

trial. Both hearsay and closed-circuit television are potential ways to protect children from the stress of testifying live in court and are used in many European countries.

*Pedro M. Paz-Alonso, Yoojin Chae,  
and Gail S. Goodman*

*See also* Child Maltreatment; Children's Testimony, Evaluation by Juries; Child Sexual Abuse; Cognitive Interview; Expert Psychological Testimony; Eyewitness Memory; False Memories; Hearsay Testimony; Lineup Size and Bias; Postevent Information and Eyewitness Memory; Reporting Crimes and Victimization; Repressed and Recovered Memories; Simultaneous and Sequential Lineup Presentation; Witness Preparation

### Further Readings

- Bruck, M., & Melnyk, L. (2004). Individual differences in children's suggestibility: A review and synthesis. *Applied Cognitive Psychology, 18*, 947-996.
- Castelli, P., Goodman, G. S., Edelstein, R. S., Mitchell, E. B., Paz-Alonso, P. M., Lyons, K. E., et al. (2006). Evaluating eyewitness testimony in adults and children. In I. B. Weiner & A. K. Hess (Eds.), *The handbook of forensic psychology* (3rd ed., pp. 243-302). Hoboken, NJ: Wiley.
- Ceci, S. J., & Bruck, M. (1995). *Jeopardy in the courtroom: A scientific analysis of children's testimony*. Washington, DC: American Psychological Association.
- Eisen, M. L., Quas, J. A., & Goodman, G. S. (2002). *Memory and suggestibility in the forensic interview*. Mahwah, NJ: Lawrence Erlbaum.
- Pipe, M.-E., Lamb, M., Orbach, Y., & Cederborg, A.-C. (2006). *Child sexual abuse: Disclosure, delay, and denial*. Mahwah, NJ: Lawrence Erlbaum.
- Poole, D. A., & Lamb, M. E. (1998). *Investigative interviews of children: A guide for helping professionals*. Washington, DC: American Psychological Association.
- Pozzulo, J. D., & Lindsay, R. C. L. (1998). Identification accuracy of children versus adults: A meta-analysis. *Law and Human Behavior, 22*, 549-570.

reaching a verdict. Thus, although much psychological research focuses on the *actual* accuracy of children's eyewitness testimony, it is also important to consider their *perceived* accuracy. Research reveals that jurors consider many factors when making decisions about children's testimony. In this entry, we review what is known about jurors' perceptions of testimony given by children and adolescents who are bystander witnesses, alleged child abuse victims/witnesses, and juvenile defendants.

Can jurors determine whether child witnesses are accurate or inaccurate, telling the truth or lying? Some research reveals that adults are not very adept at discerning children's actual accuracies from inaccuracies or at detecting lies from the truth, although adults can detect children's (especially older children's) lies with slightly greater than chance accuracy. Consistent with findings from the adult eyewitness literature, part of the problem is that jurors appear to overuse the dubious marker of child confidence in judging child accuracy, which is misleading because the relation between child confidence and child accuracy is not always strong. More research is needed to ensure that these results hold true in situations where children give incorrect or false testimony about events of great personal significance, which has not been the case with most research on this topic. Even so, existing research is converging on the conclusion that adults cannot detect children's actual level of accuracy well. A growing body of research has thus focused on identifying the factors other than actual accuracy that affect jurors' perceptions of children's eyewitness testimony.

### Perceptions of Bystander Witnesses

Gail Goodman and her colleagues conducted the first studies of jurors' perceptions of child witnesses. They evaluated jurors' reactions to bystander testimony given in the context of vehicular homicide and murder cases. Although all jurors read the same testimony, some were told that the key prosecution witness was an adult, while others were told that the witness was a child. Individual jurors perceived child witnesses to be less credible than adult witnesses, an effect that was not tempered by jury deliberation. This research provided the first evidence that jurors—and juries—are skeptical of children's ability to provide accurate testimony, presumably because jurors doubt young children's cognitive abilities to encode and retrieve details of events accurately. Even so, witness age did

---

## CHILDREN'S TESTIMONY, EVALUATION BY JURIES

---

When children are involved in trials as witnesses, victims, or defendants, jurors must decide whether they are credible and how to weigh their testimony in

not directly affect jurors' ratings of the defendant's guilt. Instead, jurors based their verdicts primarily on witness testimony only when the witness was an adult. When the witness was a child, jurors gave greater consideration to other case evidence. Thus, although jurors often report that they consider corroborating evidence when making decisions, this is especially true when the primary source of evidence is child testimony. In fact, later research showed that jurors perceive individual child witnesses more positively when their testimony is corroborated by other credible child witnesses.

