

Dealing With Disclosure of Child Sexual Abuse

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Native American Topic-Specific Monograph Series

Purpose

The purpose of the Native American Topic-Specific Monograph project is to deliver a variety of booklets that will assist individuals in better understanding issues affecting Native communities and provide information to individuals working in Indian Country. The booklets will also increase the amount and quality of resource materials available to community workers that they can disseminate to Native American victims of crime and the general public. In addition to the information in the booklet, there is also a list of diverse services available to crime victims and resources from the Department of Justice.

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Project Staff

Project Director/Editor - Dolores Subia BigFoot, Ph.D., CCAN OUHSC
Project Coordinator - Lana Grant, CCAN OUHSC
Project Staff - Janie Braden Denton and Lisa P. Rhoades, CCAN OUHSC
OVC Program Specialist - Cathy Sanders, OVC, OJP, DOJ

Dealing With Disclosure of Child Sexual Abuse

It is very difficult for most people to imagine that an adult, especially one that a child loves and trusts, would hurt a child in a sexual way. It is hard to imagine a spouse or other family member could involve a child in a sexual act. Within American Indian communities children are considered gifts of the Creator. That a relative would harm such a gift is almost unbelievable. When a child reveals sexual abuse, particularly incest, our first reaction may be "Oh no, he couldn't have done that!" or "She/he would never do such a thing." Yet every day, parents and family members are confronted with the revelation that a child they love has been sexually abused. How parents and caretakers react when a child tells they have been sexually abused (called a disclosure) may help or be harmful to the child. More than likely in sexual abuse cases, the offender will be known to the family and extended family members. It is important that anyone receiving information about disclosure from a child remain calm, rational, and have concern for the child foremost in their minds.

This monograph will tell you the best way to respond to a child who tells you that they have been sexually abused. The monograph will tell you what will happen and what you, and the child, can expect after the child has told you about the sexual abuse or molestation.

It will help you understand the confusion that you might have with the different agencies you must deal with, such as Child Protective Services (CPS), Indian Child Welfare (ICW), the tribal, state, or federal (Federal Bureau of Investigations or Bureau of Indian Affairs) police departments, and the judge and court.

There are many reasons a child may decide to tell that they have been abused. Sometimes the child finds out that the perpetrator is abusing other children and tells about his/her abuse in order to protect the other children. Or, the child may see a program on television about sexual abuse and say something that indicates that the child has been abused. In many cases the disclosure is accidental. After the disclosure occurs, however, the child and his/her family often become involved in a confusing set of systems, such as child protective services and the criminal justice system. This monograph will explore the appropriate manner for responding to a disclosure of child sexual abuse and what happens after a disclosure of abuse.

How to React to a Child's Disclosure

Perhaps the most important incident in child sexual abuse cases is the point at which the abuse is disclosed. There are two ways that disclosure can take place: purposefully or accidentally.

The child who is being abused may also set up a "purposeful accident" by giving clues about the abuse or telling someone, like a playmate, who will reveal the abuse for the victim. "Purposeful disclosure" has been defined as the "intentional revealing of abuse by the victim" and accidental disclosure, "as disclosure upon behavioral or physical symptoms that lead to suspicion of abuse." Some disclosures occur because the child has seen something or participated in a prevention program and makes a comment which leads an adult to suspect that the child has been abused and to ask the child about the possibility of abuse.

Whether the child discloses abuse on purpose or by accident, adult reaction may play an important part in how the child responds to what happened to them. It does seem to be true that not all children who are sexually abused will have negative effects from the abuse. *The way that the disclosure is handled may influence the amount of stress and trauma a child victim experiences.*

There are many reasons why a child discloses abuse. Younger children (preschool age) are more likely to accidentally disclose abuse while school age children more often make purposeful disclosures. A young child may say something that raises fears of sexual abuse because they don't know that what is happening is not normal behavior. A child who learns that the offender is also abusing his/her siblings or friends might decide to tell to stop the abuse of the other children. A child who learns about sexual abuse

prevention may learn that it is okay to tell someone what is happening.

