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Thomas Grisso
University of Massachusetts Medical School

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academicians to engage effectively in advocacy and translation of research to practice.” That’s the goal that Patricia and I had in mind as we developed this issue. We believe that this unique collaboration of child and family-focused divisions is a “best practices” model of divisions uniting to address a theme that cuts across individual specialties and integrates diverse interests. We think this issue of the *Child and Family Policy and Practice Review* is far richer than what each division could have accomplished alone, and we hope the topics covered will be of interest to psychologists from a wide variety of interests and backgrounds, practitioners and researchers, novices and experts, students and professionals.

Psychology has so much knowledge to offer to society through a multitude of services and practice efforts. But it will take carefully orchestrated advocacy to ensure that our knowledge and services reach those who need it. We hope this special issue contributes meaningfully to dialogue about the challenges and opportunities of translating research into policy across a number of key domains relevant to children, youth, and their families.



Bette L. Bottoms, Ph.D. is Professor of Psychology at the University of Illinois at Chicago (UIC). She is an APA Fellow and Past President of APA Division 37 and its Section on Child Maltreatment. She received the Division 41 Saleem Shah Early Career Award for Contributions to Psychology and Law Research, recognizing her research on the accuracy of children’s

eyewitness testimony and jurors’ perceptions of children’s testimony. She has also received six teaching and mentoring awards, including the APA Division 41 Award for Outstanding Teaching and Mentoring, the UIC Honors College Fellow of the Year Award, and the UIC Excellence in Teaching Award. She also received the Rising Star Award from the Today’s Chicago Woman Foundation in recognition of her career and community contributions.

Developmental Research and the Child Advocacy Process*

Thomas Grisso, Ph.D.

Department of Psychiatry
University of Massachusetts Medical School

Laurence Steinberg, Ph.D.

Temple University
Philadelphia, PA

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When developmental scientists choose what they will study about children and their welfare, they are often motivated by personal beliefs and values about the importance of child protection. Their concern about children’s potential suffering or victimization by social injustices properly draws and compels them to apply their science to achieve some end that will produce the conditions they desire or change the conditions they abhor.

However, once having applied personal values to choose a course of scientific research, scientists wanting to contribute to child advocacy must operate with guiding principles that are synonymous with the purpose of the behavioral sciences -- to produce reliable information about the human condition. The heart of that endeavor is a commitment to impartiality of method and a willingness to share the results of the work with the public in ways that reflect the research findings fairly and thoroughly.

Scientists’ authority to enter the arena of social change rests on the way they discover and report information that may influence change. This begins with the critical and cautious way they put together what is already known to formulate hypotheses and make assertions about the probable relevance of developmental information for social problems. It continues with the construction of a research design that offers an unbiased test of hypotheses about children and their development. Scientists need not be impartial in their motives for seeking reliable information, and the truth of the matter is that usually they hope for certain outcomes over others. But the information that they create is bankrupt if it is the product of

a stacked deck. They will utterly fail if their motives drive their methods.

Therein lies one of the important struggles for applied developmental researchers. To truly advocate for children, researchers must proceed to design their studies as if they do not care whether their beliefs and intuitions about what is best for children are borne out by their research. They must formulate their hypotheses on the basis of existing developmental research findings and relevant theories, constructing their research methods as though they hope to prove themselves wrong.

If they obtain results consistent with their expectations, or even if they don't, their struggle as researchers continues during the process of dissemination when they must report their findings honestly and straightforwardly. Scientists may point out what their findings imply for child advocates, but they cannot "spin" the findings in a way that makes them appear more conclusive than they are or bury the findings that conflict with the scientists' values. Moreover, when they set out to produce scientific information that is relevant for a social issue, scientists have a responsibility to facilitate its proper application in the real world. All research results have limitations in their application to real world problems. All research results can be misapplied, misinterpreted, and misconstrued as they make their way into social policy arenas. All research results that pertain to a truly important social problem will be severely challenged and the studies that produced them will be placed under a microscope of criticism. In the context of these dynamics, researchers must struggle with the question of impartiality, remaining alert to when they are properly advocating for the quality of their findings and when their concern for the social issue threatens to carry them beyond the credible value of their results.

