

# Child Maltreatment

<http://cmx.sagepub.com>

---

## How Long to Prosecute Child Sexual Abuse for a Community Using a Children's Advocacy Center and Two Comparison Communities?

Wendy A. Walsh, Tonya Lippert, Theodore P. Cross, Danielle M. Maurice and Karen S. Davison

*Child Maltreat* 2008; 13; 3

DOI: 10.1177/1077559507307839

The online version of this article can be found at:  
<http://cmx.sagepub.com/cgi/content/abstract/13/1/3>

---

Published by:

 SAGE Publications

<http://www.sagepublications.com>

On behalf of:

[American Professional Society on the Abuse of Children](#)

**Additional services and information for *Child Maltreatment* can be found at:**

**Email Alerts:** <http://cmx.sagepub.com/cgi/alerts>

**Subscriptions:** <http://cmx.sagepub.com/subscriptions>

**Reprints:** <http://www.sagepub.com/journalsReprints.nav>

**Permissions:** <http://www.sagepub.com/journalsPermissions.nav>

**Citations** (this article cites 19 articles hosted on the SAGE Journals Online and HighWire Press platforms):  
<http://cmx.sagepub.com/cgi/content/refs/13/1/3>

---

# How Long to Prosecute Child Sexual Abuse for a Community Using a Children's Advocacy Center and Two Comparison Communities?

**Wendy A. Walsh**

*Crimes against Children Research Center, University of New Hampshire*

**Tonya Lippert**

*CARES NW*

**Theodore P. Cross**

*RTI International*

**Danielle M. Maurice**

*Brandeis University*

**Karen S. Davison**

*University of Denver, School of Social Work*

---

*This article explores the length of time between key events in the criminal prosecution of child sexual abuse cases (charging decision, case resolution process, and total case-processing time), which previous research suggests is related to victims' recovery. The sample included 160 cases in three communities served by the Dallas County District Attorney. Most cases (69%) took at least 60 days for the charging decision, with cases investigated at the Children's Advocacy Center having a quicker time than either comparison community. Only 20% of cases had a case resolution time within the 180-day target suggested by the American Bar Association standard for felonies. Controlling for case characteristics, one of the three communities and cases with an initial arrest had a significantly quicker case resolution time. Total case processing generally took more than 2 years. Implications include the need to better monitor and shorten case resolution time.*

---

**Keywords:** *case resolution time; child sexual abuse; Children's Advocacy Centers; prosecution*

CHILD MALTREATMENT, Vol. 13, No. 1, February 2008 3-13

DOI: 10.1177/1077559507307839

© 2008 Sage Publications

Research suggests that a prolonged criminal court experience is a stressor for child sexual abuse victims that can be detrimental to a child victim's mental health (Dezwirke-Sas, 1992; Martin, 1992; Prior, Glaser, & Lynch, 1997; Runyan, Everson, Edelsohn, Hunter, & Coulter, 1988). Despite the general recognition of the extensive duration of child abuse cases in the court system (Whitcomb, 1992), surprisingly little research has quantified that time frame or empirically explored conditions that might speed or slow the path to resolution. Such research is essential for informing policy makers about effective case-flow management, promoting timeliness, and informing families about what to expect. The current study examines the length of time between key events in the criminal prosecution of child sexual abuse, including the total time from law enforcement report to case disposition. It also compares case processing time for child sexual abuse cases to standards suggested for felony cases in general and explores what case characteristics are associated with more timely case resolution.

## *Length of the Criminal Justice Process*

Because of concerns about the time it takes to resolve cases in the criminal justice system, the Conference of

State Court Administrators adopted case processing time standards in 1983, and the American Bar Association (ABA) proposed similar standards in 1992. A survey on state standards found that 39 states have time standards for case processing and that many have used ABA standards as a guideline (Dodge & Pankey, 2003). The ABA standards suggest that 90% of felony cases be completed (e.g., entry of guilty plea, verdict, or dismissal) within 120 days of arrest, 99% of cases be completed within 180 days of arrest, and 100% of cases be completed within 1 year of arrest (Dodge & Pankey, 2003). These standards further maintain that 90% of misdemeanor cases should be completed within 30 days and that 100% of misdemeanor cases be completed within 90 days. These standards provide a benchmark to help assess the average time for disposing of cases, to identify areas that need improvement, and to consider whether court goals for delay reduction and case management are met (Dodge & Pankey, 2003).

In a comprehensive study of the case processing of felony cases in nine courts (Albuquerque, NM; Austin, TX; Birmingham, AL; Cincinnati, OH; Grand Rapids, MI; Hackensack, NJ; Oakland, CA; Portland, OR; and Sacramento, CA), Ostrom and Hanson (2000) examined how often cases were resolved using a modified ABA time frame, defined as the period between the indictment date and the disposition date. About two thirds (68%) of felony cases were resolved within 180 days. Timeliness varied however. Three courts were classified as the most expeditious with 80% to 89% of cases resolved within 180 days; three courts were classified as intermediate with 64% to 71% of cases resolved within the time frame; and three courts were classified as the least expeditious with 49% to 56% of cases resolved within the time frame. Thus the Ostrom and Hanson (2000) study suggests that most of these courts are taking longer to resolve felony cases than suggested by the guidelines, but that a majority of felony cases are completed within 180 days.

*Child abuse cases.* Few studies have examined case resolution time for child abuse cases, which is most likely part of an overall difficulty tracking family violence incidents in the court system (Keilitz, Jones, & Ostrom, 1999; Sedlak et al., 2005). Most studies show that it takes about 1 year to final criminal disposition of a case, although there is a wide range in disposition time, and what is used as a starting and ending time point varies (Gray, 1993; Martone, Jaudes, & Cavins, 1996; Smith & Elstein, 1993; Stroud, Martens, & Barker, 2000). Martone et al. (1996)

found the mean length of time from arrest to the initial hearing to be 17 days and from the initial hearing to the final disposition to be 321 days. The time to final disposition was significantly longer if the case went to trial than if it did not (501 days vs. 236 days). Stroud et al. (2000) found the average time between forensic interview and prosecutor resolution was 378 days. Across eight sites in Gray's (1993) study, time to disposition ranged from 71 to 297 days.

