

# THE EFFECTS OF SEX OFFENDER STEREOTYPES ON POTENTIAL JUROR BELIEFS ABOUT CONVICTION, VICTIM BLAME AND PERCEPTIONS OF OFFENDER MENTAL STABILITY

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The current study sought to investigate the widely held myth that sex offenders are socially isolated with few or no friends and no romantic partners. Vignettes describing a sex offense were presented to the participants in which the level of social support reported was varied (no friends vs. friends vs. fiancée). In addition, whether the offender was previously known to the victim (acquaintance vs. stranger) was varied. Results indicated that participants' beliefs about guilt differed among the defendant's reported level of social support and previous knowledge of the victim. Namely, when the sex offender was described as the most stereotypical sex offender (i.e., a loner assaulting a stranger), participants were less sure of their belief that he should be convicted compared to all other conditions. Additionally, reported level of social support and prior knowledge of the victim influenced participants' judgments of the defendant and the victim. These judgments showed that the participants believed the most stereotypical sex offender (i.e., loner who assaulted a stranger) was most mentally unstable, and the judgments of victim blame increased as the described offender became increasingly disparate from the stereotypical sex offender. Implications within the courtroom and for future research are discussed.

*Keywords:* perceptions of sex offenders, sex offenses, potential juror perceptions

The term sex offense has been used to describe a variety of criminal behaviors ranging from possession of child pornography to aggravated sexual assault (18 U.S.C. §§ 2241-2260A). Those convicted of a sex offense often are labeled as a sex offender by the authorities and, in federal cases, required to register as a sex offender and disclose this label to the public. There are many negative associations, such as dangerousness and perversion, which accompany that term (Levenson, Brannon, Fortney, & Baker, 2007). There has been a push for stricter punishments over the past few decades. This push resulted in the current law known as the Adam Walsh Act (2006). This act calls for each state to maintain updated information about sex offenders on the registry and link it to the National Sex Offender Registry website (Adam Walsh Act, 2006). Each sex offender is to be placed on a three-tier,

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offense-based classification system, taking into account their offense and risk for recidivism. It also is required that the registry be available to the public via the internet (Adam Walsh Act, 2006).

The availability to the public via the media and the registry of heinous/severe crimes has led to the development of various stereotypes related to all sex offenders. These stereotypes include a high desire for sex, a frustrated or lacking sex life, the absence of a social life (i.e., are “loners”), and the perpetrator as a stranger to the victim (Bolen, 2001; Harris & Hanson, 2004; Levenson et al., 2007; Vess & Skelton, 2010). It has been argued that stereotypes about sex offenders actually may undermine the purpose of strict punishments for such crimes (e.g., keeping loved ones safe) because the public becomes wary of those who have been labeled instead of other more likely perpetrators (Plumm, Nelson, & Terrance, 2012; Plumm, Austin, & Terrance, 2013; Austin, Plumm, Terrance, & Terrell, 2013). Marshall (1996) examined perceptions of sex offenders in both professionals who work with sex offenders and undergraduate students and found students endorsed more stereotyped characteristics of sex offenders while professionals reflected more actual characteristics of the perpetrators (Fuselier, Durham, & Wurtele, 2002). These authors concluded that educational efforts to increase awareness of the characteristics of sex offenders have had some effect because the general public has gotten better at accurately describing sex offenders rather than relying on stereotypes. However, some stereotypes are being neglected in these educational efforts.

### *Sex Offender Stereotypes*

Some of the most prevalent stereotypes of sex offenders are (1) they are strangers to their victims, and (2) they are “dirty old men” or “loners.” Historically, many efforts have been made to increase awareness of stranger offenses through the use of “stranger danger” campaigns. These efforts also have included legal statutes to make adults aware of dangerous strangers in their area (Adam Walsh Act, 2006). These efforts seem to have had some effect. One study found that 90% of parents warn their children about strangers but less than half warn their children about known adults, adolescents, relatives, parents, or siblings (Wurtele, Kvaternick & Franklin, 1992). Despite these efforts to make people aware of “stranger danger,” this approach is not consistent with the facts of sexual offenses.

