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# The influence of a Juvenile's Abuse History on Support for Sex Offender Registration

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Running head: PERCEPTIONS OF SEXUALLY ABUSED JUVENILE SEX OFFENDERS

Does a Juvenile's History of Sexual Abuse Enhance or Diminish  
Support for Juvenile Sex Offender Registration?

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## Abstract

In five studies, we investigated whether and how a juvenile's history of experiencing sexual abuse affects public perceptions of juvenile sex offenders. When asked about juvenile sex offenders in the abstract, the more participants believed that a history of being sexually abused as a child causes later sexually abusive behavior, the less likely they were to support sex offender registration for juveniles. Yet, when participants considered specific sexual offenses, a juvenile's history of sexual abuse was not used as a mitigating factor for a severe sexual offense (forced rape). Furthermore, in a case involving a less severe sexual offense (statutory rape), a juvenile's history of sexual abuse backfired and was used as an aggravating factor. Theoretical and practical implications of these results are discussed.

Does a Juvenile's History of Sexual Abuse Enhance or Diminish  
Support for Juvenile Sex Offender Registration?

Concerns about protecting society from dangerous sex offenders have not only provided justification for adult sex offender registry laws, but also for extending the registry to juveniles (Caldwell, Ziemke, & Vitacco, 2008; Salerno, Stevenson, et al., 2010; SORNA; 42 U.S.C. § 16911), who differ in important ways from adult offenders (for reviews, see Chaffin, 2008; Trivits & Reppucci, 2002). These laws are presumed to protect society, but there is little evidence that they are effective at decreasing sex offender recidivism (Adkins, Huff, & Stageberg, 2000; Caldwell & Dickinson, 2009; Letourneau & Armstrong, 2008; Sandler, Freeman, & Socia, 2008; Schram & Milloy, 1995). They might even harm offenders (Levenson & Cotter, 2005; Levenson, D'Amora, & Hern, 2007; Tewksbury, 2005; Tewksbury & Lees, 2006, 2007) in ways that psychologists fear might increase their likelihood of committing future sex offenses (Letourneau & Miner, 2005; Sandler & Freeman, 2010; Trivits & Reppucci, 2002).

It is possible that the recent application of registry laws to juvenile sex offenders might be motivated by politicians' assumption that the public endorses such policies (e.g., Sample & Kadleck, 2008). Recent research has tested this assumption. Kernsmith, Craun, and Foster (2009) found that 86% of respondents agreed that a juvenile under the age of 18 who forced someone to have sex should be required to register as a sex offender. Even so, the juvenile was perceived as less worthy of registration than someone who sexually abused a child. The authors were not explicit about the offender's age in the comparison cases, however, making it difficult to understand the effect of offender age on registration support. In an experimental study, Salerno, Najdowski, and colleagues (2010) found that the public was highly supportive of registering both juvenile and adult sex offenders, but only when they were asked about support for registry laws in general. When asked about *specific* cases, participants were significantly less likely to support

registration in cases involving (a) younger as compared to older juveniles and (b) less severe offenses, such as sexting, sexual harassment, and statutory rape (offenses for which juveniles are registered in some states), as compared to forced rape. Stevenson, Sorenson, Smith, Sekely, and Dzwauro (2009) found that other factors also influence support for juvenile sex offender registry: Participants supported juvenile registration more when the offender and victim were of different races than when they were of the same race, perhaps illustrating lack of societal acceptance of interracial relationships. In addition, women, but not men, were less supportive of registering the juvenile sex offender when the victim was portrayed as Black versus White.

Additional research is necessary to explore other factors that have the potential to influence support for applying sex offender registry laws to juveniles. Although neither adult (Hanson & Bussiere, 1998; Widom & Ames, 1994) nor juvenile sex offenders (Rasmussen, 1999; Silovsky & Niec, 2002) are especially likely to have a history of experiencing sexual abuse as a child, many laypersons, legislators, and other legal decision-makers inaccurately believe that a majority of adult sex offenders were abused themselves (Fortney, Levenson, Brannon, & Baker, 2007; Levenson et al., 2007; Sample & Kadleck, 2008). This inaccurate belief might also extend to juvenile sex offenders, and in turn, influence legal action taken against them, a possibility that motivated the present research. In four studies, we investigated (a) the extent to which laypeople believe that juveniles commit sex offenses because they were sexually abused as children themselves (Study 1), (b) how such beliefs influence laypeople's support for juvenile sex offender registration in general (Study 1 and Study 2), (c) whether such beliefs influence support for registering juveniles differently depending on the specific type of sex offense committed (Study 3), and (d) how the experimental manipulation of a juvenile sex offender's history of having been sexually abused influences support for sex offender registration for a less severe offense (statutory rape, Study 4) and for a more severe offense (forced rape, Study 5). We

used attribution theory as a guiding framework to derive predictions about the effect of prior beliefs on registration support as well as the psychological processes underlying those effects.

### **Study 1**

Although only 28% of adult sex offenders were themselves sexually abused (Hanson & Slater, 1988), the public believes as many as 67% were (Fortney, Levenson, Brannon, & Baker, 2007; Levenson, Brannon, Fortney, & Baker, 2007). It is estimated that around 31%–39% of juvenile sex offenders were sexually abused (Ryan, Miyoshi, Metzner, Krugman, & Fryer, 1996; for review, see Worling, 1995). Does the public overestimate the prevalence of sexual abuse histories among juvenile sex offenders as they do for adult sex offenders? We predicted they would. Further, Fortney et al. (2007) and Levenson et al. (2007) argue that people assume early sexual abuse leads to future sexual offending. We also investigated the prevalence of this belief and its link to support for registry laws.

Some studies have revealed that an adult defendant's history of child abuse leads perceivers to have a more positive reaction to those defendants or their defense arguments (Garvey, 1998; Heath, Stone, Darley, & Grannemann, 2003; Lynch & Haney, 2000). In the first study to explore perceptions of abused juveniles (Stalans & Henry, 1994), community members read a vignette describing a 16-year-old boy accused of killing either his father or a neighbor following a heated argument. Participants were less likely to think that the boy intended to kill the victim or understood the wrongfulness of his actions when he was portrayed as having been abused by his father, as compared to not having been abused. These inferences decreased participants' recommendations that the abused boy be transferred from juvenile court to adult criminal court. Using the same study design, Nunez, Dahl, Tang, and Jensen (2007) found that mock jurors were more likely to endorse utilitarian goals (i.e., rehabilitation) and less likely to endorse retributive goals (i.e., punishment) for sentencing an abused versus a nonabused juvenile

offender. These goals, in turn, reduced jurors' recommendations that the abused juvenile be transferred from juvenile court to adult criminal court.

Najdowski, Bottoms, and Vargas (2009) found similar results in a study in which mock jurors read a vignette about a 16-year-old girl who committed either shoplifting, a drug offense, murder in self-defense, or aggravated murder. The girl was described as having either (a) a history of neglect, physical abuse, and sexual abuse or (b) no known abuse or neglect experiences. Jurors recognized that the girl's abuse history might have contributed to her criminal behavior across all types of crime. Further, jurors perceived the abused girl as less deviant, less responsible, and more amenable to rehabilitation than the nonabused girl—but only when the crime was murder in self-defense against the perpetrator of abuse. In contrast, jurors perceived an abused girl as less amenable to rehabilitation than a nonabused girl when she had committed aggravated murder. These results are striking because they suggest that, even though jurors seem to understand the link between childhood abuse and later criminal behavior (i.e., “the cycle of violence,” Widom, 1989), they may not account for past abuse when determining a juvenile's criminal culpability and may even use it as evidence of future dangerousness, especially when the juvenile commits a crime against someone other than the perpetrator of abuse. This is consistent with Stevenson, Bottoms, and Diamond's (2010) finding that, in mock jury deliberations, an adult defendant's history of physical abuse is less likely to be used as a mitigating factor than it is to be discounted or used as an aggravating factor (e.g., evidence that the defendant has been permanently damaged and is likely to re-offend).

Thus, the evidence is mixed regarding whether offenders are perceived more favorably if they have been abused than if they have not. Some social scientists have even expressed concern that clinicians might testify that a juvenile's history of being abused as a child provides evidence that he has been permanently damaged and cannot be rehabilitated (Grisso, 2002). This would



not be consistent with laws that mandate that a juvenile's history of being abused should be used as a mitigating factor when deciding whether to transfer a juvenile to adult court (Juvenile Court Act, 1987). Indeed, there is evidence that physically abused juveniles are treated more severely within the juvenile justice system, likely because they are perceived as less amenable to treatment, or in other words, as "lost causes" (Stevenson, 2009).

