

# FORENSIC INTERVIEWS IN IDAHO

CURRENT CHALLENGES AND OPPORTUNITIES FOR COORDINATED SERVICE DELIVERY



IDAHO STATISTICAL ANALYSIS CENTER  
PLANNING, GRANTS, & RESEARCH  
IDAHO STATE POLICE

*IN COLLABORATION WITH:*

IDAHO COUNCIL ON DOMESTIC VIOLENCE & VICTIM ASSISTANCE  
IDAHO INDUSTRIAL COMMISSION - CRIME VICTIMS COMPENSATION PROGRAM  
IDAHO NETWORK OF CHILD ADVOCACY CENTERS

# Forensic Interviews in Idaho: Current Challenges and Opportunities for Coordinated Service Delivery

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Published: October 2019

This report was supported by Grant No. 2016-XV-GX-K006 Subaward No. Idaho-5200-018 awarded by the Center for Victim Research (CVR). CVR is a partnership between the Justice Research and Statistics Association (JRSA), the National Center for Victims of Crime (NCVC), and the Urban Institute, and is funded through a grant from the Office for Victims of Crime (OVC), United States Department of Justice. Points of view in this report are those of the author(s) and do not necessarily represent the official positions or policies of CVR, JRSA, NCVC, Urban Institute, or OVC.

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## BACKGROUND

Idaho's Crime Victims Compensation Program (CVCP) has been experiencing financial stress in recent years. The suspected driver of that stress is a 2015 federal Medicaid policy change removing forensic interviews<sup>1</sup> from the list of services the program will cover. Forensic interviews are a critical investigative tool used in child abuse and sexual assault cases. According to a recent study funded by the National Institute of Justice, physical evidence is not available in more than 95% of child sexual assault cases<sup>2</sup>. That study also found that when a child victim received a forensic interview, the odds of that case moving into a prosecutorial investigation increased more than twelvefold. Although forensic interviews are often performed in conjunction with a medical exam, Medicaid's current position is that the interview portion does not serve a medical function, so Medicaid will no longer cover that cost. Since then, the CVCP has experienced a spike in requests for payment for sexual abuse forensic examinations and forensic interviews.

Less than a year after the Medicaid policy change, the United States Department of Justice issued a rule clarifying the agency's view that forensic interviews qualify as a victim service. As such, Victims of Crime Act (VOCA) Victim Assistance grant funding can be used to cover the cost of forensic interviews, provided that the results of interviews are not used just for investigative purposes, but also for case management. This clarification provides an opening to use VOCA funding to provide forensic interviews at child advocacy centers (CACs) and other facilities that employ a certified forensic interviewer.

Due to the fact that Idaho's VOCA and CVCP funding is administered by different agencies (the Idaho Council on Domestic Violence & Victim Assistance [ICDVVA] and the Idaho Industrial Commission, respectively), this change opened an opportunity for coordination between the two agencies to determine the best way to navigate the new funding landscape. This report, the product of a partnership between the CVCP, ICDVVA, and the Idaho Statistical Analysis Center (ISAC), is the first foray into that area. ISAC collected and organized data from multiple state and non-profit agencies in an effort to determine how the demand for forensic interviews is evolving, where forensic interviews are being conducted, how they are being paid for, and whether there is a role for Idaho's VOCA program to play in alleviating the financial burden on the CVCP.

## DATA SOURCES

ISAC compiled and analyzed agency- and state-level data from across the criminal justice and victim services sectors. Table 1 lists the agencies from which data was pulled, what types of data were analyzed, and the timeframe that the data sets covered.

ISAC also conducted a survey of Idaho's justice system and victim service agencies that are involved in the forensic interview process. Respondents were asked to report on the frequency of forensic interviews performed at their agencies between 2015 and 2018 (or frequency of referrals if they do not perform the interviews), whether they have had trouble providing forensic interviews to those who need them, and the cost of forensic interviews to their agency.

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<sup>1</sup> Forensic interviews are a category of specialized, evidence-based approaches for interviewing children and vulnerable adults who have been victims of sexual and/or physical abuse, or have witnessed incidents of violence. More information can be found at <https://www.nationalcac.org/forensic-interview-services/>

<sup>2</sup> Block, S.D. & Williams, L.M. (2019, March). *The prosecution of child sexual abuse: A partnership to improve outcomes* (Report No. 252768). Retrieved from <https://nij.gov/publications/pages/publication-detail.aspx?ncjnumber=252768>

