



January 2013

## Perceptions Of Sex Offenders: Impact Of Type Of Sex Offense, History Of Sexual Abuse, And Frequency Of Offense

Shannon Marie Sommer

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PERCEPTIONS OF SEX OFFENDERS: IMPACT OF TYPE OF SEX OFFENSE,  
HISTORY OF SEXUAL ABUSE, AND FREQUENCY OF OFFENSE

by

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Bachelor of Science, University of Wisconsin-River Falls, 2010

A Thesis

Submitted to the Graduate Faculty

of the

University of North Dakota

In partial fulfillment of the requirements

For the degree of

Master of Science

Grand Forks, North Dakota

May  
2013

This thesis, submitted by Shannon Marie Sommer in partial fulfillment of the requirements for the Degree of Master of Science from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done, and is hereby approved.

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This thesis is being submitted by the appointed advisory committee as having met all of the requirements of the School of Graduate Studies at the University of North Dakota and is hereby approved.

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Dr. Wayne Swisher  
Dean of the School of Graduate Studies

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Shannon Marie Sommer  
April 3, 2013

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## ABSTRACT

The present study examined perceptions of sex offenders using a 2 (history of sexual abuse: present vs. absent) X2 (type of sexual offense: statutory vs. forcible rape) X2 (frequency of offense: once vs. multiple occasions) factorial design. Participants (N=228) were asked to read one of eight vignettes describing the sexual assault of a 14-year-old female perpetrated by a 19-year-old male. Results indicated that participants believed the defendant should be convicted, imprisoned, placed in a mental health facility, and have to register as a sex offender more so when the offense was described as forcible rape than when it was described as statutory rape. Results also indicated that participants believed the defendant to be more mentally unstable and saw a greater need for institutionalization when he had a history of sexual abuse than when he did not.



## **CHAPTER I**

### **INTRODUCTION**

The term “sex offense” can be used to describe a variety of behaviors, including behaviors ranging from possession of child pornography to aggravated sexual assault, which is making someone engage in a sexual act by using force or threatening them (U.S.C. Title 18). Those who are convicted of a sex offense are then labeled as a “sex offender” by the authorities and are subject to the negative associations, such as dangerousness and perversion, which accompany that term (Levenson, Brannon, Fortney, & Baker, 2007). Over the past few decades, there has been growing public concern about the presence of sex offenses and sex offenders in society, which leads to the public desire for “get tough” crime policies to punish those who commit these crimes (Mears, Mancini, Gertz, & Bratton, 2008; Butterfield, 1997). The push for stricter punishments for sex offenders came after the 1989 abduction of 11-year-old Jacob Wetterling in Minnesota. This crime led to the creation of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, which states that “a person who is convicted of a criminal offense against a victim who is a minor, who is convicted of a sexually violent offense, or who is a sexually violent predator” has to register upon release, parole, supervised release or probation (Jacob Wetterling Act, 1994). This law required each sex offender to report his or her current address to authorities so that government officials could keep track of them and their whereabouts.

A few years later in 1996, the law was again amended after the rape and murder of 7-year-old Megan Kanka by a convicted sex offender living on her street in New Jersey. The new law was called Megan's Law, which required the establishment of a community notification system, and together with the Jacob Wetterling Act, these two laws created the Sex Offender Registration and Notification Acts (Schiavone & Jeglic, 2009). With the creation of Megan's Law, the sex offender registry was made available to the public, which granted the community access to photos, names, and addresses of registered sex offenders.

Ten years later, in 2006, the Adam Walsh Child Protection and Safety Act was passed, which was influenced by the 1981 abduction and murder of 6-year-old Adam Walsh from a Florida mall. This act called for each state to maintain updated information about sex offenders on the registry and link it to the National Sex Offender Registry website (Adam Walsh Child Act, 2006). Each sex offender was to be placed on a three-tier offense-based classification system, taking into account their offense and risk for recidivism. It is also required that the registry be available to the public via the internet (Adam Walsh Act, 2006). The heinousness of these crimes and the call for strict punishments led to the development of various myths that are commonly held by the public about sex offenders.

### **Myths About Sex Offenders**

There are many common myths about sex offenders that are held by the general public. The first myth is the myth of "stranger danger." Many people tend to think that most sex offenders are strangers to their victims, when, in fact, most perpetrators are known to their victims (Levenson et al., 2007). For example, according to a report by the

Bureau of Justice Statistics for the year 2009, only 21% of perpetrators who committed rape/sexual assault were strangers to their victims, versus 79% who were known to their victims (Truman & Rand, 2010).

A second myth about sex offenders is that they have a high rate of recidivism. However, studies have found that sex offenders have a much lower recidivism rate than most people think (Harris & Hanson, 2004). According to a study done by Harris and Hanson (2004), of the 4,724 sex offenders in the study, only 14% had reoffended after 5 years, 19.8% after ten years, and 24.2% after fifteen years. More specifically, of the sex offenders categorized as “rapists” in this study, 14.1% had reoffended after five years, 20.6% had reoffended after ten years, and 24.1% had reoffended after 15 years (Hanson & Harris, 2004). Although most sex offenders have a relatively low risk of recidivism compared to other criminal offenses, there is a subgroup of offenders, sexually violent predators, which have a higher risk for recidivism (Vess & Skelton, 2010). According to Vess and Skelton (2010), these high risk offenders have recidivism rates ranging from 34.5% to 38.5% depending on their choice of victims, with offenders who violate child victims having the highest rate of recidivism. Although individuals in this subgroup of offenders are dangerous and reoffend most often, they are not representative of the general population of sex offenders, which is why the myth that all sex offenders have a high rate of recidivism is false.

A third myth is that the main motivation of all sex offenders to sexually offend is the desire for sex. However, oftentimes this is not true. In a study conducted by Mann and Hollin (2007), the researchers interviewed a sample of rapists and child molesters and asked them to describe their reasons for offending. Although some offenders cited

“sexual pleasure” as the reason for their offense, many others cited reasons such as a need for respect/control, alleviation of stress, acted on impulse, and revenge (Mann & Hollin, 2007). The most common reason given by rapists for their offense was revenge/getting back at someone, and the most common reason given by child molesters was sexual pleasure (Mann & Hollin, 2007). Other studies have also shown that the main motivation for some rapists is not the desire for sex, citing reasons such as the desire for control, power, dominance, and hostility (Prentky & Knight, 1991; Canter, Benell, Alison, & Reddy, 2003). Regardless of the motivation behind committing the crime, the perpetrators’ actions are still punishable under the law, and the law must state very clearly the set of sexual behaviors that constitute each type of sex offense.

### **Sex Offenses**

The term “sex offense” can encompass a variety of sexual behaviors, including sexual assault. According to the U.S. Department of Justice (2012), sexual assault is defined as “any type of sexual contact or behavior that occurs without the explicit consent of the recipient.” Two specific types of sexual assault are “forcible rape” and “statutory rape.” Forcible rape is defined as “the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim” (U.S. Department of Justice, 2012). According to the National Center for Victims of Crime (2011), in 2010, 6.8% of violent crimes reported to law enforcement were accounted for by forcible rape. There are between 75 and 85 forcible rapes reported to police each year for every 100,000 women in the United States (Butterfield, 1997).

The definition for statutory rape depends on the laws of each individual state, but can be broadly defined as non-forcible sexual intercourse with an individual who is younger than the age of consent described by law (Mitchell & Rogers, 2003). The age of consent varies from state-to-state, but, usually, the age at below which consent cannot legally be given for intercourse and is considered rape ranges from 14 to 16 (Mitchell & Rogers, 2003). Also, statutory rape laws specify that it is illegal for someone in this age range to engage in intercourse with an individual that is a certain number of years older than them; the specified age range in the statutes is usually between two to five years (Mitchell & Rogers, 2003). According to Donavon (1997), 28 states in the U.S. designate age sixteen as the age of consent, 15 states use age eighteen, 6 states use age seventeen, and 1 state uses the age of fourteen.

According to a brief from the 2002 National Survey of Family Growth, in 2002, 13% of females and 5% of males had their first sexual relationships that were classified as statutory rape (Office of Population Affairs, 2002). Leitenberg and Saltzman (2003) also completed a study and asked female college students about their past consensual sexual experiences. Twenty-four percent of the women reported that they had had (what they considered) consensual sexual intercourse between the ages of 13 and 15 (Leitenberg & Saltzman, 2003). According to Leitenberg and Saltzman (2003), 2% of the total number of participants had sexual intercourse at the age of 13, 7% at the age of 14, and 15% at the age of 15. They also found that for those women who had (what they termed) “consensual” sexual intercourse at the age of 13, 31% of their sexual partners were five or more years older; 17% of the sexual partners of the 14-year-olds were five or more years older; and 13% of the sexual partners of the 15-year-olds were five or more

years older than the teen (Leitenberg & Saltzman, 2003). Also, according to Elo, King, and Furstenberg (1999), 45% of the women who first had sexual intercourse when they were age 14 or younger had sexual partners that were four or more years older, compared to 18% who first had sexual intercourse between the ages of 15 and 17.

