

Angie Lake

From: Cathi Kelley <ckelley@ewashtenaw.org>
Sent: Wednesday, March 19, 2014 8:34 PM
To: Angie Lake
Subject: Washtenaw Child Advocacy Center Testimony Opposing House Bill 5270

Washtenaw Child Advocacy Center

555 Towner Street

Ypsilanti, MI 48198

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Testimony Opposing House Bill 5270

March 20th, 2014

Dear Ms. Lake,

My name is Cathi Kelley and I am the program director for the Washtenaw Child Advocacy Center (WCAC). I have worked in the field of child welfare for 21 years, with seven of those as the director of the WCAC. The WCAC is a fully accredited child advocacy center located in Ypsilanti, and serves all of Washtenaw County. Our full accreditation status awarded to the WCAC in 2009 means that we meet or exceed the highest standards for services, including forensic interviews, as set forth by the National Children's Alliance based in Washington D.C. I want to take this opportunity to let you know that the WCAC opposes House Bill 5270 that mandates the video recording of all forensic interviews completed at child advocacy centers.

A few of our reasons for opposing mandated videotaping include the following, with the first being the most significant:

1. There is nothing in Michigan that prohibits judges from ordering the release of the videos to those requesting a copy of a video. Even the new language allows for access to the videos fairly easily, with a minimal penalties. This past year there were videos released in Wayne County simply because someone signed off on the release without paying attention to what they were signing. This situation is only now being addressed in Wayne County. In several other states, videos have appeared on newstation websites and other social/public media outlets.

2. If the case goes to court, the victim of the crime must testify! Videos cannot be used for evidentiary purposes; they are hearsay and can only be introduced in court by the defense.

3. CAC's that video tape often report that when the video recording is introduced in court by the defense, all attention focuses on the interviewer, such as what s/he said, why didn't they follow up with this or that question, why did they tilt their head to the left, etc. Interviewers can spend hours on the stand defending their interviews. There is no focus on the child's statement. This is one of several reasons why one state child advocacy center stopped videotaping several years ago.

4. Children giving statements about their assault need to feel comfortable and safe. Children that have been photographed or videotaped as part of a sexual assault are not comfortable providing information when they are being videotaped during a forensic interview.

It is important that you know that the national office for the National Children's Alliance in Washington does not require videotaping in order for a child advocacy center to be accredited, and this is because they recognize that videotaping is not always in everyone's best interest; what may be "best practice" for some isn't best practice for all. The NCA recognizes that the decision to video record forensic interviews should be made by individual counties based on what each county multidisciplinary team believes best meets the needs of child victims.

Based on our concerns noted above, I strongly urge the committee to oppose mandated videotaping for children interviewed at child advocacy centers in the State of Michigan.

Thank you for your time and consideration.

Sincerely,

Cathi Kelley, LMSW

Program Manager

Washtenaw Child Advocacy Center

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