Imprecision about Body Mechanics when Child Witnesses are Questioned about Sexual Abuse

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In press, *Journal of Interpersonal Violence*

Author's Note

This project was supported by Eunice Kennedy Shriver National Institute of Child Health and Human Development Grant HD087685 to Thomas D. Lyon. Correspondence regarding this manuscript should be sent to Colleen Sullivan at Colleen.e.sullivan@asu.edu.

Abstract

In child sexual abuse cases, a central part of the child's testimony is their description of the abuse episode. However, children often struggle to describe the body mechanics of abuse, and miscommunications are likely. The present study examined questions about the mechanics of abuse in trial transcripts ($N = 63$) to identify sources of miscommunication ($N = 130$) between attorneys and children (5 – 12 years old, M age at trial = 9 years old, $SD = 2$ years). Both attorneys and children used imprecise language, leading to miscommunication. Specifically, imprecise sexual terminology, the word "touch," polarity items, broad open-ended questions, anaphora and ellipses, and "how" led to imprecision in attorneys' questions. Imprecise questions often elicited under-informative answers. In response to under-informative answers, attorneys at times asked highly focused and leading questions. Implications and recommendations for future research on how best to elicit these details from children are discussed.

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In child sexual abuse cases, how children describe abuse is central to their credibility. To determine specific charges, as well as to understand the child's allegations, children may need to describe specific details of abusive episodes, including the nature, location, and invasiveness of physical contact, body positioning, clothing removal, and more. We will refer to these details as the body mechanics of abuse. Children may be reluctant to describe abuse details because of shame and embarrassment. Furthermore, body mechanics can be complex and difficult to describe. Children's developing understanding of language, spatial orientation, and sexual functioning may present unique challenges for their recall and reporting of body mechanics.

When attorneys question children in court, they may need to probe children for specific descriptions. It is likely that miscommunications occur: attorneys may ask imprecise questions that elicit incomplete or incoherent descriptions of mechanics, while children may provide imprecise accounts, which may be incomplete, incoherent, or off-topic. In addition, attorneys may follow-up children's imprecise answers with problematic questioning, further confusing the narrative of what occurred, such as by moving from imprecise questioning to overly specific and even suggestive questioning. The purpose of the present investigation was to assess how children alleging sexual abuse are questioned about the mechanics of abuse during courtroom testimony, to identify when miscommunications occurred, and to understand why they occurred.

The nature and invasiveness of the physical contact is important in proving that abuse occurred. Prosecutors must overcome claims of coaching, suggestibility, lying, and misinterpretation of incidental, affectionate, or hygienic touch. Hence, more detailed and explicit narratives are necessary to overcome doubts about the child's report. For example, although

ejaculation is not a legal element of abuse, children's ability to describe ejaculation provides potentially compelling evidence that abuse occurred, and of course helps establish sexual intent. Furthermore, prosecutors pursuing longer sentences must often prove more invasive contact. In the state of Arizona, "masturbatory contact" is sufficient for proving "sexual intercourse" with a child 12 or younger, but to obtain a longer sentence, "penetration" is required (Arizona v. Hollenback, 2005). Penetration is often an aggravating feature in other American states as well (Myers, 2010).

To elicit precise descriptions of abuse from children who may be unwilling or unable to spontaneously produce such descriptions, American law has turned to imperfect devices. Leading questions are typically forbidden on direct examination of witnesses so they can tell the jury the story in their own words, and so the attorney does not use the testimony as merely an opportunity to argue his or her side of the case to the jury (Mueller et al., 2018). However, an exception is made for children. Surveying state laws, Myers (2005) noted that "[j]udges routinely permit leading questions during direct examination of children who experience difficulty testifying due to fear, timidity, embarrassment, confusion, or reluctance," (p. 148) and Arizona courts have recognized this exception to the rules against leading questions (Arizona v. Jerousek, 1979). Furthermore, the courts have recognized the special challenges posed by sexual abuse. For example, the U.S. 8th Circuit Court of Appeals upheld the use of leading questions in a sexual abuse case involving a 17-year-old, noting that "[i]t is not uncommon that the precise physiological details of sexual assault must be elicited by focused questioning" (United States v. Grassrope, 2003; p. 869). The problem with leading questions, of course, is that although the technical legal requirements for abuse may thereby be established, the accuracy, completeness, and credibility of the child's report risks being compromised.

Whereas a massive body of research highlights children's susceptibility to suggestive questions (Brubacher et al., 2019), very few studies have examined the cognitive and motivational difficulties encountered by children asked to verbally describe body mechanics. Three potential problems with children's ability to describe body mechanics have been noted in the literature. First, there is evidence that children have limited understanding of terms for their genitalia, often using colloquial terms that are imprecise (Burrows et al., 2017). Second, there is evidence that children have an under-inclusive understanding of "touch," believing that it is limited to touching with the hands (Hashima et al., 1988). Third, research has found that children often err when asked about clothing placement, particularly when asked yes/no or forced-choice questions with prepositions inside/outside, on/off, and over/under (Stolzenberg et al., 2017). With the exception of the last problem (Stolzenberg & Lyon, 2017), whether these problems occur in children's testimony has not been explored.

The Current Study

Using a sample of 5- to 12-year-old children's testimonies from cases prosecuted in Arizona, we identified all questions that concerned the body mechanics of abuse, and then identified probable miscommunications, which included under-informative responses, inconsistent or inappropriate details, or overt expressions of confusion. In the results we report the quantitative analyses and elaborate on a qualitative assessment of the probable miscommunications. Qualitatively, we sought out common themes, consulting the research on language, cognitive, and social development. We anticipated that for prosecutors, general imprecision in questions, imprecise use of sexual terminology, and imprecise use of the word "touch" would lead to miscommunication.

Method

The method was approved by the Institutional Review Board at Arizona State University. Sixty-three cases in which 5- to 12-year-old children (*M* age at trial = 9.44, *SD* = 1.97) testified to alleged sexual abuse were examined. Because criminal cases are public records, the Maricopa County District Attorney's Office provided us with information regarding 398 victims in 252 cases of CSA prosecuted between January 2005 through December 2015 in Maricopa County. Cases were eligible if they involved at least a single charge of: Sexual Conduct with a Minor (A.R.S.13-1405), Child Molestation (A. R.S. 13-1410), or Sex Abuse (A. R.S. 13-1404). We contacted and paid court reporters to provide transcripts of completed cases; 73 court reporters were contacted and 47 provided transcripts (64% response rate). We were unable to obtain transcripts in cases in which the court reporters could not identify the court records, had retired, had moved, or were otherwise unreachable. We received 214 complete victim's testimonies across 142 cases (some cases included multiple victims). Of these 214 testimonies, 134 were minors at testimony (across 101 cases; $M_{\text{victim per case}} = 1.33$, $SD_{\text{victim per case}} = .65$), whereas the remaining transcripts involved young adults testifying about alleged victimization during their childhood. For the purposes of the present investigation, we examined the 63 testimonies involving the youngest child witnesses (excluding cases involving teenagers). Fifteen percent of our sample were male victims.

Children in our sample were 29% White, 29% Latinx, 6% Black, 5% Asian, 3% other, and 29% unknown. Defendants in our sample were 44% White, 35% Latinx, 6% Black, 2% Asian, 3% other, and 10% unknown. Defendants (94% male) were the child's parent or caregiver 29% of the time, another family member 29% of the time, a family friend or other familiar adult (e.g., sister's boyfriend, neighbor) 35% of the time, and a stranger 8% of the time. Children

alleged penetration or attempted intercourse in 25% of cases, oral copulation or genital contact in an additional 10% of cases, and less severe abuse in 52% of cases (fondling, exhibitionism, etc.). About half of the children in our sample (52%) alleged repeated abuse. Ninety percent of cases resulted in a conviction of at least one charge.

Systematic Coding

Two coders reliably identified all instances of question-answer pairs that examined the mechanics of abuse and assessed the content of these question-answer pairs ($\kappa = .82$). Questions were considered eligible if they referred to the nature of touching or abuse interactions, including any question about body positioning, touching, body movement, clothing placement/removal, or the perpetrator or child's actions during abusive episodes. We also coded questions about body functions, as related to abuse; children are often asked about things like bowel movements and urination to describe the body parts used in abuse, as well as to indicate the effects of abuse.

Once a question was identified as pertaining to body mechanics, two coders assessed whether each question-answer pair evinced probable miscommunication. To assess reliability, two coders were trained on the coding guide. Both coders independently coded the entire sample, and their codes were compared to each other. All disagreements were resolved to ensure 100% reliability. We identified a probable miscommunication if (1) the child expressed confusion (e.g., "I don't get what you mean"); (2) provided inconsistent details (e.g., Q: "Do you remember what you were wearing?" A: "No." Q: "Were you wearing pants?" A: "Yes, they were brown capris."); (3) provided a clearly inappropriate level of detail (e.g., Q: "What were you wearing when he touched you?" A: "Clothes."), or (4) failed to provide clear and informative answers after repeated questioning (e.g., Q: "When you say he raped you, what do you mean?" A: "He

did adult stuff to me." Q: "When you say adult stuff, can you tell me what that means?" A: "He did nasty stuff to me.").

Qualitative Content Analysis

After the instances of body mechanics questions were reliably identified and assessed for probable miscommunication, two coders independently read all instances of miscommunication, with the intent of developing emerging themes to categorize potential sources of confusion for children that may have led to miscommunication. The two research assistants then met and agreed on a categorization structure. After this, they then re-read through examples independently to categorize them under the solidified types. The categories were not mutually exclusive, rather, a single miscommunication could fall into more than one category. The researchers then met again and resolved all discrepancies.