Because of the legally unacceptable age gap between the minors and their older sexual partners, and because some individuals use force to engage in sexual acts with others, some people may attempt to find possible reasons or life events to explain what led the sex offender to commit these sexual crimes.

### **History of Sexual Abuse**

Many studies have looked at the prevalence of sexual abuse in the histories of sex offenders. Dhawan and Marshall (1996) found that 62% of rapists and 50% of child molesters had been sexually abused. Seghorn, Prentky, and Boucher (1987) also completed a study looking at the history of childhood physical and sexual abuse in incarcerated rapists and child molesters. They found that the incidence of sexual assault in the histories of child molesters was more than twice as high as that of rapists (Seghorn et al., 1987). This finding contradicts the findings of Dhawan and Marshall (1996) in that Seghorn et al. (1987) found that child molesters had a higher incidence of sexual abuse in their histories, whereas Dhawan and Marshall (1996) found that rapists had a higher incidence of sexual abuse. Although these findings are equivocal, both studies still show that sexual abuse is prevalent in the histories of many sex offenders. In addition, Seghorn et al. (1987) found that rapists were more than three times more likely to have been abused by a family member than child molesters (Seghorn et al., 1987).

Groth (1979) also looked at the prevalence of sexual abuse in the histories of rapists and child molesters. Groth (1979) found that 31% of the offenders had a history of sexual abuse. The main form of abuse experienced by child molesters was forcible sexual assault, and the main type of abuse experienced by rapists took the form of being pressured into sexual activity by an adult (Groth, 1979). These results are much lower than the results found in a study done by Romano and De Luca (1997), who found that 75% of their sample of sex offenders had a history of sexual abuse. A study was also done looking at the prevalence of sexual abuse in the histories of female sex offenders. In this study, it was found that 43% of female sex offenders had a history of sexual abuse (Elliott, Eldridge, Ashfield, & Beech, 2010). Although many of these studies report varying percentages of sex offenders with histories of sexual abuse, it is apparent that a history of sexual abuse is prevalent in many of the histories of sex offenders and can possibly offer some explanation for future sexual perpetration.

When rapists and child molesters reoffend, the majority of them tend to be consistent in their victim choices (Vess & Skelton, 2010). Vess and Skelton (2010) categorized offenders as child molesters if they had victims under the age of 16, so statutory rapists were included in this group as well. They found that these offenders with histories of only minor victims were most consistent in their type of victim with only 17% reoffending with an adult victim, and they found that rapists with histories of only adult victims were much less consistent with 37% reoffending against a minor (Vess & Skelton, 2010).

Although the presence of a history of sexual abuse in some offenders may serve as the justification people use to explain the perpetrator's inappropriate behavior, others

may look at different aspects of the crime, perpetrator, and victim in order to make their attributions of responsibility and blame in that particular case. These attributions of responsibility can sometimes shift from blaming the perpetrator for his or her action to blaming the victim in these offenses. Attributions may also be affected by an individual's tendency to accept rape myths.

### **Attribution Theory and Victim Blame**

Kelley (1971) explains one theory of how people attribute responsibility and cause and effect relationships in various circumstances. According to Kelley (1971), in order for people to attempt to determine the causes of an event, they examine three types of information: distinctiveness (i.e., the individual only behaved in this manner with this particular stimulus), consistency (i.e., the individual behaved in the same manner at different times with the same stimulus), and consensus (i.e., others would behave in the same manner toward the same stimulus). Kelley (1971) also explains that there can be different types of causes: facilitative causes (i.e., something that makes an event likely to occur) and inhibitory causes (i.e., something that makes an event unlikely to occur). According to Kelley (1972), when both a potential facilitative cause and a potential inhibitory cause are present in a situation, others will give more weight to the facilitative cause in producing the effect and/or event. When individuals are making a judgment about a rape case in a courtroom setting, for example, they may use these different types of information to try to determine what led to the event in order to decide to whom they should assign the blame. Sometimes this may lead to some of the blame being placed on the victim, especially when the individuals endorse certain myths about rape.



Various studies have shown the connection between rape myth acceptance and blaming the victim. Burt (1980) examined the concept of rape myth acceptance and described it to occur when individuals foster attitudes that endorse sex role stereotyping, acceptance of interpersonal violence, and adversarial sexual beliefs (e.g., rape is just an “extreme” on the continuum of exploitation). Individuals with these beliefs often accept myths, such as “a woman is responsible for preventing her own rape” and “women instigate rape through provocative dress or flirtatious behavior” (Greene & Heilbrun, 2011). The acceptance of these beliefs and rape myths lead individuals to blame the victim for his or her role in the rape (Greene & Heilbrun, 2011). Blumberg and Lester (1991) evaluated questionnaires completed by high school and college students pertaining to rape myth acceptance and its correlation to blaming the victim in different presented situations. They found that the high school males had significantly higher scores on blaming the victim and rape myth acceptance than did the high school females (Blumberg & Lester, 1991). They also found that for the high school females, the correlation between blaming the victim and agreeing with rape myths was 0.82, and the correlation was 0.54 for the high school males (Blumberg & Lester, 1991). These findings support Burt (1980) in that individuals who accept rape myths tend to blame the victim more.

Sheldon-Keller, Lloyd-McGarvey, West, and Canterbury (1994) looked at participants’ perceptions of a date rape scenario. They provided participants with a scenario in which the victim and offender were either dating for a while or just friends. Sheldon-Keller et al. (1994) found that in the scenario in which the victim and offender were dating steadily, male participants rated the offender’s behavior as more excusable

and the victim's behavior as less excusable when compared to the scenario in which the offender and victim were described as friends.

Similarly, Grubb and Harrower (2009) looked at attribution of victim blame based on the gender of the participant and the type of rape (i.e., stranger rape, date rape, seduction rape). They found that victims were blamed the most often in the seduction rape scenario (the woman willingly went home with a man, they began to get intimate, she told him to stop, but he proceeded to have intercourse with her anyway), followed by the date rape scenario, and lastly by the stranger rape scenario (Grubb & Harrower, 2009). This study suggests that participants may believe that the victim "brought it on herself" the more intimately she knew her partner. Also, a study completed by Shotland and Goodstein (1983) found that the greater the amount of force used to rape a victim, the less a victim will be blamed for being raped and the more a perpetrator will be blamed for completing the rape

### **Purpose**

The purpose of the present study was to examine participants' perceptions of sex offenders based on whether or not the offender had a history of sexual abuse, the type of sexual offense (forcible rape vs. statutory rape), and the frequency of offense (once vs. multiple occasions). Based on the findings in studies on victim blame (Burt, 1980; Blumberg & Lester, 1991; Sheldon-Keller et al., 1994; Shotland & Goodstein, 1983; Grubb & Harrower, 2009) as well as Kelley's (1971) attribution theory, it was expected that the victim in the scenario would be blamed more often when the rape was described as statutory vs. forcible rape. Additionally, it was expected that the victim will be blamed more when the offense is described as occurring on multiple occasions versus one

occasion. It was also expected that participants would be much more likely to hold the belief that the defendant should be convicted as a sex offender, be imprisoned, and have to register when the offense is described as forcible rape compared to when the offense was described as statutory rape. Based on the literature on the presence of a history of sexual abuse in many sex offenders (Dhawan & Marshall, 1996; Seghorn et al., 1987; Groth, 1979; Romano & De Luca, 1997), it was also hypothesized that there would be an interaction between type of offense and whether or not the offender had a history of sexual abuse. More specifically, it was expected that participants would view offenders more harshly (i.e., stronger conviction ratings) when the vignette stated that the offender had a history of sexual abuse and was being charged with statutory rape compared to when the offender did not have a history of sexual abuse and was being charged with statutory rape. It was expected that participants would view the “statutory rape with a history of sexual abuse” more harshly because participants could believe that the defendant’s sexual experiences as a child could be leading him to want to engage in sexual relations with an individual much younger than him, rather than potentially viewing it as just a “boyfriend-girlfriend” relationship (as they might view it in the “statutory rape with no history of sexual abuse” condition). It was also expected that there would be a ceiling effect when the offense was described as forcible rape due to the non-consensual nature of the offense.

