### Broadening Your Thinking of Partnerships

**Ted Cross** 

Children's Advocacy Centers of Illinois Annual Directors' Meeting and Conference Champaign, IL October 26, 2023



CFRC | Children & Family Research Center

**SCHOOL OF SOCIAL WORK** 

### National survey of CAC directors we did in 2015

- 222 CAC directors responded
- Our report presented results on:
  - ➤ Who was represented on the CAC's MDT
  - ➤ What services children and caregivers received

https://cfrc.illinois.edu/pubs/ bf 20220314 PracticeInUSCh ildrensAdvocacyCentersResul tsOfASurveyOfCACDirectors.p df

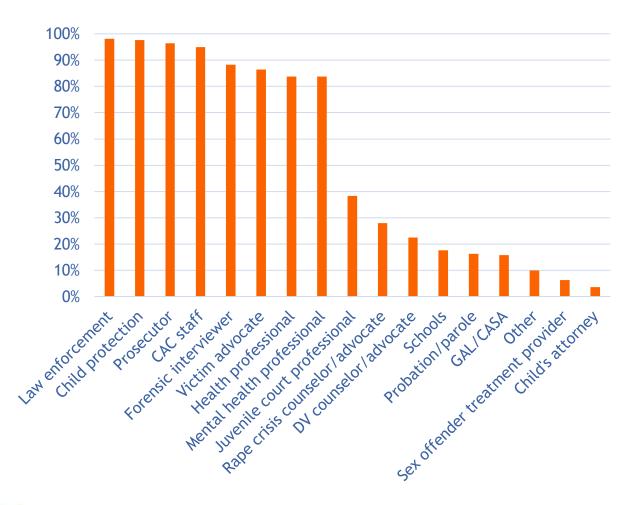


### Survey of CAC Directors

Theodore P. Cross, Debra Whitcomb, Emi Maren

Children's Advocacy Centers (CACs) are central to the response to child sexual abuse and other child maltreatment in the United States. CACs coordinate the investigative and service response to child victimization, and support child survivors and their families to reduce the stress that follows a child maltreatment allegation. Multidisciplinary teams (MDTs) are the mechanism CACs use to coordinate investigation and service delivery in a centralized, child-friendly setting. CACs use forensic interviewers specially trained to work with children; and offer children and families medical, therapeutic, advocacy services, and other services. (Cross et al., 2008; National Children's Alliance, 2019b). CACs help adult family members as well as children, because child victimization is traumatic for the entire family (van Toledo & Seymour, 2016), and because this helps bolster the non-offending caregivers' support for the child, which research shows is important for reducing the impact of child victimization and improving outcomes (see Malloy & Lyon, 2006; National Children's Alliance, 2017). In its 2020 annual report, the National Children's Alliance (NCA), the accrediting organization for CACs, reported 924 CACs in the U.S. (National Children's Alliance, 2020). Canada and Australia have developed similar networks of children's

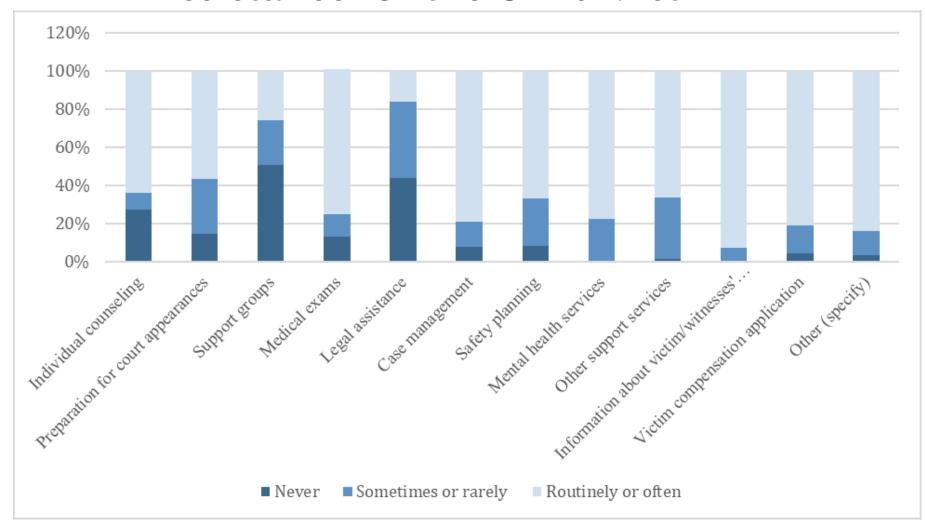
## Disciplines represented on CAC MDTs (N=222)





