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## Child Sexual Abuse and Assault in Chicago: The Rest of the Dismal Iceberg

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FEATURE: Child Sexual Abuse and Assault

# CHILD SEXUAL ABUSE AND ASSAULT IN CHICAGO: THE REST OF THE DISMAL ICEBERG

By Michael J. Howlett, Jr.

*“Chicago’s children who are victims of sexual abuse will receive professional, developmentally and culturally sensitive interventions from legal, medical, child protective and social service agencies.”*

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*Any opinions expressed are those of the author and do not necessarily reflect the opinions of the Office of the Cook County State’s Attorney, the Chicago Police Department or the Chicago Children’s Advocacy Center.*

This article is not about the myriad issues raised by the current national turmoil surrounding the violations of trust resulting from instances of sex abuse committed by Catholic clergy upon children and the often inadequate response by church leaders. Whether the lax response was due to mistakes of optimism and compassion or inevitable institutional blindness rather than personal venality will be debated for years to come and is beyond the scope of this article. Instead of focusing on the serious and vital tip of this iceberg, I choose to address my reacquaintance with the larger and equally dismal end that is often hidden from everyday consciousness.

Early in 2002, Richard A. Devine, State’s Attorney of Cook County, Illinois, assigned me the task of concentrating on the issues raised by the investigations and attention focused on the issue of sexual abuse by Catholic clergy in other parts of the country. Specifically, he wanted our office to revisit the issue as it relates to the Archdiocese of Chicago and to examine our relationship with church authorities regarding claims of clergy sexual abuse.

The following months were filled with the review of cases reaching back decades to identify whether all had been handled appropriately by church authorities with regard to the civil authorities either in law enforcement or child protection services. Our review established that the process in place since 1992 instituted by Joseph Cardinal Bernadin met all of the essential elements required for an appropriate relationship between church and public authorities. That is to say, the review indicated that all of the matters required to be reported by law and the working agreement with public authorities had been, in fact, reported. In essence, by designating a person to whom all allegations of clergy sexual abuse of children were referred, this person was by contract and job

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description required to conduct himself as a mandatory reporter.

This resulted in a call being placed to the Department of Children and Family Services ("DCFS") when the victim was currently a child. Then every time a claim was made by someone who was by now an adult and the church process resulted in the priest being withdrawn from ministry, the State's Attorney was notified. The process, though not eradicating the problem, did appear to function appropriately, resulting in the prosecution during the last decade of three priests of the archdiocese - here and in Wisconsin. Several other priests were withdrawn from ministry.

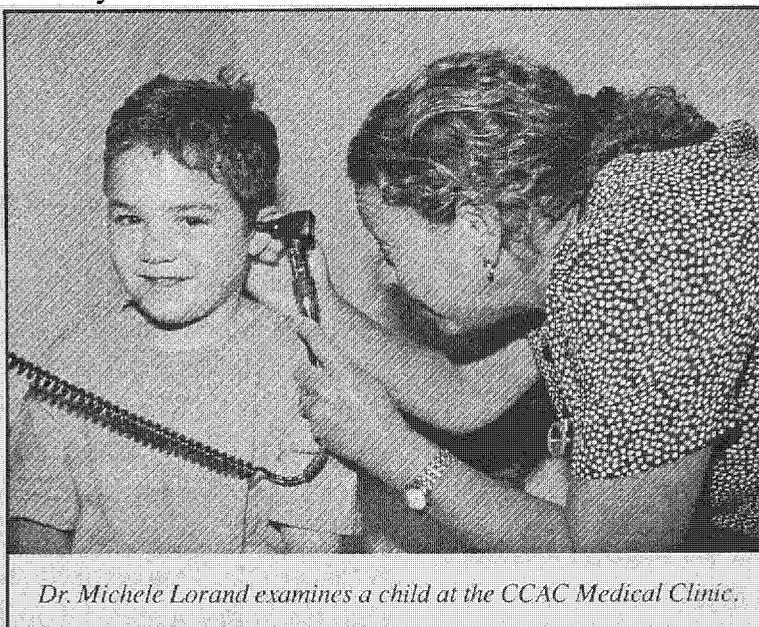
We are now engaged in the process of refining and improving the relationship and procedures so the community and the victims can be secure that civil authorities are receiving and responding aggressively to all claims of sexual abuse. Today, any claim that is made is brought to the attention of the State's Attorney and evaluated to determine whether any prosecutable case exists.