Since 1997 we have directed the Juvenile Adjudicative Competence Study, an investigation of the MacArthur Foundation's Research Network on Adolescent Development and Juvenile Justice (Grisso et al., 2003). The study used developmental psychology principles and research methods to assist society in addressing questions of policy, law, and practice regarding youths' competence to stand trial. This applied developmental research effort provided us an opportunity to experience and examine the nature of child advocacy based on developmental research, and especially the conflicts that

developmental scientists face at various stages of the research and advocacy process. In this column, we share some of what we learned from this experience.

Advocacy in Conceptualization

As we began to conceptualize the study, we gave much thought to how we would frame the research. At the most fundamental level was the need to recognize that our purpose was to answer a question -- the proper role of science -- rather than to make a point -- the proper role of advocacy. We were not trying to "prove" that adolescents are less competent than adults. We were trying to learn whether, and in what ways, they might be.

A well-designed study leaves open the possibility that the hypothesis will not be confirmed. We had no problem making a commitment to full and honest disclosure if the study findings suggested that juveniles were at greater risk than adults for incompetence. But were we willing to be just as forthcoming if our results were different, knowing that the research might then be used to argue in favor of policies that exposed relatively more juveniles to adult court procedures and adult criminal sanctions? We made a decision that, as scientists, we were obligated to publicize the findings of the study regardless of the results, and that any special cautions we might want to raise would have to be done as part of the public dissemination of the findings.

Advocacy in Design and Data Collection

Usually, social scientists work by themselves at the design phase and consult policy-makers and practitioners only at study completion to develop dissemination plans for publicizing the results to relevant audiences. We took a different approach, however, by including several practitioners at the table as we conceptualized the study and mapped out the research design -- a public defender, a district attorney, a judge, and a youth advocate.

The role of non-scientists in the design of our research was fascinating and evolved over time. At the beginning, they anticipated that scientific studies could be crafted to achieve certain outcomes. For the defender and the advocate -- who never hid their interest in using incompetence to stand trial as a way to reduce the impact of punitive changes in juvenile law -- this sometimes led to suggestions about the research design that

could have stacked the deck toward finding juveniles less competent than adults. For the district attorney and judge, the same understanding of ways a research design can predetermine study findings led to more cynical questioning about whether our design provided a genuinely fair test of our hypothesis or favored findings of greater incompetence among juveniles than was really the case.

An important realization grew out of these discussions. We recognized that if the study design had the slightest taint of potential bias, anyone who did not share whatever view the results might support would easily dismiss them. To create scientific evidence that could ultimately be useful to advocates, we needed to produce science with internal validity that would hold up to those whose politics placed them at the other end of the spectrum. In practice, this means that in designing policy-relevant work, it is just as important -- perhaps even more so -- to involve at least some individuals who oppose the policy that may be promoted by a study's potential results as it is to include those who are hoping for those results. In our case, it was important to emphasize to defense attorneys that unless the study design was scrupulously fair -- which might chance proving their beliefs wrong -- the study had no chance of producing information they could use. In other words, advocates must risk getting bad news in order for any good news the study might produce to have value.

We recognized that our choices at several points in data analysis could influence our results. All scientists know that decisions about which variables to control, whether to treat variables as continuous or categorical, whether to transform the data before analysis, and how to form comparison groups -- to name only a few of the choices we faced -- can affect study findings. This issue surfaced when our research group considered how best to divide the youth sample to examine competence-related capacities at the different ages. We had sampled youngsters from 11 to 17 but had insufficient numbers for analysis at each discrete age and had to combine the age groups in some way. On what basis would we draw these lines? One suggestion put forth by the youth advocate on the team was that we analyze the age data grouped in multiple ways and select the grouping scheme that yielded results most favorable to children. Although this would certainly yield results

that were "true" in some sense, the scientists on the team balked at allowing results to influence the choice of the analytic strategy. To protect against this, we decided to adopt a "no peeking" rule and create the age categories a priori, based on policy and practice information.

Advocacy in Interpretation

The most fundamental posture for interpreting data in the child advocacy arena combines: (a) aggressiveness in asserting the findings and (b) modesty in addressing questions of specific policy changes in response to the findings. The first of these attitudes requires special attention to creating the context of credibility of the findings, and the second requires an understanding of the role of scientific data in the policy arena.