Adolescent girls may disclose as they begin dating and seeking to develop relationships with those their own age. Disclosure may happen because a girl becomes pregnant as a result of the abuse. Or a child may decide to tell about the abuse because other children have started to tell about their abuse by the same offender.

There may be differences between children who purposefully disclose and those who do not in their mental health. One study looked at children one year after disclosure. The researchers found that children who had disclosed their abuse on purpose had more problems than those who disclosed accidentally. However, children who accidentally disclosed their abuse received the most therapy even though they had the fewest problems.

There may be a mistaken belief that children who purposefully disclose can cope better than those children whose abuse is discovered accidentally. Or people who care about the child may assume that those children who tell do not need as much help as those who let others know accidentally.

Guidelines for Dealing With Disclosure

The following guidelines are offered for parents, grandparents, aunts/uncles, and all other people who may have a child tell them that the child has been abused. Many tribal codes make it mandatory for anyone who suspects child abuse to report their suspicion to CPS, ICW, and/or the police. Federal law (PL 101-630) lists a number of professionals (including teachers, physicians, nurses, and mental health workers) who must report suspected child abuse. People who are required by law to report suspected child abuse are called **mandatory reporters**. Mandatory reporters should follow their agency's guidelines and procedures for handling reports of abuse. However, many of the following guidelines are useful for mandatory reporters as well as community members.

1. Believe the child.
2. Stay calm.
3. Provide a safe, private place to talk.
4. Let the child know they are not alone, many children are abused.
5. Don't make promises you can't keep.
6. Don't judge the offender or the offense.
7. Report immediately.
8. Let the child know what's going to happen.
9. Don't investigate the child's allegations.
10. Get support for yourself.

BELIEVE THE CHILD. Possibly the most important thing you can do for a child is to let them know that you believe their statements about being sexually abused. Sexual abuse thrives in secrecy. Once the secret is made public, it is much more difficult for the abuse to continue. You may or may not be able to assist the child in getting out of an abusive situation. In most situations, it will be up to Children's Protective Services, Indian Child Welfare, or Law Enforcement personnel to decide whether to take a child into protective custody based on their belief of the best way to protect the child. Some communities may also have traditional leaders who can intervene to remove a child. As a concerned person, you do not have the ability to remove a child from their home. Sometimes the child is not removed from what you believe is a dangerous situation.

The most you may be able to offer the child is a safe place and ideas about how to avoid future abuse. This is a very important role. The child needs to know that there is an adult who believes them and will help them.

It is important to understand that the child may have fears about disclosing abuse. The perpetrator may have told the child that no one would believe her or him if the child tells about the abuse. When this prediction

appears to come true, the child may feel helpless and believe the perpetrator. The child may feel even more hopeless and trapped if they disclose abuse and are not believed.

Although prevention programs teach children to keep telling until they find someone to believe them, it is unclear how many children are able to disclose their abuse more than once if they are not believed the first time.

When a child tells an adult about their abuse, it is important that the adult does not judge what the child is saying or evaluate the child's statements. **Nor should the adult question the child about the abuse.**

STAY CALM. Many times a child will disclose a little bit of what happened to them to test how you will react. If your facial features or emotional outburst reveal that you are shocked, angry, disgusted, or otherwise upset, the child may not tell everything about their abuse and may take back the disclosure they have already made.

In American Indian communities, due to the history of abuse, it may not be appropriate to talk openly about sex so it makes it even more difficult for children to talk about sexual things that may have happened to them.

The child may try to protect you by not completely telling all of the abuse. The child may think you cannot handle all the details. Many people find it difficult to believe that a four year old child will try to protect their parents, but in some cases it is true. Children may be reluctant to disclose abuse for other reasons, including shame, fear of getting into trouble, fear of tearing the family apart, or belief that they are responsible for the abuse. Shame can be a very powerful motive for not disclosing abuse.

A child may also misread the adult's response. When the child discloses their abuse, an adult's natural reaction is to get angry at the offender. However, the child may believe that the anger is directed at them rather than the offender. Again, anger may play into the perpetrator's strategy. The offender may have told the child that if the child disclosed the abuse, that someone would get mad at the child. When the child sees the adult get angry, they assume the anger is directed at them and the offender was right. The offender assumes the position of a powerful person who is able to predict the future.