Attribution theory is useful for disentangling these mixed findings. Attributions, or inferences regarding the causes of one's behavior, are made with regard to three aspects of behavior: (a) *locus*, or whether the causal factor is within the actor (i.e., internal) or the environment (i.e., external); (b) *stability*, or whether the causal factor is constant (i.e., stable) or changing (i.e., unstable) over time; and (c) *controllability*, or whether the actor does (i.e., controllable) or does not (i.e., uncontrollable) possess the ability to change his or her behavior (for review, see Weiner, 2006). According to attribution theory (Weiner, 2006), different attributions produce specific, reliable predictions about perceivers' (a) judgments regarding a transgressor's responsibility for the crime (i.e., not responsible versus responsible), (b) affective reactions to the case (i.e., sympathy versus anger), and (c) sentencing goals (i.e., rehabilitative versus retributive).

On the one hand, believing that juveniles commit sex offenses because they were abused themselves as children might be associated with more uncontrollable attributions and diminished retributive goals, consistent with prior research (e.g., Graham et al., 1998; Najdowski et al., 2009). In turn, these attributions and goals might be associated with less support for the application of sex offender registry laws to juveniles. In support, Stevenson and colleagues (2010) found that many mock jurors made uncontrollable attributions for an adult defendant who had a history of being physically abused as a child by arguing that the abuse explained his inability to control his adult criminal behavior (i.e., murder). The more jurors endorsed such

uncontrollable attributions, the more they supported a sentence of life versus death. In addition, retributive goals play a major role in explaining public support for registry laws: People are less likely to support registry laws for juveniles who commit less versus more severe sex offenses (Salerno, Najdowski et al., 2010) or who perpetrate offenses against victims of the same race versus different race (Stevenson et al., 2009) because they are less motivated to punish such juveniles. Thus, believing that juveniles perpetrate sex offenses because they were sexually abused themselves could have a mitigating effect on registration support.

On the other hand, however, it is also possible that believing juveniles commit sex offenses because they were sexually abused might predict more stable attributions that juvenile sex offenders are permanently damaged and likely to reoffend, as well as internal attributions that juveniles commit sex offenses because of mental illness or sexual deviance. Such beliefs might increase utilitarian motives to protect society and, in turn, support for the registry. Evidence for this alternative hypothesis comes from Stevenson and colleagues' (2010) research showing that the more likely jurors were to argue that physical abuse causes permanent psychological damage (a stable, internal attribution), the more likely they were to recommend a sentence of death versus life for an adult defendant who had been physically abused as a child. Sample and Kadleck's (2008) survey revealed that legislators and other decision makers perceive sex offenders as incurable and destined to reoffend over and over again and cite this belief as a reason for sex offender legislation. In addition, Salerno, Stevenson, and colleagues (2010) found that people overestimated the likelihood that juvenile sex offenders would commit future offenses (although estimates were lower for juvenile than adult sex offenders). These studies suggest that people sometimes make internal and stable attributions for sex offenders' criminal behavior. According to attribution theory, stable attributions lead to increased utilitarian goals to protect society and, in turn, sentence severity (Weiner, 2006). There is, in fact, evidence that

utilitarian goals to protect society explain why the public supports more punitive sex offender registry laws for offenders who are older or commit more severe offenses compared to those who are younger or commit less severe offenses (Salerno, Najdowski, et al., 2010). Thus, beliefs about the effects of prior abuse on later sexual offending could have an aggravating effect on registration support.

In Study 1, we examine the extent to which people believe that juvenile sex offenders were sexually abused as children and whether they believe such abuse explains why juveniles commit sex offenses. We also tested our competing attributional hypotheses discussed above. In Study 2, we explore whether attributions about why juveniles commit sex offenses explain effects of beliefs about abuse on registration support.

### **Study 1 Method**

#### **Participants**

Participants were 127 community members: 79% women, 37 years old on average ( $SD = 13$ , ranging from 18 to 70), and predominantly Caucasian (81%, with 5% Asian, 4% African American, 4% Hispanic, and 7% of other ethnicities).

#### **Materials**

An online survey assessed participants' beliefs about (a) the prevalence of sexual abuse among juvenile sex offenders, (b) the link between sexual abuse and later offending, and (c) support for applying registry laws to juvenile sex offenders.

**Estimates of abuse prevalence.** Participants provided estimates of sexual abuse prevalence by responding on an 11-point scale (ranging from 0% to 100% in intervals of 10%) to the question, "In your opinion, what percentage of all juvenile sex offenders were sexually abused as children?" This question was modeled after an item used by Levenson et al. (2007).

**Beliefs that sexual abuse causes sex offending.** Because we were interested in

participants' spontaneous attributions about the causes of sex offending among juveniles, we first asked, "Why do you think the typical juvenile sex offender commits his or her crimes?" This question appeared alone on the computer screen to ensure that responses were not biased by any subsequent measures. Responses to this open-ended question were coded for references to (a) sexual abuse (e.g., "They were previously sexually abused"); (b) abuse of an unspecified nature (e.g., "Maybe they were abused when they were young"); (c) some other dysfunctional background (e.g., "Lack of home support and or guidance"); or (d) none of the above (e.g., "Mental issues"). Two independent raters coded 50% of responses and were reliable on each code (proportion of agreement  $\geq 99\%$ ). Disagreements were resolved by discussion and one rater coded the remaining data. Four participants (3%) did not respond to this item.

Next, participants were asked to respond to the statement, "Many juvenile sex offenders commit sex offenses because they were sexually abused themselves," using a 5-point scale ranging from 1 (*strongly disagree*) to 5 (*strongly agree*). This question was modeled after a similar item used by Bumby and Maddox (1999).

**Registration support.** Next, participants were given the following information (developed by Salerno, Najdowski, et al., 2010):

Adults found guilty of a sex offense must be listed on a public sex offender registry. In various states, this registry includes information such as name, social security number, age, race, gender, birth date, physical description, address, place of employment, details about the offense(s), fingerprints, a photo, a blood sample, and a hair sample. This information is available to the public upon request, sometimes by being posted on the Internet. In some cases, the police directly notify the people who live in the same area as the registered sex offender. Sex offenders are required to register anywhere from a few years to their entire life, depending on the state.

We are interested in your thoughts about applying these registration laws to juveniles (16 years old or younger) who have been adjudicated (found guilty in juvenile court) or convicted as sex offenders.

Participants were asked to agree or disagree with the following statement, our dependent measure of registration support: “Public registration laws are too severe for juvenile sex offenders,” using a scale ranging from 1 (*strongly disagree*) to 5 (*strongly agree*). This was reverse-scored so that higher scores reflect greater support for the registry.

**Demographics.** Participants were asked to provide their gender, age, and ethnicity.

### **Procedure**

Community member participants were recruited via postings on [www.craigslist.org](http://www.craigslist.org) in various U.S. cities. They (a) were informed that their participation was voluntary and anonymous, (b) completed all measures online using SurveyMonkey.com web survey software, and (c) were thanked and debriefed, in keeping with an approved Institutional Review Board (IRB) protocol.

## **Study 1 Results**

### **Estimates of Sexual Abuse Prevalence**

On average, participants estimated that 65% ( $SD = 23\%$ ) of juvenile sex offenders have been sexually abused themselves.

### **Beliefs That Sexual Abuse Causes Sex Offending**

Open-ended responses regarding the causes of juvenile sex offending revealed that, most participants (62%) spontaneously attributed sexual offending to some form of previous abuse or other dysfunctional background factors. Specifically, 31% ( $n = 38$ ) cited prior sexual abuse as a cause, 9% ( $n = 11$ ) mentioned abuse of an unspecified nature, and 22% ( $n = 27$ ) mentioned other

dysfunctional background factors. Only 38% of participants ( $n = 47$ ) did not discuss any of these factors.

When asked directly, 84% of participants agreed or strongly agreed that many juveniles commit sex offenses because they were sexually abused themselves ( $M = 4.12$ ,  $SD = .74$ ).

### **Effect on Registration Support**

A linear regression analysis using the direct measure of registration support revealed that the more participants agreed that juveniles commit sex offenses because they were abused themselves, the less they supported the registry for juveniles,  $\beta = -.28$ ,  $t(112) = -3.11$ ,  $p < .01$ ,  $R = -.28$ ,  $R^2 = .08$ ,  $F(1, 112) = 9.65$ ,  $p < .01$ .

