Fact or Fiction:

What do we know about sex offenders and how to prevent sex crimes?

Introduction

Sexual assault is a horrific and devastating crime, not only for the individuals who experience it but for the families who love and care for them. Such crimes can also profoundly affect communities, leaving neighbors feeling insecure.

Understandably so, there has been a proactive push over the last 10 to 15 years by sexual assault victims’ groups and families to regain a sense of control and safety by establishing state and federal policies or laws that protect the public and as advocates believe, reduce the occurrence of sex crimes. However, these laws have been and continue to be created, not as a result of supported research, but based on misconceptions and myths about sex offenders.

As a result, these policies and laws have fallen flat and failed to reduce the number of sex crimes because their focus has been exclusively on known offenders, rather than on those who commit the majority of the crimes - namely first time offenders, most of whom are the family members and acquaintances of the individuals they victimize.

Reducing the risk of an individual committing a sexual assault begins with separating fact from fiction and then spreading understanding to clinicians, researchers, policymakers, law enforcement, victims and their families. Using available research and information, this article aims to help practitioners from various disciplines begin to discern facts from fiction about sex offenders so that future efforts can be more effective in reducing the rate of sexual victimization.

Myth #1: There are common characteristics that link all sex offenders.

Numerous research studies continue to show that persons who commit sex crimes are very diverse in terms of age, race, education, socio-economic status, mental health diagnosis, profession, sexual orientation, and religious affiliation (Herman, 1990; LaFond, 2005; Salter, 1995; Wood, Grossman, & Fichtner, 2000). Although many researchers have attempted to develop an accurate profile to describe a “typical sex offender,” no one has been successful in this task (Herman, 1990; Salter, 1995; Wood et al., 2000). In other words, there are no common characteristics that have been found to link all individuals who commit sex crimes.

Myth #2: Children who were sexually assaulted will commit sex crimes as an adult.

Although a history of sexual abuse may increase the risk for an individual to commit a sexual assault as an adult, most children who are victims of sexual abuse never go on to perpetrate against another (Center for Sex Offender Management (CSOM), 2000). Research studies vary a great deal regarding what percentage of persons who commit sex crimes have also been victims of sexual abuse with most studies reporting that approximately 50% of their samples reported childhood abuse (Grady, 2009). While there
has been an attempt to create a causal relationship between those who were sexually victimized as children and adult offenders, it appears that many relevant factors may influence an individual’s future sexual behavior, including exposure to domestic violence and the type and severity of the abuse (Becker & Murphy, 1998).

Myth #3: The majority of sex offenders are strangers to the victims.

Although current laws are designed to protect children from strangers, nearly 97% of all sexual crimes against children under the age of 5 are committed by either a relative (48.6%) or someone the victim knows (48.3%) (Synder, 2000) and for children ages 6 to 11 who were sexually assaulted, 42% of their perpetrators were relatives and 52.9% were acquaintances (Snyder, 2000). Those percentages only begin to change slightly with age, with studies showing that as individuals get older, they are more likely to be assaulted by a stranger. Given the large number of sex crimes that are committed by relatives, more prevention and intervention efforts are needed within families. Current laws, such as the federal “Adam Walsh Act,” do nothing to protect the nearly half of child sexual crime victims who are living in the same home as their perpetrator.

Myth #4: Treatment of sex offenders does not work.

There is a growing body of literature that demonstrates that persons who complete a treatment program that targets factors such as arousal control, cognitive distortions, social skills, assertiveness training and victim empathy development (McGrath, Cumming & Burchard, 2003), are less likely to commit another sex crime or other general crimes than someone who has not received treatment (CSOM, 2000; Grady, Edwards, & Abramson, n.d.). In other words, research has shown that for those individuals who have completed treatment, their risk of committing another crime is lower than those who have not received treatment (Becker & Murphy, 1998; Berlin, 2003; CSOM, 2000; Grady et al., n.d.). These findings are true, regardless of whether the individual received treatment from a prison-based program or a community-based program. Unfortunately, the percentage of people who have committed sex crimes and receive treatment is low, partly because of the lack of state funding. Within the North Carolina prison system, at any one time, there is an average of 4,000 persons incarcerated for committing a sex crime. However, currently, the state supports only one treatment program for all incarcerated offenders with only enough funding to treat about 50 to 60 of those 4,000 inmates each year. It has been estimated, however, that 60% of all sex crime offenders are community supervised, either after the initial charges or after completing a prison sentence (Greenfeld, 1997), placing most of the burden for treatment and supervision of sex offenders on community-based programs. Unfortunately, with the demise of North Carolina’s state mental health system, there are now additional challenges for offenders who are court mandated to receive services within their communities. These challenges include locating qualified practitioners and affordable services, as many practitioners are now in private practice rather than affiliated with a government mental health agency. To ease the process of finding a qualified practitioner, the North Carolina Association for the Management and Treatment of Sex Offenders (NCAMTSO) is attempting to consolidate a statewide list of treatment providers.
Myth #5: Current laws (registration, notification, residency, and premises laws) have been effective in reducing the number of sex crimes committed.

