

The F.B.I.'s Crime Classification Manual: The Validity, Reliability and  
Application for Canadian Provincial Sex Offenders

by

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The F.B.I.'s Crime Classification Manual: The Validity,

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Reliability and Application for Canadian Provincial Sex

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## ABSTRACT

This thesis assesses the validity, reliability and application of the Federal Bureau of Investigation's Rape and Sexual Assault category of the Crime Classification Manual at the provincial level for Canadian sexual offenders. The study consisted of an in-situ review by the researcher of institutional files for 96 offenders (93 males and 3 females) who had been found guilty of a sexual offence and were on probation in British Columbia at the time of the study. Forty percent of the same files were reviewed independently by a probation interviewer from British Columbia Corrections. Coverage validity was found to be excellent. Both the researcher and the probation interviewer were able to place 100 percent of the subjects according to one of the categories. The interrater reliability for sub-categories was fair. In 63.9 percent of the cases, the probation interviewer agreed with the researcher on the classification category that best described the subject's offence (kappa = 0.53). For broad categories agreement improved to 80.6 percent (kappa = 0.69). Most of the disagreements between raters were found within a category of sexual offenders whose victims were non-family members. Inadequate information in the files and differences in the training of the raters may have contributed to the inconsistencies found within this category. The theoretical and practical implications of this study for the Canadian criminal justice system are also discussed.

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## Introduction

For most adults, the notion of engaging in sexual behaviours with children--particularly when the children are family members--is not only morally and physically repugnant but also inconceivable. Such conduct is frequently presumed to “inflict pain and emotional harm, violate acceptable standards of adult conduct towards children, and be incongruent with how most adults see themselves” (Conte, 1990, p. 19). Yet there are men and women of all ages who have violated children and continue to do so. The sexual assault of women is also viewed as a “phenomenon that inflicts untold physical and psychological harm” upon victims (Prentky and Knight, 1991, p. 643) yet nevertheless pervades our society. Countless other types of sexual behaviour (such as exposing oneself to strangers, masturbating in public, etc.) flourish even though the activities are considered “abnormal” or “deviant” by the majority of the populace.

Until the 1960's, however, only sporadic attention has been paid by criminological researchers to the issue of sexual offenders and the crimes that they commit (Blackburn, 1993). The surge of interest was fueled, in part, by the increasingly vocal feminist movement that viewed rape as a violent, cultural product rather than a sexual crime. At the same time, victims of unwanted sexual behaviours were gradually coming forward to report the crimes in steadily increasing numbers. Psychological research also accelerated during this period in response to the increase in the number of sexual abuse and sexual assault cases encountered within the criminal justice system. More precisely, psychological interest in sexual offenders and their victims resulted from the growing need for intervention methods (Blackburn, 1993). With the proliferation of information, credible classification systems were needed to sort out and integrate the resulting data.

Brennan (1987) has detailed the many purposes of classifications. One of its major roles is descriptive: to simplify and summarize complex data with minimum loss of salient

information. Prediction is another goal. Classification allows for the prediction of specific offender behaviours such as escape, recidivism and violence. Predictive classifications are also a part of the many criminal justice decisions from the court level through to incarceration and the eventual release of the offender (e.g., sentencing, pretrial incarceration, parole, probation, custody and security levels). Classification schemes are also used to test hypotheses and models, to confirm or disconfirm theoretical systems, and to identify causal patterns by “unraveling causally heterogeneous mixtures of criminal types” (Brennan, 1987, p. 206). Classifications contribute to the creation of new analytical entities that can be further described, studied, compared, explained experimentally. Finally, effective classification systems can lead to possible treatment programs. However, the ability of any scheme to fulfill any of these goals lies in its reliability and validity as a classification system.

Reliability refers to the “consistency or stability of a measure of behaviour” (Cozby, 1993, p. 30). It is a consequential concept in the behavioural sciences, particularly for the development of classification systems; for a classification system to be reliable it must repeatedly, under similar circumstances, place the same subject into a single category. For example, an offender who sexually molests a young boy who is not a member of his family should always be placed in the same classification category regardless of what point in time the assessment is conducted.

Another source of reliability for classification systems lies in the ability of the system to remain stable across users. That is, placement of an entity into a particular category must be made even when the classification is made by a person other than the initial classifier. Factors which affect interrater reliability include: (a) the specificity of the intensional definitions (i.e., the explicitness with which the list of characteristics which an individual or entity must possess in order to be placed into a particular category); (b) the training of the raters; and, (c) the amount and nature of the information available to the rater

on which decisions are based (Blashfield and Draguns, 1976). Therefore, a classification system must be clear on which behaviour patterns belong in which categories. Spitzer and Fleiss (1974) sum up the importance of reliability for a classification system: “There is no guarantee that a reliable system is valid, but assuredly an unreliable system must be invalid” (p. 314).

Validity refers to the extent to which a measure that is employed actually measures what it is intended to measure (Cozby, 1993). With respect to the classification of sexual offenders, each category should contain only those individuals who actually possess the attributes which they are hypothesized to possess. There are numerous types of validity associated with the generation and testing of classification systems, among them are coverage, descriptive and predictive validity. Coverage refers to the proportion of subjects for which a classification category is applicable. Coverage validity is particularly important since “if a classification fails to have categories relevant to a large number of [subjects], then the classification fails to meet either the purpose of permitting information retrieval about these [subjects] or allowing communication among [those] who are dealing with these [subjects]” (Blashfield and Draguns, 1976, p. 144). Descriptive validity refers to the degree of homogeneity for each category in terms of the behaviours, personality characteristics, social history data and other kinds of variables which are used to place a subject into a particular category. In other words, each subject in a particular category should have similar characteristic patterns to other subjects in the same category but be dissimilar to the subjects in other categories. Finally, predictive validity--which is in many ways similar to descriptive validity--focuses on those variables “that are shown to be relevant to treatment response” (Blashfield and Draguns, 1976, p. 146).

Although, there are numerous types of validity associated with classifications, the validity of a classification system is rarely established within a single study (Cozby, 1993). Numerous studies must investigate the various types of validity in order to discover any

problems within the classification system and, in turn, contribute to the development of new categories designed to correct the problems. Therefore, validation of classification systems is one of the most crucial stages involved in the generation and testing of a classification system because:

No matter how elegantly structured, intuitively sensible, and reliable a theoretically or empirically generated typology may be, it is useless if it is not valid. It must be able to advance our knowledge about etiology, provide a basis for more diversified and effective therapeutic interventions, or improve our dispositional decisions by enhancing our ability to predict (Knight and Prentky, 1990, p. 28).

### The Study

The focus of this thesis is the Crime Classification Manual (Douglas, Burgess, Burgess and Ressler, 1992). This classification scheme developed out of an increasing interest by law enforcement agencies in applying behavioural techniques to their criminal investigations. The manual uses an empirical approach to advance the knowledge base of, and discover links between, offences and offender characteristics (Blackburn, 1993). It is a profile-derived classification scheme generated by the researchers at the Behavioral Science Unit of the U.S. Federal Bureau of Investigation (FBI).

Profiling is intended to assist in the detection of unknown offenders by drawing “on all available investigative information and, increasingly, on available information about human behaviour” (Dietz, 1985). Of particular interest is the analysis of information stemming from similar offences and offenders. Such information enables the investigators to generate hypotheses about the individual(s) under investigation. In fact, one author regards profiling as a process of logical reasoning similar to the process of clinical reasoning in medicine:

Both the profiler and the physician assimilate available data, reconstruct the sequence of events, hypothesize the causal processes, assign the morbidity to typological categories, and from these derive expectations about associated features, complications and future course. Thus the data assimilation like clinical examination, behavioural reconstruction like

developing the patient's history, motivational hypothesis formation like clinical diagnosis, and attributional hypothesis formation like clinical prognostication (Dietz, 1985, p. 218).

The objective of the Crime Classification Manual was to produce a standard system that would enable law enforcement officials of any size department, in any size community, to use the same investigative techniques and definitions which are used by the FBI (Douglas, et al., 1992). Such standardization was felt to be necessary given the growing outcry of citizens for the quick apprehension of the perpetrators of violent crime, particularly violent and sexual crimes.

However, the manual was not designed solely for the investigators at the local, state or federal policing levels. The developers feel that--with nationwide implementation--this classification system could serve as an invaluable tool for investigators of crime at all levels of the criminal justice field including lawyers, mental health professionals, criminologists, correctional and legal policymakers, and any other person working with offenders or their victims. By providing standardized techniques, definitions, and terminology within a single, comprehensive classification scheme, communication and coordination between and within the various personnel in the criminal justice and mental health systems would be greatly facilitated. With slight modifications and the corresponding assessment of the reliability and the validity of the Crime Classification Manual, the manual should provide similar benefits for the members of the Canadian criminal justice system.

At present there have been no systematic efforts to validate the profile-derived classifications presented in the Crime Classification Manual. Therefore, with the cooperation of the British Columbia Ministry of Attorney General (Corrections Branch), this thesis proposes to assess one of the three classification categories in the Crime Classification Manual. In conducting research focusing on the perpetrators of Sexual Assault offences, this study hopes to assess the interrater reliability, coverage and

descriptive validity of the Sexual Assault classifications contained in the manual at the provincial level in British Columbia, Canada.

### The Thesis

This thesis comprises six chapters and four appendices. Chapter One addresses the prevalence of sexual offenders in British Columbia and Canada. Furthermore, this chapter reports on the growth rate of reports, charges and convictions of sexual offences. The definition of what constitutes a sexual offence is also discussed.

Chapter Two provides an overview of sexual offender studies. Numerous studies are reviewed from a variety of perspectives, including the psychometric, physiological/behavioral, psychiatric, and sociological perspectives.

Chapter Three concerns the many purposes classification has within different levels of the criminal justice system. Classification is described at the court and police levels, in terms of the management, treatment and rehabilitation of sexual offenders, and its role in public policy. The way classification contributes to theoretical understanding of crime and criminal behavior is also discussed. The development of classification theory as it progressed through three distinct stages--the literary/impressionistic, clinical/theoretical, and quantitative stages--are described as well.

Chapter Four discusses the Federal Bureau of Investigation's Crime Classification Manual in depth. This includes the decision process that led to the defining characteristics of each offence, the classifications themselves, and the objectives of the Crime Classification Manual.

Chapter Five elaborates on the method, subject selection and procedure used in this study. The results of the study are described in terms of the demographics, criminal



history, and current offences of the subjects. The validity and interrater reliability of the Crime Classification Manual are discussed as well.

Chapter Six contains a discussion and the conclusions reached. The results of the study are evaluated to determine the theoretical and practical implications of the Crime Classification Manual for the Canadian criminal justice system.

Appendix A contains a brief outline of the Crime Classification Manual's Rape and Sexual Assault Classifications. Appendix B contains the demographic and criminal-history checklist used by the researcher of this study. Appendix C contains the checklist for the probation interviewer. Appendix D provides brief definitions of the Canadian Criminal Code sections which concern sexual offences.

## Chapter One: Sexual Offences

Sexual behaviours such as incest, rape, pedophilia and exhibitionism, are not the result of “a modern sick society,” for they have always existed, but what is new is society’s response to these aberrant sexual behaviours. For example, it is only recently that society has been witness to a significant increase in the reporting, charging, and conviction of persons committing sexual offences. Between 1986/87 and 1990/91, there was a 20.4 percent growth rate of admissions of sex offenders at the federal level in Canadian institutions (Corrections Services Canada [C.S.C.], 1994); (see Table 1). Additionally, within the previous four years the growth rate of the number of offenders incarcerated or on conditional release for the commission of a sexual offence has continued to increase. In December, 1990, there were a total of 3,247 sex offenders in the federal system. By December, 1993, this number had increased to 3,983, representing an increase of 22.7 percent over four years. The growth rate of the sexual offender population outpaces the growth rate in the general federal offender population (C.S.C., 1994).

Table 1: Percent of new federal admissions for sex offences between 1986/87 fiscal year and 1990/91 in Canada.

Fiscal Year	Total Annual Admissions	Sex Offender Admissions	Percent Sex Offenders
1986/87	6,136	545	8.9
1987/88	6,315	570	9.0
1988/89	6,281	707	11.3
1989/90	6,598	669	10.1
1990/91	6,475	692	10.7

Source: Corrections Services Canada, Sex Offender Population Trends. Mental Health, Correctional Programs, June 1994.

As of the last quarter of 1993/94, of the 23,000 offenders within the Canadian federal correctional system, there were approximately 4,000 federal sex offenders. Sexual offenders, therefore, represent more than 17 percent of the total offender population--21 percent of the incarcerated population and 12 percent of offenders conditionally released (C.S.C., 1994).

The rate of sexual offences at the provincial level in British Columbia also increased steadily over the past decade, not only in the number of offences committed but also in the number of persons charged with committing sexual offences (see Table 2). Between 1984 and 1993, the number of sexual offences reported by the police doubled from 3,283 to 6,514 offences. The number of persons charged in British Columbia during the same period increased 135 percent, from 876 charges in 1984 to 2,363 charges in 1993. Such increases have led to the conclusion that the rates of sexual offences committed in British Columbia represent higher than the average rate in Canada (LaTorre, 1991, as cited in Polowek, 1993).

It is important to note that the type of sexual offences used to calculate the British Columbia provincial statistics includes four Uniform Crime Reporting offence categories (i.e., *sexual assault*, *sexual assault with weapon or causing bodily harm*, *aggravated sexual assault*, and *'other sex offences'*). The *'other sex offences'* category includes crimes such as *sexual interference*, *invitation to sexual touching*, *sexual exploitation*, and *incest*. Not included in any category--and, therefore, not included in the statistics for sexual offences--are sexual acts such as public exposure. Under the Canadian Criminal Code, exposure (s. 173) and other acts such as public nudity (s. 174) are classified as Disorderly Conduct offences because they are not considered to fulfill the specifications for an "assault". Additionally, the classification maintains uniformity with international agencies such as Interpol and the F.B.I. (S. Rozen, personal communication, June 1994).

Table 2: The number of sexual offences and the number of persons charged with sexual offences between 1984 and 1993 in British Columbia.

Year	Number of Offences*	Number of Persons Charged**
1984	3,283	876
1985	3,858	1,134
1986	4,411	1,330
1987	4,889	1,456
1988	5,348	1,761
1989	5,730	1,741
1990	5,395	1,634
1991	5,446	1,790
1992	6,379	2,156
1993	6,514	2,363

Source: Police Services, Ministry of Attorney General, British Columbia, June 1994.

\* NUMBER OF OFFENCES represents only those crimes reported to, or discovered by police which, upon preliminary investigation, have been deemed to have occurred or been attempted; this data does not represent or imply a count of the number of charges laid, prosecutions conducted, informations sworn or convictions obtained.

\*\* NUMBER OF PERSONS CHARGED counts the number of people for whom the police have filed a Report to Crown Counsel alleging responsibility for an offense; it does not necessarily imply the swearing of an information against, or the prosecution or conviction of an individual. Crown Counsel may return the case to police due to insufficient evidence, take no further action, approve diversion or alternative measures, or, in the case of young offenders, issue a letter of caution.

Although persons charged with indecent acts are not grouped together with sex offenders in the official statistics, they are, nevertheless, considered to have committed a sex offence and are treated as sex offenders. In British Columbia, for example, 'flashers.'

'peepers' and other offenders who have committed indecent acts and are released on probation or parole in the Vancouver area are given intensive supervision and management by either the Vancouver Specialized Supervision Unit (V.S.S.U.) or the East District Specialized Supervision Unit (E.D.S.S.U.)--probation offices which also supervise offenders on probation or parole for the commission of the sexual offences included in the provincial statistics.

The lack of consensus within the criminal justice system on exactly what constitutes a sexual offence between the various departments is illustrative of the definitional quandary in which professionals (i.e., psychologists, psychiatrists, correction officers, legal personnel, etc) find themselves when dealing with these types of offences and the offenders. Because sexual offences are at the same time a criminal, social, behavioural and medical problem, multiple professions dealing with the problem offer varying--and sometimes conflicting--definitions (Bolton and Bolton, 1990). Arriving at a consensus is of paramount importance. A universal definition accepted by the wide variety of professionals dealing with sexual offenders would eliminate some of the problems found with crime studies and the statistics derived from them--such as the differences in reported frequencies of certain categories of sexual crimes.

### Defining a Sexual Offence

Gebhard and his colleagues (1965) outline and discuss various definitions to describe persons who have offended through their sexual behaviours. These definitions are summarized as follows:

Legal definition: a sex offence is an act contrary to existing statutes prohibiting certain types of sexual behaviour;

Cultural definition: a sex offence is an act contrary to the sexual mores of the society in which it occurs; and,

Psychiatric definition: a sex offence is a sexually motivated act indicative of some mental and/or emotional defect or maladjustment.

Each of these definitions is problematic and raises many objections. For example, certain sexual acts can be proscribed by law but are engaged in by consenting adults; sexual mores may vary between different social groups; and the terms “defect” and “maladjustment” can be very subjective. As a result, Gebhard, Gagnon, Pomeroy, and Christenson (1965, p. 8) suggests an integration of these definitions:

A sex offence is an overt act committed by a person for his own immediate sexual gratification which (1) is contrary to the prevailing sexual mores of the society in which he lives, and/or is legally punishable, and (2) results in his being legally convicted.

The addition of the criterion for conviction was considered vital by the authors since they felt that “the consequence of the act rather than the act itself determines whether or not it shall be termed an offence” (Gebhard, et al. 1965, p. 6). That is, an act is deemed a sexual offence if it is “legally and publicly” judged as such and results in the punishment of the offender (Gebhard, et al. 1965).

There are difficulties associated with Gebhard, et al.’s (1965) definition of a sexual offence. To begin with, it makes the assumption that the primary motivating factor behind sex crimes is sexual. However, social science theories of sex offending tend to disagree with Gebhard’s assumptions. For example, feminist theory proposes that the underlying purpose of sexual offences is not sexual but to dominate and control the victim, often through humiliation (Darke, 1990). Similarly, psychoanalytic theorists make the claim that sex crimes are not the result of a desire to obtain immediate sexual gratification, as Gebhard and his associates suggest, but rather that an offender commits a sexual crime when

emotional needs are not fulfilled in the offender's daily human interactions. The underlying motives, therefore, are thought to be "domination, humiliation, or brutal physical or psychological acting out as expressions of superiority or submission..." (Wiederholt, 1992, p. 21). There are other theorists, however, who espouse the belief that "virtually all sexual behaviour may include sexual (i.e., tactile, physiological) and nonsexual (e.g., affectional, recreational) aspects" (Conte, 1990, p. 21).

While it is beyond the scope of this thesis to discuss fully each of these theories, it should be noted that in addition to the feminist and psychoanalytic theories discussed briefly here, there are many more theories whose aim it is to provide an account of the etiology of sexual offending (e.g., sociobiological, biomedical, psychopathological, conditioning and learning theories, etc.). Because a consensus as to the etiology of sexual offending has not been reached, the definition of a sexual offence should preclude any reference to etiology. Cooper (1994) provides an informative overview of recent theoretical developments on the etiology of sexual offences.

