

**I. Summary****I. Preliminary Remarks**

When we talk about sexual behavior that violates social norms, unfortunately, unconscious fears and irrational arguments become part of the discussion (pg. 47 ff). Legal experts have deplored the irrationality of such discussions for several decades now (pg. 52 f). There is an undifferentiated image of the sexual criminal, his act, and his victim (pg. 51), which means, for example, that sexuality -- in spite of the sexual revolution -- is still largely taboo; it remains an awkward subject (pg. 47 f), and consequently, an objective portrayal of problematic situations in the sexual arena remains elusive.

The various opinions, attitudes, prejudices, and shortages of information with regard to deviant sexuality have a greater or lesser impact on everyday life when:

- mistaken conceptions of sex education propagated in the school and at home cause children anxiety (pg. 51 f);
- sexual criminality is over-dramatized (pg. 479 ff);
- girls and women, as a result of being warned about strange and wicked men, become overwhelmed and are rendered helpless (pg. 495 ff);
- the ethics and politics of sexual norms are discussed (pg. 54 ff);
- persons who deviate to a greater or lesser degree from sexual norms receive medical or psychotherapeutic treatment: and,
- sexual victims receive unsympathetic responses from their environment; i.e., when serious cases become known (pg. 501 ff).

What actually constitutes a serious case, and where the real dangers to sexual victims lie, should be explored by conducting large-scale, empirical, longitudinal studies.

**II. Goals of the Longitudinal Study**

The primary issues were (pgs. 84 ff and 137 ff):

- a. Which population groups are at greatest risk of becoming sexual victims?
- b. What actually happens when a sexual offense is reported to the police? What role does the use of violence play in the sexual contact?

- c. Is there such a thing as the sexual offense? Or are there different typical constellations?
- d. How did the sexual act come about? What was the behavior of the accused? What was the victim's behavior? Where did the sexual contact take place?

- e. How does the victim see the reported sexual contact several years after the report?
- f. What was the victim's overall situation? How did the environment react? How did institutional agents behave?
- g. How many of the victims felt they were harmed? In what types of cases does psychological harm occur?
- h. In the victim's opinion, what caused the psychological harm, to the extent it did occur? Was it more likely to be so-called primary harm, caused by the criminal act itself, or so-called secondary harm, which occurred only later on as a result of negative environmental influences?

### III. Research Method (pgs. 87 ff, 127 ff, and 205 ff)

The foundation of the victimological study was a questionnaire that was completed by virtually all sexual victims from the German State of Lower Saxony who became known to the police over a four-year period (1969-1972) (pg. 127 f). Consequently, the persons encompassed by this study had either personally declared themselves to be victims, or persons who were declared by others to be victims. (Both were designated as "declared victims" (pg. 25 ff).) The female sexual victims were twenty years of age and under; the males were fourteen and under. Therefore, the largest portion of declared sexual victims were questioned. Statements from the 8,058 declared sexual victims were evaluated victimologically; they were found to be representative of cases beyond this one region. The study's conclusions are not limited to Lower Saxony.

In a second step, a [ > E ] "panel study" [ < E ] of 112 randomly-selected sexual victims from the overall total were asked to participate in a follow-up study (pg. 128 ff). Depending on the individual case, the follow-up study took place between six and ten years following the victim-declaration (report); namely, in 1979 and 1980. The follow-up study consisted of a largely standardized in-depth interview, which consisted of proven psychodiagnostic test procedures as well as victimological questions. These conversations were carried out in the homes of the declared victims. The interviewers were female and male psychologists.

In addition, in a third step, court records relating to 131 sexual offenses from a different region were examined (pg. 132 ff). Consequently, these cases represented not only an initial report to the police, but also a conviction in court. In this victimologically-oriented analysis of records, only those cases for which a detailed expert psychological opinion existed concerning credibility were utilized. These cases took place

at a point in time comparable to that in the overall total. The purpose of these three research steps was to compare merely reported sexual contacts with those that actually resulted in conviction. By contrast, virtually all of the known studies that have been conducted up to this point have dealt exclusively with convicted sexual contacts.

CONFIDENTIAL

#### IV. Results (pg. 215 ff)

About 80-90% of the sexual victims were girls or women (pg. 215 ff). The primary age groups effected varied based on the type of offense (pg. 227). In the case of the Sexual Abuse of Children, approximately two-thirds were between 7 and 13 years old. In the area of rape, young women between the ages of 14 and 20 were most effected. The ages of women who encountered exhibitionists varied more widely. The younger age groups were, however, somewhat over-represented.

Virtually all of the accused and perpetrators were men, predominantly between the ages of 25 and 35 (pg. 234 ff). The still widespread idea that most moral offenders are old and gray was not supported.

The average age difference between victim and accused was twenty-five years; however, in forced sexual contacts, it was only seven years (pg. 237 ff).

Consequently, sexual victims were predominantly young women and girls, and perpetrators were primarily men "in the prime of life."

In terms of the penal code, the breakdown of the acts was as follows (pg. 218 ff):

Exhibitionism (§ 183)	23.9%
Sexual Abuse of Children (§ 176)	35.5%
Sexual Coercion (§ 176) and Rape (§ 177)	22.2%
Other	18.4%

The Sexual Abuse of Dependents (§ 174) and Sexual Intercourse Between Relatives (§ 173) together accounted for about 8% of the above "Other" figure. In the case of incest victims, any harm that does occur cannot be ascribed exclusively to the sexual offense itself; in many cases, it is a consequence of serious general disturbances within the family. Moreover, the incestuous act itself is a symptom of such disturbances. Reports of Seduction (§ 182) also constituted an extremely small group. Under these sections, only about 10-15 perpetrators are convicted annually in West Germany. The 'dark number' (pg. 90 ff) of the aforementioned offenses is likely to be especially large.