People known, rather than unknown, to the victim, more often perpetrate sexual offenses. In many of these cases, family members or friends perpetrate these offenses (Levenson et al., 2007). The Bureau of Justice Statistics for the year 2009 reported that 79% of perpetrators were known to their victims, which is in contrast to the 21% of perpetrators who were strangers to their victims (Truman & Rand, 2010). Stereotypes held by the public seem to be somewhat disparate with these statistics. Morison and Greene (1992) reported that about 20% of jurors endorsed the “stranger to the victim” stereotype of sex offenders. In addition, they found a significant number of jurors were unaware that offenses are normally intra-familial incidents. In a more recent study, Levenson et al. (2007) found that respondents accurately recognized that many victims do know their assailant; however, they overestimated the number of offenses perpetrated by strangers.

There are a number of specific stereotypes that feed into the notion of the “loner.” The most common way the loner stereotype is portrayed is the “dirty old man.” Morison and Greene (1992) found that 20% of jurors supported the “dirty old man” stereotype as an accurate portrayal of sexual offenders. Although this is a common stereotype held by the general public, most sexual offenders are aged 29 or younger (U.S. Department of Justice, 1997).

Similarly, the myth that the main motivation of a sex offense is the desire for sex suggests that the sexual offenders lack a sex life and a social life and are frustrated by this deficit (Bolen, 2001). For example, Conte and Fogarty (1989) found that one-third of parents sampled endorsed the belief that sexual offenders are “unmarried, immature, and socially inept.” However, this myth is largely incorrect. Elliot, Brown, and Kilcoyne (1995) reported that most sexual offenders are in steady or married relationships. Mann and Hollin (2007) interviewed a sample of rapists and child molesters and asked them to describe their reasons for offending. Although some offenders cited “sexual pleasure” as the reason for their offenses, many others cited reasons such as a need for respect/control, alleviation of stress, impulsivity, and revenge (Mann & Hollin, 2007). Other studies also have shown that the main motivation for some rapists is not the desire for sex, citing reasons such as the desire for control, power, dominance, and hostility (Prentky & Knight, 1991; Canter, Bennell, Alison, & Reddy, 2003). The stereotypes, including the “loner” and the perpetrator generally unknown to the victim, may lead to public misperceptions of who a typical offender may be, which in turn may have some effect on the decision-making process for potential jurors in such cases.

## PURPOSE

The current study sought to investigate the widely held myths that sex offenders are (1) socially isolated with few or no friends and no romantic partners and (2) they are strangers to the victim. To this end, we varied the level of social support reported (no friends vs. friends vs. fiancée) in a description of a sex offense as well as whether or not the offender previously was known to the victim. It was predicted, given the stereotypes held, participants would view the loner/stranger as more typical of a sex offender and, therefore, punish him more harshly than the offender in other conditions.

## METHOD

### *Participants*

A total of 238 questionnaires were completed. Data from 27 respondents were removed from further analysis due to failing a comprehension check. One hundred, fifty-four females, 55 males and 2 who declined to provide gender information completed the 211 remaining questionnaires. The mean age of respondents was 20.33. The majority of the sample were Caucasian (92.9%), with the remainder being African American (1.9%), Asian (2.4%), Native American (1.4% each), Hispanic (0.5%). Two participants (0.9%) declined to answer. A large majority of the sample was heterosexual (96.7%).

### *Materials*

**Vignettes.** Participants were asked to read one of six vignettes, each approximately 175 words long, which depicted a sexual assault. These vignettes were presented as a newspaper article with the title “Suspect Charged in Connection with Park Rape.” It included information about the location of the rape, age of the defendant and the victim, and available evidence (i.e., eyewitness testimony and DNA). In these vignettes, the victim stated that she either knew the defendant as an acquaintance, or he was a stranger. The defendant was depicted as a loner (i.e., no support), a friendly man (i.e., support from friends), or a man who had an established romantic relationship (i.e., he had a supportive fiancée). These depictions were written as a newspaper article with interviews of the defendant’s coworkers and neighbors. These vignettes are included in Appendix A.

### **Questionnaires**

**Demographics.** Participants were asked to respond to several demographic variables. The participants indicated their sex, race, sexual orientation, and level of education.

**Verdict.** Participants were asked to choose “guilty” or “not guilty” on the basis of the information provided to them.