An additional objection to Gebhard et al.'s (1965) definition of a sexual offence is that it is completely offender-oriented, as a sex offence is described in only terms of the consequences for the offender. However, a sex offence is a crime that involves not only an offender breaking a law, but also a victim. The repercussions of the effects of a sexual offence extend beyond the offender; the victims of such offences--even when there is no physical contact involved with the offenders--often experienced a sense of violation of their person and integrity. And, depending on the degree of impact, the victims may experience "enormous, long-term, and often life-altering and damaging effects" of the abuse (O'Connell, Leberg, and Donaldson, 1990, p. 12). Integral to any definition of a sexual offence, then, is the inclusion of the role of the victim in the offence.

More recently, O'Connell, Leberg, and Donaldson (1990) have provided a definition--which will be employed as the working definition of a sexual offence in this thesis--that addresses the concerns outlined above. They define a sexual offence as a "criminal offence involving sexual behaviour when one party does not give, or is incapable of giving, fully informed consent" (O'Connell et al. 1990, p. 11) Such behaviour not only includes forced and pressured sexual activities (e.g., rape and sexual abuse) but also offences which involve no physical contact between the victim and offender (e.g., peeping or exposing).

This behavioural definition of a sexual offence is important because a victim suffers a sexual assault not only when there is nonconsensual penile penetration of the vagina or anus but also when they experience a "variety of unwelcome intrusions, touches and humiliation" (Mair, 1993, p. 268). O'Connell et. al's. (1990) definition then clearly and succinctly includes the role of the victim in the sexual offence in addition to excluding any attempts at an etiological explanation for the crime.

Hall and Hirschman (1992) suggest that a possible reason for the lack of a unifying theory of the etiology of sexual offences is the "uniqueness and complexity of the behaviour and the heterogeneity of the perpetrators" (p. 9). Indeed, the current literature supports the notion of sex offenders (who have committed widely varying offences with respect to the amount of violence and aggression, the degree of planning, extent of contact with--and the varying ages of--the victim(s), and the nature of specific acts involved) as a heterogeneous population, yet they are frequently viewed and treated as a homogeneous group (Ballard, Blair, Devereaux, Valentine, Horton, and Johnson, 1990; Baxter, Marshall, Barbaree, Davidson, and Malcolm, 1984; Knight, Carter, and Prentky, 1989a; Kuznestov, Pierson, and Harry, 1992; Mair, 1993; Overholser and Beck, 1988; Prentky and Knight, 1991; Rosenberg and Knight, 1988). There is research that indicates that when sex offenders are assessed as a homogeneous group, they are similar to non-sex



offender inmate populations (Overholser and Beck, 1988). This erroneous conceptualization conceivably masks any differences within the offending population--differences which may prove to be essential for the understanding of the etiology, prognosis, treatment and management of sexual offenders (Rosenberg and Knight, 1988).

## Chapter Two: An Overview of Sex Offender Studies

Meaningful differences between various groups of sex offenders cannot be observed unless groups are identified using a classification scheme that is both reliable and valid (Rosenberg and Knight, 1988). The following section will provide a brief overview of various sex offender studies from which classifications which are derived.

In general, sex offenders can be classified according to three broad categories: pedophiles (or child molesters), rapists, and incest offenders (e.g., Gordon and Porporino, 1991). Pedophiles commit sexual offences against children who are not part of the offender's family unit. Pedophiles may be attracted only to one sex (i.e., only boys or only girls) or to both (Horton, Johnson, Roundy, and Williams, 1990). Rapists are offenders who have committed sexual offences against adults. The victims of rapists are most often adult females. The victims of incest offenders are family members--members who may be either biologically related (e.g., father-daughter, mother-son, grandparent-grandchild, or brother-sister) or related by law (e.g., between stepparents and stepchildren) (Horton, et al. 1990). From these three general categories, researchers have developed more sophisticated classifications.

It is important to note, however, that there exists another category of sexual offenders that has only recently begun to be addressed by the academic/correctional community. It includes offenders who commit obscene phone calls, acts of voyeurism, exhibitionism, or public masturbation. Sometimes referred to as 'nuisance offences,' these sex offences do not involve any physical contact between the victim and the offender. Indeed, some of these offences may be committed without the knowledge of the victim. There has been very little research on such sexual crimes, as they have long been considered minor offences. Even the Criminal Code considers such offences to be less serious form of a sexual crime, as they are defined as a summary conviction offences rather

than indictable or hybrid offences. In recent years, however, these types of offences increasingly have been viewed as a 'milepost' or a possible prelude to more serious sexual crimes (S. Sharlow, personal communication, February, 1995). Such a contention has been supported by Abel, Mittleman, and Becker (1985) who found, in their study sample of rapists and child molesters, that many of these sexual offenders began their criminal "careers" as exhibitionists, voyeurs and frotteurs. However, because there is scant literature to date dealing with nuisance offences, this section will, for the most part, be limited to providing a review of only pedophilia, rape and incest crimes.

The characteristics of a variety of sexual offenders have been investigated from several different approaches. The psychometric approach endeavours to describe sex offenders through the use of a variety of psychological testing techniques including projective tests and self-report inventories. Behaviourists seek to isolate any physiological or behavioural factors which may help to differentiate categories of sex offenders from one another. The psychiatric approach emphasize the individual offender and have attempted to understand the difference amongst sexual offenders through the use of categorization schemes designed to differentiate amongst deviant populations on a psychiatric level. In contrast, the sociological approach to sexual offences attends to the offender-victim interaction in an effort to obtain possible cultural influences on sexual offences. These perspectives define offenders on the basis of his sexual offence as proscribed by law in their attempt to discriminate between homogeneous sex offender types. Each of these perspectives will be discussed in more detail.

### Psychometric Perspective

Practioners adhering to the psychometric perspective have administered a variety of psychological tests to sexual offenders in order to differentiate amongst them. The instruments employed have included projective tests such as the Draw-A-Person Test

(Machover, 1949) the Rorschach (Rorschach, 1921), IQ tests such as the Wechsler Adult Intelligence Scale-Revised (Wechsler, 1981) and self-report inventories such as the Minnesota Multiphasic Personality Inventory (Hathaway and McKinley, 1943) and the Sex Inventory (Thorne, 1966).

Projective and IQ studies of sex offenders have both yielded inconsistent results. Projective studies, for example, have been found to be unreplicable with little or no external validity (Levin and Stava, 1987). Amongst the problems associated with these projective studies are the many methodological flaws associated with projective tests in general. There is:

...inadequate standardization of instructions, problems with interrater and retest reliability, poor internal consistency, spurious or illusory convergent validity, lack of discriminant validity, and [an] absence of cross-validation. [The literature is] replete with sweeping post hoc generalizations. Interpretations have frequently been made on the basis of fortuitous differences of questionable practical value (Knight, Rosenberg and Schneider, 1985).

Similarly, IQ studies employing the Wechsler Adult Intelligence Scale-Revised (WAIS-R) have also encountered difficulty with replication. Some researchers report no difference in IQ between sex offenders and controls, whereas others find that the IQs of rapists were lower than controls (Knight et al. 1985). Since the methodological issues associated with both IQ and projective tests make contributions to the development of classification schemes problematic, a more detailed discussion of the results of these tests will not be made.

The most extensively used self-report inventory used in the assessment of sex offenders has been the Minnesota Multiphasic Personality Inventory (M.M.P.I.) (Blackburn, 1993; Knight et al. 1985; Levin and Stava, 1987). For each of the 566 statements contained in this test, subjects are asked to indicate whether each statement applies to them by answering 'true,' 'false,' or 'cannot say.' The results of the M.M.P.I. are then rated on ten clinical scales designed to assess personality and psychopathology, as

well as four validity scales.<sup>1</sup> The validity scales are used to determine the “test taking attitude” of the subject (Friedman, Webb, and Lewak, 1989).

Rader (1977) compared the M.M.P.I. profile of rapists, exhibitionists, and offenders convicted of nonsexual assault. He found that the rapists scored significantly higher on the *Pd*, *Sc*, *Pa*, *Hy*, *D* and *F* scales than did the exhibitionists and the nonsexual assaulters. Such results confirmed Rader’s hypothesis that the rapists would show more disturbance than the other subject groups because their crimes involved a combination of both sex and aggression, whereas the crimes of the exhibitionists were sexually-oriented and the crimes of the nonsexual assaulters were based on aggression alone. Panton (1978, cited in Levin and Stava, 1987) also found similar results: sexually aggressive pedophiles and rapists showed similar elevations on the *Pa*, *Sc*, and *Ma* scales compared to nonaggressive sexual offenders.

Rader’s research (1977) also indicates that there were no differences between the exhibitionists and the nonsexual assaulters on the *Pd*, *Sc*, *Pa*, *Hy*, *D* and *F* scales. Other

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<sup>1</sup> The function of the validity scales is to permit the acceptance of the M.M.P.I. clinical profile with some confidence or to indicate that caution must be exercised in interpreting these test results. The ? (Cannot Say) Scale consists of the number of items for which a response is omitted from the answer sheet; the *L* (Lie) Scale provides the subject with opportunities to endorse certain values that may be desirable for many people are rarely true for most; the *F* Scale measures the tendency of an individual to respond to the test items in an unusual manner, such as in the case of not understanding the items; and the *K* Scale serves a correction scale for improving the discrimination yielded on the personality scales (Friedman et. al., 1989). Briefly, the ten M.M.P.I. clinical scales are:

1. *Hypochondriasis (Hs)*: individuals showing excessive worry about health with reports of obscure pains;
2. *Depression (D)*: people suffering from chronic depression, feelings of uselessness, and inability to face the future;
3. *Hysteria (Hy)*: individuals who react to stress by developing physical symptoms (paralysis, cramps, headaches);
4. *Psychopathic Deviate (Pd)*: people who show irresponsibility, disregard social conventions, and lack deep emotional responses;
5. *Paranoia (Pa)*: People who are suspicious, sensitive and feel persecuted;
6. *Psychasthenia (Pt)*: people troubled with fears (phobias) and compulsive tendencies;
7. *Schizophrenia (Sc)*: people with bizarre and unusual thoughts or behaviour;
8. *Hypomania (Ma)*: people who are physically and mentally overactive and who shift rapidly in ideas and actions;
9. *Masculinity-Femininity (Mf)*: individuals tending to identify with the opposite sex rather than their own; and
10. *Social Introversion (Si)*: people who tend to withdraw from social contacts and responsibilities (Sue, Sue, and Sue, 1990, p. 109).

studies reviewed by Levin and Stava (1987) also found that exhibitionists did not differ from other groups on either the *Mf* or the *Si* scales. These results disconfirm the expected personality traits thought to be associated with exhibitionism: shyness, passivity, social introversion and a lack of assertiveness. However, exhibitionists who also had previous convictions for sexual assaults show greater characterological disturbance than did exhibitionists with no prior arrests and those with less than five prior arrests for exposure (Levin and Stava, 1987). The assaultive exhibitionists scored higher on the *F*, *Mf*, *Pa*, *Pt*, *Pd* and the *Sc* scales than did exhibitionists with no previous arrests and higher on the *F*, *Sc*, *Ma*, and *Pd* scales compared to exhibitionists with previous exposure records.

Panton (1979) used the M.M.P.I. to compare the profiles of men who had committed incest with those of pedophiles. Both groups were found to have similar behavioural characteristics. For example, both the incest and the pedophilic subjects showed an elevated *Pd* scale. According to Panton, an examination of the responses to the *Pd* scale indicated a high degree of "social alienation and family discord during the formative years rather than...conflict with authority and acting-out anti-social lifestyles" (p. 337). However, a significant difference was found on the *Si* scale between the two groups. Social Introversion was found to be the third highest scale for the incest subjects' profile but the lowest for the child molester profile. These results imply that:

...members of the incest sample are more socially introverted; whereas the child molesters appear to function at a lesser level of sexual maturity in that their victims are often younger and are subjected to sexual expressions at a more oral and founding level of activity. However, both groups appear equally insecure and inadequate with feelings of fear and apprehension over their heterosexual associations (Panton, 1979, p 338).

M.M.P.I. profiles show differences between pedophiles convicted for the first time and pedophiles who had a number of previous sex offences (McCreary, 1975a). The chronic pedophilic sex offenders scored significantly higher on the *Hs*, *Hy*, *Pd*, and *Sc* scales than did the 'first-time' offenders. McCreary interpreted these results to mean that

chronic pedophiles were more impulsive, unconventional, bizarre, confused, alienated and had greater conflict with authority than did pedophiles receiving their first convictions.

Methodological problems exist with these M.M.P.I. studies. In an extensive review of M.M.P.I. studies by Knight and his colleagues (1985), five critical areas were outlined. Briefly, they include:

- 1) no cross-study consistency with respect to time of administration (differences in legal status, length of incarceration and effects of treatment may affect subject responses);
- 2) poor sampling procedures (samples offering the most convenience appeared to have been chosen);
- 3) failure to control major sources of subject variance like race, IQ level and age, which may bias results;
- 4) inadequate assurance of profile validity; and
- 5) insufficient analysis of profile data (i.e., neglecting to provide the criteria used in determining code types).

A final concern about the M.M.P.I. is that it was not specifically designed for the assessment of sexual offenders. As a result, the M.M.P.I. "might not adequately sample the variables crucial for discriminating within this population" (Knight et al. 1985). The Sex Inventory (SI), on the other hand, was constructed primarily to enable researchers to discriminate amongst sex offenders.

The SI consists of 200 true-false items. It was constructed on the basis that "directly questioning the sexual offender about aspects of his sexual activity and attitudes may more readily yield relevant information than indirect or projective techniques" (Knight

et al. 1985, p. 240). Although it has survived extensive testing of its reliability (Allen and Haupt, 1966) and its validity in distinguishing sexual offenders from other control groups (Haupt and Allen, 1966), there is no empirical support for the sole reliance of SI as a solitary screening device. Indeed, Thorne (1966), the creator of the SI has stressed that the inventory should be only used in conjunction with other clinical methods of assessment. As a result, there has not been enough research to date to indicate whether or not the SI could provide finer distinctions amongst sexual offenders than those made by existing assessments.

### Physiological/Behavioural Perspective

Recently, behaviourally-oriented psychopathologists have postulated that a cause of sexually deviant behaviour is the presence of deviant sexual arousal amongst offenders (Abel, Becker, Blanchard, and Djenderedjian, 1978; Barabaree, Marshall, and Lanthier, 1979). Additionally, it has been postulated that there are differences in arousal patterns amongst specific types of sex offenders. Using a penile plethysmograph to quantify erotic preferences, researchers have compared the penile responses (PRs) to a variety of visual and auditory stimuli of men who have been convicted of a sexual offence with nonsexual offenders and other types of control groups. Based on results from these studies, it has been suggested that sex offenders may be classified according to differences in sexual arousal.

Knight and his colleagues (1985) report that a number of PR studies conducted in the 1970's and early 1980's demonstrated consistent differences between sexual offenders and control groups. These studies used erotic audiotapes depicting conventional intercourse, a rape, and an aggression scenario as stimuli. Generally, the content of the audiotapes was as follows:



- 1) the conventional intercourse tape provided a description of mutually enjoyable intercourse with a consenting, loving and involved partner;
- 2) the rape tape involved sexual intercourse with the same partner, however, in this scenario the woman is resisting and is showing substantial physical and emotional pain; and
- 3) an aggression tape depicts a man physically abusing a woman by slapping, hitting and holding her down against her will but not sexually assaulting her (Knight et al. 1985).

Using these audiotapes Abel, Barlow, Blanchard, and Guild (1977) found differences in PRs amongst rapists. Rapists who indicated a preference for conventional intercourse responded with the maximum arousal to the conventional sex tape, less arousal for the rape tape and minimum arousal for the aggression tape. In contrast, rapists with a history of engaging in sadistic assaults against women showed the maximum arousal to the aggression tape and the least arousal for the conventional intercourse tape. Similar results have been reported more recently (Conte, 1990; Quinsey and Chaplin 1985).

PR studies have also demonstrated a sensitivity to victim age preferences. Using audiotapes similar to those described above, Abel and his colleagues (1977) developed tapes in which not only was the victim's age varied but also descriptions of the sex scenarios were adapted to the victim's age. (For example, the rape of adult women included descriptions of vaginal penetration but in the altered tapes, the rapist's penis was placed between the victim's legs when the victim was a child). Results showed that rapists who denied a preference for young victims were mostly aroused to victims 30 years of age whereas subjects who expressed preference for younger victims had increased erection responses as the victim's age decreased below the age of 30 years. In fact, this latter group

showed the strongest PR arousal to descriptions of those victims whose age they had initially reported as being most erotic.

These results, however, are by no means conclusive. For example, it has been found that excessive sexual arousal by rapists to stimuli for violent sexual behaviour was not common (Baxter, Marshall, Barbaree, Davidson, and Malcolm, 1984). Baxter and his colleagues reason that contrary findings resulted from “focusing attention on particularly dangerous or psychiatrically disturbed rapists, or as a result of including heterogeneous samples of rapists in which the eccentric preference of a few may have distorted the group averages” (Baxter et al. 1984, p. 478). Also, research has revealed that a number of rapists showed--although they had not been convicted for such an offence--a tendency for sexual arousal towards children (Gordon and Porporino, 1991). There are also studies demonstrating the existence of pedophiles with sexual preference similar to those of normal males (Quinsey, 1977) and studies which indicate that pedophiles may not exhibit strong sexual preferences for children as previously reported (Baxter et al. 1985)

These results indicate that although there are some differences in arousal patterns amongst various groups of sex offenders, there is a great deal of overlap between the same groups. Using arousal patterns to classify sex offenders appears inappropriate given the lack of validity and reliability of these sexual arousal categories.

The physiological/behavioural approach to differentiating between sub-groups of sexual offenders is not only based on disparate levels of sexual arousal. Behaviourists also theorize that perhaps inadequate social skills of sexual offenders may contribute to the behaviour and motivation of these types of offenders (Knight et al. 1985). Segal and Marshall (1985) reported that convicted pedophiles displayed lower levels of social skills than did rapists, non-sex offender inmates and the non-offender sample. In another study, pedophiles exhibited “significant elevations in the fear of negative social evaluation” when

compared to rapists and other control groups (Overholser and Beck, 1988, p. 16). Results such as these suggest that pedophiles are passive and socially inadequate people who need assertiveness and social skills training (Abel et al. 1977; Levin and Stava, 1987).

### Psychiatric Perspective

Studies from the psychiatric perspective specifically makes reference to those studies that have used established psychiatric systems--for example, the Diagnostic and Statistical Manual of Mental Disorders (American Psychiatric Association, 1994)--in order to diagnose sexual offenders. In particular, these studies examine the incidence and prevalence of various psychiatric disorders amongst those convicted of sexual offences (Knight et al. 1985). This approach involves the "application to sex offenders of systems designed for purposes that were not directly related either to the understanding of sexual violence or to the discrimination of homogeneous sex offender types" (Knight et al. 1985, pp. 227-8). Nevertheless, much research in the area of sexual offenders has been conducted since it is generally concluded that "shared features can be expected given [the] overlap between criminal and clinical samples" (Blackburn, 1993, p. 72). More specifically, particular types of sexual behaviour are considered "psychologically as well as socially dysfunctional" (Blackburn, 1993, p. 281). For example, activities such exhibitionism, froterism, pedophilia, telephone scatologia, and voyeurism are listed as paraphilias in the *Diagnostic and Statistical Manual of Mental Disorders-IV (DSM-IV)*.

In their review of research stemming from the psychiatric perspective, Knight and his colleagues (1985) report that a large proportion of sexual offenders (from 43 percent to 77 percent of the sample) had been diagnosed with psychopathology. Although all psychiatric diagnoses are frequently represented in these studies, psychoses and other major mental illnesses are rarely found amongst this criminal population thus providing

“little support for for the notion that ‘insanity’ causes sexual offending” (Knight, et al. 1985, p. 234).

