



## *Justice Systems from the Child's Perspective: Supporting Child Victims & Witnesses*

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## Workshop Agenda

- Profile of children's exposure to violence in the U.S.
- How children experience justice systems
- Goals of justice system education and support for kids
- Justice system support strategies
- Introduction to the Center's child witness support materials
- Facilitated discussion on implementation

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## Children's Exposure to Violence in the U.S.

- 1 in 9 girls and 1 in 53 boys experience sexual abuse or assault
- 1 in 15 children are exposed to IPV
- In 2019, 656,000 children were identified as victims of abuse and/or neglect
- 60% of teens are exposed to violence each year
  - In one study, 22% had witnessed a shooting
- Poly-victimization is very common
- In most cases, the perpetrator is known to the child

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## Effects of Exposure to Violence

- Traumatization, inc. PTSD
- Depression, suicidality, anxiety
- Problems in family & peer relationships
- Aggression, risk-taking
- Cognitive, developmental and academic difficulties
- Potential re-victimization
- Interaction with adult-oriented systems (i.e. child welfare, criminal legal)

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## Children's Experience with Justice Systems

- Influenced by adults' response
- Repeatedly telling adult strangers about traumatic, intimate experiences
- Confusion & misinformation
- Secondary consequences of disclosure
- Disruption of routines
- Forced to participate, feel unheard
- Lengthy delays feel like a lifetime!

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An illustration of a judge in a black robe and a young child in a blue dress standing in front of a plain background. The judge is looking down at the child, who is looking up at him.

## Goals of Justice System Education and Support

- 1) Reducing children's anxiety and re-traumatization
- 2) Improving the quality of children's testimony
- 3) Creating a more positive, empowering experience

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## Justice System Support Strategies

- Consultation with attorneys
- Crisis support
- Kid-friendly justice system education
- Anticipating and addressing emotional issues
- Teaching relaxation/coping skills
- Court preparation and accompaniment
- Processing outcomes

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## Should Children Testify?

- Must be determined case-by-case
- Pros - Can be empowering, chance for child to tell their story, standing up to perp & for self, may be unable to prosecute w/o child as witness
- Cons - May be re-traumatizing and distressing, repeated delays, relationship with defendant

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## Consultation with Attorneys

- Should this child testify?
  - Consider impact on child's symptoms and healing
  - Explore need for special accommodations
- Interviewing techniques
- Court preparation strategies
- Crisis support for kids before, during and after interviews

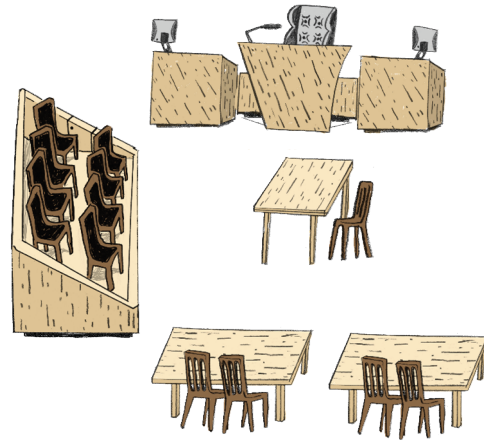
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## Kid-Friendly Education

