

REPORT TO THE IDAHO LEGISLATURE

THE PROSECUTION OF CHILD SEX ABUSE

JULY 1, 1993-JUNE 30, 1994

a joint submission by
The Office of the Governor
Philip E. Batt, Governor

and

The Office of the Attorney General
Alan G. Lance, Attorney General

January, 1995



OFFICE OF THE GOVERNOR

STATE CAPITOL

BOISE 83720-0034

PHILIP E. BATT
GOVERNOR

(208) 334-2100

To the Idaho Legislature and the Citizens of Idaho
January 20, 1995

I commend to you this sixth Idaho report on child sexual abuse for your review and consideration.

Child sexual abuse represents one of the greatest tragedies for our children. This report, like those before it, depicts a revealing profile of adults and juveniles accused of the crime of child sexual abuse. For both adult and juvenile perpetrators, the victims are overwhelmingly female. While victims of adults tend to be in their early teenage years, victims of juvenile offenders are concentrated in the pre-teen years with a preponderance from four to eleven years old.

The Criminal Justice system has worked diligently to detect, prosecute, punish and treat those accused and convicted of a child sex abuse crime. Yet, the efforts of the Criminal Justice system are limited since most perpetrators are either acquainted with or related to their victims. This means that those perpetrators occupy positions of trust and are able to take advantage of children based on that trust relationship. For that reason, deterrence is somewhat limited in dealing with this crime.

It is essential in 1995 that we begin to educate our children to prevent this type of crime. Furthermore, for those offenders detected and convicted, we must provide the appropriate sanction so that they will be deterred as well as treated in order to end this type of criminal activity.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Philip E. Batt".

Philip E. Batt
Governor



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January 20, 1995

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To the Idaho Legislature and the Citizens of Idaho

Re: The Prosecution of Child Sex Abuse

The tragedy of child sexual abuse continues in Idaho despite the recent efforts of the Legislature, the Governor, the Attorney General, County Prosecutors and Law Enforcement to prevent it. Compounding the tragedy is the fact that the overwhelming majority of these cases (well over 80%) are committed by individuals who are known and trusted by the victim.

Another shocking statistic which becomes apparent from this report is that in one-third of the reported cases, a juvenile was not only the victim but also the perpetrator. Nearly one-half of the victims of these juvenile sex offenders were seven-years-old or less. As we address the problems of juvenile justice, we must look for ways to counter these alarming statistics.

The image that society has of a sex offender is that of the unsavory stranger "cruising" the neighborhood or lurking outside school yards or playgrounds. This report, as the reports which preceded it, shatter that stereotype. Statistically, the threat to our children is more likely to come from someone who is known and trusted than from someone who is strange and unknown. The report calls for vigilance on the part of parents, guardians, and grandparents and also for teaching vigilance to our children.

I will support efforts to protect our children and will use the resources at my disposal to prevent and to punish this heinous crime.

With Best Regards,

A handwritten signature in black ink, appearing to read "Alan G. Lance".

ALAN G. LANCE
Attorney General

AGL/yj
L5349agl

THE PROSECUTION OF CHILD SEX ABUSE

JULY 1, 1993-JUNE 30, 1994

January, 1995

SUMMARY OF FINDINGS

>356 TOTAL CASES WERE PROSECUTED (233 ADULTS, 123 JUVENILES) IN DISTRICT OR JUVENILE COURT. THIS REPRESENTS A DECREASE OF 69 (16%) CASES FROM THE PREVIOUS REPORT. ADULT CASES DECREASED BUT JUVENILE CASES INCREASED SLIGHTLY.

>28 (12%) OF THE 233 ADULTS HAD PRIOR CONVICTIONS FOR CHILD SEXUAL ABUSE. THIS IS UP SLIGHTLY FROM THE 10% LAST YEAR.

>VICTIM GENDER WAS PREDOMINANTLY FEMALE FOR BOTH ADULT AND JUVENILE PERPETRATORS.

>THE GREATEST NUMBER OF VICTIMS (128 OF 308) OF ADULT DEFENDANTS CHARGED WITH CHILD SEXUAL ABUSE WERE BETWEEN 12 AND 15 YEARS OLD. THIS IS CONSISTENT WITH LAST YEAR.

>THE GREATEST NUMBER OF VICTIMS (61 OF 166) OF JUVENILE OFFENDERS CHARGED WITH CHILD SEXUAL ABUSE WERE BETWEEN 4 AND 7 YEARS OLD. THIS REPRESENTS AN INCREASE OVER LAST YEAR.

>54% OF THE ADULT ABUSERS WERE ACQUAINTANCES OF THEIR VICTIMS AND 34% WERE RELATED TO THEM.

>43% OF THE JUVENILE ABUSERS WERE ACQUAINTANCES OF THEIR VICTIMS AND 40% WERE RELATIVES (NON-PARENTS)

>WHERE ADULT DISPOSITION WAS KNOWN, THE IMMEDIATE SENTENCE WAS 9% PROBATION; 36% PRISON; 33% RETAINED JURISDICTION; 12% JAIL AND PROBATION.

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RESEARCH PROJECT TEAM

The research project team consisted of a number of people. Professor Ted Hopfenbeck was the Coordinator of Data Collection. Dr. Stephen Patrick was Coordinator of Data Analysis. Marcia Wood, Mark Schaffeld, Scott Banner and Cheryl Thayer served as Research Associates. Rebecca Howell provided secretarial support.

Robert L. Marsh, Ph.D. was the Project Director and Principal Investigator.

INTRODUCTION AND METHODOLOGY

REPORT TO THE IDAHO LEGISLATURE

THE PROSECUTION OF CHILD SEXUAL ABUSE

JULY 1, 1993-JUNE 30, 1994

INTRODUCTION

House Bill 362, passed in 1989 (adding section 67-1405), expands the Attorney General's duties to require that an annual report be submitted to the legislature on the incidence of child sex abuse charges filed in adult and juvenile courts throughout the state. A research team from the Department of Criminal Justice at Boise State University worked in conjunction with the Offices of the Governor and the Attorney General to collect the data to comply with this legislation. Specifically, information on child sex abuse case filings were collected from district and juvenile court files across the state, covering the stipulated time period. The data was analyzed by the research team from the university and submitted to the Attorney General's and Governor's offices for review and submission to the legislative leadership.

PREVIOUS RESEARCH

A number of annual reports and one special report have preceded this study. The approaches (methodology) of the data collection in the earlier reports have varied widely but the past three reports have utilized a consistent data collection procedure. The following synopsis provides an overview of the reports.

FIRST REPORT: January 1, 1988-December 31, 1989

The first report covered a two-year period from January 1, 1988, through December 31, 1989, and analyzed data collected by

site visitation to all 44 counties under the direction of the Governor's Office. This report included sexual abuse information available from the agencies that dealt with various aspects of child sexual abuse. For example, the Department of Law Enforcement provided information on investigation of known cases and the Department of Corrections focused on disposition of offenders under its jurisdiction. The Department of Health and Welfare reported the impact of child sex abuse on families and children.

No single department of state government was able to provide a complete accounting for each child abuse case as it was processed through the system. One of the recommendations of the first report was to develop a statewide system to record incidence, track case filings, and disposition of child sex abuse cases.

SECOND REPORT: July 1, 1989-June 30, 1990

The second report covered child sexual abuse crimes from July 1, 1989, to June 30, 1990, utilizing data from state agencies. This time, however, an attempt was made to collect data directly from district court records and county prosecuting attorneys.

The second report was based on a review on-site of courthouse case files of the state's six largest counties and nearby smaller communities. This review, together with telephone and mail contact of the remaining counties, provided access to a data base sizeable enough to produce a document for the legislative report.

As with the first report, the 1990 study concentrated on child sexual abuse from the perspective of the criminal justice

system. It assessed cases from prosecution to sentencing and disposition. The report provided information on plea bargaining arrangements, suspended sentences, offender evaluation and punishment alternatives.

SPECIAL REPORT: Sex Crimes Against Children

In July, 1991, the Department of Health and Welfare issued a special report entitled Sex Crimes Against Children. This report analyzed complex issues of child sexual abuse from the vantage point of the largest state agency, the Department of Health and Welfare. The report examined nearly 1,900 reported cases of sex abuse from July 1, 1989, to June 30, 1990. It traced cases from initial report to investigation by caseworkers, referral to law enforcement, and disposition by the prosecutor and the courts.

Each county in the state was visited and data concerning sex crimes committed against children were collected by reviewing district court records of individual counties. The report analyzed such specifics as the number and types of crimes experienced for the year, and the reasons why some reported cases were not brought to prosecution.

THIRD REPORT: July 1, 1990-June 30, 1991

This report provided information on adult and juvenile offenders. The incidence of juvenile sex abuse crimes had not been reported as a separate category in previous reports. A complete section was devoted to juvenile sex crimes for the first time. Offender age data, the relationship of the offenders to victims, demographic data on victims, and system processing information was collected on-site in each county for adults and juveniles. The data collected from court clerk records were verified with prosecuting attorneys in each jurisdiction.

FOURTH REPORT: July 1, 1991-June 30, 1992

This report provided information on adult and juvenile offenders as provided by the Clerk of the Court in each county and verified with the county prosecutor. The research staff reviewed case files on-site to determine offender age, the relationship of the offenders to victims, criminal history, demographic data on victims, and case processing information. Sentencing information included whether presentence and sex offender evaluations were completed on the offenders. Rates of case filings were standardized for the first time based on county population.

FIFTH REPORT: July 1, 1992 - June 30, 1993

Court records were reviewed for juveniles and adults throughout the state in order to complete this report. Data were collected on the same variables as the FOURTH REPORT to insure consistency. Rates were reported in a standardized format based on county population.

METHODOLOGY/DATA COLLECTION PROCEDURES

The research team at the University initiated quarterly tracking for the present report, July 1, 1993 - June 30, 1994, to encourage the development of tracking systems in the counties. Actual review of court records for this report was initiated in late October, 1994, and continued through early December. All counties were contacted by mail from the Attorney General's Office explaining the yearly data collection on cases filed in district court for the annual report to the legislature in January, 1995. Follow-up phone calls were made by the Project Team from the BSU Department of Criminal Justice before data collection began. Facsimiles were sent to all county prosecutors requesting the case numbers of all cases filed during the study

period. The information was collected by two methods. On-site visits were made to counties reporting more than seven total cases (adult and juvenile) and those counties with fewer submitted the information by mail or facsimile. Members of the research staff consulted by telephone with any county requesting assistance. (Twenty-two counties were visited. Eleven counties reported no cases filed.) The research team reviewed either files identified and supplied by the Court Clerk or the county prosecutor. They were asked to have the files on all felony and juvenile case filings for the period of July 1, 1993, through June 30, 1994, available for review. Only cases formally filed (district court for adults and magistrate's court for juveniles) in that time period were reviewed by the project team.

This study covered the following charges: Attempted Rape (I.C. 18-601, 18-306), Sexual Abuse (I.C. 18-1506), Ritualized Abuse (I.C. 18-1506A), Sexual Exploitation of a Child (I.C. 18-1507), Possession of Sexually Exploitive Materials (I.C. 18-1507A), Lewd and Lascivious Conduct (I.C. 18-1508), Sexual Battery (I.C. 18-1508A), Rape (I.C. 18-6101), Male Rape (I.C. 18-6108), Incest (I.C. 18-6602), Crimes Against Nature (I.C. 18-6605), and Sex Offender Registration (I.C. 18-8304 and 18-8311).

