the period within which trial must be had is extended for an additional three months from the date of the first appearance of all of the parties in a court of appropriate jurisdiction in the county to which the case has been transferred.

CONNECTICUT

Lacks CSA / child victim / witness specific "Speedy Trial" statue – Following is the state's general "Speedy Trial" Statute and some additional related statutes:

CONN. GEN. STAT. § 54-82C (2004). Prisoner's right to speedy trial on pending charges

(a) Whenever a person has entered upon a term of imprisonment in a correctional institution of this state and, during the continuance of the term of imprisonment, there is pending in this state any untried indictment or information against such prisoner, he shall be brought to trial within one hundred twenty days after he has caused to be delivered, to the state's attorney or assistant state's attorney of the judicial district or geographical area, in which the indictment or information is pending, and to the appropriate court, written notice of the place of his imprisonment and his request for final disposition to be made of the indictment or information. For good cause shown in open court, the prisoner or his counsel being present, the court may grant any necessary or reasonable continuance. The request of the prisoner shall be accompanied by a certificate of the warden, community correctional center administrator or other official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner and any decisions of the Board of Pardons and Paroles relating to the prisoner.

(b) The written notice and request for final disposition referred to in subsection (a) hereof shall be given or sent by the prisoner to the warden, community correctional center administrator or other official having custody of him, who shall promptly forward it together with the certificate to the appropriate prosecuting official and court by registered or certified mail, return receipt requested.

(c) The warden, community correctional center administrator or other official having custody of the prisoner shall promptly inform him in writing of the source and contents of any untried indictment or information against him concerning which the warden, administrator or other official has knowledge and of his right to make a request for final disposition thereof.

(d) Escape from custody by the prisoner subsequent to his execution of the request for final disposition referred to in subsection (a) hereof shall void the request.

CONN. GEN. STAT. § 51-203 (2010). Assignment of cases

(a) Assignment of cases for hearing by the Supreme Court shall be made by the chief clerk of the Supreme Court, under the direction of the Chief Justice or an associate judge designated by the Chief Justice.

(b) Assignments of cases for hearing by the Appellate Court shall be made by the chief clerk of the Appellate Court, under the direction of the Chief Judge or an Appellate Court judge designated by the Chief Judge.

(c) Assignments shall ordinarily be made in the order in which cases stand upon the docket of cases ready to be heard; but counsel may, in writing and in the manner provided by the rules of the Supreme Court or Appellate Court, as the case may be, request a variation in such order. Assignments shall be made, so far as reasonably possible, in accordance with any such request or in a way which suits the convenience of counsel.

CT R SUPER CT CIV § 44-16 (2013). Docketing and Scheduling in General of Criminal Cases--Scheduling From Trial List

(a) The judicial authority shall assign for trial on dates certain so much of the trial list as shall be deemed necessary for the proper conduct of the court and shall direct the clerk to distribute a list of the cases so assigned to the counsel of record. Cases shall be assigned for trial in the order in which they appear on the trial list and they should be tried in the order in which they are assigned for trial, except that the judicial authority may depart from the listed order and may give priority in assignment or trial to the following types of cases:

(1) Cases in which the defendant is being held in custody for lack of a bond;

(2) Cases in which the judicial authority has granted a motion for a speedy trial; or

(3) Cases in which the judicial authority reasonably believes that the pretrial liberty of the defendant presents unusual risks over those of other criminal cases.

(b) The judicial authority shall not assign for trial on a date certain a number of cases greater than that which can be reasonably expected to be reached for trial on that date, based on the court's resources for trial and the number and percentage of trials generally conducted.

The following statute was only included to demonstrate a piece of legislature that could easily include an exception for CSA cases or even simply cases involving minor victims.

CT R SUPER CT CIV § 14-9 (2013). Privileged Cases in Assignment for Trial

The following classes of cases shall be privileged in respect to assignment for trial: (1) hearings under the fair employment practices act and the labor relations act; (2) all actions, except actions upon probate bonds, brought by or on behalf of the state, including informations on the relation of a private individual; (3) appeals from the employment security board of review; (4) appeals

from probate and from the doings of commissioners appointed by courts of probate; (5) actions brought by receivers of insolvent corporations by order of court; (6) actions by or against any person sixty-five years of age or older or who reaches such age during the pendency of the action; (7) appeals from findings, orders or other actions of the public utilities control authority; (8) equitable actions tried to the court wherein the essential claim asserted is for a permanent injunction and any claim for damages or other relief, legal or equitable, is merely in lieu of, or supplemental to, the claim for injunction; (9) habeas corpus proceedings; (10) motions to dissolve temporary injunctions; (11) motions for temporary injunctions; (12) writs of ne exeat, prohibition and mandamus; (13) applications for appointment of receivers; (14) disclosures by garnishees; (15) actions by or against executors, administrators, or trustees in bankruptcy or insolvency; (16) hearings to the court in damages on default or cases where there is an issue as to damages after the judicial authority has granted a summary judgment on the issue of liability; (17) cases remanded by the supreme and appellate courts for a new trial and cases in which a verdict has been set aside, a new trial granted or a mistrial declared; (18) any other actions given precedence by statute or rule.

CT R RPC, Rule 3.2 (2013). Expediting Litigation

A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.

DELAWARE

DEL. CODE ANN. TIT. 11, § 5133 (2013). Expedited proceedings

In all criminal proceedings in the Superior Court involving a child victim or witness, the Court and the prosecution shall take appropriate action to ensure a prompt trial in order to minimize the length of time a child victim or witness must endure the stress of the victim's or witness' involvement in the proceedings. In ruling on any motion or other request for a delay or continuance of proceedings, the Court shall consider and give weight to any adverse impact such delay or continuance might have on the well-being of any child victim or witness.

DEL. CODE ANN. TIT. 11, § 9404 (2013). Victim's interest in speedy prosecution; child victim or witness

(a) The court shall consider the interest of the victim in a speedy prosecution.

(b) Proceedings shall be expedited in cases involving a child victim or witness particularly in child abuse and sexual abuse cases.

DISTRICT OF COLUMBIA

D.C. Code § 23-1903 (2013). Crime victim privacy and security.

(a) Before, during, and immediately after any court proceeding, the court shall provide appropriate safeguards to minimize the contact that may occur between the victim and the victim's family with the accused or the accused's or respondent's family, and defense witnesses.

(b) The accused or defendant, the accused's or defendant's attorney or another person acting on behalf of the accused or defendant shall clearly identify himself or herself as being, representing or acting on behalf of the accused, defendant, or respondent in any contact with the victim.

(c) A responsible official shall arrange for any crime victim's property being held for evidentiary purposes to be maintained in good condition and returned to the victim as soon as it is no longer needed for evidentiary purposes.

(d) In a proceeding in which a child is called to give testimony, on motion by the attorney for the government or the victim's legal or court-appointed representative, or on its own motion, the court may designate the case as being of special public importance. In cases so designated, the court shall expedite the proceeding and ensure that it takes precedence over any other. The court shall ensure a speedy trial in order to minimize the length of time the child must be involved with the criminal justice system. When deciding whether to grant a continuance, the court shall take into consideration the age of the child and the potential adverse impact the delay may have on the child's well-being. The court shall make written findings of fact and conclusions of law when granting a continuance in cases involving a child witness.

D.C. Code § 16-2330 (2013). Time computation.

(a) In all proceedings in the Division, time limitations shall be reasonably construed by the Division for the protection of the community and of the child.

(b) The following periods shall be excluded in computing the time limits established for proceedings under this subchapter:

(1) The period of delay resulting from a continuance granted, upon grounds constituting unusual circumstances, at the request or with the consent, in any case, of the child or his counsel, or, in neglect cases, also of the parent, guardian, or custodian.

(2) The period of delay resulting from other proceedings concerning the child, including but not limited to an examination or hearing on mental health or an intellectual disability and a hearing on a transfer motion.

(3) The period of delay resulting from a continuance granted at the request of the Corporation Counsel if the continuance is granted because of the unavailability of evidence material to the case, when the Corporation Counsel has exercised due diligence to obtain such evidence and there are reasonable grounds to believe that such evidence will be available at the later date; or if the continuance is granted to allow the Corporation Counsel additional time to prepare his case and additional time is required due to the exceptional circumstances of the case.

(4) The period of delay resulting from the imposition of a consent decree.

(5) The period of delay resulting from the absence or unavailability of the child.

(6) A reasonable period of delay when the child is joined for a hearing with another child as to whom the time for a hearing has not run and there is good cause for not hearing the case separately.

FLORIDA

FLA. STAT. ANN. § 918.0155 (2013. Expeditious disposition of particular criminal cases involving a child under age 16

Every criminal case prosecuted under chapter 782, chapter 784, chapter 787, chapter 794, chapter 796, chapter 800, chapter 827, or chapter 847 which involves the abuse of a child or unlawful sexual contact or acts performed in the presence of, with, or upon a child under the age of 16 shall be heard and disposed of as expeditiously as possible.

Fla. Stat. Ann. Const. Art. 1 § 16 (2012). Rights of accused and of victims

(a) In all criminal prosecutions the accused shall, upon demand, be informed of the nature and cause of the accusation, and shall be furnished a copy of the charges, and shall have the right to have compulsory process for witnesses, to confront at trial adverse witnesses, to be heard in person, by counsel or both, and to have a speedy and public trial by impartial jury in the county where the crime was committed. If the county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in that area shall be sufficient; but before pleading the accused may elect in which of those counties the trial will take place. Venue for prosecution of crimes committed beyond the boundaries of the state shall be fixed by law.

(b) Victims of crime or their lawful representatives, including the next of kin of homicide victims, are entitled to the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused.

Fla. R. Jud. Admin., Rule 2.545 (2013). Case Management

(a) Purpose. Judges and lawyers have a professional obligation to conclude litigation as soon as it is reasonably and justly possible to do so. However, parties and counsel shall be afforded a reasonable time to prepare and present their case.

(b) Case Control. The trial judge shall take charge of all cases at an early stage in the litigation and shall control the progress of the case thereafter until the case is determined. The trial judge shall take specific steps to monitor and control the pace of litigation, including the following:

(1) assuming early and continuous control of the court calendar;

(2) identifying priority cases as assigned by statute, rule of procedure, case law, or otherwise;

(3) implementing such docket control policies as may be necessary to advance priority cases to ensure prompt resolution;

(4) identifying cases subject to alternative dispute resolution processes;

(5) developing rational and effective trial setting policies; and

(6) advancing the trial setting of priority cases, older cases, and cases of greater urgency.

(c) Priority Cases.

(1) In all noncriminal cases assigned a priority status by statute, rule of procedure, case law, or otherwise, any party may file a notice of priority status explaining the nature of the case, the source of the priority status, any deadlines imposed by law on any aspect of the case, and any unusual factors that may bear on meeting the imposed deadlines.

(2) If, in any noncriminal case assigned a priority status by statute, rule of procedure, case law, or otherwise, a party is of the good faith opinion that the case has not been appropriately advanced on the docket or has not received priority in scheduling consistent with its priority case status, that party may seek review of such action by motion for review to the chief judge or to the chief judge's designee. The filing of such a motion for review will not toll the time for seeking such other relief as may be afforded by the Florida Rules of Appellate Procedure.

(d) Related Cases.

(1) The petitioner in a family case shall file with the court a notice of related cases, if related cases are known or reasonably ascertainable. A case is related when:

(A) it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; or

(B) it affects the court's jurisdiction to proceed; or

(C) an order in the related case may conflict with an order on the same issues in the new case; or

(D) an order in the new case may conflict with an order in the earlier litigation.

(2) “Family cases” include dissolution of marriage, annulment, support unconnected with dissolution of marriage, paternity, child support, UIFSA, custodial care of and access to children, proceedings for temporary or concurrent custody of minor children by extended family, adoption, name change, declaratory judgment actions related to premarital, marital, or postmarital agreements, civil domestic, repeat violence, dating violence, and sexual violence injunctions, juvenile dependency, termination of parental rights, juvenile delinquency, emancipation of a minor, CINS/FINS, truancy, and modification and enforcement of orders entered in these cases.

(3) The notice of related cases shall identify the caption and case number of the related case, contain a brief statement of the relationship of the actions, and contain a statement addressing whether assignment to one judge or another method of coordination will conserve judicial resources and promote an efficient determination of the actions.

(4) The notice of related cases shall be filed with the initial pleading by the filing attorney or self-represented petitioner.

(5) Each party has a continuing duty to inform the court of any proceedings in this or any other state that could affect the current proceeding.

(6) Whenever it appears to a party that two or more pending cases present common issues of

fact and that assignment to one judge or another method of coordination will significantly promote the efficient administration of justice, conserve judicial resources, avoid inconsistent results, or prevent multiple court appearances by the same parties on the same issues, the party may file a notice of related cases requesting coordination of the litigation.

(7) The notice of related cases shall be served on all parties in the related cases, the presiding judges, and the chief judge or family law administrative judge.

(e) Continuances. All judges shall apply a firm continuance policy. Continuances should be few, good cause should be required, and all requests should be heard and resolved by a judge. All motions for continuance shall be in writing unless made at a trial and, except for good cause shown, shall be signed by the party requesting the continuance. All motions for continuance in priority cases shall clearly identify such priority status and explain what effect the motion will have on the progress of the case.

Fla. R. Crim. P. Rule 3.191 (2013). Speedy Trial

(a) Speedy Trial without Demand. Except as otherwise provided by this rule, and subject to the limitations imposed under subdivisions (e) and (f), every person charged with a crime shall be brought to trial within 90 days of arrest if the crime charged is a misdemeanor, or within 175 days of arrest if the crime charged is a felony. If trial is not commenced within these time periods, the defendant shall be entitled to the appropriate remedy as set forth in subdivision (p). The time periods established by this subdivision shall commence when the person is taken into custody as defined under subdivision (d). A person charged with a crime is entitled to the benefits of this rule whether the person is in custody in a jail or correctional institution of this state or a political subdivision thereof or is at liberty on bail or recognizance or other pretrial release condition. This subdivision shall cease to apply whenever a person files a valid demand for speedy trial under subdivision (b).

(b) Speedy Trial upon Demand. Except as otherwise provided by this rule, and subject to the limitations imposed under subdivisions (e) and (g), every person charged with a crime by indictment or information shall have the right to demand a trial within 60 days, by filing with the court a separate pleading entitled "Demand for Speedy Trial," and serving a copy on the prosecuting authority.

(1) No later than 5 days from the filing of a demand for speedy trial, the court shall hold a calendar call, with notice to all parties, for the express purposes of announcing in open court receipt of the demand and of setting the case for trial.

(2) At the calendar call the court shall set the case for trial to commence at a date no less than 5 days nor more than 45 days from the date of the calendar call.

(3) The failure of the court to hold a calendar call on a demand that has been properly filed and served shall not interrupt the running of any time periods under this subdivision.

(4) If the defendant has not been brought to trial within 50 days of the filing of the demand, the defendant shall have the right to the appropriate remedy as set forth in subdivision (p).

(c) Commencement of Trial. A person shall be considered to have been brought to trial if the trial commences within the time herein provided. The trial is considered to have commenced when the trial jury panel for that specific trial is sworn for voir dire examination or, on waiver of

a jury trial, when the trial proceedings begin before the judge.

(d) Custody. For purposes of this rule, a person is taken into custody

(1) when the person is arrested as a result of the conduct or criminal episode that gave rise to the crime charged, or

(2) when the person is served with a notice to appear in lieu of physical arrest.

(e) Prisoners outside Jurisdiction. A person who is in federal custody or incarcerated in a jail or correctional institution outside the jurisdiction of this state or a subdivision thereof, and who is charged with a crime by indictment or information issued or filed under the laws of this state, is not entitled to the benefit of this rule until that person returns or is returned to the jurisdiction of the court within which the Florida charge is pending and until written notice of the person's return is filed with the court and served on the prosecutor. For these persons, the time period under subdivision (a) commences on the date the last act required under this subdivision occurs. For these persons the time period under subdivision (b) commences when the demand is filed so long as the acts required under this subdivision occur before the filing of the demand. If the acts required under this subdivision do not precede the filing of the demand, the demand is invalid and shall be stricken upon motion of the prosecuting attorney. Nothing in this rule shall affect a prisoner's right to speedy trial under law.

(f) Consolidation of Felony and Misdemeanor. When a felony and a misdemeanor are consolidated for disposition in circuit court, the misdemeanor shall be governed by the same time period applicable to the felony.

(g) Demand for Speedy Trial; Accused Is Bound. A demand for speedy trial binds the accused and the state. No demand for speedy trial shall be filed or served unless the accused has a bona fide desire to obtain a trial sooner than otherwise might be provided. A demand for speedy trial shall be considered a pleading that the accused is available for trial, has diligently investigated the case, and is prepared or will be prepared for trial within 5 days. A demand filed by an accused who has not diligently investigated the case or who is not timely prepared for trial shall be stricken as invalid on motion of the prosecuting attorney. A demand may not be withdrawn by the accused except on order of the court, with consent of the state or on good cause shown. Good cause for continuances or delay on behalf of the accused thereafter shall not include nonreadiness for trial, except as to matters that may arise after the demand for trial is filed and that reasonably could not have been anticipated by the accused or counsel for the accused. A person who has demanded speedy trial, who thereafter is not prepared for trial, is not entitled to continuance or delay except as provided in this rule.

(h) Notice of Expiration of Time for Speedy Trial; When Timely. A notice of expiration of speedy trial time shall be timely if filed and served after the expiration of the periods of time for trial provided in this rule. However, a notice of expiration of speedy trial time filed before expiration of the period of time for trial is invalid and shall be stricken on motion of the prosecuting attorney.

(i) When Time May Be Extended. The periods of time established by this rule may be extended, provided the period of time sought to be extended has not expired at the time the extension was procured. An extension may be procured by:

(1) stipulation, announced to the court or signed in proper person or by counsel, by the party against whom the stipulation is sought to be enforced;

(2) written or recorded order of the court on the court's own motion or motion by either party in exceptional circumstances as hereafter defined in subdivision *(l);*

(3) written or recorded order of the court with good cause shown by the accused;

(4) written or recorded order of the court for a period of reasonable and necessary delay resulting from proceedings including but not limited to an examination and hearing to determine the mental competency or physical ability of the defendant to stand trial, for hearings on pretrial motions, for appeals by the state, for DNA testing ordered on the defendant's behalf upon defendant's motion specifying the physical evidence to be tested pursuant to section 925.12(2), Florida Statutes, and for trial of other pending criminal charges against the accused; or

(5) administrative order issued by the chief justice, under Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv), suspending the speedy trial procedures as stated therein.

(j) Delay and Continuances; Effect on Motion. If trial of the accused does not commence within the periods of time established by this rule, a pending motion for discharge shall be granted by the court unless it is shown that:

(1) a time extension has been ordered under subdivision (i) and that extension has not expired;

(2) the failure to hold trial is attributable to the accused, a codefendant in the same trial, or their counsel;

(3) the accused was unavailable for trial under subdivision (k); or

(4) the demand referred to in subdivision (g) is invalid.

If the court finds that discharge is not appropriate for reasons under subdivisions (j)(2), (3), or (4), the pending motion for discharge shall be denied, provided, however, that trial shall be scheduled and commence within 90 days of a written or recorded order of denial.

(k) Availability for Trial. A person is unavailable for trial if the person or the person's counsel fails to attend a proceeding at which either's presence is required by these rules, or the person or counsel is not ready for trial on the date trial is scheduled. A person who has not been available for trial during the term provided for in this rule is not entitled to be discharged. No presumption of nonavailability attaches, but if the state objects to discharge and presents any evidence tending to show nonavailability, the accused must establish, by competent proof, availability during the term.

(*l*) Exceptional Circumstances. As permitted by subdivision (i) of this rule, the court may order an extension of the time periods provided under this rule when exceptional circumstances are shown to exist. Exceptional circumstances shall not include general congestion of the court's docket, lack of diligent preparation, failure to obtain available witnesses, or other avoidable or foreseeable delays. Exceptional circumstances are those that, as a matter of substantial justice to the accused or the state or both, require an order by the court. These circumstances include:

(1) unexpected illness, unexpected incapacity, or unforeseeable and unavoidable absence of a person whose presence or testimony is uniquely necessary for a full and adequate trial;

(2) a showing by the state that the case is so unusual and so complex, because of the number of defendants or the nature of the prosecution or otherwise, that it is unreasonable to expect adequate investigation or preparation within the periods of time established by this rule;

(3) a showing by the state that specific evidence or testimony is not available despite diligent

efforts to secure it, but will become available at a later time;

(4) a showing by the accused or the state of necessity for delay grounded on developments that could not have been anticipated and that materially will affect the trial;

(5) a showing that a delay is necessary to accommodate a codefendant, when there is reason not to sever the cases to proceed promptly with trial of the defendant; and

(6) a showing by the state that the accused has caused major delay or disruption of preparation of proceedings, as by preventing the attendance of witnesses or otherwise.

(m) Effect of Mistrial; Appeal; Order of New Trial. A person who is to be tried again or whose trial has been delayed by an appeal by the state or the defendant shall be brought to trial within 90 days from the date of declaration of a mistrial by the trial court, the date of an order by the trial court granting a new trial, the date of an order by the trial court granting a motion in arrest of judgment, or the date of receipt by the trial court of a mandate, order, or notice of whatever form from a reviewing court that makes possible a new trial for the defendant, whichever is last in time. If a defendant is not brought to trial within the prescribed time periods, the defendant shall be entitled to the appropriate remedy as set forth in subdivision (p).

(n) Discharge from Crime; Effect. Discharge from a crime under this rule shall operate to bar prosecution of the crime charged and of all other crimes on which trial has not commenced nor conviction obtained nor adjudication withheld and that were or might have been charged as a result of the same conduct or criminal episode as a lesser degree or lesser included offense.

(*o*) Nolle Prosequi; Effect. The intent and effect of this rule shall not be avoided by the state by entering a nolle prosequi to a crime charged and by prosecuting a new crime grounded on the same conduct or criminal episode or otherwise by prosecuting new and different charges based on the same conduct or criminal episode, whether or not the pending charge is suspended, continued, or is the subject of entry of a nolle prosequi.

(p) Remedy for Failure to Try Defendant within the Specified Time.

(1) No remedy shall be granted to any defendant under this rule until the court has made the required inquiry under subdivision (j).

(2) At any time after the expiration of the prescribed time period, the defendant may file a separate pleading entitled "Notice of Expiration of Speedy Trial Time," and serve a copy on the prosecuting authority.

(3) No later than 5 days from the date of the filing of a notice of expiration of speedy trial time, the court shall hold a hearing on the notice and, unless the court finds that one of the reasons set forth in subdivision (j) exists, shall order that the defendant be brought to trial within 10 days. A defendant not brought to trial within the 10-day period through no fault of the defendant, on motion of the defendant or the court, shall be forever discharged from the crime.

GEORGIA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

GA CONST Art. 1, § 1, ¶ XI (2012). Right to trial by jury; number of jurors; selection and compensation of jurors

(a) The right to trial by jury shall remain inviolate, except that the court shall render judgment without the verdict of a jury in all civil cases where no issuable defense is filed and where a jury is not demanded in writing by either party. In criminal cases, the defendant shall have a public and speedy trial by an impartial jury; and the jury shall be the judges of the law and the facts.

(b) A trial jury shall consist of 12 persons; but the General Assembly may prescribe any number, not less than six, to constitute a trial jury in courts of limited jurisdiction and in superior courts in misdemeanor cases.

(c) The General Assembly shall provide by law for the selection and compensation of persons to serve as grand jurors and trial jurors.

Ga. Code Ann. § 17-8-1 (2012). Cases called in order in which they stand on docket

The cases on the criminal docket shall be called in the order in which they stand on the docket unless the defendant is in jail or, otherwise, in the sound discretion of the court.

Ga. Code Ann., § 15-24-2 (2012). Sexual assault protocol; committee

(a) Each judicial circuit shall be required to establish a sexual assault protocol as provided in this Code section.

(b) The chief superior court judge of each judicial circuit shall establish a sexual assault protocol committee as provided in subsection (c) of this Code section and shall appoint an interim chairperson who shall preside over the first meeting. The chief superior court judge shall appoint persons to fill any vacancies on the committee. Thus established, the committee shall thereafter elect a chairperson from its membership.

(c)(1) Each of the following agencies of the judicial circuit shall designate a representative to serve on the committee:

(A) The office of the sheriff of each sheriff's office in the judicial circuit;

(B) The office of the district attorney;

(C) The magistrate court;

(D) The office of the chief of police of a county of each county within the judicial circuit in counties which have a county police department;

(E) The office of the chief of police of the largest municipality in the county of each county within the judicial circuit; and

(F) The county board of health of each county within the judicial circuit.

(2) In addition to the representatives serving on the committee as provided for in paragraph (1) of this subsection, the chief superior court judge shall designate:

(A) A local citizen of the judicial circuit;

(B) A representative of a sexual assault or rape crisis center serving the judicial circuit or, if no

such center exists, then a local citizen; and

(C) A health care professional who performs sexual assault examinations within the judicial circuit or, if no such person exists, then a local citizen.

(3) If any designated agency fails to carry out its duties relating to participation on the committee, the chief superior court judge of the circuit may issue an order requiring the participation of such agency. Failure to comply with such order shall be cause for punishment as for contempt of court.

(d) The protocol committee shall adopt a written sexual assault protocol, a copy of which shall be furnished to each agency in the judicial circuit that handles cases of sexual assault. The protocol shall be a written document outlining in detail the procedures to be used in investigating, collecting evidence, paying for expenses related to evidence collection, and prosecuting cases arising from alleged sexual assault and shall take into consideration the provisions of Article 4 of Chapter 5 of Title 17. The protocol may provide for different procedures to be used within particular municipalities or counties within the judicial circuit. The protocol committee shall adopt a written sexual assault protocol no later than December 31, 2004. The protocol committee may incorporate sexual assault protocols used in the judicial circuit as they existed on or before July 1, 2004.

(e) The purpose of the protocol shall be to ensure coordination and cooperation between all agencies involved in sexual assault cases so as to increase the efficiency of all agencies handling such cases and to minimize the stress created for the alleged sexual assault victim by the legal and investigatory process; provided, however, that a failure by an agency to follow the protocol shall not constitute an affirmative or other defense to prosecution of a sexual assault, preclude the admissibility of evidence, nor shall a failure by an agency to follow the protocol give rise to a civil cause of action.

(f) Upon completion of the writing of the sexual assault protocol, the protocol committee shall continue in existence and shall meet at least annually for the purpose of evaluating the effectiveness of the protocol and appropriately modifying and updating same.

HAWAII

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

Const. Art. 1, § 14 (2013).

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against the accused, provided that the legislature may provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional; to have compulsory process for obtaining witnesses in the accused's favor; and to have the assistance of counsel for the accused's defense. Juries, where the

crime charged is serious, shall consist of twelve persons. The State shall provide counsel for an indigent defendant charged with an offense punishable by imprisonment.

Hi. R. Penal P. R. 50 (2013). Calendars

The district and circuit courts may provide for placing criminal proceedings upon appropriate calendars. Preference shall be given to criminal proceedings as far as practicable.

HAW. REV. STAT. ANN. § 801D-4 (2013). Basic bill of rights for victims and witnesses

(a) Upon written request, victims and surviving immediate family members of crime shall have the following rights:

(1) To be informed by the police and the prosecuting attorney of the final disposition of the case. If the crime charged is a felony, the victim or a surviving immediate family member shall be notified of major developments in the case and whenever the defendant or perpetrator is released from custody. The victim or a surviving immediate family member shall also be consulted and advised about plea bargaining by the prosecuting attorney;

(2) To be notified by the prosecuting attorney if a court proceeding to which they have been subpoenaed will not proceed as scheduled;

(3) To receive protection from threats or harm;

(4) To be informed by the police, victim/witness counselor, or other criminal justice personnel, of financial assistance and other social services available as a result of being a witness to or a victim of crime, including information on how to apply for the assistance and services;

(5) To be provided by the court, whenever possible, with a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families and friends of defendants;

(6) To have any stolen or other personal property expeditiously returned by law enforcement agencies when the property is no longer needed as evidence. If feasible, all the property, except weapons, currency, contraband, property subject to evidentiary analysis, and property, the ownership of which is disputed, shall be returned to the person within ten days of being taken; and

(7) To be informed by the department of public safety of changes planned by the department in the custodial status of the offender that allows or results in the release of the offender into the community, including escape, furlough, work release, placement on supervised release, release on parole, release on bail bond, release on appeal bond, and final discharge at the end of the prison term.

(b) Upon written request, the victim or the parent or guardian of a minor or incapacitated victim of an offense under section 707-730, 707-731, or 707-732(1)(a) shall have the right to be informed of the human immunodeficiency virus (HIV) status of the person who has been convicted or a juvenile who has been adjudicated under that section and to receive counseling regarding HIV. The testing shall be performed according to the protocols set forth in section 325-17. Upon request of the victim, or the parent or guardian of a minor or incapacitated victim, the department of health shall provide counseling.

(c) Notwithstanding any law to the contrary, the department of public safety, the Hawaii paroling authority, the judiciary probation divisions and branches, and the department of the attorney general shall make good faith efforts to notify the victim of a crime, or surviving immediate family members of a victim, of income received by a person imprisoned for that crime when the imprisoned person has received a civil judgment that exceeds $10,000, a civil settlement that exceeds $10,000, or any income that exceeds $10,000 in one fiscal year, whenever the income is known to the agency, and, in addition, the department of public safety shall make good faith efforts to notify the victim of a crime or surviving immediate family members of a victim, whenever it is known to the agency that a person imprisoned for that crime has a financial account, of which the department of public safety is aware, of a value exceeding $10,000.

(d) Notwithstanding any law to the contrary, payment of restitution and judgments to victims, or surviving immediate family members of a victim, shall be a precondition for release on parole for any imprisoned person whom the Hawaii paroling authority determines has the financial ability to make complete or partial restitution payments or complete or partial judgment payments to the victim of the person's crime, or to the surviving immediate family members of a victim.

(e) Notwithstanding any law to the contrary, the State of Hawaii, any political subdivision of the State of Hawaii, any department or agency of the State, any officer of the State, and any employee of the State shall be immune from damages in any lawsuit based on noncompliance with subsection (c) or (d). Nothing in this subsection shall be construed to prevent disciplinary action against any employee of the State who intentionally fails to comply with subsection (c) or (d) after being warned that compliance is required.

IDAHO

IDAHO CODE ANN. § 19-110. (2013). Expedition of court proceedings

In all criminal cases and juvenile fact finding hearings that involve a child victim or witness, the court and the prosecuting attorney shall take all appropriate actions to ensure a speedy trial in order to minimize the length of time the child must endure the stress of his or her involvement in the proceedings. In ruling on any motion or other request for a delay or continuance of any proceeding, the court shall consider and give weight to any adverse impact that the requested delay or continuance may have on the well-being of a child victim or witness, and findings of fact shall be made on this issue.

ILLINOIS

725 Ill. Comp. Stat. 5/114-4 (2013). Motion for continuance

(a) The defendant or the State may move for a continuance. If the motion is made more than 30 days after arraignment the court shall require that it be in writing and supported by affidavit.

(b) A written motion for continuance made by defendant more than 30 days after arraignment may be granted when:

(1) Counsel for the defendant is ill, has died, or is held to trial in another cause; or

(2) Counsel for the defendant has been unable to prepare for trial because of illness or because he has been held to trial in another cause; or

(3) A material witness is unavailable and the defense will be prejudiced by the absence of his testimony; however, this shall not be a ground for continuance if the State will stipulate that the testimony of the witness would be as alleged; or

(4) The defendant cannot stand trial because of physical or mental incompetency; or

(5) Pre-trial publicity concerning the case has caused a prejudice against defendant on the part of the community; or

(6) The amendment of a charge or a bill of particulars has taken the defendant by surprise and he cannot fairly defend against such an amendment without a continuance.

(c) A written motion for continuance made by the State more than 30 days after arraignment may be granted when:

(1) The prosecutor assigned to the case is ill, has died, or is held to trial in another cause; or

(2) A material witness is unavailable and the prosecution will be prejudiced by the absence of his testimony; however this shall not be a ground for continuance if the defendant will stipulate that the testimony of the witness would be as alleged; or

(3) Pre-trial publicity concerning the case has caused a prejudice against the prosecution on the part of the community.

(d) The court may upon the written motion of either party or upon the court's own motion order a continuance for grounds not stated in subsections (b) and (c) of this Section if he finds that the interests of justice so require.

(e) All motions for continuance are addressed to the discretion of the trial court and shall be considered in the light of the diligence shown on the part of the movant. Where 1 year has expired since the filing of an information or indictments, filed after January 1, 1980, if the court finds that the State has failed to use due diligence in bringing the case to trial, the court may, after a hearing had on the cause, on its own motion, dismiss the information or indictment. Any demand that the defendant had made for a speedy trial under Section 103-5 of this code shall not abate if the State files a new information or the grand jury reindicts in the cause.

After a hearing has been held upon the issue of the State's diligence and the court has found that the State has failed to use due diligence in pursuing the prosecution, the court may not dismiss the indictment or information without granting the State one more court date upon which to proceed. Such date shall be not less than 14 nor more than 30 days from the date of the court's finding. If the State is not prepared to proceed upon that date, the court shall dismiss the indictment or information, as provided in this Section.

(f) After trial has begun a reasonably brief continuance may be granted to either side in the interests of justice.

(g) During the time the General Assembly is in session, the court shall, on motion of either party or on its own motion, grant a continuance where the party or his attorney is a member of either house of the General Assembly whose presence is necessary for the full, fair trial of the cause and, in the case of an attorney, where the attorney was retained by the party before the cause was

set for trial.

(h) This Section shall be construed to the end that criminal cases are tried with due diligence consonant with the rights of the defendant and the State to a speedy, fair and impartial trial.

(i) Physical incapacity of a defendant may be grounds for a continuance at any time. If, upon written motion of the defendant or the State or upon the court's own motion, and after presentation of affidavits or evidence, the court determines that the defendant is physically unable to appear in court or to assist in his defense, or that such appearance would endanger his health or result in substantial prejudice, a continuance shall be granted. If such continuance precedes the appearance of counsel for such defendant the court shall simultaneously appoint counsel in the manner prescribed by Section 113-3 of this Act. Such continuance shall suspend the provisions of Section 103-5 of this Act, which periods of time limitation shall commence anew when the court, after presentation of additional affidavits or evidence, has determined that such physical incapacity has been substantially removed.

(j) In actions arising out of building code violations or violations of municipal ordinances caused by the failure of a building or structure to conform to the minimum standards of health and safety, the court shall grant a continuance only upon a written motion by the party seeking the continuance specifying the reason why such continuance should be granted.

(k) In prosecutions for violations of Section 10-1, 10-2, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 20121 involving a victim or witness who is a minor under 18 years of age, the court shall, in ruling on any motion or other request for a delay or continuance of proceedings, consider and give weight to the adverse impact the delay or continuance may have on the well-being of a child or witness.

(l) The court shall consider the age of the victim and the condition of the victim's health when ruling on a motion for a continuance.

725 Ill. Comp. Stat. 5/103-5 (2013. Speedy trial

(a) Every person in custody in this State for an alleged offense shall be tried by the court having jurisdiction within 120 days from the date he was taken into custody unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. Delay shall be considered to be agreed to by the defendant unless he or she objects to the delay by making a written demand for trial or an oral demand for trial on the record. The provisions of this subsection (a) do not apply to a person on bail or recognizance for an offense but who is in custody for a violation of his or her parole or mandatory supervised release for another offense.

The 120-day term must be one continuous period of incarceration. In computing the 120-day term, separate periods of incarceration may not be combined. If a defendant is taken into custody a second (or subsequent) time for the same offense, the term will begin again at day zero.

(b) Every person on bail or recognizance shall be tried by the court having jurisdiction within 160 days from the date defendant demands trial unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing,

by an adjudication of unfitness to stand trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal. The defendant's failure to appear for any court date set by the court operates to waive the defendant's demand for trial made under this subsection.

For purposes of computing the 160 day period under this subsection (b), every person who was in custody for an alleged offense and demanded trial and is subsequently released on bail or recognizance and demands trial, shall be given credit for time spent in custody following the making of the demand while in custody. Any demand for trial made under this subsection (b) shall be in writing; and in the case of a defendant not in custody, the demand for trial shall include the date of any prior demand made under this provision while the defendant was in custody.

(c) If the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days. If the court determines that the State has exercised without success due diligence to obtain results of DNA testing that is material to the case and that there are reasonable grounds to believe that such results may be obtained at a later day, the court may continue the cause on application of the State for not more than an additional 120 days.

(d) Every person not tried in accordance with subsections (a), (b) and (c) of this Section shall be discharged from custody or released from the obligations of his bail or recognizance.

(e) If a person is simultaneously in custody upon more than one charge pending against him in the same county, or simultaneously demands trial upon more than one charge pending against him in the same county, he shall be tried, or adjudged guilty after waiver of trial, upon at least one such charge before expiration relative to any of such pending charges of the period prescribed by subsections (a) and (b) of this Section. Such person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which judgment relative to the first charge thus prosecuted is rendered pursuant to the Unified Code of Corrections1 or, if such trial upon such first charge is terminated without judgment and there is no subsequent trial of, or adjudication of guilt after waiver of trial of, such first charge within a reasonable time, the person shall be tried upon all of the remaining charges thus pending within 160 days from the date on which such trial is terminated; if either such period of 160 days expires without the commencement of trial of, or adjudication of guilt after waiver of trial of, any of such remaining charges thus pending, such charge or charges shall be dismissed and barred for want of prosecution unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act, by a fitness hearing, by an adjudication of unfitness for trial, by a continuance allowed pursuant to Section 114-4 of this Act after a court's determination of the defendant's physical incapacity for trial, or by an interlocutory appeal; provided, however, that if the court determines that the State has exercised without success due diligence to obtain evidence material to the case and that there are reasonable grounds to believe that such evidence may be obtained at a later day the court may continue the cause on application of the State for not more than an additional 60 days.

(f) Delay occasioned by the defendant shall temporarily suspend for the time of the delay the period within which a person shall be tried as prescribed by subsections (a), (b), or (e) of this Section and on the day of expiration of the delay the said period shall continue at the point at which it was suspended. Where such delay occurs within 21 days of the end of the period within

which a person shall be tried as prescribed by subsections (a), (b), or (e) of this Section, the court may continue the cause on application of the State for not more than an additional 21 days beyond the period prescribed by subsections (a), (b), or (e). This subsection (f) shall become effective on, and apply to persons charged with alleged offenses committed on or after, March 1, 1977.

See also:

725 Ill. Comp. Stat. 120/4.5 (2013). Procedures to implement the rights of crime victims

To afford crime **victims** their **rights**, law enforcement, prosecutors, judges and corrections will provide information, as appropriate of the following procedures:

(a) At the request of the crime victim, law enforcement authorities investigating the case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.

(a-5) When law enforcement authorities re-open a closed case to resume investigating, they shall provide notice of the re-opening of the case, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation.

(b) The office of the State's Attorney:

(1) shall provide notice of the filing of information, the return of an indictment by which a prosecution for any violent crime is commenced, or the filing of a petition to adjudicate a minor as a delinquent for a violent crime;

(2) shall provide notice of the date, time, and place of trial;

(3) or victim advocate personnel shall provide information of social services and financial assistance available for victims of crime, including information of how to apply for these services and assistance;

(3.5) or victim advocate personnel shall provide information about available victim services, including referrals to programs, counselors, and agencies that assist a victim to deal with trauma, loss, and grief;

(4) shall assist in having any stolen or other personal property held by law enforcement authorities for evidentiary or other purposes returned as expeditiously as possible, pursuant to the procedures set out in Section 115-9 of the Code of Criminal Procedure of 1963;

(5) or victim advocate personnel shall provide appropriate employer intercession services to ensure that employers of victims will cooperate with the criminal justice system in order to minimize an employee's loss of pay and other benefits resulting from court appearances;

(6) shall provide information whenever possible, of a secure waiting area during court proceedings that does not require victims to be in close proximity to defendant or juveniles accused of a violent crime, and their families and friends;

(7) shall provide notice to the crime victim of the right to have a translator present at all court proceedings and, in compliance with the federal Americans with Disabilities Act of 1990, the right to communications access through a sign language interpreter or by other means;

(8) in the case of the death of a person, which death occurred in the same transaction or occurrence in which acts occurred for which a defendant is charged with an offense, shall notify the spouse, parent, child or sibling of the decedent of the date of the trial of the person or persons allegedly responsible for the death;

(9) shall inform the victim of the right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice, and the right to retain an attorney, at the victim's own expense, who, upon written notice filed with the clerk of the court and State's Attorney, is to receive copies of all notices, motions and court orders filed thereafter in the case, in the same manner as if the victim were a named party in the case;

(10) at the sentencing hearing shall make a good faith attempt to explain the minimum amount of time during which the defendant may actually be physically imprisoned. The Office of the State's Attorney shall further notify the crime **victim** of the **right** to request from the Prisoner Review Board information concerning the release of the defendant under subparagraph (d)(1) of this Section;

(11) shall request restitution at sentencing and shall consider restitution in any plea negotiation, as provided by law; and

(12) shall, upon the court entering a verdict of not guilty by reason of insanity, inform the victim of the notification services available from the Department of Human Services, including the statewide telephone number, under subparagraph (d)(2) of this Section.

(c) At the written request of the crime victim, the office of the State's Attorney shall:

(1) provide notice a reasonable time in advance of the following court proceedings: preliminary hearing, any hearing the effect of which may be the release of defendant from custody, or to alter the conditions of bond and the sentencing hearing. The crime victim shall also be notified of the cancellation of the court proceeding in sufficient time, wherever possible, to prevent an unnecessary appearance in court;

(2) provide notice within a reasonable time after receipt of notice from the custodian, of the release of the defendant on bail or personal recognizance or the release from detention of a minor who has been detained for a violent crime;

(3) explain in nontechnical language the details of any plea or verdict of a defendant, or any adjudication of a juvenile as a delinquent for a violent crime;

(4) where practical, consult with the crime victim before the Office of the State's Attorney makes an offer of a plea bargain to the defendant or enters into negotiations with the defendant concerning a possible plea agreement, and shall consider the written victim impact statement, if prepared prior to entering into a plea agreement;

(5) provide notice of the ultimate disposition of the cases arising from an indictment or an information, or a petition to have a juvenile adjudicated as a delinquent for a violent crime;

(6) provide notice of any appeal taken by the defendant and information on how to contact the appropriate agency handling the appeal;

(7) provide notice of any request for post-conviction review filed by the defendant under Article 122 of the Code of Criminal Procedure of 1963, and of the date, time and place of any hearing concerning the petition. Whenever possible, notice of the hearing shall be given in advance;

(8) forward a copy of any statement presented under Section 6 to the Prisoner Review Board to be considered by the Board in making its determination under subsection (b) of Section 3-3-8 of the Unified Code of Corrections.

(d)(1) The Prisoner Review Board shall inform a victim or any other concerned citizen, upon written request, of the prisoner's release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a violent crime from State custody and by the sheriff of the appropriate county of any such person' s final discharge from county custody. The Prisoner Review Board, upon written request, shall provide to a victim or any other concerned citizen a recent photograph of any person convicted of a felony, upon his or her release from custody. The Prisoner Review Board, upon written request, shall inform a victim or any other concerned citizen when feasible at least 7 days prior to the prisoner's release on furlough of the times and dates of such furlough. Upon written request by the victim or any other concerned citizen, the State's Attorney shall notify the person once of the times and dates of release of a prisoner sentenced to periodic imprisonment. Notification shall be based on the most recent information as to victim's or other concerned citizen's residence or other location available to the notifying authority.

(2) When the defendant has been committed to the Department of Human Services pursuant to Section 5-2-4 or any other provision of the Unified Code of Corrections,1 the victim may request to be notified by the releasing authority of the approval by the court of an on-grounds pass, a supervised off-grounds pass, an unsupervised off-grounds pass, or conditional release; the release on an off-grounds pass; the return from an off-grounds pass; transfer to another facility; conditional release; escape; death; or final discharge from State custody. The Department of Human Services shall establish and maintain a statewide telephone number to be used by victims to make notification requests under these provisions and shall publicize this telephone number on its website and to the State's Attorney of each county.

(3) In the event of an escape from State custody, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board of the escape and the Prisoner Review Board shall notify the victim. The notification shall be based upon the most recent information as to the victim's residence or other location available to the Board. When no such information is available, the Board shall make all reasonable efforts to obtain the information and make the notification. When the escapee is apprehended, the Department of Corrections or the Department of Juvenile Justice immediately shall notify the Prisoner Review Board and the Board shall notify the victim.

(4) The victim of the crime for which the prisoner has been sentenced shall receive reasonable written notice not less than 30 days prior to the parole interview and may submit, in writing, on film, videotape or other electronic means or in the form of a recording or in person at the parole interview or if a victim of a violent crime, by calling the toll-free number established in subsection (f) of this Section, information for consideration by the Prisoner Review Board. The victim shall be notified within 7 days after the prisoner has been granted parole and shall be informed of the right to inspect the registry of parole decisions, established under subsection (g) of Section 3-3-5 of the Unified Code of Corrections.2 The provisions of this paragraph (4) are subject to the Open Parole Hearings Act.3

(5) If a statement is presented under Section 6, the Prisoner Review Board shall inform the victim of any order of discharge entered by the Board pursuant to Section 3-3-8 of the Unified

Code of Corrections.