### Perceptions of Alleged Victims of Child Maltreatment

After the first studies of jurors' perceptions of child bystander witnesses, research quickly turned to jurors' perceptions of child victim witnesses—specifically alleged child sexual abuse victims. This shift reflected the increased societal attention in the 1980s to child sexual abuse, as well as the fact that child sexual abuse is usually perpetrated in secret, with little corroborating evidence, making child victim testimony key to its prosecution. This research has revealed that jurors' decisions are influenced by many factors. For example, jurors generally find child sexual abuse victims who are younger than about 13 years more believable than older children. Why? Jurors' belief that younger children are less cognitively competent than older children (which hurts the perceived credibility of child bystander witnesses) actually works to the advantage of child sexual abuse victims. That is, compared with older children, younger children are perceived as sexually naive and therefore less cognitively capable of fabricating allegations of sexual abuse that did not actually occur. Younger children are also seen as more honest and therefore less likely to lie about such matters. In fact, for the same reasons, jurors perceive intellectually disabled (i.e., mentally retarded) teenaged sexual abuse victims to be more credible than children of average intelligence. In fact, intellectually disabled children are sexually victimized more often than nondisabled children, but prosecutors might hesitate to prosecute such cases, fearing that jurors will not believe disabled witnesses.

A number of other factors also influence jurors' perceptions of child sexual abuse victims, including victim and defendant factors such as gender and race, case factors such as whether the child's disclosure of

abuse was portrayed as delayed or repressed, and juror individual difference factors such as gender and attitudes. For example, one of the most robust findings in this field is that compared with men jurors, women are on average more likely to convict defendants and to perceive children as credible witnesses. This may be driven by the fact that compared with men, women empathize more with child victims and have somewhat more prochild and anti-child-abuse attitudes.

Recently, attention has begun to turn to adults' reactions to children who are alleged victims of other forms of child maltreatment. For example, studies in which adults consider brief vignettes of maltreatment situations indicate that neglect is perceived to be more severe when a victim is younger rather than older, perhaps reflecting people's awareness that compared with older children, younger children are less able to care for themselves and may experience more adverse consequences from neglect. In contrast, people perceive psychological abuse to be more severe when the victim is older rather than younger, perhaps reflecting the belief that older children are more likely to experience damage to their self-concept. Perceptions of physical abuse severity are not influenced by age, suggesting that people disapprove of physically abusing children of any age. Although the possibility has not yet been tested within a mock trial paradigm, jurors may be similarly influenced by these variables in trials involving these forms of child maltreatment.

Psychologists are sometimes allowed to testify as expert witnesses in trials about issues of psychological relevance that jurors do not intuitively understand. Scholars disagree about the conditions under which expert psychological testimony about children's actual eyewitness abilities should be allowed. Surveys reveal that some portion of the jury pool is knowledgeable about children's actual memory, suggestibility, and tendency to disclose sexual abuse, but other jurors are not. Most jurors have a poor understanding of the clinical symptoms exhibited by abused and nonabused children, forensic interview techniques that increase the risk of false allegations versus those that promote true disclosures of abuse, and whether children are prone to confabulate and internalize false memories of abuse. (Women and more highly educated jurors are more knowledgeable about such issues than other jurors.) Some argue that expert testimony would be a valuable tool for countering jurors' ignorance, while others fear that expert testimony will increase unfounded skepticism about children's abilities.

