

Jane Doe in Context: Sex Abuse, Lives, and Videotape

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Corwin and Olafson's (1997) report of the Jane Doe case is, I believe, destined to be an extraordinarily important article. The case itself is timely and fascinating, and the text is elegant, balanced, and constructive. Moreover, I believe that consideration of this case brings a variety of issues in the recovered memories controversy into a new light—a light that may encourage less polarized and more constructive dialogue than has been typical of the controversy to date.

Many of the comments I offer below are somewhat critical and/or skeptical in tone. I want to emphasize, however, that it is not my aim to dismiss the Jane Doe case as an instance of "false memories," nor do I wish to make a general argument to the effect that people cannot experience essentially accurate recovered memories of childhood sexual abuse. On the contrary, I think that people can experience the recovery of essentially accurate memories of childhood sexual abuse, and Jane Doe may well be such a case. Corwin and Olafson (1997) were scrupulous and eloquent in emphasizing that the Jane Doe case should not be construed as evidence of the efficacy of therapeutic efforts to help clients recover suspected hidden memories of abuse. I want to make equally clear that my comments are not intended to undermine support for victims of abuse. My aim is to move understanding of certain issues for-

ward by critically examining them in the context of Corwin and Olafson's article.

Us Versus Them

Corwin and Olafson (1997) commented that "the debate [about memory work and recovered memories] has divided clinicians and experimental psychologists, with clinicians arguing that recovered memories of past traumas are often factual and experimentalists arguing that they may be false memories derived from therapeutic suggestion" (p. 91). Two aspects of this statement are worthy of comment. First, the debate does not divide so neatly between clinicians and experimentalists as statements such as this imply. Some clinicians have focused considerable effort on articulating concerns about the potential risks of suggestive searches for suspected hidden histories of childhood sexual abuse (e.g., Brenneis, 1997; Ganaway, 1995; Haaken & Schlaps, 1991; Lief, 1992; McHugh, 1994; Piper, 1993; Yapko, 1994). So, too, some experimental psychologists have focused their efforts on countering or tempering exaggerated claims about the ease with which false memories of childhood trauma can be induced and/or providing support for the viability of recovered memories as a concept (e.g., Freyd, 1997; Pezdek, 1994; Schooler, 1994). Some recent publications reflect the joint contribu-

tions of clinicians and experimentalists (see, e.g., an edited volume by Read and Lindsay, in press). It is true that critics of memory work have tended to align themselves with experimental psychology whereas counter-critics have typically emphasized practice-oriented perspectives and concerns, but characterizing the debate as experimentalists versus clinicians is an oversimplification that may tend to maintain polarization (see Lindsay & Briere, in press).

Second, although at first glance Corwin and Olafson's (1997) statement suggests two mutually exclusive positions, it is noteworthy that the two beliefs described in the statement (that recovered memories of past traumas are often factual, and that recovered memories may be iatrogenic illusions) are not contradictory. Indeed, the two claims summarize my own position—that is, many recovered memory experiences are essentially accurate, but suggestive forms of memory work can lead to illusory recovered memory experiences (see also Loftus, 1993).

I am convinced that a major stumbling block in discussions of recovered memory experiences is that different people have very different kinds of cases in mind when they talk about this topic. At one extreme are cases similar to that of Jane Doe: A patient who has always been aware of an abuse history recalls previously

nonremembered abuse in response to relatively straightforward questions posed in a supportive environment. At another extreme are cases in which a patient seeking help for depression (or anxiety, an eating disorder, relationship difficulties, sexual dysfunction, substance abuse, and so on) goes to a therapist who forms the hypothesis that repressed memories of childhood sexual abuse lie at the core of the problem, communicates this hypothesis and a constellation of related beliefs to the patient, and encourages the patient to use a variety of therapeutic techniques (e.g., guided imagery, hypnosis, drug-assisted interviews, dream work, body work, and so on) and ancillary practices (group work with survivors, bibliotherapy, journaling, and so on) in a long-term, socially influenced search for suspected hidden memories that ultimately culminates in allegations of years of bizarre and extreme abuse. For example, the case that initially drew me into the recovered memories controversy involved a middle-aged woman, X, who sought help for relationship difficulties; according to the notes kept by the therapist (who did not have any formal postbaccalaureate training in psychology), during the initial session she formed the hypothesis that X had repressed memories of childhood abuse and thereafter used a variety of techniques to encourage memory recovery. X began to report abuse memories after approximately 100 sessions and over the next 100 sessions came to report horrific memories (e.g., being manacled to the table and raped by multiple men at 2 years of age, watching her father strangle babies and bury them in the snow outside the house).

