

**Utah Children's Justice Symposium/
Utah Prosecution Council
Domestic Violence Conference
2012**

AGENDA

Tuesday, May 15, 2012

Pre-Conference

9:00 – 11:45 am
Grindelwald

Medical Pre-Conference: **Carole Jenny, MD MBA, FAAP**
Medical Personnel Only **Thomas A. Roesler, MD**
Lunch Provided by PCMC – Must RSVP for Attendance

9:00 am – 5:30 pm

Registration and Information
Symposium Registration Table, 2nd Level Main Conference Center

General Session

12:00 Noon
Bernese Exhibit Hall

Welcome: **Kirk Torgensen**, Chief Deputy, Utah AG's Office
Announcements: Tracey Tabet, CJC Program Administrator
Donna Kelly, Utah Prosecution Council

12:15 – 12:45 pm
Bernese Exhibit Hall

Opening Remarks: **Scott Burns**, Executive Director
National District Attorneys Association

12:45 – 1:45 pm
Bernese Exhibit Hall

Keynote: **Cold-Blooded Kindness: Carole Alden DV Homicide Case**
Barbara Oakley, Author

Society's attempts to help those involved in domestic violence situations can sometimes impede justice and hurt the children who are most at risk in troubled family relationships. Dr. Barbara Oakley presents an overview of the Carole Alden domestic violence homicide case, showing how people's natural tendency to side with perceived victims can be a double-edged sword.

1:45 – 2:00 pm

Break

- 1) **Barbara Oakley**
Matterhorn Ballroom
Carole Alden DV Homicide Case: Psychological Aspects of Domestic Violence
As a follow-up to the Keynote Presentation, this session provides a more detailed discussion of the psychological and societal aspects of this case. Dr. Oakley will highlight what science and neuroscience are revealing about empathy and disorders of certainty, and how this informs our understanding of family dynamics, media relations and justice.
- 2) **Patrick Finlinson,
Richard Jacobson,
Pat Nolan, Ed Spann**
Bernese Exhibit Hall
Carole Alden DV Homicide Case: Investigation and Prosecution
As a follow-up to the Keynote Presentation, this session provides a more detailed discussion of the investigation and prosecution of the Carole Alden domestic violence homicide case from the perspectives of the prosecuting attorneys and the investigating officers. Issues related to prosecutorial discretion and investigative decision-making will be addressed, together with lessons learned about what worked and what might have been handled differently. (Please note: Participation in conference presentation by Patrick Finlinson, Richard Jacobson and Patrick Nolan is dependent on trial schedule.)
- 3) **Julie Kenniston**
Developmentally Sensitive Interviewing to Obtain Reliable Information from Children – Part 1
Adults and children do not speak the same language. In fact, adults often misinterpret what they hear from children. Since investigations of child abuse often rely on the information received from alleged child victims and child witnesses, it is crucial that adults ask questions in ways that children are able to understand and to answer accurately. This presentation, based on the work of Anne Graffam Walker, will address how stages of development impact child interviews. It will also offer practical ways to gather information from children that can be corroborated. Learning objectives for this workshop: Participants will 1) understand how the developmental issue of being concrete affects information gathering in investigations, 2) be able to identify small but important words and know how to minimize misinformation, and 3) learn to maximize the potential of gathering accurate data from children by using linguistically sensitive interview questions.
- 4) **Herb Tanner**
Domestic Violence Prosecutions
Now that the U.S. Supreme Court has decided yet another confrontation clause case, *Michigan v. Bryant*, where does that leave domestic violence prosecutions? This session will cover the state of confrontation clause jurisprudence as it applies to domestic violence prosecutions. It will present some new ideas on effectively prosecuting domestic violence cases when the victim chooses to participate and when the victim chooses not to. Jury selection, presentation of evidence, looking in “new” places, and strategies for collaboration with service providers will also be covered.
- 5) **Carole Jenny, MD
Thomas Roesler, MD**
Grindelwald
Medical Child Abuse: Beyond Munchausen by Proxy—Part 1 Diagnosis
Medical child abuse occurs when a child receives unnecessary harmful or potentially harmful medical care at the behest of the caretaker. In this session the history of the concept of “medical child abuse” will be presented. The term will be defined and applied to appropriate clinical cases. The lack of a “perpetrator profile” will be discussed, and diagnostic methods will be reviewed. The role of the multidisciplinary team will be emphasized. Learning objectives: 1) participants will learn the definition of the concept of medical child abuse, 2) participants will learn to collaborate with the medical treatment team to make the diagnosis, 3) participants will recognize high risk clinical situations where medical child abuse often occurs, and 4) participants will know the importance of working in a multidisciplinary team when confronted with cases of medical child abuse.
- 6) **Curtis Allen**
Healing Paws Program
The *Healing Paws Program* was developed in 2007 to assist the Tooele County Children’s Justice Center and investigators in Tooele County and DCFS during the interview process. *Healing Paws* uses specially trained dogs that provide comfort and support to alleged victims of child abuse. During the past four years, the *Healing Paws Program* has more than exceeded expectations and the CJC has seen an increase in the number of disclosures from children when the dogs are part of the interview. During this session, you will get a chance to meet the dogs as well as to hear about getting a program like this off the ground and working in your community.

