Guidelines for Conducting a Victim-Sensitive Interview

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Guidelines for Conducting a Victim-Sensitive Interview

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Victim sensitive interviews allow the adult investigator to gather vital facts from a child. Within these interviews, the investigator is provided with an opportunity to elicit responses from the child regarding allegations that have taken place. These allegations often have many origins and may involve sexual impropriety, abuse, taunting, and torture of a physical nature, verbal nature, or both. The purpose of this article is to provide standardized guidelines that can assist individuals from various occupational fields in conducting victim sensitive interviews. The standardized guidelines provided offer an assemblage of general principles that have consistently appeared within literature as well as in manuals provided by various jurisdictions. These guidelines refer to a practice of conduct that is recommended; however, variance with implementation is allowed. It is assumed that the reader brings a level of clinical experience to the material provided in this article.

KEYWORDS child abuse, child and adolescent informational interview, child clinical interview, clinical forensic interview,
The victim sensitive interview is an adult fact-finding encounter with a child. The purpose of this encounter is to provide the adult investigator with an opportunity to elicit responses from the child that will illuminate and clarify whether prior allegations of inappropriate behavior with the child had taken place. These allegations have many origins. There are times when the allegations are put forth by the child himself or herself, a parent or guardian, adult or child, a sibling or friend of the child, family member, or family friend, a teacher, or a stranger. Ironically, the alleged perpetrators of the inappropriate behavior generally constitutes the same list just mentioned. The nature of these allegations may involve sexual impropriety, abuse, taunting, or torture of a physical or verbal nature or both.

These allegations are brought to light in many ways. As many individuals, such as teachers, mental health professionals, and medical health professionals, to name a few, are mandated reporters in many states, counties, and municipalities, these personnel are often the first to bring such concerns and allegations to the parents, guardians, or authorities. The agency of authority can be an administrative body such as the state’s or jurisdiction’s child protective services, a law enforcement agency, a criminal court, a civil court, such as if a divorce proceeding is pending, or other state, county, or municipal body. It is in the context of any of these agencies of authority’s attempt to do its due diligence, in the form of an investigation or court discovery, that the victim-sensitive interview becomes an important fact-finding procedure.

It is most common for the jurisdiction’s child protective services division to conduct these victim-sensitive interviews, but police officers are often the first responders. In many cases police officers are also the individuals assigned the responsibility of interviewing the child, which may be the only interview the child receives. Regardless of the professional identity of the individual entrusted with the interviewing responsibility, it is important for all to follow prescribed guidelines to ensure uniformity in the manner in which information is obtained from the alleged victim. The importance of uniformity is that it increases the likelihood that the examiner’s method will allow for the same objective and scientifically controlled approach so as to decrease the influence of subjective variables on the observed behavior of the subject. According to Faller (2006), “because interviewing children about possible sexual abuse may not be the subject of professional training, these protocols provide much needed guidance even for trained professionals” (p. 81).

Problems arise in determining the veracity of the statements of the alleged victim when examiners approach the interview in a scientifically uncontrolled manner and ask different questions in dissimilar ways. While the following guidelines do not admittedly put forth a precisely scientific
protocol, they do provide a rational basis for conducting this unique type of interview. Guidelines such as those proposed in this article are particularly necessary for professionals who conduct the majority of interviews with children surrounding sexual abuse allegations (Faller, 2006). Since the objective of the interview is to gather information to allow the examiner to arrive at a reliable and valid conclusion, it is necessary to follow a consistent set of principles to better ensure the reliability and validity of the results.

This article provides guidelines for the victim-sensitive interview. The word “guidelines” was specifically chosen for the purposes of this article because guidelines specifically refer to a practice of conduct that is recommended but allows for variation in its execution. It is not strict set of rules that must be followed in a lockstep fashion. It takes into account the reality that individuals possess their own idiosyncratic interviewing styles and allows each interviewer freedom to capitalize on their own unique approaches to moment-to-moment interactions. These guidelines also allow for flexibility when interviewing children from backgrounds that differ from the interviewer. However the guidelines serve to reduce variation in practice that may lead to inappropriate or improper procedure or technique. The purpose in presenting guidelines for practice is to promote a universally accepted and rational basis for conduct in a particularly critical procedure in which there is important information to be gained or lost. When guidelines are followed it allows for a more efficient use of personnel resources as well as promotion of quality control. It sets forth, for the interviewer, principles that provide direction to action and behavior. If properly followed, the guidelines ensure a higher probability that the information obtained by the interviewer is relevant and accurate and more valuable in answering the referral question.

