

THE PENNSYLVANIA STATE UNIVERSITY  
SCHREYER HONORS COLLEGE

DEPARTMENT OF CRIMINOLOGY

Failed Prosecution In Child Sexual Abuse Cases

KYLIE CABOT  
SPRING 2024

A thesis  
submitted in partial fulfillment  
of the requirements  
for a baccalaureate degree  
in Criminology  
with honors in Criminology

Reviewed and approved\* by the following:

Sarah Font  
Associate Professor of Sociology and Public Policy  
Thesis Supervisor

Stacy Silver  
Associate Professor of Sociology and Human Development  
Honors Advisor

\* Electronic approvals are on file.

## **Abstract**

The criminal justice system, in the United States, works diligently to keep the citizens of our country safe and to punish those who do not abide by the laws set forth by the government. However, before being punished, everyone in the United States has the right to a fair trial. Once a trial is complete, a judge or jury must decide on a verdict, guilty or not guilty. Therefore, prosecutors work and hope for a guilty verdict for the defendant they are prosecuting. A failed prosecution can be defined as a case that is charged by a prosecutor and results in a not guilty verdict. Unfortunately, there are certain cases that are much more difficult and complex to prosecute than others. One type of case that fits into this category is child sexual abuse. As a result of child sexual abuse cases in the United States displaying high rates of failed prosecution, it is important to understand why that is. Therefore, I conducted a three-phase study to identify the difficulties in child sexual abuse cases in hopes of increasing successful conviction rates. This study consisted of qualitative interviews with key professionals in the field, the thematic coding of a set of child sexual abuse cases, and the extraction of common themes amongst these cases.

**TABLE OF CONTENTS**

Abstract.....	i
Acknowledgements.....	iii
Introduction.....	1
Literature Review.....	3
Research Questions.....	10
Data and Methods.....	11
Findings.....	15
Discussion.....	19
Conclusion.....	21
Bibliography.....	22

## **Acknowledgements**

I would like to thank the Schreyer Honors College for the opportunity to conduct this thesis and to work with my honors supervisor, Sarah Font. I am honored to have worked with such an inspiring and knowledgeable individual. I would also like to extend my gratitude to Stacy Silver for her constant support and encouragement as my honors advisor. Finally, I would like to thank my family, classmates, and friends for their guidance along the way and confidence in me and my thesis.

## Introduction

The sexual abuse of children is an extremely heinous crime that is often committed when there is no one to witness these acts. Perpetrators of child sexual abuse routinely groom children to make their actions less identifiable by law enforcement. Criminals who commit acts of sexual abuse against children commonly put themselves in a position of authority that frightens the victim and leaves minimal, if any, trace of evidence (personal communication, December 22, 2022). Therefore, it is important for professionals in the criminal justice system to be knowledgeable on the complexities associated with this specific type of crime. Due to the nature of this type of crime, victim and perpetrator demographics are more important than in other types of violent offenses. To elaborate, a study conducted at the University of New Hampshire resulted in evidence that indicated at least 20% of women and 5-10% of men in the United States experienced some form of sexual abuse as a child (Finkelhor et al, 2014).

There are a variety of cases, in the criminal justice system, that prosecutors work on throughout their careers. Each type of case requires a different set of techniques and tools to prosecute, which makes some types of crime much more difficult to prosecute than others. For instance, any case that involves a child witness is difficult to prosecute due to their limited cognitive abilities and speech patterns. A child victim's testimony is vital to a prosecutor's case, and it is challenging for a prosecutor to overcome a child's developmental issues during trial. In a majority of cases, the strength of the evidence is reliant on the child victim's testimony. A child's cognitive abilities can affect their consistency and demeanor while testifying (personal communication, December 22, 2022). Therefore, this case information has an impact on the verdict, along with other case factors that will be explored later.

Unfortunately, a child's demeanor while on the stand heavily impacts the jury's perception of the witness (Golding et al., 2003). Jurors may not be knowledgeable on how the developmental stage of a child witness can affect how they are perceived on the stand. This results in jurors deeming the child as uncredible, instead of cognitively limited (Golding et al., 2003). Cases surrounding sexual abuse are often challenging to receive a conviction from a judge or jury due to this barrier in establishing a child victim as credible. As a result of this, demographics, case information, and perceived credibility in child sexual abuse cases have a significant impact on conviction rates. In closing, the goals of my study are to explore child sexual abuse and determine what factors result in a successful prosecution. I will accomplish this by illustrating how witness and defendant demographics, case information, and credibility can affect the outcome of a child sexual abuse case and failed prosecution rates.