## **Study 1 Discussion**

As predicted, many people (65%) believe that juvenile sex offenders have had prior experiences of sexual abuse, nearly exactly the estimate that Levenson et al. (2007) found for adult sex offenders (67%) and more than double the actual prevalence among boy sex offenders (31%, Worling, 1995). Our findings are also in line with Levenson et al.'s (2007) suggestion that many people assume that sexual abuse is a precursor to sex offenses. Further, the more participants believed that sexual abuse causes sexual offending, the less they supported registry laws for juvenile sex offenders. This finding is consistent with other research showing that abuse is sometimes used as a mitigating factor in cases involving juveniles (e.g., Najdowski et al., 2009; Nunez et al., 2007; Stalans & Henry, 1994), and demonstrates that this effect extends to public support for juvenile sex offender registration policies.

## **Study 2**

Study 2 was designed to replicate the results of Study 1 with a more diverse sample and to test whether the hypothesized underlying psychological processes of believing the youth cannot control his behavior and retributive goals explain the mitigating effect found in Study 1.

We hypothesized that greater agreement that sexual abuse causes sex offending would be associated with increased uncontrollable attributions and decreased retributive goals of punishment, which would, in turn, decrease registration support.

Although Study 1 showed that believing that past abuse contributes to sex offending is associated with diminished registration support, we still tested for the competing possibility that this belief would increase registration support due to stable attributions and internal attributions, because it is still possible that people who attribute sex crimes to past abuse also believe that juvenile sex offenders who experienced sexual abuse have deviant sexual arousal and mental illness (internal attributions), which cause them to commit sex crimes. Such beliefs might increase expectations that a juvenile sex offender will commit future sex crimes (stable attributions). Even so, given the results of Study 1, we did not anticipate that these beliefs would translate into greater registration support. As theorized by Weiner (2006) and consistent with research, internal attributions (i.e., mental illness) and stable attributions (i.e., likely recidivism) do not always translate into unfavorable judgments when behavioral causes are also perceived to be the result of uncontrollable factors—in this case, a prior history of sexual abuse. Thus, we expected that the mitigating influence of uncontrollable attributions and diminished retributive goals would override the hypothesized aggravating effects of internal and stable attributions that stem from believing sexual abuse contributes to sexual offending.

## **Study 2 Method**

### **Participants**

Participants were undergraduates at a large Midwestern research university ( $n = 87$ ) and community members in a large metropolitan area ( $n = 91$ ) who were 18 years old or older. Undergraduates were 66% women, 19 years old on average ( $SD = 2$ , ranging from 18 to 30 years) and 41% Caucasian, 32% Asian, 12% African American, 12% Hispanic, and 4% of other

ethnicities. Community members were 55% women, 37 years old on average ( $SD = 13$ , ranging from 18 to 80) and 57% Caucasian, 10% African American, 15% Asian, 14% Hispanic, and 3% of other ethnicities. The two samples were combined for analyses because results revealed no significant differences in their responses, all  $\beta$ s  $< .13$ ,  $t$ s(168 - 172) = .14 - 1.73, all *ns*.

## Materials

A questionnaire included the same measures used in Study 1 with the exception that the questionnaire included additional items assessing retributive goals and internal, uncontrollable, and stable attributions for juveniles' sex offending behavior. Unless otherwise noted, all responses were made on 6-point scales ranging from -3 (*strongly disagree*) to +3 (*strongly agree*) with no midpoint. Values were transformed to create scales ranging from 1 (*strongly disagree*) to 6 (*strongly agree*).

**Internal attributions.** To assess internal attributions of juveniles' sex offenses to deviant sexual arousal, participants indicated agreement/disagreement with the statement, "Many juvenile sex offenders commit sex offenses because of deviant sexual arousal." To assess internal attributions of juveniles' sex offenses to mental illness, participants responded to the question, "In your opinion, what percentage of all juvenile sex offenders are severely mentally ill?" Responses were given on an 11-point scale ranging from 0% to 100% in intervals of 10%.

**Uncontrollable attributions.** To measure uncontrollable attributions, participants indicated their agreement/disagreement with the statement: "Juvenile sex offenders are unable to control their behavior."

**Stable attributions.** To measure stable attributions, participants were asked, "In your opinion, what percentage of all juvenile sex offenders eventually commit another sex offense?" Responses were made on the 11-point percentage scale.

**Retributive goals.** To measure retributive goals, participants indicated how much they



agreed that, “I would support the sex offender registry for juveniles, even if there is no scientific evidence showing that it reduces sexual abuse.”

### **Procedure**

Undergraduates completed the questionnaire during a mass-testing session, along with various unrelated questionnaires submitted by other researchers. Community members were approached in various public settings in a large metropolitan area (mainly trains, but also airports, malls, etc.). All participants were told that their participation was voluntary and anonymous, then thanked for their participation, in keeping with IRB-approved procedures. Undergraduates were compensated with course credit for participating and community members received no compensation.

### **Study 2 Results**

As in Study 1, participants overestimated the proportion of juvenile sex offenders who were sexually abused as children ( $M = 53\%$ ,  $SD = 23\%$ ). A series of multiple linear regression analyses tested the effect of beliefs that sexual abuse causes sex offending on (a) support for registry laws; (b) internal, uncontrollable, and stable attributions for offending; and (c) retributive goals. First, we present the main effects of beliefs that sexual abuse causes sex offending. Second, we present results from mediation analyses testing whether any of the proposed mediators accounted for those main effects that were significant.

#### **Main Effects of Beliefs That Sexual Abuse Causes Sex Offending**

Consistent with the results of Study 1, greater agreement that abuse contributes to sex offending was associated with significantly less registration support,  $\beta = -.25$ ,  $t(173) = -3.32$ ,  $p = .001$ ,  $R = .25$ ,  $R^2 = .06$ ,  $F(1, 173) = 11.03$ ,  $p < .001$ . In addition, greater agreement that abuse leads to sex offending was associated with (a) significantly more uncontrollable attributions,  $\beta = .17$ ,  $t(173) = 2.33$ ,  $p < .05$ ,  $R = .17$ ,  $R^2 = .03$ ,  $F(1, 173) = 5.43$ ,  $p < .05$ ; (b) marginally less

retributive goals,  $\beta = -.15$ ,  $t(172) = -1.92$ ,  $p < .06$ ,  $R = .15$ ,  $R^2 = .02$ ,  $F(1, 172) = 3.83$ ,  $p = .06$ ; (c) significantly more internal attributions to deviant sexual arousal,  $\beta = .18$ ,  $t(173) = 2.46$ ,  $p < .05$ ,  $R = .18$ ,  $R^2 = .03$ ,  $F(1, 173) = 6.07$ ,  $p < .05$ , and mental illness,  $\beta = .19$ ,  $t(171) = 2.46$ ,  $p < .05$ ,  $R = .18$ ,  $R^2 = .03$ ,  $F(1, 171) = 6.04$ ,  $p < .05$ ; and (d) marginally greater stable attributions regarding recidivism,  $\beta = .13$ ,  $t(169) = 1.70$ ,  $p = .09$ ,  $R = .13$ ,  $R^2 = .02$ ,  $F(1, 169) = 2.89$ ,  $p = .09$ .

### Mediation Analyses

Next, we tested for potential mediators of the effect of beliefs that sexual abuse causes sex offending on registration support (see Figure 1). We included as potential mediators only variables that were predicted by abuse attributions in the prior analyses, as recommended by Baron and Kenney, 1986. First, we tested whether each potential mediator significantly predicted registration support, finding that neither internal attributions to deviant sexual arousal nor to mental illness emerged as significant predictors,  $\beta s < -.10$ ,  $t s < -1.26$ ,  $ns$ , and thus, they were not included in the mediation model. Although the effect of stable attributions on registration support was significant,  $\beta = .23$ ,  $t = 3.11$ ,  $p < .01$ , this effect was in the opposite direction as the effect of abuse attributions on registration support, instead predicting *greater* registration support. That is, although greater agreement that abuse contributes to sex offending was associated with less registration support (i.e., a lenient judgment), greater agreement that abuse contributes to sex offending was associated with greater stable attributions (i.e., belief that the juvenile will reoffend) – a variable that predicts *greater* registration support (i.e., a harsher judgment). Because stable attributions predict greater registration support, and greater abuse attributions predicted greater stable attributions, stable attributions logically cannot explain why abuse attributions predicted reduced registration support. Thus, according to Baron and Kenny (1986), stable attributions logically cannot explain (i.e., mediate) the effect of abuse history on support for the full application of the registry, and so this variable will no longer be considered.