A study of nearly 1,000 child sexual and physical abuse cases found that communities with specialized prosecution units had a shorter processing time (5 months; with a range of 4 to 7 months) than offices without such units in the same state (8 months; with a range of 4 to 15 months) (Smith & Elstein, 1993). This study also included a national survey of prosecutors on their experience prosecuting child abuse cases. The majority (69%) of prosecutors believed that child sexual abuse cases took more time from filing to disposition than adult rape cases. Most of the reasons (80%) cited by prosecutors for increased times were related to the special demands of child abuse cases. They reported, for example, that child victims require more preparation, that prosecutors need more time to develop rapport and obtain a full disclosure, and that more time is needed for medical and psychological exams. The other 20% of reasons cited for increased time were related to the defense

---

Author's Note: Wendy A. Walsh, Crimes Against Children Research Center, University of New Hampshire, Durham, Tonya Lippert, CARES NW, Portland, OR, Theodore P. Cross, Research Triangle Institute, Waltham, MA, Danielle M. Maurice, Brandeis University, Waltham, MA, Karen Davison, University of Denver, School of Social Work, Colorado.

For the purposes of compliance with Section 507 of PL 104-208 (the "Stevens Amendment"), readers are advised that 100% of the funds for this program are derived from federal sources, (this project was supported by Grants 999-JP-FX-1101, 01-JN-FX-0009, 2002-J W-BX-0002 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice). These analyses were done as a part of a larger project with the total amount of federal funding involved \$600,205. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. We would like to thank members of the Family Research Laboratory (FRL) and Crimes against Children Research Center (CCRC) at the University of New Hampshire for their review of an earlier draft of this paper. We would also like to thank David Finkelhor and two prosecutors who reviewed the paper and the Dallas Children's Advocacy Center for its commitment to this project.

Correspondence regarding this article should be sent to: Wendy A. Walsh, PhD; Crimes against Children Research Center; University of New Hampshire; 10 West Edge Drive, Suite 106; Durham, NH 03824. Phone: 603-862-1026; Fax: 603-862-2899; wendy.walsh@unh.edu

attorneys. Prosecutors reported that, in the hope that the victim would forget details, defense attorneys used extended discovery, took time to place the defendant in treatment, and filed extensive motions and special hearings. The manual from the National Center for Prosecution of Child Abuse (American Prosecutors Research Institute, 2004) explains the issues in more detail:

Continuances are especially detrimental to the success of child abuse prosecutions. Pressures on the child and the child's supporters are magnified when accompanied by the emotional rollercoaster of repeated changes in schedule. . . .

Once a determination has been made that enough evidence exists to file a child abuse case, most prosecutors find that the typical case only becomes weaker as time passes. When the prosecutor and child are prepared for trial, delays can decrease the likelihood of conviction by discouraging victims from cooperating, causing all witnesses to remember less, and reducing any sense of urgency by putting more time between the offense and the trial. Defense attorneys are well aware of this and often seek continuances in child abuse cases for these reasons. (pp. 254-255)

In our search of the research literature, we found only Smith and Elstein's (1993) study to examine empirically what is associated with case processing time for child abuse cases in the criminal justice system. This study found that case characteristics were poor predictors of the amount of time from filing to adjudication (plea, trial, or dismissal). The only condition predicting increased time to resolution was the victim being assaulted with a weapon. Several conditions related to the criminal justice process were associated with quicker processing time: defendant confession, prosecutors filing fewer motions, no media restrictions imposed, no child drawings used, and no victim impact statements submitted.

### *Other Standards and Legislation*

Concern about the length of the criminal justice process for children has spurred the development of the Trial Court Performance Standards related to children (American Bar Association [ABA], 2004). These standards identify five performance measures, one of which is expedition and timeliness. The standards note, "long periods of uncertainty and judicial indecision can put pressure on children and families" (p. 17). The National Center on State Courts (n.d.) advocated that a policy limiting the use of continuances or adjournments is critical to decreasing the time for case resolution. The National Center on State

Courts stated that this policy should specify not only when continuances are to be used but also who has requested continuances and the reasons for them.

The Victims of Child Abuse Act of 1990 (VCAA; see 18 U.S.C. § 3509[j]; and U.S. Department of Justice, 2000) specifically addresses concerns about the length of cases involving children. VCAA allows cases including child testimony to be given scheduling priority and directs courts to consider the age of the child and the potential adverse impact the delay may have on the child's well-being when deciding whether to grant a continuance. The VCAA applies, however, only to federal criminal prosecutions.

Thirteen states have "speedy trial" statutes for allegations involving children (National Center for Prosecution of Child Abuse, n.d.) that, remarkably, fail to specify the length of time for resolution. The statutes also fail to require measurement to monitor compliance with the laws. Most of the statutes are almost identical; one example from New Jersey follows: "The court shall take appropriate action to ensure a speedy trial in order to minimize the length of time the child must endure the stress of involvement in the proceeding" (National Center for Prosecution of Child Abuse, n.d.). Such statutes highlight the continued concerns about a lengthy criminal justice process.

### *Current Study*

We explore the length of time between three key events in the criminal prosecution of child sexual abuse: (a) charging decision, (b) case resolution process, and (c) total case processing time across three study sites. The current study, thus, extends previous research by including different phases of the criminal justice process. It also contrasts three sites, one a Children's Advocacy Center (CAC; a multidisciplinary organization with a colocated prosecutor) and two comparison communities without CACs. Building on Ostrom and Hanson's (2000) study on felony cases, we compare case resolution time of child sexual abuse cases to ABA standards. Last, we explore case characteristics that might predict the timeliness of case resolution.