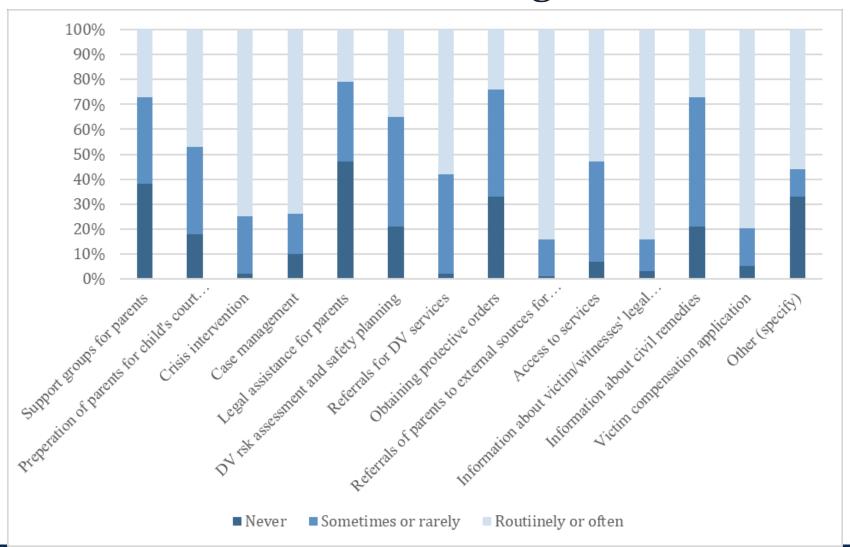


#### Assistance for the Child Victim





### **Assistance for Caregivers**





### Rape crisis centers







### Rape crisis center and CACs

- Overlap in the populations they serve
- Each may have capabilities, resources, and services that the other lacks





### Example of two CACs and a rape crisis center in Pennsylvania

# Children's Advocacy Center of Lawrence County (PA) & Children's Hospital of Pittsburgh CAC

- No dedicated Victim Advocate from CV to CAC
- An Advocate was not always available when CV was called providers and hoped an Advocate was able to be present
- No formal referral process / information sharing
- Lack of resources for clinical supervision

### Center for Victims, Pittsburgh, PA

- Difficult to manage request for Advocate to be present (lack of preplanning)
- Cases falling through cracks families not following through with contacting RCC
- Meeting child and family later in process (court) – lack of earlier intervention
- Lack of Resources for Clinical Supervision – Identified Need to Increase Clinical Services and Supervision

#### Results of their collaboration

- Victim Advocate has work space in CAC and is present on a daily basis
- Advocate meets with available family/caregivers during child interviews
- Every family who needs a Victim Advocate has one present during appointment
- Can talk and share information with Advocate Shared Clinical Director



### Domestic violence programs





## Link between domestic violence and child abuse

- Exposure to domestic violence has a traumatic effect on children's mental health and has been considered as a form of abuse in itself
- Appel & Holden (1998) found that in 40% of homes with either DV or child abuse, the other was present as well



## Thackeray et al. (2010) survey of CACs

- 57.6% of CACs conducted DV assessments of female caregivers
- 29.4% conducted DV assessments of female caregivers more than 75% of the time
- CACs with on-site DV resources and/or required DV training were more likely
  - to conduct DV assessments
  - to conduct them more than 75% of the time





### Schools





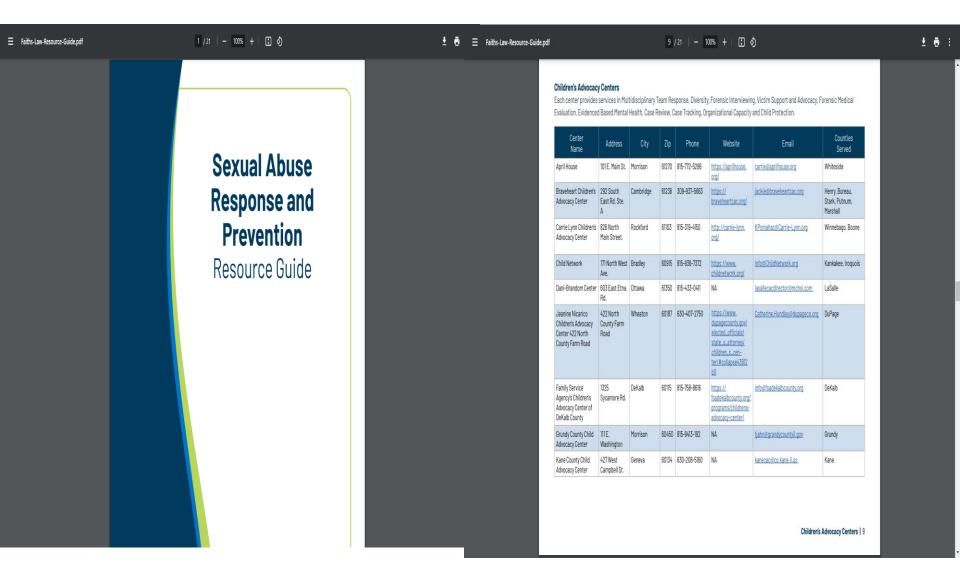


## School could play a helpful role on the MDT

- Support them in providing a trauma-informed response
- Add additional services and supports
- May have information that is relevant for the investigation
- May help manage cases that are referred from the schools to the CACs



## Illinois State Board of Education new resource guide provides contact info on each IL CAC



### Faith leaders







### Spiritual trauma of child abuse

- Abuse may cause children to wonder why God allowed this or how God thinks about this
  - "Am I still a virgin in God's eyes?"
- Responding to spiritual trauma is a form of being cultural sensitive, an NCA standard
- This problem is heightened when the perpetrator is a faith leader or a faith community does not report disclosures or supports the abuser
- Faith communities may promote corporal punishment
- Abuse may heighten the Problem of Evil and cause secondary spiritual distress for professionals







### CAC Chaplain

- Ministers to the spiritual needs of child victims and families -CAC screens for it
- Participates in case review
- Assists MDT members with spiritual distress related to their work
- Consults to and educates other community faith leaders





