

Section on Child Maltreatment Newsletter

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President's Column

Cindy Miller-Perrin, PhD

*Pepperdine University
Malibu, CA*

Happy New Year to all of the members of the Section on Child Maltreatment! I am looking forward to the New Year and the many interesting and valuable activities of the Section and its members. Below I highlight some recent news and initiatives for the coming year. In addition, inside the current edition of the newsletter you will find our "Best Practices Column" which began in 2002 and is currently written by **Elizabeth Risch**, and edited by **Amy Damashek**.

* You will also find **Thomas Birch's** regular column about cutting edge public policy issues and **Bradley McAuliff's** "Case Notes" column. The Section is grateful to these individuals who regularly contribute to the Section's newsletter with important information and insightful comment about research, policy, and practice related to the field of child maltreatment. Of course, special thanks are also due to **Amie Lemos-Miller** who has faithfully served as the Section's newsletter editor for the past year.

* The recent Section election brings us two new Executive Committee Members: **Amy Hershcell**, Treasurer; and **Amy Damashek**, Member-at-Large. Welcome! The Section is grateful to our outgoing Treasurer and Member-at-Large, **Debra Hecht** and **Preston Britner**, respectively, for their years of service to the Section. We hope you will both continue to be actively involved in the Section and its mission.

* Our APA Program Chair, **Jenelle Shanley**, and new Program Co-Chair, **Elizabeth Risch**, are already planning our program for the 2010 APA Convention to be held in San Diego, California, August 12-15. Symposia and networking activities will be the focal point of Section activities.

* The deadline is approaching for applications for the Section's Dissertation Grant Award (\$400 for research expenses) and our Early Career Award for Outstanding Research. Announcements about the awards and application process are included in this newsletter. Please urge your graduate students and colleagues to apply for these prestigious awards.

* Section member **Preston Britner** has just been honored with a seat on the APA Committee on Children, Youth, and Families. The Section will certainly be well represented by **Preston**.

* Efforts to maintain and increase membership in the Section continue, under the leadership of our hardworking membership Chair, **David Kolko** and Member-at-Large, **Rochelle Hanson**. If you have not renewed your membership, please do so as soon as possible at the Section's website (www.apa.org/divisions/div37/child_maltreatment/child.html). You can download the appropriate form and send your check directly to APA.

* The Section's work on research and policy related to the physical punishment of children continues. The Section's Task Force on the Physical Punishment of Children completed its report (including a minority report) which was forwarded to the Division 37 Board for review early last year. For the past several months, a subcommittee of the Board (including **Sandra Joseph Bishop**, **Cindy Miller-Perrin**, and **Erika Van Buren**) has been working on a summative evaluation and recommendations based on the two task force reports which will then be forwarded to the Division 37 Board and CYF for review.

* The Section has been involved with an interdisciplinary Task Force on Human Trafficking of Women and Children, chaired by **Nancy Sidon** (of Division 52, International Psychology). The Task Force has several presentations

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planned for the upcoming APA Convention in San Diego.

In closing, I would like to welcome any new members and encourage anyone thinking about becoming a member of the Section to join us. In addition, I would like to encourage every current member to increase your involvement in the Section during the coming year. The Section is dedicated to

supporting and promoting scientific inquiry, training, professional practice, and advocacy in the area of child maltreatment and we can use everyone's experience and expertise to help advance our mission. Please feel free to contact me with questions about the Section or expressions of interest in how to become more involved in the Section (cindy.perrin@pepperdine.edu).

Best Practices

Interdisciplinary Training Initiative for Underserved Children

Elizabeth C. Risch, Ph.D.

*University of Oklahoma Health Sciences Center
Center on Child Abuse & Neglect*

Maltreated children frequently have physical and mental health problems (Ringeisen et al., 2008) and their families experience many social and legal issues, resulting in the involvement of medical, mental health, legal, social work, and other professions in their care (Gilbert et al., 2009). Through interdisciplinary endeavors, professionals can comprehensively address the diverse and complex needs of maltreated children, ultimately improving outcomes. Psychologists working in the field of child maltreatment are recommended to obtain specialized within discipline education and training on the unique issues and best-practices for this population (Champion, Shipman, Bonner, Hensley, & Howe, 2003). In addition to specialized training in the psychological aspects of child abuse and neglect, psychologists should receive formalized training in the interdisciplinary aspects of child maltreatment in order to best serve these children.