Henn, Herjanic, and Vanderpearl (1976) examined the pre-trial records of 239 persons charged with sexual offences. Sixty-nine subjects had been charged with rape or attempted rape, 116 had child molestation charges brought against them and the remaining 43 were charged with sodomy. The predominant diagnosis given to almost half of the rapists (48 percent) was that of antisocial personality disorder. A primary diagnosis of a form of psychosis (e.g., affective disorder, organic brain syndrome or schizophrenic process) was given to only 14.8 percent of this group. Only 9.0 percent of the rapists were considered “not ill.” Personality disorders were not predominant for the child molesters. The study found that 30.6 percent of this group were given the primary diagnosis of sexual deviation (pedophilia) without any other disorder. Only 6.4 percent of the child molesters were diagnosed with antisocial personality disorders.

In contrast, another study from the same period found that almost half of a sample of child molesters were regarded as having antisocial personality disorders. Virkkunen (1976) investigated all the cases of pedophilia subjected to psychiatric examination during a 25 year period in an Helsinki hospital; of the 81 cases involved, 38 (46.9 percent) had been diagnosed as antisocial. A more detailed analysis showed that there were several important differences between the antisocial pedophiles and the control pedophiles (i.e., the remaining 53.1 percent of the sample who were not diagnosed as antisocial). The antisocial subjects had been involved more often in other kinds crimes and had experienced more hyperactivity problems than did the control pedophiles. Additionally, the antisocial pedophile subjects were found to be more mature, to possess higher levels of intelligence, and to be more successful at maintaining relationships with other adults than were the control group.

Alcoholism and drug abuse (classified under the 'Psychoactive Substance Use Disorders' in the American Psychiatric Association's DSM-IV classification manual) appears to be a considerable problem amongst sexual offenders. Although Henn et al. (1976), for example, found that rapists and child molesters differed in the primary diagnoses given to them by mental health practitioners, the predominant secondary diagnoses was drug and alcohol abuse. Alcoholism and drug abuse constituted one-third of the secondary diagnoses given to these two subject groups. The prevalence of substance abuse for rapists as a group has ranged from one-third to over one-half of other psychiatric studies reviewed by Knight et al. (1985). This same review found a slightly lower prevalence of alcoholism and drug abuse for child molesters (range between 25 and 33 percent). Notwithstanding the considerable range reported for these subject groups, alcohol and drug consumption may have a role in sexual offences or be a characteristic of the offenders involved in such crimes.

The variation in the prevalence of various disorders in psychiatric studies such as those described can be attributed to a several sources: 1) differences in the study samples between those referred for psychiatric evaluation (who would be expected to show a higher incidence of some form of psychopathology) and subjects who had not been referred; and 2) variability in the types of diagnostic systems employed by researchers; and (Knight, et al. 1985). Regardless of these methodological drawbacks, these psychiatric studies provide valuable insight since they indicate that, in terms of psychopathology, sex offenders have been found quite heterogeneous. Knight et al. (1985) concludes that:

These data, especially when coupled with hypotheses from the clinical literature that personality style may be an important discriminator of types in this population, suggest that assessments of such styles should be considered in creating typologies of such offenders (p. 235).

## Sociological Perspective

Research from the sociological perspective on sexual offences is “distinguished by its attention to the cultural context and societal values and attitudes such acts” (Knight et. al, 1985, p. 225). The focus of this research is the relationship between the offender and the victim, the physical situation in which the offence occurred, and the socio-cultural variables associated with these crimes. Demographic variables such as the age, religion, and socioeconomic or marital status of both the offender and the victim are also investigated.

An early study of rape by Amir (1971) exemplifies analyses of sexual offences from a sociological perspective. Amir began by compiling an extensive database founded on 646 rape cases which had occurred in Philadelphia. The database consisted of the following types of variables: demographic information on both the victims and the offenders (including race, age, marital status, employment level and previous arrest record), the time of day, season, and location of both the initial encounter and the actual offence, in addition to the characteristics of the offence itself (including the degree of planning involved in the commission of the offence, degree of violence, actual acts in the offence, degree and form of victim resistance, presence of alcohol, etc.). Such a detailed database allowed Amir to debunk certain myths about rape. He found that rape was not necessarily a one-on-one encounter; only 57 percent of the rapes occurred with a single perpetrator. Also, three-quarters of the rapes involved some degree of planning dispelling the myth of rape as an impulsive event. Additionally, Amir found that most rapes occurred in either the offender’s or the victim’s residence and that over one-third of the victims were acquainted with the offenders. Therefore, the idea of rape occurring only in dark alleys or parking lots by total strangers was brought into question.

Such detailed research shows the “potential contribution of victim and offence characteristics to the delineation of offender types” (Knight et al. 1985). In agreement,

Kuznestov, Pierson, and Harry (1992) also studied victim and offence characteristics in conjunction with the characteristics of the offender in their research on sexual offenders. Using data obtained through the Missouri Sex Offender Program, Kuznestov and his colleagues analysed information from a sample of 827 men. It should be noted that the data were analysed according to victim age, therefore, there is no differentiation between incest victims and victims who were not related to the offender by either blood or marriage.

Results of this research indicate the importance of victim age as a basis for the profiling of sex offenders. For example, the incidence of genital fondling--along with oral and anal acts--decreased as the victim age increased and for vaginal intercourse to occur more frequently as the victim age increased. Subjects who molested young children differed on some dimensions from both victimizers of adolescents and from rapists: their victims are more likely to be of either sex and more likely to be chosen for convenience (i.e., victims were more likely to be related to the offender and the offences were more likely to occur in the home of the victim during broad daylight) whereas adult victims were more likely to be strangers or casual acquaintances to the offenders and the offences were more likely to occur at a later time of day, in an outdoor location away from home for a relatively short duration. Additionally, race and the age at which offenders were incarcerated are inversely correlated with victim age: 83 percent of the victimizers of children under the age of 10 were Caucasian whereas only 56 percent of the sex offenders whose victims over the age of 16 were white, and, in keeping with other findings (e.g., Mair, 1993), rapists tended to be the youngest of the three groups of sex offenders. Rapists were also found to be distinct from the child molesters and the victimizers of adolescents on a number of other variables: rapists were more likely to have criminal histories and tend to have committed more non-sex related crimes. Kuznestov et al. (1992) also found that there was a tendency amongst rapists to have more violent criminal histories

than the other two types of sex offenders in the study. Such findings replicate earlier studies (e.g., Gebhard, et al. 1965).

Ballard, Blair, Devereaux, Valentine, Horton, and Johnson (1990) constructed profiles of incest perpetrators by compiling the demographic variables of 373 men convicted of incest. The majority of these subjects were male (97.9 percent), Caucasian (84.6 percent), employed full-time (65.1 percent), married (56.2 percent) with a mean age of 38.8 years. As a group, social skills were found to be lacking and that “there was a universal need to deny their offence and to demand secrecy from their victims” (Ballard, et al. 1990, p. 49). In contrast to pedophiles, ‘control’ appeared to be the primary factor for the actions of the incest perpetrator rather than a sexual fixation on younger children--only 5.6 percent of the subjects said that they had chosen the victim because they were sexually attracted to them. The majority (35.7 percent) of the offenders stated that they had chosen the victim primarily because of availability/convenience or because the victim was vulnerable (31.7 percent)--results which are supported by Kuznestov et al. (1992).

The assumption, however, that incest offenders do not commit illegal sexual acts outside of the family has been recently challenged. For example, Abel, Becker, Cunningham-Rathner, Mittleman, and Rouleau (1988) found that 49 percent of a sample of incestuous fathers--including step-fathers--abused children outside of their families while they were abusing their own family members. In the same study, these authors found that 19 percent of their subjects had raped adult women at the same time as they were sexually abusing their own children.

Similarly, Abel, Mittleman, and Becker (1985) found in their study of 411 sexual offenders that rapists and pedophiles also commit other types of sexual offences. Of the pedophiles (n=232), 29.7 percent had been engaged in exhibitionism (exposing themselves to adults and children), 16.8 percent had previously raped, 13.8 percent were voyeurs, and



8.6 percent were frotteurs. Of the 89 rapists in the study, over half (50.6 percent) had been involved in pedophilic activity, 29.2 percent were exhibitionists, 20.2 percent also engaged in voyeurism, 11.2 percent were sadists, and 12.4 percent had engaged in frottage.

Such overlap in the types of victims found in these studies reveals the complexity of the sexual offender. Consequently, a number of variables are necessary for delineating differences between sexual offenders. Factors including demographics, victim age, type of offence, the relationship between the victim and the offender and the nature of the offence in conjunction with the offenders' previous offence history should all be used as a basis for categorization of sexual offenders. The examination, and the subsequent inclusion, of these variables as possible typological discriminators are necessary in the development of reliable and valid classification schemes.

## Chapter Three: Classification Theory

Classification, basic to all sciences, plays a pivotal role in scientific investigations (Sokal, 1974). Its critical function is to identify, organize and integrate elements of a given phenomenon sharing common characteristics (Knight and Prentky, 1990). Within the criminal justice system, the aim of classification is to “develop groups whose members are similar to one another and who differ from members of other groups” (Gottfredson, 1987, p. 1). Once valid, homogeneous groups have been identified, the classification process enables those who work with offender populations to engage in meaningful responses:-

Understanding the taxonomic structure of a deviant population is the keystone of theory building and the cornerstone of intervention....Whether the goal is making decisions about intervention, treatment, and disposition, tracking down the developmental roots of a deviant behavioural pattern, or following the life course of this pattern, failure to take the taxonomic structure of a population into account can lead to serious practical, methodological, and theoretical errors (Knight and Prentky, 1990, p. 22).

In effect, the importance of classification is its ability to eventually facilitate verification of beliefs or hypotheses about crime and its perpetrators.

### The Purpose of Classification

According to Blackburn (1993), the purpose of criminological classification is threefold. First, classification is important in the orderly and safe *management* of penal institutions. Second, *treatment* needs are more likely to be met when the offender is properly classified. Finally, the *theoretical understanding* of crime and criminal behaviour is greatly advanced with reliable and valid classification systems.

## Management

Classification is an essential component in the safe operation and efficient management of any correctional institution. Classification procedures are, for example, used to “maximize external security of the public [and the] internal security of staff and inmates” (Blackburn, 1993, p. 62). One method of providing protection for the public, correctional personnel and inmates is via the conscientious planning of correctional institutions to physically reflect the differential security needs of inmates. Facilities in Canada range from minimum security institutions to maximum security custody prisons.<sup>2</sup> There are also open custody settings (e.g., camps, community residences, etc) available for those offenders who do not pose a risk to the public.

The safe and efficient operation of correctional facilities is not achieved by the assessment of security levels alone. Classification systems also allocates inmates to different custodial settings based on their age, length of sentence, sex, training and treatment needs. In Canada, the criminal justice system segregates Young Offenders--aged between 12 and 18 years--from adult offenders. They can be placed in either open custody facilities such as group homes which may be operated by private, non-profit agencies or government ministries or they could be placed in Youth Detention Centres which are government operated secure facilities (Griffiths and Verdun-Jones, 1989). Offenders who receive a sentence--or sentences--totalling two or more years are placed in a federal correctional institution while those offenders who receive a sentence--or sentences--which amount to less than two years in duration are placed in provincial facilities (Griffiths and

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<sup>2</sup> The Correctional Service of Canada utilizes three broad levels of security (Griffiths and Verdun-Jones, 1989, p. 409):

1. Maximum Security: the inmate is likely to escape and, if successful, would be likely to cause serious harm in the community;
2. Medium Security: the inmate is likely to escape if given the opportunity, but should not cause serious harm should such an escape occur;
3. Minimum Security: the inmate is not likely to escape and would not cause harm in the community if such an escape should occur.

Verdun-Jones, 1989). Inmates are also segregated according to their sex. At the federal level there are facilities for women serving a sentence or sentences of more than two years--for example, the Prison for Women at Kingston, Ontario. At the provincial level, women from British Columbia may be placed in one of several facilities including the Twin Maples Correctional Centre for Women. For male offenders, there are many more facilities available at both the provincial and federal levels. Finally, there are correctional facilities geared towards the treatment of specific offences. For example, in British Columbia provincial male sex offenders can be placed in the Stave Lake Correctional Centre, which specializes in the treatment of persons convicted of sexual offences.

Classification systems, therefore, allow for inmates to be assessed according to a variety of variables including their security risk and custodial needs level. These assessments result in "inmates who pose the greatest security threat to be segregated and controlled" (Evatt, Brown, and Fowler, 1989, p. 36). Such segregation, in turn, provides safety for passive inmates from the more violent and threatening inmates, younger inmates from the older, females from males. Additionally, proper classification of inmates protects the public by reducing the risk of escapes from improper placement of inmates in too open custodial facilities (Evatt et al. 1989).

### Treatment and Rehabilitation

According to Yepsen (1975) classification is the basis for the modern treatment of criminal offenders. Historically, offenders received punishment from the criminal justice system based on the particular offence committed: criminals were castrated if they raped, had their hands cut off for stealing, liars had their tongues pierced with hot irons and murderers were put to death (Hippchen, 1975). By the turn of the century, the courts and other penal personnel--realising that corporal punishment was not only inhumane but also did not generally succeed as a method of deterrence--came to the conclusion "that if society

is to be served well, it is the offender and not the offence which must be given the primary consideration” (Yepsen, 1975, p. 13).

In order to serve society well, it is the goal of modern correctional facilities to ensure that when an offender completes his or her sentence, that offender is in a better position to succeed within the general community. Classification procedures assist in this goal by focusing on the needs of the offender not the offence. According to Yepsen, the principles of classification, rehabilitation and treatment are of paramount importance not punishment:

- 1) Offenders are individuals and should be handled as individuals;
- 2) Rehabilitation of the offender should be planned that he will get along well in society when and if released;
- 3) All the available facilities should be utilized in the correction of defects, capitalization of assets, and retraining of those who are to be released (Yepsen, 1975, p. 13).

In short, “the correctional processes should strive to reform, resocialize, modify, or remake the criminal so that he will refrain from further lawbreaking” (Gibbons, 1977, p. 523).

Classification procedures can be used to identify which inmates have psychological and/or psychiatric problems. All sex offenders, for example, are thought to need some kind of treatment “but not all sex offenders need the same type, intensity or duration of treatment” (Gordon and Porporino, 1991). Concurring with Gordon and Porporino, other researchers emphasize that in order for sex offender treatment programs to be effective, careful assessment of the unique characteristics of these types of offenders are required (Andrews, Bonta, and Hoge, 1990; Levin and Stava 1987). For example, educational upgrading might be of primary importance or vocational training may be required in order

to obtain relevant employment upon release. Whatever the needs of the offender, a valid and reliable classification scheme can assist in selecting a treatment and/or rehabilitation program which might enhance their lives outside penal settings. The more effective such programs are, the more likely it will be possible to avoid ineffective crime control responses: “there are many kinds of criminals, and to fix on any single punitive solution to the problem of crime is simplistic, unjust, and inefficient” (Chaiken and Chaiken, 1984).

### Theoretical Understanding

A third use of criminological classification, according to Blackburn (1993), is in constructing causal theories for particular types of offences or offenders. In agreement, Clinard and Quinney assert that a classification “is a necessary preliminary to the development of a general theory” (1967, cited in Hood and Sparks, 1970, p. 114).

Systematically combining different types of crimes or criminals according to a consistent principle of classification provides several advantages for theory construction. To begin with, a systematic method of classification helps to put the enormous amount of empirical information about crime and criminals gathered over the past 150 years into a “usable order to show the relations within it” (Hood and Sparks, 1970, p. 113). This also increases theoretical clarity since classification would necessarily indicate what further information is needed to formulate a functional theory. Furthermore, for theories attempting to explain crime or criminal behaviour to be constructive, the types considered must be mutually exclusive. Again, a good classification system will not allow different behaviours to overlap. Systematic classifications also:

- 1) make it easier for the theorist to see analogies between different kinds of criminal behaviour, or similarities between different kinds of offenders, thus making it easier to trace the causal processes which apply to them;

- 2) reveals empirical relationships between different factors (for example, offenders' personality types, social backgrounds and offences) and may suggest hypotheses to account for these relationships (Hood and Sparks, 1970, p. 114).

Thus far, much has been said about the importance of classification systems utilized by correctional institution administrators and staff personnel (who not only have custody of a variety of offenders but are also responsible--along with mental health professionals--for decisions regarding the offender's return to society) and scientific researchers who seek increased understanding of the nature of crime and of the individuals who commit them. Classification, however, has its place at other levels of the criminal justice system: for court personnel, law enforcement officers and public policymakers.

#### Classification at the Court Level

At the level of the courts, for example, "Adjudicative Classification" assist the judges and juries when deliberating and ruling on cases. Glaser (1974) outlines four categories subsumed within adjudicative classifications--the first two of which are classifications of offenders and last two are classifications of the offence:

- 1) **Responsibility:** A basic premise of Canadian law is that for a person to be convicted of a crime evidence of both *actus reus* (proof that the accused committed the crime) and *mens rea* (where the accused made a choice to do something wrong and that this choice was 'freely made' in addition to the the accused knowing, or could at least appreciate, the wrongfulness of the act) is required (Verdun-Jones, 1989). There are, however, several factors that either diminishes or exculpates an accused's responsibility for criminal behaviour:
  - a) Age (children under the age of 12 are not held criminally responsible since it is assumed that they are incapable of forming intent);

- b) Sanity (defendants who have been found to be mentally disordered at the time of the alleged offence may be found not guilty if it is found that the person was not “capable of making real choices because of their mental illness” (Verdun-Jones, 1989, p. 187));
  - c) Intelligence (intellectually challenged individuals may not be found responsible for their criminal actions).
- 2) Mental Competence at the Time of Trial: An accused cannot be prosecuted for a crime if, at the time of the trial, the accused is suffering from a mental or physical disease or defect that prohibits the accused from understanding the nature and the purpose of the legal proceedings.
- 3) Classification by Maximum Permissible Punishment: The efforts made by the criminal justice system to assure fairness in police and court proceedings for suspects (including the provision of legal experts and clerical staff) is not of equal caliber for all offences (Glaser, 1974). An exhaustive police investigation and full court hearing of the possible evidence and argument of both sides of the case is not made for simple theft as it would for murder. In Canada, minor offences are classified as summary conviction offences while more serious offences are classified as indictable offences. Each of these type of offences are treated differently by the police investigators and by the court. (For a general overview of the police investigation of--and various methods of trial for--both summary and indictable offences see Griffiths and Verdun-Jones, 1989).
- 4) Classification by Specific Charges: Specific charges (offences for which a person can be found guilty) need to be classified in order to direct court proceedings. For example, classification of offences provides guidelines for the evidence needed in order to secure a conviction, to inform the defendant and his counsel of the



allegations to be disproved, to specify permissible sentences and jurisdiction of cases for judges, etc. In Canada, specification of charges is achieved by codification with the charges primarily set forth in the *Criminal Code*. There are, however, other federal classifications that create criminal offences: the *Food and Drugs Act*, the *Narcotic Control Act* and the *Young Offenders Act* (Griffiths and Verdun-Jones, 1989).