New grant from the Office for Victims of Crime to the Zero Abuse Project Enhancing Access to Spiritual Care for Child Abuse Victims Project

- Toolkit planned
  - Guidelines and standards governing the CAC chaplains
  - Implementation Guide for CACs
- Developing a 3-day training for CACs and faith leaders



Recursos en Español | FAQs  $\bigcirc \bullet \bullet \circ \bigcirc$ ffice for  ${\sf V}$ ictims of  ${\sf C}$ rime

### The HALOS Strategy

Community Collaborations for Children



TOOLKIT FORMS

Text size ■ Send Send

- What Is HALOS?
- About This Toolkit
- **Program Structure and** Implementation
- Planning and Program Development
- Data Collection and Evaluation
- Sustainability
- **HALOS Accomplishments**

In communities across America, relatives and foster families are caring for abused and neglected children who are not safe in their own homes. According to the U.S. Department of Health and Human Services, as of September 30, 2011, more than 400,000 children nationwide were placed outside their homes—47 percent with foster families, 27 percent with relatives, 15 percent in institutions or group homes, and 12 percent in other living arrangements. 1 These figures only represent children who were formally placed by child welfare agencies. In fact, as many as 2.7 million children are being raised by grandparents, other relatives, and close family friends through informal arrangements.<sup>2</sup> Although foster parents and kinship caregivers generally receive compensation from child welfare agencies for the cost of supporting the children in their care, the payments are often insufficient to meet the children's needs. Helping and Lending Outreach Support (HALOS) is a nonprofit community-based organization in Charleston County, South Carolina, that was created to fill this critical gap for children.

#### May 2014 / NCJ #246834

#### Message From The Director

JUSTICE FOR VICTIMS • JUSTICE FOR ALL

Children are among the most vulnerable members of society, dependent on those closest to them for nurturing, guidance, and protection from harm. Sadly, many children are not safe in their own homes and must be placed in foster care or with relatives, often under cashstrapped circumstances

See More

▶ TOOLKIT FORMS



Child Welfare Information Gateway (2013), Foster Care Statistics 2011. Washington, DC: U.S. Department of Health and Human Services, Children's

2 Stepping Up for Kids: What Government and Communities Should Do to Support Kinship Families (2012). Baltimore, MD: The Annie E. Casey Foundation

#### Web Site Links Disclaimer



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> Office for Victims of Crime 810 Seventh Street NW., Washington, DC 20531

The Office for Victims of Crime is a component of the Office of Justice Programs, U.S. Department of Justice.



https://ovc.ojp.gov/sites/g/files/xyckuh226/files/halos/index.html

Through

HALOS,

support

churches

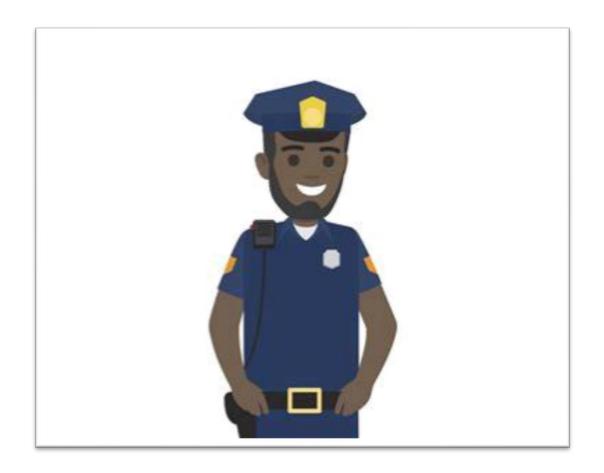
children in

foster care

"adopting a

caseworker"

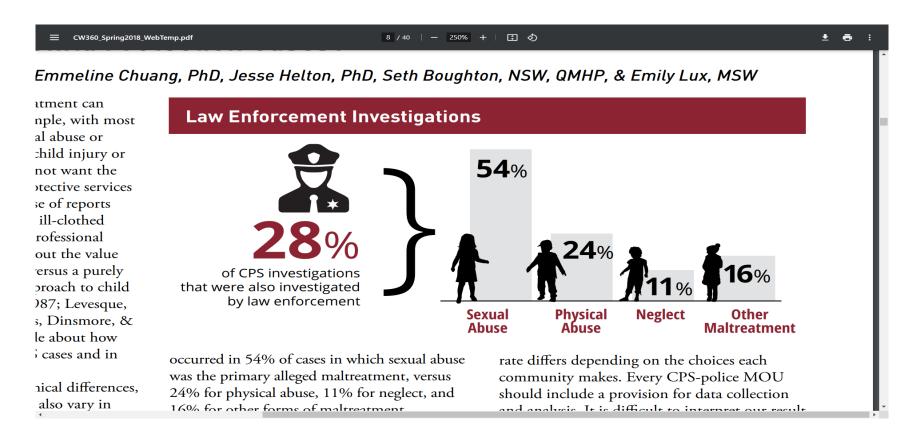
### Law Enforcement







## Cross et al. (2015) national study of co-occurring law enforcement and CPS investigations



Across 82 CPS agencies, the % of co-occurring law enforcement and CPS Investigations ranged from 0% to 75%

### Results from Interviews with Caregivers in Investigated Cases (Jones, et al., 2010, pages 301-302)

The most common response by caregivers to the question "What was worse than expected about the investigation?" involved disappointment with the thoroughness of evidence collection, perceived failures by investigators to pursue justice fully, and bungled or problematic investigation procedures...Responses from this category included the following examples:

They do not really investigate... I know he is little and does not talk really well, but I feel they should have done more.