For most people anger is a natural reaction to a disclosure of abuse. It is up to the adult to contain that anger and let it out later, when the child is not present. It's not always possible for us to have that much control over our emotions and a burst of anger may come out before we can control it.

It is important that we let the child know that any anger expressed is directed toward the person who molested them, not toward the child. The adult who abused them did something wrong. You can explain that you are angry at the offender because adults are never supposed to touch or involve children in any sexual activity.

In many cases, if the child sees that you can handle the information they have given you, the child is more likely to feel comfortable revealing further details of the abuse, although we don't encourage interviewing the child.

When a child discloses sexual abuse to an adult, it is important that the child feels as comfortable as possible. They have just done something very difficult and may be afraid that the person they told about the abuse will be shocked, disappointed in the child, or won't believe them. *It is important for the child to know that you are glad that they told you what was going on, that the offender did something wrong not the child, and that you will do what you can to protect the child from further harm.*

PROVIDE A SAFE, PRIVATE PLACE TO TALK. Make sure that your talk takes place in a private place. A public location, such as a hallway or classroom with other students present, is not a good location for

a disclosure. There is no way to protect a child's privacy in a public place. Bystanders may overhear the conversation and start rumors which may get back to the offender even before a law enforcement officer has the chance to begin an investigation. Confidentiality is necessary not only for the child's sake but also to avoid alerting the offender who may be able to destroy evidence that would be useful in a criminal prosecution.

Your role is not to interview the child. Often first disclosures are vital to prosecution. Do not ask too many questions since you are not the investigator. One concern is that you might ruin the case against the offender because when the child testifies in court, the lawyer for the offender might say that the child has been coached to say certain things. Since most of us are not trained to perform an investigative interview, it is best to let a trained person do the interviews.

On the other hand, if the child wishes to disclose a lot of information to you, you don't want to stop them. When a child is in the process of telling you about what happened to them, do not say "Wait a minute, if you're going to disclose sexual abuse, I need to call a worker, don't tell me any more right now." Anyone, especially a child, would probably clam up and not disclose any more. Let the child tell you their story, but don't try to get more information. You do need to let the child know that other people will be talking with them to try to make sure that the child will be safe. Tell the child that you have to tell someone who can help the child handle the situation in the best way possible. Always let the child know that you are going to tell someone else (i.e. CPS, ICW, police) and that the reason you are telling another person is so that person can help the child be safe.

LET THE CHILD KNOW THEY ARE NOT THE ONLY ONE WHO HAS BEEN ABUSED. Many children are sexually abused each year. However, since sexual abuse thrives in an environment of silence and most children do not talk about their abuse in public, many victims have no idea that sexual abuse happens to other children. There is also a lot of shame associated with sexual abuse, especially if a boy has been abused by an adult male.

There is a belief that it is difficult to keep anything secret in small reservation communities. The fear that someone else, such as the child's friends or teachers will find out about the abuse may keep a child from telling what happened to them.

In some situations, a child may have confided in a close friend about her/his abuse and that friend may also have been abused so the child knows they are not the only one who has been sexually abused. But usually the child feels very isolated. If a child who has been abused gets help from a counselor, the child may become part of a therapy group for abused children. Groups for child victims are a very good way for the child to know that others have been sexually abused so the child does not feel so alone.

Unfortunately, since so many children are sexually abused, it is likely that you know someone who has had this experience or someone in your family knows someone who was sexually abused as a child. If this is the case, it can be helpful for the child to know that you have talked with other children who have been sexually abused. The child may feel more comfortable in telling you details of the abuse, since they know that you have heard these kinds of things before. The child may also gain a sense of hope that they can be okay by knowing that other children have gone through a similar experience and have healed.

The shame and guilt which sexual abuse victims feel may make them not want to talk about the abuse with others. It is helpful to a child to know that they are not the only one that has been sexually abused. Often children who have been sexually abused feel "dirty" and "different." You can help them not feel this way and to understand it was the offender who did something wrong, not the child.