3:30 – 3:45 pm Break

3:45 – 5:15 pm **Breakout Session 2**

- 1) **Barbara Oakley**
Matterhorn Ballroom
Carole Alden DV Homicide Case: Psychological Aspects of Domestic Violence
(See description under Breakout Session 1)
(Repeat)
- 2) **Patrick Finlinson,**
Richard Jacobson,
Pat Nolan, Ed Spann
Bernese Exhibit Hall
Carole Alden DV Homicide Case: Investigation and Prosecution
(See description under Breakout Session 1)
(Repeat)
- 3) **Julie Kenniston**
Developmentally Sensitive Interviewing to Obtain Reliable Information from Children – Part 2
(See description under Breakout Session 1)
- 4) **Herb Tanner**
Expert Testimony in Domestic Violence Cases
Although expert testimony has been considered a best practice for some time in domestic violence cases, there does not appear to have been much reflection on how that came to be and whether it is effective in all cases. In this session, Mr. Tanner will discuss the *when, why* and *how* of admitting expert testimony in domestic violence cases. The discussion will include tips on responding to challenges to admissibility, choosing and working with “traditional” and “non-traditional” experts, and challenging attempts by the defense to offer counter-expert testimony.
- 5) **Carole Jenny, MD**
Thomas Roesler, MD
Grindelwald
Medical Child Abuse: Beyond Munchausen by Proxy—Part 2 Treatment
Once identified, the first step in the treatment of medical child abuse is to mobilize the medical team. Everyone has to speak with one voice and this can be the hardest part of the treatment. Next the treatment consists of stopping harmful medical care, working with social services and the family to make certain any future care is appropriate, and repairing the emotional and physical damage caused by the unnecessary care. We pay special attention to “the informing session” when the treatment team communicates to the caretaker the need to renegotiate the medical treatment contract. Treatment of the perpetrator follows the same guidelines used to treat perpetrators of physical or sexual abuse. Learning objectives: 1) participants will learn to identify the elements in the medical care system that need to be mobilized in order to effectively stop harmful medical treatments, 2) participants will learn to lead an informing session to renegotiate the treatment contract between abusing caretaker and the medical care providers, and 3) participants will learn strategies useful in educating local social service agencies in how to respond to medical child abuse.
- 6) **Curtis Allen**
Healing Paws Program
(See description under Breakout Session 1)
(Repeat)

4:45 – 5:30 pm State Advisory Board on Children’s Justice – May 2012 Board Meeting
Neuchatel

5:30 – 7:30 pm Awards Reception Grethe Peterson Children Justice Center Award
Matterhorn Ballroom Utah Children’s Justice Center Program MDT Award
Community Service Awards

