

Sexual Abuse with Voluntary Participation Elements

(e.g. “statutory” victims)

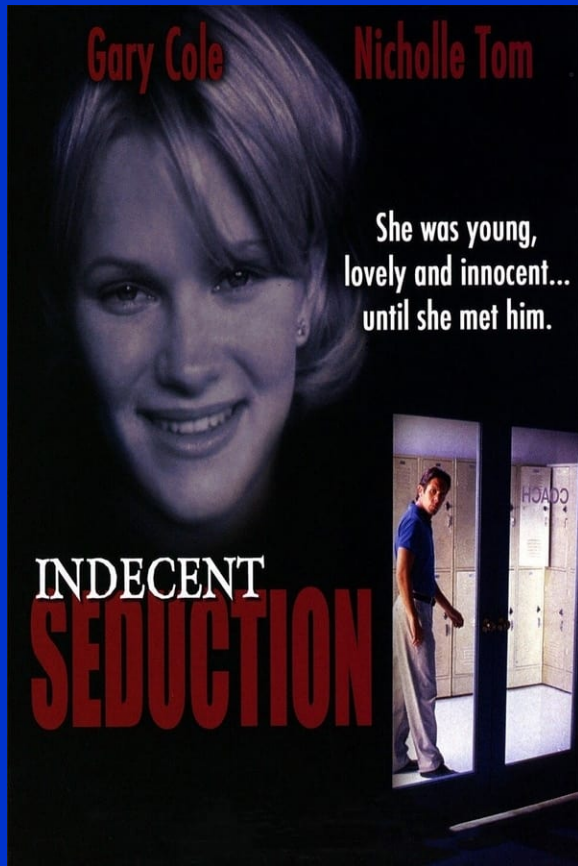
David Finkelhor

Crimes against Children Research Center

University of New Hampshire



George and
Harriet



Fourteen-year-old high school student, Amy Dustin, becomes an object of romantic affection to the school's biology teacher and football coach, Pete Nash. They take a sudden interest in each other, sending each other notes and talking on the telephone. Although Pete has a family, the two begin a secret relationship.