## Literature Review

Throughout my review of the prior literature on child sexual abuse, I was able to understand why the study of this topic is crucial to the safety and well-being of child victims. The research showed various harmful psychological effects that the victims of child sexual abuse are at risk to experience. Children who are exposed to sexual abuse are at risk of developing psychological disorders. These disorders can include Anxiety, Posttraumatic Stress Disorder, personality disorders, Psychosis, Suicidality, eating disorders and sexual dysfunction (Noll, 2021). However, these effects were not found to be dependent on the gender of the victim. Victims of child sexual abuse are twice as likely to attempt suicide, were found to be 40% more likely to marry an alcoholic and displayed a 40-50% increased risk of experiencing marital issues. Furthermore, victims of child sexual abuse are at an increased risk for substance abuse, psychiatric disorders, and other health and social issues (Dube, Shanta R., et al, 2005).

Moreover, victims are often scared of the perpetrator and are manipulated into keeping the abuse to themselves. Due to this, disclosures are often delayed from victims, which furthers the difficulty of these cases. If the disclosure of child sexual abuse exceeds a certain amount of time (i.e. years after the abuse occurred), there is often little to no physical evidence to prove the abuse took place (personal communication, December 22, 2022). Therefore, if a child waits to disclose sexual abuse, rather than disclosing immediately, this makes the chances of a successful prosecution decrease substantially. It is also common for a victim's disclosure to be affected by their gender. To elaborate, male victims are much less likely than female victims to report child sexual abuse. Male victims, oftentimes, never end up reporting the abuse, especially if the perpetrator is a female (Seto, 2008). Furthermore, the defense attorney working a child sexual

abuse case may use the delayed disclosure as a means to paint the victim as not credible (personal communication, December 22, 2022). Another important factor to note is that after much time has passed since the abuse occurred, the victim may have trouble remembering details that are important for the prosecution to win the case. These issues associated with the disclosure of child sexual abuse may make the jury doubt the child's allegations, and the case may result in a failed prosecution. Because a majority of the evidence in child sexual abuse cases surrounds the testimony of a child victim, prosecutors run into various problems when basing their case off of such a small amount of evidence. In consequence, prosecutors often engage in heavy preparatory work with the child victim to make sure that they are presented to the jury in a serious and calm manner. Unfortunately, it is extremely nerve wracking once these children are on the stand, and they are often seen as unreliable by the jury due to their demeanor. Child demeanor on the witness stand can depend upon the age and gender of the victim (personal communication, December 22, 2022). Therefore, difficulty surrounding child sexual abuse cases can be associated with witness characteristics.

Due to each of the issues previously described, child sexual abuse cases are one of the most challenging types of cases to prosecute. For that reason, child sexual abuse cases demonstrate a high rate of failed prosecution, not receiving a guilty verdict on major charges, in the United States.



**Difficulties Associated with Witness and Defendant Demographics:**

The demographics in child sexual abuse cases have been identified as the age and gender of the victim and the defendant. These demographics of the victim and perpetrator were found to be vital to child sexual abuse cases. For example, a study revealed that in a majority of child sexual abuse cases, the perpetrator is a male (90% of the time), and these crimes are committed by a known individual of the victim at around 70-90% of the time. Another important factor discovered in this study is that family members were identified as the perpetrator in 33-50% of child sexual abuse cases involving a female victim and 10-20% of child sexual abuse cases involving a male victim. Accordingly, the population of children that were found to be most vulnerable to child sexual abuse were those aged 7-13 years old (Finkelhor et al, 2014).

