

1-29-2015

Sex, Violence and the Female Sex Offender

Christine Romero-DeBell

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SEX, VIOLENCE AND THE FEMALE SEX OFFENDER

by

CHRISTINE J. ROMERO-DEBELL

DISSERTATION

Submitted in Partial Fulfillment of the
Requirements for the Degree of

Doctor of Philosophy

Counselor Education

The University of New Mexico
Albuquerque, New Mexico

December 2014

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Dedication

This dissertation is dedicated to my parents, James and Jeri. You both are exceptionally wise, and each of you has inspired me with your gritty strength, enduring faith and boundless love for our family. Thank you.

Acknowledgements

At this moment in time it is hard to express with words how thankful I am for those people who made this research project possible. It has been an interesting, and humbling journey.

I am deeply thankful for the support of my committee. To my chair, Dr. Kristopher Goodrich, I want to thank you for having trust and faith in me. At crucial junctures, your advice, insight, support and willingness to take me under your wing have made all the difference. Thank you to Dr. Sharon Oard-Warner and Dr. Teddy Warner, for showing true grit, for your integrity, and dedication to the learning community. Even when it was hard, you both kept going. Thank you to Dr. Matthew Lemberger-Truelove, know that your presence in a room has a calming effect. Thank you for bringing peace, and for showing me how to express gratitude for the learning opportunities a dissertation process has to teach.

To my parents, James and Jeri, you have been there for all of the ups and downs of my academic journey. Your support, day in, and day out, kept me going. Mom, you said to me so often “Don’t give up, you can do this.” You led by example, and you gave up so much so that I could pursue my dream. Just know that I could never repay you for all that you have done for me. Dad, you never missed a beat, and never forgot to ask how I was. Thank you for all of those nights you brought me dinner, thank you for checking in and for listening. I am incredibly lucky to have the both of you.

To my spouse Mandy, thank you for putting up with me through this process. Your sense of humor kept a smile on my face. You showed me that my perseverance would pay off, and you were right, everything works out.

SEX, VIOLENCE, AND THE FEMALE SEX OFFENDER

By

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Abstract

A female sex offender is any female who engages in criminal sexual penetration, and/or criminal sexual contact with a minor and is charged with a criminal offense within a court of law (New Mexico Statutes and Court Rules, Unannotated, 2012). Early research purports that there is a high prevalence of male sex offenders in comparison to the low prevalence of female sex offenders. A large body of research focuses on male sex offenders but it is problematic to generalize the results of these studies to women sex offenders (Vandiver & Walker, 2002; Wijkman, Bijleveld, & Hendricks, 2010). The gap in research on female sex offenders gives the impression to society that female sex offenders do not exist.

There is very little empirical research that provides the exact number of female sex offenders in the United States (O'Connor, 1987; Finkelhor, Hotaling & Smith, 1990; Lewis & Stanley, 2000; Vandiver & Walker, 2002). Official reports and independent studies vary in the number of female sex offenders reported. Some studies report that females are involved in 1% of all sexual offenses whereas international statistics report that females make up 5% of the sex offending population (Vandiver & Walker, 2002; Cortoni, Hanson & Coache, M., 2010). Other empirical studies report that females make

up 60% of all sex offenders (Vandiver & Walker, 2002). The variation between these reports demonstrates that there is a need for more research conducted with female sex offenders in order to prevent such abuse. This current study will attempt to determine if gender roles affect judicial attitudes towards female/male sex offenders.

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Chapter 1

Introduction

All victims of sex offenses deserve equal access to the justice system, regardless of the gender of the perpetrator. In the last fifty years female-perpetrated sex offenses were thought to be largely non-existent and it was not until the 1980's that female perpetrators emerged in the research (Tsopelas, Tsetsou, Ntounas & Douzenis, 2012). Child sex abuse has occurred throughout the centuries, and who we identify as the primary offenders of child sexual abuse may be shocking. It has only been within the last decade that research done in the United States has begun to acknowledge the fact that females do commit sex crimes (Denov, 2003). The term 'female sex offender,' is used to describe a female who has been charged with sexually touching or engaging in a sexual act with a child (Colorado Sex Offender Management Board, [CSOMB], 2012). A child is considered to be a person under the age of 14, as age of consent for sexual behavior in many states is anywhere from age 13 to 18 (New Mexico Statutes, 2007). The age of consent varies from state to state, depending on the different laws and ways in which criminals are prosecuted (Benedet, 2010). In cases such as these, the victim is typically viewed as a person of 14 years old or under that has sexual contact with a female that is at least 5 years older than the victim (Denov, 2003).

There is very little information regarding female sex offenders, including what the average female sex offender looks like demographically, which leaves society with little information about who female sex offenders are (Tsopelas, Spyridoula, & Athanasios, 2011). The female gender is often associated with specific labels such as nurturer or

caretaker, and is rarely associated with sexually violent and deviant acts within our society (Studd, 2007). Sex crimes are often labeled as male specific crimes that are regarded with disdain by society and within the judicial system. Females who commit sex offenses are often seen as low level offenders who do not have a large impact on society: however, they have been found to have sexually offended against 2 to 3 million people in the United States (Hislop, 2001). There are a few reasons why female-perpetrated sex crimes may be greatly overlooked, which will be explored in further detail.

The media attention and societal beliefs about female-perpetrated sex crimes affect the perceptions that judges, lawyers, and law enforcement officials have about female sex offenders (Denov, 2003, 2004). Female sex offenders have been eroticized by the media and portrayed as “hot” and “sexy.” The female sex offenders that have been given the most attention in the media are teachers where the victim is viewed as a ‘willing participant’ (Frei, 2008). The idea that female sex offenders are all attractive teachers and have willing participants as victims impacts how the legal system views female sex offenders in general. It is because of this line of thinking that judges at times appear ambivalent or unconcerned about female-perpetrated sex offenses (Allen, 1991; Denov, 2003, 2004; Hetherton, 1999).

There is information in current literature that explores the connection between the gender of the sexual offender and legal response to the actual sex offense itself (Bunting, 2005, 2007; Hislop, 2001). Many research articles argue that female-perpetrated crimes are not as serious, have less of an impact on the victim, and are not as heinous as male-perpetrated sex crimes (Gakhal & Brown, 2011; Sandler & Freeman, 2011; West, Friedman & Kim, 2011). The sexual offenses that women commit warrant a closer look

by researchers. Cultural beliefs about gender affect how judges hand down sentences to male or female sex offenders (Church, Wakeman, Miller & Clements, 2007; Denov, 2001). A culture that denies that females commit sex offenses influences the decision making of judges and jurors which can lead to charges against her being plead down or not charged as a male sex offender would be (Bunting, 2007).

Professionals, including, judges are more likely to believe that sentencing males to time in jail is more suitable than sentencing females because of the societal bias (Bunting, 2007). When judges are less likely to charge a female for a sex crime it is this phenomenon that leads to low percentages of female sex offenders who are charged and sentenced, which then perpetuates the idea that female sex offenders do not exist.

Though the statistics reported from earlier studies are not sufficient to claim that there is an increase in female-perpetrated sex offenses, there is enough evidence to support the need for professionals, such as judges to be aware that females do indeed commit sex crimes (Bunting, 2007; Hislop, 2001; Sandler & Freeman, 2011). Once judges have the awareness of female-perpetrated sex offenses, appropriate measures can be taken during conviction, sentencing, and treatment stages (Bunting, 2007; Vandiver & Walker, 2004). It is clear that sex offenses are serious crimes that warrant close attention of the judicial system including those sex offenses committed by women.

Sex crimes impact more than just the victim and sex offenders present a complex problem for society as well. According to the Federal Bureau of Investigation (FBI), there are almost 700,000 convicted sex offenders on the sex offender registry and live in the United States (FBI, 2013). Research has found that the ratio of male sex offenders to female sex offenders is 20:1 (Gakhal & Brown, 2011). Women make up roughly 17% to

23% of all adult criminals, 10% of all adult violent offenders and only 1% to 5% of all adult sex offenders (Cortoni, Hanson & Coache, 2010; Vandiver & Walker, 2002). According to the data compiled by the FBI, men make up 93.3% of all convicted sex offenders and women make up only 6.7% of all convicted sex offenders (FBI, 2013). Research shows that females are between 12% and 23% less likely to receive prison or jail time for a sexual offense than are males who commit the same sex offenses (Fernando Rodriguez, Curry & Lee, 2006; Spohn, 1999; Spohn & Beichner, 2000). The variation in percentages of female sex offenders is an example of the tendency to minimize the impact of female-perpetrated sex crimes as they occur less frequently in the research than do similar crimes committed by men (Cortoni, Hanson & Coache, 2010).

It is difficult to pin down the exact number of female sex offenders because sex crimes have a very low reporting rate in general, and female sex offenders are not as likely to be charged as their male counterparts (Anderson & Swainson, 1991; Deering & Mellor, 2007; Denov, 2001; FBI, 2013; Hagan & O'Donnel, 1978; Vandiver & Walker, 2002). Female sex offenses have also been viewed as having less of an impact on the victims and society at large than do male-perpetrated sex offenses (Bunting, 2007; Denov, 2003; Hetherington, 1999). Research on attitudes towards female sex offenders has been largely unexplored (Gakhil & Brown, 2011). Professionals who work with male sex offenders have been found to have more of a negative attitude towards sex offenders (Craig, 2005). There is little data on attitudes towards female sex offenders.

Diversity is an important element in the counseling field (Hansen, 2010). The implications of this research for counseling practice are linked to diversity. Clinicians must be brought up in the counseling field with knowledge about multicultural issues that

includes diverse populations, diverse settings, as well as advocacy for their clients (Brady-Amoon, 2011). Counselors who work with different settings, such as the judicial system, need to be aware of how the court system works in order to better assist their client. These clients may also be a sex offender or a victim of sexual abuse and learning how to navigate both of these systems successfully is key in good clinical care (Glosoff & Durham, 2010). The implications for advocacy are immense, as all clients, regardless of their stance in the eyes of the law, deserve to have a clinician that will advocates for them.

The purpose of this dissertation study was to examine judicial attitudes towards sex offenders. In doing research such as this, counselors can gain insight about the legal system and how it works for their own practice. Having an understanding about judicial attitudes towards sex offenders allows researchers to make policy and practice implications that can impact victim safety and justice for years to come.

Chapter 2

Literature Review

The review of literature that follows begins by introducing who female sex offenders are, moves into an exploration of female sexuality and what it means in society to be a female, and concludes by offering how society views female perpetrated sex crimes. Female sex offenders are almost invisible in the literature. One reason why is the lack of statistical data available regarding female offenders. The lack of available data within empirical research often gives the impression that there are no females who commit sex crimes (Kramer & Bowman, 2011). A second reason for the lack of focus on females who commit sex offenses is the influence of the modern patriarchy. Society has defined roles for females and males based on the patriarchal beliefs that have been passed down through the last fifty years (Grabe, Trager, Lear & Rauch, 2006). Lastly, women who commit sex offenses are often eroticized by the media, which negates the seriousness of female-perpetrated sex crimes and downplays the existence of violent female sexual offenses (Gakhil & Brown, 2011). In this case, I will be looking at the impact of gender on judicial perceptions regarding female perpetrated sex crimes.

