C. Investigating the Situation of the Sexual Victim

I. Some Preliminary Remarks on Method

For the purposes of the present volume, an exhaustive discussion of all of the possible -- as well as improper -- methods of conducting investigations into deviant sexual behavior and sexual victimization would not be feasible. All in all, one could say that there is still a shortage of proper research methods [F159], and that up until now, the established methods of the social sciences [F160] have merely been suggested for use in investigations of sexual victimization.

What is needed at this juncture is a concise primer on the methods social scientists learn in their first semester of study, as a useful means of describing how such inquiries are conducted.

Some of the technical terms that have come to be used in sex research are partial misrepresentations of topics borrowed from biblical texts (Onan, Sodom), or from the world of literature (by authors such as de Sade and Sacher-Masoch). In this way it becomes clear that most of the problems concerning deviant sexual behavior have already been addressed in the bible, by earlier civilizations (e.g., pedagogical eros), as well as in novels (e.g., Lolita and Death in Venice). Writers frequently grapple with such problems long before scientists do. Often, the latter have to be practically forced into addressing such problems. I work from the premise that these literary statements are based upon real observations and experiences.

Additionally there are, especially in recent times, groups of affected persons who have joined together in order to portray personally the situation they face. The women's movement has given voice to the needs of battered women (for women's shelters) and rape victims (for emergency care). Meanwhile, there are even women who help to bring out into the open the problems faced by prostitutes.

The effects of both the defamation and criminalization of homosexuality are reported by the so-called gay movement. In the so-called pedophile movement, pedophiles describe the effects of the criminal law on "perpetrators" and "victims."

Those affected by exhibitionism, which comprises the largest offense group, have certainly up until now neither publicly organized themselves on the perpetrator nor the victim side. Typically these are isolated incidents; those involved in them will rarely even admit it. They doubt scholars' impartiality, neutrality, and degree of freedom to inquire about the subject. The scientist -- so they contend -- will always perform studies and make interpretations from a position which is, at the very least, biased by the practice of habitual ways of thinking. This sentiment is fostered by many actual examples of remarks made by male researchers concerning the situation of women as rape victims.

Even when a scientist gets involved in a "participant observation" [F161], it is still not out of the question that due to his own perceptual filter, he may (mis)interpret the situation in specific ways.

With "non-participant observation," in which the evaluator has even less access to the person being studied, the researcher is at even greater risk of imposing his own idiosyncratic interpretations.

Such misinterpretations of social situations, with conclusions which are tailored to the spirit of the times, occur all too easily and are really not anyone's fault. Thus come breathtakingly "value-free" research results, which, depending on the condition of the labor market, either emphasize that it is only the mother who (as housewife) can guarantee a child's successful development, or instead, say that the child merely needs a stable figure in his or her life, which might just as well be the mother, the father, or a professional educator. One might characterize such phenomena as the psychosocial alleviation of cognitive dissonance, whereby the researcher serves up his interpretations in the form of a scientific Trojan horse.

Participant observation is employed particularly frequently in cross-cultural comparative research. From this line of research also come many insights, including the realization that any given form of so-called sexual perversion has at one time been accepted or even institutionalized by some society or another; and that furthermore, this did not bring about the destruction of that society. Indeed, as Bleibtreu-Ehrenberg furthermore rightly points out, the observation of phenomena within such cultures was generally made through the eyes of outsiders, who themselves frequently singled out what to them were the culture's particularly striking features, while suppressing those aspects which they deemed unimportant. [F162]

Based on his own background and experience, the researcher then decides which observations are important, and which are unimportant.

In the past sixty years, the social sciences have striven to work as much as possible within the methodological framework used in the "natural sciences." In order to do that, it was first of all necessary to get away from recitations of individual case histories -- which practitioners and psychoanalysts are so very fond of -- and work instead with larger cross-sections. As in the natural sciences, where conclusions regarding a phenomenon become more reliable with repeated observations, [F163] one grew accustomed to the idea that in the social sciences as well, data regarding hundreds or even thousands of persons were needed in order to accurately describe a given situation. Statistical procedures were developed by which a representative cross-section could be attained even with relatively small samples of between 100 and 200 persons (for example, quota methods). In this way one can, for example, with only a few hundred persons polled, get a good idea of the attitude of a region's overall population regarding moral or political issues, provided that the persons polled were chosen in advance with sufficient care so as to be representative of the overall population. Therefore, data of far greater quality and quantity (i.e., for the generation of alternative hypotheses) can now be generated.

The questioning or observation of a group of persons can occur by chance (a fortuitous conversation), or more or less systematically. For example, a researcher might have a chance conversation with an arrested rapist concerning his motives, or he or she might attempt to conduct several conversations of a similar nature with different rapists. In the latter case the researcher attempts to clarify his own objectives beforehand, so that he will then able to structure the direction of the conversation. (He intends to ask similar questions at similar points in time, in order to discover rapists' motivations.) This structuralization of interviews can be more or less conscious or even planned out. There are interviews with relatively little guiding structure, others with partly pre-established questions, and still others consisting of questionnaires containing pre-formulated questions, sometimes even with possible answers provided. [F164] An example of an extremely standardized question-form is the psychodiagnostic test, which on the one hand greatly restricts the representation of personal characteristics, but on the other hand has excellent qualities as far as objectivity, validity, and reliability are concerned.

Another essential feature of empirical investigation is the repetition of research studies, especially in the context of experimental procedures which take place in the laboratory. But admittedly, whatever such experimental arrangements may gain in terms of objectivity, validity, and reliability is often offset by their poor representation of social reality. There are only a few experimental studies of sexual victimization that could conveivably be carried out, without automatically violating essential ethical standards. However laboratory studies using willing subjects for general sexual research are not unheard of, when for example forms of therapy designed to address disturbances in sexual function must be tested, or when "normal" sexual behaviors need to be "precisely" observed. [F165]

This brief methodological overview was necessary due to the fact that the following chapters make use of many of these concepts.

II. Estimates of the 'Dark Number' of Sexual Criminality

1. Latent Criminality in Particular Cases

Earlier [F166], various examples were given of people who are themselves undoubtedly engaged in a constant struggle to stay within the limits of normal, acceptable behavior.

This phenomenon appears to be especially significant in the sphere of sexual behavior, because taboos in this area seem to be stricter than those which exist in other areas. The barrier of sexual shame causes many people to simply blush, whenever their own latent sexual desires become conscious even to themselves.

It is also the case that many people respect sexual limits the existence of which they merely suspect or presume. They are instructed in part by informal norms, which are brought about through exchanges of opinion with those around them. There seems to be a sphere of sexual norms in which the establishment of and adherence to various particularized norms -- which are based on one's own environment -- is sought or attempted. It is tragic when the adherence to such subjectively-presumed norms expends considerable energy, while at the same time what are assumed to be the prevailing norms have never actually been empirically verified as such. A "preventive self-censorship" then takes place, which from a mental health perspective seems rather risky. The reason why many people personally practice this "preventive self-censorship" is likely related to the fact that whereas environmental socialization makes certain demands of and claims upon individual people [F167], the individual over and over again "fails" to abide by them. When an individual partially or even completely internalizes the often exacting requirements of his/her environment, then that person must obviously ascertain whether he or she has any desires which conflict with the requirements of that environment. Many individuals, out of a sense of personal insecurity resulting from this conflict-situation, classify their own desires as secondary or even bad.

In view of the apparent incompatibility of these externally-imposed demands with his or her own needs, the individual is then frequently inclined -- because of earlier self-imposed limitations or even censorship that went too far -- to free himself from these demands entirely.

In the individual, there are fluid transitions from areas in which an adherence to norms should be encouraged, and spheres in which it would in fact be advisable for the individual to risk offending or even violating certain norms and laws. It is absurd to assume that a person moves exclusively within either one sphere or the other. It is also absurd to assume that there are fixed, clear boundaries between these two areas.

Precisely because these latent aspects within the individual can make such fluid transitions, whereas at the same time the external world establishes fixed norms, in some people, many strong fears are engendered. Latent individual (sexual) deviation appears to be difficult for many of our fellow men to master.

2. Latent Criminality in the General Population

Analogous to unwelcome and therefore repressed tendencies and impulses within particular people, there are also corresponding general inhibitions among groups of people. In the realm of sexual norms, many desires which are in conflict with social expectations can be seen. Publicly for example there prevails an expectation that emotional, sexual relationships between people will be monogamous, heterosexual, life-long, always forthright (true), and characterized by certain allocations of roles. But actual (hidden) reality is certainly quite different from this. And knowledgeable and suspecting members of society then come to personally realize that these standards for sex and relationships are in fact not absolute, or can be adhered to only with considerable difficulty.

In such a situation the individual would also be inclined to think that he was the only person who had such deviant feelings, often even treating them as pathological; or -- using a different approach -- he simply projects his own desires onto his fellow men (scapegoats; see pg. 49 supra); or, he represses them in such a way that he is only rarely confronted with them. We must therefore look at a portion of latent sexual norm-deviation and latent sexuality from an overall, social perspective. For the time being, "latent sexual norm-deviation" for our purposes indicates a potential for deviance, which could become actualized under certain conditions (i.e., victorious soldiers often rape "enemy women" in occupied countries), or is manifested in muted form in everyday behaviors (i.e., men's dirty jokes). These latent attitudes can have serious consequences for those who are affected by them.

An example of this: Men, who have themselves personally "taken" a woman at some time or another, will frequently treat rape victims as if they had wanted to be raped, or had somehow provoked it. Thus these men provide a preventive excuse for their possible future status as perpetrators. It is because of this attitude and the behavior it fosters towards victims that the raped woman is frequently harmed yet again.

3. Hidden Criminality

Aside from latent criminality, which may simply be a further extension of the latency-condition itself, in every society there are criminal behaviors occurring which scarcely ever become publicly known. From the perspective of the criminal prosecution authorities, this criminality plays itself out in secret, in 'the dark.'

Example: It is assumed by youth officials, the police, or even the courts that children and women are mistreated quite often. Nevertheless, it is known that in addition to the affected family, in most cases, neighbors have also been aware of the mistreatment, often for quite some time. But neighbors dare not intervene in such situations. A report to the agents of formal social control would be considered an interference in the family's domestic affairs, an encroachment into its intimate sphere. Violence in the neighboring family is tolerated. This is true not least because of a sense that latent violence is present within their own families. Therefore, the heads of many families probably think: "I could certainly find myself in a situation like this."