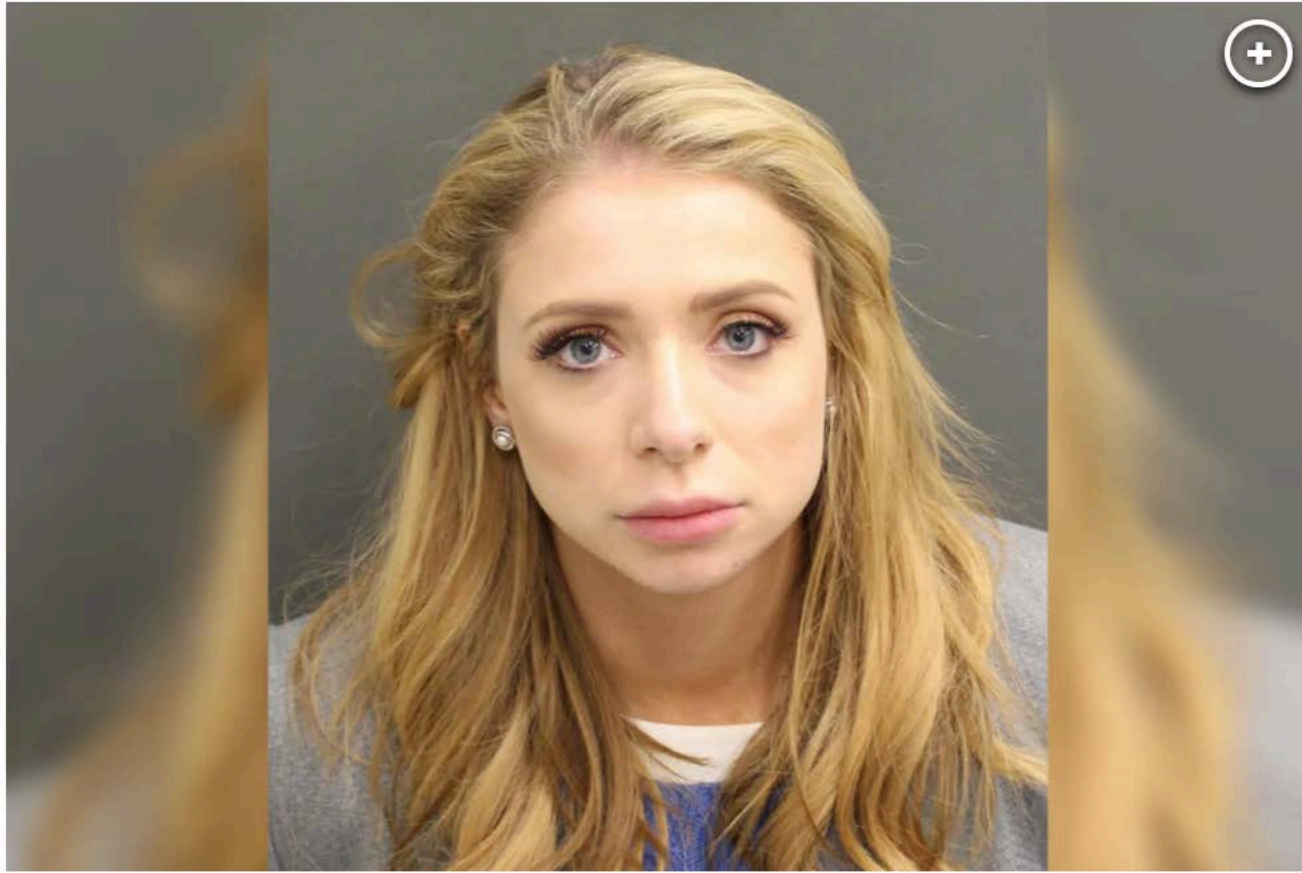


A poor French teenage girl engages in an illicit affair with a wealthy Chinese heir in Saigon. For the first time in her young life she has control, and she wields it deftly over her besotted lover throughout a series of clandestine meetings and torrid encounters.

Prostitute busted for having sex with 14-year-old boy

By [Tamar Lapin](#)

April 10, 2018 | 2:51pm | Updated



Sarah Louise McGill

A Scottish hypnotherapist was busted in Florida for having sex with a 14-year-old boy who paid her \$480 for a hotel tryst, police and a report said.

NEWS

Girl made \$1,100 selling nude photos of herself online

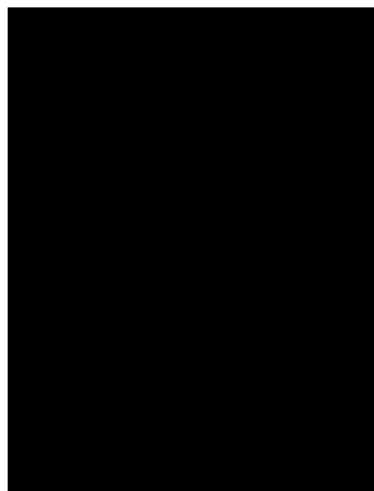
John Hogan WZZM-TV

Published 9:24 a.m. ET Dec. 31, 2015

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GRAND RAPIDS — A 15-year-old Gaines Township girl admitted to selling nude photos and videos of herself on the Internet, earning more than \$1,100 before her mother found out and contacted police.



National Survey

- ✓ 13% of girls reported a first sexual experience with an adult male three or more years older,
- ✓ 80% of these sexual experiences were reported as voluntary
- ✓ 13% of these relationships were with men eight or more years older

- ✓ Manlove et al., 2005

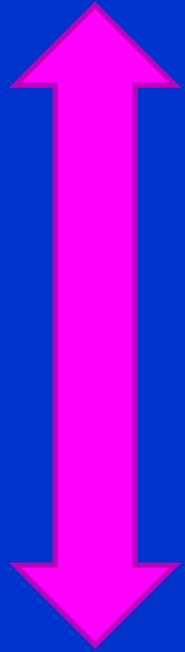
Is it problematic to use term “voluntary”?

- ✓ possibly abets sex offenders, who delude themselves or try to excuse criminal behavior by referring to voluntary or mutual relationships with juveniles

✓ Is it problematic to use term
“voluntary”?