Research by Margaret Kovera and her colleagues has shown that expert testimony is useful in educating jurors about at least one particular issue: the hazards of basing credibility judgments on child witnesses' non-verbal cues and countenance. That is, jurors expect abused children to be emotionally upset when testifying about their sexual victimization, and when this expectation is not met, jurors doubt the veracity of abuse allegations. Expert testimony can inform jurors that most child victims have repeated their stories so many times before appearing in court that some no longer appear emotionally distraught. Such testimony can reduce jurors' otherwise negative bias against child sexual abuse victim witnesses, which results from incorrect assumptions about the relation between emotion and accuracy.

Regardless of how they appear, testifying in court can be a traumatic experience for some child witnesses. To protect children from this potential trauma, the U.S. Supreme Court declared it constitutionally permissible under some conditions for children to testify using innovative techniques that shield them from the defendant. For example, rather than testifying in an open courtroom in front of the defendant, child victim witnesses may testify elsewhere in the courthouse while their testimony is transmitted to the courtroom via closed-circuit television (CCTV). Or child witnesses can give their testimony in court with their view of the defendant blocked by a screen. How do such accommodations affect jurors' perceptions of child testimony? Although defense attorneys fear that jurors will infer a defendant's guilt from the use of accommodations and give undue weight to testimony presented under such circumstances, ironically, mock trial research suggests that jurors perceive child witnesses to be less credible when testimony is presented via CCTV than when children testify live in court. This may result from accommodated children appearing less stressed than children who testify in full view of the court, which may signal the need for psychological expert testimony for the reasons discussed previously.

### Perceptions of Child Defendants

Recent research has begun to consider jurors' perceptions of children who are accused of committing crimes. This has become increasingly important because more and more teenagers are being tried in adult criminal court instead of juvenile or family court, and their cases are being decided by jurors rather than by juvenile court judges. Unfortunately, research suggests that

trying a juvenile in adult criminal court is inherently prejudicial. For example, jurors infer that juveniles tried in adult criminal court have been convicted of past crimes, and this inference increases the likelihood of conviction. In reality, most felony juvenile offenders (i.e., juveniles whose cases are most likely to go to trial in adult criminal court) have never been arrested before. Jurors' judgments are also influenced by the severity of the crime (jurors perceive juveniles as more competent and render more severe sentences when the crime and its outcome are more severe) and by inferences regarding a juvenile's intent to commit a crime, understanding of wrongfulness, and recidivism potential. Many psychologists are concerned that jurors might not understand juveniles' actual capabilities in these regards and that jurors are insensitive to the fact that juveniles are less cognitively competent and mature than adults. Research on this issue is mixed. Although some jurors appear to set lower standards of proof for juveniles tried in adult criminal court than for adults, jurors are less likely to convict younger juveniles than older juveniles, perhaps because they believe that younger juveniles are less competent to stand trial. Under some conditions, however, jurors perceive younger and older juveniles to be equally competent. Meanwhile, other research has identified juror and case characteristics that influence jurors' perceptions of child and adolescent offenders. For example, as in child sexual abuse cases, women jurors appear to have more positive perceptions of juvenile offenders than men do. Also, situational trial factors can influence trial outcomes: Attorneys' pleas for jurors to empathize with a juvenile offender lead jurors to be more sensitive to mitigating factors, perceive the juvenile to be less responsible for the crime, and render more lenient judgments relative to jurors who are not asked to empathize.

### Future Research

Future research will provide an even better understanding of the factors that influence jurors' perceptions of children in the courtroom and, importantly, the processes by which those perceptions influence jurors' verdicts. Psychologists hope that this knowledge can be used to inform a legal policy that ensures justice for all parties involved in trials.