The Female Gender Throughout History

Historically, women have been viewed as people without sexual feelings or sexual appetites (Acton, 1858; Beir, 2000; Bunting, 2007; Degler, 1974; Delin, 1978; Parvin, 1883). The traditional characteristics of women who fit the feminine and subservient genders role are revered with adoration and praise (Welldon, 1988). Females who meet the expectations of what society has defined as 'female,' can fly under the radar when it comes to suspicion about committing sex crimes (Amato, 2012; Cavanagh, 2007; Rupp,

2012). The concept of gender has often been regarded with concrete categories and pointed characteristics that define what is male and what is female (Scharer, Rowe & Arnqvist, 2012). Ideas about what gender is and who fits into the male and female categories directly affect how society categorizes crime and gender (Bell, 1999; Brow, Knopp & Lackey, 1987; Church, Wakeman, Miller & Clements, 2007; Delin, 1978; Denov, 2001). The biases about women and their lack of sexuality have led to the current misconceptions that female-perpetrated sex crimes rarely happen or do not happen at all. Dating back to the Victorian age, beliefs and attitudes about women and sex held that women were not sexual in any manner or means (Acton, 1858; Degler, 1974; Delin, 1978; Ferguson & Meehan, 2005; Parvin, 1883; Studd & Schwenkhagen, 2009).

Throughout history females have embodied specific roles within society such as being a mother, caretaker, or nurturer (Bell, 1999; Brow, Knopp & Lackey, 1987; Church, Wakeman, Miller & Clements, 2007; Cortoni, Hanson & Coache, M., 2010; Delin, 1978; Denov, 2001). There are not many females who are considered to be the nurtures or mothers in our world that are also be labeled as sex offenders or as pedophiles, or child molesters (COSM, 2012). Vandiver and Kercher (2004) discovered that a historical and cultural misconception about females and their lack of ability to commit sexual violence sets the stage for misperceptions within the judicial system as well as in the law enforcement system. The misperceptions allow officials to overlook female perpetrated sex offenses. Research conducted by Degler (1974) argued that gender is a concept that is created and/or influenced by the dominant heterosexual culture. The female role and characteristics of the female gender inform society about what types of offenses a female may commit which excludes any and all sex offenses/crimes. The

concept of gender is now influenced by ideals inherent to biology, culture, and perception (Bunting, 2007; Faller, 1987; Hetherington, 1999). Thusly, females who are not biologically set up to be sexual and not culturally idealized to be aggressive are not then thought of as sexually violent.

Margaret Mooney (1990) argued that gender roles and the large delineation between male and female gender roles originated back in the hunting and gathering days. Men were the hunters and warriors, and women were the child bearers and cooks. The idea of femininity and what constitutes female sexuality has been ingrained into the dominant culture that for centuries has looked to the patriarchy for what is ideal, what is the ideal female, and how does the ideal female act (Bell, 1999; Brow, Knopp & Lackey, 1987; Church, Wakeman, Miller & Clements, 2007; Delin, 1978; Denov, 2001). There is speculation that some early tribes were matriarchal but anthropologists have little evidence of this (Delin, 1978). Women were also rarely depicted as powerful leaders or warriors throughout history, though it did happen occasionally (Mooney, 1990). The idea that a woman had very little power physically or sexually has been a historical cultural influence on societal beliefs that then translates to how society thinks about female perpetrated crimes (Angel, 2012). Viewing women as non-perpetrators allows people to believe that female sex offenders do not exist.

Female Sex Offenders: A social phenomenon and perspective.

The female sex offender could almost be considered a myth. However, because female sex offenders do exist, we know that female-perpetrated sex crimes have been long overlooked: judges and those professionals that are charged with working with female sex offenders need to treat males and female sex offenders equally (Sandler &

Freeman, 2011). Research has argued that there are not high percentages of women who are capable of committing sex offenses alone (Vandiver & Teske Jr., 2006). Other research studies have shown that the reason there are not many women in the data is because women have received preferential treatment within the judicial system which leads to the low number of female sex offenders who are actually charged with sex offenses (Beichner & Spohn, 2005; Sandler & Freeman, 2011; Steffensmeier, 1980; Steffensmeier, & Demuth, 2006). Very few studies have examined how gender influences the way judges perceive female sex offenders (Sandler & Freeman, 2011). Research studies that have focused on sex crime rates for males and females have found that men are more likely to commit violent crimes like rape (O'Brien, 1999; Schwartz, Steffensmeier & Feldmeyer, 2009) Research has found that gender has more influence on sentencing than do factors like age, ethnicity, or race (Sandler & Freeman, 2008).

Societal perceptions about which sex is the likely target of rape greatly influences the sentencing women receive when they commit a sex offense (Cortney & Noelle, 2008; Sadler & Freeman, 2008; Vandiver, 2004). The court system acts as the social mediator and enforcer of social rules which continues to treat women as the weaker sex; the sex that is not viewed as capable of sexual violence (Cortney & Noelle, 2008). Social and cultural rules infiltrate the inner workings of legal/judicial system and ultimately influence how the systems work.

Le Grande (1973) argued that laws about rape are based on historical beliefs about gender. Le Grande (1973) even went so far to say that “normally” rapists are men. Historical research on chivalry/paternalism and gender conflict gives teeth to Le Grande’s arguments (Cortney & Noelle, 2008). The data gathered about patriarchy’s

role in society demonstrates that women have been portrayed throughout history as the weaker sex: the sex that does not/cannot commit rape (Curry, Lee & Rodriguez, 2004). Historical and cultural beliefs about gender lead the judicial system to believe that women are less aggressive, more amenable, and less oppositional than men within the legal system (Cortney & Noelle, 2008; Curry, Lee & Rodriguez, 2004; Dawson, 2006; Hagan & O'Donnel, 1978; Henshel, 1973; Sutherland & Cressey, 1960). The research cited demonstrates how easy it is for judges to look at female sex offenders with less negativity than male sex offenders.

The research conducted by Anderson and Swainson (1991) found that men view their own aggressive acts like verbal intimidation, force, and physical force as more acceptable male behaviors than as acceptable female behaviors (Curry, Lee & Rodriguez, 2004; Rupp, 2012; Swainson, 1991). Women, who commit similar sexual offenses to males, have more social empathy than do their male counterparts (Anderson and Swainson, 1991; Curry, Lee & Rodriguez, 2004). There is much speculation that a woman's sexually aggressive act is over-looked by society because it has been a long held belief that women will not harm others physically or sexually (Oliver, 2007).

Women sex offenders have been overlooked by the judicial system as well as by law enforcement (Degler, 1974; Delin, 1978; Parvin, 1883). Denov (1994) argued that law enforcement officers are historically trained to look at men as the sex offenders and women as the typical victim. It is likely that the same idea is true for judicial professionals: when you think of a sex crime victim, the first thing that comes to mind is often the male gender. Denov (2004) argued that because of the inherent flaws in law enforcement training, officers are more likely to minimize the offenses of a female sex

offender and often times even dismiss them, a tendency which has been shown to translate to other professionals, such as judges (Allen, 1991; Denov, 2003, 2004; Hetherington, 1999).

Sexual aggression and violence are often associated with the male gender (Bunting, 2007). Freud argued that gender was the precursor to personality and temperament (Chrisler, 2001). The way a woman could fulfill her role as a female was to get married and have children (Degler, 1974; Kinsey, Pomeroy, Martin & Gebhard, 1953; LeGrande, 1973; Mooney, 1990; Rosenberg, 1973; Scharer, Rowe, Arnqvist, 2012; Weldon, 1988 Wood-Allen, 1905) Though ideas about the female gender have changed over the last fifty years however, there are still people who have old-fashioned ideals about female roles. Because women are the bearer of children it is not unlikely that people can conceive that mothers would also sexually abuse their children because socially they are allowed more contact with children than are men (Oliver, 2007). Women and the behaviors of women have been socially constructed throughout history and those social constructions paint women as the less violent more passive of the two genders in society (Chrisler, 2001; Parvin, 1883). Historic culture has delineated how women should act sexually which is different than how men should act sexually (Studd & Schwenkhagen, 2009).

The preconceived notion that females are uninterested in sex and therefore unlikely to commit a sexual offense has definitely colored the way judges hand out sentences when it comes to females who are tried for sex crimes (Bunting, 2007; Denov, 2004; Ferguson & Meehan, 2005; Vandiver & Walker, 2004). Because there are fewer women who are convicted of sex crimes there is very little research about female sex

offenders, so little may be known about the perceptions of the professionals, like judges, who work with these females. Currently there are laws in certain states that define rape as a male-only perpetrated offense (Denov, 2003). If males only commit rape, then this idea invites the question: how often are females who commit sex offenses overlooked?

The misperception that females cannot commit sex crimes like rape influences the likelihood of judges to convict a female of sex crimes because judges rely on what they know about male sex offenders (Gannon & Alleyne, 2013). Because society assumes females do not have a propensity for sexual abuse, they are overlooked within the legal system and prevented from receiving important opportunities for appropriate treatment interventions outside of the legal system (Allen, 1991; Brow, Knopp, & Lackey, 1987; Bunting, 2007; Hislop, 2001). Female-perpetrated crimes are treated as a non-issue, despite the voracious media attention female-perpetrated crimes attract (Bunting, 2007). Female-perpetrated sex crimes that involve a teacher who has had sex with a student gain sensational media attention which then eroticizes female sex offenders, negates that there is a victim in female-perpetrated sex crimes, and negatively impacts the perceptions of professionals such as judges (Angelides, 2010; Frei, 2008).

The low number of female sex offenders in comparison to the number of male sex offenders (5% female, 95% male) perpetuates the cultural denial that female sex offenses do not occur (Cortoni, Bunting, 2007; Hanson & Coache, M., 2010; Vandiver & Walker, 2002) Victims of sexual abuse are less likely to come forward for fear of their sexual abuse experience being minimized by the legal system and because women are not viewed within society as sexually aggressive (Denov, 2003, 2004; Ferguson & Meehan, 2005). Males may be less likely to report female-perpetrated sexual abuse because males

are socialized to be more sexually aggressive and view sex as something minor (Ferguson & Meehan, 2005). The prevalence of female-perpetrated sex crimes depends on each culture's view of female sexual violence.

According to the United States Department of Health (2013), in the year 2012 women accounted for roughly half (50%) of all sex offenders with the exception of Vermont and The District of Columbia (where women accounted for roughly 30% of all sex offenders). The statistics reported by the US Department of Health aggregates data based on all reported incidences of sexual abuse. The tremendous shame victims feel due to the experience of sexual abuse prevents victims from coming forward. Males who are sexually abused by females are often hesitant to report their experience of sexual abuse due to the stereotypes that surround females who commit sex offenses: female-perpetrated sex abuse does not happen and makes those males who are abused by females feel like they should consider themselves “lucky” (Angelides, 2010; Denov, 2004; Hetherington, 1999).

