



## Strangers vs. Acquaintances

- Acquaintance abuse is
  - More common
  - Less likely to be disclosed
  - Harder to prove
    - Delays in reporting
    - Repeated abuse
    - Motive to lie



## Catherine & Alexis

- 9-year-old cousins
- Defendant: Alex A., ex-boyfriend of Catherine's mother who had babysat both girls
- Evidence: Girl's testimony, child pornography, defendant's admissions.
- Case reveals assumptions about abuse

## “Abuse must be violent”

- Q. Did you ever bleed after he put those tubes --
- A. No.
- Q. No. Did you ever hurt in any way?
- A. No.

## “Victims appear traumatized”

- Defense: “[I]t did not appear she had a lot of trouble telling you what her story was.”

## “Victims resist contact”

Defense: [S]he said that she stayed at home with Alex when she could have gone with her mother and brother....I asked her why would she stay home with Alex, and she was kind of -- well, I was kind of tired and my leg hurt....If you have a girl who is being abused every weekend -- and I mean for two to three hours locked in a room, being threatened with her family is going to be killed if she says anything, I would picture in my mind a child who would be clinging to either her mother, her brothers, somebody, and that it would be something that people would notice.

## “The number is important”

THE COURT: How many times did that happen?

THE WITNESS: I don't know. Same--fifty times out of the whole entire year. I don't really do numbers--around –

THE COURT: About how many times did it happen all together? How many times did he touch his private part to your private part?

THE WITNESS: I don't know how many.

THE COURT: Okay. More than once?

THE WITNESS: More than once, yes.

THE COURT: More than five times?

THE WITNESS: Yes.

## “Direct questions are necessary”

Q. Okay. While he was baby-sitting you, did he ever touch you in a way that you didn't like?

MR. POZZA: Objection. Leading, Your Honor.

THE COURT: Overruled. You may answer that question.

THE WITNESS: Yes.

Q. (BY MR. DICKERSON) Okay. Where did he touch you?

A. In my private area.

Q. Okay. Is the private area your groin area right \_\_ do you understand?

MR. POZZA: Objection. Leading, Your Honor.

THE COURT: The objection is sustained. What is your private area? Where is it?

THE WITNESS: Down here. (Indicating.)

THE COURT: Okay. The witness is pointing to the area between her legs.

MR. DICKERSON: Thank you, Your Honor.

THE WITNESS: Yes.

Q. (BY MR. DICKERSON) What would he do? Would he touch you over your clothes or under your clothes?

A. Under.

## “Direct questions are necessary”

THE WITNESS: Yes.

A. In my private area.

THE WITNESS: Down here. (Indicating.)

THE WITNESS: Yes.

A. Under.

## The verdict

- “[T]he girls laughed and giggled on the witness stand and did not act like victims of sexual abuse.”
- “We know that they were young and we understand they are children but the story was like did he touch you three times, yes, did he touch you five times, yes, did he touch you 50 times, yes. Everything was yes, yes, yes.”

## Post Script: Samantha

- 18 months after acquittal
- 6 year-old abducted, raped, and murdered
- Alex A. arrested after DNA testing

ORANGE COUNTY SHERIFF-CORONER DEPARTMENT

**WANTED - KIDNAPPING**

315 N. FLORISS ST. SANTA ANA, CA 92701      PHONE: (714) 847-7000      MICHAEL E. CAHORA, SHERIFF



**CHILD ABDUCTION SUSPECT**

**VICTIM DESCRIPTION:** KUNNING, Samantha DOB: 5-26-96, Female, Caucasian, 5' 07", 40 lbs. Blonde curly hair, one front tooth missing.

**SUSPECT DESCRIPTION:** Male Hispanic, 25-40 years, black hair and thin black mustache. Wearing powder blue button down shirt (no further description). Driving a light green 2-door vehicle, possibly a Honda or Acura (unknown plate).

**DETAILS:** Victim was playing on Westside Dr. in Shafter, California at about 1830 hours on Monday 7-13-02. Suspect drove up to her, entered his vehicle, and asked her if she had seen his puppy. He then grabbed the victim, put her in his car, and drove away.

**CONTACT:** O.C. Sheriff report #: 02-146243. Phone numbers: 714-891-2441 (Sherman substation), or 714-647-7000 (Sheriff's Dispatch).

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