Results

Across the 63 transcripts examined, 1,391 questions (7% of all attorney questions, N = 20,189) pertained to body mechanics. One-hundred and thirty question-answer pairs with probable miscommunication were identified. At least one probable miscommunication occurred in 45 of the 63 transcripts (71%). Transcripts in which probable miscommunication occurred contained an average of three probable miscommunications (range 1 to 10). Eighty five percent of questions containing a probable miscommunication were asked by the prosecution and 15% were asked by the defense. A complete list of probable miscommunications is provided in the online Appendix.

We tested whether the number or proportion of probable miscommunications (out of all body mechanics questions) was related to child age, whether or not the perpetrator was a stranger to the child, frequency of abuse, and severity of abuse. Whether or not the perpetrator was a

stranger to the child was not related to the number or proportion of probable miscommunication. A higher number of probable miscommunications occurred in in cases where children alleged repeated abuse (M = 0.87, SD = 0.34), as opposed to single episodes of abuse (M = 0.58, SD = 0.50), t (60) = 2.67, p = .010. This difference could reflect the fact that children were asked more questions when they alleged repeated abuse. Controlling for the number of questions in each transcript, we observed a higher proportion of probable miscommunications in cases with younger children (M = .012, SD = .01) compared to older children (M = .005, SD = .005; t (61) = 2.92, p = .005). In addition, we observed higher proportions of probable miscommunications in cases where children alleged penetrative abuse (M = 0.013, SD = 0.01), as opposed to non-penetrative abuse (M = 0.006, SD = 0.008), t (61) = 2.46, p = .017. These differences are consistent with younger children's greater difficulty with communication, and the difficulties of describing penetration. Our qualitative content analysis identified nine types of probable miscommunication, shown in Table 1.

1. Sexual terminology (18% of probable miscommunications). Attorneys and children often used imprecise language to discuss body mechanics, which led to probable miscommunication. Conversely, attorneys would sometimes become quite precise, but use technical terms that many young children would not understand. Children initially acquire colloquial terms for their genitalia and buttocks (Kenny & Wurtele, 2008, Wurtele et al., 1992). Examining children questioned by forensic interviewers, Burrows and colleagues (2017) found that about half of the children used imprecise colloquial terms (e.g., "rude bits," "private parts").

Attorneys' questions sometimes contained imprecise references to body parts, including "somewhere that you didn't like" to refer to a child's body part (*McCloud*, 2006 [italicized case names refer to cases in this sample]), referencing the whole person instead of a specific body part

("Did he take some lotion to put on himself?;" *Hines*, 2006), and using euphemistic terms that were not first proffered by the child, such as "private parts" (*Acosta*, 2006). At other times, attorneys' references were specific but used language that may have been age-inappropriate: attorneys referred to "pornography" (*Stark*, 2010), "penis" (*Begaye*, 2010), and "pressure on your legs" to reference the perpetrator's legs being on the child's legs (*Burgos*, 2010).

Children's answers also contained imprecise references. Some children used unclear euphemistic terms to describe body parts ("the bottom and the top;" *Acosta*, 2006; "private;" *Vance*, 2008; "colita;" *Morales-Rosales*, 2007) and sexual acts ("adult stuff;" *Osorio-Rosas*, 2011; "something strange;" *Leon*, 2005). Other children used moral terminology to describe body parts ("places he shouldn't be [touching];" *Davis*, 2005) and sexual acts ("bad boy;" *Chavez*, 2013; "inappropriately;" *Davis*, 2005). Furthermore, some children used conclusory terms to refer to sexual acts ("rape;" *Osorio Rosas*, 2011; "sex;" *Jensen*, 2004; "molested;" *Brown*, 2013).

When children used imprecise language, attorneys attempted to elicit clearer descriptions. Studying forensic interviews, Guadagno and colleagues (2013) found that clarifying references to sexual body parts was one of the five most common themes that prompted specific questioning. Burrows and colleagues (2017) suggested that body function questions (e.g., "What do you do with your private part?") are among the most productive questions for eliciting clarification. Although attorneys often asked questions consistent with this advice, children sometimes did not understand what information was being requested (Q: "What do you do with your private?" A: "Leave it to myself;" *Vance*, 2008; Q: "What do you do with your no-no?" A: "Nothing;" *Vance*, 2008; Q: "Colita? What do you do with that private part?" A: "Keep it safe

and keep it covered." Q: "Do you do anything else with it?" A: "Yes. When I am going to take a bath, I actually like to wash it to keep it like clean and all that;" *Morales-Rosales*, 2007).

2. Difficulties with "touch" (18% of probable miscommunications). Whereas attorneys might use the word "touch" as an umbrella term to describe all forms of bodily contact, there is evidence that children initially have an under-inclusive understanding of "touch," strictly using the word to refer to manual touch (Hashima et al., 1988). Hence, a child might deny that a touch occurred if the touching was done with another body part or an object. This appears to be the difficulty in one case involving an 11-year-old child. When the prosecutor asked about touch done with "anything besides the hand," the child denied the touch occurred (Q: "Okay. Now do you remember talking to Miss B., you also talked about other things that happened to you. Did he ever touch you with – your middle part with anything besides his hand?" A: "No"). The child only answered in the affirmative after the attorney specified oral contact (Q: "Did he ever touch you with his – his mouth?" A: "Yes;" *Simmons*, 2007).

An additional problem with the use of "touch" in court is that it is often unclear whether the attorney is using the word to refer to sexual touch as opposed to touching more generally. Sometimes the attorney seemed interested in sexual touch whereas the child responded more inclusively (e.g., Q: "How did he touch you Kayla?" A: "He touched me in different ways;" *Iden*, 2012 [7-year-old]). Other times, the attorney was referring to any kind of bodily contact, but the child appeared to be focused on sexual touch. This difficulty is illustrated in the testimony of a 10-year-old female who alleged that the defendant fondled her over the clothes. The defense attorney asked about "holding" and "touch somewhere else" to query about the perpetrator grabbing the child's arm to prevent her from getting away during the abuse. However, the child seemed to think the attorney was asking exclusively about sexual touch, and

provided answers that seem conflicting (Q: “Did he ever hold you with his hand?” A: “Yes.” ...Q: “Okay. Could you tell us—he touched you somewhere else before the private?” A: “He never touched me nowhere else.” Q: “So just touched you on your private, and that was it?” A: “Yes”). The probable miscommunication is resolved as the cross-examination continues (Q: “And, now, would this be, at the same time, was he somehow holding your arm or—” A: “Yes.” Q: “Okay. So he’s holding your arm. Were you like, trying to get away?” A: “Yeah, I tried to walk away, and then he grabbed my arm;” *Hussein*, 2009).

A final problem is that “touch” does not capture the distinction between superficial touch and penetrative touch. In the testimony of a 12-year-old female who alleged digital genital/anal contact by the defendant, the child appeared confused by the attorney’s attempt to specify whether the touching was penetrative (Q: “Okay. And did something else happen with your vagina that day when you were on the floor –” A: “No.” Q: “— When he touched your vagina?” A: “Well, no, not really”). Complicating matters was the fact that the attorney used the imprecise phrase “did something else happen with your vagina;” using the child’s body as the object of the question made it seem as though the attorney was querying about action done by the child, and not the perpetrator. Ultimately, with more direct questioning, the attorney was able to elicit the information they were looking for (Q: “Okay. You had said something to the detective about his finger, you remember that?” A: “Yes, his fingers were in my vagina;” *Romero*, 2005).

3. Polarity items: *Some, any, ever* (34% of probable miscommunications). Polarity items *some, any,* and *ever* often appeared in questions that resulted in probable miscommunication. Linguists refer to positive and negative polarity items. Positive polarity items (*some*) tend to appear in positive sentences (e.g., one can say “I have some money” but it sounds odd to say “I don’t have some money”). Negative polarity items (*any* and *ever*) tend to

appear in negative sentences (e.g., one can say “I don’t have any money” but not “I have any money,” and “I didn’t ever do that” but not “I ever did that;” Matthews, 2014). Polarity items can lead to inaccuracies in children’s reports.

Questions that ask about *something* may be imprecise. For example, in the testimonies of an 8-year-old male (*Hines*, 2006), and a 10-year-old female (*Stark*, 2010), children denied an abusive act to questions that used “something” to query about abuse (Q: “Well, did *something* happen to you in the bathroom?” A: “Not really;” *Hines*, 2006; Q: “Did he do *something* else to you while you were on the bed?” A: “No;” *Stark*, 2010). In *Silva-Acosta* (2009), a 7-year-old female originally denied the abuse when asked about “something” (Q: “Okay. [Child], do you remember *something* happening to you a long time ago when you were nine in your – I’m sorry – when you were six in your backyard?” A: “No.” Q: “You don’t remember *anything*?” A: “No”). This child eventually contradicts her initial denial to more specific questioning about the abuse (Q: “Do you remember playing outside on the monkey bars?” A: “Yeah.” Q: “Do you remember a man talking to you?” A: “Yeah;” *Silva-Acosta*, 2009).