When critics talk about suggestive trauma-oriented memory work leading to false beliefs or illusory memories, they typically have in mind cases like X's. There is little doubt about the existence of such cases. I suspect that when most trauma-oriented clinicians read or hear such criticisms, they think of cases like Jane's, in which a person seeking help for childhood sexual abuse discovers new memories of abusive experiences while getting that help, without undergoing a pro-

longed and suggestive search. There is little doubt about the existence of cases at this extreme either. If professionals on both sides of the debate acknowledge the existence of cases at both ends of this continuum, and make clear that comments about cases at one extreme should not be misapplied to cases at the opposite extreme, the contentiousness of the controversy could be substantially reduced, and psychologists with a variety of backgrounds and perspectives could work together toward common aims (e.g., maximizing support for trauma victims while minimizing risk of iatrogenic false beliefs or illusory memories).

Ambiguities in the Case and in the Controversy

Corwin and Olafson's (1997) report of the Jane Doe case illustrates some of the ambiguities that cloud discussions of recovered memories. The abstract of the article promises an extraordinarily documented example of a recovered memory case of the sort described by some trauma-oriented therapists: adulthood amnesia for documented abuse and then, captured on video, the recovery of memories of the documented trauma. Such a case would be analogous to Neisser's (1981) study of John Dean's Watergate memories, in which extensive objective records of what Dean reported remembering about conversations with Nixon could be compared to the secretly made tape recordings of exactly what was said in those conversations.¹ The Corwin and Olafson transcripts, however, reveal a more ambiguous situation.

What happened to Jane? What, exactly, happened to Jane in early childhood, how often, and with what intent? What did Jane remember and report as a young child? To what extent was Jane's report in the transcribed interview influenced by previous interviews? The meaning of the case as an example of recovered memories hinges, in part, on answers to these questions.

In his commentary, Ekman (1997) noted that "the usually spontaneous very rapid replies which burst forth from the 6-year-old Jane, allow us to

have confidence in the truthfulness of Jane's statements in the first interview" (p. 113). It is important to keep in mind that the interview transcribed in Corwin and Olafson's (1997) article was far from Jane's first interview. As they noted, it was the third time Corwin interviewed Jane, and she had also previously been interviewed about abuse allegations by two psychological evaluators, one police investigator, and her therapist. Recent evidence casts doubt on the belief that the degree of spontaneity in children's reports—even their initial reports—can reliably be interpreted as evidence of accuracy if there are grounds for concern that the child might previously have been exposed to suggestive influences (see Poole & Lindsay, in press, for a review). It is almost certainly the case that the predictive value of spontaneity dwindles across repeated interviews. Thus, the speed and spontaneity with which Jane articulated the accusations should be interpreted with caution.

As noted by Corwin and Olafson (1997), a variety of kinds of converging evidence supports the assumption that Jane's mother abused her. Evidently, the courts were convinced of this. For purposes of evaluating the accuracy of Jane's recovered memory experience, however, the important question is whether Jane's childhood reports of the bathtub molestations were accurate. I do not think we are in a position to know for sure.

What did Jane remember and not remember before her teenage interview? Unlike the cases of recovered memories that have most troubled critics of memory work, Jane did not initially believe that no abuse occurred and then later experienced recovered memories of abuse. On the contrary, it appears that Jane grew up with the belief that her mother abused her in various ways and that she remembered making allegations as a child. Yet, it also appears that she was quite uncertain about exactly what happened and deeply conflicted about whether her mother intentionally did things to hurt her. Did her mother intentionally burn her feet on the stove or were her feet burned in some other way? Did Jane, in her childhood

reports, make the events sound worse than they really had been? These are the sorts of questions with which Jane appeared to be struggling at the beginning of her teenage interview, going so far as to wonder if the allegations with which she grew up were false.