**Beliefs about Conviction.** Participants who chose a guilty verdict were asked to rate their private beliefs about conviction of the defendant for sexual assault. The scale ranged from 0 (certain the defendant should not be convicted) to 10 (certain the defendant should be convicted).

**Victim Blame.** The victim blame scale consisted of six items including: “The victim is partly to blame for the actions of the defendant;” “The defendant’s actions were reasonable;” “The victim should know to be more careful in interactions with certain people;” “The defendant was provoked;” “The defendant’s actions were justified;” and “The victim deserved it.” The scale ranged from 0 (strongly disagree) to 6 (strongly agree) and had a reliability of Cronbach’s alpha = 0.809.

**Defendant Mental Instability.** Participants were asked to respond to the statement “The defendant is mentally unstable” on a scale ranging from 0 (strongly disagree) to 6 (strongly agree).

### **Procedure**

The study was conducted in accord with prevailing ethical principles and was approved by the Institutional Review Board. This study was conducted online using Qualtrics survey software. University students were offered course credit for their participation. Participants randomly were assigned to read one of six vignettes carefully then answer the questionnaires described above. After reading the vignettes and answering the questionnaires, the respondents answered questions to check their comprehension of the vignette. The respondents who were unable to answer these questions accurately were removed from further analysis.

## RESULTS

### *Verdict/Beliefs about Conviction*

Participants were asked to render a verdict of “guilty” or “not guilty” of the charges. The majority (74.4%;  $n = 157$ ) of participants found the defendant guilty. For those that did choose a guilty verdict, they were asked a follow-up question related to their private belief (i.e., not bound by legal standards) of how certain they were the defendant should be convicted. We conducted a 2 (known to victim: stranger vs. acquaintance) X 3 (support: loner vs. friend vs. fiancée) analysis of variance (ANOVA) on their private belief about conviction as a sexual assault. Results indicated a significant main effect for known to victim,  $F(1, 151) = 5.82, p = 0.017$ , such that participants were more certain of conviction when the defendant was an acquaintance ( $M = 93.55, SD = 1.60$ ) than when the defendant was a stranger ( $M = 9.15, SD = 1.83$ ). This was qualified by a significant interaction with support,  $F(2, 151) = 4.12, p = 0.018$ . Simple effects analyses of known to victim at each level of support indicate significance for the loner condition only,  $F(2, 151) = 10.20, p = 0.002$ , such that participants reading the defendant was a loner with no support had greater belief in conviction for a sexual assault when the defendant was an acquaintance ( $M = 9.80, SD = 1.73$ ) rather than when the defendant was portrayed as a stranger to the victim ( $M = 7.92, SD = 2.23$ ). See Figure 1.