**Table 1. Data Sources by Agency.**

Agency	Data Provided/Gathered	Years Included in Analysis <sup>3</sup>
<b>Federal Bureau of Investigation - National Incident-Based Reporting System</b>	Individual-level data on sexual assaults, intimate partner violence, and assaults against minors reported to law enforcement	2012 - 2017
<b>Idaho Office of the Attorney General</b>	State-level data on incidents of child sexual abuse requiring Idaho Department of Health & Welfare involvement  Number of child sexual abuse cases filed in criminal court	State Fiscal Years 2012 - 2018
<b>Idaho Council on Domestic Violence &amp; Victim Assistance - Victim Assistance Program</b>	VOCA subgrantee-level performance measurement data	Federal Fiscal Years 2016 - 2018
<b>Idaho Industrial Commission - Crime Victims Compensation Program</b>	State-level data for approved claims  Provider-level billing data for sexual assault exams for minors	2012 - 2018
<b>Idaho Network of Child Advocacy Centers</b>	State- and agency-level CAC performance measurement data	2009 - 2018
<b>Idaho State Police - Forensic Services</b>	Law enforcement agency-level data from the Sexual Assault Kit Tracking Program	2016 - 2018
<b>Idaho State Police - Idaho Statistical Analysis Center</b>	Survey of Idaho CACs and certified forensic interviewers	N/A
<b>Idaho State Police - Planning, Grants &amp; Research</b>	STOP VAWA and SASP <sup>4</sup> subgrantee-level performance measurement data	2012 - 2018

In addition to this report, an interactive data dashboard utilizing these sources is available to the public on the ISAC website<sup>5,6</sup>.

<sup>3</sup> In this table, and throughout this report, reference years are Calendar Year unless otherwise noted.

<sup>4</sup> STOP VAWA (Violence Against Women Act: Services, Training, Officers, Prosecutors Formula Grant Program) and SASP (Sexual Assault Services Formula Grant Program) are federal grants from the United States Department of Justice’s Office on Violence Against Women aimed at providing services to victims of sexual assault and domestic violence.

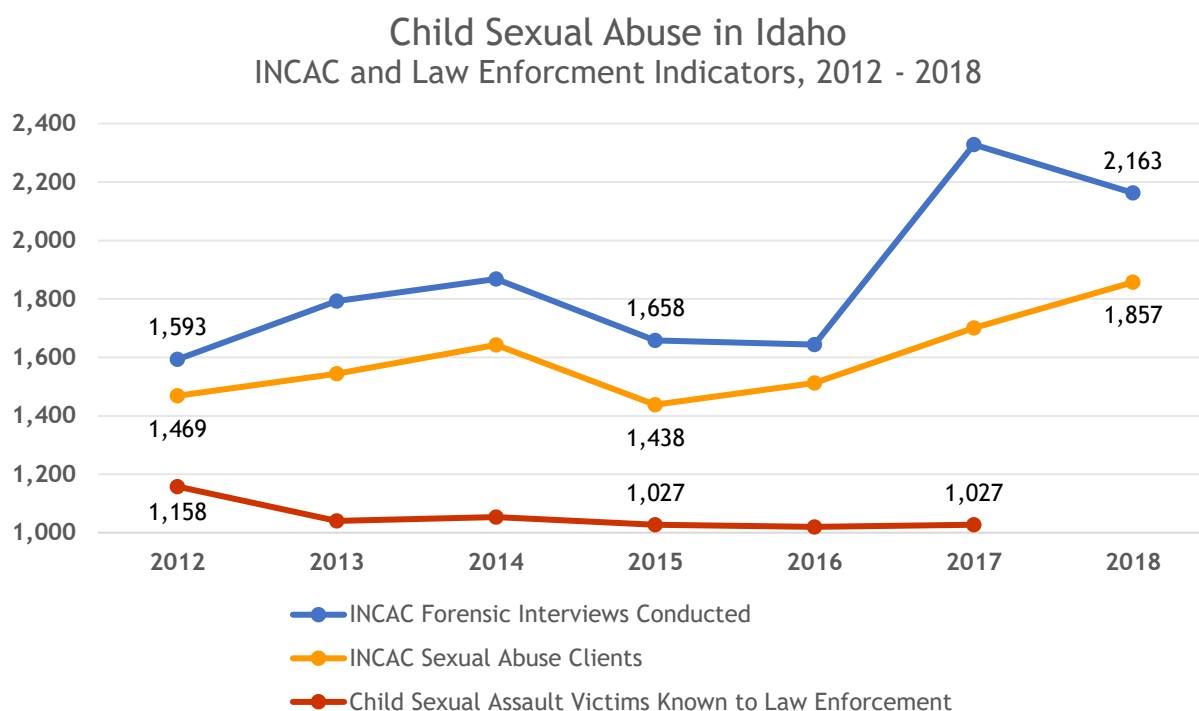
<sup>5</sup> The ISAC website can be accessed at <https://isp.idaho.gov/pgr/sac/>

<sup>6</sup> The Crime Victim Services dashboard is available at <https://isp.idaho.gov/pgr/crime-victim-services/>

## CHILD SEXUAL ABUSE IN IDAHO

Children under the age of 18 accounted for 71% of sexual assault victims known to law enforcement in Idaho between 2012 and 2017. According to the Idaho Network of Child Advocacy Centers (INCAC), 69% of clients served by CACs in that same time were victims of sexual abuse. Although the number of child sexual assault victims known to law enforcement has decreased by 11%, CACs have seen a 29% increase since hitting a low point in 2015.