What memories did Jane recover? What did Jane come to remember during her teenage session with Corwin that she previously did not remember, and why and how did she experience memory recovery? Jane's comments near the beginning of the interview at 17 years of age suggest that she had been most concerned with the foot-burning episode. She said, "That's what I'm having a problem remembering." (Interestingly, she did not seem to remember any more about this episode at the end of the delayed interview than before.) When asked if she remembered instances of sexual abuse, Jane said "No. I mean, I remember that was part of the accusation, but I don't remember anything . . . wait a minute, I do." She then reported remembering making allegations of a pornographic photographic session with her brother and memories of her mother painfully digitally penetrating her in the bathtub. It is possible that Jane had not previously attempted to recollect instances of sexual abuse, focusing instead on trying to remember the alleged physical abuse; in addition to the cues provided by meeting Corwin again, the specific cue of Corwin asking her if she remembered anything about sexual abuse led her to remember a photographic session and an instance of painful vagina penetration.

Are these recovered memories? Surely they are in some senses (i.e., she initially said she did not remember and then, moments later, experienced the emotional remembering of a painful and perhaps traumatic event that she reported she had not remembered since early childhood), but they differ in at least two ways from the sorts of recovered memories that have been emphasized in the controversy. First, as noted above, the memories are not inconsistent with Jane's prior beliefs and memories of her childhood. Second, the experience of remembering followed almost immedi-

ately in response to a direct question—that is, there was no prolonged use of suggestive memory recovery techniques.

What is a recovered memory? Suppose you ask me if I have ever been to Orlando and I reply "No, I've never. . . . Wait a minute, yes! I was there as a kid—I'd forgotten all about that trip! Is that a recovered memory?" If it is not, is it because remembering in such a case is not an emotionally wrenching experience? Or is it because, in this case, we are not surprised that a person might have difficulty remembering the event, whereas we assume that people would not normally have difficulty remembering highly charged and upsetting childhood events such as sexual abuse? It may be that our intuitions greatly underestimate the probability of forgetting dramatic life events.

Were Jane's recovered memory experiences essentially accurate? Her recollection of making allegations about a photographic session with her brother seems somewhat dubitable, because if such allegations had been made, it seems likely that they would have been included in the court case (especially given that the involvement of the brother and the potential existence of physical evidence [i.e., photographs] would have strengthened the case considerably). The recollection of being digitally penetrated in the bathtub converges in its core content with the original allegations (despite what Neisser (1997), in his commentary, said to the contrary), is consistent with Jane's prior knowledge and beliefs, was remembered quickly and easily in response to a single question, and appears to have been clear and intense, all of which are consistent with the hypothesis that the recollection is essentially accurate (see Lindsay & Read, 1995). But we do not know what happened in the bathtub, and we do know that Jane initially claimed to remember her childhood allegations of sexual abuse; it is possible (as was noted by Schooler, 1997, in his commentary) that the source of the convergence is memory of the allegations, rather than memory of an actual event.

If the recollection of the bathtub episode is an essentially accurate recovered memory, is it a recovered memory of sexual abuse or a recovered memory of some other type of event that could have caused such physical pain? Even at the end of her teenage interview, Jane appeared to be uncertain of this, and I think we should be too.