Questions with negative polarity items (*any* and *ever*) suffer the additional disadvantage that they pull for a “no" response. For example, Heritage and colleagues (2007) found that adult patients who identified more than one health concern in a pre-appointment survey provided affirmative responses 90% of the time when the doctor asked “Is there *something* else you want to address in this visit today?” toward the end of the appointment, but only 53% of the time when the doctor asked “Is there *anything* else you want to address in this visit today?”

There has been some limited recognition of the potential problems with negative polarity items in questioning children in legal contexts. Evans and Lyon (2012) found that about 40% of child witnesses asked if they had “ever” told a lie responded negatively. Childs and Walsh

(2018) examined police interviews with children alleging sexual abuse and found that the police would routinely ask children if there was "anything else" to discuss, and that children would typically respond "no." Similarly, in a review of research on children's eyewitness reports, Brubacher and colleagues (2019) noted that children's erroneous "no" responses to open-ended questions in lab studies might be due to the use of questions with the word "anything."

We observed several examples in which negative polarity items may have played a role in children's initial denials. In the testimony of a 12-year-old male who alleged sodomy, the child provided a negative response to the prosecutor's question using *anything* (Q: "[Child], aside from the incident that you just described to me, has [Perpetrator] ever done *anything* else to you?" A: "No;" *Leon*, 2005). Upon follow-up questioning, the child described what occurred during another abuse incident the attorney had in mind. See also *McCloud* (2006, 6-year-old girl): Q: "Was there *ever* a time that [Perpetrator] touched you *somewhere* you didn't like?" A: "No;" in which the attorney combined a negative polarity item (*ever*) with a positive polarity item (*somewhere*).

4. Non-specific open-ended questions (21% of probable miscommunications). Researchers have established that asking open-ended requests for free recall, such as invitations (e.g. "Tell me everything that happened") elicit more details than closed-ended questions, which include recognition questions (yes/no and forced-choice) (Lamb et al., 2018). At the same time, Lamb and his colleagues (2018) warned that "some children may fail to respond to invitations at all or may not provide forensically important information." (p. 189). In forensic interviews, invitations are sometimes more likely than other types of questions to elicit don't know responses (Korkman et al., 2006; Wolfman et al., 2016) or requests for clarification (Malloy et al., 2015). For example, Wolfman and colleagues (2016) found that 6- to 16-year-old children

failed to provide information in response to 17% of invitations, and noted that "[i]nvitations may be challenging for children because they do not specify what kind of information the child should include in their response." (p. 114).

Research examining children's testimony has similarly found that invitations are, on average, more productive than other question types (Andrews et al., 2016; Andrews & Lamb, 2016), at the same time that non-trivial percentages of children give "don't know" responses to prosecutor's invitations (19% in one study; Andrews et al., 2017). (Studies that have found that children were as responsive (Andrews et al., 2015) or more responsive to invitations than other question types (Andrews & Lamb, 2016) coded "don't know" responses as "responsive.")

Although these findings (greater productivity but greater unresponsiveness) might seem contradictory, they can be reconciled by recognizing that invitations may be less likely to elicit information than other questions types, but that when they are productive, they elicit more information per question. Furthermore, low rates of don't know responding often reflect guessing (particularly when children are asked yes/no or forced-choice questions), and thus are not clear indicators of question quality (Waterman et al., 2000). Hence, interviewers are advised to ask invitations, but when essential information is lacking, to move to more direct questions.

We observed that prosecutors sometimes attempted to elicit information using invitations, but in doing so often encountered problems with imprecision. Children's answers contained information, but not specific information about body mechanics. For example, in *Jensen* (2004), the prosecution alleged penetration, and attempted to elicit details from the 10-year-old alleged victim through invitations, but she only repeated that the defendant "had sex" with her (Q: "And when it was just you and your dad, what happened?" A: "He was just going through my mom's – just there having sex with me" .... Q: "That incident when you were at home and your mom went

for a walk, what happened between you and your dad?" A: "He just started to – he just told me to get undressed and started having sex with me" .... Q: "Okay. And when you took off your clothes, what happened?" A: "He started having sex with me;" *Jensen*, 2004).

In *Soto* (2013), the prosecutor repeated invitations in questioning the 8-year-old alleged victim, and elicited contextual details, but failed to elicit details about the nature of the touching (Q: "Okay. Tell me everything about the touching" A: "He like touched at night" .... Q: "Okay. Tell me everything you remember about that one time" A: "Like it was in bed. I can't remember if I was awake or sleeping"). Conversely, in *Montano* (2009), another case in which the prosecution had alleged penetration, the 7-year-old merely repeated an incomplete description of touching in response to repeated invitations (Q: "Tell me everything about the time he touched you at his house from the beginning to the end" A: "He put his fingers" .... Q: "What you can remember from that time from the very beginning?" A: "He put his fingers").

5. Anaphora and Ellipsis (18% of probable miscommunications). Anaphora refers to the use of a word to stand in for a previously mentioned word, phrase, or concept. For example, one might initially refer to a man by his name, Dan, but subsequently refer to him as "he;" "he" is an anaphor for Dan. Ellipsis refers to the omission of one or more elements from an utterance. For example, one might initially ask "Did your father say anything?" and then subsequently ask "Did your mother?" In the subsequent question, "say anything" is elided. Children, particularly young children, may experience difficulties when responding to questions that contain anaphora (Sekerina et al., 2004; Tyler, 1983) or are elliptical (Lyon, 2013; Roeper, 2007), because of the difficulty of tracking the conversation to understand what the anaphoric word referred to or what information was elided. Furthermore, anaphoras are particularly ambiguous for children when the antecedent is a proposition (e.g., You said your uncle touched you.... Tell me about *that*; the

antecedent of *that* is *the uncle touched the child*) rather than a noun phrase (e.g., You said your uncle touched you...Where did *he* touch you; *he* refers to *the child's uncle*; Megherbi et al., 2019).

Anaphora and ellipsis have received some attention in research examining courtroom questioning of children. In that literature, questions with anaphora are referred to as containing "backward referencing" (Brennan, 1995; Kranat & Westcott, 1994; Zajac & Cannan, 2009), and elliptical questions as "fragments" (Powell, et al., 2016; Zajac & Cannan, 2009). Furthermore, at least one practice guide for interviewers has warned against the use of ambiguous anaphora (Walker, 2013). However, that work is limited in that the mere occurrence of anaphora and ellipsis is noted, rather than examined as an actual source of confusion. Anaphora appeared in many questions that elicited probable miscommunication. Attorneys used "that" to refer to the perpetrator holding the child ("Did *that* happen?;" *Hussein*, 2009), the child touching the perpetrator's penis ("What happened after you did *that*?;" *Hines*, 2006), handcuffing of the child ("How did *that* make it so your hands couldn't get out?;" *Stark*, 2010), oral-genital contact between the child and the perpetrator ("Did *that* happen?"; *Johnson*, 2015); the child's coerced behavior ("What was *that*?" *Stark*, 2010), the child's clothing and a specific day ("Is *that* what you had worn *that* day?;" *Brown*, 2013), and a specific abuse incident ("What were you wearing *that* time?;" *Burke*, 2014). Attorneys used "it" to refer to the perpetrator holding the child ("Was *it* before or after he touched you?;" *Hussein*, 2009), the perpetrator's oral contact with the child's breast ("*It* was over your bra?;" *Reyes*, 2011), the perpetrator's body ("Did he put *it* anywhere?;" *Vance*, 2008), and the child's body ("He rubbed *it*;" *Petrovich*, 2008); and "they" to refer to the child's clothes ("How were *they* on your body?;" *Osorio-Rosas*, 2011). In *Stark* (2010), for example, the attorney used "that" to refer to oral-genital contact between the perpetrator and the

child (Q: Was *that* while you were still handcuffed to the bed?"), eliciting the response "Yes, no."

In *Petruzzi* (2010), the defense attorney was able to elicit inconsistent testimony from the 9-year-old victim through a long-winded and convoluted question that ultimately used *those* to refer to alternative narratives (Q: "I thought earlier I heard you at one point say that the time that [Perpetrator] was touching your private in bed, that his hand was underneath your clothes. Then another time I thought you said that his hand was over your clothes. My question is, now that we have been talking about this for a little while, do you remember which of *those* two it was, or do you not remember?" A: "I don't remember").

Attorneys also asked elliptical questions, asking "When he touched your vagina?" to ask whether something else happened when the perpetrator touched the child (*Romero*, 2005), "Even through the clothes?" to ask whether the child could feel the touching through her clothes (*Burke*, 2014), and "Did [Sister]?" to ask whether the child's sister had touched the child (*Acosta*, 2006). In *Petruzzi* (2010), the prosecutor combined ambiguous reference to articles of clothing with ellipsis, asking "And under what parts of your clothes?" to ask under which article of clothing the perpetrator had touched the child, eliciting the response, "I don't get what you mean."

6. "How" questions (16% of probable miscommunications). "How" questions can ask for many different things (Cairns & Hsu, 1978). When an attorney asks "How did he touch you?", they might be hoping that the child will respond "slowly going back and forth", "with his hand", "outside of my private parts", "by taking off my pants", or perhaps with a narrative (e.g., "I sat down. He sat down next to me. He took his hand and he touched me"). The child might respond in any of these ways, or misinterpret the prompt as asking "how many" or "how come."

Malloy and colleagues (2017) have noted the difficulty of "how" questions for children in the legal context, emphasizing preschoolers' incomprehension.