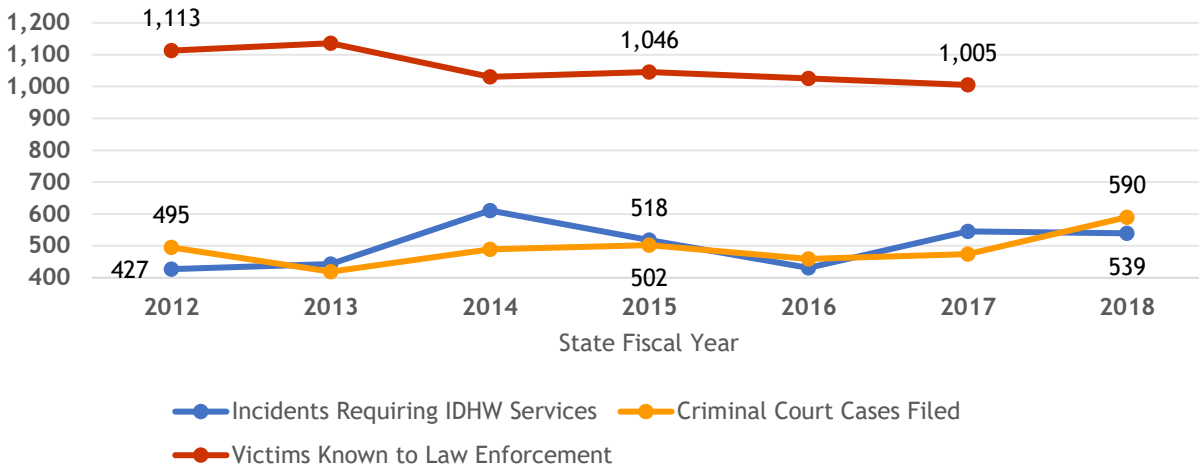
Although sexual abuse is not the only reason a forensic interview might be conducted, the trend in the number of forensic interviews facilitated by a CAC mirrors the increase in sexual abuse clients. In 2018, CACs performed 31% more forensic interviews than in 2015.



As the number of clients receiving services from CACs has increased, so has the number of incidents involving the Idaho Department of Health & Welfare (IDHW). Between state fiscal years<sup>7</sup> (SFY) 2012 and 2018, IDHW has seen a 26% increase in the number of child sexual abuse cases in which the Department’s services were required. Additionally, the court system has seen a 19% increase in the number of child sexual abuse cases filed in criminal court since SFY 2012. As previously noted, the number of victims known to law enforcement has decreased while other sectors have experienced substantial increases.

<sup>7</sup> Idaho’s fiscal year runs from July 1<sup>st</sup> through June 30<sup>th</sup>.