DON'T MAKE PROMISES YOU CANNOT KEEP. For many of us, our first reaction to finding out that a child is being harmed, is to reassure the child that they will be safe from that harm. Unfortunately, most parents do not have the ability to remove an alleged offender from her/his home or to absolutely ensure the child's safety. It is important for the child to have a trusted supporter.

We are all aware that in some situations there is not enough evidence for an offender or child to be removed from the home. These cases are a major source of frustration for everyone involved. It is the job of the professionals to investigate child abuse cases. Sometimes there may not be enough evidence to arrest anyone or even to take the child out of the home. Since we have no control in how other agencies will respond to a report of suspected abuse, it is important not to make promises which are not within your own ability to keep.

Adults commonly respond to a disclosure of abuse by saying something like, "He'll never do that to you again" or "You're safe now, no one will hurt you anymore." These statements are not necessarily realistic in what will happen on this case. You have no control over what a social worker, law enforcement officer, or judge will decide if the case gets heard in court. Judges may return a child home in the face of what seems to you, overwhelming evidence that the child should not go home.

Whether the child is safe or not, it is important for the child to know that there is one person who they can trust and who will tell them the truth. You may be the person who helps a child cope with a difficult situation by providing on-going support or just being there for them. There are many children who grow up in very dysfunctional families. While some of these children grow up to have significant problems in their own lives, others seem to do quite well. Children who do best tend to have a positive relationship with an adult outside of their family.

Oftentimes in tribal communities an aunt or uncle acts as a parental figure. Or a clan "father" or "mother" fills an important role. In cases of incest where the parent is the offender, these other parental figures may play a very important role in assisting the child.

As the person whom the child has trusted to tell about their abuse, you may be the person who makes this kind of positive difference in the child's life. While you cannot always protect the child from abuse, you may be the person who provides the support which can have a lasting positive impact on the child's life.

If you make a promise which you don't keep, the child learns that you are one more adult who cannot be trusted. The child may not be able to understand that you are not responsible for the promise being broken, that someone else had that responsibility. It is important that you are careful about what you say. *You may tell the child: "I'll do everything that I can to help you." This is a promise that you can keep. Keeping the door open may let the child tell you about future abuse, and that abuse may be more easily proven.*

DON'T JUDGE THE OFFENDER OR THE OFFENSE. Especially in cases where the child knows the perpetrator, which is most often the case, the child may experience confusing feelings toward the perpetrator. The child victim may like or love the person but not like what the person is doing to them. If you start to put down the offender, the child may take up for the offender and begin to defend the person, whom they often love. Once a child starts to defend the offender, they will often recant (take back) the original disclosure and not tell if the abuse happens again. Also, if you react strongly and negatively to the details of the offense the child may pull back and not tell any more information and even recant what they have already told you.

Many people may not understand how a child can continue to have strong feelings of affection toward the offender. Remember that the child may have a very strong bond with the offender and may try to protect him/her because the child loves the offender. Being abused does not eliminate the affection the child has for the offender.

Since we are all human, we may be unable to control a strong angry response to what the child discloses. If you do make a comment regarding the offender, it is important to put the comment in context for the child, such as saying, "I get angry thinking someone would hurt you in that way."

REPORT IMMEDIATELY. All 50 states have mandated reporting laws which list certain groups of people who are mandated (required) to report suspected child abuse or neglect. In addition, most Tribal

Children's Codes also require certain groups of people or all people to report suspected abuse and neglect. There is also a federal law (PL 101-630) requiring people working with Indian children in Indian Country having reasonable suspicion of child abuse to report to the appropriate child protection or law enforcement agency. Under this federal law, penalties for failure to report suspected abuse are a maximum of six months in jail and a \$5,000 fine are included in this law. The federal and state laws, and most tribal codes, include a "good faith immunity" clause stating that if the person makes the report in good faith, they will be immune from civil or criminal proceedings. There is a provision in PL 101-630 which allows for someone to report suspected abuse without their name being released (see Section 3203(d) Confidentiality of Reporter).