Yet, uncontrollable attributions and retributive goals positively predicted registration support,  $\beta_s > .23$ ,  $t_s > 3.11$ ,  $p_s < .01$ , and were therefore included in the mediation model. When abuse attributions and these potential mediators were simultaneously entered into a multiple linear regression predicting registration support, the effect of beliefs that sexual abuse causes sex offending became only marginally significant,  $\beta = -.13$ ,  $t(165) = -1.87$ ,  $p = .06$  (see Figure 1). Uncontrollable attributions,  $\beta = -.19$ ,  $t(165) = -2.84$ ,  $p < .01$ , and retributive goals significantly predicted registration support,  $\beta = .42$ ,  $t(165) = 6.12$ ,  $p < .001$ . A Sobel test further confirmed that uncontrollable attributions and retributive goals were both significant mediators of the effect of beliefs that sexual abuse causes sex offending on registration support, all  $z_s \geq 1.82$ ,  $p_s < .05$ .

### Study 2 Discussion

Study 2 replicated Study 1's findings that (a) people overestimate the prevalence of sexual abuse history among juvenile sex offenders, (b) people believe that sexual abuse is a precursor to juvenile sex offending, and (c) these beliefs are associated with less support for policies that require juveniles to register as sex offenders. Further, results of Study 2 demonstrated that this effect was explained by participants' uncontrollable attributions and retributive goals in line with attribution theory (Graham et al., 1997; Weiner, 2006). That is, as predicted, the more participants believed that a history of sexual abuse explains why juvenile sex offenders commit sex offenses, the more likely they were to believe that juvenile sex offenders are unable to control their behavior and the less likely they were to support registration regardless of its efficacy. Holding juvenile sex offenders less accountable for their actions and having less desire to punish them, in turn, predicted less registration support.

As expected, this pattern was obtained even though participants' belief that childhood sexual abuse explains juveniles' later sex offenses also predicted internal attributions to mental illness, deviant sexual arousal, and marginally greater recidivism. This is consistent with past

research revealing that jurors sometimes perceive abuse as psychologically damaging (Stevenson et al., 2010; for review, see Stevenson, 2009). Even so, uncontrollable attributions and diminished retributive goals associated with attributing sex abuse to past abuse overshadowed the possible aggravating effects of negative internal attributions to mental illness and deviant sexual arousal. In other words, consistent with attribution theory (Weiner, 2006), we found that internal and stable attributions do not translate into unfavorable judgments when transgressions are also perceived as being caused by uncontrollable factors—in this case, a prior history of sexual abuse.

### **Study 3**

Study 3 tested whether Study 1 and 2 findings generalize to specific cases, because public support of sentencing policies tends to be stronger in the abstract as compared to when applied to specific cases. This effect that has been revealed in studies examining support for the juvenile death penalty (Moon, Wright, Cullen, & Pealer, 2000); crime policy, punishment, and rehabilitation (Applegate, Cullen, & Fisher, 2002); “three strikes and you’re out” sentencing policies (Applegate, Cullen, Turner, and Sundt, 1996); and parental responsibility laws (Brank, Weisz, & Hays, 2006). Salerno, Najdowski, and colleagues (2010) found that people support sex offender registry laws for both adults and juveniles when they are asked about sex offenders in general, and that when asked to imagine a typical sex offender or offense, most people naturally envision sex offenders who commit heinous sex offenses such as rape and child sexual abuse. Yet people with less severe prototypes of sex offenders were less supportive of sex offender registry laws, and when given specific cases to consider, people supported registration less for younger juveniles and those who perpetrate less serious offenses (i.e., sexting, sexual harassment, statutory rape) as compared to older juveniles and those who perpetrate more serious offenses (i.e., forced rape). Therefore, Study 3 was designed to test the extent to which beliefs

that sexual abuse leads to sex offending influence registration support for juvenile sex offenders in specific cases (i.e., forced rape, statutory rape, harassment, and sexting). Because participants naturally envision severe prototypes of sex offenders when queried in the abstract as we did in Studies 1 and 2, we expected to replicate those findings that beliefs that prior abuse leads to sex offending mitigate support for registration in a specific case involving a particularly severe offense (i.e., forced rape). Further, we anticipated that greater uncontrollable attributions and diminished retributive goals would mediate this mitigating effect, as in Study 2.

Regarding how beliefs linking sexual abuse to sex offending might influence registration support in less severe cases (i.e., statutory rape, harassment, and sexting), on the one hand, the mitigating effect already observed in Studies 1 and 2 and predicted for severe cases in Study 3 might generalize to less severe cases. On the other hand, such beliefs might be used in an aggravating way by increasing registration support in less severe cases, because participants might vary in the extent to which they perceive less severe acts to be developmentally normal sexual exploration rather than true crimes. In support, Salerno, Najdowski et al. (2010) found that even though the majority of participants (66%) did not support registration for less severe offenses, a significant minority of participants (34%) did. Further, it is possible that extralegal factors might alter the thresholds individuals have for determining whether certain sexual behaviors are labeled as normative versus deviant. For instance, Salerno, Murphy, and Bottoms (2011) found that participants supported registration more for a less serious crime (i.e., consensual sex) when the two juveniles were the same gender than when they were the opposite gender. Yet, anti-gay bias did not emerge in the context of a serious crime involving an adult perpetrator and a child victim. They theorized that when the crime is less serious, participants are more susceptible to expressions of bias. Stevenson et al. (2009) made a similar theoretical argument. In the context of a less serious crime (i.e., consensual oral sex), participants were more

supportive of registering a juvenile when he and his victim were of different races than when they were of the same race (Stevenson, et al.). The authors theorized that, because interracial relationships are perceived as less normative and are generally less accepted, participants might have been more likely to label a less severe sex crime as a true crime when it was interracial rather than intraracial. Thus, it is possible that participants who think that juveniles commit sex offenses because they were sexually abused as a child might be more likely than others to interpret less severe sex acts between juveniles as true sex crimes. Further, we predicted that such an effect would be mediated by internal and stable attributions such that people who believe that a juvenile committed a sex offense because he was sexually abused might also believe that the juvenile is mentally ill, sexually deviant, and likely to commit future sex offenses. These attributions might, in turn, increase support for registration.

### **Study 3 Method**

#### **Participants**

Participants were undergraduates at a large Midwestern research university ( $n = 192$ ) and community members in a large metropolitan area ( $n = 83$ ) who were 18 years old or older. Undergraduates were 56% women, 19 years old on average ( $SD = 1$ , ranging from 18 to 30) and 37% Caucasian, 32% Asian, 7% African American, 19% Hispanic, and 5% of other ethnicities. Community members were 56% women, 42 years old on average ( $SD = 17$ , ranging from 18 to 84) and 63% Caucasian, 8% Asian, 12% African American, 11% Hispanic, and 6% of other ethnicities.

#### **Materials**

Materials included the questionnaire described previously, with a modification. After the same first paragraph that delivered basic information about sex offender registration, a second brief paragraph was added to describe a specific 16-year-old boy who had been found guilty of

committing one of four specific sex offenses: (a) attacking and raping a girl in a park (forced rape), (b) participating in and videotaping mutually desired oral sex with an underage girl (statutory rape), (c) running through school hallways grabbing girls' buttocks (sexual harassment), or (d) getting caught looking at naked pictures of his underage girlfriend that she had emailed to him (sexting). The latter three offenses were based on actual cases in which sex offender registration was a possible outcome (i.e., Goldsmith, 2007; Stockinger, 2009; *Wilson v. State of Georgia*, 2006). For example, in the sexting vignette, participants read:

While David (a 16-year-old male) was checking his email in the school library, he received a message that contained naked pictures of his girlfriend. As he was viewing the pictures, a librarian walked by, noticed, and sent him to the principal's office. After the school officials investigated, they discovered that the girl in the pictures was underage. David was adjudicated for possession of child pornography.

The other three vignettes were similar in length and level of detail.

Questionnaire items assessing (a) registration support; (b) beliefs that sexual abuse causes sex offending; (c) internal, uncontrollable, and stable attributions; and (d) retributive goals were similar to those described in Studies 1 and 2, except they were tailored to ask specifically about the juvenile described in the vignette. Demographic items were the same.

## **Procedure**

Seventy-nine percent of the undergraduates participated in the same type of mass-testing session as in Study 2, and 21% completed the questionnaire alone in a laboratory or in groups ranging from 2 to 24. Community members were recruited as in Study 2. Participants were randomly assigned to read about one of the four specific cases and then asked to complete all questions in response to the specific offense described in the vignette. When done, they were debriefed and thanked. Undergraduates were compensated with course credit for participating.

Community members received no compensation.

### Study 3 Results

We found significant differences between the three less severe case vignettes (i.e., statutory rape, harassment, and sexting) on some, but not all, dependent variables,  $F_s(3, 261-268) > 8.11, p_s < .01$ . Yet, the differences between the three less severe cases, although significant, were uninteresting theoretically for the purposes of this research. Further, the range of mean differences between the three less severe cases on all dependent variables was much smaller ( $M$  range = .79) than the range of mean differences between the average of the three less severe cases and the more severe case (i.e., forced rape) ( $M$  range = 1.81). In other words, the significant differences between the mean of the three less severe cases and the more severe case far outweighed the smaller (yet statistically significant) differences between the three less severe cases. Thus, to simplify the presentation of our results, we collapsed across the 3 less severe cases (i.e., statutory rape, harassment, and sexting) and present the results of our more severe case (i.e., forced rape) separately. First, we present the main effects of abuse attributions for the less severe cases, followed by the effects of abuse attributions for the more severe offense.