In both statistical and criminological terms, same-sex contacts did not play a substantial role in this study (pg. 215 ff). For one thing, the only constituted about 10-15% of all cases; moreover, the sexual acts described were "less harmful," committed almost exclusively without the use of violence by the accused (pg. 287 ff); therefore, none of the male victims felt they had been harmed. Test procedures were also unable to discover any evidence of harm in these cases.

In almost all exhibitionism cases, the perpetrator was a man who was familiar to the woman or child (pg. 261 ff). In other

types of reported sexual contacts, however, the sexual perpetrator was likely to be known or even related. This means that warnings about stranger sexual perpetrators are an ineffective means of prevention and are, in a sex education sense, highly

questionable; whereas, for example, rape is more likely to occur at the hands of persons who are familiar or socially close, these warnings instill a fear of strangers. With increasing degree of acquaintance between victim and perpetrator, the intensity of the sexual contact also increases; the degree of psychological harm to sexual victims frequently increases as well.

Violent sexual perpetrators and exhibitionists are likely to be reported by victims and their relatives. Rape victims generally experience indignation, fear, rage, and sadness. Exhibitionism, however, typically engenders indignance on the part of the victims' relatives regarding the stranger's deviant sexual behavior. Because the accused is a stranger, there are fewer reservations about reporting him.

The situation addressed by § 176 (Sexual Abuse of Children) is quite different (pgs. 401 and 432 ff). Children often do not consider sexual contacts to be particularly important, and sometimes even keep them a secret; it is thus often quite by accident that the offense finally become known. Even in serious offenses in this area, because the accused is often a familiar figure, the parents are often reluctant to make a report (on the dark number, see pg. 98 ff). Either way, for various reasons, victims can easily suffer secondary harm from environmental reactions (pg. 461 ff); moreover, it is far from uncommon for the secondary injuries to be more serious than the primary ones.

All in all, 51.8% of the sexual victims stated that they feel or felt they were harmed as a result of the reported sexual contact, primarily and/or secondarily (pg. 409 ff). Among those sexual victims who did feel harmed, the injury persisted for an average of four years and eight months (pg. 460 ff). Alongside the 51.8% of sexual victims who were harmed, two-thirds of whom experienced considerable psychological repercussions, there was also a large group -- 48.2% of all victims -- who were seemingly not harmed at all. Many experts have asserted that scarcely any sexual victims escape unharmed. This view certainly requires re-thinking. Secondary harm following exhibitionistic and other nonviolent sexual contacts is especially likely to occur if the child comes from a family with particularly narrow sexual attitudes (pg. 454 ff), from a family that induces a general feeling of helplessness and anxiety through its over-dramatization of the victimization (pg. 438 ff). Unfortunately, the organs of criminal prosecution as well as the police cannot be ruled out as additional sources of injury (pg. 461 ff). From the point of view of victim protection and public education regarding serious sex offenses, it is intolerable that some victims still suffer harm as a result of the criminal prosecution process.

As far as reported sexual contacts are concerned, from the sexual victims' perspective, one-half of the harm was caused by the sexual act itself (pg. 461 ff); one-third was due to the accused's general demeanor, and about



one-tenth resulted from the behavior of related/familiar persons as well as the police. Therefore, the police are less responsible for major psychological harm to sexual victims than is often supposed; nevertheless, there is still a lot of room for improvement in how the police handle such cases. As far as convicted cases are concerned, diagnostic follow-up analysis was no longer possible. In the literature, however, it is presumed that court proceedings have numerous traumatizing effects on victims.

In addition to the actual causes of primary or secondary harm to declared victims, the present longitudinal cross-sectional study also examined the effects of conversations the victims had with persons from their environment (pg. 483 ff). Conversations with friends, boyfriends, siblings, teachers, psychologists, their own attorneys, experts, and the interviewers for this study were rated as being rather pleasant or helpful. Conversations with peers and parents, on the other hand, were, on average, given neutral ratings. A closer analysis revealed one group of parents was harmful, whereas another was helpful. Parents have an essential role to play in such situations because they are sexual victims' primary reference persons emotionally, chronologically, and in terms of moral attitudes; consequently, the way they behave goes a long way towards determining whether or not the child or young woman will have long-term damage from the event. Conversations with doctors, agents of the youth bureau, the police, and the court, as well as with the accuseds' attorneys were rather negative; indeed, they were usually experienced as somewhat to very harmful. At the same time, one must bear in mind that a major portion of reported sexual contacts never even make it to court. The situation of victims in court and the effects of proceedings on victims require further study.

Conversations with the police (e.g., with the person taking down the report) were experienced by the sexual victims as somewhat negative; they ranged from "Had no effect on me" to "Was unpleasant, but didn't harm me." The police therefore did better than was initially feared; nevertheless, this situation is in need of improvement. Expert police circles have become aware of these problems, not least because public programs administered by groups specifically set up to aid victims have pointed them out clearly (hotlines for raped women, women's homes or battered women's shelters, children's helplines, the White Ring, etc.).