Many different procedures were used by individual counties to track cases filed during the year. Some counties such as Canyon County utilized the ISTARS system available through the Administrative Offices of the Idaho Supreme Court. (The system will eventually be statewide but is not yet available in all counties.) ISTARS tracks cases that have reached the disposition stage only. Unfortunately, cases that have not reached disposition are not included in the system. Therefore, the research team had to depend on prosecutor records for the number of cases filed. The Ada County Prosecutor's Office maintained a separate computerized system that tracked each case filing in

both the adult and juvenile courts. Other counties maintained a separate manual system of the pertinent cases. On site data collection was done directly from the files provided to the researchers. The project team relied on the individual system that each county utilized to track cases that were filed. After data collection, confirmation letters/facsimiles were sent to respective county prosecutors providing a list of identified cases from their county and requesting any corrections. Every possible attempt was made to insure that all cases were included in this study. Since the state has not designed a standard statewide tracking system, a few cases may not have been reported.

In all instances, the project team collected data in a way to insure the integrity of the data. Only cases filed in the district court for adults and magistrate court for juveniles and identified by the clerks or county prosecutors of that county were included in this report. Cases handled informally when charges were not filed were not included. Also, cases that appeared to be in some way child sex abuse related but where prosecutors failed to file a felony or a juvenile petition based on a violation of one of the particular statutes in this study were not included.

The absence of a uniform method of tracking cases and retrieving the data remains a serious issue beyond the scope of the present project. Recommendations will be made by the researchers to alleviate problems of data collection in the counties in the future.

ADULT CASES

ANALYSIS OF ADULT CASES FILED-CHARTS 1-15

The information from adult cases is included in Charts 1-15 and immediately follows the discussion of adult defendants. A total of 233 adult cases were filed in district court during the time period of the study.

Adult Defendants: Total Cases and Charges Filed-Chart 1

Chart 1 indicates that a total of 400 charges were filed in the 233 adult cases. This represents a decline of 73 cases from the 306 cases filed in the previous survey period, July 1, 1992-June 30, 1993. (The cases filed this year are comparable to the 246 adult cases filed statewide two years ago.) There was an average of 1.71 charges filed against each defendant.

Adult Defendants: Victim Gender-Chart 2

Victim gender was predominantly female representing 84% (N=259) of the victims. Reported female victimization was less in this study than the 314 victims reported in 1992-3 study. Male victims represented 12% (N=36) of all victims. The gender distribution was approximately the same as the 1991-92 and the 1992-93 studies. The information on victim gender was not available to the research team in 13 (4%) cases. Some defendants had no Presentence Report completed and it was impossible to determine victim gender from court files.

Adult Defendants: Victim Age-Chart 3

Three per cent (N=10) of the victims were under 3 years of age. Children from 4 to 7 represented 14% (N=43) of the victims. Twenty-six per cent (N=79) of the total were from 8 to 11 years old. A total of 42% (N=128) of the victims were between the ages of 12 and 15. Ten per cent of the victims (N=32) were between the ages of 16 and 17. Age was unknown for 16 (5%) of the

victims. The age distribution in this study shows an increase of victims from 0-3 and a decline in the 12 to 15 age group.

Adult Defendants: Number of Victims Per Case-Chart 4

Data presented in this chart represents the number of reported victims in each of the 233 cases. Defendants in 71% (N=165) of the cases were charged with a crime against only one victim. There were 2 victims reported in 21% (N=48) of the cases. Fourteen defendants (6%) were charged with crimes against 3 or more victims. The number of victims was unknown in 3% (N=6) of the cases.

Adult Defendants: Victim Relationship-Chart 5

Chart 5 indicates the relationship between the 308 victims and the 233 charged defendants. The data indicate that 8% (N=26) of the children were victimized by their actual parents and 11% (N=34) of the victims were abused by stepparents. Other family members were named for abusing almost 14% (N=44) of the victims. Acquaintances were identified as the abuser for 54% (N=166) of the victims. In 12% (N=37) the relationship was unknown. This acquaintance relationship was analyzed in more detail to determine how well the offender and victim were acquainted. Accused perpetrators in this category included neighbors, babysitters, friends of an older sibling as well as teenage victims involved in consensual sex with a boyfriend over eighteen. Of the 166 accused persons in the Acquaintance category, 7.3% were very close to the victim, 74% were somewhat close and 18.7% were not close.

Only one stranger (1/3 of a per cent) was accused of child sex abuse.

Most of the 308 known victims in this study were abused by either family members or acquaintances. A total of 88% (N=270) of

the victims fit these two categories, 37 (12%) were unknown and only 0.33% (N=1) were victimized by strangers. Most adults charged with child sexual abuse offenses knew their victims. The children generally had good reason to trust the defendant because the defendant was known by the child. This parallels the findings in the 1991-92 and the 1992-93 studies.

Adult Defendants: Presentence/Sex Offender Evaluation-Chart 6

The data in Chart 6 show the number of convicted perpetrators that had a Presentence Report and/or Sex Offender Evaluation completed before sentencing. (For purposes of calculating the percentages, those in the Pending Sentencing, Dismissed/Acquitted, Cases Pending, and Unknown/Fled/Transferred categories are not included. The total for this calculation is 143.) Both Presentence and Sex Offender Evaluations were prepared in 56 (39%) of the cases. The research indicated that seventy-five (53%) of the defendants had a Presentence Report only before sentencing. Six per cent (N=8) of the defendants had only Sex Offender Evaluation completed before sentencing. There were 4 (3%) defendants with neither. The remaining represent Pending Sentencing, Dismissed/Acquitted, Cases Pending or Unknown categories.

Adult Defendants: Prior Convictions-Chart 7

Chart 7 shows the prior convictions of adults charged with a child sex abuse crime during this study period. Twenty-eight (12%) of the 233 adults charged during the study period had prior sexually related convictions. Eighty-eight per cent of the adult defendants (N=205) had no prior sex abuse convictions against children. Of the 12% (N=28) with prior charges, 50% (N=14) were convicted of rape.

Adult Defendants: Most Frequently Filed Offenses-Chart 8

Chart 8 shows the breakdown of the 400 criminal charges filed against adults. Lewd and Lascivious Conduct (IC 18-1508) charges were most frequently filed representing 229 charges or 57% of the total. The charge of Sexual Abuse (IC 18-1506) resulted in the second highest with 71 charges or 18% of the total number of charges filed. Rape (IC 18-6101) charges were filed 56 times or 14% during the year. The remaining 11% of the charges were for Sexual Battery (IC 18-1508A), Attempted Rape (IC 18-6101, 18-306), other related charges, and or were unknown because of incomplete files.

These data were collected to determine which charges were most frequently used against child sex abusers. A more detailed analysis from the case files revealed an exceedingly wide variability in the types of sex abuse behavior and the actual charge filed. The Lewd and Lascivious statute was used to prosecute cases ranging from touching of private sexual organs to copulation. Most charging decisions seemed to reflect a decision in favor of filing the most serious charge possible, not necessarily the most accurate charge.

Adult Defendants: Sentencing Information-Chart 9

Chart 9 shows the sentencing information for the adult defendants in this study. The disposition is known in 163 of the cases. The additional defendants had the charges dismissed or they are awaiting trial. Probation only was the disposition in 9% (N=15) of the known cases. Retained Jurisdiction was the sentence given by judges in 33% (N=54) of the cases with known dispositions. It was generally recommended by the sentencing judge that these offenders be sent to Cottonwood for evaluation.

This evaluation was utilized by the judge to determine the final disposition. A number of convicted defendants (36%, N=58) were sent directly to prison without retained jurisdiction ordered. Twenty (12%) received a jail sentence in conjunction with probation. Eleven (8%) were convicted but had not been sentenced. Two (1%) received jail time only.

Adult Defendants: Case Status/Outcome-Chart 10

Sixty-nine per cent (N=160) of the defendants charged were convicted. The case is pending for 14% (N=32) of the total. Charges were dismissed against 7% (N=17) of the defendants and 1% (N=3) were acquitted. The outcome was unknown for 9% (N=21) of the defendants because of incomplete records.

Adult Defendants: Offender/Victim Ethnicity-Chart 11

Information was collected on ethnicity of the accused offender and the victim. One hundred forty-two (61%) of the accused were charged with an offense against a member of their own ethnic group. Thirty (13%) perpetrators were charged with an offense against a child of another ethnic group and the ethnicity was unknown for 61 (26%) of the perpetrators.

Adult Defendants: Offender Ethnicity-Chart 12

Offender ethnicity data was collected and showed that 72% (N=168) of the total were caucasian. Approximately 16% (N=38) were hispanic and 2% (N=5) were black. The remainder (8%, N=19) were recorded as unknown or other.

Adult Defendants: Educational Level-Chart 13

Educational data on adult defendants was available for 146 of the 233 defendants. Thirty per cent (N=69) had not completed high school. Twenty-four per cent (N=57) had completed high school and nine per cent (N=20) had some college. Information was not available for 87 (37%) of the cases.

Adult Defendants: Offender Income-Chart 14

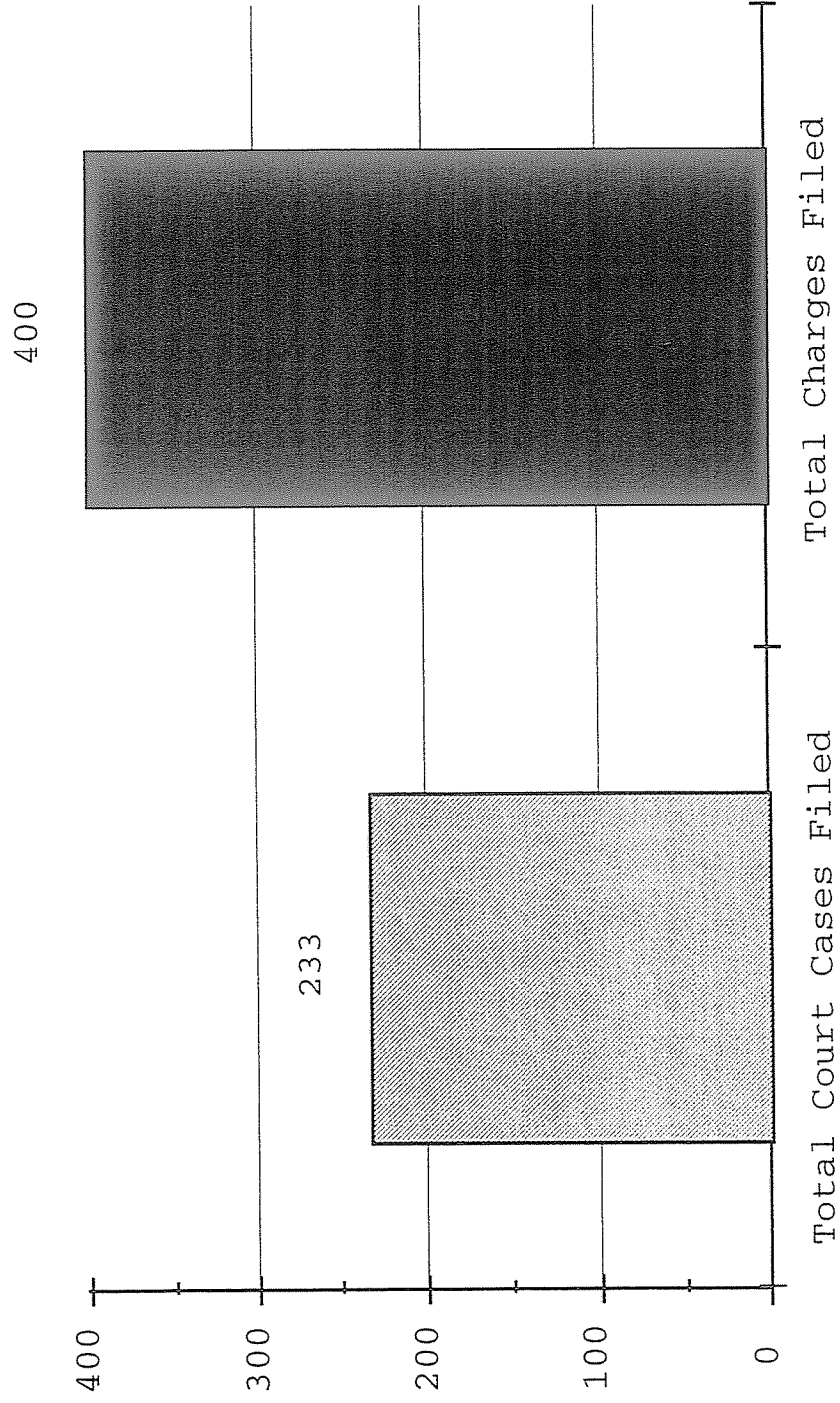
Income data was available for 102 of the 233 cases. The majority of the defendants (N=69 or 68%) earned incomes of \$15,000 or less. The remaining 33% (N=33) earned greater than \$15,000 annually.