(6) At the written request of the victim of the crime for which the prisoner was sentenced or the State's Attorney of the county where the person seeking parole was prosecuted, the Prisoner Review Board shall notify the victim and the State's Attorney of the county where the person seeking parole was prosecuted of the death of the prisoner if the prisoner died while on parole or mandatory supervised release.

(7) When a defendant who has been committed to the Department of Corrections, the Department of Juvenile Justice, or the Department of Human Services is released or discharged and subsequently committed to the Department of Human Services as a sexually violent person and the victim had requested to be notified by the releasing authority of the defendant's discharge, conditional release, death, or escape from State custody, the releasing authority shall provide to the Department of Human Services such information that would allow the Department of Human Services to contact the victim.

(8) When a defendant has been convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act and has been sentenced to the Department of Corrections or the Department of Juvenile Justice, the Prisoner Review Board shall notify the victim of the sex offense of the prisoner's eligibility for release on parole, mandatory supervised release, electronic detention, work release, international transfer or exchange, or by the custodian of the discharge of any individual who was adjudicated a delinquent for a sex offense from State custody and by the sheriff of the appropriate county of any such person's final discharge from county custody. The notification shall be made to the victim at least 30 days, whenever possible, before release of the sex offender.

(e) The officials named in this Section may satisfy some or all of their obligations to provide notices and other information through participation in a statewide victim and witness notification system established by the Attorney General under Section 8.5 of this Act.

(f) To permit a victim of a violent crime to provide information to the Prisoner Review Board for consideration by the Board at a parole hearing of a person who committed the crime against the victim in accordance with clause (d)(4) of this Section or at a proceeding to determine the conditions of mandatory supervised release of a person sentenced to a determinate sentence or at a hearing on revocation of mandatory supervised release of a person sentenced to a determinate sentence, the Board shall establish a toll-free number that may be accessed by the victim of a violent crime to present that information to the Board.

Ill. Comp. Stat. Const. Art. 1, § 8.1 (2013). Crime Victim's Rights

(a) Crime victims, as defined by law, shall have the following rights as provided by law:

(1) The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.

(2) The right to notification of court proceedings.

(3) The right to communicate with the prosecution.

(4) The right to make a statement to the court at sentencing.

(5) The right to information about the conviction, sentence, imprisonment, and release of the

accused.

(6) The right to timely disposition of the case following the arrest of the accused.

(7) The right to be reasonably protected from the accused throughout the criminal justice process.

(8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial.

(9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.

(10) The right to restitution.

(b) The General Assembly may provide by law for the enforcement of this Section.

(c) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.

(d) Nothing in this Section or in any law enacted under this Section shall be construed as creating a basis for vacating a conviction or a ground for appellate relief in any criminal case.

INDIANA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

IN Const. Art. 1, § 12 (2013). Courts open; remedy by due course of law; administration of justice

Section 12. All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, and without delay.

IN Const. Art. 1, § 13 (2013). Rights of accused in criminal prosecutions

(a) In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

(b) Victims of crime, as defined by law, shall have the right to be treated with fairness, dignity, and respect throughout the criminal justice process; and, as defined by law, to be informed of and present during public hearings and to confer with the prosecution, to the extent that exercising these rights does not infringe upon the constitutional rights of the accused.

IOWA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute and some additional related statutes:*

Iowa Code, Rule 2.33 (2013). Dismissal of prosecutions; right to speedy trial

(1) *Dismissal generally; effect.* The court, upon its own motion or the application of the prosecuting attorney, in the furtherance of justice, may order the dismissal of any pending criminal prosecution, the reasons therefor being stated in the order and entered of record, and no such prosecution shall be discontinued or abandoned in any other manner. Such a dismissal is a bar to another prosecution for the same offense if it is a simple or serious misdemeanor; but it is not a bar if the offense charged be a felony or an aggravated misdemeanor.

2.33(2) *Speedy trial.* It is the public policy of the state of Iowa that criminal prosecutions be concluded at the earliest possible time consistent with a fair trial to both parties. Applications for dismissals under this rule may be made by the prosecuting attorney or the defendant or by the court on its own motion.

a. When an adult is arrested for the commission of a public offense, or, in the case of a child, when the juvenile court enters an order waiving jurisdiction pursuant to Iowa Code section 232.45, and an indictment is not found against the defendant within 45 days, the court must order the prosecution to be dismissed, unless good cause to the contrary is shown or the defendant waives the defendant's right thereto.

b. If a defendant indicted for a public offense has not waived the defendant's right to a speedy trial the defendant must be brought to trial within 90 days after indictment is found or the court must order the indictment to be dismissed unless good cause to the contrary be shown.

c. All criminal cases must be brought to trial within one year after the defendant's initial arraignment pursuant to rule 2.8 unless an extension is granted by the court, upon a showing of good cause.

d. If the court directs the prosecution to be dismissed, the defendant, if in custody, must be discharged, or the defendant's bail, if any, exonerated, and if money has been deposited instead of bail, it must be refunded to the defendant.

2.33(3) *Jury impaneled outside of county.* For purposes of this section, when a jury is to be impaneled from outside the county under rule 2.11(10)d, a defendant is deemed to have been brought to trial as of the day when the trial commences in the county in which jury selection takes place.

2.33(4) *Change of venue after jury selection commenced.* Whenever a change of venue is granted pursuant to Iowa Code section 803.2, the defendant may be brought to trial within 30 days of the grant of the change of venue, notwithstanding rule 2.33(2)b.

Iowa Code § 915.35 (2013). Child victim services

1. As used in this section, "victim" means a minor under the age of eighteen who has been sexually abused or subjected to any other unlawful sexual conduct under chapter 709, 710A, or 726 or who has been the subject of a forcible felony.

2. A professional licensed or certified by the state to provide immediate or short-term medical services or mental health services to a victim may provide the services without the prior consent or knowledge of the victim's parents or guardians.

3. Such a professional shall notify the victim if the professional is required to report an incidence of child abuse involving the victim pursuant to section 232.69.

4. a. A child protection assistance team involving the county attorney, law enforcement personnel, and personnel of the department of human services shall be established for each county by the county attorney. However, by mutual agreement, two or more county attorneys may establish a single child protection assistance team to cover a multicounty area. A child protection assistance team, to the greatest extent possible, may be consulted in cases involving a forcible felony against a child who is less than age fourteen in which the suspected offender is the person responsible for the care of a child, as defined in section 232.68. A child protection assistance team may also be utilized in cases involving a violation of chapter 709 or 726 or other crime committed upon a victim as defined in subsection 1.

b. A child protection assistance team may also consult with or include juvenile court officers, medical and mental health professionals, physicians or other hospital-based health professionals, court-appointed special advocates, guardians ad litem, and members of a multidisciplinary team created by the department of human services for child abuse investigations. A child protection assistance team may work cooperatively with the early childhood Iowa area board established under chapter 256I. The child protection assistance team shall work with the department of human services in accordance with section 232.71B, subsection 3, in developing the protocols for prioritizing the actions taken in response to child abuse reports and for law enforcement agencies working jointly with the department at the local level in processes for child abuse reports. The department of justice may provide training and other assistance to support the activities of a child protection assistance team.

KANSAS

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute and some additional related statutes*

KAN. STAT. ANN. § 22-3401 (2012). Time of trial

All persons charged with crime shall be tried without unnecessary delay. Continuances may be granted to either party for good cause shown.

Kan. Stat. Ann. § 60-240 (2012). Scheduling cases for trial; continuances

(a) ***Scheduling*** *cases for trial.* Each district court must provide by rule for scheduling trials. The court must give priority to actions entitled to priority by law.

(b) *Continuances.* For good cause, the court may continue an action at any stage of the proceedings on just terms. When a continuance is granted due to the absence of evidence, it must be at the cost of the party requesting the continuance, unless the court orders otherwise.

(c) *Motion for continuance based on absence of material witness, document, thing or other*

evidence; affidavit or declaration. (1) *Affidavit or declaration in support of motions.* The court need not entertain a motion for a continuance based on the absence of a material witness, document, thing or other evidence unless supported by an affidavit or a declaration pursuant to K.S.A. 53-601, and amendments thereto.

(A) An affidavit or declaration in support of a motion for a continuance based on the absence of a material witness must state:

(i) The name of the witness, and, if known, the witness' residence;

(ii) the substance of the witness' expected testimony and the basis for the expectation;

(iii) that the affiant or declarant believes the statements in the affidavit or declaration to be true; and

(iv) the efforts that have been made to procure the witness' attendance or deposition.

(B) An affidavit or declaration in support of a motion for a continuance based on the absence of a material document, thing or other evidence must contain similar statements, with appropriate modifications.

(2) *Objections.* A party objecting to a continuance may not contradict the statement of the substance of the absent witness' expected testimony or the substance of the absent document, thing or other evidence, but may contradict any other statement in the affidavit or declaration.

(3) *Granting or denying the motion.* The court may deny the motion if the adverse party admits that the absent witness would, if present, testify as stated in the affidavit or declaration, and agrees that the affidavit or declaration be received as evidence at the trial and considered as though the witness were present and so testified. The granting or denial of a continuance is discretionary in all cases, regardless of compliance with the provisions of this subsection.

KENTUCKY

Ky. Rev. Stat. Ann. § 421.510 (2012). Speedy trial where child victim is involved

(1) Where the victim is less than sixteen (16) years old and the crime is a sexual offense including violations of KRS 510.040 to 510.150, 530.020, 530.064(1)(a), 530.070, 531.310, 531.320, and 531.370, a speedy trial may be scheduled as provided in subsection (2) of this section.

(2) The court, upon motion by the attorney for the Commonwealth for a speedy trial, shall set a hearing date on the motion within ten (10) days of the date of the motion. If the motion is granted, the trial shall be scheduled within ninety (90) days from the hearing date.

(3) In ruling on any motion or other request for a delay or continuance of the proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

See also Ky. Rev. Stat. Ann. §§ 421.500 to 421.575 (the Kentucky Crime Victim Bill of Rights)

LOUISIANA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute and some additional related statutes:*

LSA-C. Cr.P. Art. 701. (2012). Right to a speedy trial

A. The state and the defendant have the right to a speedy trial.

B. The time period for filing a bill of information or indictment after arrest shall be as follows:

(1)(a) When the defendant is continued in custody subsequent to an arrest, an indictment or information shall be filed within forty-five days of the arrest if the defendant is being held for a misdemeanor and within sixty days of the arrest if the defendant is being held for a felony.

(b) When the defendant is continued in custody subsequent to an arrest, an indictment shall be filed within one hundred twenty days of the arrest if the defendant is being held for a felony for which the punishment may be death or life imprisonment.

(2) When the defendant is not continued in custody subsequent to arrest, an indictment or information shall be filed within ninety days of the arrest if the defendant is booked with a misdemeanor and one hundred fifty days of the arrest if the defendant is booked with a felony.

Failure to institute prosecution as provided in Subparagraph (1) shall result in release of the defendant if, after contradictory hearing with the district attorney, just cause for the failure is not shown. If just cause is shown, the court shall reconsider bail for the defendant. Failure to institute prosecution as provided in Subparagraph (2) shall result in the release of the bail obligation if, after contradictory hearing with the district attorney, just cause for the delay is not shown.

C. Upon filing of a bill of information or indictment, the district attorney shall set the matter for arraignment within thirty days unless just cause for a longer delay is shown.

D. (1) A motion by the defendant for a speedy trial, in order to be valid, must be accompanied by an affidavit by defendant's counsel certifying that the defendant and his counsel are prepared to proceed to trial within the delays set forth in this Article. After the filing of a motion for a speedy trial by the defendant and his counsel the time period for commencement of trial shall be as follows:

(a) The trial of a defendant charged with a felony shall commence within one hundred twenty days if he is continued in custody and within one hundred eighty days if he is not continued in custody.

(b) The trial of a defendant charged with a misdemeanor shall commence within thirty days if he is continued in custody and within sixty days if he is not continued in custody.

(2) Failure to commence trial within the time periods provided above shall result in the release of the defendant without bail or in the discharge of the bail obligation, if after contradictory hearing with the district attorney, just cause for the delay is not shown.

E. "Just cause" as used in this Article shall include any grounds beyond the control of the State or the Court.

F. A motion for a speedy trial filed by the defendant, but not verified by the affidavit of his counsel, shall be set for contradictory hearing within thirty days.

LA. Rev. Stat. Ann. 46:1844 § 1844. Basic rights for victim and witness

A. Services and information concerning services available to victims and witnesses of a crime.

(1) The appropriate law enforcement agency shall ensure that crime victims and witnesses receive emergency, social, and medical services as soon as possible. The appropriate law enforcement agency shall also distribute to the victim or to the family of a homicide victim a victim notice and registration form promulgated by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice, in conformity with Subsection R of this Section.

(2) The Department of Public Safety and Corrections shall maintain the Crime Victims Services Bureau presently in operation. The bureau shall publicize and provide a way for crime victims and their family members to be kept informed about the following:

(a) Successful court appeals.

(b) Parole committee or pardon board hearings or other release hearings.

(c) Information regarding dates of possible release from physical custody, escape, apprehension, or otherwise.

(d) Inquiries concerning the department's policies and programs for inmates.

(3) All law enforcement agencies having custody of those accused or convicted of the offenses enumerated in R.S. 46:1842(9) shall, pursuant to Article I, Section 25 of the Constitution of Louisiana, notify crime victims or designated family members who have properly registered concerning an accused's or a defendant's arrest, release on recognizance, posting of bond, release pending charges being filed, release due to rejection of charges by the district attorney, escape, or re-apprehension.

B. Advance notification to victim, or designated family member concerning judicial proceedings; right to be present. If requested by registering with the appropriate law enforcement or judicial agency as outlined in Subsection T of this Section, the clerk of court shall provide reasonable notice to a victim, or a designated family member of judicial proceedings relating to their case. The notice required pursuant to this Subsection may be made by any method reasonably calculated to notify the victim or designated family member of the judicial proceeding in a timely manner.

C. Interviewing the victim and witness of a crime.

(1) The district attorney, prior to trial, shall make reasonable efforts to interview the victim or designated family member to determine the facts of the case and whether the victim or the family is requesting restitution.

(2) All law enforcement or judicial agencies shall provide a private setting for all interviewing of victims of crime. “Private setting” shall mean an enclosed room from which the occupants are not visible or otherwise identifiable and whose conversations cannot be heard from outside such room. Only those persons directly and immediately related to the interviewing of the victim, specifically the victim, a social worker, psychologist, or other professional, the victim advocate designated by the sheriff's office, or a representative from a not-for-profit victim service

organization, including but not limited to rape crisis centers, domestic violence advocacy groups, and alcohol abuse or substance abuse groups providing emotional support to the victim, shall be present, unless the victim requests the exclusion of such person from the interview, and, when appropriate, the parent or parents of the victim.

(3) The victim and the victim's family may refuse any requests for interviews with the attorney for the defendant or any employee or agent working for the attorney for the defendant. If the victim is a minor, the parent or guardian of the victim may refuse to permit the minor to be interviewed by the attorney for the defendant or any employee or agent working for the attorney for the defendant. Before any victim may be subpoenaed to testify on behalf of a defendant at any pretrial hearing, the defendant shall show good cause at a contradictory hearing with the district attorney why the subpoena should be issued. Willful disregard of the **rights** of **victims** and witnesses as enumerated in this Paragraph may be punishable as contempt of court.

D. Consultation with the victim or the designated family member.

(1) The victim or the designated family member shall have the right to retain counsel to confer with law enforcement and judicial agencies regarding the disposition of the victim's case. The prosecutor may confer with the counsel retained by the victim or designated family member in the prosecution of the case. “Case” herein shall mean a criminal matter in which formal charges have been filed by the district attorney's office.

(2) Upon written notification to the district attorney's office received from the victim, or the designated family member, the district attorney's office shall, within a reasonable period of time following such notification, contact the victim and schedule a conference with the victim or a designated family member in order to obtain their view, either orally or in writing, regarding:

(a) The disposition of the criminal case by dismissal, plea, or trial.

(b) The use of available sentencing alternatives such as incarceration, probation, community service, and the payment of restitution to the victim.

E. Notification to employers. The victim or witness who so requests shall be assisted by judicial and law enforcement agencies in informing employers that the need for victim and witness cooperation in the prosecution of the case may necessitate absence of the victim or witness from work.

F. Notification of scheduling changes. Each victim or witness who has been scheduled to attend a criminal justice proceeding shall be notified as soon as possible by the agency scheduling his or her appearance of any change in scheduling which shall affect his or her appearance.

G. The victim and witness in the court setting.

The court shall provide, whenever possible, a secure waiting area during court proceedings which does not require victims, witnesses, or homicide victims' families to be in close proximity to the defendants or their families or friends, and shall provide a secure waiting area in cases involving violent crimes.

H. Presentence or postsentence reports. If properly registered with the clerk of court, the victim or designated family member shall have the right to review and comment on the presentence or postsentence reports relating to the crime against the victim. The trial court shall regulate when and how the presentence report is provided to the victim or designated family member. The Department of Public Safety and Corrections shall regulate how the postsentence

report is provided to the victim or designated family member.

I. Rules governing evidence and criminal procedure. The victim shall be protected at all times by all rules and laws governing the criminal procedure and the admissibility of evidence applicable to criminal proceedings.

J. Speedy disposition. The victim shall have the right to a speedy disposition and prompt and final conclusion of the case after conviction and sentencing. When ruling on a defense motion for continuance, the court shall consider the impact on the **victim**.

K. Right of victim or designated family member to be present and heard at all critical stages of the proceedings.

(1)(a) At all critical stages of the prosecution, if the victim or designated family member has registered with the appropriate law enforcement or judicial agency and is present, the court shall determine if the victim or designated family member wishes to make a victim impact statement. If the victim is not present, the court shall ascertain whether the victim or designated family member has requested notification and, if so, whether proper notice has been issued to the victim or designated family member, in accordance with Subsection B of this Section, by the clerk of court or by the district attorney's office. If notice has been requested and proper notice has not been issued, the court shall continue the proceedings until proper notice is issued.

(b) The victim and victim's family members shall have the right to make a written and oral victim impact statement as follows:

(i) Any written statement shall be made available to the state and the defendant and shall be made part of the record. The statement may be submitted by the district attorney upon request of the victim or designated family member. Upon request of the victim or designated family member, any such written statement may be sealed by the court after review by the parties.

(ii) The hearing at which an oral statement is provided to the court shall be subject to the limitations of relevance. In any case where the number of victim's family members exceeds three, the court may limit the in-court statements it receives from them to a fewer number of statements. The court may otherwise reasonably restrict the oral statement in order to maintain courtroom decorum. The defendant must be present for the victim impact statement. Upon motion of the state, the court may hear any such statement in camera.

(2) The statement of the victim or the victim's family may:

(a) Identify the victim of the offense.

(b) Itemize any economic loss that has been or may be reasonably suffered by the victim as a result of the offense.

(c) Identify any physical injury suffered by the victim as a result of the offense, along with its seriousness and permanence.

(d) Describe any change in the victim's personal welfare or familial relationships as a result of the offense.

(e) Identify any request for medical or counseling services needed by the victim or the victim's family as a result of the offense.

(f) Contain any other information related to the impact of the offense upon the victim or the victim's family that the trial court requires.

(g) Contain any other information that the victim or victim's family wishes to share with the court regarding the overall effect of the crime upon the victim and the victim's family.

(3)(a) Prior to the sentencing hearing, the court shall provide the counsel for the defendant, the victim, and the attorney for the state with notice of the maximum and minimum sentence allowed by law. The court shall allow the victim, or designated family member, and the prosecutor the opportunity to review any presentence investigation reports that have been prepared relating to the victim's case. The review of the presentence report shall be conducted under the supervision of the court.

(b) At the sentencing hearing, the court shall afford the counsel for the defendant, the attorney for the state, and the victim or designated family member an opportunity to comment upon matters relating to the appropriate sentence. Before imposing sentence, the court shall verify that the victim or designated family member was notified of the sentencing hearing and address the victim or designated family member personally, if the victim or designated family member is present at the sentencing hearing, to determine if the victim or designated family member wishes to present a written and oral impact statement pursuant to this Chapter.

L. Return of property to victim or family of victim. All judicial and law enforcement agencies shall expeditiously return any stolen or other personal property to victims or victims' families when no longer needed as evidence.

M. Victims' right to seek restitution.

(1) If the defendant is found guilty, the court or parole committee shall require the defendant to pay restitution to the appropriate party in an amount and manner determined by the court. In addition, the court or parole committee may require the defendant to perform community service work in an amount and according to a schedule determined by the court.

(2) One of the conditions of work release shall be a requirement that an inmate pay from his earnings all restitution ordered by the court or the parole committee. Even if no restitution has been ordered, the sheriff or director of the program shall have the right to require payment of restitution as a condition of work release.

(3) A victim shall not be required to pay recording fees for the filing of a restitution order with the clerk of court. The defendant shall be responsible for all costs associated with this action.

N. Duties of the Department of Public Safety and Corrections.

(1) In cases where the sentence is the death penalty, the victim's family shall have the right to be notified by the Department of Public Safety and Corrections of the time, date, and place of the execution, and a minimum of two representatives of the victim's family shall have the right to be present.

(2) Upon filing of a victim notice and registration form by a victim or a family member, or a witness, it shall be the duty of the Department of Public Safety and Corrections, corrections services, at the time of the appeal, discharge, or parole of an inmate including a juvenile inmate, to notify the victim, family member, or witness, by certified mail of such appeal or release. Such form shall be included in the prisoner's commitment documents to be delivered to the warden of any state correctional facility where such prisoner has been committed or transferred.

(3) In the event of an escape or absconding by an inmate including a juvenile inmate, from any facility under the jurisdiction of the Department of Public Safety and Corrections, corrections

services, it shall be the duty of the department to immediately notify the victim, family member of the victim, or witness, at the most current address or phone number on file with the department, of the escape by the most reasonable and expedient means possible. If the inmate is recaptured, the department shall send notice within forty-eight hours of regaining custody of the inmate. In no case shall the state be held liable for damages for any failure to provide notice pursuant to this Section.

(4) When an inmate in physical custody is within three months of his earliest projected release date, a registered victim may contact the Crime Victims Services Bureau of the Department of Public Safety and Corrections, corrections services, to request a current photograph of the inmate. The department shall take all reasonable steps to provide a photograph to the registered victim at least ten days prior to the inmate's actual release.

O. Notification of pardon or parole. The Board of Pardons or the committee on parole, respectively, shall notify the victim or the victim's family and the appropriate district attorney that a hearing has been set for the person convicted of the crime against the victim. The victim or victim's family shall have the right to make written and oral statements as to the impact of the crime at any hearing before either the board or the committee and to rebut any statements or evidence introduced by the inmate or defendant. The victim or the victim's family, a victim advocacy group, and the district attorney or his representative, may also appear before either the board or the committee in person or by means of telephone communication from the office of the local district attorney.

P. Notification concerning missing children. All law enforcement agencies shall expeditiously investigate all reports of missing children and shall inform the family members of such children of the status of the investigation.

Q. Victim assistance education and training. Victim assistance education and training shall be offered to persons taking courses at law enforcement training facilities.

R. Preparation of victim notice and registration forms. The Louisiana Commission on Law Enforcement and Administration of Criminal Justice shall cause to be promulgated uniform victim notice and registration forms which outline and explain the rights and services established by this Chapter. This information shall be updated as necessary. The costs of developing the victim notice and registration form shall be funded by the Louisiana Commission on Law Enforcement.

S. Failure to comply. No sentence, plea, conviction, or other final disposition shall be invalidated because of failure to comply with the provisions of this Section.

T. Registration with the appropriate law enforcement or judicial agency.

(1) In order for a victim or designated family member to be eligible to receive notices hereunder and exercise the rights provided in this Chapter, the victim or designated family member must complete a form promulgated by the Louisiana Commission on Law Enforcement. The form shall be completed by the victim or designated family member and shall be filed with the law enforcement agency investigating the offense of which the person is a victim, as defined in this Chapter. The completed victim notice and registration form shall be included in the documents sent by the law enforcement agency to the district attorney for prosecution. The district attorney shall include the completed victim notice and registration form with any subsequent bill of information or indictment that is filed with the clerk of court. Upon conviction, the victim notice and registration form shall be included in the documents sent by the clerk of court to the

Department of Public Safety and Corrections, the law enforcement agency having custody of the defendant, or the division of probation and parole.

(2) All victim notice and registration forms, and the information contained therein, shall be kept confidential by all law enforcement and judicial agencies having possession. The information shall be used only for the purposes required by this Chapter, and shall be released only upon court order after contradictory hearing.

(3) The victim and designated family member shall have the right to register with the appropriate agency at any time and exercise prospectively the rights guaranteed by this Chapter.

U. No cause of action. Nothing in this Section shall be construed as creating a cause of action by or on behalf of any person for an award of costs or attorney fees, for the appointment of counsel for a victim, or for any cause of action for compensation or damages against the state of Louisiana, a political subdivision, a public agency, or a court, or any officer, employee, or agent thereof. Nothing in this Chapter precludes filing for a writ of mandamus as provided in the Code of Civil Procedure to compel the performance of a ministerial duty required by law.

V. Crime victim's assistance hotline. In furtherance of the purposes of this Section, a statewide crime victim's assistance hotline may be established. The Crime Victims Reparations Board along with the Louisiana Commission on Law Enforcement and Administration of Criminal Justice shall jointly operate the hotline and periodically review the criteria and implementation procedures of said hotline.

W. Confidentiality of crime victims who are minors and victims of sex offenses.

(1)(a) In order to protect the identity and provide for the safety and welfare of crime victims who are minors under the age of eighteen years and of victims of sex offenses, notwithstanding any provision of law to the contrary, all public officials and officers and public agencies, including but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board, and the Department of Children and Family Services or any division thereof, shall not publicly disclose the name, address, or identity of crime victims who at the time of the commission of the offense are minors under eighteen years of age or of victims of sex offenses, regardless of the date of commission of the offense. The confidentiality of the identity of the victim who at the time of the commission of the offense is a minor under eighteen years of age or the victim of a sex offense may be waived by the victim. The public disclosure of the name of the juvenile crime victim by any public official or officer or public agency is not prohibited by this Subsection when the crime resulted in the death of the victim.

(b) In order to protect the identity and provide for the safety and welfare of crime victims who are minors under the age of eighteen years and of victims of sex offenses, notwithstanding any provision of law to the contrary, an attorney for any party shall be prohibited from publicly disclosing, except during trial, the name, address, or identity of crime victims who at the time of the commission of the offense are under eighteen years of age or are victims of sex offenses, regardless of the date of commission of the offense. An attorney may lawfully utilize initials, abbreviations, or other forms of indefinite descriptions on documents used in the performance of their duties to prevent the public disclosure of the name, address, or identity of such crime victims. If the name, address, or identity of such a crime victim must be disclosed in a motion or pleading, that motion or pleading shall be filed with the court requesting that it be kept under seal. Failure to comply with the provisions of this Subparagraph shall be punishable as contempt

of court.

(c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this Paragraph, all information regarding juvenile crime victims that is required by a child abduction alert system which assists law enforcement in the successful resolution of child abduction cases, such as the AMBER Alert network, shall be made available to such alert system as quickly as possible.

(2) For purposes of this Section, "sex offense" shall include the perpetration or attempted perpetration of stalking (R.S. 14:40.2), misdemeanor carnal knowledge of a juvenile (R.S. 14:80.1), obscenity (R.S. 14:106), or any offense listed in R. S. 15:541(24).

(3) Notwithstanding any other provision of law to the contrary, all public officials, officers, and public agencies, including but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board, and the Department of Children and Family Services or any division thereof, charged with the responsibility of knowing the name, address, and identity of crime victims who are minors or of crime victims of a sex offense as a necessary part of their duties shall have full and complete access to this information regarding a crime victim who is a minor or a victim of a sex offense. Either prior to or at the time of a request for information, the public official or officer or public agency shall take measures to prevent the public disclosure of the name, address, or identity of such a crime victim who is a minor or a victim of a sex offense, which may include the use of initials, abbreviations, or any other form of concealing the identity of the victim on all public documents.

(4) The provisions of this Subsection shall not apply to the requirement of promptly informing a defendant or his attorney of the name of the victim of a sexual crime during pretrial discovery.

MAINE

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

Me. Rev. Stat. Ann. Const. Art. 1, § 6 (2013). Rights of persons accused

Section 6. In all criminal prosecutions, the accused shall have a right to be heard by the accused and counsel to the accused, or either, at the election of the accused;

To demand the nature and cause of the accusation, and have a copy thereof;

To be confronted by the witnesses against the accused;

To have compulsory process for obtaining witnesses in favor of the accused;

To have a speedy, public and impartial trial, and, except in trials by martial law or impeachment, by a jury of the vicinity. The accused shall not be compelled to furnish or give evidence against himself or herself, nor be deprived of life, liberty, property or privileges, but by judgment of that person's peers or the law of the land.

Me. Rev. Stat. Ann. Tit. 15, § 6101 (2013). Victim involvement in criminal proceedings

1. Notice to victims. Whenever practicable, the attorney for the State shall make a good faith effort to inform the victims and families of victims of crimes of domestic violence and sexual assault and crimes in which the victim or the victim's family suffered serious physical trauma or serious financial loss of:

A. The victim advocate and the victims' compensation fund pursuant to Title 5, chapter 316-A;1

B. The **victim's right** to be advised of the existence of a negotiated plea agreement before that agreement is submitted to the court pursuant to Title 17-A, section 1173;

C. The time and place of the trial, if one is to be held;

D. The **victim's right** to make a statement or submit a written statement at the time of sentencing pursuant to Title 17-A, section 1174 upon conviction of the defendant; and

E. The final disposition of the charges against that defendant.

2. Notice to court. Whenever practicable, the attorney for the State shall make a good faith effort to inform the court about the following:

A. If there is a plea agreement, the victim's or the victim's family's position on the plea agreement; or

B. If there is no plea agreement, the victim's or the victim's family's position on sentencing.

Me. R. Crim. P. 25-A (2013). Scheduling and Continuances

(a) Definitions.

(1) “Continuance Order” is defined as an order entered by a judge that effectively removes a case from a trial list or date certain court event in response to a written motion. Absent the entry of a continuance order, a case is subject to being called for trial throughout the trial list period or for a court event on the designated date certain.

(2) “Effectively removes a case from a trial list” includes the unavailability for essential dates or when the number of days necessary for trial of the case, based on the parties' good faith estimate of the time for trial, is more than the difference between (i) the number of days remaining on a trial list at the time a motion for a continuance or a request for protection is made, and (ii) the number of days sought in the motion for a continuance or the request for protection.

(3) “Essential Dates” include jury selection days, case management days, and other dates essential to the completion of trial on the list at issue.

(4) “Request for Protection” is defined as an informal, non-docketed written request that a case not be called for trial on one or more specified days of a trial list and which, if allowed, would not effectively remove a case from a trial list. A request for protection shall only be acted upon by a judge and shall not take the place of or be treated as a motion for continuance.

(5) “Scheduled” is defined as follows: (i) For trial list cases, “scheduled” means a case has been assigned to a trial list as that term is defined in this rule; (ii) for all other cases, “scheduled” means that a date certain has been identified for a hearing or trial.

(6) "Trial list" means the list of a group of cases assigned to an actual, discrete period of time. A trial list is not simply a list of cases ready for trial. Rather, it is a list for a trial session that has beginning and ending dates, consists primarily of consecutive court days, and realistically exposes all of the assigned cases to trial.

(b) Assignment for Trial.

(1) *Jury Trial List*. In those actions set for a jury trial, the clerk of the Superior Court shall maintain a Jury Trial List. Scheduling of actions for trial from the lists shall be at the direction of the court.

(2) *Nonjury Trial List*. The court may by order provide for the setting of cases for nonjury trial upon the calendar. All actions, except those otherwise governed by statute or court orders shall be in order for trial at a time set by the court on such notice as it deems reasonable, but not less than 10 days after the scheduled completion of any discovery and expiration of time for filing any motions.

(c) Continuances. A motion for a continuance order shall be made immediately after the cause or ground becomes known. The motion must specify (1) the cause or ground for the request, (2) when the cause or ground for the request became known, and (3) whether the motion is opposed. If the position of the other party or parties cannot be ascertained, notwithstanding reasonable efforts, that shall be explained. Telephonic or other oral notice of the motion shall be given immediately to all other parties. The fact that a motion is unopposed does not assure that the requested relief will be granted. Continuances should only be granted for substantial reasons.

(d) Protections. A request for a protection from a trial list shall be made immediately after the cause or ground becomes known, and shall be submitted in a written Uniform Request for Protection Form or in a writing containing substantially the same information.

MARYLAND

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Md. Dec. of R. Art. 21 (2013). Right of accused; indictment; counsel; witnesses; speedy trial; jury

That in all criminal prosecutions, every man hath a right to be informed of the accusation against him; to have a copy of the Indictment, or charge, in due time (if required) to prepare for his defence; to be allowed counsel; to be confronted with the witnesses against him; to have process for his witnesses; to examine the witnesses for and against him on oath; and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

Md. Code Ann., Crim. Law § 6-103 (2012). Trial date

Time for trial

(a)(1) The date for trial of a criminal matter in the circuit court shall be set within 30 days after the earlier of:

(i) the appearance of counsel; or

(ii) the first appearance of the defendant before the circuit court, as provided in the Maryland Rules.

(2) The trial date may not be later than 180 days after the earlier of those events.

Change of trial date on motion of party or initiative of court

(b)(1) For good cause shown, the county administrative judge or a designee of the judge may grant a change of the trial date in a circuit court:

(i) on motion of a party; or

(ii) on the initiative of the circuit court.

(2) If a circuit court trial date is changed under paragraph (1) of this subsection, any subsequent changes of the trial date may only be made by the county administrative judge or that judge's designee for good cause shown.

Rules adopted by Court of Appeals

(c) The Court of Appeals may adopt additional rules to carry out this section.

Md. Dec. of R. Art. 47 (2013). Crime Victims' Rights

(a) A victim of crime shall be treated by agents of the State with dignity, respect, and sensitivity during all phases of the criminal justice process.

(b) In a case originating by indictment or information filed in a circuit court, a victim of crime shall have the right to be informed of the rights established in this Article and, upon request and if practicable, to be notified of, to attend, and to be heard at a criminal justice proceeding, as these rights are implemented and the terms “crime”, “criminal justice proceeding”, and “victim” are specified by law.

(c) Nothing in this Article permits any civil cause of action for monetary damages for violation of any of its provisions or authorizes a victim of crime to take any action to stay a criminal justice proceeding.

Md. Code Ann., Crim. Law § 11-1002 (2013). Guidelines for treatment of crime victims, victim's representatives, or witnesses

Information about guidelines

(a) The appropriate criminal justice unit should inform a victim of a crime, a victim's representative, or a witness of the guidelines listed in subsection (b) of this section.

Guidelines for treatment of crime victims, victim’s representatives, or witnesses

(b) A victim of a crime, victim's representative, or witness:

(1) should be treated with dignity, respect, courtesy, and sensitivity;

(2) should receive crisis intervention help, if needed, or be told by the appropriate criminal justice unit where crisis intervention help, emergency medical treatment, creditor intercession services, or other social services and counseling may be obtained;

(3) should be notified in advance of dates and times of trial court proceedings in the case and, on written request, of postsentencing proceedings, and be notified if the court proceedings to which the victim of a crime, victim's representative, or witness has been subpoenaed will not proceed as scheduled;

(4) should be told of the protection available, and, on request, be protected by a criminal justice unit, to the extent reasonable, practicable, and, in the unit's discretion, necessary, from harm or threats of harm arising out of the crime victim's or witness's cooperation with law enforcement and prosecution efforts;

(5) during each phase of the investigative or court proceedings, should be provided, to the extent practicable, with a waiting area that is separate from a suspect and the family and friends of a suspect;

(6) should be told by the appropriate criminal justice unit of financial assistance, criminal injuries compensation, and any other social services available to the victim of a crime or victim's representative and receive help or information on how to apply for services;

(7) should be told of and, on request, should be given employer intercession services, when appropriate, by the State's Attorney's office or other available resource to seek employer cooperation in minimizing an employee's loss of pay or other benefits resulting from participation in the criminal justice process;

(8) on written request, should be kept reasonably informed by the police or the State's Attorney of the arrest of a suspect and closing of the case, and should be told which office to contact for information about the case;

(9) should be told of the right to have stolen or other property promptly returned and, on written request, should have the property promptly returned by a law enforcement unit when evidentiary requirements for prosecution can be satisfied by other means, unless there is a compelling law enforcement reason for keeping it;

(10) for a crime of violence, on written request, should be kept informed by pretrial release personnel, the State's Attorney, or the Attorney General, as appropriate, of each proceeding that affects the crime victim's interest, including:

(i) bail hearing;

(ii) dismissal;

(iii) nolle prosequi;

(iv) stetting of charges;

(v) trial; and

(vi) disposition;

(11) on request of the State's Attorney and in the discretion of the court, should be allowed to address the court or jury or have a victim impact statement read by the court or jury at:

(i) sentencing before the imposition of the sentence; or

(ii) any hearing to consider altering the sentence;

(12) should be told, in appropriate cases, by the State's Attorney of the right to request restitution and, on request, should be helped to prepare the request and should be given advice as to the

collection of the payment of any restitution awarded;

(13) should be entitled to a speedy disposition of the case to minimize the length of time the person must endure responsibility and stress in connection with the case;

(14) on written request to the parole authority, should be told each time there is to be a hearing on provisional release from custody and each time the criminal will receive a provisional release;

(15) on written request to the Patuxent Institution, Division of Correction, or Parole Commission, as appropriate, should have a victim impact statement read at a hearing to consider temporary leave status or a provisional release; and

(16) on written request to the unit that has custody of the offender after sentencing, should be told by the unit whenever the criminal escapes or receives a mandatory supervision release.

Guidelines made available to criminal justice units

(c)(1) The Department shall make the guidelines in subsection (b) of this section available to the units involved with carrying out the guidelines.

(2) To the extent feasible, the guidelines in subsection (b) of this section shall be printed by Maryland Correctional Enterprises.

Md. Rules, Rule 3-508 (2013). Continuance

(a) Generally. On motion of any party or on its own initiative, the court may continue a trial or other proceeding as justice may require.

(b) Discovery Not Completed. When an action has been assigned a trial date, the trial shall not be continued on the ground that discovery has not yet been completed, except for good cause shown.

(c) Legislative Privilege. Upon request of an attorney of record who is a member or desk officer of the General Assembly, a proceeding that is scheduled during the period of time commencing five days before the legislative session convenes and ending ten days after its adjournment shall be continued. Upon request of an attorney of record who is a member of the Legislative Policy Committee or one of its committees or subcommittees or a member of a committee or subcommittee of the State legislature functioning during the legislative interim, a proceeding that is scheduled on the day of a meeting of the Committee or subcommittee shall be continued. When a brief or memorandum of law is required to be filed in a proceeding to be continued under the provisions of this section, the proceeding shall be continued for a time sufficient to allow it to be prepared and filed.

(d) Costs. When granting a continuance for a reason other than one stated in section (c), the court may assess costs and expenses occasioned by the continuance.

MASSACHUSETTS

Mass. Gen. Laws Ann. Ch. 278 § 16F (2013). Expedited trials of sex crimes involving minor children as victims or witnesses; continuance; impact statement

In any criminal proceeding involving an alleged sex crime perpetrated upon a minor child, or in which a minor child is expected to testify as a witness to a sex crime, the court shall, in order to minimize stress on such child, take action to expedite trial and give precedence to the case over any other case; provided, however, that nothing in this section shall be construed to mean that trial shall be expedited if it is not in the best interests of the child.

When a motion or a request for a continuance is made the prosecutor shall file an impact statement which specifies whether the commonwealth agrees to the request for continuance, whether the child or the child's representative agrees to such request, and the effect, if any, the granting of the continuance will have on the child. In ruling on any motion or request for continuance or other delay, the court shall consider and give weight to any possible adverse impact that a delay or continuance may have on the child. Prior to issuing an order on a motion for continuance or delay, the court shall make written findings of fact concerning the impact on the child of continuing or delaying the case.

MICHIGAN

MICH. COMP. LAWS § 780.759 (2013). Victims of child abuse or sexual assault; speedy trial motion

Sec. 9. (1) As provided in subsection (2), a speedy trial may be scheduled for any case in which the victim is declared by the prosecuting attorney to be any of the following:

(a) A victim of child abuse, including sexual abuse or any other assaultive crime.

(b) A victim of criminal sexual conduct in the first, second, or third degree or of an assault with intent to commit criminal sexual conduct involving penetration or to commit criminal sexual conduct in the second degree.

(c) Sixty-five years of age or older.

(d) An individual with a disability that inhibits the individual's ability to attend court or participate in the proceedings.

(2) The chief judge, upon motion of the prosecuting attorney for a speedy trial for a case described in subsection (1), shall set a hearing date within 14 days of the date of the filing of the motion. Notice shall be made pursuant to the Michigan court rules. If the motion is granted, the trial shall not be scheduled earlier than 21 days from the date of the hearing.

MINNESOTA

Minn. Stat. § 630.36 (2013). Issues, how disposed of

Subdivision 1. Order. The issues on the calendar shall be disposed of in the following order, unless, upon the application of either party, for good cause, the court directs an indictment or complaint to be tried out of its order:

(1) indictments or complaints for felony, where the defendant is in custody;

(2) indictments or complaints for misdemeanor, where the defendant is in custody;

(3) indictments or complaints alleging child abuse, as defined in subdivision 2, where the defendant is on bail;

(4) indictments or complaints alleging domestic abuse, as defined in subdivision 3, where the defendant is on bail;

(5) indictments or complaints for felony, where the defendant is on bail; and

(6) indictments or complaints for misdemeanor, where the defendant is on bail.

After a plea, the defendant shall be entitled to at least four days to prepare for trial, if the defendant requires it.

Subd. 2. Child abuse defined. As used in subdivision 1, "child abuse" means an act which involves a minor victim and which constitutes a violation of section 609.221, 609.222, 609.223, 609.2231, 609.2242, 609.255, 609.321, 609.322, 609.324, 609.342, 609.343, 609.344, 609.345, 609.377, 609.378, 617.246, or 609.224 if the minor victim is a family or household member of the defendant.

Subd. 3. Domestic abuse defined. As used in subdivision 1, "domestic abuse" has the meaning given in section 518B.01, subdivision 2.

Minn. Stat. § 611A.033 (2013). Speedy trial; notice of schedule change

(a) A victim has the right to request that the prosecutor make a demand under rule 11.09 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand. The prosecutor shall make reasonable efforts to comply with the victim's request.

(b) A prosecutor shall make reasonable efforts to provide advance notice of any change in the schedule of the court proceedings to a victim who has been subpoenaed or requested to testify.

(c) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232, subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after consideration of the age and health of the victim, may grant a speedy trial. The motion may be filed and served with the complaint or any time after the complaint is filed and served.

Minn. Const. Art. 1, § 6 (2013). Rights of accused in criminal prosecutions

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an

impartial jury of the county or district wherein the crime shall have been committed, which county or district shall have been previously ascertained by law. In all prosecutions of crimes defined by law as felonies, the accused has the right to a jury of 12 members. In all other criminal prosecutions, the legislature may provide for the number of jurors, provided that a jury have at least six members. The accused shall enjoy the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel in his defense.

51 Minn. Stat. Ann., Ct. App. R. 1 (2013). Scheduling Cases

Placement on the calendar is in order of filing, except that cases involving child custody or juvenile protection will be given priority. Other cases may be expedited by rule, by statute, or by motion, based on a showing of good cause. Cases may be scheduled as soon as one responsive brief is filed.

If a case pending in the Supreme Court will be dispositive of a case pending before the Court of Appeals, the Chief Judge may order that scheduling be deferred until the Supreme Court has acted. Counsel should inform the court if they believe a case may be controlled by a case pending in the Supreme Court.

Counsel must advise the clerk, in writing before the case is scheduled, of any conflicts which will limit their availability for argument, and counsel must continue to file updated notices until the case has been scheduled. The Clerk of the Appellate Courts will notify counsel approximately one month in advance of the conference or hearing date, specifying the location of oral argument, if any, and the identity of the panel members assigned to the case.

MISSISSIPPI

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

Miss. Code Ann. § 99-17-1 (2012). Trial within 270 days of arraignment

Unless good cause be shown, and a continuance duly granted by the court, all offenses for which indictments are presented to the court shall be tried no later than two hundred seventy (270) days after the accused has been arraigned.

Miss. Code Ann. § 99-43-19. Unreasonable delays; continuances

The victim shall have the right to a final disposition of the criminal proceeding free from unreasonable delay. To effectuate this right, the court, in determining whether to grant any continuance, should make every reasonable effort to consider whether granting such continuance shall be prejudicial to the victim.