The Interdisciplinary Training Initiative for Underserved Children (ITIUC) at the University of Oklahoma Health Sciences Center (OUHSC) was established in 2007 through funding from the Health Resources and Services Administration to promote psychologists' competence and expertise in working with underserved children, with a specific focus on children exposed to abuse and neglect. Graduate level psychology practicum students, interns and postdoctoral fellows accepted to the program participate in interdisciplinary didactics, supervised clinical work, and cross-discipline experiences to foster development of their knowledge, skills, and attitudes in working with maltreated children and their families. The ITIUC promotes leadership in the child maltreatment field through expanding psychology trainees' exposure and interaction with diverse disciplines involved in

the care of maltreated children, advancing trainee competence in clinical work and research, and encouraging professional development. This article will briefly describe the components and unique aspects of the ITIUC program at OUHSC.

ITIUC psychology students participate with medical, social work, dentistry, legal, and public policy students in small groups for class projects and discussions, fostering in vivo practice of interdisciplinary collaboration. The didactic component of the ITIUC program involves 90 hours of classroom instruction conducted over two semesters. The interdisciplinary focus guides curricula, and presentations are given by faculty, as well as professionals in diverse disciplines from the community. First semester presentations provide trainees with general understanding of the roles and perspectives of various disciplines involved in child maltreatment. Presentations in the second semester advance awareness of complex issues in child maltreatment and cover topics such as drug court programs and domestic violence.

Through with-in discipline practicum experiences, ITIUC trainees receive supervision by psychology faculty at the OUHSC Center on Child Abuse and Neglect (CCAN) in assessment and treatment of maltreated children. To help students acquire clinical skills appropriate for working with maltreated or maltreating children, ITIUC requires that students learn and implement a minimum of two of the following evidence based practices: Trauma-Focused Cognitive Behavior Therapy (TF-CBT), Parent-Child Interaction Therapy (PCIT), Treatment for Children with Sexual Behavior Problems, and Motivational Interviewing (MI). Introductory and advanced training seminars in these

empirically supported treatments are offered through OUHSC. Advanced trainees have the opportunity to gain experience providing supervision to more novice therapists participating in the program.

To increase experience in multidisciplinary collaboration, trainees complete 40 hours of cross-discipline observations. Cross-discipline observational experiences include visiting a prison program for sex offenders, observing a Child Protection Team meeting at the OU Children's Hospital, shadowing a child welfare worker, attending a juvenile and criminal court hearing, and touring other community agencies involved with aspects of child maltreatment. Graduates of the ITIUC note that one of the most beneficial components of the program is the unique exposure to the many community agencies that interact with maltreated children.

Research competence in child maltreatment is expanded through requirements to complete a minimum of one research project, review a minimum of two manuscripts submitted to peer reviewed journals, and gain familiarity with maltreatment journals. Numerous research projects are available through CCAN and individual supervision in research is offered. Professional development is also a core component of the ITIUC program and graduates report that the focus on assisting them to develop as a professional in child maltreatment is a unique contribution of the program.

Trainees are given opportunities and outlets to make presentations in the community, attend and present at professional conferences, join professional organizations in child maltreatment, and participate in advocacy through letter writing to politicians and attendance at advocacy events. Each year a Mock Trial held in Juvenile Court with a District judge presiding allows trainees to gain experience testifying and to receive constructive feedback from the judge.

The ITIUC program provides structured learning with clear goals, methods, and requirements. Efforts are made by faculty to adapt the program to meet the individual needs of each trainee and ensure that upon graduation, the trainee's knowledge, skills, and attitudes have increased. Over the past three years, 22 trainees have participated in the ITIUC program. The program's graduates will be followed for a minimum of five years to assess the impact of their participation in the program on their career development.

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Public Policy

Health Care Legislation Advances

Thomas L. Birch, J.D.

