

MASOC PRACTICE UPDATE: Prevention and Progress



December 2019 MASOC NEWSLETTER
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[Effects of Defendant and Victim Race on Perceptions of Juvenile Sex Offenders](#)

BOTTOM LINE

Understanding racial biases that might influence the application of sex offender registration to adolescents can be a challenge, but that doesn't excuse us from reaching for a deeper understanding.

RESEARCH

Margaret Stevenson and her colleagues set out to explore whether the public supports registering adolescents on the sex offender registry for alleged consensual acts between similarly aged teenagers. They also explored what facts affect perceptions of the application of the registry, particularly focused on the influence of the defendant's or the victim's race. Their work was inspired by and based on the infamous case of Genarlow Wilson in 2006. Wilson, a 17-year-old black male, engaged in sexual activity with a 15-year-old white female (who had not reached the age of consent). Wilson served two years in prison before complicated legal procedures allowed him to go free.

The review of the literature showed that White adults are generally more pro-prosecution when the defendant is Black and when the victim is White. It is also true that the highest conviction rates occur when the defendant is Black and the victim is White. Other research showed that batterers were attributed more guilt when in an interracial relationship than when in a same race relationship. Furthermore, there is evidence that shows how the effects of the defendant and victim's race will differ for men and women. Finally, when exploring what is known particularly about juvenile offenders, the research shows that minority juvenile offenders are more likely to be arrested, detained, transferred to criminal court and given longer sentences than their White counterparts.

120 participants from a midwestern city were recruited to answer questions about a vignette describing a 15-year-old boy who was convicted of aggravated child molestation. In the scenario, the defendant attended a party where he participated in videotaped consensual oral sex with a similar age girl, a legal minor. Participants were told that the girl victim described the act as consensual but as a legal minor she could not legally provide consent.

The results revealed that women were significantly more supportive of juvenile registration than men when the victim was White. However, there was no significance for men or women when the victim was Black. Women also said that the defendant was more likely to re-offend when the victim was White than when she was Black.

When exploring the impact of the defendant's race, neither men nor women offered any significant difference interest in the registry when the defendant was Black or White. However, participants were more likely to label the behaviors as deviant and in turn recommend the registry if the defendant and the victim were different races. Because interracial sex act was seen as less likely to come from a mutually consenting romantic relationship, the sex act was perceived as a more serious offense and then treated more punitively. Overall, this study offers an important insight into understanding racial biases that might influence the application of sex offender registration when applied to adolescents.

IMPLICATIONS FOR PROFESSIONALS

This study highlights the urgency of addressing issues related to race and other considerations related to culture. There is now abundant evidence that show our deep-seated biases in a number of directions well beyond our own awareness. The first step in addressing these issues is to recognize that these biases exist. In the rush and bustle of every professional's daily life, it is essential that we begin to take the time to consider these vital, but often hidden considerations.

It is one thing to attend workshops and read research. These findings point to the need for deep introspection by all as we read the research or as we do assessments, treatment, ongoing management skills, and community re-entry. Sometimes it may be a simple question about whether the research is based on primarily adult white men or shows the complexity of the impact of age, race, and culture. One place to start can be to ask what is known about where the research took place and ask in what ways your client or caseload may be different. If we professionals don't engage in reflection on an ongoing individual basis, we can't expect to improve professionally and are at risk for causing unintended harm to clients.

As a final note, as professionals familiarize themselves with the research in this area, it can be critical to maintain an open mind. Studies that begin with literature reviews discussing, for example, the biases of men, women, and white people in general may appear inflammatory at first but make much more sense after careful reading.

IMPLICATIONS FOR THE FIELD

Elsewhere in our field, many have stepped up to acknowledge the importance of addressing race and related considerations. For example, in a blog post last year, Cordelia Anderson noted that the Association for the Treatment of Sexual Abusers' (ATSA) board of directors has formally recognized that "race and privilege impact ATSA's work, and the work of ATSA members. Furthermore, the board voted to ensure that ATSA commits to incorporate privilege and race issues into all its strategic goals." In addition, the National Sexual Violence Resource Center issued a statement in 2017 about their commitment to racial justice and the connection between racism and other ways we devalue communities of color fuels sexual violence. At the empirical level, many controversies in understanding bias in the legal system and our public policies remain to be more fully addressed. Although the road to addresses these issues may not be clear, taking action in our practices and our organizations is a step closer to ending injustice.

CITATION:

Stevenson, M. C., Sorenson, K. M., Smith, A. C., Sekely, A., & Dzweiro, R. A. (2009). Effects of defendant and victim race perceptions of juvenile sexual offenders. *Behavioral Sciences & the Law*, 27(6), 957–979. <https://doi.org/10.1002/bsl.910>

ABSTRACT

We investigated effects of defendant race, victim race, and juror gender on public perceptions of a juvenile sex offense. We predicted that participants, particularly men, would support registering a juvenile defendant as a sex offender more when he was Black than White and that participants, particularly women, would support registering the defendant more when the female crime victim was portrayed as White than as Black. We also expected that support for registration would be higher when the defendant and victim were different races than when they were the same race. As expected, women (but not men) recommended registration more when the victim was White than Black. Further, participants supported registration more when the defendant and the victim were different races than when they were the same race. These effects were mediated by retributive goals to punish the offender—not by utilitarian goals to protect society. Explanations and implications are discussed.