

How Therapy Animal Programs Can Help Maltreated Children

February 27, 2014

Welcome From OJJDP NTTAC



Michelle Duhart-Tonge

Training and Technical Assistance Network Provider Lead
Office of Juvenile Justice and Delinquency Prevention (OJJDP)
National Training and Technical Assistance Center (NTTAC)

How Therapy Animal Programs Can Help Maltreated Children

February 27, 2014

Moderator



Chuck Mitchell and Rikki

Tallahassee Memorial Hospital Animal Therapy Program

Courthouse Therapy Dogs

www.flcourtdogs.com

Webinar Objectives

- Understand the benefits and drawbacks of incorporating therapy animals with maltreated children, including the difference between therapy animals, service animals, and assistance animals.
- Understand the dos and don'ts of placing therapy animals as greeters and involving them during forensic interviews, medical examinations, therapy, court preparation, and courtroom testimony.
- Understanding the legal objections to incorporating therapy animals with maltreated children.

Presenter



Allie Phillips and Oscar

Director, National Center for Prosecution of Animal Abuse
Deputy Director, National Center for Prosecution of Child Abuse
National District Attorneys Association
Co-Creator of Therapy Animals Supporting Kids (TASK)

Therapy Animals

Meet Tony and Dr. Seuss



Therapy Animals Supporting Kids (TASK)[™] Program

- Co-created while at American Humane
- National initiative to encourage child protection professionals to incorporate therapy animals into the process of helping children
- Peer-reviewed guidelines detail the dos and don'ts
- Launched in August 2009

Legal Definitions

- Therapy Animals are not legally defined, but they provide therapeutic support to people. They are usually the personal pets of their handlers and work with their handlers to provide services to others.
- *New as of March 15, 2011*: Service/Assistance Animal = any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Visual Difference Between Service and Therapy Animals



Rocky (Johnson County, TX)

Where Can Animal-Assisted Therapy (AAT) Be Used?

- Child Advocacy Centers
- Social Service Agencies
- Medical Centers
- Therapy Offices
- Domestic Violence Centers
- Family Justice Centers
- Prosecutors Offices
- Police Departments
- Courthouses



Oliver Williams - Dallas CAC

POLL QUESTION #1



When To Use AAT

- Greeters at the CAC
- Forensic interview
- Medical/SANE exams
- Individual/group therapy
- Court preparation
- Court testimony



Dot - Pittsburgh, PA

Benefits of AAT for Children

- Aids in building rapport with the professional adult and promotes engagement with the child who may be nervous or withdrawn (Parish-Plass, 2008)
- Facilitates communication for the child (Corson, 1975)
- Acts as comfort or support for the child and reduces anxiety and stress (Serpell, 1996)
- Provides healing touch to a child and removes feelings of social alienation (Parish-Plass, 2008)
- Improves morale among staff; reduces employee turnover, which promotes continuity with patients

Drawbacks of AAT for Children

- Sudden reaction by a child or an animal that might cause injury to either.
- Allergies or fear of animals.
- Having the animal treated like or viewed as a toy by the child.
- Improper matching of an animal to a child could harm the therapeutic process.
- Children with a history of violence toward animals may not be safe to work with a therapy animal.
- An untrained or inexperienced handler may not be able to properly serve in their role as their animal's advocate.

“As far as our Therapy Dogs go, they continue to be a huge addition to the services we provide for child victims. Because trainers have taken great care in who is passed, we have very well-behaved dogs that provide a great deal of comfort and companionship for the kids, the team and our staff. I cannot imagine our center without the therapy animals.”

– Tammy King, Children’s Advocacy Center
Johnson County, Texas

Starting an AAT Program

- Program coordinator
- Standards of Practice
 - Credentialed handlers
 - Screened animals
 - Insurance
 - Compliance with state and local laws
- Own pet?
- Locating a local pet partner team
 - Experience
 - Matching

National Organizations

- Pet Partners
- Therapy Dogs International
- Therapy Dogs, Inc.