A statistical analysis utilizing all of the study's essential variables (pg. 386 ff) revealed that reported sexual contacts comprise three main groupings: (pg. 406 ff):

**Group 1: 57.1%**

This numerically largest group was comprised of exhibitionistic and comparable harmless erotic/sexual contacts involving rather young victims. All of the male victims were in this group. Harm here was very rare.

**Group 2; 11.6%**

These comprise more intensive sexual contacts, more often involving familiar or related accused and victims from rather disturbed home environments. A portion of the (female) victims in this cluster felt that they had not been harmed at all; another portion were harmed to about the average degree for the study as a whole.

**Group 3; 31.3%**

This comprised sexual coercion, rape, and sexual contacts involving stronger, more emotional resistance from the victim. The (exclusively female) victims were older than average, and the accused were younger than average; the report was made soon afterwards. Victims in this cluster reported the greatest extent of harm.

**V. Conclusions (pg. 467 ff)**

In the future, more attention should be devoted to the exclusively female victims and witnesses from Group 3, and perhaps a portion of those from Group 2 as well. It would appear that political, preventive, and social-educational measures are urgently needed.

As far as the prejudices that exist with regard to the sexual perpetrator (pg. 51 f), his act, and the sexual victim (pg. 55 ff) are concerned, it must first be said that there is no such thing as the sexual offense. Rather, three constellations can be clearly differentiated. But we still tend to conflate violations of sexual norms with sexually violent offenses. At the same time, we know from other studies that the populace holds some very ambivalent attitudes regarding the use of sexual violence: Aside from the formal attention that is paid to sexual violence, there is also an undercurrent of tacit acceptance. Like other forms of violence, sexual violence is widespread (pg. 473 ff). Criminologically speaking, this has more in common with violent offenses than it does with sexual offenses in general (pg. 406 ff).

This is an issue that comes up in prevention programs. In a society where violence is seen as a legitimate means of getting one's way -- where violence-fostering thought structures are observable -- combating sexual violence will likely be difficult. This rather problematic sociopolitical and crimino-political area can probably only be addressed as a whole.

The results of this long-term cross-sectional study show that, in the short and medium terms, there is an urgent need to take targeted steps to improve the situation of victims of "criminal acts against the right to sexual self-determination."

## 1. Differentiation

We must strive to consciously and clearly differentiate the three major forms of this phenomenon:

- a. exhibitionistic acts,
- b. relatively superficial and nonviolent erotic/sexual acts,
- c. acts involving sexual violence and threats.

## 2. Countering Over-Dramatization (pg. 472 f)

In connection with this, we should strive to provide objective information about the actual forms of sexual criminality and their consequences in the one sphere (a and b), while at the same time focusing attention on the truly violent character of other types of sexual offenses (c). In order to be able to protect sexual victims, a distinction must be made between disagreeable sexual incidents and violent sexual attack. The idea of the criminal sexual career ("exhibitionists turn into rapists") must also be clearly repudiated. As a rule, when their activities are made punishable, exhibitionists, pedophiles, and homosexuals recidivate within their own areas. The present results show that rapists have more in common with other kinds of violent perpetrators, and that the rape situation is rather similar to other types of violent situations. By contrast, exhibitionists use violence only very rarely. This statement has very important implications for prevention, deterrence, victim protection, and victim assistance; violent and nonviolent offenses require different responses. The work of the police could be made more effective and more victim-friendly if these results were incorporated into everyday practice.

## 3. Informing Target Groups (pg. 508 ff)

Objective descriptions of the various forms of punishable sexual contacts, including their causes and consequences, should be incorporated into:

- a. improved training and continuing education for officers who have contact with victims in the course of their work,
- b. competent police outreach efforts which describe the various types of criminality, so that the information can then be relayed to others via the 'multiplier effect,'
- c. objective discussions of crimino-legal determinations,
- d. general public programs,
- e. scientifically-based sexual education, and,
- f. educational information for parents and educators.

## 4. Coordination

The various institutions that deal with sexual victims should strive for better cooperation. For example, victims rarely know -- and