MISSOURI

Mo. Rev. Stat. § 491.710 (2012). Hearings involving child witnesses given docket priority--delays or continuances granted, when

In all criminal cases and juvenile court hearings under chapter 211, RSMo, involving a child victim or witness, as defined in section 491.678 or 491.696, the court shall give docket priority. The court and the prosecuting or circuit attorney shall take appropriate action to insure a speedy trial in order to minimize the length of time the child must endure the stress of his or her involvement in the proceeding. In ruling on any motion or other request for a delay or continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

MONTANA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

Mt Const. Art. 2, § 24 (2012). Rights of the accused

In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed, subject to the right of the state to have a change of venue for any of the causes for which the defendant may obtain the same.

NEBRASKA

Neb. Rev. Stat. Ann. § 29-1925 (2012). Child victim or child witness; testimony; legislative intent

The Legislature recognizes that obtaining testimony in a criminal prosecution from a child victim of or a child witness to a felony offense may be a delicate matter and may require some special considerations. It is the intent of the Legislature to promote, facilitate, and preserve the testimony of such child victim or child witness in a criminal prosecution to the fullest extent possible consistent with the constitutional right to confrontation guaranteed by the Sixth Amendment of the Constitution of the United States and Article I, section 11, of the Nebraska Constitution.

NEVADA

Nev. Rev. Stat. Ann. § 62D.300 (2011). Power of juvenile court to expedite proceeding involving act committed against or witnessed by person less than 16 years of age

1. Upon the request of the district attorney, the juvenile court may expedite any proceeding conducted pursuant to the provisions of this title that involves an act committed against a person who is less than 16 years of age or an act witnessed by a person who is less than 16 years of age.

2. In determining whether to expedite a proceeding, the juvenile court may consider the effect that a delay in the proceeding may have on the mental or emotional health or well-being of the person who is less than 16 years of age.

Nev. Rev. Stat. § 62D.320 (2011). Continuances

1. The juvenile court may continue any proceeding conducted pursuant to the provisions of this title for a reasonable period to receive oral and written reports or other competent, material and relevant evidence that may be helpful in determining the issues presented.

2. If a proceeding involves an act committed against a person who is less than 16 years of age or an act witnessed by a person who is less than 16 years of age, the juvenile court:

(a) May consider any adverse effects that a continuance of the proceeding may have on the mental or emotional health or well-being of the person who is less than 16 years of age; and

(b) May deny a continuance of the proceeding if the delay will adversely affect the mental or emotional health or well-being of the person who is less than 16 years of age.

3. If the juvenile court orders a continuance of a proceeding, the juvenile court shall make an appropriate order for the detention or temporary care of the child who is the subject of the proceeding during the period of the continuance.

Nev. Rev. Stat. § 174.515 (2011). Postponement: When and how ordered; court may require depositions of and undertakings by witnesses; court may consider adverse effect upon child who is victim or witness

1. When an action is called for trial, or at any time previous thereto, the court may, upon sufficient cause shown by either party by affidavit, direct the trial to be postponed to another day. In all cases where a continuance is granted upon the application of either party the court may require, as a condition of granting such continuance, that the party applying therefor consent to taking, forthwith, or at any time to be fixed by the court, of the deposition of any witness summoned by the opposite party whose deposition has not previously been taken.

2. The court also may require all witnesses to enter into undertakings in such sum as the court may order, with or without sureties, to appear and testify on the day to which the case may be continued, but any witness who is unable to procure sureties for the witness's attendance may be discharged on the witness's own recognizance, upon giving a deposition in the manner prescribed in NRS 174.175 and 174.205.

3. If the trial involves acts committed against a child less than 16 years of age or involving acts witnessed by a child less than 16 years of age, the court may consider any adverse effect a continuance or other postponement might have upon the mental or emotional health or well-being of the child. The court may deny a continuance or other postponement if the delay will adversely affect the mental or emotional health or well-being of the child.

Nev. Rev. Stat. § 174.519 (2011). Request for preference in setting date for trial where child is victim or witness; court may consider effect on child of delay in commencement of trial

If the trial involves acts committed against a child less than 16 years of age or involving acts witnessed by a child less than 16 years of age, the prosecuting attorney shall request the court, in its discretion, to give preference in setting a date for the trial of the defendant. In making a ruling, the court may consider the effect a delay in the commencement of the trial might have on the mental or emotional health or well-being of the child.

NEW HAMPSHIRE

N.H. Rev. Stat. Ann. § 632-A:9 Speedy Trial.

In any action under this chapter involving a victim 16 years of age or under or a victim 65 years of age or older, the court and the department of justice shall take appropriate action to ensure a speedy trial to minimize the length of time the victim must endure the stress of involvement in the proceeding. In ruling on any motion or request for a delay or continuance of proceedings, the court shall consider any adverse impact the delay or continuance may have on the well-being of the victim or any witness who is 16 years of age or under or 65 years of age or older. This provision establishes a right to a speedy trial for the victim and shall not be construed as creating any additional rights for the defendant.

NEW JERSEY

N.J. Stat. Ann. § 2A:163-5 (2013). Criminal cases involving child victim; speedy trial

In all criminal cases involving a child victim, the court shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement in the proceedings. In ruling on any motion or other request for a delay or continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim.

NEW MEXICO

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

N.M. Const. Art. 2, § 24 (2012). Rights of crime victims

A. A victim of arson resulting in bodily injury, aggravated arson, aggravated assault, aggravated battery, dangerous use of explosives, negligent use of a deadly weapon, murder, voluntary manslaughter, involuntary manslaughter, kidnapping, criminal sexual penetration, criminal sexual contact of a minor, homicide by vehicle, great bodily injury by vehicle or abandonment or abuse of a **child** or that **victim's** representative shall have the following rights as provided by law:

(1) the right to be treated with fairness and respect for the victim's dignity and privacy throughout the criminal justice process;

(2) the right to timely disposition of the case;

(3) the right to be reasonably protected from the accused throughout the criminal justice process;

(4) the right to notification of court proceedings;

(5) the right to attend all public court proceedings the accused has the right to attend;

(6) the right to confer with the prosecution;

(7) the right to make a statement to the court at sentencing and at any post-sentencing hearings for the accused;

(8) the right to restitution from the person convicted of the criminal conduct that caused the victim's loss or injury;

(9) the right to information about the conviction, sentencing, imprisonment, escape or release of the accused;

(10) the right to have the prosecuting attorney notify the victim's employer, if requested by the victim, of the necessity of the victim's cooperation and testimony in a court proceeding that may necessitate the absence of the victim from work for good cause; and

(11) the right to promptly receive any property belonging to the victim that is being held for evidentiary purposes by a law enforcement agency or the prosecuting attorney, unless there are compelling evidentiary reasons for retention of the victim's property.

B. A person accused or convicted of a crime against a victim shall have no standing to object to any failure by any person to comply with the provisions of Subsection A of Section 24 of Article 2 of the constitution of New Mexico.

C. The provisions of this amendment shall not take affect until the legislature enacts laws to implement this amendment.

N.M. Const. Art. 2, § 14 (2012). Grand jury; information and indictment; rights of accused

No person shall be held to answer for a capital, felonious or infamous crime unless on a presentment or indictment of a grand jury or information filed by a district attorney or attorney general or their deputies, except in cases arising in the militia when in actual service in time of war or public danger. No person shall be so held on information without having had a

preliminary examination before an examining magistrate, or having waived such preliminary examination.

A grand jury shall be composed of such number, not less than twelve, as may be prescribed by law. Citizens only, residing in the county for which a grand jury may be convened and qualified as prescribed by law, may serve on a grand jury. Concurrence necessary for the finding of an indictment by a grand jury shall be prescribed by law; provided, such concurrence shall never be by less than a majority of those who compose a grand jury, and, provided, at least eight must concur in finding an indictment when a grand jury is composed of twelve in number. Until otherwise prescribed by law a grand jury shall be composed of twelve in number of which eight must concur in finding an indictment. A grand jury shall be convened upon order of a judge of a court empowered to try and determine cases of capital, felonious or infamous crimes at such times as to him shall be deemed necessary, or a grand jury shall be ordered to convene by such judge upon the filing of a petition therefor signed by not less than the greater of two hundred registered voters or two percent of the registered voters of the county, or a grand jury may be convened in any additional manner as may be prescribed by law.

In all criminal prosecutions, the accused shall have the right to appear and defend himself in person, and by counsel; to demand the nature and cause of the accusation; to be confronted with the witnesses against him; to have the charge and testimony interpreted to him in a language that he understands; to have compulsory process to compel the attendance of necessary witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

NEW YORK

N.Y. CLS Family Ct Act § 1049. Special consideration in certain cases

In scheduling hearings and investigations, the court shall give priority to proceedings under this article involving abuse or in which a child has been removed from home before a final order of disposition. Any adjournment granted in the course of such a proceeding should be for as short a time as is practicable.

N.Y. Exec. Law § 642-a (2013). Fair treatment of child victims as witnesses

To the extent permitted by law, criminal justice agencies, crime victim-related agencies, social services agencies and the courts shall comply with the following guidelines in their treatment of child victims:

1. To minimize the number of times a child victim is called upon to recite the events of the case and to foster a feeling of trust and confidence in the child victim, whenever practicable and where one exists, a multi-disciplinary team as established pursuant to subdivision six of section four hundred twenty-three of the social services law and/or a child advocacy center shall be used for the investigation and prosecution of child abuse cases involving abuse of a child, as described in paragraph (i), (ii) or (iii) of subdivision (e) of section one thousand twelve of the family court act, sexual abuse of a child or the death of a child.

2. Whenever practicable, the same prosecutor should handle all aspects of a case involving an

alleged child victim.

3. To minimize the time during which a child victim must endure the stress of his involvement in the proceedings, the court should take appropriate action to ensure a speedy trial in all proceedings involving an alleged child victim. In ruling on any motion or request for a delay or continuance of a proceeding involving an alleged child victim, the court should consider and give weight to any potential adverse impact the delay or continuance may have on the well-being of the child.

4. The judge presiding should be sensitive to the psychological and emotional stress a child witness may undergo when testifying.

5. In accordance with the provisions of article sixty-five of the criminal procedure law, when appropriate, a child witness as defined in subdivision one of section 65.00 of such law should be permitted to testify via live, two-way closed-circuit television.

6. In accordance with the provisions of section 190.32 of the criminal procedure law, a person supportive of the "child witness" or "special witness" as defined in such section should be permitted to be present and accessible to a child witness at all times during his testimony, although the person supportive of the child witness should not be permitted to influence the child's testimony.

7. A child witness should be permitted in the discretion of the court to use anatomically correct dolls and drawings during his testimony.

N.Y. Exec. Law § 754 (2013). Disposition on adjudication of person in need of supervision

1. Upon an adjudication of person in need of supervision, the court shall enter an order of disposition:

(a) Discharging the respondent with warning;

(b) Suspending judgment in accord with section seven hundred fifty-five;

(c) Continuing the proceeding and placing the respondent in accord with section seven hundred fifty-six; provided, however, that the court shall not place the respondent in accord with section seven hundred fifty-six where the respondent is sixteen years of age or older, unless the court determines and states in its order that special circumstances exist to warrant such placement; or

(d) Putting the respondent on probation in accord with section seven hundred fifty-seven.

The court may order an eligible person to complete an education reform program in accordance with section four hundred fifty-eight-l of the social services law, as part of a disposition pursuant to paragraph (a), (b) or (d) of this subdivision.

2. (a) The order shall state the court's reasons for the particular disposition. If the court places the child in accordance with section seven hundred fifty-six of this part, the court in its order shall determine: (i) whether continuation in the child's home would be contrary to the best interest of the child and where appropriate, that reasonable efforts were made prior to the date of the dispositional hearing held pursuant to this article to prevent or eliminate the need for removal of the child from his or her home and, if the child was removed from his or her home prior to the date of such hearing, that such removal was in the child's best interest and, where appropriate, reasonable efforts were made to make it possible for the child to return safely home. If the court

determines that reasonable efforts to prevent or eliminate the need for removal of the child from the home were not made but that the lack of such efforts was appropriate under the circumstances, the court order shall include such a finding; and (ii) in the case of a child who has attained the age of sixteen, the services needed, if any, to assist the child to make the transition from foster care to independent living. Nothing in this subdivision shall be construed to modify the standards for directing detention set forth in section seven hundred thirty-nine of this article.

(b) For the purpose of this section, reasonable efforts to prevent or eliminate the need for removing the child from the home of the child or to make it possible for the child to return safely to the home of the child shall not be required where the court determines that:

(i) the parent of such child has subjected the child to aggravated circumstances, as defined in subdivision (g) of section seven hundred twelve of this article;

(ii) the parent of such child has been convicted of (A) murder in the first degree as defined in section 125.27 or murder in the second degree as defined in section 125.25 of the penal law and the **victim** was another **child** of the parent; or (B) manslaughter in the first degree as defined in section 125.20 or manslaughter in the second degree as defined in section 125.15 of the penal law and the **victim** was another **child** of the parent, provided, however, that the parent must have acted voluntarily in committing such crime;

(iii) the parent of such child has been convicted of an attempt to commit any of the crimes set forth in subparagraphs (i) and (ii) of this paragraph, and the victim or intended **victim** was the **child** or another child of the parent; or has been convicted of criminal solicitation as defined in article one hundred, conspiracy as defined in article one hundred five or criminal facilitation as defined in article one hundred fifteen of the penal law for conspiring, soliciting or facilitating any of the foregoing crimes, and the victim or intended **victim** was the **child** or another child of the parent;

(iv) the parent of such child has been convicted of assault in the second degree as defined in section 120.05, assault in the first degree as defined in section 120.10 or aggravated assault upon a person less than eleven years old as defined in section 120.12 of the penal law, and the commission of one of the foregoing crimes resulted in serious physical injury to the child or another child of the parent;

(v) the parent of such child has been convicted in any other jurisdiction of an offense which includes all of the essential elements of any crime specified in subparagraph (ii), (iii) or (iv) of this paragraph, and the victim of such offense was the child or another child of the parent; or

(vi) the parental rights of the parent to a sibling of such child have been involuntarily terminated;

unless the court determines that providing reasonable efforts would be in the best interests of the child, not contrary to the health and safety of the child, and would likely result in the reunification of the parent and the child in the foreseeable future. The court shall state such findings in its order.

If the court determines that reasonable efforts are not required because of one of the grounds set forth above, a permanency hearing shall be held within thirty days of the finding of the court that such efforts are not required. At the permanency hearing, the court shall determine the appropriateness of the permanency plan prepared by the social services official which shall include whether and when the child: (A) will be returned to the parent; (B) should be placed for adoption with the social services official filing a petition for termination of parental rights; (C)

should be referred for legal guardianship; (D) should be placed permanently with a fit and willing relative; or (E) should be placed in another planned permanent living arrangement if the social services official has documented to the court a compelling reason for determining that it would not be in the best interest of the child to return home, be referred for termination of parental rights and placed for adoption, placed with a fit and willing relative, or placed with a legal guardian. The social services official shall thereafter make reasonable efforts to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child as set forth in the permanency plan approved by the court. If reasonable efforts are determined by the court not to be required because of one of the grounds set forth in this paragraph, the social services official may file a petition for termination of parental rights in accordance with section three hundred eighty-four-b of the social services law.

(c) For the purpose of this section, in determining reasonable efforts to be made with respect to a child, and in making such reasonable efforts, the child's health and safety shall be the paramount concern.

(d) For the purpose of this section, a sibling shall include a half-sibling.

NORTH CAROLINA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

N.C. Gen. Stat. § 15-10 (2013). Speedy trial or discharge on commitment for felony

When any person who has been committed for treason or felony, plainly and specially expressed in the warrant of commitment, upon his prayer in open court to be brought to his trial, shall not be indicted some time in the next term of the superior or criminal court ensuing such commitment, the judge of the court, upon notice in open court on the last day of the term, shall set at liberty such prisoner upon bail, unless it appear upon oath that the witnesses for the State could not be produced at the same term; and if such prisoner, upon his prayer as aforesaid, shall not be indicted and tried at the second term of the court, he shall be discharged from his imprisonment: Provided, the judge presiding may, in his discretion, refuse to discharge such person if the time between the first and second terms of the court be less than four months.

N.C. Gen. Stat. § 37 (2013). Rights of victims of crime

(1) Basic **rights**. **Victims** of crime, as prescribed by law, shall be entitled to the following basic rights:

(a) The right as prescribed by law to be informed of and to be present at court proceedings of the accused.

(b) The right to be heard at sentencing of the accused in a manner prescribed by law, and at other times as prescribed by law or deemed appropriate by the court.

(c) The right as prescribed by law to receive restitution.

(d) The right as prescribed by law to be given information about the crime, how the criminal

justice system works, the **rights** of **victims**, and the availability of services for victims.

(e) The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.

(f) The right as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.

(g) The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.

(h) The right as prescribed by law to confer with the prosecution.

(2) No money damages; other enforcement. Nothing in this section shall be construed as creating a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The General Assembly may provide for other remedies to ensure adequate enforcement of this section.

(3) No ground for relief in criminal case. The failure or inability of any person to provide a right or service provided under this section may not be used by a defendant in a criminal case, an inmate, or any other accused as a ground for relief in any trial, appeal, postconviction litigation, habeas corpus, civil action, or any similar criminal or civil proceeding.

N.C. Gen. Stat. § 15A-833 (2013). Evidence of victim impact

(a) A **victim** has the **right** to offer admissible evidence of the impact of the crime, which shall be considered by the court or jury in sentencing the defendant. The evidence may include the following:

(1) A description of the nature and extent of any physical, psychological, or emotional injury suffered by the victim as a result of the offense committed by the defendant.

(2) An explanation of any economic or property loss suffered by the victim as a result of the offense committed by the defendant.

(3) A request for restitution and an indication of whether the victim has applied for or received compensation under the Crime Victims Compensation Act.

(b) No victim shall be required to offer evidence of the impact of the crime. No inference or conclusion shall be drawn from a victim's decision not to offer evidence of the impact of the crime. At the victim's request and with the consent of the defendant, a representative of the district attorney's office or a law enforcement officer may proffer evidence of the impact of the crime to the court.

N.C. Gen. Stat. § 15A-832 (2013). Responsibilities of the district attorney's office

(a) Within 21 days after the arrest of the accused, but not less than 24 hours before the accused's first scheduled probable-cause hearing, the district attorney's office shall provide to the victim a pamphlet or other written material that explains in a clear and concise manner the following:

(1) The **victim's rights** under this Article, including the right to confer with the attorney prosecuting the case about the disposition of the case and the right to provide a victim impact

statement.

(2) The responsibilities of the district attorney's office under this Article.

(3) The victim's eligibility for compensation under the Crime Victims Compensation Act and the deadlines by which the victim must file a claim for compensation.

(4) The steps generally taken by the district attorney's office when prosecuting a felony case.

(5) Suggestions on what the victim should do if threatened or intimidated by the accused or someone acting on the accused's behalf.

(6) The name and telephone number of a victim and witness assistant in the district attorney's office whom the victim may contact for further information.

(b) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the district attorney's office, indicate whether the victim wishes to receive notices of some, all, or none of the trial and posttrial proceedings involving the accused. If the victim elects to receive notices, the victim shall be responsible for notifying the district attorney's office or any other department or agency that has a responsibility under this Article of any changes in the victim's address and telephone number. The victim may alter the request for notification at any time by notifying the district attorney's office and completing the form provided by the district attorney's office.

(c) The district attorney's office shall notify a victim of the date, time, and place of all trial court proceedings of the type that the victim has elected to receive notice. All notices required to be given by the district attorney's office shall be given in a manner that is reasonably calculated to be received by the victim prior to the date of the court proceeding.

(d) Whenever practical, the district attorney's office shall provide a secure waiting area during court proceedings that does not place the victim in close proximity to the defendant or the defendant's family.

(e) When the victim is to be called as a witness in a court proceeding, the court shall make every effort to permit the fullest attendance possible by the victim in the proceedings. This subsection shall not be construed to interfere with the defendant's right to a fair trial.

(f) Prior to the disposition of the case, the district attorney's office shall offer the victim the opportunity to consult with the prosecuting attorney to obtain the views of the victim about the disposition of the case, including the victim's views about dismissal, plea or negotiations, sentencing, and any pretrial diversion programs.

(g) At the sentencing hearing, the prosecuting attorney shall submit to the court a copy of a form containing the identifying information set forth in G.S. 15A-831(c) about any victim's electing to receive further notices under this Article. The clerk of superior court shall include the form with the final judgment and commitment, or judgment suspending sentence, transmitted to the Division of Adult Correction of the Department of Public Safety or other agency receiving custody of the defendant and shall be maintained by the custodial agency as a confidential file.

(h) When a person is a victim of a human trafficking offense and is entitled to benefits and services pursuant to G.S. 14-43.11(d), the district attorney's office shall so notify the Office of the Attorney General and Legal Aid of North Carolina, Inc., in addition to providing services under this Article.

NORTH DAKOTA

N.D. Cent. Code § 12.1-35-05 (2011). Prompt disposition

In all criminal cases and juvenile proceedings involving a child victim or witness, the court and the state's attorney shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement in the proceedings. In ruling on any motion or other request for a delay or a continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

OHIO

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Ohio Rev. Code Ann. § 2945.71 Time within which hearing or trial must be held

(A) Subject to division (D) of this section, a person against whom a charge is pending in a court not of record, or against whom a charge of minor misdemeanor is pending in a court of record, shall be brought to trial within thirty days after the person's arrest or the service of summons.

(B) Subject to division (D) of this section, a person against whom a charge of misdemeanor, other than a minor misdemeanor, is pending in a court of record, shall be brought to trial as follows:

(1) Within forty-five days after the person's arrest or the service of summons, if the offense charged is a misdemeanor of the third or fourth degree, or other misdemeanor for which the maximum penalty is imprisonment for not more than sixty days;

(2) Within ninety days after the person's arrest or the service of summons, if the offense charged is a misdemeanor of the first or second degree, or other misdemeanor for which the maximum penalty is imprisonment for more than sixty days.

(C) A person against whom a charge of felony is pending:

(1) Notwithstanding any provisions to the contrary in Criminal Rule 5(B), shall be accorded a preliminary hearing within fifteen consecutive days after the person's arrest if the accused is not held in jail in lieu of bail on the pending charge or within ten consecutive days after the person's arrest if the accused is held in jail in lieu of bail on the pending charge;

(2) Shall be brought to trial within two hundred seventy days after the person's arrest.

(D) A person against whom one or more charges of different degrees, whether felonies, misdemeanors, or combinations of felonies and misdemeanors, all of which arose out of the same act or transaction, are pending shall be brought to trial on all of the charges within the time period required for the highest degree of offense charged, as determined under divisions (A), (B), and (C) of this section.

(E) For purposes of computing time under divisions (A), (B), (C)(2), and (D) of this section, each day during which the accused is held in jail in lieu of bail on the pending charge shall be counted as three days. This division does not apply for purposes of computing time under division (C)(1) of this section.

(F) This section shall not be construed to modify in any way section 2941.401 or sections 2963.30 to 2963.35 of the Revised Code.

Oh. Const. Art. I, § 10a (2013). Rights of victims of crimes

Victims of criminal offenses shall be accorded fairness, dignity, and respect in the criminal justice process, and, as the general assembly shall define and provide by law, shall be accorded rights to reasonable and appropriate notice, information, access, and protection and to a meaningful role in the criminal justice process. This section does not confer upon any person a right to appeal or modify any decision in a criminal proceeding, does not abridge any other right guaranteed by the Constitution of the United States or this constitution, and does not create any cause of action for compensation or damages against the state, any political subdivision of the state, any officer, employee, or agent of the state or of any political subdivision, or any officer of the court.

OKLAHOMA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Okla. Stat. Ann. tit. 22, § 13 (2013). Right to speedy trial, counsel and witnesses

In a criminal action the defendant is entitled:

1. To a speedy and public trial.

2. To be allowed counsel, as in civil actions, or to appear and defend in person and with counsel; and,

3. To produce witnesses on his behalf, and to be confronted with the witnesses against him in the presence of the court.

Ok. Const. Art. 2, § 34 (2012). Rights of victims

A. To preserve and protect the rights of victims to justice and due process, and ensure that victims are treated with fairness, respect and dignity, and are free from intimidation, harassment, or abuse, throughout the criminal justice process, any victim or family member of a victim of a crime has the right to know the status of the investigation and prosecution of the criminal case, including all proceedings wherein a disposition of a case is likely to occur, and where plea negotiations may occur. The victim or family member of a victim of a crime has the right to know the location of the defendant following an arrest, during a prosecution of the criminal case, during a sentence to probation or confinement, and when there is any release or escape of the defendant from confinement. The victim or family member of a victim of a crime has a right to

be present at any proceeding where the defendant has a right to be present, to be heard at any sentencing or parole hearing, to be awarded restitution by the convicted person for damages or losses as determined and ordered by the court, and to be informed by the state of the constitutional rights of the victim.

B. An exercise of any right by a victim or family member of a victim or the failure to provide a victim or family member of a victim any right granted by this section shall not be grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

C. The Legislature, or the people by initiative or referendum, has the authority to enact substantive and procedural laws to define, implement, preserve and protect the rights guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings and if enacted by the Legislature, youthful offender proceedings.

D. The enumeration in the Constitution of certain rights for victims shall not be construed to deny or disparage other rights granted by the Legislature or retained by victims.

OREGON

Or. Rev. Stat. § 44.545 (2013). Expediting proceedings

(1) Except as otherwise provided in subsection (2) of this section or except for good cause shown by either party, in any case where a child or a member of the family of the child is a victim of a crime and where a child under 18 years of age is called to give testimony, the court, consistent with the rules of civil or criminal procedure, shall expedite the action and insure that it takes precedence over any other. When determining whether or not to grant a continuance, the judge shall take into consideration the age of the child and the potential adverse impact the delay may have on the well-being of the child. The court shall make written findings of fact and conclusions of law when granting a continuance.

(2) The provisions of subsection (1) of this section do not apply to any juvenile proceeding other than the termination of parental rights.

PENNSYLVANIA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Pa. R. Crim. P. Rule 600 (2013). Prompt Trial

<Rule effective until July 1, 2013. See also rule effective July 1, 2013.>

(A)(1) Trial in a court case in which a written complaint is filed against the defendant after June 30, 1973 but before July 1, 1974 shall commence no later than 270 days from the date on which the complaint is filed.

(2) Trial in a court case in which a written complaint is filed against the defendant, when the defendant is incarcerated on that case, shall commence no later than 180 days from the date on

which the complaint is filed.

(3) Trial in a court case in which a written complaint is filed against the defendant, when the defendant is at liberty on bail, shall commence no later than 365 days from the date on which the complaint is filed.

(4) Trial in a court case that is transferred from the juvenile court to the trial or criminal division shall commence in accordance with the provision set out in paragraphs (A)(2) and (A)(3) except that the time is to run from the date of filing the transfer order.

(B) For the purpose of this rule, trial shall be deemed to commence on the date the trial judge calls the case to trial, or the defendant tenders a plea of guilty or *nolo contendere*.

(C) In determining the period for commencement of trial, there shall be excluded therefrom:

(1) the period of time between the filing of the written complaint and the defendant's arrest, provided that the defendant could not be apprehended because his or her whereabouts were unknown and could not be determined by due diligence;

(2) any period of time for which the defendant expressly waives Rule 600;

(3) such period of delay at any stage of the proceedings as results from:

(a) the unavailability of the defendant or the defendant's attorney;

(b) any continuance granted at the request of the defendant or the defendant's attorney.

(D)(1) When a trial court has granted a new trial and no appeal has been perfected, the new trial shall commence within 120 days after the date of the order granting a new trial, if the defendant is incarcerated on that case. If the defendant has been released on bail, trial shall commence within 365 days of the trial court's order.

(2) When an appellate court has remanded a case to the trial court, if the defendant is incarcerated on that case, trial shall commence within 120 days after the date of remand as it appears in the appellate court docket. If the defendant has been released on bail, trial shall commence within 365 days after the date of remand.

(3) When a trial court has ordered that a defendant's participation in the ARD program be terminated pursuant to Rule 184, trial shall commence within 120 days of the termination order if the defendant is incarcerated on that case. If the defendant has been released on bail, trial shall commence within 365 days of the termination order.

(E) No defendant shall be held in pre-trial incarceration on a given case for a period exceeding 180 days excluding time described in paragraph (C) above. Any defendant held in excess of 180 days is entitled upon petition to immediate release on nominal bail.

(F) Nothing in this rule shall be construed to modify any time limit contained in any statute of limitations.

(G) For defendants on bail after the expiration of 365 days, at any time before trial, the defendant or the defendant's attorney may apply to the court for an order dismissing the charges with prejudice on the ground that this rule has been violated. A copy of such motion shall be served upon the attorney for the Commonwealth, who shall also have the right to be heard thereon.

If the court, upon hearing, shall determine that the Commonwealth exercised due diligence and that the circumstances occasioning the postponement were beyond the control of the

Commonwealth, the motion to dismiss shall be denied and the case shall be listed for trial on a date certain. If, on any successive listing of the case, the Commonwealth is not prepared to proceed to trial on the date fixed, the court shall determine whether the Commonwealth exercised due diligence in attempting to be prepared to proceed to trial. If, at any time, it is determined that the Commonwealth did not exercise due diligence, the court shall dismiss the charges and discharge the defendant.

In the event the case is dismissed pursuant to this paragraph, the court shall promptly prepare a report of continuances by the Commonwealth, and the reasons therefor, which prevented the case from coming to trial as required by this rule. Such report shall be certified by the president judge or administrative judge, shall be made part of the public record of the case, and shall be sent to the Court Administrator of Pennsylvania within 20 days of the order of discharge.

Comment: Rule 1100 was adopted in 1973 pursuant to *Commonwealth v. Hamilton*, 297 A.2d 127 (Pa. 1972).

The time limits of this rule were amended on December 31, 1987, effective immediately. *See Commonwealth v. Palmer*, 558 A.2d 882 (Pa. Super. 1989).

In addition to amending the time limits of the rule, the Court deleted the provisions concerning Commonwealth petitions to extend the time for commencement of trial. *See* Rule 1100(E) and (G).

Paragraph (A)(2) requires that the Commonwealth bring a defendant to trial within 180 days from the filing of the complaint if the defendant is incarcerated on the charges. Under paragraph (E), subject to the exclusions provided in paragraph (C), a defendant who has been incarcerated on the charges pretrial for more than 180 days is entitled, upon petition, to immediate release on nominal bail.

If a defendant is at liberty on bail on the charges, paragraph (A)(3) requires that the Commonwealth bring the defendant to trial within 365 days from the filing of a complaint. Under paragraph (G), after 365 days and at any time before trial, a defendant released on bail or the defendant's counsel may apply to the court for an order dismissing the charges with prejudice on the ground that this rule has been violated. A copy of the motion must be served on the attorney for the Commonwealth, who has a right under this rule to be heard on the motion. If the court, upon hearing, determines that the Commonwealth exercised due diligence and that the circumstances causing the delay in the commencement of trial were beyond the Commonwealth's control, the court must deny the motion and list the case for trial on a date certain. If the court determines that the Commonwealth did not exercise due diligence, the court must dismiss the charges with prejudice and discharge the defendant.

When calculating the number of days set forth herein, see the Statutory Construction Act, 1 Pa.C.S. § 1908.

Pursuant to this rule, it is intended that “complaint” also includes special documents used in lieu of a complaint to initiate criminal proceedings in extraordinary circumstances such as criminal proceedings instituted by a medical examiner or coroner. *See Commonwealth v. Lopinson*, 234 A.2d 552 (Pa. 1967); *Commonwealth v. Smouse*, 594 A.2d 666 (Pa. Super. 1991).

A trial commences when the trial judge determines that the parties are present and directs them to proceed to *voir dire* or to opening argument, or to the hearing of any motions which had been reserved for the time of trial, or to the taking of testimony, or to some other such first step in the

trial. It is not intended that preliminary calendar calls should constitute commencement of a trial. Concerning the hearing of motions reserved for the time of trial, see *Jones v. Commonwealth*, 434 A.2d 1197 (Pa. 1981).

For purposes of determining the time for commencement of trial, paragraph (C) contains the periods which must be excluded from that calculation. For periods of delay that result from the filing and litigation of omnibus pretrial motions for relief or other motions, see *Commonwealth v. Hill* and *Commonwealth v. Cornell*, 736 A.2d 578 (Pa. 1999).

Under paragraph (C)(3)(a), in addition to any other circumstances precluding the availability of the defendant or the defendant's attorney, the defendant should be deemed unavailable for the period of time during which the defendant contested extradition, or a responding jurisdiction delayed or refused to grant extradition; or during which the defendant was physically incapacitated or mentally incompetent to proceed; or during which the defendant was absent under compulsory process requiring his or her appearance elsewhere in connection with other judicial proceedings.

The provisions enumerating the excludable periods contained in paragraph (C) apply to the periods for commencing a trial under paragraph (D).

Paragraphs (D)(1) and (2) provide the time limits for commencement of trial when a trial court has granted a new trial and no appeal has been perfected, or when an appellate court has remanded a case to the trial court, for whatever reason. Under paragraph (D)(1), a trial must commence within 120 days of the trial court order granting a new trial, unless the defendant has been released on bail, in which event the trial must commence within 365 days. The withdrawal of, rejection of, or successful challenge to a guilty plea should be considered the granting of a new trial for purposes of this rule. Paragraph (D)(1) also applies to the period for commencing a new trial following the declaration of a mistrial.

Under paragraph (D)(2), when an appellate court has remanded a case to the trial court, for whatever reason, trial must commence within 120 days after the remand, unless the defendant has been released on bail, in which event trial must commence within 365 days after the remand. The date of remand is the date as it appears in the appellate court docket. When remand of the record is stayed, the period for commencement of trial does not begin to run until the record is remanded as provided in this rule.

Although a defendant's removal from the ARD program does not result in a “new trial” under paragraph (D)(3), termination of the defendant's ARD program pursuant to Rule 318 commences a new trial period for the purpose of this rule.

When a judge grants a continuance requested by the defendant, trial should be rescheduled for a date certain consistent with the continuance request and the court's business, and the entire period of such continuance may be excluded under paragraph (C).

When admitted to nominal bail pursuant to this rule, the defendant must execute a bail bond. *See* Rules 525 and 526.

In addition to requesting that the defendant waive Rule 1100 for the period of enrollment in the ARD program (see Rule 312, paragraph (3)), the attorney for the Commonwealth may request that the defendant waive Rule 1100 for the period of time spent in processing and considering the defendant's inclusion into the ARD program.

18 P.S. § 11.211 (2013). Responsibilities of victims of crime under basic bill of rights

A **victim** shall provide a valid address and telephone number and any other required information to all agencies responsible for providing information and notice to the victim. The victim shall be responsible for providing timely notice of any changes in the status of the information. The information provided shall not be disclosed to any person other than a law enforcement agency, corrections agency or prosecutor's office without the prior written consent of the victim.

RHODE ISLAND

R.I. Gen. Laws § 11-37-11.2 (2012). Speedy trial

In any action under this chapter involving a child victim age fourteen (14) years or under or a victim sixty-five (65) years or older, the court and the attorney general's office shall take appropriate action to ensure a speedy trial to minimize the length of time the victim must endure the stress of involvement in the proceeding. In ruling on any motion or request for a delay or continuance of proceedings, the court shall consider any adverse impact the delay or continuance may have on the well-being of the victim or witness. This provision establishes a right to a speedy trial to the victim and shall not be construed as creating any additional rights to the defendant.

SOUTH CAROLINA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute:*

S.C. Const. Art. I, § 14 (2012). Trial by jury; witnesses; defense.

The right of trial by jury shall be preserved inviolate. Any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury; to be fully informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be fully heard in his defense by himself or by his counsel or by both. (1970 (56) 2684; 1971 (57) 315.)

SOUTH DAKOTA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute and some additional related statutes:*

S.D. Const. Art. 6, § 7 (2012). Rights of accused

In all criminal prosecutions the accused shall have the right to defend in person and by counsel; to demand the nature and cause of the accusation against him; to have a copy thereof; to meet the witnesses against him face to face; to have compulsory process served for obtaining witnesses in

his behalf, and to a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

S.D. Codified Laws 23A-28C-1 (2013). Rights of crime victim

Consistent with § 23A-28C-4, victims of the crime, including victims of driving under the influence vehicle accidents, have the following rights:

(1) To be notified of scheduled bail hearings and release from custody, to be notified by the prosecutor's office when the case is received and to whom the case is assigned, and to be notified in advance of the date of preliminary hearing and trial;

(2) To be informed of what the charges mean and the elements necessary for conviction;

(3) To testify at scheduled bail or bond hearings regarding any evidence indicating whether the offender represents a danger to the victim or the community if released;

(4) To be protected from intimidation by the defendant, including enforcement of orders of protection;

(5) To offer written input into whether plea bargaining or sentencing bargaining agreements should be entered into;

(6) To be present during all scheduled phases of the trial or hearings, except where otherwise ordered by the judge hearing the case or by contrary policy of the presiding circuit judge;

(7) To be prepared as a witness, including information about basic rules of evidence, cross-examination, objections, and hearsay;

(8) To provide to the court a written or oral victim impact statement prior to sentencing regarding the financial and emotional impact of the crime on the victim and his or her family as well as recommendations for restitution and sentencing and § 23A-28-8 notwithstanding, the right to appear at any hearing during which a change in the plan of restitution is to be considered;

(9) To receive restitution, whether the convicted criminal is probated or incarcerated, unless the court or parole board provides to the victim on the record specific reasons for choosing not to require it;

(10) To provide written input at parole and clemency hearings or with respect to clemency by the Governor, should those options be considered;

(11) In a case in which the death penalty may be authorized, to provide to the court or to the jury, as appropriate, testimony about the victim and the impact of the crime on the victim's family;

(12) To be notified of the defendant's release from custody, which notice includes:

(a) Notice of the defendant's escape from custody and return to custody following escape;

(b) Notice of any other release from custody, including placement in an intensive supervision program or other alternative disposition, and any associated conditions of release;

(c) Notice of parole; and

(d) Notice of pending release of an inmate due to expiration of sentence;

(13) To be notified of the **victim's right** to request testing for infection by blood-borne

pathogens pursuant to § 23A-35B-2;

(14) To be provided a copy of any report of law enforcement that is related to the crime, at the discretion of the state's attorney, or upon motion and order of the court. However, no victim may be given the criminal history of any defendant or any witness; and

(15) To be notified of a petition by the sex offender for removal from the sex offender registry and to provide written input with respect to the removal request.

TENNESSEE

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Tenn. Code Ann. § 40-38-105 (2013). Prompt disposition of cases; priorities and preferences

(a) All parties affected by a criminal offense, including the victim, survivors of the victim and witnesses to the offense, shall be able to expect that the operation of the criminal justice system will not be unnecessarily delayed and that they will be able to return to normal lives as soon as possible. To this end, all persons involved in the criminal justice system shall make every effort to dispose of any charges against a defendant within one hundred eighty (180) days of the date of the defendant's indictment and, in those cases in which the defendant is charged with a crime of violence involving death or serious bodily injury to a victim, all applications for continuance of any court date by any party shall be in writing setting out the reasons for the continuance. If, at any time during the proceeding, the court grants a continuance to the defendant and the defendant is not represented by an attorney, the court shall file an order in the records setting out the reasons why the court granted the continuance. If, for any reason, the case is not tried or otherwise disposed of in one hundred eighty (180) days of the indictment, the court shall set out in a certificate the reasons why the case is still pending before the court.

(b) All parties affected by a criminal offense shall be able to expect that cases involving crimes against the person are given judicial and prosecutorial priority over cases involving property crimes.

Tenn. Const. Art. 1, § 35 (2013). Rights of victims of crimes

To preserve and protect the **rights** of **victims** of crime to justice and due process, victims shall be entitled to the following basic rights:

1. The right to confer with the prosecution.

2. The right to be free from intimidation, harassment and abuse throughout the criminal justice system.

3. The right to be present at all proceedings where the defendant has the right to be present.

4. The right to be heard, when relevant, at all critical stages of the criminal justice process as defined by the General Assembly.

5. The right to be informed of all proceedings, and of the release, transfer or escape of the

accused or convicted person.

6. The right to a speedy trial or disposition and a prompt and final conclusion of the case after the conviction or sentence.

7. The right to restitution from the offender.

8. The right to be informed of each of the **rights** established for **victims**.

The general assembly has the authority to enact substantive and procedural laws to define, implement, preserve and protect the **rights** guaranteed to **victims** by this section.

Tenn. Code. Ann. § 40-38-116. Continuances

(a) In any criminal proceeding in which a continuance is requested, the court shall consider the victim's views and the victim's right to a speedy trial. If the continuance is granted over the victim's objection, the court shall state on the record the reason for the continuance and the procedures that have been taken to avoid further delays.

(b) In determining a date for any criminal trial or other important criminal hearing, the court shall consider the interests of the victim's right to a speedy trial.

TEXAS

Lacks CSA / child victim / witness specific "Speedy Trial" statue – *Following is the state's general "Speedy Trial" Statute and some additional related statutes:*

Tex. Code Crim. Proc. Art. 32A.01 (2013). Trial priorities

Insofar as is practicable, the trial of a criminal action shall be given preference over trials of civil cases, and the trial of a criminal action against a defendant who is detained in jail pending trial of the action shall be given preference over trials of other criminal actions.

Tex. Const. Art. I, § 30 (2013). Rights of crime victims

(a) A crime victim has the following rights:

(1) the right to be treated with fairness and with respect for the victim's dignity and privacy throughout the criminal justice process; and

(2) the right to be reasonably protected from the accused throughout the criminal justice process.

(b) On the request of a crime victim, the crime victim has the following rights:

(1) the right to notification of court proceedings;

(2) the right to be present at all public court proceedings related to the offense, unless the victim is to testify and the court determines that the victim's testimony would be materially affected if the victim hears other testimony at the trial;

(3) the right to confer with a representative of the prosecutor's office;

(4) the right to restitution; and

(5) the right to information about the conviction, sentence, imprisonment, and release of the accused.

(c) The legislature may enact laws to define the term “victim” and to enforce these and other rights of crime victims.

(d) The state, through its prosecuting attorney, has the right to enforce the rights of crime victims.

(e) The legislature may enact laws to provide that a judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this section. The failure or inability of any person to provide a right or service enumerated in this section may not be used by a defendant in a criminal case as a ground for appeal or post-conviction writ of habeas corpus. A victim or guardian or legal representative of a victim has standing to enforce the rights enumerated in this section but does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

Tex. Code Crim. Proc. Art. 56.02 (2013). Crime victims' rights

(a) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

(1) the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;

(2) the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;

(3) the right, if requested, to be informed:

(A) by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and

(B) by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;

(4) the right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;

(5) the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;

(6) the right to receive information regarding compensation to victims of crime as provided by Subchapter B,1including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;

(7) the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles2 for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;

(8) the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings;

(9) the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;

(10) the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;

(11) the right to counseling, on request, regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS, if the offense is an offense under Section 21.02, 21.11(a)(1), 22.011, or 22.021, Penal Code;

(12) the **right** to request **victim**-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;

(13) the right to be informed of the uses of a victim impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:

(A) by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and

(B) by the Board of Pardons and Paroles before an inmate is released on parole;

(14) to the extent provided by Articles 56.06 and 56.065, for a victim of a sexual assault, the right to a forensic medical examination if, within 96 hours of the sexual assault, the assault is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility; and

(15) for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance.

(b) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the right to be present at all public court proceedings related to the offense, subject to the approval of the judge in the case.

(c) The office of the attorney representing the state, and the sheriff, police, and other law

enforcement agencies shall ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted by Subsection (a) of this article and, on request, an explanation of those rights.

(d) A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this article. The failure or inability of any person to provide a right or service enumerated in this article may not be used by a defendant in a criminal case as a ground for appeal, a ground to set aside the conviction or sentence, or a ground in a habeas corpus petition. A victim, guardian of a victim, or close relative of a deceased victim does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

UTAH

Utah Code Ann. § 76-1-301 (2012). Offenses for which prosecution may be commenced at any time.

Utah Code Ann. § 77-37-1 (2012). Legislative intent

(1) The Legislature recognizes the duty of victims and witnesses of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, the essential nature of citizen cooperation to state and local law enforcement efforts, and the general effectiveness and well-being of the criminal justice system of this state. In this chapter, the Legislature declares its intent to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy, and sensitivity, and that the rights extended in this chapter to victims and witnesses of crime are honored and protected by law in a manner no less vigorous than protections afforded criminal defendants.

(2) The Legislature finds it is necessary to provide child victims and child witnesses with additional consideration and different treatment than that usually afforded to adults. The treatment should ensure that children's participation in the criminal justice process be conducted in the most effective and least traumatic, intrusive, or intimidating manner.

Utah Code Ann. § 77-37-3 (2012). Bill of rights

(1) The bill of rights for victims and witnesses is:

(a) Victims and witnesses have a right to be informed as to the level of protection from intimidation and harm available to them, and from what sources, as they participate in criminal justice proceedings as designated by Section 76-8-508, regarding witness tampering, and Section 76-8-509, regarding threats against a victim. Law enforcement, prosecution, and corrections personnel have the duty to timely provide this information in a form which is useful to the victim.

(b) Victims and witnesses, including children and their guardians, have a right to be informed and assisted as to their role in the criminal justice process. All criminal justice agencies have the duty to provide this information and assistance.