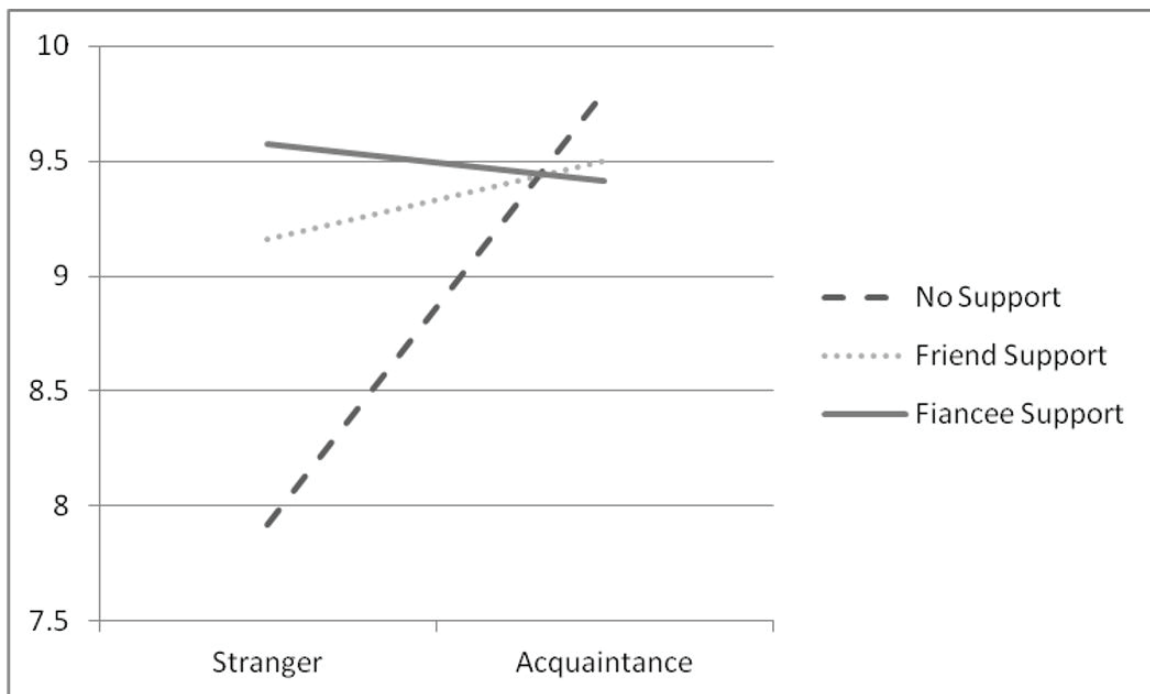


Figure 1: Participant's private beliefs of guilt by support and assault type

### *Victim Blame*

Regardless of their beliefs of guilt and conviction, we asked all participants to respond to questions related to the perceptions of the victim and defendant. We conducted a 2 (known to victim: stranger vs. acquaintance) X 3 (support: loner vs. friend vs. fiancée) ANOVA on victim blame. Results indicated a significant interaction,  $F(1, 205) = 4.68$ ,  $p = 0.010$ . Simple effects analyses of known to victim at each level of support indicated significance for fiancée support only,  $F(2, 205) = 7.01$ ,  $p = 0.009$ , such that when fiancée support was indicated, participants placed higher amounts of blame on the victim when the defendant was known to the victim ( $M = 2.43$ ,  $SD = 1.00$ ) than when the defendant was a stranger to the victim ( $M = 1.85$ ,  $SD = 0.99$ ). See Figure 2.