#### Less Severe Cases: Main Effects of Beliefs that Sexual Abuse Causes Sex Offending

Analyses considering only participants who read about juveniles who committed less severe offenses revealed that those who expressed greater (versus lesser) agreement that sexual abuse contributes to sex offending were significantly more supportive of the registry,  $\beta = .26, t(228) = 4.10, p < .001, R = .26, R^2 = .07, F(1, 228) = 16.84, p < .001$ ; indicated significantly higher endorsement of retributive goals,  $\beta = .38, t(228) = 6.35, p < .001, R = .38, R^2 = .15, F(1, 228) = 39.00, p < .001$ ; made significantly more internal attributions to mental illness,  $\beta = .47, t(224) = 7.97, p < .001, R = .47, R^2 = .22, F(1, 224) = 63.52, p < .001$ ; significantly more internal attributions to deviant sexual arousal,  $\beta = .37, t(228) = 5.24, p < .001, R = .33, R^2 = .11, F(1,$



228) = 27.48,  $p < .001$ ; and significantly more stable attributions,  $\beta = .44$ ,  $t(222) = 7.26$ ,  $p < .001$ ,  $R = .44$ ,  $R^2 = .19$ ,  $F(1, 222) = 52.77$ ,  $p < .001$ . Beliefs about sexual abuse did not have a significant effect on uncontrollable attributions, however,  $\beta = .03$ ,  $t(226) = .41$ ,  $ns$ ,  $R = .03$ ,  $R^2 = .00$ ,  $F(1, 226) = .17$ ,  $ns$ .

**Mediation analyses.** Next, we tested for mediators of the effect of beliefs that sexual abuse causes later offending on registration support for juveniles who committed less severe sex offenses using the same mediation procedures described in Study 2. Higher endorsement of retributive goals emerged as a significant predictor of registration support,  $\beta = .41$ ,  $t(216) = 5.91$ ,  $p < .001$ , but none of the other potential mediators did,  $\beta$ s  $< .11$ ,  $t$ s  $< -1.39$ ,  $ns$ . Therefore, we tested whether retributive goals mediated the effect of beliefs about sexual abuse on support for registering juveniles convicted of less severe offenses. When such beliefs and retributive goals were entered simultaneously into a multiple linear regression predicting registration support, beliefs about sexual abuse dropped to a marginally significant predictor of registration support,  $\beta = .11$ ,  $t(226) = 1.74$ ,  $p = .08$ , but retributive goals emerged as a statistically significant predictor of registration support,  $\beta = .39$ ,  $t(226) = 5.97$ ,  $p < .001$  (see Figure 2). A Sobel test confirmed that retributive goals significantly mediated the effect of attributing a less severe sex offense to a history of being sexually abused on registration support, Sobel  $z = 4.23$ ,  $p < .001$ .

### **More Severe Case: Main Effects of Beliefs that Sexual Abuse Causes Sex Offending**

Analyses revealed that among participants who read about a juvenile who committed a more severe offense, those who expressed greater compared to lesser agreement that sexual abuse contributes to sex offending were significantly less supportive of the registry,  $\beta = -.46$ ,  $t(38) = -3.17$ ,  $p < .01$ ,  $R = .46$ ,  $R^2 = .21$ ,  $F(1, 38) = 10.09$ ,  $p < .01$ , and made significantly more uncontrollable attributions,  $\beta = .31$ ,  $t(39) = 2.02$ ,  $p = .05$ ,  $R = .31$ ,  $R^2 = .10$ ,  $F(1, 39) = 4.09$ ,  $p = .05$ , significantly more internal attributions to deviant sexual arousal,  $\beta = .37$ ,  $t(41) = 2.56$ ,  $p <$

.05,  $R = .37$ ,  $R^2 = .14$ ,  $F(1, 41) = 6.56$ ,  $p < .05$ , and significantly fewer stable attributions,  $\beta = -.35$ ,  $t(40) = -2.36$ ,  $p < .05$ ,  $R = .35$ ,  $R^2 = .12$ ,  $F(1, 40) = 5.57$ ,  $p < .05$ . However, beliefs about sexual abuse did not have significant effects on internal attributions to mental illness,  $\beta = .23$ ,  $t(40) = 1.50$ ,  $ns$ ,  $R = .23$ ,  $R^2 = .05$ ,  $F(1, 40) = 2.25$ ,  $ns$ , nor retributive goals,  $\beta = -.21$ ,  $t(41) = -1.34$ ,  $ns$ ,  $R = .20$ ,  $R^2 = .04$ ,  $F(1, 41) = 1.80$ ,  $ns$ .

**Mediation analyses.** Next, we conducted a series of regression analyses to determine which possible mediators explained the effects of beliefs that sexual abuse causes later offending on support for registering a juvenile who committed a more severe sex offense. More stable attributions were associated with significantly greater registration support,  $\beta = .39$ ,  $t(34) = 2.44$ ,  $p < .05$ , but none of the other potential mediators emerged as significant predictors, all  $\beta$ s  $< -.15$ ,  $t$ s  $< -.92$ ,  $ns$ . Therefore, we tested whether stable attributions mediated the effect of beliefs that sexual abuse leads to sex offending on registration support for a juvenile convicted of a more severe offense. When such beliefs and stable attributions were entered simultaneously into a multiple linear regression, both beliefs about sexual abuse,  $\beta = -.44$ ,  $t(36) = -3.21$ ,  $p < .01$ , and stable attributions remained statistically significant predictors of registration support,  $\beta = .33$ ,  $t(36) = 2.39$ ,  $p < .05$ , revealing no evidence of mediation.

### Study 3 Discussion

Results of Study 3 are consistent with past research showing that public support for sex offender registration varies depending on whether individuals are asked about juveniles in general or about specific juveniles accused of different crimes ranging in severity (Salerno, Najdowski, et al., 2010; Salerno, Stevenson, et al., 2010). The more participants thought that a juvenile's history of being sexually abused led him to perpetrate forced rape, the less they supported registering the juvenile as a sex offender. These results and their similarity to results in

Study 1 and 2 support Salerno, Najdowski, et al.'s (2010) finding that laypeople naturally think about heinous crimes when they are asked about sex offenders in general.

In contrast, the more participants thought that a history of sexual abuse led juveniles to perpetrate less severe offenses (i.e., statutory rape, harassment, sexting), the *more* they supported registering the juvenile as a sex offender. Although some studies have shown that child sexual abuse mitigates reactions toward juveniles accused of nonsexual offenses (Najdowski et al., 2009; Nunez et al., 2007; Stalans & Henry, 1994), our results suggest that people might use beliefs about a history of sexual abuse as an *aggravating* factor when determining whether juveniles should register as sex offenders for committing less severe sex offenses. Why? Our findings are consistent with other research revealing that people sometimes consider abused offenders to be “damaged goods” (Najdowski et al., 2009; Stevenson et al., 2010). In fact, in less severe cases, beliefs linking sexual abuse to sex offending increased internal attributions to sexual deviance and mental illness, stable attributions in terms of perceived recidivism likelihood, and retributive goals of supporting registration even without evidence of its effectiveness.

Yet, only increased retributive goals explained why beliefs about sexual abuse and sex offending increased support for registry laws—a finding inconsistent with our theory that stable attributions (not retributive goals of punishment) would explain this aggravating effect, in line with attribution theory (Weiner, 2006). Some research indicates that although self-reported sentencing goals are utilitarian in nature (e.g., a desire to protect society) (Ellsworth & Ross, 1983), actual sentencing goals primarily stem from a retributive desire to punish (Carlsmith et al., 2002; Darley et al., 2000; Stevenson et al., 2010), perhaps explaining why retribution (and not stable attributions) mediated this effect. Furthermore, this finding is consistent with our hypothesis that participants who believe that a juvenile’s history of sexual abuse drove him to

engage in sexual behavior might be more likely to interpret relatively less severe sex acts as true sex crimes and, in turn, treat the juvenile more punitively. In contrast, forced rape is probably always considered a true sex crime, regardless of beliefs about the causes of the perpetrator's behavior (e.g., history of sexual abuse). Thus, in the context of forced rape, participants might take pity on the juvenile sex offender whom they believe as likely having been sexually abused himself and in turn consider him to be psychologically damaged, as we have found.