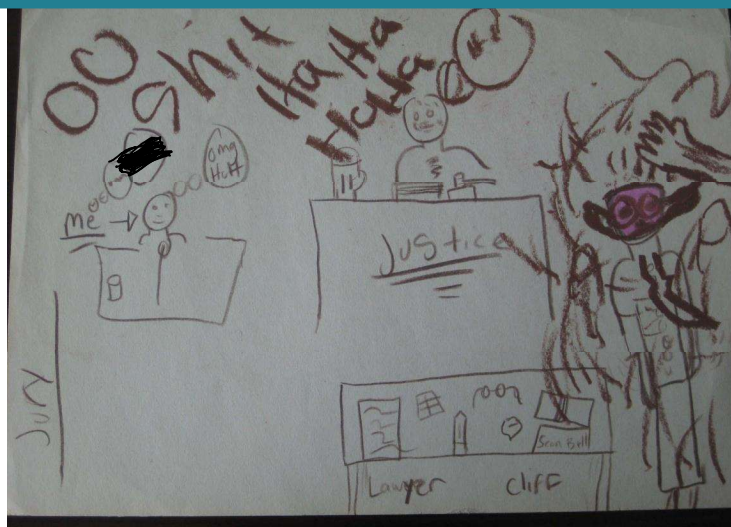
- Increased info → Sense of control & predictability → Decreased anxiety
- Watch your language!
- How does the system work?
  - Inc. role of a witness
- Visiting courtroom, meeting judge, sitting in witness chair
- Courtroom diagram exercise
- \*Don't discuss content of testimony\*



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## A Child's Perspective



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## Emotional Concerns

- Very case-specific - What will be most distressing or triggering?
- Healthy expression of strong emotions beforehand
- Processing relationship with and feelings toward defendant/respondent, and about the case
- Court Fears & Worries questionnaire
- Role/timing of trauma therapy

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## CFW Sample Items

I am worried about...

- Seeing def. in courtroom.
- Crying/being upset in courtroom.
- Being hurt by def. in courtroom.
- Having to describe what happened.
- Not understanding what I'm supposed to do in court.
- Def. lying in court & being believed.

(Adapted from List of Court Fears/Worries, London Family Court Clinic)

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## Relaxation & Coping Skills

- What does child already do?
- Visualization
- Comfort objects & people
- Self-talk → Is the thought accurate AND helpful? If not, create a replacement thought
- Breathing exercises
- Grounding
- Cultural/spiritual practices



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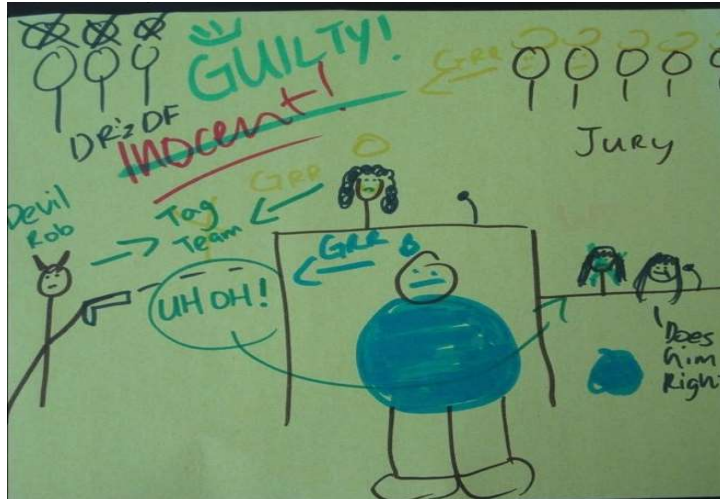
## A Child's Perspective



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## A Child's Perspective



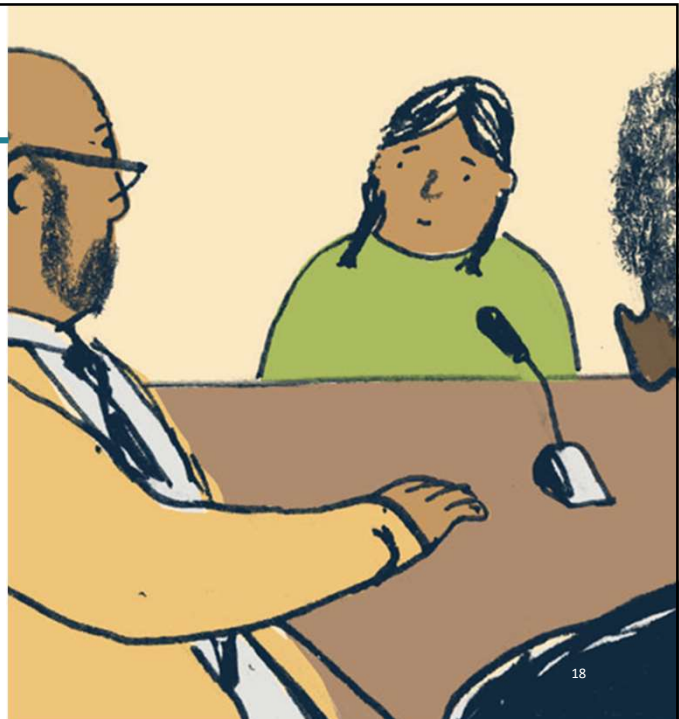
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## Court Accompaniment