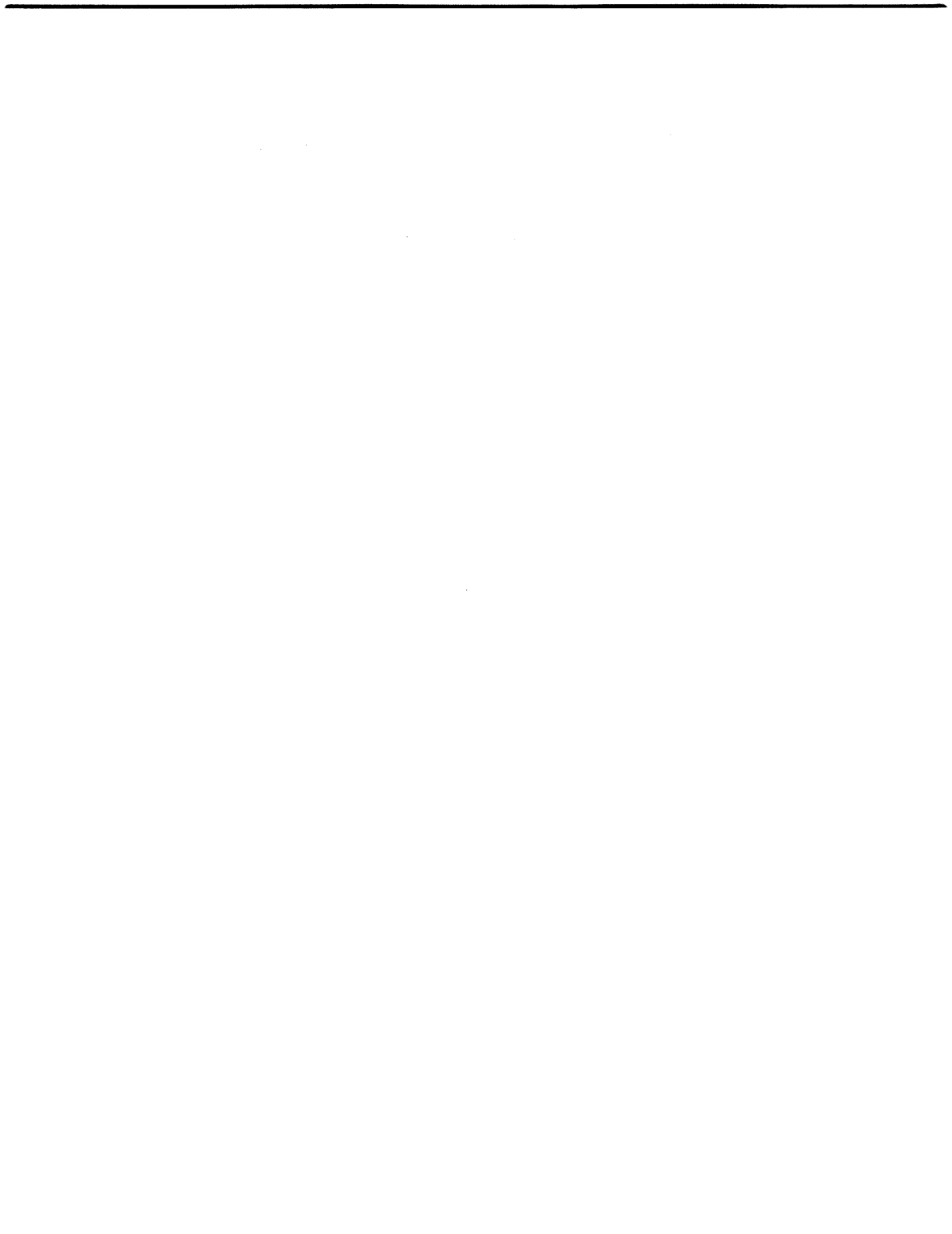
specialists are only sometimes aware -- of the fact that in many cities, there already are qualified consultation agencies that can support victims in situations of crisis, such as counseling centers, sexual advice centers, "Pro Familia," hotlines for raped women, women's shelters, helplines for children and teenagers, phone ministries, the "White Ring," and many others. As a rule, specialists who are, for example, initially seeing the victim in her/his victim role, do not know which institution would be of most help in individual cases. What is lacking here is a cooperative exchange of information (pg. 508 ff).

With all victim support measures, great care must be taken to ensure that victims are not treated as if they were ill. Psychopathologizing victims would mean (structurally) victimizing them yet again. Just as the perpetrator often needs assistance to re-integrate himself into the community, the goal of victim support measures should be re-socialization. The aim of such re-integration should be to strengthen or restore the victim's self-confidence, and possibly also the re-establishment of social accord between victim and perpetrator, along the lines of restorative justice. Victim assistance measures are only meaningful, however, when they are coupled with public programs that address structural victimization and seek to prevent individual victimizations in the future (preventive aspect) (pg. 473 ff).

Public programs, victim support, and continuing education for police officers require certain steps to be taken; up until now, in West Germany, they have certainly not been taken within any sort of organized framework (pg. 505 ff):

- a. scientific study into the phenomenon of sexual violence (the victimological analysis of sexually violent situations as perpetrator-victim interactions, the psychosocial analysis of structural victimization);
- b. public programs that explain the problem of sexual violence;
- c. feedback from victim support institutions to professional authorities;
- d. the development of curricula for the training of specialists who have contact with severely harmed victims;
- e. offering continuing education in victimology for the responsible authorities;
- f. victim-friendly cooperation among the various institutions, including the exchange of information;

- g. information to victims of violence in crisis situations as well as referrals to existing institutions;
- h. research into the effects of court proceedings, sentencing, and associated problems for the victim; and,
- i. the initiation of a strictly rational discussion regarding criminal acts against the right to sexual self-determination (criminal sexual acts), paying particular attention to needed criminal reforms.





FOOTNOTES

F1070. See pgs. 59 ff, 249 ff, and 375 ff supra.

F1071. See pg. 297ff supra.

F1072. See pg. 277 ff supra.

F1073. See pg. 51 f supra.

F1074. In the cluster analysis (see pg. 386 ff supra), it was established that the case groupings in the area of sexual offenses are fundamentally different from one another. When one contrasts these case groups with the prejudice that exists towards all sexual perpetrators, it becomes clear that all sexual perpetrators are equated with perpetrators from the most dangerous grouping, and that the stereotype of the sexual perpetrator embodies our collective fear of sexually deviant behavior.

When persons in the general population are asked about their opinions and views regarding those who deviate from sexual norms, and are then further asked to distinguish between individual groups of perpetrators, they can indeed make differentiations. Concerning this, see Schmidt/Sigusch: On the Question of Prejudice Against Sexually Deviant Groups; Schorsch: "Sexual Deviations: Ideology, Clinical Issues, and Criticism," in: Schorsch/Schmidt (Eds.): Results from Sexual Research, pg. 48 ff; Schorsch: "Common Features of Criminal Sexual Acts," in: Schorsch/Schmidt (Eds.): Results from Sexual Research, pg. 257 ff).