Well, the person who hurt my children was a family member, so I know for a fact that he has never been questioned and nothing has been done to him about this. But my children still have to see him every day and hear comments from him stating that he is untouchable.

There was no follow-up . . . we felt ignored. It was frustrating that everything was not really checked into more. They let it go.



## Steps CACs could take to enhance the law enforcement response

- Track criminal justice actions and outcomes - collect data on what percentage of these were appropriate or just
- Initiate cross-training with law enforcement



## Reasons for doing cross-trainings aimed at law enforcement

- Law enforcement lacks experience, time, resources, training
- Educates everyone on the MDT about law enforcement
- Generate good will that could be paid back
- Cases that are quickly resolved in the criminal justice system put less strain on everyone





### Prosecutor







### All disciplines on the MDT contribute to holding offenders accountable

Discipline	Contribution to Accountability
Forensic interviewer	Child forensic interview provides leads for law enforcement investigation
Child protective services	CPS investigation can inform law enforcement investigation
Physicians and nurses	Timely forensic medical exam can yield critical evidence (e.g., DNA, evidence of injuries), especially with adolescents
Victim and family advocacy	Support victims and families throughout the criminal justice process
Mental health	Helping children and families cope throughout the criminal justice process (prosecution more likely if mh problems are reduced)





#### Child Abuse & Neglect

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The
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Journal
The International
The Internati

journal homepage: www.elsevier.com/locate/chiabuneg

Full length article

### The practice of prosecuting child maltreatment: Results of an online survey of prosecutors<sup>☆</sup>



Theodore P. Cross<sup>a,\*</sup>, Debra Whitcomb<sup>b</sup>

#### ARTICLE INFO

## Keywords: Child abuse and neglect Prosecution Corroboration Crawford v. Washington Sex offender registry Safe harbor laws

#### ABSTRACT

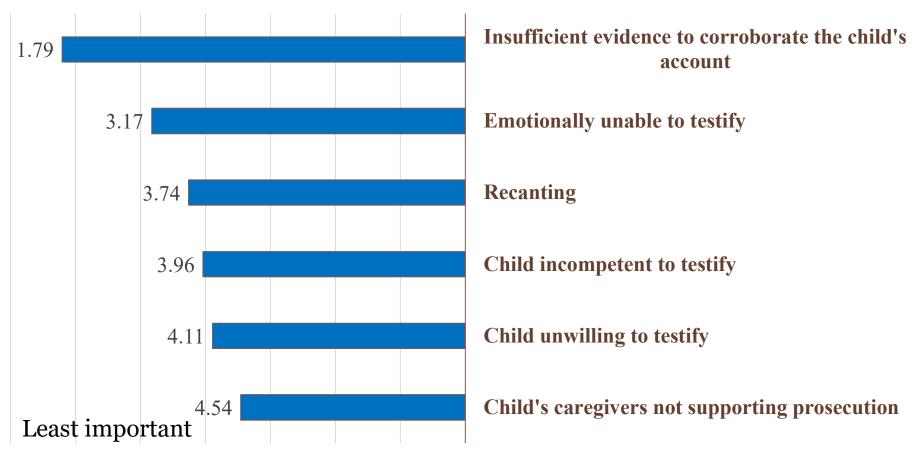
Despite efforts by advocates, practitioners, and legislators to alleviate the burden on child maltreatment victims in the criminal justice system, many challenges remain for prosecutors as they seek to hold offenders accountable while minimizing the emotional impact on children. More than 200 state and local prosecutors in 37 states responded to an online survey to share their perspectives on current challenges, procedures to support children in the adjudication process, and the impact of the U.S. Supreme Court opinion in Crawford v. Washington (2004), sex offender registries, and "Safe Harbor" legislation to protect child sexual exploitation victims. Respondents' most pressing challenges were obtaining evidence to corroborate children's statements and the difficulties of working with child victims. Child testimony was ranked as more frequent than any other type of evidence, and least frequent were DNA, photos or videos of criminal acts, and other physical evidence. Prosecutors rely primarily on victim/witness assistants and courtroom tours to prepare children for testimony; technological alternatives are seldom used. Results suggest a real but limited impact of the Crawford opinion on the need for child testimony and on the decision to prosecute. Survey findings indicate a need for greater attention to thorough investigations with particular attention to corroboration. Doing so may strengthen the child's credibility, which is especially critical in cases lacking physical or medical evidence of maltreatment.

a Children and Family Research Center, School of Social Work, University of Illinois at Urbana-Champaign, United States

b Healdsburg, CA, United States

### Average Rank for Most Important Reason for Declining a Case

#### Most important





### **Corroboration Findings**

In child sexual abuse cases,

Lippert et al. found that a corroborative witness more than doubled the odds of a suspect confession (odds ratio = 2.29).

Walsh et al. found that a corroborative witness came close to doubling the odds of criminal charges being filed (odds ratio=1.70).