We noted difficulties in children across a wider age range. Sometimes children provided substantive responses, but in doing so illustrated how they misinterpreted the attorney's intent. For example, a 6-year-old responded to "How was it moving?" ("it" referring to the perpetrator's hand) with "Because he was moving it" (*Swan*, 2008). The 6-year-old was explaining what propelled the hand whereas the attorney referred to the manner in which the hand was moving. As a general rule, how-manner questions about touching seemed to be particularly difficult.

Frequently, children simply failed to provide a substantive response to "how" questions about body mechanics: a 12-year-old (Q: "When [Perpetrator] touches you, can you explain to me how that happens?" A: "I don't know;" *Begaye*, 2010), a 10-year-old (e.g., Q: "How were they on your body?" A: "I don't get that;" *Osorio Rosas*, 2011), an 8-year-old (Q: "How were [Perpetrator's] fingers?" A: "I'm not sure;" *Burke*, 2014), a 7-year-old (Q: "How was he touching you?" A: "Um;" *Vance*, 2008), and a 6-year-old (Q: "And how was he touching you?" A: "I forgot that part;" *Ewing*, 2009). A 10-year-old managed to get through two "how" questions but faltered on the third: Q: "How did [Perpetrator] start touching on you?" A: "On my private part"; Q: "How did [Perpetrator] touch you on your private part?" A: "With his hand"; and Q: "How did he touch you with his hand?" A: "I don't get it." (*Hussein*, 2009).

7. Negative pairing (11% of probable miscommunications). Researchers recommend that if interviewers ask a yes/no question, they "pair" it with a follow-up recall question (Nicol et al., 2017). Pairing is designed to minimize the use of yes/no questions, and to reduce the likelihood that a child's "yes" responses will be misinterpreted; the follow-up recall question

both reinstates the focus on recall memory and helps clarify the meaning of the child's affirmative response (Orbach & Pipe, 2011).

It is helpful to distinguish between positive and negative pairing. What has been referred to as pairing might better be termed positive pairing, because one is moving from a less preferred question-type to a more preferred question-type. Conversely, one often also sees negative pairing, in which an interviewer follows up on a response to a more preferred question-type (such as "what happened") with a less preferred question-type (such as "did he hurt you?"). For example, interviewers have been criticized for following up "don't know" answers with more direct questioning (Earhart et al., 2014). Analogously, interviewers have been observed to recast more open-ended questions as closed-ended questions (e.g., "What happened--Did he hurt you?), labelled as "negative recasting" (Henderson et al., 2020).

We frequently observed attorneys moving quickly from open-ended questions to closed-ended questions when imprecise invitations failed to elicit the desired information. Although their frustration with the initial response was understandable, the move to highly specific closed-ended questioning risked making the child look both inconsistent and suggestible. For example, in *Lucero* (2007), questioning an 11-year-old, the prosecutor shifted from a wh- (directive) question to forced choice (Q: "As you felt him trying to put it in there, what was he doing exactly? What kinds of movements do you feel?" A: "I forgot." Q: "Was he moving back and forth or was it just still or was he pushing into you?" A: "He was pushing into me"). In *Dahnad* (2003), with an 11-year-old victim, the prosecutor moved from an invitation to a yes/no question (Q: "Then what happened, after he touched you?" A: "I don't remember." Q: "Okay. Is there something about holding something? Did you have to hold something?" A: "I think so"). In *Reyes* (2005), with another 11-year-old, the prosecutor moved from an invitation to an open-

choice question (Q: “Okay, well, can you tell us in your own words what happened when he tried to lick your chest?” A: “I forgot” Q: “You forgot. Did he try to lick your chest over your clothes, under your clothes, or something else? A: “Under the clothes”). A subsequent yes/no question asked by that prosecutor appeared to elicit a contradictory response (Q: “And you said he tried to lick your chest underneath your bra?” A: “No.” Q: “It was over your bra?” A: “Yes”) (though the child might have meant the touching occurred under her shirt or blouse). And in *Hines* (2006), questioning an 8-year-old, the prosecutor moved from a very general yes/no question to a specific yes/no question (Q: “After he pulled his pants down, did anything happen to you?” A: “Not really.” Q: “That's where when we talked yesterday, you were telling me about James taking his pee pee and touching you someplace with it?” A: “Yes”).

8. Ambiguous grain size (10% of probable miscommunications). The level of generality at which one makes statements can be described as “grain size.” General responses are coarse-grained, whereas specific responses are fine-grained. Researchers studying memory and decision-making have noted that adults vary the grain-size of their reports based on a tradeoff between accuracy and informativeness; they seek to avoid over-general responses, because they are under-informative, and they avoid responses that are more specific than they can assert with confidence (Goldsmith et al., 2005; Yaniv & Foster, 1995).

An overlooked problem with questions is that they may be ambiguous with respect to the desired grain-size. For example, when an attorney asks “when” an action occurred, they could be asking for information about the location of the action within an event (sequence), or the location of the action within a larger timeframe (such as the child’s age). Similarly, when an attorney asks “where” an action occurred, they could be asking for more or less specific information. Specifically, with reference to body mechanics, a question such as “where did he touch you”

could be asking about the child's body, the child's home, or, for jurisdictional purposes, the child's geographical location.

In *Hussein* (2009), the defense attorney was attempting to determine when within a sequence of actions the perpetrator held the child's arm, preventing her from leaving the room, asking, "[W]hen did this happen?" The 10-year-old responded, "I don't know what time." Fortunately, the child elaborated (rather than simply responding "I don't know"), making it clear that she had misinterpreted the desired grain-size, rather than appearing to assert that she could not recall the sequence of the event. When children provide unelaborated don't know answers to "when" questions, their answers may reflect grain size ambiguity rather than forgetfulness.

Children's occasional difficulty with *where* questions about body mechanics may have been due to their uncertainty about the information the attorney was seeking. Prosecutors then became very direct in eliciting a response. This occurred in testimony of a 7-year-old (Q: "Where was the private? Where did you see his private?" A: "I don't remember." Q: "Okay. Can you show us on the teddy bear where a boy's private is?" A: [indicating]; *Vance*, 2008), and a 10-year-old (Q: "Where were his hands?" A: "They were like – like – I don't know how to say it." Q: "Can you show us, can you stand up and show us where his hands were?" A: "Oh, they were like in – like in touching his pants;" *Osorio-Rosas*, 2011).

We also observed grain size issues when children were asked about clothing. Sometimes children's responses were too general (Q: "Do you remember what you were wearing that time?" A: "Clothes;" *Acosta*, 2006). Sometimes they may have assumed that the prosecutor wanted greater specificity than they were able to recall (Q: "Do you remember what he was wearing?" A: "No, but I think his pajama;" *Dahnad*, 2003; Q: "Can you tell me what you were wearing that

day?" A: "I don't remember." Q: "Did you have a shirt on?" A: "Yes." Q: "Did you have pants on?" A: "Yes." Q: "Were they long or short pants?" A: "It was capris;" *Hussein*, 2009).

9. Suggestive questions (7% of probable miscommunications). Children may provide inaccurate or inconsistent statements in response to suggestive questions. Overtly suggestive questions include tag questions, in which the question contains an assertion with a tag (e.g., "He hurt you, didn't he?"), and these have been shown to induce assent in young children (Greenstock & Pipe, 1996). For this reason, interview protocols recommend against leading children (Lamb et al., 2018). As noted in the introduction, prosecutors are sometimes given permission to lead children when they have difficulty in answering questions about abuse. Defense attorneys are as a rule allowed to ask leading questions when they cross-examine (Mueller et al., 2018).

Virtually all the cases of suggestive questioning leading to probable miscommunication were asked by defense attorneys. For example, in *Burke* (2014), the defense attorney led the 8-year-old to minimize touching through a complex yes/no question, a tag question, and an elliptical question (Q: "When there was touching over the clothes, was that something that you didn't feel, but felt uncomfortable with?" A: "I felt uncomfortable with it." Q: "Okay. You felt uncomfortable, but you didn't actually feel the touching**,** right?" A: "Right." Q: "Even through the clothes?" A: "Right").

Discussion

The results demonstrate the multifaceted challenges in eliciting specific information about the mechanics of abuse from child witnesses. We found that over two-thirds of the cases contained at least one probable miscommunication, and that probable miscommunication occurred in about 10% of all question-answer pairs regarding body mechanics. A higher number

of probable miscommunications occurred in cases involving repeated abuse, which may have been due simply to the fact that repeated abuse required more abuse questions. Examining the proportion of questions in which probable miscommunication occurred, we found that they were more common among younger children and in cases involving penetrative abuse.

We would stress that we identified *probable* miscommunication, because whether actual miscommunication occurred is difficult to establish with certainty given the nature of courtroom transcripts. It seems fairly safe to assume that the prosecutors had particular details in mind when they questioned children, based on children's prior reports, and this assumption guided us in categorizing failures to provide information as probable miscommunication. However, it is also possible that prosecutors were misinformed, or underprepared, or were relying on unreliable or inconsistent prior statements from the child. Additionally, it is probable that defense attorneys asked children questions to intentionally create confusion and lead to what we identified as miscommunication. However, it should be emphasized that 85% of questions eliciting probable miscommunications were asked by the prosecution.