F1075. See pg. 299 ff supra.

F1076. See pg. 482 ff infra.

F1077. Lautmann: "Sexual Offenses -- Criminal Acts Without a Victim?," in: ZRP, 1980, pg. 44 ff; Jäger: "On the Equal Status of Homosexuality and Heterosexuality Under the Criminal Law," in: Events, 1981, pg. 18 ff.

F1078. Thus, many persons react to exhibitionists' behavior without thinking, because existing prejudices, norms, and laws suggest that they are (potentially) dangerous perpetrators.

F1079. Adorno: "Sexual Taboos and Privileges Today," in: Bauer et al. (Eds.): Sexuality and Crime, pg. 315 ff.

F1080. Ibid., pg. 315.

F1081. Ibid.

F1082. Ibid.

F1083. In addition to Bernard, Sandfort recently made such an attempt with his work [>E] The Sexual Aspect of Paedophile Relations [<E]. He interviewed 25 boys who had experienced punishable but unadjudicated sexual contacts with older persons. (Bernard: [>Dutch] "Research on a Group of Pedophiles," in: Medical Contact [<Dutch], 1975, pg. 206 ff; Bernard: Pedophilia; Bernard: [>E] "An Enquiry Among a Group of Paedophiles," in: Journal of Sex Research [<E], 1975, pg. 242 ff.)

F1084. Adorno: supra, pg. 315.

F1085. Ibid., pg. 315 f.

F1086. Ibid., pg. 316. See also Jäger: Criminal Legislation and Legal Property Protection in Indecency Offenses; Jäger: "Criminal Law Politics and Science," in: Bauer et al. (Eds.): supra, pg. 273 ff; Jäger: "Change in the Criminal Law Through Criminology? A Statement on the Concretization of Interdisciplinary Cooperation," in: Criminological Journal, 1976, pg. 98 ff.

F1087. Adorno: supra, pg. 317. The present discussions cannot be divorced from the implications for public programs as well as police work (see pg. 482 ff infra).

F1088. See pg. 55 ff supra, as well as Baumann/Störzer: "Violence S.O.S.: A Model of Cooperation Between Various Institutions Working in the Sexual Offense Field," in: Degler (Ed.): Raped -- Women Report, pg. 43 f.

F1089. There is a very common misunderstanding in the area of sex-specific socialization. It most certainly cannot be said that all girls and women fear rape to the same degree. Likewise, it would be wrong to conclude that all women fear rape. It certainly is true that the majority of women fear rape, and that, on average, rape is feared by women to some particular degree. It becomes clear that this is a social which cannot be explained away by an overly individualistic approach; exceptions to the rule do not negate the existence of this role-related problem.

F1090. See Schönfelder: "Victim Initiative," in: Von Stockert (ed.): The Sexually At-Risk Child, pg. 109 ff; Schönfelder: "The Role of Girls in Sex Offenses."

F1091. This has been criticized by, among others, Brownmiller: Against Our Will.

F1092. An analogous example should help to clarify this problem: When, for technical reasons, the ventilation system in a fully-loaded, stationary airplane is switched off, the passengers will begin to feel 'stuffy' within a relatively short period of time. Some passengers will react earlier, others later on.

Interestingly, it is only after a certain period of time has elapsed that a couple of brave passengers venture to make a complaint. Subsequent to this initial declaration of discomfort, several additional passengers make it known that they themselves have also felt uncomfortable for some time now. Passengers with breathing difficulties are surprised to learn that they are not the only ones who felt 'stuffy,' and that their reaction was not merely a reflection of their own personal difficulties. In Alice Schwarzer's book The Small Difference, many women reported similar reactions: All of the sudden, it became clear to them that their inability to achieve vaginal orgasm did not constitute some kind of personal shortcoming. (Schwarzer: The "Small Difference" and Its Large Impact: Women Talk About Themselves: The Beginning of Liberation.)

F1093. In criminal sex cases, the defense frequently avers that the suspect is a "happily married man." This is probably meant to show that he could not be the perpetrator because he already has plenty of opportunity to relieve his sexual urges.

F1094. See Footnote 827, pg. 318.

F1095. Concerning this, see Helmken: "Marital Rape."

F1096. On false accusations of rape, see pg. 294 ff supra.

F1097. Amir/Amir: "Crisis Centers for Rape Victims -- An Arena for Ideological Conflict," in: Kirchhoff/Sessar (eds.): The Crime Victim, pg. 437.

F1098. In Latin, the word "victima" means "defeated person."

F1099. An excellent compilation of "anti-women advertising" (sexism as covert curriculum) has been published by Christiane Schmerl. This edited volume is also useful in terms of didactics and methodology (worksheets, illustrations, documentation materials, etc.).

F1100. There are extensive research findings concerning the legitimacy and origins of opinions and attitudes. Concerning this, see, for example, Secord/Backman: [>E] Social Psychology [<E], pg. 93 ff.

F1101. Women's groups perform essential political and preventive work in this area. This has led, i.e., to the print and broadcast media taking this important subject more seriously.

F1102. "With Great Fanfare Against Crime," in: White Ring, May 1982, pg. 1. The record, which featured "Los Toros" accompanied by a Children's Choir, is entitled "The Strange Man" (a Los Toros production in association with the White Ring, 1982).