Johnson County (Texas) CAC Team

Starting an AAT Program

- Handler orientation
 - Background check
 - Confidentiality agreement
 - Orientation and training
 - Basic training on child maltreatment
 - Engaging maltreated children by the handler
 - Humane education, kindness and compassion
 - Compassion Fatigue

Starting an AAT Program

- Policies and Procedures
 - Allergies
 - Fear of pets
 - No one is forced to interact with the animal
 - The animal is not to be left alone with a client or visitor
 - The animal is a respected member of the team
 - Presence of the handler during sessions



**Questions submitted during the presentation
will now be addressed!**

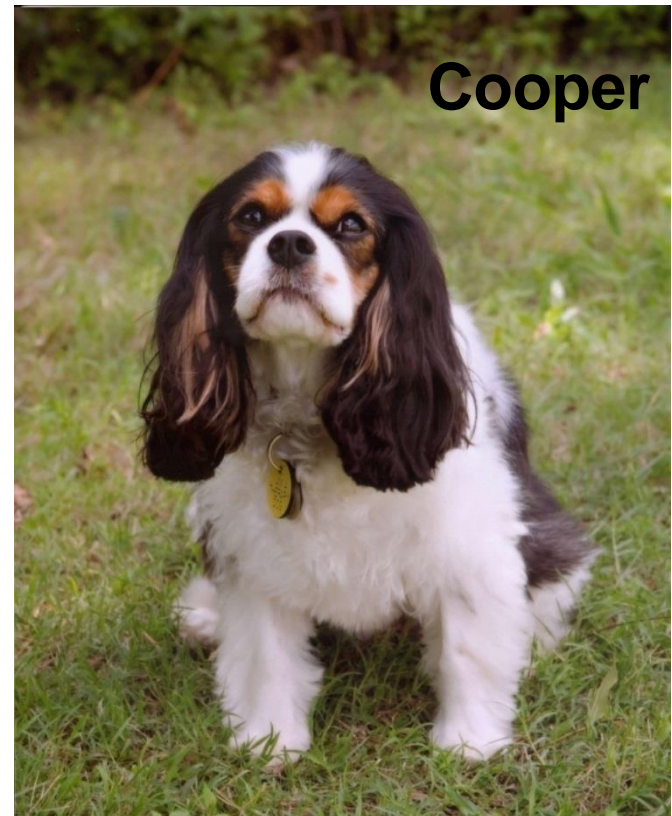
When Therapy Animals Can Help

Therapy Animals as Greeters

- Benefits
 - Creates ease and lessens anxiety when therapy animals and their handlers are present.
- Concerns
 - Need to address allergies, fear of animals, and appropriateness for the child.
 - Ask a parent or guardian regarding the child's relationship with animals.

Greeter Animal Examples

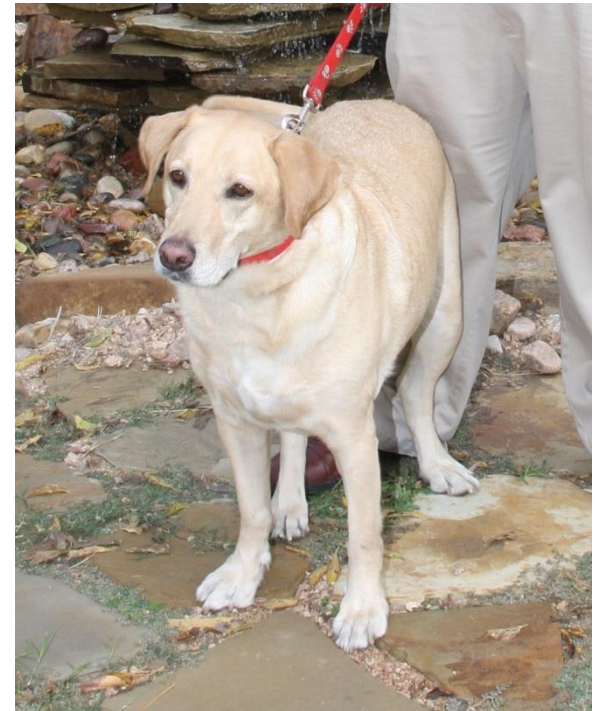
Children's Advocacy Center, Johnson County, Texas



Johnson County, Texas

Children's Advocacy Center

“Jake is still the ‘Rock Star’ of the CAC and has free run of the center. Every time our door chimes, he runs to greet the kids. He also goes into interviews and therapy. I have to say that he is incredible therapy for our team as well. Every team member that comes through the door looks for Jake. I think he greatly reduces their stress levels.”