Strictly speaking, the above example would actually not be part of the criminality 'dark number,' because of course at least a few such incidents would be discovered by outsiders. It is especially common in familial controversies for the police officer

In his pioneering work on the criminality 'dark number' [F168], Wehner describes the origin of the term, the various attempts at defining it, and the ways in which it has been used: [F169]

"In his 1908 dissertation written in German [F170], the Japanese district attorney Oba clearly adopted the word used by statisticians in the English-speaking world, [>E] 'dark number' [<E]; however, rather than translating this correctly as 'dark number,' he instead translated it as 'dark figure.' Since then, various translations extant in virtually all of the published works on the subject have yielded significantly different meanings for this concept, often without any discussion taking place as to the origin of the term. [F171]

"Oba applies two different types of 'dark numbers' simultaneously; namely, those 'unknown crimes' committed by 'unknown criminals,' but also those for which the 'criminal' was either set free due to a lack of evidence or was otherwise able to avoid punishment. [F172] He concludes that undiscovered crimes -- 'such as those that are well-known to men of experience' -- constitute the lion's share of 'the overall total "dark figure".'

"Though Oba distinguishes between these 'two dark figures,' Roesner [F173] on the other hand by the 'dark figure' simply means 'the number of unknown crimes (!) committed by undiscovered perpetrators.' Elsewhere [F174], in the same style as the one employed by Oba, Roesner characterizes the 'dark figure' as the 'percentage of crimes which never become known and (!) for which the perpetrator is never discovered.' Whereas Sauer is not acquainted with the term 'dark figure' [F175], Mezger [F176] -- as is also the case with Exner's [F177] interpretation -- has utilized Oba's term, still failing to indicate its origin. Accordingly, 'one' includes as part of the 'dark figure' the 'gap between the number of crimes actually committed and the number indicated by statistics.' Exner characterizes this gap as casuistry: 'Many criminal acts are never discovered, many that are discovered are not reported, many reported perpetrators are not found

-- assuming he or she is called in -- to tell the parties involved that they will need to "go over" their stories once again. The criminality 'dark number' therefore includes everything from crimes about which even the perpetrator himself is not really conscious -- thus constituting "perfect crimes" in that no one is actually aware of them as crimes -- up to acts which are more or less known to be criminal. These two areas of criminality which together constitute the 'dark number' are usually referred to using the unitary construct: <u>the</u> 'dark number.'

or not brought in, and many of those who are brought in are not charged or convicted.' Seelig [F178] has extended this casuistry still further, characterizing the 'dark figure' as 'the difference between the number of people who have in fact been involved with criminality in some way and those figures which are actually included in the criminality statistics.'

"Zbinden [F179] simply follows Roesner's [F180] method for calculating the 'dark figure': the ratio of 'solved' to 'unsolved' offenses.

"In contrast to the original meaning of the term, Zirpins [F181] assumes -- as does Seelig [F182] -- that 'Oba was understood to have included in "the dark figure the number of crimes which remain permanently and totally hidden, but not those which do come to light in some way," whereas the modern criminalistic sense of the meaning of the 'dark figure' is 'the proportion of offenses which are not reported and in any event remain unknown, relative to those which do become known'."

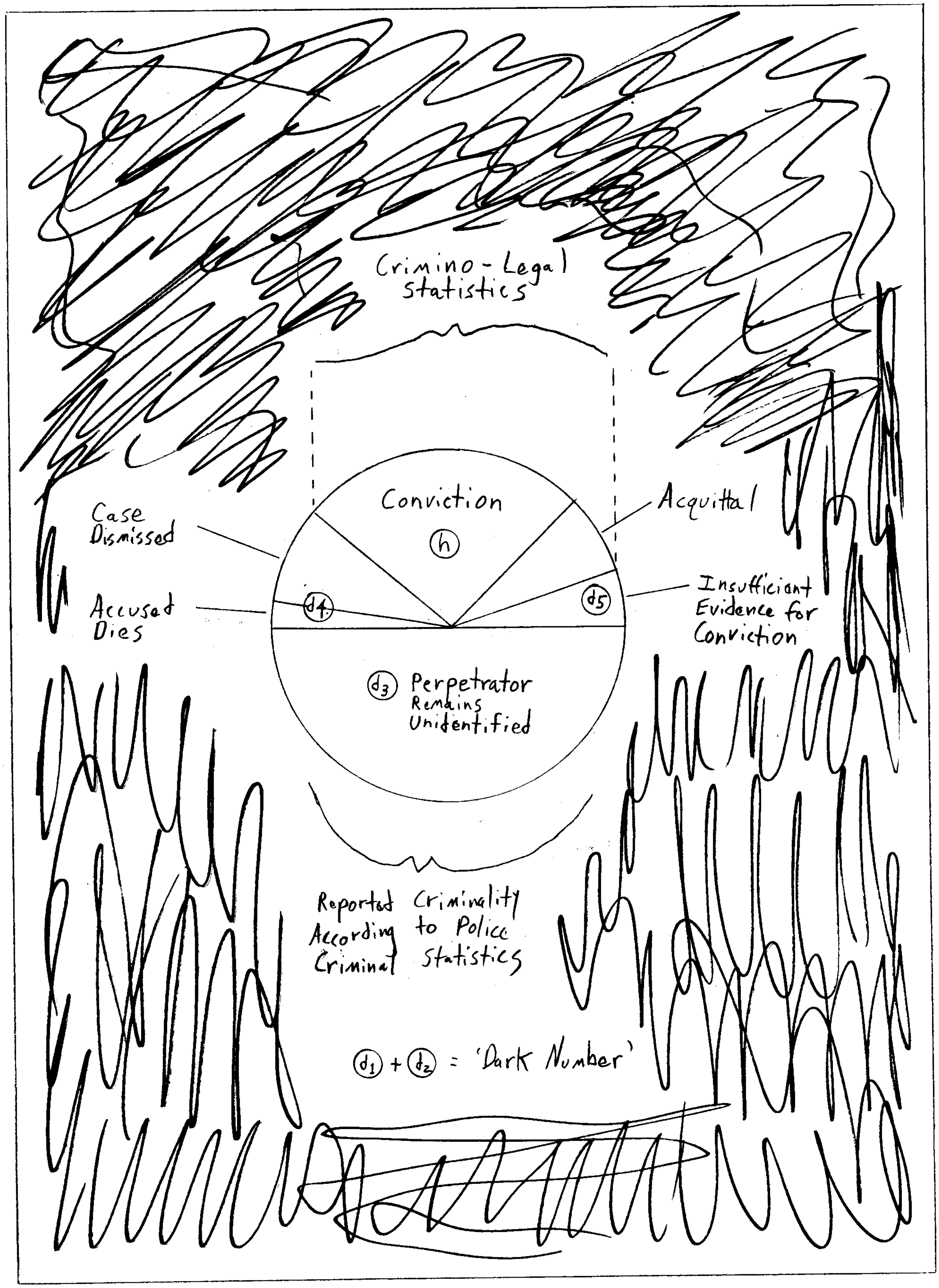
Wehner [F183] and Schwind [F184] make distinctions among the various components which together constitute the 'dark number.' Unlike in Schwind's representation, here they are shown in more or less true proportions relative to one another. These components are graphically illustrated in Figure 2. [F185] Total areas correspond approximately to the number of estimated cases of criminal acts against the right to sexual self-determination in our region at the current time.

The five components of the 'dark number' are described as follows:

d_1 = total offenses in which neither the victim, the perpetrator, nor any other person knows that a criminal act has taken place, as well as those offenses of which only the perpetrator is aware (i.e., perfect crimes).

d_2 = total offenses which are never made formally known to the criminal prosecution authorities [F186] and which therefore never appear in police criminal statistics ("unknown criminal acts"), less the offenses already denoted in d_1 above.

These two 'dark numbers' are described in Schwind's item a) and in Wehner's item 3). [F187]


Crimino-Legal Statistics
Conviction
h
Acquittal
Case Dismissed
Accused Dies
d4
d5
Insufficient Evidence for Conviction
d3 Perpetrator Remains Unidentified
Reported Criminality According to Police Criminal Statistics
d1 + d2 = 'Dark Number'

d_3 = total offenses which do indeed become known to the criminal prosecution authorities, but for which the perpetrator remains unidentified ("unidentified perpetrator").

This group is described in Schwind's item b) and in Wehner's item c). [F188]

d_4 = total offenses which do indeed become known to the criminal prosecution authorities, but for which a final judgment was not able to be rendered, perhaps because the offense fell outside of the statute of limitations or due to the death of the presumed perpetrator (presumed perpetrator, no final judgment).

This group is described in Schwind's item c). [F189]

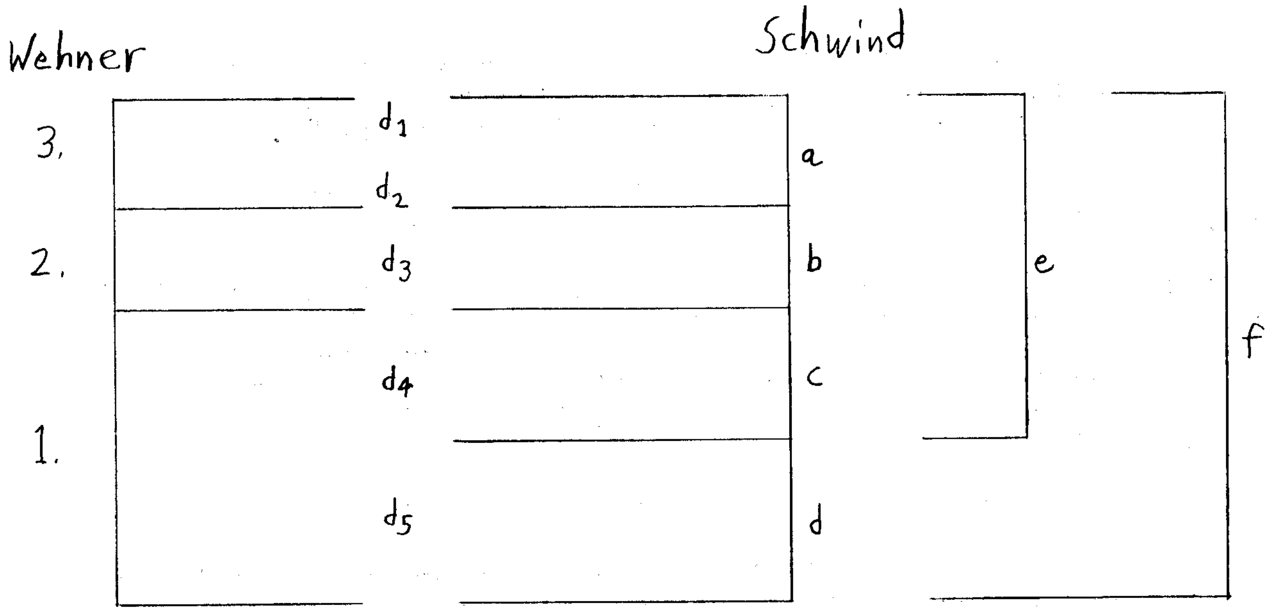
d_5 = total offenses which do indeed become known to the criminal prosecution authorities, but for which the presumed perpetrator cannot be convicted, because for example the case was dropped prior to the trial stage (presumed perpetrator, no conviction).

