



Sex Crimes / Child Abuse Unit (SCCA)

- Peter J. Boser - Assistant Prosecutor Director of SCCA
- Laurie Gerhardt - Deputy Assistant Prosecutor of SCCA
- Natalie Zuppa - Lieutenant SCCA
- Donna Morgan - Sergeant SCCA
- 5 Detectives - Specially trained to perform forensic interviews
- Susan Rekedal - Multidisciplinary Team Coordinator
- Lucille Burgener - Victim/Witness Advocate
- Eileen Allen - Sexual Assault Nurse Examiner (SANE)
- Barbara McDermott - Case Manager/Therapist

Role of the Education Professional In Cases Of Child Abuse

- How to respond to a child when abuse is discovered or suspected in a school setting, ie, classroom, playground, cafeteria, school bus, during physical education
- Schools make the largest number of child abuse referrals
- Role of school staff in a multidisciplinary response to child victims and their families. What do I do? What do I say? How can I best help the child?
- Who do I tell? What are my legal obligations?
- What will happen to the child as a result of my report?
- Will I have to testify in court?

Course Objectives

- Overview of child abuse in Monmouth Co.
- Types and indicators of child abuse
- How children react to abuse
- Your contact with the child
- The Child Abuse Reporting Law and Criminal Code
- The joint role of DYFS and police
- The MDT approach

Professionals Who Comprise an MDT Approach

- MDT Coordinator
- Assistant Prosecutor, Director of Sex Crimes / Child Abuse Unit
- Law Enforcement
- DYFS
- Mental Health
- Medical
- Victim / Witness Advocacy
- Victims of Crime Compensation Board



Objectives

1. You are all part of a team
You are not in this alone
2. Who reports what to whom
3. Do NOT be judge and jury
You are not the judge
You are not the jury
4. Avoid repeated retellings



Objectives (cont.)

- Review of key elements and processes in the multidisciplinary team approach to child abuse
- Effectiveness and rationale for the MDT approach
- Role of each professional discipline in the multidisciplinary team process



Child Abuse ...

- Does not discriminate by socioeconomic, race, religion, educational level, or community
- Every community in Monmouth County has reported child abuse
- The SCCA unit handled 750 cases which rose to a level of criminal investigation in 2007

Risk of Recantation By Child Victim

- Children who disclose may be flooded with guilt, fear, blame, betrayal, confusion
- Adult responses are frightening - foster care, arrest, examinations, trial
- Child may gravitate back to abusive world (s)he knows
- Remember children may love their abuser, not the abuse
- Once a child recants the legal case is over

Professional Demeanor

- Your contact with victim is at a time of crisis
- What attitudes, biases and feelings are you bringing to your meetings with patients?
- Check your reactions
- Strongest predictor of how a child will do is the reaction of those they encounter at early stages
- Purposeful vs. accidental disclosure

Child Abuse Requires ...

- Multidisciplinary approach
 - Shared decision-making
- To protect children
 - The stakes are too high to do this individually
- To hold offenders accountable
 - No single professional can do this alone
- Coordination to reduce recantation

The MDT Case Review Team

- Meets bimonthly
- Reviews all cases referred to MCPO
- More than 700 cases per year proceed to criminal investigation
- Joint investigation:
Law enforcement and DYFS



Conclusions ...

- Less system-inflicted trauma
- Better agency decisions
- More accurate investigations
- More appropriate interventions
- More efficient use of limited resources
- Better trained and more capable professionals
- Less burnout among professionals

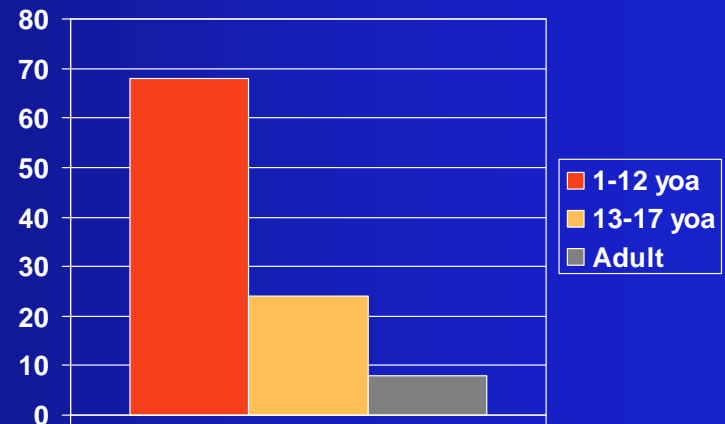
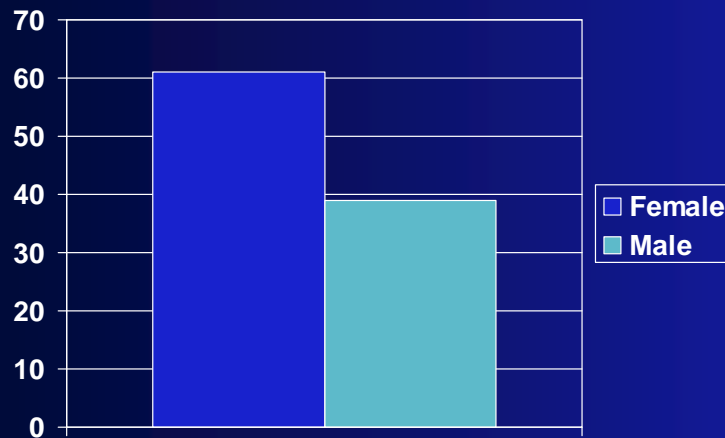