#### When the Child Has Spoken: Corroborating the Forensic Interview

Victor I. Vieth<sup>1</sup>

#### Introduction

The historic purpose of a forensic interview it to take a child's statement in a legally defensible manner? Indeed, the word "forensic" means "pertaining to, connected with, or used in courts of law." To fulfill these historic and essential purposes, the forensic interviewer must be well trained in memory and suggestibility issues, 'child development,' cognitive development, the usage of anatomical diagrams and dolls,' and must use a forensic interviewing protocol rooted in research. The forensic interviewer must also participate in peer review, attend basic and advanced trainings and otherwise stay abreast of the field."

A forensic interviewer must also understand the rules of evidence that may govern the admissibility of the forensic interview in a civil and criminal court of law. Failure to understand these rules may cause problems in the event the case comes to trial.<sup>3</sup>. Moreover, the forensic interviewer needs to understand how to defend the forensic interview in a court of law and, if need be, to educate jurors and judges on procedures and protocols relating to forensic interviewing.<sup>30</sup>

Finally, and most importantly, the forensic interviewer must understand the critical importance of obtaining, in a developmentally appropriate manner, as many details as possible from the child. It is the details that will enable law enforcement and social service investigators to corroborate a child's statement. If the forensic interviewer excels in this critical aspect of his or her work, investigators should be able to find multiple pieces of corroborating evidence.

Corroborating evidence doubles the chance a suspect will confess to child sexual abuse," increases the likelihood of a prosecution." and otherwise makes it more difficult for defense 'experts' to attack the forensic interview. Bor example, the defense 'expert' may still challenge certain questions that lead to details pertaining to the child maltreatment, such as the usage of a lubricant, as suggestive but if the detectives find the lubricant in the exact location the child described, the defense challenge is weakened.

#### Ten Tips for Corroborating the Child's Statement

In the search for corroborating evidence, forensic interviewers and investigators may benefit from the following ten tips.

#### 1. Think at the child's level

Young children lack the vocabulary of an adult. Accordingly, they often don't have words for "ejaculation," "dildo," "fellatio" or "cunnilingus." As a result, they may describe a dildo as a "pink snake" or an ejaculation as grandpa's pee pee "throwing up." Accordingly, examine the statements of a child from the perspective of a child. In one case, a four year old girl said she was sexually abused in the room with a "giant eagle."14 When the suspect's house was searched, the investigators found the bedspread with a depiction of a giant eagle. If this had not been seized the defense counsel could have had a field day with the child, claiming she was fantasizing. In another case, a child described a "worm" on daddy's pee pee. The "worm," of course, turned out to be a condom (the child was apparently thinking about the receptacle on the top of the condom).

### UP COMING conferences

#### Forensic Interviewer at Trial:

This course is designed for teams of two-prosecutors and forensic interviewers. Prosecutors will be required to conduct a direct examination of forensic interviewers, and then conduct a re-direct examination after their forensic interviewers have been cross-examined. The prosecutors, working with forensic interviewers, must also respond to the critiques of their forensic interviews from a defense expert.

#### Location: Winona, Minnesota on Winona State University campus

Tuttion Fee: Please submit \$50 payment with your registration. Make checks payable to: NCPTC. Or pay online, when you register at www.ncptc.org.

- September training session: We are accepting registration for ATTORNEYS ONLY!
- October training session: Please register in a team of two (one attorney and one forensic interviewer). Attorneys are also welcome to register without a forensic interviewer for the Oct. 11 – 13, 2010 session.

NCPTC has applied for MIN POST Board credits for law enforcement professionals, for both training sessions offered.



#### OjjDI

This project was supported by Grant No. 2009-DD-BX-K150 awarded by the Office of Juvenie Justice and Delinquency Prevention; Office of Justice Programment of Justice. Points of View or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Poerativest of Justice.

## Seeking corroboration for the child

- Investigate every detail provided by the child in forensic interview
  - May lead to direct evidence
  - Can help provide circumstantial evidence to enhance the child's credibility
- Effective crime scene evaluation, including photographs that corroborate the child's account
- Interview with the non-offending parent
- Interview suspects effectively and obtain self-incriminating statements
- MDT members may have information that can lead to corroborative evidence



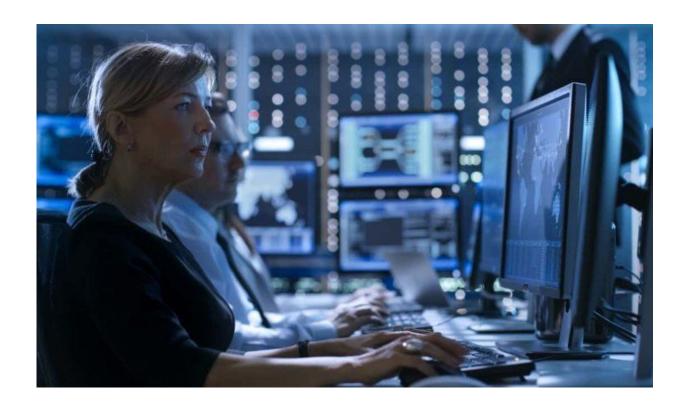


### Examples of using children's statements from the forensic interview to corroborate the child

Child Statement	Investigative Action
Father read <i>Goodnight Moon</i> to me before he touched me.	Search suspect's house and seize the book
Uncle George always took me to the blue house	Take photograph of the house
Grandpa pulled my pants down on our fishing trip	Look for campground registration, photographs of the trip, fishing equipment at Grandpa's
All About the Bass was playing on the radio on Jersey's finest 99 FM	Obtain radio playlist