It is likely that we underestimated miscommunications because of the nature of courtroom questioning and children's response tendencies. Most questions in court are yes/no questions, with large numbers of highly specific wh- questions (Andrews et al., 2015; Andrews et al., 2016; Stolzenberg et al., 2020). Children often exhibit formal reticence, whereby they provide minimally sufficient responses given the form of the question (Stolzenberg et al., 2017). For example, they tend to answer yes/no questions with unelaborated yes/no responses (Lyon, 2014). As such, miscommunications are likely to be overlooked. When children don't understand yes/no questions, they are unlikely to express their incomprehension, instead venturing a guess (and tend to answer "no") (Fritzley & Lee, 2003). Additionally, children are likely to give "don't

know" answers to wh- questions when they don't understand the question (Henderson & Lyon, in press). Furthermore, as noted above (in the section on grain size), children's don't know answers often reflect more subtle cases of undetected miscommunication in which the attorney and child interpreted the question in different ways.

The fact that our sample is courtroom trials of child sexual abuse has both advantages and disadvantages. An obvious advantage is that the data provide a compelling picture of children's actual difficulties in describing body mechanics in court. Some of the difficulties have been largely overlooked in the literature on child witnesses (e.g., grain size, polarity items), and perhaps the most widely known problem, suggestive questions, was the least-common problem in these transcripts. Frequently, question-answer pairs contained more than one problem (such that the proportion of specific types summed to well over 100%).

By the same token, the use of actual transcripts also has disadvantages. As already noted, some of the apparent miscommunications could have been attributable to problems other than language use. Furthermore, from the child's perspective, we could not distinguish among miscommunications attributable to cognitive limitations, motivational problems, or situational distractions. And because individual questions often contained more than one possible problem, we could not say, question by question, what it was that confounded each child. Future experimental work can help to tease apart the precise source of the difficulties, and how they vary with development and with motivational factors (such as reluctance or embarrassment).

Our sample comes from one state in the United States. Victims were most often white or Latinx, and predominantly female. We examined cases of children who testified at criminal trials, and only examined children who testified in English. As such, our results may not be representative of all children describing child sexual abuse. Researchers should examine

potential miscommunications with broader groups of children in order to more fully understand how age, language, race, and culture may influence the ability to communicate effectively about the mechanics of abuse.

Implications for Practice

The results highlight the difficulty of properly training attorneys in how to question children or judges in how to regulate that questioning. The attorneys often seemed to be attempting to follow best practices by asking very broad open-ended questions in order to elicit narrative responses from children. But because they were interested in very specific information, and perhaps because children's discomfort on the stand rendered their reports less productive, attorneys then often moved to very specific questions. Both the very general and the very specific questions often led to miscommunication.

Some recommendations are straight-forward: attorneys should avoid anaphora and ellipsis, and the dangers of suggestive questions have long been understood. But other recommendations are more difficult to design. Of course, attorneys should avoid questions that are overbroad, on the one hand, and overly direct, on the other. But at first glance "how" questions and questions using "some" seem like good compromises between very general and very specific questions. It is easy to recommend finding a happy medium, but difficult to identify how that medium can best be phrased.

Future experimental work can explore whether other questioning approaches might be effective. For example, rather than ask children "How did he touch you?", it might be more productive to ask questions such as "When he touched you, what did he do with his fingers?" or "When he touched you, how did your body feel?" Only systematic testing can determine what type of questions elicit essential details without being unduly suggestive. Additionally, as

researchers continue to identify miscommunications, we can also develop more specific solutions that will be of use to practitioners in the field.

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Table 1
Types of probable miscommunication, with definitions, examples, and frequency as a proportion of all question-answer pairs containing probable miscommunications

Type of mis-communication	Definition	Example	% of Q-A pairs (N = 130)
1. Sexual Terminology	Use of euphemistic or otherwise difficult terms to describe genitalia or sexual acts	A: He's a bad boy.	18%
2. Touch	Questions using "touch"	Q: Did he touch you with a different part of his body?	18%
3. Polarity Items	Questions using "any," "some," or "ever"	Q: Did he ever do anything with his hand?	34%
4. Non-specific Open-ended Questions	Open-ended questions that failed to specify desired information	Q: Tell me everything about the touching.	21%
5. Anaphora/ Ellipsis	Questions that omitted content either by use of a pronoun (Anaphora) or simple omission (Ellipsis)	Q: It was over your bra? ["it" referred to the perpetrator licking the child]	18%
6. "How" Questions		Q: How did he touch you?	16%
7. Negative Pairing	Asking a closed-ended question immediately following an open-ended question	Q: What happened when he touched you?/ Q: Did he touch you over the clothes?	11%
8. Grain Size	Questions ambiguous with respect to the level of specificity/generality desired	Q: When did he hold you?	10%
9. Suggestive Questions	Questions that communicate the expected response	Q: He didn't touch you, right?	7%

Note. Percentages sum to more than 100% because Q-A pair could contain multiple types of probable miscommunication.

Appendix A

Question-answer pairs with probable misunderstanding (N = 130)

					Miscommunication Category								
Descriptor	**Question**	**Answer**	**Attorney**	**Description of Apparent Issue**	*Sexual Terminology*	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
6-year-old, female	Was there **ever** a time that [Perpetrator] **touched you somewhere that you didn't like**?	No.	Prosecutor	denial, inconsistent	X	X	X						
	...Punani? Did [Perpetrator] ever touch you on your punani?	Yes.											
7-year-old, female	Okay. When you say your private, what do you do with your private?	**Leave it to myself.**	Prosecutor	under-informative, inconsistent	X		X				X		
	But is there **something** that you have to do **sometimes** with your private?	**No.**											
	Do you use it to go to the bathroom?	Yes.											
5-year-old, female	What is your no-no? What do you do with your no-no?	**Nothing**.	Prosecutor	nonresponsive	X								
11-year-old, female	Did you **feel like pressure** on your legs?	No.	Prosecutor	inconsistent	X								
	Okay. Did you feel his legs on your legs?	Yes.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
8-year-old, male	[Child], when you say that [Perpetrator] did something with **some lotion**, did he give some lotion to put on **you**?	Uh-huh.	Defense	use of "himself" and "yourself" to refer to specific body parts	X		X						
	Did he take **some lotion** to put on **himself**?	Uh-huh.											
	So [Perpetrator] put the lotion on **himself**?	Yes. No.											
	You put the lotion on **yourself**?	That's not right.											
11-year-old, female	Okay. All right. So did he touch you on the inside of your butt with his wiener before or after he touched you **on your private, on your thing**?	Yes.	Prosecutor	use of two euphemistic terms to query about one body part	X								
10-year-old, female	Did you ever look at **pornography** when you were in [Perpetrator's] room?	Could you please--I don't know what that means.	Defense	overly technical, developmentally inappropriate language	X								
5-year-old, female	What does a boy do with their no-no?	**I don't know.**	Prosecutor	nonresponsive	X								

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	Okay. And when you say he would **play with it**, what does that mean to you? **Would he touch himself**?	I don't know. Yes.	Prosecutor	inconsistent and minimally sufficient details	X			X			X		
10-year-old, female	Can you tell us what part of your body -- what part of the body it's used for that he touched? **To go poop or pee-pee?**	Going to the bathroom. **Both.**	Prosecutor	under-informative, incorrect level of detail (too broad)	X				X			X	
6-year-old, female	Good job. Colita? What do you do with that private part? Okay. Do you do **anything else** with it?	**Keep it safe and keep it covered.** **Yes. When I am going to take a bath, I actually like wash it to keep it like clean and all that. My mom and --**	Prosecutor	unhelpful details provided	X		X						
6-year-old, female	**What do you use it to go to the bathroom for?** Okay. Thank you for letting me know. Do you use it to go pee or poop or something else?	I didn't understand that question. **Pee and poop. That's the only thing I use it for.**	Prosecutor	seeks clarification, incorrect level of detail (too broad)	X				X			X	

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
6-year-old, female	Did **something** happen with [Perpetrator]? Did **something** happen with [Perpetrator], [Child]?	**He's a bad boy.**	Prosecutor	euphemistic terms to describe abuse	X		X						
6-year-old, female	**What don't you want to tell us, [Child]? Why is [Perpetrator] a bad boy, [Child]?** **...What did he do?**	**Because he's being mean to people.** **He's being mean to people.**	Prosecutor	euphemistic terms to describe abuse	X			X					
11-year-old, female	**Can you tell us what happened?** Okay. You said he was touching you inappropriately. What does that mean?	Yeah. He was touching me **inappropriately**. Rubbing me **places he shouldn't be**.	Prosecutor	euphemistic terms to describe abuse	X			X					
9-year-old, female	So **tell me all about what happened with you and [Perpetrator].** **Tell me what you mean when you say he molested you.** ...**What happened after that?**	He **molested** me. I don't know how to say it. Then he **molested** me.	Prosecutor	euphemistic terms to describe abuse	X			X					

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
12-year-old, female	His hand. And so which part of his body was touching you on **your private part**?	**The bottom**.	Prosecutor	attorney used euphemism not first provided by the child	X								
12-year-old, male	Okay. When he was touching you. Did he touch you on **the penis or on the place that you use to go pee immediately**, or did something else happen before that?	When he touched me where I go pee at.	Prosecutor	use of technical and euphemistic terms to query about one body part	X								
12-year-old, male	After he threw you on the bed and told you not to tell anybody, **what happened next?** [Child], when you say he was doing bad things to you, that can mean different things to different people; okay. **When you say that [Perpetrator] was doing bad thing to you, can you be a little more specific?** **What kind of sexual things?**	He unzipped my pants and then he unzipped my clothes, and he started like doing **bad things** to me. **Sexual things.** Like, um, **what a male and female do, to have a baby.**	Prosecutor	euphemistic terms to describe abuse	X			X					