- To Grand Jury, hearings, trial and/or Family Court
- Distracting activities for wait
- Reinforce coping skills
- Friendly face in the courtroom
- Support during breaks and breakdowns
- Assist with managing unwanted contact

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“Having you there was like looking out the window at a butterfly.”

9 y.o. girl who witnessed a DV homicide,  
on seeing her therapist in court

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## Post-Trial Support

- What does the case mean for child's healing process?
- Processing the court experience
- Affirming vs. disappointing outcomes
- Explaining pleas and verdicts
- Victim Impact Statements and sentencing hearings

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Child Witness Materials Development Project  
Funded by the Office for Victims of Crime

## Overview of Project

- Formation of Stakeholders Group
- Needs Assessment
- Developing Content and Style
- Pilot Testing
- Expert Review
- Access and Dissemination



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## Partners & Stakeholders

- Center for Urban Pedagogy
- Safe Horizon
- AEquitas: The Prosecutor's Resource on Violence Against Women
- National Children's Alliance
- National Children's Advocacy Center
- National Center for Victims of Crime
- Association of Prosecuting Attorneys: Child Abuse Prosecution Project
- Institute on Disabilities of Temple University

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## Partners & Stakeholders, cont.

- Casa de Esperanza
- Native American Children's Alliance
- New York Police Department
- Bureau of Indian Affairs Victim Services Department
- National Council of Juvenile and Family Court Judges
- Alliance for HOPE International
- Gundersen National Child Protection Center
- NY Society for the Prevention of Cruelty to Children
- National Child Traumatic Stress Network

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## Needs Assessment

- January – October 2017
- Reviewed 150+ publications & articles
- Analyzed existing child witness materials
- Conducted 61 interviews and 21 focus groups
- Conducted an online practitioner survey
- Compiled a report with findings and recommendations

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## Pilot Testing

- Draft materials pilot tested with children, adolescents, caregivers and practitioners
- June 2018 – April 2019
  - Northeast: New York (NYC)
  - West: California (Los Angeles), Oregon (Portland)
  - Southeast: Alabama (Huntsville)

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## Expert Peer Review

- Summer 2019
- 90% of respondents described the materials as either 'effective' or 'very effective'
- Reviewers included a children's book editor at Scholastic, a disability specialist, victim advocates, attorneys and other practitioners
- Most currently work directly with child victims and/or witnesses (71%) and 82% have over 15 years of experience

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## The Materials

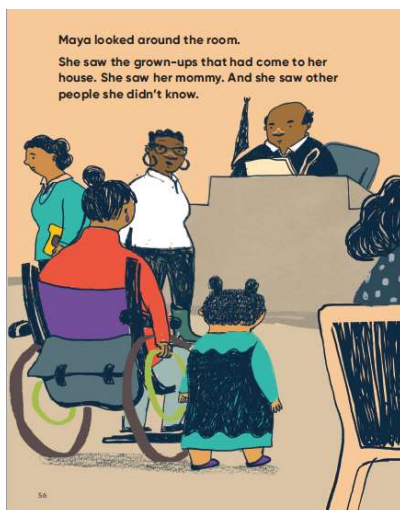
- Three age groups (2-6, 7-12, and 13-18)
- Separate materials: criminal justice and child welfare systems
- Narrative style, developmentally appropriate
- Trauma-informed and emotionally validating
- Topics covered:
  - Roles of practitioners
  - Rights of child victims and witnesses
  - System responses and processes
  - Healthy coping strategies



