**EXCERPTS FROM STATE’S DIRECT EXAMINATION OF CHILD PSYCHOLOGIST EXPERT TESTIFYING REGARDING DYNAMICS OF VICTIMIZATION AND CHILDREN’S DEVELOPMENT IN CHILD SEXUAL ABUSE CASE**

**DIRECT EXAMINATION**

**Q.** Dr. E., what is your profession or occupation?

**A.** I’m a clinical psychologist.

**Q.** How long have you been a clinical psychologist?

**A.** I received my doctorate in 1974 from D. University in clinical psychology.

**Q.** Doctor, are you currently licensed as a psychologist here in the state of W.?

**A.** Yes. I’m licensed since 1976 at the independent level of practice in clinical psychology….

**Q.** And speaking of clinical experience, Doctor, could you tell us some of the clinical experience that you’ve had in your profession as a psychologist?

……………….

**Q.** Have you …give[n] any workshops or training or conduct seminars for the benefit of other professionals?

**A.** I have done workshops in a variety of areas which I’ll just enumerate. …A number of workshops in the area of both physical and in sexual abuse of children.

**Q.** With respect to physical and sexual abuse of children, have you had much court experience…? In other words, have you been called upon from time to time to…evaluate individuals or render testimony in a court of law?

**A.** Yes. In summarizing my evaluative work over the last 15 years, I’ve estimated I’ve done in the area of about 5,000 court ordered evaluations, court related evaluations. Of those, about 2,500 were in the area of physical abuse or neglect. About 1000 in the area of sexual abuse.

**Q.** …have you ever been qualified to render expert testimony in a court of law regarding physical abuse, neglect and sexual abuse cases?

**A.** Yes, I have.

**Q.** Is there any way for you to estimate approximately how often you’ve been called upon to render testimony regarding those types of issues?

**A.** About 500 times that I’ve had to testify, in each one of those times, we had to be credentialed and certified for this process that you’re using right now.

**Q.** Doctor, in view of your experience with child physical abuse, neglect and sexual abuse cases, can you describe for us some of the dynamics that would be involved in intrafamilial sexual abuse?

**A.** Yes….we’re not dealing with stranger rape or isolated occurrences like that. We have to consider a variety of variables, and one of the variables which is extremely important is the relative powerlessness and dependence of a child, particularly given the age. When we look at statistics in general pertaining to sexual abuse, what we’re finding is the average…at which a child’s sexual initiation in an incestual situation is about eight years old. And that means that there’s a lot on both sides.…But obviously the younger that the child is, the more dependent that he is upon parents to—parenting figures for basically all aspects of the child’s functioning in terms of basic nurturance, nourishment, safety, esteem, and the like. The child is totally dependent upon the parents. And also children tend to be, in our society, socialized to be obedient to authority. And the first authority with which they come into contact is the parents. And disobeying them is something that is traditionally met with some punishment or disapproval or loss of affection.

Now, what we’ll see, considering these factors, is that children, particularly the younger, they are highly vulnerable to exploitation by very powerful figures in their lives….

Sexual abuse in the family is typically a seductive process. It’s not a violent or forced upon process. It is one that typically has a gradual onset. We’ll see very innocuous starts to many of these sexual plays in homes between parents—a parent and a child.

**Q.** Could you give us some examples?

**A.** Oh, certainly. Some examples might be parents involved in bathing, which is not abnormal for—to help bathe very young children, but perhaps you might find some fathers are perhaps bathing a little bit beyond the age we’d consider acceptable, and perhaps begin to spend a bit more time cleaning private areas and gradually work into this where it becomes more explicitly sexual.

For example, inviting the child into the bathtub with them. Having them touch the father or the like. Or in situations involving tickling or wrestling, which there is much contact of a physical nature, and one might expect there to be accidental touching, but these situations start to get more and more and then eventually become very, very direct.

