

## EDITORIALS

# A child in court

### Program eases stress in obtaining vital testimony

**T**here is much that might surprise the public when a child testifies in court. For example, sometimes there is Dory, a golden retriever that children often lead into the courtroom on a leash and is the epitome of calm as she sleeps at their feet while they testify. Dory puts the kids at ease, too.

Much attention has been called in recent weeks to child testimony because a 13-year-old girl abused in 2000 by John Albert Gardner III, now accused of the rape and murder of Poway teenager Chelsea King, testified at a preliminary hearing but apparently balked at doing so in a trial. A plea bargain eventually was reached on reduced charges with Gardner sentenced to prison for only six years.

California, like 45 states, has a law permitting forms of alternative testimony, such as by remote TV, to avoid the closeness of a young victim and accused assailant in the courtroom. But such laws are rarely used for reasons of constitutional rights and expediency.

Instead, support systems have evolved over the last 30 years to help child victims through the legal process. San Diego County is in the vanguard with its Kids and Teens in the Court Program, a partnership of Rady Children's Hospital and the District Attorney's Office. Dory is a part of the program.

No longer is a child abuse victim interviewed by an endless stream of adults. Once law enforcement or Child Protective Services establishes a crime may have occurred, the child is interviewed at Children's Hospital. It's a one-on-one session in a comfortable setting, just child and trained specialist. The session is recorded for possible use in court and a detective may watch through a one-way mirror. With the recorded interview

#### A CALL TO ACTION

completed, therapy counseling can begin immediately.

Before trial, there's a role-playing visit to a courtroom, after hours. Usually, several children in similar circumstances make the visit accompanied by supportive personnel from the DA's Office and Children's Hospital. There's a bailiff, whose security role is explained. Then come explanations of who sits where. The children's questions are taken. Eventually a judge walks in and the children may get to sit in his or her chair.

At trial, precautions usually include a protocol of age-appropriate questions and non-threatening tones.

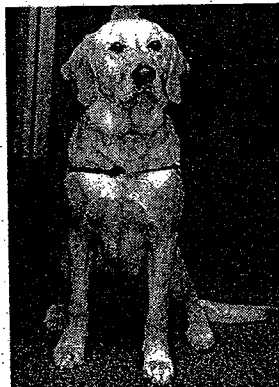
The trial still isn't fun, said Tracy Prior, assistant chief of the DA's family protection division. "Every time I put a kid on the stand I lose sleep. But afterward I think, 'What a hero that kid is.'"

Improvements could be made, like simplifying California's largely unused alternative-testimony law, or physically modifying courtrooms so eye contact between child and accused assailant can be avoided.

The biggest need, however, is an educational effort. The point must be made to parents how important it is for their child to testify, so that no perpetrator

escapes conviction to become some other parent's worst nightmare.

The word must get out, yet the principals of the county's program cannot recall a single media interview. That can change if editors or even service groups in search of speakers pick up the phone. Charles Wilson, senior director of the Chadwick Center at Rady Children's Hospital, is at (858) 966-5814; Cynthia Charlebois, director of the victim assistance program at the DA's Office, is at (619) 531-4041.



Dory

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