### Classification at the Police Level

Law enforcement personnel are responsible for the investigation of crimes. Crime classification assists them with investigative profiling which is “a strategy enabling law enforcement to narrow the field of options and generate educated guesses about the perpetrator” (Douglas, Burgess, Burgess and Ressler, 1992, p. 21). Douglas et al. (1992) state that at this level of the criminal justice system classification is more properly known as *retroclassification*--or classification that works backwards. A typical classification system requires a known entity to be placed into a discrete category based upon some prescribed criteria of that particular category. During some criminal investigations, however, there is no known entity (i.e., the offender) thus the investigator is forced to rely upon other sources of information such as the crime scene and victim characteristics. This information is used to profile (or classify) the offender:

To formulate a profile of the criminal personality, a criminal investigative analyst will review and analyze area photos, maps, sketches, crime scene photos, victimology, and all incident-related reports. The analyst also examines...forensic findings, initial and follow-up reports, and newspaper clippings. A close examination of this data will begin to reveal behavioural characteristics of the offender, thereby exposing major personality traits (Douglas, et al. 1992, p. 306).

Profiling is not the only purpose of classification. With the universal acceptance of a single classification scheme, police investigators within different jurisdictions would be able to assist each other in the investigation of crimes which cross provincial or even

international borders. Moreover, law enforcement personnel from different jurisdictions could use a classification system to link--and possibly solve--serial criminal crimes.

### Offender Classification and Public Policy

Related to all the levels of the justice system discussed above is public policy. Faced with public outcry over high crime rates coupled with shrinking budgets, policymakers--who attempt to address the problems of crime and the needs of offenders through their decisions--"increasingly long for a simple encompassing policy that would permit them to deal quickly and effectively with criminals" (Chaiken and Chaiken, 1984, p. 195). Managing and treating sex offenders, in particular, presents a number of perplexing challenges for public officials. Recently, public rage over the crimes against children committed by paroled sex offenders, bolstered by extensive media coverage, led to some officials calling for increasing lengths of determinate sentences and even encouraging the courts declare those sex offenders considered too 'predatory' as *Dangerous Offenders* and thus "decide to sentence him or her to an indeterminate period of incarceration in a penitentiary in lieu of any other sentence that might be imposed for the offence(s) of which the offender has been convicted" (Griffiths and Verdun-Jones, 1989, p. 297). Additionally, several jurisdictions in North America favour, or have already implemented, the use of sex offender registries onto which the names of released sex offenders must be placed. These registries would allow the local police departments to keep track of the movements of sex offenders within their jurisdictions. In some cases, however, certain law enforcement departments have favoured making the registries available to the public.

Without entering into a debate about the grave legal and ethical ramifications that indeterminate sentencing and placement on registries have for sexual offenders, these measures, including the introduction of longer prison sentences, do not necessarily translate into a decrease in crime rates and the corresponding protection of society as the

public would like to believe. Therefore, for public officials to make real and cost-effective decisions in their battle against crime, policies must be based on valid research.

Again, classification assists in this goal by providing the policymakers with information on effective sentencing and treatment options for the various categories of offenders. Incest offenders, for example, are thought to be most suited of all sex offenders to receive treatment within a specialized community-based programme that may also involve the offender's family--particularly since incest offenders typically do not have extensive criminal records (Gordon and Porporino, 1991). In contrast, rapists are more likely to have a history of committing non-sexual criminal crimes and have profiles which are quite similar to the general population of offenders suggesting that they would benefit from within-institutional treatment that other offenders undergo (Gordon and Porporino, 1991). The apparent failure of many rehabilitation programmes to 'cure' sex offenders, according to Chaiken and Chaiken (1984), lies not with the content of the programmes themselves but with the types of the offenders assigned to the programmes.

What these research results illustrate is that a reliable and valid classification system would assist public policymakers to make more informed and beneficial criminal justice decisions. However, the reduction of recidivism and the increased protection of the public would necessarily require the different levels of the criminal justice system to coordinate their efforts under a unified policy:

Sex offenders cannot remain solely a correctional problem...[A]s part of its long-term planning for treating sex offenders, corrections must enter into discussions with the courts and with community mental health and social service agencies to ensure proper coordination, perhaps over the course of many years, until public safety is no longer threatened (Gordon and Porporino, 1991, p. 168).

Classification, then, has a variety purposes within the different levels of the criminal justice system. Unfortunately, most of the available classification systems do not meet *all* the objectives of criminological classification as outlined in this section. Indeed,

Blackburn (1993) argues that any one “classification system is unlikely to meet all purposes equally well, and [each classification system] must be judged in terms of its specific purpose” (p. 62). This contention is supported by other researchers as well:

...no single classification method may be considered best for all purposes. All the classification methods mentioned above are not equally valuable for all purposes. Some, even among those developed to aid in allocations of treatments, have more direct treatment implications than do others, some are demonstrably more reliable than others, and some are more helpful than are others in generating testable hypothesis (Gottfredson, 1987, p. 5).

However, the F.B.I.'s Crime Classification Manual is an attempt to meet as many of the outlined objectives of criminological classification as is possible for professionals in law enforcement, the courts, corrections, social services and academia. Before providing a detailed description and an analysis of the Crime Classification Manual, it is important to place the manual within an historical framework and to trace the different methods of creating and evaluating criminological classification systems.

### Historical Stages of Criminological Classification

Criminological classification parallels the taxonomic progression made by other forms of science in that three general stages are to be found: a literary/impressionistic stage, a clinical/theoretical stage and finally a quantitative stage. According to Brennan (1987) these stages, are “characterized by different methods of creating and evaluating classifications and by different classifications” (p. 209). Each methodological stage improved upon the previous to bring increasingly more objectivity and precision along with additional information content.

One of the earliest classification methodologies used by criminologists was a highly personal, subjective and creative endeavour. According to Brennan (1987) these types of classification systems belong to the Literary/Impressionistic Stage of Criminology. The classifications produced during this stage were scientifically questionable since many of the

principles of science were not adhered to--observations and data collection to support the theories expounded during this stage were not systematically gathered. More often than not, classifications were based on a few "positive instances" (Brennan, 1987). Phrenology--a classification system based on skull configurations--is an example of a system developed at this stage. By 1855, the criminal justice system was linking the principles of phrenology to criminal behaviour, but more rigorous methodological studies resulted in the rejection of phrenological criminal classification (Gottfredson, 1987).

The Clinical/Theoretical Stage, although providing "higher levels of systematic observation and theoretical speculation" than that found in classifications from the Literary/Impressionistic stage was, nevertheless, also largely nonquantitative (Brennan, 1987, p. 209). Many of the classification systems developed during this stage--by researchers from psychiatry, psychology and sociology--tried to explain all forms of criminal behaviour resulting in weighty theories with little, or no, consensus amongst their proponents (Brennan, 1987). Additionally, many of the clinical/theoretical taxonomies produced during this stage were based on abstract theoretical concepts which did not allow for them to be proved or disproved. In short, these theories--along with those expounded during the Literary/Impressionistic Stage--had little utility in applied settings. Considerable controversy, for example, has long been associated with Freudian psychoanalytic concepts (such as ego, id and superego) in attempting to characterize criminological traits.

Before a classification system can be used in applied settings, it must meet a number of requirements for it to be beneficial. Several researchers have developed criteria for evaluating a system's usefulness in classification. Gibbons (1975) for example, stresses clarity, objectivity, exclusivity, comprehensiveness and parsimony as the main criteria for evaluating a classification scheme:<sup>3</sup>

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<sup>3</sup> Some researchers distinguish between a "system of classification" and a "typology." As Hood and Sparks (1970) notes, the former phrase is sometimes "taken to refer to a method of grouping individuals into classes which are defined by one or more variables, and which may include all the actual or possible

First, a typology which is to have some utility...must possess *clarity* and *objectivity*....Different observers must be able to apply the scheme to actual offenders and must be able to make reliable assignments of specific persons to the categories of the typology.

A second requirement...is that the types of categories in the scheme should be *mutually exclusive*. Actual lawbreakers ought to fit into one and only category within the typology....

A third requirement...is that it must be *comprehensive*. In other words, all or most of the population of actual offenders ought to be placed within one or another type within the scheme (Gibbons, 1975, p. 143; italics in original).

And finally, Gibbons considers parsimony a requirement of a good typology. Megaree offers additional criteria. He states that a given classification system must also be valid (i.e., the individuals within each classification category actually have the attributes which they are hypothesized to possess) and should carry with it implications for treatment. Additionally, any classification system must be “economical so that large numbers of offenders can be classified with minimal expense and personnel” (Megaree, 1977b, cited in Megaree and Bohn, 1979, p. 27).

The theories developed during the first two stages of criminological classification systems do not meet some or any of these requirements considered necessary by both Gibbons (1975) and Megaree and Bohn Jr. (1979). A new approach for the development of classifications was needed since:

...criminal classification could no longer rely mainly on theoretical speculation or poorly constructed empirical systems and that attention had to be given to upgrading the scientific quality of classification systems (Brennan, 1987, p. 212).

What has emerged from the need to improve the scientific quality of criminological classification systems was the stage of Quantitative Classification. It was expected that classifications based on quantitative methods would provide numerous advantages

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combinations of those variables” (p. 115). The term ‘typology’ however, is often used to “refer to any set of mutually exclusive subtypes, each of which may be defined or identified by different kinds of criteria” (p. 115). The authors argue that there is no need to distinguish between these two terms and the author of the present study also does not draw a distinction between a “classification” and a “typology.”

including “higher objectivity, greater precision of measurement, higher information content, and general improvement in descriptive, predictive, and theoretical validity” (Brennan, 1987, p. 213).

The F.B.I.’s Crime Classification Manual is an example of a classification system derived from quantitative methods. The C.C.M. uses a multivariate approach which provides a far higher level of information content that was previously possible for empirical classifications.

## Chapter Four: The Crime Classification Manual

In 1992 the F.B.I.'s National Center for the Analysis of Violent Crime published the Crime Classification Manual (C.C.M.). This American manual, which provides an in-depth classification scheme for three major categories of crime, represents the combined efforts of the Special Agents in the Investigative Support Unit, the Behavioural Science Unit, and the Forensic Science Research Training Center at the F.B.I. Academy in the U.S. over a ten-year period during the 1980's. Other contributors and consultants to the development of the C.C.M. include police investigators, criminologists, and mental health professionals from across the U.S. and Canada.

The three major categories of violent offences classified in the C.C.M. are homicide, arson and sexual assault. Although the following discussion is relevant for all three major categories of the C.C.M., the main focus will be on the third category of sexual assault.

### The Decision Process

In order to classify each of the crime categories in the C.C.M., the F.B.I. developed defining characteristics for each offence. These defining characteristics were obtained inductively through the comprehensive examination of victims, crime scenes, and forensic evidence.

### Victimology

Victimology--ascertaining the complete profile of the victim--is a crucial part of crime analysis and classification. Often, it involves the evaluation of why a particular person was targeted for a crime. By knowing the relationship between the victim and the offender (such as whether or not the victim was known to the offender) and knowing what



risk the offender took in perpetrating the crime can lead investigators to a motive and, in turn, the discovery of the offender.

Activity between offender and victim is an important aspect of classifying the crime. This includes any verbal interchange as well as physical and sexual activity. "Excessively vulgar or abusive language, scripting, or apologetic language are each common to a certain type of rapist" (Douglas, et al. 1992, p. 8). Additionally, the age, sex and number of victims are also important factors the classification of crime and the eventually identification of the perpetrator.

### Crime Scene Indicators

Although there are many elements of a crime scene that pertain to crime classification, not all are present--or recognizable--with every offence. Elements which may be important in the analysis of sexual crimes include the number of crime scenes (for example, does the offense only occur in a public park, in a car, or at the victim's home or a number of different sites?), the environment within which the offence took place (i.e., did the offense occur indoors or out, during the daytime or night, in a busy daycare or a secluded park?), the number of offenders committing the offense, and the amount of premeditation involved (e.g., was the offender well organized in the planning and the commission of the crime and whether or not a weapon was used to control the victim). These and other crime scene indicators have been found to common to certain offences and once they have been deduced, the crime and motive can be classified.

### Forensic Findings

Forensic findings offer the objective facts of an offence that include the "analysis of physical evidence pertaining to a crime, evidence that is used toward legal proof that a crime occurred" (Douglas, et al. 1992, p. 10). In cases of sexual assault, for example,

medical reports provide important forensic evidence. Human hair (from the head and the pubic area), swabbing (vaginal, penile, oral, and anal), vaginal aspirate, fingernail scrappings, blood and saliva are all evidence collected from the victim by a member of the medical profession following a sexual assault.

However, the authors note that it is important to remember that the “apparent absence of penetration with the penis does not mean that victim was not sexually assaulted. Sexual assault also includes insertion of foreign objects, regressive necrophilia, and many activities that target the breasts, buttocks and genitals” (Douglas, et al. 1992, p. 11). As a result, a medical examination is not the only source of procuring forensic evidence: the home or work environment of the suspect may also produce evidence. For example, the hair, blood sample or clothing of the victim may be found in the suspect’s environment.

These defining characteristics (i.e., victimology, crime scene indicators and forensic findings) were included by the C.C.M. investigators into the 108 research files used to generate the classifications within the Crime Classification Manual. These research files were extensive and included diagnostic and evaluative information, school and employment reports, police reports and court testimony, parole summaries, probation records, social service notes, past institutional records and complete records on the offender’s familial and developmental history. These extensive research files were then independently analysed and subtyped by two senior clinicians who were familiar with sex offenders.<sup>4</sup> The independent subtypes were then compared and in the event of a discrepancy between the clinical raters, they attempted to reach a consensus through mutual discussion. When this failed, a third clinician made an independent rating. If this third judgment failed to promote agreement amongst the clinicians, the case was omitted. Of the

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<sup>4</sup> In some cases, several categories might apply. The main rule for such a case is that the more serious offense takes precedence. For example, if a sexual assault and a murder was committed, the homicide would take precedence thus the main classification would be the appropriate homicide category.

108 research files used initially, 8 were dropped because of a lack of consensus between raters.

### The C.C.M.'s Rape and Sexual Assault Classifications

As previously mentioned, there are no classification systems available that have obtained universal acceptance. Therefore, the researchers of the C.C.M. integrated the components that have been found to have some empirical utility from a variety of typological systems into their classification system. Two of the resulting major classification categories is the rapist classification and classification by age of victim. A brief description of the remaining C.C.M. categories will follow. (For a complete description of all the C.C.M. categories and subcategories, see Appendix A).

#### Rapist Classifications

The F.B.I. research resulted in six general categories of rape. The first category is the *social acquaintance rapist*. This type of rapist is known to the victim: the relationship is usually social and the assault most often occurs on a "date." Other relationships include student/teacher or athlete/coach relationships. The offender quite often has good social skills and has not been involved in serious criminal activities.

The *subordinate rapist* is similar to the social acquaintance rapist in that there is a relationship between the victim and offender. However, in this case, the offender has power over the victim by employment, age or education which the offender uses to take advantage of the victim. This type of offender usually has a history of prior offences and often may move to avoid detection by the authorities.

For the *power-reassurance rapist*, the assault is primarily an expression of the offenders' fantasies. This type of offender has a history of sexual preoccupation (i.e., may engage in bizarre masturbatory practices, voyeurism, exhibitionism, obscene telephone

class, fetishism, etc.) and at the core of his fantasy is the belief that the victim will enjoy the assault. The offender may even believe that the victim will fall in love with him. The motive driving the power-reassurance rapist is the belief that no person “in their right mind would voluntarily have sex” with the offender (Douglas et al. 1992, p. 194). In short, the offender feels inadequate as a sexual person.

The fourth type of rapist is the *exploitative rapist*. This type of offender differs from the power-reassurance rapist in that the assault is “an impulsive act determined more by situation and contact than by conscious fantasy” (Douglas et al. 1992, p. 194). There is little or no concern for the victim’s welfare. What is important to this type of rapist is that he find a victim to submit to him sexually.

For the *anger rapist*, anger and rage are expressed sexually and the victim represents the hated individual(s) (for example, the offender may hate people of a particular sex, age or race). This type of offender feels that he has been the victim of a “cumulative series of experienced or imagined insults from many people, such as family members, wife, or girlfriends” (Douglas et al. 1992, p. 194).

The final main category of rapist is the *sadistic rapist*. For this offender, sexually aggressive (sadistic) fantasies are acted out. As sexual arousal increases for this type of person, so does aggressive feelings. The sadistic rapist can be differentiated from the anger rapist. The sadistic rapist usually directs his violence towards the parts of the victim’s body that have sexual significance: breasts, anus, buttocks, genitals, and mouth.

#### Classification by Victim Age

The C.C.M. also classifies each category by the age of the victim. *Adults* are defined as eighteen years of age or older. *Adolescents* are defined as individuals aged between thirteen and seventeen years of age. *Children* are defined as aged twelve years or

younger. Victims are divided into these three categories on the basis of their legally proscribed levels of consent to sexual conduct. In both the U.S. and Canada, adults (who are almost always pubescent) usually are considered capable of consent under laws regarding the legal forms of sexual conduct--except those adults who are incapable of consent by reason of mental disorders. In the U.S., the legal status under the laws proscribing the sexual conduct of adolescents (who are usually pubescent) varies from state to state and even statute to statute within the same jurisdiction. Within Canada, however, the 'age of consent' is fourteen in all provinces and jurisdictions. Children (who are most often prepubescent) are considered incapable of giving consent by all laws pertaining to sexual conduct in both the U.S. and Canada.

#### Other Classifications

Other classification categories included in the C.C.M. are rapes occurring during the commission of another crime (e.g., a sexual assault occurring while the offender was engaged in a break and enter), nuisance offences (sexual crimes in which there are no physical contact with victims), domestic sexual assault (which occurs amongst family members and includes a child sexual abuse subclassification), pornography and sex ring classifications, and finally, gang sexual assault categories (for cases where there are three or more offenders).

#### Objectives of the Crime Classification Manual

Four main objectives for the C.C.M. have been identified:

1. To standardize terminology within the criminal justice field;
2. To facilitate communication within the criminal justice field and between the criminal justice and mental health systems;

3. To educate the criminal justice system and the public at large to the types of crimes being committed; and
4. To develop a database for investigative research (Douglas et al. 1992, p. ix).

In short, the overall goal of the Crime Classification Manual is to provide a single, comprehensive classification scheme for use by the variety of personnel within the different levels of both the criminal justice and the mental health systems who deal with offenders. It is hoped that the C.C.M. will assist in not only defining the classification of the offence and the offender but will also provide an assessment of offender risk, treatment options in addition to being a useful tool for criminal investigators. Such a goal is indeed an ambitious one. Currently, there are no sex offender classification schemes that have gained universal acceptance (Douglas, et al. 1992). Furthermore, as discussed in earlier sections of this paper, classification schemes to date are narrow in scope and can only be used in specific situations resulting in limited utility for the classification.

## Chapter Five: The Study

### Subjects

The study consisted of a review of institutional files--there was no direct contact with subjects. Subject files were obtained from the East District Specialized Supervision Unit Probation (E.D.S.S.U.) office in Burnaby, B.C. Part of the British Columbia Ministry of Attorney General (Corrections Branch), E.D.S.S.U. supervises offenders found guilty of a sexual offence who are released into the community after being placed either on provincial parole, probation or bail. The community-based office also monitors offenders while they are incarcerated. The E.D.S.S.U. catchment area includes the communities of Coquitlam, Port Coquitlam, Port Moody, New Westminster and Burnaby. The E.D.S.S.U. files included information from multiple sources external to the probation office. These reports included--but are not limited to--police reports, results of psychiatric evaluations, pre-sentence and behavioural observation reports, criminal history records, treatment summaries, probation/parole assessments, and social service evaluations, etc. Ethical approval for the use of these files for this study was obtained from both Simon Fraser University and the British Columbia Ministry of Attorney General (Corrections Branch).