Current research reveals the low reporting totals of female sex offenders and exposes a cultural bias about female-perpetrated sex offenses (Bunting, 2007; Finkelhor, Hotaling, Lewis & Smith, 1990). The social stigma of sexual abuse in our culture causes grief, shame, and guilt, which is a huge deterrent in not reporting sex crimes to law enforcement (Denov, 2004). Victims, who are sexually abused by a female, especially when the victim is a male, are even less likely to report the abuse due to the gender bias within society (Solis & Benedek, 2012). The bias that men or young boys can't be raped prevents many male victims from coming forward. Denov (2001) argued that socially, young males who are sexually abused have gone through a proverbial rite of passage and

coming forward to report abuse committed by females will emasculate them (Deering & Mellor, 2007; Hislop, 2001; Patrick & Marsh, 2005). Research demonstrates that the gender of a sex offender influences how we respond to the abuse itself. An on line survey was posted asking people if they would like to be raped by a teacher who was accused of sexually abusing a male student of hers, and an overwhelmingly 90% of the respondents said 'yes' (Angelides, 2010).

Media influence on perceptions of female sex offenders. The media attention given to female sex offenders is different than the media attention given to male sex offenders. The media focuses on male sex offenders only when they belong to the priesthood and other than in these instances male sex offenders are not coined as 'hot' (Graham, 2007). The media has likened the teacher/student female sex offense as a rash outbreak in the last decade (Angelides, 2010). Female sexual offenses are often sensationalized and eroticized by the media, which is strikingly different from male-perpetrated sex offenses that the media does not sensationalize (Cavanaugh, 2007; Angelides, 2010).

Females accused of committing a sex offense are often given lots of media attention. You might wonder why so much attention is devoted to women who are engaged in inappropriate sexual contact with minors. It is because female sex offenders are almost unheard of in Western cultures and the question is often asked: How can a woman commit a sex offense when sexual crimes are tied to those with a penis (Rupp, 2012)? No one wants to think of their mother, sister, aunt or girlfriend as a predator who preys on young children for sex. Due to the misconceptions that women cannot be sex offenders, their offenses are often overlooked, pleaded down in a court of law, or just not

talked about (Denov, 2004; Giguere & Bumby, 2007; Vandiver & Walker, 2002).

Stereotypes about who sex offenders are influence the way society views the gender of a sex offender (Sanghara & Wilson, 2006). Thus, judges and professionals alike become complacent in their thinking or lack of thinking about females as sex offenders. The bias about women and their lack of ability to be sexual and/or sexually violent predates to the eighteen hundred's when women and the word sex were never used in the same sentence.

A major argument of Cavanaugh's (2007) article is that society becomes enthralled with the hot teacher anecdote and focuses less on the pathological aspect of female-perpetrated crimes and even less on the victims of these crimes. It appears that females who commit sex offenses that hold the role of a school teacher, like Debra Lafave, a school teacher who pled guilty to sleeping with an underage male, are called a "pin-up pedophiles" by the media (Angelides, 2010). Mary Kay Letourneau, Debra Lafave and Pamela Rogers Turner are three highly sensationalized stories about teachers who had sex with underage students and received light sentences (Stennis, 2006). Debra Lafave's attorney argued that Lafave was "too attractive," to receive a harsh sentence (Angelides, 2010). Angelides (2010) argued that the depiction of Debra Lafave and the lack of judicial punishment are an examples of the double standard held in the judicial system regarding female and male sex offenders. The academic literature that I perused had very few articles that examine media and female perpetrated sex crimes: however during my search I found an overwhelming number of media articles on the web, in the newspaper and in magazines.

Previous Research

There have been very few studies that have explored attitudes towards sex offenders in the last decade. The research on attitudes towards sex offenders has explored attitudes of treatment providers or public attitudes towards rehabilitation of sex offenders (Gakhal & Brown, 2011). A research study conducted by Bumby and Maddox (1999) explored the attitudes of 42 trial judges from the Midwest. The study looked at judges' knowledge and views regarding sex offenders. Bumby and Maddox found that these 42 judges had some long-held misperceptions about sex offenders and identified that they wanted more information about sex offenders. Bumby and Maddox speculated that the misperceptions of the 42 judges coupled with the portrayal of sex offenders in the media allows for a negative influence on judicial perceptions. There is a need for judicial education regarding sex offenders in order to have more effective sentencing strategies as well as more effective treatment interventions for sex offenders. There are not many other studies that have examined attitudes towards sex offenders. However a few of the studies that have explored public perception, law enforcement perception, correction officer perception or treatment perception of sex offenders have used a few choice instruments.

The tools that have been used in previous research regarding community attitudes towards sex offenders include the following scales: Community Attitudes towards Sex Offenders Scale (Church, Wakeman, Miller, Clements, & Sun, 2007), Attitudes Towards Prisoners Scale (Melvin, Grammling & Gardner, 1985), Attitudes Towards Sex Offenders Scale (Hogue, 1993), and Attitudes Towards Female Sex Offenders Scale (Gakhal & Brown, 2001).

In 1985, Mevlin, Grammling and Gardner created a survey instrument called Attitudes Towards Prisoners Scale (ATPS). The Attitudes Towards Prisoners Scale

contained 36 items whose responses were ranked in a Likert-Scale format. Melvin, Grammling, and Gardner's found a Spearman-Brown score of .90 and .84 for students (N=101). The score for the Kuder-Richardson test was .92 and .86 for law enforcement (N=23). Lastly, the test-retest score was .82 (N=40). The ATPS instrument was later adapted in 1993 and then again in 2011.

Hogue, used Melvin, Grammling, and Gardner's (1985) original survey but switched the word 'sex offender' for the word 'prisoner.' Hogue basically repurposed an earlier survey by changing the target of the survey. Changing or swapping out words of an original survey does reduce the reliability because the original study's reliability scores are a direct product of the survey as originally constructed. Hogue produced a scale similar to Melvin et al. and associated high scores (0-144) with positive attitudes towards sex offenders. Hogue (1993) found that the probation/psychology sample has the most positive attitudes towards sex offenders and law enforcement officers to have a more negative attitude towards sex offenders. Hogue's (1993) results showed an acceptable amount of reliability, consistency, and validity with a Spearman Brown score of $r = 0.90$, $p < 0.01$. The split half reliability was $r = 0.84$, $p < 0.01$. The Knuder-Richardson scores were comparable to the Melvin et al. scores.

Brown (1999) conducted one of the first studies that explored attitudes towards the treatment of sex offenders. Surveys were sent out through the mail asking participants in the community to rate their thoughts regarding how sex offenders were treated in prison. Brown (1999) discovered that his sample of legal voting age participants had overall positive attitudes towards sex offenders when the sex offenders had been sentenced for their crimes. Brown (1999) also discovered that the same participants were

less likely to be accepting of sex offenders if they were a part of the participant's community.

Church, Wakeman, Miller, Clements, and Sun (2007) created a tool called Community Attitudes towards Sex Offenders scale (CATSO). The CATSO was one of the first instruments used to measure attitude towards sex offenders in research. Church et al. obtained a Cronbach's alpha of .73 and a correlation between scales of 0.10. Over all, the Church et al. study found that corrections officers view sex offenders as 'dangerous' but also that sex offenders can benefit from treatment.

Later Gakhal and Brown (2011) adapted Hogue's Attitudes towards Sex Offenders Scale to create a new scale called Attitudes Towards Female Sex Offenders Scale (AFSO). Gakhal and Brown (2011) substituted the word male for female and inserted the word female before the words 'sex offender.' Gakhal and Brown's (2011) tool showed good internal consistency with an alpha of 0.88 and found that professionals had more positive attitudes towards female sex offenders than did students or people from the community. Very few scales have been created to measure attitudes towards sex offenders and not enough data has been collected to gather information on attitudes towards female sex offenders. Female sex offenders have been studied in other areas such as personality characteristics, offense patterns, and recidivism rates.

According to the Colorado Sex Offender Management, approximately 63% of female victims, and 27% of male victims reported having been sexually victimized by a female (CSOM, 2013). The Uniform Crime Report composed by the FBI, reported that females represent up to 6% of rapes or sexual assaults by an individual acting alone, and

reported that female offenders are involved in up to 40% of sex crimes that involve a male co offender (FBI, 2013).

Female-perpetrated sexual abuse is less likely to be reported than abuse by male counterparts (Angelides, 2010). The problems associated with reporting sexual abuse is complicated when the offender is female. The thought of a woman sexually offending is almost unheard of in our society (Oliver, 2007). People have not been taught to view females as physically capable of “rape” or any other type of sexual assault (Heatherton, 1999). When people think about who may be committing violent crimes like rape, most often persons will think of a male. The belief that women do not commit rape or child sexual molestation is perpetuated by the biases within families, the legal systems, and law enforcement agencies (Cortoni, Bunting, 2007; Hanson & Coache, 2010; Vandiver & Walker, 2002). The bias that females cannot commit sexual crimes stems from a highly traditional view of gender roles (Curry, Lee & Rodriguez, 2004).

Researchers have identified many reasons why females are underrepresented in official data (Oliver, 2007). Sexual abuse by a woman is often overlooked in the legal system and not thought of as a particularly violent crime (Hetherton, 1999; Johansson-Love & Fremouw, 2009). Women sex offenders often go unnoticed because women are able to disguise sexual offenses when engaging in routine child-rearing activities such as bathing and dressing (Angelides, 2010; Finkelhor, 1990). Females who act with a male co-offender may be seen as less culpable than their male partner (Mayer, 1992; Oliver, 2007). Research indicates that females, who commit sex offenses alone, make up less than twenty percent of all sex offenders (Finkelhor, Hotaling, Lewis & Smith, 1990).

Pathology versus criminology

The criminal justice system may seek to pathologize a female sex offense in order to explain it away rather than revise their cultural misconceptions that female sex offenders can commit heinous crimes (Angelides, 2010). Males are more likely to sexualize violence than are females: however this does not negate the fact that females can be sexually violent (Ferguson & Meehan, 2005). Female perpetrated sex acts are considered taboo and often not talked about or reported (Oliver, 2007). Researchers have looked at history of sexual abuse, physical abuse and verbal abuse as a precursor to adult perpetration by females, however the sample sizes for research is relatively low which does not allow for good generalizability (Christopher, Lutz-Zois, & Reinhardt, 2007).

Research indicates that the average female sex offender is most likely in the 20 to 30 year old age range with an average age of 26 (Faller, 1987; Strickland, 2008; Vandiver & Kercher, 2004). The typical ethnicity or race of a female sex offender in some studies has been reported to be almost 90% Caucasian (Vandiver & Kercher, 2004). Some people may assume that female-perpetrated sex offenses are the byproduct of a mental illness (Degler, 1974). The rate of mental illness is high for female sex offenders but a high rate of mental illness does not point out a direct cause for female-perpetrated sex offenses (Johansson-Love & Fremouw, 2009).

Lewis and Stanley (2000) found in a small study that 66% of female participants had a psychotic disorder, which included depression and schizophrenia. Nathan and Ward (2002) also found that 66 % of the small number of female sex offenders had depression symptoms, eating disorders, self-harming behaviors and/or suicidal ideations. Kaplan and Green (1995) found high rates of mental illness within their study of female

sex offenders. Further, Kaplan and Green found that 72% of females had post-traumatic stress disorder, 63% had experienced major depression, 63% had a personality disorder, and 45% had a dependent personality disorder. The researchers found that 40% of women had psychotic features and co-morbid mental health issues.

The link between mental health and sex offenses needs further research in order to ascertain just how much mental health influences these acts. The studies conducted regarding the link between mental health problems and female-perpetrated sex offenses have not produced strong data and often researchers go so far as to state that mental health issues are definite precursors to child sex abuse (Christopher, Lutz-Zois, & Reinhardt, 2007). As such, to merely blame female perpetrated sex abuse on a mental health diagnosis would be unethical.