## **CHAPTER II**

### **METHOD**

#### **Participants**

Three hundred, eighty-five participants completed the study. However, 158 failed at least one of the manipulation check questions. Responses from the remaining participants ( $N = 227$ ) were utilized. The sample of participants consisted of 177 women and 50 men, ranging in ages from 18 to 53, with 87.2% of them being age 22 or younger. Eighty-nine percent reported race/ethnicity as “European American/White” with 1.8% reporting African American/Black, 1.8% reporting Asian American, and 2.2% reporting Hispanic. Approximately 98% of the sample reported their sexual orientation as heterosexual, the other 2% reported bisexual ( $n=2$ ), gay man ( $n=1$ ), and lesbian ( $n=1$ ). Most of the sample was undergraduate students (96%).

#### **Materials/Questionnaires**

##### **Demographic Questionnaire**

Participants were asked to indicate their age, sex, race, sexual orientation, and education level. They were also be asked to give a “yes” or “no” response to various questions about being the victim or perpetrator of different crimes (see Appendix A).

##### **Private Belief Rating Scales**

After reading a scenario, participants were asked to complete various private belief rating scales and describe the reasons for their personal decisions. Participants

were asked to rate their beliefs which were not based on legal definitions or qualifications on a scale ranging from -5 to +5. These scales included beliefs about conviction, registration as a sex offender, imprisonment, and placement in a mental health facility. Participants were also asked to qualitatively describe why they gave each specific rating (see Appendix B).

### **Perceptions**

Participants were asked to complete a 34-item measure of their perceptions of the victim and perpetrator in the given scenario. They were asked to indicate their responses on a scale ranging from 0 (strongly disagree) to 6 (strongly agree). The measure was used to create scales of victim blame, defendant blame, perceptions of mental stability of the defendant, and perceptions of the history of sexual abuse of the defendant (see Appendix C).

**Victim Blame.** Blame attributed to the victim in the scenario was measured by a scale consisting of 10 items: “The girl is partly to blame for the actions of the defendant,” “The defendant’s actions were reasonable,” “The girl should know to be more careful in interactions with certain defendants,” “The defendant’s actions were the result of unwanted attention from the girl,” “The defendant was provoked,” “The defendant’s actions were justified,” “The girl deserved it,” “Any reasonable person would have acted the same as the defendant,” “Situations like this happen all the time,” and “The girl should have known better than to engage in such behavior with the defendant.” The items on this scale have a reliability of  $\alpha = 0.85$ .

**Defendant Blame.** Seven items were included to measure participants’ beliefs that the defendant’s actions were criminal: “The defendant deliberately intended to inflict

harm on the girl,” “The defendant committed a sexual offense,” “The defendant should be found guilty,” “The defendant should go to jail/prison,” “The defendant should have to register as a sex offender,” “The defendant’s actions were criminal,” “and “The situation is very surprising and does not occur often.” The items on this scale have a reliability of  $\alpha = 0.89$ .

**Mental Stability of Defendant.** Three items were included to measure participants’ perceptions of the mental stability of the defendant: “The defendant is mentally unstable,” “The defendant should be placed in a mental institution,” and “The defendant should receive psychological help.” The items on this scale have a reliability of  $\alpha = 0.85$ .

**Defendant’s Past Experiences.** Three items were included to measure participants’ beliefs about the effects of the defendant’s past experiences on his behavior: “The defendant’s past experiences caused him to engage in this behavior with the girl,” “The defendant’s past experiences as a child led him to engage in this behavior with the girl as an adult,” “The defendant’s past experiences will cause him to engage in this behavior again in the future.” The items on this scale have a reliability of  $\alpha = 0.74$ .

**Lesser Sentence Due to Past Experiences.** This item was included to measure participants’ beliefs about whether or not the defendant should receive a lesser sentence due to his past experiences (i.e., “The defendant should receive a lesser sentence due to his past experiences”).

**Previous Victims.** This item was included to measure participants’ beliefs about whether or not the girl is his one and only victim (i.e., “The girl is the only underage person with whom the defendant has engaged in this behavior”).

## **Procedure**

Participants signed up and completed the study online using a research participation system (SONA) in exchange for extra credit in one of their psychology courses. Each participant was required to read the instructions and agree to participate before being granted access to the study. Participants completed the study at any time they wished. Participants were randomly assigned to one of eight conditions via an online link, and before being granted access to the study, they were required to read the instructions and agree to participate. Participants read one of eight vignettes stemming from a 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) factorial design describing allegations of improper sexual activity between a 19-year-old male and a 14-year-old female. The following vignette is what participants read if they were in a condition in which the sex offense was described as “statutory rape” (changes depending on condition are noted in brackets):

A 19-year-old male has been charged with statutory rape of a minor girl (14 years old) following complaints made by the girl’s parents. The girl alleged that she and the defendant, who is a neighbor, had been dating and engaged in sexual intercourse on one occasion [on many occasions]. The defendant entered a plea of not guilty. [Social Service records confirm that the defendant was the victim of sexual abuse as a child].

The following vignette is what participants read if they were in a condition in which the sex offense was described as “forcible rape” (changes depending on condition are noted in brackets):

A 19-year-old male has been charged with forcible rape of a minor girl (14 years old) following complaints made by the girl's parents. The girl alleged that the defendant, who is her neighbor, forced her to have sexual intercourse on one occasion [on many occasions]. The defendant entered a plea of not guilty. [Social Service records confirm that the defendant was the victim of sexual abuse as a child].

After reading one of the vignettes, participants were given a manipulation check to provide the information of whether or not the intended manipulations were understood in the vignette (see Appendix D). They were then asked to complete the private belief rating scales, perceptions questionnaire, and finally the demographic questionnaire. After completing all the measures, participants were thanked and compensated with extra credit for their participation.



## **CHAPTER III**

### **RESULTS**

#### **Conviction Ratings**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) analysis of variance (ANOVA) was conducted. Results indicated a significant main effect for the type of sex offense that the defendant committed,  $F(1, 219) = 31.84, p < .001$ , such that participants believed that the defendant should be convicted as a sex offender more when the offense was described as forcible rape ( $M = 2.38, SD = 2.49$ ) versus when the offense was described as statutory rape ( $M = 0.25, SD = 3.17$ ). No main effect was found for frequency of offense,  $F(1, 219) = 3.70, ns$ , or for history of sexual abuse,  $F < 1$ . There was no significant interaction between type of sex offense and frequency of offense,  $F(1, 219) = 1.20, ns$ . There was no significant interaction between type of sex offense and history of sexual abuse,  $F(1, 219) = 2.16, ns$ . There was no significant interaction between frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

#### **Registration Ratings**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense:

one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 93.98, p < .001$ , such that participants believed that the defendant should have to register as a sex offender more when the offense was described as forcible rape ( $M = 2.40, SD = 2.68$ ) versus when the offense was described as statutory rape ( $M = -1.34, SD = 3.20$ ). This main effect was qualified by a significant interaction between the type of sex offense and frequency of offense,  $F(3, 223) = 7.42, p = .007$ . Simple effects analyses of frequency at each level of sex offense indicated significance for statutory rape only such that participants believed that registration as a sex offender was more necessary when the rape occurred once ( $M = -0.60, SD = 3.26$ ) than when it occurred multiple times ( $M = -2.09, SD = 2.98$ ). See Figure 1. No main effect was found for frequency of offense,  $F(1, 219) = 2.90, ns$ . No main effect was found for history of sexual abuse,  $F < 1$ . There was no significant interaction between type of sex offense and history of sexual abuse,  $F(1, 219) = 2.20, ns$ . There was no significant interaction between frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F(1, 219) = 2.80, ns$ .