Jake (Johnson County, TX)

Aiken, South Carolina

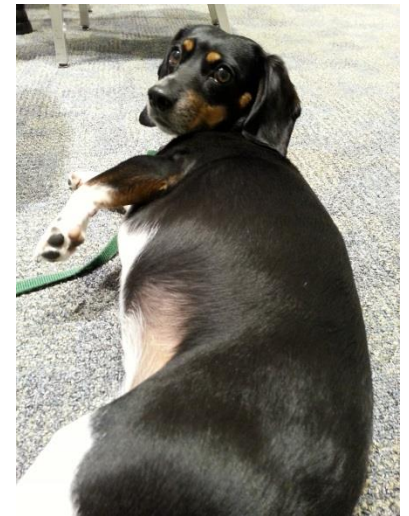
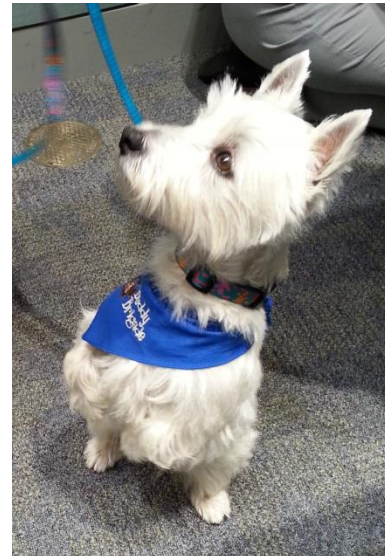
Peaches – Greeter and Therapy Dog



Norfolk, Virginia

Children's Hospital of the King's Daughter CAC

Alli Babba and Snickers are 2 of 15 registered therapy dogs who are a part of the Buddy Brigade that greet children at the CAC.



Tarrant County, Texas

Alliance for Children



Hoss

AAT in the Forensic Interview

- Crucial stage for professionals; frightening for children
- A therapy animal can build rapport, safety and allow the child to communicate
- Incorporate into your existing protocol
- Good opportunity to talk to kids about animals in the home

AAT in the Forensic Interview

- Do allow the child to decide.
- Do inform the child that the therapy animal needs to have the handler present.
- Do allow the child to walk to the room with the therapy animals (if not allowed in).
- Do allow the child to pet, connect with and even talk to the therapy animal during the interview.

AAT in the Forensic Interview

- Don't barter with the child.
- Don't assume the child is comfortable disclosing trauma or abuse in front of the therapy animal handler.
Ask!
- Don't ask questions to the child through the animal.
- Don't allow the child to harm the animals.
- Don't allow the child to lose focus.
- Don't force an interaction.

Forensic Interview

- Therapy animals can help with rapport and to explore the child's relationship to animals:
 - "Do you have a pet?"
 - "Tell me about your pet."
 - "Is your pet happy?"
 - "Is your pet safe?"
- Has the child intervened to prevent animal abuse?
- Gathering information regarding animal abuse



Blue - Midland, TX CAC

Legal Issues in the Forensic Interview

Objection

The presence of the handler inhibited the child from a full disclosure that may have exonerated my client.

Response

Testimony that the child consented to the presence of the handler and animal; the outward demeanor of the child (apprehensive or inhibited). If the interview was videotaped, offer the videotape as the best evidence of what occurred.

Legal Issues in the Forensic Interview

Objection

The presence of the therapy animal was suggestive to the child.

Response

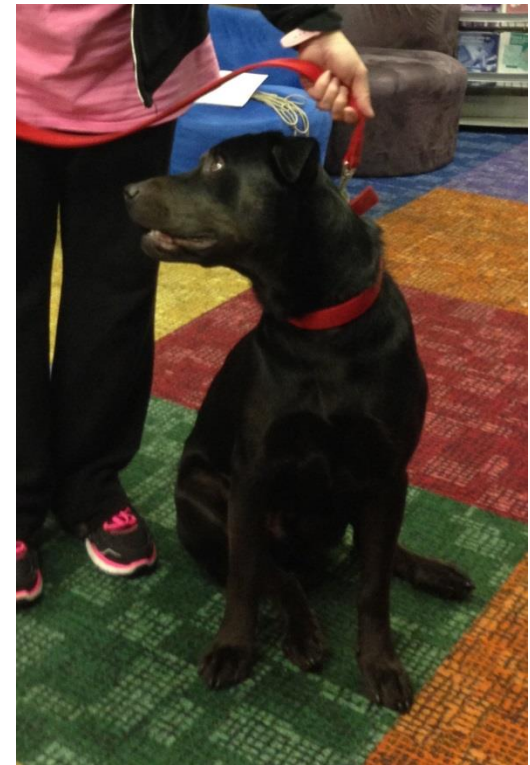
Therapy animals are akin to comfort items (such as dolls and blankets) and are incapable of suggesting information or answers to the child in response to questioning.