There were 120 files available at E.D.S.S.U.'s office during the months of July and August, 1994, included in this study. However, only complete files containing most of the information (for example, police reports, criminal records, basic demographic data, etc) required by this study were coded resulting in a sample size of 96 subject files. Twenty-four files were excluded.

The majority of the 96 subjects in the present study were male (96.9 percent) and Caucasian (83.3 percent). The subjects ranged in age between 18 and 79 years of age with

a mean age of 36 (SD=13.553). Over three-quarters (78.7 percent) had obtained at least a high school education and 10.3 percent possessed post-secondary education or vocational training. At the time of their arrest, 48.9 percent of the subjects were employed, 17.0 percent were unemployed and 14.9 percent were classified as being on welfare. The remaining 19.2 percent of the sex offenders were either retired (10.6 percent), students (10.6 percent), homemakers (2.2 percent) or “other” (1.1 percent). Most of the subjects were single (43.8 percent) at the time of their arrest and 31.2 percent were either married or engaged in a common-law relationship. The remaining 25 percent were either divorced, separated or widowed from their spouses. On overwhelming majority of the sex offenders (81.3 percent) lived in a house or apartment and 12.5 percent rented rooms while the residual 6.2 percent stated that they had no fixed addresses, boarded or were in prison at the time of their arrest for their current offence(s).

### Procedure

The study required that the subject files be reviewed by two people: a probation interviewer from the Corrections Branch and the researcher. The probation interviewer, who was familiar with the subjects and their offences, was asked to complete a short checklist (see Appendix C). This checklist required the probation interviewer to categorize the offender according to one of the categories obtained from the C.C.M. (see Appendix A for brief outline of the various C.C.M. classification categories used in this study). The Sexual Assault classification categories--with case study examples--had been given to the probation interviewer to assist in this task. The probation interviewer completed 36 cases; this sub-sample of subjects had been randomly chosen from the initial study sample of 96 subjects.

The researcher reviewed each subject's file and, without knowing the classification given by the probation interviewer to the same offender, also categorized the subject



according to the classifications given in the C.C.M. Because of the unfamiliarity of the researcher with the subjects, completion of a more detailed checklist was warranted (see Appendix B). Additionally, the researcher coded not only the basic demographic data of each offender, but also their criminal histories. Obtaining information regarding prior offences was considered an essential aspect of this study since the current offence is not always representative of an individual's criminal pattern (Levin and Stava, 1987).

As Chapter Two illustrates, sexual offenders are not a homogeneous group and should not be assessed as such. Therefore, this sample had also been grouped and analysed according to 4 broad categories:

- Group 1: Nuisance Sexual Offenders (those convicted of masturbating in public or “flashing”, etc.);
- Group 2: Familial Sexual Offenders (offenders who had committed crimes against their family members);
- Group 3: Non-Familial Sexual Offenders (offenders who had committed crimes against non-family members); and
- Group 4: Sex Ring Violaters (offenders who use children to create obscene materials such as photos, movies and videos).

These categories were derived from grouping together C.C.M. classification categories which employs a numbering system: Group 1 consists of any subject who had been placed in the 311 category; Group 2 contains subjects classified according to 312 categories (which includes adult and child domestic sexual assaults); Group 3 consists of subjects classified in the C.C.M. categories ranging from 313 to 315 and 319 to 332; and, Group 4 are comprised of offenders who were classified in either the 316, 317 or the 318 categories (see Appendix A for a detailed definitions of these categories). Placement of subjects into

each of these categories was dependent on the researcher's decision--after reviewing the institutional files--on which C.C.M. category best described the subject's sex offending career.

Following the in-situ review and encoding of the required information from the E.D.S.S.U. files, the coded data was analysed at Simon Fraser University. It should be noted that any identifying data did not leave the Burnaby probation office. The analyses included assessments of the coverage, reliability and validity of the C.C.M.

Coverage (i.e., the proportion of a sample which the C.C.M. was able to classify) was measured by calculating the frequency with which offenders fit into each category. Also included in the analyses is the coverage of subjects within the 4 broad group C.C.M. categories.

In order to evaluate the reliability of the C.C.M., the interrater reliability (i.e., the extent to which the probation interviewer and the researcher both agree on the classification category for each offender) was calculated. The interrater reliability was assessed with kappa coefficients (chance-corrected measures of inter-rater agreement) and was interpreted according to guidelines proposed by Cicchetti and Sparrow (1981): kappas below .40 are considered to be poor, kappas between .40 and .59 to be fair, between .60 and .74 to be good and .75 or over as excellent.<sup>5</sup>

And finally, the validity of the Crime Classification Manual (i.e., the ability of the manual to make meaningful distinctions between groups) was assessed by comparing the demographic data and criminal histories according to the broad group categories discussed above.

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<sup>5</sup> The kappa statistic contrasts the observed proportion of agreement with the proportion expected by chance alone by means of the formula  $\text{kappa} = \frac{P_o - P_c}{1 - P_c}$ , where  $P_o$  is the observed proportion of agreement and  $P_c$  is the proportion expected by chance. Kappa varies from negative values for less than chance agreement, through 0 for chance agreement, to +1.0 for perfect agreement (Spitzer and Fleiss, 1974).

## Results

### Coverage

The researcher was able to place all 96 subjects (100 percent) into one of the Crime Classification Manual categories. Table 3 shows the percentage of cases which the researcher felt was the C.C.M. category that best describes the subject's sex offence. The C.C.M. category chosen most (39.6 percent) was Child Domestic Sexual Abuse, followed by Subordinate Rape Child (12.5 percent). Table 3 also shows that of the possible 65 categories and sub-categories available in the Sexual Assault classification section of the C.C.M., the researcher placed a subject in at least one of 22 of the possible categories. No subject was placed in the category of "390: Sexual assault not classified elsewhere".

Table 3: The percentage of cases (N=96) which the researcher thought was the C.C.M. category that best described the subject's sex offence.

Crime Classification Category	Researcher's Rating (N=96)
312.02 Child Domestic Sexual Abuse	39.6
313.02.03 Subordinate Rape Child	12.5
313.01.01 Social Acquaintance Rape Adult	6.3
311.02 Preferential Offence	6.3
313.02.02 Subordinate Rape Adolescent	5.2
311.01 Isolated/Oppportunistic Offence	3.1
313.01.03 Social Acquaintance Rape Child	3.1

313.04.01	Exploitative Rape Adult	3.1
332.01	Informal Gang Sexual Assault Single Victim	3.1
313.01.02	Social Acquaintance Rape Adolescent	2.1
313.04.02	Exploitative Rape Adolescent	2.1
313.04.03	Exploitative Rape Child	2.1
314.01	Anger Rape Gender	2.1
313.01.01	Subordinate Rape Adult	1.0
313.03.01	Power-Reassurance Rape Adult	1.0
313.03.02	Power-Reassurance Rape Adolescent	1.0
313.03.03	Power-Reassurance Rape Child	1.0
313.04	Exploitative Rape	1.0
314.02.01	Anger Rape Elderly Victim	1.0
314.04	Anger Rape Global	1.0
316.01	Child/Adolescent Pornography Closet Collector	1.0
317.01	Historical Child/Adolescent Sex-Ring-Solo Child	1.0

The coverage of the C.C.M. was further analysed according to 4 broad categories. Table 4 shows that the researcher placed almost half (49.0 percent) of the subjects into the Group 3 category of Non-Familial Sexual Offenders. A further 40.0 percent were placed into the Group 2 category of Familial Sexual Offenders. The remaining subjects were placed into either Group 1 (Nuisance Sexual Offenders) or Group 4 (Child-Adolescent Pornography/Sex Ring Violators) broad categories.

Table 4: The number of cases (N=96) within each broad category that the researcher thought best described the subject's sex offence.

Broad C.C.M. Category	Number (Percent)
Group 1: Nuisance Sexual Offenders	9 (9.0)
Group 2: Familial Sexual Offenders	38 (40.0)
Group 3: Non-Familial Sexual Offenders	47 (49.0)
Group 4: Child-Adolescent Pornography/Sex Ring Violators	2 (2.0)
Total	96 (100.0)

### Reliability

As discussed previously, the probation interviewer independently had reviewed and classified 36 (40.0 percent) of the 96 cases of the study sample. In 63.9 percent of these cases, the probation interviewer agreed with the researcher on the C.C.M. classification category which had best described the subject's offence type. To correct for chance agreement, kappas were calculated. In this case, a kappa of 0.53 was calculated (indicating 53.0 percent agreement beyond chance). According to the guidelines proposed by Cicchetti and Sparrow (1981), a kappa of 0.53 is considered fair.

Table 5 presents the number of agreements (n=36) between raters on the C.C.M. classifications by each sub-category. Of the *nuisance offences* (C.C.M. classification number 311) the raters disagreed on 2 of the 4 cases. The highest agreement between the raters was found within the *child domestic sexual abuse* category (312.02 classification). Within this category, the raters agreed on 13 of the cases and disagreed on 2 cases. Most of the disagreement was found within the *entitlement rape* categories (313 classifications).

Table 5: The number of agreements between raters on C.C.M. classifications by sub-categories (n=36).

Researcher Rating	Rating of Probation Interviewer												
	311.01	311.02	311.03	312.01	312.02	313.01.02	313.01.03	313.02.03	313.03.01	313.03.02	313.04.01	313.04.02	
C.C.M. Category													
311.01	1	0	0	0	0	0	0	0	0	0	0	0	0
311.02	0	2	1	0	0	0	0	0	0	0	0	0	0
312.02	0	0	0	0	13	0	0	2	0	0	0	0	0
313.01.01	0	0	0	1	0	0	0	0	0	0	0	0	0
313.01.03	0	0	0	0	0	0	0	0	0	1	0	0	0
313.02.02	0	0	0	0	1	0	0	0	1	0	0	0	0
313.02.03	0	0	0	0	1	0	0	4	0	0	0	0	0
313.03.02	0	0	0	0	0	1	0	0	0	0	0	0	0
313.03.03	0	0	0	0	0	0	1	0	0	0	0	0	0
313.04.01	0	0	0	0	0	0	0	0	0	0	2	0	0
313.04.02	0	0	0	0	0	0	0	0	0	0	0	1	0
313.04.03	0	0	0	0	1	0	1	0	0	0	0	0	0
317.02	0	0	0	0	0	1	0	0	0	0	0	0	0

In 4 of the cases, the probation interviewer had assigned the subjects into *domestic sexual assault* categories whereas the researcher had categorized those same subjects as *entitlement rape* cases. In another 4 cases, the raters could not agree as to which *entitlement rape* sub-category to place the subjects. However, agreement was reached in the final 8 cases rated as *entitlement rape* classifications. In the final case, the researcher placed the subject into the *transitional child sex ring* category whereas the probation interviewer felt that the case was better categorized as *social acquaintance rape adolescent*.

To assess whether or not the divisions within each category were too fine, the kappas for broad categories were also calculated. Results of the analysis show that with the 4 broad categories there was an 80.6 percent agreement between the researcher and the probation interviewer, yielding a kappa of 0.69. In accordance with Cicchetti and Sparrow (1981) such a kappa is considered to be good to excellent. It should be noted that the resulting kappas for both the sub-categories and the broad categories in this study are similar to those reported for the reliability of other diagnostic systems (e.g., American Psychiatric Association, 1980; Knight, Carter & Prentky, 1989a; Skinner, 1981).

A more detailed analysis of the agreement between broad categories had revealed that the researcher and the probation interviewer disagreed more often within the sub-categories of the Non-Familial Sex Offenders. Table 6 shows that the raters disagreed on one quarter of the cases (25.0 percent) in this category but agreed on 12 cases (75.0 percent). A high level of agreement was achieved in the Group 1 and Group 2 broad categories. The raters agreed with one another in 100.0 percent (n=4) of the Nuisance Sex Offender cases and reached an 87.0 percent agreement (n=13) for the Familial Sex Offender cases. The raters could not reach a consensus on the sole Group 4 case.

Table 6: The number of agreements between raters on C.C.M. classifications by broad categories (n=36).

Researcher	Probation		Interviewer	
Broad Category	Nuisance Sex Offenders	Familial Sex Offenders	Non-Familial Sex Offenders	Sex Ring Violaters
Nuisance Sex Offenders	4 (100.0)	0 (0.00)	0 (0.00)	0 (0.00)
Familial Sex Offenders	0 (0.00)	13 (87.0)	2 (13.0)	0 (0.00)
Non-Familial Sex Offenders	0 (0.00)	4 (25.0)	12 (75.0)	0 (0.00)
Sex Ring Violaters	0 (0.00)	0 (0.00)	1 (100.0)	0 (0.00)

### Validity

To assess the validity of the C.C.M., the demographic profile and the criminal histories of the subjects were analysed according to broad group categories. However, it should be noted that Group 4 subjects were not included in these analyses because of low sample size. Results show that although Group 3 (Non-Familial Sex Offenders) were younger ( $M=33.91$ ,  $SD=12.33$ ) than either of the either Group 1 (Nuisance Sexual Offenders) ( $M=35.51$ ,  $SD=8.68$ ) or Group 2 (Familial Sexual Offenders) ( $M=40.45$ ,  $SD=15.34$ ) members, ANOVA indicated that there are no significant differences at the 0.05 level. Neither were there any significant differences found for the education, ethnic, income or living arrangement variables between these subject groups.



However, significant differences between subject groups were obtained for marital  $\chi^2 (4, N=87)=14.13, p<.05$  and employment status  $\chi^2 (12, N=86)=27.64, p<.05$ . The majority of Group 1 (55.6 percent) and Group 3 (57.5 percent) subjects were single, whereas almost half of Group 2 (44.7 percent) were either married or living in a common law relationship at the time of their convictions. Group 2 were also more likely to have been married (36.8 percent) but were, at the time of their convictions, either divorced, separated or widowed compared to Group 1 (11.1 percent) and Group 3 (22.5 percent).

Table 7 shows the employment status of each subject groups. The overwhelming majority of Group 1 subjects (88.9 percent) were employed at the time of their convictions compared to only 43.2 percent of Group 2 subjects and 42.5 percent of the Group 3 subjects. Group 3 are more likely to be unemployed or on welfare (37.5 percent) than Group 2 (32.4 percent) and Group 1 (11.1 percent). An interesting finding was that one-fifth of Group 3 subjects (20.0 percent) were students at the time of their convictions.

Table 7: Employment status of each subject group at the time of conviction (N=96).

Employment Status	Group 1	Group 2	Group 3
Employed	88.9	43.2	42.5
Unemployed	11.1	24.3	12.5
Welfare	0.0	8.1	25.0
Retired	0.0	13.5	0.0
Student	0.0	2.7	20.0
Homemaker	0.0	5.4	0.0
Other	0.0	2.7	0.0

The majority of subjects had been convicted of their first offence<sup>6</sup> by the time they had reached their 30's. Before the age of 20, 30.2 percent of the subjects had been convicted of an offence and a further 29.2 percent received their first convictions between the ages of 21 and 30 (see Figure 1). Group analysis indicated that the average age at which Group 1 had been convicted for their first offence was 26.3 years, Group 3 was 31.8 years, and that Group 2 average age was found to be 34.1 years. However, analysis of variance indicated that there are no significant differences between these groups at the 0.05 level.

Over two-thirds (67.4 percent) of the subjects have never been incarcerated before their current offence. Of the remaining 32.6 percent, 28.4 percent of the subjects had been incarcerated at a provincial level, 2.1 percent at the federal level and a further 2.1 percent had spent time at both provincial and federal level institutions.

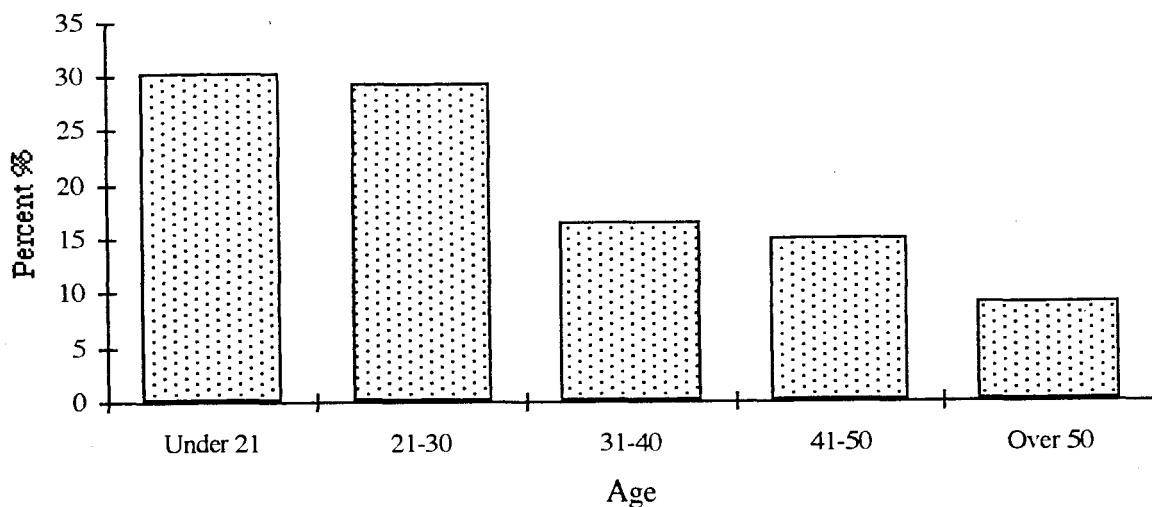


Figure 1: Age at first convicted offence (N=96).

The majority of the subjects had never been previously charged (70.8 percent) or convicted (52.1 percent) prior to their conviction for their current offence (see Table 8).

<sup>6</sup> The first conviction includes, in many cases, the conviction for the subject's present offense.

However, of those sex offenders with prior involvement with the law, 29.2 percent have records for prior charges totalling 101 charges and 47.9 percent have prior convictions totalling 288 convictions. The mean number of previous charges was found to be 1.05 ( $SD=2.66$ ) while the mean number of past convictions was 3.02 ( $SD=6.42$ ). Most of the 288 convictions (30.2 percent) were for theft ( $M=3.34$ ,  $SD=6.44$ ), 14.9 percent of the convictions were for sex offences ( $M=2.39$ ,  $SD=1.98$ ), followed by 11.8 percent of all convictions stemming from alcohol-related driving infractions including negligence offences ( $M=2.26$ ,  $SD=2.22$ ). The types of charges laid are similar to the pattern of prior convictions: of the 101 past charges, 24.8 percent were for theft ( $M=2.27$ ,  $SD=1.95$ ), 13.9 percent were for sex offences ( $M=1.57$ ,  $SD=0.73$ ) and 12.9 percent were alcohol-related and negligent driving offences ( $M=1.62$ ,  $SD=0.74$ ). Almost 15 percent of charges and 11.8 convictions were for more “violent” crimes such as weapons offences, assault, kidnapping, robbery, arson, etc. None of the sex offenders had prior convictions or charges for murder. The remaining 33.7 percent of prior charges and 31.3 percent of the prior convictions were for “soft” crimes such as fraud, obstruction, perjury, breaches, escapes, mischief, prostitution and drug offences.