What we see is that this is sort of a disguising of the sexual nature of the behavior. …the perpetrator will progressively increase the sexual nature of the behavior and the frequency of the behavior. So this typically will begin with fondling, touching….

As this progresses, eventually, as the child becomes older, this typically will progress to intercourse and other forms of adult level sexual acting out.

We also will tend to see a concept that’s referred to as serialization. And what we mean by that is that as a perpetrator might begin with one child, there very commonly is a progression to other children in the family….

The seductive process, once the behavior becomes more explicit and the child cannot reconcile this with typical tickling and bathing and other matters like that, there is almost invariably a need for the perpetrator to find some way to bind the child to silence. Sexual abuse by itself characteristically is a condition that leads to secrecy,…

What would typically happen in cases is that the parent again in power will use threats, threats perhaps of violence, excessive punishment. Sometimes extreme. I will kill you. I will hurt your mother….There’s a very strong attempt to make the child feel responsible and guilty for what has happened and have the child bear the burden and bear the shame that goes with sexual abuse.

The parent may well tell the child, if you do inform others, the family will be destroyed, I will go to jail,….We will see in the cases a blurring of generational barriers, which is obvious in that we’re having an adult involve a child in an adult level behavior. …It is not uncommon for mothers in situations like this to have some awareness but to not choose to attend to it….The mother in situations like this may be quite passive and quite dependent and very cognizant of the consequences that they would lose financial resources if the father was a breadwinner and protector in the home in some way, shape or form…. So there are many facets that affect the mother in that situation as well as the child. Probability of the child being placed in alternative care, foster home or the like.

**Q.** Doctor, …do you have or have you noted any observations or thoughts regarding the relationship between the enabler or non-abusing parent and the child who has been abused? Is there anything unusual about that particular relationship in terms of the trust with each other and things of that?

**A.** Certainly. Particularly in situations where the mother is adopting an enabling stance. In many ways the child is viewed as a rival, and there’s …a tremendous blow the mother’s esteem that the father would prefer a child to her. So the mother very often has deep ambivalence toward the child, is attached to her, but then at the same time resenting the child for what is occurring.

**Q.** Would it be uncommon at all, based upon your training and experience, for a child,…not to disclose to the mother?

**A.** Oh, it’s very, very common. In fact if the entrapment is done well, we may find that these are sometimes never reported….

In fact some of the things that we’ll see with cases is the child will break the secrecy bond quite often by accident… And these things just pop out, and the child almost had to—couldn’t catch herself quickly enough for these things to shoot out. Or somehow someone gives them permission to break the bond, be it a teacher or another friend, or perhaps is something they see on television in which all of a sudden they become very anxious….

**Q.** Doctor, with respect to the unraveling of the secrecy, so to speak, is it unusual or uncommon at all that that unraveling process could be delayed in some manner in terms of when the disclosure is in relation to when the last assault may have occurred?…

**A.** It’s not unusual for there to be a delay. And particularly as long as the child is in the situation where the major parties are that. That is, if it’s a family situation in which the mother is enabling. And we do typically see the molester in these situations being a male. So either the father, stepfather, boyfriend, or someone like that. As long as the child is in that situation, that the—the pressure is the greatest not to reveal….

**Q.** Would you say, based on your training and experience, it’s more likely that a disclosure or the secret would be unraveled once the child is removed from the atmosphere or situation where the abuse occurs?

………………………..

**Q.** Would a child be more likely to disclose this type of behavior to someone they’ve never met or are they more likely to disclose to someone that they are more trusting and caring or more familiar with?…

**A.** It would be easier for them to reveal to someone that they have a trusting relationship with. There may be differences in terms of the sex….

**Q.** When a child begins to reveal the secret, what difficulties might a child who’s three, four, five years old have in revealing this secret? Keeping in mind your comment earlier regarding the binding to secrecy and the threats, which were employed. Can you elaborate on that for us?