Legal Issues in the Forensic Interview

- Handler as a witness
 - Provide an orientation so that handlers know what to expect and do not react to a child's words
 - 3rd party issues
 - Discuss with handler beforehand
 - Consult with prosecutor
 - Is the handler testifying to unique information?
 - Is there an allegation of improper conduct?
 - Was the interview videotaped (best evidence rule)?
 - Be sensitive to the handler's schedule

AAT in the Forensic Interview

- Alaska (Alaska CARES)
- Kansas (Western KS CAC (mobile unit))
- Michigan (Muskegon CAC)
- New York (Oneida County CAC)
- Oklahoma (Dearing House CAC)
- Texas (Johnson County CAC, Tarrant County CAC, VanZandt County CAC)
- Utah (Children's Justice Center/Tooele County)



Mae (Johnson County, TX)

Helping a Child Speak

MedCenter One Dakota CAC, Bismarck, North Dakota

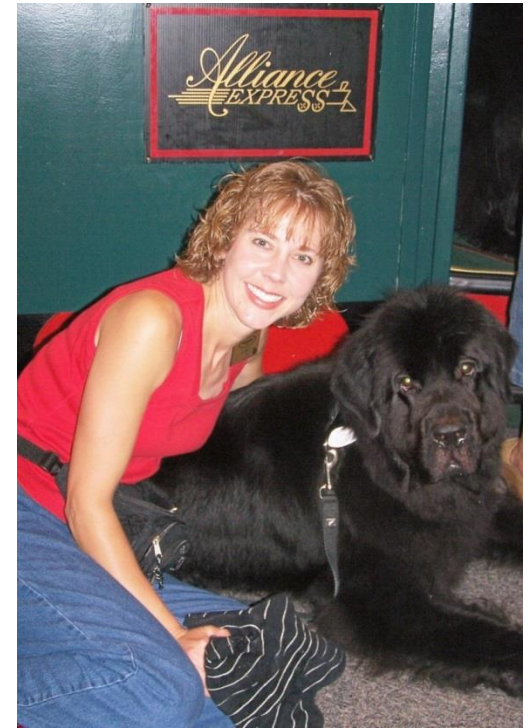
Maggie



Forensic Interview Examples

Alliance for Children CAC, Tarrant County, Texas

- 10-year-old sexually abused girl, no outcry
- Dad confessed
- Introduced Willie to help the girl tell her story
- When Willie and the girl met, it was all smiles and wags
- Willie went into the interview room, and the girl was comfortable enough to talk



Willie and his handler, Karen

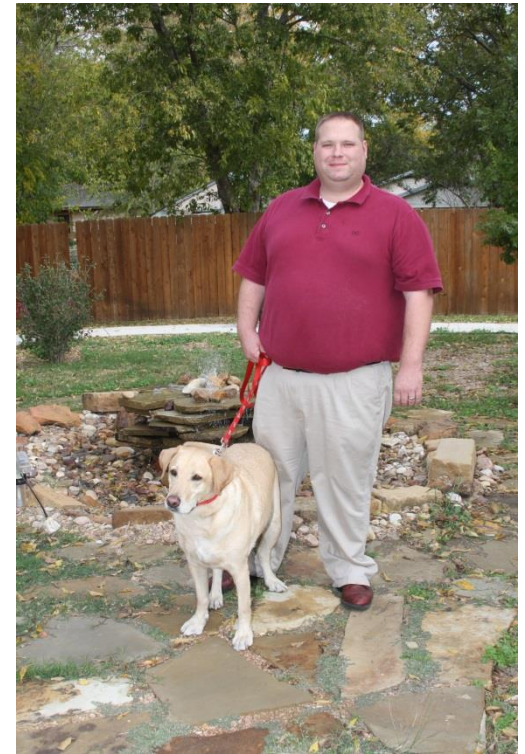
“We started with 1 handler and therapy dog team in 2007 and today we have 13 teams and we are still growing. We utilize our therapy dogs for lobby visits, court prep or our Kids In Court program, in groups and when needed in our Forensic Interviews. They visit with our donors at our annual golf tournament and they go with me when I do presentations to classes at local universities as well as conferences. We have had such success in utilizing therapy dogs that we now have multiple research projects going on that center around the use and effectiveness of utilizing the therapy dogs.”