This group is described in Schwind's item d). Wehner combines d_4 and d_5 together with the 'dark number' in his item 1). [F190]

Usually, 'dark number' definitions comprise either $d_1 + d_2$ above (= 'dark number' d_{1-2}; Schwind's "a)"), or $d_1 + d_2 + d_3 + d_4$ above (= 'dark number' d_{1-4}; Schwind's "e)"), or $d_1 + d_2 + d_3 + d_4 + d_5$ above (= 'dark number' d_{1-5}; Schwind's "f)"). [F191]

'Dark number' d_{1-4} includes the number of presumably committed criminal acts for which there has been no final judgment, whereas 'dark number' d_{1-5} comprises the number of presumably committed criminal acts for which no punishment is ever meted out.

Figure 3 is a brief overview comparing the different corresponding denotations of the 'dark number' as per Wehner [F192], Schwind [F193], as well as the definition preferred herein:



Aside from the various 'dark numbers,' there is also the 'light number' "h," as well as those cases in which "true" acquittals at the initial trial. In crimino-legal statistics, these are lumped together with the cases in d_5. It should be noted that in the 'light number' there are also cases which, though they do indeed result in an actual conviction, the accused is nevertheless in reality innocent; these the result for example of incorrect verdicts.

Since the present volume is primarily concerned with <u>reported</u> sexual contacts, we are obliged to use today's commonly-accepted definition of the 'dark number' [F194], which encompasses 'dark numbers' d_1 and d_2 (= 'dark number' d_{1-2}).

The dimensions of the 'dark number' can never be more than merely estimated. And yet, the methods for estimating it can of course be improved upon, for example by taking into account the representative views of various kinds of civil servants. However, the very moment the 'dark number' is investigated, it is, strictly speaking, no longer a 'dark number,' because for example the results of such studies would then influence actions taken by the police. [F195]

Typically, the number of cases which do not become known to the criminal prosecution apparatus are lumped together with the number which do become known. Thus the proportion of unknown to known cases is depicted as being far smaller than it really is.

Wehner made the following minimum and maximum estimates of the 'dark figure' for criminal acts against the right to sexual self-determination:

Rape	1: 5 up to 1: 10
Lewd Acts with Children	1: 6 up to 1: 10
Lewdness Between Men [F196]	1:100 up to 1:500
Solic./Prom. of Prostitution	1: 10 up to 1:200
All Other Moral Offenses	1: 7 up to 1: 12 [F197]

Most estimates of the 'dark number' in the area of sexual acts against the right to sexual self-determination for Germany -- and in this context it makes sense to limit ourselves to German estimates only -- were considered by Wehner only when he had either made them himself [F198], or if they were in line with his own estimates, when these later became published.

III. Illuminating the 'Dark Number' of Criminal Acts Against the Right to Sexual Self-Determination

Every person who keeps his or her eyes open in life, and is honest with him/herself, is able to discover 'dark' cases of criminality. To this extent, observations of individuals as well as the exchange of such experiences can lead to a more accurate impression of 'dark number' criminality. But unfortunately, we can never know in advance whether the observations made and gathered will be generalizable. Various methods of empirical research have been developed for the social sciences which enable generalizations to be made. A representative poll of a portion of the population allows very precise assessments to be made of the behavior of the overall population.

In recent years these proven methods have been applied to investigations of the general criminality 'dark number'; however, until now, they have only sporadically been used in explorations into the 'dark number' of criminal sexual acts specifically.

(should be bold)

1. (Victimological) Cross-Sectional Research on a Representative Sample as a Proxy for the Total Number of Those Who Have Experienced Sexual Victimization

Asking about the sexual sphere was for a long time -- and in part still is today -- generally deemed to be a "ticklish endeavor." It was formerly believed to be virtually impossible, for example, to ask strangers whether they had ever taken part in homosexual activities. People were of the view that this and similar questions would come as a shock, that persons questioned about such topics would not provide honest answers. Admittedly, falsified answers sometimes are given in such lines of questioning; where possible, the extent to which this has occurred should be evaluated. However it is also well-known that in social science research, interviewer attitude (i.e., his/her own reluctance to discuss the "hot topic" of sexuality) can have a very disturbing effect on the overall atmosphere of the interview. An interviewer who is ashamed to speak openly about sexuality would not be able to conduct an interview concerning sexual behavior. Likewise, a researcher would not be able to construct a good research design for the interview if he or she were inhibited from openly expressing his/hew views on the topic. Among other things, the interviewer projects his or her own inhibitions onto the persons being questioned. Thus, interview situations can be observed in which the interviewee is able to more freely and easily discuss sexuality than the interviewer himself. [F199]

These are the reasons which, together, account for the fact that up until now, no victimological research has attempted to ascertain what percentage of the overall population has ever participated in at least one of the various kinds of punishable sexual contacts. Most representative interviews along these lines have either merely compared rape experiences with poll results of other types of victimization, or have themselves worked with particular, selective population groups, such as for example students. In either case, one gets merely a partial picture of the 'dark number' for the sexual sphere.

The most comprehensive surveys of male and female sexual behavior carried out to date were conducted by Kinsey and his associates. The results of these surveys were published in 1953 and 1954 [F200], and had far-reaching implications for sexual research, sexual politics, and criminal law reform. Scarcely any sexual-political discussions took place in the late 1950's and early 1960's without some reference being made to the Kinsey studies. One was astonished to discover the (statistically) average sexual behavior of the American populace. Many of these results poked holes in the puritan facade which existed at the time. Consequently, similar inquiries were also carried out in Germany, also in part on select groups. [F201]

In these cross-sectional studies of sexual behavior, questions concerning sexual victimization were also asked. In this way, one was able to get an idea of what proportion of the population had ever been involved in punishable sexual contacts.

As a result of the Kinsey report on _Sexual Behavior in the Human Female_, it became clear that considerably more women had experienced punishable sexual acts during their childhood than had theretofore been supposed.

Because Kinsey and his colleagues wished to exclude "pubertal sexual games" -- many of which were themselves also punishable -- they only counted those experiences in which:

1. the girl had not yet experienced her first period,
2. the older participant was more than fourteen years old, and,
3. the older participant was at least five years older than the girl.

Out of 4,441 women questioned, 1,075 (= 24%) reported having had one or more such sexual contacts. The scientists presumed that the true scale of such experiences was even greater. The particular structure of Kinsey's cross-section would not be expected to have encompassed the 'dark number' in its entirety.

Table 3 shows the forms of sexual approaches and contacts that Kinsey et al. asked women concerning their experiences during childhood:

Type of Contact	Percent
Approach only	9
Exposure to Male Genitalia	52
Exposure to Female Genitalia	1
Stroking, without Genital Contact	31
Manipulation of Female Genitalia	22
Manipulation of Male Genitalia	5
Oral Contact, Female Genitalia	1
Oral Contact, Male Genitalia	1
Coitus	3
Total Cases	1,075 [F202]

Targeted victimological surveys were also first carried out in the United States. [>E] The President's Commission on Law Enforcement and [the] Administration of Justice [<E], under the direction of Ennis [F203], Biderman et al. [F204], and Reiss [F205] conducted three large-scale victim surveys in the mid-1960's. Moreover an index of seven criminal acts, including rape, were surveyed. It found, for example, that whereas 42.6 rapes were committed per 100,000 inhabitants, only 11.6 per 100,000 were actually reported. [F206]

Subsequently, researchers in the United States worked to assess the true degree of criminality through the use of ongoing, cross-sectional surveys of the victimization 'dark number' ([>E] "victim surveys," [<E], in contrast to the temporally restricted [>E] "victim studies" [<E]).

Garofalo and Hindelang describe [>E] "victim surveys'" [<E] essential themes: "The attitude of the police, fear of victimization by criminal acts, victim characteristics, type of victimization, consequences of the criminal acts for the victim, perpetrator characteristics, and the victim's failure to report as well as differences among types of victimizations which were reported compared with those which were not reported." [F207]

Such [>E] "victim surveys" [<E] are -- through careful methodological construction and implementation -- able to go a long way towards illuminating the 'dark number' d_2. Aside from actual, experienced rapes, [>E] "victim surveys" [<E] have, until now, certainly not included any other data with regard to sexual victimization.

Dussich concerned himself with every aspect of the methodological problems posed by [>E] "victim surveys" [<E] [F208], and reports on new methods for conducting them:

"One of the more recent and interesting developments in the field of [>E] 'victim surveys' [<E] is the use of randomly-selected telephone numbers. [F209] This technique, which is used for selecting a cross-section as well as for the gathering of data, has "proven itself to be more efficient than the methods favored by conventional wisdom." [F210] The greatest advantage of this technique compared with the in-person method employed in conventional victim surveys is the very dramatic cost-savings achieved in the cross-section-establishment and interview phases. Moreover the loss of fine detail is not significant. "The following are the reasons why [>E] random digit dialing [<E] should be used in place of personal interviews: On the grounds of the quality and reliability of the collected data, as well as on the bases of cost and ease of implementation. [F211] It is also important to point out that from the standpoint of the interviewer, the RDD method is far more reliable; the questioner sits in a central office, is concerned primarily with the data-gathering process, and does not run the risks inherent in spending time in areas with high crimes rates. Following the pioneering work of Tuchfarber and Klecka in Cincinnati, Ohio, a large number of victimization studies have been carried out using the RDD method. In the summer of 1976 one was carried out by Southern Illinois University [F212], and another rural pilot study was carried out in 1977 by the University of Southern Mississippi. [F213] Though both of these studies were conducted in rural areas with few telephones, it was still possible to successfully apply the RDD technique." [F214]

Admittedly, the quality of such surveys is better to begin with in the United States, because it has more phones lines per capita than West Germany.

General surveys of deviant behavior as well as special [>E] "victim surveys" [<E] have the advantage of being able to reach the greatest portion of declared victims, a large share of self-described victims, and a smaller number of those who do not perceive themselves to be victims. Admittedly, these would not serve to illuminate victimless crimes. Dussich [F215] notwithstanding, it is also entirely possible that there are persons who are merely externally-declared victims (i.e., "other-declared victims":

prostitutes, gamblers, drug users, homosexuals, etc.) though attestations as to their other-declared victim roles could be made. It is also conceivable that persons who up until now had not seen themselves as victims will for the first time become conscious of their victim-role as a result of descriptions contained in the survey itself, and will therefore at that point be ready to informally declare their victim-status.