Finally, for the more severe offense, beliefs linking past sexual abuse to sex offending were associated with more uncontrollable attributions, more internal attributions to deviant sexual arousal, and fewer stable attributions, although these factors did not mediate the effect of such beliefs on support for registering a juvenile who committed forced rape. This contrasts with our findings from Study 2, which indicated that uncontrollable attributions and diminished retributive goals explained that effect. Perhaps when participants are forced to consider an actual rape case, the sympathy induced by the belief that the rapist was sexually abused overrides other cognitions and attributions associated with this belief in a way that does not happen when participants are asked to consider a sex crime in the abstract. In support, substantial research shows that participants tend to be more sympathetic toward offenders when considering specific perpetrators of crime rather than criminal acts in general (e.g., Moon et al., 2000; Applegate et al., 2002; Brank et al., 2006).

#### **Study 4**

Thus far, we have provided indirect evidence that the belief that sexual abuse leads to sex offending reduces support for registering juveniles who commit serious sex offenses, whereas this belief increases support for registering juveniles who commit less severe sex offenses. To conclude this with more certainty about causality, we conducted a direct experimental test to understand how a juvenile's history of sexual abuse influences registration support in a statutory

rape case (Study 4) and separately in a forced rape case (Study 5). Again, we relied upon attribution theory and developed competing hypotheses. On the one hand, a history of being sexually abused as a child (relative to no history) might cause participants to believe that the juvenile was less able to control his sexual behavior (i.e., an uncontrollable attribution), which should, in line with Graham and colleagues' (1998) results, diminish retributive goals and reduce registration support. On the other hand, knowing that a juvenile sex offender was sexually abused as a child might predict greater internal attributions for juveniles' sex offending to factors such as deviance or mental illness, as well as stable attributions that the juvenile is likely to re-offend and, in turn, greater registration support.

Yet in Study 3, abuse attributions predicted diminished registration support in the severe rape case but greater retributive goals and greater registration support in the lenient cases. We theorized that participants were more likely to interpret the relatively less severe sex crimes (e.g., statutory rape) as more like true sex crimes when the juvenile had been sexually abused himself as a child. In contrast, believing the juvenile had a history of sexual abuse might not have influenced perceptions of whether forced rape is a true sex crime because participants probably perceived forced rape as an unambiguous sex offense. Thus, in Study 4, we tested the extent to which this pattern of results would generalize when we experimentally manipulated abuse history in the context of a less severe sex crime—statutory rape.

#### **Study 4 Method**

Study 4 conformed to a one-way between-subjects experimental design in which sexual abuse history (abused or nonabused) of a juvenile who committed statutory rape was experimentally manipulated.

#### **Participants**

Participants were 78 community members. Thirty-nine participants (50%) were in the

abused condition and 39 (50%) were in the nonabused condition. Eight participants failed the manipulation check (i.e., 2 participants in the abused condition said the defendant was not abused and 6 participants in the nonabused condition said the defendant was abused). These participants were excluded from analyses, resulting in a total sample size of 70. The final sample was 50% women, 38 years old on average ( $SD = 9$ , ranging from 22 to 65 years), and 68% Caucasian, 7% Asian, 12% African American, 12% Hispanic, and 3% of other ethnicities.

### **Materials**

Materials included the same description of the statutory rape case followed by the same questions used in Study 3, but in addition, to accommodate the sexual abuse manipulation, we described the juvenile defendant as having been “*sexually abused by his father when he was a child*” or as having “*no history of being sexually abused as a child.*” We included the same measures and demographic questions as in Study 3, except that we did not measure participants’ beliefs that sexual abuse causes sex offending. An additional measure from Salerno, Najdowski, et al. (2010) and Stevenson et al. (2009) asked participants, “In your opinion, what is the most appropriate outcome for David?” Response options were 1 (*should not be required to register*), 2 (*should be required to register, but his information should not be posted on the Internet*), 3 (*should be required to register, but his information should not be posted on the Internet until he turns 18, at which time his information should be publicly posted on the Internet*), and 4 (*should be required to register and his information should be publicly posted on the Internet*), with higher numbers indicating greater support for the full application of the registry. Finally, a manipulation check item asked participants to respond (*yes* or *no*) to the question, “Was the juvenile offender sexually abused as a child?”

### **Procedure**

Community members were recruited via *StudyResponse*, a nationally representative

database from which participants are recruited and given a \$5 incentive to participate.

Participants completed the questionnaire online, were thanked, and given their incentive, in keeping with IRB-approved procedures.

### **Study 4 Results**

We conducted a series of one-way analyses of variance (ANOVAs) to test the effect of abuse history (abused or nonabused) on participants' registration support; degree of support for the full application of the registry; internal, uncontrollable, and stable attributions for offending; and retributive goals of punishment. Next, we present main effects of abuse history followed by mediation analyses explaining the effects of abuse history on support for registration.

#### **Abuse History Main Effects**

Participants were marginally more supportive of the full application of the registry for the abused ( $M = 2.30, SD = 1.29$ ) than the nonabused juvenile ( $M = 1.75, SD = 1.05$ ),  $F(1, 67) = 3.67, p = .06$ . Participants also rated the abused juvenile as significantly more likely to be mentally ill ( $M = 3.06, SD = 3.01$ ), significantly more likely to commit future sex crimes ( $M = 4.19, SD = 2.60$ ), and marginally less able to control his behavior ( $M = 2.62, SD = 1.09$ ) than the nonabused juvenile ( $M = 1.31, SD = 2.26$ ;  $M = 2.47, SD = 2.59$ ; and  $M = 2.12, SD = 1.10$ , respectively),  $F(1, 66) = 7.13, p = .01$ ;  $F(1, 67) = 7.53, p < .01$ ; and  $F(1, 67) = 3.54, p = .06$ , respectively.

There were no main effects of abuse history on registration support, attributions to deviant sexual arousal, or retributive goals of punishment, all  $F_s(1, 43-67) < 1.36, ns$ .

#### **Understanding the Effect of Abuse History Support for the Full Application of the Registry**

Next, we conducted analyses to explore possible mediators that might explain the effects of abuse history on support for the full application of the registry (see Figure 3). Because ANOVAs revealed no relationship between abuse history and attributions to deviant sexual

arousal or retributive goals of punishment, according to Baron and Kenny (1986), these variables cannot possibly mediate the relationship between abuse history and support for the full application of the registry, and will therefore no longer be considered for mediation analyses. Stable attributions emerged as a statistically significant predictor of support for the full application of the registry,  $\beta = .62$ ,  $t(64) = 5.70$ ,  $p < .001$ , as did uncontrollable attributions,  $\beta = -.20$ ,  $t(64) = -2.13$ ,  $p < .05$ . Attributions to mental illness emerged as a marginally significant predictor of support for the full application of the registry,  $\beta = .20$ ,  $t(64) = 1.82$ ,  $p = .07$ .

Although the effect of uncontrollable attributions on support for the full application of the registry was significant, this effect was in the opposite direction as the effect of abuse history on support for the full application of the registry. That is, although participants were more supportive of the full application of the registry for the abused juvenile than the nonabused juvenile (i.e., a punitive judgment), the abused juvenile was also perceived as less able to control his behavior—a variable that predicts *less* support for the full application of the registry (i.e., a lenient judgment). Because uncontrollable attributions are lenient (pro-defense) judgments, and the abused juvenile was rated as less able to control his behavior, this belief logically cannot explain why participants were more punitive toward the abused than nonabused juvenile (i.e., more supportive of the full application of the registry). Thus, according to Baron and Kenny (1986), uncontrollable attributions logically cannot explain (i.e., mediate) the effect of abuse history on support for the full application of the registry, and so this variable will no longer be considered.

We were, however, able to test whether stable attributions and attributions to mental illness mediated the effect of abuse history on support for the full application of the registry. When abuse history and these potential mediators were simultaneously entered into a multiple linear regression predicting registration support, the effect of abuse history became not



statistically significant,  $\beta = .01$ ,  $t(64) = .07$ , *ns* (see Figure 3). The effect of stable attributions remained statistically significant and a Sobel test confirmed evidence of statistically significant mediation,  $\beta = .58$ ,  $t(64) = 5.14$ ,  $p < .001$  (Sobel  $z = 2.41$ ,  $p < .01$ ). Yet, attributions to mental illness did not emerge as a significant predictor, and a Sobel test confirmed no evidence of mediation,  $\beta = .15$ ,  $t(64) = 1.32$ , *ns* (Sobel  $z = 1.19$ , *ns*). Thus, participants supported the full application of the registry more for the abused than the nonabused juvenile because they believed he was more likely to re-offend.