## State Involvement in Child Sexual Abuse Cases IDHW and Justice System Indicators, SFY 2012 - 2018

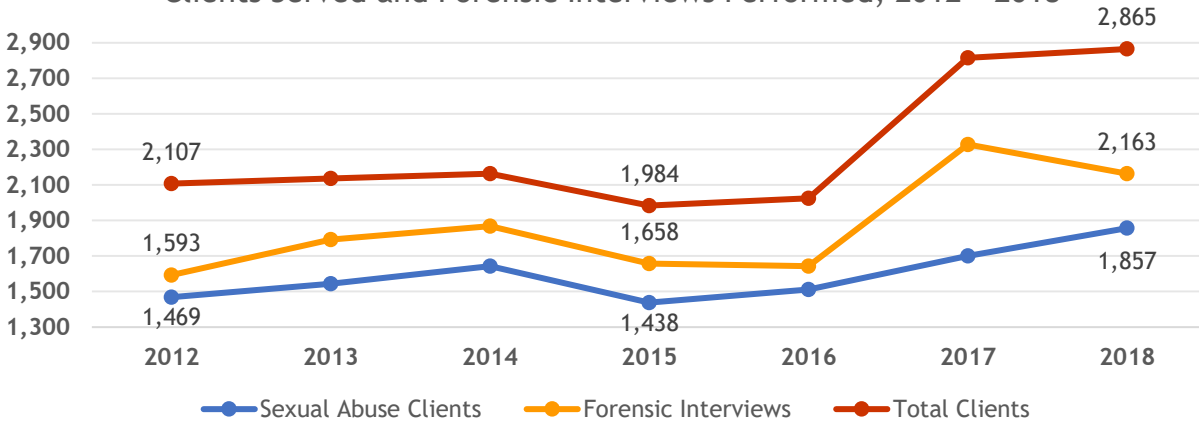


### CHILD ADVOCACY CENTERS

Child advocacy centers (CACs) provide many services to underage victims of crime and family violence. The vast majority of these clients are victims of sexual abuse (69%) or physical abuse (14%)<sup>8</sup>. CACs provide a wide range of services, including case management, civil legal aid, counseling, forensic interviews, and medical examinations.

Due to the Medicaid policy change regarding forensic interviews, CACs began filing claims with Idaho’s Crime Victims Compensation Program (CVCP) in 2017, the same year that demand for CAC services spiked. In 2017, CACs provided 42% more forensic interviews than in 2016 and the total number of clients served increased 39% over the previous year. According to the Idaho Network of Child Advocacy Centers (INCAC), CACs filed 1,217 claims with the CVCP in 2017 and 2018.

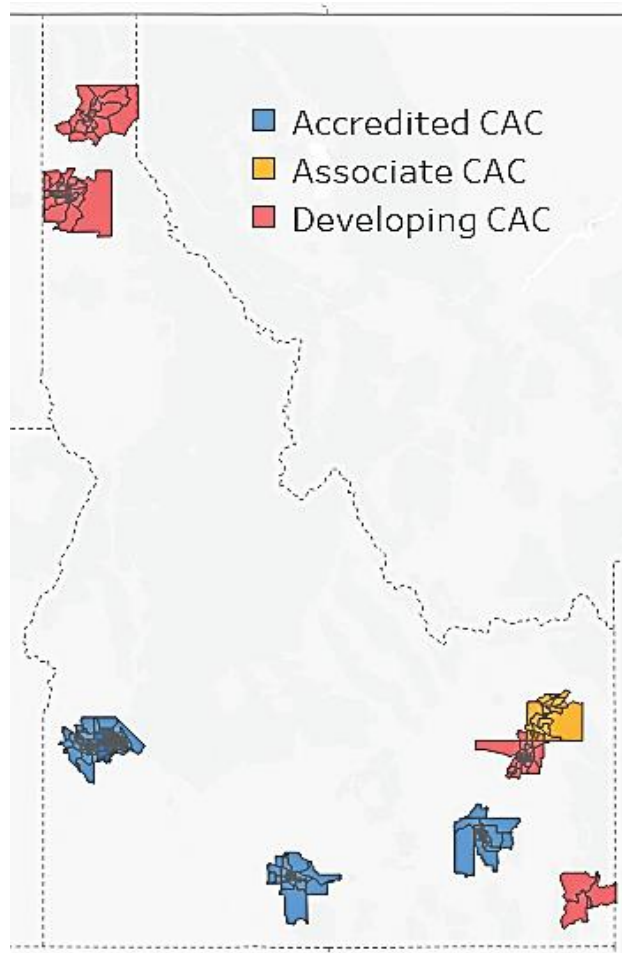
## Demand for CAC Services Clients Served and Forensic Interviews Performed, 2012 - 2018



<sup>8</sup> INCAC’s reporting allows clients to be counted in multiple victimization categories.

One other potential cost driver, where the CACs are located, was also considered. IDAPA<sup>9</sup> 17.05.01.14 states that if a CVCP clamant has to travel more than 15 miles to access a reimbursable service and also uses a private vehicle to travel, the clamant is eligible to be reimbursed for that travel, thus increasing the total amount of that claim.

A site catchment analysis<sup>10</sup> determined that an estimated 71% of Idaho's children live within a 15-mile radius of an existing CAC. The map below shows the geographic coverage areas for each CAC (for population coverage figures, see Table 2 on page 9). Although this method does not exactly mirror the process by which CVCP determines clamant eligibility for travel reimbursement, it revealed that most children in Idaho do live within the 15-mile limit and would not be eligible for this additional benefit from the CVCP. Further analysis revealed that adding a CAC in the Jerome, Idaho area would allow an additional 4.9% of Idaho's children to live within a 15-mile radius of a CAC. However, Jerome is slightly over the 15-mile limit from Twin Falls where the Cares St. Luke's Magic Valley CAC is located. A greater benefit would come from adding an additional CAC in the Lewiston/Moscow area because it is over 2 hours away from the nearest CAC and would allow an additional 3.5% of Idaho's children to live closer to a CAC.



<sup>9</sup> IDAPA is the acronym used to refer to the, the collection of administrative rules governing executive branch agency operations in Idaho.

