



**DEPARTMENT FOR CHILDREN AND FAMILIES**

**To: Maxine Grad, Chair, House Judiciary Committee**

**From: Karen Shea, Deputy Commissioner of the Family Services Division of DCF**

**Date: February 13, 2018**

**Re: Information for H.727**

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This memo is intended to be responsive to questions raised during last week's committee discussion of H.727. Please find information about the low incidence of untruthful disclosure of abuse by children, forensic interviews of children and children's recollection of events. Finally, and perhaps most notably, please find on the last page the articles referenced and summarized in this memo. These represent a fraction of the breadth of considerable research on the topic of children's ability to tell the truth when they experience abuse.

**False Allegations & Untruthful Disclosure of Abuse**

Research suggests that false allegations are rarely made intentionally. Research shows that it is rare for a person of any age to state they were abused when they were not. A child claiming that abuse did not happen when it actually did is much more common than false reporting. The number of false allegations of child sexual abuse is lower than the number of children who do not disclose such abuse or who lie by saying that it did not occur. Children tend to understate, rather than overstate, the extent of any abuse they have experienced.

Studies analyzing maliciously fabricated allegations of child sexual abuse have found that children bring only 0% to 2% of such allegations. Many false allegations originated with an adult bringing the accusations on behalf of a child, and of those, a large majority occurred in the context of divorce and child-custody battles.

Like similar false allegations by adults, false recounts by children can be the result of one of three different scenarios: (1) the false claims come from submitting to suggestion by authority figures; (2) the false allegations are the result of "pseudo memories;" or (3) the false claims are the product of evading honest answers.

Many factors can lead to false allegations of sexual abuse. Some of these factors are related to the child's personal characteristics such as memory, age or developmental level. Other factors relate to the child's environment, such as divorce; the influence of rumors; or when the parent does not believe the child. Still other factors are related to the socio-legal context, such as questioning and children's suggestibility, tunnel vision, and the person making the allegations.

The way in which a child is interviewed about a case of alleged abuse is one of the most studied and strongest predictors of false allegations. Depending on a range of factors, such as cognitive ability, mental state, and culture, some children may be susceptible to having their memories altered based on how the interviewer phrases questions or otherwise presents information.

Asking open-ended questions and allowing children to recount their experiences, without interrupting them too often with specific questions helps avoid any adverse effects.

### **Child Forensic Interviews**

Following two decades of research and practice, professionals have gained significant insight into how to maximize children's potential to accurately convey information about their past experiences. It is now widely accepted that forensic interviewing is the best practice approach when interviewing children. Professionals who conduct forensic interviews (law enforcement and child protection investigators) receive initial and ongoing forensic interview training. The forensic interview is one component of a comprehensive child abuse investigation and is defined in the following way:

A forensic interview of a child is a developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse or exposure to violence. This interview is conducted by a competently trained, neutral professional utilizing research and practice-informed techniques as part of a larger investigative process.

Maximizing the amount of information obtained through children's free recall memory is universally accepted among forensic interview models as a best practice. Forensic interviewers use open-ended and cued questions skillfully and appropriately to support children's ability and willingness to describe remembered experiences in their own words. Skillful forensic interviewing and understanding of child development supports investigators to discern between reliable and less reliable disclosures.

State forensic interview training is provided through the National Children's Advocacy Center (NCAC). The NCAC model is one of the major forensic interviewing protocols in current practice. Training is offered annually in two stages, basic and advanced.

### **Children's Recollection of Events & Memory**

Young children have relatively accurate long-term memories of events they have experienced and can provide a report of these memories under favorable conditions. However, several factors can also adversely influence a child's memory and foster false or inaccurate allegations. These factors include:

- the child's capacity to source monitor memories;
- the time lapse between events and their recall;
- the child's lack of knowledge of sexual abuse, which affects how information is stored in his or her memory; and
- the child's age, which has a bearing on the amount of detail that he or she can retain and recall.

By age three, children can learn to bend the truth. There is no evidence, however, that children are any more or less prone to lie than adults. False allegations of abuse are uncommon among young children because they are not skilled at maintaining a lie. False allegations are more often made by adults and adolescents than by children.

As few studies have considered what role the child's age plays in false allegations, it is difficult to draw definitive conclusions regarding this variable. The available data seem to suggest that adolescents are more likely than children to deliberately formulate false allegations. However,

when very young children are persistently asked leading questions by a parent or other adult, they may make allegations of abuse that never occurred. Children are more susceptible than adults to the influence of others, and young children are more susceptible than older youth. Coaching by adults impairs children's accuracy.

Traumatic experiences may shape how children store and recall memories of the event. Although some children may remember the traumatic event with the same clarity as a nontraumatic event, others may not be able to provide the same level of detail or coherence. The memories of children who have suffered extreme forms of trauma may be impaired or distorted; these children may not recall their experiences in a linear fashion but, instead, as "flashbulb memories" or snapshots of their victimization. Children who have suffered multiple abusive encounters often present conflicting data, sometimes combining information from years of abuse into one or two accounts with apparently inconsistent details.

## Sources

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