The disadvantage of [>E] "victim surveys" [<E] is the great methodological and technical effort required, especially when large numbers of victims of rarely-experienced events must be found and questioned.

2. (Victimological) Cross-Sectional Research on Sexual Victimization Experiences, Carried Out on Particular Social Groups

The surveys of sexual behavior that have already been mentioned above [F216], which have been undertaken -- including in Germany -- on various social groups, have helped to provide information about the burdens faced by these victim groups.

Special surveys of sexual victimization exclusively were published by Landis in 1956 [F217], Rennert and his colleagues in 1965 [F218], Fikentscher and colleagues in 1978 [F219], and then, in 1970, by both Kirchhoff and Thelen and Kirchhoff and Kirchhoff. [F220] In all of these studies, an admittedly selective group -- college students -- were surveyed.

In the early 1950's, Landis and his colleagues established an excellent framework for simultaneously ascertaining both the 'dark number' for sexual victimization, as well as the resultant harm to victims. [F221] The primary objectives of the study, which focused on sexual contacts between children and adults, were to establish the following:

1. the dimensions of the sexual contact;
2. the types of sexual contact;
3. the effects on the victim;
4. the connection between harm to the victim and the degree of relationship; and,
5. the influence of the victim's milieu on the intensity of the act.

Of the 1,800 college students anonymously surveyed between 1951 and 1954, 30% of the men and 35% of the women (N = 500) had experienced at least one punishable sexual contact prior toadolescence. These 500 persons reported a total of 746 punishable sexual contacts during childhood. [F222]

Table 4

Landis' Survey of Punishable Sexual Contacts with Adults Experienced in Childhood (N (males) = 215 sexual contacts; N (females) = 531 sexual contacts)

Type of Sexual Contact (in %)	Men	Women
The Adult		
Displayed His Penis	4.7	54.8
Touched the Child Sexually	0.4	26.9
Made a Homosexual Advance	83.8	1.5
Abducted the Child or Attempted to Do So	0.9	2.5
Indicated an Interest in, Attempted, or Performed Coitus	0.4	8.5
Provided Instruction in Masturbation	8.3	1.5
Attempted or Committed Rape on the Child	--	1.9
Did Other Things	--	0.9
Details Not Provided	1.4	1.5
	100.0	100.0

With this survey, it became clear that about 14% of the men, and 23.5% of the women, had experienced punishable sexual contacts in childhood [F223]; namely, 1.5 such contacts per child. Boys predominantly experienced homosexual contacts, whereas girls mainly reported experiencing exhibitionistic acts and superficial sexual touching. When the Landis material is used to arrive at a 'dark number' [F224] for sexual victimization, for American boys and girls combined, it would be approximately 1:11.6. For girls alone it is -- similarly to what Kinsey found -- about 1:13. The still quite high 'dark number' for male homosexual acts that was found here is probably due to the fact that most of them occurred following the onset of puberty.

In March of 1963, Rennert conducted a similar survey of medical students in Halle. [F225] The questionnaires were anonymously completed by 196 female and 213 male students

(N_{total} = 409; 75.9% survey completion rate). [F226] It found -- excluding exhibitionistic encounters -- that 12.4% of women and 8.9% of men had experienced punishable sexual contacts as children. [F227]

Exhibitionistic encounters were experienced by 35.6% of the women and 3.8% of the men. Because Rennert also asked which sexual contacts had been declared, he was also able to derive the 'dark number' for the group studied. [F228]

Table 5

Relationship Between 'Dark Number' and Type of Punishable Sexual Contact, as Ascertained by Rennert's Survey of East German Medical Students (N = 409):

Offense Type	Women	Men
Punishable Lewd Acts with Children	1: 8.3	1:>21
Exhibitionistic Acts	1:17.5	1:> 8
All Other Offense Types	approx. 1:15	1:>29

In 1966, Fikentscher, Hinderer, Liebner, and Rennert expanded on Rennert's pilot study [F229], employing written surveys of clinical medical students (1,286 male and 1,013 female) from nearly every university and medical school in East Germany. [F230]

They obtained the following 'dark numbers': [F231]

Table 6

Relationship Between 'Dark Number' and Type of Punishable Sexual Contact, as Ascertained by Fikentscher et al.'s Survey of East German Medical Students (N = 2,299):

Offense Type	Women	Men
Homosexual Acts	--	1:14
Exhibitionism	1:12	1:15
Coercion, Rape, Seduction, Sexual Abuse of Subordinates	1:33	1:15
Sexual Abuse of Children	1: 6.5	1:10

Therefore the 'dark number' ratios for the second study were somewhat smaller than those found in the pilot study. It is difficult to assess whether these differences are significant, and if they are, what might account for them. In any event it may be assumed that in the written survey encompassing the whole of East Germany, personal contact with those conducting the survey was less extensive, and therefore perhaps these students were correspondingly less willing to share information.

In West Germany, between 1974 and 1976, Kirchhoff and Thelen [F232] as well as Kirchhoff and Kirchhoff [F233] were able, under the supervision of two unnamed associates, to do a questionnaire survey of first semester students. Of the 130 female and 113 male students surveyed (N_{total} = 243), 240 and 116 experienced sexual victimizations were, respectively, reported. But the 'dark numbers' found by Kirchhoff and Kirchhoff can only be conditionally compared with those of other studies, because the former rarely provides the ages at victimization. Therefore as a whole, including those who are victimized while teenagers and adolescents, the Munich-area student group calculated 'dark numbers' ranging from 1:25 (for women) up to 1:50 (for men). When the statements concerning sexual abuse experienced during childhood are analyzed separately, it becomes clear that approximately 37% of female and 45% of male students had such experiences as children. [F234]

As far as women are concerned, the results of these four studies are quite comparable. With the surveyed men, however, there are larger discrepancies.

All four studies also asked questions concerning the effects of such sexual contacts. These may even arise later on. There is a substantial possibility, however, that in such studies, the effects on those who merely perceive themselves to be victims are being compared with the effects on those who had actually declared themselves to be victims.

3. Victims of (to date) Undeclared Sexual Crimes Describe Their Own Situation (Convenience Sample)

Compared with the above-described 'dark number' studies of sexual victimization and sexually deviant behavior, for persons who have the victim-role thrust upon them, hardly any methods have been developed for asking questions and eliciting answers concerning either the sexual victimization itself or the general situation faced by those who are, exclusively, other-declared victims. These persons, who according to the penal code are declared to be victims, do not however subjectively feel themselves to be such; therefore, it may only be possible to reach them through the use of convenience sampling. Such convenience samples have in recent years been employed by Bernard [F235] in the area of pedophilia, by Dannecker/Reiche [F236] with male homosexuals, and by Linnhoff [F237] with female homosexuals. These studies generally use the "snowball method," in which those concerned express their views on the subject and then introduce the researcher to others, who will themselves introduce him/her to still others, and so on. These studies have the advantage of being able to include precisely those sexual contacts that have crimino-legal relevance, but which have not been put through the grindstone that is the law. Moreover they are not afflicted with a shortcoming inherent inmost other ways of proceeding; namely, where a socially deviant population is studied by scientists who come in from the outside, who themselves have no experience whatsoever -- or very little experience -- with the actual settings in which these groups live.

4. A Scientific Study Asks Sexual Victims to Declare Their Victim-Status

With help from the public media, the social sciences have, from the very beginning, had particular, pre-existing target groups to appeal to, groups that had a special interest in any findings that might be made.

In the field of sexual victimization this path was recently tread by Weis, when on the radio and in the daily newspapers he called on women to report any rapes they may have experienced. [F238] The rape victim, whose victim-status had up until now only rarely been made known to the police, could call a telephone number in Saarbrücken and tell about the experiences they had in connection with the earlier rape. By this means, Weis and his colleagues uncovered some deeply moving cases. Many women said that, due to fears concerning the offended reactions of relatives as well as agents of criminal prosecution authorities, they had decided not to report the rape. Through this study Weis received, among other things, some insight into the motives for non-declaration of the victim-role. [F239]

Compared with surveys of randomly-selected cross-sections, this method has the advantage of it being predominately the victim who decides whether or not to talk about his or her victim role. Furthermore, conversations with self-perceived victims are the only ones that ever take place; conversations with those who do not perceive themselves as victims -- or have merely been defined as victims by others -- simply do not occur.

A disadvantage relative to the 'dark number' study is that people who are unsure about whether they feel or consider themselves to be victims will rarely establish any kind of contact with the researcher. Furthermore, it has been found that the way in which contact is initially established (here, the self-perceived victim calls up the researcher) functions as an overall selection-factor. It is likely that for some self-perceived victims, this method of communication would be inappropriate or even impossible.

5. Sex Victims Enter Clinical Programs

Furthermore, there are a whole series of works based on the study of populations in penal institutions, hospitals, and therapeutic settings. Those studied were generally declared victims, the accused, or even those who had in fact been convicted of involvement in sexual contacts; the research was conducted on persons who were in prison, or in residential or out-patient treatment programs. [F240]

People who as a result of diagnostic or therapeutic measures become known as sexual victims can be part of both the 'dark number' as well as the 'light number.' There are many practicing analysts and doctors who, in their practices as well as through the provision of expert opinions, deal with the problems faced by sex victims. When the victims in these cases -- due to diagnostic or therapeutic problems -- end up in the clinical arena, one must then consider them to be a highly-selected group. It is a highly questionable practice when some members of the helping professions, based on observations of such selectively-constituted groups, make <u>general</u> statements about deviant sexual behavior, its causes, and its effects. [F241] When for example such authors in the field of nonviolent sexual offenses also expect to find that harm is always done to victims -- because they have seen this again and again in their clinical experience -- then one can only conclude that these authors have never really been in a position where they would have encountered declared sexual victims who had not been harmed. [F242]

Thus Hauptmann puts the need for a solution to the difficulties faced by empirical researchers trying to gain access to sexual victims as follows: "Thus from the standpoint of an apparent desire for very pure, theoretically-oriented findings, victimological statements are first and foremost phrased in accordance with precise empirical objectives; nevertheless, it should not be overlooked that despite this necessary, comprehensive evaluation of the data, by no means will all of the findings fit the pre-determined hypotheses." [F243]

Table 9 [infra] analyzes some of the (many) works which have the shortcoming that the studied population is -- in the above-described ways -- selective.

Observations by members of the helping professions of patients, who from the very beginning were treated as victims, can therefore hardly be generalized to all experiences with punishable sexual acts. Moreover, most of the evaluations of clinically-known victim cases come from the criminological 'light number.'

