Examining Effective Police Questioning Techniques for Child Witnesses

Ying Kalin Mo, B.Soc.Sc., & Kristine M. Jacquin, Ph.D.

INTRODUCTION

- ❖ Child witnesses are a crucial part of the criminal justice system.

- ❖ To ensure a successful prosecution, story-grammar details are necessary in child witness testimonies (Feltis et al., 2010).

- ❖ Story-grammar details include the setting, initiating event, internal response, plan, attempt, direct consequence, and resolution of an event (Feltis et al., 2010).

- ❖ Research demonstrated a significant proportion of current police questioning techniques included methods that are shown not to be the best at eliciting story-grammar details (Aldridge & Cameron, 1999; Cederborg et al., 2000; Cederborg, 2004; Childs & Walsh, 2018; Guadagno & Powell, 2009; Snow et al., 2009).

- ❖ This suggests inadequate police questioning techniques in the current criminal justice system.

| Story-grammar elements	Definition, as applied to child abuse cases
Setting	Temporal information and details about the physical setting where the events took place.
Initiating event	The activity/act that commenced or initiated the abusive episode.
Internal response	Goals, affective states or cognitions evoked by the initiating event.
Plan	A set of intentions (formed in the mind of the child) affected by the initiating event or a statement, indicating the child's inference about the alleged offender's motivational state.
Attempt	What the alleged offender did, in his or her effort to execute the plan (i.e., the actual abusive act).
Direct consequence	The outcome of, or child's response to, the attempt/action.
Resolution	The outcome of the story/event.

(Source: Feltis et al., 2010)

FORENSIC IMPLICATIONS

- ❖ The importance of story-grammar details to a successful prosecution has been confirmed by judges, prosecutors, and defense attorneys through research (Feltis et al., 2010).

- ❖ However, research showed that prevalence of story-grammar elements in actual child witness interviews is low (Snow et al., 2009).

- ❖ For offenders to be charged, most jurisdictions required witnesses to identify story-grammar details regarding the crime (Cederborg, 2004; Guadagno & Powell, 2009).

- ❖ Furthermore, for repeated child abuse, most jurisdictions require such details to be identified with precision for each separate incident (Cederborg, 2004; Guadagno & Powell, 2009).

- ❖ Therefore, police questioning techniques for child witnesses that fail to elicit story-grammar details can create barriers to prosecuting crimes.

CURRENT RESEARCH

- ❖ Close-ended, specific, and suggestive or leading questions comprised a significant percentage of current police questioning techniques (Aldridge & Cameron, 1999; Cederborg et al., 2000; Cederborg, 2004; Childs & Walsh, 2018; Guadagno & Powell, 2009; Snow et al., 2009).

- ❖ Most information extracted from actual child witness interviews were only context or background information (Snow et al., 2009).

- ❖ Further, interviewers often confused child witnesses with inconsistent labels for distinct events and shifted between occurrences during the interview (Guadagno & Powell, 2009).

- ❖ Open-ended questions encourage elaborate responses without dictating what specific information is required (Snow et al., 2009).

- ❖ Numerous researchers consistently found that open-ended questions and free-recall were the more effective techniques at eliciting story-grammar details when compared to specific questions (Feltis et al., 2010; Kyriakidou et al., 2014; Snow et al., 2009).

- ❖ The superiority of open-ended questions was consistently found even across children of different age groups (Feltis et al., 2010).

- ❖ But older children recalled significantly more story-grammar details (Snow et al., 2009).