-- Diana Davis, Alliance for Children

Cleburn, Texas

Children's Advocacy Center, Johnson County, Texas

“An interviewer was conducting a forensic interview with a very reluctant teen. He stepped out of the room momentarily and the child gave a full outcry to Jake with the camera running. It was amazing. It seems the adults she had previously told did nothing to help her but she trusted our sweet yellow lab enough to tell him.”



Midland, Texas

Children's Advocacy Center, Midland County, Texas

The therapy dogs have added a new dimension to the atmosphere at the Center. Although the Midland Child Protection Team is highly trained and sensitive to the needs of children, the dogs are able to decrease the anxiety children suffer during their first visit to the Center in a way that no person can. Many of those children return to the Center with their families and ask for the therapy dogs by name.



Bo



Certified
Therapy Dog



Nikki



Certified
Therapy Dog

Ponca City, Oklahoma

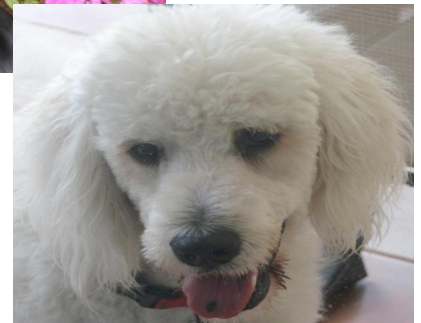
Cooper – Greeter, Therapy and Forensic Interview Dog



Sarasota, Florida

Child Protection Center

Dalen, Raven, and Casey help in pre- and post-interviews
and medical exams



Sarasota, Florida

Child Protection Center

Gary and Baxter



POLL QUESTION #2





**Questions submitted during the presentation
will now be addressed!**

AAT in the Medical/SANE Exam

- Ask the child if the animal and handler can be present
- Sight-barrier between the handler and the child
- Consult with prosecuting attorney and medical staff

AAT in the Medical/SANE Exam

- Benefits
 - The child feels safe and comforted by the therapy animal.
 - The therapy animal distracts and relaxes the child.
 - The therapy animal may prevent re-traumatization of the child.

AAT in the Medical/SANE Exam

- Concerns
 - The medical staff may have policies in place prohibiting animals in medical facilities, and these policies may conflict with the best interest of the child.
 - Issues of evidence contamination
 - Also consult with your prosecutor's office



Teegan - Dallas CAC

AAT in SANE Exams

- Kansas
 - Western Kansas CAC
- Michigan
 - Muskegon CAC
- North Dakota (in the past)
 - MedCenter One Dakota
- Texas
 - Bastrop, Lee, and Fayette Counties CAC



Harry – Bastrop CAC

Austin, Texas

Children's Advocacy Center
Woodstock



AAT in Therapy

- For group and individual therapy
- Helps the child to express and project feelings
- Conduct during a therapy session may be questioned during trial, including subpoenaing the therapist and records
- Handler is present