It also happens, however, that previous undeclared -- or even often times up to now unperceived -- sexual victims will bring up a punishable sexual contact in therapy. For the group of traumatized sexual victims, such therapy can in large part cause the inception, symptomiticization, and assimilation of such harm to become learned. By the same token, such therapy tells us relatively little about the general effects of punishable sexual contacts.

IV. Research Into the 'Light Number' of Criminal Acts Against the Right to Sexual Self-Determination

After the victim has perceived his or her victim-role, the next step is usually for the victim to communicate information about the punishable sexual contact to members of his/her environment. Because like other intimate sexual contacts these encounters generally take place in socially-secluded areas, the victim is, therefore, frequently the only witness to it. This simultaneous, essential witness-role frequently adds additional burdens to the victim-role. For the most part, the sexual victim alone decides whether or not the sexual attack will be declared. But of course at the same time, the victim's social ties cannot be ignored. Attitudes, norms, and obligations certainly have a substantial influence on sexual victims' "willingness to report." Accordingly, these have an impact on whether a report to the police is made, and thus, on whether a criminal prosecution is initiated.

1. Reported Punishable Sexual Contacts

When such a case is reported, it thereby moves -- according to commonly-understood definitions -- from the 'dark number' d_{1-2} into the 'light number.' However, with these cases one still cannot speak of "victims" and "perpetrators," because there surely are some people who are falsely accused. This is why, on the "perpetrator" side, there isea gradation of terms: suspect, charged, suspected act [F244], the accused, the indicted, the convicted, and finally, the imprisoned criminal. On the victim side, there are no such distinctions. Criminalistics of course speaks of "the victim," even though, up to this point, he or she has merely been treated as a declared victim. For example, what is listed as an official offense could signify a person who has actually declared him/herself to be a victim, or simply someone who has been declared by others to be a victim. It is to be hoped that eventually we will come to make proper distinctions on the victim side as well.

So long as an accused has not been legally convicted, he cannot be characterized and dealt with as a perpetrator. This applies in particular to individual criminal cases.

Furthermore, among the reported cases, there are many for which there is no known suspect. In many of these, one certainly does know with a high degree of confidence that an offense definitely has taken place. To this extent, criminalistics can render a truer picture of both the extent of criminality as well as the distribution of criminal acts than mere conviction statistics could provide. An example: There are considerably more -- in a relative sense as well -- reports of exhibitionistic encounters than there are convictions for them. It may be assumed that most declared victims of a reported exhibitionistic encounter in fact really did experience it. Frequently however the exhibitionist cannot be apprehended, and therefore, the case never goes to trial. It remains part of 'dark number' d_3 (see <u>supra</u>, pg. 95).

Though reported sexual contacts would provide a more realistic picture of sexual criminality, astonishingly studies of this group of cases have been conducted. Here in West Germany, a detailed statistical evaluation is published annually in <u>Police Criminal Statistics</u> (PKS), which admittedly contains very little information concerning victims; that is because this has traditionally been a statistic which is based on matching up specific acts with particular perpetrators.

Table 7 provides an overview of officially registered victims in the area of criminal acts against the right to sexual self-determination for the year 1980 in West Germany. [F245]

Victims, by Age and Gender

Table 7

Criminal Act		Total # of Victims	Gender: Male	Gender: Female	Victim Age (yrs.): Children <6	Children 6-14	Youth 14-18	Young Adults 18-21	Adults 21-60	>60
			in %		in %					
Rape	Completed	3,485	--	100.0	0.0	2.0	24.3	22.0	49.8	2.0
	Attempted	3,380	--	100.0	--	1.4	20.0	19.6	55.0	4.0
involving:										
- surprise attack (single perp.)	Completed	686	--	100.0	--	2.2	18.7	20.8	55.0	3.4
	Attempted	1,479	--	100.0	--	1.3	17.8	18.5	56.7	5.7
- surprise attack (group)	Completed	111	--	100.0	--	0.9	18.0	20.7	58.6	1.8
	Attempted	73	--	100.0	--	1.4	24.7	24.7	49.3	--
- by groups	Completed	190	--	100.0	--	1.6	28.4	19.5	50.5	--
	Attempted	31	--	100.0	--	3.2	19.4	19.4	54.8	3.2
- Sexual Coercion	Completed	2,692	8.2	91.8	0.1	3.9	30.2	18.9	44.2	2.6
	Attempted	927	4.6	95.4	0.1	3.1	26.1	17.7	50.2	2.8
- Sexual Abuse of Children	Completed	14,476	22.2	77.8	4.4	95.6	--	--	--	--
	Attempted	1,395	24.0	76.0	3.2	96.8	--	--	--	--

As has already been shown in Tab. 1, pg. 57, it is evident that <u>female youth and young adults</u> are particularly vulnerable to becoming victims of rape and sexual coercion. Although it is true that other victims appear to have higher percentages, at the same time one must bear in mind that there, many larger age-groups have been combined. <u>Children</u> above all become victims of sexual abuse and exhibitionism; but for the latter, no known statistics are kept. Fortunately however, both of the aforementioned offense types seldom involve the use of violence.

As has already been explained, criminal statistics are comprised merely of cases in which either a person has declared him/herself to be a victim, or in which a person has been declared by others to be a victim. They do not contain cases of merely perceived victims, nor a large portion of so-called "crimes without victims." If however one wishes to learn more about deviant sexual behavior which is <u>prosecuted</u>, then the study of reported cases certainly is worthwhile.

Moreover there was likely a particular interest in finding out more about the types of cases contained in the police criminal statistics. We still know too little concerning the roles of suspects, declared victims, relatives, the police themselves, and other persons with regard to the "typical case" in which the police become involved. We also know too little about the course of such events, as well as their effects on the primary participants. Furthermore, learning more about typical reported sexual contacts is necessary for a better-informed discussion of criminal law reform, as well as for the establishment of proper procedures for criminalistic and preventive work in the area of deviant sexual behavior. Finally, whenever sexual education covers deviate sexual behavior, it must be informed by conditions as they actually exist.

Astonishingly, aside from police criminal statistics, no published studies have attempted to gain a better understanding of reported criminality in its entirety. The present volume is intended to provide precisely this. The general surveys are summarized above (pg. 84 f), and the hypotheses for the panel-study are presented below (pg. 137 ff).

2. Adjudicated Sexual Contacts

a. Analyses of Records

Most research into punishable sexual behavior is based on cases which resulted in conviction. Following the perpetrator's conviction a document is prepared, which can be utilized by the researcher. Thus in a handful of scientific works, court documents (consisting partly of court-ordered expert medical opinions) pertaining to various time periods and particular regions have been evaluated. [F246] Most of these works are dissertations in the legal or medical fields and are of widely-varying quality. Some were carried out using methods very inadequate for the social sciences, and exhaust themselves in the counting of characteristics; therefore, these add little to a criminological and victimological understanding of criminalized sexual behavior. Such works are therefore also frequently limited in the strength of their victimological conclusions, because the court documents were evaluated with some other objective in mind. As far as substantial sexological and/or criminological surveys are concerned, these documents often contain no -- or even more problematic, nothing but -- places to begin.

But such analyses of court records only cover cases of declared victims, and furthermore those which resulted in the perpetrator's conviction. When for example the perpetrator remains unknown, the 'dark number' d_3 is therefore not included. Also missing are the cases that are dropped due to lack of evidence, cases in which the perpetrator was convicted of some other offense, cases that fell outside of the statute of limitations, and cases in which the proceedings were halted due to some other event.

These analyses of <u>convicted</u> sexual criminality always paint an overly dark picture of perpetrated sexual criminality, especially when the findings are generalized to <u>all punishable sexual contacts</u>.

Even more limited are works based on the evaluation of arrest records. Such findings can hardly provide information about general criminality; at most, they may tell us something about those perpetrators who get arrested.

It is generally true for all analyses of records that already at the inception of the survey, and thus in its conceptualization, the evaluator must have a crimonology-orientation, in which all of those who had a part in the production of these records -- policewomen, district attorneys, and judges -- are always in the back of his or her mind. Only to some extent does the data contained in such records comport with proven and proper scientific methods.

b. Expert Evaluations of Credibility

The evaluations of records which contain expert psychological opinions as to declared victims' credibility is definitely a qualitative exception to this. No doubt these cases too are extremely selective; yet at the very least, they do indeed contain some substantial and wide-ranging victimological data. Criminological and victimological sources are somewhat less biased; one finds in psychodiagnostic expert opinions relatively

c. Psychodiagnostic Research on Victims of Adjudicated Sexual Contacts

There is one study which has attempted, using somewhat objective methods, to investigate adjudicated cases of sexual victimization. Its author focused primarily on the consequences of the event for the victim. (Here, only the study's general structure need be elucidated. The results of this harm study are presented in the appropriate chapter, beginning on pg. 163.)

Lindy Burton, who because of methodological considerations warns that her retrospective study should be evaluated very cautiously, compares it with those conducted by a limited number of associated authors. [F248] However, the only reason for such caution was that her study had to do without today's methodological possibilities and stringent criteria. When however one compares her work with the many publications and statements by other authors concerning the dimensions and causes of harm in punishable sexual contacts, then one has to say that -- even in 1964 -- she had already presented a leading dissertation. Unfortunately, up until now, this northern study has had little or no impact on victimological and criminal law reform discussions.

In a panel-study, Burton examined 41 victims (35 female, 6 male) of adjudicated or declared sexual contacts; the initial study was carried out between 1961 and 1963, and a follow-up was conducted between 1962 and 1964. [F249]

One year elapsed between when the initial and follow-up psychodiagnostic studies of the declared child victims were conducted. Burton was thereby able to assess the long-term effects of the offenses on the declared victims. Furthermore the author compared the victim groups with control groups, according to several analogous criteria.

Finally, she even compared the groups of declared victims with two other groups of infirm children; namely, accident victims and asthmatics. Burton interviewed the declared victims using questionnaires consisting of 57 open-ended questions, evaluated their social behavior as manifested in relationships with school peers, and then carried out three psychodiagnostic tests: [>E] The Bristol Social Adjustment Guide, the TAT [Thematic Aperception Test], and the Parent Attitude Research Instrument. [<E] [F250]

The sexual contacts experienced by the children in her study approximately corresponded to the distribution of convicted acts found by other studies:

more information concerning the victim, and, as a rule, expert opinions contain well-detailed accounts of the course of the criminal act. Some experts have provided victimologically-oriented opinions [F247]; that is, a type of victimology in vogue at the time, but different from the one employed today.

Table 8:

Type of Sexual Contact (in Burton) [F251]	Quantity
Attempted or Completed Rape	2
Indecent Assault	11
Instruction in Masturbation	2
Undressing the Child	2
Homosexual Contact	6
Indecent Touching	19

The essential findings, which Burton concluded cautiously from her research, are compared with comparable studies below.