### **Imprisonment Ratings**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 53.97, p < .001$ , such that participants believed that the defendant should be imprisoned for the alleged sex offense more when the offense was described as forcible rape ( $M = 1.54, SD = 2.84$ ) versus when

the offense was described as statutory rape ( $M = -1.43$ ,  $SD = 3.18$ ). No main effect was found for the following: frequency of offense,  $F < 1$ ; and history of sexual abuse,  $F < 1$ . There were no significant interactions between the following: type of sex offense and frequency of offense,  $F < 1$ ; type of sex offense and history of sexual abuse,  $F < 1$ ; and frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

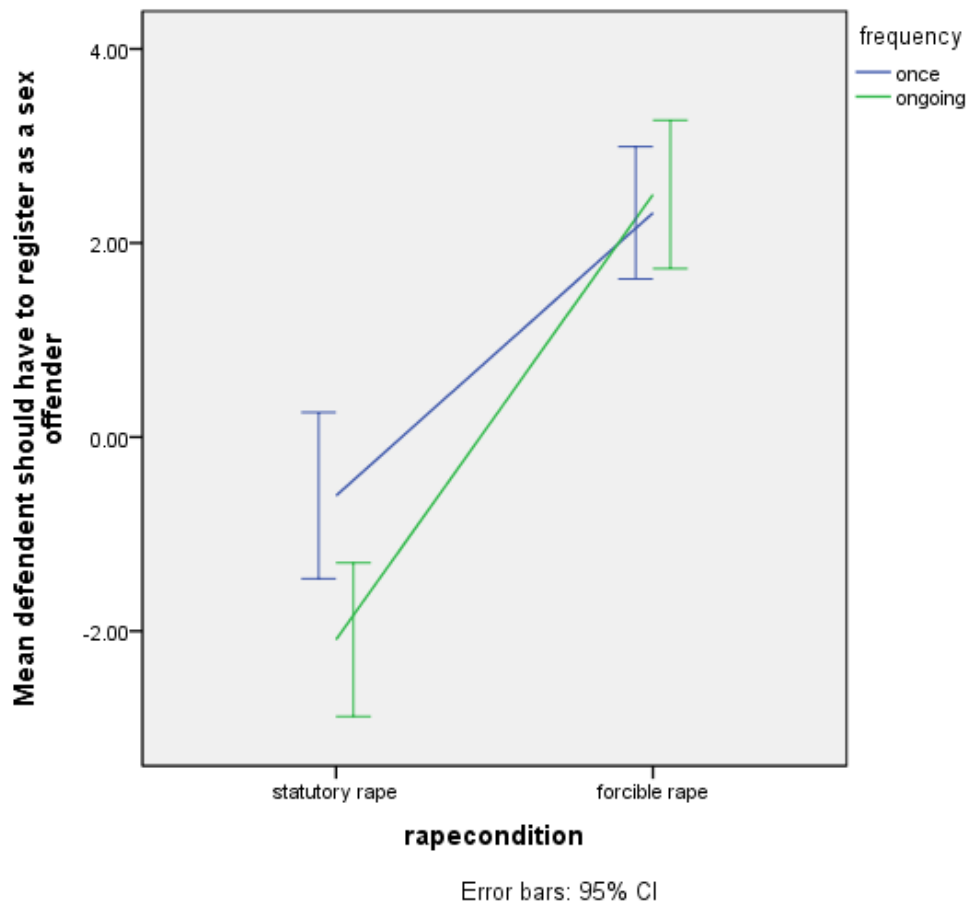


Figure 1. Registration Ratings: Type of Sex Offense by Frequency of Offense Interaction.

### **Institutionalization Ratings**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 26.94, p < .001$ , such that participants believed that the defendant should be placed in a mental health facility for the alleged sex offense more when the offense was described as forcible rape ( $M = -0.51, SD = 2.92$ ) versus when the offense was described as statutory rape ( $M = -2.34, SD = 2.81$ ). There was also a significant main effect for the frequency of offense,  $F(1, 219) = 3.92, p = .049$ , such that participants believed that the defendant should be placed in a mental health facility for the alleged sex offense more when the offense only occurred on one occasion ( $M = -1.04, SD = 2.82$ ) versus when the offense was described as occurring on multiple occasions ( $M = -1.85, SD = 3.15$ ).

Results also indicated a significant main effect for a history of sexual abuse,  $F(1, 219) = 17.15, p < .001$ , such that participants believed that the defendant should be placed in a mental health facility for the alleged sex offense more when the defendant was described as having a history of sexual abuse ( $M = -0.69, SD = 3.05$ ) versus when the defendant was not described as having a history of sexual abuse ( $M = -2.21, SD = 2.76$ ).

There was no significant interaction between type of sex offense and frequency of offense,  $F(1, 219) = 2.35, ns$ . There was no significant interaction between type of sex offense and history of sexual abuse,  $F(1, 219) = 2.76, ns$ . There was no significant interaction between frequency of offense and history of sexual abuse,  $F(1, 219) = 2.50,$

*ns*. There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Victim Blame**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 84.32, p < .001$ , such that participants blamed the victim more when the offense was described as statutory rape ( $M = 2.74, SD = 0.90$ ) versus when the offense was described as forcible rape ( $M = 1.64, SD = 0.90$ ).

No main effect was found for frequency of offense,  $F < 1$ , and no main effect was found for history of sexual abuse,  $F(1, 219) = 2.10, ns$ . There were no significant interactions between the following: type of sex offense and frequency of offense,  $F < 1$ ; type of sex offense and history of sexual abuse,  $F(1, 219) = 2.85, ns$ ; and frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Defendant Blame**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 100.99, p < .001$ , such that participants believed that the defendant's actions were criminal more when the offense

was described as forcible rape ( $M = 3.92$ ,  $SD = 0.91$ ) versus when the offense was described as statutory rape ( $M = 2.43$ ,  $SD = 1.30$ ).

No main effect was found for frequency of offense,  $F(1, 219) = 2.70$ , *ns*, or for history of sexual abuse,  $F(1, 219) = 1.80$ , *ns*. There was no significant interaction between type of sex offense and frequency of offense,  $F(1, 219) = 2.75$ , *ns*. There was no significant interaction between type of sex offense and history of sexual abuse,  $F < 1$ . There was no significant interaction between frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Mental Stability of Defendant**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 58.83$ ,  $p < .001$ , such that participants believed that the defendant was more mentally unstable when the offense was described as forcible rape ( $M = 3.33$ ,  $SD = 1.25$ ) versus when the offense was described as statutory rape ( $M = 2.00$ ,  $SD = 1.49$ ). There was also a significant main effect for the frequency of offense,  $F(1, 219) = 7.51$ ,  $p = .007$ , such that participants believed that the defendant as more mentally unstable when the offense was described as occurring on one occasion ( $M = 2.91$ ,  $SD = 1.41$ ) versus when the offense was described as occurring on multiple occasions ( $M = 2.39$ ,  $SD = 1.61$ ).

Results also indicated a significant main effect for a history of sexual abuse,  $F(1, 219) = 8.77$ ,  $p = .003$ , such that participants believed that the defendant was more

mentally unstable when the defendant was described as having a history of sexual abuse ( $M = 2.92$ ,  $SD = 1.48$ ) versus when the defendant was not described as having a history of sexual abuse ( $M = 2.39$ ,  $SD = 1.54$ ). These main effects were qualified by a significant interaction for the type of sex offense and frequency of offense,  $F(3, 223) = 12.13$ ,  $p = .001$ . Simple effects analyses of frequency at each level of sex offense indicate significance for statutory rape only such that participants believed that the defendant was more mentally unstable when the rape occurred once ( $M = 2.43$ ,  $SD = 1.48$ ) than when it occurred multiple times ( $M = 1.56$ ,  $SD = 1.38$ ) (see Figure 2).