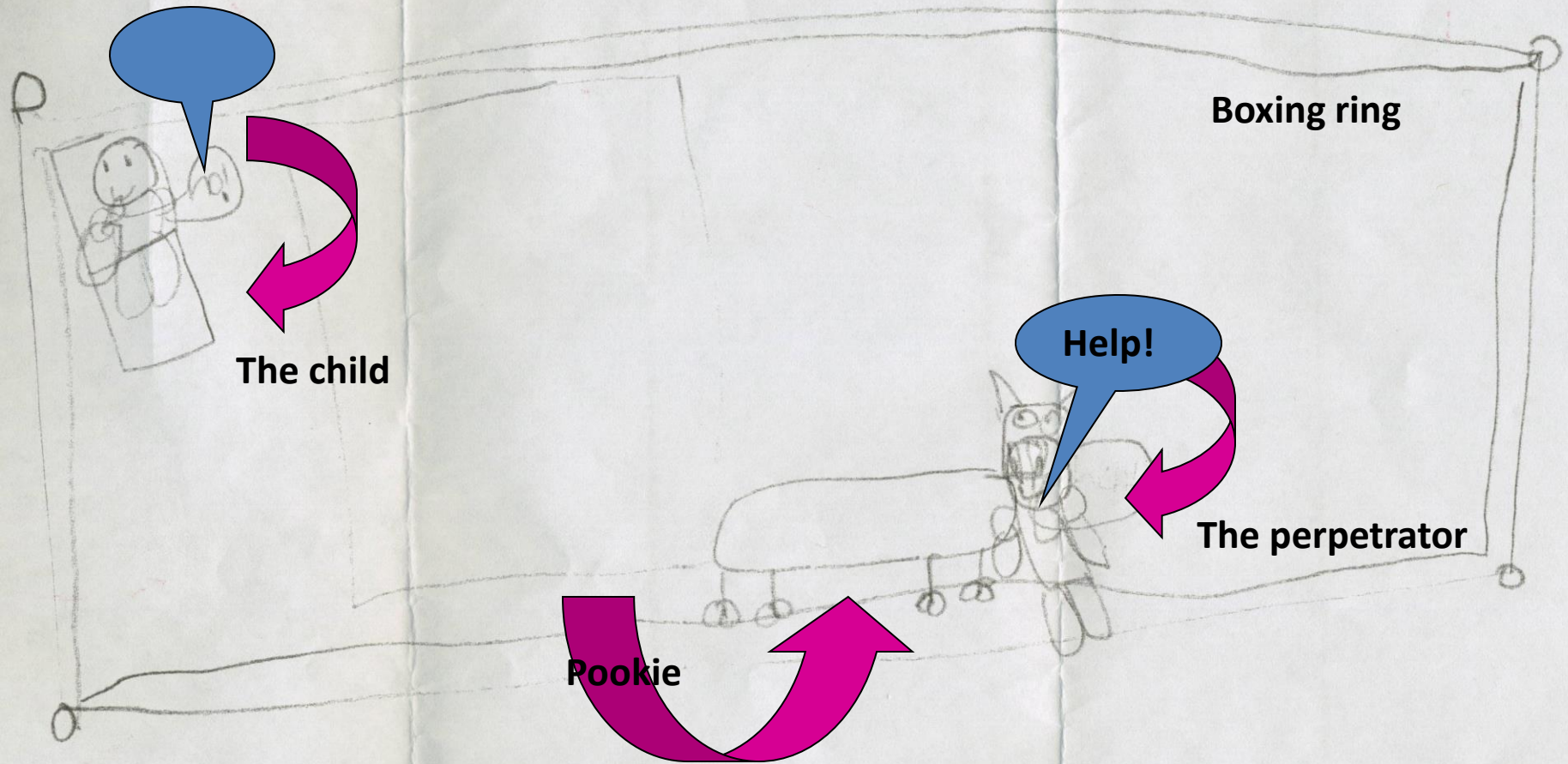
Therapy Examples

Children's Advocacy Center Jackson, Mississippi



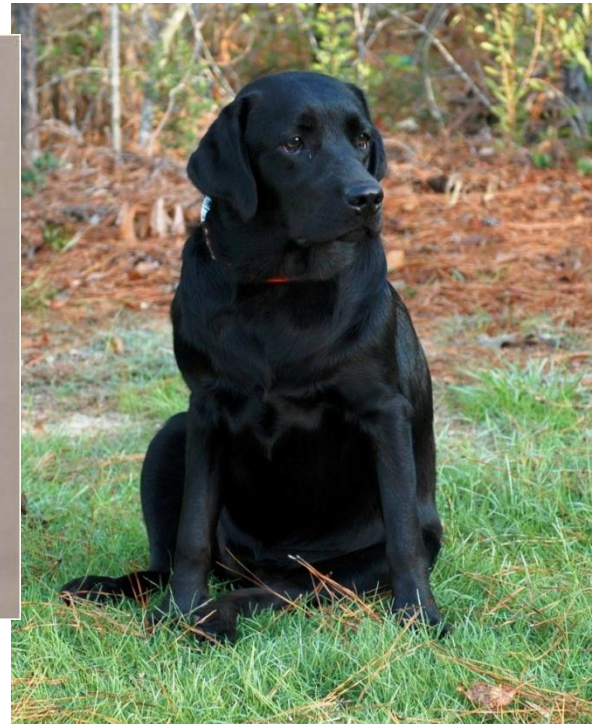
Pookie,
the “retired”
therapy cat

The Power of Pookie



Houston, Texas

Children's Assessment Center
Meet Missy, Merle, and Nora



How Merle Is Helping

- Young boy was physically and sexually abused, with pervasive emotional neglect (pets also abused)
- Foster homes and residential facilities failed him
- Relative placement rejected him as a bad kid
- But Merle helped the boy to maintain attachment and improve socially, emotionally, cognitively, and psychologically
- Created a poster board of Merle's photos in between the boy's hands