It should be borne in mind that as early as twenty years ago, highly differentiated methods were employed to solve a pressing victimological problem. More recent attempts to answer questions as to whether, to what extent, and which sexual victims are harmed, should be measured against the methodology employed in works such as this.

3. Comparable Studies

Up until now, selected cases of legally prosecuted sexuality were virtually the only ones ever studied. Frequently, in both criminalistic technical journals as well as in media read by the general public, dramatic rapes or sex murders are depicted. Such severe sexual offenses are then figuratively or even literally multiplied by the far greater number of less serious cases that largely make up police criminal statistics. To this extent, it would appear to be necessary to determine exactly how often such cases actually appear in police records. Thus, in the context of a general objective [F252], the present study is explicitly concerned with <u>reported sexual contacts</u>, and therefore:

a. to also be able to better estimate the larger 'dark numbers' d_3, d_4, and d_5,

b. to be able to make a comparison between reported sexual contacts and those resulting in a conviction, and,

c. to more precisely discover and describe the <u>overall</u> situation faced by victims of criminalized sexuality.

In addition to the 'dark number' sexual victimization research cited more extensively above, comparisons were also made with many other studies that are based on the German sexual criminal law. The comparison also cites a couple of studies originating from neighboring German-speaking countries. In part they also allow historical observations to be made, in that they were carried out in German-speaking countries in which substantial political changes have taken place. [F253] In Table 9 a total of 67 such works are cited; they vary greatly in quality, and can only be compared with one another across a narrow range of isolated questions and issues. They are chronologically arranged by the time period in which the criminal cases were adjudicated. When known, the facts and regional origins of the cases, as well as the cross-sectional sizes and types, are also cited. [F253a] At the same time, it becomes evident that very different kinds of cross-sections have been sampled.

Table 9:

Research on Declared Sexual Victims in German-Speaking Areas

Criminal Acts Studied: 737475767778 8283	Time Period Incl.	Study Area	N	Groups Studied reg	VSPAC	Author	Title	Pub. Year
7677 83	< 1904	Cologne (Pol. Dept.)	200	g	A	ASCHAFFENBURG, Gustav	On the Psychology of the Sex Criminal	1906
ALL	< 1907					WULFFEN, E.	The Sex Criminal	1910
73	< 1913					MARCUSE, Max	On Incest	1915
73	< 1922	Straubing/ Bayeria (prison)	130	g	A	von HENTIG, Hans; VIERNSTEIN, Theodor	Research on Incest	1925
7576 82	< 1923	Berlin	87	g	V	MEYER, Charlotte	The Treatment of of Children and Youth in Indecency Proceedings, Considered from the Standpoint of the Social Worker	1925
7576	< 1924			(Expert Opinions)		STERN, William	Young Witnesses in Indecency Proceedings: Their Treatment and Psychological Evaluation	1926
ALL	< 1928	Saxony				FETSCHER, R.	Criminal-Biological Discoveries Concerning Sex Criminals	1930

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg	VSPAC	Author	Title	Pub. Year
76	ca. 1920-1930	Saxony	315	g	mA	HESS, Albert Gunter	Child rape: With Special Emphasis on the Details of the Act	1934
			2	g	fH			
			317	g	H			
			731	g	V			
	< 1932		242	g	C	KORT, G.	242 Crimes of Indecency	1934
73	< 1932		60		CC	FINKE, H. ZEUGNER, F.	Incest Figures and Notes on Sixty Cases Studied	1934
73	< 1934					EBER, Alfred	Incest: A Criminological Study with Special Emphasis on the Details of the Act	1937
73	< 1935					SCHWAB, G.	On the Biology of Incest	1938
7677 83	1905-1936	Eisenach District Court				KREMPLER	Indecent Offenses in the Eisenach District Court During the Years 1905-1936	1939
7676	1907-1937	Bonn District Court	617	g	P	WESSEL, Gerhard	The Offense of Child Rape in the Bonn District Court	1939
75	1914-1947	Hagen District Court	344	g	P	LANG, Fritz	The Criminality of Homosexual Lewdness in the Bonn District Court	1950
83	1945- ca. 1948	Hamburg				STEINMETZ	Exhibitionism	1951

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg	VSPAC	Author	Title	Pub. Year
73 757677 8283	ca. 1930-1948	Northern Germany				MICHALSEN	The Behavior of the Sex Criminal in the Years Before, During, and After the Second World War	1951
76 8081 83	< 1948					HOSS, Hans	Manifestations and Criminal Dimensions of the Offenses in §§ 176, 180, 181, and 183 of the Laws and Statutes of West Germany	1950
76	1937-1949	Hagen District Court				IRNING, Otto	The Offense of Child Rape in the Hagen District Court During the Years 1937-1939	1953
7576	1935-1949	Duisburg District Court				HABEL, G.	Concerning the Criminality of Child Rape in the Duisburg District Court (1935-1939)	1952
76	1933-1950	Bochum District Court				BRANDENBURG, G.	Child-Rape Criminality in the Bochum District During the Years 1933-1950	1953
73	< 1951					WITTMAN, Wilfried	Incest	1953
7576	ca. 1945-1951	Bonn District Court	202	g	P	WEGNER, Alfred	Indecent Offenses Against Children and Youth in the Time Following the War -- As Shown by Criminality in the Bonn District Court	1953
7576	ca. 1946-1951	Koblenz, Mainz, Bad Kreuznach	715	g	C	MATTHES, Ilse	"Harmed" Minors as Witnesses in Indecency Proceedings	1961

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg	VSPAC	Author	Title	Pub. Year
75767778 83	1945-1952	Krefeld District Court				SIMSON, Arnold	Indecent Offenses Against Minors in the Krefeld District Court During the Time Following The War	1956
73	ca. 1945-1952	W. Germany	(Conviction Statistics)			WAGNER, K.	The Crime of Incest and Its Criminal-Biological Meaning	1953
7576 82	1945-ca. 1953	Hamburg	233	g	P	LANGE, Werner	The Evolution and Manifestations of Pedophilic Indecent Criminality in Hamburg Since 1945	1956
73	< 1952	E. Germany				RENNERT, H.	The Psychiatric Observation of Incest and Its Spread	1954
						ibid.	On the Problem of Incest	1958
76	1950-1954	Duisburg District Court	534	g	P	GERBENER, Hermann	The Criminality of Child-Rape in the Duisburg District Court During the Years 1950-1954	1966
7576	1949-1955	Switzerland	25	e	V	FRIEDEMANN, Adolf	The Long-Term Psychological Effects of Indecent Assaults on Children and Youth	1962
76	< 1956				V	GEISLER, Erika	Children and Youth as Victims and Perpetrators of Indecent Offenses, with Special Emphasis on Competency Evaluations of Abused Children	1959

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg VSPAC	Author	Title	Pub. Year
83	< 1957				GRASSBERGER, Roland	Exhibitionism	1964
75	< 1957	Austria	496	C	GRASSBERGER, Roland	Same-Sex Lewdness	1959
7576	1949-1957	Ludwigs-hafen/Rhine and Surroundings	191	g C	WEISS, Günter	Child Rape	1963
757677 83	1952-1958	Munich	245	e ffV	MENZEL, Karin	Sexual Offenses Against Children -- Observations with the Help of Child Statements and Findings from Physical Examinations	1965
			6	e mmV			
ALL (w/ child victims)	1930-1945	Germany	1,590	g fV	FEIX, Gerhard	Sexual Crimes Upon and With Children: Their Discovery, Study, and Prevention	1959
			150	g mV			
	1946-1958	E. Germany	1,740	g V			
	(1930-1945:)		2,559	g C			
	(1946-1958:)		831	g C			
			3,390	g C			
77	<1960	W. Germany	500	(Jrn. Report) (C)	DOST, Paul	The Psychology of Rape: Proper Evaluation and Psychological Assessment	1963
74	< 1961				TAMM, Kl.P.	Lewdness with Subordinates (§174 Sec. 1, Laws and Statutes of W. Germany): Criminological and Crimino-Political Considerations	1964
7576	< 1961				RASCH, W.	Victims and Perpetrators -- Participation by Children and Youth in Indecent Offenses	1963

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg	VSPAC	Author	Title	Pub. Year
74	< 1962	Kiel				THEEDE, P.	Lewdness with Subordinates: A Crimino-Legal and Crimonological Study	1967
7576	1962	Canton of Bern/Switzerland	160	g	P	WYSS, Rudolf	Lewdness with Children -- Research on the Question of So-Called Pedophilia	1967
73	< 1963	Berlin	200		V	GERCHOW, Joachim	The Incest Situation	1965
83	< 1963	Berlin				CABANIS, Detlef	Medical-Criminological Research on Exhibitionism	1966
73	< 1963	Hamburg	35 7 --- 42	g r	V V V	MAISCH, Herbert	Incest and Its Psychological Development	1965
						ibid.	Incest	1968
76	1953-1963	Hamburg, Itzehoe	309	e	V	SCHÖNFELDER, Thea	Victim Initiative	1965
	< 1964					MATTHES, Ilse	Experiences in Preparing Cases in Which Children Were Victims of Crime	1967
76	1954-1964	Northern Germany	44	e	S	FISCHER, P.-A.	Problems with Expert Opinions Concerning Pedophilia	1965
7677 83	1954-1964	Schleswig-Holstein	671 20 --- 691	r r r	S V VS	ALTROGGE, Helmuth	Sexual Delinquency Under the Influence of Alcohol in Schleswig-Holstein...A Statistical Study	1974

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg VSPAC	Author	Title	Pub. Year
76	1957-1964	Saarbrücken (StA)	157	g fV	DIESING, Ulrich	Psychological Consequences of Sexual Offenses with Children	1980
767778 83	1960-1965	Rheinland-Pfalz	110	e C	KRÖNINGER, Joachim	Indecent Offenses Against Children and Youth in Rheinland-Pfalz Between 1960 and 1965	1973
73 7677 83	< 1966	Schleswig-Holstein			WILLE, Reinhard	The Forensic Psychopathological Evaluation of Exhibitionists, Pedophiles, Incest Perpetrators, and Rapists: Studies and Causalities	1968
					ibid.	Exhibitionists	1972
7576	1964-1966		216	V	PRAHM, Heyo	Psychosocial Aspects of Sexual Offenses Against Children	1974
76	1959-1966	Schleswig-Holstein	510	g C	FINCKH, Fritz Gunther	The Sexually Harmed and Jeopardized Child: A Criminological and Substantive Legal Contribution to the Problems in Reforming §176 Part 1, Section 3, Laws/Stats. W. Germany	1969
74	< 1967	Berlin		g	CABANIS, Detlef; Philip, E.	Pedophilic-Homosexual Incest Before the Court	1969
76	< 1967	Hamburg, Itzehoe	188 30 218	g C V	SCHÖNFELDER, Thea	The Role of Girls in Sex Offenses	1969
76	1965-1967	Hamburg	202	g C	NIEMANN, Harald	Lewdness with Children	1974