Differences in the mean number of previous charges are to be seen when grouping the offenders based on the type of current conviction  $F(2, 84)=3.42$ ,  $p<.05$ . An analysis of variance show that the mean number of previous charges is greater for Group 1 offenders than the other two groups. Group 1 had an average of 3.22 charges, ( $SD=2.05$ ) compared to 0.76 charges for Group 2 ( $SD=2.01$ ) and 0.80 charges for Group 3 ( $SD=1.90$ ). No significant differences between the groups were found when the number of previous convictions had been analysed. In addition, no significant differences were found between the groups when the number of charges and convictions for violent crimes were calculated.

Table 8: The number of charges and convictions prior to the current offence (N=96).

Number of Offences	Percentage of Subjects Charged	Percentage of Subjects Convicted
0	70.8	52.1
1-5	22.9	32.3
6-10	4.2	6.2
11-15	1.1	4.2
16-20	1.0	2.1
21 or more	0.0	3.1

Note. The number of 'charges' do not include those charges which resulted in convictions.

The 96 subjects in this study were convicted of 112 sexual offences. Seventy-nine percent of the subjects were convicted of a single offence, one fifth of the subjects (20 percent) were found guilty of 2 sexual offences and 1.0 percent of the offenders had been convicted on 3 sexual offences. Table 9 shows the types of offences for which the study sample had most recently received a conviction. The most common violation amongst the subjects had been S. 271 (sexual assault; 51.8 percent) followed by S. 151 (sexual interference; 11.6 percent). (See Appendix D for definitions of Criminal Code sections discussed in this study).

Table 9: Percent of current offence convictions by Canadian Criminal Code Section (N=112).

Canadian Criminal Code Section	Number of Convictions (%)
S. 271 Sexual Assault	58 (51.8)
S. 151 Sexual Interference	13 (11.6)
S. 173 Indecent Acts/Exposure	9 (8.0)
S. 149 Indecent Assault	7 (6.3)
S. 152 Invitation to Sexual Touching	7 (6.3)
S. 153 Sexual Exploitation	5 (5.3)
S. 155 Incest	3 (2.7)
S. 157 Gross Indecency	3 (2.7)
S. 272 Sexual Assault with a Weapon	3 (2.7)
S. 266 Assault	2 (1.8)
S. 73 Forcible Entry	1 (0.8)
Total	112 (100.0)

Most of the subjects in this study had been convicted for their current sexual offence against a single victim (71.6 percent). Almost one-fifth (18.9 percent) had 2 victims and 5.3 percent offended against 3 victims. One subject had abused 20 victims, another victimized 11 people. The majority (76.0 percent) of these sexual offences had been perpetrated against female victims. In 18.8 percent of the cases, the victims had been male. There were some offences perpetrated against both male and female victims (5.2 percent).

Table 10 shows the levels of physical harm or verbal threats made to victims by the subjects in their current offence. In 66.7 percent of the offenders did not use any form of verbal threats towards their victims. However, 18.8 percent used mild verbal threats (such as “don’t tell anyone or I’ll go to jail”), 7.3 percent of the study sample made moderate threats and a further 7.3 percent uttered threats of death towards the victims or displayed weapons during the commission of their offences.

Table 10: The levels of physical harm or verbal threats made to victims by the subjects in their current offence (N=96).

Level of Physical Harm to Victim(s)	Percent
None	79.2
Mild (pushes/shoves/no visible marks)	12.5
Moderate (cuts/bruises)	6.3
Severe (required hospitalization or treatment)	2.1
Level of Verbal Threats to Victim(s)	Percent
None	66.7
Mild (“don’t tell anyone or I will go to jail”)	18.7
Moderate (threats of physical harm/no weapon)	7.3
Severe (threats of death/weapon shown)	7.3

A similar pattern emerges in the analysis of the levels of physical harm applied to victims by the subjects. The majority of the offences had been committed without any form of visible physical harm (79.2 percent) whereas 12.5 percent of the subjects used mildly

aggressive behaviour such as pushing or shoving their victims. A further 6.3 percent engaged in moderate levels of physical harm and 2.1 percent used severely aggressive behaviour during the commission of their crimes requiring the victims to receive hospitalization or some other form of medical treatment.

Chi-square analysis by offender broad category grouping do not show any significant between group differences on any current offence variable in this study except for the victim age variable. Over half (55.6 percent) of the subjects convicted on a nuisance offence (Group 1) committed their crimes against adults, one third (33.3 percent) offended against adolescents and 11.1 percent offended against 6 to 12 year olds. Not one subject in Group 1 offended against a toddler (see Table 11). Group 2 subjects (persons who offended against a family member) were more likely to offend against children. Prepubescent family members were targeted most often (39.5 percent) followed by adolescent family members (28.9 percent). No subject in Group 2 offended against an adult family member. Group 3 subjects were also most likely to have offended against non-familial prepubescent children (37.5 percent), however, 25.0 percent of this group also committed an offence against adult victims.

Table 11: Age of youngest victim by current sexual offence grouping (N=96).

Age of Victims	Group 1	Group 2	Group 3
0-5 (Toddler)	0.0	31.5	17.5
6-12 (Prepubescent Child)	11.1	39.5	37.5
13-18 (Adolescent)	33.3	28.9	20.0
19 or more (Adult)	55.6	0.0	25.0

## Chapter Six: Discussion

The findings presented show that the subjects of this study who had either been provincially sentenced or had been incarcerated at the provincial level in British Columbia, Canada, were overwhelmingly male, in their middle 30's, have received at least a high school education and were employed at the time of their arrest. Most of these subjects were single and lived in either a house or an apartment. The average subject had never been incarcerated before his current offence, nor had he been previously charged or convicted for an offence.

The profile of the subjects who did have a criminal history suggests that majority of these offenders had been charged or convicted of their first criminal offence by the time they were 30 years old. The average number of past convictions was 3, with most of the convictions for non-violent crimes such theft and alcohol-related driving infractions. Less than one-fifth of past convictions were for previous sexual offences.

### Descriptive Validity

The Group categories of Nuisance, Familial and Non-Familial Sexual Offenders into which offenders had been placed reflected inter-group differences on a limited number of variables. The groups differed demographically on marital and employment status variables at the time of their arrests. There are also few differences to be found in the criminal history and current offence variables. Consequently, the descriptive validity of the C.C.M. may be in question.

In general, Nuisance Offenders were single but more likely to be employed than subjects from the other groups. Compared to the other subjects, less than half of the Familial Sexual Offenders were employed but these subjects were more likely to be married or in a living common-law relationship. Similarly, less than half of the Non-Familial Sex



Offenders were employed at the time of their arrest but were more likely to be unemployed than either of the other two groups. Interestingly, one-fifth of this latter group were students, indicating that their sexual assaults could be related to “date rapes.”

The groups also differed on two criminal history variables--the number of previous charges and the age of victims. Nuisance Offenders had accumulated, on average, almost 3 times as many previous charges than the other subjects although there were no difference between groups on the average number of previous convictions. This could be indicative of an increased involvement with the police for Nuisance Offenders, but many of these charges did not become convictions. As noted in Chapter Two, nuisance offences are considered ‘soft’ crimes by the criminal justice system--and as result, are viewed as less important--which may explain why there were no significant differences between the groups in the number of previous convictions.

The age of the youngest victim for an offender’s current offence was another variable that proved to be statistically significant. Over half of the victims chosen by Nuisance Offenders were adults whereas all of the victims for Familial Sexual Offenders were under the age of 18 (with the majority of victims aged between 6 and 12 years of age). For Non-Familial Sexual Offenders, however, the age of the victims ranged from toddlers to adults with the majority of the victims aged between 6 and 12 years of age. Such results makes intuitive sense. Familial Sexual Offenders, by the nature of their categorization, offend against their own children--cases of incest rarely continues into adulthood. For Non-Familial Sexual Offenders, the age range is the greatest because this group includes subjects who had offended against children not of their own families (usually called pedophiles or child molesters in the literature) and subjects who have committed sexual assaults against adults. The greater number of young victims for this latter group of subjects is indicative of the subject sample: offenders who commit crimes against

young victims tend to receive provincial sentences and offenders who sexually assault adults are also more likely to receive federal sentences.

However, a greater problem exists with the data which may affect the validity of the study. Initially, the basis of delineating the groupings rested on the researcher analysing both the current and past sexual offending history of each subject and then deciding on the C.C.M. category which best described the subject's sex offending career. Unfortunately, many of the files lacked the detailed information regarding prior offences. All of the files used in the sample contained copies of criminal history records but these police records listed only the names of the Criminal Code violations. Information about the specific nature of the crimes, the victims involved and possible motives were not included. Thus, the researcher could draw conclusions only about which category to place the subject on the basis of the offence for which the subject had been *currently* convicted. As a result, the C.C.M. categories into which the subjects had been placed might not be an accurate reflection of offender type.

Nonetheless, it should be noted that the literature does contain examples of many studies which explore differences between groups that are defined on the basis of the subject's most current legal classification (Knight, Rosenberg and Schneider, 1985). Nevertheless, obtaining information regarding prior offences is considered essential since the assumption cannot be made that the current offence is representative of the subject's past acting-out pattern (Levin and Stava, 1987).

Gaining complete and accurate information about past offences from official sources may ultimately prove problematic and any attempts should consider the source of the information. For example, at the provincial level--where this study took place--probation officers are considered 'officers of the court' and as such, they are required to warn their probationers that if they should speak of an offence which the criminal justice

system is unaware of, that officer is required to report the offence and new charges may be pursued against the offender. As a result, a complete history of past sexual offences, other than those for which the offender has been convicted of, would not likely be forthcoming under such circumstances. Alternatively, when assured of confidentiality, a full and accurate portrayal of an offender's sexual history may be obtained. For example, Abel, Mittleman, and Becker (1985) have found that when members of the mental health system question offenders about the existence of deviant sexual behaviours other than those that the practitioner is aware of, then more information is gained.

### Coverage

Coverage was found to be 100 percent for the C.C.M. All of the subjects had been placed into a classification category. Moreover, the use of the last category of the C.C.M., "390: Sexual assault not classified elsewhere" had been avoided. This category--which Blashfield and Draguns (1976) refer to as a "wastebasket"--is reserved for those assaults that cannot be classified elsewhere in the manual. Although this appears to be a positive finding, complete coverage may also mean that the reliability of the classification system may suffer (Blashfield and Draguns, 1976). Complete coverage may be indicative of categories containing vague general definitions resulting, in turn, the existence of categories which overlap. The analysis of interrater reliability of the C.C.M. may reflect this paradox.

### Interrater Reliability

Kappa coefficients for interrater reliabilities in this study ranged from 0.53 to 0.69 (considered "fair" and "good" respectively according to the guidelines set by Cicchetti and Sparrow, 1981). The reliability levels were the highest when analysing the results according to broad categories: there was an 80.6 percent agreement between the researcher and the probation interviewer yielding a kappa of 0.69. However, when ratings for sub-

categories was included, the level of the kappa coefficients dropped: the raters agreed in only 63.9 percent of the cases resulting in a kappa of 0.53.

The resulting kappa coefficients obtained for this study are similar to those achieved by other classification systems. For example, several field trials evaluating the interrater reliability for the DSM-III--a psychiatric diagnostic system used widely throughout North America--generated kappas similar to those found with the C.C.M. in this study (American Psychiatric Association, 1980). The overall kappa for the major classes of Axis I of the DSM-III (containing clinical psychiatric syndromes) ranged between 0.52 and 0.72; and for Axis II (Personality disorders for adults or developmental disorders for children) the overall kappa coefficients ranged between 0.55 and 0.66; overall kappas for the remaining axes ranged between 0.52 and 0.75. Intraclass reliability varied considerably depending on the disorder category. In Axis I, for example, kappas ranged between 0.25 and 1.0.

The difference in agreement between the researcher and the probation interviewer on the subcategorization sex offenders may be traced to several factors--factors which Blashfield and Draguns (1976) state contribute most to variation in interrater agreement--which were discussed briefly in the Introduction of this thesis. Not only was there inadequate information in the subject files to allow for the easy placement of subjects into the finer C.C.M. sub-categories, but there was also a difference in training between raters which may have led to the lower interrater kappas. Moreover, the degree of specificity of the intensional definitions of particular categories may have contributed to the lower kappas for the sub-categories.

In some cases, the institutional files reviewed for this study lacked the detail to place subjects within the Non-Familial Sexual Offender sub-categories with greater reliability than that achieved. Both raters felt that the police transcripts of the current offence and the accompanying psychological, psychiatric and probation records were too

general for the task. That is, the files did not contain enough details of the crime committed by the subject to be able to differentiate amongst the different sub-categories of sexual assault required by the C.C.M. For example, the files did not always explicitly state the relationship between the offender and the victim except in very general terms. Nor did some files state the primary aim of the offender when committing the crime. These are two variables necessary to differentiate between the sub-categories subsumed under the *entitlement rape* category.

Additionally, the probation interviewer was privy to information about the subjects which the researcher was not. The probation interviewer knew the subjects on a professional level and had either met or spoken to (via telephone) the offenders, or had discussed specific cases with other members of the E.D.S.S.U. as a normal part of the working day. Some of the verbal information obtained by such interaction was not transcribed and subsequently transferred into the offender's files. Part of the reasoning for the deficiency in the recording of subject information was that some of disclosures made by the offenders were considered irrelevant for the purposes of the office. But more importantly, the E.D.S.S.U. has suffered from a lack of resources and staff to deal efficiently with the ever-growing number of sexual offenders assigned to their office. Another major problem which plagues the E.D.S.S.U. lies in public relations. During the past several years, the "not in my back yard" syndrome has caused the office to become not only uprooted on several occasions but also has led to the temporary cessation of intensive programs designed for the sexual offenders. Not surprisingly, morale--and in turn, file maintenance on the offenders--has been affected. As a result of all these factors, the differential subject information available to the raters could have affected the reliability levels of the sub-categories found in the study.

Inconsistencies between raters may have also stemmed from differences in training. The researcher spent more time studying the C.C.M. while designing, writing the proposal

and conducting this study whereas the probation interviewer had access to the manual only part of the time. This may have given the researcher greater familiarity with the definitions and requirements each of the categories and sub-categories than the probation interviewer would have received.

An alternative source of unreliability may lie in the C.C.M.'s classification of Non-Familial Sex Offenders. More specifically, there may be problems with the specificity of intensional definition of these particular sub-categories. Perhaps the sub-categories for these types of offenders are much more complicated than the sub-categories for other types of sexual offenders in terms of their requirements. For example, the description provided by the C.C.M. for the *social acquaintance rapist* is very similar to that provided for the *subordinate rapist*. In both categories, the rapist is known to the victim. For the *social acquaintance rapist* the assault most often occurs on a "date" but other relationships may include those between student and teacher or athlete and coach. The offender usually has not been involved in serious criminal activities. In the case of the *subordinate rapist*, the offender has power over the victim by employment, age or education which the offender uses to take advantage of the victim. This type of offender usually has a history of prior offences. Herein lies the difficulty. How does a rater decide into which sub-category to place a teacher who has sexually assaulted a student? First of all, the victim is definitely known to the offender. This is a requirement for either category. Second, it can be assumed that the teacher has power over the student by virtue of his employment status and probably age as well--a requirement for the classification of *subordinate rapist*. But if the relationship between the offender and victim is one of teacher and student, then one could conceivably classify the offender as a *social acquaintance rapist* since the C.C.M. specifically states that this is possible. What should then be the deciding factor in this case? Is the fact that the offender has not been involved in prior serious crimes enough to warrant

the classification of a *social acquaintance rapist*? Or is the distinction between these sub-categories too fine to be relevant?

### Methodological Limitations

Several methodological limitations of this study have been delineated including incomplete criminal histories, limited coverage, and rater training differences. First, of main concern is the completeness of the criminal histories available. As stated earlier, detailed information regarding the subject's past criminal behaviour was unavailable for evaluation. Consequently, conclusions drawn about the differences between the offender's themselves are minimal. To be able to compile a more detailed and accurate profile of Nuisance, Familial, and Non-Familial Offenders, evaluation must be made of the subject's complete criminal sexual history. Improvements in both the validity and reliability of the C.C.M. may result.

Second, although the coverage of this study was found to be 100.0 percent, it should be noted that the coverage was limited to only 22 sub-categories (out of a possible 65 sub-categories available within the C.C.M.). Therefore, interpretation of the coverage results should be guarded. The examination of only one-third of the manual's sub-categories may be a reflection of the study sample, however, it is not enough to make definite and conclusive statements about the overall coverage validity of the C.C.M.

Third, while the interrater reliability was comparable to those achieved by other classification systems, stronger results might have been found if both raters had received an equal level of training in not only the use--but also the understanding of the differences between each--of the categories and sub-categories in the C.C.M. Additionally, access to the same information with regards to the subjects may have improved the confidence with which the results of the study may be interpreted.

## Generalizability

Despite some of the methodological limitations of this study, it is nevertheless, likely that the findings will generalize to other provincial correctional settings located in major Canadian centres. Conclusions about the C.C.M.'s generalizability to smaller, northern correctional settings and to federal correctional settings, however, cannot be made at this point. Differences in population demographics and lifestyle may have an affect on the applicability of the C.C.M.

In smaller, northern communities, for example, the demographic characteristics of a sex offender may differ than those found in southern Canadian cities. With the differential employment, educational, marital and ethnic rates, the profile of a Familial Sexual Offender in a northern Saskatchewan community may differ somewhat from the same type of offender in Bonavista, Newfoundland who again differs from an offender who molests his children in Vancouver, B.C. The possible existence of regional differences in criminal histories might also affect the generalizability of the results of this study.

Differences are also found between the type of offender found at the provincial as opposed to federal correctional levels where the distribution of offenders is much different. Provincial offenders are less likely than federally sentenced sexual offenders to have used weapons or violence in the commission of their offence. Also, provincially sentenced offenders are less likely than federal offenders to have serious or violent non-sexual criminal histories as well. The impact of these factors on the validity and the reliability of C.C.M. needs to be independently assessed.

Additionally, the generalizability of the C.C.M. for other types of sexual offenders such as Young Offenders, female sexual offenders, and those offenders in a mental health setting is uncertain at this time. The potential contribution that demographic and criminal



history differences between these types of offenders need to be determined in order to assess the effectiveness of the C.C.M. for these populations.

### Future Research

This study was one of the first steps in the evaluation of the potential usefulness of the C.C.M. for the Canadian criminal justice system. Much more research needs to be made before a recommendation for the implementation of this manual can be made. Future research should, therefore, make every attempt to gain access to information detailing a subject's complete criminal sexual history. A recommendation would be to interview the subjects themselves, rather than rely simply on file information alone, in order to gain detailed information about their offences, motives, etc. in the commission of their sexual crimes. If a personal interview is not possible, then the retrieval of file information detailing past offences is of the utmost importance. In-depth training of raters is also of paramount importance. Care should be taken that each rater is fully aware and knowledgeable of the various C.C.M. categories and have access to the same information about each subject.

In order to better assess the reliability and validity of the C.C.M., future research should attempt to examine sexual offenders in a variety of settings. Since not all sexual offenders are adult males, female and young sexual offenders, as well as those who are found in mental health settings, should also be studied in order to gain a complete and accurate picture of sexual offenders. Furthermore, cross-country evaluations should be made to analyse whether Canada's diverse regional populations have an effect on the profile of sexual offenders.