Summary. I suspect that most readers of Corwin and Olafson's (1997) article will be inclined to believe that Jane's mother did push her finger up Jane's vagina in a sexually abusive way. Indeed, I have the same inclination myself. But in examining that belief as a scientist, I must note that its basis is Corwin and Olafson's depiction of the case, drawn primarily from Jane's responses in the last of multiple interviews conducted over a 2-year period when Jane was a young child. I do not think we have an adequate scientific basis for interpreting a child's behavior under those conditions, especially when the characteristics of the initial interviews are unknown. I think that our situation is quite similar to Jane's when she arrived for her teenage interview with Corwin; that is, we know that there were childhood allegations and various kinds of evidence to support them, but we do not know exactly what happened, how often, and with what intent. We do not know whether Jane's childhood accusations exaggerated, understated, or accurately described what had happened. We can form beliefs about Jane's history, but it is important to acknowledge that this is all they are. (It is worth emphasizing that many if not all of the same points can be made with regard to case studies presented as evidence of false memories of childhood sexual abuse; for example, I cannot prove that X's memories of multiple rapes and murders are false.)

Similarly, I suspect that most readers will accept that Jane experienced an essentially accurate recovered memory of sexual abuse (or, if the bathtub molestation happened more than once, a memory of one instance of it or, as Neisser (1997) suggested, a "repisodic" memory compositing multiple instances). Here, again, I am inclined to agree, but also here again

I must acknowledge that the foundations for the belief are somewhat shaky. I do not know what really transpired between Jane and her mother, what happened during Jane's numerous childhood interviews, or what Jane had remembered since. Reading the transcripts and accompanying text, I get the feeling that Jane experienced a powerful and essentially accurate recovered memory. Nothing we know about autobiographical remembering indicates that such things cannot happen, and as mentioned previously, I believe that they do happen; but as a scientist I have to acknowledge that my subjective impressions of the Jane Doe case are only that.

It is instructive to consider how the implications of this case change under varying suppositions. Suppose, for example, that Jane's mother was careless and rough and accidentally hurt Jane's vagina while bathing her. Suppose further that in the course of the custody dispute, Jane was exposed to one or more suggestive interviews that led her to say (and perhaps believe) that her mother had not merely hurt her vagina but that she had done so intentionally and in a sexually abusive way. (Readers skeptical of the idea that police or other authorities sometimes use highly suggestive interviewing techniques that can lead some children to make false reports of sexual abuse are referred to Ceci & Bruck, 1995.) This scenario is consistent with several aspects of the case (e.g., Jane's recovered memory experience of her vagina being hurt by her mother in the bathtub; Jane's suspicions that her childhood reports exaggerated the nature of her mother's acts). If this scenario were true, then the recovered memory experience of the bathtub event would be accurate in many ways, but if Jane left Corwin's office convinced that her mother had sexually molested her, then the recovered memory experience would be inaccurate in a very important way. Of course, other scenarios are also consistent with many aspects of the case (including one in which Jane's mother sexually abused her on numerous occasions that were subsequently forgotten, and two of which were later recovered), and I make no

claim to know which scenario best corresponds to reality.

Emotion and Special Memory Mechanisms

Corwin and Olafson (1997) argued that

this forgetting and recollection differs from ordinary forgetting and sudden recall in important ways. . . . The tears and evident strong feeling this memory discovery caused Jane were not similar, let us say, to suddenly remembering where one has put the car keys. (p. 111)

Some readers may take this as evidence for a special memory mechanism, qualitatively different from that which supports ordinary memory. There may or may not be a special memory mechanism responsible for forgetting and remembering traumatic experiences, but in my view, the degree of emotion accompanying remembering has little to say about this issue.

Imagine that one day a child named John Doe saw his mother toss an oddly shaped blue-tinted bottle into the kitchen garbage bin. Not a very memorable event, and there seems no need to evoke a special mechanism to explain the fact that John later forgot about it. The next morning, John's pet puppy was found dead. His mother comforted John, although she never liked the dog. Years later, John had occasion to buy some rat poison, and on taking it out of the carton, discovered the same distinctive blue-tinted bottle. John suddenly remembered his mother throwing out just such a bottle—a trivial event long forgotten—with a tremendous rush of emotion, realizing that his mother poisoned his childhood dog. The feelings evoked by this memory are different from those that might accompany suddenly remembering where one has put the car keys, but that fact does not motivate claims of a special memory mechanism.

