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The Benefits of Socially Supportive Interviewing for Child Eyewitnesses

Bette L. Bottoms Ph.D.
Prof. of Psychology, University of Illinois at Chicago

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The Benefits of Socially Supportive Interviewing for Child Eyewitnesses

Bette L. Bottoms, Ph.D.[1]

Suspected child abuse victims must give reports to forensic investigators, such as police officers and social workers, and sometimes even to judges and jurors. This raises interesting questions about the accuracy and believability of children's reports, questions that can be answered with psychological research. Results of such research are, in turn, ripe for direct application to policies and laws.

How accurate is children's eyewitness testimony? Highly publicized claims that some reports of child abuse are false highlight the need to ensure that innocent adults are not being falsely accused of abuse. Unfortunately, the media have led most people to think that this is the only reason we should study children's testimony. False reports are a terrible miscarriage of justice, but so are undiscovered cases of actual child abuse. There are around three million reports of child maltreatment annually in the United States, but that only scratches the surface.[2] In an anonymous survey that my students and I conducted with women at the University of Illinois at Chicago, around 22 percent of child sexual abuse victims, 39 percent of physical abuse victims, and 21 percent of emotional abuse victims reported that they had never told anyone about their abuse. Of those who did tell someone, fewer than 10 percent disclosed to authorities.[3] So, much child abuse goes undisclosed and unreported, and that leaves children vulnerable to continuing abuse from unidentified perpetrators. Thus, we should not only study children's eyewitness testimony to learn what techniques will guard against false reports, but also to understand what techniques will help reluctant witnesses disclose actual abuse. Much research in psychology has addressed exactly these issues.[4]

One technique that helps children be more accurate eyewitnesses is socially supportive interviewing. Burleson and colleagues[5] have defined social support as a form of verbal or non-verbal interaction or communication that fosters a feeling of well-being in the target. There's good reason to be interested in the effect of social support on children's eyewitness reports, because forensic interviews and courtroom examination can be either socially supportive or intimidating. On the one hand, clinical intuition has long held that children should be interviewed in a warm, supportive manner rather than a more cold, intimidating way. On the other hand, defense attorneys and some courts claim that child-friendly interviewing will make children more willing to please an interviewer and therefore more suggestible. My colleagues, students and I have tested these competing predictions in four experiments.[6] In each study, we used a basic eyewitness testimony paradigm used in the now-large literature investigating children's eyewitness testimony. Specifically, children experienced a documented non-abusive event, and then were interviewed immediately or after a delay. After a non-cued free recall question ("Tell me everything you remember"), we asked detailed questions, some of which were highly misleading ("You took your shirt off, didn't you?"). Interviewers were either warm and supportive or non-supportive (cold) during interviewing, as dictated by clinical theory and research.

Recent studies show the positive effects of supportive interviewing for child witnesses including greater accuracy.

Taken as a whole, these studies revealed a number of interesting things about the effects of interviewer-provided social support. First, social support increases the eyewitness accuracy of children ranging in age from three to eight years.[7] Second, support increases accuracy in reports of both stressful and non-stressful events.[8] Third, social support increases children's accuracy if interviews are given immediately after the

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original event, as well as if interviews are given after delays, even a delay of an entire year.[9] The nature of the effect differs, however, as a function of delay. After delays, but less during immediate interviews, support improves free recall accuracy. Even after no delay, however, support reduces children's compliance and helps them resist misleading questions, thereby decreasing their suggestibility. Fourth, there are probably two separate psychological mechanisms for decreasing suggestibility and increasing free recall accuracy. That is, the memory-enhancing effects of social support are likely to be caused by social support increasing cognitive abilities, such as attentional focus, and the suggestibility-reducing effects of social support are probably caused by social support increasing children's "Resistance Efficacy," or their feelings of empowerment and confidence about contradicting an adult's misleading suggestions.[10] Fifth, some children appear to benefit more than others from interviewer-provided social support, namely those who are: (a) low in working memory capacity (i.e., generally less able to attend to tasks without being distracted), (b) low in social support from other people in his or her life and (c) insecurely attached (apprehensive and less trusting of others during social interactions).[11]

Finally, interviewer-provided social support (and the lack thereof) can also affect adults' *perceptions* of children's credibility.[12] This is of great practical concern in a forensic context. If a child makes a disclosure of abuse, adults must decide whether that disclosure is credible before any action will be taken to remove a child from harm or bring a perpetrator to justice. If the case goes to trial, attorneys, judges, and jurors will also make judgments about the child's credibility. On the one hand, adults might be skeptical of supportive interviewing, wrongly viewing such techniques as coercive, thinking: "If you are nice to children, they'll just say whatever they think you want to hear." On the other hand, adults might intuitively understand the integrity of supportive techniques, realizing that intimidation prompts more suggestibility and less accuracy. Which is it? Adults who watched videotaped interviews from my prior studies rated children interviewed in a non-supportive manner as being more accurate than children who were interviewed in a supportive manner, when, as described above, the reverse was true. So, even though socially supportive interviewing has positive effects on children's actual accuracy, it might disadvantage child witnesses in terms of their *perceived* credibility.