**Monmouth County Prosecutor's Office
Sex Crimes/Child Abuse Unit
The Investigation**

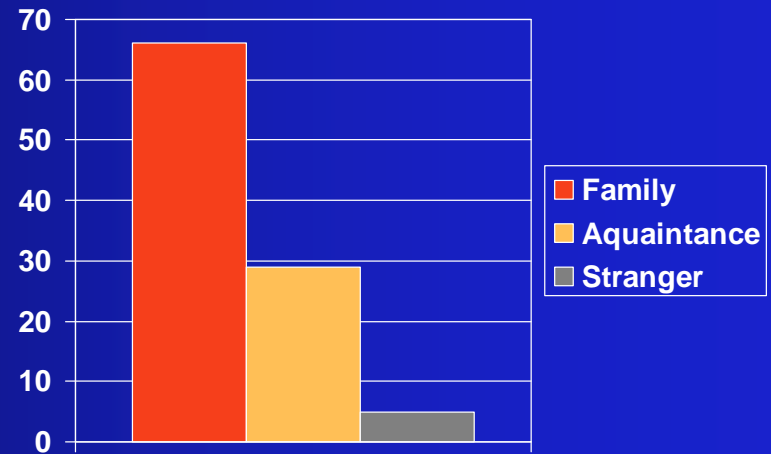
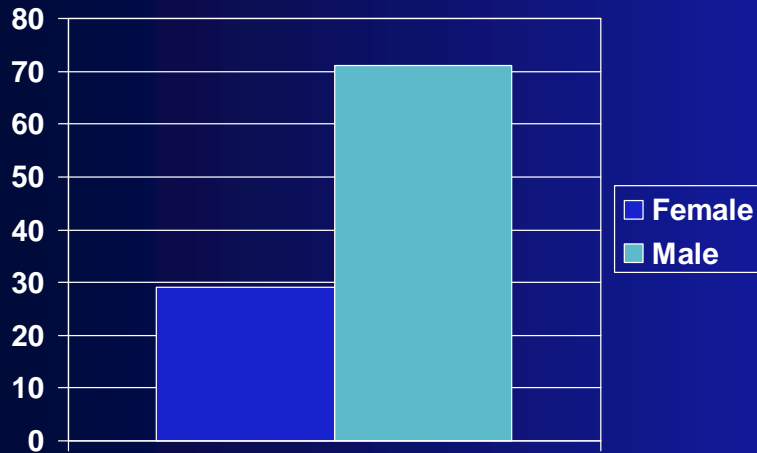
Monmouth SCCA Cases - 2007

- The victims



Monmouth SCCA Cases - 2007

- The targets



What Is Child Abuse?

- A girl is slapped for screaming at her mother; the slap stings, but leaves no lasting mark or pain
- A boy is punished in a way that requires stitches
- A father burns his daughter's palms with a lighted cigarette when he finds her smoking
- A mother is careless and spills scalding coffee on her daughter, who is seriously burned
- A boy's arm is broken after wrestling with his father for sport
- A girl is spanked so hard she is badly bruised, but the father says he did not mean to hurt her
- Where do we draw the line between child abuse and discipline?