F1103. Virtually all of the educational films on the subject of "criminal acts against the right to sexual self-determination" that exist today are inadequate and obsolete. (Concerning this, see Dose: "The 'By the Nape of the Neck Fairy Tale' and the Not So Dangerous 'Candy Uncle'," in: Pedagogical Extra, 1980, pg. 59 ff).

F1104. Thus not only is the "sex education" curriculum too brief in most schools; the training of teachers on this subject is woefully inadequate. As of today, there are still no chairs for sexual education in any of the West German universities; one wonders from where schoolteachers are supposed to obtain such knowledge, given the fact that research and training in this area has been institutionalized to such a small degree.

F1105. This is a matter of distinguishing between violent and nonviolent, coercive and consensual, and harmful and -- individually -- non-harmful punishable sexual contacts.

F1106. See pg. 21 supra.

F1107. Such questionable advice appears again and again in sex education publications used by teachers and parents.

F1108. According to the Minister of Culture, as well as scientists of earlier eras, sexual education should be seen in terms of an "instructional principle." This means that: "Sex education in the school should not be pigeonholed into just one subject, but should instead be carried out in various subjects and special school assemblies and events." (Secretariat of the Standing Committee of State Ministers of Culture in West Germany, Mettlach, 10/4/68 (eds.): Guidelines for Sex Education in Hamburg Metropolitan Schools, Hamburg, 1970, pg. 12.) What is meant here is, for example, that education in sexual self-determination cannot be learned in one concentrated 'dose,' but should be integrated into various subjects. A one-time lecture to pupils is not nearly enough!

F1109. A lesson plan could be developed that incorporates the two important areas for primary-schoolers ("exhibitionism" and "child-friends"). One proposal for such a lesson plan appears in Appendix 52.

F1110. A slightly revised version can be obtained from Braunschweiger Publishing, 3300 Braunschweig.

F1111. See Footnote 1109.

F1112. Thus, for example, in victim typologies (pg. 33 ff), the typology of reported sexual contacts (pgs. 54 ff and 392 ff), the interviewing of police officers as to the phenomenology of sexual offenses (pg. 294 ff), false rape accusations (pg. 295 ff), prejudices (pg. 47 ff), cars as act locations and rape in auto-stop situations (pg. 277 ff), teachers and educators

as sexual perpetrators (pg. 259 ff), the relationship between alcohol consumption and sexually violent offenses (pg. 297 ff), the criminal careers of sexual perpetrators (pg. 306 ff) and the basis for classifying criminal acts in sex offenses (pgs. 275 ff, 307 ff, 330 ff, and 406 ff), the behavior of relatives and officers subsequent to the act (pg. 438 ff), the prevention of sexual offenses (pgs. 227 ff, 299 ff, 279 ff, 313 ff, and 472 ff), recidivism in sexual perpetrators (pg. 299 ff), and in the protection of, assistance to, and re-integration of victims (pg. 503 ff).

F1113. For prejudices towards victims, see pg. 472 ff; for those towards perpetrators, see pg. 47 ff. Also see Footnote 1115.

F1114. In an unpublished work by the University of Mainz Psychological Institute, it was shown that, during the student unrest of the '60s, police cadets and college students, as was expected, were prejudiced towards one another. What was striking, however, was that the degree of prejudice which each group presumed the other group to have was clearly more severe than the actual prejudice. Thus, the police cadets believed that the college students viewed them more negatively than was really the case. An analogous phenomenon was observed among the college students. In extreme cases, this mistaken assessment of the degree of negative feelings held by the other side could probably lead to additional problems between the conflict participants. (Baurmann/Kretzschmer/Tomm: "Auto- and Hetero-Stereotypes Between Police Cadets and College Students: A Pilot Study Examining Prejudices.").

F1115. For the sake of completeness, it should be noted that prejudices are sometimes intended to be helpful. Example: "All sexual victims suffer irreparable harm from the act." Positive as well as negative prejudices can result in situations being handled improperly.

In his volume Crime Occurrence, Witnesses, and the Police, H. Walter Schmitz lists several strategies for avoiding interrogational errors. (Schmitz: Crime Occurrence. . ., pg. 431 ff).

F1116. A detailed discussion of this, including examples, can be found on pgs. 277 ff, 307 ff, and 330 ff.

F1117. Concerning this, see pg. 406 ff.

F1118. Sometimes, case descriptions in the federal police blotter are cited as general examples of given phenomena. Moreover, what is repeatedly overlooked is that cases in the federal police blotter are not representative of sexual offenses overall, as well as the fact that the criminological quality of the case descriptions varies a great deal. To this extent, these cases are not generalizable to all criminal acts against

the right to sexual self-determination. The case descriptions are also not well-structured in Dost: The Psychology of Rape.

F1119. This applies to registered as well as un-registered punishable sexual contacts.

F1120. See pg. 48 f and Footnote 1118 supra.

F1121. A rapist's other violent acts may be registered, or they may be part of the 'dark number.' Regarding the problem of how to classify criminal sexual acts against and violent offenses, it has already become clear that when professionals who are responsible for fighting existing groups of criminal acts are asked to re-structure "their" offense groups, mistakes can result. What is needed in the area of ~~of~~ sexual and violent offenses is interdisciplinary cooperation. Without this, such classifications will simply reflect the current legal framework, to which criminological findings will be obliged to conform.