National Child Abuse Coalition

HOUSE AND SENATE MOVE TO AGREEMENT ON HEALTH CARE BILL

As Congress moves closer to final passage of health care reform legislation, "expedited timetable" is the governing theme for negotiations between the House and Senate Democrats working to reconcile the differences between the bills passed by each chamber at the end of last year. A major challenge confronting the House and Senate leaders is the desire to keep the overall cost of the health care reform package from going over the \$900 billion mark set by President Obama as his acceptable upper limit, or getting anywhere near the psychologically dreaded trillion dollar tag. At \$894 billion, the House bill is close to the top. The Senate's measure logs in at \$871 billion. As the differences between the two are resolved, movement toward accepting provisions passed by the House is certain to raise the price above the Senate's mark.

Home Visitation: The home visitation initiative appears to be safe at this point in the final health care legislative package, but there is no clear indication what form it might take. The House proposes mandatory funding of \$750 million over five years in Title IV child welfare funds for a new program of home visitation services, plus a provision allowing states to apply Medicaid funds to pay for home visitation to eligible families. The Senate would guarantee \$1.5 billion in mandatory spending over five years for home visitation through the Title V Maternal and Child Health Block Grant. The outcome is far from certain, and an urge to hold down costs could spell the difference.

The initiative to create a new federal program of funds for home visitation services gathered momentum with President Obama's fiscal year 2010 budget proposal in May asking Congress to approve legislation creating a program of mandated funding for grants to states for home visitation

services to low-income families. At a White House briefing in May, the President's domestic policy staff suggested that the legislation to authorize the home visitation funding could be folded into a health care reform bill, because of the prevention focus of home visiting services.

CHIP: More uncertain is the outcome for continued funding of the Children's Health Insurance Program (CHIP). The health reform bill passed by the House would eliminate CHIP in 2013, moving the almost 650,000 children currently enrolled in the program into a proposed federal government-run private plan with fewer benefits and cost-sharing protections. The Senate bill, with provisions put forward by Sen. Jay Rockefeller (D-WV) and approved during the Finance Committee's deliberations on the health reform bill, keeps CHIP authorized until 2019 but with no additional funding after 2013. Rockefeller's amendment would also extend CHIP coverage to families earning up to 300 percent of the poverty level.

Without the funding beyond 2013, children enrolled in CHIP would be forced into the insurance plans on the Senate bill's newly proposed state insurance exchanges, essentially the same outcome proposed by the House where the national exchange would presume to cover these children. Rockefeller had objected to moving children covered by CHIP into a proposed new government-regulated insurance exchange fearing that benefits would be reduced. In explaining his amendment, Rockefeller claimed his proposal would save \$25 billion because children would otherwise have needed subsidies to buy insurance in the exchange. A shift to the exchange for these children from low-income families could mean higher out-of-pocket costs which could discourage families from buying insurance to cover their children at all.

During Senate floor debate on health care, Senator Bob Casey (D-PA) introduced an amendment to the Senate bill which would have continued funding for CHIP through 2019. The Casey amendment would require states to maintain current eligibility through 2013, then raise the eligibility floor to 250 percent of poverty nationwide in 2014. The amendment was never brought for a vote nor was it included in the health care legislative package developed by Majority Leader Harry Reid (D-NV) and passed by the Senate. Casey and Rockefeller are expected to continue to press the argument for CHIP in the terms of the final bill negotiated by House and Senate leaders.

CONGRESS VOTES FINAL FY10 HHS FUNDING BILL

With just one week left before federal funding was set to run out for the rest of the new 2010 fiscal year, the House and the Senate in December passed an omnibus appropriations

bill combining six unfinished appropriations measures, including funding for the Department of Health and Human Services (HHS). In a surprise to advocates and to HHS officials, the legislation eliminates \$13.5 million for home visitation grants supported since 2008 through the Child Abuse Prevention and Treatment Act (CAPTA) discretionary grants program.

Home Visitation: Separate appropriations bills for FY10 approved in the House and Senate last July included continued funding for the CAPTA home visitation grants. In fact, the House would have raised the home visiting funds to \$15 million while the Senate would have held the funding at the 2009 level of \$13.5 million. Instead, the funding was eliminated in the final bill. The House-Senate conference committee's statement accompanying the 2010 omnibus funding bill explains: "The conferees anticipate that mandatory funding will be provided for this activity in fiscal year 2010 as proposed by the Administration." In other words, the appropriators expect that the home visitation provisions first proposed by President Obama in his budget message last February and pending final resolution and enactment in the health care reform legislation still being shaped by Congress – no sure thing – will pick up the funds eliminated in the CAPTA program.