### **METHOD**

This analysis uses data from the Dallas Children's Advocacy Center (DCAC) in Dallas Texas, one site in the Multi-Site Evaluation of Children's Advocacy Centers. Although designed as a program evaluation, the project collected ample data to be a resource for basic research on prosecution of child abuse, particularly at the DCAC site, which collected

extensive additional criminal justice data. For more information about the Multi-Site Evaluation of Children's Advocacy Centers, see Cross, Jones, Walsh, Simone, and Kolko (in press), Cross et al., (in press), Jones, Cross, Walsh, and Simone (in press), Walsh, Cross, Jones, Simone, and Kolko (in press), and Walsh, Jones, and Cross (2003).

Data were collected between December 2001 and December 2003 from case files. Cases were followed until early June 2005 to obtain criminal justice outcomes. Case file data were abstracted from case records by the second author. In addition to cases at the DCAC, two cities in Dallas County, Garland and Irving, were selected as comparison communities because they did not have a CAC. It should be noted, however, that DCAC conducts "courtesy interviews" for police departments outside the city of Dallas, including for the Garland and Irving police departments, when requested to do so. Thus, the two comparison communities could use DCAC for their interviews of children and, at the time that data were collected for the current study, did so for a minority of them. In the current study's sample, two Garland and three Irving cases were interviewed at DCAC. In addition, two other Garland cases involved the use of DCAC for mental health services; and, for three other Irving cases, Irving police were allowed to use DCAC facilities for interviewing. Any difference between DCAC and the comparison communities might reflect differences in the respective police departments as well as the CAC/non-CAC difference. All are served by the Dallas County District Attorney.

Texas has adopted voluntary standards for case processing that specify 100% of felony cases are to be resolved within 180 days and misdemeanor cases are to be resolved within 90 days (Dodge & Pankey, 2003). Texas does not have speedy trial statutes for allegations involving children (National Center for Prosecution of Child Abuse, n.d.). Dallas County does not have vertical prosecution (where the same assistant district attorney is in charge at every step of the process), expedited trials, or diversion programs for child abuse cases (see Texas Legislature, n.d.-a, n.d.-b).

### Variables

*Independent variables.* Child characteristics included sex, race (minority vs. White), and age. Some studies have found a bimodal relationship between child age and prosecution, with elementary school-aged children more likely to have their cases prosecuted (Finkelhor, 1983; Tjaden & Thoennes, 1992) because

very young children appear more vulnerable to an interviewer's misleading questions (Gilstrap & Ceci, 2005) and adolescent victims are sometimes perceived as less credible (Elstein & Davis, 1997; Lanning, 2002). Therefore, child age was coded in three categories: young child (age 2 to 7 years), elementary school-aged child (8 to 11 years), or adolescent (age 12 to 17 years). Other variables included child relationship to offender (intrafamilial or extrafamilial), child disclosure, offender arrested at the time of the first investigative interview, and any evidence at the time the case was referred to prosecution in addition to the child's disclosure (i.e., material, medical, behavioral, or witness). These variables may be related to case processing time because they may affect the strength of the case against the defendant and the difficulty of preparing the child for the trial.

The charges filed were also examined. The charge *sexual assault* pertains to sexual contact involving the mouth, anus, or sexual organ of the child and/or perpetrator (Texas Legislature, n.d.). The more severe charge, *aggravated sexual assault*, involves penetration, oral contact, and genital-to-genital contact, and the crime is aggravated because it caused injury, included threats or other exacerbating behavior, and involved a child younger than age 14 years. Although this charge is used primarily for someone younger than 14 years, if a perpetrator uses a deadly weapon with anyone older than age 14 years the charge is also aggravated assault. To ensure that there were an adequate number of children in the oldest age group who received this charge, we conducted a Pearson  $\chi^2$  analyses. There was no association between a child's age and whether aggravated sexual assault was charged,  $\chi^2(2, N = 159) = 3.31, p = .19$ . *Indecency with a child* is the least severe charge, referring usually to fondling without oral contact or genital-to-genital contact.

Finally, the manner of case resolution (i.e., trial or guilty plea), and study site (CAC or Comparison Community A or Comparison Community B) were included as independent variables.

*Dependent variables.* Three variables were created to measure the length of time of the criminal justice process, computed in days: (a) the *charging decision time* or the number of days between the law enforcement report and indictment date (i.e., when the grand jury made its decision that the case should be prosecuted or dropped), (b) the *case resolution time* or the number of days between the indictment date and case disposition date (i.e., plea or trial outcome), and (c) the *total case processing time* or the number of

days between the law enforcement report and case disposition date. The total case processing time was the sum of the charging decision time and the case resolution time.

### **Participant Protection**

The University of New Hampshire (UNH) Institutional Review Board (IRB) for the Protection of Human Subjects in Research approved the informed consent procedures and protocols for protecting participants' rights for the research.

### **Sample**

The sample for this analysis included only child sexual abuse cases that had been referred to prosecution ( $N = 215$ ). At the time of data completion, the criminal justice status was unknown for 8 cases, 11 had been no-billed (charges not brought by the grand jury), and 2 cases were dismissed. Cases that were pending ( $n = 34$ ) but had an indictment date up to 2 years of the end of data collection were excluded from the analysis. This conservative decision was meant to ensure that adequate time had elapsed for case resolution. Thus, the final sample size was 160. For the regression analysis, cases that had a pending case resolution after 2 years of data collection were excluded. There were no significant differences in cases pending versus resolved except for the charges filed; pending cases were less likely to have an aggravated sexual assault charge (47%) compared to those resolved (69%),  $\chi^2(1, N = 160) = 6.70, p < .05$ , and were more likely to have a charge of indecency with a child (58%) compared to those resolved (32%),  $\chi^2(1, N = 160) = 8.88, p < .01$ .

