



Sexual crime and place: The impact of the environmental context on sexual assault outcomes

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ABSTRACT

Purpose: Using the rational choice perspective, the current study investigates the impact that the environment and offending behavior have on serial sexual crime event outcomes.

Methods: The effects of time and place factors, as well as offender modus operandi strategies, on sexual crime event outcomes are tested using Generalized Estimating Equations on a sample of 361 crime events committed by 72 serial sex offenders.

Results: Time and place do impact serial stranger sexual offenders' modus operandi strategies, but the place characteristics of the crime have more of an effect on the offender's behavior than do the temporal conditions during which the event occurs. Subsequent analyses indicate that temporal and place factors, as well as offender modus operandi strategies, predict whether the offender completes the rape, his reaction to victim resistance, and the level of physical force that he inflicts on the victim, but not whether the victim is forced to commit sexual acts on the offender.

Conclusions: Serial stranger sexual offenders are effective decision-makers who adapt their strategies to the physical environment in which they commit their crimes, but their degree of rationality can vary as some outcomes are more dependent on the context than the offender and his actions.

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Introduction

Within the rational choice framework, the decision-making processes of offenders differ depending on the type of crime they choose to commit (Clarke & Cornish, 1985). Despite these varying decisions, the underlying assumption is that offenders display a degree of rationality, albeit constrained by limits of time, ability, and the availability of information, and they discriminate between choices that will maximize their potential rewards while minimizing their level of risk (Cornish & Clarke, 1986). There is a consensus amongst rational choice theorists that the decisions made by offenders, and their subsequent methods for carrying out these crimes, largely hinge on the context of the offense. This aspect of the theory has been the focus of empirical study as it applies to both market (Bennett & Wright, 1984; Carroll & Weaver, 1986; Coupe & Blake, 2006; Cromwell, Olson, & Avary, 1991; Cromwell, Parker, & Mobley, 1999; Feeney, 1986; Fleming, 1999; Petrosino & Brensilber, 2003; Rengert & Wasilchick, 1985; Walsh, 1986; Wright & Decker, 1994, 1997; Wright & Logie, 1988) and predatory offenses (Beauregard & Leclerc, 2007; Beauregard, Lussier, & Proulx, 2005; Beauregard, Proulx, Rossmo, Leclerc, & Allaire, 2007; Beauregard, Rossmo, & Proulx, 2007; Wortley & Smallbone, 2006),

but few researchers in these fields have advanced this argument to include the outcome of the event. As Bouchard, Beauregard, and Kalacska (2013) note, "... what makes a decision 'rational' is also tied to results... a rational choice approach should recognize that while most to all offenders show thinking and deliberation prior to offending, not all of them are as successful in their endeavors" (p. 35). In other words, are the decisions that offenders make throughout the crime commission process actually beneficial to them?

The role of the environment in offender decision-making

Because rational choice proponents emphasize the situational context of crime, the underlying assumption of this theory is that it should be applied to individual crime events, rather than individual offenders, to better understand offender decision-making (Cornish & Clarke, 1986). In this sense, offending is viewed as a dynamic process in that it fluctuates from crime to crime as a result of different person-situation interactions, as well as the various strategies that offenders employ to commit their crimes (Cornish, 1994). This notion has resonated in research studies on offender decision-making that have often operationalized situational factors to include offender- and victim-specific variables, and their interactions before and during the assault. More research is needed on how the situational and spatiotemporal setting influence the way that an incident unfolds after it has already begun.

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Several scholars have studied the situational factors that lead up to the initiation of a sexual offense. Included in the literature are studies of the hunting process of serial sex offenders (Beauregard & Leclerc, 2007; Beauregard, Proulx, et al., 2007; Beauregard, Rossmo, et al., 2007), their crime site selection (Deslauriers-Varin & Beauregard, 2014; Hewitt, Beauregard, & Davies, 2012), as well as their target selection scripts (Beauregard, Rebocho, & Rossmo, 2010; Deslauriers-Varin & Beauregard, 2010), which all emphasize the dynamic relation between offender behavior and the environment. Overall, these researchers found that time and place largely affect where, and how, serial sex offenders search for (see Brantingham & Brantingham, 1981; Cohen & Felson, 1979) and attack their victims. Specifically, Beauregard and Leclerc (2007) found that the strategies used by sexual offenders differ depending on which phase of the criminal event is being examined, as well as the situational variables (e.g., time of the offense) present at the time and their choice-structuring properties. As one offender explained, “For night attacks, I used a knife since I was able to get close to the victim. Then she would be afraid to move not to get cut and was very easy to control. For day attacks, I had a fake gun. It was better to threaten a victim with a gun when she was further away; she knew I could shoot her from that distance, which isn’t the case with a knife” (Beauregard & Leclerc, 2007, p. 123). In a similar study, Beauregard, Proulx, and colleagues (2007) emphasize the role that place (e.g., indoor versus outdoor location) has on the opportunities to offend, as well as the strategies used by sex offenders to successfully commit their crimes. As a collective, these studies clearly demonstrate that sex offenders are decision-makers who adapt their strategies to search for and approach their victims in response to their *perceived* risk of hunting for victims in different places during different times of the day.