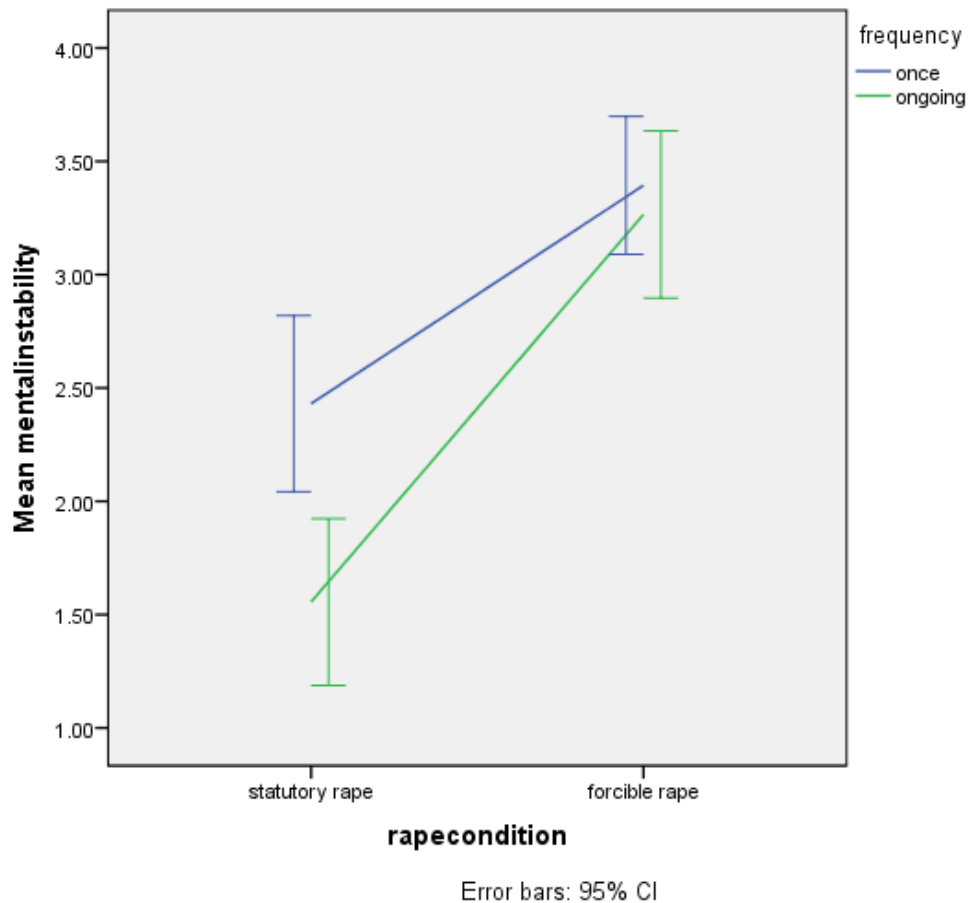


Figure 2. Mental Stability of Defendant: Type of Sex Offense by Frequency of Offense Interaction.

There was no significant interaction between type of sex offense and history of sexual abuse,  $F(1, 219) = 1.45, ns$ . There was no significant interaction between frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Defendant's Past Experiences**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 219) = 35.87, p < .001$ , such that participants believed the defendant's past experiences affected his current behavior more so when the offense was described as forcible rape ( $M = 3.38, SD = 0.91$ ) than when it was described as statutory rape ( $M = 2.59, SD = 1.19$ ). Results also indicated a significant main effect for a history of sexual abuse,  $F(1, 219) = 17.13, p < .001$ , such that participants believed the defendant's past experiences affected his current behavior more so when the defendant was described as having a history of sexual abuse ( $M = 3.26, SD = 1.07$ ) than when he was not described as having a history of sexual abuse ( $M = 2.70, SD = 1.13$ ).

No main effect was found for frequency of offense,  $F(1, 219) = 2.83, ns$ . There was no significant interaction between type of sex offense and frequency of offense,  $F(1, 219) = 2.68, ns$ . There was no significant interaction between type of sex offense and history of sexual abuse,  $F < 1$ . There was no significant interaction between frequency of



offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Lesser Sentence Due to Past Experiences**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for the type of sex offense,  $F(1, 216) = 6.23, p = .013$ , such that participants believed that the defendant should receive a lesser sentence due to his past experiences when the offense was described as statutory rape ( $M = 2.27, SD = 1.43$ ) than when it was described as forcible rape ( $M = 1.77, SD = 1.49$ ). Results also indicated a significant main effect for a history of sexual abuse,  $F(1, 216) = 7.40, p = .007$ , such that participants believed the defendant should receive a lesser sentence due to his past experiences when he was not described as having a history of sexual abuse ( $M = 2.28, SD = 1.45$ ) than when he was described as having a history of sexual abuse ( $M = 1.77, SD = 1.48$ ). These main effects were qualified by a significant interaction for the type of sex offense and the frequency of offense,  $F(3, 220) = 11.25, p = .001$ . Simple effects analysis of rape condition at each level of frequency indicated significance only for when the assault occurred one time, such that participants believed the defendant should receive a lesser sentence due to his past experience more when the offense was described as statutory rape ( $M = 2.40, SD = 1.44$ ) than when the offense was described as forcible rape ( $M = 1.49, SD = 1.35$ ).

No main effect was found for frequency of offense,  $F < 1$ . There were no significant interactions between the following: type of sex offense and history of sexual

abuse,  $F < 1$ ; and frequency of offense and history of sexual abuse,  $F < 1$ . There was no significant three-way interaction between type of sex offense, frequency of offense, and history of sexual abuse  $F < 1$ .

### **Previous Victims**

A 2 (type of sex offense: statutory rape vs. forcible rape) X 2 (sexual abuse history: no history of sexual abuse vs. history of sexual abuse) X 2 (frequency of offense: one occasion vs. multiple occasions) ANOVA was conducted. Results indicated a significant main effect for type of sex offense,  $F(1, 214) = 15.89, p < .001$ , such that participants believed that the girl was the only underage person with whom the defendant engaged in this behavior more so when the offense was described as statutory rape ( $M = 3.32, SD = 1.09$ ) than when the offense was described as forcible rape ( $M = 2.68, SD = 1.31$ ). Results also indicated a significant main effect for a history of sexual abuse,  $F(1, 214) = 4.24, p = .041$ , such that participants believed that the girl was the only underage person with whom the defendant engaged in this behavior more so when the defendant was not described as having a history of sexual abuse ( $M = 3.15, SD = 1.24$ ) than when the defendant was described as having a history of sexual abuse ( $M = 2.84, SD = 1.23$ ).

These main effects were qualified by a significant three-way interaction between the type of sex offense, frequency of offense, and history of sexual abuse,  $F(1, 214) = 4.916, p = .028$ . Simple effects were conducted for each type of sex offense to examine the three way interaction. Results showed a significant interaction between frequency and history,  $F(1, 107) = 8.10, p = .005$ , only when the type of sex offense was described as statutory rape. Simple, simple effects of history at each level of frequency was

significant only when the abuse was described as occurring on multiple occasions,  $F(1, 107) = 10.10, p = .002$ , such that participants who read the description of the offense as a statutory rape and as occurring on multiple occasions, were more likely to believe that this was the only underage person with whom the defendant has engaged in such behavior when the defendant had no history of abuse ( $M = 3.71, SD = 1.38$ ) than when he was reported as having a history of abuse ( $M = 2.81, SD = 0.83$ ) (see Figure 3).

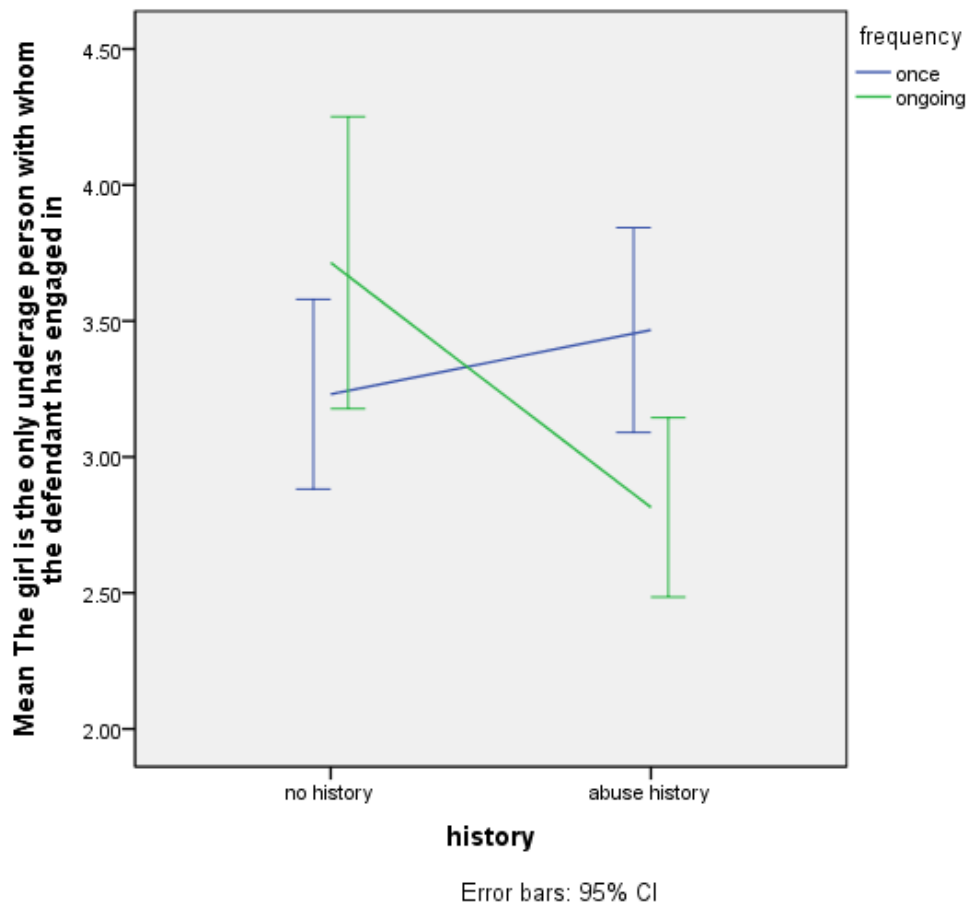


Figure 3. Previous Victims: Type of Sex Offense by Frequency of Offense by History of Sexual Abuse Interaction.