Wednesday, May 16, 2012

- 6:30 – 8:15 am**
Matterhorn Ballroom
Breakfast (Provided for registered Symposium Participants and guests with tickets)
- 7:30 am – 5:30 pm**
Registration and Information
Symposium Registration Table, 2nd Level Main Conference Center
- 8:30 – 8:40 am**
Bernese Exhibit Hall
Welcome and Opening Remarks: **Mark Shurtleff**, Utah Attorney General
Announcements: Tracey Tabet, CJC Program Administrator
Donna Kelly, Utah Prosecution Council
- 8:40 – 10:00 am**
Bernese Exhibit Hall
Keynote: **Sex Offenders: Current Trends**
Anna Salter, PhD, Clinical Psychologist
This Keynote will look at the various types of sex offenders who prey on children and adults. It will address sex offenders with a deviant arousal pattern, those who are antisocial, and child molesters who are lonely and turn to children to meet their intimacy needs. It will also discuss offenders at both ends on the continuum of severity: sadists and, on the other end, status offenders. Interviews with offenders will be utilized in which they discuss how to fool people and research will be presented on methods of detecting deception. Finally, the presentation will address briefly the new actuarial instruments for assessing risk.
- 10:00 – 10:15 am**
Break
- 10:15 – 11:45 am**
Breakout Session 3
- 1) **Anna Salter**
Matterhorn Ballroom
Serial Child Torture: Sadistic Child Sexual Abuse
This workshop will focus on sadistic offenders. It will include information on their characteristics, cognitive distortions, and deviant arousal. Information on diagnostic reliability will also be included as well as a video interview with a sadist discussing his offenses.
- 2) **Julie Kenniston /
Viola Vaughan-Eden
Heather Stewart**
The Great Debate in Forensic Interviewing
This presentation will discuss the national debate in forensic interview approaches. Research-based and practice-informed interviewing will be addressed. The presenters will model the collaboration occurring nationally to further the field of forensic interviewing. The presentation will discuss how forensic interview guidelines and best practices apply to Utah. Session objectives: Participants will be able 1) to summarize the controversies in forensic interviewing, 2) to recognize forensic interview best practice from the perspective of multiple training models, and 3) to understand how Utah forensic interview practices fit into the national landscape.
- 3) **Chief Greg Whinham**
Utah Case Study: One Perpetrator with Over 45 Victims
Lonnie Norman abused over 45 victims before the age of 30. This session will take an in-depth look into the mind of a child predator through the eyes and experience of the predator himself as he describes how he groomed and violated his victims. Interviewed in December 2011 at the Gunnison Correctional Facility by Chief Whinham, Norman explains in detail how he found, enticed and rewarded his victims. He describes the difference in types of predators, why children are vulnerable and what parents need to know to protect their children from others like him. Norman admits that he is not rehabilitated and explains his exit strategy to transition into society when released. As a young investigator in 1993, Chief Whinham investigated Norman and his abuse of over 25 children. Eighteen years later, Chief Whinham interviews him again for this conference and discovers that there were over 40 victims in Utah, Wyoming and Montana.

- 4) **Justin Fitzsimmons** Behind the Net: Incorporating Technology into MDT Investigations in Child Physical and Sexual Abuse Investigations and Prosecutions
 In the last decade there has been an explosion of technology-facilitated crimes against children. Technology is used to exploit children. It is also a valuable source of evidence in child abuse cases. Many MDTs do not consider, or fail to recognize, technology as an opportunity to corroborate a child's disclosure of abuse. The goal of this session is to familiarize MDT members with an essential understanding of how various types of technology can impact a child's disclosure as well as provide corroborative evidence critical to the investigation and prosecution of these crimes.
- 5) **Bill Carson** Women Who Molest Children: An Updated Study of Female Offenders – Part 1
 This updated and expanded workshop discusses the findings from Captain Carson's in-depth interviews with 18 women who had been convicted of molesting children. It also addresses other studies of female offenders from across the country as well as specific cases brought to Captain Carson for review. Additionally, the workshop will focus on updated offender typologies for female child molesters, using examples from specific cases for illustration.
- 6) **Alicia Cook** Child Abuse: A Criminal Prosecution Perspective
 Screening a child abuse case for criminal charges can be a frustrating experience for an investigator. This session will explain a prosecutor's ethical and legal obligations and the hurdles created by the criminal justice system. The discussion will help investigators understand how these obligations inform a prosecutor's charging decisions, as well as the process of getting the case ready to go to trial and before a jury. The session will also provide real-world examples of strategies and evidence that have resulted in successful prosecutions of child abuse cases, with an emphasis on sexual abuse.
- 7) **Edward Berkovich** So You Think a Domestic Violence Conviction Will Make the Offender a Restricted Person?
Lance Tyler Think again.
 Until recently many judges, prosecutors and defense attorneys assumed that a conviction to a state-law domestic violence offense automatically disqualified the offender from weapons possession under federal firearms law. This presentation, aimed at prosecutors (though informational to others in the domestic violence field), will clarify why many domestic violence convictions which *should* disqualify offenders from gun possession do not.
- Jeff Gray** Internet Investigations: The Impact of *State v. Maxwell* and *United States v. Jones*
 This session will focus on the Utah Supreme Court's *Maxwell* decision regarding the exigent circumstances exception in the "knock-and-talk" setting and the U.S. Supreme Court's *Jones* decision regarding GPS tracking. It will examine what these cases say and don't say, and what issues lie in wait.
- 11:50 am – 12:50 pm** **Lunch** (Provided for registered Symposium Participants and guests with tickets)
 Bernese Exhibit Hall (Outside – Weather Permitting)
- 1:00 – 2:00 pm** **Keynote: High Profile Cases: How to Manage Public Perception**
 Bernese Exhibit Hall **Greg Whinham**
 Every investigator will at some point be faced with the prospect of having to investigate a case involving a person of trust. In some cases, the individual will be a prominent member of the community. During this presentation, three cases will be discussed. The first two cases involve school teachers and the third, a youth pastor. Two resulted in successful prosecutions and one, a non-successful prosecution with significant public push back and divisiveness. In all three cases, media played a role in the investigations.
- 2:00 – 2:15 pm** Break
- 2:15 – 3:45 pm** **Breakout Session 4**
- 1) **Anna Salter** Incest Perpetrators
 Matterhorn Ballroom This workshop will focus on the dynamics of incest. In particular, it will focus on characteristics of incest offenders, on interactions between incest offenders and their victims, and on the role of the non-