When the House passed its version of the Labor-HHS-Education appropriations bill in July, the House Appropriations Committee's report, in response to President Obama's budget proposal for mandated funding to states for home visitation programs, expressed strong support for home visitation and the intention to continue to fund the CAPTA grants for home visitation, "pending enactment" [emphasis added] of the President's initiative. With the CAPTA funding was awarded 17 programs for evidence-based home visitation, offering up to \$500,000 per year for 5 years, plus a grant for cross-site evaluation. The grantees are in the second year of the program. Grants awarded the first year provided funding for planning. Years 2-5 are meant for implementation. Discussions are ongoing at HHS and in Congress to determine what course to take with the grantees.

The only other HHS children and families services program cut — and eliminated — besides the CAPTA home visitation funding was the Compassion Capital Fund, a signature program initiated by the Bush administration aimed at supporting faith-based social services. The Obama administration requested the elimination of the \$47.7 million Compassion Capital Fund, and Congress went along. The Senate Appropriations Committee report explained that the program "lacks accountability and adequate performance measures."

Children and Families Services Programs: As expected, 2010 funds for most child welfare programs are frozen at the

2009 levels. In addition to level funding in the omnibus funding bill for the CAPTA basic state grants and community-based prevention grants, funding stays at the 2009 levels for the Title XX Social Services Block Grant, Title IV-B(1) child welfare services, child welfare training, Title IV-B(2) Promoting Safe and Stable Families grants, the Child Care and Development Block Grants, independent living grants for older youth leaving foster care, Community Services Block Grants, and the Adoption Opportunities and Abandoned Infants programs.

A few HHS Children's Bureau programs were tagged for funding increases in the 2010 fiscal year. Head Start's budget would grow by 17 percent, as proposed in the Obama budget. The growth would allow, as House and Senate committee reports attested, for Head Start to serve approximately 978,000 children in fiscal year 2010, maintaining the 69,000 increase in children served due to the funding injected into the program by the stimulus package enacted earlier this year. (Not all programs maintained the 2009 stimulus funding in the base amount set for 2010.)

The National Center for Injury Prevention and Control (NCIPC) in the Centers for Disease Prevention and Control (CDC) is marked for additional funding with a \$3.3 million increase to \$148.615 million, the level requested in the President's budget. The Senate bill's report specifically referred to the child maltreatment activities supported by NCIPC, noting the serious impact of adverse childhood experiences on lifelong physical and mental health, and encouraging the CDC to consider developing a network of researchers and research institutions.

The largest percentage growth – a 250 percent increase — goes to kinship guardianship funding, authorized in the

Fostering Connections to Success and Increasing Adoptions Act of 2008. Funded at \$14 million in 2009, the program expands to \$49 million in 2010, as proposed in the President's budget. The funds support children who might otherwise be placed in foster care but instead are being raised by their grandparents and other relatives because their parents cannot care for them.

In another new initiative, the 2010 money bill provides \$20 million in first-time spending requested by the Obama administration to fund innovative strategies that improve outcomes for children in long-term foster care. The new funding is intended to provide incentives to states to implement evidence-based approaches to increase permanent placements for children in foster care.

Abstinence Education/Teen Pregnancy Prevention: As proposed in the Obama administration's 2010 budget, the final HHS spending bill eliminates the \$100 million program of abstinence education and in its place creates a new teenage pregnancy prevention program – also proposed by the administration — funded at \$110 million and administered by a new HHS Office of Adolescent Health. The conference agreement allocates \$75 million for programs “proven effective through rigorous evaluation” and offers support to “a wide range of evidence-based programs.”

Up to \$25 million would go for research and demonstration grants to test additional models and develop innovative strategies for preventing teenage pregnancy. Remaining funds would go for training and technical assistance, with \$4.5 million designated to carry out evaluations, including longitudinal evaluations of teenage pregnancy prevention approaches.

The Section on Child Maltreatment's Early Career Award for Outstanding Research

The Section on Child Maltreatment (Section 1 of Division 37, APA) announces its 2010 Early Career Award for Outstanding Research in the field of child maltreatment. Nominees should be professionals within eight years of receiving their terminal degree. They need not be a member of the Section. Self-nominees are welcome.