Adult Defendants: Offender Occupation-Chart 15

Defendant occupation data was collected and available for 163 of the 233 adult defendants. Of the 163 where occupation was known, 30% (N=49) were unemployed, 44% (N=71) worked at unskilled jobs and 18% (N=29) worked in skilled labor occupations. Seven (4%) were white collar; one (.6%) was a professional; three (2%) were students; and five (3%) were unclear because of incomplete records.

Chart 1: Adult Defendants

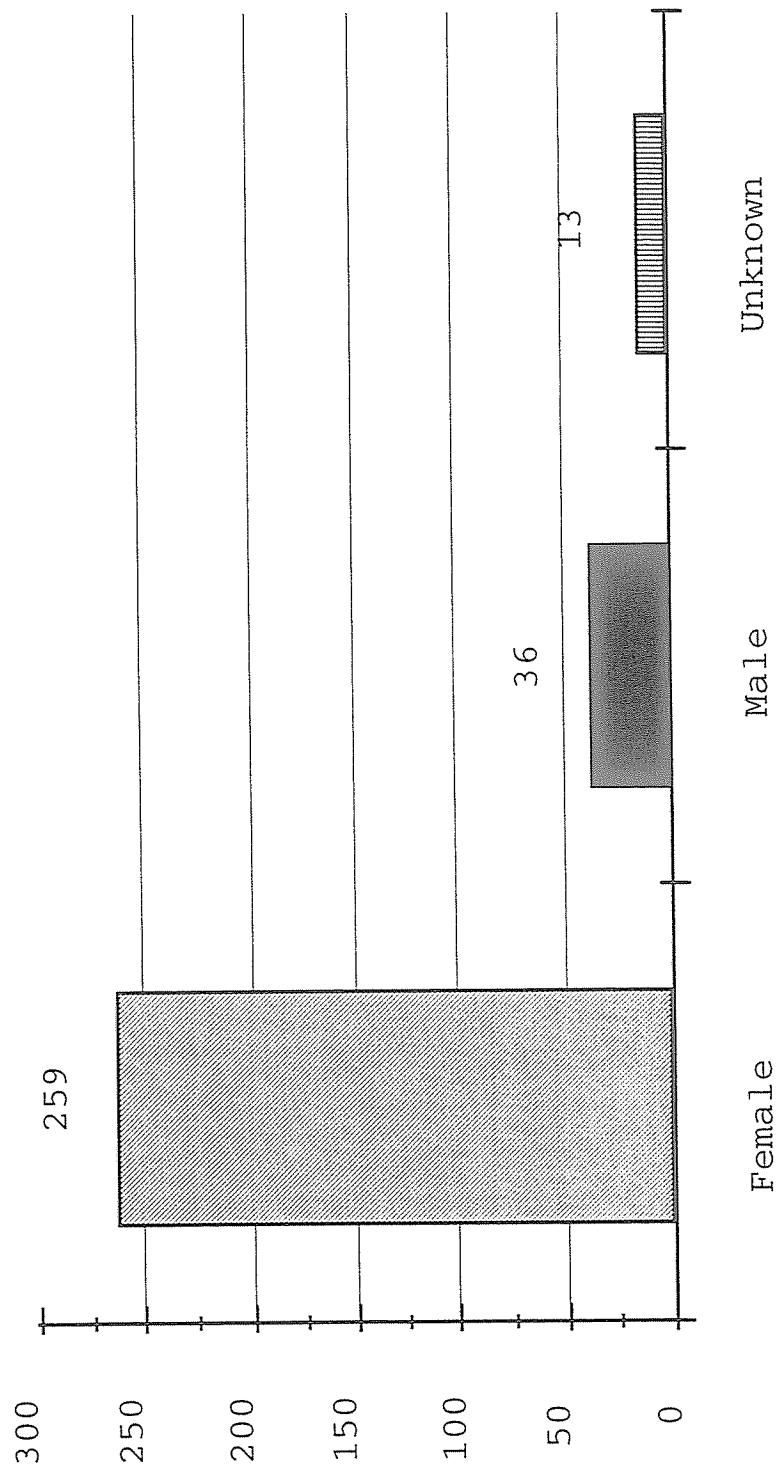
Total Cases and Charges Filed



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Chart 2: Adult Defendants