offending spouse. Mothers have often been routinely blamed for father/daughter incest; although there is little empirical foundation for the belief that mother “always” knows and approves the incest. This workshop will discuss the range of behaviors found in mothers from those who do encourage and even participate in incest to those who are unaware and protect the child when they discover it. Implicit versus explicit denial will also be addressed along with the costs of each for victims.

- 2) **Justin Fitzsimmons** No Child Stands Alone: Corroboration in Child Abuse Cases
Corroboration of the child’s statement is a necessary element of any effective child abuse investigation and prosecution. It is insufficient for any prosecutor to merely rely on the child’s testimony as the only evidence. This session will explore how a child’s allegations of abuse can be corroborated through physical evidence as well as technological evidence.

- 3) **Bill Carson** Women Who Molest Children: An Updated Study of Female Offenders – Part 2
(See description in Breakout Session 3)

- 4) **Scott Burns** Why Can’t We All Just Get Along: The Importance of Collaboration in the Investigation, Prosecution and Sentencing of DV and Related Violent Crime Cases
This session will stress the importance of collaboration within the criminal justice system as well as within the community as a whole. Prosecutors, in the 21st Century, cannot simply focus on winning a conviction but must also be willing to take the lead on behalf of the prosecution team and ensure that the voices of the community and victims are heard. In the current economic climate, it is more important than ever to combine resources and work together. Participants will hear an overview of promising practices from across the country (rural, urban and tribal lands) and, hopefully, learn something that may apply to their own “real” world of investigation and prosecution.

- 5) **Julie Kenniston** Using the Cognitive Interview with Children
This presentation will emphasize increasing interviewer skills in the area of obtaining detailed narratives from children through the use of the Cognitive Interview (CI). By maximizing information from children, investigators can gather crucial evidence, learn more about crime scenes, and corroborate statements in a legally defensible manner. There will be some focus on the research that supports the use of CI with children. Learning objectives of this workshop: 1) Learn the steps of the Cognitive Interview as they relate to forensic interviews, 2) Understand the use of CI in the investigative context, and 3) Understand how research for CI relates to children.

- 6) **Alissa Black, Daniel Brewster, Marlesse Jones** Police, Prosecutors and Victim Advocates: Allies or Adversaries?
What would you say if the boss wasn't in the room? It is an understatement to say that police officers, prosecutors and victim advocates sometimes disagree about how to respond to domestic violence, both generally and in specific cases. This session will provide a forum for representatives from each of these professions to describe their understanding of their role in domestic violence response, what they would like to see changed in the ways the different professions respond individually and/or to the system in general, and to candidly and openly address other issues they think need to be discussed regarding domestic violence responses. Additionally, the session is intended to facilitate audience participation on these important issues.