Nominations should include four (4) copies of the following:

- 1) A cover letter outlining the nominee's accomplishments to date and anticipated future contributions. This letter should describe the nominee's major accomplishments related to the field of child maltreatment and how the nominee's work has had an impact on the field;
- 2) The nominee's current curriculum vitae;
- 3) A letter of support; and
- 4) Other relevant supporting material, as appropriate.

Electronic submissions will also be accepted.

Please submit applications by **April 1, 2010** to:
 Anthony P. Mannarino, PhD
 Professor and Vice President
 Drexel University College of Medicine
 Four Allegheny Center
 Pittsburg, PA 15212
 amannari@wpahs.org

The Section on Child Maltreatment's 2010 Dissertation Award Grant

The Section on Child Maltreatment (Section 1 of Division 37, APA) announces its tenth annual dissertation award grant. A \$400 prize will be awarded to one successful graduate student application to assist with expenses in conducting dissertation research on the topic of child maltreatment.

Applicants are requested to submit four (4) copies of the following:

- 1) A letter of interest, indicating how the applicant would use the award funds toward the completion of the dissertation research;
- 2) A 100 word abstract; and
- 3) A five-page proposal summarizing the research to be conducted.

Electronic submissions will also be accepted.

Please submit applications by **April 1, 2010** to:

Anthony P. Mannarino, PhD
Professor and Vice President
Drexel University College of Medicine
Four Allegheny Center
Pittsburg, PA 15212
amannari@wpahs.org

Case Notes

Lock 'em Up and Throw Away the Key? Juvenile Offenders and Life Imprisonment without Parole

Bradley D. McAuliff, JD, PhD

California State University, Northridge

Last November, the U.S. Supreme Court heard oral arguments in two consolidated cases challenging the constitutionality of sentencing juveniles to life imprisonment without the possibility of parole for nonhomicide offenses (*Graham v. Florida*, Docket No. 08-7412; *Sullivan v. Florida*, Docket No. 08-7621). These cases highlight complex questions that emerge as law and psychology intersect: Namely, how does the criminal justice system balance the constitutional rights of juvenile offenders and their victims with developmental research indicating juveniles possess different psychosocial characteristics than adults?

Case Facts

The petitioners in both cases were convicted of serious nonhomicide crimes. In December 2003, sixteen year-old Graham pled guilty to charges involving armed burglary with assault or battery and attempted armed robbery. He struck a plea deal in which the prosecutor agreed to withhold adjudication of guilt in exchange for three years probation, one of which had to be spent in a detention facility. Six months after his release, Graham allegedly took part in an

armed home invasion in which he held a gun to the victim's head. He was arrested later that night for failing to pull over for a traffic violation after lengthy high-speed chase. The Florida court ruled that Graham had violated his probation and sentenced him to life imprisonment without the possibility of parole for the initial armed burglary charge.

By the age of thirteen, Sullivan already had an extensive criminal record that included several felonies. In 1989, he and two older accomplices broke into the empty home of an elderly woman to steal jewelry and coins. Later that day, Sullivan returned with one of the accomplices and forced the 72 year-old woman into her bedroom where he beat and raped her. Given the severity of his crime, Sullivan was transferred to adult court under Florida law. After a one-day trial, he was convicted and sentenced to life in prison without the possibility of parole.

Graham and Sullivan filed separate appeals in a state intermediate appellate court that affirmed the lower courts' decisions. Later, after the Florida State Supreme Court declined jurisdiction, the parties petitioned the U.S. Supreme

Court for a writ of certiorari, which was granted in May 2009.

Relevant Law

The Eighth Amendment to the U.S. Constitution prohibits states from inflicting “cruel and unusual punishment” upon criminal defendants. To prove an Eighth Amendment violation, the petitioner must demonstrate “gross disproportionality” between the crime committed and the harshest form of punishment available, the death penalty, including those who suffer from mental retardation (*Atkins v. Virginia*, 536 U.S. 304, 2002) and juveniles (*Roper v. Simmons*, 543 U.S. 551, 2005). The *Graham* and *Sullivan* cases currently before the Court provide the opportunity to expand the categorical exemption of juveniles from the death penalty to the sentence of life imprisonment without the possibility of parole as well.