Another important reason to follow guidelines in conducting a victim-sensitive interview is that it better serves to be the subject of peer review when questions or conflicts around the findings arise. Many of the matters associated with the allegations that create the need for this procedure wind up in a setting where judgment is rendered. When professionals are held to a particular standard, it facilitates a more accurate assessment of the findings based on how they were obtained. It allows the peer reviewer to make determinations as to whether the findings are clinically important and to generally determine the practical value and reasonable application of the information acquired. The guidelines also direct the interviewer or evaluator to determine how evidence can be selected and combined in an attempt to draw a more accurate conclusion. The guidelines provide an explicit and sensible process to deal in the moment with uncertainty that may be associated with the information being provided by the alleged victim. Following procedure creates a reasonable expectation of consistency.

The guidelines are implemented in order to achieve results that are both reliable and valid. Reliability establishes a reasonable degree of confidence that
if the interview were to be conducted by another examiner according to the same set of guidelines that the result would be the same, or very close to it. In order to achieve this, it is necessary that there be uniformity in the philosophy, method, and technique in which, in this case, the victim-sensitive interview is carried out. Though interviewers’ styles will vary, the basic principles that govern the manner in which the interview is conducted must be consistent in order to produce reliable results. It is essential that the ultimate arbiter or decision-maker feel confident that the result of the interview is not an artifact of the specific person conducting the interview but that the information derived would have been gleaned by another interviewer conducting the procedure according to the same set of guidelines. In other words, there must be confidence the interview was conducted in a reliable fashion.

Another important reason to follow specific guidelines when conducting a victim-sensitive interview is for the purpose of establishing validity. When a procedure is valid it ensures that the information obtained is relevant to and addresses the referral question. In this case, as the issue under discussion is the victim-sensitive interview, the question is whether the procedure is accurately assessing the allegation.

The victim-sensitive interview set of guidelines that follow is presented in a manner that incorporates common principles that appear in the literature as well as recommendations made by the authors based on actual in vivo experience. There are manuals (typically produced by a state or municipality) that have been published to help direct individuals through the victim-sensitive interview. It is the consensus of the authors that the manuals tend to be generally repetitive in their writing style, excessive in the providing of examples of actual phrases to be used in recitation, and written to a lower educational level. While we understand and value their utility, our intent has been to condense and consolidate the prevailing principles of a victim-sensitive interview that conform to well-established clinical and forensic practice for use by professionals and academic experts who are more likely to be called to testify in child-sensitive matters. The information that follows is intended to serve as a measure of good practice when conducting a victim-sensitive interview for those in the position of conducting one or opining about the reliability and the validity of one that has already taken place.

DEVELOPMENTAL CONSIDERATIONS DURING A VICTIM-SENSITIVE INTERVIEW

As victim-sensitive interviews are utilized to ascertain the nature of a child’s claim of physical and/or sexual abuse, it is imperative to conduct the interview in a developmentally appropriate fashion. According to Lamb,
Sternberg, and Epslin (1998), there are five factors that affect a child’s capacity to provide witness testimony. First, children are often uncomfortable and quiet around adults with whom they are unfamiliar. Second, while children may be used to adults asking them multiple questions (e.g., what color is this? What does a cow say?), they are often not treated as valuable sources of information. Thus, children often do not know how to respond to open-ended questions to which there is no known answer by the adult. The third condition is the fact children have poorer linguistic skills than adults; children have confined vocabularies, may use words in a distinctive fashion, and speak using shortened sentences. Therefore, detail may be lacking from their storytelling the first time around. Fourth, children also have shorter memory and attention spans than adults, so it is important to be patient with the child during the interview. Due to this, children should be interviewed as soon as possible after the alleged abuse has occurred. Finally, children, especially preschool aged children, are significantly more suggestible than adult witnesses, therefore the manner in which the child is questioned should not appear coercive or pressured (Lamb et al., 1998).