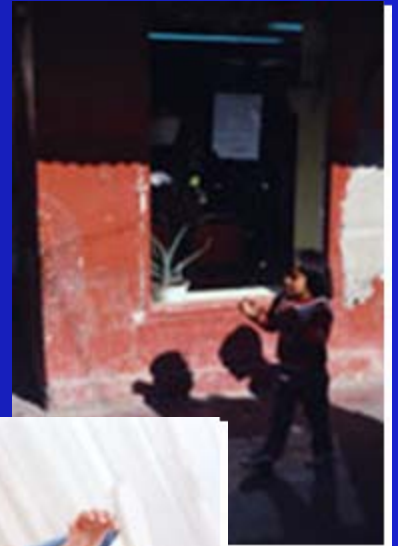
Types of Child Abuse and Neglect

- Neglect
- Physical abuse
- Sexual abuse
- Emotional maltreatment
- Exposure to domestic violence



Indicators of Child Abuse and Neglect

- Neglect
 - Consistent hunger
 - Poor hygiene
 - Inappropriate dress
 - Lack of supervision
 - Unattended physical problems or medical needs
 - Excessive absences



Indicators of Child Abuse and Neglect

- Physical abuse
 - Bruises/welts
 - Burns
 - Lacerations/abrasions
 - Fractures



Indicators of Child Abuse and Neglect

- Sexual abuse
 - Complaints regarding genital areas
 - Sexually transmitted diseases
 - Unusual knowledge about or preoccupation with sex
 - Inappropriate sexual play with
 - Peers
 - Toys
 - Themselves
 - Pregnancy
 - Alcohol/drug use
 - Excessive delinquency



Indicators of Child Abuse and Neglect

- Emotional maltreatment
 - Aggressive or withdrawn behavior (inhibition of play)
 - Unusual fears or compulsive behavior
 - Running away
 - Sudden change in mood or behavior
 - Anti-social behavior
- Exposure to domestic violence



The Vulnerability of Children

- Dependent on adults
- Naturally trusting and curious
- Need attention and affection
- Accessibility and Availability



Challenges Faced by the Victimized Child

- Shame/embarrassment
- Fear of being blamed/punished
- Fear that no one will believe them

Factors That Govern How the Child Will React

- Developmental stage of the child
- Relationship of offender to child
- Duration/severity of abuse
- Degree of physical force and psychological duress
- Degree of participation by child
- Support system available to child
 - Reaction of parents
 - Sensitivity of intervening agencies

Delayed, Conflicted and Unconvincing Disclosure

- Adults who ask a victim about abuse prior to the child's decision to tell must recognize the questions may create an acute emotional or psychological crisis for the child
- Subsequent disclosures may be fraught with anxiety, retractions and inconsistencies, I.e., unconvincing

DYFS



- Joint investigation with law enforcement
- Cross reporting
- Centralized screening
- Response time for investigation
- What if referral is not accepted?
- Anonymous referral
- Do NOT ever tell a child they will not have to testify
- DYFS involvement if criminal case is not pursued
- Emergency DODD removal

Joint Investigation

- DYFS role in joint investigation
- Law enforcement role in joint investigation - MCPO detectives ask forensic questions
- Difference between forensic and clinical interview
- Forensic interviews of children 12 and under
- Interviews of children 13-18
- Interviews of children developmentally delayed, or with serious psychiatric issues



Joint Investigation

- Rationale for limiting the number of times a child is interviewed
 - Tainting interview
 - Memory
 - Suggestibility
 - Developmental issues



Finding Words

Corner House Method

The Child First Doctrine

- The child is our first priority
 - Not the needs of the family
 - Not the child's "story"
 - Not the evidence
 - Not the needs of the courts
 - Not the needs of the police, child protection, attorneys, etc.



Forensic Interviews Children 12 and Under

- Report usually comes to DYFS first
- DYFS notifies police
- Removal from school for forensic interview
- Interview by Corner House trained MCPO detective
- All interviews video taped
- Observation room for DYFS worker, local law enforcement, and other MDT members



**Monmouth County Prosecutor's Office
Sex Crimes/Child Abuse Unit
The Prosecution**

Victimizing the Victim

How do we assure children are not further victimized by the system trying to protect them?

- A coordinated, unified, case plan
- Minimize the trauma of the process
- Reduce the number of interviews
- Reduce recantations
- Speedy and effective prosecutions
- Quick connection to community resources



New Jersey Child Abuse Reporting Law



- Any person having reasonable cause to believe that a child has been abused or neglected SHALL report it IMMEDIATELY to DYFS. Schools SHALL report to both DYFS and Law Enforcement
- Any person who reports abuse or neglect is immune from any criminal or civil liability resulting from such action
- In New Jersey every person must report their suspicions
- Remember it is not your job to “prove” the abuse happened

New Jersey Child Abuse Reporting Law



- Institutional abuse
 - The investigation will weed out if teacher, etc. is innocent. That is the purpose of an “investigation”
 - It **MUST** be reported