Median Number of Story-grammar Elements elicited by Question Type (Snow et al., 2009)
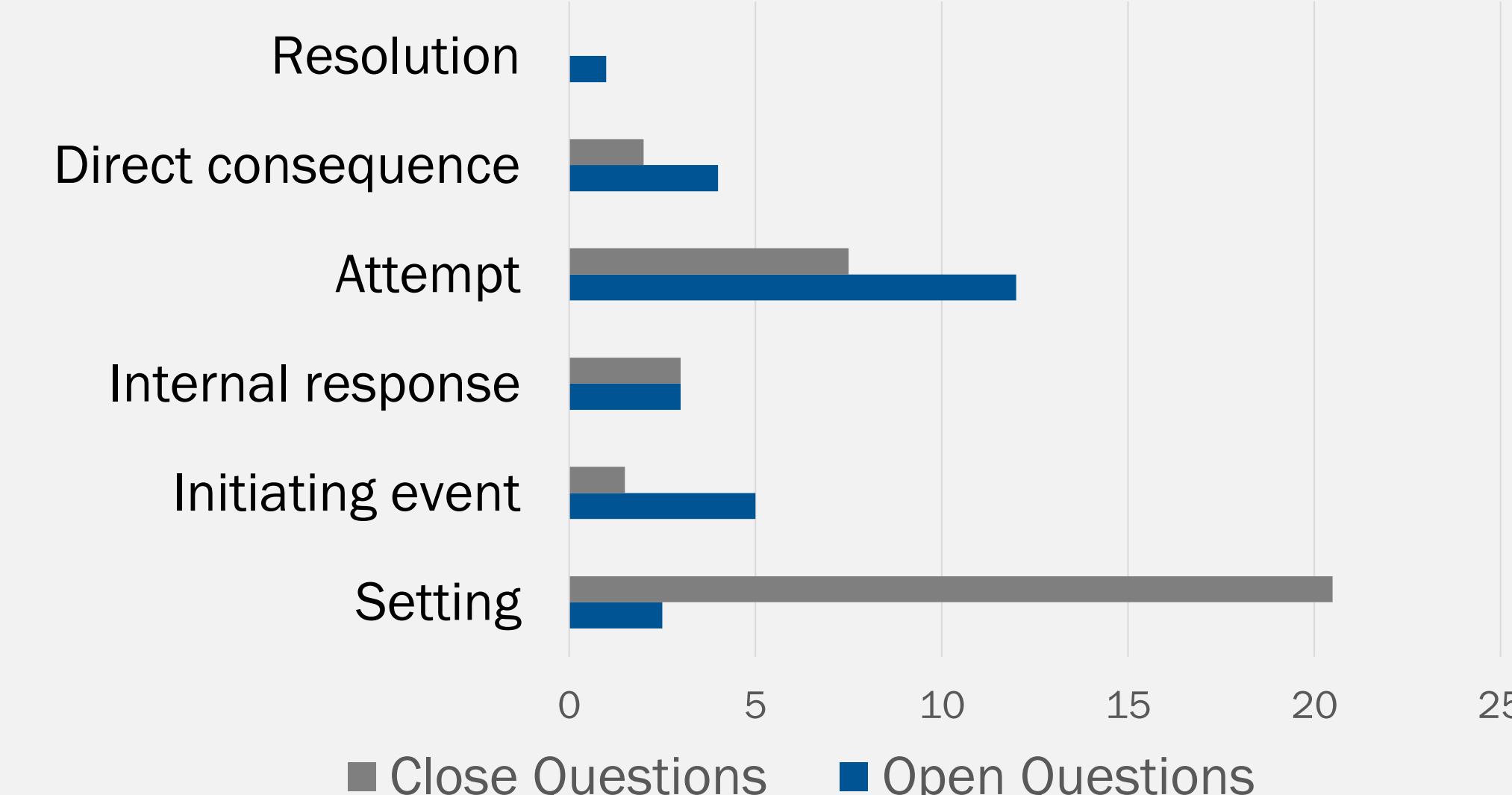
- ❖ Finally, child witnesses' repeated experience with an event (e.g., a crime) was associated with greater story-grammar elements when compared to a single occurrence (Feltis et al., 2011).

RECOMMENDATIONS

- ❖ Given the influence of story-grammar elements on crime prosecutions, more research is needed on the association between these elements and accuracy of child reports of crime.

- ❖ If research shows that story-grammar elements are consistently associated with accurate testimony, researchers should continue to examine the effectiveness of various questioning techniques on eliciting grammar-story elements.

- ❖ Likewise, if these elements are consistently associated with accurate testimony, increased police training on and adoption of this technique in child witness interviews is recommended.

REFERENCES

Please email ymo@email.fielding.edu for complete list of references.