INTERVIEWING STYLE OF THE VICTIM-SENSITIVE INTERVIEW

One way to assure that the interview remains developmentally appropriate is to allow the child to offer up spontaneous information, as desired. Sternberg, Lamb, Davies, and Wescott (2001), found that there are 10 types of “utterances” forensic interviewers often utilize during interviews with children. Three of these utterances attempt to focus the child’s attention and suggest a desired response. These invitations presented to the child to discuss the events often lead to less detailed accounts (Sternberg et al., 2001). It has been demonstrated that using open-ended prompts and invitations to discuss specific life events in detail have produced significantly more responses from a child than using closed ended questions (Lamb et al., 1998). While children may not be used to this style of questioning at first, allowing the child to offer up this information spontaneously and in his or her own time tends to allow for more detailed descriptions of the events in question as well as longer responses.

During the interview, the child should be permitted to select the verbiage and content of the conversation, with the interviewer following suit in order to reinforce the developmentally appropriate goal of the forensic interview. As with working with children and adolescent clients in a non-forensic clinical setting, it is an excellent tool for the interviewer to utilize the client’s language when discussing sensitive topics (e.g., using their own words when restating a sentence for clarification). However, there are several points that the interviewer should keep in mind during the interview.
First, children have poorer linguistic skills than adults, thus, it is important for the interviewer to assess the child’s linguistic ability prior to the interview. It may help to observe the child interacting with familiar adults (e.g., parents or caregivers) in order to assess his or her developmental capabilities as a witness (Lamb et al., 1998). In addition, the interviewer can glean several pieces of information from observing these interactions, including the child’s developmental state as well as how to tell if rapport has been established with the child (Lamb et al., 1998).

Due to the fact that children often expect that they must answer an adult’s questions, the interviewer should reinforce during the pre-interview and rapport-building steps of the interview that answers such as “I don’t know” or “I’m not sure” are acceptable (Lamb et al., 1998). The interviewer should always be tolerant of pauses and silences during the interview, especially with young children, as they are neither used to nor able to maintain conversations for long periods of time until late childhood.

Interviewers should avoid offering children possible answers from which to choose, as it increases the likelihood of an inaccurate response due to suggestibility. When working with young children (e.g., preschool through elementary school age), it is crucial that the interviewer try to make the interview as objective as possible by assessing the specific realities of the allegation. The interviewer should not use words that suggest fantasy or play, such as “imagine” or “pretend” during the victim-sensitive interview because it may elicit a response from the child that is not entirely factual. The interviewer’s task during the interview should be to keep the child focused on the realities of the allegation rather than the fantasies of the allegation. In addition, young children are more likely than older children to respond erroneously to suggestive questions about their experiences and to select erroneous options when responding to forced-choice questions (Lamb, Hershkowitz, Orbach, & Esplin, 2008).

When clarifying the events with the child, it is important to refrain from asking the child why he or she behaved a particular way. Doing so may convey judgment on the part of the interviewer and may make the child feel ashamed or guilty. This may lead the child to alter his or her statement so as to please the authority figures present in the room.

PERSONAL SPACE AND ATMOSPHERE

Respect of the child’s personal space by maintaining appropriate distance and asking if the child feels comfortable with the spacing between the interviewer and himself or herself is imperative when establishing rapport throughout the interview process. Interviewers are advised to sit down with the child rather than stand over him or her (Hunter, Crewe, & Jamie, 2001).
Interviewers should sit in a relaxed manner, turned toward the child (Hunter et al., 2001). If sitting down is inappropriate in the situation, the interviewer should stand close enough to the child to express concern yet remain far back enough to avoid appearing threatening (Hunter et al., 2001). In general, when standing near the child, the interviewer is best advised to retain an informal demeanor to make the child feel as comfortable as possible (Hunter et al., 2001). As with adult clients, maintain appropriate eye-contact, but do not stare at the child. This is particularly important during moments of silence throughout the interview. Interviewers should avoid peering, staring, or glaring but rather utilize open and comfortable eye contact to communicate that they are present in a strong yet relatively stable manner (Hunter et al., 2001). Interviewers should use fluid movements and speech style, thereby expressing patience, friendliness, and support (Hunter et al., 2001). Interviewers must ensure that their voice remains calm and reassuring throughout the interview (Hunter et al., 2001). Many psychologists avoid touching their clients during therapy, regardless of the content of the clinical hour, but it is especially important that the interviewer avoid touching the child, particularly in an attempt to console them when upset, during a victim-sensitive interview. Many victims of sexual abuse may be reminded of their trauma when touched. This can elicit trauma-related symptoms, such as flashbacks, panic attacks, feelings of being unsafe, etc.