Regarding the first, the scientists' authority to enter the policy arena rests largely on the credibility of their research findings. We resolved not to thrust the findings into the public limelight or policy debate until our method, results, and interpretation had withstood peer review in a respected scholarly journal. This decision slowed the release of the study down by more than a year but it was the right thing to do.

One of the most critical aspects of interpreting data for the policy arena is "packaging" the information in a way that assures it will not only be clearly understood, but also perceived as undeniably relevant by people in the social institutions that can use the information. It is important to distinguish between "spinning" the results to appeal to particular audiences, which we did not do, and packaging the results in ways to make them accessible to these audiences, which we did. Making the findings of a research study accessible -- non-technical, straightforward, and using a vocabulary familiar to the targeted audience -- is not the same as making the results palatable.

We engaged policy and practice professionals in our interpretive process, and while this sometimes did influence our message, it was to counteract ways in which our results might be misinterpreted. For example, defense attorneys had hoped the study would allow them to argue against the transfer of juveniles to adult criminal courts for trial, on the grounds that they were less likely to be competent. Prosecutors who reviewed

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our study, however, gave us a loud and very clear message. They themselves had concerns about youths' competence to stand trial, they said, but they would resist the results entirely if we intended to use them to try to do away with transfer to criminal court altogether.

We addressed the concerns of both the defense attorneys and prosecutors in the same way. We told them that our study said nothing about whether youths should be transferred to criminal court. We had studied developmental and cognitive capacities of youths to participate in their defense -- their competence to stand trial -- not whether juveniles should be tried as adults. Despite considerable pressure to take a stand on this issue, our position remained steadfast: our results said nothing about whether youths of any age should or should not be tried as adults.

Our intensive consultation with professionals who would be using our results was especially necessary because we knew the scope of our communication strategy would not be ordinary given the media's interest in juvenile crime. A few days before the study was released, we organized a conference call with journalists representing all of the major news agencies in the country and granted radio interviews to major news networks, all with the understanding that any announcement of the study findings would be embargoed until the set date and time of the press release. The day of the release, newspapers in every major city in the U.S. carried a story on the study, and two long news pieces aired on National Public Radio. We settled in for several weeks of telephone talk show interviews.

Without doubt, that stage of the process confronts the researcher with the greatest risk of slippage in the role of scientist in the child advocacy arena. Armed with good data, the researcher needs to be appropriately aggressive in advocating the quality and importance of the study results for a policy question. But inevitably the reporters (or lawyers, or policy makers) want more. They want you to "solve the problem." "Okay," they say, "let's suppose we believe your data. What, then, should we do?"

Here is where the second attitude -- modesty -- must kick in. Scientific studies can never tell us what we ought to do. Policy-relevant research on child development has the capacity to challenge current policies, identify the need for different ones, and describe condi-

tions that new and better policies must be able to accommodate. But rarely does research provide evidence that a particular policy is "right." As a scientist, it is fine to tell others about new facts they should consider, but how they should respond to those findings is their decision, and one which often must be tailored to local conditions and politics.

Our role has been to advocate for our data, aggressively disseminating it, and driving home the message that the relative incapacities of youths as defendants can no longer be ignored. Advocating for one's data in order to drive child advocacy debates also means identifying and challenging its misuses. Once research results become tools in the hands of others in the policy arena, they tend to be refashioned to better fit the arguments of advocates or their detractors. It is not ethical for scientists to throw up their hands and take the stance that because what others do with their findings is out of their control, it need not be the scientist's concern. We have an obligation to be unequivocally loud in our correction of misinterpretations when we hear about them, even at the expense of weakening the position of child advocates with whom we might otherwise agree.

Science and Advocacy: Distinct and Related

One of the most satisfying experiences that a scientist interested in the well-being of children can have over the course of a career is to produce a credible empirical study that is useful to those who advocate improving the lives of children. This experience is even more gratifying when dissemination efforts are successful and the research actually makes it out of the scholarly journals and into the hands of policy-makers and practitioners who use it for this purpose. By all indicators, the MacArthur Juvenile Adjudicative Competence Study has been successful in both respects. The fact that many young people under 15 are at risk for being incompetent to stand trial is now a fact well known within the legal community, and several states have begun the process of changing legislation in response to the study findings.