It might be argued that the multimodal characteristics of Jane's recovered memory experience are evidence of the operation of a special memory system for trauma memories. No doubt recollections of traumatic

experiences often are perceptually vivid, but I do not think this is peculiar to trauma memories. Rather, I suspect that experiences in which sensory stimuli were highly intense and highly distinctive tend to give rise to memories with vivid sensory characteristics. It may also be the case when such events have rarely been discussed or rehearsed, recollections of them are particularly vivid perceptually (cf. Schooler, Fiore, & Brandimonte, in press).

Ideas about the special quality of traumatic memories are similar to ideas about the uniqueness of so-called flashbulb memories (e.g., vivid and detailed recollections of the experience of learning of a momentous event, such as Kennedy's assassination or the Challenger disaster). In their article on this hypothesized phenomenon, Brown and Kulik (1977) argued that humans are biologically equipped with a special "now print!" mechanism that engages on such occasions and takes a snapshot of all brain activity, subsequently giving rise to peculiarly vivid memories. People can and do experience extraordinarily detailed recollections, but such recollections (a) are not necessarily accurate, (b) appear to be affected by some of the same variables that are known to affect other recollections, and (c) are not restricted to momentous events (see, e.g., Winograd & Neisser, 1992, for reviews). In the words of Christianson (1989), flashbulb memories are "special, but not so special." Although the science base is too limited at present to justify definitive claims, my suspicion is that trauma memories, too, are special but not so special. More specifically, it is likely that variables such as arousal, salience, perceptual intensity, attention, distinctiveness, and rehearsal play major roles in memory, but at present, I see little reason to conclude that trauma engages a separate memory system that differs in qualitative ways from ordinary memory.

Effects of Viewing Video Tapes

Corwin and Olafson (1997) commented that the Jane Doe case raises the question of how adults might be affected by viewing videotapes of

themselves as children making allegations of sexual abuse or other trauma. It is, of course, an interesting question, but it is also interesting that it appears that viewing the video had no immediate effect on Jane's recollections. The recovered memory experiences occurred almost immediately in response to a question about memories of sexual abuse, before Jane viewed the video. Jane's reactions while watching the video were not described (and presumably not recorded), and after showing the video, Corwin first questioned the foster mother and then asked Jane if she agreed, rather than asking Jane first and including specific questions about whether the video had led her to remember anything that she had not previously recalled. It seems likely that viewing such tapes could provide powerful memory cues, but as far as I can tell, the Jane Doe case does not illustrate this phenomenon.

Ethics and Videotape

In their commentaries, both Ekman (1997) and Putnam (1997) congratulated Corwin on his ethical sensitivity for contacting 17-year-old Jane for consent to use the videotaped childhood interview for professional purposes. These commentators stated that this should be standard practice. Corwin and Olafson (1997) and these commentators also proposed that future studies could take advantage of the existence of large numbers of decades-old videotapes of children making sexual abuse allegations to explore adults' memories of childhood trauma.

If Corwin's choice had been between using the tape without Jane's consent versus contacting her to request that consent, I would agree that the latter is the ethically appropriate course of action. The existence of a third option complicates the ethical decision: It may be that the most ethically sensitive course of action is to put a time limit on parental consent for use of such materials, after which they would no longer be used for professional purposes. As a researcher, I appreciate the allure of those thousands of archived videotapes, but the ethical propriety of seeking out the subjects

of such interviews and revisiting their content deserves careful consideration.

Child Interviews

In their commentaries, Ekman (1997) credited Corwin with providing a "model for how to conduct interviews with children," and Putnam (1997) similarly praised Corwin's "careful attention to the problem of leading questions." The interview is admirable in many ways (especially given that it was conducted in the mid-1980s), but there are parts of the interview that, in my opinion, fall short of being a model of best practice. For example, early in the interview, Corwin asked, "What did she say to you when she did that?" The question presupposes that Jane's mother said something as she perpetrated the abuse. Nothing in Jane's comments leading up to this question appears to justify this presupposition. I assume that the justification for the presupposition was the prior interviews; it may be that, to an extent, Jane and Corwin were going through a script established through prior interviews. Similarly, after Jane indicated that her mother digitally penetrated her "much more than once," Corwin asked her if it happened more than 10 times. It might have been better to use more open-ended probes asking how often the abuse happened (although this is a difficult kind of information to get from young children). Finally, late in the interview, the following interchanges occurred:

CD: Was she different at those times, the times she hurt you, and the time she put her finger in your vagina, than she is most of the time? Was she acting differently at those times?