Other research studies that looked at the pathology of female sex offenders found that there have been instances of borderline intellectual functioning and mental retardation in some of the cases reviewed (Johansson-Love, & Fremouw, 2009). Between twenty-seven percent and thirty-three percent of 55 cases from two different studies were mentally retarded or had brain damage (Faller, 1987). Twenty-two percent of 72 cases in another study had mental retardation (Faller, 1995). The diagnosis of mental retardation complicates the situation in that it calls for further studies about predisposing factors, adjudication and treatment.

Research conducted by Johansson-Love and Fremouw (2009) explored female sex offender drug and alcohol abuse. Slightly more than half of the 40 cases had a substance abuse history (Faller, 1987). In Rosencrans' (1997) study of 93 female sex

offenders, 32% had abused alcohol and 19% had a substance abuse history. The drug and/or alcohol abuse for many women may be evidence of poor coping strategies in general but may not be a factor in sexual perpetration. The data suggests that a moderate number of females display some type of mental health symptoms. A subset of the data alludes to the idea that a small number of female sex offenders were said to be impaired in some way (Oliver, 2007; Rosencrans, 1997). Some researchers have proposed that the judicial system needs to be therapeutic when dealing with sex offenders (Winick & Wexler, 2005); thusly, the judicial system believes that the mental health services should work to decrease and eliminate negative behaviors of those that participate in treatment (Cauffman, 2008). The research on how well any one treatment modality works to 'fix' female sex offenders is limited. The judicial system should hold hands with mental health systems in order to develop a more coherent plan for perpetration prevention and identification (Bickley, Beech, James, & Anthony, 2001). The key to preventing further sexual abuse by females is awareness at both the judicial and community level.

Female sex offenders are likely to have experienced sexual victimization during their childhoods (Lewis & Stanley, 2000). The general population assumes that females who were sexually abused as children often go on to become sex offenders (Faller, 1987. Delin, 1978) It is rare, however, that a female who was sexually abused as a young child goes on to sexually abuse as an adult (Christopher, Lutz-Zois, & Reinhardt, 2007). Experience of early childhood sexual abuse is a risk factor for sexual victimization later in life (Nathan & Ward, 2002). Faller's (1987) study found that 56% of the female sex offenders were sexually abused as a child. In another study, 20% of female sex offenders had been abused by their father and 20% were abused by their mother (Rosencrans,

1997). While some women who were sexually, emotionally or physically abused as children do go on to sexually abuse, not all grow up to sexually abuse others.

Female sex offenders have been shown to display deviant sexual arousal patterns that would indicate a diagnosis of pedophilia (Nathan & Ward, 2002). During the 1970's, paraphilia was considered male only diagnosis within the Diagnostic and Statistical Manual of Mental Disorders despite a widely held belief within society that pedophilia could never be a female issue (Denov, 2003). Traditional ideas about how females should act and what behaviors they should engage in serve as barriers to recognizing that females actually do commit sex crimes.

Research Questions and Hypothesis

For my research study, I decided to explore whether there is a judicial bias related to the gender of the sexual offender. I explored the perceptions of judges when asked to rate the severity of crimes for male and female sexual offenders. From the data I collect, I addressed the following two hypotheses and address them statistically. Hypothesis 1: The gender of the sex offender affects the attitude of a judge. I anticipated that judges' ranked perceived negativity will be related to gender of sex offender. My second hypothesis was that the judge's own gender will affect his/her attitude towards sex offenders. It is my belief that my data would demonstrate gender role association in my sample.

Chapter 3

Method

Participants

The purpose of this study was to explore judicial attitudes towards sex offenders, thusly; I gathered a sample of judges to participate in the survey. The United States currently has over 20,000 judges (Reginald Bishop & Associates, 2013). *The American Bench*, which is a directory of judges and courts across the U.S., lists 3,924 email addresses for judges, with permission of the judicial system. The book is accessible to any person who holds a library card or purchases the book, and as such this email directory is open access for researchers to utilize in studies, such as mine. I randomly selected 400 female judges from the total N=3,924 and randomly assigned 200 into each judge into one of two groups. I also randomly selected 400 male judges and randomly assigned each judge into one of two male groups, all using a table of random numbers.

In total I had four groups (2 x 2). Groups one and two consisted of male judges, and groups three and four consisted of female judges. I then asked group one to keep in mind male sex offenders (as an aggregate group) while they were taking the Attitudes Towards Sex Offenders (ATS) survey first followed by the Community Attitudes Towards Sex Offenders (CATSO). Group two was asked to keep female sex offenders (as an aggregate group) in mind while they took the ATS survey first followed by the CATSO. I then asked group three to keep in mind male sex offenders (as an aggregate group) while they took the ATS survey first followed by the CATSO. Group four was then asked to keep female sex offenders (as an aggregate group) in mind while they took

the ATS survey first followed by the CATSO. I used this procedure to explore the differences among and within these four groups.

Participation in the study was limited to respondents (adults, 18 years of age and above) who currently hold a judicial position within the United States. I conducted a power test regarding the total number of participants selected using a statistical calculation website (Statistical Solutions, 2013). The sample of 800 judges is a large sample that draws out a power level of 0.80 (Statistical Solutions, 2013). The power level of 0.80 is a typical and demonstrates that a total of 800 respondents are sufficient for a study of this size. Participants were also limited to residents of the United States to avoid confounding variables related to cultural or regional differences. The data collection took place over a span of eight weeks in order to obtain all of the data necessary to complete the research study.

There were a total of two hundred and two respondents who consented to take the survey. Participants were selected through The American Bench (2013) and through communication with the Chief Justice of the Supreme Court in New Mexico. Initially 4,127 judges from across the United States were recruited to participate in the first round. The second round included 114 judges from New Mexico. Of the 4,240 emails that were sent out, 206 (10%) were returned. Of the 206 returned survey's 203 (96%) were analyzed because three participants (4%) did not fully meet the requirements for number of questions answered within the ATS or CATSO, making them unable to be scored. Participants from both the first round and the second round both took the CATSO. The first round participants took the ATS and the CATSO, a determination was made to ignore the data from the first wave ATS scores and focus on the CATSO scores for both

rounds. This chapter will report descriptive statistics as well as parametric testing for each hypothesis.

Recruitment

Potential participants' email/physical addresses were gathered via *The American Bench* (Reginald Bishop & Associates, 2013). *The American Bench* is a comprehensive and detailed directory that includes biographical information about judges in the United States. The e-mail addresses for judges were listed within the book and accessible to the public. Information about the court that each respondent practices at is also listed within *The American Bench* along with demographic information such as gender, educational and legal background. The number of judges within *The American Bench* is taken from the total number of judges across the United States. Thusly, the sample is a national sample comprised of the judges whose emails are published. For a pilot study, I asked a few judges with whom I have professional relationships from within New Mexico, judges who do not have their e-mail addresses listed in the *American Bench*, to pilot my survey and ensure that the survey is an appropriate length and worded in a way that would make sense to a typical judge participant. The survey was updated after receiving feedback from the Supreme Court Justice of New Mexico. The Supreme Court Justice recommended that the length of the survey be much shorter than originally planned. The questions also appeared to be somewhat nonsensical as reported by the Chief Justice. The Chief Justice recommended that if the survey was paired down and that the judges should be given the option to not answer the questions. Being given the option to not answer the questions allows the judges the freedom to not feel as though they would be implicated for answering the question a certain way according to the Chief Justice.

Procedure

The entire survey was conducted via the internet using judicial e-mail addresses obtained from the American Bench and the Opinio survey system (Object Planet, 2013). Opinio is a survey tool that was created by Object Planet. The survey tool has been purchased by the University of New Mexico for the use of students and faculty who are conducting research, evaluations, and tests. All data was stored on the UNM mainframe computer where personal information on students and faculty is kept. UNM takes adequate measures that include the use of firewalls, and password protection to assure that no student or faculty information is accessible to the public. No identifying information has been linked with the participants to protect the privacy of the participants. All participants were assigned a number that takes place of identifying information.

Each participant was sent an e-mail that will include information about informed consent, information about confidentiality, a short explanation and purpose of the survey as well as the risks and benefits, and the amount of time the survey will take (Dillman, Smyth, & Christian, 2009). The e-mail asked respondents to initial at the bottom giving their consent to take the survey. Once the initials were entered in, the respondents were given the link to take the actual survey. Participants were informed that their consent to participate is indicated by entering their initials, acknowledging that they are aware of what taking the survey entails and by clicking the submit button. The actual survey was sent electronically through Opinio with the use of each respondent's e-mail address.

The participants were sent reminder e-mails within a week of the actual e-mailing of the survey to remind the participants to complete the survey if they have not already done so. The second reminder e-mail was sent two weeks after the first reminder e-mail. A final reminder e-mail was sent four weeks after the initial survey was mailed. I kept track how many surveys have been delivered, how many surveys were completed/not completed and Opinio automatically did not resend the survey to those who already completed the survey. Upon the completion of the survey participants were sent a thank you e-mail for participating in the survey at six weeks after the initial survey was mailed out.

Measures

The demographics that I included in the survey are the following: Gender, education, and years of experience, age, experience in working with a sex offender population, and whether or not the respondent or someone close to them has experienced sexual harm. To enhance response rate each participant was notified that there will be no demographic information linked to a specific participant's information. Additional information and a copy of the Demographic form can be found in the Appendix.

The sample consisted of mainly male judges (N=166; 83%) with fewer females (N=34; 17%). Of the total N (202), two respondents did not report a gender. The mean age of the sample was 59 years of age (SD=7.91). The ethnic composition was primarily Caucasian (N=181; 89.6%), followed by Hispanic (N=11; 5.5%), then African American (N=6; 3.0%), Asian American (N=2; 1.0%) and Native American (N=2; 1.0%). The mean number of years as a judge was 15.37 S.D. From the first round of data collection

the majority of judges held a doctorate degree (88%). From the second round again most judges held a Juris doctorate degree (79%). The distribution of scores for the independent/dependent variables were measured on the CATSO (Church, et al. 2007).

Perceived attitude towards sex offenders

The measure of attitude towards sex offenders was employed in this study. The Community Attitudes towards Sex Offenders Scale (CATSO) was developed by Wesley Church in 2007 to measure attitudes towards sex offenders. Church's survey primarily focuses on male sex offenders. The CATSO survey instrument was designed to examine attitudes, perceptions and stereotypes concerning sex offenders (Church, et al. 2007). The original CATSO measures attitudes towards male sex offenders only. The respondents were given the original CATSO survey and a modified CATSO that measures attitudes towards female sex offenders as well.

The survey's questions asked participants to rate their level of agreement or disagreement with 18 statements concerning sex offenders. There were four main topic areas addressed: capacities to change, level of social isolation/ inclusion in a community, blame attributions, and sexual deviance (See Appendix A for a complete list of all survey questions). The scale is composed of four factors that gather information on participants' views towards a sex offender. The questions within the CATSOSO are formatted in Likert Scale form (Strongly Disagree=1, Disagree=2, Probably Disagree=3, Probably Agree=4, Agree=5, Strongly Agree=6). Scoring involves summation of responses. There are a number of advantages to using a survey design that include versatility, efficiency and generalizability (Fowler, 2009).

