

## EXPERT TESTIMONY IN CHILD VICTIM CASES: SCENARIOS

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### Answer Key

1. *Stancil*- No (but not plain error)
2. *Streater*- as to rape, Yes – as to sexual offense, No
3. *Towe*- No
4. *Ray*- Yes
5. *Jennings*- Yes
6. *Wallace*- Yes
7. *Khoury*- Yes
8. *Webb*- No
9. *Figured* -No (*but see* opinion for more detail. Experts testified that Children A, B, and C all had physical injuries. COA found that it was not improper for expert to testify that sexual abuse occurred, but that it was improper to testify that the *defendant* was the perpetrator, since the expert was in no better position than the jury to determine who the perpetrator was. Court finds error, but not reversible error).
10. *Horton*- No
11. *Hensley*- No
12. *Crabtree*- No (but not plain error)
13. *Worley*- Dr. Hendrix- Yes, Ms. Sullivan- No (but not plain error- see opinion for more subtleties)
14. *Dye*- Yes
15. *Davis*- No (but not plain error)
16. *Walston*- Yes? (but note that NCSC ultimately held that it was not error for trial court to exclude the testimony as part of its gatekeeping role in determining the admissibility of expert testimony under Rules 702 and 403)