The people who are usually listed as mandated reporters includes school personnel, medical staff, social service personnel, and similar individuals who often have contact with children in their jobs. Those who are mandated reporters have no choice, they **must** report suspected abuse. Others who are not mandated reporters have a moral and ethical responsibility to report suspected abuse and neglect.

It is essential that you let the child know that you are going to have to tell someone else about what the child has told you. If you fail to tell the child that you need to tell someone else about the abuse, the child may feel betrayed when another person shows up to interview them. The child may feel that you have told a large number of people about the abuse. You may tell the child, for example, "There is a man I know named Mike, and Mike's job is to try to help boys and girls who have problems at home. I need to tell Mike about what you told me so that he can try and help you, then Mike will need to talk with you." You need to tell the child that "Mike" is a helper, like a social worker or law enforcement officer. In some communities, both a social worker and a law enforcement officer may be involved in the interview. If this is true in your community, you might tell the child "sometimes another person may be with Mike. That person is also there to help you."

In this way, the child is prepared when a new person enters the scene. The child knows that you have told only one other person and can understand that the person will be talking to them. If the child has difficulty accepting that someone else will need to be told, as someone the child trusts, you can smooth the way for the social worker or law enforcement officer who will be interviewing the child.

If the child may be in immediate danger, most communities have a system for immediate intervention. Usually a protective service worker or law enforcement officer will be able to respond within a short period of time. However, if the child does not appear to be in immediate danger, the response may be delayed. It is important for everyone to learn the policy in your community so that you can be prepared before you need to make a report.

There is often confusion about how to make a report. It is important to know before the situation comes up. Usually, you can make a report by calling the local law enforcement (police) agency or CPS/ICW. When you call one of these agencies, you are making a request for them to investigate the situation. If there is no system in place in your community for reporting abuse and neglect, you can become involved in creating a system.

Sometimes even mandated reporters question whether they should make a report. They may feel that the response to their report will be inadequate and that by making a report they are giving up their ability to work with a family. This is an illegal and dangerous decision. By avoiding the established systems in place for child protection, you are gambling with a child's life. This burden is a very serious one. All cases of suspected child abuse and neglect should be reported to the appropriate authorities. Even if your initial report does not result in the act which you feel would be appropriate, you have started a process which might result in positive results later. For example, perhaps the information in your initial referral isn't enough for immediate action. The agency may receive other referrals on the same child or family. By having multiple referrals, the case may grow to the point that the agency will take action.

TELL THE CHILD WHAT IS GOING TO HAPPEN NEXT. Give the child as much information as you can about what will happen after the disclosure. As described above, you will need to tell the child that you

have to tell another person about the abuse (CPS, ICW worker, or law enforcement officer). Many children will have questions about whether they will have to go to a shelter or foster care or whether their offender will go to jail. You may not be able to answer these questions. Be honest. Tell the child when you don't know the answer. You might tell the child, "When Mike gets here, that's a good question to ask; he'll be able to tell you whether you're going to stay at home."

The child may have fears based on threats made by the perpetrator, "I'll go to jail and you and mom will starve," or stories they have heard from their friends. Reassure the child only when you know that what you are saying is true. You can tell them, "What happened to you was not your fault; you aren't going to go to jail, that was just a trick to keep you from telling the secret."

Sometimes the offender will have warned the child that certain things will happen if they tell about the abuse. Perhaps he or she said, "If you tell, they'll take you away and put you in the tribal group home." When those threats or warnings become true, the child is more convinced than ever of the offender's power and may recant out of fear that other threats will come true. Sometimes service providers play into the offender's hand by doing just what the offender had said, accidentally strengthening the offender's power.

LEAVE THE INVESTIGATION TO THE PROFESSIONALS. In every community, certain people are charged with conducting an investigation, such as law enforcement, CPS, and ICW workers. Leave the investigation to the professionals. Once you have enough information to request an investigation by making a report, do not ask the child any further questions. Asking questions may create problems for the investigation or prosecution later on.