JD: (Shakes head no) Well, acting a little bit, but not much.

CD: Was her voice different?

JD: (Nods yes)

CD: In what way was her voice different?

JD: At that time her voice sounded younger, and now it's older, it sounds like it's uhhhhh . . .

CD: Was her voice different at the time that she would put her finger up your vagina than like at other times of the day when she would be taking care of you during that same time period, do you remember that?

JD: (Shakes her head no and yawns.)

This series of leading questions suggests that Corwin was looking for responses that might be taken as evidence that Jane's mother became an "alter personality" when perpetrating abuse. Jane appeared to make an effort to accommodate to the demand characteristics of Corwin's questions, reporting that her mother was "acting a little bit" and that her voice had aged since the abuse occurred, but the double-barreled and syntactically complex nature of the last of these questions (and its message that her preceding response was inadequate) appear to have been too much for her such that she gave up the attempt.

It is also worth noting that Corwin's challenges of Jane's allegations were quite strong. The fact that Jane withstood these challenges increases confidence in the allegations, but there may be grounds for concern that some abused children might retract accurate allegations in response to such challenges.

My criticisms are not intended to imply that Jane's childhood reports of abuse arose from suggestive questioning in Corwin's interviews. Nor are they intended to disparage Corwin's skill as an interviewer. My point is merely that, in my opinion, Ekman (1997) and Putnam (1997) were overgenerous when they described this transcript as a model of technique for forensic interviews of young children.

Summary and Conclusion

Corwin and Olafson's (1997) article makes a substantial positive contribution to the literature on recovered memories. The case itself is fascinating, and the report is beautifully written and presented in an admirably balanced and constructive manner. In my view, the Jane Doe case raises more questions than it answers, but that is the nature of early work on highly complex phenomena. Such case studies will play an important role in the development of knowledge regarding the remembering, forgetting, and remembering of childhood sexual abuse.

One of my arguments in the foregoing has been that the Jane Doe case

does not provide definitive documentation of essentially accurate recovery of a previously unknown history of childhood sexual abuse. On one hand, Jane was not unaware of the allegations, and on the other, we do not have definitive knowledge of what abuse occurred. To a large extent, however, I am inclined to view my own arguments in this regard as moot, because I see little reason to doubt that people can recover essentially accurate memories of previously nonremembered childhood sexual abuse (although I believe there are limits on what kinds of histories are easily forgotten; see Lindsay, in press). Perhaps the more important point is that the Jane Doe case is dramatically and fundamentally different from the sorts of cases that have most concerned critics of suggestive memory work.

Another of my arguments has been that, as noted by Corwin and Olafson (1997), the case does not provide compelling evidence that a special memory mechanism is responsible for the remembering, forgetting, and rerecognition of traumatic experiences. The questions of whether, how, and why memory for childhood sexual abuse differs from memory for other experiences are important, and improved understanding of these issues may be one of the positive fruits of the controversy about memory work and recovered memories.

In closing, I want to revisit one of my initial points, namely, that the controversy about recovered memories need not be framed as "us" versus "them." The point bears emphasis because here I am, an experimental cognitive psychologist, writing a mostly critical commentary on work by a child psychiatrist and a clinical psychologist presenting evidence of memory recovery. The criticisms are not intended to minimize the reality of child sexual abuse nor to dismiss

the Jane Doe case as an instance of false memories. Rather, they are intended to sharpen and further our understanding of some of the central questions raised by the controversy about recovered memories of childhood sexual abuse.

NOTE

1. Thanks to Kimron L. Shapiro for pointing out the contrast between the John Dean and Jane Doe cases.

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