(c) Victims and witnesses have a right to clear explanations regarding relevant legal proceedings; these explanations shall be appropriate to the age of child victims and witnesses. All criminal justice agencies have the duty to provide these explanations.

(d) Victims and witnesses should have a secure waiting area that does not require them to be in close proximity to defendants or the family and friends of defendants. Agencies controlling facilities shall, whenever possible, provide this area.

(e) Victims may seek restitution or reparations, including medical costs, as provided in Title 63M, Chapter 7, Criminal Justice and Substance Abuse, and Sections 62A-7-109.5, 77-38a-302, and 77-27-6. State and local government agencies that serve victims have the duty to have a functional knowledge of the procedures established by the Crime Victim Reparations Board and to inform victims of these procedures.

(f) Victims and witnesses have a right to have any personal property returned as provided in Sections 77-24-1 through 77-24-5. Criminal justice agencies shall expeditiously return the property when it is no longer needed for court law enforcement or prosecution purposes.

(g) Victims and witnesses have the right to reasonable employer intercession services, including pursuing employer cooperation in minimizing employees' loss of pay and other benefits resulting from their participation in the criminal justice process. Officers of the court shall provide these services and shall consider victims' and witnesses' schedules so that activities which conflict can be avoided. Where conflicts cannot be avoided, the victim may request that the responsible agency intercede with employers or other parties.

(h) Victims and witnesses, particularly children, should have a speedy disposition of the entire criminal justice process. All involved public agencies shall establish policies and procedures to encourage speedy disposition of criminal cases.

(i) Victims and witnesses have the right to timely notice of judicial proceedings they are to attend and timely notice of cancellation of any proceedings. Criminal justice agencies have the duty to provide these notifications. Defense counsel and others have the duty to provide timely notice to prosecution of any continuances or other changes that may be required.

(j) Victims of sexual offenses have a right to be informed of their right to request voluntary testing for themselves for HIV infection as provided in Section 76-5-503 and to request mandatory testing of the alleged sexual offender for HIV infection as provided in Section 76-5-502. The law enforcement office where the sexual offense is reported shall have the responsibility to inform victims of this right.

(2) Informational rights of the victim under this chapter are based upon the victim providing the victim's current address and telephone number to the criminal justice agencies involved in the case.

VERMONT

Vt. Stat. Ann. Tit. § 5312 (2013). Victim's interest in speedy prosecution

(a) The prosecutor's office shall make every effort to inform a victim of a listed crime of any pending motion that may substantially delay any deposition, change of plea, trial, sentencing

hearing, or restitution hearing. The prosecutor shall inform the court of how the victim was notified and the victim's position on the motion, if any. In the event the victim was not notified, the prosecutor shall inform the court why notification did not take place.

(b) If a victim of a listed crime objects to a delay, the court shall consider the victim's objection.

VIRGINIA

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Va. Const. Art. 1, § 8 (2013). Criminal prosecutions

That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, and to call for evidence in his favor, and he shall enjoy the right to a speedy and public trial, by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his peers, nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

Laws may be enacted providing for the trial of offenses not felonious by a court not of record without a jury, preserving the right of the accused to an appeal to and a trial by jury in some court of record having original criminal jurisdiction. Laws may also provide for juries consisting of less than twelve, but not less than five, for the trial of offenses not felonious, and may classify such cases, and prescribe the number of jurors for each class.

In criminal cases, the accused may plead guilty. If the accused plead not guilty, he may, with his consent and the concurrence of the Commonwealth's attorney and of the court entered of record, be tried by a smaller number of jurors, or waive a jury. In case of such waiver or plea of guilty, the court shall try the case.

The provisions of this section shall be self-executing.

Va. Const. Art. 1, § 8-A (2013). Rights of victims of crime

That in criminal prosecutions, the victim shall be accorded fairness, dignity and respect by the officers, employees and agents of the Commonwealth and its political subdivisions and officers of the courts and, as the General Assembly may define and provide by law, may be accorded rights to reasonable and appropriate notice, information, restitution, protection, and access to a meaningful role in the criminal justice process. These rights may include, but not be limited to, the following:

1. The right to protection from further harm or reprisal through the imposition of appropriate bail and conditions of release;

2. The right to be treated with respect, dignity and fairness at all stages of the criminal justice system;

3. The right to address the circuit court at the time sentence is imposed;

4. The right to receive timely notification of judicial proceedings;

5. The right to restitution;

6. The right to be advised of release from custody or escape of the offender, whether before or after disposition; and

7. The right to confer with the prosecution.

This section does not confer upon any person a right to appeal or modify any decision in a criminal proceeding, does not abridge any other right guaranteed by the Constitution of the United States or this Constitution, and does not create any cause of action for compensation or damages against the Commonwealth or any of its political subdivisions, any officer, employee or agent of the Commonwealth or any of its political subdivisions, or any officer of the court.

WASHINGTON

Wash. Rev. Code Ann. § 10.46.085 (2013). Continuances not permitted in certain cases

When a defendant is charged with a crime which constitutes a violation of RCW 9A.64.020 or chapter 9.68, 9.68A, or 9A.44 RCW, and the alleged victim of the crime is a person under the age of eighteen years, neither the defendant nor the prosecuting attorney may agree to extend the originally scheduled trial date unless the court within its discretion finds that there are substantial and compelling reasons for a continuance of the trial date and that the benefit of the postponement outweighs the detriment to the victim. The court may consider the testimony of lay witnesses and of expert witnesses, if available, regarding the impact of the continuance on the victim.

WEST VIRGINIA

W. Va. Child Abuse and Neglect Proceedings, Rule 7 (2012). Time Computation; Extensions of Time; and Continuances

Time frames prescribed in these rules shall be computed in accord with Rule 6(a) of the W.Va. Rules of Civil Procedure.

Except as provided for in Rule 5, extensions of time and continuances beyond the times specified in these rules or by other applicable law shall be granted only for good cause, regardless of whether the parties are in agreement. If a continuance is granted in accordance with this rule, the court shall set forth in a written order its reasons for finding good cause.

WISCONSIN

Wis. Stat. Ann. § 971.105 (2013). Child victims and witnesses; duty to expedite proceedings

In all criminal and delinquency cases, juvenile fact-finding hearings under s. 48.31 and juvenile

dispositional hearings involving a child victim or witness, as defined in s. 950.02, the court and the district attorney shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of the child's involvement in the proceeding. In ruling on any motion or other request for a delay or continuance of proceedings, the court shall consider and give weight to any adverse impact the delay or continuance may have on the well-being of a child victim or witness.

WYOMING

Lacks CSA / child victim / witness specific "Speedy Trial" statue – ***Following is the state's general "Speedy Trial" Statute and some additional related statutes:***

Wyo. Stat. Ann. § 1-40-207 (2013). Victims; timing of trial of accused

(a) The court shall consider the victim's interest and circumstances when setting any date for trial or in granting or denying continuances.

(b) Nothing in this section shall infringe upon any rights of the accused in a criminal case or inhibit the ability of the prosecution and defense from entering into any agreement as to trial setting or negotiated disposition of any charge or charges pending against the defendant.

Wyo. Stat. Ann. 1977 § 14-6-502 (2013). Victim bill of rights

(a) **Victims** shall have the following **rights**:

(i) To be provided notification and information about events affecting the status of the case. These events shall include, but are not limited to, the following as specified in W.S. 14-6-503:

(A) The general status of the case, provided the release of information does not compromise the investigation or endanger witnesses;

(B) The scheduled hearings of the case;

(C) The disposition phase of the case;

(D) The detention or release of the accused or adjudicated delinquent.

(ii) To be provided information about the **right** to receive judicially ordered restitution;

(iii) To be provided information about their **rights**, privileges and interests under this act;

(iv) To be provided information about compensation available under the Crime **Victims** Compensation Act, as provided in W.S. 1-40-101 through 1-40-119;

(v) To be provided information about services and assistance available to **victims** as provided in W.S. 14-6-503;

(vi) To be provided information about available legal recourse and other measures if subjected to threats or intimidation as provided in W.S. 14-6-504;

(vii) To be provided, at the discretion of the prosecuting attorney or law enforcement personnel, reasonable protection and safety immediately before, during and after delinquency proceedings;

(viii) To be provided with the names, official telephone numbers and official addresses of the primary law enforcement officer and prosecutor assigned to investigate the case;

(ix) To attend and participate in juvenile delinquency proceedings as provided in W.S. 14-6-505;

(x) To have the case set for hearing as provided in W.S. 14-6-506. Nothing in this paragraph shall inhibit the ability of counsel for the state and the accused delinquent from entering into any negotiated disposition of the proceeding;

(xi) To prompt return of property seized as evidence as provided in W.S. 14-6-507;

(xii) To be protected from discharge or discipline by an employer due to involvement with the juvenile court process as provided in W.S. 14-6-508;

(xiii) To be notified about the disposition of the case;

(xiv) To be notified about the **victim's** opportunity to make a statement for use in the preparation of a predisposition investigation;

(xv) To be provided with the address and telephone number of the agency which is to prepare the predisposition investigation;

(xvi) To be notified that the predisposition investigation report and any statement of the **victim** in the report will be made available to the accused delinquent;

(xvii) To be notified about the opportunity to make a statement at the disposition hearing; and

(xviii) To be notified of the time and place of the disposition proceeding and any changes thereof.

(b) Courts shall enforce **victim rights** under this act to the extent the recognition of those **rights** do not conflict with constitutional and statutory **rights** of the accused delinquent.

FEDERAL LEGISLATION

FEDERAL LEGISLATION

18 U.S.C.A. § 3509 (2013). Child victims' and child witnesses' rights

(a) Definitions.--For purposes of this section--

(1) the term “adult attendant” means an adult described in subsection (i) who accompanies a child throughout the judicial process for the purpose of providing emotional support;

(2) the term “child” means a person who is under the age of 18, who is or is alleged to be-

(A) a victim of a crime of physical abuse, sexual abuse, or exploitation; or

(B) a witness to a crime committed against another person;

(3) the term “child abuse” means the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child;

(4) the term “physical injury” includes lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm;

(5) the term “mental injury” means harm to a child's psychological or intellectual functioning which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition;

(6) the term “exploitation” means child pornography or child prostitution;

(7) the term “multidisciplinary child abuse team” means a professional unit composed of representatives from health, social service, law enforcement, and legal service agencies to coordinate the assistance needed to handle cases of child abuse;

(8) the term “sexual abuse” includes the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children;

(9) the term “sexually explicit conduct” means actual or simulated--

(A) sexual intercourse, including sexual contact in the manner of genital-genital, oral-genital, anal-genital, or oral-anal contact, whether between persons of the same or of opposite sex; sexual contact means the intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify sexual desire of any person;

(B) bestiality;

(C) masturbation;

(D) lascivious exhibition of the genitals or pubic area of a person or animal; or

(E) sadistic or masochistic abuse;

(10) the term “sex crime” means an act of sexual abuse that is a criminal act;

(11) the term “negligent treatment” means the failure to provide, for reasons other than poverty, adequate food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child; and

(12) the term “child abuse” does not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty.

(b) Alternatives to live in-court testimony.--

(1) Child's live testimony by 2-way closed circuit television.--

(A) In a proceeding involving an alleged offense against a child, the attorney for the Government, the child's attorney, or a guardian ad litem appointed under subsection (h) may apply for an order that the child's testimony be taken in a room outside the courtroom and be televised by 2-way closed circuit television. The person seeking such an order shall apply for such an order at least 7 days before the trial date, unless the court finds on the record that the need for such an order was not reasonably foreseeable.

(B) The court may order that the testimony of the child be taken by closed-circuit television as provided in subparagraph (A) if the court finds that the child is unable to testify in open court in the presence of the defendant, for any of the following reasons:

(i) The child is unable to testify because of fear.

(ii) There is a substantial likelihood, established by expert testimony, that the child would suffer emotional trauma from testifying.

(iii) The child suffers a mental or other infirmity.

(iv) Conduct by defendant or defense counsel causes the child to be unable to continue testifying.

(C) The court shall support a ruling on the child's inability to testify with findings on the record. In determining whether the impact on an individual child of one or more of the factors described in subparagraph (B) is so substantial as to justify an order under subparagraph (A), the court may question the minor in chambers, or at some other comfortable place other than the courtroom, on the record for a reasonable period of time with the child attendant, the prosecutor, the child's attorney, the guardian ad litem, and the defense counsel present.

(D) If the court orders the taking of testimony by television, the attorney for the Government and the attorney for the defendant not including an attorney pro se for a party shall be present in a room outside the courtroom with the child and the child shall be subjected to direct and cross-examination. The only other persons who may be permitted in the room with the child during the child's testimony are--

(i) the child's attorney or guardian ad litem appointed under subsection (h);

(ii) Persons necessary to operate the closed-circuit television equipment;

(iii) A judicial officer, appointed by the court; and

(iv) Other persons whose presence is determined by the court to be necessary to the welfare and well-being of the child, including an adult attendant.

The child's testimony shall be transmitted by closed circuit television into the courtroom for viewing and hearing by the defendant, jury, judge, and public. The defendant shall be provided with the means of private, contemporaneous communication with the defendant's attorney during the testimony. The closed circuit television transmission shall relay into the room in which the child is testifying the defendant's image, and the voice of the judge.

(2) Videotaped deposition of child.--(A) In a proceeding involving an alleged offense against a child, the attorney for the Government, the child's attorney, the child's parent or legal guardian, or the guardian ad litem appointed under subsection (h) may apply for an order that a deposition be taken of the child's testimony and that the deposition be recorded and preserved on videotape.

(B)(i) Upon timely receipt of an application described in subparagraph (A), the court shall make a preliminary finding regarding whether at the time of trial the child is likely to be unable to testify in open court in the physical presence of the defendant, jury, judge, and public for any of the following reasons:

(I) The child will be unable to testify because of fear.

(II) There is a substantial likelihood, established by expert testimony, that the child would suffer emotional trauma from testifying in open court.

(III) The child suffers a mental or other infirmity.

(IV) Conduct by defendant or defense counsel causes the child to be unable to continue testifying.

(ii) If the court finds that the child is likely to be unable to testify in open court for any of the reasons stated in clause (i), the court shall order that the child's deposition be taken and preserved by videotape.

(iii) The trial judge shall preside at the videotape deposition of a child and shall rule on all questions as if at trial. The only other persons who may be permitted to be present at the proceeding are--

(I) the attorney for the Government;

(II) the attorney for the defendant;

(III) the child's attorney or guardian ad litem appointed under subsection (h);

(IV) persons necessary to operate the videotape equipment;

(V) subject to clause (iv), the defendant; and

(VI) other persons whose presence is determined by the court to be necessary to the welfare and well-being of the child.

The defendant shall be afforded the rights applicable to defendants during trial, including the right to an attorney, the right to be confronted with the witness against the defendant, and the right to cross-examine the child.

(iv) If the preliminary finding of inability under clause (i) is based on evidence that the child is unable to testify in the physical presence of the defendant, the court may order that the defendant, including a defendant represented pro se, be excluded from the room in which the

deposition is conducted. If the court orders that the defendant be excluded from the deposition room, the court shall order that 2-way closed circuit television equipment relay the defendant's image into the room in which the child is testifying, and the child's testimony into the room in which the defendant is viewing the proceeding, and that the defendant be provided with a means of private, contemporaneous communication with the defendant's attorney during the deposition.

(v) Handling of videotape.--The complete record of the examination of the child, including the image and voices of all persons who in any way participate in the examination, shall be made and preserved on video tape in addition to being stenographically recorded. The videotape shall be transmitted to the clerk of the court in which the action is pending and shall be made available for viewing to the prosecuting attorney, the defendant, and the defendant's attorney during ordinary business hours.

(C) If at the time of trial the court finds that the child is unable to testify as for a reason described in subparagraph (B)(i), the court may admit into evidence the child's videotaped deposition in lieu of the child's testifying at the trial. The court shall support a ruling under this subparagraph with findings on the record.

(D) Upon timely receipt of notice that new evidence has been discovered after the original videotaping and before or during trial, the court, for good cause shown, may order an additional videotaped deposition. The testimony of the child shall be restricted to the matters specified by the court as the basis for granting the order.

(E) In connection with the taking of a videotaped deposition under this paragraph, the court may enter a protective order for the purpose of protecting the privacy of the child.

(F) The videotape of a deposition taken under this paragraph shall be destroyed 5 years after the date on which the trial court entered its judgment, but not before a final judgment is entered on appeal including Supreme Court review. The videotape shall become part of the court record and be kept by the court until it is destroyed.

(c) Competency examinations.--

(1) Effect on Federal Rules of Evidence.--Nothing in this subsection shall be construed to abrogate rule 601 of the Federal Rules of Evidence.

(2) Presumption.--A child is presumed to be competent.

(3) Requirement of written motion.--A competency examination regarding a child witness may be conducted by the court only upon written motion and offer of proof of incompetency by a party.

(4) Requirement of compelling reasons.--A competency examination regarding a child may be conducted only if the court determines, on the record, that compelling reasons exist. A child's age alone is not a compelling reason.

(5) Persons permitted to be present.--The only persons who may be permitted to be present at a competency examination are--

(A) the judge;

(B) the attorney for the Government;

(C) the attorney for the defendant;

(D) a court reporter; and

(E) persons whose presence, in the opinion of the court, is necessary to the welfare and well-being of the child, including the child's attorney, guardian ad litem, or adult attendant.

(6) Not before jury.--A competency examination regarding a child witness shall be conducted out of the sight and hearing of a jury.

(7) Direct examination of child.--Examination of a child related to competency shall normally be conducted by the court on the basis of questions submitted by the attorney for the Government and the attorney for the defendant including a party acting as an attorney pro se. The court may permit an attorney but not a party acting as an attorney pro se to examine a child directly on competency if the court is satisfied that the child will not suffer emotional trauma as a result of the examination.

(8) Appropriate questions.--The questions asked at the competency examination of a child shall be appropriate to the age and developmental level of the child, shall not be related to the issues at trial, and shall focus on determining the child's ability to understand and answer simple questions.

(9) Psychological and psychiatric examinations.--Psychological and psychiatric examinations to assess the competency of a child witness shall not be ordered without a showing of compelling need.

(d) Privacy protection.--

(1) Confidentiality of information.--(A) A person acting in a capacity described in subparagraph (B) in connection with a criminal proceeding shall--

(i) keep all documents that disclose the name or any other information concerning a child in a secure place to which no person who does not have reason to know their contents has access; and

(ii) disclose documents described in clause (i) or the information in them that concerns a child only to persons who, by reason of their participation in the proceeding, have reason to know such information.

(B) Subparagraph (A) applies to--

(i) all employees of the Government connected with the case, including employees of the Department of Justice, any law enforcement agency involved in the case, and any person hired by the Government to provide assistance in the proceeding;

(ii) employees of the court;

(iii) the defendant and employees of the defendant, including the attorney for the defendant and persons hired by the defendant or the attorney for the defendant to provide assistance in the proceeding; and

(iv) members of the jury.

(2) Filing under seal.--All papers to be filed in court that disclose the name of or any other information concerning a child shall be filed under seal without necessity of obtaining a court order. The person who makes the filing shall submit to the clerk of the court--

(A) the complete paper to be kept under seal; and

(B) the paper with the portions of it that disclose the name of or other information concerning a child redacted, to be placed in the public record.

(3) Protective orders.--(A) On motion by any person the court may issue an order protecting a child from public disclosure of the name of or any other information concerning the child in the course of the proceedings, if the court determines that there is a significant possibility that such disclosure would be detrimental to the child.

(B) A protective order issued under subparagraph (A) may--

(i) provide that the testimony of a child witness, and the testimony of any other witness, when the attorney who calls the witness has reason to anticipate that the name of or any other information concerning a child may be divulged in the testimony, be taken in a closed courtroom; and

(ii) provide for any other measures that may be necessary to protect the privacy of the child.

(4) Disclosure of information.--This subsection does not prohibit disclosure of the name of or other information concerning a child to the defendant, the attorney for the defendant, a multidisciplinary child abuse team, a guardian ad litem, or an adult attendant, or to anyone to whom, in the opinion of the court, disclosure is necessary to the welfare and well-being of the child.

(e) Closing the courtroom.--When a child testifies the court may order the exclusion from the courtroom of all persons, including members of the press, who do not have a direct interest in the case. Such an order may be made if the court determines on the record that requiring the child to testify in open court would cause substantial psychological harm to the child or would result in the child's inability to effectively communicate. Such an order shall be narrowly tailored to serve the Government's specific compelling interest.

(f) Victim impact statement.--In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team and other appropriate sources to determine the impact of the offense on the child victim and any other children who may have been affected. A guardian ad litem appointed under subsection (h) shall make every effort to obtain and report information that accurately expresses the child's and the family's views concerning the child's victimization. A guardian ad litem shall use forms that permit the child to express the child's views concerning the personal consequences of the child's victimization, at a level and in a form of communication commensurate with the child's age and ability.

(g) Use of multidisciplinary child abuse teams.--

(1) In general.--A multidisciplinary child abuse team shall be used when it is feasible to do so. The court shall work with State and local governments that have established multidisciplinary child abuse teams designed to assist child victims and child witnesses, and the court and the attorney for the Government shall consult with the multidisciplinary child abuse team as appropriate.

(2) Role of multidisciplinary child abuse teams.--The role of the multidisciplinary child abuse team shall be to provide for a child services that the members of the team in their professional roles are capable of providing, including--

(A) medical diagnoses and evaluation services, including provision or interpretation of x-rays, laboratory tests, and related services, as needed, and documentation of findings;

(B) telephone consultation services in emergencies and in other situations;

(C) medical evaluations related to abuse or neglect;

(D) psychological and psychiatric diagnoses and evaluation services for the child, parent or parents, guardian or guardians, or other caregivers, or any other individual involved in a child victim or child witness case;

(E) expert medical, psychological, and related professional testimony;

(F) case service coordination and assistance, including the location of services available from public and private agencies in the community; and

(G) training services for judges, litigators, court officers and others that are involved in child victim and child witness cases, in handling child victims and child witnesses.

(h) Guardian ad litem.--

(1) In general.--The court may appoint, and provide reasonable compensation and payment of expenses for, a guardian ad litem for a child who was a victim of, or a witness to, a crime involving abuse or exploitation to protect the best interests of the child. In making the appointment, the court shall consider a prospective guardian's background in, and familiarity with, the judicial process, social service programs, and child abuse issues. The guardian ad litem shall not be a person who is or may be a witness in a proceeding involving the child for whom the guardian is appointed.

(2) Duties of guardian ad litem.--A guardian ad litem may attend all the depositions, hearings, and trial proceedings in which a child participates, and make recommendations to the court concerning the welfare of the child. The guardian ad litem may have access to all reports, evaluations and records, except attorney's work product, necessary to effectively advocate for the child. (The extent of access to grand jury materials is limited to the access routinely provided to victims and their representatives.) A guardian ad litem shall marshal and coordinate the delivery of resources and special services to the child. A guardian ad litem shall not be compelled to testify in any court action or proceeding concerning any information or opinion received from the child in the course of serving as a guardian ad litem.

(3) Immunities.--A guardian ad litem shall be presumed to be acting in good faith and shall be immune from civil and criminal liability for complying with the guardian's lawful duties described in paragraph (2).

(i) Adult attendant.--A child testifying at or attending a judicial proceeding shall have the right to be accompanied by an adult attendant to provide emotional support to the child. The court, at its discretion, may allow the adult attendant to remain in close physical proximity to or in contact with the child while the child testifies. The court may allow the adult attendant to hold the child's hand or allow the child to sit on the adult attendant's lap throughout the course of the proceeding. An adult attendant shall not provide the child with an answer to any question directed to the child during the course of the child's testimony or otherwise prompt the child. The image of the child attendant, for the time the child is testifying or being deposed, shall be recorded on videotape.

(j) Speedy trial.--In a proceeding in which a child is called to give testimony, on motion by the attorney for the Government or a guardian ad litem, or on its own motion, the court may designate the case as being of special public importance. In cases so designated, the court shall, consistent with these rules, expedite the proceeding and ensure that it takes precedence over any other. The court shall ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement with the criminal process. When deciding whether to grant a

continuance, the court shall take into consideration the age of the child and the potential adverse impact the delay may have on the child's well-being. The court shall make written findings of fact and conclusions of law when granting a continuance in cases involving a child.

(k) Stay of civil action.--If, at any time that a cause of action for recovery of compensation for damage or injury to the person of a child exists, a criminal action is pending which arises out of the same occurrence and in which the child is the victim, the civil action shall be stayed until the end of all phases of the criminal action and any mention of the civil action during the criminal proceeding is prohibited. As used in this subsection, a criminal action is pending until its final adjudication in the trial court.

(l) Testimonial aids.--The court may permit a child to use anatomical dolls, puppets, drawings, mannequins, or any other demonstrative device the court deems appropriate for the purpose of assisting a child in testifying.

(m) Prohibition on reproduction of child pornography.--

(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) shall remain in the care, custody, and control of either the Government or the court.

(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.

(B) For the purposes of subparagraph (A), property or material shall be deemed to be reasonably available to the defendant if the Government provides ample opportunity for inspection, viewing, and examination at a Government facility of the property or material by the defendant, his or her attorney, and any individual the defendant may seek to qualify to furnish expert testimony at trial.

Exhibit D

Chaplains for Children: Twelve Potential Roles for a Theologian on the MDT

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"The task of the modern education is not to cut down jungles but to irrigate deserts. The right defense against false sentiments is to inculcate just sentiments."

--C.S. Lewis[5]

Introduction; the historic role of the MDT in child abuse cases

It has long been considered, and is widely accepted as best practice to respond to cases of child abuse as part of a multi-disciplinary team (MDT). Indeed, the manual for the National Center for Prosecution of Child Abuse states, "Successful prosecution of child abuse requires different practices than those used to respond to other types of crime. One of the major differences is the critical role that information from a variety of individuals and agencies…plays in building strong child abuse cases."[6] Generally speaking, there are two multi-disciplinary teams.

First, there is the core investigative team typically consisting of law enforcement, child protective services and the prosecutor's office.[7] This team responds to an initial report of abuse and arranges forensic interviews, medical examinations, mental health referrals, search warrants, interrogation of perpetrators and other investigative functions.

Second, there is a broader "service planning" or case review team that discusses the ongoing needs of a maltreated child and his or her family.[8] The team typically consists of "professionals providing therapeutic and other support services" including medical professionals, CPS workers,

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[4] Director, National Center for Prosecution of Child Abuse
[5] C.S. LEWIS, THE ABOLITION OF MAN 13-14 (1944)
[6] AMERICAN PROSECUTORS RESEARCH INSTITUTE, INVESTIGATION AND PROSECUTION OF CHILD ABUSE THIRD EDITION xxiv (SAGE 2004)
[7] *Id* at xxxvii
[8] *Id* at xxxvii

mental health practitioners, victim-witness advocates, and school guidance counselors or social workers.[9]

This list, though, is not definitive and most states allow case review teams to include other members of the community.[10] In some instances, MDTs have utilized theologians as part of the case review team.[11] Indeed, some state laws specifically include religious institutions as appropriate members of the team.[12] This may happen because a faith-based school is represented on the team or because a particular faith leader is well connected with community resources.

Even when a theologian is not part of a local school or is well connected with a community, he or she may bring other benefits to an MDT. This article explores twelve potential roles for a theologian on a child maltreatment multi-disciplinary team.

1. Investigative consultant on institutional abuse within a religious setting

In previous issues of *CenterPiece,* we have offered investigative tips for those assessing sexual or physical abuse practiced or condoned in the name of religion.[13] As part of this process, an investigator may want to explore the theological dynamics present in a particular congregation that may lead the institution to protect an offender more than a victim. In doing this, the investigator way want to consult a theologian or other expert about a particular faith tradition whose teachings or conduct has played a role in the maltreatment.

In one congregation, for example, the church musicians played emotional music while the pastor urged parishioners to publicly confess their sins. One man stood up and tearfully disclosed sexually abusing all his children. The pastor then asked the children to confess their role in the sexual activity. After hearing the "confession" of the children, the pastor announced that victims and offender alike were forgiven and there was no need for anyone to discuss it outside the congregation. Indeed, the pastor explained that anyone discussing the matter outside the congregation would lose the grace of God and be condemned eternally.[14]

In any case of child abuse, the investigators turn to experts to sort through difficult dynamics. In a case such as this, when the dynamics involve twisted theological constructs that may impair a child victim from talking to the police out of fear of going to hell, it may be wise to consult a theologian who can help the officer in understanding the dynamics present in the church and proposing approaches that may alleviate the victim's fears about disclosure. Where is this pastor's theological views rooted? Is the code of silence he is pronouncing rooted in scripture, in

[9] *Id.*
[10] *Id* at xxxv.
[11] *See* Victor I. Vieth, *In My Neighbor's House: A Proposal to Address Child Abuse in Rural America* 22 HAMLINE LAW REVIEW 143 (1998) (noting the importance, particularly in many rural communities, of involving the faith community in addressing child abuse at multiple levels).
[12] 325 ILL. COMP. STAT. 5/7.1 (2013).
[13] *See* Victor I. Vieth & Basyle Tchividjian, *When the Child Abuser has a Bible: Investigating Child Maltreatment Sanctioned or Condoned by a Religious Leader,* 2(12) CENTERPIECE (2010); *see also* Stephen A. Kent, *Religious Justifications for Child Sexual Abuse in Cults and Alternative Religions,* 3 INTERNATIONAL JOURNAL OF CULTIC STUDIES 49 (2012).
[14] This is a case NCPTC consulted on.

a church council, an article of faith—or is it simply something the pastor is making up? Understanding the answer to these questions may assist the investigators not only in speaking with the victims but also the offender and the pastor.

2. Consultant to the mental health professionals working with victims

Ninety three percent of convicted sex offenders describe themselves as religious or very religious.[15] Sex offenders who have the most victims, the youngest victims, and who get away with abuse for the longest period of time before being caught tend to be the offenders most active in their respective congregations.[16] The vast majority of these offenders use religious or spiritual themes in the abuse of their victims. For example, an offender may point to a child's biological reaction to sexual touching and comment "You had an erection, just like me. You enjoy the sexual contact as much as I do and you are as much to blame as me."

When this happens, victims not only suffer physical and emotional damage but also suffer significant spiritual injuries.[17] In a review of 34 studies reporting on a total of 19,090 adult survivors of child maltreatment, scholars noted that most studies found abuse damaged the faith of children, often by damaging the victim's view of and relationship with God.[18] Nonetheless, research consistently shows that abuse victims "who maintained some connection to their personal faith (even if it was damaged as a result of abuse) experienced better mental health outcomes compared to adult survivors of abuse who did not."[19]

In order to maintain this connection to faith, though, the MDT may need to assist the victim in addressing his or her spiritual questions. In one faith setting, for example, a child molester told his victim that he was abusing her because her breasts were the most developed. As a result, the child struggled spiritually. If God knows all things, then surely God knew that in developing her breasts early she would be targeted by this offender. If this is true, is God to blame for the abuse? Did God have some purpose in allowing this suffering?[20]

Survivors may have engaged in drug and alcohol usage, committed delinquent or other criminal offenses, or suffer from mental health or behavioral disorders. In one instance, a survivor committed criminal vehicular homicide while under the influence of meth—a drug he said he used to self-medicate from the emotional pain of childhood trauma.[21] Although many of these

[15] GENE ABEL & NORA HARLOW, THE STOP CHILD ABUSE BOOK (2001)
[16] Donna Eshuys & Stephen Smallbone, *Religious Affiliations Among Adult Sexual Offenders,* 18 JOURNAL OF CHILD SEXUAL ABUSE 442 (2009).
[17] Barbara R. McLaughlin, *Devastated Spirituality: The Impact of Clergy Sexual Abuse on the Survivor's Relationship with God,* 1(2) SEXUAL ADDICTION & COMPULSIVITY (1994).
[18] Donald F. Walker, et al, *Addressing Religious and Spiritual Issues in Trauma-Focused Cognitive Behavior Therapy with Children and Adolescents,* 41 PROFESSIONAL PSYCHOLOGY: RESEARCH & PRACTICE 174 (2010).
[19] Victor I. Vieth, Basyle Tchividjian, Donald F. Walker, & Katlin R. Knodel, *Child Abuse and the Church: A Call for Prevention, Treatment and Training,* 40 JOURNAL OF PSYCHOLOGY & THEOLOGY 323, 330 (2012); *see also,* Shondrah Tarrezz Nash & Latonya Hesterberg, *Biblical Framings of and Responses to Spousal Violence in the Narratives of Abused Christian Women,* 15(3) VIOLENCE AGAINST WOMEN 340 (2009).
[20] This is a case NCPTC consulted on.
[21] This is a case NCPTC consulted on.

victims come to realize that adverse childhood experiences contributed to their behaviors,[22] they also believe their conduct was wrong or "sinful." How, these victims ask, will God sort through all of this when evaluating their lives?

Although there are clear mental health aspects to questions such as these, there are also spiritual dimensions beyond the expertise of many mental health professionals. In a national study of more than 400 clinical psychologists, only one-third professed competence in addressing spiritual issues raised by clients and only 5% had training on this issue.[23]

When this is the case, the team can benefit from having a pool of theologians well trained on child abuse that can assist the team in directly or indirectly responding to a child's spiritual injuries.[24] Unless and until the spiritual questions are addressed, many survivors will not be able to cope physically or emotionally.[25]

3. Clergy as support person

Research shows that the presence of a support person helps children to respond to direct and cross examination questions in court.[26] Moreover, a number of state legislatures and a "substantial body of case law approves of such support."[27]

To better understand the simple compassion in permitting the child victim a support person, Professor John Myers poses the following scenario. "Imagine," Myers writes, "five-year-old Susie, about to enter the hospital for the first time. Susie is scheduled to undergo an unfamiliar and painful medical procedure. Mother drives Susie to the hospital, stops in the parking lot, opens the car door, and says 'Okay, honey, run along into the hospital and find the doctor. I'll be back in a couple of hours to pick you up. Bye.' Mother drives off, leaving little Susie standing all alone outside the hospital. Preposterous you say? Mother won't do that. She'll walk Susie into the hospital and remain at her side to provide comfort, reassurance, and support."[28]

Just as it would be cruel to deny a child a support person during a difficult medical procedure, Myers' argues it is equally cruel to deny a support person to a child testifying in a case of child abuse. Specifically, Myers writes at "the hospital, emotional support is part of treatment, and

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[22] Robert F. Anda & Vincent J. Felitti, *The Relationship of Adverse Childhood Experiences to Adult Medical Disease, Psychiatric Disorders and Sexual Behavior: Implications for Healthcare,* in RUTH LANIUS, ET AL, EDS, THE IMPACT OF EARLY LIFE TRAUMA ON HEALTH AND DISEASE 77 (2010).
[23] Edward P. Shafranske & H. Newton Malony, *Clinical Psychologists' Religious and Spiritual Orientations and their Practice of Psychotherapy,* 27(1) PSYCHOTHERAPY 72, 75, 77 (1990).
[24] As an example of a theological framework in which theologian could address the spiritual needs and questions of both victims and perpetrators, *see* Victor I. Vieth, *What Would Walther Do? Applying Law & Gospel to Victims and Perpetrators of Child Sexual Abuse,* 40 JOURNAL OF PSYCHOLOGY AND THEOLOGY 255 (2012).
[25] *See generally,* Donald F. Walker, et al, *Addressing Religious and Spiritual Issues in Trauma-Focused Cognitive Behavior Therapy with Children and Adolescents,* 41 PROFESSIONAL PSYCHOLOGY: RESEARCH & PRACTICE 174 (2010).
[26] JOHN E.B. MYERS, MYERS ON EVIDENCE IN CHILD, DOMESTIC AND ELDER ABUSE CASES page 71-73 (2005) (citing Goodman, et al, *Testifying in Criminal Court,* 57 MONOGRAPHS OF THE SOCIETY FOR RESEARCH IN CHILD DEVELOPMENT 1,1992).
[27] JOHN E.B. MYERS, MYERS ON EVIDENCE IN CHILD, DOMESTIC AND ELDER ABUSE CASES 157 (2005).
[28] *Id* at 54.

parents are partners in therapy. At the courthouse, however, things are different. The tradition in court is that the child must go it alone."[29]

If a child has been told that he or she is condemned or will otherwise suffer repercussions in speaking about abuse committed in the name of God, the child may benefit from having a trusted theologian in the courtroom as a reminder that God is not upset with her—but rather the person who molested or otherwise mistreated her. In one case, for example, an abused child walked into a crowded courtroom only to have numerous church elders and ministers present in support of the father accused of molesting her. Upon witnessing this spectacle, the child openly wondered if God was also opposed to her.[30] In cases such as this, a theologian supportive of the child may make a significant difference in the court process, and perhaps throughout the child's life.

4. Providing child protection professionals with additional resources

Many social service agencies are financially strapped and lacking human resources. In addressing this need, many faith communities are willing to help. For example, *Care in Action* is a coalition of churches and other faith based organizations that provide child protection professionals with additional resources in meeting the needs of children and families impacted by abuse.[31] Based in Minnesota, the organization has an "adopt a social worker" program. Under this program, social workers tell the organization of unmet needs of a family—such as an abused child's desire to attend little league baseball—and the organization works to address the need. A similar program operates in the state of South Carolina.[32]

5. Prevention

If it is true that most sex offenders are religious,[33] it is elementary that many will operate inside a faith setting. With respect to physical abuse, many parents who inflict violence on their children do so in the name of religion.[34] For these reasons alone, it is critical to engage theologians in taking a leadership role in speaking out about abuse within faith settings and challenging the religious dogmas that tolerate sexual or physical abuse[35] or in any way blame children for their victimization.[36] Having one or more trusted theologians serve as part of the broader case review team can aid in developing these men and women into leaders more fully equipped to address the spiritual needs of maltreated children and to reform local religious communities.

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[29] *Id.*
[30] This is a case from one of the authors' experience.
[31] See www.careinanctionmn.org (last visited March 25, 2013)
[32]To learn more about the South Carolina project entitled HALOS, visit: www.charlestonhalos.org (last visited March 25, 2013).
[33] GENE ABEL & NORA HARLOW, THE STOP CHILD ABUSE BOOK (2001)
[34] *See generally*, Christina M. Rodriguez & Ryan C. Henderson, *Who Spares the Rod? Religious Orientation, Social Conformity, and Child Abuse Potential*, 34 CHILD ABUSE & NEGLECT 84 (2010).
[35] WILLIAM J. WEBB, CORPORAL PUNISHMENT & THE BIBLE (2011) (the author, a theologian, challenges centuries of belief that the Bible requires parents to inflict physical violence on their children as a means of discipline).
[36] *See* Victor I. Vieth, *What Would Walther Do? Applying Law & Gospel to Victims and Perpetrators of Child Sexual Abuse,* 40 JOURNAL OF PSYCHOLOGY AND THEOLOGY 255 (2012)

6. Addressing the vicarious trauma of MDT members

Most hospitals[37] and many police departments[38] have chaplains able to address the spiritual needs of professionals who have seen death or experienced a lifetime of children recounting incidents of abuse.[39] Although these chaplains may need some additional training on the unique issue of vicarious trauma resulting from working as a child protection professional,[40] they can be of significant assistance in addressing the emotional well-being of some team members.[41] In one instance, a law enforcement officer specializing in child abuse began to wonder why God did not allow him and his wife to have children but allowed so many abusive parents to have a child. Questions such as these may need the aid of a professional counselor but may also require the expertise of a theologian sensitive to the officer's faith.

7. Consulting on culturally sensitive child placements

In most states, child protection workers are required to take into account a child's cultural background, including religious affiliation, when placing the child out of home or in selecting services.[42] A theologian or other religious expert on the case review team may be helpful in determining culturally appropriate placements or services. The theologian would work to not only educate workers but serve as a bridge or conduit with the foster family. Even within similar cultures and religions, there are varying practices. As discussed, child abuse has many religious connotations and it is imperative that the foster family be adequately assessed and educated about the emotional and spiritual needs of the child to avoid exacerbating the child's trauma. Additionally, other service providers may have a limited understanding of the cultural aspects in which the child was raised and therefore use intervention techniques that can be viewed by the child or foster family as insensitive, thereby failing to engage them in needed services.[43] Simply put, theologians are in a unique role to assist the child, team, foster family, and other providers in making the often necessary transition to foster care and treatment services.

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[37] *See e.g.*, Pastoral Care Program at Gundersen Health System, at: http://www.gundluth.org/pastoral (last visited March 25, 2013).
[38] *See e.g*, International Conference of Police Chaplains, at: http://www.icpc4cops.org/ (last visited March 25, 2013).
[39] There are also chaplains for the military (http://www.goarmy.com/chaplain/about/benefits-and-incentives.html), fire departments (http://firechaplains.org/), and even businesses (http://www.chaplain.org/) (all sites last visited March 26, 2013).
[40] *See generally*, Amy Russell, *Vicarious Trauma in Child Sexual Abuse Prosecutors*, 2(6) CENTERPIECE (2010).
[41] For an overview of research discussing the correlation between spirituality and physical and emotional well- being, *see* FRANK NEWPORT, GOD IS ALIVE AND WELL: THE FUTURE OF RELIGION IN AMERICA 47-71 (2012).
[42] *See e.g.*, FLA. STAT. SECTION 409.175 (requirement to safeguard the "cultural, religious, and ethnic values of achild"); MICH. COMP. LAWS SECTION 722.23 (citing as one factor in determining custody the ability of the parties to continue "raising of the child in his or her religion or creed"); MONT. CODE ANN. SECTION 41-3-101 (stating it is the public policy of Montana to "ensure that whenever removal of a child from the home is necessary, the child is entitled to maintain ethnic, cultural,, and religious heritage whenever possible").
[43] *See generally*, Lisa Aronson Fontes, CHILD ABUSE AND CULTURE: WORKING WITH DIVERSE FAMILIES (2005); Lisa Aronson Fontes, INTERVIEWING CLIENTS ACROSS CULTURES: A PRACTITIONER'S GUIDE (2008).

8. Empowering victims to disclose

There is a large and growing body of research that religion is often used to justify maltreatment and to keep the child from disclosing abuse.[44] The child may feel guilty that he or she is sinful because of a biological reaction to touching or because the offender or another church leader told the victim he or she was equally to blame. In one instance, a child sexually assaulted by an elder was told by her pastor that if she did not cry out, the Bible does not consider her to be a victim of sexual abuse.[45]

Jack Schaap, a protestant pastor in Indiana, molested a teenage girl in three states and boldly used religious themes in suggesting to the girl that the abuse was pleasing to God. In one letter to the victim, Schaap claimed:

> You opened your heart wide to me—you made me more than a Pastor/Rescuer—you made me your friend, your confidant, your beloved….In our 'fantasy talk' you have affectionately spoken of being 'my wife.' That is exactly what Christ desires for us. He wants to marry us & become eternal lovers! I tried to craftily catch your heart…Thank you for the privilege of helping a struggling teenager…You have such a wonderful life ahead of you. I must be careful not to spoil that with my selfish fantasy desires…When we get scared, Jesus sends his spirit to live within us…I must follow the example of Christ. I have espoused you to Him as a chaste virgin…[46]

When toxic theology such as this impairs a child's ability to disclose, a theologian consulting the MDT could assist in three ways. First, the theologian may be able to offer insights into a particular church dynamic feeding these blocks and offer suggestions for overcoming the block while staying within the child's cultural framework. Second, a theologian working with a qualified mental health professional, may assist a child overcome these hurdles over the long term.[47] Third, theologians proactive in speaking publicly against toxic theology may find their messages reach victims, if only through the accessing of social media or other forums. When toxic theology is openly challenged in multiple venues, the message may penetrate even the most closed communities.

9. Empowering offenders to confess

A theologian on the MDT can take a leadership role in educating other faith leaders about the attraction many sex offenders have to churches and the frequency with which they manipulate

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[44] *See generally,* Victor I. Vieth, *When Faith Hurts: Overcoming Spirituality-Based Blocks and Problems Before, During and After the Forensic Interview (Revised and Expanded),* 2(10) CENTERPIECE (2010).
[45] See *Shattered Faith,* ABC News 20/20 Documentary, airing April 9, 2011 and available online at: http://abc.go.com/watch/2020/SH559026/VD55121488/2020-48-victims-forced-confession (last visited March 25, 2013).
[46] Jill R, Koster, *Government Sentencing Memorandum, United States of America vs. Jack Alan Schaap*, p. 9-10 (March 13, 2013) available online at: http://www.chicagotribune.com/news/local/breaking/chi-jack-schaap-sentencing-memorandum-20130314,0,4467793.htmlpage (last viewed March 25, 2013)
[47] *See generally,* MARION BILLICH, SUSAN BONFIGLIO, & STEVEN CARSON, SHARED GRACE: THERAPISTS AND CLERGY WORKING TOGETHER (2000); John C. Gonsoriek, et al, *Ethical Challenges and Opportunities at the Edge: Incorporating Spirituality and Religion into Psychotherapy,* 40(4) PROFESSIONAL PSYCHOLOGY: RESEARCH AND PRACTICE 385 (2009).

both the clergy and the church.[48] In explaining his attraction to church, a convicted sex offender noted:

> I consider church people easy to fool…they have a trust that comes from being Christians…They tend to be better folks all around. And they seem to want to believe in the good that exists in all people…I think they want to believe in people. And because of that, you can easily convince, with or without convincing words.[49]

When properly educated about these dynamics, clergy may be less willing to forgive offenders without requiring the offender to take meaningful steps to address his or her crimes—such as turning himself into the police, accessing sex offender treatment, and informing his victim's medical provider about the harm he inflicted on a child's body. There is a growing awareness in theological circles of the need to show "tough love" to sex offenders.[50] As this awareness spreads, churches may serve less as safe havens for offenders seeking to continue molestation, and more as institutions that hold offenders accountable to their victims and to society as a whole. Given the importance of religion to many offenders, this overdue reformation may increase the willingness of local child molesters to confess to the police and otherwise accept governmental punishments or other consequences.[51]

10. Establishing community credibility

When seeking help, families impacted by abuse often turn first to their faith leaders.[52] For example, members of a congregation are more likely to seek counseling from a member of the clergy than a clinician.[53] Simply stated, many congregants know and trust their spiritual leaders but are often wary of psychologists and other members of child protection MDTs.[54] Unfortunately, some faith leaders fuel this mistrust of secular professionals.[55] Having a theologian on the MDT can send a message to the faith community that the child protection team and the services they provide are worthy of respect and use by families in need.