REINFORCEMENT DURING THE INTERVIEW

During the interview, bathroom breaks or drinks/snacks should never be utilized as reinforcements for cooperating during the interview. This pattern of reinforcement establishes a power dynamic between the child and interviewer that is based on the offering up of detailed information regarding the child’s allegations. The interviewer’s goal is for the child to freely offer up information; therefore, in order to remain genuine and objective, the interviewer should never make promises or give gifts to the child. Interviewers should strive to provide the child with small comforts such as a beverage or tissues if necessary (Hunter et al., 2001). The interviewer may offer the child encouragements, but praise should not be based on the child talking about the allegations. For example, praise could be given to the child for spending a half hour with the interviewer and staying focused with them before needing a bathroom break. An interviewer could say, “I know it can be hard to sit still for a long time and you did a great job sitting with me today.”
ESTABLISHING THE FRAMEWORK OF THE VICTIM-SENSITIVE INTERVIEW

Prior to conducting the interview, the interviewer should collect relevant background information when the child is of preschool age, when the alleged sexual abuse is based on ambiguous details, and/or when confounding information may alter the investigation. In addition, interviewers may want to gather specific information about the child’s life and situation before conducting the interview, particularly if the child’s cultural background differs from the interviewer. According to Faller (2006), doing so maximizes the likelihood of culturally sensitive interviewing and increases the interviewer’s accuracy in understanding disclosures the child may make related to abuse. This background information can also prevent the interviewer from interpreting benign events as being abusive in nature (Faller, 2006).

The interview should be scheduled around meal and nap times depending on the child’s age and level of development so that the child can be fully alert and responsive. It should be noted that younger children tend to remember less information and to provide more brief accounts of their experiences than older children (Lamb et al., 2008). Despite the fact that younger children tend to remember less information and provide more brief accounts, the reports of young children are no less accurate (Lamb et al., 2008). Lamb and colleagues (2008) found that children as young as 4 years of age can provide substantial amounts of forensically sound information about alleged abuse in response to open-ended prompts.

It is important for the interviewer to speak informally to the child in order to establish trust and to build rapport. The interviewer should explain his or her role within the context of the interview process, including describing his or her occupation, informing the child that he or she will be video or audio recorded if equipment is present, and assessing the child’s cognitive skills and developmental level. Within the forensic context, interviewers must be sensitive to the child’s perceptions of their knowledge and status (Lamb et al., 2008). To facilitate comprehensive and accurate reporting by children, the interviewer should emphasize that he or she does not know what the child experienced and that it is imperative for the child to tell the interviewer as much as he or she knows (Lamb et al., 2008). Research has shown that it is often possible to obtain valuable information from children, but doing so requires careful investigative procedures as well as a realistic awareness of their capacities and tendencies (Lamb et al., 2008). Accounts elicited using open-ended questions that tap recall memory rather than recognition memory are typically more accurate, regardless of the child’s age (Lamb et al., 2008).

It is crucial for the interviewer to stress that the ultimate goal of the interview is for the child to speak and answer questions. The interviewer should encourage the child to respond to every question accurately, to correct
the interviewer at any time if necessary, and to ask the interviewer if he or she does not understand something that the interviewer has asked and/or stated. Interviewers should both allow and promote the child to answer questions and describe details of the case in his or her own words. The interviewer should act as more of a listener than a questioner (Hyden, 2008). An ideal interviewer is an individual who is equipped with the essential skills to assist the child in his or her efforts to narrate (Hyden, 2008). The interviewer may redirect a child and remind the child of the ground rules set in place during the interview. However, the interviewer should avoid rectifying a child’s behavior for no apparent reason and avoid appearing punitive, as this may inhibit the child from disclosing information to the interviewer.