F1122. Thus, one journalist gave a brief cite to the effect that about 20,000 children in West Germany become victims of punishable sexual acts annually. Due to the context of the cite, readers were left with the impression that all or most of these estimated 20,000 acts involve the use of violence. The author left readers with the further impression that most criminal acts against the right to sexual self-determination consist of a homogeneous group of violent or threatening acts along the lines of rape or forced incestuous contacts. (Bier: "Covered Up: The Sexual Abuse of Children," in: Stern, 1982, pg. 45 ff.) Such simplistic representations provide a glimpse of a real problem in this offense area. Therefore, there is an urgent need to represent the diverse phenomena that constitute "the" sexual offense in their various forms, and clearly establish the actual risks involved. Prevention and prosecution efforts must have this kind of difference-oriented approach.

F1123. See pg. 306 ff supra.

F1124. See pg. 303 ff supra.

F1125. See pg. 132 and Footnote 271, supra.

F1126. See Footnote 732, pg. 295, and Footnotes 1113 and 1114, pg. 482.

F1127. See pg. 295 ff supra.

F1128. It can be very dangerous when professionals who are 'burned out' from dealing with everyday petty offenses (i.e., exhibitionism) then give far more serious rape cases 'the cold shoulder.'

F1129. When discussing efforts targeted at sex offenses, many officers express a desire to be able to "use resources more effectively." They describe the conflict as consisting on the one hand of a large number of reports of superficial sexual contacts that they have to deal with (in which, as a rule, the victim did not make the report personally, there is no harm to the victim, and the perpetrator is unknown -- and thus difficult to identify), and on the other hand, of far more serious rape cases that require a commensurate degree of attention.

F1130. See Baurmann: "Police Advice. . ." supra, pg. 180 ff.

F1131. See pgs. 25 ff, 47 ff, 54 ff, and 472 ff supra.

F1132. See pgs. 54 ff, 386 ff, and esp., pg. 406 ff, supra.

F1133. It is clear that the "dirty old man" still has a great deal of currency in West Germany, as evidenced by faulty educational brochures and films. (See Footnotes 86 and 87, pg. 59.) The publication of such brochures by very different kinds of institutions hardly represents a coordinated campaign. When publishing new brochures, though, the police must always be prepared to utilize the most up-to-date factual information available. At the same time, experts in prevention and sex education find themselves in the difficult position of having to struggle against the mistaken views fostered by such brochures with more well-founded, positive information concerning the causes and forms of sexual criminality.

F1134. In order to avoid any misunderstandings: Publicity events, public relations activities, etc. which aim to increase awareness of the work done by the police by presenting it in a positive light can be meaningful and necessary. They can even have generally preventive effects, although these are difficult to measure. At the conceptual stage of such programs, however, care should be taken to make sure that more general police public relations efforts are distinguished from the separate goal of fighting crime. In order for differing goals to be obtained, different forms and kinds of informational efforts need to be implemented.

F1135. BKA (Eds.): Criminal Police Consultation.

F1136. See also Rupperecht: "Police Prevention Programs," in: Modern Policing, 1976, pg. 43.

F1137. See pgs. 232 ff and 90 ff supra.

F1138. See pgs. 227 ff and 213 ff supra.

F1139. Ibid.

F1140. Rupprecht described this as group consultation. (See Rupprecht, supra, pg. 45).

F1141. Report of the Standing Committee of Ministers of Culture in West Germany (see Footnote 1108, pg. 481).

F1142. "Cooperating with Parents.

Sex education can only happen when there is intensive and trust-filled cooperation between parents and teachers.

The goal of cooperation must be the coordination of sex education efforts in the home and school. Parents are entitled to be informed about the content, form, and goals of sex education in the school. This does not mean that the school's activities should be contingent upon the consent of each and every individual parent. Providing parents with up-to-date, comprehensive, and accurate information is crucial. Teaching and learning aids should be made available to parents from the lower classes.

Schools can call on experts, such as doctors and psychologists, to address parents' meetings. Pointing parents towards suitable literature is also recommended." (Secretariat of the Standing Committee of Culture Ministers in West Germany (eds.): supra, pg. 13).

F1143. According to Rupprecht (supra, pgs. 44 and 45), the situation of the consulting police officer may be represented as follows: The officer brings scientifically-based factual knowledge to the "indirect target group" of teachers, who then pass it on, via a multiplier effect, to the "direct target group" of potential sexual victims.

F1144. See pg. 515 ff infra. The summary, so long as the references cited are included, may be reproduced.

F1145. See Appendix 53. This informational brochure, so long as the references cited are included, may be reproduced.

F1146. See Appendix 52. These lesson plans may be reproduced, so long as the sources are mentioned.

F1147. The following discussions are predominantly addressed to (sexually) violent offenses.

F1148. It is frequently implicitly assumed that the perpetrator's degree of sexual arousal correlates perfectly with his level of aggression. But this hypothesis first needs to be verified. One would presume that a potential rapist's sexual arousal is not automatically associated with aggressive tendencies.

F1149. This raises the question as to whether such advice is intended to be equally applicable in the winter months. (Concerning this, see the results on pg. 240 ff.)



F1150. The following tips have already been published in Germany, though they are really loose translations of American sayings that are meant to apply to specifically American rape situations. (Example: suburban women, who live alone, who are raped by stranger perpetrators.)

F1151. We certainly need not fear that many women will heed such simplistic advice. Preventive advice which is not in line with actual reality is quite likely to be ignored.

F1152. See Footnote 1153.