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[48] *See generally,* Donna Eshuys & Stephen Smallbone, *Religious Affiliations Among Adult Sexual Offenders,* 18 JOURNAL OF CHILD SEXUAL ABUSE 442 (2009).
[49] ANNA C. SALTER, PREDATORS (2003).
[50] *See generally,* Victor I. Vieth, *What Would Walther Do? Applying Law & Gospel to Victims and Perpetrators of Child Sexual Abuse,* 40(4) JOURNAL OF PSYCHOLOGY AND THEOLOGY 257 (2012).
[51] *See e.g.* WCBJ TV News Report, *Alchua Pastor Arrested for Sexual Assault,* March 25, 2013, available online at: http://www.wcjb.com/local-news/2013/03/alachua-county-pastor-arrested-sexual-assault (last visited March 25, 2013) (noting a pastor turned himself into the police and confessed to acts of child molestation).
[52] Victor I. Vieth, *Keeping the Faith: A Call for Collaboration Between the Faith and Child Protection Communities* in SHARON W. COOPER, ET AL (EDS), MEDICAL, LEGAL & SOCIAL SCIENCE ASPECTS OF CHILD SEXUAL EXPLOITATION 947, 953 (2005).
[53] Ann A. Hohmann and David B. Larson, *Psychiatric Factors Predicting Use of Clergy,* in EVERETT L. WORTHINGTON, JR. (ED), PSYCHOTHERAPY AND RELIGIOUS VALUES 71-84 (1993)
[54] *See generally,* Victor I. Vieth, *Keeping the Faith: A Call for Collaboration Between the Faith and Child Protection Communities* in SHARON W. COOPER, ET AL (EDS), MEDICAL, LEGAL & SOCIAL SCIENCE ASPECTS OF CHILD SEXUAL EXPLOITATION 947, 953 (2005).
[55] *See generally,* MARY PRIDE, THE CHILD ABUSE INDUSTRY (1986) (The author, whose work was published by a Christian publishing house, argues the child protection system "threatens every North American family.").

11. Spokesperson in explaining MDT actions to the faith community

The theologian on the MDT can assist other clergy in understanding MDT processes and decisions. In one instance, a pastor at a ministerial association meeting complained that a CPS worker removed a child from a family in his congregation. The pastor angrily denounced the conduct, noting that several weeks had passed without any court hearing or sharing of information of the child's whereabouts with the parents.

The theologian on the MDT listened to the pastor's complaint and then calmly explained that state law required a court hearing within 48 hours of a child's removal and the court had to review the matter every seven days until a final decision was made. The theologian on the MDT suggested the distraught pastor request his parishioners to sign a release so that he could talk directly with social services and see for himself whether or not the parents' claims were truthful.[56]

12. Developing ethical responses to maltreatment

When Dietrich Bonhoeffer contemplated the study of theology, his father and other members of his family were wary of the usefulness of scholarship not rooted in science.[57] And yet, as the Third Reich consumed Germany and much of Europe, it was Bonhoeffer's ethical code, strongly rooted in religious concepts, which enabled him and others to resist Nazi savagery even to the point of losing their own lives.[58] Indeed, one of Bonhoeffer's most acclaimed works is a treatise on ethics exploring not simply when it may be appropriate to overthrow a government but also to lie or engage in other conduct often viewed as unethical.[59] Many scholars[60] and both conservative and liberal political leaders[61] have noted the common ethical thread woven into the world's religions and the utility of this ethical code in shaping good behavior.

In commenting on the value of religion in promoting moral behavior and decisions, President Barack Obama writes:

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[56] This is an anecdote from an MDT one of the authors participated in as a prosecutor.
[57] *See* ERIC METAXES, BONHOEFFER 37-40 (2010).
[58] *See generally,* ERIC METAXES, BONHOEFFER 37-40 (2010). Ethical principles rooted in religion resulted in many other pockets of resistance to the Nazis. For example, *see* EDWIN ROBERTSON, THE LIFE OF EIVIND BERGGRAV (2000).

[59] *See generally,* DIETRICH BONHOEFFER, ETHICS (1995).
[60] *See e.g.* C.S. LEWIS, THE ABOLITION OF MAN (1944) (noting "This conception in all its forms, Platonic, Aristotelian, Stoic, Christian, and Oriental alike, I shall henceforth refer to for brevity as 'the Tao'. Some of the accounts of it which I have quoted will seem, perhaps, to many of you merely quaint or even magical. But what is common to them all is something we cannot neglect. It is the doctrine of objective value, the belief that certain attitudes are really true, and others really false, to the kind of thing the universe is and the kind of things we are." Id. at 18).
[61] *See* RICHARD NIXON, IN THE ARENA 98 (Pocket Books 1990) (noting the value of religion in changing the hearts of theose who make political or other decisions). *See also* BARACK OBAMA, THE AUDACITY OF HOPE 195-226 (2006).

> When we ignore the debate about what it means to be a good Christian or Muslim or Jew; when we discuss religion only in the negative sense of where or how it should not be practiced, rather than in the positive sense of what it tells us about our obligations toward one another…others will fill the vacuum…(T)he discomfort of some progressives with any hint of religiosity has often inhibited us from addressing issues in moral terms…Scrub language of all religious content and we forfeit the imagery and terminology through which millions of Americans understand both their personality morality and social justice…Of course organized religion doesn't have a monopoly on virtue…But we should not avoid making such claims or appeals—or abandon any reference to our rich religious traditions—in order to avoid giving offense.[62]

When MDTs fall apart or fail to perform optimally it is usually not because of a lack of resources but because one or more members of the team values his or her own agency or even him or herself as more important than a child whose life is swaying in the balance. In one instance, for example, a team declined to do a courtesy interview of a sexual abuse victim because the law enforcement agency didn't like the demanding nature of the request made from another state.[63] Thinking such as this, thinking far removed from anything close to placing the child above all other considerations, may be inhibited if a member of the team was repeatedly assigned the task of questioning whether particular conduct is moral—a role ideally suited for many theologians.

In noting that Fred Rogers, of the PBS children's television show *Mister Rogers*, both cared about traumatized children[64] and was an ordained minister, a child abuse prosecutor lamented "if only Mister Rogers were a part of our case review team—suddenly we would always put the children first."[65]

Conclusion

Given the fact that most child abusers use religions themes in the abuse of children, and that this usage causes significant spiritual damage inhibiting the ability of the MDT to investigate abuse and the victim to heal, it is elementary that teams need to develop stronger connections to the faith community. These connections will be critical for MDTs serious in preventing abuse, in investigating difficult cases of abuse within a religious institution, or in addressing a victim's mental and physical health—both of which are often inextricably linked to the child's spiritual well-being. There is, though, so much more. A connection to theologians can help MDT

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[62] Id. at 214.

[63] This is a case NCPTC was asked to consult on.

[64] In the aftermath of a school shooting in Connecticut, many parents were reminded of the words Mister Rogers uttered in helping children cope with trauma: "When I was a boy and I would see scary things in the news, my mother would say to me 'Look for the helpers. You will always find people who are helping.' To this day, especially in times of disaster, I remember my mother's words and I am always comforted that there are still so many helpers—so many caring people in the world." Courtney Hazlett, TODAY (December 17, 2012) available online at: http://todayentertainment.today.com/_news/2012/12/17/15969444-mr-rogers-photo-words-of-advice-go-viral-in-wake-of-shootings?lite (last visited March 25, 2013)

[65] This is an anecdote a child abuse prosecutor shared with one of the authors. To learn more about the ethical and spiritual views of Fred Rogers, *see* AMY HOLLINGSWORTH, THE SIMPLE FAITH OF MISTER ROGERS (2005).

members cope with vicarious trauma by addressing the most difficult questions arising in this work. Equally important, theologians can serve as reminders that, whether or not we hold any religious views, the cause of children is the highest of all callings demanding the highest of all conduct.

Exhibit E

Curriculum Vitae
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ADMITTED TO THE BAR: MINNESOTA

EDUCATION: HAMLINE UNIVERSITY SCHOOL OF LAW
Degree: Juris Doctor, May 1987
Class rank: Top 21%
Honors: Law Review Editor-in-Chief; American Jurisprudence Award for achievement in the study of Constitutional Law; National Moot Court Team; Dean's Honor Roll.

WINONA STATE UNIVERSITY
Degree: B.S. in Public Administration, August 1984.
GPA: 3.7
Honors: Graduated *Magna Cum Laude*; state champion in persuasive speaking; nationally ranked in several speaking events.

WORK EXPERIENCE:

EXECUTIVE DIRECTOR, NATIONAL CHILD PROTECTION TRAINING CENTER AT WINONA STATE UNIVERSITY, August 2003-present

DIRECTOR, APRI's CHILD ABUSE PROGRAMS, 2004 to 2007.

DIRECTOR, APRI'S NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE, September 1999-2004

SENIOR ATTORNEY, AMERICAN PROSECUTORS RESEARCH INSTITUTE'S NATIONAL CENTER FOR PROSECUTION OF CHILD ABUSE, Alexandria, Virginia. April 1997-September 1999. Duties include training and providing technical assistance to prosecutors handling cases of child abuse.

ASSISTANT COUNTY ATTORNEY, RURAL MINNESOTA, 1988-1997. Duties included felony, gross misdemeanor and misdemeanor prosecutions as well as juvenile delinquency, child protection, civil commitment, and child support cases.

PUBLISHED WORKS:

LAW REVIEW ARTICLES AND NOTES:

The Forensic Interviewer in Court: Proposed Guidelines for Admitting Expert Testimony on Forensic Interviewing, 36(1) WILLIAM MITCHELL LAW REVIEW 186 (2009).

Unto the Third Generation: A Call to End Child Abuse in the United States Within 120 Years (Revised and Expanded), 28 HAMLINE JOURNAL OF PUBLIC LAW & POLICY 1 (Fall 2006)

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BOOKS:

Contributor and co-editor with Angelo P. Giardina, Sharon Cooper, Richard Estes and Nancy Kellogg on the treatise MEDICAL, LEGAL AND SOCIAL SCIENCE ASPECTS OF CHILD SEXUAL ABUSE. (G.W. Publishing 2005)

Contributor and co-editor with Angelo P. Giardino, Sharon Cooper, Richard Estes and Nancy Kellogg on the book QUICK REFERENCE: CHILD SEXUAL EXPLOITATION (G.W. Publishing 2007)

Editor and contributor to ENDING CHILD ABUSE: NEW EFFORTS IN PREVENTION, INVESTIGATION, PROSECUTION AND TRAINING (HAWORTH PRESS 2006)

Editor and contributor to INVESTIGATION AND PROSECUTION O F CHILD ABUSE (SAGE PUBLISHING 2003)

Provided editing assistance on the book USING EXPERT WITNESSES IN CHILD ABUSE AND NEGLECT CASES, published by the Minnesota County Attorneys Association (1994).

BOOK CHAPTERS:

Shadow Children: Addressing the Commercial Exploitation of Children in Rural America, published in MEDICAL AND LEGAL ASPECTS OF CHILD SEXUAL ABUSE (GW MEDICAL PUBLISHING 2005) (co-authored with Erika Ragland)

Keeping the Faith: A Call for Collaboration between the Faith and Child Protection Communities, published in MEDICAL AND LEGAL ASPECTS OF CHILD SEXUAL ABUSE (GW MEDICAL PUBLISHING 2005)

Unto the Third Generation: A Call to End Child Abuse in the United States Within 120 Years, published in ENDING CHILD ABUSE: NEW EFFORTS IN PREVENTION, INVESTIGATION, PROSECUTION & TRAINING (HAWORTH PRESS 2006) (this was simultaneously published as a special issue of the Journal of Aggression, Maltreatment & Trauma)

Hearing the Cry: Investigating and Prosecuting Adult Sexual Assault Cases, published in SEXUAL ASSAULT: VICTIMIZATION ACROSS THE LIFE SPAN, A CLINICAL GUIDE (GW MEDICAL PUBLISHING 2003) (co-author with Baum, Brown, Burkhart, Harp, Kennedy, Kreeger, Kreston, Shaw-Phipps, Rogers, Shaw, Steele & Wilsey)

OTHER PUBLISHED WORKS:

Effects of Medical Student Training in Child Advocacy and Child Abuse Prevention and Intervention, PSYCHOLOGICAL TRAUMA: THEORY, RESEARCH, PRACTICE & POLICY (Forthcoming 2013) (co-authored with Michele S. Knox and Heather Pelletier)

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Unto the Third Generation: A Call to End Child Abuse in the United States within 120 Years, JOURNAL OF AGGRESSION, MALTREATMENT & TRAUMA (2006)

Commentary on How Child Protective Service Investigators Decide to Substantiate Mothers for Failure to Protect in Sexual Abuse Cases, 15(4) JOURNAL OF CHILD SEXUAL ABUSE 105-110 (2006)

When the Victim is Very Young: Assessing Allegations of Sexual Abuse in Pre-School Children, 2(4) & 3(1) REASONABLE EFFORTS (2005) & (2006)

When Words Hurt: Investigating and Proving a Case of Psychological Maltreatment, 2(1) REASONABLE EFFORTS (2004)

The National Child Protection Training Center: A Partnership between APRI and Winona State University, 38 (1) THE PROSECUTOR 33 (January/February 2004)

The National Child Protection Training Center: A New Resource for Frontline Workers, a New Hope for Children, 1(1) REASONABLE EFFORTS (2003)

Finding Words/Half a Nation by 2010: The Forensic Interviewing Program of CornerHouse and APRI's National Center for Prosecution of Child Abuse, 15(1) APSAC ADVISOR (WINTER 2003) (Lori Holmes, co-author)

Cultural Sensitivity in the Forensic Interview Process, 15 UPDATE, Number 1 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 2002)

When Days Are Gray: Avoiding Burnout as Child Abuse Professionals, 14 UPDATE, Number 4 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 2001)

Half a Nation by 2010, 14 UPDATE, Number 2 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 2001)

Through the Eyes of a Child: A Call for Equal Justice for Victims of Child Abuse, 23 The Guardian, number 2 (Spring 2001) pages 1-2.

Tips for Medical Professionals Called as Witnesses, 13 UPDATE, Number 7 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 2000)

Thirteen Tips for Cross-Examining Child Abuse Defendants and Defense Witnesses, 13 UPDATE, Number 6 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 2000).

When Cameras Roll: The Danger of Videotaping Child Abuse Victims Before the Legal System is Competent to Assess Children's Statements, 7(4) JOURNAL OF CHILD SEXUAL ABUSE 113 (1999).

A Commentary on Responses to "When Cameras Roll", 8(3) JOURNAL OF CHILD SEXUAL ABUSE 107(1999).

When a Child Stands Alone: The Search for Corroborating Evidence, 12 UPDATE, number 6 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 1999).

Defending the Investigative Interview, 12 UPDATE, number 2 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia 1999).

Using Voir Dire to Reduce Juror Bias in Child Abuse Cases, 11 UPDATE, number 7 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia, 1998).

When Parental Discipline is a Crime: Overcoming the Defense of Reasonable Force, 32 THE PROSECUTOR 29 (July/August 1998).

Adult Sexual Assault: Pre-Trial Considerations in the Difficult Case, 32 THE PROSECUTOR 24 (January/February 1998).
Interviewing the Child Molester: Ten Tips for Eliciting Incriminating Statements, 11 UPDATE, number 2 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia, 1998).

When a Child Testifies: Getting the Jury to Believe the Victim, 17 ABA CHILD LAW PRACTICE 22 (April 1998). The article also appears in volume10 UPDATE, number 10 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia, 1997).

Investigating Domestic Violence: A Call to Protect and Serve our Families, 10 UPDATE, number 6/7 (American Prosecutors Research Institute, National Center for Prosecution of Child Abuse, Alexandria, Virginia, 1997).

Do Lawyers Need Religion? 53 BENCH & BAR 30 (September 1996).

Negotiating With a Prosecutor, 52 BENCH & BAR 29 (September 1995).

Everything I Needed to Know as a Prosecutor, I Learned from Johnny Cash, 81 ABA JOURNAL 116 (May 1995).

A Strategy for Confronting Child Abuse in Rural Communities, 28 THE PROSECUTOR 15 (September/October 1994).

When a Child Reveals Abuse, 6 LUTHERAN PARENT (2000).

When Dad Hits Mom: Making Congregations Safe for Victims of Domestic Violence, 83 NORTHWESTERN LUTHERAN 6 (October 1996).

Drying Their Tears: Making Your Congregation Safe for Child Abuse Victims, 81 NORTHWESTERN LUTHERAN 10 (October 1994).

A Christian Prosecutor's Perspective on Crime, 80 NORTHWESTERN LUTHERAN 305 (1993).

The Samaritan in My House, 86 FORWARD/NORTHWESTERN LUTHERAN 8 (October 1999). This article was reprinted in the Fall 2000 issue of THE LUTHERAN DIGEST.

The Ditch Digger, 88 FORWARD/NORTHWESTERN LUTHERAN (September 2001).

Jesus on a Baseball Card, FORWARD IN CHRIST (Summer 2002)

Heaven in the Eyes of a Dog, THE LUTHERAN DIGEST (Summer 2001).

My Son the Scientist, THE LUTHERAN DIGEST 51 (Winter 2002).

HONORS:

Recipient of the 2012 Distinguished Service Award from the Minnesota Council of Child Caring Services

Recipient of the 2012 Pro Humanitate Award from the North American Resource Center for Child Welfare

Recipient of the 2012 Ken Kolbe "Great Kid's Start with You" award at the La Crosse Child Maltreatment Conference.

Recipient of the 2012 *Morris Hursch Award* from the Minnesota Social Service Association at their annual conference.

Honored at the 2011 Minnesota Coalition Against Sexual Assault's 5th Annual Aware Event

Recipient of the 2009 *Public Service Award* from the Minnesota County Attorneys Association

Recipient of the 2007 *Outstanding Service to the Profession* award from the editorial board of *Minnesota Lawyer*

Named a member of the President's Honor Roll of the American Professional Society on the Abuse of Children, July 2000.

Recipient of the 1999 Associated Church Press' Honorable Mention award for the article *The Samaritan in My House.*

Commissioned a Kentucky Colonel by Kentucky Governor Paul E. Patton on July 22, 1999. This is the highest honor awarded by the State of Kentucky. The commission was awarded for "service and accomplishments on behalf of your fellow man."

Recipient of Winona State University's 1998 *Distinguished Young Alumni Award.*

Selected by the Young Lawyers Division of the American Bar Association as one of *21 Young Lawyers Leading Us Into the 21st Century,* 22 THE BARRISTER 26 (Summer 1995).

Recipient of Hamline University School of Law's *Distinguished Alumni Award.*

Recipient of The Associated Church Press' 1994 Award of Excellence for the article *Drying Their Tears: Making Your Congregation Safe for Child Abuse Victims.*

REPORTED CASES:

State v. Kissner, 541 N.W.2d 317 (Minn. Ct. App. 1995) (Criminal vehicular homicide case involving the death of two infant girls and their aunt. *Kissner* established that several acts of negligence, when combined, may be sufficient to prove the element of grossly negligent conduct).

REPORTED CASES CITING WRITINGS:

Becker v. Mayo Foundation, 737 N.W.2d 200, 208 (Minn. 2007) **citing** *Passover in Minnesota: Mandated Reporting and the Unequal Protection of Abused Children,* 24 WM MITCHELL L. REV. 131, 134-45 (1998).

In Re: DS, 111 Ohio St. 3d 361, 364; 856 N.E.2d 921,924 (2006), **citing** *When the Child Abuser is a Child: Investigating, Prosecuting and Treating Juvenile Sex Offenders in the New Millennium,* 25 HAMLINE L. REV. 47 (2001).

State v. Sergio, 48 P.3d 764, 768 (NM Ct. App. 2002) **citing** *When the Child Abuser is a Child: Investigating, Prosecuting and Treating Juvenile Sex Offenders in the New Millennium,* 25 HAMLINE L. REV. 47, 71-76 (2001).

In re Jonathon Michael D., 194 W.Va. 20; 459 S.E.2d 131,139 (1995) **citing** *The Mutilation of a Child's Spirit: A Call for a New Approach to Termination of Parental Rights in Cases of Child Abuse,* 20 WM. MITCHELL L. REV. 727, 731 (1994).

SEMINARS TAUGHT:

From 2013:

Child Advocacy Studies (CAST): Incorporating ACE Research into Undergraduate and Graduate Curricula
This Seminar was taught:

- April 20, 2013 as part of a Academy on Violence & Abuse Biennial Scientific Assembly

Why is the Multidisciplinary Team (MDT) Necessary in the Investigation of Child Abuse and Neglect
This Seminar was taught:

- January 13, 2013 as part of a Japanese 15th International Symposium for Child Maltreatment Prevention in Tokyo, Japan

The Roles of Child Protective Services (CPS), Police and District Attorneys in the Investigation of Child Abuse and Neglect
This Seminar was taught:

- January 12, 2013 as part of a Japanese 15th International Symposium for Child Maltreatment Prevention in Tokyo, Japan

The Detection and Reporting of Child Abuse and Neglect
This Seminar was taught:

- January 12, 2013 as part of a Japanese 15th International Symposium for Child Maltreatment Prevention in Tokyo, Japan

How do the Multidisciplinary Team Members Collaborate in the Investigation of Child Abuse and Neglect
This Seminar was taught:

- January 13, 2013 as part of a Japanese 15th International Symposium for Child Maltreatment Prevention in Tokyo, Japan

Development of Ethical Norms in Context of Abuse
This seminar was presented:

- December 19, 2012 as part of a Germany Child Abuse training in Heidelberg, Germany

Ethical Dilemma, Justice and the Law: Perspectives from the Prosecution and Prevention of Child Abuse in the USA
This seminar was presented:

- December 19, 2012 as part of a Germany Child Abuse training in Heidelberg, Germany

Establishing Conditions to End Child Abuse in the World-Infrastructure: Education, Intervention, and Prevention
This Seminar was presented:

- December 11, 2012 as part of a Safe Belarus for Children conference in Minsk, Belarus

Developing an Infrastructure for Ending Child Abuse in the World
This Seminar was presented:

- December 12, 2012 as part of a Safe Belarus for Children conference in Minsk, Belarus

Education Programs for Students in Intervention and Prevention of Child Abuse
This Seminar was presented:

- December 13, 2012 as part of a Safe Belarus for Children conference in Minsk, Belarus

The Adverse Childhood Experiences (ACE) Study
This seminar was presented:

- November 20, 2012 as part of an Anoka County Child Abuse Prevention Council training in Ramsey, MN

In the Neighborhood: Ending the Sexual Exploitation of Women and Children in Strip Clubs and Adult Bookstores
This seminar was presented:

- September 17, 2012 as part of an NCPTC/William Mitchell training in St. Paul, MN
- October 11, 2012 as part of the NCPTC's When Words Matter in St. Paul, MN

What Would Walther Do?
Applying Law & Gospel to Victims and Perpetrators of Child Sexual Abuse
This seminar was presented:

- March 27, 2012 as part of the Bethany Lutheran College training in Mankato, MN

Lessons from Penn State: A Call to Implement a New Pattern of Training for Mandated Reporters of Child Protection Professionals
This seminar was presented:

- March 20, 2012 as part of the National Symposium on Child Abuse in Huntsville, AL
- May 4, 2012 at a training sponsored by Fransiscan Skemp in

La Crosse, WI

- August 13, 2012 at the Dallas Crimes Against Children Conference sponsored by the Dallas Police Department in Dallas, TX
- September 18, 2012 as part of an NCPTC/William Mitchell training in St. Paul, MN
- September 20, 2012 as part of the National Victims of Crime in New Orleans, LA
  November 18, 2012 as part of Male Survivor Conference sponsored in New York, NY
- January 30, 2013 as part of the San Diego International Conference in San Diego, CA
- March 6, 2013 as part of a training sponsored by Project Harmony Child Protection Training Center in Omaha, NE
- April 23, 2013 as part of a Bivona Child Advocacy Center training in Rochester, NY

- April 20, 2013 as part of a Friends of Sangamon County Child Advocacy Center in Springfield, IL

Current and Emerging Issues in Child Abuse
This seminar was presented:

- February 17, 2012 as part of a Winona State University-Rochester Outreach program in Rochester, MN
- June 1-2, 2012 as part of a Winona State University-Rochester Outreach program in Rochester, MN\
- April 23, 2013 as part of a training sponsored by the Bivona Child Advocacy Center in Rochester, NY

Maintaining Effective Multi-Disciplinary Teams
This seminar was presented:

- September 29, 2011 as part of conference sponsored by CACNC in Lake Junaluska, NC

I Take It Back: Delayed Disclosures and Recantations
This seminar was presented:

- September 27, 2011 as part of a conference sponsored by the Department of Social Services in Fayetteville, NC
- April 2, 2012 as part of a conference sponsored by the Bucks County Child Advocacy Center
- April 25, 2012 as part of a conference sponsored by the Bivona Child Advocacy Center in Rochester, NY
- May 30, 2012 as part of a conference sponsored by Children's Advocacy Center in Medford, OR
- July 30, 2012 as part of a training sponsored by Genesee Community College in Batavia, NY
- February 27, 2013 as part of a training sponsored by the Marion County Children's Advocacy Center in Ocala, FL

Juvenile Sex Offenders
This seminar was presented:

- September 27, 2011 as part of a conference sponsored by the Department of Social Services in Fayetteville, NC
- May 2, 2012 as part of a training sponsored by Cambria County in Johnstown, PA

An Update from the Field: The Changing Face of Forensic Interviewing in the United States
This seminar was presented:

- September 19, 2011 at NCPTC's When Words Matter Conference in Chicago, IL

Current Issues & Linking Research to Practice for Children Exposed to Family & Other Violence
This seminar was presented:

- September 13, 2011 in San Diego, CA at the IVAT Training

Linking Research & Practice for Child Maltreatment & Children Exposed
This seminar was presented:

- September 12, 2011 in San Diego, CA at the IVAT Training

What Judges Want to Hear From Child Abuse & Intimate Partner Violence Experts
This seminar was presented:

- September 12, 2011 in San Diego, CA at the IVAT Training

When Words Hurt: Investigating and Prosecuting Cases of Emotional Abuse
This seminar was presented:

- August 15, 2011 in Indianapolis, IN as part of the IRecord Prosecutor Training
- February 23, 2012 in Bentonville AR as part of our NCPTC Investigation and Litigation training
- May 2, 2012 as part of a training sponsored by Cambria County in Johnstown, PA
- July 30, 2012 as part of a training sponsored by Genesee Community College in Batavia, NY
- September 27, 2012 as part of the Marshfield Clinic training in Marshfield, WI

When a Child Stands Alone: The search for Corroborating Evidence
This seminar was presented:

- August 15, 2011 in Indianapolis, IN as part of the IRecord Prosecutor Training

Preparing Children for Court
This seminar was presented:

- April 8, 2011 in Chicago, IL as part of the Chicago Children's Advocacy Center's 2011 Annual Child Maltreatment Symposium
- April 28, 2011 in Bivona, NY as part of the 3rd Annual Bivona Summit on Child Abuse training

Ethical issues for Child Protection Attorneys
This seminar was presented:

- April 8th, 2011 in Chicago, IL as part of the Chicago Children's Advocacy Center's 2011 Annual Child Maltreatment Symposium
- April 11-13, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection Cases
- February 27, 2012 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection training

When the Smoke Clears: Cross Examination of the Defense Expert's attack on the Forensic Interview
This seminar was presented:

- April 8th, 2011 in Chicago, IL as part of the Chicago Children's Advocacy Center's 2011 Annual Child Maltreatment Symposium
- May 11, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection Cases training

- August 16, 2011 in Indianapolis, IN as part of the IRecord Prosecutor Training

Domestic Violence and Child Abuse
This seminar was presented:

- April 5, 2011 in San Diego, CA as part of NDAA's Equal Justice training.

Developing a Multi-Disciplinary Response to Child Abuse: The Search for Corroborating Evidence
This seminar was presented:

- March 23, 2011 in Sioux City, NE as part of the NDAA Rural and Tribal Trainings
- April 4, 2011 in Minot, ND as part of the NDAA Rural and Tribal Trainings
- April 19, 2011 in Green Bay, WI as part of the NDAA Rural and Tribal Trainings
- April 26, 2011 in Kearny, NE as part of the NDAA Rural and Tribal
- June 7, 2011 in Aberdeen, SD as part of the conference sponsored by A Voice for Children
- June 30, 2011 in Scottsbluff, NE as part of the NDAA Rural and Tribal Trainings
- October 15, 2011 as part of a NDAA Rural and Tribal Training in Syracuse, NY

In My Neighbor's House: Addressing Child Abuse in Rural Communities
This Seminar was presented:

- March 23, 2011 in Sioux City, NE as part of the NDAA Rural and Tribal Trainings
- April 4, 2011 in Minot, ND as part of the NDAA Rural and Tribal Trainings
- April 19, 2011 in Green Bay, WI as part of the NDAA Rural and Tribal Trainings
- April 26, 2011 in Kearney, NE as part of the NDAA Rural and Tribal Trainings
- May 19, 2011 in Grand Rapids, MN as part of the NDAA Rural and Tribal Trainings
- June 21, 2011 in Hayes, KS as part of the NDAA Rural and Tribal training
- June 30, 2011 in Scottsbluff, NE as part of the NDAA Rural and Tribal Trainings
- July 12, 2011 in Hanover, MN as part of the NDAA Rural and Tribal Trainings
- September 15, 2011 as part of a NDAA Rural and Tribal Training in Grand Forks, ND
- October 20 as part of a NDAA Rural and Tribal Training in Rice Lake, WI
- November 2, 2011 as part of a NDAA Rural and Tribal Training in Carlinville, IL
- November 8, 2011 as part of a NDAA Rural and Tribal Training in Carlinville, IL
- March 7, 2012 as part of the Missouri State University Criminology and Criminal Justice training in Springfield, MO

Corroborating Evidence
This Seminar was presented:

- March 17, 2011 in Spartanburg, SC as part of a conference sponsored by University of South Carolina
- September 29, 2011 in Lake Junaluska, NC as part of conference sponsored by CACNC

- April 16, 2012 in Laredo, TX as part of a conference sponsored by Laredo-Webb Children's Advocacy Center
- April 24, 2012 in Rochester, NY as part of a conference sponsored by the Bivona Child Advocacy Center
- July 30, 2012 as part of a training sponsored by Genesee Community College in Batavia, NY
- November 27, 2012 as part of a Western Slope Center for Children training in Grand Junction, CO

When Faith Hurts: Addressing Spiritual Injuries Caused by Child Abuse
This Seminar was presented:

- October 18, 2012 as part of a ELS/WELS Pastor and Teacher training in Ocean Shores, WA
- March 27, 2012 as part of the Bethany Lutheran College training in Mankato, MN
- March 17, 2011 in Spartanburg, SC as part of a conference sponsored by University of South Carolina
- August 8, 2011 at the Dallas Crimes Against Children annual Conference.
- August 19 and 20, 2011 as part of the Grace Church Seminars in Denver, CO and Centennial, CO
- September 30, 2011 as part of a NDAA's Strategies for Justice in Denver, CO
- January 24, 2012 as part of the San Diego International Conference in San Diego, CA
- March 20, 2012 as part of the National Symposium on Child Abuse in Huntsville, AL
- June 8, 2012 as part of NASW's 22nd Annual State Conference in St. Paul, MN
- July 23, 2012 as part of NCPTC's and WSU's CAST conference in Winona, MN
- August 14, 2012 as part of Dallas Crimes against Children Conference sponsored by Dallas Police Department in Dallas, TX
- August 29, 2012 as a part of the Martin Lutheran College presentation in New Ulm, MN
- October 18, 2012 as part of the ELS/WELS Pastor and Teacher Conference in Ocean Shores, WA
- December 17, 2012 as part of a Germany Child Abuse training
- February 27, 2013 as part of a training sponsored by the Child Abuse Center in Gainesville, FL
- March 15, 2013 as part of an Oklahoma State Department of Health training in Oklahoma City, OK
- April 5, 2013 as part of a Child Advocacy Training Center Laredo-Webb County in Laredo, TX
- April 9, 2013 as part of a Faith Lutheran Church training in Black River Falls, WI

Sexualized Children and the Law
This Seminar was presented:

- March 2, 2011 in Omaha, NE as a part of a conference sponsored by Project Harmony Child Advocacy Center

Unto a Third Generation

This Seminar was presented:

- March 22, 2011 in Pittsburg, PA as part of a conference sponsored by the University of Pittsburgh School of Law
- February 17, 2011 in Mason City, IA as part of a conference sponsored by North Iowa Area Community College
- June 7, 2011 in Aberdeen, SD as part of a conference sponsored by A Voice for Children
- June 21, 2011 in Hayes, KS as part of the NDAA Rural and Tribal trainings
- July 12, 2011 in Hanover, MN as part of the NDAA Rural and Tribal training
- August 24, 2011 at Martin Luther College in New Ulm, MN
- September 15, 2011 as part of a NDAA Rural and Tribal Training in Grand Forks, ND
- September 27, 2011 as part of a conference sponsored by the Department of Social Services in Fayetteville, NC
- September 29, 2011 as part of conference sponsored by CACNC in Lake Junaluska, NC
- October 3, 2011 as part of the NCPTC's Prevention Conference in Minneapolis, MN
- October 20, 2011 as part of a NDAA Rural and Tribal Training in Rice Lake, WI
- October 25, 2011 as part of a NDAA Rural and Tribal Training in Syracuse, NY
- October 31, 2011 in Wheaton, IL as a conference sponsored by Prevent Child Abuse Illinois
- November 2, 2011 as part of a NDAA Rural and Tribal Training in Carlinville, IL
- January 27, 2012 as part of a Children's Advocacy Center of Collin County Child Advocate Appreciation Luncheon in Plano, TX
- March 13, 2012 as part of a MSSA training in Minneapolis, MN
- April 2, 2012 in Newton, PA as part of a conference sponsored by the Buck's County Child Advocacy Center
- April 4, 2012 in Owatonna,MN as part of luncheon sponsored by the Eagles Club
- April 16, 2012 as part of the Children's Advocacy Center of Laredo-Webb County training in Laredo, TX
- April 19, 2012 as part of a Golden Halo Award ceremony sponsored by the Children's Trust in Roanoke, VA
- April 23, 2012 as part of a training sponsored by the Policy Center for Victim Issues, Dept. of Justice Canada in Ottawa, Canada
- April 26, 2012 as part of a training sponsored by the Crawford, Orange and Martin County in Paoli, IN
- May 2, 2012 as part of a training sponsored by Cambria County in Johnstown, PA
- July 23, 2012 as part of NCPTC's and WSU's CAST conference in Winona, MN
- March 29, 2013 as part of a NDAA ChildProof training in Washington DC

Memory and Suggestibility: Defending the Investigative Interview

This Seminar was presented:

- February 9, 2011 in Yakima, WA as part of a conference sponsored by

Yakima Victim Services

- April 19, 2012 as part of a Golden Halo Award ceremony sponsored by the Children's Trust in Roanoke, VA
- May 3, 2012 as part of a training sponsored Fransiscan Skemp in

La Crosse, WI

- November 27, 2012 as part of a Western Slope Center for Children training in Grand Junction, CO
- December 3, 2012 as part of a Wisconsin Indianhead Technological College training in Rice Lake, WI
- April 25, 2013 as part of a Clackamas County Sheriff's training in Portland, OR

Preparing for and Testifying as an Expert Witness
This Seminar was presented:

- February 9, 2011 in Yakima, WA as part of a conference sponsored by

Yakima Victim Services

- April 28, 2011 in Rochester, NY as part the Third Annual Bivona Summit on Child Abuse sponsored by the Bivona Child Advocacy Center

Investigation and Prosecution of Child Abuse and Neglect
This seminar was presented:

- February 9, 2011 in Yakima, WA as part of a conference sponsored by

Yakima Victim Services

- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College
- May 2, 2011 in Manchester, CT as part of a From Crime Scene to Trial: Child abuse Investigations Training sponsored by the East Central Multidisciplinary team
- June 7, 2011 in Aberdeen, SD as part of a conference sponsored by A Voice for Children
- October 28, 2011 in Fayetteville, NC as a conference sponsored by Department of Social Services
- May 2, 2012 as part of a training sponsored by Cambria County in Johnstown, PA
- September 17, 2012 as part of an NCPTC/William Mitchell training in St. Paul, MN
- November 27, 2012 as part of a Western Slope Center for Children training in Grand Junction, CO
- March 27, 2013 as part of a University South Caroline Upstate training in Spartanburg, SC

Investigation and Prosecution of Cases of Emotional Maltreatment
This seminar was presented:

- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College

When the Child is Very Young: Investigation and Prosecuting Cases of Child Sexual Abuse When the Victim is Pre or Non-Verbal
This seminar was presented:

- April 29, 2011 in Bivona, NY as part the 3rd Annual Bivona Summit on Child Abuse
- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College
- April 11-13, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection Cases

Investigating, Prosecuting, and Treating Juvenile Sex Offenders
This seminar was presented:

- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College

Cultural Sensitivity Before, During and After the Forensic Interview
This seminar was presented:

- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College

The Day of Reckoning: Testifying in Court as a Child Protection Professional
This seminar was presented:

- January 13 and 14, 2011 in Batavia, NY as part of a regional child abuse conference sponsored by Genesee Community College

When Words Hurt: Investigation and Proving a Case of Emotional Abuse
This seminar was presented:

- April 11-13, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection Cases

Assessing Allegations of Sexual Abuse in Pre/Non-Verbal Children
This seminar was presented:

- April 28, 2011 in Bivona, NY as part of the 3rd Annual Bivona Summit on Child Abuse training
- May 2, 2011 in Manchester, CT as part of a From Crime Scene to Trial: Child abuse Investigations Training sponsored by the East Central Multidisciplinary team
- June 30, 2011 in Scottsbluff, NE as part of the NDAA Rural and Tribal Trainings
- April 2, 2012 as part of a conference sponsored by the Bucks County Child Advocacy Center

Crime Scene Investigation (Photographing and Corroborating Evidence)
This seminar was presented:

- May 2, 2011 in Manchester, CT as part of a From Crime Scene to Trial: Child abuse Investigations Training sponsored by the East Central Multidisciplinary team

Opening Statements and Closing Arguments in Cases of Child Abuse
This seminar was presented:

- May 9, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Prosecution of Civil Child Protection Cases training.
- May 7, 2012 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Prosecution training
- August 15, 2012 at the Dallas Crimes Against Children Conference sponsored by the Dallas Police Department in Dallas, TX

Cross Examination of the Defendant and Non-Expert Defense Witness
This seminar was presented:

- May 9, 2011 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Litigation of Civil Child Protection Cases training.
- May 7, 2012 in Bentonville, AR as part of the NCPTC-NWACC's Investigation and Prosecution training
- September 17, 2012 as part of an NCPTC/William Mitchell training in St. Paul, MN
- March 29, 2013 as part of a NDAA ChildProof training in Washington DC

Testifying in Court
This seminar was presented:

- May 23, 2011 in Winona, MN as part of the NCPTC's The Forensic Interviewer at Trial training

Mock Direct Examination
This seminar was presented:

- May 23, 2011 in Winona, MN as part of the NCPTC's The Forensic Interviewer at Trial training

The Impact of Child Abuse on Spirituality
This Seminar was presented:

- June 7, 2011 in Aberdeen, SD as part of a conference sponsored by A Voice for Children

Forensic Interviewing: Issues and Controversies
This Seminar was presented:

- July 15, 2011 for the APSAC annual Colloquium

When the Smoke Clears: Cross-Examining the Defense Expert's Attack on a Forensic Interview
This Seminar was presented:

- August 8, 2011 at the Dallas Crimes Against Children annual Conference.

- January 24, 2012 as part of the San Diego International Conference in San Diego, CA

Opening statements and closing arguments in Cases of Child Abuse

- August 9, 2011, at the Dallas Crimes Against Children annual Conference

Conducting Peer Review With an Eye Toward Corroborating Evidence

- August 9, 2011, at the Dallas Crimes Against Children annual Conference
- September 19, 2011 at NCPTC's When Words Matter Conference in Chicago, IL
- August 15, 2012 at the Dallas Crimes Against Children Conference sponsored by the Dallas Police Department in Dallas, TX

Meeting Untrue Defenses

- March 29, 2013 as part of a NDAA ChildProof training in Washington DC

NOTE: From 2004-2010, Mr. Vieth has provided instruction to over 40,000 child protection professionals from all 50 states and 17 countries. During each of the years 2004-2010, Mr. Vieth presented at 30-50 national, state and local conferences each year. Given the amount of training, during that time period, this CV does not list them all. However, **below is a complete list of training prior to 2004.**

Memory and Suggestibility Research: Does the Surreal World of the Laboratory Apply to the Real World? This seminar was presented:

- October 2003 in Charleston, WV
- July 2003 in Aspen, Colorado
- January, 2003 in Baltimore, MD
- Georgia, as part of the FW-Georgia course, January, 2003
- April, 2002 in Washington County, New York.
- March 2002 in New Jersey as part of a conference sponsored by New Jersey Chapter of APSAC.
- February, 2002 at the annual TEAM conference in St. Paul, Minnesota.
- January, 2002 in San Diego, California as part of the national Child Maltreatment Conference.
- October, 2001 as part of Pediatric Days at the Mayo Clinic, Rochester, Minnesota.
- September, 2001 in LaFollette, TN as part of a conference sponsored by the local CAC.
- August 2001 in Albuquerque, New Mexico as part of the national conference, *Equal Justice.*
- July, 2001 in St. Simons, GA as part of a statewide conference sponsored by the Superior Court Judges of Georgia.
- June, 2001 in Dorr County, Wisconsin as part of a statewide conference for Wisconsin prosecutors.
- April, 2001 in Llano, Texas as part of a conference sponsored by a local CAC.

- Presented in April, 2001 in Sioux City, Iowa as part of a conference sponsored by the Mercy Medical Center.
- Presented in February, 2001 in Philadelphia, PA as part of the National Conference, *Equal Justice.*
- Presented on January 30, 2001 at an in-service training at the Office of Juvenile Justice and Delinquency Programs, Department of Justice, Washington, D.C.
- The workshop was presented four times during the week of December 4-8, 2000 at four separate conferences in the state of Hawaii.
- November 15, 2000 in Minneapolis, Minnesota as part of a regional conference sponsored by the Midwest Children's Resource Center.
- November 14, 2000 in Plano, Texas as part of the national conference *Finding Words.*
- September 25, 2000 in Midland, Texas at the Third Annual Justice for Children Conference.
- September 22, 2000 in Greeley, Colorado at a conference sponsored by the local Child Advocacy Center.
- August 28, 2000 in Boise, Idaho as part of APRI's National Conference *Finding Words.*
- August 14, 2000 in Tucson, Arizona as part of APRI's National Conference *Equal Justice: Investigation and Prosecution of Child Abuse.*
- June 5, 2000 in Philadelphia, Pennsylvania as part of APRI's National Conference, *Equal Justice: Investigating and Prosecuting Child Abuse.*
- March 7, 2000 in Minneapolis, Minnesota as part of APRI's National Conference, *Finding Words.*
- November 16, 1999 in Nashville, Tennessee as part of APRI's National Conference, *Finding Words.*
- November 3, 1999 in Albuquerque, New Mexico as part of a statewide conference on child abuse.
- October 21, 1999 in Topeka, Kansas as part of 23rd Annual Governor's Conference for the Prevention of Child Abuse and Neglect.
- September 23, 1999 in Columbia, South Carolina as part of the *Prosecution 2000* conference at the National Advocacy Center.
- September 24, 1999 in Columbia, South Carolina as part of a statewide conference sponsored by Prevent Child Abuse—South Carolina.
- August 24, 1999 in San Diego, California as part of APRI's national conference, *Finding Words.*
- June 14, 1999 in Miami, Florida as part APRI's national conference *Investigating and Prosecuting Cases of Domestic Violence.*
- April 14, 1999 in Richmond, Virginia as part of a statewide conference for child abuse professionals.
- April 16, 1999 in Orlanda, Florida as part of a statewide conference for prosecutors.
- April 30, 1999 in Mankato, Minnesota, as part of a regional conference on child abuse issues.