# Internet and digital evidence specialists

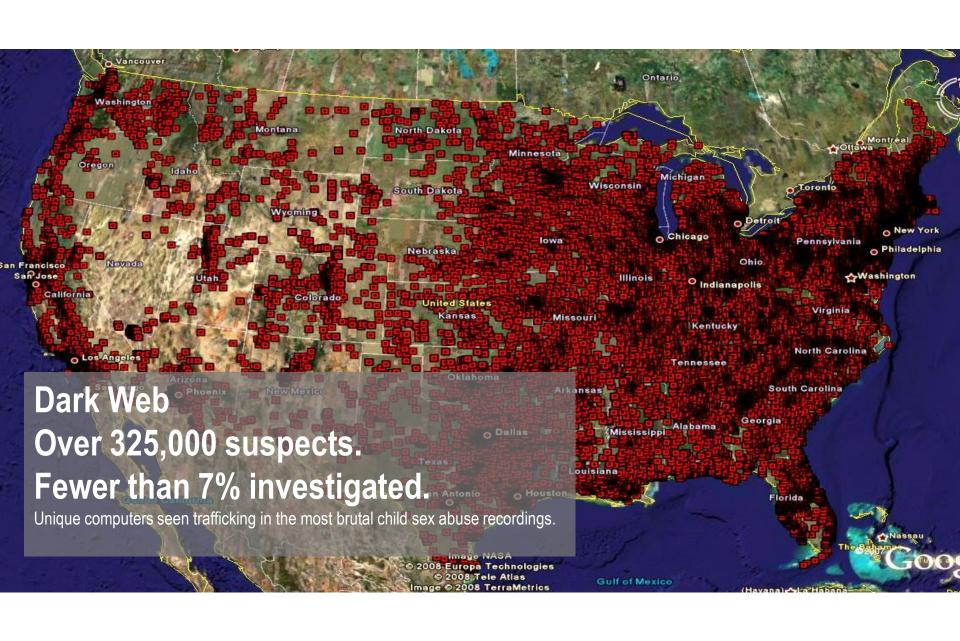




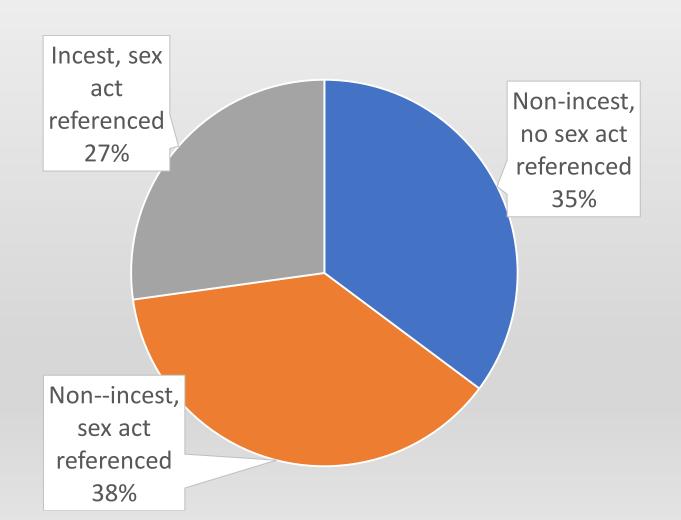




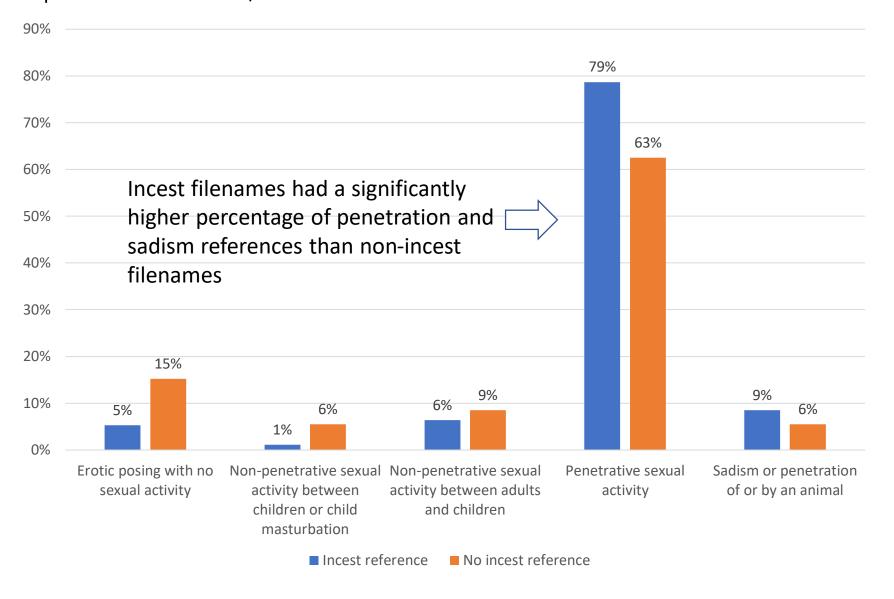
29,309,106
Reports of apparent child sexual abuse material (CSAM) reported to NCMEC Cyber-Tipline.