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	**How** was he mean?	Because he **raped** me.	Prosecutor	euphemistic terms to describe abuse	X			X		X			
	Okay. Good girl. **When you say that your Grandpa raped you, what do you mean?**	**He did adult -- adult stuff to me.**											
	Okay. Take a deep breath. **When you say he did adult stuff, tell us what that means?**	**He did nasty stuff to me.**											
	Nasty stuff, **what kind of nasty stuff?**	**He did adult stuff to me.**											
10-year-old, female	**And when it was just you and your dad, what happened?**	He was going through my mom's -- just there **having sex** with me.	Prosecutor	euphemistic terms to describe abuse	X			X					
	...That incident when you were at home and your mom went for a walk, **what happened between you and your dad?**	He just started to -- he just told me to get undressed and started **having sex** with me.											
	...Okay. **And when you took off your clothes, what happened?**	He started **having sex** with me.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	Okay. And **how** was it that he wanted you to **suck his dick**? Okay. Did you do something with your mouth to his dick? **What was that?**	He would like--I can't really explain it. Yes. **I would suck on his dick like he would tell me.**	Prosecutor	failure to elicit body mechanics description	X				X	X			
8-year-old, female	Things that you **saw with your eyes and heard with your ears and felt with your skin**?	I don't think so. I don't think I remember about that. I don't think I heard it, but I felt it on--.	Prosecutor	attorney used imprecise colloquial phrasing	X								
8-year-old, male	**What happened after** you did that?	That was it.	Prosecutor	under-informative				X	X				

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, female	Can you tell me about a time that you do remember when [Perpetrator] touched you on **your front private part**?	When I was standing and watching TV.											
	Were you wrestling with [Perpetrator] when he picked you up and touched you on **your front private part**?	No.											
	...Are you sure that [Perpetrator] was touching you **where you go poop**?	**Oh, I thought you were talking about poop.**	Prosecutor	attorney used euphemism not first provided by the child (front private part and where you go poop; child refers to these body parts as "the top" and "the bottom")	X								
	I was.	**Going pee. Where I go pee. That part.**											
	…Where did he touch you?	**Where I go pee.**											
	Where you go pee?	**I mean poop.**											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
12-year-old, female	Do you remember **what happened next**? **When he pulled down his pants, did he do anything? Did he say anything?**	Not really. He touched my front private part.	Prosecutor	under-informative, inconsistent				X			X		
11-year-old, female	Okay. Well, can you tell us in your own words **what happened when** he tried to lick your chest? You forgot. **Did he try to lick your chest over your clothes, under your clothes, or something else**? ...And you said he tried to lick your chest underneath your bra? **It was** over your bra?	I forgot. Under the clothes. No. Yes.	Prosecutor	inconsistent				X	X		X		
11-year-old, female	But before you went to your aunt's room, **what happened to you?** When [Perpetrator] came into the bedroom the first time, **what happened to you?**	I don't remember.	Prosecutor	inconsistent with later testimony				X					

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
12-year-old, female	Let's talk about the next--it's okay. Let's talk about the next time that your remembered **something happening** to you. Let's talk about that time. **What happened**?	Was it--I don't remember the--	Prosecutor	inconsistent with later testimony			X	X					
6-year-old, female	And **what happened next**? **Did [Perpetrator] do something?**	A little bit forgot. Yes.	Prosecutor	minimally informative, inconsistent				X			X		
10-year-old, female	Then **what happened after** he touched you?	I don't remember.											
	Okay. **Is there something about holding something? Did you have to hold something**?	I think so.	Prosecutor	minimally informative, inconsistent			X	X			X		
	...Well could you feel any other part of the hand; fingers, palm, or wrist?	No, I don't remember holding anything.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
6-year-old, female	Okay. **Tell us what you remember** about when he touched you on your cookie.	He touched me on my cookie when I was getting dressed in my room, on my bed.	Prosecutor	does not provide description of body mechanics				X					
10-year-old, female	[Child], **what happened after** [Perpetrator] touched your private part with his hand?	He went to the store.	Prosecutor	incorrect level of detail, child jumps too far ahead in time				X					
8-year-old, female	Okay. **Tell me everything** about the touching. ...Okay. **Tell me everything you remember** about that one time.	He like touched at night. Like it was in bed. I don't remember about if I was awake or sleeping.	Prosecutor	does not provide description of body mechanics			X	X					

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	Okay. **Tell us about that**?	I was--I was--I was helping my mom clean the dishes because I hurt my foot, because I got something like--something like--you know it had pulsing, and my mom had to get a chair. And I was kneeling on a chair and I helped my mom. And my mom just went to the room for a while--	Prosecutor	unhelpful details provided				X					
10-year-old, female	When he put your legs up, **what was the very next thing that happened**?	He--He--He--And then he--I believe--My mom came.	Prosecutor	incorrect level of detail, child jumps too far ahead in time				X					
9-year-old, female	**Tell me the first thing that happened** when [Perpetrator] started to touch your private spot with his finger.	He just touched me.	Prosecutor	under-informative, provides information that is already known				X					

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, female	What happened when [Perpetrator] touched your kitty cat	It hurt.	Prosecutor	under-informative				X			X		
	Did he rub your kitty cat?	Yes.											
11-year-old, female	And when that happened, what's the **very next thing that happened**?	The very next thing that happened, I went--He told me like to get my clothes on and then I got them on. But then he told me to go back into the room, like I went back straight into the room.	Prosecutor	incorrect level of detail, child jumps too far ahead in time				X					
	Okay. All right. Now, before you got your clothes on, was he touching any part of your body?	Yeah.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
7-year-old, female	**Tell me everything** about the time he touched you at his house from the beginning to the end. ...Can you **tell me about that**? **What you can remember from that time from the very beginning**?	He put his fingers. He put his fingers.	Prosecutor	under-informative			X	X					
12-year-old, female	Did he stop? What was the **very next thing that happened**?	No. He left the room.	Prosecutor	incorrect level of detail, child jumps too far ahead in time				X					
11-year-old, male	You said he rubbed **it**. **What are you talking about**? What did he rub?	Like this. My butt.	Prosecutor	Misinterpreta-tion				X	X				

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, male	Okay. Then **what happened**?	After that he went back into my mom's room, stayed there for a little while. I stayed in my bed. And then he came back out, got the budweiser, went--And he set this on my filing cabinet, so he had to go all the way around, and then he grabbed it, went all the way back around. And I have two dressers in my room, or I had two dressers. He set it on one of them and he--	Prosecutor	unhelpful details provided				X					
9-year-old, female	Okay. and then **what happened**?	And then what's called--Well, he picked me up and well--I was--Yeah, I think I as walking and then he picked me up and touched me.	Prosecutor	under-informative, child does not provide any new information in this answer				X					
8-year-old, male	Well, **did something happen** to you in the bathroom?	Not really.	Prosecutor	inconsistent with later testimony			X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
	After he pulled his pants down, **did anything happen** to you?	Not really.											
8-year-old, male	That's where when we talked yesterday, [Child], you were telling me about [Perpetrator] taking his pe pe and touching you someplace with it?	Yes.	Prosecutor	inconsistent			X				X		
	Did you ever do anything with the lotion with [Perpetrator]?	Not really.											
8-year-old, male	Do you remember telling me that after you rubbed lotion on yours, you also then --	Yes.	Prosecutor	inconsistent			X						
	-- Put it on [Perpetrator]?	Yes.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
	Did he ever hold you with his hand?	Yes.											
	...Well, **did he hold you** or not?	Yes.											
	...Did he **immediately touch your private**?	Yes.											
	He **didn't touch you anywhere else but your private**?	Yes.											
10-year-old, female	Well, then how -- **what did he touch, if anything, before he touched the private**?	Can you say that again?	Defense	attorney and child have different definitions of touching/ holding		X	X						X
	Okay. Could you tell us -- **he touched you somewhere else before the private**?	He never touched me nowhere else.											
	So he just touched your private, and that was it?	Yes.											
	.... And, now, would this be, **at the same time, was he somehow holding your arm** or --	Yes.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	**Was it** before or after he supposedly touched you?	During the same time he touched me.	Defense	difficulty eliciting description of sequence of events					X		X		
	And **was it** the same time he's reaching down for his sock?	No.											
	No. Before **that time,** after **that time**?	After that time.											
	After that time?	Yes.											
10-year-old, female	[Child], **did anything ever happen** on your grandpa's bed?	I already told you.	Prosecutor	nonresponsive			X						
5-year-old, female	Okay. And **did anything ever happen** with [Perpetrator's] mouth or face? Did he **put it anywhere**?	No.	Prosecutor	inconsistent with later testimony			X		X				
5-year-old, female	Okay. Did [Perpetrator] **ever do anything else** with his no-no and you?	No.	Prosecutor	inconsistent with later testimony			X						
9-year-old, female	Did [Perpetrator] **do anything** with his mouth?	No.	Prosecutor	inconsistent with later testimony			X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive*
11-year-old, female	And that first time **did anything happen** with his wiener? ...What, if anything, did he do with his wiener that time?	No. He just laid on me and he started touching -- he also touched my snooky, but when he did, he like, he laid on it with his wiener and all that. **He barely touched it**.	Prosecutor	inconsistent, attorney and child seem to be operating under different understanding of "touch"		X	X						
12-year-old, female	Did **anyone else** touch you? Did **[Perpetrator] ever touch you**?	No. Yes.	Defense	inconsistent		X	X						
6-year-old, female	Was there **ever a time** that your Bad Dad touched your colita with a different part of his body? Did your Bad Dad ever **touch your colita with this hand**?	No. Yes.	Prosecutor	inconsistent		X	X						
12-year-old, male	[Child], aside from the incident that you just described to me, has [Perpetrator] **done anything else** to you?	No.	Prosecutor	inconsistent with later testimony			X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
12-year-old, female	Did you **do anything else**?	No.	Defense	inconsistent with later testimony			X						
12-year-old, female	Okay. So did you **ever see** his penis that day?	No.	Prosecutor	inconsistent with later testimony			X						
12-year-old, female	Okay. And did **something else happen** with your vagina that day when you were on the floor -- -- **When he touched your vagina**? Okay. You had said something to the detective about his finger, you remember that?	No. Well, no, not really. **Yes, his fingers were in my vagina.**	Prosecutor	inconsistent		X	X		X				
9-year-old, male	Now, we've talked about [Perpetrator] and we've talked about your two--your two older sisters, did **anyone else** touch you while you were at that house? **Did [Sister]**? **Did she ever touch you in a bad way**?	No. Sometimes, yeah. I don't remember. But she did touch us.	Defense	inconsistent, attorney and child seem to be operating under different understanding of "touch"		X	X		X				