New Jersey Child Abuse Reporting Law



- Consequences for Failure to Report
 - DP - \$1,000 and/or 6 months imprisonment
- Report must be made to DYFS Centralized Screening. This can be done 7 days a week, 24 hours a day
- DYFS CENTRALIZED SCREENING NUMBER IS:

1-877-NJABUSE

1-877-652-2873

Implications of the NJ Child Abuse Reporting Law



- Why does the law say every citizen's obligation is to report to DYFS rather than Law Enforcement?
- Role of DYFS - best interest of child
- Role of Law Enforcement - punishment
- DYFS deals with the future
- Law Enforcement deals with the past
- Criminal vs. Family Court

Criminal Code



- “Parent or guardian” means any natural parent, adoptive parent, foster parent, stepparent, or any person who has assumed responsibility for the care, custody or control of the child or upon whom there is a legal duty for such care (e.g., school teachers, day care staff, institutional staff, etc.)
- A “child” is defined as under 18 years of age

New Jersey Child Abuse Criminal Laws



- Endangering the Welfare of a Child
 - 2C:24-4
 - Person engages in sexual conduct or harms the child
 - 2nd degree if person is responsible for care of child
 - 3rd degree for other persons
- Sexual Assault / Aggravated Sexual Assault
 - 2C:14-2
- Criminal Sexual Contact / Aggravated Criminal Sexual Contact
 - 2C:14-3

New Jersey Sexual Assault Laws



- In 1996 the statute of limitations for Aggravated Sexual Assault and Sexual Assault was removed; a prosecution for those offenses, as with Murder and Manslaughter, can be commenced at any time
- The extension applies to crimes which occurred before the enactment of the extension, but only if the had not already expired

Age Categories for Sexual Crimes



- Children under 13 cannot consent
- 13 to 16 year olds - “statutory rape” - when actor is more than 4 years older than the victim
- What happens when ages are close together?
- 16 to 18 year olds - relationship of responsibility
- Complications for prosecution include: usually no witnesses or supporting evidence

Charging Decisions

- Grand Jury
- Plea Bargain
- Trial
- Juvenile

Megan's Law



- Not a restriction/punishment - it is a registration requirement
- Risk assessment scale - Tier 1, 2 or 3
- Who receives notification for each tier?
- Residency restriction requirements
- Website - www.njsp.org - not every offender listed. How is it determined?

Sex Offender Clarification



- Can sex offenders be around children?
- Two types of prisons
- Parole Supervision for Life
- Sexually Violent Predator Law
- Statute of Limitations

The Child Advocacy Center

- Focus and location of a multidisciplinary approach
- Child friendly, child appropriate facility
 - Physically and psychologically safe for victims and their non-offending family members





The Victim's Mental Health

Demeanor Of The Initial Professional

- Do

- Express belief that the child is telling the truth
- Use the child's vocabulary
- Reassure the child that it is good to tell
- Determine the child's immediate need for safety
- Let the child know what you will do
- Report the disclosure to DYFS and police

- Do Not

- DO NOT express panic or shock
- DO NOT ask who, what, where, or when questions
- DO NOT use statements that imply blame. "What did you do?"
- DO NOT Promise you won't tell
- DO NOT Ask the child to repeat the story multiple times

Stages Of Disclosure

- Child sexual abuse accommodation syndrome
- Secrecy
- Delayed, conflicted, unconvincing disclosure
- Emotional helplessness to resist
- Entrapment
- Accommodation
- Retraction

Frequent Symptoms

- Regression
- Refusal to participate in activities previously enjoyed
- Refusal to see/visit someone
- Changes in sleep patterns
- Changes in eating habits
- Behavioral changes in school or day care

Symptoms Of Concern Of Adolescents

- Changes in peer relationships
- Self injurious behaviors, ie, Cutting
- Eating disorders
- Social isolation
- Changes in school performance
- Secrecy
- Change in sleep patterns

Therapeutic Options For Victims Of Childhood Trauma

- Individual therapy
- Group therapy
- Family therapy
- Sibling therapy
- Offender treatment

Stages Of Treatment

- Establishing rapport – building trust
- Creating a safe place
- Passing tests of trust
- Witnessing the pain
- The long journey – making sense of the story
- Taking back life
- Acceptance vs. Forgiveness
- Resilience

MDT Provides

- Referral for most appropriate health, mental health evaluation and treatment
- Referral for most appropriate community resources
- Consultation and collaboration with partner agencies, ie, Schools
- Victim advocacy: help for victims and their families through the legal process