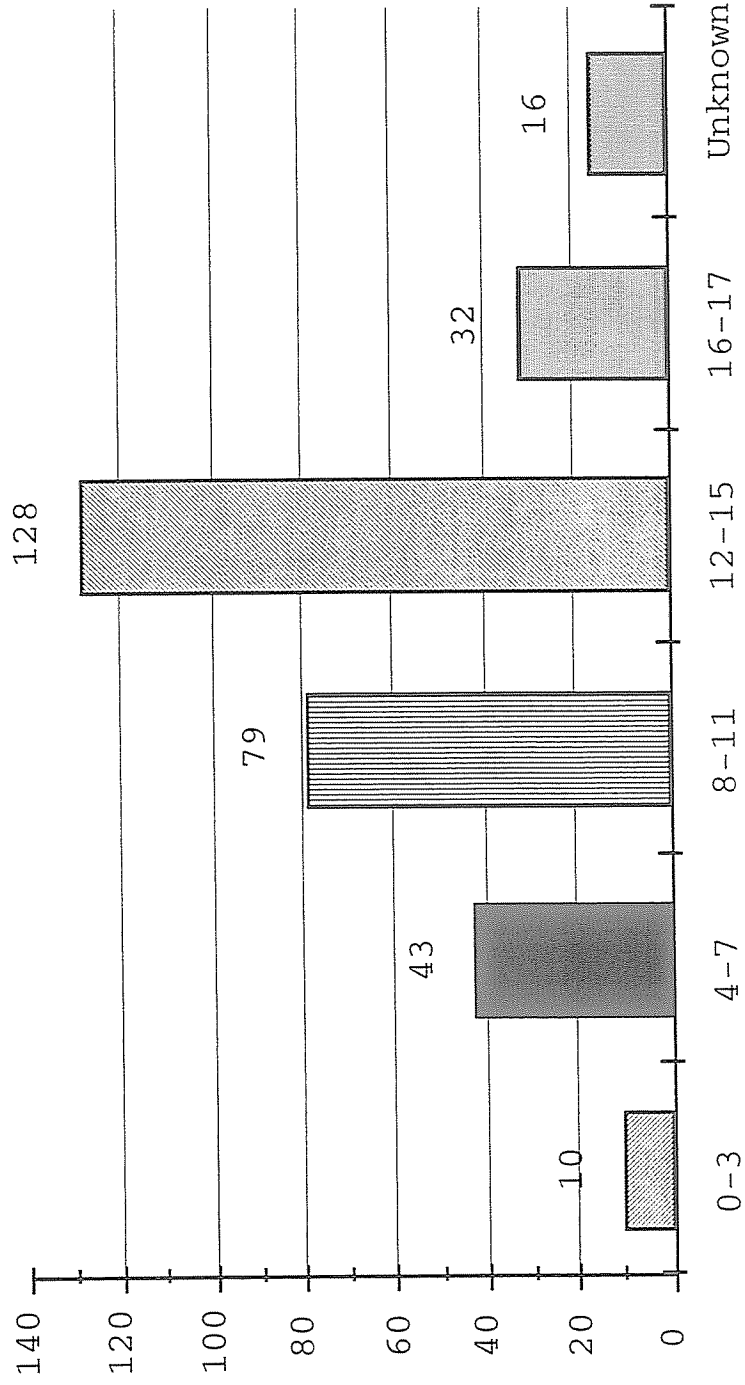
Victim Gender



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Chart 3: Adult Defendant

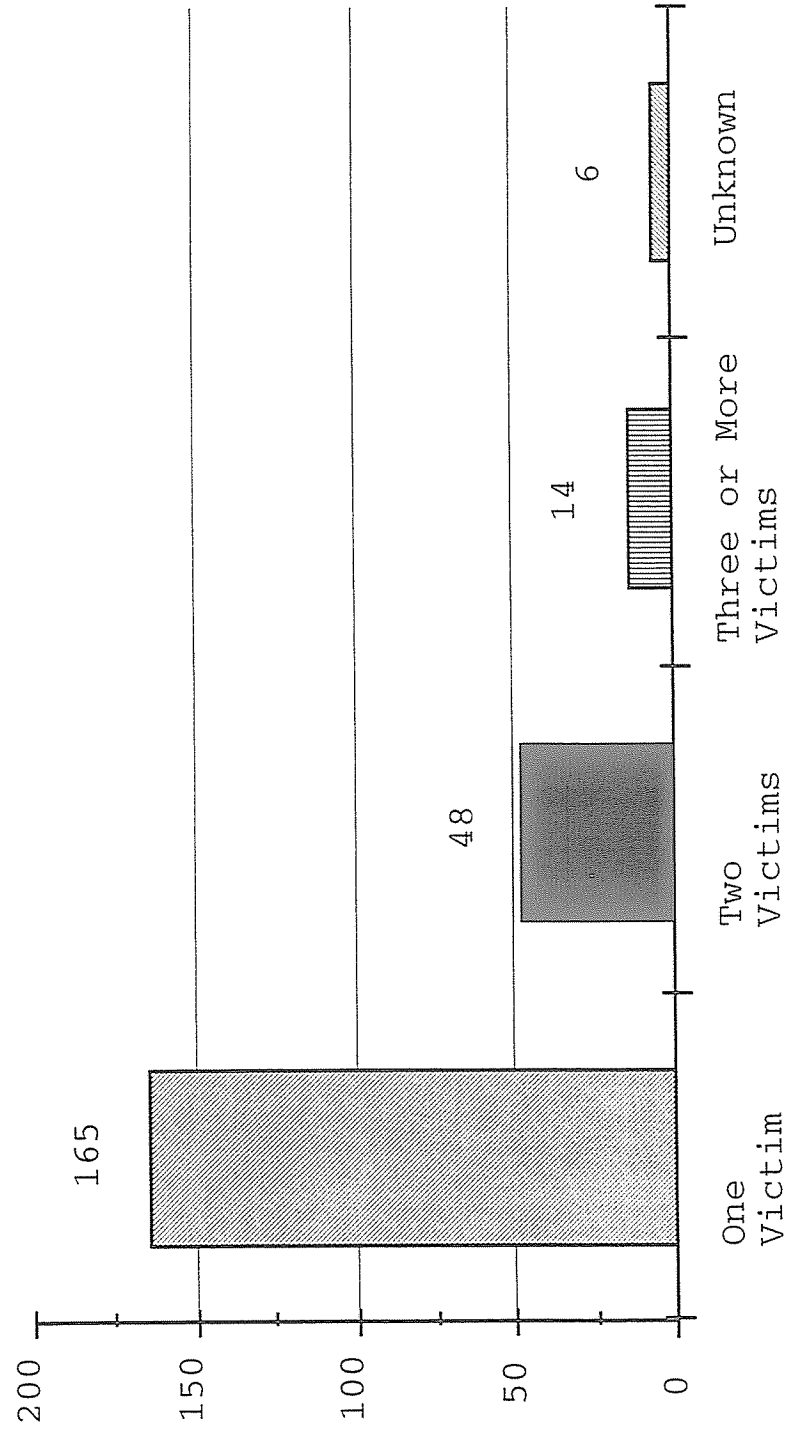
Victim Age



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Chart 4: Adult Defendants

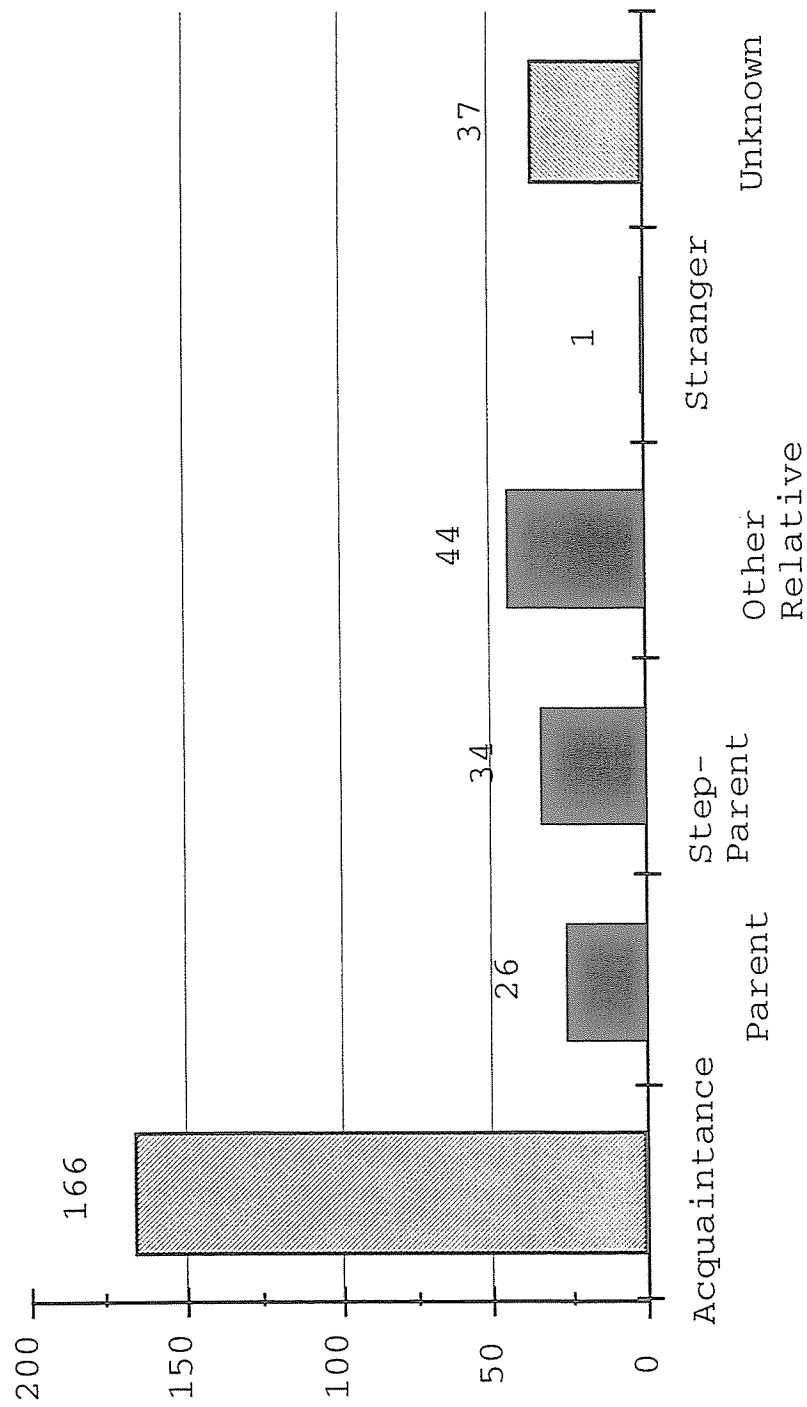
Number of Victims per Case



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Chart 5: Adult Defendants

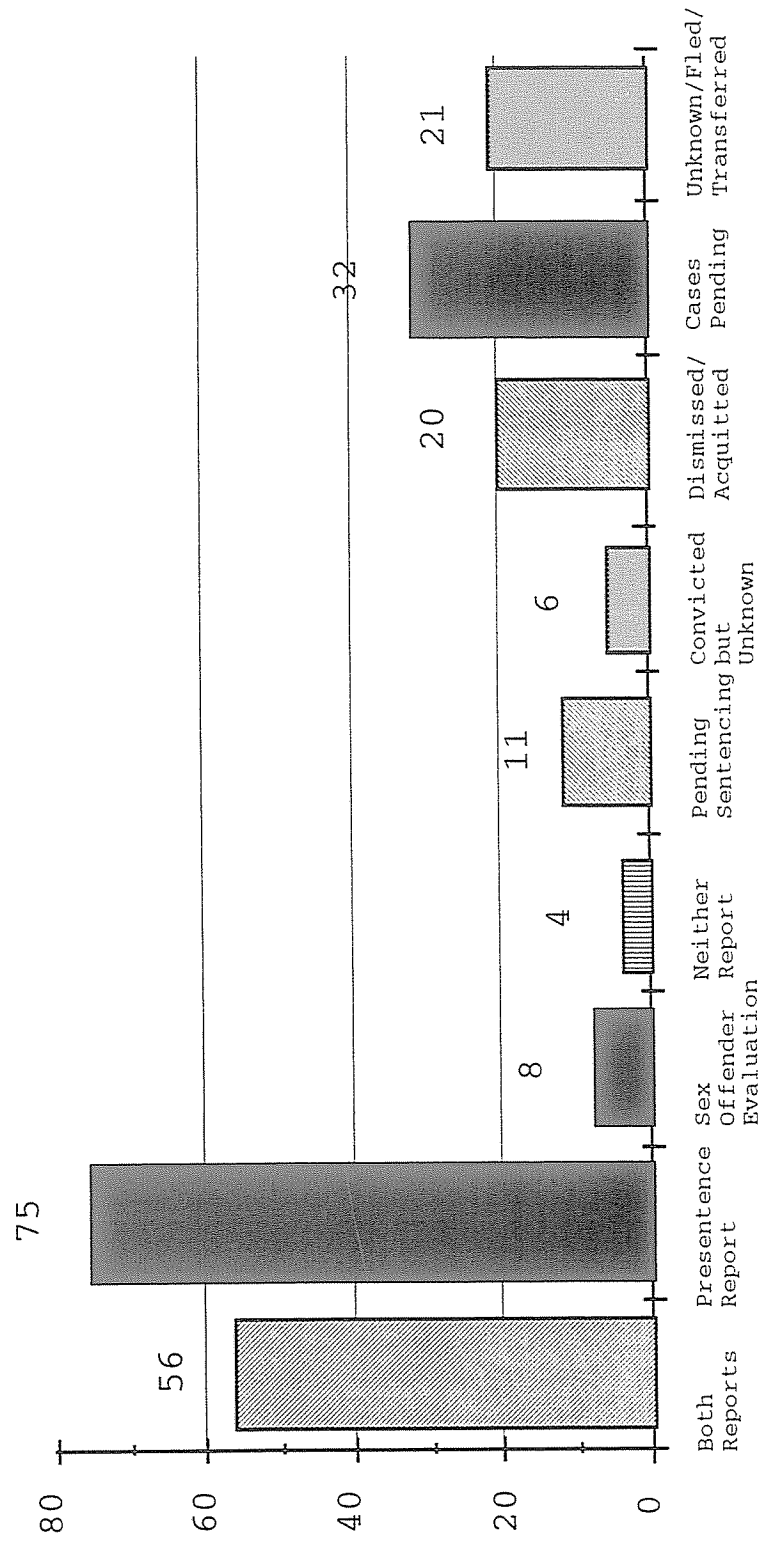
Relationship to Victims



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Chart 6: Adult Defendants

