



Using a Courthouse Facility Dog in Defense Interviews

The Defense Interview

Defense interviews can be even more stressful for a victim or witness than testifying in a courtroom. In an interview some defense attorneys are much more aggressive in their questioning than they would be in court, because they are testing a witness for weaknesses or inconsistencies before making a decision on whether or not to take a case to trial.

Preparing the Witness for the Defense Interview

The ideal situation for the dog being able to comfort a witness is when the two of them have previously met in a forensic interview or a meeting with the prosecutor. They have already created a bond between themselves and the witness will be much more relaxed for the interview with defense counsel.

In one situation, facility dog Stilson was present with a child and his family when they met with the prosecutor to discuss the child's testimony. The child was not interested in Stilson and spent most of his time under the table. Although the child did not derive much benefit from Stilson's presence, the child's parents enjoyed having Stilson there and since they were relaxed the child became less agitated.

In the defense interview the prosecutor and the victim advocate decided to place Stilson on top of the table during the interview. It was such a surprise to the child (and the defense attorney) to see Stilson snoozing on the table that the child came out from under the table and everyone petted him during the interview. Under these circumstances the child did a much better job describing what had occurred and it was a fairly pleasant experience for everyone.

It is also less likely that a defense attorney would engage in aggressive questioning when a dog is seated or lying in between the attorney and the witness.

If the witness and facility dog have not had a previous experience together, be sure to arrange for them to have at least 45 minutes to interact and play with one another before the interview begins.