The issues that have merited so much attention relating to the violations of trust by some priests and church officials across the country serves as a reminder of the community-wide tragedy of child abuse in raw numbers that dwarf those involved in the clergy cases. The last decade and a half have seen several changes in the way that the criminal justice community responds to the allegations of child sexual abuse. The recent scandals serve the positive end of focusing attention on an issue that two years ago would have been an unthinkable topic of conversation. The experience of the Chicago Children's Advocacy Center ("CCAC") serves as an insight to these changes and offers perspective on the scope of child sexual abuse.

In 2000, a combined effort lead by Chicago Mayor Richard M. Daley, State's Attorney Devine and Chicago's Police Superintendent Terry Hillard, resulted

in the coalescing of support and resources for the CCAC dedicated to the protection of child victims of sexual abuse.

Sometimes lost in the policy discussions of the high profile church issues are the victims and the seriousness with which the law looks at child sexual abuse. The penalties imposed by the legislature are such that sentence upon a person over 17 for a first offense for a sexual conduct<sup>1</sup> (touching or fondling directly or through the clothes of sex organs, anus or breast of either the victim or the accused, or any part of the body of a child or any transfer or transmission of



*Dr. Michele Lorand examines a child at the CCAC Medical Clinic.*

semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of the sexual gratification or arousal of the victim or the accused) ranges up to seven years in prison. For a conviction involving sexual penetration involving a child up to 18 by a person holding a position of trust, authority or supervision in relation to the victim will result in a first offense punishment of mandatory imprisonment for four to 15 years. A second such offense can result in a punishment of up to 60 mandatory years in prison or natural life.

With punishment stakes this high that reflect the seriousness and horror with which these crimes are viewed by the community, the successful arrest, trial and conviction of the perpetrator is to a great extent, determined by the successful and useful participation of the victim. A challenge to the ultimate conviction of the defendant is the testimony of victims of all ages, and tender-age victims in particular because of the multi-faceted trauma they incur. It is to this challenge that the CCAC is directed.

## PAST SCENARIOS

**I**n past years the following scenario was all too common: The teacher of eight-year-old Terry

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notices changes in her student's usual happy outgoing manner. Terry is sullen and withdrawn acting out with the other children in a violent way - very much not the Terry she is used to. She takes Terry aside and softly inquires. With patience she learns that Terry is likely the victim of sexual abuse. She calls the authorities, in this case the local police. With the skills and sensitivity at their command they question Terry. Terry is then interviewed in turn by doctors, counselors, nurses, social workers, and perhaps a parent and then repeats interviews in case some detail was missed or misunderstood. Some, but certainly not all of these questioners, were trained in interviewing children. For some, the training was on the job with real victims.

Time and again Terry must retell the story to strangers reliving each detail of a story which holds nothing but shame, fear or embarrassment. This process takes a long time and life is interrupted in ways not anticipated by the parents or Terry. Concerned that Terry is being harmed by all of this interminable questioning, the parents stop bringing her to appointments. Who can blame them?

The various versions reported in Terry's file present investigators with the inevitable differences recorded in multiple memoranda by a diverse group of individuals with distinct professional imperatives. This resulted in a weakened criminal case and a discouraged family whose child has yet to be the focus of any real counseling or treatment. Perhaps most threatening is that there is an offender who has not been brought to justice.

Among those familiar with this history in the city of Chicago, the fate of Terry and her complaint was similar to about half of the victims who came forward. It was the fault of no one person or agency, but it was a situation that cried for a cure.