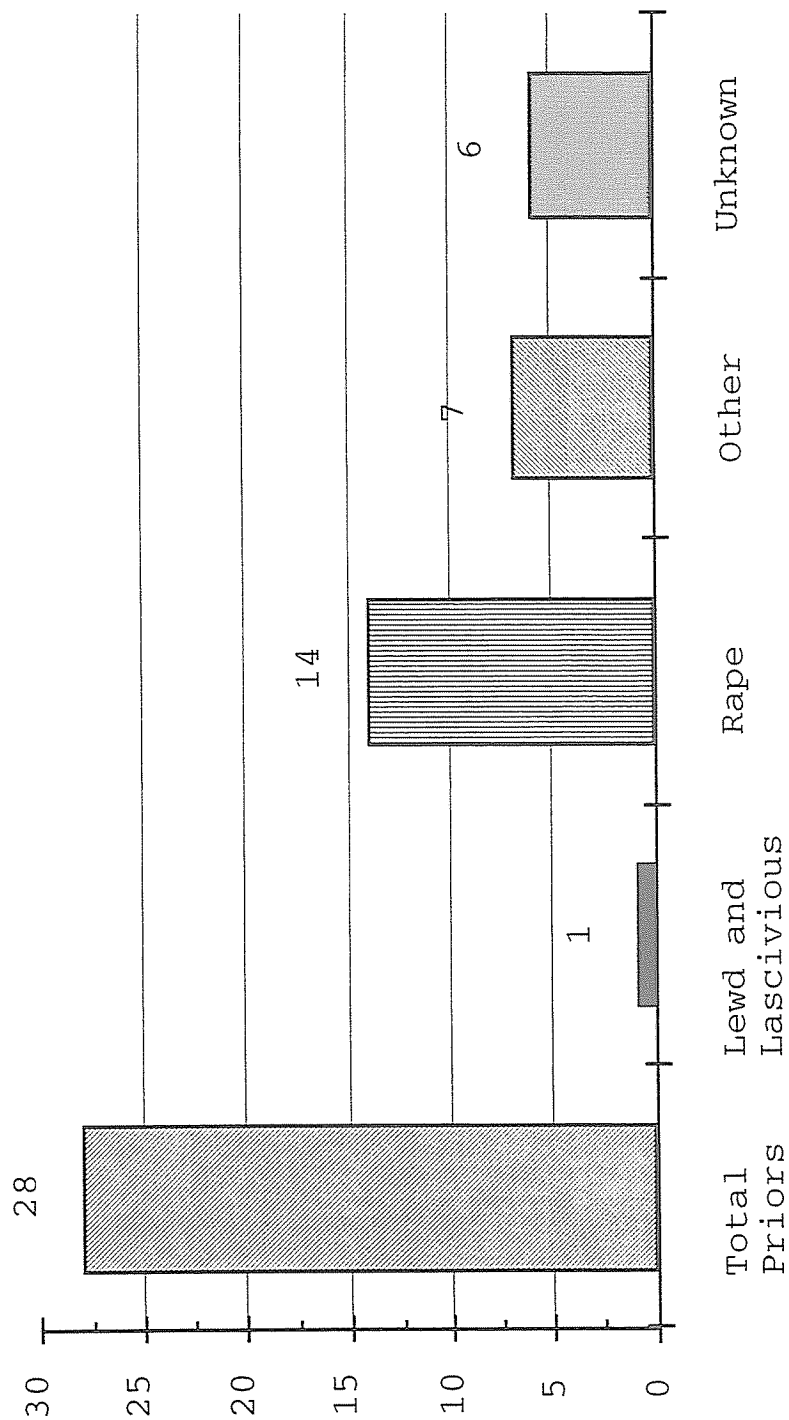
Presentence Report and Sex Offender



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Chart 7: Adult Defendants

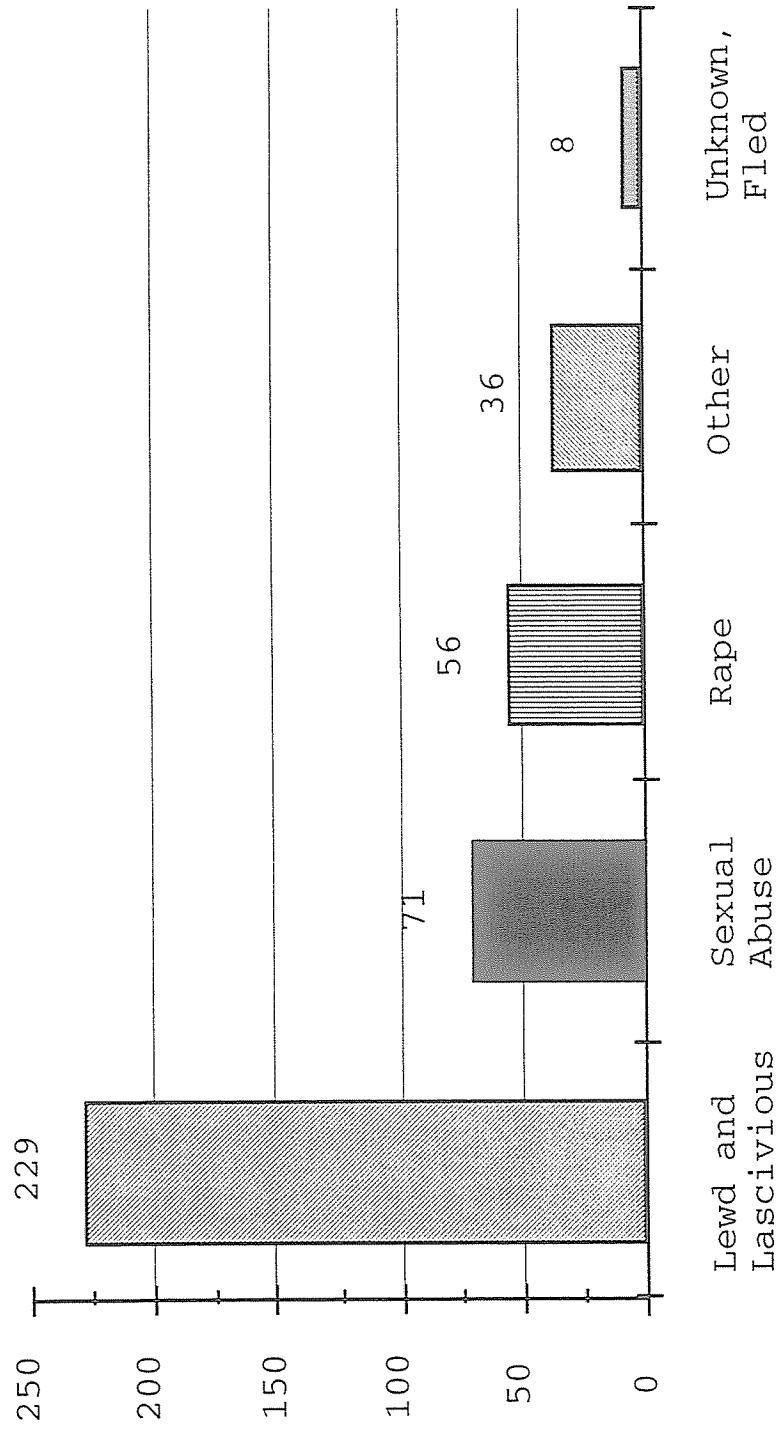
Sexually Related Prior Convictions



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Chart 8: Adult Defendants

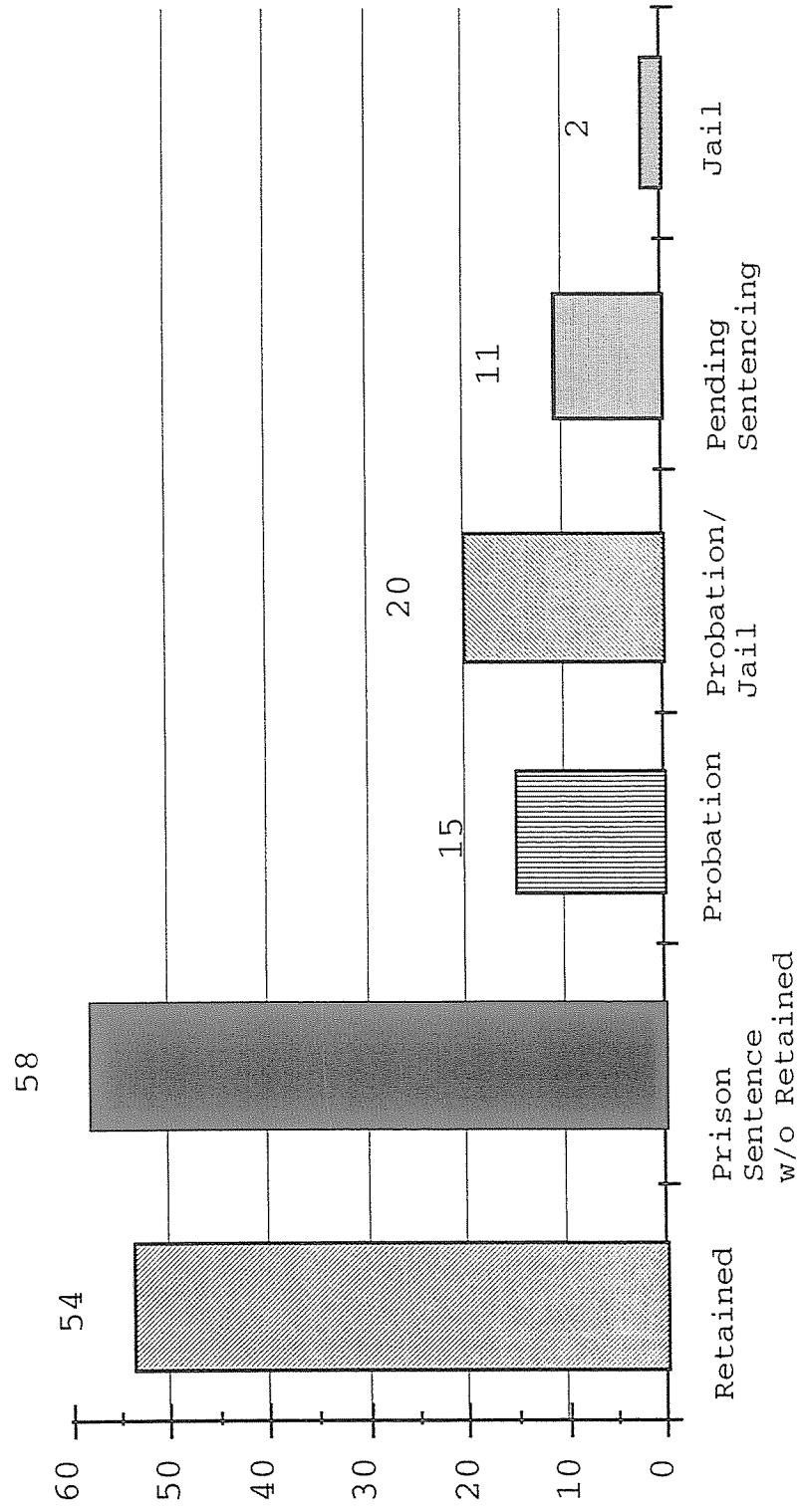
Most Frequently Filed Offenses



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Chart 9: Adult Defendants

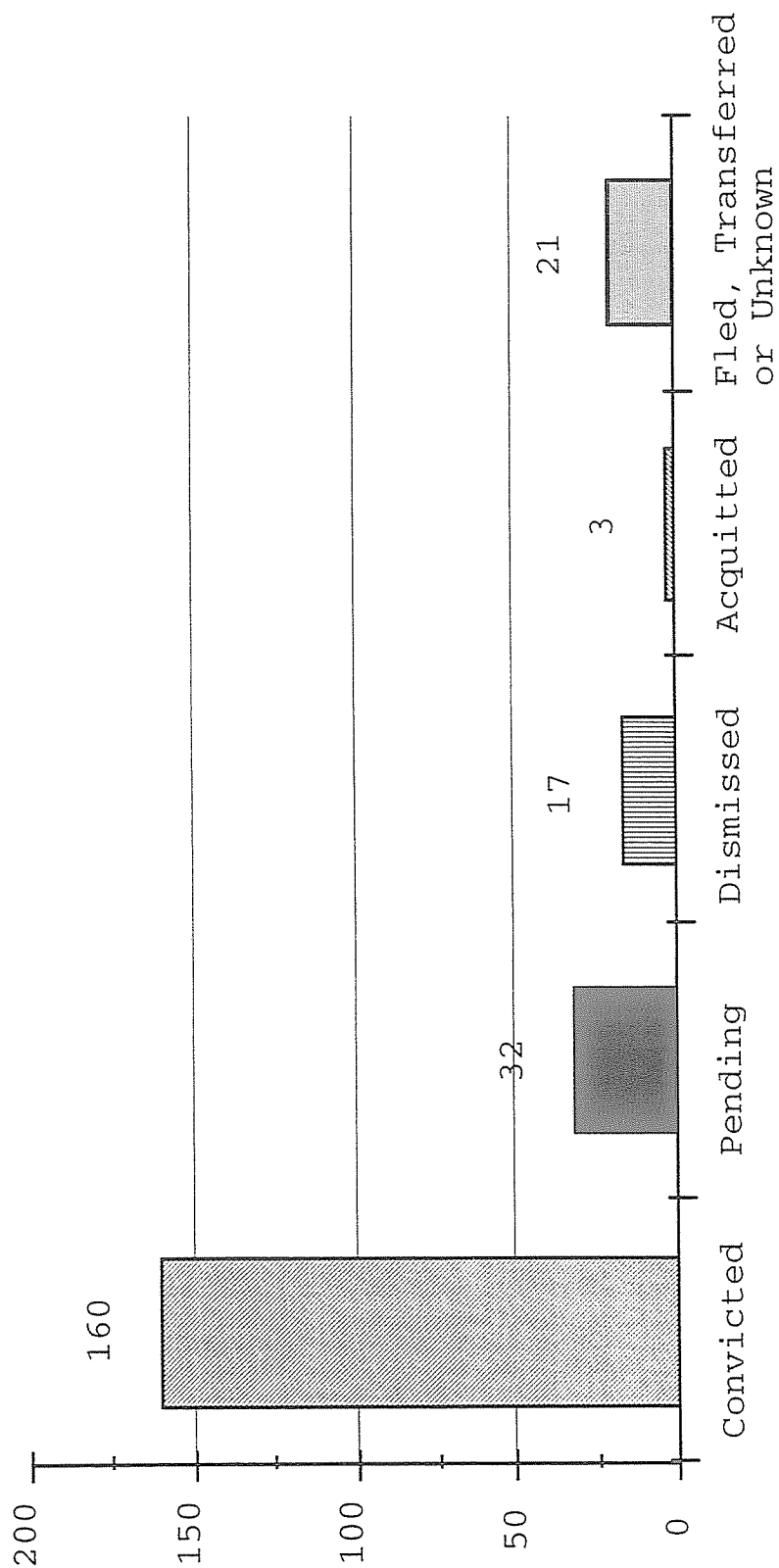
Sentencing Information for Convicted Adults