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	And after he touched you, did you **do anything** with your legs?	No.	Prosecutor	inconsistent with later testimony			X						
11-year-old, female	Okay. Just string. Do you remember **anything** about a flap?	No.	Prosecutor	inconsistent with later testimony			X						
10-year-old, female	Did he **do something else** to you while you were on the bed?	No.	Prosecutor	inconsistent			X						
	Did **something happen** with his mouth?	Yes.											
11-year-old, female	Okay. And as he was touching you, did **anything else happen** with his hand.	No.	Prosecutor	inconsistent		X	X						
	What about his fingers?	He put them inside of me.											
11-year-old, female	Okay. Now do you remember talking to [Forensic Interviewer], you also talked about other things that happened to you. Did he ever touch you with--Your middle part with **anything besides his hand**?	No.	Prosecutor	inconsistent		X	X						
	Did he ever touch you with his --**his mouth**?	Yes.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	Strike that. The time that he put his hand--His mouth on your middle part, did he **do anything else** with his hands to your middle part? ...Do you remember talking about how he might have touched you with his hands on your middle part that time?	No. Yes.	Prosecutor	inconsistent			X						
7-year-old, female	Okay. [Child], do you remember **something happening** to you a long time ago when you were nine in your back--I'm sorry--When you were six in your backyard?	No.	Prosecutor	inconsistent with later testimony		X	X						
10-year-old, female	Did [Perpetrator] **do anything with anything in the room**, like the clothing or **anything in the room**?	What?	Defense	nonresponsive			X						
10-year-old, female	Did [Perpetrator] **do anything** with your zipper?	I don't remember.	Defense	nonresponsive inconsistent with later testimony			X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	And did he **do something** to your shirt?	I forgot.	Prosecutor	nonresponsive inconsistent with later testimony			X						
11-year-old, female	Now, **did something happen** after this time? **Did something happen** more than just his putting his penis on you?	I don't remember.	Prosecutor	nonresponsive inconsistent with later testimony			X						
7-year-old, female	Okay. Where would your father -- **what parts of your body would your father touch you**? Was your memory--Let's ask it a different way. When your father was watching you, and we talked about private parts, **did anything ever happen** with your private part and your father?	I can't remember. I don't remember.	Prosecutor	nonresponsive inconsistent with later testimony		X	X						
10 -year-old, female	Was his hand **doing anything** when it was in your underwear?	I don't remember.	Prosecutor	nonresponsive inconsistent with later testimony			X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
8-year-old, male	He gave you **some**. You put it on yours. Did you also **do something else** with it?	Put it on my pe pe.	Prosecutor	child repeats information that they provided in the preceding question			X						
10-year-old, female	Okay. Now, did -- did you **ever see anything** come out of your Dad's Mai Khuay? You're not sure or did you **see anything** come out of your butt? Uh-huh. ...Oh, I see. Poop came out of your butt later in the day when you went to the bathroom?	Just--I'm not sure. Out of my butt? Poop. Yeah.	Defense	incorrect level of detail, child jumps too far ahead in time			X						
9-year-old, male	Would would **anybody** touch each other when you played that game? So nobody **touched your private parts** when you played that game or did they?	Just sometimes touch like right here. (gesturing to shoulder) Sometimes when we played with my older sisters they did.	Prosecutor	inconsistent, attorney and child seem to be operating under different understanding of "touch"		X	X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
7-year-old, female	Okay, [Child]. Going back to when you were six years old, do you remember a time when **a man touched you** on your private area?	No.	Prosecutor	inconsistent with later testimony		X							
11-year-old, female	And **when he touched your middle part, how was he touching it**? Can you tell us, like, what he was doing with his **hand**?	No.	Prosecutor	inconsistent, attorney and child seem to be operating under different understanding of "touch"		X			X	X			
	Was he--was he rubbing **it** or was he poking at **it** or something else? Can you kind of describe what he was doing with his **hand**?	No.											
	...And what did he do with his **fingers**?	He started rubbing me.											
11-year-old, female	In your vagina. **How would he look at your vagina**?	He would look down there, and he would just look, like do anything else.	Prosecutor	under-informative, child does not provide any new information in this answer						X			

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	Would he **use his hands**? What would he do with his hands?	Yes ma'am. Nothing, he would **just look at it**. He didn't do anything else.	Prosecutor	inconsistent		X							
8-year-old, female	When there was **touching over the clothes**, **was that something** that you **didn't feel, but felt uncomfortable with**? Okay. You felt uncomfortable, but you **didn't actually feel the touching, right**? **Even through the clothes**?	I felt uncomfortable with it. Right. Right.	Defense	child agrees to minimization of touching		X	X		X				X
12-year-old, male	When he touched you on the place that you use to go pee, did he touch you over the clothes, under the clothes or something else? ...Yes? You just told us that you were touched over the clothes. I want to make sure we are clear. Was it over or under the clothes?	**Over.** **Under.**	Prosecutor	inconsistent		X							

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
12-year-old, female	Okay. When you say he touched you, where did he **touch you first**?	**Vagina, breasts.**	Prosecutor	under-informative, incorrect level of detail (too broad)		X							
6-year-old, female	Okay. When [Perpetrator] touched you on your cookie, did he touch you on top of your clothes, underneath your clothes, or some other way? ...So when he touched you on your cookie was he touching you right on your skin or something else?	**Some other way.** **Right on my skin.**	Prosecutor	under-informative, incorrect level of detail (too broad)		X							
11-year-old, female	And when he touched your butt with his hand, did he touch your butt on the inside or the outside or something else? Both ways. Okay. And was it with his hand, his whole hand or a finger or something else?	**He touched it both ways.** **Sometimes he would touch it with his whole hand, his finger, and sometimes with something else.**	Prosecutor	under-informative, incorrect level of detail (too broad)		X							

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, female	Well, **how could [Perpetrator] be touching you on your private part where you go poop if your hands were holding onto [Perpetrator's] hands**? Okay. So my question was then if you were holding onto his hands how could he be touching you where you go poop?	Well, one hand I wasn't holding so I think it was holding two of them on on his other hand. **Well, the other -- like the other one I was holding. I was holding on. I was holding on. I wasn't holding on nothing. My hands were down.**	Prosecutor	difficulty in describing complex body mechanics		X				X			
11-year-old, female	Did he **ever touch you at all**? Right. But he was never successful in touching you? ...Okay. Am I understanding correctly that [Sister] said he did touch her, but **he never touched you**?	He was trying to because I could feel his arms were trying to hug me, or something. I'm not exactly sure. Right.	Prosecutor	difficulty distinguishing between touch and attempted touch		X	X						

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	What were you wearing, do you remember? Did you have underwear or panties on?	**No.** Ah-hum. Yes.	Prosecutor	inconsistent, child seems to think attorney is asking for more specific details than (s)he really is								X	
11-year-old, female	No, that's okay. If you need any water or anything, just let us know. Do you -- did [Perpetrator] take his clothes off?	**No, not really.** It was just like his pants down.	Defense	child seems to think attorney is asking for more specific details than (s)he really is, child corrects herself in answer								X	
11-year-old, female	Do you remember what he was wearing? Do you remember if he had a top on or not?	**No,** but I think his pajama. I think so, but I'm not entirely sure.	Prosecutor	child seems to think attorney is asking for more specific details than (s)he really is								X	

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	Do you remember what he was wearing?	**No.** I remember he was wearing maybe pajama shorts. I don't remember if he was wearing a shirt or not.	Prosecutor	child seems to think attorney is asking for more specific details than (s)he really is, child corrects herself in answer								X	
10-year-old, female	[Child], **can you tell me what you were wearing that day**? **Did you have a shirt on**? **Did you have pants on?** **Were they long pants or shorts?**	I don't remember. Yes. Yes. It was capris.	Prosecutor	inconsistent, child seems to think attorney is asking for more specific details than (s)he really is, child provides inconsistent details but corrects herself in answer							X	X	
7-year-old, female	**Where was the private? Where did you see his private?** Okay. Can you show us on the teddy bear where a boy's private is?	I don't remember. (Indicating).	Prosecutor	nonresponsive, spatial grain size issue								X	