<sup>10</sup> The site catchment analysis identified all United States Census Bureau block groups with geographic centers located less than 15 miles from the geographic center of a block group containing a CAC.



**Table 2. Idaho Children Living Within 15 Miles of a CAC.**

Child Advocacy Center	City	Agency Status <sup>11</sup>	Children Living Within 15 Miles <sup>12</sup>	Percentage of Idaho Children
Nampa Family Justice Center	Nampa	Accredited	133,529	30.7%
CARES St. Luke's Boise	Boise	Accredited	104,607	24.1%
Domestic Violence & Sexual Assault Center	Idaho Falls	Developing	43,554	10.0%
Safe Passage	Coeur d'Alene	Developing	32,462	7.5%
CARES St. Luke's Magic Valley	Twin Falls	Accredited	26,038	6.0%
Bright Tomorrows	Pocatello	Accredited	21,930	5.0%
Upper Valley Child Advocacy Center	Rexburg	Associate	20,821	4.8%
LillyBrooke Family Justice Center	Sandpoint	Developing	5,877	1.4%
Bear Lake Bright Tomorrows	Montpelier	Developing	1,134	0.3%
<b>Total CAC Coverage<sup>13</sup></b>			<b>308,860</b>	<b>71.1%</b>

## IMPACT OF FORENSIC INTERVIEWS ON IDAHO'S CRIME VICTIMS COMPENSATION PROGRAM

As noted in the introduction, Medicaid ceased to cover the cost of forensic interviews in September 2015. As a result, Idaho's child advocacy centers (CACs) began to look for new funding to help their clients obtain this service. In the spring of 2017, CARES St. Luke's Boise began billing the Crime Victims Compensation Program (CVCP) for forensic interviews, and Magic Valley followed suit the following year. Nampa Family Justice Center no longer bills CVCP.

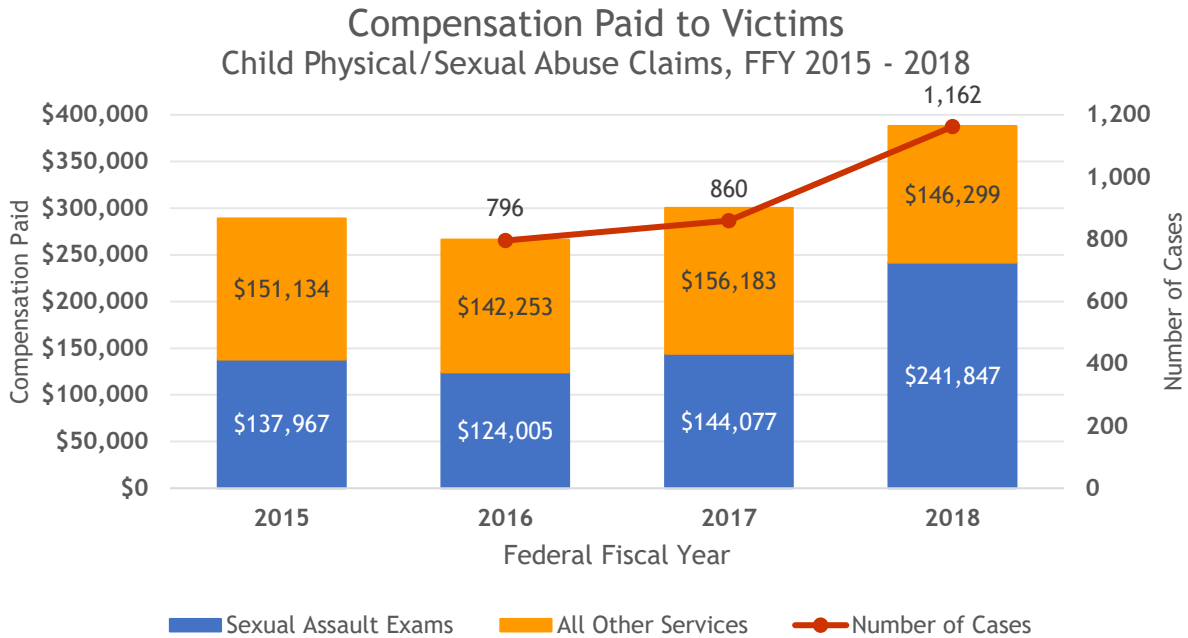
The impact of this funding shift has been profound. Between federal fiscal years<sup>14</sup> 2016 and 2018, CVCP spending for sexual assault exams (the category within which forensic interviews are included) nearly doubled (95%), while the number of child abuse claims rose at only half that rate (46%) and spending on all other types of services only increased by 2%. Comparing the trend in CVCP child abuse claims to the rise in demand for CAC services (see page 5), the upward climb in claims does not begin until 2018, the year after both CACs run by the St. Luke's system began billing the CVCP for forensic interviews, three years later than the beginning of the upward trend in the number of clients seeking services at a CAC.