No main effect was found for frequency of offense,  $F < 1$ . There were no significant interactions between the following: type of sex offense and frequency of offense,  $F < 1$ ; type of sex offense and history of sexual abuse,  $F < 1$ ; and frequency of offense and history of sexual abuse,  $F(1, 219) = 1.80, ns$ .

## **CHAPTER IV**

### **DISCUSSION**

The current study explored the perceptions of sex offenders and the impact of the type of sex offense, history of sexual abuse, and frequency of offense. These findings suggest that overall, participants did not believe that statutory rape was as severe as forcible rape, showing lower conviction, registration, imprisonment, and institutionalization ratings for defendants charged with statutory rape compared to forcible rape. Findings supported the hypothesis that forcible rape would be viewed as more deserving of punishment than statutory rape due to the non-consensual, forced nature of the offense. In terms of conviction ratings, the mean rating when the offense was described as forcible rape was well above the midpoint. However, when the offense was described as statutory rape, the mean conviction rating was almost exactly at the midpoint. This suggests that participants were aware that statutory rape is against the law; however, they did not necessarily believe strongly that the 19-year-old should be convicted for this crime. In a courtroom setting, this could imply that defense attorneys with a young client who has been charged with statutory rape may want to stock the jury with young members of the defendant's peer group because, based on these findings, the college-aged participants were reluctant to agree that the perpetrator should be convicted when charged with statutory rape.

In terms of registration ratings, the mean rating was well-above the midpoint when the offense was described as forcible rape. However, when the offense was described as statutory rape, the mean registration rating was well-below the midpoint, indicating that participants did not believe that the defendant should have to register as a sex offender. Further, participants believed the defendant should have to register as a sex offender more so when the defendant and victim engaged in sexual intercourse once versus on multiple occasions. This suggests that participants could have viewed the defendant as in a committed relationship with the 14-year-old girl when they were described as engaging in sexual intercourse on multiple occasions versus on only one occasion. It could be the case that when the statutory offense was described as only occurring on one occasion, participants believed that the defendant was only with the 14-year-old to obtain sex before he moved on to potentially victimize more younger-aged girls. This notion would be consistent with the myth that the main motivation for sex offenders to commit sex crimes is their desire for sex; although this may be the main motivation for some offenders, others have cited reasons such as alleviation of stress, acted on impulse, and revenge (Mann & Hollin, 2007).

It should be noted, however, that in both the statutory rape scenarios in which the defendant and victim engaged sexual intercourse on one occasion or on multiple occasions, the mean registration ratings were still both below the midpoint. This indicates that participants did not believe that the defendant would need to register as a sex offender even though he committed a sex offense under the law. In fact, when given the opportunity to explain their registration ratings, many of the participants in the current study described their lack of support for the defendant being required to register as a sex

offender as being due to the “consensual” nature of the act, the lack of physical force, the presence of a relationship between the offender and victim, and the apparent “willingness” of the victim, with one participant stating, “She seemed willing, so he shouldn’t have to register as a sex offender.” Statements such as these demonstrate the continued endorsement of rape myths by members of society, which has also been demonstrated in other studies (e.g., Burt, 1980; Blumberg & Lester, 1991; Sheldon-Keller et al., 1994; Grubb & Harrower, 2009).

The mean imprisonment ratings were judged consistently with those of conviction and registration when examining the effects of the type of sex offense. When the offense was described as forcible rape, participants believed that the defendant should be imprisoned for the alleged sex offense. However, when the offense was described as statutory rape, participants did not believe that the defendant should be imprisoned for the alleged sex offense, again indicating that participants may not take the crime of statutory rape as seriously as they do forcible rape, or that they just do not view it as a “legitimate” rape, which would be consistent with endorsing rape myths (Burt, 1980; Sheldon-Keller et al., 1994). It could be the case that participants believed that the defendant should not be punished if he was in a committed relationship with the victim. It could also be the case that participants viewed the statutory rape scenario as more normative and, therefore, less deserving of punishment. This notion is supported by previous research done by Sahl and Keene (2010), who found that participants reading a vignette depicting an adult-teen sexual relationship with an age gap of seven years was seen as more normative and less deserving of punishment than a relationship between an adult and teen with an age gap of twenty-seven years. Perhaps if the age gap between the 19-year-old

defendant and 14-year-old victim were larger, then participants would see the sexual relationship as less normative and more deserving of punishment.

In terms of institutionalization ratings, participants believed the defendant should be placed in a mental health facility more so when the offense was described as forcible rape compared to statutory rape, when the offense occurred on only one occasion compared to multiple occasions, and when the defendant was described as having a history of sexual abuse versus when the defendant was not described as having a history of sexual abuse. These results suggest that participants believed that the use of force by the defendant in forcible rape could indicate potential mental health issues on the part of the defendant, whereas with statutory rape, participants viewed the lack of physical force and perceived “willingness” of the victim to engage in such behavior as less of an indication of the need for institutionalization. The correlation between forcible rape and the perceived potential for mental health issues in a rapist is supported in a study conducted by Cowan and Quinton (1997), who found that participants believed that mental illness accounted for a proportion of the variance for what causes an individual to rape. In terms of frequency of the offense, these results suggest that participants may believe that there may have been more of a relationship between the offender and victim when the rape occurred on multiple occasions compared to one occasion, thereby potentially decreasing the need to be placed in a mental health facility as the number of rapes increase. In terms of a history of sexual abuse, it could be the case that when the defendant was described as having a history of sexual abuse, he was viewed as psychologically “damaged” and in need of psychological help compared to when the defendant was not the victim of sexual abuse as a child even though a rape was



committed in either instance. However, it should be noted that institutionalization ratings for each condition were below the midpoint, suggesting that participants did not believe that the offender should be placed in a mental health facility.

Findings from this study also demonstrated that participants blamed the victim more and the defendant less when the offense was described as statutory rape compared to when the offense was described as forcible rape, which supported the hypothesis. This suggests that the perceived willingness of the girl to engage in sexual intercourse with the defendant in the statutory rape conditions despite the law led participants to blame the victim more and the defendant less even though she was not legally capable of providing consent. This is consistent with Kelley's (1971) attribution theory: participants viewed the presence of a dating relationship and the consent, albeit illegal, of the minor as facilitative causes that led to intercourse between the defendant and victim. The verbalized lack of consent and the physical force used in forcible rape caused participants to reverse the attribution of blame placed on both parties, showing increased perpetrator blame and decreased victim blame in the forcible rape scenarios. These results are supported by Shotland and Goodstein (1983), who showed that the greater the amount of force used to rape a victim, the less a victim will be blamed for being raped and the more a perpetrator will be blamed for completing the rape. Interestingly, the hypothesis that the victim will be blamed more when the offense was described as occurring on multiple occasions versus one occasion was not supported by the findings. It could be the case that the girl was not viewed as a "victim" when the offense was described as occurring multiple times. Because the stereotypical sex offense is usually viewed as being a one-time offense committed by a stranger to the victim (Levenson et al., 2007), the rape

occurring on multiple occasions could have led to decreased victim blame simply because the girl was not viewed as a victim.

When participants were asked to rate the mental stability of the defendant, results showed that they believed the defendant to be more mentally unstable when the offense was described as forcible rape compared to statutory rape, when the offense occurred on one occasion compared to multiple occasions, as well as when the defendant was described as having a history of sexual abuse. The finding that the defendant was viewed as more mentally unstable in the forcible rape condition compared to the statutory rape condition is consistent with the previous finding that participants produced higher institutionalization ratings when the offense was described as forcible rape compared to statutory rape. This may be due to the “force” used in forcible rape and the absence of physical force used in statutory rape that leads participants to believe the defendant is more mentally unstable in the forcible rape conditions. The idea that some individuals may perceive forcible rapists as mentally unstable was supported by the findings of Cowan and Quinton (1997), who found that the belief that forcible rapists are mentally ill accounted for a proportion of the variance in what participants perceived the causes of rape to be. Also consistent with findings regarding institutionalization was that participants believed the defendant was more mentally unstable when the offense occurred on one occasion compared to multiple occasions. Participants may have believed that there may have been more of a relationship between the offender and victim when the rape occurred on multiple occasions compared to one occasion, thereby potentially decreasing the perception that the defendant is mentally unstable when the crime is reported as occurring on multiple occasions. Participants also believed that the

defendant was more mentally unstable when he had a history of sexual abuse. When the defendant had a history of sexual abuse, participants may have viewed him as psychologically “damaged” and, therefore, more mentally unstable due to experiencing sexual abuse as a child.