### **Analysis**

To explore the length of time between key events in the criminal prosecution of child sexual abuse and study group (CAC, Comparison Community A, Comparison Community B), Pearson  $\chi^2$  analyses and ANOVA were conducted. In some cases, expected cell frequencies were too small for Pearson  $\chi^2$ , and we used the Fisher-Freeman-Halton Exact Test (Mehta & Patel, 1986). We include Cramer's  $V$  to examine effect sizes. We used multiple regression, with variables entered simultaneously, to explore what variables predicted case resolution time. Because the dependent variable, *case resolution time*, had a positive skew we transformed the variable by using the square root of the variable in the multiple regression (Hamilton, 2006). One variable, *evidence available*, had 10% missing data. To increase the number of cases in the regression and account for differences in cases with and without missing data, a

**TABLE 1: Sample Characteristics ( $N = 160$ )**

<i>Characteristic</i>	<i>%</i>	<i>n</i>
Female victim	89	143
Minority victim	35	55
Child age		
Young child (age 2-7 years)	28	45
Elementary school-age child (age 8-11 years)	32	51
Adolescent (age 12-17 years)	63	40
Intrafamilial offender	58	92
Child disclosure	78	122
Offender arrested initially	47	71
Charged with <sup>a</sup> :		
Aggravated sexual assault	63	100
Sexual assault	8	12
Indecency with a child	39	63
Evidence available		
Yes	84	134
No	6	10
Missing	10	16
Case outcome:		
Trial	26	42
Guilty plea	44	70
Pending	30	48

a. Multiple responses possible for charges filed. Missing responses represented when greater than 5%.

series of orthogonal contrasts were created representing whether cases had valid or missing data for this variable, following the method described by Cohen and colleagues (Cohen, Cohen, West, & Aiken, 2003). Diagnostic evaluations of the data indicated a substantial correlation between cases charged with aggravated sexual assault and indecency with a child ( $r = -.739, p < .01$ ). Therefore, the charge indecency with a child was not used in the regression.

## **RESULTS**

### **Descriptives**

As shown in Table 1, children were primarily female and White. There was a wide distribution in child's age. Just more than one half of offenders were family members. Most children had made a disclosure about the incident. About one half of cases had offenders arrested initially, the majority of cases were charged with aggravated sexual assault, and the majority of cases had some type of evidence available in addition to a child's disclosure at referral to prosecution. Almost one half (44%) of cases had a guilty plea, 30% were pending after 2 years, and 26% went to trial.

### **Length of Criminal Justice Process**

*Charging decision.* Most cases (60%) took between 31 to 60 days to reach indictment (Table 2). Within

**TABLE 2: Length of the Criminal Justice Process by Study Group (%)**

Criminal Justice Process	Study Group				$\chi^2$
	Total Sample ( <i>N</i> = 160)	CAC ( <i>n</i> = 97)	Comparison A ( <i>n</i> = 38)	Comparison B ( <i>n</i> = 25)	
Charging decision time <sup>a</sup>					
30 days or fewer	9	13	3	4	18.45**
31 to 60 days	60	67	46	54	
61 to 90 days	16	13	27	13	
91 days or more and pending	15	7	24	29	
Case resolution time <sup>b</sup>					
Within 180 days	20	13	13	56	26.08***
181 to 365 days	24	26	26	12	
366 to 730 days	26	28	24	24	
731 days or more and pending	30	33	37	8	
Total time <sup>c</sup>					
Within 180 days	12	6	13	32	16.16*
181 to 365 days	24	26	16	28	
366 to 730 days	29	30	29	24	
731 days or more and pending	36	38	42	16	

NOTE: CAC = Children's Advocacy Center.

a. Time between law enforcement report and indictment date.

b. Time between indictment date and disposition date.

c. Time between law enforcement report and disposition date.

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

90 days, 85% of cases had reached indictment. Cases that were seen at the CAC had a significantly quicker charging decision time than cases at either of the comparison communities. More than two thirds of CAC cases reached indictment between 31 to 60 days versus 46% of cases at Comparison A and 54% of cases at Comparison B. There was a moderate effect size between charging decision and study site, Cramer's  $V = .244$ . Tukey's HSD post hoc tests revealed CAC cases had a significantly lower average number of days to reach indictment ( $M = 47$ ,  $SD = 21$ ), compared to 65 days ( $SD_A = 31$ ,  $SD_B = 37$ ) at Comparison A and Comparison B,  $F(2,106) = 5.53$ ,  $p = .005$ .

*Case resolution time.* As shown in Table 2, there was a wide range in case resolution time. Twenty percent of cases were resolved within 180 days, whereas 30% of cases took more than 2 years (731 days or more) after the indictment date or were still pending. More than one half of Comparison B cases were resolved within 180 days compared to 13% of CAC and 13% of Comparison A cases. There was a moderate effect size between case resolution time and study site, Cramer's  $V = .285$ . Tukey's HSD post hoc tests revealed that Comparison B cases had a significantly lower average number of days for case resolution ( $M = 219$ ,  $SD = 159$ ), compared to 344 days ( $SD = 173$ ) and 387 days ( $SD = 256$ ) at the CAC and Comparison A, respectively,  $F(2,112) = 5.12$ ,  $p = .007$ .

*Total case processing time.* Unsurprisingly given the above results, there was also a considerable range in total case processing time (Table 2). About one third of cases were resolved in 366 to 730 days, and one third of cases were resolved in more than 2 years (731 days) or were still pending. Thus, a minority of cases have a total case processing time of 1 year or less. Longer total case processing is almost entirely a function of longer case resolution time, as the correlation between total time and charging decision time (report to indictment) is modest,  $r(109) = .287$ ,  $p < .001$ , whereas the correlation between total time and case resolution time (indictment to disposition) approaches unity,  $r(110) = .973$ ,  $p < .001$ .

Similar to the results for case resolution time, cases in Comparison B continued to have a significantly shorter total case processing time than cases in the CAC or Comparison A. There was a moderate effect size between total case processing time and study site, Cramer's  $V = .225$ . Tukey's HSD post hoc tests revealed that Comparison B cases had a lower average number of days for total processing time ( $M = 307$ ,  $SD = 217$ ), compared to 452 days ( $SD = 269$ ) at Comparison A,  $F(2, 107) = 2.91$ ,  $p = .059$ . The average number of days at the CAC was 392 ( $SD = 176$ ).