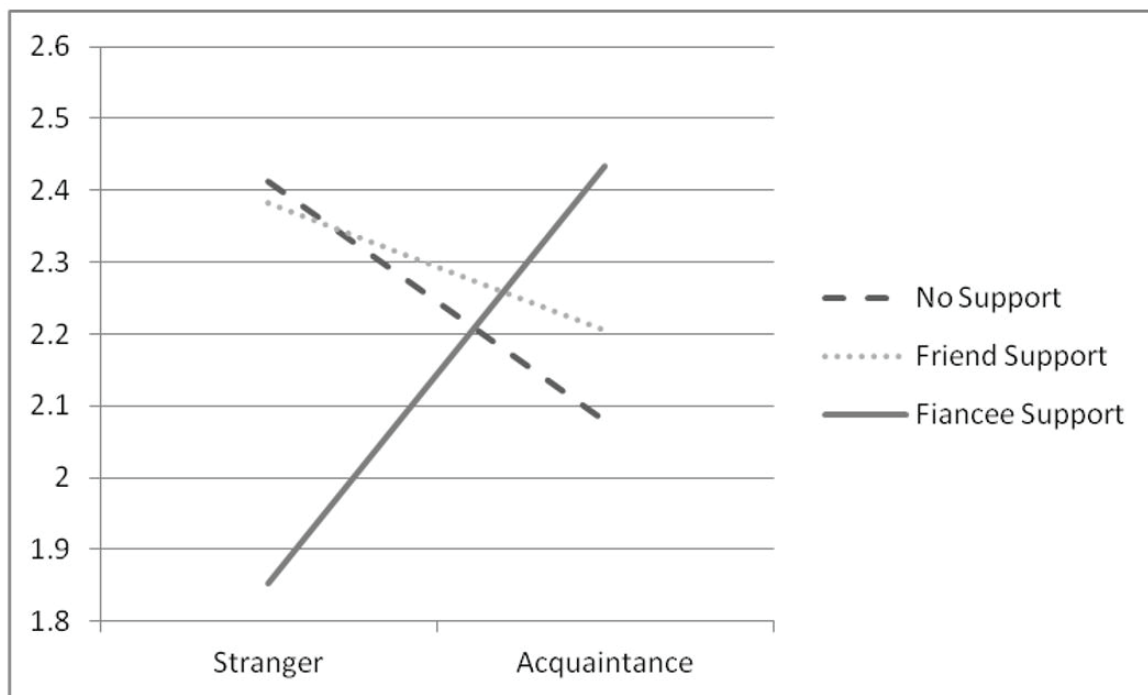


Figure 2: Participant's level of victim blame by support and assault type

### *Defendant Mental Instability*

We conducted a 2 (known to victim: stranger vs. acquaintance) X 3 (support: loner vs. friend vs. fiancée) ANOVA on perceptions of the defendant's mental stability. Results indicated a main effect for support,  $F(1, 204) = 6.39$ ,  $p = 0.002$ . Planned, least significant difference, and pairwise comparisons indicated the loner condition differed significantly from the friend and the fiancée conditions, which did not differ from one another. Namely, participants reading the defendant was a loner with no support were more likely to perceive him as mentally unstable ( $M = 4.68$ ,  $SD = 1.49$ ) than those reading he had friend support ( $M = 3.78$ ,  $SD = 1.50$ ) or fiancée support ( $M = 3.95$ ,  $SD = 1.61$ ).

## DISCUSSION

The purpose of this study was to investigate the myths that sexual offenders are socially isolated with no friend or romantic partner support and that they are strangers to their victims. The levels of support were varied as well as whether or not the victim was previously known to the offender. Results showed when the sexual offender most closely matched the stereotypes, he was judged as more mentally unstable, but participants also had the least certain private beliefs about his conviction than other offenders who were less stereotypical. Results also showed that victim blame is increased when the sexual offender in the vignette was least stereotypical (i.e., he had fiancée support and was previously known to the victim).

Past and present public awareness campaigns, such as the “stranger danger” campaign, attempt to increase the awareness of stranger abductions and stranger sexual assaults. The research following these campaigns seems to suggest the public generally has internalized these messages. For example, this research has shown a large percentage of parents warn their children about strangers but less than half warn their children about other statistically more likely offenders (Wurtele et al., 1992). Since many people tend to believe strangers commit most assaults, stranger offenders often are portrayed as the stereotypical sexual offender.

For the present study, participants who indicated they believed the defendant in the vignette was guilty were further asked about their private belief about guilt (outside of the confines of the legal system’s requirements). Even though all the participants who answered the private belief question believed the defendant was guilty, they were less convinced about the guilt of an offender who was described as a loner with no support when the victim was a stranger than when the victim was an acquaintance. A loner with no support who sexually assaults an acquaintance is not the stereotypical sex offender (e.g., Levenson et al., 2007; Conte & Fogarty, 1989). Thus, when the victim was an acquaintance and the offender was a loner with no support, the described defendant did not fit well with the stereotypical sexual offender. That is, the general public is taught through public awareness campaigns (‘stranger danger’) and through other media portrayed stereotypes (‘loner’) that sexual offenders are unlikely to assault people with whom they are acquainted (e.g., Wurtele et al., 1992; Morison & Greene, 1992). This background belief system surrounding sexual offenders may have increased the likelihood that participants would react more strongly (i.e., have a higher private belief of the guilt of the defendant) in the vignette in which a man with no social support sexually assaulted someone he knew. Alternatively, internal views of a stranger who sexually assaults someone, as portrayed in the media and through public awareness campaigns, may lead victims and participants to tend to be less wary of acquaintances. Consistent with this, participants may believe the sexual offender who takes advantage of the implicit trust of those with whom he is acquainted is more criminal. Therefore, they are more certain he should be convicted. A trend of increased private beliefs in the guilt of a defendant who sexually assaulted a victim when the defendant violates at least one of the tested stereotypes of sexual offenders was found. The only case in which participants were significantly less certain of the defendant’s conviction was the

case where the defendant adhered to the tested stereotypes (i.e., he was a loner with no support, and he sexually assaulted a stranger). This finding is contrary to our hypothesis that participants would punish the defendant in the loner and stranger condition more harshly.

Despite being more certain of conviction with the cases that portrayed the defendant as different in some way from the stereotypical sexual offender, participants who read about the defendant most disparate from the stereotypical sex offender (i.e., the offender with fiancée support who assaulted an acquaintance) blamed the victim significantly more for the offense. The participants may have believed that the victim was more to blame because the defendant in this case does not match ingrained stereotypes. Thus, when the defendant does not match the stereotypical sex offender, the participants may have had a more difficult time reconciling their implicit stereotypes and the described defendant.