- ✓ Public and professionals will continue to be confronted by such relationships, accurate information concerning their dynamics and characteristics.
- ✓ If some young people are initiating sexual activities with adults or enthusiastically involved, we cannot be effective if we assume that all such relationships start with a predatory or criminally inclined adult.

Continuum of “voluntariness”



Manipulated assent

Ambivalence

Curiosity

Enthusiasm

Seduction of adult

Even Most Voluntary Are Sex Crimes

- ✓ Statutory sex offense
- ✓ “A person is guilty of statutory sexual offense with a child by an adult if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of (??) years.”
- ✓ Usually under 16
- ✓ Sometimes restrictions for 16-17 year olds

Police

- ✓ Among crime reports to police:
- ✓ 12 % of sex crimes vs 12-17 year olds are recorded as statutory rape.
- ✓ -- doesn't mean that all these are voluntary
- ✓ -- statutory “rape” is narrower than statutory “sex crimes”
- ✓ -- Some kinds of statutory sex crime much less likely to come to police attention

Statutory Victim

- ✓ Problem: SSC sometimes charged even when force is present, because its easier to convict
- ✓ I use the term **statutory victim** to mean a relationship between a juvenile and an adult that is illegal under age of consent statutes, and that does not involve the degree of coercion or manipulation sufficient to qualify under criminal statutes as a forcible sex crime.

Why is it illegal?

- ✓ Good reasons
 - ✓ Power, experience differential
 - ✓ Immaturity of judgment
 - ✓ Responsibility of adults to mentor

Broader Relevance

- ✓ Even when not fully voluntary, much CSA is not necessarily assaultive
- ✓ How do offenders gain compliance?
 - ✓ Authority, trust
 - ✓ Attention, affection, incentives
 - ✓ Normalization
 - ✓ Appeal to curiosity, sex information
 - ✓ Complicity
 - ✓ Grooming, manipulation

Relevance

- ✓ If most CSA is not assaultive
 - ✓ Terms like sexual “assault,” child “rape,” “molest”
 - ✓ “abuse,” “exploitation”
 - ✓ Opaque about dynamics

Implication: to extent that victims, parents and investigators think “real” CSA is violent and coercive, victims will be blamed and feel guilty

Online sexual abuse and exploitation

Lots of statutory victim
dynamics are revealed

Case Histories

Online grooming reality

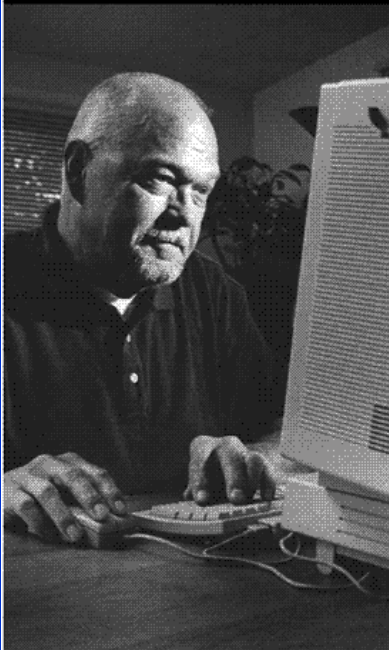
- Almost all online grooming occurs to teens
- Mostly at hands of offline adult acquaintances
- Most youth when they go to meet online correspondents know that these are adults and that sex and romance are the agenda
- 75% of victims had sex on multiple occasions with perpetrator
- 20% of victims were boys looking for guidance around sexual orientation

– Wolak, Janis, David Finkelhor, Kimberly J. Mitchell, and Michele L. Ybarra. "Online" predators" and their victims: myths, realities, and implications for prevention and treatment." *The American psychologist* 63, no. 2 (2008): 111-128.

Misguided Prevention Logics

✓ Internet predators pose as kids, lure and abduct

MEET 10-YEAR-OLD BECKY'S 12-YEAR-OLD INTERNET FRIEND.