Additionally, for statutory rape only, participants believed that the defendant was more mentally unstable when the rape occurred once compared to when it occurred multiple times. This result is consistent with Kelley’s (1971) attribution theory. Using the three different types of information described earlier (i.e., distinctiveness, consistency, and consensus), participants saw the behavior as distinctive (i.e., the defendant was described as acting this way only in regard to the particular victim), consistent (i.e., the defendant had sexual intercourse with the victim on multiple occasions), and potentially viewed the behavior as normative for persons of that age (i.e., other similar defendants would have sex multiple times with other similar victims when in a dating relationship even though it is against the law). Participants could have believed that if the defendant only had sexual intercourse with the girl once, that it could be a more exploitive rather than committed relationship, thereby making the defendant more mentally unstable because he engages in sex with young girls.

When participants were asked to rate how the defendant’s past experiences affected his current behavior, participants endorsed this belief more so when the offense was described as forcible rape compared to statutory rape and when the offender had a history of sexual abuse. It may be the case that participants viewed forcible rape as a crime and statutory rape as a relationship. Therefore, participants may think that the defendant who committed forcible rape must have had something happen in the past to

cause him to engage in such violent behavior. However, when the defendant committed statutory rape, participants may have just viewed it as a harmless relationship between two individuals when the defendant is five years older than the minor, which, in the participants' minds, may not have necessarily been affected by the defendant's past experiences in his life. According to Sahl and Keene (2010), the five year age gap may not have been large enough to render the sexual relationship between the perpetrator and victim "inappropriate;" rather, it may be viewed as "normal." In terms of a history of sexual abuse, participants believed that the presence of a history of sexual abuse meant that the defendant's current behavior was influenced by his past experiences. This is consistent with Kelley's (1971) attribution theory. Participants viewed the presence of a history of sexual abuse in the offender as an inhibitory cause, believing that his past experiences led to his inability to control himself, which led to the illegal sexual behavior with the girl.

Participants were also asked whether or not the defendant should receive a lesser sentence due to his past experiences. Although findings regarding the effects of the defendant's past experiences demonstrated the participants believed that the defendant's past experiences affected his current behavior when he had a history of sexual abuse and when the offense was described as forcible rape, participants did not believe that these past experiences warranted a lesser sentence for the current offense. Participants believed that the defendant should receive a lesser sentence due to his past experiences when the offense was described as statutory rape compared to forcible rape. The lack of support for giving a lesser sentence to the forcible rapist could, again, be due to the violent nature of the offense, causing participants to want to see the rapist serve his full sentence. The

findings also showed that participants believed the defendant should receive a lesser sentence due to his past experiences when the defendant was not described as having a history of sexual abuse compared to when he was described as having a history of sexual abuse. It could be the case that participants believed that the defendant with a history of sexual abuse would be more likely to commit crimes in the future because he is “damaged” psychologically, compared to a defendant without a history of sexual abuse because he does not have that previous experience that could be potentially driving his behavior, therefore making him less likely to engage in similar behavior in the future and warranting a lesser sentence. Also, when the offense was described as only occurring one time, participants believed that the defendant should receive a lesser sentence due to his past experience more so when the offense was described as statutory rape than when the offense was described as forcible rape. This is consistent with current findings that forcible rape is seen as more severe than statutory rape, suggesting that participants do not believe an offender who commits forcible rape deserves leniency regardless of his past experiences.

When participants were asked to rate whether or not the victim was the only underage person with whom the defendant engaged in this behavior, participants were more likely to endorse the viewpoint that the girl was the only underage sexual partner of the defendant more so when the offense was described as statutory rape compared to forcible rape, and when the defendant was not described as having a history of sexual abuse compared to when the defendant was described as having a history of sexual abuse. When the offense was described as statutory rape, participants could have viewed it as a committed, boyfriend-girlfriend relationship, and, therefore, believed that this was the

only underage person with whom the defendant has engaged in this behavior. When the offense was described as forcible rape, participants could have been more likely to think that this act was one of many in a pattern of predatory behavior demonstrated by the defendant. This notion would be consistent with the myth that sex offenders have a high rate of recidivism; however, this myth has been proven false (Harris & Hanson, 2004). Because participants also rated the forcible rapist as more mentally unstable and in greater need of being placed in a mental health facility, participants could have also believed that the defendant had additional victims due to his mental instability.

In terms of the effect of a history of sexual abuse, participants could have viewed the defendant as psychologically “damaged” when he was described as having a history of sexual abuse, which could have led them to believe that he has engaged in this type of behavior before with additional young victims. Specifically, when the offense was described as statutory rape occurring on multiple occasions, participants were more likely to believe that this was the only underage person with whom the defendant has engaged in such behavior when the defendant had no history of sexual abuse compared to when he was reported as having a history of sexual abuse. This result supported the hypothesis that participants were more likely to view the statutory rape occurring multiple times as a potential committed, boyfriend-girlfriend relationship when the defendant had no history of sexual abuse, compared to a potential pattern of predatory behavior when the defendant was described as having a history of sexual abuse.

Taken together, the results of the current study highlight how the perceptions of a sex offender differ based on the type of sex offense, frequency of offense, and whether or not the offender had a history of sexual abuse, as well as the various consequences of

holding these perceptions. Overall, results show a lack of support for punishing a 19-year-old offender who commits statutory rape against a 14-year-old victim. This suggests a lack of support for statutory rape laws by younger, college-aged participants when committed by someone of a similar age. Members of the statutory rapist's peer group may view the relationship between the perpetrator and victim as "normative" and, therefore, not deserving of punishment (Sahl & Keene, 2010). Additionally, the lack of authority that the perpetrator had over the victim could have contributed to the lack of support for convicting and punishing the statutory offender. If the perpetrator had had some position of authority over the victim, such as a teacher-student relationship instead of a neighbor-neighbor relationship, then the participants' perceptions may have been more punitive toward the defendant (Sahl & Keene, 2010). Implications of this are noteworthy. If, in fact, this type of rape is not viewed as criminal, it is arguable that these crimes would be less likely to be reported by someone similar in age to the young offender (Sahl & Keene, 2012). Similar results were found by Sahl and Keene (2012), showing that the university participants presented with a statutory rape scenario committed by either a 22-year-old versus a 42-year-old offender against a 15-year-old victim showed higher registration ratings and beliefs that the individual should be considered a sexual predator for the 42-year-old compared to the 22-year-old offender. Future studies should examine whether or not young adults are willing to report statutory rape offenses when committed by someone in a similar age group. Perhaps perceptions of college-aged participants would be more punitive for the same scenario if the ages of both the offender and victim were not described in just the number of years, but also in terms of schooling (i.e., an eighth grader in a sexual relationship with a sophomore in

college), which would demonstrate the potential difference in maturity level and the necessity of statutory rape laws in the first place.

Although the lack of support for the conviction of young statutory offenders cannot be generalized to the public at large due to the limited age range of the participant sample, our results demonstrated a differential call for punishment, penalties, and restrictions based on the type of sexual offense perpetrated. However, the current laws do not reflect this significant difference. Both statutory and forcible rapists are required to register as sex offenders on a registry that is made available to the public: statutory rapists are placed on Tier 2 of the Sex Offender Registry and must register twice each year for 25 years, and forcible rapists are placed on Tier 3 of the Sex Offender Registry and must register four times each year for the rest of his or her life (Schiavone & Jeglic, 2009; Jacob Wetterling Act, 1994; Adam Walsh Act, 2006). While participants agreed that this would be a fair punishment for forcible rapists, overall they did not believe that young statutory offenders should even be placed on the registry. This lack of support for having the statutory offenders register as sex offenders could suggest that the public, or at least college-aged students, may want policymakers to re-evaluate the “age-blind” statutory rape laws, as well as the punishments and penalties associated with that conviction. Future studies should examine whether or not there is a lack of support in by the general public for the registration of young statutory offenders as sex offenders.