Despite the fact that policies and laws now exist to ensure that the public and law enforcement know exactly where sex offenders live and that sex offenders are prohibited from stepping foot on certain properties such as schools and daycares, research shows that neither of these efforts have helped reduce the number of sex crimes that are committed each year. In a recent study in Minnesota, of the 224 offenders included, only 27 (12%) established contact with their victim(s) within one mile of the offenders’ home and not one established contact near a school, park, or playground (Minnesota Department of Correction, 2007). Of the 16 juvenile victims with whom contact was established within one mile of the offender’s home, none of these relationships were cultivated near a school, park or playground. Instead, nearly two-thirds victimized family members or gained access to their victims through another adult, such as a spouse, girlfriend, co-worker, friend, or acquaintance.

Sex offender registries and property restrictions target potential repeat offenders; yet nearly 96% of all sex crimes are committed by first-time offenders (Sandler, Freeman, & Socia, 2008). Furthermore, millions of dollars each year are spent working under the assumption that if convicted offenders are tracked, fewer sex crimes will be committed. But research shows this assumption just isn’t true as the rate of sex crimes has not changed, neither increased nor decreased, since the enactment of such laws (Sandler et al., 2008).

The first Federal sex offender registration law, the “Wetterling Act,” was named for Jacob Wetterling who was kidnapped and killed in 1989 by a perpetrator who was never caught. Although Jacob’s mother, Patty Wetterling, initially supported the law named for her son, she is now speaking out against it and other laws since enacted by states because she says that these current laws make “it nearly impossible to rehabilitate those people and reintegrate them safely into their communities,” thus possibly increasing “the risk that that they’ll repeat their crime” (Human Rights Watch, 2007).

Myth #6: Most sex offenses are reported, convicted and punished.

Unfortunately, many law enforcement and victim groups believe that most sexual assaults are not reported or punished. The National Crime Victimization Surveys conducted in 1994, 1995, and 1998 indicate that only 32% of sexual assaults against persons 12 or older were reported to law enforcement (CSOM, 2000). The U.S. Department of Justice (2002) has also reported that rape is the nation’s most under reported crime, and some estimate that the criminal justice system is aware of and has convicted only 10% of all sex offenders living in communities nationwide (Greenfeld, 1997). While the reasons vary as to why victims of sexual assault do not report the crimes, they include fear for themselves, positive feelings towards their victims, and fear of punishment by others, driven by shame.

Myth #7: Adolescent sex offenders are exempt from the registration and notification laws.
In North Carolina, a juvenile who is convicted of a sexually violent offense or an offense against a minor is required to register in person to their local sheriff’s office just as an adult convicted of the same offense must register for a period of at least 30 years. (NCGS 14-208.6A and 6B)

Myth #8: Most sex offenders reoffend.

When compared to the general criminal population, sex offenders reoffend at lower rates (CSOM, 2000; U.S. Department of Justice, 2005). However, because sex offenders are a diverse group, the rate varies depending on the types of crimes or the types of victims an offender targets. For example, some research has shown that offenders who sexually assault non-familial boys have the highest rates of recidivism when compared to offenders who commit crimes against adult non-familial women, and even lower rates when crimes were committed against a child family member (CSOM, 2000). Still, the rate of reoffenses may be an underestimate due to the under reporting of such crimes (CSOM, 2000; U.S. Department of Justice, 2002). For a variety of reasons, many victims do not report crimes, so the actual rate of reoffenses is unknown (CSOM, 2000).

Myth #9: Sex offenders are all male

While the vast majority of sex crimes are committed by males, research over the years has reported a greater increase in the number of females accused and convicted of committing a sex crime (CSOM, 2000). What is not clear is if the rate itself has changed or if more people are actually reporting crimes that were previously reported or believed. Some studies have shown rates of assault by a female as high as 20%, with most victims being children (Association for the Treatment of Sexual Abusers (ATSA), 1996).

Summary

Sexual assault is a heinous crime, and one way to reduce the number of sexual assault victims is for clinical, law enforcement, child protective and mental health communities to work collaboratively to understand the factors that lead someone to commit sex crimes. While policymakers attempt to create laws to protect society from such acts, in reality, current policies have proven ineffective in reducing the rate of sex crimes, and may, in fact, increase the chances that an offender may reoffend. Furthermore, most resources, including state funding, target the small percentage of known offenders, instead of focusing on treatment research and prevention programs. Unfortunately because of misconceptions, policymakers still ignore the population most likely to commit a sex crime, namely relatives and/or first-time offenders. All sexual assault survivors deserve protection from fair laws that effectively punish offenders. Instead, the current distribution of resources addresses just 4% of all sex crimes, leaving few resources to improve treatment, address prevention, and investigate and prevent the complex issues related to sexual abuse within families. Armed with a more accurate picture of the complexities of this population, practitioners, law enforcement and policymakers can more effectively target the risk factors that lead to sexual abuse crimes and reduce the number of victims who live with the consequences.
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