In conclusion, although there is more work to be done before we know all the answers, my and others' research reveals that supportive interviewing carries no apparent risks and is especially useful for children with characteristics such as high distractibility who might otherwise be disadvantaged in a forensic interview. Thus, it should be used widely by forensic interviewers. Additionally, our research also suggests that courts and jurors need to be informed of its positive effects.

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[1] Bette L. Bottoms, Ph.D., is Professor of Psychology at The University of Illinois at Chicago. She is a Fellow of the American Psychological Association ("APA") and Past President of the APA Division of Child, Youth, and Family Services and its Section on Child Maltreatment. Her research on the accuracy of children's eyewitness testimony and jurors' perceptions of children's testimony was recognized with the APA Saleem Shah Early Career Award for Contributions to Psychology and Law Research. She is also the recipient of six teaching and mentoring awards as well as the Rising Star Award from the Today's Chicago Woman Foundation in recognition of her career and community contributions. She has authored numerous scholarly articles and edited four books, including *Children, Social Science, and the Law* (Cambridge University Press) and *Ending Child Abuse: New Efforts in Prevention, Investigation and Treatment* (Haworth).

[2] D. Finkelhor & L.M. Jones, *Sexual abuse decline in the 1990's: Evidence for possible Causes*, United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (2004) (on file with author).

[3] Bette L. Bottoms, Aaron G. Rudnicki & Michael A. Epstein, *A Retrospective Study of Factors Affecting the Disclosure of Childhood Sexual and Physical Abuse,* in CHILD SEXUAL ABUSE: DISCLOSURE, DELAY & DENIAL (M.E. Pipe, M. Lamb, Y. Orbach, & A. C. Cedarborg, eds., Erlbaum, forthcoming 2006).

[4] MEMORY AND SUGGESTIBILITY IN THE FORENSIC INTERVIEW (Mitchell E. Eisen, Jodi A. Quas & Gail S. Goodman eds., Lawrence Erlbaum Assoc. 2002); ENDING CHILD ABUSE: NEW

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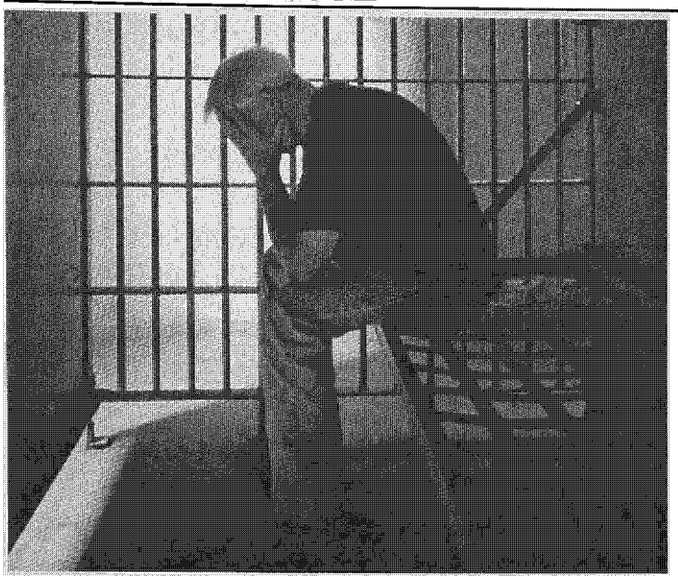

Malpass: The Illinois Pilot Program study shows that simultaneous lineups lead to more suspect identifications.

Notes on the Illinois Pilot Program on Sequential Double-Blind Identification Procedures

Roy S. Malpass[1]

As a result of recommendations made by the Illinois Governor's Commission on Capital Punishment, the Illinois Legislature charged the Illinois State Police with conducting a pilot program to evaluate the effectiveness of the sequential, double blind identification procedure in the field. Sheri H. Mecklenburg was appointed Director of the Illinois Pilot Program and undertook to design the Illinois Pilot Program, seeking comments and approval from eyewitness researchers in the process. Reporting forms were developed, police personnel were given training on the new procedures and procedures were developed for deciding which lineups would be presented according to traditional or new procedures. These matters and much more are detailed in the *Report to the Legislature of the State of Illinois: the Illinois Pilot Program on Sequential Double-Blind Identification Procedures* ("the Report").[2]