Additional Pearson  $\chi^2$  analyses (not presented here) were conducted to examine whether severity of cases differed across these three communities.

**TABLE 3: Regression Analysis with Simultaneous Entry Predicting Case Resolution Time ( $N = 102$ )**

Variable	<i>b</i>	<i>SE</i>	$\beta$
CAC <sup>a</sup>	4.04	1.62	.35*
Comparison A <sup>a</sup>	6.10	1.75	.46**
Young child <sup>b</sup>	-1.24	1.50	-.10
Adolescent <sup>b</sup>	-.74	1.45	-.06
Child disclosure	-1.04	1.47	-.08
Offender arrested initially	-2.32	1.12	-.21*
Sexual assault charge	.67	2.23	.03
Aggravated sexual assault charge	-.15	1.21	-.01
Evidence: Valid versus missing	-.05	.83	-.01
Evidence: Yes versus none	.50	1.06	.05
Trial (vs. guilty plea)	.12	1.24	.01

NOTE: CAC = Children's Advocacy Center.

a. Reference is Comparison B.

b. Reference is elementary school-age child.

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

The severity of cases (as measured by alleged penetration; abuse duration; abuse frequency; initial and final charges of aggravated sexual assault, sexual assault, and indecency with a child; and multiple counts/charges) was similar across these three communities, with one marginal exception. Forty percent of Comparison B cases had multiple counts/charges, compared to 22% of the CAC cases and 16% of Comparison A cases,  $\chi^2(2, N = 160) = 5.27, p = .07$ .

### Predicting Case Resolution Time

As shown in Table 3, CAC cases and Comparison A cases had a longer case resolution time than cases in Comparison B, controlling for other variables. Cases with an initial arrest had a significantly quicker case resolution time than those not arrested initially, controlling for other variables. Because cases with an arrest initially were resolved more quickly than those with no arrest, we conducted bivariate analyses to explore what variables were significantly correlated with arrest. There were no significant associations between arrest and case characteristics. Last, we explored interaction terms for case characteristics and initial arrest, case went to trial, and had evidence. There were no significant interaction terms in the regression analyses (analyses not presented).

### DISCUSSION

We found a wide distribution in time to disposition, with 44% of cases resolved within 1 year and 30% resolved in more than 2 years or unresolved by 2 years. The three locations differed significantly in length of time for all phases of the criminal justice process: the charging decision, case resolution, and total case

processing time. Cases in which the offender was initially arrested were resolved in a timelier manner, controlling for other case characteristics. Given the suggestive evidence that quicker resolution leads to quicker child recovery, it is concerning that so few cases were resolved in a timely manner.

The majority of cases took no more than 60 days for the charging decision (time between law enforcement report and indictment date). CAC cases had a quicker preliminary processing time than either of the two comparison communities, possibly indicating greater involvement of prosecutors initially and thus a quicker indictment. The assistant district attorney is located at the CAC and participates in investigative team meetings, and this could have some impact on the charging decision time.

There was some variation across the three locations in case resolution time (time between indictment date and disposition date) even though the same District Attorney's office served all the locations. Notably, in one comparison community more than 50% of cases had a resolution time within 180 days, whereas only 13% of cases at the CAC and the other comparison community had the same. There was also some variation in the total processing time (time between law enforcement report and disposition date). Again, one community generally had a quicker resolution of cases compared to the other two communities (see Case Characteristics section below).

Still, more than half of cases took more than 1 year to be criminally prosecuted, which is dramatically longer than what ABA standards (180 days) and many state statutes (1 year) recommend for felonies in general (Dodge & Pankey, 2003). Most of the other child abuse studies in the literature have also found resolution times far longer than the ABA recommendation (Gray, 1993; Martone et al., 1996; Smith & Elstein, 1993; Stroud et al., 2000). The average number of days in the current study was 329, which is similar to the average of 321 days in the Martone et al. (1996) study and the 378 days in the Stroud et al. study (2000).

The 20% of cases in the current study resolved within 180 days of indictment is much lower than the average of 68% of felony cases in the nine courts analyzed by Ostrom and Hanson (2000). It is even much lower than the three least expeditious courts described in their analysis, which had 56%, 51%, and 49% of cases resolved within this time frame. It is important to point out that the Ostrom and Hanson (2000) study involved a number of different types of felonies, whereas the current study examined exclusively child sexual abuse cases. Although the current study included mostly felonies, pending cases were less likely



to have an aggravated sexual assault charge and were more likely to have a charge of indecency with a child compared to those resolved, suggesting that more severe cases might be resolved more quickly.

Prosecuting child abuse presents special challenges that can make prosecution difficult as compared to prosecuting other felonies (Cross, Walsh, Simone, & Jones, 2003). A number of factors could affect prosecution, such as the families' commitment to prosecution, and the severe criminal sanctions, such as sex offender registration and the social ostracism for defendants. Last, evidence can be sparse. Cases accepted for prosecution, however, tend to have evidence in addition to the child's statement describing the abuse. (Walsh, Jones, Cross, & Lippert, 2007).

#### *Case Resolution Time and Case Characteristics*

Similar to Smith and Elstein's (1993) study, few case characteristics were associated with case resolution time. Controlling for other variables, CAC cases and Comparison A cases had a longer case resolution time than those in Comparison B. This implies that something unique to this latter community could be enhancing resolution time. Although there was no difference in evidence available across the three locations, one possible explanation could be differences in the extent to which a polygraph was used. Although suspects cannot be forced to undergo a polygraph and opinions about reliability differ (National Center for the Prosecution of Child Abuse, n.d.), perhaps a polygraph helps to quicken resolution time. One study found that in the majority of cases the polygraph did not result in a defendant changing his story; however, in one fourth of cases the polygraph was associated with a defendant beginning with a denial and moving to an admission (Smith & Elstein, 1993).