F1153. Frequently, manufacturers promote such anti-rape devices by stating that they can "be easily carried in a handbag." Rape victims are predominantly between 14 and 20 years of age (see pg. 227 ff supra). But young women nowadays frequently do not carry a handbag. Moreover, there are many rape situations (i.e., involving familiar perpetrators) where it is rather unlikely that the young woman's handbag would be within reach. In addition, the woman may put herself in further danger if she begins to look for the defensive device in a perhaps full handbag and the perpetrator notices this. Moreover, the woman's acute fear and anxiety are in the way. Given these factors, the handbag is not a very good place to keep defense devices. Equipping female police officers poses similar problems.

F1154. See Baurmann/Störzer: "Violence S.O.S.: A Model for Cooperation Between Various Institutions Working in the Sexual Offense Field," in: Degler (ed.): Raped -- Women Report, pg. 39 ff. The following borrows heavily from a revision of the "Mirror" book model by Doris Lau, Wiltrud Schneider, and Hans Udo Störzer. (For a discussion about the publication of the "Mirror" book, see Kischke: "'I'm Always Thinking About How to Tell People': Notes on a Book with Reports from Women Who Were Raped," in: FR, 1981, S.V.; "The 'Mirror' Book About Rape," in: Courage, 1981, pg. 48; Schuster: "Review," in: Sounds, 1981, pg. 57 f; Wehner-Davin: "Rape -- No Routine Police Investigations: A Practice Guide for the Book Raped -- Women Report," in: Criminal Statistics, 1981, pg. 523 ff; Wehner-Davin: "Violence Against Children," in: Our Youth, 1982, pg. 401 ff; Rosenberg: "State Emergency -- Victim Research Included," in: Courage, 1982, pg. 8 ff; Satter: "The Almost Perfect Crime: Books on Rape," in: FAZ, 1982, pg. L-14; Fehrmann/Jakobs/Luka/Warnke (eds.): Mistrust of Rape Victims.)

F1155. See Jacob: [ >E ] "Reparation or Restitution by the Criminal Offender to His Victim -- Applicability of an Ancient Concept in the Modern Correctional Process," in: Drapkin/Viano (eds.): Victimology [ <E ], pp. 215-220; Schneider: Victimology: The Science of Crime Victims, pg. 158 f; Schneider: "Victimology: The Science of Crime Victims," in: Criminalistics Handbook, Vol. 25, pg. 23 f.

F1156. See Schneider: Victimology: The Science of Crime Victims, pg. 159; Schneider: "Victimology: The Science of Crime Victims," in: supra, pg. 24.

F1157. Ibid., pg. 24.

F1158. For a history of the law on this issue, see Schneider: Victimology: The Science of Crime Victims, pg. 20; Kaiser: Criminology: An Introduction to the Basics, pg. 50.

F1159. Kirchhoff/Kirchhoff/Dussich: "Victimology: An Introduction to the Problem of Youth Discipline and Its Importance for Social Work," in: Probation Assistance, 1980, pg. 315.

F1160. See pg. 409 ff supra.

F1161. Schwind: "Victimology in Police Practice and the Administration of Justice," in: Criminal Statistics, 1979, pp. 514-519.

F1162. Kirchhoff/Kirchhoff/Dussich: supra, pg. 322 f.

F1163. Ibid., pg. 325. Perpetrators as well as victims get the short end of it. If the perpetrator has no real chance of being put right, social accord between the act participants is scarcely attainable. Perpetrator insight into the harm caused, as well as reconciliation between victim and perpetrator, are far more likely to occur when everyone is made whole than they are through a pedagogically useless form of punishment.

F1164. Plack: A Plea for Abolishing the Criminal Law, pg. 122 f. These relationships have also been empirically established; see Schneider: Victimology: The Science of Crime Victims, pg. 155 f. Both are cited here in Sessar: "The Role and Treatment of Victims in Criminal Proceedings: Current Conditions and Implications for Reform," in: Trial Assistance, 1980, pg. 337 ff.

F1165. Restorative justice as a potential means of controlling conflict, either in addition to or instead of punishment, is addressed by Steiner: "Little Encouragement for Critics of the Criminal Law, Who Should Not Let Themselves Be Intimidated by 'The People's Need for Punishment' (and Its Origins)," in: Lüderssen/Sack (eds.): Seminar: Deviant Behavior IV: Criminal Politics and Criminal Law, pg. 329. He has also been able to verify its positive reception via public opinion polls (pg. 325 f). (Cited in Sessar: supra, pg. 337 ff).

F1166. On the tension between re-socialization of the perpetrator and assistance to the victim, see Baurmann: "Violence in the Family," in: supra, pg. 347 f, and; Baurmann/von Janson/Reher: "Re-Socialization and Problems for the Victim" (Findings of Working Group VII, Trial Assistance, of the German Lower House of Parliament, September 26-29, 1982, Bamberg).

F1167. As an aside, it might be noted that there were obviously already 'fly-by-night' operations that would take advantage of the problems of victims in order to rake in donations. The way that such funds are then distributed is very shady.

F1168. For further details, see Amir/Amir: "Crisis Centers for Rape Victims -- An Arena for Ideological Conflict," in: Kirchhoff/Sessar (eds.): The Crime Victim, pg. 442 f.

F1169. Ibid., pg. 447.

F1170. For criticism of the original model, see Footnote 1154, pg. 501.



Landis' results on the consequences of punishable sexual contacts are clearly,

- a) that female and male sexual victims obviously experience different punishable sexual contacts,