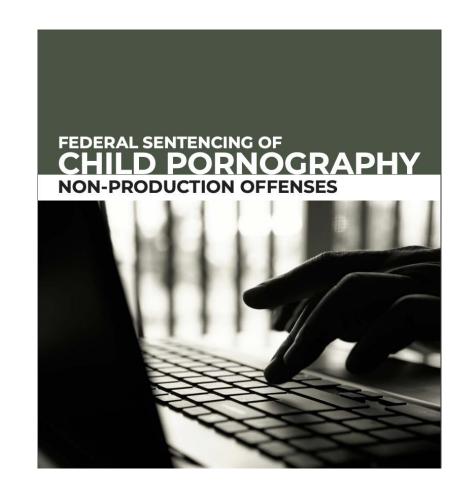
# In our research on online CSAM filenames, more than ¼ referenced incest



# The majority of filenames that described incest referenced penetration and/or sadism

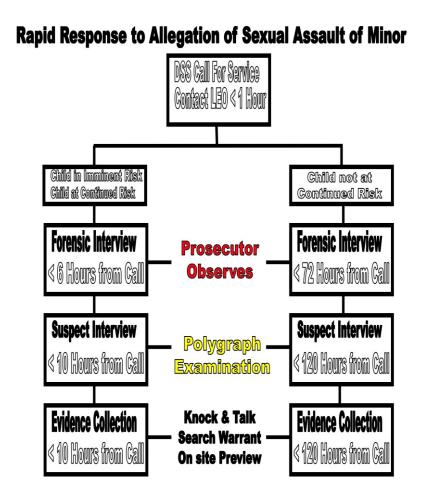


- More than forty percent (43.7%) of non-production child pornography offenders participated in an online child pornography community in fiscal year 2019.
- Nearly half (48.0%) of non-production child pornography offenders engaged in aggravating sexual conduct prior to, or concurrently with, the instant nonproduction child pornography offense in fiscal year 2019. This represents a 12.9 percentage point increase since fiscal year 2010, when 35.1 percent of offenders engaged in such conduct.



## Louisa County, VA's protocol for involving the Internet Crimes Against Children Task Force

- 1. All sex abuse contact cases get sent to law enforcement in under 1 hour.
- 2. If the child is in imminent harm, then a child forensic interview is conducted in less than 6 hours from time of report.
- 3. Offender interview conducted in less than 10 hours with a polygrapher in the next room. Investigator asks the offender to take a polygraph at the time of first contact. This prevents offenders from building cognitive defenses and lawyering up.
- 4. As the offender interview is happening, ICAC is searching the digital media. Sometimes it is at the same time as an offender interview and sometimes separately offsite. If there is not enough for a warrant then, ICAC uses consent searches.



Source: Camille Cooper, personal communication

Code of Virginia, Title 15.2., Subtitle II, Chapter 16, Article 4, § 15.2-1627.5

The following individuals...shall participate in review meetings of the multidisciplinary team...the attorney for the Commonwealth; law-enforcement officials...the local child protective services unit; a representative of a child advocacy center...; and a representative of an Internet Crimes Against Children task force...The attorney for the Commonwealth may invite other individuals...including the school superintendent...; a representative of ...sexual assault crisis center...the director of the victim/witness program...; and a health professional

https://law.lis.virginia.gov/vacode/title15.2/chapter16/section15.2-1627.5/



# Potential sources of digital evidence

- Laptops
- Desktop computers
- Tablets
- External hard drives and thumb drives
- Smartphone and watches
- Routers

- Video game consoles
- Alexa
- Fitbit and other biometric monitoring devices
- Internetconnected toys
- Surveillance video security systems







### ICAC Task Force Leaders in Illinois

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# **Protecting Children from Online Predators**

The Illinois Attorney General's ICAC Task Force was comprised of over 550 Illinoisbased federal, state, and local law enforcement agencies and prosecutor's offices as of December 31, 2022.

# Crime lab and forensic evidence specialist









# Evidence Collection in Child Abuse Cases

A Primer for Investigators and Prosecutors

#### By Tyler Counsil, EdD

Forensic Expert and Director, Child Advocacy Studies (CAST), a program of Zero Abuse Project

#### **DNA** Evidence

- DNA evidence found on the child's body through a forensic medical exam or at the crime scene (e.g., clothes, bedding, tissues) can provide strong evidence against a child sexual abuse suspect
- DNA evidence can sometimes identify unknown offenders through matches with the FBI's CODIS DNA Database



# Suggested time frames for obtaining DNA evidence from forensic medical exams

Type of Assault	Recommended time frame
Vaginal	Up to 120 hours
Anal	Up to 72 hours
Oral	Up to 24 hours
Bite marks/saliva on skin	Up to 96 hours
Unknown	Collect respective samples within the time frames listed above