Of course, these recommendations would require the cooperation of several jurisdictions resulting in an increase of time and funding necessary to complete such a task. However, the potential usefulness of the C.C.M. for the Canadian criminal justice system

would make the expenditure of such resources worthwhile. As outlined in the Introduction (and discussed in greater detail in Chapter Three), the manual has the potential to serve as an invaluable tool for the many professionals involved with offenders at the various levels in the criminal justice and mental health systems. The C.C.M. could provide standardized techniques, definitions, and terminology within a single, comprehensive classification scheme. Furthermore, such standardization would greatly improve the communication and coordination between these professionals and the academicians who study sexual offenders. By working together and using the same language, the etiology, prognosis, treatment and effective management of sexual offenders may be forthcoming.

In conclusion, a variety of problems associated with the C.C.M. and the methodology used to assess its reliability and validity has been discussed. With further research into the complexities of various sexual offences, assessment should become more accurate as the evolution of the C.C.M. system continues. Further delineation of the list of characteristics of presently vague sub-categories of sexual offenders would increase measures of reliability and validity. Therefore, future studies should concentrate their effort on assessing the reliability of the C.C.M. categories not covered by this study and also the other forms of validity which need to be demonstrated before the manual could be considered for practical use by the Canadian criminal justice system.

## References

- Abel, G. G., Barlow, D. H., Blanchard, E. B. & Guild, D. (1977). The components of rapists' sexual arousal. *Archives of General Psychiatry*, 34, 895-908.
- Abel, G. G., Becker, J. V., Blanchard, E. B. & Djenderedjian, A. (1978). Differentiating sexual aggressives with penile measures. *Criminal Justice and Behaviour*, 5, 315-332.
- Abel, G. G., Becker, J. V., Cunningham-Rathner, J., Mittleman, M., & Rouleau, J. (1988). Multiple paraphiliac diagnoses among sex offenders. *Bulletin of the American Academy of Psychiatry and the Law*, 16, (2), 153-168.
- Abel, G. G., Mittelman, M. S. & Becker, J. V. (1985). Sexual offenders: Results of assessment and recommendations for treatment. In M. H. Ben-Aron, S. J. Hucker & C. D. Webster (Eds.), *Clinical criminology: The assessment and treatment of criminal behaviour* (pp. 191-206). Toronto: M & M Graphics Ltd.
- Allen, R. M. & Haupt, T.D. (1966). The sex inventory: Test-retest reliabilities of scale scores and items. *Journal of Clinical Psychology*, 22, 375-378.
- American Psychiatric Association. (1980). *Diagnostic and statistical manual of mental disorders* (3rd ed.).[DSM-III]. Washington, D.C.: American Psychiatric Association.
- American Psychiatric Association. (1994). *Diagnostic and statistical manual of mental disorders* (4th ed.).[DSM-IV]. Washington, D.C.: American Psychiatric Association.
- Amir, M. (1971). *Patterns in forcible rape*. Chicago: University of Chicago Press.

- Andrews, D. A., Bonta, J. & Hoge, R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*, 17, (1), 19-52.
- Ball, G. H. (1970). *Classification Analysis*. California: Stanford Research Institute.
- Ballard, D. T., Blair, G. D., Devereaux, S., Valentine, L. K., Horton, A. L. & Johnson, B. L. (1990). A comparative profile of the incest perpetrator: Background characteristics, abuse history, and use of social skills. In A. L. Horton, B. L. Johnson, L. M. Roundy & D. Williams (Eds). *The incest perpetrator: A family member no one wants to treat*. (pp. 43-64). Newbury Park: Sage Publications.
- Barbaree, H. E., Marshall, W. L. & Lanthier, R. D. (1979). Deviant sexual arousal in rapists. *Behaviour Research and Therapy*, 17, 215-222.
- Baxter, D. J., Marshall, W. L., Barbaree, H. E., Davidson, P. R. & Malcolm, P. B. (1984). Deviant sexual behaviour: Differentiating sex offenders by criminal and personal history, psychometric measures, and sexual response. *Criminal Justice and Behaviour*, 11, (4), 477-501.
- Blackburn, R. (1993). *The psychology of criminal conduct: Theory, research and practice*. Chichester: John Wiley and Sons.
- Blashfield, R. K. (1980). Propositions regarding the use of cluster analysis in clinical research. *Journal of Consulting and Clinical Psychology*, 48, (4), 456-459.
- Blashfield, R. K. & Draguns, J. G. (1976). Evaluative criteria for psychiatric classification. *Journal of Abnormal Psychology*, 85, 140-150.

- Bolton, S. R. & Bolton Jr., F. G. (1990). Meeting the challenge: Legal dilemmas and considerations in working with the perpetrator. In A. L. Horton, B. L. Johnson, L. M. Roundy & D. Williams (Eds). *The incest perpetrator: A family member no one wants to treat*. (pp. 29-40). Newbury Park: Sage Publications.
- Bottoms, A. E. (1973). Methodological aspects of classification in criminology. In *Collected studies in criminological research: Methodological aspects of classification in criminology*. Volume 10. Strasbourg: Council of Europe.
- Brennan, R. (1987). Classification: An overview of selected methodological issues. In D. M. Gottfredson and M. Tonry (Eds.). *Prediction and classification: Criminal justice decision making*. (pp. 201-238). Chicago: The University of Chicago Press.
- Chaiken M. R. & Chaiken, J. M. (1984). Offender types and public policy. *Crime and Delinquency*, 30, (2), 195-226.
- Cicchetti, D. V. & Sparrow, S. S. (1981). Developing criteria for establishing interrater reliability of specific items: Applications of assessment of adaptive behavior. *American Journal of Mental Deficiency*, 86, 127-137.
- Conte, J. R. (1990). The incest offender: An overview and introduction. In A.L. Horton, B. L. Johnson, L. M. Roundy & D. Williams (Eds). *The incest perpetrator: A family member no one wants to treat*. (pp. 19-28). Newbury Park: Sage Publications.
- Cooper, M. (1994). *Setting standards and guiding principles for the assessment, treatment and management of sex offenders in British Columbia*. Vancouver: B.C. Institute on Family Violence.

- Cormack, R. M. (1971). A review of classification. *Journal of the Royal Statistical Society*, 134, (3), 321-353.
- Corrections Services Canada. Sex Offender Population Trends. Mental Health, Correctional Programs, June 1994.
- Cozby, P. C. (1993). *Methods in behavioral research*. (5th Ed). California: Mayfield Publishing Company.
- Darke, J. L. (1990). Sexual aggression: Achieving power through humiliation. In W. L. Marshall, D. R. Laws & H. E. Barbaree (Eds), *Handbook of sexual assault: Issues, theories and treatment of the offender*. (pp. 55-72). New York: Plenum Press.
- Dietz, P. E. (1985). Sex offender profiling by the FBI: A profiling conceptual model. In M. H. Ben-Aron, S. J. Hucker & C. D. Webster (Eds), *Clinical Criminology: The assessment and treatment of criminal behaviour*. (pp.207-219). Toronto: M & M Graphics Ltd.
- Douglas, J. E., Burgess, A. W., Burgess, A. G. & Ressler, R. K. (1992). *Crime classification manual*. New York: Lexington Books.
- Eynon, T. G. (1975). New roles of research in classification and treatment. In L. J. Hippchen (Ed). *Correctional classification and treatment: A reader*. Ohio: The W. H. Anderson Company.
- Evatt, P., Brown, S. D. & Fowler, L. T. (1989). Offender classification: Don't overlook this important security strategy. *Corrections Today*, 51, (4), 34-39.
- Friedman, A. F., Webb, J. T. & Lewak, R. (1989). *Psychological assessment with the MMPI*. New Jersey: Lawrence Erlbaum Associates.

- Gebhard, P. H., Gagnon, J. H., Pomeroy, W. B. & Christenson, C. V. (1965). *Sex offenders: An analysis of types*. New York: Harper & Row.
- Gibbons, D. C. (1975). Offender typologies--two decades later. *British Journal of Criminology*, 15, (2), 141-156.
- Gibbons, D. C. (1977). *Society, crime, and criminal careers: An introduction to criminology* (3rd ed.). New Jersey: Prentice-Hall, Inc.
- Glaser, D. (1974). The classification of offenses and offenders. In D. Glaser (Ed). *Handbook of Criminology*. (pp. 45-84). Chicago: Rand McNally College Publishing Company.
- Gordon, A. & Porporino, F. J. (1991). Canada targets sex offenders according to treatment needs. *Corrections Today*, 53, (5), 162-168.
- Gottfredson, D. M. (1987). Prediction and classification in criminal justice decision making. In D. M. Gottfredson and M. Tonry (Eds). *Prediction and classification: Criminal justice decision making*. (pp. 1-19). Chicago: The University of Chicago Press.
- Griffiths, C. T. & Verdun-Jones, S. N. (1989). *Canadian Criminal Justice*. Toronto: Butterworths Canada Ltd.
- Hall, G. C. & Hirschman, R. (1992). Sexual aggression against children: A conceptual perspective of etiology. *Criminal Justice and Behavior*, 19, (1), 8-23.
- Hathaway, S. R. & McKinley, J. C. (1943). *Manual for the Minnesota Multiphasic Personality Inventory*. New York: Psychological Corporation.

- Haupt, T. D., & Allen, R. M. (1966). A multivariate analysis of variance of social scores on the sex inventory, male form. *Journal of Clinical Psychology*, 22, 387-395.
- Henn, R. A., Herjanic, M. & Vanderpearl, R. H. (1976). Forensic psychiatry: Profiles of two types of sex offenders. *American Journal of Psychiatry*, 133, 694-696.
- Hippchen, L.J. (1975). Changing trends in correctional philosophy and practice. In L. J. Hippchen (Ed). *Correctional classification and treatment: A reader*. Ohio: The W.H. Anderson Company.
- Hood, R. & Sparks R. (1970). *Key issues in criminology*. New York: McGraw-Hill Book Company.
- Knight, R. A., Rosenberg, R. & Schneider, B. (1985). Classification of sexual offenders: Perspectives, methods and validation. In A. Burgess (Ed.), *Rape and sexual assault: A research handbook*. (pp. 222-293). New York: Garland Publishing.
- Knight, R. A. & Prentky. (1990). Classifying sexual offenders: The development and corroboration of taxonomic models. In W. L. Marshall, D. R. Laws & H. E. Barbaree (Eds), *Handbook of sexual assault: Issues, theories and treatment of the offender*. (pp. 22-52). New York: Plenum Press.
- Kuznestov, A., Pierson, T. A. & Harry, B. (1992). Victim age as a basis for profiling sex offenders. *Federal Probation*, 56, (2), 34-38.
- Levin, S. M. & Stava, L. (1987). Personality characteristics of sex offenders: A review. *Archives of Sexual Behaviour*, 16, (1), 57-79.
- Machover, K. (1949). *Personality projection in the drawing of the human figure: A method of personality investigation*. Springfield: Thomas.



- Mair, K. J. (1993). The nature of the act: A neglected dimension in the classification of sex offenders. *British Journal of Criminology*, 33, (2), 267-275.
- Martin's Annual Criminal Code. (1994). Ontario: Canada Law Book Inc.
- McCreary, C. P. (1975a). Personality differences among child molesters. *Journal of Personality Assessment*, 39, 591-593.
- Megargee, E. I. & Bohn, M. J. (1979). *Classifying criminal offenders*. Beverly Hills, CA: Sage Publications.
- O'Connell, M. A., Leberg, E. & Donaldson, C. R. (1990). *Working with sex offenders: Guidelines for therapist selection*. Newbury Park: Sage Publications.
- Overholser, J. C. & Beck, S. J. (1988). The classification of rapists and child molesters. *Journal of Offender Counseling, Services and Rehabilitation*, 13, (1), 15-25.
- Panton, J.H. (1979). MMPI profile configurations associated with incestuous and non-incestuous child molesting. *Psychological Reports*, 45, 335-338.
- Polowek, K. (1993). *Sex offenders on probation: A comparison of traditional and specialized probation supervision practices*. Burnaby: Simon Fraser University.
- Prentky, R. A. & Knight, R. A. (1991). Identifying critical dimensions for discriminating among rapists. *Journal of Consulting and Clinical Psychology*, 59, (5), 643-661.
- Quinsey, V. L. (1977). The assessment and treatment of child molesters: A review. *Canadian Psychological Review*, 18, 204-220.
- Quinsey, V.L. and Chaplin, T. C. (1982). Penile responses to nonsexual violence amongst rapists. *Criminal Justice and Behaviour*, 9, 372-381.

- Rader, C. M. (1977). MMPI profile types of expositors, rapists, and assaulters in a court service population. *Journal of Consulting and Clinical Psychology, 46*, 61-69.
- Rosenberg, R. & Knight, R. A. (1988). Determining male sexual offender subtypes using cluster analysis. *Journal of Quantitative Criminology, 4*, (4) 383-410.
- Segal, Z. V. & Marshall, W. L. (1985). Heterosexual social skills in a population of rapists and child molesters. *Journal of Consulting and Clinical Psychology, 53*, 55-63.
- Sokal, R. R. (1974). Classification: Purposes, principles, progress, prospects. *Science, 185*, (4157) 1115-1123.
- Spitzer, R. L. & Fleiss, J. L. (1974). A re-analysis of the reliability of psychiatric diagnosis. *British Journal of Psychiatry, 125*, 341-347.
- Sue, D., Sue, D. & Sue, S. (1990). *Understanding abnormal behaviour*. (3rd Ed.) Boston: Houghton Mifflin Company.
- Thome, F. C. (1966). The Sex Inventory. *Journal of Clinical Psychology, 22*, 367-374.
- Verdun-Jones, S. N. (1989). *Criminal law in Canada: Cases, questions and the code*. Toronto: Harcourt Brace Jovanovich, Canada, Inc.
- Virkkunen, M. (1976). The pedophilic offender with antisocial character. *Acta Psychiatrica Scandinavica, 53*, 401-405.
- Wechsler, D. (1981). *Manual for the Wechsler Adult Intelligence Scale-Revised*. New York: Psychological Corporation.
- Wiederholt, I. C. (1992). The psychodynamics of sex offenses and implications for treatment. *Journal of Offender Rehabilitation, 18*, (3/4), 19-24.

Yepsen, L. (1975). Classification: The basis for modern treatment of offenders. In L. J. Hippchen (Ed). *Correctional classification and treatment: A reader*. Ohio: The W.H. Anderson Company.

## APPENDIX A:

### C. C. M. RAPE AND SEXUAL ASSAULT CLASSIFICATIONS

**Note:** For the purposes of this research, the terms “rape” and “sexual assault” are used interchangeably and are not to be construed as a legal definition.

## 300 CRIMINAL ENTERPRISE RAPE

### **301: Felony Rape**

Sexual assault committed during the commission of a felony, such as a B&E or robbery.

#### **301.01: Primary Felony Rape**

The intent of primary felony rape is a nonsexual crime (e.g., robbery). The victim is at the scene of the primary felony and is sexually assaulted as a second offence. Either the victim is employed at the crime scene of the crime occurred in the victim's residence. If the victim was not present, the primary offence would still be committed.

#### **301.02: Secondary Felony Rape**

The primary intent of the offender is sexual assault with a second felony also planned. The nonsexual crime would still occur in the victim were not present.

## 310 PERSONAL CAUSE SEXUAL ASSAULT

### **311: Nuisance Offences**

The offence occurs for sexual gratification. The defining characteristic is that the offence involves no physical contact between victim and offender.

#### **311.01: Isolated/Opportunistic Offence:**

These Offences are isolated incidents of individuals who take an opportunity or something presents itself (e.g. the call someone on the phone, get the wrong number and blurt out an obscenity).

**311.02: Preferential Offence:**

Related to the psychiatric diagnoses termed the *paraphilias*. The acts are the individual's preferred sexual act (e.g. the voyeur, the exhibitionist). Sexual gratification is intended from the act. There are rigid, ritual patterns of behaviour (e.g. the offenders expose themselves in certain places).

**311.03: Transition Offence:**

The transition offender may be caught in a peeping act, but he is trying to find out if the act is capable of producing sexual gratification. He is exploring his arousal patterns, building confidence, and improving his ability to commit crime.

**311.04: Preliminary Offence:**

This type of offender is an individual whose nuisance offence is a preliminary aspect to contact sexual offences (e.g., a rapist engages in window peeping prior to his intended future rape at that location).

**312: Domestic Sexual Assault**

Occurs when a family, household member, or former household member sexually assaults another member of the household (includes common-law relationships).

**312.01: Adult Domestic Sexual Assault:**

In addition to assault of a spouse, this category includes sexual assault on a nonmarital companion (over the age of 18) with whom the offender is living if it appears that he has been in a long-term relationship with the victim.

**312.02: Child Domestic Sexual Abuse:**

This category includes sexual assault on any household member under the age of 19. The victim has a familial or common-law relationship with the offender.

**313: Entitlement Rape**

In this category, the offender forces the victim (non-family member) into sexual activity.

**313.01: Social Acquaintance Rape:**

**313.01.01: Adult**

**313.01.02: Adolescent**

**313.01.03: Child**

In this offence, there is prior knowledge or relationship between the victim and offender. Often, the relationship is social, and for adults and adolescents, the assault usually occurs on a “date”. For child cases, the relationship might include a neighbour or family friend. This type of offence involves low expressive aggression and no severe physical injuries to the victim. It begins with a consenting personal encounter.

**313.02: Subordinate Rape:**

**313.02.01: Adult**

**313.02.02: Adolescent**

**313.02.03: Child**

The relationship between victim and offender is one of status imbalance. One person has power over another but employment, education or age. The offender uses this authority relationship (e.g., as teacher, supervisor, parole officer, therapist, physician) to take advantage of the victim. The offender uses familiarity to gain

access to, or trust of, the victim. Typically, there is low expressive aggression with no severe physical injuries to the victim.

The primary aim of the child subordinate sexual assault is to have sex with a child. Sexual activity with children may range from a few acts to a lifelong pattern. There is little or no concern about the comfort or welfare of the child. However, there is no evidence that aggression or victim fear is an important part of the offence or that it is needed to enhance sexual arousal. These offenders usually have many different victims of varying ages. These offenders tend to be predatory and exploitative.

**313.03: Power-Reassurance Rape:**

**313.03.01: Adult**

**313.03.02: Adolescent**

**313.03.03: Child**

This rapist is highly sexualized and fantasy-driven. The rape is usually planned/premeditated-at least to the extent of the offender having thought about the assault (e.g., a rehearsed fantasy). The victim is usually unknown to the offender. If known, then the victim will be a casual acquaintance, such as someone living in the same neighbourhood or working in the same building. There is usually low expressive aggression, with no severe physical injuries to the victim. The offender often makes some attempt to relate to the victim and assure the victim that he does not intend to injure him or her.

The primary aim of the offender is to develop a relationship; the sexual activities are secondary to the interpersonal intent. The victim is seen as an appropriate social and sexual companion and the offender perceived that the relationship is mutually satisfying--that it benefits the victim in some way.



**313.04: Exploitative Rape:**

**313.04.01: Adult**

**313.04.02: Adolescent**

**313.04.03: Child**

In exploitative rape, (also called *opportunistic* rape), expressed aggression is generally low and does not exceed what was necessary to force victim compliance. Callous indifference to the victim (who is often unknown to the offender) is evident. Offences tend to be highly impulsive, with very little or no planning involved.