Other factors not included in the current study may shed some light on variations in case resolution time. It could be that when defendants are released on bond, there may be lesser urgency in moving the case through than when defendants are in jail. Confessions might be associated with faster resolutions, but only when defendants are in jail. Last, perhaps probation recommendations from prosecutors may lead to faster resolution than incarceration recommendations because suspects tend to accept them. These possible factors should be examined in future research.

Cases with an initial arrest had a significantly quicker case resolution time than those not arrested initially, controlling for other variables. Case characteristics did not differ from those arrested initially and those not arrested. No interactions between initial arrest and case characteristics helped to predict

case resolution time. Whether an immediate arrest is necessary is the first decision a law enforcement officer has to make (Pence & Wilson, 1992). Pence and Wilson noted that, "Depending on the jurisdiction, the investigator will weigh the advantages and disadvantages of an immediate probable cause arrest against the advantages and disadvantages of other charging options, such as direct presentation to the grand jury" (p. 62). An immediate arrest is generally indicated when there is concern that the perpetrator will flee, it is needed to protect the child, or the suspect is a threat to others (Pence & Wilson, 1992).

Because few case characteristics were associated with case resolution time, what may help explain why many child sexual abuse cases take long to resolve? One explanation may relate to the increased filing rate for child sexual abuse cases. Research indicates that generally as the number of felony filings increases, the clearance rate (i.e., case resolution) decreases (Lee & LaFountain, 2005). This most likely has to do with increased caseloads making it difficult to resolve cases. Nationally, the prosecution rate of child sexual abuse cases has dramatically increased since the 1980s (Davidson, 1997). Since the early 1990s, however, child sexual abuse reports have decreased (Jones, Finkelhor, & Halter, 2006), and it is unknown whether a decrease in prosecution has paralleled this change. There is some evidence, however, that prosecutors are now handling a higher proportion of less severe cases (involving fondling, for example), which were previously unlikely to be prosecuted (Smith & Elstein, 1993). Prosecutors may also be handling a higher proportion of Internet child pornography and crimes against children using the Internet, which could contribute to an increase in filing caseloads.

As in other jurisdictions, defense challenges to children's testimony may affect case resolution time in the current study. The fact that few case-level variables were related to case processing time but there were significant differences between communities strongly suggest that system-level factors involving district attorney offices and courts play an important role. System-level modifications in the court system exist, such as vertical prosecution, expedited trials, and reducing the number of continuances (Lipovsky & Stern, 1997; Whitcomb, 2003). In a national survey of 153 prosecutors, most prosecutors reported that vertical prosecution and expedited trials were "useful" to "very useful" in reducing child trauma and in enhancing guilt outcome (Goodman, Quas, Bulkley, & Shapiro, 1999). These modifications, however, have not been examined in relation to case resolution time. In addition, because a small number of individuals in each community have responsibility

for case processing, variation in the skills, training, and attitude of the professionals may be even more important than characteristics of the systems per se (P. Stern, personal communication, May 12, 2006).

There are several limitations to note regarding the current study. Because the current analysis included only one county, the generalizability of these findings is limited. Case resolution time at this site, however, is consistent with other studies finding that case resolution times take about 1 year or longer. Some of the other studies were conducted in the 1980s and 1990s, so more current research is needed on this topic. It should be noted that because 45 cases were still pending after 2 years, and thus not included in the regression analysis, we could be underestimating the length of time to disposition. A number of potentially important variables were not included in the current study that could help to elucidate the variation in case resolution time. These include the use of continuances and whether this use differs for child abuse as compared to other types of cases. Other important variables could include caseloads, a defendant's economic status (i.e., ability to post bond and attain a private attorney) and more extensive measures of a case's severity (Ostrom & Hanson, 2000).

### Implications

A number of implications emerge from this analysis. First, communities should routinely monitor how long cases involving child victims take to be criminally prosecuted. This is one area in the child abuse field with little data available. The lack of data in this area could be an obstacle to developing effective policy. Agencies should collect this type of data and make it publicly available. The Dallas CAC, for example, made a commitment to the Multi-Site Evaluation of CACs by collecting the data, offering its leadership, and providing resources. Given many CACs' connections to District Attorney's offices, they could play a pivotal role in monitoring case resolution time. CACs have given considerable momentum to justice system reform by emphasizing such problems as duplicative interviewing (Simone, Cross, Jones, & Walsh, 2005). They could play the same role by drawing attention to unnecessary delays in case resolution. CACs could also help to identify effective case flow management—what is working well for some cases? They could add data to national databases such as NCAtrak (National Children's Alliance, 2006) on systemic characteristics of their jurisdictions and on legal data related to their children's cases.

Second, more research is needed to examine a broader range of variables that might influence case

resolution time. For example, we need empirical data on the extent to which continuances and adjournments affect case length. Research also needs to examine case length in relation to variables such as prosecution rates, trial fairness, and sentencing outcomes. There is the potential for reducing case length to have unintended consequences for the quality of justice. Does greater time to resolution lead to more unjust outcomes because children's ability to testify effectively is eroded, or more just outcomes because it offers children time to prepare to participate and prosecution and defense time to deal with complicated issues? Right now the field is unable to answer the questions of how fast is fast enough and how long is too long for the criminal prosecution of child abuse.

Third, more research is needed on how case resolution time affects children. Reviews of the research have consistently found that many children find the court process stressful (Lipovsky, 1994; Whitcomb, 2003). How does case resolution time affect child well-being? It could be informative to examine how many guilty verdicts were appealed. Insofar as the case outcome has implications for children's short- and long-term well-being (Quas et al., 2005), appeals may affect children's perceptions of the final outcome.