The successful impact of this study was the result of many factors, including the careful planning and hard work of the entire research team, the development of an extensive and ongoing dissemination and communications plan, and the involvement from the first stages of study conceptualization of individuals who represented the audiences we ultimately wanted to reach. But an

additional factor that contributed to the impact of this study, we believe, was our insistence on maintaining the distinction between science and advocacy. Once that distinction is blurred, it is impossible to be successful in either enterprise.

References

Grisso, T., Steinberg, L., Woolard, J., Cauffman, E., Scott, E., Graham, S., Lexcen, F., Reppucci, N., & Schwartz, R. (2003). Juveniles' competence to stand trial: A comparison of adolescents' and adults' capacities as trial defendants. *Law and Human Behavior*, 27, 333-363.



Thomas Grisso, Ph.D. is Professor of Psychiatry, Coordinator of the Law and Psychiatry Program, and Director of the Law and Mental Health Core of the Center for Mental Health Services Research at University of Massachusetts Medical School. Dr. Grisso is one of the nation's leading researchers in forensic psychology. In recognition of outstanding contributions to forensic psychiatry and the psychiatric aspects of jurisprudence, Dr. Grisso received the 2005 Isaac Ray Award, the American Psychiatric Association's highest recognition for distinguished careers in forensic mental health. He also is the recipient of APA's 1995 Award for Distinguished Contributions to Research in Public Policy, the American Academy of Forensic Psychology's 1987 Award for Outstanding Achievement in Forensic Psychology, and an honorary Doctor of Law degree from the John Jay College of Criminal Justice in 1998.

Dr. Grisso received the 2005 Isaac Ray Award, the American Psychiatric Association's highest recognition for distinguished careers in forensic mental health. He also is the recipient of APA's 1995 Award for Distinguished Contributions to Research in Public Policy, the American Academy of Forensic Psychology's 1987 Award for Outstanding Achievement in Forensic Psychology, and an honorary Doctor of Law degree from the John Jay College of Criminal Justice in 1998.



Laurence Steinberg, Ph.D. is the Distinguished University Professor and Laura H. Carnell Professor of Psychology at Temple University. He is a fellow of APA and Director of the John D. and Catherine T. MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice. He is President-elect of APA Division 7, and in 2005, he will be one of

APA's Distinguished Scientist Lecturers. Dr. Steinberg is

a nationally recognized expert on psychological development during adolescence and is a frequent consultant to state and federal agencies and lawmakers on child labor, secondary education, and juvenile justice policy.

Social Policy and Child Witnesses

Gail S. Goodman, Ph.D.

Department of Psychology
University of California, Davis

When I was asked to speak at the Division 37 Presidential Cross-Cutting Symposium, "Psychology and Children: Translating Research into Better Policy and Services," at the 2005 American Psychological Association Convention, I asked myself: "Has child witness research had an impact?" The answer is clearly "yes." In fact, even in the beginning, the impact of research in this area on the courts and on social policy was nearly immediate. In this paper, as in my talk at the APA convention, I would like to discuss: a) the extent of the problem of child maltreatment and the demands this places on child protective services (CPS) to investigate abuse reports; b) research on child witnesses; and c) ways in which psychologists have in the past, and can in the future, influence social policy and practice concerning child witnesses.

Reports Involving Child Witnesses to CPS and the Criminal Justice System

Sacramento County, California, near where I live, is a largely metropolitan area of about 1 million people. In this one county alone, every 9 minutes CPS receives a call to its Child Abuse Hot Line. Every 27 minutes, a social worker hears a new allegation of child maltreatment. Every 2 hours, a child is removed from home, totaling about 200 to 300 child protective custody actions a month. Nationally, CPS receives about 3 million referrals a year, regarding about 5 million children (DHHS, 2004). About 63% of these cases involve neglect, 19% concern physical abuse, 10% are for alleged sexual abuse, and 8% are about psychological abuse. (Of course, many of these cases actually involve more than one form of maltreatment.) Approximately 62% of these referrals will result in investigations. When an investigation is conducted, typically, a social worker