

**CCTV and Recording Technology Site Visit Report
Thirteenth Judicial Circuit Court, Administrative Office of the Courts
Children's Justice Center, CAC at Mary Lee's House
Tampa, FL**

The CCTV and Recording Technology Grant Program conducted a site visit to the Thirteenth Judicial Circuit Court's Children's Advocacy Center at Mary Lee's House on January 28, 2009. The following is a summary of the visit.

Grant Information

The Thirteenth Judicial Circuit Court, Administrative Office of the Courts, Children's Justice Center (CJC), was awarded a grant to purchase closed-circuit television equipment for their Children's Advocacy Center.

Jurisdictional Information

The Children's Justice Center is located in Hillsborough County, which has a population of over 1 million people and is the largest county in the Tampa-St. Petersburg-Clearwater metropolitan area. Tampa is considered the county seat. Almost 75% of the county's population is Caucasian. The largest minority are African Americans, who comprise about 15% of the population.

Most criminal and civil court cases originate at the level of circuit courts. Circuit courts have general trial jurisdiction over matters not assigned by statute to the county courts. Circuit courts also hear appeals from county court cases. The jurisdiction of the courts includes cases relating to juveniles and criminal prosecutions for all felonies.

Child Advocacy Center

The Child Advocacy Center at Mary Lee's House was established in 1992. The Children's Justice Center provides several services: forensic interviewing, case management, recording of services, CCTV capabilities, multi-disciplinary staffing, education, community outreach. The CJC's downtown location provides supervised visitation services and monitored exchanges.

The CAC at Mary Lee's House is open Monday – Friday, 8 a.m. – 5 p.m., with visitation services offered Monday through Friday until 7:00 PM and on Sundays. Law enforcement can access the facilities after hours, if necessary. Most of the funding for the CJC services comes from the Administrative Office of the Courts, Hillsborough County, the Children's Board of Hillsborough County, and the CAC Foundation.

The Hillsborough County Sheriff's Office, Public Defenders Office, State's Attorney, and Victims Advocates share office space at the CAC. The CAC also has a medical unit on-site. In 2005, a task force was developed to expand the services at the CAC and to accommodate the co-location of the multidisciplinary team members. The CAC completed a move into a new building in November 2008. There are 7 staff members at the CAC, including 3 forensic interviewers.

Child Abuse Case Processing

Victims are primarily referred to the CJC by law enforcement. On occasion, a child is referred by DCF's (Department of Children and Families) investigative provider and/or a court order. When a law enforcement officer is initially called, they ask questions to generate a report which will be given to the detective assigned to the case and then to the forensic interviewer prior to the questioning of the child. Based on the situation, a CAC interview may be requested. This determination is usually made based on the age of the child. Sexual abuse of a child under the age of 12 years is capital sexual battery in FL. In those cases, the Sheriff's Office will request a recorded interview be conducted at the CAC. After being escorted to the CAC, the interview is typically conducted prior to the medical examination. Mary Lee's House has a medical unit on site where examinations are completed. The medical unit is the Child Protection Team which is administered under the authority of the Florida Department of Health, University of South Florida contract. Local ERs are aware of the CAC and may refer children there for care.

Before an interview takes place, the forensic interviewer meets with the team members to be briefed on the case. During the interview, team members observe the interview from another room and interject questions through a wireless ear piece that is worn by the interviewer. After an interview a team or staff member will stay with the child, while the non-offending parents or caretakers speak with the detective. All services are recorded and the chain of evidence is logged in the control room.

Mary Lee's House offers interpreting services for 30 languages, including sign language. When a translator is needed for an interview or a supervised visit, the CAC requests someone through the Court Interpreter Center. There are bilingual Spanish speakers on staff.

Protocols

Several Administrative Orders: (AO) (S-1992-91, S-1999-040, and S-2005-153), have created guidelines and limitations on interviews with a child victim. All victims under the age of 16 must have their interview at the Children's Justice Center and all interviews must be recorded.

The State's Attorney's Office is notified of every forensic interview that takes place at the CAC and a DVD of the interview is available upon their request. All depositions for children 16 and younger are scheduled by the Public Defender's/ Private Attorney's Office. To set up the CCTV technology, for CAC to courtroom testimony services, there must be an order from the Court.

From October 2007 – October 2008, there were 345 forensic interviews conducted, and 293 depositions. All children have their interviews recorded, but the CJC does not know how many DVDs are viewed in court. In 2008, there were nine cases prosecuted, all of which are still pending.

All cases have an intake form filled out with the details of the case and the team members that are investigating it. Law enforcement and officials from other agencies complete an evaluation form on their experience with the equipment and the interview process.

Administrative Order S-2005-153 outlines the parameters for interviewing abuse victims under the age of 16 and people with developmental disabilities. There is a limit on the number of interviews that can be conducted by each agency, who may be present at the interview, how they can participate in the interview, where the child may be seated, what can be in the interview room, how to use the zoom mechanism, and how the interview should be approached.

Administrative Order S-2005-153 states that there must be a limited number of interviews for children under 16 and that the interviews must be recorded “to protect victims from potential psychological damage of repeated interrogations.” This AO also states that DVDs are considered more effective than VHS tapes. All forensic interviewers must be trained in techniques for interviewing child victims.

Trainings

Trainings are sponsored by the CJC’s Outreach Program and are provided to law enforcement and child abuse investigators. The training covers how to speak with children at the initial scene and information on the CAC’s services, focusing on the forensic interviewing process.

Multi-disciplinary team members are given instructions on communicating and using the equipment prior to the services. This is generally done by one of the interviewers or the on-site recording technician. Forensic Interviewers must have 24 hours of documented training as well as shadowing and reverse shadowing with a trained interviewer.