In conclusion, it is worrisome that so few child sexual abuse cases are resolved in a timely manner. To ensure that child victims are able to move forward in their recovery, it is essential that effective case-flow management be maintained throughout the criminal justice process. Child advocates, policy makers, prosecutors, judges, and other legal professionals need to work together to develop ways to increase the timeliness of child sexual abuse cases while pursuing the most just legal outcomes.

### REFERENCES

- American Bar Association. (2004). *Building a better court: Measuring and improving court performance and judicial workload in child abuse and neglect cases*. Reno, NV: National Council of Juvenile and Family Court Judges.
- American Prosecutors Research Institute. (2004). *Investigation and prosecution of child abuse* (3rd ed.). Thousand Oaks, CA: Sage.
- Cohen, J., Cohen, P., West, S. G., & Aiken, S. L. (2003). *Applied multiple regression/correlation analysis for the behavioral sciences* (3rd ed.). Mahwah, NJ: Lawrence Erlbaum.
- Cross, T., Jones, L., Walsh, W., Simone, M., & Kolko, D. (in press). Child forensic interviewing in Children's Advocacy Centers: Empirical data on a practice model. *Child Abuse & Neglect*.
- Cross, T. P., Jones, L. M., Walsh, W. A., Simone, M., Cryns, A., Kolko, D. J., et al. (in press). *The multi-site evaluation of Children's Advocacy Centers: Overview of the results and implications for practice* (Juvenile Justice Bulletin). Washington, DC: Office of Juvenile Justice and Delinquency Prevention.
- Cross, T. P., Walsh, W. A., Simone, M., & Jones, L. M. (2003). Prosecution of child abuse: A meta-analysis of rates of criminal justice decisions. *Trauma, Violence, & Abuse*, 4(4), 323-340.

- Davidson, H. A. (1997). The courts and child maltreatment. In M. E. Helfer, R. S. Kempe, & D. Krugman (Eds.), *The battered child* (5th ed., pp. 482-499). Chicago, London: University of Chicago Press.
- Dezwirek-Sas, L. (1992). Empowering child witnesses for sexual abuse prosecution. In H. Dent & R. Flin (Eds.), *Children as witnesses* (pp. 181-199). New York: John Wiley.
- Dodge, H., & Pankey, K. (2003). *Case processing time standards in state courts, 2002-03: Knowledge & information services*. Williamsburg, VA: National Center for State Courts.
- Elstein, S. G., & Davis, N. (1997). *Sexual relationships between adult males and young teen girls: Exploring the legal and social responses*. Washington, DC: American Bar Association Center on Children and the Law.
- Finkelhor, D. (1983). Removing the child—Prosecuting the offender in cases of sexual abuse: Evidence from the National Reporting System for Child Abuse and Neglect. *Child Abuse & Neglect*, 7, 195-205.
- Gilstrap, L. L., & Ceci, S. (2005). Reconceptualizing children's suggestibility: Bidirectional and temporal properties. *Child Development*, 76(1), 40-53.
- Goodman, G. S., Quas, J. A., Bulkley, J., & Shapiro, C. (1999). Innovations for child witnesses: A national survey. *Psychology, Public Policy, and Law*, 5(2), 255-281.
- Gray, E. (1993). *Unequal justice: The prosecution of child sexual abuse*. New York: Free Press.
- Hamilton, L. (2006). *Statistics with Stata*. Belmont, CA: Thomson Higher Education.
- Jones, L., Cross, T., Walsh, W., & Simone, M. (in press). Do Children's Advocacy Centers improve families' experiences of child sexual abuse investigations? *Child Abuse & Neglect*.
- Jones, L., Finkelhor, D., & Halter, S. (2006). Child maltreatment trends in the 1990s: Why does neglect differ from physical and sexual abuse? *Child Maltreatment*, 11(2), 107-120.
- Keilitz, S., Jones, A. M., & Ostrom, B. J. (1999). Tracking and understanding family violence caseloads. *Caseload Highlights Examining the Work of State Courts*, 5(2). Retrieved August 14, 2007, from [http://www.ncsconline.org/D\\_Research/csp/Highlights/PrototypeV5%20No2.pdf](http://www.ncsconline.org/D_Research/csp/Highlights/PrototypeV5%20No2.pdf).
- Lanning, K. V. (2002). Law enforcement perspective on the compliant child victim. *APSAC Advisor* (Special issue), 14(2), 4-9.
- Lee, C. G., & LaFountain, R. C. (2005). Felony caseloads in the NACM Network. *Caseload Highlights Examining the Work of State Courts*, 12(1). Retrieved August 14, 2007, from [http://www.ncsconline.org/D\\_Research/csp/Highlights/Vol12No1.pdf](http://www.ncsconline.org/D_Research/csp/Highlights/Vol12No1.pdf).
- Lipovsky, J. (1994). The impact of court on children: Research findings and practical recommendations. *Journal of Interpersonal Violence*, 9(2), 238-257.
- Lipovsky, J., & Stern, P. (1997). Preparing children for court: An interdisciplinary view. *Child Maltreatment*, 2(2), 150-163.
- Martin, M. J. (1992). Child sexual abuse: Preventing continued victimization by the criminal justice system and associated agencies. *Family Relations*, 41, 330-333.
- Martone, M., Jaudes, P. K., & Cavins, M. K. (1996). Criminal prosecution of child sexual abuse cases. *Child Abuse & Neglect*, 20(5), 457-464.
- Mehta, C. R., & Patel, N. R. (1986). A hybrid algorithm for Fisher's exact test in unordered  $r \times c$  contingency tables. *Communications in Statistics, Series A*, 15, 387-404.
- National Center for Prosecution of Child Abuse. (n.d.). "Speedy trial" statutes for allegations involving children. Retrieved February 9, 2007, from [http://www.ndaa.org/pdf/ncpca\\_statute\\_speedy\\_trial\\_statutes\\_chart.pdf](http://www.ndaa.org/pdf/ncpca_statute_speedy_trial_statutes_chart.pdf).
- National Center for State Courts. (n.d.). *Frequently asked questions caseload management*. Retrieved March 21, 2006, from [http://www.ncsconline.org/WC/FAQ/Print/Prt\\_CasManFAQ.htm](http://www.ncsconline.org/WC/FAQ/Print/Prt_CasManFAQ.htm).
- National Children's Alliance. (2006). *National Children's Alliance newsletter*. Retrieved March 16, 2007, from <http://66.132.242.166/uploads/SpringNewsletter2006.pdf>.
- Ostrom, B. J., & Hanson, R. A. (2000). *Efficiency, timeliness, and quality: A new perspective from nine state criminal trial courts* (Research in Brief). Washington, DC: National Institute of Justice.
- Pence, D., & Wilson, C. (1992). *The role of law enforcement in the response to child abuse and neglect*. Washington, DC: U.S. Department of Health and Human Services.
- Prior, V., Glaser, D., & Lynch, M. A. (1997). Responding to child sexual abuse: The criminal justice system. *Child Abuse Review*, 6, 128-140.
- Quas, J. A., Goodman, G. S., Ghetti, S., Alexander, K. W., Edelstein, R., Redlich, A. D., et al., (2005). Childhood sexual assault victims: Long-term outcomes after testifying in criminal court. *Monographs of the Society for Research in Child Development*, 70(2), 1-145.
- Runyan, D. K., Everson, M. D., Edelsohn, G. A., Hunter, W. M., & Coulter, M. L. (1988). Impact of legal intervention on sexually abused children. *Journal of Pediatrics*, 11(4), 647-653.
- Sedlak, A. J., Doucek, H. J., Lyons, P., Wells, S., Schultz, D., & Gragg, F. (2005). Child maltreatment and the justice system: Predictors of court involvement. *Research on Social Work Practice*, 15(5), 389-403.
- Simone, M., Cross, T. P., Jones, L. M., & Walsh, W. (2005). Children's Advocacy Centers: Understanding the impact. In K. Kendall-Tackett & S. Giacomoni (Eds.), *Victimization of children and youth: Patterns of abuse, response strategies* (pp. 22-1-22-24). Kingston, NJ: Civic Research Institute.
- Smith, S. E., & Elstein, G. S. (1993). *The prosecution of child sexual and physical abuse cases*. Washington, DC: American Bar Association Fund for Justice and Education.
- Stroud, D. D., Martens, S. L., & Barker, J. (2000). Criminal investigation of child sexual abuse: A comparison of cases referred to the prosecutor to those not referred. *Child Abuse & Neglect*, 24(5), 689-700.
- Texas Legislature. (n.d.-a). *Code of criminal procedure*. Retrieved August 13, 2007, from <http://tlo2.tlc.state.tx.us/statutes/cr.toc.htm>.
- Texas Legislature. (n.d.-b). *Texas statutes penal code*. Retrieved August 13, 2007, from <http://tlo2.tlc.state.tx.us/statutes/pe.toc.htm>.
- Tjaden, P. G., & Thoennes, N. (1992). Predictors of legal intervention in child maltreatment cases. *Child Abuse & Neglect*, 16, 807-821.
- U.S. Department of Justice. (2000). *Attorney general guidelines for victim and witness assistance 2000* (NCJ 178249) Washington, DC: Author.
- Walsh, W. A., Cross, T. P., Jones, L. M., Simone, M., & Kolko, D. (in press). Which sexual abuse victims receive a forensic medical examination?: The impact of Children's Advocacy Centers. *Child Abuse & Neglect*.
- Walsh, W., Jones, L. M., & Cross, T. P. (2003). Children Advocacy Centers: One philosophy, many models. *APSAC Advisor*, 15(3), 3-7.
- Walsh, W., Jones, L. M., Cross, T. P., & Lippert, T. (2007). *Prosecuting child sexual abuse: The importance of evidence type*. Manuscript submitted for publication.
- Whitcomb, D. (1992). *When the victim is a child—Issues and practices in criminal justice series* (2nd ed.). Washington, DC: U.S. Department of Justice, National Institute of Justice.
- Whitcomb, D. (2003). Legal interventions for child victims. *Journal of Traumatic Stress*, 16(2), 149-157.