- January 13, 1999 in Brainerd, Minnesota as part of the annual statewide TEAM conference.
- April 16, 1998 as part of a conference sponsored by the Monmouth, County New Jersey prosecutors.
- June 25, 1998 in New Jersey as part of a conference sponsored by the New Jersey Child Sexual Abuse Training Institute.
- June 26, 1998 as part of a conference sponsored by the New Jersey Division of Youth and Family Services.
- September 24, 1998 in Tuscon, Arizona as part of a conference sponsored by the Arizona chapter of the American Professional Society for the Abuse of Children.
- November 17, 1998 in Savannah, Georgia as part of the national conference *Finding Words: Interviewing and Preparing Children for Court.*

Unto the Third Generation: A Call to End Child Abuse in the United States Within 120 Years, presented:

- November, 2003 in Indianapolis, IN
- October 2003 in Lafayette, LA
- October 2003 in Baltimore, MD
- October 2003 in Madison, WI
- October 2003 in Charleston, WV
- August 2003 from St. Paul, MN (as part of a tele-conference to several states)
- July 2003 in Seattle, WA
- July 2003 outside of Natchez, MS
- June 2003 in Cape Cod, MA
- June, 2003 in Boise, ID
- April 2003 in Syracuse, NY
- January 28, 2003, Charleston, SC

Investigating and Prosecuting Cases of Domestic Abuse: A Call to Protect and Serve our Families. This seminar was presented:

- April, 2002 in Salt Lake City, Utah.
- December 6, 2001 in Virginia Beach, VA as part of a conference sponsored by the Virginia Department of Criminal Justice services.
- June, 2001 in Richmond, VA as part of a conference sponsored by the Virginia Department of Criminal Justice services.
- April, 2001 at a conference sponsored by the Mercy Medical Center in Sioux City, Iowa.
- November 12, 1999 in Plano, Texas as part of a training for local child protection professionals.
- October 28, 1999 in Kearney, Nebraska as part of the statewide "Y2 Kids" Conference.

- June 4, 1999, in San Antonio, Texas, as part of a national conference sponsored by the American Professional Society on the Abuse of Children.
- January 15, 1998, in Minneapolis, Minnesota, as part of the annual TEAM (Time for Effective Action Against the Maltreatment of Children) Conference.
- July 14, 1998 in Boston, Massachusetts as part of APRI's national conference Basic Training for Child Abuse Prosecutors and Investigators.
- August 14, 1998 in Tuscon, Arizona as part of APRI's national conference Basic Training for Child Abuse Prosecutors and Investigators.
- October 23, 1998 in Topeka, Kansas as part of an annual statewide conference on child abuse.
- October 28, 1998 in Girdwood, Alaska as part of a statewide conference sponsored by the prosecutors of Alaska.

Confronting Child Abuse in Rural Communities. This seminar was presented:

- May, 2003 in Columbus, OH
- April, 2002 in Sioux City, Iowa as part of a conference sponsored by Mercer Medical Center.
- March, 2002 presented as a keynote address as part of a statewide conference sponsored by the New Jersey chapter of APSAC.
- December, 2001 in Metro Park, New Jersey.
- November 8, 2001 in Bloomington, MN as part of the 2001 Midwest Regional Children's Advocacy Center Conference on Child Abuse.
- November, 2001 in Bismarck, North Dakota as part of a conference sponsored by Medicenter, a local medical-based CAC.
- October, 2001 in Madison, Wisconsin as part of a statewide conference.
- LaFollette, Tennessee as part of a local conference sponsored by the CAC.
- September, 2001 in Columbia, SC as a keynote for the Prevent Child Abuse Conference.
- August, 2001 in Albuquerque, New Mexico as part of the national conference *Equal Justice.*
- June 2001 in Washington D.C. as the keynote address for the annual colloquium of the American Professional Society on the Abuse of Children.
- June 2001 in Dorr County, Wisconsin as part of a statewide conference for Wisconsin prosecutors.
- May 2001 in Heber City, Utah as part of a statewide conference on child abuse.
- April, 2001 in Llano, Texas as part of a conference sponsored by a local CAC.
- November 15, 2000 in Minneapolis, Minnesota as part of a regional conference sponsored by the Midwest Children's Resource Center.
- September 25, 2000 in Midland, Texas as part of the Third Annual Justice for Children Conference (the workshop was entitled "Building Effective MDTs but the content is virtually identical to the rural workshop).
- August 2, 2000 in Ogden, Utah as part of a statewide conference on child abuse.

- June 7, 2000 in Philadelphia, Pennsylvania as part of APRI's National Conference *Equal Justice: Investigating and Prosecuting Child Abuse.*
- April 25, 2000 in Natchitoches, Louisiana as part of a regional conference on child abuse.
- April 12, 2000 in Albuquerque, New Mexico as part of a regional conference on child abuse.
- October 27, 1999 in Kearney, Nebraska as part of the statewide "Y2 Kids" Conference.
- October 20, 1999 in Shreveport, Louisiana as part of the Ninth Annual Conference Families in the Balance.
- October 1, 1999 in Cedar Rapids, Iowa as part of a statewide conference sponsored by a local advocacy center/hospital.
- September 24, 1999 in Columbia, South Carolina as part of a statewide conference sponsored by Prevent Child Abuse—South Carolina.
- September 22, 1999 in Columbia, South Carolina as part of the *Prosecution 2000* conference at the National Advocacy Center.
- August 13, 1999 in Tucson, Arizona as part of APRI's National Conference *Investigating and Prosecuting Cases of Child Abuse.*
- June 18, 1999 in Miami, Florida as part of APRI's National Conference *Investigating and Prosecuting Cases of Child Abuse.*
- April 6, 1999 in Fayetteville, Arkansas as part of a statewide conference on child abuse issues.
- April 12, 1999 in Greensboro, North Carolina as part of a statewide conference on child abuse issues.
- April 22, 1999 in Dover, Delaware as part of a statewide conference on child abuse issues.
- April 30, 1999 in Mankato, Minnesota as part of a regional conference on child abuse issues.
- March 10, 1999 in Huntsville, Alabama as part of the 15th National Symposium on Child Sexual Abuse.
- November 21, 1998 in Cincinnati, Ohio as part of the Twelfth National Conference on Child Abuse and Neglect.
- October 22, 1998 in Topeka, Kansas as part of an annual statewide conference on child abuse.
- October 6, 1998 in Odessa, Texas as part of the *Justice for Children* conference sponsored by Harmony Home, a child advocacy center.
- July 10, 1998 in Chicago, Illinois as part of a national conference sponsored by the American Professional Society on the Abuse of Children.
- July 17, 1998 in Boston, Massachusetts as part of APRI's national conference Basic Training for Child Abuse Prosecutors and Investigators.
- August 14, 1998 in Tuscon, Arizona as part of APRI's national conference Basic Training for Child Abuse Prosecutors and Investigators.
- May 15, 1998 in Duluth, Minnesota as part of a statewide conference sponsored by the Minnesota chapter of the American Professional Society on the Abuse of Children.

- August 15, 1997 as part of the national conference Basic Training for Child Abuse Prosecutors and Investigators, sponsored by the National Center for Prosecution of Child Abuse and held in Tuscon, Arizona.
- February 18, 1995 to the West Virginia Prosecuting Attorneys Association.
- On May 12, 1995 before the Minnesota Coalition Against Sexual Assault.

Defending the Investigative Interview, co-presented with Brian Holmgren at

- April, 2002 in Mt. Vernon, Illinois (co-presented with Mary-Ann Burkhart)
- November, 2001 in Bismarck, North Dakota as part of a statewide conference
- October, 2001 in Madison, Wisconsin as part of a statewide conference.
- The 17th National Syposium, Huntsville, Alamaba, March 2001.
- The National Child Maltreatment Conference in San Diego, California, January 2001.
- The National Child Maltreatment Conference in San Diego, California, January, 25, 2000.
- The National Child Maltreatment Conference in San Diego, California, September 27, 2000.
- The 16th National Symposium on Child Sexual Abuse, March 9, 2000, Huntsville, Alabama.
- the 15th National Symposium on Child Sexual Abuse, March 11, 1999, Huntsville, Alabama.
- September 29, 1999 in Cedar Rapids, Iowa as part of a statewide conference on child abuse.

Cutting the Ties that Bind: Termination of Parental Rights in Cases of Child Abuse, presented April 29, 1999 in St. Cloud, Minnesota at a statewide conference sponsored by the Minnesota County Attorneys Association.

Community Prosecution and the Child Abuse Prosecutor, presented November, 2001 at the National Advocacy Center in Columbia, South Carolina.

Mock trial. This two day workshop involved lecture and demonstrations including a mock trial. Co-presenters included Paul Stern, Donna Pence and Charles Wilson.

Keeping the Faith: A Call for Collaboration Between the Faith Based and Child Protection Communities, presented:

- Cardoza Law School, New York, NY April of 2003
- Huntsville, AL, March 2003 as part of the national symposium
- Duluth, MN in January 2003 as part of the annual TEAM conference
- San Diego, California in January, 2002 as part of the national Child Maltreatment Conference. Rev. Kibbie Ruth of Kyros Ministries was a co-presenter.

Developing effective Multi-Disciplinary Teams, presented over a two day period in Rogers, Arkansas in February, 2001.

Delivered a brief address on shaken baby syndrome on the steps of the U.S. Capitol on April 28, 2001 as part of the 1st annual Shaken Baby Vigil.

Cross-examination of Defendants and Defense Lay Witnesses, presented:

- April, 2002 in Washington County, New York.
- December 6, 2001 in Virginia Beach, VA as part of a conference sponsored by the Virginia Department of Criminal Justice Services.
- June, 2001 in Richmond, VA as part of a conference sponsored by the Virginia Department of Criminal Justice Services.
- October 3, 2000 in Myrtle Beach, South Carolina as part of an annual, statewide conference sponsored by the South Carolina Solicitor's Association.
- April 4, 2000 in Roanoke, Virginia as part of a statewide conference on child abuse.
- December 6, 1999 in Virginia Beach, Virginia as part of a statewide conference on child abuse.

The History, Effectiveness, and Legality of Corporal Punishment. This seminar was presented:

- July, 2001 in Atlanta, GA as part of the statewide conference sponsored by the Georgia Council on Child Abuse.
- March 27, 2000 in Greensboro, North Carolina as part of an annual statewide conference on child abuse.
- April 12, 1999 in Greensboro, North Carolina as part of an annual statewide conference on child abuse.
- October 22, 1998 in Topeka, Kansas as part of an annual statewide conference on child abuse.
- July 10, 1998 in Chicago, Illinois, as part of a national conference sponsored by the American Professional Society on the Abuse of Children.
- During the week of September 22-26, 1997 in Minneapolis, Minnesota as part of the national conference Investigation and Prosecution of Child Deaths and Physical Abuse.

What is "Reasonable" Force? This workshop was presented at the University of South Carolina Law School on February 17, 1999.

Preparing Children for Court. This seminar was presented:

- April, 2002 in Portland, Oregon as part of a multi-state conference.
- October, 2001 in Richmond, VA as part of a conference sponsored by the Virginians Aligned Against Sexual Assault.

- December 6, 2001 in Virginia Beach, VA as part of a conference sponsored by the Virginia Department of Criminal Justice Services
- June, 2001 in Richmond, VA as part of a conference sponsored by the Virginia Department of Criminal Justice Services.
- January, 2001 in Washington, D.C. as part of the National Office of Victims of Crime conference.
- October 21, 1999 in Topeka, Kansas as part of the 23rd Annual Governor's Conference on the Prevention of Child Abuse and Neglect.
- October 29, 1998 in Girdwood, Alaska as part of a statewide conference sponsored by the prosecutors of Alaska.
- November 17, 1998 in Savannah, Georgia as part of the National Conference *Finding Words: Interviewing and Preparing Children for Court.*

Developing a Winning Case Before Going to Court: What Prosecutors Need, presented on September 10 and 11, 1998 in Charleston and Morgantown, West Virginia as part of a conference sponsored by the West Virginia Children's Justice Task Force.

When the Child Abuser is a Child: Dealing with the Juvenile Sex Offender, presented:

- November, 2003 in Williamsburg, VA
- June, 2003 in Atlanta, GE
- May, 2003 in Richmond, VA
- March, 2003 in Huntsville, AL as part of the national symposium
- April, 2002 in Portland, Oregon as part of a multi-state conference.
- February, 2002 in St. Paul, Minnesota as part of the annual TEAM Conference.
- May, 2001 in Heber City, Utah as part of a statewide conference.
- August 24, 2000 in Jackson, Mississippi as part of a conference sponsored by the State Department of Human Services.
- August 15, 2000 in Tucson, Arizona as part of APRI's National Conference *Equal Justice: Investigating and Prosecuting Child Abuse.*
- June 8, 2000 in Philadelphia, Pennsylvania as part of APRI's National Conference *Equal Justice: Investigating and Prosecuting Child Abuse.*
- April 4, 2000 in Roanoke, Virginia as part of a statewide conference on child abuse.
- March 27, 2000 in Greensboro, North Carolina as part of a statewide conference on child abuse.
- December 6, 1999 in Virginia Beach, Virginia as part of a statewide conference on child abuse.
- October 1, 1999 in Cedar Rapids, Iowa as part of a statewide conference sponsored by a local advocacy center/hospital.
- September 21, 1999 in Columbia, South Carolina as part of the *Prosecution 2000* conference at the National Advocacy Center.
- June 4, 1999 in San Antonio, Texas, as part of a national conference sponsored by the American Professional Society on the Abuse of Children.

- March 23, 1999 in Minneapolis, Minnesota as part of the 26th National Conference on Juvenile Justice sponsored by the National Council of Juvenile and Family Court Judges.

Hearsay and the Child Victim: Getting out of Court Statements in to Court, presented:

- August 29, 2000 in Boise, Idaho as part of APRI's Conference *Finding Words.*
- March 7, 2000 in Minneapolis, Minnesota as part of APRI's Conference *Finding Words.*
- November 17, 1999 in Nashville, Tennessee as part of APRI's National Conference *Finding Words.*
- November 3, 1999 in Albuquerque, New Mexico as part of a statewide conference on child abuse.
- August 25, 1999 in San Diego, California as part of APRI's National Conference *Finding Words.*
- August 9, 1999 in Tuscon, Arizona as part of APRI's National Conference *Investigating and Prosecuting Cases of Child Abuse.*
- June 17, 1999 in Miami, Florida as part of APRI's National Conference *Investigating and Prosecuting Cases of Child Abuse.*

Pre-Charging Considerations in the Hard Case. This conference was presented:

- October, 2001 in Richmond, Virginia as part of a conference sponsored by Virginians Aligned Against Sexual Assault.
- September 7, 2000 in Natural Bridge, Virginia as part of a conference sponsored by Virginians Aligned Against Sexual Assault.
- May 2, 1997 in Minneapolis, Minnesota, as part of the conference *Advanced Adult Sexual Assault Prosecution.* The conference was sponsored by the Minnesota County Attorneys Association.

Investigation and Prosecution of Child Abuse, an all day workshop, presented:

- September 2003, Bristol, TN
- May 2003, Albany, NY
- May 2003, Dayton, OH
- November, 2003 in Willmar, MN
- April 2003 in Augusta, GE
- April 2003 in Swainsboro, GE

Trial Strategies in Cases of Child Abuse. This conference was presented:

- March 31, 2000 in Orlando, Florida as part of a statewide conference for prosecutors sponsored by the Florida Prosecuting Attorneys Association.
- October 20, 1999 in Shreveport, Louisiana as part of the Ninth Annual Conference Families in the Balance.

- April 15, 1999 in Orlando, Florida as part of a statewide conference of prosecutors.
- Summer, 1997 to West Virginia prosecutors as part of a conference sponsored by the West Virginia Children's Justice Task Force.

When a Child Takes it Back: Recantation in Cases of Child Abuse. This conference was presented:

- November, 2003, Bloomington, MN
- July, 2001 in Sarasota, Florida at a conference entitled *Child Abuse into the Millennium.*
- Summer, 1997 to Vermont prosecutors.

Ethics for Prosecutors in Cases of Child Abuse. This conference was presented:

- March 31, 2000 in Orlando, Florida as part of a statewide conference for prosecutors sponsored by the Florida Prosecuting Attorneys Association.
- April 15, 1999 in Orlando, Florida as part of a statewide conference of prosecutors.

Child Neglect: When is Indifference Child Abuse? Presented:

- June, 2003 in Atlanta, GE
- January, 2003, Duluth, MN as part of the TEAM comference
- April, 2002 in La Crosse, Wisconsin as part of a conference sponsored by the Gunderson Clinic and other child protection organizations.
- April 4, 2000 in Roanoke, Virginia as part of a statewide conference on child abuse.
- December 6, 1999 in Virginia Beach, Virginia as part of a statewide conference on child abuse.
- September 27, 2012 as part of the Marshfield Clinic training in Marshfield, WI

Expert Witnesses in Child Sexual Abuse Cases: When and How

- April 22, 1999 in Dover, Delaware to a statewide conference of child abuse professionals
- Summer, 1997 to Vermont prosecutors
- October 5, 1998 in Odessa, Texas as part of the *Justice for Children* conference sponsored by Harmony Home, a child advocacy center
- October 15, 1998 in Toledo, Ohio as part of a multi-disciplinary conference sponsored by the Lucas County Prosecuting Attorney's Office

We're Just Going to Talk: Presenting Your Case in Opening Statement and Closing Argument

- June 2003 in Boise, ID as part of *Equal Justice* conference

- Cape Cod, Massachusetts
- September, 2001 in Columbia, SC as part of the trial advocacy course, *Childproof.*
- November 22, 2000 in Nashville, Tennessee as part of the trial advocacy course, *Childproof.*
- October 3, 2000 in Myrtle Beach, South Carolina as part of a statewide conference sponsored by the South Carolina Solicitors' Association.
- March 31, 2000 in Orlando, Florida as part of a statewide conference on child abuse sponsored by the Florida Prosecuting Attorneys' Association.
- October 22, 1999 in Topeka, Kansas as part of the 23rd Annual Governor's Conference on the Prevention of Child Abuse and Neglect.
- September 21, 1999 in Columbia, South Carolina as part of the *Prosecution 2000* conference at the National Advocacy Center.
- August 13, 1999 in Tuscon, Arizona as part of APRI's national conference *Investigating and Prosecuting Cases of Child Abuse.*
- April 23, 1999 in Dover, Deleware to a statewide conference of child abuse professionals.
- April 14, 1999 in Richmond, Virginia to a statewide conference of child abuse professionals.
- October 5, 1998 in Odessa, Texas as part of the *Justice for Children* conference sponsored by Harmony Home, a child advocacy center
- October 15, 1998 in Toledo, Ohio as part of a multi-disciplinary conference sponsored by the Lucas County Prosecuting Attorney's Office

What Children Need from the Court System, presented twice as part of a national crime victim's conference on January 8, 2001, sponsored by the Office of Victims of Crime.

We're Just Going to Talk: Presenting Your Case in Jury Selection and Opening Statement, presented Summer, 1997 to Vermont prosecutors.

When Cameras Roll: The Danger of Videotaping Before the System is Ready, presented in November 8, 2001 in Bloomington, MN as part of the 2001 Midwest Regional Children's Advocacy Center Conference on Child Abuse.

Cultural Diversity in the Forensic Interview Process, presented:

- January, 2003 in Georgia as part of FW-GE
- October, 2001 in Sarasota, Florida as part of the national course, *Finding Words.*
- August, 2001 in Dallas, Texas as part of the Dallas Crimes Against Children Conference

Investigating and Prosecuting Cases of Child Abuse, presented:

- April, 2002 in Milwaukee, Wisconsin as part of a conference sponsored by the Children's Hospital of Wisconsin.

- March, 2002 in Radford, Virginia.
- December 4, 2001 at Texas Tech University.
- November, 2001 in Kearney, Nebraska as part of a conference sponsored by the Nebraska Health and Human Services System.
- October, 2001 in Conuyaga County, New York.
- September, 2001 in Las Vegas, Nevada as part of a multi-state conference.
- August, 2001 in Fort Bend, Texas.
- September 14, 1999 in Montgomery, Alabama to area prosecutors and investigators.

Closing Arguments in Cases of Child Abuse, presented Summer, 1997, to West Virginia prosecutors.

What's Wrong With the System? Making the Child Maltreatment Intervention System Better, a panel discussion presented as part of the annual TEAM (Time for Effective Action Against the Maltreatment of Children) Conference on January 10, 1996 at the Minneapolis Convention Center.

The Power and the Limitation: What the Law Can and Can't Do to Protect Child Abuse Victims, presented on May 10, 1996 as part of a conference sponsored by the Minnesota Coalition Against Sexual Assault.

Effective Strategies for Medical providers Testifying in Court, co-presented with Dan Armagh in Greensboro, North Carolina on March 28, 2000 as part of an annual child abuse conference sponsored by the North Carolina chapter of Prevent Child Abuse.

I have participated as a faculty member of *Childproof*, a week long trial advocacy course for experienced child abuse prosecutors. I served as a faculty member at the following *Childproof* courses:

- November 22-27, 2000 in Nashville, Tennessee
- July 11-16, 1999 in Boise, Idaho
- February 14-19, 1999 in Columbia, South Carolina
- June 14-19, 1998, in Vail, Colorado.
- April 5-10, 1998, in Tulsa, Oklahoma
- October 5-10, 1997, in Washington, D.C.
- July 20-25, 1998, Minneapolis, Minnesota.

PUBLISHED WORKS CITED IN:

Corporal Punishment in the United States: A Call for A New Approach to the Prosecution of Disciplinarians, 15 J. JUVENILE LAW 22 (1994) **cited in:**

- JOHN E.B. MYERS, EVIDENCE IN CHILD ABUSE AND NEGLECT, THIRD EDITION, Sec. 4.3 (1997).

- Susan H. Bitensky, *Agent of Peace or Vehickle of Violence Against Children?*, 54 OKLAHOMA L. REV. 333, 372 (2001).
- Susan H. Bitensky, *Spare the Rod, Embrace Our Humanity: Toward a New Legal Regime Prohibiting Corporal Punishment of Children,* 31 U. OF MICHIGAN JOURNAL OF LAW REFORM 353, 357, 358, 387 (1998).
- Susan H. Bitensky, *The United Nations Convention on the Rights of the Child and Corporal Punishment of Children: Ramifications for the United States,* 5 GEORGETOWN JOURNAL ON FIGHTING POVERTY 225, 230 (1998) (citing Vieth's interpretation of Minnesota law governing acts of corporal punishment as contained in a letter to Nadine Block, Director, Center for Effective Discipline).
- Robert Batey, *Punishment by Family and Community in Katherine Porter's Noon Wine,* 29 AKRON L. REV. 205, 220, 228 (1996).

Broken Promises: A Call for Witness Tampering Sanctions in Cases of Child and Domestic Abuse, 18 HAMLINE L. REV. 181 (1994) **cited in:**

- LYNN COPEN, PREPARING CHILDREN FOR COURT 36, 166 (2000)
- Susan Perlis Marx, *Victim Recantation in Child Sexual Abuse Cases: A Team Approach to Prevention, Investigation, and Trial,* 2(#4) JOURNAL OF AGGRESSION, MALTREATMENT & TRAUMA 105, 140 (1999).
- MALTREATMENT IN EARLY CHILDHOOD, TOOLS FOR RESEARCH-BASED INTERVENTION (KATHLEEN COULBURN FALLER, ED) 140 (1999) (Reprinting the Marx article referenced above).
- Susan J. Becker, *Child Sexual Abuse Allegations Against a Lesbian or Gay Parent in a Custody or Visitation Dispute: Battling the Overt and Insidious Bias of Experts and Judges,* 74 DENV. U. L. REV. 75, 138 (1996).

The Mutilation of A Child's Spirit: A Call for a New Approach to Termination of Parental Rights in Cases of Child Abuse, 20 WM. MITCHELL L. REV. 727 (1994) **cited in:**

- Dr. G. Steven Neeley, *The Psychological and Emotional Abuses of Children: Suing Parents in Tort for the Infliction of Emotional Distress,* 27 N. KY. L. REV. 689, 720 (2000).
- Brian J. Guidera, *Contributors Concurrent Permanency Planning: Implementation in Hennepin County,* 26 WM. MITCHELL L. REV. 699, 709 (2000)
- Caia Johnson, *Traumatic Amnesia in the New Millennium: A New Approach to Exhumed Memories of Childhood Sexual Abuse,* 21 HAMLINE J. PUB. LAW & POLICY 387, 442 (2000).
- Pamela J. Smith, *Reliance on the Kindness of Strangers: The Myth of Transracial Affinity Versus the Realities of Transracial Educational Pedism,* 52 RUTGERS L. REV. 1 (1999).
- Philip M. Nichols, *A Legal Theory of Emerging Economies,* 39 VIRGINIA JOURNAL OF INTERNATIONAL LAW 229, 244 (1999).

- Jessica A. Graf, Note, *Can Courts and Welfare Agencies Save the Family? An Examination of Permanency Planning, Family Preservation, and the Reasonable Efforts Requirement,* 30 SUFFOLK U. L. REV. 81, 83, 97 (1996).
- Charles A. Phipps, *Children, Adults, Sex and the Criminal Law: In Search of Reason,* 22 SETON HALL LEGIS. J. 1, 107 (1997).
- Kathleen Haggard, Note & Comment, *Treating Prior Termination of Parental Rights as Grounds for Present Terminations,* 73 WASHINGTON L. REV. 1051, 1056, 1076 (1998).

Passover in Minnesota: Mandated Reporting and the Unequal Protection of Abused Children, 24 WM. MITCHELL L. REV. 131 (1998) **cited in:**

- Jessica R. Givelber, Note, *Imposing Duties on Witnesses to Child Sexual Abuse: A Futile Response to Bystander Indifference,* 67 FORDHAM L. REV. 3169, 3181, 3185, 3188, 3203 (1999).
- William M. Sage, *Physicians as Advocates,* 35 HOUSTON L. REV. 1529, 1609 (1999).

In My Neighbor's House: A Proposal to Address Child Abuse in Rural America, 22 HAMLINE L. REV. 143 (1998) **cited in:**

- Larry EchoHawk, *Child Sexual Abuse in Indian Country: Is the Guardian Keeping in Mind the Seventh Generation?* NYUJ Legis. & Pub. Pol'y 83, 127 (2001)
- Caia Johnson, *Traumatic Amnesia in the New Millennium: A New Approach to Exhumed Memories of Childhood Sexual Abuse,* 21 HAMLINE J. PUB. L. & POLICY 387, 441, 442 (2000).

When Cameras Roll: The Danger of Videotaping Child Abuse Victims Before the Legal System is Competent to Assess Children's Statements, 7(4) JOURNAL OF CHILD SEXUAL ABUSE 113 (1999) **cited in:**

- Raymond Broderick, *A Commentary on "When Cameras Roll",* 7(4) JOURNAL OF CHILD SEXUAL ABUSE 123 (1999)
- Lucy Berliner, *Videotaping Child Abuse Victims: A Comment,* 7(4) JOURNAL OF CHILD SEXUAL ABUSE 127 (1999)
- Carol D. Berkowitz, *When Technology Exceeds Knowledge,* 7(4) JOURNAL OF CHILD SEXUAL ABUSE 131 (1999)

A Strategy for Confronting Child Abuse in Rural Communities, 28 THE PROSECUTOR 15 (SEPTEMBER/OCTOBER 1994) **cited in:**

- Donna M. Anderson, *Sexual Abuse, Professional Boundaries and the Rural World,* 8(3) JOURNAL OF CHILD SEXUAL ABUSE 85 (1999)

Curriculum Vitae

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EDUCATION:

UNIVERSITY AT BUFFALO LAW SCHOOL, Buffalo, New York
UNIVERSITY OF MINNESOTA LAW SCHOOL (Visiting Student)
Juris Doctor, February 2009

- Graduated *Magna cum Laude*
- Concentrations in Criminal Law and Family Law

WESTERN ILLINOIS UNIVERSITY, Macomb, Illinois
Master of Science in Education in Counseling, December 1999

HOPE COLLEGE, Holland, Michigan
Bachelor of Arts in Sociology and Political Science, June 1992

PROFESSIONAL WORK EXPERIENCE:

Deputy Director (January 2011 – Present)
Staff Attorney (January 2009 – January 2011)
NATIONAL CHILD PROTECTION TRAINING CENTER, WINONA, MINNESOTA

- Oversee the technical assistance operations of the National Child Protection Training Center.
- Respond to requests for technical assistance from child protection professionals for social and legal research on various topics regarding child abuse and forensic interviewing techniques, and assist professionals in responding to child maltreatment in both criminal and civil child protection courts.
- Supervise staff and program activities of Jacob Wetterling Resource Center.
- Maintain and update resources to assist child protection professionals.
- Oversee the publications of NCPTC to assist child maltreatment professionals, law enforcement and child protection investigators, child abuse attorneys and prosecutors and mental health and medical professionals in the prevention and intervention of child maltreatment
- Responsible for authoring peer-reviewed, professionally-published writing projects, including law review articles, journal articles, book chapters and amicus curiae projects.
- Update training materials for the national and state forensic interviewing programs of NCPTC, including training curricula, presentation resources and student binders to address

legal issues on forensic interviewing within the *ChildFirst*™ training program and other curricula.
- Serve as consultant for comprehensive system-wide assessment of State of South Carolina's response to child maltreatment.
- Serve as a consultant for Matty's Place, a children's advocacy center and program of Family and Children's Center located in Winona, MN and conduct forensic interviews for alleged victims of child abuse.
- Serve as expert witness and consultant in child maltreatment in criminal and child welfare cases in multiple states.
- Serve as a Training and Technical Assistance Expert Consultant and peer reviewer for the Office of Justice Program's Office for Victims of Crime Training and Technical Assistance Center.
- Serve as peer reviewer for articles submitted to the *Journal of Child Sexual Abuse*; *Journal of Child & Adolescent Trauma*; and *Journal of Aggression, Maltreatment, and Trauma*.

Adjunct Faculty, WINONA STATE UNIVERSITY, CHILD ADVOCACY STUDIES PROGRAM, WINONA, MINNESOTA; 2009-2013 SCHOOL YEARS

- Provide instruction to undergraduate students in Child Advocacy Studies (CAST) Program, focusing on child maltreatment and professional and systemic responses to abuse.
- Develop and revise CAST curricula as needed, based on current research and best practices.
- Provide instruction at week-long conference to undergraduate and graduate school faculty from institutions across the country seeking to replicate the CAST program in their school.
- Conduct research on the efficacy of the CAST program and its impact on child abuse professionals.

Independent Consultant, CHAUTAUQUA COUNTY CHILDREN'S ADVOCACY CENTER, JAMESTOWN, NEW YORK; JUSTICE FOR CHILDREN ADVOCACY CENTER, BATAVIA, NEW YORK; SOUTHERN TIER CHILDREN'S ADVOCACY CENTER, OLEAN, NEW YORK; CHILDREN'S ADVOCACY CENTER OF ERIE COUNTY, ERIE, PENNSYLVANIA; April 2007-August 2008

- Conducted community-wide assessment of public and private agency response to allegations of child sexual abuse, serious physical abuse and child witnesses to violent crime; developed key-informant interview questions and on-line survey of community response to abuse and traumatization of children; analyzed data collected through in-person interviews and on-line survey; prepared written report and recommendations based on key-informant interviews and best practices research; presented key-informant interview results and recommendations to community agency heads of criminal and civil prosecution agencies, law enforcement and child protection agencies and private agencies engaged in services for alleged victims of child abuse.
- Provided consultation and guidance for the establishment, development and maintenance of multi-disciplinary teams engaged in the investigation and prosecution of child abuse and violent crimes witnessed by children and necessary treatment and support services required by traumatized children and their families.
- Provided training to child abuse and criminal justice professionals and investigative officers on appropriate interview methods, child-friendly investigations and support, and trauma response services.

- Developed training curricula and materials on conducting forensic interviews with children ranging in age from three to eighteen years.
- Participated in multidisciplinary team meetings, consisting of law enforcement and child protection investigators, district attorneys, county attorneys, mental health and medical professionals and victim advocates, to enhance joint investigations, ensure needs of victims and alleged perpetrators are addressed, and improve outcomes of child abuse investigations.
- Conducted forensic interviews of children who may have experienced or witnessed violent crime for law enforcement and child protection investigations in a manner that is legally sound, developmentally appropriate and multidisciplinary in nature.
- Generated written reports summarizing results of forensic interviews with alleged child victims and witnesses of violent crimes and make recommendations for follow-up counseling, support and medical services as required by the child and/or family members.
- Reviewed and revised agency policies and procedures, drafted agency protocols, provided technical assistance to agency directors and program coordinator, and conducted peer review with professionals conducting forensic interviews.
- Provided support services to multidisciplinary team members to mitigate vicarious trauma in professionals who respond to and prosecute incidences of child abuse and traumatization.

Forensic Interview Supervisor, CHILDREN'S ADVOCACY CENTER OF NIAGARA, NIAGARA FALLS, NEW YORK, June 2007-July 2008

- Provided clinical supervision and training for forensic interviewer of county child advocacy center.
- Participated in multidisciplinary team meetings, consisting of law enforcement and child protection investigators, district attorneys, county attorneys, mental health and medical professionals and victim advocates, to enhance joint investigations, ensure needs of victims and alleged perpetrators are addressed, and improve outcomes of child abuse investigations.
- Conducted professional training sessions on topics related to child abuse interviews, investigations and prosecutions.
- Reviewed and revised agency policies and procedures, drafted agency protocols, and provided technical assistance to agency program director.

Executive Director (April 21, 2003 – August 4, 2006)

Interim Executive Director (February 2003 – April 21, 2003)

Program Director (December 18, 2000 – April 2003)

CORNERHOUSE INTERAGENCY CHILD ABUSE EVALUATION AND TRAINING CENTER, MINNEAPOLIS, MINNESOTA

- Administered the activities of the agency in conformity with the vision, goals, policies and standards of the Board of Directors, as well as accreditation and oversight agencies.
- Managed and administered the agency's budget, programs and activities.
- Developed and implemented agency and program goals, community outreach programs and special projects to promote the agency and its services.
- Lead the design and development of CornerHouse professional training and forensic interview and medical services.
- Prepared grant applications and progress reports according to the funding source requirements.

- Supervised the development and implementation of the CornerHouse quality management program and insured that improvements or revisions are implemented as appropriate.
- Developed, implemented and monitored service goals and objectives quarterly.
- Developed and implemented the policies and procedures for program operations and personnel.
- Supervised the delivery of interview, medical and training services and intake and referral services.
- Provided clinical supervision for Child Interview Specialists and Trainers.
- Provided managerial supervision and human resources oversight for all staff.
- Conducted forensic interviews of alleged child victims of abuse or witnesses of violent crime.
- Provided lay and expert court testimony regarding CornerHouse RATAC forensic interview protocol and issues around violence and victimization.
- Analyzed new research or developments in forensic interviewing of alleged child sexual abuse victims and children and developmental adults who may have been exposed to trauma.
- Conducted specialized training sessions with multidisciplinary teams of professionals accommodating for adult learning styles.
- Recruited, oriented and supervised interview and training staff; planned and monitored staff development and resource utilization; and conducted annual employee performance reviews.
- Facilitated improved collaboration efforts with community agencies, facilitated Interagency Team meetings and facilitated Clinical, Program and Support Team meetings.
- Facilitated task force meetings for developing children's advocacy centers.
- Developed and monitored database and collection systems; supervised the collection of statistics for interview, medical and training services; and analyzed program data and prepared written reports for the Board of Directors.

Individual Consultant, UNITED NATIONS CHILDREN'S FUND (UNICEF), KOSOVO, SERBIA & MONTENEGRO, August-September 2005 and October-November 2004

- Provided extensive, specialized courses for Judges and Prosecutors (Department of Justice); Police and Victim Advocates (Department of Justice); and Social Workers working in the Centres for Social Work (Ministry of Labor and Social Welfare), with a focus on the knowledge and skills necessary to effectively interview children victims of sexual abuse and trafficking in a sensitive manner.
- Topics of training included: Dynamics of Child Sexual Abuse; the Process of Disclosure; the Process of Inquiry; Childhood Development Issues; Using Age-Appropriate Guidelines to Question Children; the CornerHouse Forensic Interview Process; Special Considerations in Interviewing (Trafficking and Prostitution); Interviewing Special Populations (Adolescents and Children with Disabilities); Issues of Suggestibility; Potential Blocks & Problems in the Interview Process; and Assessing the Child's Statements, Behaviors and Emotions.
- Special topic areas of the training also included discussion of WHO guidelines for interviewing victims of trafficking and a summary of the role of social workers following the Stability Pact/UNICEF guidelines for the protection of children victims of trafficking.
- Topic areas of training provided specifically to judges and prosecutors included establishing court schools for children, preparing children for court, and making the court milieu more child-friendly.
- Prepared training materials for all training courses, including training manuals and PowerPoint presentations, focusing on child-sensitive interview techniques.

- Completed final reports reviewing training results and making recommendations for further action.

Executive Director, ROCK ISLAND COUNTY CHILDREN'S ADVOCACY CENTER, ROCK ISLAND, ILLINOIS, 1999 – 2000

- Increased revenue and staff by 150 percent.
- Successfully campaigned for and passed county-wide tax referendum to support the Center.
- Acted as liaison between the Center and key community agencies, including the Illinois Department of Children and Family Services, the Rock Island County State's Attorney's Office, local law enforcement agencies and medical and mental health service providers.
- Recruited, supervised, trained and evaluated paid and volunteer staff.
- Coordinated and conducted multi-disciplinary forensic interviews of alleged victims of child abuse.
- Provided public and professional presentations to community groups, agencies and service providers to educate them on child victimization issues and post-traumatic stress.
- Represented the Center to the community through memberships on various agency and program boards, and actively participated in community meetings.
- Administered the activities of the Center in conformity with the vision, goals, policies and standards of the Board of Directors, donors and funding agencies.
- Developed and implemented agency and program goals, community outreach programs and special projects to promote the Center and its services, and served as media coordinator.
- Managed and administered budget, programs and activities, and served as director of development.
- Developed extensive knowledge on local, state and federal funding resources.

Victim/Witness Coordinator, UNITED STATES ATTORNEY'S OFFICE, DEPARTMENT OF JUSTICE, ROCK ISLAND, ILLINOIS, 1998 – 1999

- Determined service eligibility for victim-witness services as established by U. S. Attorney Guidelines, and provided education to Assistant U. S. Attorneys and law enforcement officers on victims' needs and issues.
- Provided short-term counseling, crisis intervention, and support services to victims and witnesses.
- Participated in counseling and educational programs for adolescent offenders and the general public on victims' issues and victim empathy.
- Maintained accurate resource materials that identified available counseling and treatment programs, and referred victims and witnesses to public service agencies.
- Oriented victims to Crime Victim Compensation Programs, assisted with the application process and assisted victims with Victim Impact Statements.
- Participated on advisory board for victim service program and on coalition for batterers' education program.

Director of Victim Services, LUTHERAN SOCIAL SERVICE OF IOWA, DAVENPORT, IOWA, 1997 – 1998

- Developed victim service program for victims of violent crime and established positive collaborative networking agreements with law enforcement, medical, prosecution and mental health agencies.

- Provided crisis intervention services and intensive counseling services to victims of violent crime, as well as court-accompaniment and information regarding the criminal justice system.
- Interviewed victims on a weekly basis to determine needs for counseling services, advocacy, information and referral, emergency assistance and follow-up which ensured client welfare and complete service delivery.
- Developed a volunteer victim counselor program, established the volunteer application process and developed and coordinated the volunteer training curriculum.
- Provided public and professional presentations on a monthly basis to the community, agencies and service providers to educate them on victim trauma and rights and available program services.
- Established and maintained clear and concise client files, including completion of information and referral forms, progress notes and applications to Crime Victim Compensation Programs.

Quality Assurance Facilitator, ARROWHEAD RANCH, COAL VALLEY, ILLINOIS, 1995 – 1997
- Implemented and updated Quality Assurance Plan to ensure state and agency compliance.
- Assisted in development and evaluation of programs and projects to provide quality care to clients, and to ensure successful achievement of individual, group and program goals.
- Assisted in development, organization and implementation of staff evaluation and training.
- Maintained confidential clinical records to ensure accurate, timely and complete documentation.
- Responsible for maintaining Medicaid billing records for services provided to clients.

Coordinator, School-Based Family Service Program, SCOTT COUNTY DECATEGORIZATION PROJECT/DAVENPORT SCHOOL DISTRICT, DAVENPORT, IOWA, 1995 – 1997
- Successfully developed and marketed new state grant-funded school program.
- Established collaborative working relationships with area agencies and businesses to meet individual, family and community needs.
- Responsible for development and implementation of needs assessment, service plans, referrals and program evaluation through various computer programs and data bases.
- Provided counseling and crisis intervention services and developed and facilitated support groups and recreation programs.
- Acted as a liaison for students and families with educational agencies, mental health agencies, child protective services, employment agencies and drug treatment agencies.
- Conducted public presentations and trainings on a monthly basis.
- Established, funded and edited monthly newsletter.

Treatment Foster Care Case Manager, CATHOLIC SOCIAL SERVICE, ROCK ISLAND, ILLINOIS, 1993 – 1995
- Trained and supervised treatment foster parents in the delivery of parenting and behavioral modification program for behaviorally disturbed clients, which resulted in resolution of daily living problems, development of coping skills and enhancement of self-esteem and quality of life for foster children.
- Drafted assessments, court and progress reports and treatment plans on a regular basis.

- Supervised family visits to assess and model appropriate parenting skills and family interactions.
- Maintained weekly contact and provided counseling and crisis intervention services to victims of child abuse and neglect, which resulted in decreased behavioral problems and run-away incidences for foster children.
- Advocated for client and family in court, home and school settings.

Youth Treatment Foreman, VISIONQUEST, LTD., EXTON, PENNSYLVANIA, 1991 – 1991
- Conducted individual, group and family counseling sessions.
- Developed individual treatment plans and assisted youth in attaining personal treatment goals.
- Drafted progress reports on youth and maintained confidential files.
- Supervised youth in daily milieu and provided crisis intervention services.
- Supervised and trained staff in entry-level positions.

Child Treatment Worker, ALLEGAN COUNTY JUVENILE COURT, ALLEGAN, MICHIGAN, 1990 – 1991
- Supervised, counseled, guided and cared for juveniles in residential detention and treatment settings.
- Served as appropriate role model for youth in care.
- Supervised family visits with youth, and modeled appropriate interactions and communication skills.
- Implemented behavior modification program and utilized crisis intervention techniques.

LAW SCHOOL EXPERIENCE AND ACTIVITIES:

- ***Law Clerk,*** HENNEPIN COUNTY ATTORNEY'S OFFICE, CHILD PROTECTION DIVISION, Minneapolis, Minnesota, 2008-2009
    - Make court appearances and conduct hearings and trials under supervision of licensed attorney as certified student attorney.
    - Interview witnesses for court preparation and represent county child protection agency in court petitions related to child maltreatment.
    - Conduct legal research and draft legal memoranda on issues related to child protection and child abuse.
    - Conduct legislative research on state and federal child protection obligations and funding sources and evaluate legality and possible consequences due to proposed county-wide budget cuts due to the Deficit Reduction Act.
- ***Law Clerk,*** NIAGARA COUNTY DISTRICT ATTORNEY'S OFFICE, SPECIAL VICTIM'S UNIT, University at Buffalo Law, School Women, Children and Social Justice Clinic, Lockport, New York, 2007-08
    - Conduct legal research and drafted legal memoranda on issues regarding child sexual abuse and adult sexual assault.
    - Discuss trial strategy and advise Assistant District Attorneys on issues regarding expert testimony for child sexual abuse cases.
    - Interview victims of sexual assaults for testimony development and witness preparation.
    - Attained Practice Order.