After building adequate rapport with the child, it is vital that the interviewer discuss the meaning of a truth versus a lie with the child. After discussing the differences between truths and lies, the interviewer should be certain that the child understands the distinction by directly asking the child if he or she comprehends the meaning and difference between truths versus lies. In many jurisdictions, law enforcement agencies have requested the inclusion of several questions designed to establish that children understand the difference between true and false statements (Lamb et al., 2008). Children should then be prompted to describe a recently experienced neutral event in detail (Lamb et al., 2008). This training is designed to familiarize children with the open-ended investigative strategies and techniques often used in the substantive phase while demonstrating the specific level of detail that is expected of them (Lamb et al., 2008).

It is not advised for the interviewer to imply or propose any feelings that the child may have. In addition, it is not advised to prompt any answers or responses from the child. Interviewers are advised to utilize developmentally sensitive language, such as through the use of proper nouns, single-idea sentences, and, in some cases, the avoidance of technical terms (Lewin, 1995). Depending on the child’s developmental level, it is not advised to interrupt the child while he or she is speaking if the child begins to provide details without being prompted by the interviewer. In cases such as these, the interviewer should be patient and allow the child to free associate and finish his or her thought prior to interrupting the child. In addition, the interviewer should always be tolerant of pauses and silences during the interview. The interviewer should address, and not overlook, any troubling feelings that might be apparent within the child throughout the interview. When treated in an empathic and supportive manner, victims tend to be cooperative, recall more information, and reap psychological benefits (Meyers, 2002). Interviewers should be matter of fact and acknowledge any discomfort the child may be experiencing (Lewin, 1995). The interviewer should keep in mind that while comments to the child can be helpful and sympathetic in nature, they should not be dependent on the child discussing certain topics.
GENERAL GUIDELINES REGARDING THE VICTIM-SENSITIVE
INTERVIEW SETTING

Children are often better able to build rapport with one interviewer present in the room. However, having more than one interviewer present may decrease the need to bring the child back for additional interviews. If multiple interviewers are required, it is advised to have one interviewer serve as the primary interviewer and the second interviewer serve as a note taker while ensuring that he or she is out of the child’s field of vision so that the child does not feel intimidated by the process. Studies have shown that interdisciplinary evaluations of alleged sexual abuse in children not only decreased the number of interviews a child must undergo but also increased the number of potentially likely cases, identification of the perpetrator, and charges being pressed (Jaudes & Martone, 1992). Therefore, it is strongly recommended that interdisciplinary teams be formed to assess alleged sexual abuse in children (Jaudes & Martone, 1992). When multiple interviewers are present, neither the case nor any information pertaining to the material that will be asked within the interview should be conversed about in front of the child.

In some cases, having a support person present can help a child provide better and more accurate information during a police interview (Hunter et al., 2001). In other cases, parents, guardians, and/or relatives should not be present in the room where the interview is being conducted as the child might feel the need to hold back when providing details about the case. The inclusion of a friend or family member will hinder the interview if the child feels apprehensive about disclosing certain details about the event or events (Hunter et al., 2001). Support persons should be excluded from the interview if they are likely to become disruptive, such as wanting to tell the interviewer what happened rather than having the child do so (Hunter et al., 2001). With regard to children who do not speak in the interviewer’s primary language, a professional interpreter should be used during the interview. However, family members and people close to the family cannot serve as unbiased and accurate interpreters, and the interpreter being used must be familiar with issues of sexual abuse and translate the interviewer’s question so that they are communicated accurately to the child (Faller, 2006). It is advised that the interpreter being used be familiar with the child’s culture so as not to misinterpret words or phrases with distinct colloquial meanings. For example, if a child is a Colombian native, it is advised that the Spanish interpreter be Columbian themselves or be very familiar with Colombian culture.

It is important for the interviewer to choose a setting for the interview that is both calming and is a setting where the child will be free from distractions and interruptions. In order to ensure that a child will be free
from distractions, the interviewer should make certain that the interview setting is neat, has minimal furniture, and does not contain any distracting materials that will divert the child’s attention from the interview questions. Interviewers should not wear uniforms or have any weapons visible during the interview. A child might make inconsistent or untrue statements due to the fact that he or she is uncomfortable in the situation with the interviewer (Hunter et al., 2001). Even in cases where an interviewer responds competently and compassionately, if an interviewer is wearing either a uniform or a gun, the situation inevitably adds to the child’s trauma by demanding that they tell a stranger who may appear intimidating about the details of an upsetting event (Hunter et al., 2001).

