

Vera Chelyapov, Section member, interviewed Past President Thomas Lyon, Ph.D. Dr. Lyon was the Section President in 2003-2004.

You were President of the Section in 2003 and 2004, what were some of the Section's achievements during that time?

Several things jump out. Some accomplishments were the Supreme Court amicus brief, conferences that we co-sponsored, and task forces that we supported. I brought to the Section my connections with law, obviously, and my desire to make things very practice-oriented and interdisciplinary.

Tell me a little more about the *amicus* brief.

The brief was for *Stogner v. California*, which involved extending the statute of limitations for child sexual abuse. Technically the issue was whether it constituted an ex post facto law. But the hard core legal issues were not what was of interest to the Section, and ultimately to the organizations that sent out the brief. What *Stogner* gave us was an opportunity to tell the Supreme Court about the dynamics of child sexual abuse. There are several aspects to that. First, and this was directly connected to extending the statute of limitations issue, there is the problem that people often fail to disclose abuse, or if they do disclose tend to disclose relatively late in life. So the obvious problem that needs to be solved is you don't want the statute of limitations to run because the person failed to disclose.

But there were other issues that weren't so directly legally relevant but were of interest to people, and these were the issues related to the harms of sex abuse and the recidivism of sex offenders. The harms of sex abuse probably were obvious to the Supreme Court, but there were extra-legal reasons why we were interested in the issue. Previously a meta-analysis was published in the *Psychological Bulletin* that questioned whether or not sexual abuse was indeed harmful. The APA was seriously criticized for not censoring the paper. Now of course, it would be a terrible thing for the APA to censor such a paper. Basically everyone, even those who disagreed with the paper, agreed the APA shouldn't do so, but because of the controversy, the APA was very sensitive to this issue. When they saw this brief come along, they said, "Great! This is an opportunity for us to officially say, 'We think Sex Abuse is a bad thing.'" And I think that was a large part of the reason why, when we finally approached them, they were ready to sign on.

The recidivism issue did have some legal relevance because part of the reason you want to extend the statute of limitations for sex crimes is that sex offenders don't age out. And this I think the court may not have been aware of. A policy justification for extending the statute of limitations is that even if the guy is now fifty, the prosecution can potentially reduce recidivism because child molesters tend to molest well into their old age.

How did the Section help you with creating the brief?

We thought well, this is a great opportunity to say something to the Court, and the goal wasn't strictly to affect the decision in *Stogner*, but it was to write a brief that Justices would read. We could anticipate that in future cases they would be dealing with sex abuse. With the support of the Executive Committee, I started to talk to different people in different organizations about sponsoring the brief. It was relatively easy to get the American Professional Society on the Abuse of Children (APSAC) involved. APSAC is multidisciplinary, and I met the board of directors and they were in favor of the legal argument: that we should extend the statute of limitations, and they agreed with the dynamics of the abuse issues.

Then I approached the National Association Council for Children, and they are a legal organization whose members predominately represent children in dependency cases. We wanted to build a groundswell of support before approaching the APA.

I think because I was section president, I had access to the people within the APA. We found out that the Section on its own couldn't submit a brief, but the APA said, "We're not trying to shut you down, we think we can get association wide support for your brief." It's funny because I didn't strategically approach the APA thinking that [the harms of sexual abuse issue] would be the lynch pin that would help us get this brief, but it all worked out very well.

I think, obviously, it helped that I knew enough about law, so that I was able to approach people in law. Arnold & Porter, a very prestigious law firm that had done a lot of Supreme Court work, formally wrote and submitted the brief. I helped out as did several members of the Section, including Kathleen Kendall-Tackett, Mark Chaffin, Jodi Quas, Angela Crossman, and Sharon Portwood. The Section is very small, but even that limited status was enough to enable us to work with the APA. And the APA is of course a very gigantic, powerful organization. So I appreciated the Section's ability to get things done.

How does the Section help promote working with different groups?

If the Section didn't exist, one might think that no one in the APA works on child maltreatment. The Section allows coordination of different groups. For example, there's a lot of overlap between the interests of the Section and Division 41, Law and Psychology, but the Law and Psych folks tend to come more from the applied memory side, and less from the clinical dynamics of sex abuse side. And what the Section is able to do is pull people together, people who might never otherwise talk to each other. I knew that had been the goal of the organization for some time, and I was definitely interested in getting those kinds of linkages going.