**314: Anger Rape**

Sexual assault in this category is characterized by high expressive aggression (unprovoked physical and verbal aggression or physical force in excess of that necessary to gain victim compliance). Rage is evident. Sadistic behaviours must appear to be punishing actions done in anger and not sexual gratification.

**314.01: Anger Rape, Gender (Women-Hating):**

This category is reserved for offenders who hate women and express their rage through sexual assault. The primary intent of the offender's behaviours and/or verbalizations is to hurt, demean, humiliate, or punish the female victim.

**314.02: Anger Rape, Age:**

The motive of the offender in this category is to seek out victims of specific age group, usually elderly or young.

**314.02.01: Anger Rape, Elderly Victim:** This category is reserved for sexual assault on elderly women, usually sixty years of age or older. High expressive aggression must be evident, and the choice of an elderly victim must be intentional on the part of the offender.

**314.02.01: Anger Rage, Child Victim:** These offenders express extreme anger at children with no evidence that the aggression is eroticized. The aggression is rooted in rage or anger at the victim as a child, at the world, at the people in general...any physical injury to the child results by accident.

**314.03: Anger Rape, Racial:**

This category is reserved for what appears to be racially motivated sexual assault. Victims are of a different race than the offender.

**314.04: Anger Rape, Global:**

These impulsive offenders are angry at the world. This is a high expressive aggression assault, with no evidence of sadism and no evidence that the offender was focally angry at women. Typically, the victim is unknown to the offender. Usually, there is moderate to severe physical aggression and injury to the victim.

**315: Sadistic Rape**

The level of violence in this category must clearly exceed what is necessary to force victim compliance. The offender's sexual arousal is a function of the victim's pain, fear, or discomfort.

**315.01: Sadistic Rape, Adult:**

**315.02: Sadistic Rape, Adolescent:**

**315.03: Sadistic Rape, Child:**

Most often in this category there is high expressive aggression, with moderate to severe injury to victim. Sexual gratification is obtained from torture involving excessive mental and physical means. Frequently the offender uses items to inflict pain/injury. In some cases of muted sadism, there is clear evidence of eroticized aggression (bondage, whipping, insertion of objects) without extensive physical injury. Typically the victim is unknown to the offender. The sexual acts often occur during or after the violence and aggression.

**316: Child/Adolescent Pornography**

Collectors are persons who collect, maintain and prize child pornography materials.

**316.01: Closet Collector:**

The closet collector keeps secret his interest in pornographic pictures of nude children engaged in a range of behaviours and denies involvement with children. There is no acknowledged communication with other collectors. Materials are usually purchased discretely through commercial channels.

**316.02: Isolated Collector:**

This offender chooses to have sexual activity with one child at a time. He may be involved with his own child, children of neighbours or other family members, or children in his care. He may seek out children not known to him by travelling to another part of the country. This offender's organization and use of pornographic

materials varies from casual to meticulous. They usually deny their involvement with children and often say that the child encouraged their behaviour and that they were kind to the child.

### **316.03: Cottage Collector:**

This category of offender is a pedophile who sexually exploits children in a group. The intent of the pornography is non-commercial, rather, it is a method of communication that serves to create relationships with other pedophile collectors. Although these offenders team up to lead a group of children, each collector uses the pornography for his own interest. These offenders represent themselves as concerned about the children involved and even suggest that they have done more for the child than the child's parents.

### **317: Historical Child/Adolescent Sex Rings**

Children are used to create obscene materials such as photos, movies and videos.

#### **317.01: Solo Child Sex Ring:**

Involves several children in sexual activities with an adult, usually male, who capitalizes on his legitimate role (usually in a position of authority over the victims) in the lives of these victims to recruit them into his illegal behaviour. The children know each other and are conditioned by the adult to provide sexual services in exchange for a variety of psychological, social, monetary and other rewards. The organizational structure of the ring includes an adult who gathers children together either from existing formal groups (e.g. sports teams or scout troops) or by creating a new group.

### **317.02: Transitional Child Sex Ring:**

Involves multiple offenders as well as multiple victims. The offenders are known to each other and collect and share victims. The children are tested for their role as prostitutes. Typically, the adults in these transitional rings do not sexually interact with each other, but instead have parallel sexual interests and involvements with the adolescents who exchange sex with adults for money, as well as for attention or material goods. Organizational aspects of the syndicated ring are absent in transitional rings. The victims may be runaways, abused children or missing children who have been abducted and forced into prostitution.

### **317.03: Syndicated Child Sex Ring:**

There is a well-structured organization that involves the recruitment of children, the production of pornography, the delivery of sexual services, and the establishment of an extensive network of customers. There are multiple offenders as well as multiple victims.

## **318: Multidimensional Sex Rings**

These rings have four dynamics in common: 1) multiple young victims 2) multiple offenders 3) fear as a controlling tactic 4) bizarre and/or ritualistic activity.

### **318.01: Adult Survivor Sex Rings:**

Adults (almost always women) of almost any age, through therapy reveal childhood victimization that includes multiple victims and offenders fear as the controlling tactic and bizarre or ritualistic activities. The multiple offenders often are described as members of a cult or satanic group.

**318.02: Day-care Sex Rings:**

Children currently or formerly attending a day-care centre gradually describe their victimization at the centre and at other locations to which they were taken by the day-care staff. Descriptions of strange games, of killing animals, of photographing activities are common.

**318.03: Family/Isolated Neighbourhood Sex Rings:**

Children are victimized within their family or extended family. The group is often defined by geographic boundary, such as cul-de-sac, apartment building, or isolated rural settings. Activities are similar to those in the day-care sex rings.

**314.04: Custody/Visitation Dispute Sex Rings:**

Same dynamics as described in other multidimensional sex rings but victims have been taken into hiding by a parent during a custody or visitation dispute.

**319: Abduction Rape**

**319.01: Adult**

**319.02: Adolescent**

**319.03: Child**

A person is moved forcibly from one location to another and the sexual assault occurs at the second location. Abduction is by non-family members.

**330: Group Cause Sexual Assault**

This category is used for multiple (three or more) offenders. (When there are two offenders, each should be classified into the personal cause category).

**331: Formal Gang Sexual Assault:**

**331.01: Single Victim**

**331.02: Multiple Victims**

A formal gang is characterized by some internal, organizational structure, a name as well as other identifying features and some evidence of group cohesiveness. The gang must have some mission or purpose other than assault.

**332: Informal Gang Sexual Assault:**

**332.01: Single Victim**

**332.02: Multiple Victims**

An informal gang is a very loosely structured group that typically congregates on the spur of the moment with a common purpose of marauding or otherwise engaging in antisocial activity. This category also includes all other instances of multiple-offender assault in which there is no evidence that the group constitutes a formal gang.

**390: Sexual Assault Not Classified Elsewhere**

This category is reserved for those assaults that cannot be classified elsewhere.

**APPENDIX B:**

**DEMOGRAPHIC AND CRIMINAL HISTORY CHECKLIST**



1. Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
YY MM DD

2. I.D.#: \_\_\_\_\_

3. D.O.B.: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
YY MM DD

4. Sex \_\_\_\_\_ 0. Male \_\_\_\_\_ 1. Female

5. Ethnicity: \_\_\_\_\_ 1. Caucasian  
\_\_\_\_\_ 2. Native Indian/Metis  
\_\_\_\_\_ 3. Black  
\_\_\_\_\_ 4. Oriental  
\_\_\_\_\_ 5. East Indian  
\_\_\_\_\_ 6. Hispanic  
\_\_\_\_\_ 7. Other

6. Marital Status: \_\_\_\_\_ 1. Single  
\_\_\_\_\_ 2. Married/Common Law  
\_\_\_\_\_ 3. Divorced/Separated/Widowed

7. Education: \_\_\_\_\_ 1. None  
\_\_\_\_\_ 2. Elementary  
\_\_\_\_\_ 3. High School  
\_\_\_\_\_ 4. College/University  
\_\_\_\_\_ 5. Vocational/Trade  
\_\_\_\_\_ 6. Other: \_\_\_\_\_

8. Employment status at arrest: \_\_\_\_\_ 1. Employed (\_\_\_\_ FT/\_\_\_\_ PT)  
\_\_\_\_\_ 2. Unemployed  
\_\_\_\_\_ 3. Welfare  
\_\_\_\_\_ 4. Retired  
\_\_\_\_\_ 5. Student  
\_\_\_\_\_ 6. Homemaker  
\_\_\_\_\_ 7. Other: \_\_\_\_\_

9. Major source of income: \_\_\_\_\_ 1. Employment  
\_\_\_\_\_ 2. U.I.C  
\_\_\_\_\_ 3. Family  
\_\_\_\_\_ 4. Pension (Handicap/Retirement)  
\_\_\_\_\_ 5. Welfare  
\_\_\_\_\_ 6. Crime  
\_\_\_\_\_ 7. Other

10. Recent living arrangements: \_\_\_\_\_ 1. Transient (N.F.A)  
\_\_\_\_\_ 2. Room/Hotel (F.A)  
\_\_\_\_\_ 3. House/Apt.  
\_\_\_\_\_ 4. Boarding/Foster Home  
\_\_\_\_\_ 5. Mental Hospital  
\_\_\_\_\_ 6. Prison/Jail  
\_\_\_\_\_ 7. Other: \_\_\_\_\_

11. Recent Living Status: \_\_\_\_\_ 1. Alone  
\_\_\_\_\_ 2. With Others  
\_\_\_\_\_ 3. Other: \_\_\_\_\_

12. Juvenile record: \_\_\_\_\_ 0. No  
 \_\_\_\_\_ 1. Yes  
 \_\_\_\_\_ 2. Other: \_\_\_\_\_

13. Previous Incarceration: \_\_\_\_\_ 0. No  
 (for conviction) \_\_\_\_\_ 1. Yes-Federal  
 \_\_\_\_\_ 2. Yes-Provincial  
 \_\_\_\_\_ 3. Other: \_\_\_\_\_

14. Age at first adult offence (charge or conviction): \_\_\_\_\_

15. Criminal Record (check as many times as apply):

	Previous Charges	Previous Convictions
1. Theft		
2. Robbery		
3. Assault (incl. Threats)		
4. Weapons (incl. Assault with Weapons)		
5. Murder (incl. Attempted Murder)		
6. Sex Offence		
7. Fraud		
8. Drug		
9. Negligence (i.e., Driving charges)		
10. Obstruction (incl. Perjury)		
11. Arson		
12. Kidnapping (incl. Unlawful Confinement)		
13. Escape (incl. Breaches)		
14. Miscellaneous (incl. Mischief, Prostitution)		

For Current Offence Only:

16. Current Offence: \_\_\_\_\_  
(Conviction) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

17. # of Victims: \_\_\_\_\_

18. Gender of Victim(s): \_\_\_\_\_ 0. Male \_\_\_\_\_ 1. Female  
\_\_\_\_\_ 2. Both

19. Age of Victim(s): \_\_\_\_\_ 1. 0-5 years (Toddler)  
\_\_\_\_\_ 2. 6-12 years (Prepubescent Child)  
\_\_\_\_\_ 3. 13-18 years (Adolescent)  
\_\_\_\_\_ 4. 19+ (Adult)

20. Physical Harm to Victim(s): \_\_\_\_\_ 0. None  
\_\_\_\_\_ 1. Mild (pushes/shoves/no visible  
marks)  
\_\_\_\_\_ 2. Moderate (cuts/bruises)  
\_\_\_\_\_ 3. Severe (required hospitalization or  
treatment)

21. Verbal Threats to Victim(s): \_\_\_\_\_ 0. None  
\_\_\_\_\_ 1. Mild ("don't tell anyone or I will go  
to jail")  
\_\_\_\_\_ 2. Moderate (threats of physical harm/no  
weapon)  
\_\_\_\_\_ 3. Severe (threats of death/weapon  
shown)

22. Classify this subject's current and past offences:

<u>Crime Classification #</u>	<u>Current</u>	<u>Past</u>	<u>Overall</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

23. What category BEST describes this subject's sex offending career? \_\_\_\_\_

24. On a scale from 1 to 10, (1=not at all, 10=very much) how prototypical is  
this subject of this crime category? \_\_\_\_\_

**APPENDIX C:**

**CHECKLIST-PROBATION INTERVIEWER**

1. Classify this subject's current and past offences:

(Note: Child=0-12 years of age, Adolescent=13-18 years of age)

Classification Category	CURRENT	PAST	OVERALL
300 Criminal enterprise rape			
301 Felony rape			
301.01 Primary felony rape			
301.02 -Secondary felony rape			
310 Personal cause sexual assault			
311 Nuisance offences			
311.01 Isolated/opportunistic offence			
311.02 Preferential offence			
311.03 Transition offence			
311.04 Preliminary offence			
312 Domestic sexual assault			
312.01 Adult domestic sexual assault			
312.02 Child domestic sexual abuse			
313 Entitlement rape			
313.01 Social acquaintance rape			
313.01.01 Adult			
313.01.02 Adolescent			
313.01.03 Child			
313.02 Subordinate rape			
313.02.01 Adult			
313.02.02 Adolescent			
313.02.03 Child			

313.03	Power-reassurance rape		
313.03.01	Adult		
313.03.02	Adolescent		
313.03.03	Child		
313.04	Exploitative rape		
313.04.01	Adult		
313.04.02	Adolescent		
313.04.03	Child		
314	Anger rape		
314.01	Gender		
314.02	Age		
314.02.01	Elderly victim		
314.02.02	Child victim		
314.03	Racial		
314.04	Global		
315	Sadistic rape		
315.01	Adult		
315.02	Adolescent		
315.03	Child		
316	Child/Adolescent pornography		
316.01	Closet collector		
316.02	Isolated collector		
316.03	Cottage collector		
317	Historical child/adolescent sex rings		
317.01	Solo child sex ring		
317.02	Transitional child sex ring		
317.03	Syndicated child sex ring		



318	Multidimensional sex rings		
318.01	Adult survivors sex rings		
318.02	Day-care sex rings		
318.03	Family/isolated neighborhood sex rings		
318.04	Custody/visitation dispute sex rings		
319	Abduction rape		
319.01	Adult		
319.02	Adolescent		
319.03	Child		
330	Group cause sexual assault		
331	Formal gang sexual assault		
331.01	Single victim		
331.02	Multiple victims		
332	Informal gang sexual assault		
332.01	Single victim		
332.02	Multiple victims		
390	Sexual assault not classified		

2. What category BEST describes this subject's sex offending career? \_\_\_\_\_

3. On a scale from 1 to 10, (1=not at all, 10=very much) how prototypical is this subject of this crime category? \_\_\_\_\_

**APPENDIX D:**

**CANADIAN CRIMINAL CODE SECTIONS DEFINED**

**Source:** Martin's Annual Criminal Code, 1994, Ontario: Canada Law Book Inc.

## **Sexual Assault**

**271.** (1). Every one who commits a sexual assault is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding ten years;  
or
- (b) an offence punishable on summary conviction.

**Meaning of “Sexual Assault”**- Sexual assault is an assault...which is committed in circumstances of a sexual nature such that the integrity of the victim is violated. The test to be applied in determining whether the impugned conduct has the requisite sexual nature is an objective one: whether viewed in the light of all the circumstances the sexual or carnal context of the assault is visible to a reasonable observer. The part of the body touched, the nature of the contact, the situation in which it occurred, the words and gestures accompanying the act, and all other circumstances surrounding the conduct, including threats, which may or may not be accompanied by force will be relevant. The intent or purpose of the person committing the act, to the extent that this may appear from the evidence, may also be a factor in considering whether the conduct is sexual.

## **Sexual Assault with a Weapon, Threats to a Third Party or Causing Bodily Harm.**

**272.** Every one who, in committing a sexual assault,

- (a) carries, uses or threatens to use a weapon or an imitation thereof,
- (b) threatens to cause bodily harm to a person other than the complainant,
- (c) is a party to the offence with another person,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

### **Sexual Interference**

**151.** Every person who, for a sexual purpose, touches, directly or indirectly, with a part of the body or with an object, any part of the body of a person under the age of fourteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or is guilty of an offence punishable on summary conviction.

### **Invitation to Sexual Touching**

**152.** Every person who, for a sexual purpose, invites, counsels or incites a person under the age of fourteen years to touch, directly or indirectly, with a part of the body or with an object, the body of any person, including the body of the person who so invites, counsels or incites and the body of the person under the age of fourteen years, is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or is guilty of an offence punishable on summary conviction.

### **Sexual Exploitation**

**153. (1)** Every person who is in a position of trust or authority towards a young person with whom the young person is in a relationship of dependency and who

- (a) for a sexual purpose, touches, directly or indirectly, with a part of the body or with an object, any part of the body of the young person, or
- (b) for a sexual purpose, invites, counsels or incites a young person to touch, directly, indirectly, with a part of the body or with an object, the body of any person, including the body of the person who so invites, counsels or incites and the body of the young person,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years or is guilty of an offence punishable on summary conviction.

### **Incest**

**155.** (1) Every one commits incest who, knowing that another person is by blood relationship his or her parent, child, brother, sister, grandparent or grandchild, as the case may be, has sexual intercourse with that person.

(2) Every one who commits incest is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

(3) No accused shall be determined by a court to be guilty of an offence under this section if the accused was under restraint, duress or fear of the person with whom the accused had the sexual intercourse at the time the sexual intercourse occurred.

(4) In this section, "brother" and "sister", respectively, include half-brother and half-sister.

### **Gross Indecency**

**157.** [Repealed R.S. 1985, c.19 (3rd Supp.), s.2.]

### **Indecent Acts/Exposure**

**173.** (1) Every person who wilfully does an indecent act

(a) in a public place in the presence of one or more persons, or

(b) in any place, with the intent thereby to insult or offend any person,

is guilty of an offence punishable on summary conviction.

(2) Every person who, in any place, for a sexual purpose, exposes his or her genital organs to a person who is under the age of fourteen years is guilty of an offence punishable on summary conviction.

### **Assault**

**266.** Every one who commits an assault is guilty of

- (a) an indictable offence and liable to imprisonment for a term not exceeding five years;  
or
- (b) an offence punishable on summary conviction.

**265.** (1) A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe upon reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

(2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

(3) For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of

- (a) the application of force to the complainant or to a person other than the complainant;

- (b) threats or fear of the application of force to the complainant or to a person other than the complainant;
- (c) fraud; or
- (d) the exercise of authority.

(4) Where an accused alleges that he believed that the complainant consented to the conduct that is the subject-matter of the charge, a judge, if satisfied that there is sufficient evidence and that, if believed by the jury, the evidence would constitute a defence, shall instruct the jury, when reviewing all the evidence relating to the determination of the honesty of the accused's belief, to consider the presence or absence of reasonable grounds.

### **Forcible Entry**

**72.** (1) A person commits forcible entry when that person enters real property that is in the actual and peaceable possession of another in a manner that is likely to cause a breach of the peace or reasonable apprehension of a breach of the peace.

(1.1) For the purposes of subsection (1), it is immaterial whether or not a person is entitled to enter the real property or whether or not that person has any intention of taking possession of the real property.

(2) A person commits forcible detainer when, being in actual possession of real property without colour of right, he detains it in a manner that is likely to cause a breach of the peace or reasonable apprehension of a breach of peace, against a person who is entitled by law to possession of it.

(3) The questions whether a person is in actual and peaceable possession or is in actual possession without colour of right are questions of law.