

Brief Communication: Public Perception of Sexual Assault - A Comparison

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Abstract

Studies show that given the opportunity, most people would punish perpetrators of sexual assault more severely than those who commit other personal injury offences (Roberts, 1990). This study will attempt to explain why most people would prescribe harsher punishment to sexual offenders. It is hypothesized that specific factors play a role in the belief that sexual offenders are a greater threat to individual and public safety than other offenders. One hundred and two first, second, and third year Behavioural Science Technology (BST) students at St. Lawrence College, (Kingston, Ontario, Canada) were asked to fill out a questionnaire. Two questionnaires were created and handed out on an alternating basis (A, B, A, B). Each class was given a similar verbal introduction based on a set of guidelines created for the study. The data collected demonstrated consistency with previous findings in the literature, that sexual assault offences would be punished with longer sentences if the opportunity was given (Roberts, 1990). Sexual Assault with a threat to life was given the longest sentence more than any other offence. Sexual Assault received the longest sentence 58.8% of the time, followed by Assault with a threat to life and Assault, which received the longest sentence 47.1% and 43.1% of the time respectively. Perpetrators of sexual offences are perceived to have higher rates of recidivism and lower rates of responsivity. Further research should be conducted to determine other variables which play a role in public perception of sentencing and treatment of sexual offenders.

Key words: Sexual Assault, Public Perception, Recidivism, Sentencing, Sexual Offenders

Introduction

Though it has been demonstrated that Sexual Assault type offences receive longer sentencing when the opportunity is given (Roberts, 1990), the variables surrounding this have not been clearly demonstrated in literature. In order to achieve a better understanding of this phenomenon, it is hypothesized that variables will inevitably be derived from a somewhat general perspective, and later refined. One study (Holland & Sheets, 2009) concluded that vulnerability and perceived vulnerability of the victim had a positive correlation with perpetrator sentence length for hypothetical scenarios. Although this outcome is of some use, its intent was not to determine why. When applying both studies mentioned above in practice, I feel that although this is highly relevant, it merely proposes an answer to "why?" with limited insight. The outcome, that people will give longer sentences to perpetrators of vulnerable victims, exclusively answers to those cases where the victim was indeed vulnerable.

But what then becomes of the perpetrators who commit offences against individuals who are not viewed as vulnerable? Should sexual offences generally receive longer sentences? There has been limited, if any, research regarding why laypeople generally give longer sentences to sexual offenders.

Indeed, one is inclined to believe that many view sexual offences as the worst type of offence. This is perceived as true even among maximum security institutions. This author intends to determine which factors and beliefs contribute to this, as well as what application results may have for the treatment of sexual offenders. Walsh (1986) found that most victims of sexual offences who were assaulted by non-relatives recommended imprisonment of the offender. This notion reiterates the importance of objectivity in justice. Also noteworthy is the known necessity of being objective when treatment and reintegration into the community are concerned. It is hypothesized that most laypeople, as well as those assisting with reintegration, are unaware of an internal bias which has remained, without challenge, as part of an accepted schema within society for some time. This study tries to determine some variables and beliefs which contribute to the stigma surrounding sexual offenders and the offences they commit.

Method

The strategy of this study was to determine variables associated with perception toward sexual assault. In order to do this, two questionnaires were created and given to participants. One hundred and two first, second, and third year Behavioural Science Technology (BST) students at St. Lawrence College, (Kingston, Ontario, Canada) were asked to fill out a questionnaire. Two questionnaires were created and handed out on an alternating basis (A, B, A, B, etc.). Each class was given a similar verbal introduction based on a set of guidelines created for the study (Appendix A). Participants were instructed, among other things, not to discuss the questions.

Each questionnaire had one page preceding it. This page is specific to either questionnaire and includes definitions pertaining only to the appropriate questionnaire. These pages are included in the appendices preceding each respective questionnaire.

Questionnaire A (Appendix B)

Questionnaire A (QA) was created to act as part of the control for the study between QA and Questionnaire B (QB). QA is compiled of six scenarios, each with six questions following each scenario. The instructions and questions following each scenario are identical for each questionnaire.