The other thing that was clear to me, just because I'm a law professor, was that I saw opportunities for greater interaction with lawyers. Now of course the amicus brief is one example of that, and the other thing that we did while I was President, that I was proud of, was that we worked with the American Bar Association to co-sponsor one of their annual Children and the Law conferences. Just because I was "president" I was able to talk to people within the ABA. When I approached the Children and the Law

group with this, they were very excited. From their perspective it was an opportunity to get people within psychology, who really knew the research and were some of the best people in their field, more involved with legal practitioners. And this was our perspective too. Researchers will often say to me, "How can I get involved with cases?" They assume that it's all about expert witnessing, but that's really an inefficient way of spreading the word. A great way is to do training, and work with lawyers who are dying to understand child development or child psychopathology.

Sharon Portwood and I served on the steering committee for the conference. As a result, I was able to call up people that I admired, and ask them to give talks that I knew would be enormously helpful to people in the field. So, for example, the Child and Law conference included several talks by Michael Lamb on interviewing kids. It was a great opportunity to bring out the leading researcher on interviewing to speak to a practitioner audience.

And then something else that the Section did was that we put together a day long training at the APSAC conference, that included Heather Stewart from the Salt Lake City Children's Justice Center and Mel Pipe, a long-term collaborator of Lamb who does excellent research. These are just some examples of bringing people together from different fields that might not otherwise communicate.

You also mentioned that there were Task Forces you were proud of. Describe some of the work in which they were involved.

There were two Task forces that were going strong during my presidency. There was the Reactive Attachment Disorder Task Force that Mark Chaffin chaired. That resulted in a publication in *Child Maltreatment* in 2006 that made some policy recommendations to avoid some of the abusive and coercive treatments that were popular at the time. The other task force was on corporal punishment that was chaired by Sandra Graham Bermann. The Executive Committee gave them some start-up funds during my Presidency. They came out with a report in 2008. Both of these topics are obvious candidates for interdisciplinary work because they have legal implications; they're definitely not pure theoretical research issues. They are very significant policy issues, and actually very contentious policy issues. Task forces are a great way to approach these issues, because you can try to find consensus among what otherwise looks like a very divided field. And I can't say that I did a lot of work for any of these Task Forces, but one of the jobs as President is to say, "This is a great idea. Do you want to work on this? Maybe we can give little money to get started."

What are some challenges that you are seeing in the field, and how could the Section help navigate or solve some of those?

One of the major challenges that I see is that although a lot of these innovative interviewing methods have penetrated the consciousness of people who investigate abuse, I don't see them as having much of an effect on the Family Courts, where the

allegations are less than criminal abuse, but still really serious: conflicts between parents, children's preference as to custody, etc. I would like to see the Section recognize that a lot of the message it has for practitioners who work with abused kids, and abuse as a criminal matter or abuse as a social services matter, are equally relevant to people who work with milder maltreatment that people see in divorce or custody cases, and to some extent, domestic violence cases. There's still a separation where child maltreatment people are on one side, and people who do divorce, custody and to some extent, domestic violence, are on the other side.

How has the field changed over the course of your career, in general, in terms of child psychology and maltreatment?

I unfortunately don't have the breadth of understanding to talk about the entire field. But I can talk about my little corner of the field, which is child interviewing. That's changed dramatically. When I first got involved in the late 80s we were just going through the era of these high profile mass abuse allegations in preschools. And the suggestibility folks were really just getting going in terms of taking some of these horrible coercive techniques being used in the field and bringing them into the lab and showing that preschool kids can be dramatically suggestible.

Then the practitioners fell into a great depression. Because they were basically being attacked by the best researchers in developmental psychology, and the defenders of child interviewing tended to be clinicians without a lot of research behind them. They felt, "Well what do we do? Kids are highly suggestible, our interviewing methods are terrible, do we just stop investigating child abuse?" And that was where the field was in the 90s. And then, thanks to Michael Lamb and other researchers who were as concerned with getting it right as with showing what was going wrong, the field started to transform into a more positively oriented approach. Where it was as much about, these are the techniques that can increase children's productivity, as these are the techniques you should avoid. And that's the really lovely thinking that I've seen evolve.

There still is a very active group of people who point out the flaws of children's testimony, and I've gone from being a critic to embracing a lot of their negative message. At the same time, there's a group of researchers whose primary focus is on the good things we can do. And I think of myself as in that camp, so what's emerged is a specialty, a field of people who are interested in investigative interviewing. And it's, from my perspective, the best kind of field because it's truly interdisciplinary. It has obvious applications, in fact it's born of applied psychology, at the same time it really benefits from people with a basic research background getting involved.

Reference:

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