- 7) **Carole Jenny, MD** Medical Child Abuse: Abusive Head Trauma
Abusive head trauma is a leading cause of abuse-related death and disability in infants and young children. Participants will learn frequent clinical presentations and findings in cases of abusive head trauma. Discussion of frequently used courtroom defenses will review the relevant science that is supported by the medical community and research. This session will define medical terms and will be accessible to non-medical participants as well as to medical personnel. Learning objectives: 1) to understand the frequent physical and clinical manifestations of abusive head trauma, 2) to know the implications of using the terminology ‘abusive head trauma’ and ‘shaken baby syndrome,’ 3) to learn to evaluate the veracity of alternate explanations often offered in cases of abusive head trauma, and 4) to appreciate other clinical conditions that can mimic abusive head trauma.

3:45 – 4:00 pm

Break

4:00 – 5:15 pm

Breakout Session 5

- 1) **Mike Bleak, Julie Kenniston, Chelsea Smith, Heather Stewart**
Moderator: Travis Peterson
Forensic Interviewing: Best Practices (Skill-Based)
This session will be a panel focused specifically on skill-based best practices for forensic interviewers. Each panel member will present a specific skill -- something concrete and useable -- that can improve forensic interviewing in child abuse and domestic violence cases. The goal is to provide tangible expertise and advice that forensic interviewers can "take out of the tool box" and actually USE the next day when interviewing a child. There will also be time for questions and audience interaction.

- 2) **Bill Carson, Christina Sally, Spencer Turpin, Greg Whinham**
Child Abuse Investigation – Law Enforcement: Best Practices (Skill-Based)
This session will be a panel focused specifically on skill-based best practices for law enforcement. Each panel member will present a specific skill -- something concrete and useable -- that can improve the investigation of child abuse and domestic violence cases. The goal is to provide tangible expertise and advice that law enforcement professionals can "take out of the tool box" and actually USE the next day when investigating a case. There will also be time for questions and audience interaction.

- 3) **Darren Burdette, Julie Willden**, (additional panel members to be announced)
Moderator: Marnie Maxwell
Child Abuse Investigation – CPS / DCFS: Best Practices (Skill-Based)
This session will be a panel focused specifically on skill-based best practices for child protection and social service caseworkers. Each panel member will present a specific skill -- something concrete and useable -- that can improve the investigation of child abuse and domestic violence cases. The goal is to provide tangible expertise and advice that CPS and social service caseworkers can "take out of the tool box" and actually USE the next day when investigating a case. There will also be time for questions and audience interaction.

- 4) **Alicia Cook, Dale Eyre, Donna Kelly, Justin Fitzsimmons**
Moderator: Angela Micklos
Child Abuse Prosecution: Best Practices (Skill-Based)
This session will be a panel focused specifically on skill-based best practices for prosecutors. Each panel member will present a specific skill -- something concrete and useable -- that can improve the prosecution of child abuse and domestic violence cases. The goal is to provide tangible expertise and advice that prosecutors can "take out of the tool box" and actually USE the next day when prosecuting a case. There will also be time for questions and audience interaction.

- 5) **Tammie Atkin** (Moderator)
Alissa Black, Shelley Haupt, Sharla Smith, Terry Warner
Victim Advocacy in Child Abuse Cases: Best Practices (Skill-Based)
This session will be a panel focused specifically on skill-based best practices for victim advocates. Each panel member will present a specific skill -- something concrete and useable -- that can improve the process by which victims of child abuse and domestic violence and their families negotiate the criminal justice system. The goal is to provide tangible expertise and advice that victim advocates can "take out of the tool box" and actually USE the next day when working with victims and their families. There will also be time for questions and audience interaction.