Moving onto gender, research shows that male victims of child assault, not limited to child sexual abuse, are seen as less credible than female victims (Davies & Rogers, 2006). Along with this, the defendant's gender was discovered to have an effect on their credibility. If the perpetrator is a female and the victim is a male, society views the male victims as "gaining sexual experience" rather than as a victim of child sexual abuse (Rogers & Davies, 2007). A common theme amongst victim characteristics is that jurors view child sexual abuse cases as more credible if the victim is a female, rather than a male (Drugge, 1992; Haegerich & Bottoms, 2000). Along with the gender differences amongst child victims and perpetrators, age is an influential factor on the jury's perception of child sexual abuse cases. For instance, jurors perceive young children as having little cognitive ability (Leippe et al., 1989; Leippe & Romanczyk, 1987; Yarmey & Jones, 1983). On the contrary, younger victims are seen as more credible and trustworthy than older child victims (Ross, Dunning, Togliola, & Ceci, 1989; Ross,

Miller, & Moran, 1987). In addition to this, the age of the defendant is also a factor in the jury's perception of a child sexual abuse case. In a study conducted by E. D. Smith and Hed (1979) it was revealed that younger defendants in child sexual abuse cases were more likely to receive a lenient sentence than their older counterparts. In addition to the age and gender of the defendant and the victim, the relationship between the two can make or break a child sexual abuse case.

### **Case Information's Impact on the Verdict:**

As discussed previously, the defendant in child sexual abuse cases is often a known individual to the victim (Finkelhor et al, 2014). If the victim-perpetrator relationship brings the victim's credibility into question, this negatively influences the prosecution in child sexual abuse cases. Generally, if the perpetrator is involved in a custody case with the other parent of the victim, the defense will paint the victim as attempting to get back at the perpetrator, in defense of the other parent. Unfortunately, if the defense convinces the jury that "mom is trying to get back at dad" or vice versa, the whole case's credibility is attacked. The victim may no longer be seen as trustworthy when the defense presents a motive for the victim to lie. Secondly, if the perpetrator is a family member of the victim, the victim's support system may not be as strong as needed for the case to result in a conviction. Child sexual abuse cases can tear families apart, which could lead to a victim recanting their statements, the jury not believing the victim, or the victim not receiving the proper support before, during, and after trial. Unfortunately, this is a common theme amongst child sexual abuse cases that decreases prosecution rates. When child sexual abuse cases present complex factors, as described above, it is important for the prosecution to obtain sufficient evidence to overcome these barriers.

The strength of the evidence in child sexual abuse cases is often very weak and contributes to the high failed prosecution rates of these types of cases. In child sexual abuse cases, the evidence typically comes down to the testimony of the child victim and any physical evidence, which oftentimes is none. Consistency and confidence in the testimony from the victim often entails a successful case. To ensure a strong testimony from a child victim, forensic psychologists approach interviews with child victims differently, based on the age of the victim (personal communication, December 22, 2022). With younger children, a common problem is understanding their speech patterns and where they are developmentally, whereas older children present problems with attitude and personality (Golding et al., 2003). Forensic Psychologists must understand that each case is different and unique, and they must be ready to adapt and adjust to each case's unique characteristics. There must be a purpose to every move a Forensic Psychologist makes to ensure a consistent and strong disclosure. Therefore, even if there is none or minimal physical evidence, the prosecutors will have a sufficient piece of evidence to base their case off of (Finkelhor et al, 2014). After securing a proper statement from the child victim, the prosecutor can then work through the evidence and determine a strategy of presenting the victim as a credible witness.

Prosecutors work diligently to present their child victim as reliable to the jury. This becomes difficult when dealing with very young children or those with disabilities. To continue, a child that displays distress, anxiety, and sadness throughout their testimony is commonly classified as credible by a jury, which influences the jury to convict the defendant. On the other hand, if a child does not display enough emotion throughout their testimony, jurors are reluctant to feel empathy for the victim, which negatively impacts their perceived credibility (Golding et

al., 2003). As described, the emotional demeanor of a child witness can positively or negatively impact the jury throughout a child sexual abuse trial. When a child's emotional demeanor on the stand negatively impacts the jury, these cases have a higher chance of resulting in a failed prosecution. Unfortunately, the way a child witness is perceived by the jury can boil down to individual juror and courtroom factors, which can be very challenging for a prosecutor to predict during jury selection (Golding et al., 2020). While speaking to prosecutors who work on these types of cases, they explained that they often look for individuals who work or have worked with children, as well as individuals who have their own children. These jurors are more understanding of how a child may act on the stand versus how an adult would. These are the individuals that are likely to not perceive a child as uncredible due to their immaturity or unemotionality while testifying. They also have a better understanding of how the age and gender of the victim can affect their testimony. Continually, women jurors have been proven to have a higher probability than male jurors to believe a child victim and view their testimony as credible (Bottoms, 1993; Bottoms & Goodman, 1994, Experiment 2; Crowley et al., 1994; Duggan III et al., 1989; Gabora et al., 1993; Golding et al., 1997; Isquith et al., 1993). For that reason, it is common for prosecutors to select females, over males, during jury selection.