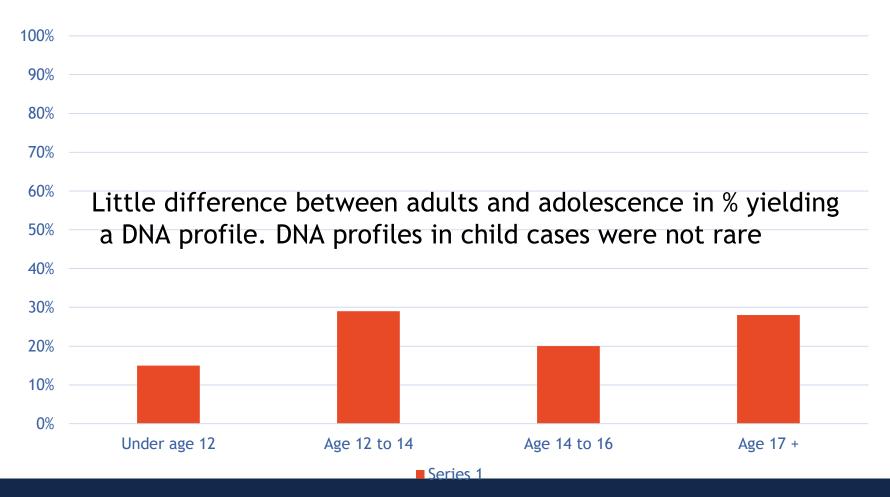
The time frame to consider depends on the case. "both DNA and body fluids containing cells rich in DNA persist for days, if not weeks, ...MDTs with rigid timelines for evidence collection should review their practices."

- Counsil (2023, p. 34)





# % of sexual assault evidence kits that yielded a DNA profile in a Massachusetts statewide sample (Cross & Schmitt, 2019)



## Other forensic evidence

Specialist	Examples of evidence
Trace evidence analysts	Bindings used to confine child, Fibers in carpets or clothes Chemicals in lubricants, Plant matter connected to outdoor abuse
Ophthalmologist	Damage to the eyes from abuse
Dentist	Damage to the teeth, mouth, or kips from abuse
Veterinarian	Animal abuse coinciding with child abuse
Forensic palynology (pollen)	Pollen grains can help establish location
Forensic carpologist (seeds)	Evidence of oral sexual abuse from blueberry seeds in child's mouth and perp's pants

From Council (2023)



### The MDT and forensic evidence

- The MDT can support children getting a forensic medical examination
- MDT could assist with obtaining and preserving other DNA sources (e.g., DNA evidence can be obtained from semen stains on clothes months after the events)
- Forensic specialists consulting to the MDT can advise on ways of finding and using forensic evidence and provide training on helping preserve and not contaminate DNA sources



# The MDT







## Costs and Benefits of Broadening Your Thinking of Partnerships

#### Costs

- It could increase the time needed to communicate and coordinate with professionals
- More people that you need to get to MDT meetings
- Lengthier and more complicated case review meetings
- Possibility of unrealistic expectations
- We don't want CAC Directors' heads to explode



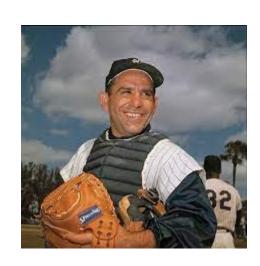
#### **Benefits**

- Provide a much more effective response to children
- Investment in partnerships may reduce some costs
  - Confessions and guilty pleas reduce children and families' involvement in the CJ system
  - More effective partnerships may reduce the length of time a case needs to be reviewed by the MDT
  - More effective partnerships may increase MDT members knowledge and the quality of their relationships
- Should these ideas be treated as a to-do list or a menu?

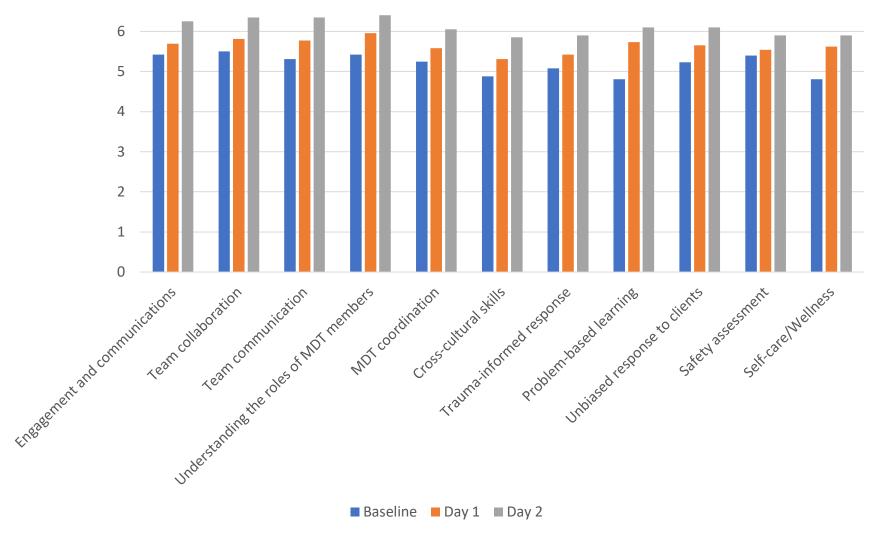
Will this quote apply to MDTs that broaden their partnerships?

No one goes to that restaurant anymore. It's too crowded

Yogi Berra



#### Simulation Training for Multidisciplinary Teams Increases in Confidence During the Training



Chiu, Y. & Cross, T.P. (2023). *Evaluation of Multidisciplinary Team Simulation Training: Pilot-Interim Report*. Children and Family Research Center, University of Illinois at Urbana-Champaign.

# Inspiration from Yogi Berra

[About the 1973 New York Mets, who were in last place in July but made it to the World Series]

We were overwhelming underdogs

Yogi Berra





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