Thursday, May 17, 2012

6:30 – 8:15 am

Matterhorn Ballroom

Breakfast (Provided for registered Symposium Participants and guests with tickets)

7:30 am – 1:00 pm

Registration and Information

Symposium Registration Table, 2nd Level Main Conference Center

8:30 – 8:35 am

Bernese Exhibit Hall

Welcome and Announcements:

Tracey Tabet, CJC Program Administrator
Donna Kelly, Utah Prosecution Council

8:35 – 10:00 am
Bernese Exhibit Hall

**Keynote: Case Study: Child Kidnapper Michael Devlin
Captain Bill Carson**

This workshop examines the life, history and psychological motives of Michael Devlin, one of the most notorious child kidnappers of the past decade. Following his convictions, Devlin was interviewed in-depth separately by Captain Carson and two FBI profilers. The presentation includes material learned from these interviews, with audio of Devlin discussing his childhood, his sexual attraction to young boys, his abduction fantasies, and the eventual kidnappings of Shawn Hornbeck in 2002 and Ben Ownby in 2007.

10:00 – 10:15 am

Break

10:15 – 11:45 am

Breakout Session 6

1) **Chief Greg Whinham**

Utah Case Study: One Perpetrator with Over 45 Victims
(See description under Breakout Session 3)
(Repeat)

2) **Rob Butters**
Viola Vaughan-Eden

Forensic Social Work in Child Maltreatment Cases
Social workers are fundamental stakeholders in the investigation and prosecution of child maltreatment cases. Forensic social work is the application of social work to questions and issues relating to law and legal systems. Effective forensic social work requires a collaborative approach that addresses both well-being (psychosocial) and justice (law and policy) to help individuals, families and communities. Although social workers are integral members of many MDTs, many are uncertain of the expectations of and how to engage with their colleagues. This workshop will address the collaborative needs of forensic social workers and legal professionals involved in child abuse cases. The presenters are the Co-Editors of the Journal of Forensic Social Work, which is a forum for practitioners, scholars, policy makers, advocates, and others interested in the social workers' role in the legal system. Session objectives: Participants will 1) be able to distinguish the roles and responsibilities of forensic social workers in child abuse cases, 2) be able to differentiate the key points to being a good expert witness in child abuse cases, and 3) learn how to collaborate with all MDT members in child maltreatment cases in more productive ways.

3) **Justin Fitzsimmons**

Sexting and Cyberbullying

This presentation will focus on the different types of bullying occurring with today's youth and adolescents. Within this framework, Mr. Fitzsimmons will discuss traditional bullying causes and characteristics. Additionally, he will define how technology has changed the traditional model and the different types of bullying that occur in the cyber world. Finally, Mr. Fitzsimmons will discuss the rudimentary steps necessary to secure evidence of cyber-based bullying.

4) **Det. Keith Jenkins**

Child Abuse and Domestic Violence Investigations Involving Electronic Communication Devices

Electronic communication devices (ECDs) are becoming pervasive in modern society. As such, their use is an important factor in cases of child abuse and domestic violence. This session will identify the uses and issues created by electronic communication devices, review related laws, and examine evidence and collection techniques which enhance the effectiveness of these challenging investigations.

5) **Christina Sally**

Interviewing People with Intimate Knowledge of the Criminal Justice System

This session will provide participants with tools of the trade that can be used when interviewing a variety of personality types suspected of committing a crime. It will explore different behavior traits associated with truthful and deceitful interviewees as well as appropriate tactics an interviewer can use to help secure an admission and possible confession. There will also be some focus on interacting with people who "think" they know how the system works and try to use that knowledge to "out smart" the cop. Possible humor included.

6) **Alicia Cook /
Donna Kelly**

Everything Except Trials: From Screening to Sentencing

Two seasoned prosecutors share practical advice on what makes up the bulk of a sex crimes and child abuse prosecutor's work: the screening process, charging a case, pretrial motions and hearings, plea negotiations, case resolution and sentencing.

11:45 – 12:45 pm

Adjourn – Thank you for attending the 2012 Symposium/UPC Conference

Distribution of **Continuing Education Certificates**

Available at the Symposium Registration Table at the conclusion of the Symposium

Post-Conference

12:30 – 3:00 pm

Grindelwald

CJC Personnel Post-Conference: Lunch Provided – Must RSVP for Attendance

Ensuring Access to Evidence-Based Mental Health Treatment: Helping Children and Their Families Obtain the Appropriate Mental Health Services and Care

This session will present the data from a study conducted at the University of Utah in conjunction with PCMC in an effort to facilitate increased access to and participate in evidence-based mental health treatment. The session will train CJC personnel on the use of the client-information tool developed as part of the study and present a pilot project for use in the CJs across the state.