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
10-year-old, female	**Where were his hands?** Can you show us, can you stand up and show us where his hands were?	They were like -- like -- I don't know how to say it. Oh, they were like in -- like in touching his pants.	Prosecutor	Nonresponsive, spatial grain size issue								X	
10-year-old, female	And **when your Dad was having sex with you, how was he dressed**? **Did he have -- so he didn't have any pants on?** **He didn't have his underwear on?** **Did he have a shirt on?**	He was naked. No. No. I don't remember.	Prosecutor	inconsistent/ unclear details provided							X	X	
12-year-old, female	What about the time when [Perpetrator] came in and touched you on your back part. Do you remember what you were wearing that time?	**Clothes.**	Prosecutor	under-informative, incorrect level of detail (too broad)								X	

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, female	Were they like bathing suit shorts, or were they just regular shorts?	**They came to--they were--I don't know, but my--I don't know how I got the shorts, but they came to another bathing suit that was a two-piece, so I wore them.**	Defense	misinterpretation								X	
9-year-old, female	**Did that happen**?	It did.	Prosecutor	inconsistent					X				
	Okay. So you did suck on [Perpetrator's] pee pee?	No, I didn't.											
10-year-old, female	Okay. **Was that** still while you were handcuffed to the bed?	Yes, no.	Prosecutor	under-informative					X				

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, female	Okay. And is it -- do you know what a **skort** is? What's a **skort**? And **is that** what you had worn that day? Okay. **So you had put that on to actually go to bed**? [Child], could you tell us then -- you said that [Perpetrator] touched you under your clothes; **could you tell us how he did that if you're wearing a shirt and a skort**? Was it under the leg, under your waistband; how was that? **How did he do that?**	Yes. It's like a skirt but different. No, I wore the skirt, not the skort. Yes. I was already wearing it for the day. He put his hand under my skirt. He just put his hand under my skirt.	Defense	child consistently states she was wearing a skirt with shorts, attorney continues to refer to clothing as a "skort"					X	X			X
10-year-old, female	On. **How** were **they** on your body?	I don't get that.	Prosecutor	nonresponsive					X	X			
9-year-old, male	**And under** what parts of your clothes, [Child]?	I don't get what you mean.	Prosecutor	nonresponsive					X				
11-year-old, female	Now, this time, **it** didn't go **in** the first time?	I don't really remember.	Prosecutor	nonresponsive					X				

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	No. Okay. **Was that** the first thing that he touched you on your body with?	I really could not remember what the first thing was.	Prosecutor	nonresponsive, inconsistent with later testimony					X				
10-year-old, female	And **how did he--with your zipper down, did he touch your private part**? **How** did he **do that**?	Yes. He would, like, get in through my zipper, and then he touched my private.	Prosecutor	under-informative, child repeats information they have already provided within testimony					X	X			
10-year-old, female	Can you tell us about **that**? And **how** would he do **that**?	Sometimes he would get his finger and try put it in my vagina. By putting his finger in it.	Prosecutor	under-informative, child repeats information they have already provided within testimony					X	X			

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
8-year-old, female	Let me hold on, [Child]. Let me qualify. Sorry. My question was confusing. When you were in [Perpetrator's] bedroom watching t.v., you said that he had put his fingers on your potty place.	Right.	Prosecutor	attorney repeats question and child is inconsistent					X				
	What were you wearing **that time**?	A purple skirt and a purple shirt with a bow.											
	And when [Perpetrator] was touching your potty place, what were you wearing then?	I can't remember.											
10-year-old, male	**How did [Perpetrator] touch you**? What did he do with his hand? Was it sitting still or moving?	Still.	Prosecutor	inconsistent						X			
	...Okay. Because today you are telling us that it wasn't moving but you told the detective it was moving. So was it moving or was it not moving?	It was moving.											

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12-year-old, male	You were wearing boxers. Because that's the cool thing, right? Okay. So you're wearing boxers and shorts and a tee shirt. **When [Perpetrator] touches you, can you explain to me how that happens**? What does he do?	I don't know.	Prosecutor	nonresponsive						X			
6-year-old, female	And **how was he touching you**?	Um, I forgot that part.	Prosecutor	nonresponsive, inconsistent with later testimony						X			
8-year-old, female	Okay. [Child], we talked about [Perpetrator's] fingers being on your potty place. **How were [Perpetrator's] fingers**?	I'm not sure.	Prosecutor	nonresponsive						X			
10-year-old, female	**How did [Perpetrator] put his hand inside your clothes**?	I don't understand it.	Prosecutor	nonresponsive						X			
6-year-old, female	**How was it moving**?	Because he was moving it.	Prosecutor	misinterpretation, child responds to how questions as if it were a how-why question						X			

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
7-year-old, female	**How did he touch you, [Child]**?	He touched me in different ways.	Prosecutor	under-informative, incorrect level of detail (too broad)						X			
9-year-old, male	Well, **how would [Perpetrator] pick you up**? What were you doing that he would have to pick you up?	He would just sitting there and he just sometimes used to pick us up.	Prosecutor	under-informative, child repeats information they have already provided within testimony						X			
10-year-old, female	**How did [Perpetrator] start touching on you**?	On my private part.	Prosecutor	misinterpretation, child expresses confusion following 3 how questions						X			
	How did [Perpetrator] touch you on your private part?	With his hand.											
	Artaza, **how did he touch you with his hand**?	I don't get it.											
8-year-old, female	**How did he touch your private**?	Like under my clothes.	Prosecutor	child provides details that were already provided in the testimony						X			

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10-year-old, female	Okay. And **how were you handcuffed to the bed**? Can you describe that?	Like the head of the bed I was handcuffed onto.	Prosecutor	child struggles to provide description that attorney finds sufficient					X	X			
	Okay. And were they -- **how did that make it so your hands couldn't get out**? Could you just kind of describe the bed a little bit better, a little bit more?	On the head of the bed, it had like metal -- some metal designs and then the wood on the top and then it was like a mattress with some blankets and -- yeah, blankets.											
	Can you tell us how?	And he would put the chain that--the chain on and put it on the bed so I couldn't get out.											
12-year-old, female	**So what happened to your clothes if you were wearing them and he touched you underneath your clothes**?	I was wearing it.	Prosecutor	under-informative, child repeats information they have already provided within testimony							X		
	Ok. **Did somebody move your clothes to the side or pull them up or down or do something else to your clothes**?	I don't remember.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	As you felt him trying to put it in there, what was he doing exactly? What kinds of movements do you feel? Was he moving back and forth or was it just still or was he pushing into you?	I don't know. He was pushing into me.	Prosecutor	nonresponsive, then child selects answer proffered in attorney question							X		
9-year-old, male	When you took a shower there, your Grandpa would lift you up under the shoulders to put you basically into the tub, so you could turn the shower on, **right?**	Yes.	Defense	child agrees to minimization of touching									X
12-year-old, female	Okay. And this time, he **didn't** go underneath your clothes **or anything**; **right?** Oh, He did? So you were just walking by, and he went under the clothes and grabbed your breast?	Yes. Yes.	Defense	inconsistent			X						X

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, male	Sure. **I thought earlier I heard you at one point say that the time that Grandpa was touching your private in bed, that his hand was underneath your clothes. Then another time I thought you said that his hand was over your clothes.** My question is, now that we have been talking about this for a little while, do you remember which of those two it was, or do you not remember?	I don't remember.	Defense	attorney misstates child's testimony, child is nonresponsive and inconsistent with previous testimony									X
10-year-old, female	On. **How were they on your body**?	I don't get that.	Prosecutor	nonresponsive							X		
7-year-old, female	**How did he touch your private**?	Um.	Prosecutor	nonresponsive						X			

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
11-year-old, female	Okay. Because it wasn't like -- was it like he laid you on the bed and then like a few minutes later because you said that he had, like, that he had put his private in your private, but before that, when he laid you on the bed on your tummy, you didn't move at all?	He took my pants and underwear down.	Defense	child never said her pants had a zipper or a button, is unable to describe how perpetrator unzipper her pants									
	So, like, when he laid you on the bed, **did he unbutton your pants, or did you unbutton them**?	He unbottoned my pants.											X
	All right. How did he do that? Like if you're laying on your stomach, how did he unbutton your pants? If you don't remember, that's okay.	I don't remember.											

					Sexual Terminology	*Touch*	*Any/Some/Ever*	*Open Questions*	*Ellipses/Anaphora*	*How*	*Negative Pairing*	*Grain Size*	*Suggestive Language*
9-year-old, male	You don't know how you don't think you could draw what a back part looks like? Can you describe it for me. It has a hole. Okay. What's the hole for? Okay. **When [Perpetrator] touched you on your back part, did he touch you on the hole that you use to go poop or did he touch you some other place**? How do you know? He was touching you butt too. **So when you say he was touching your butt and he was touching your hole, is the hole something different from the butt**?	No. It has a hole. You use it to go to the bathroom. Like -- like he was touching the hole, yeah. Because he was touching my butt too. I don't know.	Prosecutor	in response to attorney prompts, child to uses "hole" as a term to describe entire sexual body part, attorney then asks abuse mechanics question distinguishing "hole" from entire body part and child struggles to answer								X
12-year-old, male	Okay. And **when you got home, you were probably hurt pretty bad, huh?**	Well, he only like -- he put his hand in my mouth and like -- and was choking me a little bit, but I was grabbing his hand so he won't choke me that bad and that was it.	Prosecutor	misinterpretation, attorney queries about effects of abuse, child reports more peripheral abuse details									X