The State of Florida opposes any such expansion, emphasizing the “death is different” jurisprudence of the *Atkins* and *Roper* cases. Florida argues that historically the petitioner’s age has not been considered in the Eighth Amendment proportionality analysis (only the crime and sentence) and that courts should not begin doing so now.

Psychological Science

As it did in the *Roper* case, the American Psychological Association (APA) submitted an amicus curiae or “friend of the court” brief on behalf of petitioners *Graham* and *Sullivan*. Citing developmental and neuroscientific research, APA argued that compared to adults, juveniles (1) have a lesser capacity for mature judgment and therefore are less culpable; (2) are more vulnerable to negative external influences such as peer-pressure; and (3) their developing identity makes it less likely that their offenses evince a bad character and more likely that they will reform over time. For these reasons, along with the argument that the harshness and finality of a life sentence without parole is comparable to the death penalty, APA urged the Court to reverse the lower courts’ decisions.

Implications for Law and Psychology

Ultimately the *Graham* and *Sullivan* cases will determine whether a state may constitutionally sentence a juvenile to life in prison without the possibility of parole for nonhomicide offenses. Members of legal system must be open to evidence indicating that juveniles possess different psychosocial characteristics than adults, and that these differences relate to legal constructs like culpability and rehabilitation potential. Moreover, they must realize that broad legal categories such as “juveniles” encompass a wide range of developmental categories (children, adolescents),

each with their unique strengths and weaknesses. At the same time, psychologists must continue to refine the methods by which they measure psychosocial differences and realize that a “one size fits all” approach will not be sufficient in the eyes of the legal system (see, for example, Justice Antonin Scalia’s scathing critique of APA’s “flip-flop” as part of his dissenting opinion in *Roper v. Simmons*, 2005). In doing so, psychologists will be better able to isolate distinct psychosocial differences and develop a more sophisticated understanding of how they affect specific decision-making and behaviors. Working together, legal professionals and psychologists can increase the likelihood that justice will be served for all parties in cases involving juvenile offenders.

ATTENTION SECTION MEMBERS! If you have recently published an article, or have other news (e.g., featured on a radio show, etc.) that you would like to share with other Section members, email the information to: Amie Lemos-Miller at amielemos@hotmail.com. The announcement will be included in a future edition of the Section’s newsletter.

CALL FOR PAPERS & COMMENTS: Article submissions for future editions of the Section’s newsletter are being solicited. Manuscript content can focus on policy, clinical, research, and/or educational issues related to the Section’s focus on child maltreatment. Articles can run between 600-900 words in length.

Please contact: amielemos@hotmail.com, with submissions or ideas for future article submissions. Comments and questions about the newsletter & newsletter articles are also welcome.

Newsletter of the Section on Child Maltreatment

Division 37 Administrative Office
 American Psychological Association
 750 First Street, NE
 Washington, DC 20002-4242

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Section Executive Committee**President**

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 Social Science Division
 Pepperdine University
 cperrin@pepperdine.edu

President-Elect

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 Department of Psychiatry
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 Amy-Damashek@ouhsc.edu

Member-At-Large

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 Crimes Against Children Research
 Center
 University of New Hampshire
 lisa.jones@unh.edu

Membership Chair

David Kolko, PhD
 University of Pittsburgh School of
 Medicine
 Western Psychiatric Institute
 and Clinic
 KolkoDJ@upmc.edu

Section Program Chair

Jenelle R. Shanley, Ph.D.
 Postdoctoral Fellow
 University of Oklahoma Health
 Sciences Center
 Jenelle-Shanley@ouhsc.edu

Section Program Co-Chair

Elizabeth C. Risch, Ph.D.
 Center on Child Abuse and Neglect
 University of Oklahoma Health
 Sciences Center
 elizabeth-risch@ouhsc.edu

Newsletter Editor

Amie Lemos-Miller, PhD
 Linder Psychiatric Group
 Roseville, CA
 amielemos@hotmail.com

Graduate Student Representative

Sangeeta Parikshak
 The University of Kansas
 Clinical Child Psychology Program
 sangeeta@ku.edu

Student Representative

Randy Simon, MBA, CCLS
 Student Representative
 Fielding Graduate University
 randysimon13@comcast.net