**THE CHICAGO CHILDREN'S ADVOCACY CENTER**

**I**nto this atmosphere the CCAC was introduced. After efforts by advocacy groups and public officials, the City of Chicago committed \$7.5 million and Cook County committed \$1 million. The CCAC was opened in August, 2001. The center is a colorful children-friendly 24,000 square foot building at 1240 South Damen. It is the headquarters for the fight against sexual crimes against children that sees in

one month the number of victims from the city of Chicago that it takes decades to accumulate from the victims of priests. The crime of the priest is devastating to the victims and the church but it is truly just the tip of a very dismal iceberg. The media and the community need to focus the same amount of energy on the injury to Chicago's other child victims as it does on the cases of clergy abuse that have been gaining the headlines and attention from the public.

After study and much input, the leadership team at the CCAC established a protocol response to Terry's experience. The team seeks to help make fact-based decisions about prosecution, aid in securing convictions in the cases designated for charging, reduce the likelihood of re-victimizing the child and their families and aid in seeing that victims receive the kind of physical or emotional care that they need.

The CCAC is the venue that brings together the sex abuse units of multi-disciplinary agencies - not a place to merely drop by or come to periodically; this is their official home. In terms of logistics and cooperation, the facility answers many of the criticisms of those who came into contact with the system and left frustrated with a sense of futility for their trouble and pain.

CCAC is a non-profit corporation making a home for:

- Special Investigation Unit including 30 sworn police investigators, three sergeants and the Commanding Lieutenant;
- 15 Assistant State's Attorneys from the Cook County State's Attorney's Child Advocacy and Protection Unit;
- Illinois Department of Children and Family Services Child Protection Services including 23 case workers and five health professionals from the Cook County Bureau of Health Services Division of Child Protective Services.

**THE CHILD VICTIM SENSITIVE INTERVIEWER (OR FORENSIC INTERVIEWER)**

**P**erhaps the most important change made possible by the CCAC is the major shift in the method of dealing with the child victims and their families. What had been multiple interviews which must have seemed interminable and sometimes

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unendurable to the victims, has been reduced to a single interview conducted by a specially trained child victim sensitive interviewer.

The preferred minimum qualifications for the victim sensitive interviewer, also known as the forensic interviewer, are:

- MA/MS in a field related to human development (psychology, social work, sociology, education, etc.);
- Membership in one or more appropriate professional organizations (National Association for Social Workers, American Professional Society on the Abuse of Children, Early Childhood Development Associations, etc.);
- Demonstrated experience with children (through post-graduate work or internships);
- Demonstrated knowledge of child abuse (through coursework, professional training, prior experience or post-graduate work);
- Commitment to on-going education and openness to supervisory feedback.

In addition, criminal and DCFS background checks are conducted on all forensic interviewers.

### CRIMINAL SEXUAL ASSAULT AND ABUSE IN CHICAGO

The touching or fondling for sexual gratification or sexual penetration is criminal sexual assault or sexual abuse. High rates of this crime against children, which knows no bounds of geography or socioeconomic status, are a particularly sad fact of life in Chicago. Nearly 3,000 cases of child sexual abuse are reported to authorities a year – or an average of seven children a day, 365 days a year. Experience in surveying all kinds of crime suggest that if these are the numbers that are reported, the actual incidence is much higher. For the children, the tragedy can include the loss of childhood security and their trust for adults – who are often related and respected by the children before the abuse began. Whatever their age, children can experience fear, shame, withdrawal, post-traumatic stress, negative changes in school participation and performance, powerlessness and suffer a certain negative impact on their lives and their view of the world – particularly if left untreated.

The CCAC acts from a simple compassionate vision: Chicago's children who are victims of sexual abuse will receive professional, developmentally and culturally sensitive interventions from legal, medical, child protective and social service agencies.

### FOCUS AREAS OF THE CCAC

The CCAC is the largest facility of its kind in the Midwest. To deal with the number of victims it faces requires creative thinking, innovative problem solving and commitment.