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Chart 10: Adult Defendants

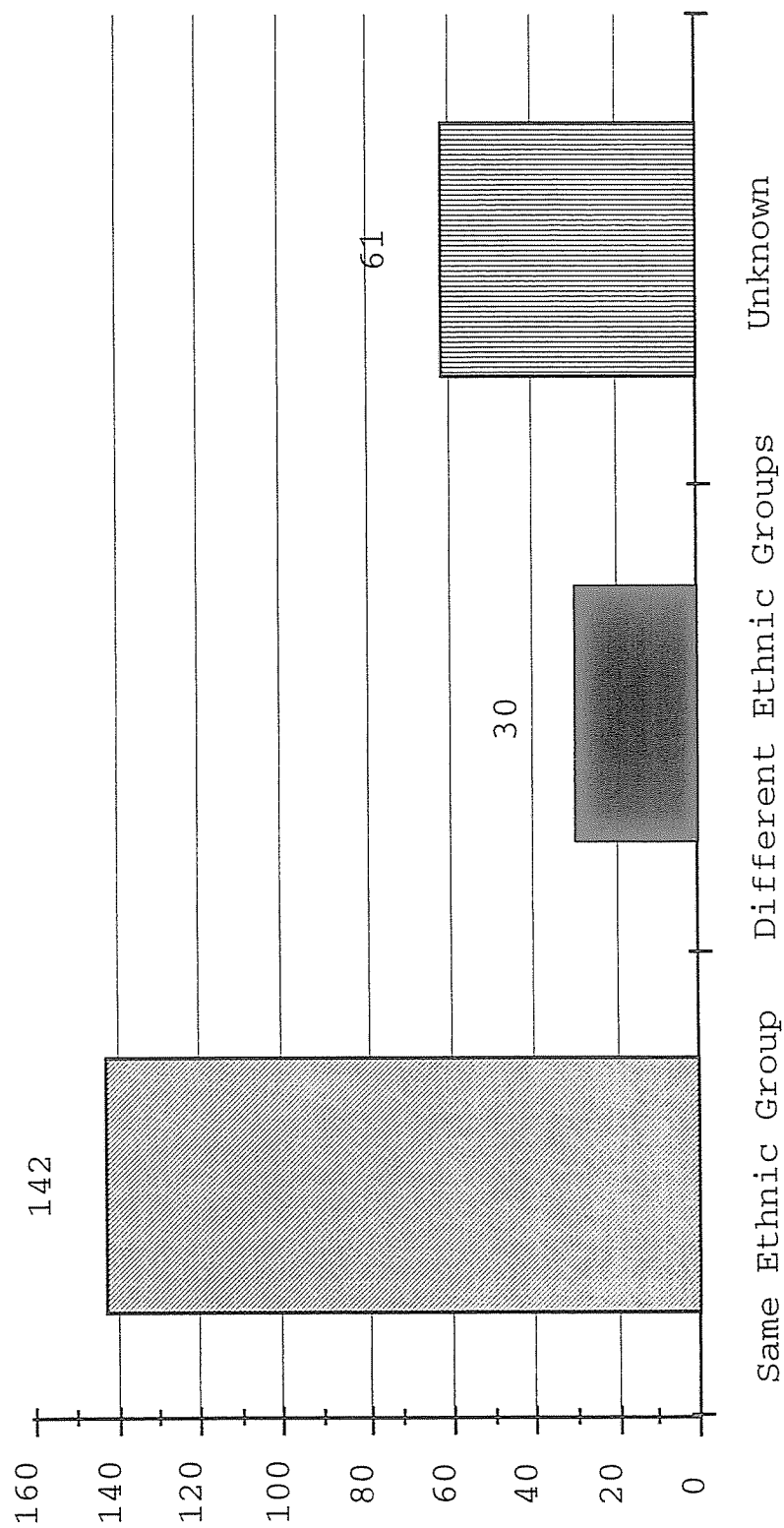
Case Status/Outcome



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Chart 11: Adult Defendants

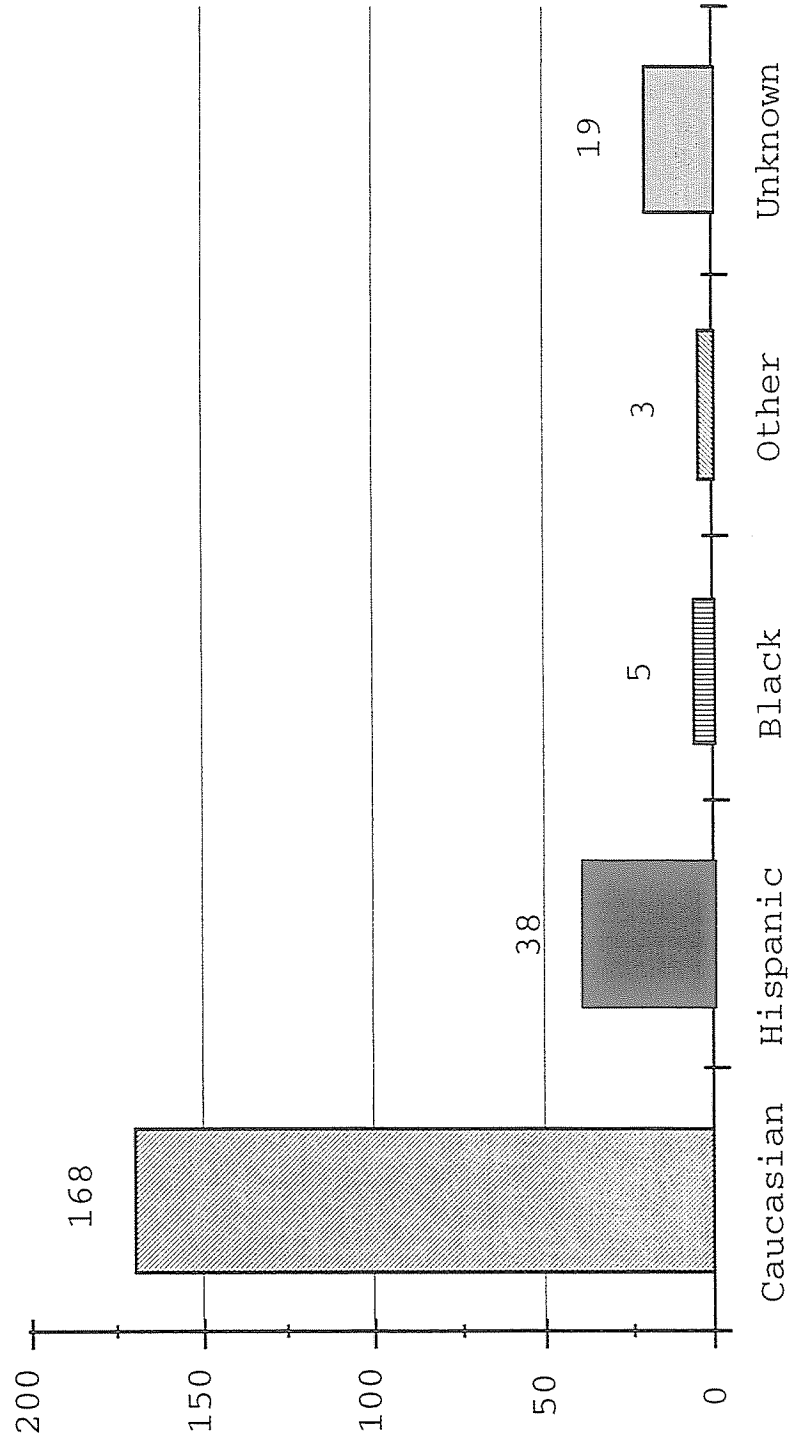
Offender/Victim Ethnicity for First Victim