Wendy A. Walsh, PhD, is a research assistant professor of sociology at the Crimes against Children Research Center at the University of New Hampshire. Her research includes studies on evaluating the community response systems to child abuse, such as the Multi-Site Evaluation of Children's Advocacy Centers, and research on the criminal justice response to child victimization. She also has been conducting research on resilience among maltreated children using the National Survey of Child and Adolescent Well-Being data.

*Tonya Lippert, PhD, MSSW, coordinates a project involving foster youth at risk of homelessness at New Avenues for Youth and evaluates abused youth at CARES. She worked as a research manager for the Dallas Children's Advocacy Center and the Multi-Site Evaluation of Children's Advocacy Centers. Her research interests include understanding how children disclose child maltreatment, predicting confessions among child abusers, and identifying effective methods of engaging and helping at-risk youth and families.*

*Theodore P. Cross, PhD, is a senior research psychologist at RTI International, where his primary role is analysis of data from the National Survey of Child and Adolescent Well-Being, a longitudinal national probability study on outcomes for children involved in child protective investigations. He was the project director for the Multi-Site Evaluation of Children's Advocacy Centers for the Crimes against Children Research Center at the*

*University of New Hampshire and has been conducting research on the criminal justice response to child maltreatment for 19 years. He maintains a private practice in psychotherapy.*

*Danielle M. Maurice, MA, is a doctoral candidate. Her research interests include the mental health effects of child abuse, the effects of child abuse on families, child abuse intervention systems, perceptions of justice, and evaluation research.*

*Karen S. Davison, LCSW, is a doctoral candidate in the Department of Social Work at the University of Denver. Her research and scholarship focuses on two areas: community building, advocacy, and empowerment outcomes as related to society's vulnerable populations, children, and Native People and the interplay of social work praxis, agency, and oppression in pedagogy.*