This study suggests that there are various implications for the application of the current study’s findings in a courtroom setting. First, the results of this study may be useful to attorneys involved in a jury trial when a young defendant is charged with statutory rape. When selecting jury members, defense attorneys may want to stock the



jury with individuals who are close in age to the defendant, and prosecuting attorneys may want to avoid having many young members on the jury due to the apparent lack of support for conviction, registration, and punishment of young statutory offenders by young, college-aged participants. Second, results suggest that revealing that an offender has previously experienced sexual abuse in his life may have harmful consequences on potential jurors' perceptions of him. Rather than garnering juror sympathy by revealing a history of sexual abuse in the hopes of being acquitted or receiving a lesser sentence, the results of our study suggest that jurors may judge the defendant more harshly and view them as more mentally unstable when a history of sexual abuse is present, thereby hurting them in the judicial process. Although the vignettes used in this study only briefly mentioned that sexual abuse occurred in the defendant's past, future studies should examine whether or not the severity of previous sexual abuse makes a difference in the amount of sympathy given to defendants, the verdict, the sentence given, or even if there is a point at which a sex offender is viewed as a victim himself.

The present study contains limitations regarding the participant sample and generalizability of the results. First, the participant sample was homogenous. Future studies should attempt to draw participants from more diverse backgrounds, ages, ethnicities, and sexual orientations to examine whether participant demographic characteristics influence the outcome of the study. Second, it may be difficult to generalize the results of this study to an actual courtroom setting due to the methodology used in this study. In an actual courtroom setting, jurors would hear more than a paragraph of information about a case, interact with other jurors, deliberate, and make a formal decision regarding guilt or innocence of the defendant.

Limitations notwithstanding, the results of this study could have important implications on how sex offenders are perceived based on the type of sex offense, frequency of offense, and the presence of a history of sexual abuse. These perceptions could help explain how potential jurors will view certain defendants who exhibit, or whose case exhibits, similar characteristics as those described in the current study. Future research should consider varying the age of the participants completing the study, the degree or severity of sexual abuse experienced by a defendant, or even the willingness of young adults to report statutory rape offenses committed by members of their age group

## **APPENDICES**

**Appendix A**  
**Demographic Questionnaire**

Please provide the following information:

Age: \_\_\_\_\_

Sex: \_\_\_\_\_Female

\_\_\_\_\_Male

\_\_\_\_\_Prefer not to say

Race/Ethnicity: (please check all that apply)

\_\_\_\_\_African American / Black

\_\_\_\_\_Asian American

\_\_\_\_\_European American / White

\_\_\_\_\_Hispanic

\_\_\_\_\_Native American Indian

\_\_\_\_\_Other:\_\_\_\_\_

\_\_\_\_\_Prefer not to say

Sexual Orientation:

\_\_\_\_\_Heterosexual

\_\_\_\_\_Gay man

\_\_\_\_\_Lesbian

\_\_\_\_\_Bisexual

\_\_\_\_\_Prefer not to say

Level of Education:

\_\_\_\_\_First Year

\_\_\_\_\_Junior

\_\_\_\_\_Grad Student

\_\_\_\_\_Sophomore

\_\_\_\_\_Senior

\_\_\_\_\_Other/Prefer not to say

Have you ever been convicted of a felony?

☐ Yes ☐ No

Have you ever had a romantic relationship with someone much older or younger (more than a 5 year age difference) than you?

☐ Yes ☐ No

Have you known anyone who has ever had a romantic relationship with someone much older or younger (more than a 5 year age difference) than they are?

☐ Yes ☐ No

Have you known anyone who has been accused of statutory/forcible rape?

☐ Yes ☐ No

Have you known anyone who has been charged with statutory/forcible rape?

☐ Yes ☐ No

Have you ever been the victim of statutory/forcible rape?

☐ Yes ☐ No

Have you ever been the victim of sexual assault?

☐ Yes ☐ No

## Appendix B

### Private Belief Rating Scale

With this questionnaire, you are being asked to circle the one number that best describes your private belief that the defendant should or should not be **convicted as a sex offender**. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether the defendant should or should not be convicted.

-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5
Defendant Should NOT be Convicted						Defendant SHOULD be Convicted				

### Private Belief Rating Scale

With this questionnaire, you are being asked to circle the one number that best describes your private belief that the defendant should or should not have to **register as a sex offender**. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether the defendant should or should not register as a sex offender.

-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5
Defendant Should NOT have To register						Defendant SHOULD have to Register				

### Private Belief Rating Scale

With this questionnaire, you are being asked to circle the one number that best describes your private belief that the defendant should or should not be **imprisoned for the alleged sex offense**. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether the defendant should or should not be imprisoned for the alleged sex offense.

-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5
Defendant Should NOT be Imprisoned						Defendant SHOULD be Imprisoned				

### Private Belief Rating Scale

With this questionnaire, you are being asked to circle the one number that best describes your private belief that the defendant should or should not be **placed in a mental health facility for the alleged sex offense**. You are not being asked to state whether you believe there is sufficient evidence to convict in a court of law. Rather, it is asking about your personal and private belief.

Please circle one number that best describes your private belief about whether the defendant should or should not be placed in a mental health facility for the alleged sex offense.

-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5
Defendant Should NOT be Placed in a Mental health facility						Defendant SHOULD be Placed in a Mental health facility				

## Appendix C Perceptions

Given the following rating scale, please indicate the extent to which you agree or disagree with the following statements.

Strongly Disagree			Neither Agree Nor Disagree			Strongly Agree
0	1	2	3	4	5	6

- \_\_\_\_\_ 1. The girl is partly to blame for the actions of the defendant.
- \_\_\_\_\_ 2. The defendant is solely to blame for the events that took place.
- \_\_\_\_\_ 3. The defendant's actions are not the results of the girl's behavior.
- \_\_\_\_\_ 4. The defendant's actions were reasonable.
- \_\_\_\_\_ 5. The girl should know to be more careful in interactions with certain defendants.
- \_\_\_\_\_ 6. The defendant's actions were the result of unwanted attention from the girl.
- \_\_\_\_\_ 7. The defendant deliberately intended to inflict harm on the girl.
- \_\_\_\_\_ 8. The defendant's actions were under control.
- \_\_\_\_\_ 9. The defendant was provoked.
- \_\_\_\_\_ 10. The defendant's actions were justified.
- \_\_\_\_\_ 11. The girl deserved it.
- \_\_\_\_\_ 12. Any reasonable person would have acted the same as the defendant.
- \_\_\_\_\_ 13. The defendant is mentally unstable.
- \_\_\_\_\_ 14. The girl is mentally unstable.
- \_\_\_\_\_ 15. The defendant committed a sexual offense.
- \_\_\_\_\_ 16. The defendant should be found guilty.
- \_\_\_\_\_ 17. The defendant should be found not guilty.



- \_\_\_\_\_18. The defendant should be placed in a mental institution.
- \_\_\_\_\_19. The defendant should receive psychological help.
- \_\_\_\_\_20. The defendant should go to jail/prison.
- \_\_\_\_\_21. The defendant should have to register as a sex offender.
- \_\_\_\_\_22. Situations like this happen all the time.
- \_\_\_\_\_23. The defendant's actions were criminal.
- \_\_\_\_\_24. The situation is very surprising and does not occur often.
- \_\_\_\_\_25. The girl should have known better than to engage in such behavior with the defendant.
- \_\_\_\_\_26. The defendant's past experiences caused him to engage in this behavior with the girl.
- \_\_\_\_\_27. The defendant could be considered a victim in this situation.
- \_\_\_\_\_28. The defendant psychologically could not control his urge to engage in this behavior with the girl.
- \_\_\_\_\_29. It is not the defendant's fault that he wanted to engage in this behavior with the girl.
- \_\_\_\_\_30. The defendant's experiences as a child led him to engage in this behavior with the girl as an adult.
- \_\_\_\_\_31. The defendant should receive a lesser sentence due to his past experiences.
- \_\_\_\_\_32. The defendant should receive psychological help instead of being sentenced to jail/prison if found guilty due to his past experiences.
- \_\_\_\_\_33. The defendant's experiences will cause him to engage in this behavior again in the future.
- \_\_\_\_\_34. The girl is the only underage person with whom the defendant has engaged in this behavior.

## **Appendix D**

### **Manipulation Check**

#### **About the case you read:**

Did the scenario state that the defendant had a history of sexual abuse?

YES                      NO

Did you believe (regardless of what was stated in the scenario) that the defendant had a history of sexual abuse?

YES                      NO

Did the scenario state that the victimization happened on one occasion or over multiple occasions?

ONE OCCASION                      MULTIPLE OCCASIONS

Did the scenario state that the defendant committed statutory rape or forcible rape?

STATUTORY RAPE                      FORCIBLE RAPE

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