The initial disclosure is extremely important. The child may reveal many details during the initial interview which are not revealed again. The child has not yet faced any pressures to change their story. So a great deal of information may be available at that time which may not be available again. Let the people who are trained in investigative interviewing perform that all important initial interview.

If a child starts to tell you the whole story, you don't want to stop them and say, "Wait a minute, don't tell me anymore, I have to go call child protective services!" When you have the opportunity to take a break, do so. Do not ask the child any more questions if you already have enough information to make a report. You may need to ask questions to clarify what the child is telling you in order to make sure they are telling you about abuse. For example, if a child tells you, "My stepmother is mean to me," you may need to ask, "I don't understand, how is she mean to you?" Once you have enough information to suspect that the child is telling you about potential abuse, make the report.

GET SUPPORT FOR YOURSELF. Dealing with child abuse and neglect, especially child sexual abuse is emotionally draining. A disclosure of child sexual abuse is the last thing most of us want to hear about. The child may disclose details that you find horrible, unbelievable, sad, or bring up memories of past abuse. Few of us can hear a disclosure of sexual abuse without an emotional reaction. Where can you go to get support for yourself? You want to protect the child so you should not tell other people about the disclosure.

For your own well-being it is important that you deal with your feelings about hearing the details of the disclosure. Those feelings may range from rage and anger to frustration and sadness. For those of you who have been victims of abuse, hearing the details of a child's abuse may bring up painful memories or intense personal reactions. In order to help others, we must all take care of ourselves.

There may be no more emotionally draining experience than dealing with a child disclosing sexual abuse. Such a disclosure sets in motion a chain of events which is out of our control. Many times, the system may seem to fail to protect the child. In addition to our feelings about the disclosure, we must often deal with feelings of hopelessness or anger at the "system." Sometimes talking to a counselor or medicine person may be helpful.

While it may be difficult, it is important that we all keep faith that cases will be handled in a manner that protects the child from harm. Even when the system lets the child down, the person who receives the disclosure can make a huge difference in the life of the child who is being abused.

After Disclosure

Following the disclosure of sexual abuse, a number of different people from various agencies may become involved with the victim and her/his family. Much has been written about the need for coordinated investigations of child sexual abuse, including two monographs in this series (Developing Children's Advocacy Centers in Indian Country and Multidisciplinary Teams). How the disclosure takes place may influence the number of people and agencies who become involved in the case. For example, if a child discloses to a teacher, the teacher may inform the school counselor and/or principal, the principal may be required to report to the superintendent, and on up the hierarchy.

Who will be Involved?

In general the following people are likely to be involved once abuse has been disclosed:

- Child Protective Services (CPS) worker
- Law Enforcement investigator (tribal, BIA, and/or FBI)
- Physician (or other medical personnel)
- Mental health counselor
- Prosecutors (tribal and federal or state).

Some communities may have other people or groups which will be involved such as a forensic interviewer, child or victim advocate, Indian Child Welfare Act Worker (ICWA or ICW), a Court Appointed Special Advocate (CASA), a Guardian ad litem, Child Protection Team (CPT), Multidisciplinary Team (MDT), etc.

Following a disclosure of child sexual abuse, someone will be responsible for investigating the case. In cases of abuse within the family, it is likely that both CPS and law enforcement personnel will be involved in the investigation. In cases where the alleged perpetrator does not live in the home, it may be that only law enforcement personnel will be investigating. In more and more American Indian communities, specific CPS and/or law enforcement personnel are being trained as forensic interviewers (people who have received specialized training in how to interview child sexual abuse victims and child abuse victims who may have to testify in court). Other communities have developed Children's Advocacy Centers (CACs), multidisciplinary centers staffed by trained professionals designed to lessen the trauma of child sexual abuse victims and their families.

Safety is the first concern. Immediately after a child discloses abuse, the first concern is the child's safety. CPS workers are generally responsible for making sure that a child is safe from further abuse, including any pressure from non-offending relatives. In some communities (in Public Law 280 states), the CPS investigators are county employees and may not be tribal members. In those communities, the tribe may employ an ICW worker who represents the tribe's interest in the child's well-being.