### **Credibility and Case Outcome:**

Overall, the prosecution has the responsibility to prove their child victim is credible. If they are successful in doing so, it is likely that they will receive a guilty verdict. However, this is much easier said than done. Younger children may have their credibility attacked because they are less articulate, less able to describe what happened chronologically, and they are more susceptible to manipulation by others (e.g., by leading questions). On the other hand, older

children may be deemed as non-credible, because they are old enough to be seen as lying, manipulative, etc. Similarly, defense attorneys commonly approach cases in which the victim is over the age of 13 differently than those with victims under the age of 13. For cases with victims over the age of 13, defense attorneys may point out the victim's character and display them as a "rebellious teenager." Child victims, over the age of 13, are perceived as more adult-like and can be categorized as disobedient, more blameworthy, and as a result, not credible (Westcott and Page, 2002). On the other hand, defense attorneys present victims, under the age of 13, to the jury as confused, immature, and not credible. In conclusion, defense attorneys focus their trial tactics, in child sexual abuse cases, on consistency issues related to the age and the cognitive ability of the child victim. Therefore, it is key for prosecutors to establish the credibility of the victim and the plausibility of the abuse to secure a conviction.

Due to these issues associated with demographics, case information, and case outcomes depending on credibility, child sexual abuse cases are extremely challenging to prosecute and yield high rates of failed prosecution. As a result, this study examines how to combat the challenges associated with child sexual abuse cases and identifies ways in which our criminal justice system can increase prosecution rates of child sexual abuse cases.

## **Research Questions**

The research questions this study sought to answer are as follows: (1) How do prosecutors try to establish the credibility of the victim? (2) How do defendant and victim characteristics influence child sexual abuse cases from start to finish? (3) How does the victim and perpetrator relationship affect child sexual abuse cases?

I used these research questions to help guide my data collection process and extract common themes amongst child sexual abuse cases. The common themes that were identified to have an effect on the outcomes of child sexual abuse cases are witness and defendant demographics, case information, and credibility.

## **Data and Methods**

For this study, I examined five child sexual abuse cases that resulted in a conviction and five child sexual abuse cases that resulted in an acquittal. A case results in an acquittal when the offender was charged for child sexual abuse, went to trial, but was not convicted on any major charges. In total, 10 child sexual abuse cases that were prosecuted in a medium-sized county in Pennsylvania were examined. The purpose of these case reviews was to assess whether the themes from my qualitative interviews lead to a successful or unsuccessful prosecution. I approached the data collection process in three steps to ensure my full understanding of child sexual abuse cases and the work that goes into prosecuting these cases from start to finish. I labeled each step Phase 1, 2, and 3.

### **Phase 1: Interviews with Child Protection Professionals**

Prior to collecting data for this study, I was given the opportunity to speak with professionals in the field of child protection in a medium-large sized county in Pennsylvania. Their job titles included Assistant District Attorney, Forensic Psychologist, Case Worker, and Investigator. I approached these interviews, wanting to learn about how child sexual abuse cases work their way through the system, from start to finish. I was eager to learn about the techniques and skills required to successfully prosecute child sexual abuse cases. Throughout my interviews with these individuals, a common concern that was brought to light was the victims of child sexual abuse cases becoming future potential perpetrators of child sexual abuse. Another topic that was discussed amongst each role was the impact that familial support plays in these cases. Unfortunately, if the victim of child sexual abuse does not have a strong support system

and is not put through proper mental health treatments to heal from this trauma, it is not uncommon for detectives, forensic psychologists, and prosecutors to see these victims re-enter the criminal justice system, as perpetrators, during their late childhood or adulthood.

Throughout my interviews with those employed in the child sex crimes unit, issues associated with the disclosure of child sexual abuse came to light. Each interview resulted in different learning outcomes and allowed me to grasp the process of child sexual abuse cases from start to finish. Using what I learned from these interviews, I was able to begin Phase 2.

### **Phase 2: Qualitative Data Collection**

Phase 2 consisted of the utilization of qualitative coding techniques to review the case files. Each case was assigned to a code name to ensure confidentiality and was then examined to find commonalities between each child sexual abuse case. Each case displayed different characteristics; however, common themes were apparent.