Validity and Reliability

Church et al. (2008) developed a tool that would specifically measure attitudes toward sex offenders. Church et al. (2008) found that the internal consistency demonstrated by the Cronbach's alpha for the Community Attitudes Towards Sex Offenders Scale was 0.80 for the social isolation Category, 0.80 for the capacity to change Category, 0.70 for the severity or dangerousness Category, and 0.43 for deviancy. The total internal consistency for the CATSO scale was 0.74. Church et al. found that the CATSO has sufficient internal consistency. The sub scales in the CATSO have been found to be normally distributed but have very low levels of relatedness that draws a correlation of .10 (Church et al., 2011). Cronbach's alpha will be calculated for the CATSO in order to measure internal consistency during this study. The CATSO uses quantitative and ordinal variables. A second study used the CATSO instrument and found similar results. In a study conducted by Conely, Hill, Church, Stoeckel and Allen (2011) the Cronbach's alpha was found to be similar to Church et al.'s original study; capacity for change alpha was 0.77, social isolation alpha of 0.84, deviancy alpha was a 0.43 and scale questions 3 and 10 drew a Cronbach's alpha of 0.69.

Attitudes Towards Sex Offenders

The Attitudes towards Sex Offenders Scale was created by Todd Hogue in 1993. Hogue (1993) created the ATS as an adaptation of the Attitudes Towards Prisoners Scale, which was originally created by Melvin, Gramling, Gardner and Williams (1985). The

Attitudes towards Prisoners Scale is a 36-item scale that was created to measure attitudes towards prisoners. The evaluation of attitude is measured by how high or low a respondent scores. The higher a respondents score the more positive attitude the

respondent is said to have towards prisoners. Hogue (1993) was interested in exploring attitudes towards sex offenders and adapted the ATP by replacing the word 'prisoner,' with the word 'sex offender.' The ATP and the ATS are identical with the exception of the subject respondents are being asked to rate their attitudes towards. The ATS scale is a 36-item Likert scale form (Strongly Disagree=1, Disagree=2, Probably Disagree=3, Probably Agree=4, Agree=5, Strongly Agree=6).

The ATS has demonstrated that the test-retest reliability is high (Hogue, 1993). Numerous studies that have used the ATS have also demonstrated sufficient levels of reliability with an alpha ranging from 0.85 to 0.95 (Hogue, 1993). Cronbach's alpha will be calculated for the ATS in order to measure internal consistency. Again, this instrument uses quantitative variables (level of agreement or disagreement) and ordinal variables. The validity of the ATS has been demonstrated to be high. The ATS measures what it purports to measure after having been used in many other studies (Craig, 2005). The same threats to internal validity for this instrument could be mortality, instrument decay, and Hawthorne effect as well. Participants may not answer the survey questions in their entirety or, may choose to not complete the survey or only complete certain parts of it. In the second wave of testing the respondents did not take the ATS survey, and the instrument was dropped from analysis.

Statistical Analysis

The survey methodology was informed by Messer and Dillman (2011), and by Dillman, Smyth, and Christian (2009) with particular attention to their chapters on internet/mail surveys. The survey analysis was also informed by Tabachnick and Fidell (2012) with particular attention to the chapters on multivariate analysis of variance and

profile analysis. The Community Attitudes towards Sex Offenders Scale (CATSO) and the Attitudes Towards Sex Offenders Scale (ATS) responses were entered into Opinio, an on-line survey software. Statistical Package for the Social Sciences (SPSS) was the software utilized for calculating the results. The primary analysis included: (1) exploration of the data; (2) coding and entering the data; and (3) analyzing the data. I conducted a factorial MANOVA.

We use an MANOVA when we want to study the effects of independent categorical variables on a dependent favorable. Further, running a MANOVA, allows us to look at means across several populations. We can break down factorial designs by the following: Main Effects and Interactions. The total variability in factorial MANOVA comes from the between subjects variability and the within subjects variability. Advantages to using this design are: good to use when the treatment is variable, it's a robust test, it is efficient, and it is one of the only ways to look at an interaction (Tabachnick & Fidell, 2012). I set an alpha of 0.05 which will determine the probability of making a Type I error.

Chapter 4

Results

This chapter discusses the results of a repeated measures factorial Analysis Of Variance (MANOVA). This study investigated the attitudes of judges towards sexual offenders, exploring to see if any differences were present between respondent genders or between genders of sexual offender on the *Community Attitudes Towards Sex Offenders* (CATSO). Research hypotheses for this study included:

Hypothesis 1: It is predicted that respondent scores on the CATSO will reveal that judges, both male and female, will have greater negative attitudes towards male sex offenders than female sex offenders. In the ANOVA, this hypothesis predicts a main effect of sex offenders' gender.

Hypothesis 2: It is predicted that respondent scores on the CATSO will reveal that male judges will have more negative attitudes sex offenders, both male and female. In the ANOVA, this hypothesis predicts a main effect of judge gender.

Hypothesis 3: It is predicted that an interaction will be found between respondent (judge) gender and sex offender gender such that female judges will make more distinction in their ratings of male and female offenders than will male judges.

Prior to the start of the study, *G*Power* (Version 3.0 10; Faul, 2008) software was used to determine desired sample sizes for the study to ensure appropriate statistical power. The *Statistical Package for the Social Sciences* (SPSS) Graduate Pack was

Comment [K1]: Chris, please add the MANOVA here as well.

utilized to analyze the data. The power analysis determined that to detect moderate size main effects at 80% power at $\alpha = 0.05$ requires 64 subjects per group in a between subjects design. To test an interaction effect in a 2 factor between subjects design would require more subject per group. In a survey study, the final sample size cannot be guaranteed by the investigator because it depends upon the response rate of volunteers solicited to complete the survey.

Analysis

To test my hypotheses, I conducted a repeated measures factorial MANOVA with a design of Respondent (Judge) Gender X Sex Offender Gender X CATSO Item (18 items; within subjects). The main effect for Judge Gender tests Hypothesis 1, and the main effect of Sex Offender tests Hypothesis 2. The interaction of Judge Gender X Sex Offender Gender tests hypothesis 3. I conducted preliminary analysis to evaluate the data for normality, outliers, and variances. No outliers were detected on the 6 point rating scales. Group samples sizes were 34 for female judges and 166 for male judges. Thus, at these group sizes the sampling distributions of the means approach normality. Variances per group were homogeneous.

Hypotheses (1-3). The main effect of Judge Gender was very small and statistically non-significant, $F(1,196) = 1.97$, $p < 0.16$, $\eta^2 = 0.004$; Cohen's $d = 0.08$. The main effect of Offender Gender was also very small and statistically non-significant, $F(1,196) = 0.48$, $p < 0.49$; $\eta^2 = 0.002$; Cohen's $d = 0.04$. The 2-way interaction effect of Judge Gender by CATSO Item was very small and statistically non-significant, Wilk's $\lambda = 0.86$; $F(17,180) = 1.73$, $p < 0.04$; $\eta^2 < 0.14$. The 2-way interaction effect of Offender

Gender by CATSO Item was very small and statistically non-significant, Wilk's $\lambda = 0.87$; $F(17,180) = 1.59$, $p < 0.07$; $\eta^2 < 0.13$. The 2-way interaction effect of Offender Gender by Judge Gender was very small and statistically non-significant, $F(17,196) = 0.01$, $p < 0.95$; $\eta^2 < 0.12$. The 3-way interaction effect of Judge Gender by Offender Gender was very small and statistically non-significant, $F(17,180) = 1.38$, $p < 0.83$; $\eta^2 < 0.001$. (See MANOVA Summary Table)

Figure 1a shows that female judges tend to make more discrimination when rating male vs. female sex offenders than do male judges. Note that seven of the 18 mean comparisons of male to female offenders for female judges show moderate to large differences (i.e., items: 1, 6, 11, 12, 15, 16 and 17). In fact, Figure 1b shows that male judges make almost no discrimination at all in their ratings of male vs. female sex offenders. The likely reliability of this female to male judge difference in attitudes toward male vs. female sex offenders is support in part by the statistically significant Judge Gender by CATSO Item 2-way interaction described in the paragraph above ($p < 0.04$), and the nearly statistically significant Offender by CATSO Item 2-way interaction also described above ($p < 0.07$).

Mean ratings for all 18 items (i.e., 72 means) were between 2.00 (i.e., disagree) and 4.00 (agree), with most means being near 3.00. Standard deviations for the 72 means varied from 0.50 to 1.32, indicating moderate agreement on each rating among the judges regardless of offender gender. That is, judges did not show substantial disagreement by and large in their ratings for specific items on the CATSO.

Chapter 5

Discussion

The purpose of this study was to explore judicial attitudes towards sex offenders. Judges across the United States were surveyed through e-mail. The study was created to examine whether or not judges of both sexes (male and female) are biased towards the gender of sex offender that might be present in their courts. The study also explored whether or not the gender of the judge had any impact on the ways in which judges viewed not only the gender of a sex offender, but sex offenders in general. The questions that support the study were as follows: Will both males and female judges have negative attitudes towards male sex offenders? Will scores on the ATS support the idea that both male and female, will have positive attitudes towards female sex offenders? Will a judges own identified gender affect his/her attitude towards sex offenders? And lastly will the ranked perceived negativity will be related to gender of sex offender. This study was created to find out what judges' attitudes were and how those attitudes might inform the ways in which they ruled in the court room.

Gender and Attitude towards Male Sex Offenders

The study revealed that there were no statistically significant results in scoring on the CATSO for both female and male judges. What does this mean? The study uncovered no statistically significant findings when measuring attitude towards sex offenders regardless of the gender of the sex offender. Both male and female judges attitudes towards sex offenders were found to be similar, and there were no indications that the sex of the offender affected the responses from male or female judges. Because there were no significant attitudes discovered, judges may not rule differently in their courts based on

the gender of the sex offender as originally hypothesized. Reports from the CATSO indicated that female judges have a slightly more negative attitude towards sex offenders in general than do male judges. However, there is no statistically significant data to support this. The results were not statistically significant enough to fully support that female judges have more of a negative attitudes towards sex offenders than do males. Results of the ATS for both male and female judges indicated that attitudes towards male sex offenders are relatively similar. Female and male judges rated male sex offenders on average relatively similar ways.

Gender and Attitude Towards Female Sex Offenders

The CATSO scores for both male and female judges pointed again towards non-significant results when measuring attitude towards sex offenders. Both male and female judges' ranked attitude towards female sex offenders was rated with mostly similar scores. Neither male nor female judges rated female sex offenders more positively than they did male sex offenders. The study supports that the gender of both male and female judges did not influence attitudes towards sex offenders in general and that there was no causality for bias. Males tended to score in like manner to female judges. Overall, both male and female judges reported similar scores consistently throughout the entire survey.

Implications for Future Judicial Practice

This study aimed to explore judicial attitudes when sentencing both male and female sex offenders. While conducting this study it was found that perhaps it is fair to assume that both male and female offenders should be viewed the same as offenders and

maybe not the same due to gender. It is postulated in some schools of thought that the ways in which male and female sex offenders offend is qualitatively different according to a study created by Mathis, (1972; Landor & Eisenchlas, 2012) By nature, males are apt to cause more damage due to the physical anatomy of male genitalia (Landor & Eisenchlas, 2012). Because of this school of thought that is found in some professional communities, it is easy to see how female sex offenses may be pushed to the wayside by the judicial community. However, it is important for judges to maintain impartiality when working with any offender regardless of sex.