CPS workers will interview family members to assess their ability to protect the child. Do family members seem to believe the child and are they willing to protect the child from further harm? These are two of the major considerations for the CPS worker. Non-offending parents, in cases where a family member is the offender, are often thrust into a seemingly no-win situation: choose between believing the child or believing the spouse/significant other.

Imagine for yourself, if you were interrupted while reading this paper by a visit from a CPS worker or law enforcement officer who informs you that your child (or niece, nephew, grandchild, etc.) has said that s/he was sexually abused by someone you have known and trusted for years (your spouse/significant other or a close

relative). What would your initial reaction be?

Social service and mental health providers have traditionally focused on the child's needs and often ignored the psychological trauma experienced by non-offending parents. Parents of children who have been abused by someone outside the family have rarely received mental health services. However, parents of children who were abused by someone outside of the family may need such help. Sometimes family members may want to seek revenge against the offender. It is important to let the professionals do their job. Revenge is never appropriate.

Everyone can be affected. In tribal communities, the impact of a child's abuse reaches beyond their parents to grandparents, aunts, uncles, clan relatives, etc. Potentially, entire communities can be impacted. This situation is particularly true in cases of multiple victim molestations. There are systems for child protection and criminal justice. The initial interview has, as one goal, assessing how well the child will be protected. Another goal is to gather information for potential criminal prosecution. In Indian Country, the law enforcement interviews often involved two or three different people: tribal law enforcement, criminal investigators (CIs) (tribal or BIA), and FBI agents. In recent years, the trend has been toward reducing the number of interviews a victim participates in by developing on-reservation CACs or training one person to do a single interview which provides the necessary information for both child protection and prosecution. Unfortunately this is not the case for all cases of abuse.

While the child victim is the focus of these types of interviews, the child's caretakers are often also involved in the child protection and criminal justice systems. In cases of abuse within the family, the child's caretakers may be interviewed by law enforcement as potential witnesses or suspects. In these cases, the parents may be involved in both civil and criminal court systems. On the civil side, the focus is on child protection. Parents in an incest situation may enter into "informal" agreements with CPS workers to perform certain activities such as attendance at parenting classes, participation in substance abuse counseling, and ensuring that their child attends medical appointments and counseling sessions. If an informal agreement is not workable, the family court may issue a court order "forcing" the family to participate in the recommended activities.

In some cases, criminal proceedings may be underway. There may be both tribal and federal or state criminal investigation. Often the local Criminal Investigator (the local law enforcement officer responsible for investigating the crime) will be responsible for the initial investigation. Based on the findings of the CI's investigation, further work may be done by the FBI. Then, the case may go to the U.S. Attorney's Office or the District Attorney's Office, depending on which agency has jurisdiction. In states where the federal government and the tribe both have jurisdiction, an Assistant U.S. Attorney (AUSA) is assigned to the case. Both a tribal Prosecutor and the AUSA have a potential need to interview the child if they are intending to pursue a criminal trial. The prosecutors will want to assess how well the child will do as a witness in a trial.

Medical and psychological exams will be needed. In a child sexual abuse case, many activities may be taking place at the same time. Immediately after the disclosure, the child may be involved in medical and/or psychological evaluations. In a situation where the last reported abuse happened within the past 72 hours, a medical examination will usually be scheduled as soon as possible to identify any possible medical evidence of the abuse (such as sperm, small tears, etc.). In situations where the abuse has taken place more than 72 hours in the past, the medical exam may be scheduled for a later time. Not every reservation community has access to trained medical sexual abuse examiners. If a child needs an examination right away s/he may have to travel several hours to reach a hospital equipped for such examinations.

To avoid such travel, many communities have developed local resources by working with hospitals or Indian Health Services. Some communities have utilized technology to assist with obtaining expertise for medical exams. One company, Second Opinion, offers a computer link-up which allows a practitioner in one location to send visual information to an expert in another location. So a doctor or nurse on the reservation can get an expert's opinion even if the expert is miles away. Other tribes have developed relationships with

local non-Indian communities to develop a central location, staffed by trained sexual abuse examiners, which can be used by both tribal and non-tribal members.