Brief Outline of Scenarios

- Scenario 1: Theft with threat to life
- Scenario 2: Arson
- Scenario 3a: Assault with threat to life
- Scenario 4: Theft
- Scenario 5a: Assault
- Scenario 6: Arson with threat to life

The order of scenarios was formulated at random, and is identical between QA and QB, with the exception of scenarios 3 and 5.

Brief Outline of Questions (Variables)

1. Likelihood to reoffend
2. Feeling of safety in community
3. Trust toward others
4. Recommended sentence length
5. Treatment effectiveness

6. Level of trauma to victim

Questionnaire B (Appendix C)

Questionnaire B (QB) is identical to QA, with the exception of scenarios 3 and 5, and definitions on the preceding page, as noted below.

Brief Outline of Scenarios (Exceptions)

Scenario 3b: Sexual Assault with threat to life

Scenario 5b: Sexual Assault

Rationale for Questions

Question 4 was included because it has been pre-established, as noted earlier, that given the opportunity people would assign longer sentences to those who commit sexual assault. Results from question 4 will assist to ensure that results from other questions are consistent with previous literature.

Questions 1, 2, 3, 5, and 6

These questions were included as part of the study as hypothesized variables affecting sexual assault stigma. Quantitative data will be accumulated from these questions to determine to what extent, if at all significant, these variables have on the presumed negative stigma toward sexual assault.

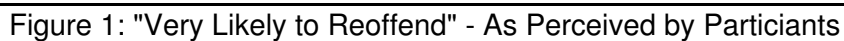
Results

Data collected from question four demonstrates consistency with previous findings in the literature, that sexual assault offences would be punished with longer sentences if the opportunity were given (Roberts, 1990). Sexual Assault with a threat to life (scenario 3b) was given the longest sentence (10 years to life imprisonment), more than any other offence (62.8%). For Sexual Assault (scenario 5b), in 58.8% of the time 10 years' sentences or more were given by the participants, followed by Assault with a threat to life (scenario 3a), Assault (scenario 5a), Arson with a threat to life (scenario 6), and Arson (scenario 2), receiving a prison sentence of at least 10 years in 47.1%, 43.1%, 27.4%, and 15.7% of the time respectively. Theft with threat to life and Theft were given the longest sentence the least, receiving 6.9% and 5.9% respectively (table 1).

Sexual Assault with a threat to life and Sexual Assault were perceived as those offence categories having the highest likelihood for reoffending - Very Likely: 41.2% and 31.4% respectively. Assault with a threat to life received 27.5% determination as Very Likely to reoffend; 13.7% for Assault recidivism. Arson and Arson with threat to life had the lowest percent of participants rating them as Very Likely to reoffend, with 10.8% and 13.7% respectively (table 1 and figure 1).

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Table 1: Participants' Perceptions (PDF)



Almost all participants (96.1%) who received QB agreed that a victim of a Sexual Assault with a threat to life would suffer very much trauma. A significant amount of participants (84.3%) agreed that a victim of Sexual Assault would suffer very much trauma. Assault with a threat to life and Assault, were also chosen by a significant amount of participants as offences that would cause very

much trauma; 82.4% and 70.6% respectively. Very little trauma was thought to be endured by a victim of Theft (43.1%), whereas only 14.7% believed a victim of Theft with a threat to life would suffer the same amount of trauma (table 1).

Discussion

The recidivism for sexual offenders has consistently been documented as low as 5% - 15% (Bartosh, Garby, Lewis & Gary, 2003; Hanson & Bussiere, 1998). However, forty one percent of study participants deemed a perpetrator of a sexual offence with a threat to life 'very likely' to reoffend, and thirty one percent estimated offenders with Sexual Assault to reoffend 'very likely'. Cumulatively, a rough mean rate of recidivism for perpetrators of a sexual offence is 19%¹. This demonstrates that the perception of sexual offender recidivism in our raters does not correspond with real figures. However, when roughly compared to some recidivism rates described for arson (60%, 26%, and 4%)², and general recidivism rates for any offence (36%)³, it is evident that the perceived rate of recidivism for sexual offenders is in fact inflated based on undetermined variables. This inflated perception of recidivism may correlate with an inclination to longer sentences being given to sexual offenders than other offenders of our participants, as demonstrated in this study.