### **Phase 3: Case Reviews**

Finally, during Phase 3, I was able to identify common themes that can be used to study the prosecution rates of child sexual abuse cases. The first theme, demographics, had a large effect on case outcomes. Victim and defendant demographics can be specified as the age, sex, and race of the child witness and of the defendant. Moving onto the next theme, case information was important throughout both conviction cases and acquittal cases. This theme was identified through characteristics, such as the child/defendant relationship, bench or jury trial, the number of victims, and more. The case outcomes relied on their case information. Finally, the last theme, case outcome, boiled down to whether the judge or the jury found the child



victim to be credible. If they did not believe the victim's story, the case resulted in a failed prosecution or plea deal.

**Table 1***Data Collection Instrument for Case Record Review*

---

## Demographics

- Age of Child
- Sex of Child
- Race of Child
- Age of Defendant
- Sex of Defendant
- Race of Defendant

## Case Information

- Child/Defendant Relationship
- Victim Consistency
- Victim Demeanor
- Strength of the Evidence
- Bench or Jury Trial
- Defendant Criminal History
- Number of Victims
- Parental Involvement

## Credibility

- Case Outcome
  - Conviction
  - Plea Deal
  - Failed Prosecution
-

## Findings

Throughout the duration of the data collection process, qualitative coding techniques were utilized to extract the main themes found in a set of child sexual abuse cases. Although each case presented a set of unique factors and circumstances, as child sexual abuse cases are amongst the most complex cases to prosecute, I was able to discover commonalities between the cases that resulted in a successful prosecution compared to those that did not. For example, the abundance of physical evidence available to support each victims' testimony was vital to every case. A difficulty that prosecutors often run into is the lack of evidence found during child sexual abuse investigations. In the cases that did not result in a conviction, it was common that the child victim showered after the abuse, before telling an adult. This made the gathering of physical evidence almost impossible, which does not build a very strong case. Another problem that was common amongst the set of acquittal cases was that the victim did not come forward until weeks, months, or even years after the crime had been committed. This left prosecutors with no physical evidence to work with during trial. In the cases that resulted in a conviction, the presence of physical evidence increased the chance of a conviction immensely. Along with substantial physical evidence, the cases that involved more than one victim aided the prosecutors in securing a conviction. However, this was only the case if the victims' stories corroborated one another. Along with this, a defendant's criminal history also helped the prosecution's case. If the defendant was already seen as a criminal, in the eyes of the judge or the jury, it was easier for the prosecutor to paint the defendant as uncredible.

While examining the failed prosecution cases in my data set, it was apparent that another common difficulty prosecutors ran into when trying these cases were their victim's credibility. As previously stated, when a victim is testifying and is inconsistent with statements they made throughout the investigation, jurors are reluctant to believe the victim. To prevent this from playing out in the courtroom, prosecutors explained that they often work with victims, pretrial, to prepare them on what line of questioning to expect during their testimony (personal communication, December 22, 2022). In addition to that, prosecutors further explained that when these victims are testifying, it is challenging for them to work around each child's cognitive abilities (personal communication, December 22, 2022). This relates to the victim's demographics, such as their age, sex, and race. For instance, in one of the cases that did not result in a conviction, the child witness was uncomfortable with using words, such as "penis" or "vagina." This young child was not able to narrate a story well, and often displayed awkward and unanticipated demeanor while on the stand. This made it difficult for jurors to understand the child victim and made jurors confused. In comparison to this issue, the defendant's demographics were often apparent in the failed prosecution cases reviewed. The most prominent issue was found to be the defendant's age. When the defendant was under the age of 18, it was more challenging for the prosecutor to secure a conviction. In addition to the victim and defendant's demographics, the relationship between the victim and the defendant can present challenges for the prosecution. When the victim and defendant were in a relationship with one another or were family, this made the entire case more difficult to work on. Finally, I have spoken much about how the jury may perceive the prosecution's case and the victim. It is important to note that there are two types of trials in our criminal justice system, a bench trial, and a jury trial. A bench trial occurs when the judge is responsible for charging a defendant. In

contrast, when a jury is present during a trial and is tasked with convicting or not convicting a defendant, this is a jury trial. It is common for defendants in child sexual abuse trials to opt for a bench trial. This is because judges are often less emotional than jurors. Therefore, if the defendant in a child sexual abuse case selects a jury trial, it was found to be more likely that a prosecutor will secure a conviction, if they are able to appeal to the emotions of the jurors and paint their victim as credible. In addition to each case's factors, the tactics used by the prosecution and the defense were vital to the outcome of the child sexual abuse cases that I examined.