The author was approached by Mecklenburg, asking for our participation as analysts. I agreed to act in this capacity with the assistance of Laura A. Zimmerman, Stephen J. Ross, Lisa D. Topp, Vanessa Uribe, Dannette De Leon, Sarah Ramirez and Jessica Belisle, all members of the Eyewitness Identification Research Laboratory at the University of Texas at El Paso. Periodically we received sets of case reports from the three participating jurisdictions. We were given a free hand to structure our analysis in our own way. We constructed the code book[3] and implemented an analysis.[4] While we contributed our analysis of the data, we did not participate in writing the Report. [5]

Professor Ebbesen of the University of California, San Diego also agreed to serve as an analyst for the Pilot Program. Professor Ebbesen and his research group received the same case reports and constructed their own way of coding and analyzing the data. Professor Ebbesen's group and the Eyewitness Lab at University of Texas at El Paso reached the same conclusions, although our conventions for coding the raw field reports for analysis differed in some respects, leading to somewhat different numbers. Ebbesen and Malpass never discussed anything about their task - had no conversation whatever – until they met during the Symposium held at the Loyola University of Chicago Law School on April 21, 2006.

Design

The study was designed to determine whether or not a new eyewitness identification procedure (a particular variant of double-blind sequential lineup) is superior to the simultaneous lineup procedure in current use. The specifics of implementation of the design are discussed in the Report.[6] This study was not the extension of an academic research program and was not undertaken to untangle theoretical issues.

Results

The major results are displayed in Table 1, for the total sample, aggregating the results across the three jurisdictions. There are three outcomes possible in this study: suspect identifications, filler identifications and non-identifications. It is important to note that suspect identifications cannot be interpreted as either correct or false identifications, and non-identifications can not be interpreted as missing the offender or as rejecting a lineup that does or does not contain the actual offender. It is not known, for any lineup in this study, whether the suspect in the lineup is the actual offender. This can be known in laboratory studies, but not in the field without a considerable amount of additional research. We will return to this matter below.

The major results are these:

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Table 1. Effects of Simultaneous and Sequential Lineups on Three Outcome Variables.

n=548	Simultaneous(319)	Sequential(229)
Suspect ID	59.9%	45%
Filler ID	2.8%	9.2%
No ID	37.6%	47.2%

- Witnesses who viewed a simultaneous lineup identified the suspect more often than those witnesses who viewed a sequential lineup (suspect identification rates of 59.9 percent and 45 percent respectively).
- Witnesses who viewed a simultaneous lineup chose a filler less often than those who viewed a sequential lineup (filler identification rates of 2.8 percent and 9.2 percent respectively).
- Witnesses who viewed a simultaneous lineup were less likely to choose no one than were those who viewed a sequential lineup (no identification rates of 37.6 percent and 47.2 percent respectively).

As noted above, these results cannot be interpreted directly as accurate or erroneous responses. Nonetheless, assuming that the increase in non-identifications for sequential lineups compared with simultaneous lineups reflects a proportionate increase in correct rejections in a culprit-absent lineup, and that the decrease in suspect identifications from simultaneous to sequential lineups is proportionate with a decrease in correct identifications in a culprit-present lineup, then the sequential advantage for culprit-absent lineups will be more than offset by the sequential disadvantage for culprit-present lineups. This comparison is worsened if one considers that culprit-present lineups are probably the more frequent. It seems implausible that on the average law enforcement does not do better than a .5 probability of getting the right person in the lineup.

Reasonable people can begin with different assumptions, however. The proportions of suspect identifications contributed to correct and false identifications can be argued, and various probabilities that the culprit is actually in the lineup can be entertained.

Stability of the findings across jurisdictions is a matter of interest from the perspective of application. These findings are displayed in Table 2.

- For *simultaneous lineups,* suspect identifications vary over a range of 10.7 points, from 57.0 to 67.7, and non-identifications vary over a range of 10.1 points, from 32.3 to 42.4.
- For *sequential lineups,* suspect identifications vary over a range of 42.7 points, from 25.9 to 68.6, and non-identifications vary over a range of 34.4 points, from 28.6 to 63.0
- The *difference* between simultaneous and sequential lineups also varies considerably, from + 41.8 to -7.3.

Sequential lineups appear to be more sensitive to differences in jurisdiction / location / context / background conditions, although it is not clear exactly what conditions these might be.

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Table 2: Effects of Simultaneous and Sequential Lineups on Three Outcome Variables, by Jurisdiction.

	Chicago		Evanston		Joliet	
	Sim.	Seq.	Sim.	Seq.	Sim.	Seq.
Suspect ID	57	43.1	67.7	25.9	61.3	68.6
Filler ID	0.7	10.2	0	11.1	5.8	2.9
No ID	42.4	48.5	32.3	63	33.6	28.6