- ***Summer Associate,*** EMPIRE JUSTICE CENTER, Law Students in Action Project, Rochester, New York, Summer 2007 (over 250 volunteer hours)
    - Conducted legal research and drafted legal memoranda on issues relating to domestic violence.
    - Assisted in research and development of professional training programs for social workers, domestic violence attorneys and legal advocates.
    - Participated in inter-agency meetings and training sessions relating to domestic violence, pro-bono representation and cultural competency for attorneys.
- ***Volunteer Research Assistant***, LAW STUDENTS IN ACTION PROJECT, An Equal Justice Works Program, 2007-2008
    - Conducted legal research and drafted legal memorandum on issues relating to pro-bono civil representation.
    - Conducted legal research and drafted comprehensive chart on adoptions laws of all 50 states with particular emphasis on adoption in families with interpersonal violence.
- ***Law Review Clerk,*** BUFFALO HUMAN RIGHTS LAW REVIEW, University at Buffalo Law School, 2006-2007
- ***Moot Court Clerk,*** WECHSLER NATIONAL CRIMINAL LAW MOOT COURT COMPETITION, Buffalo Criminal Law Society, 2007

PUBLICATIONS:

- Minneapolis Star Tribune Guest Editorial, *Long flight inspires confessions of a guilty bystander* (September 18, 2012).
- *Documentation and Assessment of Children's Forensic Interview Statements,* 16 WIDENER LAW REVIEW 305 (2011).
- *The CornerHouse Forensic Interview Protocol: RATAC©,* 12 THOMAS M. COOLEY JOURNAL OF PRACTICAL AND CLINICAL LAW 193-332 (2010) (co-authored with Jennifer Anderson, Sara Olinger, Julie Ellefson, Jodi Lashley, Anne Lukas Miller, Julie Stauffer & Judy Weigman).
- *Vicarious Trauma in Child Sexual Abuse Prosecutors,* 2(6) CENTERPIECE (2010) (*available at* www.ncptc.org).
- *Finding Equilibrium: Greene v. Camreta,* 2(1) CENTERPIECE, (2010) (*available at* www.ncptc.org).
- *Electronic Recordings of Investigative Child Abuse Interviews,* 1(8) CENTERPIECE (2009) (*available at* www.ncptc.org).
- *Assessing Children's Statements for Investigative and Court Purposes,* 1(6) CENTERPIECE (2009) (*available at* www.ncptc.org).
- *Evaluating Children's Forensic Interview Statements, In* CORNERHOUSE CHILD SEXUAL ABUSE FORENSIC INTERVIEW TRAINING MANUAL (2008).
- *Out of the Woods: A Case for Using Anatomical Diagrams in Forensic Interviews,* 21(1) APRI UPDATE (2008) (*available at* www.ndaa.org).
- *Best Practices in Child Forensic Interviews: Interview Instruction and Truth-Lie Discussions.* (Special Feature: Spring 2006 Children and the Law Symposium), 28(1) HAMLINE JOURNAL OF PUBLIC LAW AND POLICY 99-130 (Fall 2006).
- *Modifications to RATAC™ Protocol for Physical Abuse Interviews, In FINDING WORDS* CHILD SEXUAL ABUSE FORENSIC INTERVIEW TRAINING MANUAL (2006).
- *Forensic Interview Room Set-up.* HALF A NATION BY 2010 NEWSLETTER (Fall 2004).

- Guest Editorial on Victims' Rights, QUAD CITIES TIMES, Davenport, Iowa (April 1999).

SEMINARS TAUGHT:

Adolescent Victims: Compliance, Credibility and Sexting. This seminar was presented to child protection investigators and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing on:

- July 29, 2009 in Batavia, New York (1¾ hours)
- October 4, 2010 in Lancaster, Pennsylvania as part of the 2010 Pennsylvania Conference on Child Abuse (1¼ hours)

Advanced Child Sexual Abuse Forensic Interview Training. This intensive training course is designed for law enforcement and child protection investigators, prosecutors, and child interview specialists who have completed CornerHouse's 5-Day or On-Site Child Sexual Abuse Forensic Interview Training Course, or First Witness or *Finding Words/ChildFirst*™ forensic interview training course. Participants must also have completed a minimum of 15 interviews utilizing the CornerHouse Forensic Interview Protocol RATAC®. This course teaches advanced forensic interviewing issues; summarizes research on memory and suggestibility; provides a cross examination demonstration regarding a forensic interview for court preparation experience; and provides students the opportunity to learn and utilize a videotaped interview assessment tool to critique their own interviews.

- February 4 – 6, 2004 in Erie, Pennsylvania
- June 7 – 9, 2004 in Macon, Georgia
- August 16 – 18, 2004 in Rock Island, Illinois
- July 17 – 19, 2006 in Rockville, Maryland
- October 13-16, 2009 in Winona, Minnesota
- December 8-10, 2009 in Monmouth County, New Jersey

The Aftermath of Crime: A Panel Discussion. This panel participation session was presented in Davenport, Iowa to law enforcement officials, victim service providers and interested parties on April 22, 1998.

Allegations of Child Sexual Abuse in Family Law Cases. This 90-minute session was offered as a panel presentation as part of a Minnesota Coalition Against Sexual Assault-sponsored session at the Guardian ad Litem Training Institute presented by the State Guardian ad Litem Board in Prior Lake, Minnesota.

Anatomical Diagrams and Dolls in Forensic Interviews. This 1½ hour training session was provided to district attorneys, child protection and law enforcement investigators, mental health professionals, forensic interviewers and child protective services case managers on November 16, 2007 in Batavia, New York.

Anatomical Diagrams in Forensic Interviews. This 1½ hour training session was provided to prosecuting attorneys, child protection and law enforcement investigators, medical and mental health professionals, forensic interviewers and child protective services case managers on:

- August 2, 2012 in Wichita, Kansas as part of *Kansas Finding Words & Beyond* training
- August 15, 2012 in Dallas, Texas as part of the *24th Annual Crimes Against Children Conference*

Anatomy of an Interview: Giving and Receiving Feedback. This 1½ hour seminar was presented on July 30, 2009 in Batavia, New York to child protection investigators, law enforcement officers, forensic interviewers, child advocacy center staff and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing.

Assessing Allegations of Child Sexual Abuse. This 1½ hour training session was provided to district attorneys, county attorneys, child protection and law enforcement investigators, mental health and medical professionals, forensic interviewers and case managers on:

- June 25, 2007 in Niagara Falls, New York
- September 14, 2007 in Batavia, New York
- April 9, 2010 in Austin, Texas
- April 30, 2010 in Boston, Massachusetts as part of the Second Annual Educational Conference of Boston College's Forensic Nursing Program
- May 18, 2010 in La Crosse, Wisconsin as part of the 13th Annual La Crosse Child Maltreatment Conference sponsored by Franciscan Skemp Mayo Health System
- September 23, 2010 (3 hrs) in Amarillo, Texas
- March 3, 2011 in Fargo, North Dakota as part of a day-long training sponsored by the North Dakota Supreme Court to parenting assessors and guardians ad litem
- April 21, 2011 in Rockford, Illinois as part of a day-long multidisciplinary team training sponsored by the Carrie Lynn Children's s Center
- October 28, 2011 in Anchorage, Alaska as part of a 1-day training for guardians ad litem, victim advocates and child protection attorneys sponsored by the State of Alaska, Department of Law
- September 18, 2012 in St. Paul, Minnesota as part of a 2-day training called *Investigation and Prosecution of Child Abuse Cases* for child protection professionals, sponsored by NCPTC and William Mitchell College of Law

Assessing the Interview: Child's Statements, Behaviors and Emotions. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- December 6, 2001
- February 14, 2002

Basic Issues in Child Sexual Abuse Forensic Interviewing. This 1½ hour seminar was presented on September 17, 2003 at the National Association of Forensic Counselors' 2003 Annual Conference in Las Vegas, Nevada to law enforcement officers, forensic interviewers, forensic and mental health professionals, probation officers, victim-witness advocates and researchers.

Best Practices for Child Interviews. This 1-hour seminar was presented on March 31, 2006 at the Hamline University Law School Journal of Public Law and Policy Spring Symposium entitled *Reassessing the Past Present and Future Role of Children and Their Participation in*

American Law in held St. Paul, Minnesota to practicing attorneys, guardians ad litem and social workers.

Best Practices in Sexual Abuse Cases. This 7-hour session, sponsored by the Nevada Division of Child and Family Services was presented on April 16, 2010 and May 7, 2010 in Las Vegas and Elko, Nevada. Audience members included child welfare agency employees, state, tribal and county law enforcement, CASA, attorneys, judges, and medical and mental health professionals. Training topics included Child Abuse Dynamics, Complex Interviews with Adolescents and Young Children, Interviewing Child Witnesses and Victims of Violent Crime, Evaluating Children's Statements for Investigative and Court Purposes, and Assessment and Development of Interviewer Skills.

Blocks and Problems in Child Sexual Abuse Forensic Interviewing. This 1½ hour seminar was presented on:

- September 17, 2003 at the National Association of Forensic Counselors' 2003 Annual Conference in Las Vegas, Nevada to law enforcement officers, forensic interviewers, forensic and mental health professionals, probation officers, victim-witness advocates and researchers
- July 19, 2011 as part of a 5-day course entitled *ChildFirst: Interviewing Children and Preparing for Court* in London, Ohio, sponsored by the Crime Victims Section of the Ohio Attorney General's Office

A Call to Implement a New Pattern of Training for Mandated Reporters and Child Protection Professionals was presented on June 30, 2012 at the Second Russian-American Child Welfare Forum as part of in Chicago, IL as part of APSAC's 20th Annual Colloquium.

Child Abuse and Domestic Violence: When Systems Collide. This 1½ hour seminar was presented on:

- February 26, 2010 at the *Cornerstone Annual Conference 2010 on Domestic Violence and Abuse* in Bloomington, Minnesota to victim advocates, child protection workers, police officers, guardians ad litem, and medical and mental health professionals
- August 5, 2011 in American Samoa to educators and school counselors as part of a 1-day course on child sexual abuse sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- September 11, 2011 in San Diego, California as part of the *16th Annual International Conference on Violence, Abuse and Trauma* sponsored by the Institute on Violence, Abuse and Trauma
- July 10, 2012 in Bloomington, Minnesota as part of NCPTC's 2nd Annual Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs
- September 14, 2012 in Biddeford, Maine as part of the 17th Annual Northern New England Conference on Child Maltreatment sponsored by Spurwink's Child Abuse Program (CAP)
- November 15, 2012 in Monmouth County, New Jerysey as part of a 3-day conference entitled *Strengthening Identification and Reporting of Suspected Child Abuse* sponsored by the New Jersey Task Force on Child Abuse and Neglect

Child Interview Best Practices. This 1¾ hour seminar was presented on April 25, 2006 in Minneapolis, Minnesota to law enforcement officers from Plymouth, Minnesota Police Department.

The Child Interview Process. This session was presented on:

- April 3, 2009 as part of the *Widener Law Review Symposium: The Child Witness* in Wilmington, Delaware to prosecutors, defense attorneys, judges, child abuse investigators and law students, with emphasis on evaluating children's interview statements about alleged abuse experiences.
- April 4, 2011 in San Diego, California as part of the *Equal Justice for Children* pre-conference training session for professionals working with Native American/Alaskan Native Children sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse

Child Interviews and Expert Testimony. This 1½ hour seminar was presented on:

- November 22, 2002 in Bloomington, Minnesota at the Minnesota County Attorneys Association Annual Meeting to County Attorneys, Assistant County Attorneys and criminal investigators
- October 29, 2010 in Rochester, Minnesota for prosecutors in the Olmsted County Attorney's Office

Child Sexual Abuse Forensic Interview Training. This intensive three-day training course is designed for forensic interviewers and multidisciplinary teams of law enforcement, child protection and prosecuting professionals, and teaches an interview process to conduct credible, reliable, non-traumatic forensic interviews of children and vulnerable adults who allege sexual abuse. Topics of training include: Dynamics of Child Sexual Abuse; the CornerHouse Forensic Interview Protocol RATAC®; Using Age-Appropriate Guidelines to Question Children; the Process of Disclosure; the Process of Inquiry; Childhood Development Issues; Issues of Suggestibility; Use of Anatomical Dolls; Potential Blocks & Problems in the Interview Process; and Assessing the Child's Statements, Behaviors and Emotions.

- March 10 – 13, 2002 in Tulsa, Oklahoma to agents of the Bureau of Indian Affairs and the Federal Bureau of Investigation, tribal police officers, U.S. Attorneys, federal victim-witness coordinators and Indian Child Welfare workers.
- May 13 – 15, 2002 in Forsyth, Georgia
- July 22 – 24, 2002 in Tulsa, Oklahoma
- September 23 – 25, 2002 in Geneseo, New York
- January 8 – 10, 2003 in Dixon, Illinois
- January 13 – 15, 2003 in Dixon, Illinois
- November 28 – 30, 2005 in Tolland, Connecticut
- May 15 – 17, 2006 in Manchester, Tennessee
- March 6-10, 2010 in Tokyo, Japan as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court*
- March 13-17, 2010 in Tokorozawa, Japan as part of the forensic interviewing course *ChildFirst:* Interviewing Children and Preparing for Court

- July 31 – August 4, 2010 in Kanagawa, Japan as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court* in a Train-the-Trainer capacity
- August 7-11, 2010 in Miyazaki, Japan as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court* in a Train-the-Trainer capacity
- February 7-11, 2011 in Minneapolis, MN as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court* in a Train-the-Trainer capacity for child maltreatment investigators, prosecutors, psychologists and forensic interviewers from Bogotá, Colombia
- March 14-18, 2011 in Mechanicsburg, PA as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court* in a Train-the-Trainer capacity for child maltreatment investigators, prosecutors, psychologists and forensic interviewers
- March 12-16, 2012 in Mechanicsburg, PA as part of the forensic interviewing course ChildFirst: Interviewing Children and Preparing for Court in a Train-the-Trainer capacity
- March 12-16, 2012 in Forsyth, GA as part of the forensic interviewing course *Finding Words: Interviewing Children and Preparing for Court, a ChildFirst Program* sponsored by the Georgia Office of the Child Advocate for child maltreatment investigators, prosecutors, psychologists and forensic interviewers
- June 5-9, 2012 in Fayetteville, NC as part of the forensic interviewing course *ChildFirst: Interviewing Children and Preparing for Court* in a Train-the-Trainer capacity for child maltreatment investigators, prosecutors, psychologists and forensic interviewers

Children Exposed to Violence and Trauma. This 90-minute presentation was provided on:

- May 18, 2010 in La Crosse, Wisconsin as part of the 13th Annual La Crosse Child Maltreatment Conference sponsored by Franciscan Skemp Mayo Health System
- January 26, 2011 as part of the 25th Annual San Diego International Conference on Child and Family Maltreatment, a 5-day annual conference for child protection professionals prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers
- September 7, 2012 at the 17th International Conference on Violence, Abuse, and Trauma Affiliated Training entitled *When Faith Hurts: Addressing the Spiritual Needs of Maltreated Children*

Children's Memories and Suggestibility. This seminar was presented on September 16, 2002 in Minneapolis, Minnesota as part of a four-day Advanced Forensic Interview Training for prosecutors, law enforcement and child protection professionals.

Children's Sexuality Development: This seminar was presented on April 26, 2004 in Minneapolis, Minnesota as part of CornerHouse's 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals.

Communication Challenges. This seminar was presented on February 24, 2004 in Minneapolis, Minnesota as part of CornerHouse's Advanced Child Sexual Abuse Forensic

Interview Training for prosecutors, law enforcement and child protection professionals, covering ethnic and cultural issues, children under five, children with emotional, behavioral, or communication disorders; and children with speech delays/impediments.

Constitutional Issues in Child Abuse. This one-hour seminar was presented on April 21, 2010 at to Child Advocacy Coalition members at William Mitchell College of Law in St. Paul, Minnesota.

Continuing Development of Interviewing Skills. This seminar was presented on February 25, 2004 in Minneapolis, Minnesota as part of Advanced Child Sexual Abuse Forensic Interview Training for prosecutors, law enforcement and child protection professionals.

Controlled Phone Calls in Child Abuse Investigations. This 90-minute training was provided to attorneys, forensic interviewers, law enforcement officers, child protection workers, guardians ad litem, victim advocates, and medical and mental health professionals on August 13, 2012 in Dallas, Texas as part of the 24th Annual Crimes Against Children Conference.

CornerHouse Child Interviews. This 30-minute in-service was provided at the Hennepin County Chiefs of Police Meeting in Golden Valley, Minnesota on May 4, 2006.

CornerHouse RATAC® Forensic Interview Protocol. This seminar on the CornerHouse RATAC® Forensic Interview Protocol was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- December 3, 2001
- February 11, 2002
- February 26, 2002
- April 16, 2002
- March 9, 2004 (@ St. Paul, MN)

CornerHouse Orientation and Dynamics of Sexual Abuse. This seminar was presented on September 27, 2002, in Plymouth, Minnesota at the Hennepin County Attorney's Office Juvenile Division Retreat to Assistant County Attorneys.

CornerHouse Orientation and Forensic Interview Process. This seminar was presented on February 25, 2002, in St. Paul, Minnesota to undergraduate students of the Child Abuse and Neglect Prevention and Intervention class at the University of Minnesota.

Corroboration: An Essential Element of Every Case. This seminar was presented to prosecutors, child protection attorneys, forensic interviewers, law enforcement officers, child protection workers, guardians ad litem, victim advocates, and medical and mental health professionals on:

- February 25, 2004 in Minneapolis, Minnesota as part of Advanced Child Sexual Abuse Forensic Interview Training
- September 23, 2010 in Amarillo, Texas
- March 16, 2011 in Pennsylvania as part of a 5-day *ChildFirst Pennsylvania* training on Interviewing Children and Preparing for Court

- August 31, 2011 in Fayetteville, North Carolina as part of a 5-day *ChildFirst North Carolina* training on Interviewing Children and Preparing for Court
- November 16, 2011 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 21, 2011 in Juneau, Alaska as part of a 1-day training for multidisciplinary team members sponsored by the S.A.F.E. Child Advocacy Center of Catholic Community Services
- November 7, 2012 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court

Court Testimony: Preparing to Testify & Meeting the Challenges. This seminar was presented in Minneapolis, Minnesota as part of a four-day Advanced Child Sexual Abuse Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- March 25, 2002
- February 26, 2004

Crime Victim Advocacy. This seminar was presented in Davenport, Iowa as part of a 21-hour Volunteer Victim Advocate training session in Summer 1998 and Spring 1999.

Cultural Competency in Child Abuse Investigations. This seminar was presented to criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates on:

- October 28, 2010 in Woodstock, Illinois
- April 6, 2011 in San Diego, California as part of the *Equal Justice for Children* conference sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- April 21, 2011 in Rockford, Illinois as part of a day-long multidisciplinary team training sponsored by the Carrie Lynn Children's s Center
- March 14, 2011 in Mechanicsburg, Pennsylvania as part of a 5-day *ChildFirst Pennsylvania* training on Interviewing Children and Preparing for Court
- August 29, 2011 in Fayetteville, North Carolina as part of a 5-day *ChildFirst North Carolina* training on Interviewing Children and Preparing for Court
- November 14, 2011 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 5, 2012 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 15, 2012 in Monmouth County, New Jersey as part of a 3-day conference entitled *Strengthening Identification and Reporting of Suspected Child Abuse* sponsored by the New Jersey Task Force on Child Abuse and Neglect

Culturally Competent Advocacy with Non-Offending Caregivers. This 1¼- hour session was provided via web-based teleconferencing to victim advocates from across Washington State on March 1, 2011.

Defending the Forensic Interview. This session was presented on:

- April 6, 2011 in San Diego, California as part of the *Equal Justice for Children* conference sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- May 4, 2011 in Bentonville, Arkansas to attorneys, forensic interviewers and child abuse investigators as part of a 3-day advanced training course or interviewing adolescent victims
- November 21, 2011 in Juneau, Alaska as part of a 1-day training for multidisciplinary team members sponsored by the S.A.F.E. Child Advocacy Center of Catholic Community Services

Diversity Training. This seminar was presented Spring 1999 in Davenport, Iowa as part of a 21-hour Volunteer Victim Advocate training session.

Diversity Issues and the Interview Process. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- May 8, 2001
- September 11, 2001
- November 6, 2001

Domestic Violence and Child Abuse. This 1½ hour seminar was presented as part of a 5-day course on advanced issues in forensic interviewing entitled *Strategies for Justice* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates.

- September 22, 2009 at the National Advocacy Center in Columbia, South Carolina
- August 24, 2010 in National Harbor, Maryland.

The Dynamics of Child Sexual Abuse. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- May 8, 2001
- September 11, 2001
- November 6, 2001
- February 25, 2002
- March 6, 2006

The Dynamics of Victimization. This 1½ hour seminar was presented on:

- June 23, 2003 at Equal Justice: Investigation and Prosecution of Child Abuse Conference in Boise, Idaho, sponsored by the American Prosecutors Research Institute's National Center for Prosecution of Child Abuse. Audience members included state and federal prosecuting attorneys, law enforcement officers and child protection investigators

- February 26, 2010 at the Cornerstone Annual Conference 2010 on Domestic Violence and Abuse in Bloomington, Minnesota to victim advocates, child protection workers, police officers, guardians ad litem, and medical and mental health professionals.
- October 4, 2010 in Lancaster, Pennsylvania as the Keynote Presentation for the 2-day 2010 Pennsylvania Conference on Child Abuse to attorneys, victim advocates, child protection workers, police officers, guardians ad litem, and medical and mental health professionals
- November 15, 2010 in Tacoma, Washington, as part of a 1-day course on investigating and prosecuting child abuse for the Puyallup Tribe Children's Services entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- January 13, 2011 in Marysville, Washington, as part of a 2-day course on investigating and prosecuting child abuse for the Tulalip Tribe Children's Services entitled Strategies for Justice: A Tribal Vision sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- August 5, 2011 in American Samoa to educators and school counselors as part of a 1-day course on child sexual abuse sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- August 8, 2011 in American Samoa to child abuse attorneys, prosecutors, child protection workers, law enforcement and probation officers, medical and mental health professionals and victim advocates as part of a 3-day course on child sexual abuse sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- November 5, 2012 in Winona, Minnesota as part of the 5-day forensic interviewing course *ChildFirst*® to attorneys, victim advocates, child protection workers, police officers, forensic interviewers, and medical and mental health professionals

Emerging Trends in Forensic Interviewing. This seminar was presented on September 24, 2009 at the National Advocacy Center in Columbia, South Carolina, as part of a 5-day course on advanced issues in forensic interviewing entitled Strategies for Justice sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates.

Emerging Trends in Reasonable Efforts. This 1½ hour seminar was presented on:

- May 19 and June 19, 2009 at the National Child Protection Training Center's two-day course entitled "Investigation and Litigation of Civil Child Protection Cases" in Winona, Minnesota to law enforcement officers, child protection workers and attorneys.
- February 8, 2010 at Northwest Arkansas Community College as part of a two-day course sponsored by the National Child Protection Training Center entitled "Investigation and Litigation of Civil Child Protection Cases" to law enforcement officers, child protection workers, social workers and attorneys.

- April 6, 2010 at Northwest Arkansas Community College as part of a two-day course sponsored by the National Child Protection Training Center entitled "Investigation and Litigation of Civil Child Protection Cases" to law enforcement officers, child protection workers, social workers and attorneys.

Finding Equilibrium: Camreta v. Greene. This 1½ hour seminar was presented on January 26, 2011 as part of the 25th Annual San Diego International Conference on Child and Family Maltreatment, a 5-day annual conference for child protection professionals prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.

The Forensic Interview of Child Victims. This 3-hour session was presented on October 3, 2003 as a post-conference institute of intensive study during the "Together We Can 2003 Conference" in Lafayette, Louisiana. Audience members included those working or volunteering in the legal, law enforcement and social service fields.

Forensic Interview Panel: Coming Together for Best Practice. Served as part of a 90-minute panel presentation on June 28, 2012 regarding best practices in forensic interviews and on a collaborative White Paper discussing forensic interview techniques common to all major, national forensic interview protocols in Chicago, IL as part of APSAC's 20th Annual Colloquium.

Forensic Interview Protocols: NICHD & RATAC. This session was presented on August 2, 2012 as part of a conference in Wichita, Kansas on advanced issues for child protection professionals, including prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.

The Forensic Interviewer at Trial. This intensive, practical 3-day course was offered in Winona, MN on August 24-26, 2009; September 13-15, 2010; October 11-13, 2010; November 8-10, 2010 (in Evansville, IN); and May 9-11, 2012 jointly to criminal prosecutors and civil child abuse attorneys and forensic interviewers, including law enforcement and child protection investigators and independent forensic interviewers. Designed to improve the skills of child abuse professionals, participants presented and defended the forensic interviews during mock-trial activities and were critiqued on their performances. Sessions taught included:

- Overview of Child Abuse Interviews
- Current Research
- Evaluating Children's Interview Statements
- Expert Witness Cross Examination Practicum

Gaining Cooperation from Non-Offending Parents in Child Abuse Cases. This 1¾ hour seminar was presented on July 30, 2009 in Batavia, New York to child protection investigators, law enforcement officers, forensic interviewers, child advocacy center staff and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing.

Hearsay in Child Abuse Investigations. This seminar was presented to criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers, child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates on:

- March 16, 2011 in Mechanicsburg, Pennsylvania as part of a 5-day *ChildFirst Pennsylvania* training on Interviewing Children and Preparing for Court
- August 31, 2011 in Fayetteville, North Carolina as part of a 5-day *ChildFirst North Carolina* training on Interviewing Children and Preparing for Court
- November 17, 2011 in Winona, Minnesota as part of a 5-day *ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 8, 2012 in Winona, Minnesota as part of a 5-day *ChildFirst*™ training on Interviewing Children and Preparing for Court

Human Trafficking. This 90-minute webinar was presented live on October 18, 2012 to victim advocates, children's advocacy center staff, investigators, guardians ad litem and mental health and medical providers.

Interviewing Adolescent Victims. This seminar was presented on:

- May 4, 2011 in Bentonville, Arkansas to attorneys, forensic interviewers and child abuse investigators as part of a 3-day advanced training course or interviewing adolescent victims
- September 14, 2012 in Biddeford, Maine as part of the 17th Annual Northern New England Conference on Child Maltreatment sponsored by Spurwink's Child Abuse Program (CAP)

Interviewing Child Victims. This 1-hour course was presented on March 16, 2006 in St. Paul, Minnesota at the Minnesota Sex Crimes Investigators' Association Basic Spring Training to law enforcement officers and child protection workers.

Interviewing Child Victims of Torture. This 90-minute training was provided with Dr. Barbara Knox to attorneys, forensic interviewers, law enforcement officers, child protection workers, guardians ad litem, victim advocates, and medical and mental health professionals on August 15, 2012 in Dallas, Texas as part of the 24th Annual Crimes Against Children Conference.

Interviewing Child Witnesses/Basic Forensic Interviewing. Two 1½ hour seminars were presented on March 20, 2002 at Kentucky's 2002 Victim Assistance Conference in Lexington, Kentucky to prosecuting and defense attorneys, law enforcement officers, victim-witness coordinators, victim advocates, mental health professionals, medical providers and child care providers.

Interviewing Child Witnesses of Violence and Trauma. This 1¾ hour seminar was presented on July 30, 2009 in Batavia, New York to child protection investigators, law enforcement officers, forensic interviewers, child advocacy center staff and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing.

Interviewing Children Exposed to or Witnesses of Violent Crime. This 1½ hour seminar was presented on:

- May 15 and June 12, 2009 at the National Child Protection Training Center's two-day course entitled "Investigation and Prosecution of Child Abuse Cases" in Winona, Minnesota to law enforcement officers, child protection workers and attorneys
- July 12, 2010 as part of *When Words Matter*, a 4-day annual conference for forensic interviewers, child protection professionals and prosecutors designed to extend the concepts taught at five day forensic interviewing courses teaching the CornerHouse Forensic Interview Protocol RATAC®
- October 4, 2010 in Lancaster, Pennsylvania as part of the 2-day 2010 Pennsylvania Conference on Child Abuse
- October 26, 2010 in Browning, Montana, as part of a 2-day course on investigating and prosecuting child abuse for the Blackfeet Nation entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- September 18, 2012 in St. Paul, Minnesota as part of a two-day course for child protection professionals entitled *Investigation and Prosecution of Child Abuse Cases*, sponsored by NCPTC and William Mitchell College of Law
- October 26, 2012 as part of an advanced forensic interviewing course at the Alaska Child Maltreatment Conference in Anchorage, Alaska

Interviewing Children for Violent Crime. This 1½ hour seminar was presented on August 7, 2004 at the American Professional Society on the Abuse of Children Colloquium in Hollywood, California to prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.

Interviewing Children with Developmental Disabilities. This 1½ hour seminar was presented on:

- May 17 and June 18, 2009 at the National Child Protection Training Center's two-day course entitled "Investigation and Litigation of Civil Child Protection Cases" in Winona, Minnesota to law enforcement officers, child protection workers and attorneys
- July 29, 2009 in Batavia, New York to child protection investigators and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing
- February 8, 2010 at Northwest Arkansas Community College as part of a two-day course sponsored by the National Child Protection Training Center entitled "Investigation and Litigation of Civil Child Protection Cases" to law enforcement officers, child protection workers, social workers and attorneys
- April 5, 2010 at Northwest Arkansas Community College as part of a two-day course sponsored by the National Child Protection Training Center entitled "Investigation and Litigation of Civil Child Protection Cases" to law enforcement officers, child protection workers, social workers and attorneys
- May 20, 2010 in Columbia, South Carolina as part of a 5-day course entitled *Equal Justice* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child

protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates

- August 16, 2012 in Dallas, Texas four 3.5 hours with colleagues from the Institute on Violence, Abuse and Trauma as part of the 24th Annual Crimes Against Children Conference. Training participants included attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals and child and victim advocates.

Interviewing for Child Abuse.

- This 9-hour seminar was presented on April 16 and 17, 2003 in Bloomington, Minnesota as part of the 3-day Child Abuse Investigations class sponsored by the Minnesota Bureau of Criminal Apprehension. Training participants included law enforcement and child protection investigators.
- This 6-hour seminar was presented on February 28, 2008 in Jamestown, New York to child protection and law enforcement investigators, children's advocacy center staff, victim advocates, probation officers and therapists

Interviewing Compliant and Statutory Victims. This 2-hour seminar was presented on:

- June 12, 2008 in Buffalo, New York to child protection and law enforcement investigators, criminal prosecutors, children's advocacy center staff, forensic interviewers, victim advocates, medical providers, children's law guardians, and medical and mental health providers
- May 4, 2011 in Bentonville, Arkansas to attorneys, forensic interviewers and child abuse investigators as part of a 3-day advanced training course or interviewing adolescent victims

Interviewing the Pre-School Child. This 2-hour seminar was presented on February 7, 2008 in Buffalo, New York to child protection and law enforcement investigators, prosecution staff, children's advocacy center staff, victim advocates, medical providers, children's law guardians and therapists.

Interviewing Skills: Assessment & Development.

- This 1½ hour seminar was presented on June 23, 2006 at the American Professional Society on the Abuse of Children Colloquium in Nashville, Tennessee to prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.
- This 3½ hour training session was provided twice on February 1, 2008 in Olean, New York for victim services professionals, law enforcement and child protective investigators and supervisors, child psychologists and child advocacy center staff members.

Introducing Evidence in Forensic Interviews. This 1½ hour training session was presented to attorneys, law enforcement investigators, medical and mental health professionals, forensic interviewers, child protection workers and child advocates on October 10, 2012 in St. Paul, Minnesota as part of the annual *When Words Matter* conference sponsored by NCPTC.

Introducing the Advanced Forensic Interview Training. This seminar was presented on September 16, 2002 in Minneapolis, Minnesota as part of a four-day Advanced Forensic Interview Training for prosecutors, law enforcement and child protection professionals.

Issues of Childhood Development. This seminar was presented on February 27, 2002 in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals.

Issues of Suggestibility in the Interview Process. This seminar was presented as part of a 5-Day Forensic Interview Training course for prosecutors, law enforcement and child protection professionals on:

- May 8, 2001 in Minneapolis, Minnesota
- September 11, 2001 in Minneapolis, Minnesota
- November 6, 2001 in Minneapolis, Minnesota
- May 7, 2002 in Minneapolis, Minnesota
- November 17, 2010 in Winona, Minnesota as part of the 5-day *ChildFirst*™ training on Interviewing Children and Preparing for Court
- March 16, 2011 in Mechanicsburg, Pennsylvania as part of a 5-day *ChildFirst Pennsylvania* training on Interviewing Children and Preparing for Court
- August 31, 2011 in Fayetteville, North Carolina as part of a 5-day *ChildFirst North Carolina* training on Interviewing Children and Preparing for Court
- November 16, 2011 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 7, 2012 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court

Juvenile Perpetrators of Sex Crimes. This 1-hour presentation was offered at the Winona Sexual Assault Intervention Coalition Team Retreat on September 8, 2009 to victim advocates, social workers, medical professionals, law enforcement officers and attorneys in Winona, Minnesota, and was sponsored by the Women's Resource Center of Winona.

Linguistics and Interviewing Children. This 1½ hour seminar was presented on:

- June 23, 2003 at Equal Justice: Investigation and Prosecution of Child Abuse Conference in Boise, Idaho, sponsored by the American Prosecutors Research Institute's National Center for Prosecution of Child Abuse. Audience members included state and federal prosecuting attorneys, law enforcement officers and child protection investigators
- August 8, 2011 in American Samoa to child abuse attorneys, prosecutors, child protection workers, law enforcement and probation officers, medical and mental health professionals and victim advocates as part of a 3-day course on child sexual abuse sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- October 26, 2012 as part of an advanced forensic interviewing course at the Alaska Child Maltreatment Conference in Anchorage, Alaska

Managing Complex Interviews. This seminar was presented in Minneapolis, Minnesota on February 24, 2004, as part of Advanced Child Sexual Abuse Forensic Interview Training for

prosecutors, law enforcement and child protection professionals. This session was included a review of child sexual abuse dynamics; a review of blocks and removal techniques; authenticity issues; multiple victim cases; multiple perpetrator cases; contamination issues; and bizarre, improbable, or fantastic elements.

Mandated Reporter Training. This seminar is designed for professionals who have responsibility for mandated reporting of suspected child maltreatment, and teaches a process to talk with children or vulnerable adults who they suspect may be victims of maltreatment. Methods include skill-building through role-plays, information to discern normal child sexual development from concerning behaviors, dynamics of child sexual abuse, how children disclose abuse, reporting processes and the legal and social systems' response to child sexual abuse.

- September 18, 2001 in Washington County, Minnesota, to counselors, mental health professionals, guardians ad-litem, childcare and group home providers and patrol officers (8 hours)
- May 21, 2002 in Blue Earth County, Minnesota, to counselors, guardians ad-litem, and child care and group home providers (8 hours)
- April 27, 2011 to educators, counselors, youth workers and volunteer mentors via webinar training sponsored by the Indiana Youth Institute (2 hours)
- June 11, 2012 to youth workers and volunteers of TreeHouse in Eden Prairie, MN (2 hours)

Mandatory Reporting of Child Abuse and Neglect: Your Ethical, Legal, and Moral Responsibilities. Participated on a panel of experts on MN mandated reporting laws for administrators, managers, CEOs, supervisors and board members who represent agencies & organizations that serve children, sponsored by the Winona County Citizen Review Panel in Winona, MN on April 25, 2012.

Memory and Suggestibility. This session was presented on:

- March 3, 2011 to parenting assessors and guardians ad litem as part of a North Dakota Supreme Court training
- August 8, 2011 in American Samoa to child abuse attorneys, prosecutors, child protection workers, law enforcement and probation officers, medical and mental health professionals and victim advocates as part of a 3-day course on child sexual abuse sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- November 21, 2011 in Juneau, Alaska as part of a 1-day training for multidisciplinary team members sponsored by the S.A.F.E. Child Advocacy Center of Catholic Community Services
- October 26, 2012 as part of an advanced forensic interviewing course at the Alaska Child Maltreatment Conference in Anchorage, Alaska

Memory and Suggestibility in Child Abuse Cases: Appropriate Questions to Facilitate Disclosures. This 1½ hour seminar was presented on July 29, 2009 in Batavia, New York to child protection investigators and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing.

Minimal Facts Interviews. This 1¼-hour seminar was presented to criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates on:

- October 28, 2010 in Woodstock, Illinois
- November 15, 2010 in Tacoma, Washington, as part of a 1-day course on investigating and prosecuting child abuse for the Puyallup Tribe Children's Services entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- July 29, 2011 in Dothan, Alabama as part of a 1-day training for multidisciplinary team members entitled *Developing and Defending the Child Abuse Case* sponsored by the Southeast Alabama Child Advocacy Center

Minnesota Child Maltreatment Reporting Act. This 1½ hour seminar trains child abuse mandated reporters to recognize the signs and symptoms of child abuse, the legal responsibility to report suspected abuse and the legal and social systems' responses to child sexual abuse. This training was presented on:

- October 21, 2009 in Caledonia, Minnesota, to staff members of ABLE, Inc., a program that provides services to children and adults with disabilities.
- November 4, 2009 in Rochester, Minnesota to staff of the regional 4-H program.
- Recorded on September 8, 2010 as live presentation to child advocates, and moderated webinar on December 16, 2010 for child abuse, mental health and education professionals.

A Multidisciplinary Response to Child Abuse. This 1½ hour seminar was presented to medical and mental health providers, child protection workers, law enforcement officers, guardians ad litem, victim advocates, forensic interviewers and prosecutors on:

- June 5, 2009 in Sequin, Texas
- September 23, 2010 (3 hrs) in Amarillo, Texas
- November 15, 2010 in Tacoma, Washington, as part of a 2-day course on investigating and prosecuting child abuse for the Puyallup Tribe Children's Services entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance

Narrative Elaboration: What is it and Why do I Care? This 1½ hour seminar was presented on August 2, 2012 as part of a conference in Wichita, Kansas on advanced issues for child protection professionals, including prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.

Overview of Forensic Interviewing: Protocols and Best Practices. This 1½ hour seminar was presented on:

- July 29, 2009 in Batavia, New York to child protection investigators and civil child protection prosecutors as part of a two-day course on child abuse forensic interviewing

- August 5, 2011 in American Samoa to victim advocates, child protection workers, law enforcement officers, child abuse attorneys and prosecutors as part of a 1-day course on forensic interviewing sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse

Parental Alienation. This 3-hour session was presented on:

- March 3, 2011 to parenting assessors and guardians ad litem as part of a North Dakota Supreme Court training
- July 8, 2011 to mental health professionals, guardians ad litem, child abuse investigators, forensic interviewers, attorneys and educators, and was sponsored by Child & Parent Services-Child and Family Advocacy Center in Elkhart, Indiana

Peer Review of Forensic Interviews. This 1½ hour presentation was co-taught with Victor Vieth on:

- July 14, 2010 as part of a 4-day annual conference for forensic interviewers, child protection professionals and prosecutors designed to extend the concepts taught at five day forensic interviewing courses teaching the CornerHouse Forensic Interview Protocol RATAC®
- March 7, 2011 as part of a 2½ day conference entitled "Using Peer Review to Corroborate Children's Statements" in Winona, Minnesota for prosecutors and child abuse investigators
- October 26, 2012 as part of an advanced forensic interviewing course at the Alaska Child Maltreatment Conference in Anchorage, Alaska

Potential Blocks and Problems in the Interview Process. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- October 3, 2001
- April 17, 2002

Post-Traumatic Stress Disorder. This seminar was presented on November 29, 1999 in Moline, Illinois to Head Start professionals.

The Process of Disclosure. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- May 8, 2001
- September 11, 2001
- November 6, 2001
- April 26, 2004
- November 5, 2012 in Winona, Minnesota as part of the 5-day forensic interviewing course *ChildFirst*® to attorneys, victim advocates, child protection workers, police officers, forensic interviewers, and medical and mental health professionals

The Process of Inquiry. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:

- May 8, 2001
- September 11, 2001
- November 6, 2001
- April 26, 2004

Preparing Children for Court. This session was presented on:

- October 28, 2011 in Anchorage, Alaska as part of a 1-day training for guardians ad litem, victim advocates and child protection attorneys sponsored by the State of Alaska, Department of Law
- November 21, 2011 in Juneau, Alaska as part of a 1-day training for multidisciplinary team members sponsored by the S.A.F.E. Child Advocacy Center of Catholic Community Services

Preparing and Qualifying the Expert Witness. This session was presented on:

- October 28, 2011 in Anchorage, Alaska as part of a 1-day training for guardians ad litem, victim advocates and child protection attorneys sponsored by the State of Alaska, Department of Law

Psychological Maltreatment. This 90-minute training session was presented on November 15, 2012 in Monmouth County, New Jersey as part of a 3-day conference entitled *Strengthening Identification and Reporting of Suspected Child Abuse* sponsored by the New Jersey Task Force on Child Abuse and Neglect.

Recovered Memory Syndrome in the Courts. This 75-minute session was presented on May 5, 2012 in La Crosse, WI to social workers, therapists, guardians ad litem, attorneys, investigators and medical professionals as part of the 15th Annual La Crosse Child Maltreatment Conference.

Sexual Abuse Interview Protocol Update Training. This two-hour training session was presented on July 11, 2006 in Dakota County, Minnesota to assistant county attorneys, law enforcement officers, child abuse investigators, child forensic interviewers and social workers.

Sexual Exploitation. This 1½ hour presentation was presented as part of Advanced Child Sexual Abuse Forensic Interview Training for prosecutors, law enforcement and child protection professionals, and victim advocates on:

- March 2, 2005 in Minneapolis, Minnesota
- November 9, 2005 in Minneapolis, Minnesota
- February 23, 2006 in Minneapolis, Minnesota
- June 7, 2006 in Minneapolis, Minnesota

Shared Grace: Collaboratives between Therapists and Spiritual Leaders. This 90-minute session was presented on September 7, 2012 at the 17th International Conference on Violence, Abuse, and Trauma Affiliated Training entitled *When Faith Hurts: Addressing the Spiritual Needs of Maltreated Children*.

Signs of Child Sexual Abuse with Cultural and Age-Specific Information. This 1½ hour workshop was presented twice on March 26, 2010 to guardians ad litem and child advocates in Prior Lake, Minnesota as part of a Statewide Annual Conference entitled "Guardians ad Litem – An Essential Piece of the Puzzle" sponsored by CASA Minnesota.

The Social, Psychological and Economic Impact of Child Maltreatment. This 90-minute presentation was presented twice to child protection professionals, undergraduate students and the general public on March 24, 2012 in Winona, MN at the Tri-State Human Rights Conference sponsored by Winona State University.

Suggestibility in Forensic Interviews – Advanced Issues. This 1½ hour training session was presented to attorneys, law enforcement investigators, medical and mental health professionals, forensic interviewers, child protection workers and child advocates on October 9, 2012 in St. Paul, Minnesota as part of the annual *When Words Matter* conference sponsored by NCPTC.

Testifying in Court. This 1½ hour seminar was presented to child protection investigators, law enforcement officers, forensic interviewers, child advocacy center staff, criminal child abuse prosecutors and civil child protection attorneys as part of a multiple-day course on child abuse forensic interviewing on:

- July 30, 2009 in Batavia, New York
- November 19, 2009 in Winona, Minnesota as part of the 5-day *ChildFirst*™ training on Interviewing Children and Preparing for Court
- April 9, 2010 in Austin, Texas
- November 18, 2010 in Winona, Minnesota as part of the 5-day *ChildFirst*™ training on Interviewing Children and Preparing for Court
- April 18, 2011 in Laredo, Texas as part of the Children's Advocacy Center of Laredo-Webb County's 12th annual conference entitled *It Takes the Whole Community to Protect Our Children*
- July 29, 2011 in Dothan, Alabama as part of a 1-day training for multidisciplinary team members entitled *Developing and Defending the Child Abuse Case* sponsored by the Southeast Alabama Child Advocacy Center
- August 5, 2011 in American Samoa to victim advocates, child protection workers, law enforcement officers, child abuse attorneys and prosecutors as part of a 1-day course on forensic interviewing sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse
- March 17, 2011 in Mechanicsburg, Pennsylvania as part of a 5-day *ChildFirst Pennsylvania* training on Interviewing Children and Preparing for Court
- September 1, 2011 in Fayetteville, North Carolina as part of a 5-day *ChildFirst North Carolina* training on Interviewing Children and Preparing for Court

- November 17, 2011 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court
- November 8, 2012 in Winona, Minnesota as part of a 5-day *National ChildFirst*™ training on Interviewing Children and Preparing for Court

To Tell or Not to Tell: Potential Blocks and Problems in the Interview Process. This 1-½ hour seminar was presented on May 30, 2002 at the American Professional Society on the Abuse of Children Colloquium in New Orleans, Louisiana to prosecuting attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.

Use of Anatomical Dolls in the Interview Process. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:
- October 2, 2001
- May 7, 2002

Use of Interview Instructions and Truth-Lie Discussions in Forensic Interviews. This 1½ hour presentation was given on:
- May 18, 2010 in La Crosse, Wisconsin as part of the 13th Annual La Crosse Child Maltreatment Conference sponsored by Franciscan Skemp Mayo Health System
- June 24, 2010 at the American Professional Society on the Abuse of Children Colloquium in New Orleans, Louisiana to attorneys, law enforcement officers, forensic interviewers, mental health professionals, victim-witness coordinators and advocates, medical providers and researchers.
- July 13, 2010 as part of a 4-day annual conference for forensic interviewers, child protection professionals and prosecutors designed to extend the concepts taught at five day forensic interviewing courses teaching the CornerHouse Forensic Interview Protocol RATAC®
- July 29, 2011 in Dothan, Alabama as part of a 1-day training for multidisciplinary team members entitled Developing and Defending the Child Abuse Case sponsored by the Southeast Alabama Child Advocacy Center

Using Age Appropriate Guidelines to Question Children. This seminar was presented in Minneapolis, Minnesota as part of a 5-Day Forensic Interview Training for prosecutors, law enforcement and child protection professionals on:
- October 2, 2001
- April 26, 2004

Using Interview Aids in the Forensic Interview: Anatomical Diagrams and Dolls. This 1½ hour training session was co-presented with Rita Johnson to prosecuting attorneys, child protection attorneys, law enforcement investigators, medical and mental health professionals, forensic interviewers and child protective services workers and child advocates on September 20, 2011 in Chicago, Illinois as part of the annual *When Words Matter* conference sponsored by the National Child Protection Training Center.