Throughout the child sexual abuse cases in my data set, both attorneys competed to present their victim or client as credible. These cases started with an opening statement from the prosecutor. These opening statements often consisted of quoting the victim, presenting evidence that will be discussed throughout the case, and pointing out the difficulties and complexities of these types of cases. Following this, the defense attorney, if there was no physical evidence, often opened with painting the prosecution's case as based on just words and reminding the jurors that children lie all of the time. After the opening statements are complete and the prosecution presented the child victim as a witness, it was routine for the prosecutor to go over the difference between a truth and a lie with the child, asking if a lie is good or bad, asking a line of questioning that helps present the victim as competent, and asking simple, yet detailed questions about the crime to help guide the child through the story-telling aspect of their testimony. Throughout the prosecutor's direct examination of their child witness, it was common for the prosecutor to alter their language to match the age group of the victim. Additionally, when the victim was not cooperating on the stand, the prosecutor attempted to break down their

questions to aid the child witness through the difficult process of testifying. After the completion of the prosecutor's direct examination of the child witness, the defense was allowed to cross examine the child. The defense attorney typically attempted to poke holes in the child's story. The defense attorneys worked to point out inconsistencies, an unclear timeline, and used the child's cognitive abilities against them. To be more specific, the defense attorneys asked extremely specific questions that would be hard for anyone to answer, let alone a child who has never been in a courtroom before. In consequence, the use of these tactics by the defense attorneys and prosecutors that work on child sexual abuse cases can determine the strength of their arguments. Whoever had the stronger arguments ultimately won the case.

## Discussion

Throughout this study, I was able to uncover the barriers associated with child sexual abuse. These barriers result in a high volume of failed prosecution amongst child sexual abuse cases in the United States criminal justice system. Therefore, it is important to train prosecutors on the tactics and skills needed to work on a child sexual abuse case from start to finish. During a prosecutor's initial interaction with a child victim, it is important for prosecutors to be well versed on how a child's demographics may affect the trial. It is important for a prosecutor to take the needs of the child into consideration when strategizing their case. With this, the child's disclosure and demeanor throughout trial will present less difficulties. It is also important for a prosecutor to provide the child witness with the proper resources before, during, and after their trial. The goal of the prosecutor is to protect the victim, and it is of the utmost importance that the child is being taken care of physically and emotionally, regardless of what point the child is at throughout this difficult process. Overall, training prosecutors on how to handle and take care of a child victim will increase prosecution rates. Furthermore, there are some implications to this suggested training. Prosecutors in the criminal justice system tend to have heavy caseloads and only have so much time to dedicate to each case. It would be difficult for a prosecutor to be in full control of the child's well-being, hence the importance of familial support throughout the process. Finally, a few takeaways that I learned while conducting my research is that every child sexual abuse case presents a unique set of factors that a prosecutor must work with to make their case strong. In most cases, a prosecutor does not have much, if any, physical evidence to work with and must utilize prosecutorial tactics to present their child witness as credible. It is common for a prosecutor's case to rely heavily on a victim's words, rather than concrete proof that child

sexual abuse occurred. I found that child sexual abuse is common, is extremely harmful to children, and is difficult to prosecute. All in all, these findings can be used to improve the experience and outcomes for child sexual abuse victims.

As a prospective law student, with an interest in child protection, this research process has been meaningful and rewarding. Having the opportunity to work with and learn from professionals in the criminal justice system, who have dedicated their careers to protecting the wellbeing of children, has been a wonderful experience that I am grateful to have had. During this process, I have acquired a deep understanding of how child sexual abuse cases make their way through the criminal justice system, while also learning about prosecutorial techniques that could be utilized throughout my future career as an attorney. I am immensely grateful for the guidance and support of those currently working with child victims. Their passion and determination is inspiring, and I hope to one day have a career that allows me to positively impact children's lives.



## Conclusion

Throughout this study, my goal was to understand why child sexual abuse cases are difficult to prosecute. Due to the high rate of failed prosecutions of child sexual abuse cases in the United States, I felt that this research would be meaningful and important. Using the three-phase process, I was successful in understanding the barriers and difficulties in these types of cases. Characteristics associated with demographics, case information, and credibility play a vital role in the prosecution's likelihood of convicting a defendant in a child sexual abuse case.

