

# COVID-19

## Conducting and Defending a Pandemic-Era Forensic Interview Webinar Follow-up



On June 2, 2020, CNA and the National District Attorneys Association (NDAA) partnered with the Zero Abuse Project to present a webinar on the challenges and best practices associated with conducting forensic interviews during a pandemic and on defending these interviews in court. During this webinar, the Zero Abuse Project referred to additional resources and answered a number of questions. This document provides those follow-up resources.

### FOLLOW-UP RESOURCES

- On May 11, 2020, Robert Peters, a senior attorney with the Zero Abuse Project, presented a webinar on technology-facilitated crimes against children during a pandemic. This webinar can be found [here](#).
- During his presentation, Victor Vieth referenced a book entitled *Investigation and Prosecution of Child Abuse*.<sup>1</sup>
- Rita Farrell referenced numerous resources available from the [National Children's Alliance](#), including a [toolkit](#) and operational policies for reopening Child Advocacy Centers and a webinar Ms. Farrell conducted on sample language for [pandemic-era forensic interviews](#).
- Mr. Farrell also briefly discussed a position paper from Gundersen NCPTC and the ChildFirst/Finding Words forensic interview training programs. This position paper can be found [here](#).
- The Zero Abuse Project partnered with the NDAA to write a [paper](#) entitled, "Conducting and Defending a Pandemic-Era Forensic Interview."
- The Zero Abuse Project also published an [article](#) entitled, "Responding to Child Abuse During a Pandemic: 25 Tips for MDTs."
- Mr. Veith authored an [article](#) on corroborating forensic interviews and another [article](#) on photographic evidence of a child sex abuse crime scene.
- Kathleen Myers and Carolyn Turvey edited a book entitled "Telemental Health: Clinical, Technical, and Administrative Foundations for Evidence-Based Practice (First Edition)."<sup>2</sup> Mr. Vieth noted that these studies may be useful in defending tele-forensic interviews.
- Mr. Vieth also discussed an [article](#) focusing on researches at Montclair State University working with Child Advocacy Centers to conduct forensic interviews.

<sup>1</sup> American Prosecutors Research Institute (2003). *Investigation and Prosecution of Child Abuse* (3rd Edition). SAGE Publishing.

<sup>2</sup> Myers, K., & Turvey, C. (Eds.). (2012). *Telemental health: Clinical, technical, and administrative foundations for evidence-based practice*. Newnes.

**THE CONDUCTING AND DEFENDING A PANDEMIC-ERA FORENSIC INTERVIEW WEBINAR ANSWERED THE FOLLOWING QUESTIONS. TO ACCESS A RECORDING OF THE WEBINAR, PLEASE CLICK [THIS LINK](#).**

- Please discuss the benefits and pitfalls of meeting a child virtually prior to the actual interview. Should these meetings be recorded?
- How do you maintain social distance standards in small interview rooms?
- Please address technology challenges and drawbacks to tele-interviews.
- Aside from the obvious, what are the most important differences between in person and tele-interviewing practices?
- What allowances can be made for breaks and the personal comfort of the witness?
- How should these forensic interviews be mentioned during voir dire?
- Do you think it concerning to have the child wear a mask during the interview insofar as being able to defend against defense claims that it will hamper the ability of the trier of fact to judge the credibility of the child absent being able to observe their facial expressions?
- Doesn't recording virtual interactions create a discovery issue?

FOR QUESTIONS, CONTACT US AT [COVID19\\_COURTS@CNA.ORG](mailto:COVID19_COURTS@CNA.ORG).