<sup>11</sup> Agency status is based on an agency's level of membership in the National Children's Alliance (NCA), a professional organization through which CACs receive accreditation. According to the NCA, "accredited" members have met 10 NCA accreditation standards. "Associate" members meet seven less rigorous NCA standards. "Developing" centers meet the criteria for "Associate" status, but are not NCA members. Agency status was determined at the time this report was written, and is subject to change.

<sup>12</sup> Population figures are based on the United States Census Bureau's 2017 American Community Survey 5-Year Population Estimates.

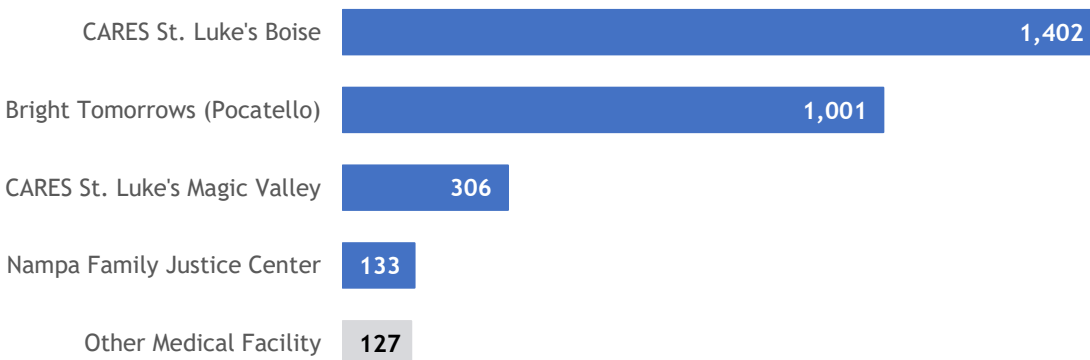
<sup>13</sup> Due to coverage overlap in the Boise and Idaho Falls metro areas, the total coverage figure does not add up to the sum of the individual CAC coverage areas.

<sup>14</sup> CVCP reported data based on both federal fiscal year, which runs from October 1 through September 30, and calendar year.



Another indicator that forensic interviews are taxing the CVCP lies in where the bills for child sexual assault exams are coming from. Between calendar years 2015 and 2018, the CVCP received 2,969 bills for child sexual assault exams, 96% of which came from one of Idaho’s four accredited CACs. CARES St. Luke’s Boise and Magic Valley, the first two CACs to bill the CVCP for forensic interviews, accounted for 58% of claims in that time. One possible explanation for this is that when CACs began billing the CVCP for forensic interviews, they also began providing assistance in applying for victim compensation. In 2018 alone, CACs provided this service to 1,022 clients.

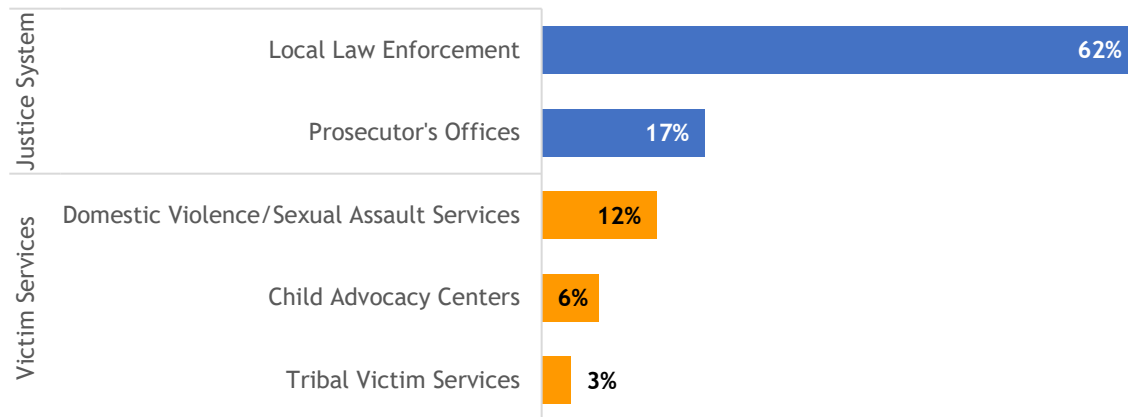
### CVCP-Covered Child Sexual Assault Exams By CAC, CY 2015 - 2018