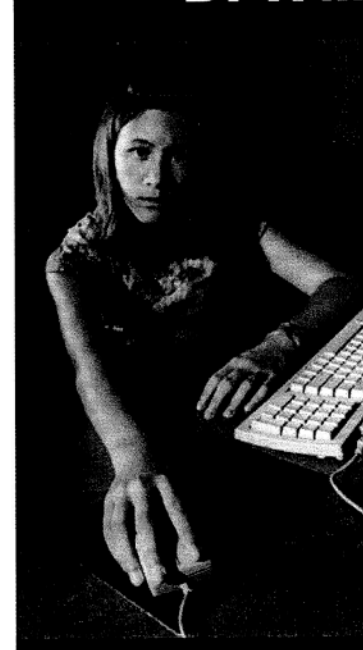
The internet is a great place to buy cars, sell collectibles and stay informed. But for child molesters, it's a new, effective and more anonymous way to sexually exploit children. To reduce the risks, you need to know the potential dangers and report them. At the National Center for Missing & Exploited Children, we've created the CyberTipline to help fight back. And it works. Since 1998, we've dealt with more than 120,000 leads and we've worked tirelessly with law enforcement to help bring these predators to justice. To report child sexual exploitation, call the police. Then call us at 1-800-843-5678 or contact us at www.cybertipline.com. Child molesters may hide behind cute screen names. But together we can expose them for what they really are.



1-800-THE-LOST
www.cybertipline.com

WE'RE HERE BECAUSE THEY'RE OUT THERE.

LAST YEAR, 705 KIDS WERE ABDUCTED BY A MOUSE.



A simple click is all it takes to give a child molester internet access to your children - access that can actually lead to abduction. Reports of such incidents are everywhere as predators keep getting better at seeking out new victims. The good news is that we keep getting better at fighting back. At the National Center for Missing & Exploited Children, we've created the CyberTipline in partnership with the FBI, U.S. Customs Service, Postal Inspection Service and Secret Service. To report child sexual exploitation, call the police. Then call us at 1-800-843-5678 or contact us at www.cybertipline.com. We work with law enforcement professionals who are ready to track down these criminals and bring them to justice. So do your part to help. Look out for your children online. If you don't, there are plenty of predators who will.



WE'RE HERE BECAUSE THEY'RE OUT THERE.

Other ineffective messages

“Don’t let anyone touch your private parts”

“Trust your feelings”

“Good touches, bad touches, uncomfortable

- “Don’t go to meet strangers”
- “People aren’t always who they appear to be.”



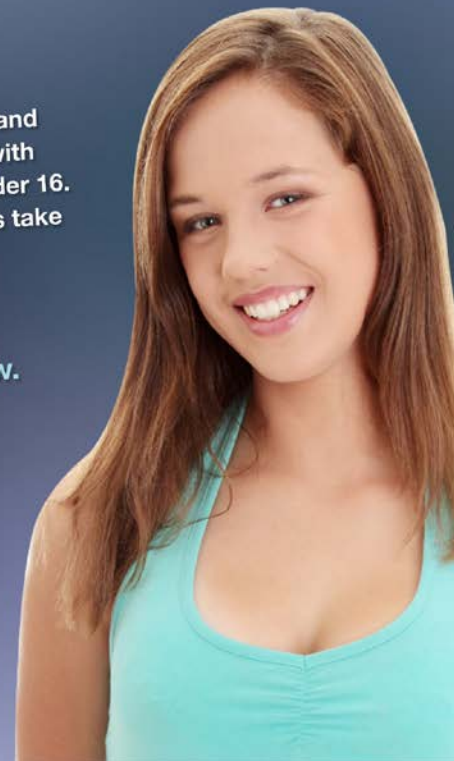
Diversity of Dynamics

- ✓ Risk factors
- ✓ Sensation seekers
- ✓ Poorly supervised
- ✓ Neglected
- ✓ Sexualized

Dude, she can't even get a driver's license.

Girls may look older, act older, and even say yes - but having sex with them is still illegal if they're under 16. Speak up, don't let your friends take advantage of younger girls.

Don't risk it, learn the law.
ShesNotOldEnough.com



This public awareness campaign was supported by the Nevada State Health Division through Grant # 33010P0009040 from the Centers for Disease Control and Prevention (CDC). Its contents are solely the responsibility of the authors and do not necessarily represent official views of the Nevada State Health Division nor the Centers for Disease Control and Prevention (CDC).