Along with this, my research questions guided me through my data collection and allowed me to gain an understanding of the process of child sexual abuse cases in the criminal justice system. My questions focused on prosecutorial tactics and how these can be utilized to overcome common barriers in child sexual abuse cases, such as credibility, defendant and victim characteristics, and the victim and perpetrator relationship. From these questions, I hypothesized: prosecutorial tactics and techniques must be used to prove the credibility of the victim, the age and gender of the defendant and victim influence child sexual abuse, and victim and perpetrator relationships harm the credibility of child victims' testimonies.

In conclusion, my hypothesizes and research questions allowed me to explore child sexual abuse cases and identify commonalties between the cases that resulted in a conviction, compared to those that resulted in a failed prosecution. These results shed light on the complexities of child sexual abuse cases and explain the high rates of failed prosecution.

## Bibliography

- Cooper, Alexia, Jodi A. Quas, and Kyndra C. Cleveland. 2014. "The Emotional Child Witness: Effects on Juror Decision-Making." *Behavioral Sciences & the Law* 32(6):813–28.
- Cronch, Lindsay E., Jodi L. Viljoen, and David J. Hansen. 2006. "Forensic Interviewing in Child Sexual Abuse Cases: Current Techniques and Future Directions." *Aggression and Violent Behavior* 11(3):195–207.
- Dube, S. (2005, May 13). *Long-term consequences of childhood sexual abuse by gender of victim*. American Journal of Preventive Medicine.  
[https://www.sciencedirect.com/science/article/abs/pii/S0749379705000784?casa\\_token=PA0QvzLVyuUAAAAA%3AWAvAMd48NxyvCpgUU8HvXvRlxAdaBzBGjV6KIwhKjZg1BimK2zItVCoDDp5S2rMHnFavZro](https://www.sciencedirect.com/science/article/abs/pii/S0749379705000784?casa_token=PA0QvzLVyuUAAAAA%3AWAvAMd48NxyvCpgUU8HvXvRlxAdaBzBGjV6KIwhKjZg1BimK2zItVCoDDp5S2rMHnFavZro)
- Finkelhor, D. (n.d.). *Current Information on the Scope and Nature of Child Sexual Abuse*. JSTOR. <https://www-jstor-org.ezaccess.libraries.psu.edu/stable/1602522>

Golding, Jonathan M., Heather M. Fryman, Dorothy F. Marsil, and John A. Yozwiak. 2003. "Big Girls Don't Cry: The Effect of Child Witness Demeanor on Juror Decisions in A Child Sexual Abuse Trial." *Child Abuse & Neglect* 27(11):1311–21.

Golding, Jonathan M., Sarah Malik, Tayler M. Jones, Kelly C. Burke, and Bette L. Bottoms. 2020. "Perceptions of Child Sexual Abuse Victims." *Memory and Sexual Misconduct* 132–74.

Hill, Paula E. and Samuel M. Hill. 1987. "Videotaping Children's Testimony: An Empirical View." *Michigan Law Review* 85(4):809.

Hunter, Sally V. 2006. "Understanding the Complexity of Child Sexual Abuse: A Review of the Literature with Implications for Family Counseling." *The Family Journal* 14(4):349–58.

McCauley, M. (2001, April 4). *When will a child be believed? the impact of the victim's age and juror's gender on children's credibility and verdict in a sexual-abuse case.* *Child Abuse & Neglect.*

<https://www.sciencedirect.com/science/article/abs/pii/S0145213401002241?fr=RR->

[2&ref=pdf\\_download&rr=855889459d0f4411](https://www.sciencedirect.com/science/article/abs/pii/S0145213401002241?fr=RR-2&ref=pdf_download&rr=855889459d0f4411)

Pozzulo, J. (n.d.). *The Effects of Victim Gender, Defendant Gender, and Defendant Age on Juror Decision Making*. Sage Journals.

<https://journals.sagepub.com/doi/abs/10.1177/0093854809344173?journalCode=cjbb>

Regan, Pamela C. and Sheri J. Baker. 1998. *Journal of Family Violence* 13(2):187–95.

Walsh, Wendy A., Lisa M. Jones, Theodore P. Cross, and Tonya Lippert. 2008.

“Prosecuting

Child Sexual Abuse.” *Crime & Delinquency* 56(3):436–54.