#### Study 4 Discussion

As hypothesized, abuse history was used as an aggravating factor in the less severe statutory rape case. Specifically, although abuse history did not influence the registration support variable, participants were marginally more supportive of the full application of the registry for a sexually abused juvenile than a nonabused juvenile who had committed statutory rape. Also, an abused juvenile who committed statutory rape was perceived as more mentally ill, less able to control his behavior, and more likely to recidivate than a nonabused juvenile. Further, mediation analyses revealed that the belief that the abused juvenile would re-offend drove the effect of abuse history on support for the full application of the registry. Interestingly, participants were more supportive of registering an abused versus a nonabused juvenile who committed statutory rape, even though they believed the abused juvenile was less able to control his behavior—an attribution that our research and past research (Weiner, 2006) shows predicts leniency in case judgments. The present research demonstrates an interesting instance in which fear of recidivism (i.e., stable attributions) overrides the leniency that would otherwise be produced by uncontrollable attributions, and instead results in severe case judgments. Thus, just as revealed in Study 3, it appears that participants might be more likely to label a relatively less severe sex crime (i.e., statutory rape) as a true crime when the juvenile has a history of sexual

abuse, and in turn, use his history of abuse as evidence that he is permanently damaged, likely to recidivate, and deserving of registration. This is in line with past research illustrating that participants sometimes use abuse history as an aggravating factor (Najdowski et al., 2009; Stevenson et al., 2009).

It is noteworthy that abuse history predicted support for the full application of the registry, but not registration support. It is possible that the registration support variable triggers retributive goals of punishment because its wording refers to the severity of registration (i.e., *“Public registration laws are too severe for juvenile sex offenders like David”*). In contrast, the question assessing support for the full application of the registry does not require participants to consider the punitive severity of registration. Instead, participants are merely asked to recommend one of various applications of registration (i.e., no registration; registration, but without the juvenile’s information posted on-line; etc.). In support, abuse history did not significantly predict retributive goals of punishment, whereas stable attributions, which theoretically stem from utilitarian goals to protect society, significantly mediated the relationship between abuse history and support for the full application of the registry.

Yet, how will a juvenile’s own abuse history influence registration support in a more severe forced rape case? To test this in Study 5, we experimentally manipulated abuse history in the context of a more severe sex crime—forced rape.

### **Study 5 Method**

Study 5 conformed to a one-way between-subjects experimental design in which sexual abuse history (abused or nonabused) of a juvenile who committed forced rape was experimentally manipulated.

#### **Participants**

Participants were 82 community members. Forty-four participants were in the abused

condition and 38 were in the nonabused condition. Ten participants failed the manipulation check (i.e., 3 participants in the abused condition said the defendant was not abused and 7 participants in the nonabused condition said the defendant was abused). These participants were excluded from analyses, resulting in a total sample size of 72. The final sample was 54% women, 39 years old on average ( $SD = 9$ , ranging from 20 to 62 years), and 73% Caucasian, 6% Asian, 11% African American, 7% Hispanic, and 2% of other ethnicities.

### **Materials and Procedure**

Materials included the same description of the forced rape case as in Study 3, followed by the same questions used in Study 4. The same abuse manipulation as Study 4 was also included. The exact same procedures used in Study 4 were used for this study.

### **Study 5 Results and Discussion**

We conducted the same series of ANOVAs as in Study 4 to test the effect of abuse history on participants' case judgments. There were no significant effects of abuse history on any case judgments, all  $F_s(1, 57-70) \leq 2.66$ , *ns*. Thus, although Studies 1, 2, and 3 show that participants' abuse attributions predict lenient treatment of juvenile sex offenders, in a true experimental test of the influence of abuse history, participants did not use abuse history as a mitigating factor. Instead, participants appeared to ignore abuse history, just as they frequently discount a defendant's history of child physical abuse as a mitigating factor in death penalty cases (Stevenson et al., 2010).

### **General Discussion**

As expected, participants greatly overestimated the prevalence of a history of sexual abuse among juvenile sex offenders, just as they overestimate histories of sexual abuse for adult sex offenders (Fortney et al., 2007; Levenson et al., 2007). In line with attribution theory (e.g., Weiner, 2006), when asked in the abstract, the more participants attributed sex offending to past

abuse, the less they supported policies that require juveniles to register as sex offenders. Further supporting attribution theory, this effect was significantly mediated by uncontrollable attributions and retributive goals of punishment. These results are in line with Stevenson and colleagues' research (2010), which showed that uncontrollable attributions about a defendant's history of having been physically abused as a child predicted lenient sentence preferences (i.e., life over death).

Yet, when participants were asked to consider specific cases, attributions to abuse reduced support for juvenile registration policies only for severe sex crimes like rape, which, unsurprisingly, are the very types of crimes that participants naturally tend to envision when asked generally about sex crimes (Salerno, Najdowski, et al., 2010). For less severe juvenile sex crimes, however, the more participants attributed sex offending to past abuse, the *more* they supported registration. Finally, when a history of sexual abuse was experimentally manipulated, abuse history was consistently used as an aggravating factor in a less severe statutory rape case and was ignored entirely in a severe forced rape case.

### **Public Policy Implications**

These results have a number of implications relevant to public policy and law. Our results show that abuse history appears to be ignored for severe cases, and is even used as an aggravating factor in lenient cases—this is especially noteworthy considering that less severe sex crimes constitute the majority of juvenile sex offenses (U.S. Department of Justice, 2007). Thus, it appears that sexual abuse history, presumed by the law to be a mitigating factor (e.g., Juvenile Court Act, 1987), might at best be frequently discounted, and at worst, even backfire and end up being used against juvenile sex offenders. These findings are consistent with past research revealing that other factors presented as mitigating factors (e.g., drug abuse, alcohol abuse, child physical abuse) sometimes are used against defendants as aggravating factors, increasing

sentence severity (Barnett et al., 2007; Brodsky et al., 2007; Najdowski et al., 2009; Stevenson et al., 2010; for review, see Stevenson, 2009). Defense attorneys should take note that the backfire effect likely extends to juvenile sex offenders' sexual abuse histories.

Furthermore, consider the policy implications regarding our findings that abuse history was used as a mitigating factor when participants considered registration support abstractly, yet not when they considered specific juvenile sex offenses. Although the Juvenile Court Act (1987) mandates that child abuse be considered a mitigating factor, evidence suggests that the opposite is happening for child physical abuse (Stevenson, 2009) and, in some cases, child sexual abuse. Yet, because the current research demonstrates that abuse attributions mitigate case judgments when participants consider abstract juvenile sex offenses, it is likely that legal decision-makers and the general public assume that child abuse is being used as a mitigating factor. These assumptions undermine the effectiveness of such laws. Courts and policy makers should be encouraged to implement legal instructions and policies designed to explicitly encourage legal decision makers to be sensitive about a juvenile offender's history of abuse, to educate them about the actual consequences of being abused, and to admonish them against using a history of abuse against a juvenile offender. Instead of resorting to ineffective and harmful sex offender registration, legal decision makers should be encouraged to provide rehabilitative resources and mental health services to juvenile sex offenders, particularly those with histories of child sexual abuse (for a review of such recommendations, see Salerno, Stevenson, et al., 2010).

Moreover, given that participants greatly overestimate the prevalence of a history of sexual abuse among juvenile sex offenders, and that this belief can lead to more severe treatment of juvenile sex offenders, one policy implication is to educate legal decision-makers about actual prevalence rates of abuse histories among juvenile sex offenders. Although only a small minority of sexually abused individuals become sex offenders (Worling, 1995), due to well-documented

human reliance on heuristics in decision-making (e.g., Kahneman & Tversky, 2000), these common errors in thinking and illusory correlations are likely to continue, particularly if not corrected. Policy-focused educators should take precautions when teaching this information and be careful to correct such mistakes in logic—mistakes that have the potential to result in discriminatory treatment of sexually abused juveniles.

### **Limitations and Future Directions**

Abuse attributions and abuse history fairly consistently influenced the types of attributions laypeople made about a juvenile's sex offending and their goals for sentencing a juvenile, but these attributions and goals did not consistently explain the effects abuse had on laypeople's support for registering a juvenile as a sex offender. Perhaps this is explained by the fact that internal attributions to sexual deviance and mental illness could be perceived as either controllable or uncontrollable as well as either permanent or transitory. In fact, because of the potential for confounds among the dimensions of locus, controllability, and stability, Weiner (1985, 2006) has argued that attributions of controllability are more central to understanding people's beliefs about the causes of behavior. Even so, uncontrollable attributions significantly explained the effects of a juvenile's past history of abuse on public support for sex offender registration in only 2 of our 5 studies. Future research might better test whether participants use abuse as a mitigating or aggravating factor by teasing these confounds apart, for example, by experimentally manipulating whether internal attributions to sexual deviance or mental illness are viewed as either stable or unstable and controllable or uncontrollable. Also, future research could provide a more complete test of Weiner's (2006) attribution theory by exploring whether affective reactions, such as sympathy and anger, mediate the effects of abuse attributions and abuse history on perceptions of juvenile sex offenses.