It has been demonstrated that participants would give perpetrators of sexual offences longer sentences, and that longer sentencing may be correlated to a belief of higher rates of recidivism for sexual offenders compared to other offenders. Available literature, however, does not support sexual offender recidivism rates being higher than those of other offenders.

Although treatment of sexual offenders has been shown to be effective in several studies⁴ (Figure 2), many participants believed treatment of perpetrators of Sexual Assault with threat to life and Sexual Assault not to be effective at all. However, this finding seems to be important also and might explain to some extent a perceived need for longer sentencing.

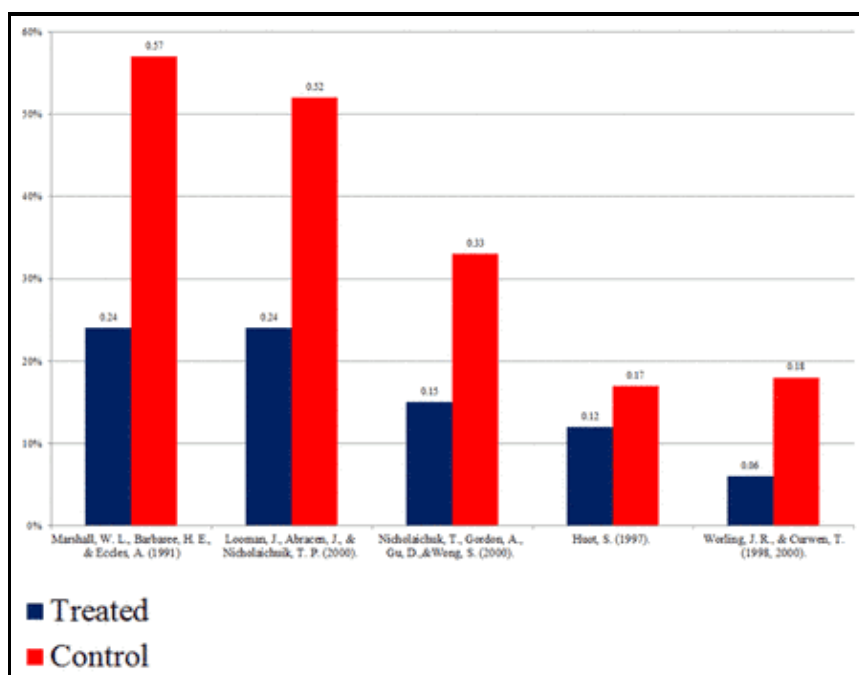


Figure 2: Treatment Effectiveness of Sexual Offenders

So, as much as this study has been able to determine several variables that may correlate with the perceived need for longer sentencing for sexual offenders; there is still much more research to be done. Perpetrators of sexual offences are perceived to have higher rates of recidivism and lower rates of responsivity. Further research should be conducted to determine other variables which play a role in public perception of sentencing and treatment effects of sexual offenders. Furthermore, it is the opinion of this author that individuals involved in the sentencing and treatment of sexual offenders should strive to be educated and objective throughout their careers.

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Notes

¹ Vess & Skelton, 2010; Bartosh, Garby, Lewis & Gary, 2003; Frisbie & Dondis, 1965; Quinsey, Rice & Harris, 1995; Corrections and Conditional Release Statistical Overview, 1999; Firestone, Bradford, McCoy, Greenberg, Larose & Curry, 1999; Hanson & Bussiere, 1998; Harris & Hanson, 2004

² Rice, Harris & Quinsey, 1991; Lewis & Yarnell, 1951; Soothill & Pope, 1973

³ Fortney, Timothy , Baker, Juanita & Levenson, 2009

⁴ Marshall, Barbaree & Eccles (1991); Looman , Abracen & Nicholiachik (2000); Nicholaichuk, Gordon, Gu & Wong, (2000); Huot (1997); Worling (1998); Worling & Curwen (2000)

Appendix

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[!\[\]\(3cb60d42b10e53f9522bb0b392c1c4cd_img.jpg\) Appendix B](#)

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