Further evidence that participants may have had a difficult time reconciling the stereotypes with the description of the defendant is apparent in their stated reasons for private beliefs. Participants were given the chance to explain their reasoning for private beliefs regarding the victim and the defendant in an open-ended question following rating their private beliefs of conviction. The participants' responses seemed to be grouped into two themes: she was lying (e.g., "He probably didn't rape her. Girls lie to get attention or because they suddenly feel like it was the wrong thing to do") and that he was "too good of a man" to sexually assault an acquaintance (e.g., "he does not come off as a man to sexually assault someone. He sounds like he is happy with his fiancée and there were not much evidence supporting that he committed this crime" or "I don't think a good man would do something extremely out of character like that"). These examples illustrate the types of explanations given by participants to explain why a defendant who does not match their mental image of a stereotypical sex offender could be accused of a sexual assault: the victim had something to do with it and, thus, she deserves more blame. This finding is consistent with our hypothesis; that is, participants would view the defendant in the loner and stranger condition as a more typical sex offender and, therefore, punish him more harshly. In this case, the defendant was most disparate from the stereotypical sex offender, and participants blamed the victim more than the other conditions, suggesting that the participants might punish this defendant less than the stereotypical sex offender.

Consistent with other stereotypes described in the literature, the sex offender who most closely resembles the stereotypical sex offender also was judged to be more mentally unstable. A loner with no support most closely fits the stereotypes held by the general public, namely the "dirty old man" and the "unmarried, immature, and socially inept" stereotypes (Morison & Greene, 1992; Bolen, 2001; Conte & Fogarty, 1989). Since the defendant in the loner condition is a close representation of a stereotypical sex offender, other stereotypes surrounding the defendant may be activated. It has been fairly well documented that the general public holds the stereotype that sex offenders are "mentally ill" (Weekes, Pelletier, & Beaudette, 1995; Bolen, 2001; Valliant, Furac, & Antonocwicz, 1994). The notion of heuristic activation has been examined in the social cognition literature, focusing mostly on category based processing or stereotyping (e.g., Bodenhausen, 1988; Bodenhausen &



Wyer, 1985). The notion suggests that in order to simplify complex or demanding tasks, such as rating sex offenders on various demographic and characteristic dimensions based on relatively little provided information, ingrained and primed stereotypes tend to spread their activation to other related but unprimed stereotypes. Our finding of the stereotypical sexual offender being viewed as more mentally ill suggests that the participants likely were holding more than one stereotype about sexual offenders at once and the condition in which the “sex offender” heuristic was most activated (i.e., the loner condition) spread activation to other, related stereotypes (e.g., mentally ill).

### ***Limitations and Future Directions***

The majority of our sample was Caucasian, and all had at least some college education. Prior research has shown students tend to hold more stereotypical views of sexual offenders than professionals (Fuselier et al., 2002). In addition, these researchers found students tended to believe that sexual offenders function at a significantly lower interpersonal level than research would suggest (Elliot et al., 1995). Following this logic, it is possible to surmise that community members with less education (i.e., high school graduates or lower) would be less knowledgeable about sexual offenders than a more educated group, such as our sample, and there is some evidence of this (Morison & Greene, 1992). Our sample did not include any individuals who did not have at least some college education; therefore, we could not make any comparisons between less educated individuals and more highly educated individuals. This is important for future research to consider since the people likely to be shaping perceptions of stereotypes and educating young people about sexual offenders (e.g., parents, caregivers, clergy, and teachers) are community members who may or may not have the level of education of the current sample and arguably may be more prone to believing prevailing stereotypes of sexual offenders.

The sample in this study is largely Caucasian women which could be a limitation. Prior research has found that women tend to recommend higher rates of sex offender registration when the victim of the sexual assault was the same race as they are (Stevenson, Sorenson, Smith, Sekely, & Dzwairo, 2009). This same result was not found in men. Rates of registration were not examined in this study, and no information was given about the defendant or victim’s race, but it may be possible that these findings also would suggest increased rates of belief in guilt based on participant’s gender and victim’s race. If this is the case, it will be important in future research to examine the differences in private beliefs in conviction across participant race and gender.