A child may need follow-up medical care depending upon the results of the medical exam. However, it should be remembered that there is rarely medical evidence of sexual abuse. If a young child has a sexually transmitted disease, this situation would lead a physician to file a child abuse report. Or a medical staff member may suspect abuse as the result of a medical complaint and their talk with a patient.

Victim Advocates are available. Some tribal communities have victim services programs. The Advocate's job is to work with the victim and the victim's family to help them deal with all of the agencies involved in the case; to assist in accessing services; to provide support, information and referrals; to assist in filing for victim compensation; and to keep the victim informed about the status of any legal proceedings. State and federal agencies also have Victim Witness Coordinators or Advocates who will work with the victim and their family in the state or federal court systems.

With so many people involved in child sexual abuse cases, it is important that all the agencies coordinate their services. Most communities have a Child Protection Team and/or Multidisciplinary Team to provide such coordination.

Following a disclosure of child sexual abuse, the child victim becomes involved with a number of people and agencies. In many cases, the child will deal with representatives of Child Protective Services, law enforcement (tribal and state/federal), medical personnel, behavioral health, Victim Advocate, and court personnel. It can be confusing and frightening for a child and his/her family to deal with all of the different people and agencies involved in a sexual abuse case. The challenge is to minimize the confusion and to provide a safe, nurturing environment for child victims and their families.

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Author

Eidell B. Wasserman, Ph.D.
Wasserman, Leviton, & Hodder Consultants
5241 Hutchinson Road
Sebastopol, CA. 95472

Dr. Wasserman is a consultant in Indian Country on victim issues and multiple victimization in child sexual abuse cases. She can be reached at (707) 824-8308.

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RESOURCES

Office for Victims of Crime

810 Seventh Street, NW
Washington, DC 20531
(202) 307-5983
<http://www.ojp.usdoj.gov/ovc>

Office for Victims of Crime Resource Center

Box 6000
Rockville, MD 20849-6000
800-627-6872
<http://www.ncjrs.org>

Center on Child Abuse and Neglect

CHO 3B-3406
940 NE 13th Street
P.O. Box 26901
Oklahoma City, OK 73109
<http://pediatrics.ouhsc.edu/ccan>

Bureau of Indian Affairs

Office of Tribal Services
1849 C Street, NW, MS 4603
Washington, DC 20240
(202) 208-2721
<http://www.doi.gov/bia>

Office of Justice Programs

American Indian and Alaska Native Desk
810 Seventh Street, NW
Washington, DC 20531
(202) 616-3205

Tribal Law and Policy Institute

P.O. Box 460370
San Francisco, CA 94146
(415) 647-1755
<http://www.tribal-institute.org>

U.S. Department of Justice

Office of Tribal Justice
10th and Constitution Ave., NW, Room 1509
Washington, DC 20530
(202) 514-8812

American Indian Development Associates

Ms. Ada Pecos Melton
7301 Rosewood Court, NW
Albuquerque, NM 87120
(505) 842-1122

National Congress of American Indians

1301 Connecticut Avenue NW, Suite 200
Washington, DC 20036
(202) 466-7767
<http://www.ncai.org>

National American Indian Court Judges Association

1301 Connecticut Avenue, NW
Washington, D.C. 20036
(509) 422-6267
<http://www.naicja.org>

Native American Rights Fund

1506 Broadway
Boulder, CO 80302
(303) 447-8760
<http://www.narf.org>

National CASA Association

100 W. Harrison St., North Tower #500
Seattle WA 98119
1-800-628-3233
<http://www.casenet.org>

National Children's Alliance

1319 F Street, NW, #1001
Washington, DC 20004
(800) 239-9950
<http://www.nncac.org>

Colorado State University

Tri-Ethnic Center
C138 Andrews G. Clark
Ft. Collins, CO 80523
(970) 491-0251

Northern Plains Tribal Judicial Institute

University of North Dakota Law School
Box 9000
Grand Forks, ND 58202
(701) 777-6176

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