KPS3

File Name: 12NV011_Spanish-Statutory-Rape-Poster.indd
Job Name: Spanish Statutory Rape Poster Production

Size: 8.5" x 11"
Template:

User: Anne Kelly
Color: rgb

Board: 2P
Special: rls

Version: 1
Date: 9/13/12
AE:
Designer:
Proofed By:

0000 4762



health

Department of Health
PROVINCE OF KWAZULU-NATAL



**OLDER MEN +
YOUNG GIRLS =
TEENAGE PREGNANCY
& AIDS**

"SUGAR DADDIES" DESTROY LIVES

Fighting Disease, Fighting Poverty, Giving Hope



Better Prevention Messages

- What are age of consent laws, and why we have them.

(Teens and adults are generally ignorant about this.)

Better Prevention Messages

- Why relationships with older partner don't work out and have many unforeseen risks.
- Would you want this “friend/lover” to go to jail?

Better Prevention Messages

- How does someone decide on an appropriate romantic partner?
- What are signs of a healthy relationship?
- What are signals that you are being exploited?

Better Prevention Messages

- How can you extricate yourself from inappropriate relationship when you are under pressure?
- How to discourage a friend from pursuing an inappropriate relationship or help them in breaking it off?

The Artificial Intelligence (AI) Challenge

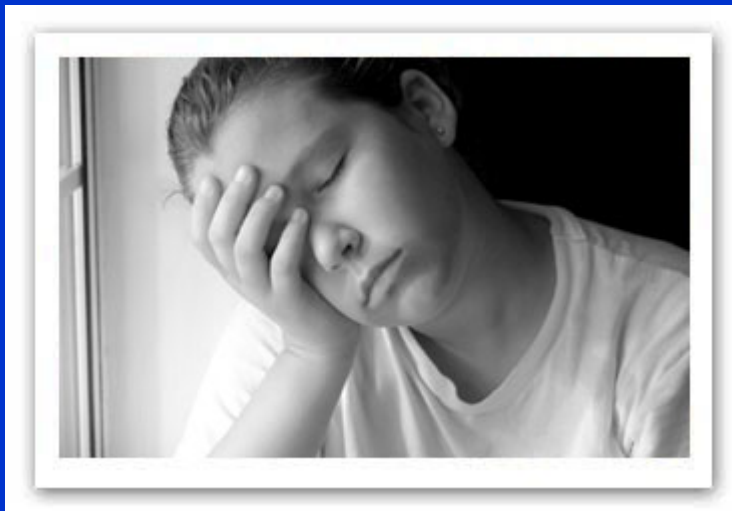
- Using conversation analysis and meta-data to detect grooming and illegal relationships
- Send warning messages to adults or help offers to youth
- Is it feasible?
- Will public tolerate the privacy problem?

Challenges for Prevention

- ✓ May be inadequate for high-risk youth

Abused youth, mental health, conflict with parents, drug involved

Sexual minority youth



GO GAY
CHAT.COM

Challenges for Prevention

Sex Education Dilemma

- Schools are nervous about education that assumes teens are being sexual
- Parents and program developers prefer non-sexual, safe “stranger danger” messages
- We shouldn’t be complicit in the idea that sexual risk taking and harms can be prevented without comprehensive sex education
- Because teen curiosity about sex is an important part of what drives inappropriate relationships

Future of Sex Education Initiative. (2012). National Sexuality Education Standards: Core Content and Skills, K-12 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>

Investigation Issues

- Teen shamed and humiliated by discovery
- Angry at parents and police
- Feeling infantilized
- Allying with offender and refusing cooperation

Better Investigations

- Don't assume youth sees themselves as victim
- Anticipate possible resistance and anger
 - Empathize with their reactions
- Emphasize the societal justification for the CJ action
- Give victims time to process and sense of options
- Connect with other statutory victims

Better Laws

- Protect youth against prosecution for sexual image production and sharing
- Protect youth against sex registration laws

Good news

- Police and prosecutors are taking on these cases
- Male victims, #me-too movement = awareness
- Sexual abuse and assault have been declining
- Other risky sexual behavior has been declining

The End

