An Exploration of Contradictions and Impeachment in Cases of Child Sexual Abuse (CSA)
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INTRODUCTION

CSA represents a severe health and criminal justice issue
- 8.4% of child maltreatment victims reported child sexual abuse in 2015 (USDHHS, 2017)
- Translates to approximately 57,000 children
- CSA has developmental consequences for child victims (Beitchman et al., 1992)

CSA is unique from other types of crime in several ways
- Occurs in isolation
- Delays in reporting (Sas & Cunningham, 1995)
- Lack of medical evidence (Goodman, Taub, Jones, & England, 1992)

Unlike other instances of child maltreatment, CSA relies largely on the testimony of child victims as evidence of abuse occurrence

The credibility of allegations must be assessed

Prosecution
Goal: Establish child victims as being credible
Procedure: Proving any concerns the defense may have

Defense
Goal: Evaluate concerns related to credibility
Procedure: Examining suggestibility and consistency

One strategy to demonstrate a lack of credibility is to illustrate previous statements made that are inconsistent with statements being made in the current testimony (Stolzenberg & Lyon, 2014a; Stolzenberg & Lyon, 2014b).

CURRENT FOCUS

Little is known about the circumstances that surround instances of contradiction and impeachment in testimonies alleging CSA

The current study explores and evaluates case-level and question-level characteristics as they relate to instances of contradiction and impeachment in cases of CSA

SAMPLE & METHODS

- 120 criminal trial testimonies from Los Angeles County
- Testimony occurred between 1997-2001
- Child’s age at time of testimony ranged from 6 to 12 years old
- Number of contradictions across sample = 2,129 (93.2%)
- Number of impeachments across sample = 153 (6.8%)

- Exploratory in nature
- Descriptive analyses; frequencies, correlations, t-tests

RESULTS

CASE-LEVEL DESCRIPTIVES

- 81.7% Female
- Average age = 9.6 years old (SD = 1.8)
- 28.3% of perpetrators are a teacher figure

CASE-LEVEL DESCRIPTIVES

- 9.6% of cases alleging multiple acts of abuse
- 44.2% of cases alleging penetration
- 74.2% of cases resulted in a conviction

ARE THE NUMBER OF CONTRACTIONS & IMPEACHMENTS RELATED TO CHILD AGE?

Number of Contradictions
Number of Impeachments
Number of Both

0.093
0.145
0.117

ARE THE NUMBER OF CONTRACTIONS & IMPEACHMENTS RELATED?

Correlations
Number of Contradictions
Number of Impeachments

0.641**

HOW ARE THE MEAN NUMBER OF CONTRACTIONS & IMPEACHMENTS DIFFERENT ACROSS FREQUENCY OF ABUSE?

Number of contradictions
Number of impeachments
Number of both

11.67
1.75
1.13

CONTENT OF CONTRACTIONS & IMPEACHMENT

Suspicious Interactions
Frequency
Location

17.3%
5.0%
52.2%

CONCLUSION

Factors outside case outcome
- Relatively small sample
- Generalizability
- Age of data

How we talk to children about very specific content related to their abuse
- Specific interactions with suspects, time of day abuse occurred, duration of abuse, statements previously made, sequencing of abuse etc.
- Asked in ways that are not always clear, or are suggestive, or are linguistically complex

Overall, there is room for improvement in the way that we question children about CSA

LIMITATIONS
- Relatively small sample
- Lack of variability in key variables

CONTENT children are most likely to be asked about
- Interaction with suspect & previous statements about abuse
- Suspects ask children about very specific content related to their abuse
- There is no significant mean difference in the number of contradictions and impeachment between cases that resulted in a conviction or acquittal

How we talk to children about very specific content related to their abuse
- Specific interactions with suspects, time of day abuse occurred, duration of abuse, statements previously made, sequencing of abuse etc.
- Asked in ways that are not always clear, or are suggestive, or are linguistically complex

There are more instances of contradiction and impeachment in cases that are alleging multiple acts of CSA versus cases that are alleging a single act of abuse

Impeachment through prior inconsistent statements (Myers, 1986)

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