Merle is safe in his hands



AAT in Court Preparation

- Eases tension
- Assists with preparation
- Touring the courtroom
- Safety and comfort



**Hoss, Alliance for Children
(Fort Worth, Texas)**

AAT in Court Preparation

- Benefits
 - Can relax the child and provide a sense of safety, which may transfer to the prosecutor handling the case.
- Concerns
 - Be sure not to let the child believe that a “good performance” on the witness stand is contingent on having the therapy animal available for pre-trial court preparation.

Court Preparation Example

Alliance for Children, Tarrant County, Texas

- Isabelle helps with the Tarrant County Kids In Court Program
- Helped a 9-year-old girl get ready for court
- The girl was shy but warmed up, especially after finding Isabelle's ticklish spot
- Nan told Isabelle's story about secrets
- The girl then disclosed to Isabelle more than she previously had about her abuse



AAT in the Courtroom

- Approval from the prosecutor and judge
- Motion in Limine
- Therapy animals assist with effective, efficient, and thorough testimony
- Feelings of security
- Placement of the therapy animal

Support Person Laws

- 48 States that allow the court to consider a support person:
 - AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY
 - Federal
 - American Samoa, District of Columbia, Guam, Puerto Rico, Virgin Islands



Isabell and Keeper - Dallas CAC

Comfort Item Laws

- Arkansas (§ 16-43-1202)
- California (CAL. PENAL CODE § 868.8)
- Florida (Fla. Stat. Ann. § 92.55)
- Guam (Code Ann. tit. 8, § 75.85)
 - Court can take “special precautions”
- Illinois (705 Ill. Comp. Stat. 80/1)
- Missouri (MRS 491.725.3(4))
- Nevada (Nev. Rev. Stat. Ann. § 50.600)
 - “State any other condition necessary for taking or presenting the testimony.”
- Texas (Tex. Code Crim. Proc. Ann. art. 38.074(3)(b))

Therapy Animal Laws

- Florida (FSA 92.55)
 - Became law in 2011.
 - Upon motion for any child under 16, the court may allow a registered service or therapy animal in proceedings involving sexual assault.
 - Considerations: age, interests of child, rights of parties, other relevant factors to facilitate testimony.
 - Animals must be evaluated/registered according to national standards.

AAT in the Courtroom

Objection

The presence of the therapy animal and handler in the witness stand will be prejudicial to the defendant.

Response

Efforts to conceal therapy animal and move the handler as far from the witness stand as possible, but allow for control. The therapy animal fulfills the role of support person and comfort item and is less suggestible than a concerned adult.

AAT in the Courtroom

Objection

The presence of the therapy animal and handler in the witness stand conveys that the child is fragile and needing protection against the defendant, which conveys a negative image of the defendant.

Response

Valid objection? Reach the legal level of “extreme prejudice” or “overly prejudicial?” The demeanor of the witness, whether strong or fragile during testimony, is not an objectionable factor, since all witnesses react differently when testifying.

AAT in the Courtroom

Objection

The defendant, defense attorney, or other courtroom observer is allergic to animals.

Response

Most allergies occur from touching an animal and then touching your eyes/face. The therapy animal is usually placed far enough away to avoid any allergies.

Ask court to weigh the interests of the child in relation to the complained-of allergies.

Tallahassee, FL

2nd Judicial Circuit swearing in ceremony for therapy dog program!



Tallahassee, Florida

From Chuck Mitchell: “Rikki and I were in court with a girl who’d been the victim of monstrous abuse from her father from age 4-8. Prosecutor admitted they had no case if she couldn’t testify, and it took over a month before she would talk to my dog. Had the strength to sit across from her father and testify—he was found guilty on 12 counts, each of which was mandatory life with no parole. Judge and prosecutor said without the dog, there would have been no trial.”



Courtroom Example

Children's Advocacy Center, Jackson, Mississippi



Vachss, a German Shepherd therapy dog, with a 7-year-old child abuse victim before going to court

http://www.vachss.com/dogs/vachss_transcript.html

Sarasota, Florida

Child Protection Center

Casey and Dalen go to court



King's County, California District Attorney

In a criminal and civil case, two young girls were removed. One child cried throughout the interview; the other claimed the allegations were false (coaching was suspected). They brought Chance in to the interview. One girl laid on the floor with Chance, kept petting him, and finally disclosed the abuse and who had coached her. Chance assisted with the truth coming out.