Future research should also include lengthier trial transcripts and provide more detailed

case-related information to increase the ecological validity of this research. Yet, our vignettes were modeled after real cases, and the present research represents a necessary first step in understanding how abuse attributions influence perceptions of juvenile sex offenders. Finally, although this research employed both undergraduate and representative community member samples, future studies should explore how abuse attributions influence juvenile justice officials' and other legal decision makers' perceptions of juvenile sex offenders.

### **Conclusion**

Examining how a juvenile sex offender's history of sexual abuse shapes support for registration policies across a series of 5 studies with various methodologies and case types certainly gets us closer toward a fuller understanding of public attitudes toward particularly vulnerable and young offenders. The questions addressed by this research are critical given that registering juveniles is not only ineffective at reducing sex offenses, but also negatively impacts the lives of those registered in ways that could contribute to future recidivism (see, e.g., Levenson et al., 2007). Finally, understanding biases against juvenile offenders who have already experienced maltreatment (i.e., sexual abuse) is one important step toward the development of future policy designed to combat discrimination against victimized and vulnerable young offenders.

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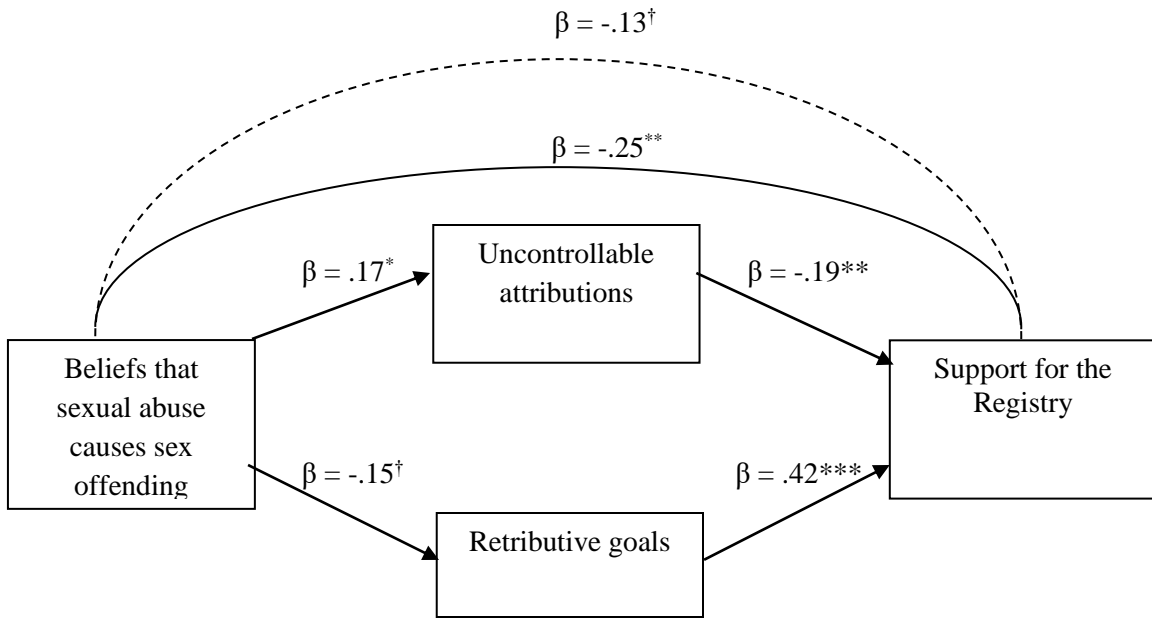
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Figure 1. Mediators of the effect of beliefs that sexual abuse causes sex offending on support for the registry for Study 2.



†  $p < .10$ , \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

All Sobel  $z_s \geq 1.82$ ,  $p_s < .05$



Figure 2. Mediator of the effect of beliefs that sexual abuse causes sex offending on support for the registry for the less severe sex offenses in Study 3.

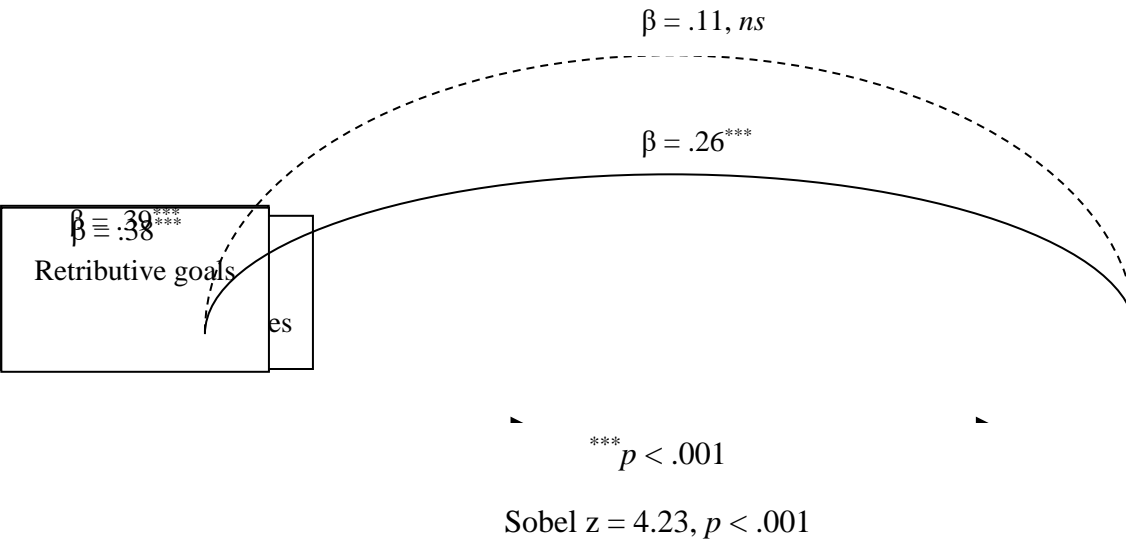
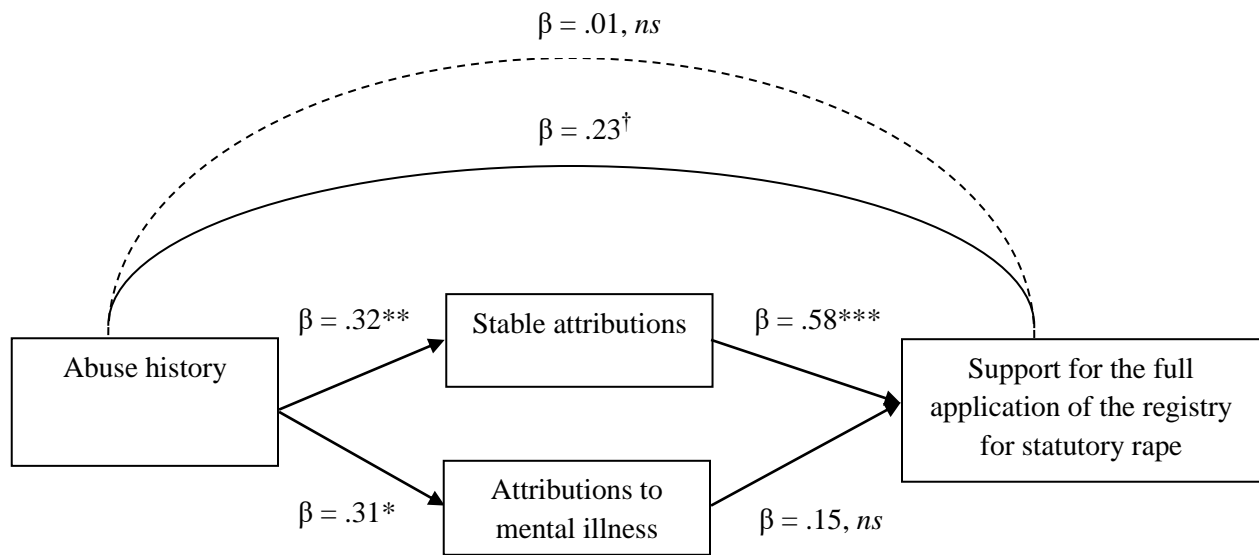


Figure 3. Mediators of the effect of abuse history on support for the full application of the registry for the statutory rape sex offense in Study 4.



$^\dagger p < .10, *p < .05, **p < .01, ***p < .001$