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Chart 12: Adult Defendants

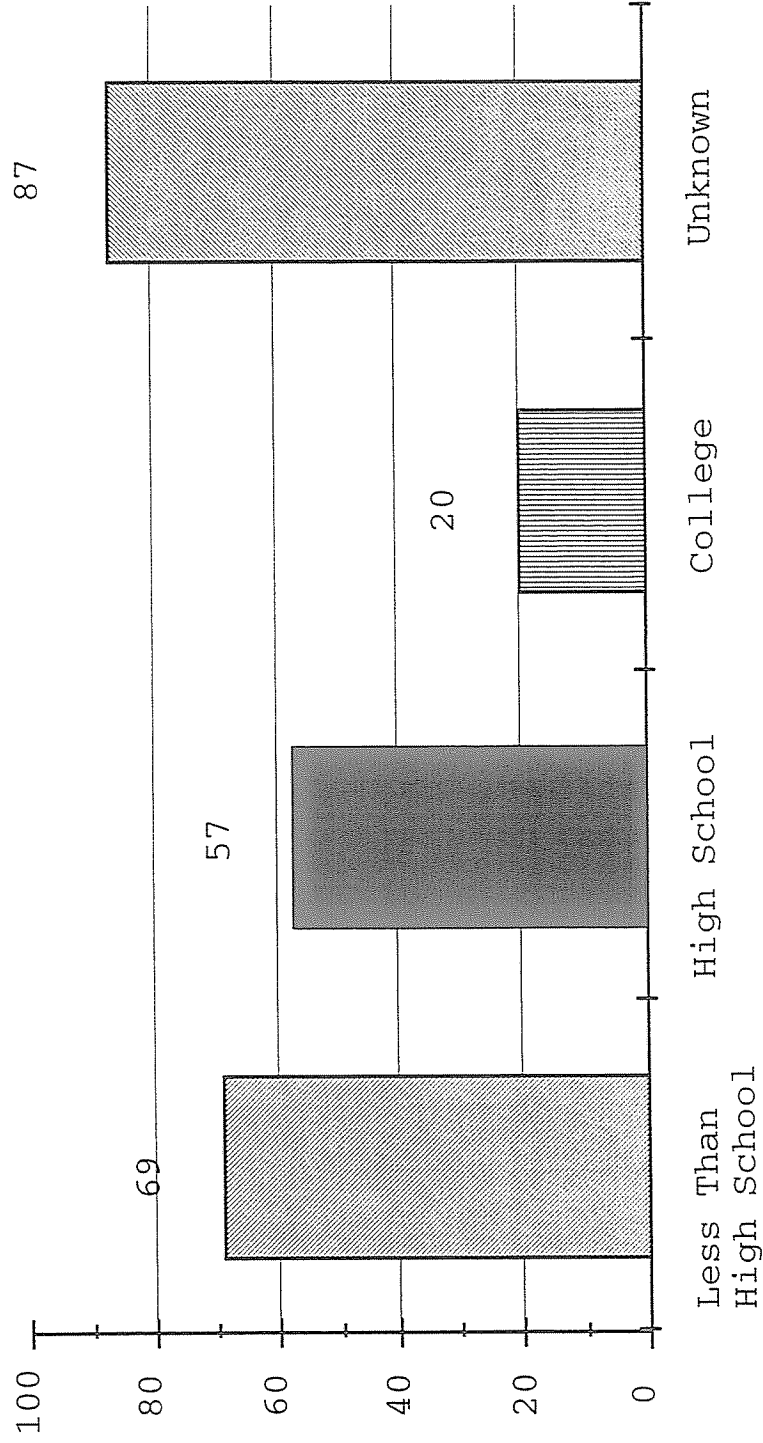
Offender Ethnicity



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Chart 13: Adult Defendants

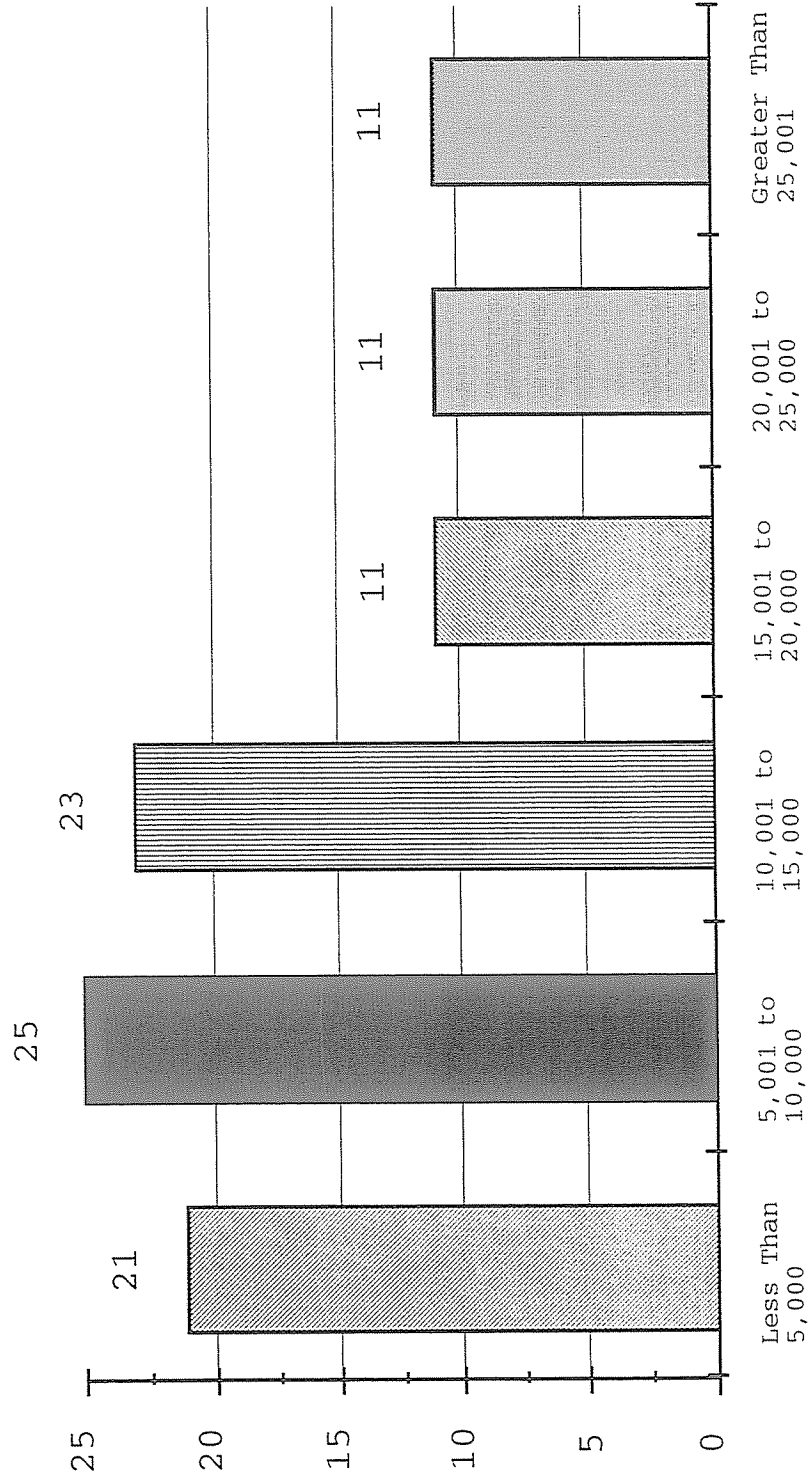
Education Level of Offenders



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Chart 14: Adult Defendants

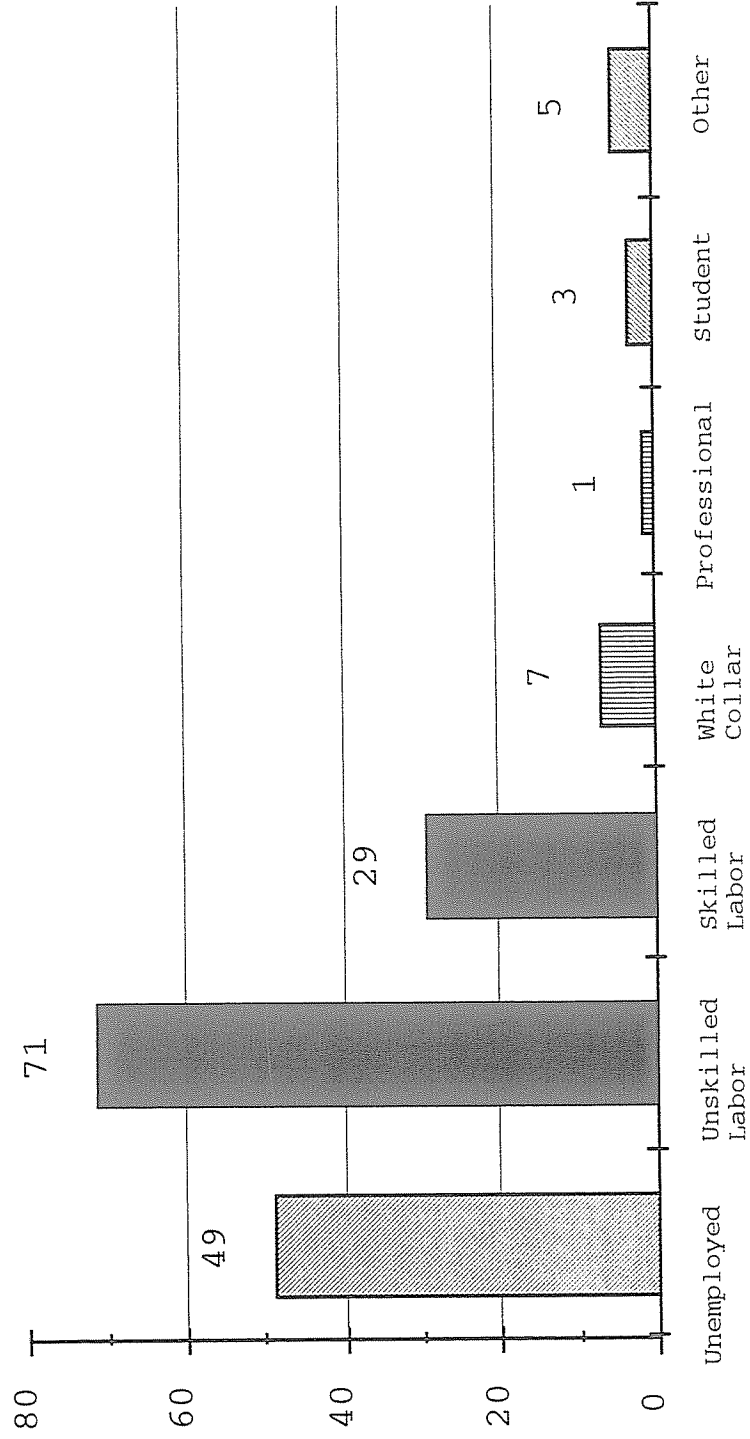
Offender Income for Known Cases



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Chart 15: Adult Defendants

Offender Occupation for Known Cases



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JUVENILE CASES

ANALYSIS OF JUVENILE CASES FILED-CHARTS 1J-11J

There were a total of 123 juvenile cases filed from July 1, 1993, to June 30, 1994.

Juvenile Offenders: Total Cases and Offenses Filed-Chart 1J

Chart 1J indicates that 123 cases were filed against juveniles representing 189 offenses. This represents an increase of 4 cases from the 119 juvenile cases filed from July 1, 1992, to June 30, 1993. There was an average of 1.54 offenses filed against each juvenile.

Juvenile Offenders: Victim Gender-Chart 2J

There was a total of 166 victims listed in the juvenile petitions and the victim gender was available for 153 victims. (The number of the victims is higher than the total number of defendants because of multiple victims.) Victim gender was predominantly female representing 70% (N=117) of the total number of known victims. (Females represented 84% of the victims for adult offenders.) Male victims represented 22% (N=36) of the victims. This was almost twice the 12% (N=36) rate for adults. The information on victim gender was not available to the research team in 8% (N=13) cases. Some defendants had no Social History completed and it was impossible to determine victim gender from court files. There was no reason to assume that victim gender would change if the unknown cases were added into this analysis.

Juvenile Offenders: Victim Age-Chart 3J

Of the 123 juvenile cases reported during the study period, the age of the victims was known for 154 of the 166 victims. Victims from 0-3 years of age comprised 4% (N=6) of the total

study population. Victims from ages 4-7 years comprised 37% (N=61) of the study population. Children 8-11 years were victims in 31% (N=52) of the cases. Another 19% (N=32) were from 12-15 years of age and the remaining 2% (N=3) were 16 or older. Age was unknown for 7% (N=12) of the victims.

Juvenile Offenders: Number of Victims Per Case-Chart 4J

The number of victims was known for all of the 123 offenders. Seventy per cent of the offenders (N=86) had been charged with violations against a single victim. There were two victims in 20% (N=24) of the cases and three or more victims in 11% (N=13) of the cases.

Juvenile Offenders: Victim Relationship-Chart 5J

Chart 5J indicates the relationship between the 166 victims and the 123 petitioned juveniles. Relatives (non-parents) were named for abusing 40% (N=66) of the victims. Acquaintances were identified as the abuser for 43% (N=72) of the victims. The relationship could not be determined in 17% (N=28) of the cases. No victims in this study were abused by a stranger, parent, or step-parent where victim relationship was known.

All of the 138 victims where the victim/offender relationship was known were abused by either relatives (non-parents or step-parents) or acquaintances. All juveniles charged with child sexual abuse knew their victims. The children generally had good reason to trust the offender because the offender was known by the child. Sixty-eight per cent (N=113) of the victims were between the ages of 4 and 11.

Juvenile Offenders: Social History/Sex Offender Evaluation- 6J

The data in Chart 6J show the number of adjudicated juveniles that had a Social History or Sex Offender Evaluation

completed before disposition. (The percentages are based on the 67 cases that were not pending, dismissed or unknown.) The research indicated that 12% (N=8) of the juveniles had a Social History only before disposition. Seventy-six per cent (N=51) of the known juveniles had a Sex Offender Evaluation only completed before disposition. Both a Social History and Sex Offender Evaluation was prepared in 6% (N=4) of the known cases. Juvenile offenders with neither comprised 6% (N=4) of the study. The petition was Dismissed in 12 cases and 3 cases were Pending. The information was not available or complete in 41 cases. Although it was assumed that the majority had some type of investigation completed before disposition, incomplete records and the absence of a tracking system made it impossible to determine.

Juvenile Offenders: Prior Adjudications-Chart 7J

Twenty (16%) of the one hundred twenty-three petitioned juveniles in this study had prior adjudications for child sexual abuse. This is a threefold increase from the 1992-93 study. Three of the twenty (15%) had previous adjudications for Lewd and Lascivious Conduct. Eight (40%) had Rape adjudications. Three (15%) were adjudicated on other child abuse charges and the history was unknown on 30% (N=6) of the remaining twenty.

Juvenile Offenders: Types of Charges-Chart 8J

Chart 8J shows the types of petitions (charges) filed against juveniles. Lewd and Lascivious Conduct (IC 18-1508) charges were most frequently filed representing 164 charges or 87% of the total offenses. Rape (IC 18-6101) charges were filed 9 times (5%) during the year. There were 6 charges (3%) filed for Sexual Abuse (IC 18-1506) and other charges were filed in 8 (4%) other instances.

These data were collected to determine which charges were most frequently used against juvenile child sex abusers. As with adults, there was an exceedingly wide variability in the types of sex abuse behavior and the actual charge filed. The Lewd and Lascivious statute was used most frequently.

Juvenile Offenders: Sentencing Information-Chart 9J

Chart 9J shows dispositional information on juveniles. Jurisdiction was waived to adult court on five juveniles. The vast majority (N=101) were sentenced under the Youth Rehabilitation Act with most receiving Probation and treatment in the community. The petitions were dismissed against 12 of the juveniles and the disposition was pending in 3 of the petitions. The outcome was not available in the court records for 2 juveniles.