## SURVEY OF IDAHO'S VICTIM SERVICE AND JUSTICE SYSTEM AGENCIES

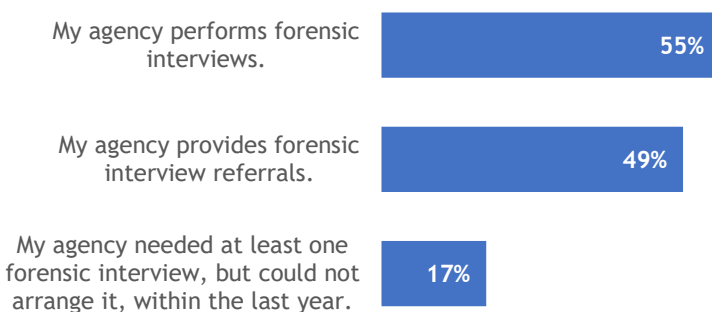
The Idaho Statistical Analysis Center (ISAC) conducted a survey of justice system and victim service agencies in Idaho to provide more context for the administrative data discussed in this report. In total, 65 agencies across five categories responded to the survey, with 79% of responding agencies being either local law enforcement or prosecutors. Collectively, these 65 agencies reported that they serve nearly every part of the state; Camas, Lincoln, and Power were the only counties that no agency reported serving.

### Survey Respondents Types of Agencies



Most responding agencies (55%) indicated that they provide forensic interviews, and nearly half (49%) reported that they refer forensic interviews to other agencies. Of those who rely on other agencies to perform forensic interviews, 84% said they refer to a nearby child advocacy center (CAC). However, 17% of responding agencies reported having trouble providing a forensic interview at least once within the last year. The two reasons cited for this are that the distance to the nearest CAC or certified forensic interviewer is too great, or that there is a backlog of children waiting for a forensic interview in their area.

### Agency Involvement in Forensic Interviews

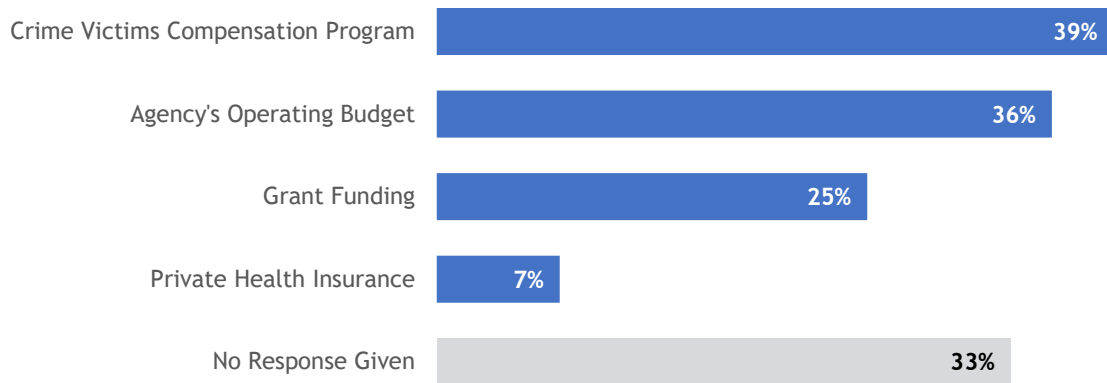


“We have to travel to Spokane... which is approximately 150 miles away, **but being a rural community we make it work.**”

-- Law Enforcement Agency located in Northern Idaho

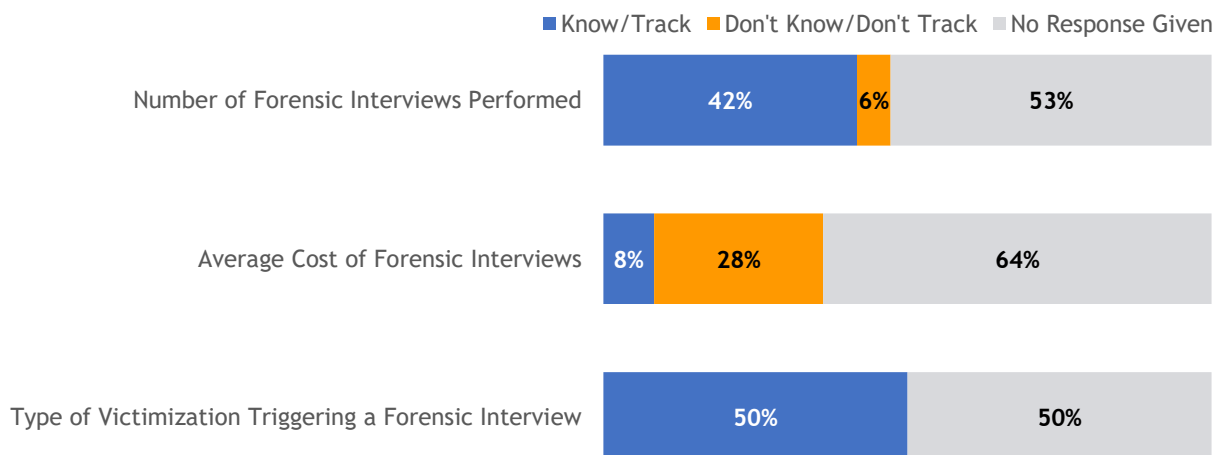
The agencies that perform forensic interviews reported using four main funding sources for to pay for forensic interviews, the most common (39%) being the Crime Victims Compensation Program (CVCP). A quarter (25%) of responding agencies said they have grant funding, typically VOCA funds, that cover the cost. More than a third (36%) said their agency’s operating budget includes funding for forensic interviews or pays the salary of their forensic interviewer. About a quarter (22%) of agencies reported leveraging multiple funding sources to provide forensic interviews.