Judges who participate in on going trainings regarding acceptance of diversity, how to act evenhandedly and impartial when sentencing sex offenders are on the right track. If judges are facing the possibility of not being able to be unbiased when working with sex offenders, judges should seek out consultation from the lead judge in their district or possible outside consolation with a trusted leader in the judicial community.

Implications for Future Clinical Practice

There are at least 700,000 sex offenders on the sex offender registry throughout the United States (FBI, 2013). The large number of sex offenders does not account for the number of reported sex abuse victims in the United States because of the perception that female's do not commit sex offenses and because of the even more complex reporting issues when dealing with a female offender (Landor & Eisenchlas, 2012). It is essential that counselors have the knowledge and ability to assist clients who are victims of sexual abuse through navigation of the legal system. In addition, for those counselors who work

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with offenders, it is important for them to be aware of how the legal system functions, and how their clients might navigate these systems. If clients discuss potential issues around judicial impartiality (or not), counselors could point towards this study as supporting that perhaps clients might be defensive about their judgment, but that judicial gender or attitudes may not have influenced their court case. Although this may not be useful in the therapeutic relationship with one's client, it could inform the counselor to continue to explore their client's story and use it as an opportunity to explore their relationship with the legal system throughout their lifetime.

Future Research Implications

Future analysis of this data should look at a larger sample of judges across the world, as well as explore other national sample pulled from different recruitment sources. Researchers could explore international attitudes towards sex offenders will yield results that are more useful in the judicial system. They might ask: do all judicial educational systems view sex offenders the same? Are there some international communities where certain types of sex offenses are 'overlooked' or viewed more harshly than in other communities? In other words, perhaps including culture as a factor will demonstrate real 'attitudes' towards sex offenders.

When looking at the appropriate tool for surveying judicial attitudes, researchers need to make sure that the tool they select addresses the questions they have in ways that will not off put the very subjects who are taking the survey. It is possible that judges may be offended by the level of questioning in a survey because they are expected to be neutral when dealing with all offenders. Some of the questions may appear to be straightforward, however more thought into how judges perceive the line of questioning

should be taken into account. The instruments used in this study are one of the few instruments that capture attitudes towards sex offenders. Perhaps a broader scale may be of more assistance when gathering information from judges.

Researchers need to collaborate with any judicial system that may possibly be surveyed in order to ensure that the judicial system is willing to collaborate, and to ensure that the participants understand the value of their contributions to the research community. Judges are a class that is protected in many ways. Access to communication with judges is kept very private and for this reason communication with judges before sending out requests for participation will increase the chances that ingress will be granted to researchers.

Limitations

The current sample used in this survey cannot be generalized to the larger population of judges. The survey was sent out to judges across the United States but yielded a very small response rate, which does not allow for generalization of any results. A larger, more representative sample will be needed in the future in order to generalize any results.

The study needs additional recruitment measures in order to gain a more robust and representative sample. There needs to be communication with each court system in each state in order to be given permission to bypass the e-mail firewall security. A number of e-mails bounced back because of the levels of security for judges. Because of the lack of homogeneity of the demographic data this limits the ability to draw strong conclusions in this study. Another limitation of this study is that this study does not account for the all judges attitudes towards sex offenders in the United States because not

all judges were surveyed. A further limitation of this study is that there are more male judges than female judges causing unequal group sizes. It is possible that judges knew they were being studied on their own attitudes towards sex offenders may have changed or altered their opinions due to the Hawthorne Effect, which could influence the outcome chosen to be measured (Holden, 2001). In fact, there were a few judges who responded with questions about how to answer the survey because they felt like the basic principal of the survey violated their views on 'blind justice.'

A final limitation is that when the survey was sent out there was no control for the possibility that the judges didn't haphazardly complete the survey by not filling out each response. The feedback from judges was that the option to not completely fill out all of the questions in the survey was most favorable. Due to this, there were incomplete responses scattered throughout the survey. Not all of the judges that were selected to participate sent their surveys back and thus it left big holes in the data and again the data is not as generalizable. During the first round of surveying, there were some technical difficulties with the survey database and the link given to judges was broken. Many judges reached out through e-mail to request a working link. It is possible that not all judges who received the survey reached out to obtain a working link. Lastly, the response rate was poor, which did not allow a chance for the data collected to be significant.

Conclusion

It is important to explore judges' attitudes towards female sex offenders in order to provide ideas for professional development for those judges who may present with a biased attitude towards female sex offenders. By making sure that women who commit sex offenses are rightfully charged for the actual sex offenses they commit, the judicial

system can better serve the communities they reside in for common good. There is much to be discovered and assessed when exploring areas for professional development for judges such as bias towards certain populations. The research discussed in this proposal is just the beginning of a deeper look at judicial bias and female offenders. Without further research, the community at large may be at risk and areas of professional development that judges can experience may be ignored. Professional development is important when your job deals with protecting the innocent and sentencing the guilty. The study proposed has many limitations. The number of participants who responded to the study was low, therefore generalizability and usability of the data from this study is also low. The limitation of participants points to the idea that more judges throughout similar geographical areas need to be included in the study.

Currently, there is not enough research in the area of attitudes towards sex offenders. The limitations in the current study survey as a template for improvements to future studies in this area. Collaboration with the judicial system is a key factor in the success of future research in exploring judicial attitudes towards sex offenders. Working with the judicial system will allow for a greater acceptance in the judicial community of the importance of the education that is gained from all research.

Figure 1a. Mean Ratings of Male Judges by Gender of Sex Offender by CATSO Items

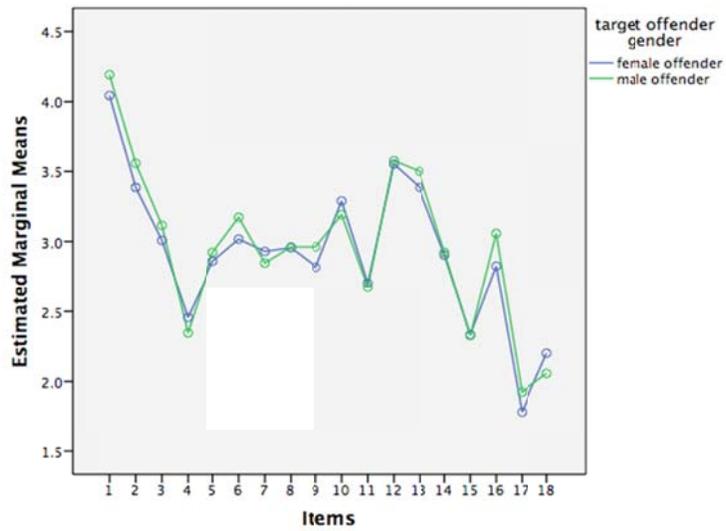


Figure 1b. Mean Ratings of Female Judges by Gender of Sex Offender by CATSO Items

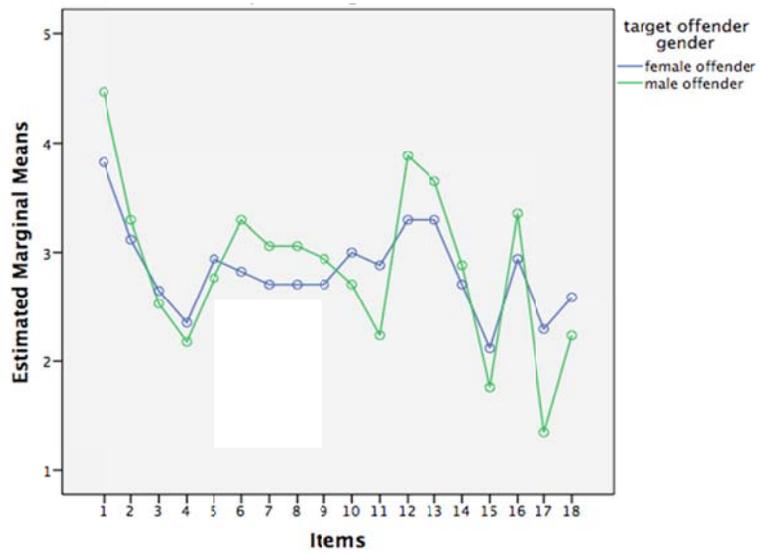


Table 1. EDUCATIONAL INFORMATION ABOUT SEX OFFENDERS

An offender who is convicted, adjudicated, or granted a deferred sentence, is previously convicted, has a history of a criminal sexual conviction, or is convicted of an offense with an underlying factual basis of which is a sexual offense.

The following is a list of current crimes considered sexual offenses according to the Colorado State Statute.

- First Degree Sexual Assault
- Second Degree Sexual Assault
- Unlawful Sexual Contact or Third Degree Sexual Assault
- Sexual Assault on a Child
- Sexual Assault on a Child by one in a Position of Trust
- Sexual Assault on a Client by a Psychotherapist
- Enticement of a Child
- Incest or Aggravated Incest
- Trafficking in Children
- Sexual Exploitation of Children
- Procurement of a Child for Sexual Exploitation
- Indecent Exposure
- Soliciting a Child for Prostitution
- Pandering of a Child
- Procurement of a Child
- Keeping a Place of Child Prostitution

- Pimping of a Child
- Inducement of Child Prostitution
- Patronizing a Prostituted Child
- Class 4 Felony Internet Luring of a Child
- Internet Sexual Exploitation of a Child
- Public Indecency (if an offense is committed within 5 years of the first)
- Invasion of Privacy for Sexual Gratification
- Engaging in Sexual Conduct in a Correctional Institution
- Wholesale Promotion of Obscenity to a Minor
- Promotion of Obscenity to a Minor
- Second degree kidnapping, if committed in violation of section 18-3-302 (3) (a)

-SOMB (2013)

Table 2. Typology of Female Sex Offenders

- Male-coerced: These women tended to be passive and dependent individuals with histories of sexual abuse and relationship difficulties. Fearing abandonment, they were pressured by male partners to commit sex offenses, often against their own children.
- Predisposed: Histories of incestuous sexual victimization, psychological difficulties, and deviant sexual fantasies were common among these women, who generally acted alone in their offending. They tended to victimize their own children or other young children within their families.
- Teacher/lover: At the time of their offending, women in this subtype were often struggling with peer relationships, seemed to regress and perceive themselves as having romantic or sexually mentoring “relationships” with under-aged adolescent victims of their sexual preference, and, therefore, did not consider their acts to be criminal in nature.

(Matthews, J.K., Mathews, R., & Speltz, K. 1991; Nathan & Ward, 2002; Vandiver & Kercher, 2004)

Table 3. Sex Offender Grooming Strategies

Targeting:

- Vulnerable (e.g., low self-confidence, low self-esteem)
- Less parental oversight
- Socially isolated or emotionally needy

Strategies:

- Caretaking (e.g., babysitting, teaching, tutoring)
- Form “special relationship”
- Become welcome in home/gain trust of parents
- Gifts, games, special times
- Isolate
- Seize on feelings of being unloved/unappreciated
- Emotional bonding and trust building
- Desensitize to sex (e.g., talking, pictures, pornographic videos)
- Use pretense (“teaching,” “exploring,” “closeness”)
- Exploit victim’s natural sexual curiosity or uncertainty

Maintenance:

- Bribes, gifts to ensure continued compliance
- Threaten dire consequences to ensure secrecy
- Threaten to blame victim
- Threaten loss of “loving” relationship

Source: Elliot, Browne, & Kilcoyne (1995).