There are six areas of focus essential to the pursuit of the goals of the CCAC:

(1) Multi-Disciplinary Team Investigation: A team of professionals from five different agencies collaborates on each child's case. An investigator from the Special Investigations Unit of the Chicago Police Department, an Assistant State's Attorney trained and assigned to the task of evaluating the cases for civil or criminal prosecution, a child protection worker, a specially trained forensic interviewer, a child advocate and, when needed, the appropriate medical professional are all prepared to assist;

(2) Forensic interviews: A trained professional talks with the child about the abuse they have experienced, while the other team members watch from behind a one-way mirror. Before the interview, the various members of the CCAC sit and discuss the particular child and situation. The desire is to get one detailed complete and accurate statement of the events gained in a single interview with a single interviewer, but designed to meet the respective needs of the entire team. One planned and professionally conducted interview increases the likelihood that the system not only will more properly meet the needs of the child and their families but reduce the likelihood of discouraging their pursuit of the case and the pursuit of the health needs of the child;

(3) Medical exams: Where needed, medical exams are conducted on site in a child-sensitive manner to collect evidence and safeguard the child's mental and emotional health;

(4) Child Advocates and Supportive Services: CCAC advocates provide extensive support and follow-up services to the children and their families as needed for mental health, including referrals to

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services like domestic violence shelters and needed support during court appearances;

**(5) Cultural and ethnic diversity sensitivity:**

All members of the staff are trained to consider and respond to the needs of Chicago's diverse families. Multilingual services are routinely provided in Spanish and Polish and other languages as needed;

**(6) The CCAC conducts regular training for its staff to keep fresh their knowledge of the current state of the art in child advocacy and protection as well as to maintain at their highest level of the skill-sets of the various disciplines.**

In short, the team strives for:

- Immediate referrals for counseling and medical services;
- More arrests faster and the development of the best possible evidence to sustain charges;
- Help to ensure that children grow up in environments free from violence and crime.

In Illinois, most sexually abused children are Caucasian (56 percent statewide). In Chicago, however, the majority is children of color with 65 percent African-American and 24 percent Latinos.

Children are referred to the CCAC from calls to the Chicago Police (911) and the Illinois Child Abuse Hotline (800-25-ABUSE) (800-252-2837).

## **THE CCAC APPROACH TO DIFFERENT TYPES OF CASES**

**B**y order of Chicago Police Superintendent Hillard, all reports of sex crimes against children are immediately sent to the CCAC with the center to retain responsibility for:

- Allegations of sex crimes against children between the ages of 0-17 when the alleged offender is a family member;
- Allegations of sex crimes against children between ages of 0-12 when the alleged offender is not a family member.<sup>2</sup>

Every morning, new reports of sexual abuse against children come to the Center from the emergency and hotline operators. Whether there is help for the children, arrests made and whether the CCAC lives up to its ethos as the "best hope for the child" depends on what happens next. The multi-discipline team meets every morning at 8:30 a.m. to review the day's cases.

If a child is suspected to be in immediate danger, police are dispatched.

High priority cases subject to emergency response include:

- Where the alleged offender lives with the child, or is one of the child's caretakers;
- Where there are immediate risks to the child, including physical safety, and where family members might be pressuring the child to recant;
- Where the alleged offender is a flight risk;
- Where there is potential for other children to be hurt.

In other cases, the officers contact the parents to arrange a time to bring the child in for an interview. Some parents are initially reluctant, believing that the initial call is the beginning of an attempt to take away their child. In a typical case, the abuser is the boyfriend or husband of the mother, the victim an eight-year-old girl and the mother is often torn between wanting the best for her daughter and her significant other.

CCAC officials explain that the real goal is to protect the child against further crime and help the child recover from any crime that did happen. Because the abuse report triggers a criminal investigation, parents don't officially have a choice about whether to bring in their child. After some discussion with the parents, most voluntarily schedule a time to come in. To make it as easy as possible, the CCAC can provide transportation with its own van.

It is anticipated that by the end of CCAC's year about 1300 victim sensitive interviews will be conducted and about 440 felony indictments will be brought. Many of the other cases will be pursued in the juvenile justice system. Year in and year out these cases come forward through friends and family who have no obligation to report other than their sense of responsibility to children and their community. Together with these private heroes, Chicago's dedicated professionals are doing all they can to melt that dismal iceberg.

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<sup>1</sup> 720 ILCS 5/12-12

<sup>2</sup> All others go to detectives working out of area bases violent crime units.