### Forensic Interview Funding Sources Agencies that Reported Performing Forensic Interviews



Although 39% of agencies reported using a funding source controlled internally (operating budget, grant funds) to pay for forensic interviews, most responding agencies said that they do not know how much the average forensic interview costs their agency (28%) or did not provide an answer to that question (64%). Additionally, less than half (42%) reported that they track the number of forensic interviews being performed by their agency.

### Forensic Interview Tracking/Data Collection Agencies that Reported Performing Forensic Interviews



## CONCLUSIONS AND RECOMMENDATIONS

Although the change in Medicaid policy that spurred this project happened only four years ago, there is already some evidence to suggest that it is playing a role in increasing the cost burden that forensic interviews are putting on the state. The demand for forensic interviews at child advocacy centers (CACs), the number of cases being handled by the court system and the Idaho Department of Health & Welfare, and the amount of money being spent by the Crime Victims Compensation Program (CVCP) on child sexual and physical abuse cases are all increasing. According to CVCP data, since 2015, 96% of claims for child sexual abuse forensic exams, which include forensic interviews, originated at a CAC. Additionally, survey results indicate that almost 40% of agencies that perform forensic interviews use the CVCP as a funding option. If the demand for forensic interviews continues to climb, the reliance on the CVCP to provide reimbursement for them will continue to stretch that program's budget.

Considering these results, recommendations for addressing the need for forensic interviews are as follows:

1. **Continue to track and compile detailed data on the frequency and cost of providing forensic interviews.** Beginning in 2017, the Idaho Network of Child Advocacy Centers (INCAC) expanded its data collection efforts to include all CACs in operation that year, instead of just the nationally accredited centers. Because only four of Idaho's CACs are accredited, this resulted in the collection of a wealth of new information. Continuing to track this data will enable stakeholders to track the impact of forensic interviews on state and non-profit agencies into the future.
2. **Coordinate efforts between agencies that fund forensic interviews at the state level.** Survey results indicate that a substantial number of agencies are looking to multiple funding sources to cover the cost forensic interviews. This opens an opportunity for state-level agencies to coordinate and target their funding efforts. Leadership from agencies such as the CVCP, Idaho Council on Domestic Violence and Victim Assistance (ICDVVA), and INCAC should work together to ensure that funding for forensic interviews, especially federal funding, is being targeted effectively and efficiently. Federal grant funds are often a large part of an agency's overall budget. However, federal funds often come with a litany of restrictions, which may be off-putting to potential applicants. Any coordinated effort should strategize around these restrictions in order to efficiently allocate federal funds specifically, and to figure out how to bring in more agencies who may not have received federal funding in the past.
3. **Explore options for increasing rural access to forensic interviewers.** Two common barriers to accessing forensic interviews that surfaced in the survey results were that the nearest CAC or certified forensic interviewer is located too far away, or that there is a backlog of children awaiting forensic interviews. Smaller law enforcement agencies also expressed concerns about losing officers for a day or two while they accompany the family to a far-off forensic interview, noting that it stretches their personnel too thin. Addressing the need in rural areas would reduce the travel burden on families impacted by child abuse, would reduce the backlog of children awaiting forensic interviews at CACs, and would help alleviate the resource burden on small law enforcement agencies and prosecutor's offices.
4. **Ensure all counties in Idaho have implemented a multidisciplinary team (MDT).** Idaho Code § 16-1617 requires each county's prosecutor to coordinate an MDT "for the investigation of child abuse and neglect referrals within each county." However, in a recent survey of counties,

INCAC was only able to verify that 34 counties (77%) had implemented an MDT. The remaining 10 counties either affirmed that they do not have an MDT or did not respond. All of those counties are located in rural, remote areas. Implementing MDTs in those counties would alleviate many of the problems with access to services that were highlighted in our survey.