Table 4. Personal Crime Rates for United States, 2008

Percent distribution of single-offender victimizations, by type of crime and perceived sex of offender

Type of Crime	# of single-offender victim.	Total	Male	Female	Not known
Rape/Sexual assault	181,830	100%	78.1	18.5*	3.5*

*Estimate is based on 10 or fewer sample cases. Includes verbal threats of rape and threats of sexual

-US Department of Justice, 2013

Table 5. Mean (SD) Ratings of Male vs. Female Judges by Male vs. Female Sex Offenders on the Community Attitudes Toward Sex Offenders Scale.

CATSO Attitude Item:	Male Judge			Female Judge		
	Offender			Offender		
	Male (n = 52)	Female (n = 114)	All Offenders	Male (n = 17)	Female (n = 17)	All Offenders
1: With support and therapy sex offenders can learn to change	4.19 (0.84)	4.04 (1.05)	4.09	4.47 (0.80)	3.82 (0.95)	4.15
2: People who commit sex offenses should lose their civil rights	3.56 (1.17)	3.39 (1.30)	3.44	3.29 (1.40)	3.12 (1.40)	3.21
3: People who commit sex offenses want	3.12 (0.83)	3.01 (0.97)	3.04	2.53 1.06	2.65 (0.70)	2.59
4: Sex offenders should be punished	2.35 (0.88)	2.46 (0.97)	2.42	2.18 0.80	2.35 (1.16)	2.26
5: A lot of sex offenders use their victims	2.92 (0.92)	2.86 (1.00)	2.88	2.76 (1.14)	2.94 (0.74)	2.85
6: Sex offenders prefer to stay home	3.17 (0.73)	3.02 (0.85)	3.07	3.29 (1.10)	2.82 (0.63)	3.06
7: Most sex offenders do not have friends	2.85 (0.75)	2.93 (0.87)	2.90	3.06 (1.02)	2.71 (0.58)	2.88
8: Sex Offenders have difficulty making friends	2.96 (0.79)	2.96 (0.86)	2.96	3.06 (0.89)	2.71 (0.58)	2.88
9: The prison sentences sex offenders receive	2.96 (1.04)	2.82 (1.00)	2.86	2.94 (1.08)	2.71 (0.98)	2.82
10: Sex offenders have high rates of sexual activity	3.19 (0.56)	3.29 (0.81)	3.26	2.71 (0.98)	3.00 (0.61)	2.85
11: Trying to rehabilitate a sex offender is a waste	2.67 (0.90)	2.70 (0.97)	2.69	2.24 (0.90)	2.88 (0.99)	2.56
12: Sex offenders should wear tracking devices	3.58 (0.91)	3.55 (1.16)	3.56	3.88 (1.05)	3.29 (1.10)	3.59
13: Only a few sex offenders are dangerous	3.50 (1.14)	3.39 (1.28)	3.42	3.65 (1.32)	3.29 (1.31)	3.47
14: Most sex offenders are unmarried	2.92 (0.76)	2.90 (0.88)	2.91	2.88 (1.16)	2.71 (0.58)	2.79
15: Someone who uses emotional control is not as bad as someone who uses physical control	2.33 (0.92)	2.33 (0.91)	2.33	1.76 (0.83)	2.12 (0.92)	1.94
16: Most sex offenders keep to themselves	3.06 (0.69)	2.82 (0.86)	2.90	3.55 (1.16)	2.94 (0.55)	3.15
17: A sex offense against someone known is less serious than an offense against a stranger	1.92 (0.78)	1.78 (0.79)	1.83	1.35 (0.60)	2.29 (0.77)	1.82
18: Convicted sex offenders should never be released	2.06 (0.87)	2.20 (0.86)	2.16	2.24 (1.03)	2.59 (0.93)	2.41
Overall Means:	2.96	2.91	2.93	2.86	2.83	<i>GM</i> = 2.85
Means for Judge Main Effect:	2.93			2.85		

Table 5 continued

Rating scales for Table 5:

1 = strongly disagree; 2 = disagree; 3 = probably disagree; 4 = probably agree; 5 = strongly agree; 6 = strongly agree

Table 6. Summary Table for Repeated Measures MANOVA of Design Judge Gender (B) X

Sex Offender Gender (B) X Community Attitude Toward Sex Offender Items (W)

Source	df	SS	MS	F	Wilks λ	p	η^2
Offender Gender	1, 196	0.93	0.93	0.48		0.53	0.002
Judge Gender	1, 196	3.82	3.82	1.97		0.37	0.004
JG X OG	1, 196	0.001	0.001	0.01		0.83	< 0.001
BS Error	1,196	380.61	1.94				
JG X Items	17, 180	17.71	1.90	1.73	0.86	0.07	0.14
OG X Items	17, 180	28.39	3.00	1.60	0.87	0.04	0.13
JG X OG X Items	17, 180	20.38	2.16	1.38	0.89	0.15	0.12
WS Error	1844.71	2845.51	1.54				

APPENDIX A: Tentative Time Line of Events

April-June 2013 - I will work with my chair to prepare my dissertation proposal.

May 2013 - Once my chair is satisfied with the proposal, then I will call a committee meeting to review the proposal.

June 2013 - Supervisory committee meets to review and approve the dissertation proposal.

July 2013 - After my supervisory committee approves the dissertation proposal, I will submit materials to UNM IRB Committee for Research Involving Human Subjects for review and approval.

Aug.-Oct. 2013 - Collect data

Nov. 2013- Jan. 2014 - Analyze data

January 2014 - Complete the writing of the first draft of each chapter

May 2014 - Final exam (dissertation defense)

APPENDIX B: Sample Materials

SURVEY-

Community Attitudes toward Sex Offenders Scale (CATSO)
(Church, Wakeman, Miller, Clements, & Sun, 2008)

Items and Scoring

Below are 18 statements about sex offenders and sex offenses. Please select the corresponding number from the rating scale given below for the answer that best describes the way you feel or reflects what you believe. Most of the statements below are difficult to prove or verify in an absolute sense, and many are specifically about your opinion based on what you may have heard, read, or learned; thus, we are less interested in the “right” or “wrong” answers, and more interested in your beliefs and opinions regarding sex offenders. Even if you have no general knowledge about the issue, please provide an answer to each question.

Strongly Disagree	Disagree	Probably Disagree	Probably Agree	Agree	Strongly Agree
1	2	3	4	5	6

When taking this survey please keep in mind that this refers to a male/female sex offender.

1. With support and therapy, males who committed sexual offenses can learn to change their behavior.
2. Males who commit sex offenses should lose their civil rights (e.g. voting and privacy).
3. Males who commit sex offenses want to have sex more often than the average person.
4. Male sex offenders should be punished more severely than female sex offenders.

5. Sexual fondling (inappropriate unwarranted touch) is not as bad as rape.
6. Male sex offenders prefer to stay home alone rather than be around lots of people.
7. Most male sex offenders do not have close friends.
8. Male sex offenders have difficulty making friends even if they try hard.
9. The prison sentences male sex offenders receive are much too long when compared to the sentence lengths for other crimes.
10. Male sex offenders have high rates of sexual activity.
11. Trying to rehabilitate a male sex offender is a waste of time.
12. Male sex offenders should wear tracking devices so their location can be pinpointed at any time.
13. Only a few male sex offenders are dangerous.
14. Most male sex offenders are unmarried men.
15. Males who uses emotional control when committing a sex offense are not a bad as those who uses physical control when committing a sex offense.
16. Most male sex offenders keep to themselves.
17. A sex offense committed against someone the perpetrator knows is less serious than a sex offense committed against a stranger.
18. Convicted male sex offenders should never be released from prison.

Factor 1 (Social Isolation): 6, 7, 8, 14, 16
 Factor 2 (Capacity to Change): 1*, 2, 11, 12, 18
 Factor 3 (Severity/Dangerousness): 4*, 9*, 13*, 15*, 17*
 Factor 4 (Deviancy): 3, 5, 10

* these items must be reverse scored when computing factor scores

Add all 4 factors together to get a total score; higher scores represent more negative attitudes

ATS

Please answer the following statements by indicating the extent to which you agree with each item. To respond, circle the number to the right of each item that describes the extent to which you agree with the statement. There are no right or wrong answers.

ATS

	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree
1. Sex offenders are different from most people					
2. Only a few sex offenders are really dangerous					
3. Sex offenders never change					
4. Most sex offenders are victims of circumstances and deserve to be helped					
5. Sex offenders have feelings like the rest of us					
6. It is not wise to trust a sex offender too far					
7. I think I would like a lot of sex offenders					
8. Bad prison conditions just make sex offenders more bitter					
9. Give a sex offender an inch and they'll take a mile					
10. Most sex offenders are stupid					
11. Sex offenders need affection and praise just like anybody else					
12. You should not expect too much from a sex offender					
13. Trying to rehabilitate sex offenders is a waste of time and money					
14. You never know when a sex offender is telling the truth					
15. Sex offenders are no better or worse than other people					
16. You have to be constantly on your guard with sex offenders					
17. In general, sex offenders think and act alike					
18. If you give a sex offender your respect, he'll give you the same					
19. Sex Offenders only think about themselves					
20. There are some sex offenders I would trust with my life					
21. Sex offenders will listen to reason					
22. Most sex offenders are too lazy to earn an honest living					
23. I wouldn't mind living next door to a treated sex offender					
24. Sex offenders are just plain mean at heart					
25. Sex offenders are always trying to get something out of somebody					
26. The values of most sex offenders are about the same as rest of us					
27. I would never want one of my children dating a treated sex offender					
28. Most sex offenders have the capacity for love					
29. Sex offenders are immoral					
30. Sex offenders should be under strict, harsh discipline					
31. In general, sex offenders are basically bad people					
32. Most sex offenders can be rehabilitated					
33. Some sex offenders are pretty nice people					
34. I would like associating with some sex offenders					
35. Sex offenders respect only brute force					
36. If sex offenders do well in prison/hospital, they should be let out on parole					

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Scoring for the Attitudes Towards Sexual Offenders Scale (ATS)

The original ATS is a 36 item scale with each item rated from 1 to 5

19 of the items are reverse scored. These are items:

1, 3, 6, 9, 10, 12, 13, 14, 16, 17, 19, 22, 24, 25, 27, 29, 30, 31, 35

To score the ATS:

- 1) Reverse the scoring on the above items
- 2) Total the score of all items
- 3) Remove a constant to 36 to make the possible scale score range from 0 to 144.

In Factor analysis the scale has been shown to be a single factor with high internal consistency.

NOTE: It is important when comparing means across different studies that you are clear whether the author removed the constant to ensure that the absolute level of scores being compared are on the same metric.

Todd Hogue, Ph.D.

19 November 2002

APPENDIX C: Permission to use Surveys

-----Original Message-----

From: Christine Jaclyn Romero-DeBell [mailto:cromer07@unm.edu]

Sent: Saturday, October 13, 2012 12:58 PM

To: Church, Wesley

Subject: CATSO Tool

To: Church, Wesley

Subject: CATSO Tool

Good morning Dr. Church,

I am currently a doctoral candidate at the University of New Mexico, in Albuquerque, New Mexico. I will begin the process for completing my dissertation proposal within the next few months. I am hoping to use the Community Attitudes Towards Sex Offenders tool in my research study. I would like to adapt the CATSO in order to measure attitudes towards female sex offenders. I am hoping to gain your permission to use the CATSO.