CA vs. Spence

212 Cal.App.4th 478 (Cal.App. 4 Dist.) (2012)

- 10-year-old child testified with an advocate and therapy dog
- Defendant objected that the dog made the child look like more of a victim
- Therapy dog allowed as a procedural ruling to get to the truth and compared to a teddy bear
- CA has a mandatory support person law (1 on the stand) and found the dog to not be a person
- The dog was properly allowed and did not violate the 1 support person rule

NY vs. Tohom

By Helping a Girl Testify at a Rape Trial, a Dog Ignites a Legal Debate



Kelly Shimoda for The New York Times

Rosie, who comforts traumatized children and aided a teenager on the stand in a rape trial, outside the Dutchess County Courthouse in Poughkeepsie, N.Y., with Dale Picard.

By WILLIAM GLABERSON

Published: August 8, 2011

NY vs. Tohom

- Years of sexual abuse to a child age 11-15 yrs
- PTSD and working with Rose
- Cannot talk about the abuse, but more vocal with Rose
- Will testify better with Rose
 - Not clear on whether she cannot testify without Rose
- Defense objected based on prejudice
- Defendant convicted

NY vs. Tohom

- Comfort-therapy dog terminology is good
- *“Dogs are such agreeable friends – they ask no questions – they pass no criticisms”*
- Permitting a comfort dog is less prejudicial than allowing a support person
- No *Frye* hearing needed since research is significant on the benefits of therapy animals
- “The utilization of a comfort dog to support vulnerable witnesses ... is an ‘accommodation’ which ... should be encouraged as an effective and beneficial courtroom measure in administering a trial”

Other Legal Issues

- Confidentiality
 - Each state has laws on confidentiality and sharing information amongst MDT members
- Insurance
- Zoning and special permits
 - Should not be an issue since the therapy animal should not reside at the CAC

Saying Goodbye

- Photo of child with therapy animal
- Letter from therapy animal to child
- Letter from child to therapy animal
- Stuffed animal toy



CZ

POLL QUESTION #3



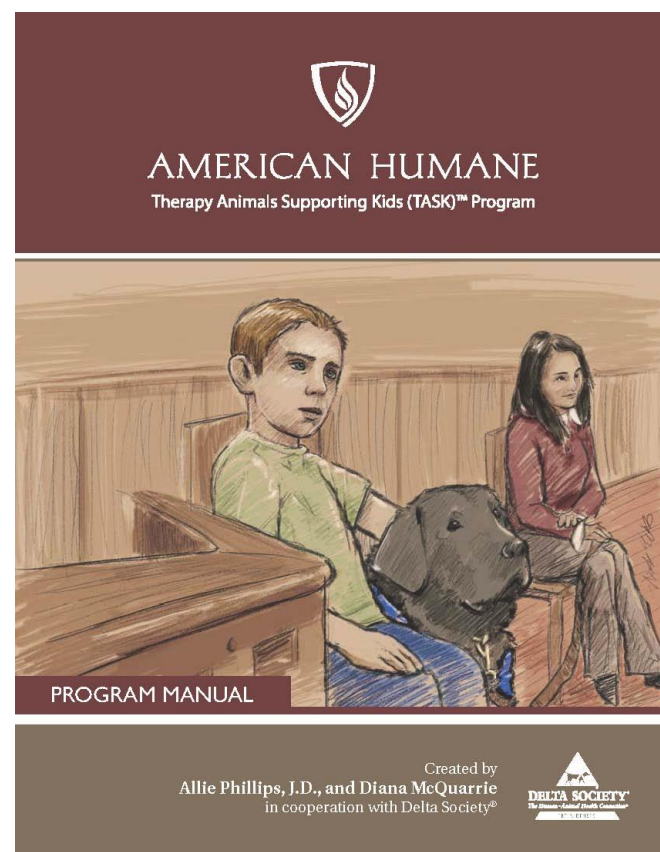
Resources

Download the manual at

http://www.ndaa.org/ncpca_home.html

Contact me at

aphillips@ndaa.org





**Questions submitted during the presentation
will now be addressed!**



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Please click on the link below to complete the online evaluation.

<https://www.research.net/s/NFP7X5R>

Thank you!



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