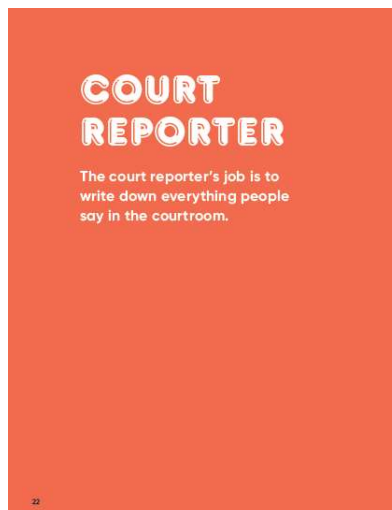
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## Ages 2-6



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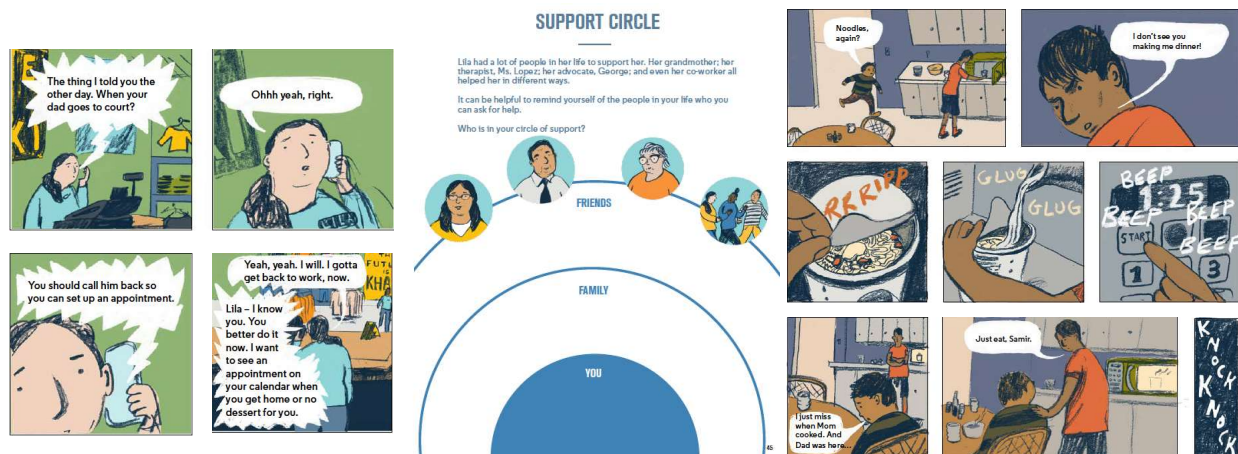
## Ages 7-12



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## Ages 13-18



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## Using the Materials

- Provide materials to children as early as possible
- Ensure that appropriate adult support is available
- Materials can be read through in one sitting or at different times
- Use the activities to help children learn coping skills
- Be mindful that some content may be distressing or triggering
- Ask questions to keep the child engaged with the content
- Adapt the materials for your local context

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## Using the Materials: Example, Brave Oscar (Ages 2-6)

One day Linda said, "Some of the grown-ups think maybe your daddy did something wrong."

"The other grown-ups will try to understand what happened with your daddy, and what should happen next," she said. "It can take a long time."




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## Using the Materials: Example, Brave Oscar (Ages 2-6)

Oscar was confused.  
Linda told him, "It's okay to ask questions."  
"Is my daddy coming home?" he asked.





"We don't know yet," she said. "He might have to stay somewhere else for a while. Or he might be able to come home."  
She asked Oscar, "How does that make you feel?"  
Oscar said, "It makes my tummy hurt."