Please let me know if there is further information you will need so that I may be able to use the CATSO instrument, and if you have any questions.

Thank you

Christine Romero-DeBell MEd. LPCC

UNM Doctoral Candidate

On Oct 15, 2012, at 7:37 AM, "Church, Wesley" <wchurch@sw.ua.edu> wrote:

Good luck to you

Wesley T. Church II, Ph.D, L.G.S.W.

Associate Professor

Chair of the PhD Program

The University of Alabama School of Social Work Box 870314 Tuscaloosa,

AL 35487-0314

205.348.3933

205.348.9419 (fax)

wchurch@sw.ua.edu

-----Original Message-----

From: Christine Jaclyn Romero-Debell [mailto:cromer07@unm.edu]

Sent: Monday, October 15, 2012 10:49 AM

To: Church, Wesley

Subject: Re: CATSO Tool

Thank you Dr. Church. I appreciate it very much.

Christine Romero-DeBell

Church, Wesley <wchurch@sw.ua.edu>

To: Christine Jaclyn Romero-Debell <cromer07@unm.edu>

RE: CATSO Tool

Happy to help

Wesley T. Church II, Ph.D, L.G.S.W.

Associate Professor

Chair of the PhD Program

The University of Alabama School of Social Work

Box 870314

Tuscaloosa, AL 35487-0314

205.348.3933

205.348.9419 (fax)

wchurch@sw.ua.edu

Christine Romero-DeBell <cromer07@unm.edu>

To: thogue@lincoln.ac.uk

Attitudes Towards Sex Offenders Scale

April 9th, 2013

Good evening Dr. Hogue,

I am writing to you regarding your Attitudes Towards Sex Offenders Scale.

My name is Christine Romero-DeBell and I am currently a doctoral candidate at the University of New Mexico, in Albuquerque, New Mexico.

I will begin the process for completing my dissertation proposal within the next few months. I am hoping to use your Attitudes Towards Sex Offenders tool in my research study. I would like to adapt the ATS in order to measure attitudes towards female sex offenders as well as male sex offenders. I am hoping to gain your permission to use the ATS. Please let me know if you need more information or if you have questions.

Thank you!

Christine Romero-DeBell MEd. LPCC
UNM Doctoral Candidate

Todd Hogue <thogue@lincoln.ac.uk>

To: Christine Jaclyn Romero-Debell <cromer07@unm.edu>

RE: Attitudes Towards Sex Offenders Scale

April, 10th, 2013

Dear Christine,

Thank you for your inquiry about the ATS. I have attached to this e-mail, copies of the ATS, scoring and a number of relevant articles for your reference. It is important when scoring the ATS to ensure that you remove a constant of 36 so that the scores range from 0-144. A number of studies (Radley; Johnson et al, also Nelson – I think) have not done this (hence all scores 36 points higher than other studies) so you need to consider this in your reading of ATS research. I have indicated the ones that I know of in the IAFMHS talk. Also the measure is conceptualized as an individual difference measure not an outcome measure although some have attempted to use it this way. I have attached an SPSS spread sheet and scoring syntax which prorates over missing items up to a maximum of four.

Some people have used the ATS by changing the target of the rating. My personal view is that rather than changing the target gender of the questionnaire it is better to stay with “sex offender” and then change your vignette or other questions to represent male/female difference. I think that if you were to use the ATS as the original scale and then predict differences in the way that your subjects rate sexual offences done by male and female sexual offenders that this would be a much better research design. It is also much more in keeping with the concept of the ATS being reflective of an attitude measure. I know some people have looked at gender differences by changing the reference point (female offenders etc.) but I think they misunderstand the overall effect of attitudes to sexual offenders / or general offenders as a group. I have run a number of studies like this where you test on the ATS, give a vignette or questionnaire related to male or female sexual offenders and then asked questions afterwards about the guilt/punishment etc. of the individuals to test the effect that gender has. This is a much stronger design which then allows you to make comparative statements about views of different offenders. The attached survey form allows them to indicate the type of offender they are thinking about so this can also be used in your analysis of the data.

You also have to watch as some people have used the ATS as an outcome measure; e.g., “Think of a rapist and then rate based on this...” The problem with this is that this is not in line with how the ATS is conceptualized and you also can’t use any of these ratings to compare between groups as they are compromised by the target prompt – even though the same authors use them this way.

As long as you use the ATS in an unaltered format then you are able to compare normative data. I am just in the process of writing up a paper with UK, German and Greek community norms. I am aware of Canadian, American and Australian samples as well.

Can you please send me some information on what you are planning to do for a study and what university you are studying at. I am trying to keep track of how the ATS has been used. When you have completed your research could you forward me a copy of the completed report / summary of results from the research?

Good luck with the research if you need more information please let me know.

All the best

Todd

Professor Todd E Hogue,
Professor of Forensic Psychology
University of Lincoln
Brayford Pool, Lincoln, LN6 7TS

APPENDIX D: Recruitment/Follow-Up Letters



November 12, 2013

Honorable Judge Nakamura
jnakamura@state.nm.us

Your Honor,

My name is Christine Romero-DeBell and I am currently a doctoral candidate at the University of New Mexico in the College of Education Department. I am writing to you to ask for your help with an important study being conducted by the University of New Mexico to understand the attitudes towards female and male sex offenders. In this packet you have received a request to participate in this survey by answering questions about your attitudes towards sex offenders.

We would like to do everything we can to make it easy and enjoyable for you to participate in the study. The research can only be successful with the generous help of people like you.

To say thanks, you can check at the bottom of the survey that it is okay for us to enter your name in a drawing to receive a gift card after completion of the survey. I hope that you will take 15 minutes to complete the survey. Most of all, I hope that you enjoy the questionnaire and the opportunity to voice your thoughts and opinions.

Sincerely yours,

Christine Romero-DeBell MEd. LPCC



December 12th, 2013

Last week a questionnaire was e-mailed to you because you were randomly selected to help in a study about attitudes towards sex offenders.

If you have already completed and submitted the questionnaire, please accept our sincere thanks. If not, please complete the survey right away. I am especially grateful for your help with this important study.

If you did not receive a questionnaire, or if it was misplaced, please call me at 505-504-6097 and I will e-mail another one to you today.

Sincerely,

Christine Romero-DeBell, MEd. LPCC

APPENDIX E: Demographic Questions

PART 1- Survey Respondent Characteristics

Now we would appreciate it if you would please share some basic information about yourself.

We will use this information only to describe the kinds of people who complete this survey and to determine if different kinds of people have different views.

Remember that your responses will never be associated with your name or other ways to identify you.

If you are unsure of any response, please provide your best estimate.

1. What is your sex? ___ Male - 1 ___ Female - 0

2. What is your age? _____ years old

3. How do you describe yourself in terms of race or ethnic group?

(Mark ALL Categories that apply to you)

___ American Indian or Alaska Native - 1

___ Native Hawaiian or Pacific Is.

___ Asian or Asian American - 2

___ White or Anglo American/Cacu

___ Black or African American - 3

___ Other (describe) – 7 _____

___ Hispanic, Latino, or Spanish origin - 4

3. What is the highest level of education that you have completed?

(Mark only ONE level of education)

___ No high school diploma or GED certificate - 1

___ High School graduate or earned GED certificate - 2

___ Completed some college – but no degree - 3

___ College, 2-year associate degree - 4

___ College, 4-year bachelor's degree - 5

___ College, master's degree (MA, MS) - 6

___ Professional degree (MBA, MPH, MSW, etc.) - 7

___ Doctoral degree (Ph.D., M.D., J.D., Pharm.D., Sc.D., Ed.D., etc.) - 8

4. What legal education do you have: ___ degree from a law school ___ no law degree

Some other legal education:

5. How many years of experience, if any, do you have working (if zero, please write in "0"):

- a. As a judge of any level? _____ years
- b. As a lawyer of any type? _____ years
- c. As a prosecuting attorney? _____ years
- d. As a criminal defense attorney? _____ years
- e. As a civil attorney? _____ years

6. Please estimate as best you can, how many individual males and females who have been accused of sexual crimes of any type that you have been directly involved with in each of the listed roles (if zero, please write in "0"):

- a. As a judge? _____ males _____ females
- b. As a lawyer of any type? _____ males _____ females
- c. As a prosecuting attorney? _____ males _____ females
- d. As a criminal defense attorney? _____ males _____ females
- e. As a civil attorney? _____ males _____ females

7. How would you describe yourself on a scale about social issues?

	Very										
Very	Conservative					Moderate on					
Liberal on	<u>on Social Issues</u>					<u>Social Issues</u>					<u>Social</u>
<u>Issues</u>											
	0	1	2	3	4	5	6	7	8	9	10

8. How would you describe yourself on a scale about money issues?

	Very										
Very	Conservative					Moderate on					
Liberal on	<u>on Money Issues</u>					<u>Money Issues</u>					<u>Money</u>
<u>Issues</u>											
	0	1	2	3	4	5	6	7	8	9	10

9. How would you describe yourself on a scale about your traditional religious values?

	Not at All			Somewhat						Very	
Traditionally	Traditionally			Traditionally						Religious	
<u>Religious</u>	<u>Religious</u>			<u>Religious</u>						<u>Religious</u>	
	0	1	2	3	4	5	6	7	8	9	10

10. How would you describe yourself on a scale about your spirituality?

	Not at All			Somewhat						Very
--	------------	--	--	----------	--	--	--	--	--	------

Spiritual Spiritual Spiritual
0 1 2 3 4 5 6 7 8 9 10

Thanks very much for taking time to complete this survey!
Your responses will help us to better understand how people think about people accused of sexual crimes

APPENDIX F: Definitions

Definitions from New Mexico Statute Book, 2013

Sexual abuse: unwanted sexual contact between two or more adults or two or more minors; any sexual contact between an adult and a minor; any unwanted sexual contact initiated by a youth toward an adult; or sexual contact between two minors with a significant age difference between them. Sex crimes can involve physical contact (e.g., unwanted sexual touching) or no physical contact, fondling (e.g., Internet crimes).

Child Sex Abuse: the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or to assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct.

Female sex offender: any woman that engages in sexual intercourse or sexual contact with a person or persons under the age of consent; A female who engages in criminal sexual contact or criminal sexual penetration with a person or persons under the age of consent and has been adjudicated and placed on the sex offender registry.

Criminal Sexual Contact: legally defined as intentional, non-consensual touching by the victim or actor, either directly or through clothing, of a victim's or actor's sexual organs, genital area, anal area, inner thigh, groin buttock or breast, for the purpose of degrading or humiliating the victim.

Criminal Sexual Penetration: Sexual Penetration (sexual intercourse, cunnilingus, fellatio, anal intercourse, any other intrusion of a body part or an object into genital or anal

openings); and under one of the following circumstances: Victim under age of consent for each state. Occurs during commission of another felony Assailant is aided by another person,

Criminal offense: Any act that is considered illegal in any certain state, i.e.: robbery, assault, homicide, trafficking, sex assaults.

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