*Cynthia J. Najdowski and Bette L. Bottoms*

*See also* Child Maltreatment; Children's Testimony; Child Sexual Abuse; Hearsay Testimony; Juries and Eyewitnesses; Juvenile Offenders

### Further Readings

- Bottoms, B. L., Golding, J. M., Stevenson, M. C., Wiley, T. R. A., & Yozwiak, J. A. (2007). A review of factors affecting jurors' decisions in child sexual abuse cases. In M. P. Toglia, S. J. Read, D. F. Ross, & R. C. L. Lindsay (Eds.), *The handbook of eyewitness psychology: Vol. 1. Memory for events* (pp. 509–543). Mahwah, NJ: Lawrence Erlbaum.
- Ghetti, S., & Redlich, A. D. (2001). Reactions to youth crime: Perceptions of accountability and competency. *Behavioral Sciences and the Law, 19*, 33–52.
- Goodman, G. S., Golding, J. M., Helgeson, V. S., Haith, M. M., & Michelli, J. (1987). When a child takes the stand: Jurors' perceptions of children's eyewitness testimony. *Law and Human Behavior, 11*, 27–40.
- Kovera, M. B., Gresham, A. W., Borgida, E., Gray, E., & Regan, P. C. (1997). Does expert testimony inform or influence juror decision-making? A social cognitive analysis. *Journal of Applied Psychology, 82*, 178–191.

---

## CHILD SEXUAL ABUSE

---

Although definitions can vary across legal, clinical, and research contexts, sexual abuse is commonly defined as sexual acts between a youth and an older person (e.g., by 5 years or more) in which the dominance of the older person is used to exploit or coerce the youth. Behaviors may include noncontact (e.g., exposure) and contact (e.g., intercourse) offenses.

The prevalence of sexual abuse is difficult to determine, but estimates suggest that as many as 20% of women and 5% to 10% of men report having been sexually abused as a child. The number of substantiated cases has dropped significantly in recent years, possibly due to a combination of factors, including changes in definitions and reporting and an actual decline in incidence. Sexual abuse occurs across all income levels and racial, cultural, and ethnic groups. Victims are identified via child self-disclosure, medical or physical evidence (e.g., trauma, sexually transmitted disease), behavioral and emotional changes that prompt inquiry, and investigations stemming from assault of other youths. Careful forensic interviews are often important for documenting abuse, protecting children, and successfully prosecuting perpetrators.

All states have mandatory reporting laws that require professionals to report suspected child maltreatment, including sexual abuse. Failure to report

can lead to legal charges and ethical complaints. The statutes provide civil and criminal immunity from liabilities for reports made in good faith.

The impact of sexual abuse varies considerably, and there is no common symptom that is found in all victims. The possible consequences include internalizing (e.g., anxiety, depression, poor self-esteem) and externalizing (e.g., delinquency, substance abuse, sexual behavior) problems. Posttraumatic stress disorder (PTSD) is the most common clinical syndrome. A substantial number of young people do not show measurable clinical symptoms, although for some of them problems may appear later. Nonoffending parents and siblings may experience significant distress and may require treatment as well.

A variety of treatment approaches are used for reducing the consequences of abuse. Interventions may focus on the abused child, nonoffending parents, and nonabused siblings, in individual and group formats.

Only a small percentage of cases result in a sexually abused child testifying in court. Court preparation programs help make the experience less stressful and improve the child's participation.

### Definitional Issues

Child sexual abuse is surprisingly difficult to define as no universally accepted criteria have been identified. Definitions generally consider the sexual behaviors involved and the ages of the victim and the perpetrator.

While force or coercion may occur, it is not always present. Younger children are not considered capable of consenting to sexual activities with older persons; thus, sexual acts between individuals with age differences of 5 years or more are generally seen as abusive. Legal definitions often emphasize that the perpetrator should be an adult in a position of dominance or authority over the youth for the behavior to be considered an act of abuse. Noncontact offenses include genital exposure, voyeurism, showing a child pornographic material, or having a child undress or masturbate. Contact offenses include genital touching; oral sex; and digital, object, or penile penetration (vaginal or anal).

If the perpetrator is a family member, including distant relations, in-laws, and step-relations, then the abuse is considered "intrafamilial" sexual abuse. If the perpetrator is not a family member by marriage or blood, then it is usually considered "extrafamilial."

Child sexual abuse has been challenging to define as each word in the term has been operationalized differently across legal, clinical, and research contexts.