Balemba and Beauregard (2013) took an innovative approach to studying the offending behaviors associated with crimes committed at particular times of the day and in specific places. The most striking finding is that the types of sexual crimes committed and the strategies used to secure a victim dramatically differ depending on which spatial or temporal aspect of the crime is being examined. For example, if the offender did not use physical force on his victim, the offense was more likely to occur in a private location as compared to a public one. It was also found that from a temporal standpoint, the offender’s use of force coincided with a daytime rather than nighttime attack, but these findings largely hinged on the age of the victim. Prior research has already established very strong situational and contextual effects on whether, when, and where sexual offenses (including rapes) are initiated. However, the way that these offenses unfold after their initiation is also important. Some events begin as threats and end without progressing, while others end in very serious violence or even death. Thus the period after onset is quite important and its situational elements merit their own research attention.

Aim of the study

Operating within a rational choice framework, the aim of the current study is to test how specific environmental factors affect whether a sexual assault progresses to its worst outcomes. First, we investigate the role that the context has on serial stranger sex offenders’ behavior. In line with prior studies examining the role of the environment in the offending process of sexual offenders (e.g., Beauregard & Leclerc, 2007; Beauregard, Proulx, et al., 2007; Beauregard, Rossmo, et al., 2007; Deslauriers-Varin & Beauregard, 2010), it is believed that environmental factors (i.e., time and place) directly impact the type of modus operandi strategies chosen by offenders to successfully commit their crimes. Second, both contextual factors and modus operandi strategies are used to predict crime event outcomes, namely rape completion, whether or not the offender forced the victim to commit sexual acts, the offender’s reaction to victim resistance, and the level of physical force used on the victim by the offender. In doing so, we hope to empirically test whether or not the decision-making that sexual offenders

engage in during the crime commission process facilitates their desired outcome(s).

Methods

Sample

Data on crime events were collected from a sample of sexual offenders who were incarcerated in a Correctional Service of Canada institution (where inmates serve a sentence of two years or more). The sample included any individual who had committed two or more sexual assaults or other sex-related crimes (e.g., sexual homicide) involving a victim of any age and of any gender who was a stranger to him (i.e., the victim and offender had no personal relationship prior to the date the offense was committed).¹ Serial sex offenders were specifically targeted for the sample as they are more likely to face a variety of situations and, accordingly, are more likely to make a variety of choices during the decision-making process of each crime committed. Moreover, the stranger-victim element provides a further refinement to preserve a relative homogeneity in the situation faced by offenders; a prior relationship between the offender and the victim arguably influences not only the likelihood of certain crime event outcomes taking place, but also the severity of those outcomes.

Amongst all sex offenders convicted of a sentence of two years or more in the province of Québec, Canada, between 1995 and 2004, 92 offenders matched the definition criteria, and 72 participated in the research. Together, these 72 offenders committed an average of five sexual offenses (ranging from two to 37 sexual assaults), for a total of 361 sexual assaults. Amongst the 20 excluded participants, only nine actually refused to participate, the remaining 11 having been unavailable because of their mental state, discipline problems, or transfer to another institution. The majority of the participants were White (91.3%; $n = 63$), and the average age at the beginning of the crime series was 30.7 years ($SD = 9.4$). Almost half (46.4%; $n = 32$) of the offenders were married or in a relationship at the beginning of their series of crimes. Amongst the participants, 89.9% ($n = 62$) had a prior criminal record before the onset of their series of sexual crimes. Despite their involvement in a series of sexual offenses, the majority of the sample was involved in a wide array of other crimes. Participants with a prior criminal record had an average of 2.9 charges ($SD = 6.3$; median = 1.0) for violent sexual crimes, 1.0 charge ($SD = 3.1$; median = 0.0) for non-violent sexual crimes, 2.5 charges ($SD = 4.4$; median = 1.0) for violent non-sexual crimes, and 11.9 charges ($SD = 19.6$; median = 4.0) for non-sexual, non-violent crimes. Offenders included in this study had sexually assaulted adult women ($n = 33$), children ($n = 17$), or both ($n = 22$).

Procedure

The procedure involved two main stages: (i) in-depth semi-structured interviews conducted with all offenders to investigate each sexual crime; and (ii) content analysis of police investigation reports for all events involved. A specially constructed instrument was developed from existing police questionnaires to guide the nature of the questions. This questionnaire included five sections that permitted the collection of information on pre-crime factors, hunting patterns, modus operandi, post-crime factors, and geographic behavior. Data, especially on the crime, were collected from the police reports and coded in the instrument. In this study, the reliability of responses was monitored by checking for, and questioning, inconsistencies. In case of any discrepancies between the offender’s account and the police report, information from the police report was used. Interviews were conducted in a private office, isolated from correctional staff and other inmates. They lasted from two to 12 hours, depending on the number of crimes committed and the participants’ verbosity. All participants signed a consent form and were promised complete anonymity and confidentiality,

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