Vicarious Trauma. This seminar was presented on:

- February 25, 2004 in Minneapolis, Minnesota as part of a four-day Advanced Child Sexual Abuse Forensic Interview Training for prosecutors, law enforcement and child protection professionals
- April 28, 2005 at Minnesota's Child Abuse Prevention Conference in St. Paul, Minnesota to mental health professionals, child protection workers, child and victim advocates, guardians ad litem, medical providers and researchers
- May 24, 2006 at the National Children's Alliance Leadership Conference to executive directors and clinical directors of children's advocacy centers, child abuse investigators and forensic interviewers in Washington, D.C.
- June 12, 2009 at the National Child Protection Training Center's two-day course entitled "Investigation and Prosecution of Child Abuse Cases" in Winona, Minnesota to law enforcement officers, child protection workers and attorneys
- September 23, 2009 at the National Advocacy Center in Columbia, South Carolina, as part of a 5-day course on advanced issues in forensic interviewing entitled *Strategies for Justice* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates
- January 20, 2010 to the San Bernardino District Attorney's Office Special Victims' Unit in Rancho Cucamonga, California
- February 3, 2010 as part of the National District Attorneys Association's National Center for Prosecution of Child Abuse 5-day conference entitled *Investigation and Prosecution of Child Fatalities and Physical Abuse* in Santa Fe, New Mexico
- May 19, 2010 in LaCrosse, Wisconsin as part of the 13th Annual La Crosse Child Maltreatment Conference sponsored by Franciscan Skemp Mayo Health System
- May 20, 2010 in Columbia, South Carolina as part of a 5-day course entitled *Equal Justice* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates
- August 19, 2010 in Grand Rapids, Michigan, as part of a 3-day conference sponsored by the Michigan Prosecuting Attorney's Association for criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates
- August 24, 2010 in National Harbor, Maryland, as part of a 5-day course on advanced issues in forensic interviewing entitled *Strategies for Justice* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse. Training participants included criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates

- October 25, 2010 in Browning, Montana, as part of a 2-day course on investigating and prosecuting child abuse for the Blackfeet Nation entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse
- November 15, 2010 in Tacoma, Washington, as part of a 1-day course on investigating and prosecuting child abuse for the Puyallup Tribe Children's Services entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- January 13, 2011 in Marysville, Washington, as part of a 2-day course on investigating and prosecuting child abuse for the Tulalip Tribe Children's Services entitled *Strategies for Justice: A Tribal Vision* sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse and the Native American Children's Alliance
- February 25, 2011 at the Cornerstone Annual Conference 2011 on Domestic Violence and Abuse in Bloomington, Minnesota to victim advocates, child protection workers, police officers, guardians ad litem, and medical and mental health professionals
- March 31, 2011 in La Crosse, Wisconsin to mental health and medical professionals Gundersen Lutheran Health System as part of National Social Workers Month
- April 18, 2011 in Laredo, Texas as part of the Children's Advocacy Center of Laredo-Webb County's 12th annual conference entitled *It Takes the Whole Community to Protect Our Children*
- July 29, 2011 in Dothan, Alabama as part of a 1-day training for multidisciplinary team members entitled *Developing and Defending the Child Abuse Case* sponsored by the Southeast Alabama Child Advocacy Center
- September 10, 2011 in San Diego, California as part of the *Pre-Conference Institute of the 16th Annual International Conference on Violence, Abuse and Trauma* sponsored by the Institute on Violence, Abuse and Trauma
- October 28, 2011 in Anchorage, Alaska as part of a 1-day training for guardians ad litem, victim advocates and child protection attorneys sponsored by the State of Alaska, Department of Law
- September 7, 2012 at the 17th International Conference on Violence, Abuse, and Trauma Affiliated Training entitled *When Faith Hurts: Addressing the Spiritual Needs of Maltreated Children*
- November 15, 2012 in Monmouth County, New Jerysey as part of a 3-day conference entitled *Strengthening Identification and Reporting of Suspected Child Abuse* sponsored by the New Jersey Task Force on Child Abuse and Neglect

Shared Grace: Collaboratives between Therapists and Spiritual Leaders September 7, 2012 at the 17th International Conference on Violence, Abuse, and Trauma Affiliated Training entitled *When Faith Hurts: Addressing the Spiritual Needs of Maltreated Children*

Working with Non-Offending Caregivers. This seminar was presented to criminal child abuse prosecutors, civil child protection attorneys, law enforcement officers and child protection investigators, guardians ad litem, forensic interviewers, social workers, therapists, medical professionals, and child and victim advocates on April 5, 2011 in San Diego, California as part

of the *Equal Justice for Children* conference sponsored by the National District Attorneys Association's National Center for the Prosecution of Child Abuse

PROFESSIONAL TRAINING RECEIVED:

National Youth Protection Symposium, sponsored by the Boy Scouts of America, Atlanta, GA – 11/2012

When Words Matter: Emerging Issues in Forensic Interviewing, sponsored by the National Child Protection Training Center, St. Paul, MN – 10/12

17th Annual International Conference on Violence, Abuse & Trauma, sponsored by the Institute on Violence, Abuse and Trauma, San Diego, CA – 9/12

Dallas Crimes Against Children Conference, sponsored by the Dallas Police Department and the Dallas Children's Advocacy Center, Dallas, TX – 8/12

Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs, sponsored by the National Child Protection Training Center, Bloomington, MN – 7/12

20th Annual APSAC Colloquium, sponsored by the American Professional Society on the Abuse of Children, Chicago, IL – 6/12

Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs, sponsored by the National Child Protection Training Center, Bloomington, MN – 10/11

Fall Conference, Minnesota Sex Crimes Investigators' Association, Nisswa, MN – 10/11

When Words Matter: Emerging Issues in Forensic Interviewing, sponsored by the National Child Protection Training Center, Chicago, IL – 9/11

25th Annual San Diego International Conference on Child and Family Maltreatment, sponsored by the Chadwick Center for Children and Families, San Diego, CA – 1/11

Strategies for Justice, sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse, Columbia, SC – 8/10

When Words Matter, sponsored by the National Child Protection Training Center, Savannah, GA – 7/10

18th Annual APSAC Colloquium, sponsored by the American Professional Society on the Abuse of Children, New Orleans, LA – 6/10

13th Annual La Crosse Child Maltreatment Conference, sponsored by Franciscan Skemp Mayo Health System, La Crosse, WI – 5/10

Representing Children in Court: Training for Children's Law Center Volunteers, sponsored by the Children's Law Center, Minneapolis, MN – 11/09

Strategies for Justice, sponsored by the National District Attorneys Association's National Center for Prosecution of Child Abuse, Columbia, SC – 9/09

Dallas Crimes Against Children Conference, sponsored by the Dallas Police Department and the Dallas Children's Advocacy Center, Dallas, TX – 8/09

Family Law Basics, webcast sponsored by Minnesota Continuing Legal Education – 7/09

Criminal Law Basics, webcast sponsored by Minnesota Continuing Legal Education – 7/09

Investigation and Litigation of Civil Child Protection Cases, sponsored by the National Child Protection Training Center, Winona, MN – 6/09

Investigation and Prosecution of Child Abuse, sponsored by the National Child Protection Training Center, Winona, MN – 5/09

When Words Matter: Emerging Issues in Forensic Interviewing, sponsored by the National Child Protection Training Center, St. Louis, MO – 5/09

Understanding a Silent Tragedy: A Conference on Childhood Sexual Abuse, sponsored by William Mitchell College of Law and the National Association to Prevent Sexual Abuse of Children, St. Paul, MN – 4/09

The Child Witness, sponsored by Widener University School of Law and the *Widener Law Review*, Wilmington, DE – 4/09

Men Who Abuse Women: Why Do They Do That? Videoconference presented by Lundy Bancroft for Jewish Women International's National Alliance to End Domestic Abuse – 3/08

Gender and Domestic Violence: Is Domestic Violence a Gender Issue? Provided by Molly Dragiewicz, Ph.D., for the Erie County Coalition Against Family Violence, **Buffalo, NY – 3/08**

Parental Alienation Syndrome: What Does it Matter for Battered Women and Their Children, videoconference provided by Joan Zorza, Esq. and Molly Dragiewicz, Ph.D., for Jewish Women International's National Alliance to End Domestic Abuse – 11/ 07

An Overview and Update on Child Protective Legal Issues, Presented by Margaret A. Burt, Esq.; Child Abuse Intervention Project Training, Child Advocacy Center of Niagara, Niagara Falls, NY – 11/07

Internet Awareness Training, provided by New York State Police, Batavia, NY – 11/07

Investigating Child Abuse: It Takes a Team to Protect a Child, provided by Det. Mike Johnson, Plano, TX Police Department for the Child Advocacy Center of Niagara, Niagara Falls, NY – 9/07

Cultural Competency for Attorneys, provided by Elizabeth Moore, Esq., Nixon Peabody, Rochester, NY – 7/07

Genesee County Legal Issues Training, provided by Margaret Burt at Genesee County Department of Social Services, Batavia, NY – 6/07

Two-Day Advanced Forensic Interview Training, provided by National Child Protection Training Center, Batavia, NY – 6/07

American Professional Society on the Abuse of Children Colloquium, Nashville, Tennessee – 6/06

Leadership Conference, National Children's Alliance, Washington, DC – 5/06

Fall Conference, Minnesota Sex Crimes Investigators' Association, Nisswa, MN – 10/05

Leadership Conference, National Children's Alliance, Washington, DC – 6/05

Overview of Crawford v. Washington, Videoconference training from Midwest Regional Children's Advocacy Center, St. Paul, Minnesota – 5/05

Advanced Leadership Academy, Western Regional Children's Advocacy Center, Colorado Springs, Colorado – 10/04

National Chapter Summit, National Children's Alliance, Baltimore, Maryland – 9/04

American Professional Society on the Abuse of Children Colloquium, Hollywood, California – 8/04

Leadership Conference, National Children's Alliance, Washington, DC – 5/04

2003 Annual Conference, National Association of Forensic Counselors/American College of Certified Forensic Counselors, Las Vegas, Nevada – 9/03

Equal Justice, American Prosecutor's Research Institute, Boise, Idaho – 6/03

Leadership Conference, National Children's Alliance, Washington, DC – 6/03

Midwest Regional Children's Advocacy Center Conference, Midwest Regional Children's Advocacy Center, Bloomington, Minnesota – 11/02

American Professional Society on the Abuse of Children Colloquium, New Orleans, Louisiana – 5/02

Midwest Regional Children's Advocacy Center Conference, Midwest Regional Children's Advocacy Center, Bloomington, Minnesota – 11/01
Dallas Crimes Against Children Conference, Dallas Police Department & Dallas Children's Advocacy Center, Dallas, Texas – 8/01
Children's Records Law in Minnesota, Lorman Education Services, St. Paul, Minnesota – 8/01
Advanced Forensic Interviewer Training, CornerHouse Interagency Child Abuse Evaluation and Training Center, Minneapolis, Minnesota – 3/01
Midwest Conference on Child Sexual Abuse, University of Wisconsin-Madison, Madison, Wisconsin – 10/00
Community Crisis Response Training, National Organization for Victim Assistance, Chicago, Illinois – 6/00
Extended Forensic Evaluation Training, National Children's Advocacy Center, Huntsville, Alabama – 5/00
Children's Advocacy Center Academy on Management, National Children's Advocacy Center, Huntsville, Alabama – 3/00
5-Day Forensic Interviewer Training, CornerHouse Interagency Child Abuse Evaluation and Training Center, Minneapolis, Minnesota – 12/99
Children's Advocacy Center Academy on Multidisciplinary Team Development, National Children's Advocacy Center, Huntsville, Alabama – 7/99
National Symposium on Victims of Federal Crime, U.S. Department of Justice, Washington, DC – 2/99
Federal Victim/Witness Coordinator Training, U.S. Department of Justice, Columbia, South Carolina – 11/98
Basic and Advanced Critical Incident Stress Debriefing, International Critical Incident Stress Foundation, Mitchell Model, Cedar Rapids, Iowa – 8/98
Crime Victim Assistance Division's Child Advocate Conference, Crime Victim's Compensation Program, Des Moines, Iowa – 5/98
Quad Cities Domestic Violence and Sexual Assault Training, Family Resources, Inc., Davenport, Iowa – 2/98
Court Appointed Special Advocate Training, Iowa CASA Program, Davenport, Iowa – Fall 1998
Victim/Offender and Small Claims Mediator Training, Community Mediation Center, Davenport, Iowa – 4/96
Beyond Abuse: The Stages of Recovery From Trauma, Family Resources, Inc., Bettendorf, Iowa – 10/94

CERTIFICATIONS, MEMBERSHIPS & ACTIVITIES:

Licensed Attorney, Minnesota State Board of Law Examiners
Nationally Certified Counselor, National Board for Certified Counselors
Accepted: 2005 Hennepin County Attorney Community Leadership Award for CornerHouse
Member: American Bar Association
Member: Minnesota Bar Association
Member: American Counseling Association
Member: American Professional Society on the Abuse of Children
Member: Association for Traumatic Stress Specialists
Member: International Society for Prevention of Child Abuse and Neglect
Advisory Board Member: Minnesota Sex Crimes Investigators' Association
Former Consultant: National Children's Alliance Site Reviewer for Children's Advocacy Centers

Former President: Minnesota State Chapter of the National Children's Alliance
Former Steering Committee Member: Minnesota Child Response Initiative
Former Diplomate in Clinical Forensic Counseling, American College of Certified Forensic Counselors
Former Member: International Society for Prevention of Child Abuse and Neglect
Former Volunteer: Red Cross Emergency Services Responder, Minneapolis, MN
Former Volunteer: Court Appointed Special Advocate, Davenport, IA
Former Volunteer: Quad Cities Critical Incident Stress Management Team, Rock Island, IL
Former Volunteer: Victim/Offender and Small Claims Mediator, Davenport, IA

Stephanie M. Smith

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EDUCATION

Indiana University School of Law at Indianapolis, Indianapolis, Indiana **1994 – 1998**
Doctor of Jurisprudence

Butler University, Indianapolis, Indiana **1974 – 1978**
Bachelor of Science, Radio and Television

PROFESSIONAL EXPERIENCE

National Child Protection Training Center, Bentonville, Arkansas **2010 – Present**
Southern Region Director

- Oversee the creation of a facility which will serve front-line child protection professionals throughout 17 states and the District of Columbia.
- Organize and facilitate ongoing training conferences.
- Work to establish the Child Advocacy Studies (CAST) curriculum in colleges and universities, as well as law schools throughout the region.
- Partner with professionals in all related fields to assist with training needs.
- Create programs for underserved communities and disciplines.
- Assist states in the ChildFirst Alliance with training of multi-disciplinary teams in proper forensic interview and investigation best practices.

Hamilton County Prosecutor's Office, Noblesville, Indiana **1998 - 2009**
Deputy Prosecutor

2007 – 2009

Worked with law enforcement agencies to create a county-wide Internet Crimes Against Children Taskforce for cases involving the sexual exploitation of children, including the possession, creation and distribution of child pornography, in addition to responsibilities for prosecution of crimes against children.

- Collaborated with detectives and forensic computer analysts to secure search warrants, screen cases, prepare discovery and other trial preparation.
- Advised/assisted deputy prosecutors regarding cases.

2002 – 2009

Primary deputy prosecutor assigned to crimes against children.

- Worked with law enforcement and Department of Child Services during the investigation phase.
- Screened cases for prosecution, and prepared discovery materials.
- Tried or assisted other deputy prosecutors with jury trial of cases.
- Trained other attorneys to handle cases involving crimes against children, particularly cases involving sexual abuse.
- Monitored and communicated information regarding changes in law, statutory or case law, to other attorneys in the Prosecutor's office.

2000 – 2002

Assigned to Hamilton County Superior Court 5 prosecuting misdemeanor and "D" felony offenses which included conducting jury trial of these cases.

1998 – 2000

Assigned to Carmel City Court prosecuting misdemeanor crimes and traffic offenses and conducting bench trial of these cases.

Hamilton Superior Court 1, Noblesville, Indiana **1997 – 1998**
Law Clerk

- Researched both civil and criminal cases.
- Drafted orders.
- Performed court reporting duties as needed.
- Researched and instructed on jury preparation.

Indiana Department of Commerce, Indianapolis, Indiana **1997 – 2000**
Self-employed independent contractor
Provided marketing and advertising advice and services for the Divisions of Tourism and Economic Development.

Bates USA Midwest, Indianapolis, Indiana **1991 – 1997**
Senior Vice President / Media Director
Managed media department and served on Executive Management Committee for agency.

- Oversaw budget and media expenditures for multi-million dollar client accounts.
- Supervised staff of 15 employees.

McCann-Erickson, Indianapolis, Indiana **1989 – 1991**
Vice President / Account Supervisor

McDonald's Corporation, Indianapolis, Indiana **1988 – 1989**
Marketing Supervisor

McCann-Erickson, Indianapolis, Indiana **1986 – 1988**
Media Supervisor

Tracy-Locke / BBDO, Dallas, Texas **1984 – 1986**
Associate Media Director, Indianapolis Office

Caldwell-VanRiper, Inc., Indianapolis, Indiana **1979 – 1984**
Media Buyer

Reuben-Montgomery (now MZD), Indianapolis, Indiana **1978 – 1979**
Advertising, Media Buyer

ASSOCIATIONS

United States Department of Justice, "Project Safe Childhood"
Advisory Board Member, Indiana **2007 – 2010**
Advisory Board Member, Arkansas **2010 – current**

Inspirations of Hamilton County (now merged with Prevail, Inc.) **2008 – 2010**
Board Member

Hamilton County Domestic Violence Task Force **2007 – 2010**
Member

Indiana Coalition of Child Advocacy Centers **2004 – 2010**
Member

Hamilton County Child Protection Team **2004 – 2010**
Member

ChildFirst / Finding Words Indiana **2004 – 2009**
Faculty

Indiana Coalition Against Sexual Assault **2005 – 2009**
Participant in Annual Mock Trials

Hamilton County Prosecutor's Office Explorer Post **2000 – 2004**
Advisor

Hamilton County Pros. Office, High School Mock Trial Competition **2000 – 2004**
Organizer and Advisor, High School Mock Trial Competition

Hamilton County Leadership Academy **2003**
Graduate

LAW SCHOOL ACTIVITIES AND AWARDS

Dean's Tutorial Society / Tutorial Fellow, 1996 – 1997
Order of Barristers, 1997 – 1998
National Moot Court, Fall 1997
Corpus Juris Secundum Award, Civ. Pro., 1994 – 1995

PERSONAL AFFILIATION

Active member of Saint Stephen Catholic Church, Bentonville, Arkansas

References Available Upon Request

TRAINING COURSES AND SEMINARS WITH SPONSORING ORGANIZATIONS

ATSA Arkansas Chapter Annual Conference*,* Fayetteville, Arkansas **December 2010**
ATSA-AR

Forensic Interviewer at Trial, Evansville, Indiana **November 2010**
NCPTC

Forensic Interviewer at Trial, Winona, Minnesota **October 2010**
NCPTC

ChildFirst Arkansas, Hot Springs, Arkansas **September 2010**
How Children Experience Abuse
NCPTC

Behind the Net, Columbia, South Carolina **September 2010**
Finding Digital Evidence through the Forensic Interview
National District Attorneys Association

Forensic Interviewer at Trial, Winona, Minnesota **September 2010**
NCPTC

Mid-South Conference, Hot Springs, Arkansas **September, 2010**
Credentialing of Forensic Interviewers
University of Arkansas, Little Rock

Crimes Against Children Conference, Dallas, Texas **August 2010**
Preparing Children for Court, Testifying in Court, and Sex Offender / Pornography Offenders
Dallas Child Advocacy Center

When Words Matter, Savannah, Georgia **July 2010**
Presenting Evidence in Forensic Interviews
NCPTC

ChildProtect **July 2010**
National District Attorneys Association

From Crime Scene to Trial, Winona, Minnesota **June 2010**
NCPTC
Annual Symposium of the National Children's Advocacy Center **March 2010**
Huntsville, Alabama

Arkansas Department of Corrections Sex Offender Training **January 2010**
Malvern, Arkansas

ChildFirst/Finding Words, Indiana **2009**
ICACC, Inc.

Voir Dire **June 2009**
Indiana Prosecuting Attorneys Council & Indiana Coalition Against Sexual Assault

When Words Matter **May 2009**
NAPSAC

ChildFirst/Finding Words, Indiana **2008**
ICACC, Inc.

2008 Project Safe Childhood National Conference **September 2008**
Department of Justice

Beyond Finding Words **August 2008**
NDAA/APRI

Summer Conference **July 2008**
Indiana Prosecuting Attorneys Council

Trial by Jury, Same Sex Rape **June 2008**
Indiana Coalition Against Sexual Assault

Basic Online Training Seminar (BOTS) I **February 2008**
National White Collar Crime Center

Finding Words, Indiana **2007**
ICACC, Inc.

2007 Project Safe Childhood National Conference **December 2007**
Department of Justice

Criminal Rule 4 **October 2007**
Hamilton County Prosecutor's Office

Project Safe Childhood Conference **September 2007**
United States Attorneys Office, Southern District of Indiana

Beyond Finding Words **August 2007**
APRI

Objection: Most Powerful Word in the Law **July 2007**
Hamilton County Prosecutor's Office

National Symposium on Sex Offender Management & Accountability **July 2007**
Department of Justice

Trial by Jury, Cyber Predators **June 2007**
Indiana Coalition Against Sexual Assault

Finding Words, Indiana **2006**
ICACC, Inc.

Trial by Jury: Child Sexual Abuse **December 2006**
Indiana Coalition Against Sexual Assault

2006 Project Safe Childhood National Conference **December 2006**
Department of Justice

Domestic Abuse **August 2006**
Hamilton County Prosecutor's Office

Unsafe Havens II: Prosecuting Online Crimes **August 2006**
NDAA/APRI

Rita A. Johnson

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EDUCATION

Ball State University, Muncie, Indiana **1985**
Bachelor of Science, *Secondary Education*

Carmel Police Department, Carmel, Indiana **2002**
Citizens Academy Graduate

Hamilton County Leadership Academy, Noblesville, Indiana **2003**
Academy Graduate

ADVANCED TRAINING

Scheduled: Advanced Forensic Interviewing Training
National Child Advocacy Center
Huntsville, Alabama August, 2011

Dallas Crimes Against Children Conference
Dallas, Texas, 2008, 2009, 2010, 2011

APSAC Colloquium
2008, 2009, 2010, 2011

The Annual International Conference on Child and Family Maltreatment
San Diego, CA 2008, 2009

Advanced Childhood Trust Forensic Training
Ft. Wayne, Indiana, 2008

American Prosecutor's Research Institute Equal Justice Conference
Indianapolis, Indiana, 2003

American Prosecutor's Research Institute Finding Words Training
Indianapolis, Indiana 2002

National Children's Alliance Leadership Conference,
Washington, DC, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010

Beyond Finding Words/When Words Matter National Training
Charleston, South Carolina, 2004
Tunica, Mississippi, 2005
Indianapolis, Indiana, 2006
Atlantic City, New Jersey, 2007
St. Louis, Missouri, 2009
Savannah, Georgia, 2010

PROFESSIONAL EXPERIENCE

National Child Protection Training Center, Bentonville, Arkansas **2010 – Present**
Forensic Interview Specialist

- Administer and manage the ChildFirst Arkansas program, including organization, and marketing of all training courses, quality control, and development of advanced training courses for forensic interviewers.
- Assist with state-wide peer review, and provide assistance to forensic interviewers and ChildFirst graduates.
- Participate on the NCPTC speakers' bureau, training on topics relating to child abuse investigations, forensic interviewing, difficult situations in interviews, child development, and other topics related to interviewing children.

Word Systems, Inc., Indianapolis, Indiana **2008-2010**
Child Advocacy Specialist and Forensic Interviewer

- Provided support to Child Advocacy Centers nationally on their recording technology needs.
- Worked closely with CAC staff to provide education and training for staff and multi-disciplinary team members including: recording systems, policies and procedures, multi-disciplinary team member approach and protocols.
- Oversaw education and training of sales staff and partners nationally on forensic interviewing of children, multi-disciplinary team approach, Child Advocacy Center mission and goals to better serve customers.
- Represented company at conferences, seminars, and meetings to increase public awareness.
- Conducted forensic interviews as requested by local multi-disciplinary team members.

Hamilton County Vesta Foundation for Children, Inc., Hamilton County, Indiana **2000-2008**
Chaucie's Place – Child Advocacy Center
Executive Director and Forensic Interviewer

- Directed overall operations of child advocacy center, Chaucie's Place, a 501 (c)(3) not-for-profit organization assisting with the investigation of alleged child abuse cases in Hamilton County, Indiana.
- Coordinated all multi-disciplinary team members, including ten law enforcement agencies, prosecutors' office, and department of child services caseworkers for forensic interviews of alleged child abuse victims.
- Conducted more than 1,500 forensic interviews of children for multi-disciplinary teams.
- Prepared, maintained and oversaw operation budget of over $184,000 for the center.
- Led in raising more than $220,000 in 2006 and 2007.
- Directed budget preparation, payroll, tax reporting, fundraising, public speaking, grant writing, advertising and marketing for the center.
- Managed and supervised staff, interns, and volunteers.
- Conducted trainings for the multi-disciplinary team professionals.
- Coordinated and served as instructor for the body safety program for elementary school age children.
- Prepared all reports, statistical information, and newsletter for center.
- Represented the Indiana Child Advocacy Centers Coalition throughout Indiana.
- Trained and assisted counties with the development of centers utilizing the multi-disciplinary team approach to child abuse investigations.
- Participated as faculty member for the Finding Words, Indiana training program.

AWARDS

Champion for Children Award **April 2006**
Minnesota, CornerHouse CAC

Outstanding Contributions to the Rights of Victims **April 2005**
United States Attorney General

PROFESSIONAL ORGANIZATIONS

American Professional Society on the Abuse of Children, Member **2004 – Present**

Chaucie's Place Child Advocacy Center, Board of Directors **2009 – 2010**

Hamilton County Juvenile Services, Board of Directors **2007 – 2010**
Finding Words, ChildFirst, Indiana, Faculty Member **2002 – 2010**

Indiana Child Advocacy Centers Coalition, Member **2001 – 2010**
Board of Directors **2002 – 2010**

Office of the United States Attorney General
National Safe Childhood Project, Advisory Board Member **2006 – 2008**

Indiana Children's Justice
Child Advocacy Center/Forensic Interviewing Subcommittee, Member **2007 - 2009**

National Children's Alliance, Member **2001 – 2005**
Associate Member **2005 – 2008**

National Children's Alliance, Indiana State Chapter, Board Member **2001 – 2008**
Vice-President **2006 – 2008**

Hamilton County Not-for-Profit Forum, Member **2001 – 2008**

Hamilton County Domestic Violence Task Force, Member **2002 – 2008**

Hamilton County Healthy Families, Board Member **2002 – 2003**

PUBLICATIONS

"Don't Go Fishing……Does Having Case Information Prior to the Interview Affect our Questions?" **2011**

"Talking with Teens, Really, Is That in My Job Description?" **2010**

"A Forensic Interviewer's Perspective on Digital Recording of Children," **2009**

PRESENTATIONS

"Child Abuse Interviews", "Current Research" Forensic Interviewer at Trial
National Child Protection Training Center, Winona, Minnesota **May, 2011**

"The Use of Anatomical Dolls", "Extended Forensic Interviews",
"Interviewing Children with Disabilities", Forensic Interviews of

Young Children"
Child Advocacy Center of Niagara Falls MDT Training**,** Niagara Falls, New York **April, 2011**

"The Use of Anatomical Dolls", "Block and Problems", "Child Development", "Process of Disclosure"
ChildFirst Ohio**,** Columbus, Ohio **April, 2011**

"Effective Interviewing," "CornerHouse RATAC Interviewing Process," "Child Development," "The Use of Anatomical Dolls"
ChildFirst Arkansas, Bentonville, Arkansas **March, 2011**

"Effective Interviewing," "CornerHouse RATAC Interviewing Process," "Child Development," "The Use of Anatomical Dolls"
ChildFirst Arkansas, Monticello, Arkansas **June, 2011**

"Technology and Working With Child Abuse Professionals" March, 2011
National Partner Conference, Las Vegas, Nevada

"Strategies for Making Technology Work for You" February, 2010
National Partner Conference, Las Vegas, Nevada

"A Forensic Interviewer's Perspective on Digital Recording of Children" 2010
When Words Matter, Savannah, Georgia

"To Record or Not Record…That is the Question" 2009, 2010
Dallas Crimes Against Children Conference**,** Dallas, Texas

"MDTs and Technology" June 2009
APSAC Colloquium**,** Atlanta, Georgia

"A Forensic Interviewer's Perspective on Digital Recording of Children" July 2009
Georgia Prosecuting Attorney Council**,** Atlanta, Georgia

"The Importance of Technology" March 2009
National Partner Conference**,** Las Vegas, Nevada

"Multi-Disciplinary Team Approach" January 2008
Hamilton County Leadership Meeting, Hamilton County, Indiana

"The Importance of Technology" February 2008
National Partner Conference, Las Vegas, Nevada

"The Benefits of Multi-Disciplinary Team Approach" March 2008
Community Forum, Region 15, Indiana

"Multi-Disciplinary Team Approach" April 2008
Hamilton County School Administrator/Counselor Training**,** Hamilton County, Indiana

"Interviewing Witnesses to Crime" 2007

Carmel Police Department, Carmel, Indiana

"Memory and Suggestibility" **April 2006**
Multi-Disciplinary Team Approach Conference, Miami, Florida

"The Benefits of Multi-Disciplinary Team Approach" **October 2006**
Community Forum, Southern Indiana

"Child Abuse Reporting and Multi-Disciplinary Team Approach" **February 2005**
Indianapolis, Indiana

"Child Abuse Reporting" **November 2005**
Hamilton County Law Enforcement Training, Noblesville, Indiana

"Child Abuse Reporting, Multi-Disciplinary Team Approach" **January 2004**
Hamilton County School Administrators Training, Carmel, Indiana

"Child Development/Age Appropriate Questions" **March 2004**
INCASA Statewide Conference on Sexual Violence, Indianapolis, Indiana

"Child Advocacy Center Development and Multi-Disciplinary Team Approach" **2004**
Madison, Indiana

"Memory and Suggestibility"
September 2003, March 2004, July 2004, October 2004, November 2004, January 2005, February 2005, May 2005, July 2005, November 2005, January 2006, February 2006, April 2006, May 2006, August 2006, November 2006, January 2007, February 2007, April 2007, October 2007, January 2008, February 2008, May 2008, October 2008, July 2009, September 2009, December 2009, September 2010

"Effective Interviewing"
March 2004, July 2004, October 2004, November 2004, January 2005, February 2005, May 2005, July 2005, November 2005, January 2005, May 2006, August 2006, November 2006, January 2007, February 2007, April 2007, October 2007, January 2008, February 2008, May 2008, October 2008, July 2009, September 2009, December 2009, September 2010, March 2011, June 2011

"Child Development"
March 2004, July 2004, October 2004, November 2004, January 2005, February 2005, May 2005, July 2005, November 2005, January 2005, May 2006, August 2006, November 2006, January 2007, February 2007, April 2007, October 2007, January 2008, February 2008, May 2008, October 2008, July 2009, September 2009, December 2009, March 2011

"Age Appropriate Questions"
January 2005, February 2005, May 2005, July 2005, November 2005, January 2005, May 2006, August 2006, November 2006, January 2007, February 2007, April 2007, October 2007, January 2008, February 2008, October 2008, July 2009, September 2009, December 2009, March 2011

"Use of Anatomical Dolls"
May 2006, August 2006, November 2006, January 2007, February 2007, October 2008, July 2009, September 2009, December 2009, September 2010, March 2011, June 2011

"Forensic Interview Process"
January 2005, February 2005, May 2005, July 2005, November 2005, January 2005, May 2006, August 2006, November 2006, January 2007, February 2007, April 2007, October 2007, January 2008, February 2008, October 2008, July 2009, September 2009, December 2009, September 2010, March 2011, June 2011

Alison Feigh, M.S.

Jacob Wetterling Resource Center
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Education

St. Cloud State University, M.S. in Criminal Justice **St. Cloud, MN**

Completed the M.S. in December of 2010 with a GPA of 3.95

- Returning guest lecturer for Sex Crimes and Sex Offenders class
- Research focused around Sexual Violence Prevention
- Currently working on a book with Dr. Mary Clifford for Oxford University Press on Sex Crime Prevention

St Olaf College, B.A. in 2000 **Northfield, MN**

Majors: Communication: Theater/Communication and "Responding to Missing Children in the United States" in the Paracollege

- Graduated with Honors
- Student Government Association Executive Senator, serving as the Diversity Celebrations Coordinator
- Co-Chair of Sexual Assault Resource Network

Work Experience

Jacob Wetterling Resource Center, **St Paul, MN**
A Program of the National Child Protection Training Center

Program Coordinator, April 2012- Present

- Coordinate the JWRC program including educational outreach and case assistance programs.
- Working to build JWRC to a national program.

Community Safety Specialist, September 2011-April 2012

- Continuing to provide outreach for JWRC's educational programs. Frequent speaker for students, professionals, and parents on personal and online safety concerns. Personally presented 40+ speaking events in the first six months with an average evaluation score of 4.86 on a scale of 5.
- Co-coordinate the case assistance program providing advocacy to those with missing and/or exploited children.

Youth Safety Specialist, October 2005-April 2009

- Coordinated the educational outreach program.

- Handled media requests on a wide range of topics in the missing/exploited children field. Engaged with both local and national media to provide up-to-date and easy to understand information on this complicated topic.
- Represented JWRC on the web re-launch team. Worked to develop new content and update outdated content in time for our re-launch.

Case Manager, November 2001 – October 2005

- Developed tracking, best practices, and staff training to best assist families with missing and exploited children.
- Advocated for families by connecting with law enforcement and other non-profit agencies to provide a high level of care.

National Center for Missing & Exploited Children
Alexandria,VA
Communications Specialist and Case Assistant (September 2000 - October 2001)

- Assisted on a National Hotline receiving over 600 calls a day. Served as the first point of contact for many families in crisis. Also worked to provide prompt and thorough service to both law enforcement and the general public.
- Used the National Crime Information Computer to access records on missing children and active warrants on abductors.

Training and Education in sexual abuse advocacy, case management and missing children

- Attended and presented at the NCPTC/JWRC "Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs" conference. Sessions included Working with Native American communities, Child Torture/Neglect, and the Science of Prevention (July 2012).
- Attended the MN OJP conference "Crime and Victimization: Technology: Transforming Our Lives, Transforming Our Work." Sessions included Leading Productive Discussions around Sex Offender Policy, Sex Trafficking of Minors, and Program Evaluation (June 2012).
- Attended the NPO/Association of Missing and Exploited Children's Conference in Arlington, VA. Sessions included responding to needs of underserved populations including GLBTQ youth and youth with autism (April 2012).
- Attended the "Child Maltreatment and Mandatory Reporting 'What you need to know – What you need to do'" training put on by Hennepin County CHASE (April 2012).
- "Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs," Bloomington, MN, Conference Attendee. (October 2011).
- Minnesota Victim Assistance Academy in St. Cloud, MN. Graduate of week-long program hosted by Minnesota Department of Public Safety, Office of Justice Programs and St. Cloud State University (October 2008)

- National Center for Victims of Crime conference attendee in Portland, Oregon. Attended workshops such as Child Molesters and Other Sex Offenders, Ethics for Victim Services Professionals, and Trafficking of Domestic Minors and Juvenile Prostitutes. (June 2008)

Memberships and Affiliations

- Anoka County Child Abuse Prevention Council (2008-2009, 2011-present)
- Demand the Change for Children Initiative planning team (2012-present)
- Media Action Team, MN Department of Health (2011-present)

Representative Media

- KSTP 5, "Talent Agent Charged in Molestation." (June 25, 2012)
- The Story with Dick Gordon, "What to Tell the Children", National Radio program on American Public Media (May 10, 2012)
- AP Story (national), "After NYC Boy Vanished, Era of Anxiety was Born" (April 23, 2012)
- Fox 9 News, "Facebook Applications: Tiny Chat" (December 22, 2011)
- BET.com, "Child Sexual Abuse: Adults Must Learn the Symptoms and Not Fear to Act" (December 5, 2011)
- KSTP 5, "Minnesota Experts Rory Focus is on Football in PSU Scandal" (November 11, 2011)
- Star Tribune, "Misplaced trust often hurts our kids" (November 12, 2011)
- CNN, "How to Talk to Kids about Penn State" (November 10, 2011)
- Time Magazine Online, "Penn State Scandal: How Parents Can Talk to Kids About Sex Abuse" (November 10, 2011)
- Star Tribune, "Academy helps the people who help the victims" (October 26, 2011)

Keynote Speaking, Workshops & Trainings

Speaking events on average 2-3 times a week. Representative list:

- Presented at the "Prevention and the Child Protection Professional: Implementing Effective Child Abuse Prevention Programs" conference put on by JWRC/NCPTC. Presented on "Teachable Safety Skills for Professionals" and co-presented "When Faith Hurts" (July 2012).
- Safety presentation for Target Corporate employees on "Teachable Safety Skills" put on by the Target Mom's Group and the Security Division (May 2012)
- Presented a break out session at the 15th Annual La Crosse, Wisconsin Child Maltreatment Conference on the topic "Community Notification: What Do I Say to the Children?" (May 2012)
- Keynote speaker for the Bishop's Family Day, held at St. Mark's Cathedral in Minneapolis. Prevention overview for parents and church leaders with a focus on prevention in communities of faith (April 2012)
- Presentation to the King of Grace Lutheran church in Golden Valley, MN following the first release of a civilly committed sexual offender into the community (March 2012)
- Addressed 700 middle school students in Dassel-Cokato on "Protecting Your Online Footprint" as the keynote speaker of their school wide health fair (March 2012)
- Keynote speaker for the United Church of Christ's Minnesota Youth Conference on Cyberbullying prevention (March 2012)

- Division of Indian Work's guest speaker on "Teachable Safety Skills" (March 2012)
- Guest lecturer for SCSU's Sex Crimes class on topics related to prevention of abuse and high profile Minnesota crimes (recurring, most recently March 2012)
- Lectured on "MN Cases – Learning from our Mistakes" for the Brown College criminal justice class (February 2012)
- Provided workshop for adoptive parents through the 4 Keeps Adoption Support Group in Anoka County on online and cell phone safety (January 2012)
- Provided Cyberbullying prevention training to all of the students of the Ivan Sand high school in Elk River (December 2011)
- Invited guest to Minnesota Correctional Facility – Shakopee to present personal safety information to the female inmates to use with the children in their lives (December 2011)
- Facilitated a Continuing Education training for Anoka County Public Health employees regarding online and cell phone safety (November 2011)

Published Works

"I Can Play It Safe" and **"On Those Runaway Days"**
Authored Two Children's Books
Published by Free Spirit Publishing
Both titles were released in April of 2008.

SUSANNE WALTERS

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1989 University of South Florida Tampa, FL
Bachelor of Arts Degree

- College of Social and Behavioral Science - Criminology

PROFESSIONAL EXPERIENCE

2008 - Present National Association to Prevent Sexual Abuse of Children
National Child Protection Training Center Winona, MN
Victim Assistance Specialist - ChildFirst

- Create and disseminate applications and other materials for ChildFirst. Assist interested state agencies in the application process for the program. Provide on-site training in ChildFirst including selection and approval of faculty, video and on-site critique of faculty members, reviewing course curriculum and facility selection of state ChildFirst Programs. Updating of binder materials and PowerPoint slides for the ChildFirst course.
- Respond to all victim calls that come into the center and provide appropriate referral information.
- Assist in the development of national training agendas and provide national training.

2001 - 2008 National District Attorneys Association
National Center for Prosecution of Child Abuse Alexandria, VA
Project Consultant - Finding Words: Half a Nation by 2010

- Created and disseminated applications and other materials for Finding Words: Half a Nation by 2010. Assisted interested state agencies in the application process for the program. Provided on-site training in Finding Words including selection and approval of faculty, video and on-site critique of faculty members, reviewing course curriculum and facility selection of state Finding Words Programs. Updating of binder materials and PowerPoint slides for the Finding Words course.
- Responded to all victim calls that came into the center and provided appropriate referral information.
- Assisted in the development of national training agendas and provided national training as needed including Finding Words, Beyond Finding Words, Equal Justice, Child Fatalities and other courses.

1999 - 2001 Sarasota County Sheriff's Office Sarasota, FL
Grants Coordinator

- Responsible for applying for and managing federal, state, and local grants to support special projects within the Sheriff's Office. Conducted research projects and staff inspections as needed. Also served as a volunteer Victim Advocate for the Sarasota

County Sheriff's Office Victim Advocate Program. Responded on scene as needed to assist victims of violent crimes. Coordinated services for victims.

1997 - 1999 National District Attorneys Association
National Center for Prosecution of Child Abuse Alexandria, VA
Victim Witness Specialist

- Began as Administrative Assistant responsible for coordinating federal grants. Promoted to Victim Witness Specialist responsible for development and design of a new curriculum for victim advocates in child abuse cases. Assisted in the development of the first Finding Words course. Provided training on a national level as a faculty member of Finding Words, Victim Assistance in Child Abuse Cases, Equal Justice, and other NCPCA national trainings. Provided technical assistance to victim advocates, adult survivors and parents of child abuse victims from across the country on a variety of child abuse related topics.

1994 - 1997 The Child Protection Center Child Protection Team
Sarasota, FL
Case Coordinator

- Conducted videotaped interviews with children who were suspected victims of child abuse or witnesses to crime. Coordinated services in cases of abuse. Spearheaded the formation of the Sarasota County Child Fatality Review Team. Provided training in the community on mandated reporting. Coordinated extensive Child Abuse Prevention Month and Victim Rights Week campaigns. Coordinated the Sarasota Comedy Festival Fundraiser.

1990 - 1994 State of Florida Sarasota, FL
Child Protection Investigator

- Investigated reports of child abuse and neglect. Interviewed children, family members and suspects. Referred families for appropriate counseling and other services. Testified in civil and criminal court.

1989 – 1990 Charlotte County Florida Punta Gorda, FL
Probation Officer

- Handled caseload of approximately 80 misdemeanor and DUI offenders. Attended court hearings, monitored restitution payments, drug testing, and community service.

1987 - 1989 Bay Area Youth Services Tampa, FL
JASP Counselor

- Managed caseload of juvenile felony and misdemeanor offenders. Attended court hearings, monitored restitution payments, and community service. Made appropriate referrals for additional services.

PUBLICATIONS

Walters, S. (2000). Effective Strategies for Victim Advocates in Child Abuse Cases. *Update*, 13(12).

Walters, S. (2002). Working with the Non-Offending Caregiver. *Update*, 15(11).

Walters, S., Holmes, L., Bauer, G., Vieth, V., Finding Words: Half a Nation by 2010 Interviewing Children and Preparing for Court. APRI *Special Topics Series Monograph*. June 2003.

Walters, S., & Killen-Harvey, A. (2004). Serving Those Left Behind: Crisis Intervention in Child Fatality Cases. *Update*, 17(4).

TRAINING FACULTY MEMBER

Equal Justice - 1998 Tucson, AZ. 2001 Albuquerque, NM. 2002 Indianapolis, IN. 2002 Lincoln, NE. 2003 Boise, ID. 2003 Baltimore, MD. 2004 New Orleans, LA. 2005 Portland, OR. 2006 Clearwater, FL. 2007 Reno, NV. 2008 Memphis, TN.

Finding Words - 1998 Savannah, GA. 2002 Jackson, MS. 2003 Forsyth, GA. 2003 Winona, MN. 2004 Baltimore, MD. 2005 Wichita, KS.
2006 Richmond, VA. 2007 Meriden, CT.

ChildFirst – 2010 Tokyo, Japan, 2011 Harrisburg, PA, 2011Bogota, Colombia, 2012 Fayetteville, NC, National ChildFirst in Winona, MN 2007,2009, 2011

Investigation and Prosecution of Child Fatalities and Physical Abuse - 2002 Alexandria, VA. 2004 Chicago, IL.

Victim Assistance in Child Abuse Cases - 1999 Atlanta, GA. 2000 St. Louis, MO.

Investigation and Prosecution of Child Abuse 2005 Kittanning, PA. 2005 Durango, CO

TRAININGS ATTENDED

1995 The Severely Abused Infant and Shaken Baby Syndrome, St. Petersburg, FL

1996 Florida Office of the Attorney General Victim Services Professional Development Training, Tampa, FL.

1997 First Response to Violent Crime, Tampa, FL.

1998 National Organization for Victim Assistance (NOVA) Conference, Orlando, FL.

1999 15th National Symposium on Child Sexual Abuse, Huntsville, AL.

2000 The Annual Training Conference in Law Enforcement Planning, Orlando, FL.

2000 The Grantsmanship Training Program, Celebration, FL

2000 National Fire Academy - Emergency Response to Terrorism, Self Study Course.

2005 National Center for Victims of Crime Conference, Washington, DC.

2006 Beyond Finding Words: Emerging Issues in Forensic Interviewing, Tunica, MS.