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## Using the Materials: Example, Brave Oscar (Ages 2-6)

"Sometimes my tummy hurts when I get scared or worried," Linda said.  
"When that happens, there's something I do that helps me feel better. Do you want to try it?"




**ACTIVITY.**  
Do you ever get scared or worried?  
You can try what Linda showed Oscar.

**1.**  
Put your hands on your tummy.



**2.**  
Take one deep breath in, counting 1 - 2 - 3. Feel your tummy go up when you breathe in.



**3.**  
Then breathe out, counting 1 - 2 - 3. Feel your tummy go down.



**4.**  
Take another deep breath in, counting 1 - 2 - 3. Then breathe out, counting 1 - 2 - 3.



**5.**  
Take a third deep breath in, counting 1 - 2 - 3. Then breathe out, counting 1 - 2 - 3.



**That helped Oscar feel better.  
How do you feel after trying it?**

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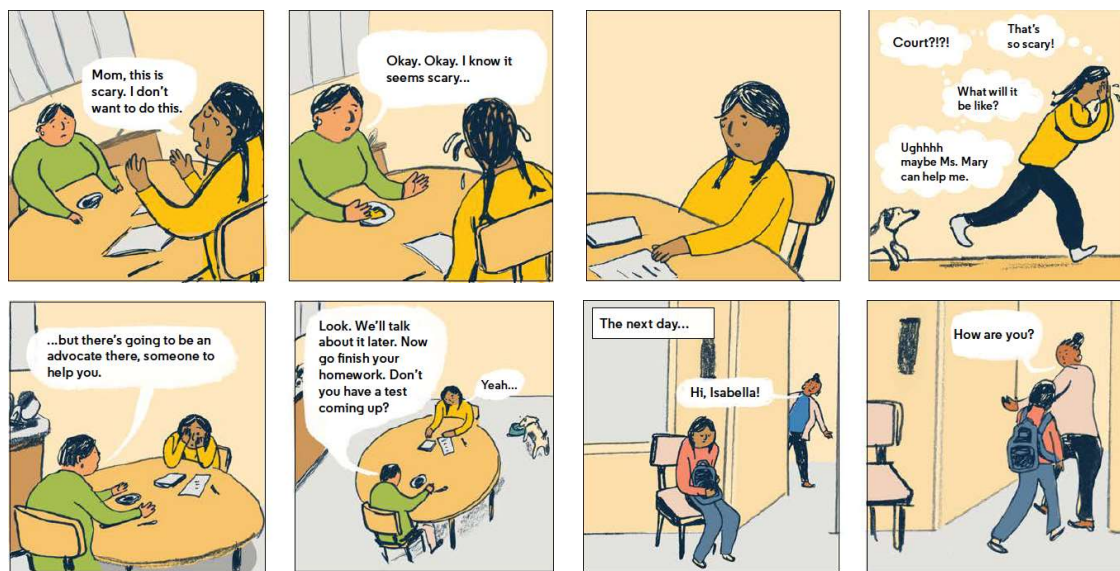
## Using the Materials: Example, I Am Isabella (Ages 7-12)



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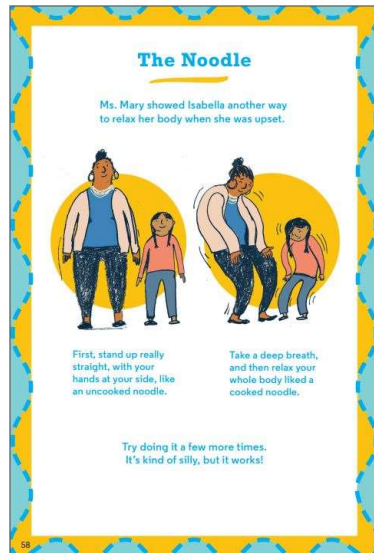
## Using the Materials: Example, I Am Isabella (Ages 7-12)



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## Using the Materials: Example, I Am Isabella (Ages 7-12)



### The Noodle

Ms. Mary showed Isabella another way to relax her body when she was upset.