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg VSPAC	Author	Title	Pub. Year
82	1966-1967	West Germany	100 100 200	g P g V g C	ACKERMANN	Concerning Seduction (§182 Laws/Stats. W. Germany): A Criminological and Crimono-Legal Study	1972
757677 83	< 1969	Baden-Wurttemberg (J.D. Diss. Bruchsal)	100	g A	STEINHILPER, Gernot	Sexual Perpetrators and Protective Custody: A Dissertation on Protective Custody Issues and a Criminological Study of Recidivist Sexual Perpetrators	1971
757677 83	1960-1969	Frankfurt/Main	483 948 407	g C g V g P	KÖRNER, Harald Hans	Older Persons' Sexual Indiscretions with Minors	1975
7576	1965-1969	Pfalz	120 11 131	e wV e mV e V	BAURMANN, Michael C.	Influence of the [illegible] Degree of Relationship Between Young Sexual Victims and Perpetrators on Type and Seriousness of Offense	1969
76	< 1972				KOEHN, Klaus	The Active Role of [illegible] Girls Under Fourteen Years of Age in Sex Offenses	1975
7677 83	< 1973	Austria		g A	BERNER, W.; GRÜNBERGER, J. SLUGA, W.	A Study of Sexual Delinquency	1976
77	< 1975	Darmstadt	150	e C	HARTMANN, G. RINDFLEISCH, J.	Rape Offenses (I + II) I: An Attempt at a Victimological Typologization II: The Dependence on Victimization Figures	1976

Criminal Acts Studied: 7374757677788283	Time Period Incl.	Study Area	N	Groups Studied reg VSPAC	Author	Title	Pub. Year
76	< 1975				HERBOLD, H.	Some Offense-Specific Changes in the Sexual Abuse of Children (§176 Laws/Stats. W. Germany) in Recent Years	1977
73 77	1972-1977	Munich	17 5	g V P g V-P	WEBER, Joachim	On the Psychodiagnosis of the Perpetrator-Victim Relationship	1980
7778	< 1978				TEUFERT, Evelyne	On the Criminality of Offenses Against Sexual Freedom: Problems in Investigating Cases of Rape and Sexual Coercion (§§177, 178 Laws/Stats. W. Germany)	1980
77	< 1978	Freiburg			VOLK, P. HILGARTH, M. KOLTER, J.	On the Victimology of Sex Crimes: Victim Follow-Up Studies and the Consequences for Behavior, Prophylaxis, and Therapy	1979
76	1957-1965 (Follow-Up Study)	StA Saarbrücken	157	eg V	DIESING, Ulrich	Psychological Consequences of Sexual Offenses with Children	1980

FOOTNOTES

F159. See pg. 33 ff supra, esp. pg. 43. On the methodology involved in the investigation of deviant behavior: Short/Nye: "Discovered Behavior as an Indicator of Deviant Behavior," in Sack/König (Eds.): Criminal Sociology, pg. 60 ff, as well as the published volume edited by Friedrichs: Observations of Deviant Behavior; concerning the special methodological problems involved in victimological research: Mackay/Hagan: [>E] "Studying the Victim of Crime: Some Methodological Notes," in: Victimology [<E], 1978, pg. 135 ff; for studies of sexual behavior: see Footnotes 63 and 64 supra, as well as Müller's critique: "Situational Hit-Parade: On the Purpose of So-Called Sexual Reports," in: Concrete Sexuality, 1980, pg. 91 ff; for a critique of methodologically poor [>E] "sexual reports" [<E], see Kentler: "Better Not at All Than With Bad Data," in: Concerning Education, 1981, pg. 33 ff; generally: Grassel: "On Methodology and Methods in Social Science," in: Grassel/Bach: Child and Youth Sexuality, pg. 29 ff; concerning the use of questionnaires in sex research: Borneman: "Dubious Sexual Science," in: Sexual Medicine, 1979, pg. 146 ff.

F160. Social scientific methods are for example described in detail in Mayntz et al.: Introduction to Empirical Sociological Methods, and in Lienert: Test Construction and Analysis; and especially: Webb et al.: Non-Contaminating Assessment Procedures.

F161. Concerning this, compare for example with Friedrichs (Ed.): Participant Observation . . . .

F162. "It becomes more difficult when one encounters cultures without a written language, by which -- through a not always strictly-maintained process of demarcation -- groups of people and tribes are characterized as 'primitive peoples.' This is due to a combination of the status of the source and the views and reports of members of our own culture, no doubt including all of the ethnocentric, prejudicing implications this entails." (Bleibtreu-Ehrenberg: "Pedophilia and Violence in Primitive Societies and Selected Advanced European Cultures," in: Albrecht-Désirat/Pacharzina (Eds.): Sexuality and Violence, pg. 126.)

F163. In the social sciences this is known as the Poffenberger Effect": The average result for subjects who are observed independently from one another (constructed sample) is superior to the average result obtained for an individual person. A constructed sample is able to compensate for individual errors and fluctuations. (Concerning this, see: Hofstätter: Group Dynamics, pg. 27 ff).

F164. For a critique of this, see Borneman: "Questionable Questionnaires . . .," infra.)

F165. For example: Sigusch: "Physiological Sexual Reactions in Humans," in: Sigusch (Ed.): Outcomes in Sexual Medicine, pg. 54 ff; Sigusch: "The Physiology of the Orgasm in Women," in: Sigusch (Ed.): ibid., pp. 65-78; Sigusch/Schmidt:

"Psychosexual Stimulation from Images and Films: Gender-Specific Differences," in: Sigusch (Ed.): ibid., pg. 79 ff; Schmidt/Sigusch: "Encounters with Pornography: Experiments Concerning the Emotional and Sexual Reactions of Men and Women," in: Sexual Medicine, 1973, pg. 120 ff; Kockott (Ed.): Sexual Disturbances: Behavioral Analysis and Modification.

F166. See pg. 49 ff infra.

F167. An ethical demand, whether stemming from sincere internal convictions or a desire to help others (altruism), can hardly be complied with completely on each and every occasion.

F168. Wehner: The Latency of Criminal Acts.

F169. Ibid., pg. 13 ff; see also Schwind: Research Into the 'Dark Number' in Göttingen, 1973/74, pg. 16 ff.

F170. Oba: The Recidivist Criminal and His Treatment, pg. 27.

F171. For example Kämpchen, who like others speaks of "light numbers" (Kämpchen: Latent and Clear Criminality in the Area of Fraud, pg. 16.) This is the same kind of translation that would be rendered as the [>E] "light number" [<E], in contrast to the [>E] "dark number" [<E]. See Oba: ibid., pg. 28.

F172. Oba: ibid., pg. 28.

F173. Roesner: "Criminal Statistics," in: Concise Dictionary of Criminology, Volume II, pg. 33.

F174. Roesner: "Police Statistics," in: Concise Dictionary of Criminology, pg. 348; Roesner: "The Local Distribution of Criminality in the German Reich," in: Criminology and Biology Monthly, 1937, pg. 323.

F175. Sauer has apparently equated the concept of the "dark figure" and "latency" with one another, thereby making their relationship an even closer one. (Sauer: "Criminology as Pure and Applied Science").

F176. Mezger: Criminology, pg. 13.

F177. Exner: Criminology, pg. 15.

F178. Seelig: Textbook of Criminology, pg. 165 f.

F179. Zbinden: Criminal Statistics, pg. 19.

F180. Roesner: "Police Statistics," supra, pg. 353.

F181. Zirpins: Criminal Science Tables, Table 2b.

F182. Seelig: supra, footnote, pg. 166.

F183. Wehner: supra, pg. 14; Schwind: supra, pg. 16 f.

F184. Schwind: supra, pg. 17.

F185. The dark area represents the magnitude of the 'dark number.'

F186. "Formally" must here be modified to also include those cases which are "diverted" from formal booking by individual officers who "close their eyes" to the existence of the act.

F187. Schwind: supra, pg. 16; Wehner: supra, pg. 14.

F188. Schwind: supra, pg. 17; Wehner: supra, pg. 14.

F189. Schwind: supra, pg. 17.

F190. Schwind: supra,pg. 17; Wehner: supra, pg. 14.

F191. Schwind: supra, pg. 17.

F192. Wehner: supra, pg. 13 ff.

F193. Schwind: supra, pg. 15 ff.

F194. Schwind states that the following authors also make use of this definition: "Thus also Wehner, supra, pg. 15; Kerner, Hans-Jürgen: The Reality of Crime and Criminal Prosecution: Criminalistic Considerations for the Validity of Statements, Munich, 1973, pg. 40; Schwind, Hans-Dieter; Eger, Hans-Jürgen: "Research Into the 'Dark Number'," in: Criminology and Criminal Law Reform Monthly, Issue 56, 1973, pg. 151 f; Trotha, Trutz von: "How Does One Evaluate Statements Concerning Incidents of Criminality?," in: Law and Policy, Issue 10, 1974, pg. 33; Sack, Fritz: "The 'Dark Number'," in: Kaiser, Günther, Sack, Fritz, Schellhos, Hartmut (Eds.): Dictionary of Criminology, Abridged, Free City of Bremen, 1974, pg. 64; Opp, Karl-Dieter: Deviant Behavior and Societal Structure, Darmstadt/Neuwied, 1974; Sociological Texts 101, edited by Maus, Heinz, Fürstenburg, Friedrich, Benseler, and Frank, pg. 52." (Schwind: supra, pg. 18).

F195. If however one wishes to have a common term for the 'dark numbers' d_1 and d_2, then an internal subdivision should, at the very least, be made (i.e., between d_{1a} and d_{1b}).

F196. Figures for "Lewdness with Men" estimated at the time are now obsolete, due to criminal law reform.

F197. Wehner: supra, pg. 92.

F198. Schwind describes the 'dark number' estimates made by Wulffen (1904), Hoegel (1914), Heindl (1929), Sauer (1933), and Meyer (1941). (Schwind: supra, pg. 24 ff).

F199. Similar problems are faced by those who interrogate victim-witnesses of criminal sexual acts.

F200. Kinsey et al. (Eds.): Sexual Behavior in the Human Female; Kinsey et al.: Sexual Behavior in the Human Male. [The main volume was actually first published, in English, in 1948; the female volume came out in 1953. It appears that a translation of the female volume was the first to come out in German (in 1953), while a translation of the male volume was published the following year.]