There is also a protocol for team case review meetings. These meetings are held fortnightly at Mary Lee’s House. All open cases are subject to review; however cases opened within the past 30 days are primarily discussed. A peer review of every forensic interview is conducted. There is a formal peer review session every month, in which certain interviews are singled out for the review of all Forensic Interviewers on staff.

The Sheriff’s Office has taken over child protection investigations from the local Department of Child Services. The Sheriff’s Office has 3 training programs on forensic interviewing of child abuse victims, each conducted by a CAC forensic interviewer: the first is for all new Deputies as they leave the Academy; the second is an “advanced” class for Deputies involved with child abuse investigations; and the third is an “in-service” class which Deputies involved with child abuse investigations must take every three years to retain their certification.

The investigating Deputy typically conducts the interview with the child on-site. The Sheriff Office makes every attempt to send a Deputy with “advanced” training to these calls, but the training structure ensures all Deputies have received at least some training.

Equipment Set Up and Demonstration

The CAC has 3 interview rooms, in a separate wing of the CAC, which is accessible through a doorway. The door is closed when interviews are in process and staff knows not to enter the wing during that time. The interview wing consists of seven rooms: 3 interview rooms, 3 monitor rooms, and 1 bathroom. There is a table in the center of each room and several chairs around the table. Each room has two cameras and

microphones located in the ceiling. One camera is always directed towards the child's face. Interviews are conducted. The interview rooms are designed with distinct age groups in mind: the first room is intended for children aged 1-5 years; the second for children aged 6-11 years; and the third for teenagers. The monitor rooms are designed to be multi-functional. Interviews in any of the interview rooms can be observed from any of the monitor rooms. The MDT views and hears the interviews from the monitor room, communicating with the interviewer via an earpiece. Monitor rooms are staffed by a CAC technician when in use.

Two originals of the DVD are produced. One DVD is designated the "Court DVD" and is sealed to verify authenticity. This can only be opened by a court order in the presence of a judge and can be used in court. The other original DVD is marked "viewing copy" and is stored at the Children's Justice Center. It is available for review by the State's Attorney's Office, DCF, or law enforcement.

The CCTV capabilities at the CAC allow a child to testify from Mary Lee's House directly into a court room. The equipment is used for both DVD recording and CCTV. Children who testify in court (approximately 3 miles away) via CCTV do so from the CAC. At the court, equipment units are mobile so testimony can be projected into any court room. The units consist of three viewing/audio stations: one for judge and one of each of the attorneys.

During CCTV transmission with the court, the judge and the attorneys are in the courtroom while the child, a forensic interviewer and a child advocate are in the CAC. The attorneys offer their questions to the judge who then communicates with the forensic interviewer via an earpiece. The child often views a blank screen during his/her testimony; at the judge's discretion or at the request of the parties, the judge may close-off the court camera.

Currently, the CCTV is used in family and dependency cases only. It is not used in criminal cases. This is because judges in the Criminal Court are not supportive of equipment use. The recording equipment is used to document forensic interviews, which may be introduced as evidence in Family Court, Dependency Court, and Criminal Court.

Staff noted that the recordings are used in pleas "all the time." The recordings are also used to eliminate criminal cases; in those instances where the recording makes clear the trigger incident was not abuse.

Defense attorneys have access to the recordings via court order and the discovery process.

Data Collection

The CJC has tracked usage and surveyed professionals who use the equipment. To date, all of respondents perceive the forensic interviews and the CCTV capability reduce the need for further interviews. Ninety-eight percent of respondents believe the CJC process reduces trauma for the child victim/witness.

Of the 667 professionals that evaluated the CJC's services, 641 (96%) felt that they did

not need to conduct another interview, and 655 (98%) believed all their questions had been addressed during the interview at the CJC.

Case files are packaged and removed from the Children's Justice Center to the Office of the Administrative Office of the Courts annually. They are stored in an assigned and locked storage room. Three years of forensic interview case files are housed between the CJC and the storage room. Two years are retained at the Children's Advocacy Center and one year in the storage room at the CJC. Files dating more than four years old are stored in a warehouse. Sealed DVD copies are retained for 18 years, as backup.

Evaluation and Training

The Children's Advocacy Center at Mary Lee's House has been tracking agencies' evaluation of CAC services for the past 16 years. The method used to collect data has been through the use of surveys provided to the MDT members after the interview service is complete. Although some of the questions have changed over the years, consistently the outcome measures have been focused on the ability of the CAC to provide a child-friendly, evidence-gathering interview, and to provide a service which professional investigators believe reduces the trauma to children while in the midst of the investigation.

Training is provided by the CJC's Outreach Program and is primarily conducted by CAC Staff for all law enforcement and child abuse investigators. Staff trains these audiences on "How to Talk to Children at the Scene of an Investigation," and provides information on the Children's Advocacy Center with a focus on the forensic interview process. In addition, the interviewers and the on-site recording technician provide instruction to the multi-disciplinary team members on how to use the communication equipment prior to services.

Innovations

The court has recently initiated a demonstration program to increase the quality of technology support staff. The program will provide 4-8 weeks of training to individuals interested in serving as court technology coordinators (5 positions expected) or digital court reporter monitors (30-35 positions expected). The court is currently developing curricula and constructing mock courtrooms for training and testing. At the completion of the training program, individuals will receive a court certification for their position.

Staff suggested that a thorough evaluation of newer technology options and usages should be completed to determine if the constitutionality concerns associated with older technology are now moot.

In addition to greater use in the Criminal Court, staff would like to see the expansion of the equipment use into delinquency cases. The FL Supreme Court currently holds that equipment may not be used for this purpose.