When video- or audiotaping victim-sensitive interviews, all individuals present within the room should be identified at the beginning of the interview and should remain both visible (in a video recording) and heard throughout the video and/or audio recording. The primary advantage of taping a victim-sensitive interview is that it provides a reliable method of documentation and can therefore reduce the number of interviews needed (Hunter et al., 2001). In addition, taping can also record more details than those summarized in a police report if one exists, which benefits the quality of information and reduces the likelihood of inconsistencies (Hunter et al., 2001). When a victim-sensitive interview is not being videotaped and/or audio recorded it is essential that the interviewer write down everything verbatim that the child says.

**DISCUSSION**

The purpose of this article is to provide standardized guidelines that can assist individuals conducting assessments of potentially victimized children at any stage of the criminal justice process. These guidelines are presented as specific recommendations for the best procedural practice. The guidelines have been presented to offer a compilation of general principles that have been determined by the authors to consistently appear in the literature as well as in manuals that have been created by various jurisdictions. It is common when searching the literature for information on conducting a child-victim-sensitive interview to find material that is often in the form of a manual. The authors assume that the reader brings some level of clinical experience and acumen to the aforementioned material and would not benefit from a step-by-step pedantic approach to the subject matter. It is the intention that the somewhat experienced clinician can utilize the principles provided in this article to offer a structured and uniform interview that can serve the necessary purpose of obtaining sensitive and vital information.
IN ADDITIONAL DIVERSITY FACTORS TO CONSIDER

In general, interviewers in child sexual abuse cases are predominantly middle class, Caucasian females and therefore are not nearly as diverse as the populations they serve (Child Welfare League of America, 2002). Thus, interviewers should make concerted efforts to become competent in interviewing, assessing, and working with children and families from backgrounds that differ from their own (Faller, 2006). It is understood by the authors that nondominant race/ethnicity, socioeconomic status, and religious or cultural backgrounds are not risk factors for abuse but that children from these nondominant groups may view abuse and disclosure in a different way than children from more privileged groups (Fontes, Cruz, & Tabachnick, 2001). According to the American Professional Society on the Abuse of Children (2002), interviewers may underestimate the degree of mistrust many low-income families and children have toward people in positions of authority, including child welfare professionals and police. The interviewer is advised to do everything possible to put the child at ease, including deemphasizing his or her position of authority and creating a relaxed atmosphere as described above.

As family structures continue to diversify from stereotypical heterosexual atomic families, it is important for the interviewer to phrase questions in a way that does not suggest the child comes from this type of family structure. Interviewers who ask questions in ways that assume the child lives within a particular family structure may unintentionally slight the child and their family or may lead the child to not disclose information based on the structure of the question. For example, by asking “What did your mom do?” to a child with two fathers or single father household, the child may not transpose the question to his or her own family situation. Thus, the interviewer may be less likely to obtain complete and accurate information during the interview (Faller, 2006). Interviewers need to ask questions in ways that acknowledge family structures including but not limited to single-parent families, reconstituted families, families in which grandparents or other extended family members are the primary caretakers, lesbian and gay families, informal adoptions, polyamorous families, etc. Gathering additional information regarding family structure prior to the interview is especially helpful to avoid these situations.

When children are of immigrant status or involved in nondominant cultural or religious practices that differ from an interviewer’s own belief system, consultation with experts from the child’s culture may be useful prior to the interview. With regard to this, some impediments to disclosure of abuse include varying definitions of the appropriateness of a given sexual activity, cultural practices that mimic maltreatment, different conventions for nonverbal communications, and the child’s reluctance to disclose sexual abuse and other experiences to an authority or a cultural outsider (Faller, 2006). Often, children
of immigrant status face additional pressures to avoid disclosing potential sexual abuse for fear of losing their ability to stay in this country. While sexual abuse laws in the United States are clear about what practices are illegal, understanding the cultural roots of such practices may help shape interventions for the well-being of the child.

REFERENCES


AUTHOR NOTES

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