In addition, the lack of racial and ethnic diversity in our sample could lead to skewed results. Miller, Rossi, and Simpson (1986) found that while Caucasian men and women tend to use the same or similar principles in judging the appropriateness of sentencing in crimes (including forcible rape), African Americans use different principles of judgment. They also reported that African American women tend to use the harshest principles of judgment for violent crimes, such as forcible rape. Due to this difference reported on the judgments of appropriate sentences for crimes such as violent rape, differences in private beliefs of conviction may have varied across race and gender. Future research should examine this by collecting a more diverse sample in terms of both gender and race.

Limitations aside, our findings show that while stereotypes of sexual offenders may be changing (Fuselier et al., 2002), many stereotypes are still well ingrained and aid people in making judgments of guilt about the sexual offender. Increased education efforts to lessen the hold of sexual offender stereotypes in the public and increased awareness of the actual characteristics and demographics of sexual offenders may help to increase identification of sexual offenders and increase reporting of sexual abuse. For example, in our study the victim was blamed most when she was sexually assaulted by an engaged acquaintance. This case does not follow the stereotyped sexual offender (e.g., loner and stranger) but does more closely follow actual characteristics of sexual offenders (e.g., Truman & Rand, 2010; Elliot et al., 1995). If education of these actual characteristics of sexual offenders can be increased, victim blame may be lessened and reporting may increase thereby decreasing the danger of ignorance of sexual offender characteristics.

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Received: 6/2015

Accepted: 10/2015

- Borhart, H. M., & Plumm, K. M. (2015). The effects of sex offender stereotypes on potential juror beliefs about conviction, victim blame and perceptions of offender mental stability [Electronic Version]. *Applied Psychology in Criminal Justice, 11*(3), 207-219.

## APPENDIX A

Differences based on “known to victim” manipulation appear in parentheses. Differences among the support conditions are underlined.

### *No support*

#### *Suspect Charged in Connection with Park Rape*

Police have charged a local MN man in connection to the rape in the park that occurred earlier this month. The man, Mr. Joseph Collins, 22, has been charged with felony sexual assault after DNA evidence obtained with a rape kit examination of the victim was found to match that of Mr. Collins. Collins entered a plea of not guilty.

Police say that they have several eyewitnesses placing Collins in the park that day, along with the victim, a local woman aged 20. According to the victim Collins, who she reports was an acquaintance (a stranger), followed her into a secluded wooded area of the park. He pushed her to the ground and sexually assaulted her.

Neighbors say that Collins is a quiet man and generally keeps to himself. Coworkers report that Collins is socially awkward and that they tend to feel uncomfortable around him. The trial date has not yet been set.

### *Friends support*

#### *Suspect Charged in Connection with Park Rape*

Police have charged a local MN man in connection to the rape in the park that occurred earlier this month. The man, Mr. Joseph Collins, 22, has been charged with felony sexual assault after DNA evidence obtained with a rape kit examination of the victim was found to match that of Mr. Collins. Collins entered a plea of not guilty.

Police say that they have several eyewitnesses placing Collins in the park that day, along with the victim, a local woman aged 20. According to the victim Collins, who she reports was an acquaintance (a stranger), followed her into a secluded wooded area of the park. He pushed her to the ground and sexually assaulted her.

Neighbors say that Collins is a very friendly and social man who often entertains many people at his home. Coworkers report that Collins is sociable and that they enjoy talking to him both during and after work. The trial date has not yet been set.

### *Fiancée support*

#### *Suspect Charged in Connection with Park Rape*

Police have charged a local MN man in connection to the rape in the park that occurred earlier this month. The man, Mr. Joseph Collins, 22, has been charged with felony sexual assault after DNA evidence obtained with a rape kit examination of the victim was found to match that of Mr. Collins. Collins entered a plea of not guilty.

Police say that they have several eyewitnesses placing Collins in the park that day, along with the victim, a local woman aged 20. According to the victim Collins, who she

reports was an acquaintance (a stranger), followed her into a secluded wooded area of the park. He pushed her to the ground and sexually assaulted her.

Neighbors say that Collins is often at home with his fiancée, and they seem to be very happy. Coworkers report that Collins's fiancée come to the office on several occasions, and they seem like a very good couple, always laughing and smiling when they are together. The trial date has not yet been set.