Try doing it a few more times.  
It's kind of silly, but it works!

First, stand up really straight, with your hands at your side, like an uncooked noodle.

Take a deep breath, and then relax your whole body like a cooked noodle.

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## Using the Materials: Example, Lila's Story (Ages 13-18)



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## Using the Materials: Example, Lila's Story (Ages 13-18)



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## Using the Materials: Example, Lila's Story (Ages 13-18)

### WHAT'S GOING ON?

Lila had to leave her home and stay with her grandmother during her case.

If the caseworkers think a kid is not safe, then the kid has to stay somewhere else until it's safe to be at home again. This might be called a "removal."

Lila got to stay with her grandma. Other kids might stay with a family member, a friend of the family, or in foster care with another family, depending on their situation.

How would you feel if you were in Lila's place?

What do you think would be helpful for Lila? What would be helpful for you?

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## Next Steps: Publication

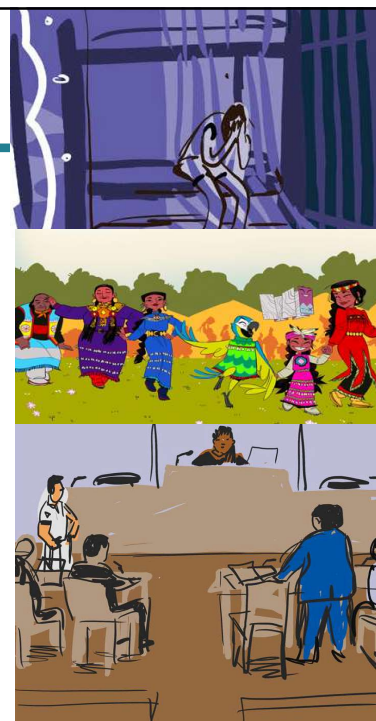
- Translations in Spanish, Chinese (simplified), Vietnamese, Arabic & Haitian Creole
- Publication by OVC
- Materials available for free online
- Available in multiple download formats
- Accompanying guides for practitioners and caregivers

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## Next Steps: Specialized Materials

- Target audiences:
  - Children who have experienced trafficking
  - American Indian/Alaska Native children and families
  - Practitioners who work with child victims & witnesses
- Projected publication: Fall 2021



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### Discussion Questions:

Which of these justice system support strategies could be implemented in your community? How might your LSC initiative support these efforts?

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## Questions? Thank you!



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Name: \_\_\_\_\_

Date: \_\_\_\_\_

### Court Fears & Worries

You may be asked to go to court to talk about what happened to you or what you saw or heard. This survey asks about different fears and worries that kids sometimes have about going to court. There are no right or wrong answers—we just want to know what you are thinking and feeling.

I am worried about...

	<u>No</u>	<u>A Little</u>	<u>A Lot</u>
1. Seeing _____ in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Crying or being upset in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Being in the witness box	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Being sent to jail myself	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Being hurt by _____ in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Being hurt by _____ outside the court building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Not understanding the questions I'm asked in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. People not believing me	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Having to describe what happened	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Forgetting exactly what happened	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Being asked questions by _____'s lawyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Seeing _____'s friends and family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. _____ going to jail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. _____ being found not guilty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Having people I know come to court to listen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Not having anyone I know come to court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I am worried about.....

	<u>No</u>	<u>A Little</u>	<u>A Lot</u>
17. Not understanding what I'm supposed to do in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Having someone yell at me in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Feeling sick in the courtroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. _____ lying in court and being believed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Having strangers come to court to listen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Having my name in the newspaper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Having my friends find out	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. _____ hurting me or coming after me when court is over	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. _____ hurting or coming after my family when court is over	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26. My family breaking up because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. Being taken away from _____ because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. My mom being mad at me because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. My dad being mad at me because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. My brother or sister being mad at me because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. _____ being mad at me because of what I said in court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Other fears or worries I have: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>