**A.** Well, the younger that child, and particularly when you’re talking pre-school ages, the less facile they are in being able to categorize, use proper verbal communication to describe what happened. More often than not, the younger they are, the experiences are recorded in terms of images, visual images more than anything. Smell. Touch. Children, the younger they are, the more sensory in the way that they are recalling things. There’s been a number of developmental psychologists that will look at, let’s say, children 4 and 5, and compare them to children 10 or 11, and say maybe it’s not so much that the child who’s the younger one has less ability to store information but that they don’t have the concepts to organize it. So that the older child can put this in categories and the proper verbal metaphors and retrieve it better that way. The younger child it’s going to be in images, feelings, that might be described. As the child is able to—as the child grows and becomes—develops a cognitive ability, they would be able to organize it better.

**Q.** Are you saying then that a pre-school child would use…another means other than language to try to reveal that secret?…

**A.** Oh, certainly. This is where we start to get suspicious when we see children…show a lot of anatomic signs of distress, say, in the presence of males, and perhaps specific males. And perhaps all of a sudden they’re beginning to self-stimulate or masturbate in response to those stimuli, not in response to exploratory play and things like that, or a child starts to exhibit precocious sexual behavior or knowledge that is beyond the verbal ability of that child that we would expect given the intellectual and also the emotional maturation of the youngster in question….

**Q.** Doctor, specifically with a child with a more cognitive ability, say the example of the nine, ten, eleven or twelve year old. Would it be difficult for that child to reveal the nature of the secret or the abuse if there is an enabling relationship with the non-abusive parent? …

**A.** If it is an enabling relationship. We do in fact even see children that do tell the mother, and the mother perhaps doesn’t believe or doesn’t respond, and that even compounds or reinforces the notion of the child that no one is going to believe me…If the child has been either told by the father that you’re going to hurt the mother, and she’s going to feel bad about this, and there is that feeling of guilt and shame that is associated with that, that’s going to be an additional factor binding the child to silence for a longer period of time….

**Q.** Again with the emphasis on the pre-school child. What effect would a child’s memory development have on the ability of a child to think back and recall an experience which occurred?…

**A.** Well, the younger the child, the more difficult it is to recall…The memory is stored, and it’s reinforced many times, a number of times. So it’s there. It’s there in the mind, and certainly as the child gets older, the retrieval becomes a bit easier because then there’s ways of categorizing that behavior. So you might say that memory or ability to retrieve does improve with age because of that factor.

**Q.** Would you say that a child even at that age would be able to distinguish or identify who the perpetrator is if it’s repetitive behavior?

**A.** Oh, certainly….[W]ith a perpetrator that they’re very familiar with, it’s not difficult because that memory is very much in there. On the other hand, the younger the child, the more minor details that may be lost…. [T]he child that is very young may have great difficulty with accuracy as to exact numbers. Certain details because the kids don’t have a time sequence… you’re certainly not going to get it on the Monday, October 10th, or something like this, at 4:15 in the afternoon, and he was wearing a blue shirt….Older kids will get a bit better on that. But the little kids aren’t going to recall that, but they can tell you whether or not it occurred and who is doing it….

**Q.** All right. Now, you mentioned earlier and talked about children acting out. Are there indicators or things or experiences, behaviors of children who have been sexually abused that you find to be common in an intrafamilial situation?

**A.** There are many. Some of these can be assumed to be PTS syndrome because of the sexual abuse and incest is certainly a stress or very severe stress for a child. The common things you might see in response to many stressful behaviors would be some regression….acting out. Decrease in academics….difficulty sleeping or appetite changes…. compulsive masturbation ….knowledge of sex that is above and beyond what we’d expect of the child….like precocious sexual acting out….Those are the ones that tend to stand out the most in my mind right now.

……………………….

**Q.** Doctor, do you hold those opinions regarding the dynamics of intrafamilial abuse to a reasonable degree of psychological certainty?

**A.** Yes, I do.