F201. See Footnotes 63 and 64 supra.

F202. Kinsey et al.: Sexual Behavior in the Human Female, pg. 118 f. In the context of the type of punishable sexual contact reported by women, this 1953 Kinsey Report had already pointed out that the typical sexual perpetrator is not inclined to "escalate" from harmless to serious acts: "Our data, at least insofar as we are concerned, do not support the assumption that a large percentage of these men [i.e., exhibitionists] specifically seek sexual contact. Rather, one may assume that only an extremely small percentage of exhibitionists would ever inflict bodily injury on a girl. In the criminal records themselves there are only a few cases of rapists who had started out as exhibitionists." (Ibid., pg. 119.) "That a sex criminal rarely crosses over from less to more serious criminal acts is also confirmed by: Guttmacher (1951) ('Our study, as other studies first demonstrated, showed that sexual offense recidivism is rare, and secondly, that the idea of the sexual criminal over the course of time committing ever more serious criminal acts is without foundation.') Kelly, cited in Guttmacher (1951) (only one in a hundred analyzed New York cases indicate an increasing use of force in sexual crimes). Kelleher (1952) (in a study of 1,328 sex criminals, it was established that 'with few exceptions, a petty sex criminal will remain a petty sex criminal * * * and therefore, little material evidence exists that an individual will progress from petty to more serious sex crimes')." (Ibid., pg. 612).

F203. [>E] Ennis: Criminal Victimization in the United States: A Report of a National Survey [<E].

F204. Biderman et al.: [>E] Report on a Pilot Study in the District of Columbia on Victimization and Attitudes Towards Law Enforcement [<E].

F205: [>E] Reiss: Studies in Crime and Law Enforcement in Major Metropolitan Areas [<E].

F206. Ennis: ibid., pg. 8 ff. Dussich of course believes that even in these studies, the true dimensions of criminality were underestimated. (Dussich: "Local and National Victim Surveys in the United States," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 96.)

F207. [>E] Garofalo/Hindelang: "An Introduction to the National

Crime Survey" [<E], pg. 3, translated by Dussich: ibid., pg. 98.

F208. Dussich: ibid., pg. 100 ff.

F209. "[>E] RDD = Random Digit Dialing [<E]. This technique works through the computer-selection of a random cross-section of the residents of a given area who have a phone line. Using a randomizing procedure, the computer selects which phone lines will be selected and hence which persons will be interviewed. Therefore, because at least 85% of the population has phone service, the cross-section will in fact be representative." (Dussich: ibid., pg. 102).

F210. Tuchfaber et al.: [>E] "Reducing the Cost of Victim Surveys," in: Skogan (Ed.): Sample Surveys of the Victims of Crime [<E], pg. 208.

F211. [>E] Tuchfaber: Random Digit Dialing: A Test of Accuracy and Efficiency; Tuchfaber/Klecka: Random Digit Dialing: Lowering the Cost of Victimization Surveys [<E], pgs. 18, 47, and 63 f.

F212. [>E] Eynon: Victim Survey in the Southern Fifteen Counties of Illinois [<E].

F213. Dussich et al.: [>E] Mississippi Pilot Victimization Survey [<E].

F214. Dussich et al.: ibid., pg. 102.

F215. Dussich: ibid., pg. 102 f.

F216. See Footnotes 63 and 64.

F217. [>E] Landis: "Experiences of 500 Children with Adult Sexual Deviation," in: Psychiatric Quarterly Supplement [<E], pg. 91 ff.

F218. Rennert: "Research Into the Risk to Youth -- and the 'Dark Number' -- of Criminal Sexual Acts," in: Psychiatry, Neurology, and Medicinal Psychology, 1965, pg. 261 ff.

F219. Fikentscher et al.: "Considering Criminal Sexual Acts Against Children and Youth as Expressions of Latent Criminality," in: Criminalistics and Forensic Sciences, 1978,pg. 67 ff.

F220. [>E] Kirchhoff/Thelen: "Hidden Victimization by Sex Offenders in Germany," in: Viano (Ed.): Victims and Society, pg. 277 ff; Kirchhoff/Kirchhoff: "Experiences Sex Offenses: On Hidden Sexual Victimization," in: Annals of Social Pedagogy, 1979, pg. 110 ff; Kirchhoff/Kirchhoff: "Research Into the 'Dark Number' of Sexual Victimizations," in: Kirchhoff/Sessar (Eds.): The Crime Victim, pg. 275 ff.

F221. Landis: _ibid._

F222. _ibid._, pg. 94.

F223. In Kinsey, 24% of women had experienced at least one punishable sexual contact. This corresponded to a 'dark number' of approximately 1:13.5.

F224. See pg. 92 f and Footnote 171 _supra_.

F225. Rennert: _supra_, pg. 361.

F226. _ibid._, pg. 362.

F227. _ibid._

F228. _ibid._

F229. The authors credit Rennert's 1963 study as such. (Fikentscher et al.: _supra_, pg. 69).

F230. Fikentscher et al.: _supra_.

F231. _ibid._, pg. 70 ff.

F232. Kirchhoff/Thelen: _supra_.

F233. Kirchhoff/Kirchhoff: "Experienced Sex Offenses...," _supra_; Kirchhoff/Kirchhoff: "Research Into the 'Dark Number'...," _supra_.

F234. Calculated by Kirchhoff/Kirchhoff: "Experienced Sex Offenses," pg. 114 ff. As a whole, 55% of those surveyed in the Munich-area study stated that they had been sexually victimized at least once. In a similar study, which the authors had previously conducted in Kalamazoo, Michigan, the figure was 95%. (Kirchhoff/Kirchhoff: "Research Into the 'Dark Number'...," pg. 284. But this calculation was undoubtedly made based on the corresponding percentage in Tab. 5, pg. 239, in which female and male students were obviously mixed in together; the corrected proportion of those with sexual victimization experiences would then be 49.4%. It can furthermore be calculated, based on Table 5, that about 63% of women and 34% of men reported sexual victimizations.) Kirchhoff and Kirchhoff's figures are not readily analyzable, because in addition to the varying results reported in the two versions of the Munich-area study, the figures for the later publication are also, at times, incomprehensible (Kirchhoff/Kirchhoff: "Research Into the 'Dark Number'..."). Thus 130 female and 113 male students were obviously surveyed (see pg. 283). "As a whole we are able to say -- without considering repeated victimizations -- that 147 of the female students and 65 of the male students were victims." (See pg. 285.) These misleading figures are likewise derived from Tab. 1, pg. 286, and Tab. 2, pg. 286. The number of victimizations stated on pg. 285 and the number of acts (Tab. 3, pg. 291) also appear to contradict one another. The correct values for the numbers of those victimized are probably located in Tab. 5, pg. 293: 82 female and 38 male students were, there, said to be sexual victims.

F235. Bernard's research is more consciously concerned with the lifecourse ("modified biographical method") of the so-called younger partner than he is with discovering the ways in which the undeclared victims have been affected. (Bernard: Pedophilia, pg. 33 ff). Furthermore he promotes the self-portrayal of pedophiles (Bernard: ibid., pg. 13 ff).

F237. Linnhoff: Female Homosexuality Between Adaptation and Emancipation.

F238. "Crisis Line: 100 Raped Women Call In" (in: Bild, 5/16/79, pgs. 1 and 3); "Help for the Taciturn Victim: Raped Women Rarely Go to the Police" (in: Stuttgart Journal, 5/8/79, pg. 14); "Complete Anonymity Guaranteed: Women Are Partners in the Conversation: Saar University Asks the Assaulted for Their Cooperation" (in: The Wiesbaden Courier, 5/8/79, pg. 13). The results of this study have been published by Enke-Verlag, Stuttgart.

F239. Victims of rape are afraid to make statements regarding their victim-status partly because of very bad experiences they have already had with members of the criminal prosecution apparatus; they fear they will be poorly treated by persons working in this field. This factor is made very apparent in rape victims' reports of their experiences today. (For example: "Women Report," in: Degler (Ed.): Raped, pg. 57 ff; Brechmann: Every Third Woman: Record of a Rape; Mai: Rape).

F240. Such populations were for example depicted in the following works: Von Hentig/Viernstein: Research on Incest; Moses: "Psychological Effects of Sexual Attacks on Young Girls," in: Journal of Child Research, 1932, pg. 542 ff; Friedemann: "Long-Term Psychological Effects of Indecent Assaults on Children and Youth"; Geisler: Children and Youth as Victims and Perpetrators of Indecent Offenses; Menzel: Sex Offenses Against Children; Hartmann/Rindfleisch: "Rape Offenses."

F241. "The almost exclusive subjects of previous studies on this topic -- clinical and expert opinion cases -- for their part (understandably) once again constitute an explicit selection of only certain cases, from the overall total of those offenses which become known. All of this of course precludes the making of blanket and uncritical generalizations based on findings that were made using -- rather than a representative sample -- a sample which is comprised of 'the chosen of the chosen'." (Hauptmann: "On the Victimology of Non-Violent Sexual Contacts Between Adults and Children," in: Criminology and Criminal Law Reform Monthly, 1978, pg. 215).

F242. See Potrykus/Wöbcke: Sexuality Between Children and Adults, pg. 70 f.

F243. Hauptmann: supra, pg. 215.

F244. Why isn't it called the "suspected act"?

F245. BKA (Eds.): <u>Police Criminal Statistics 1980</u>, pg. 66.

F246. These works are summarized in Table 9.

F247. These works are summarized in Table 9.

F248. [>E] Burton: <u>Three Studies of Deviant Child Development</u>; Burton: <u>Vulnerable Children: Three Studies of Children in Conflict: Accident[s] Involv[ing] Children, Sexually Assaulted Children, and Children with Asthma</u> [<E].

F249. [>E] Burton: <u>Three Studies...</u> [<E], pg.115.

F250. <u>ibid.</u>, pg. 9 f.

F251. <u>ibid.</u>, pg. 118.

F252. The overall objective was set forth in greater detail, and summarized, in Section B (pg. 47 ff as well as at the end of the chapter).

F253. For example, Feix compared sexual contacts resulting in convictions between 1930 and 1945 in what at that time was the German Reich, with East German cases between 1946 and 1958. (Feix: <u>Sexual Crimes Upon and With Children -- Their Discovery, Study, and Prevention</u>).

F253a. In order to save space, in the Table, §§173 etc. is abbreviated as "73," and so on; R = reported; E = expert opinion given; G = guilty; V = victim; S = suspect; P = perpetrator; A = arrested; C = case; f = female; m = male! [Abbreviations have been changed in translation to match the first letters of their English equivalents.]