Juvenile Offenders:Offender/Victim Ethnicity-Chart 10J

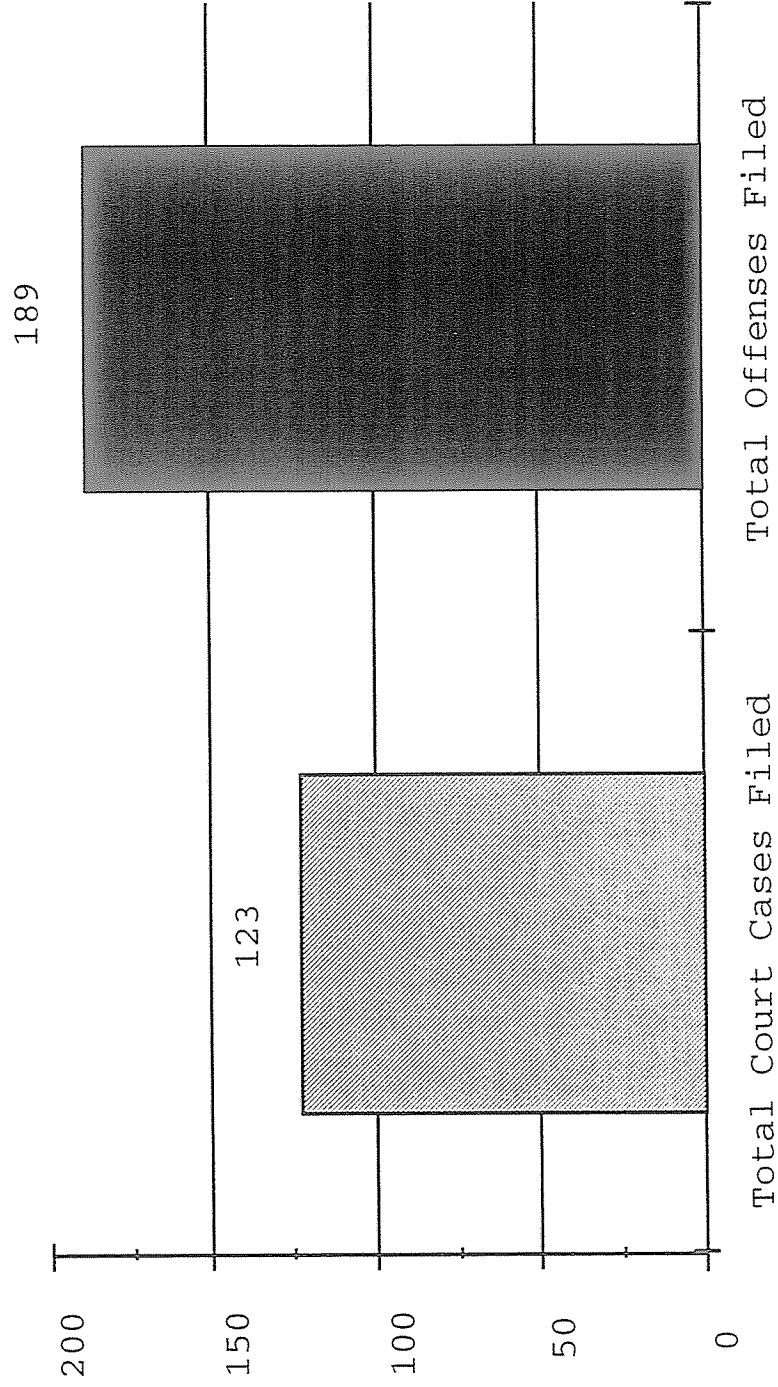
Sixty-three (51%) of the juveniles petitioned into court committed the abusive behavior on a child of the same ethnic status. Eleven (9%) abused a child of a different ethnic group and ethnic relationship was unknown in forty-nine (40%) cases.

Juvenile Offenders: Offender Ethnicity-Chart 11J

Offender ethnicity was overwhelmingly caucasian with 74% (N=91) of the total listed as caucasian. Thirteen per cent (N=16) were listed as hispanic and five per cent (N=6) as black. The remaining fourteen (9%) accused offenders had no race recorded.

Chart 1J: Juvenile Offenders

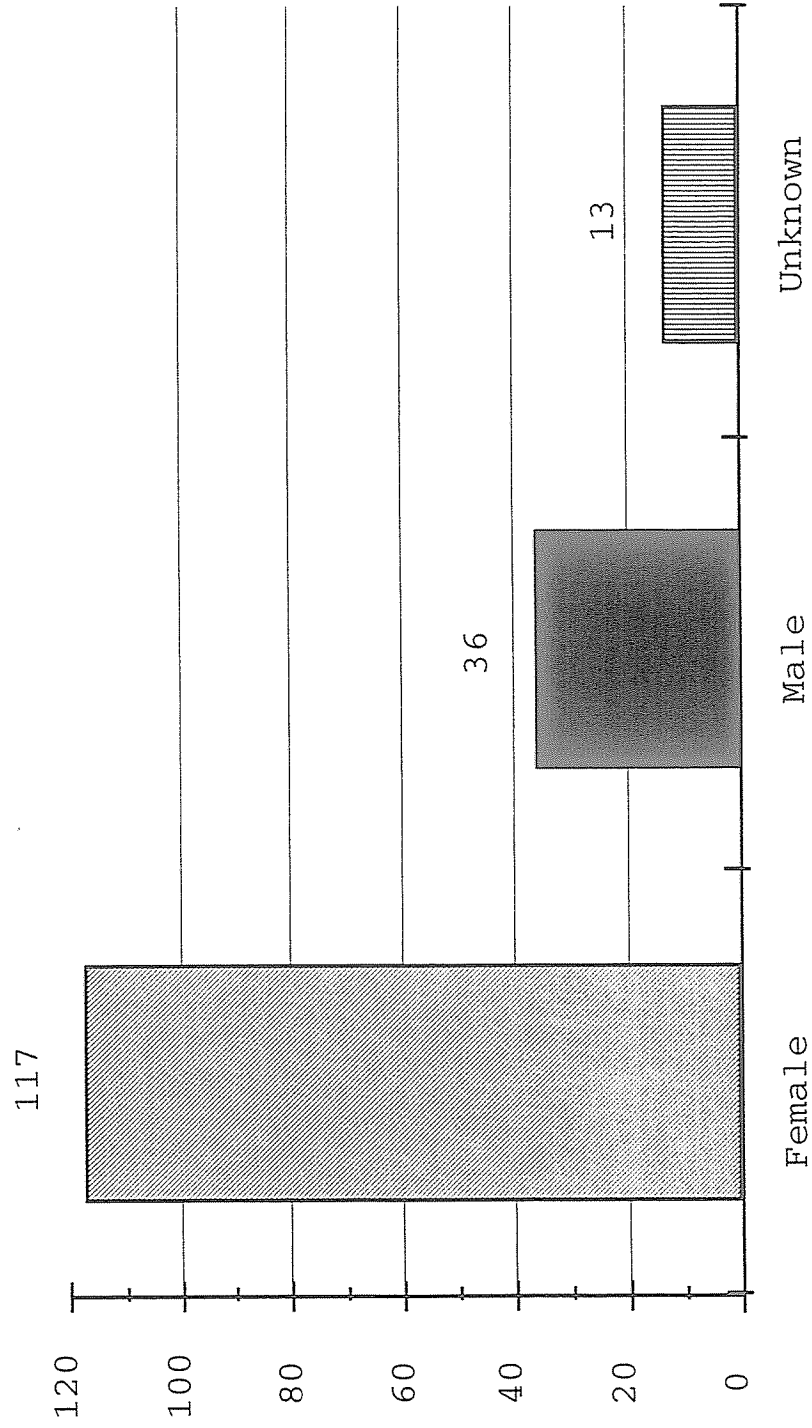
Total Cases and Offenses Filed



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Chart 2J: Juvenile Offenders

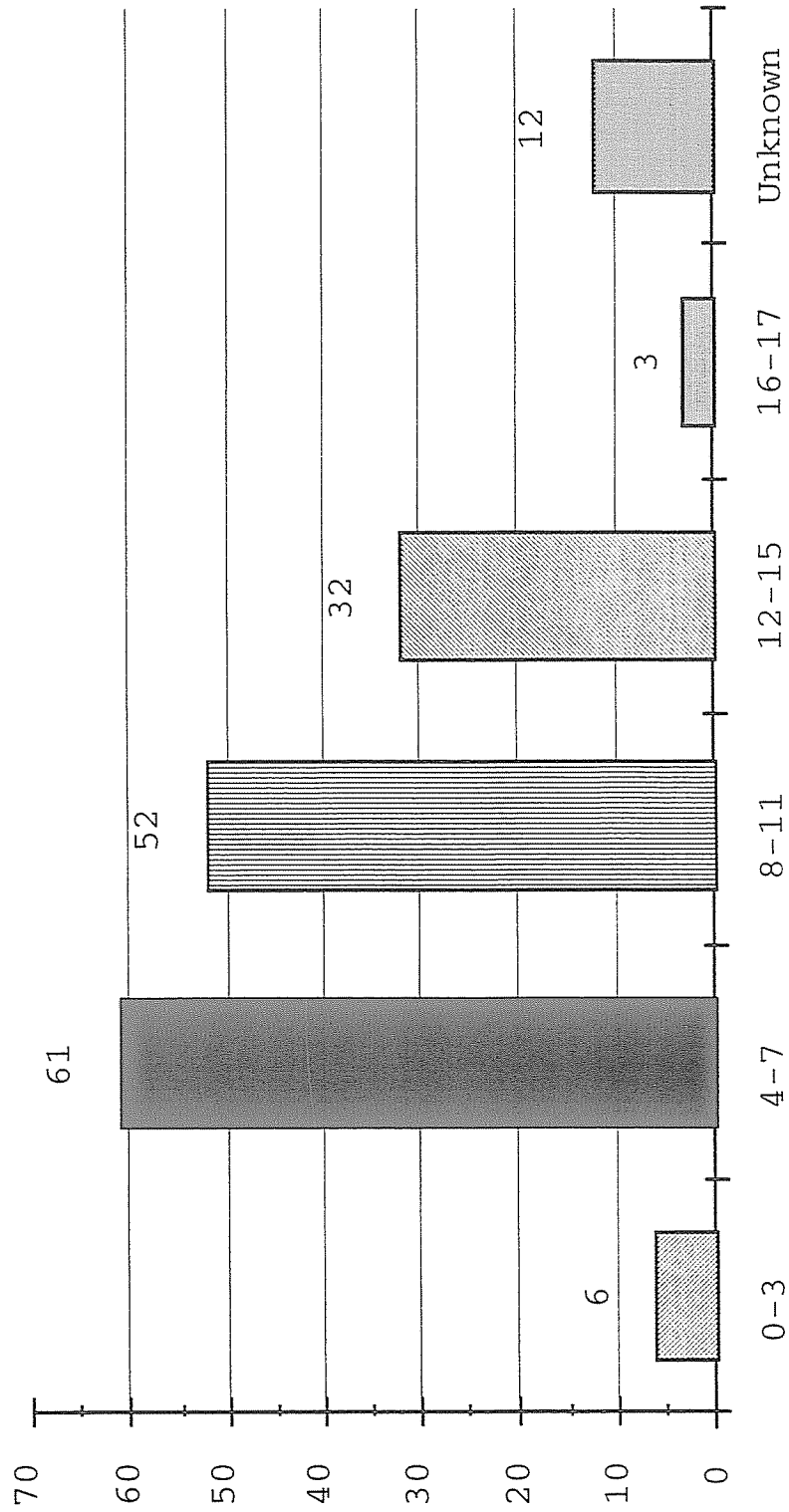
Victim Gender



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Chart 3J: Juvenile Offenders

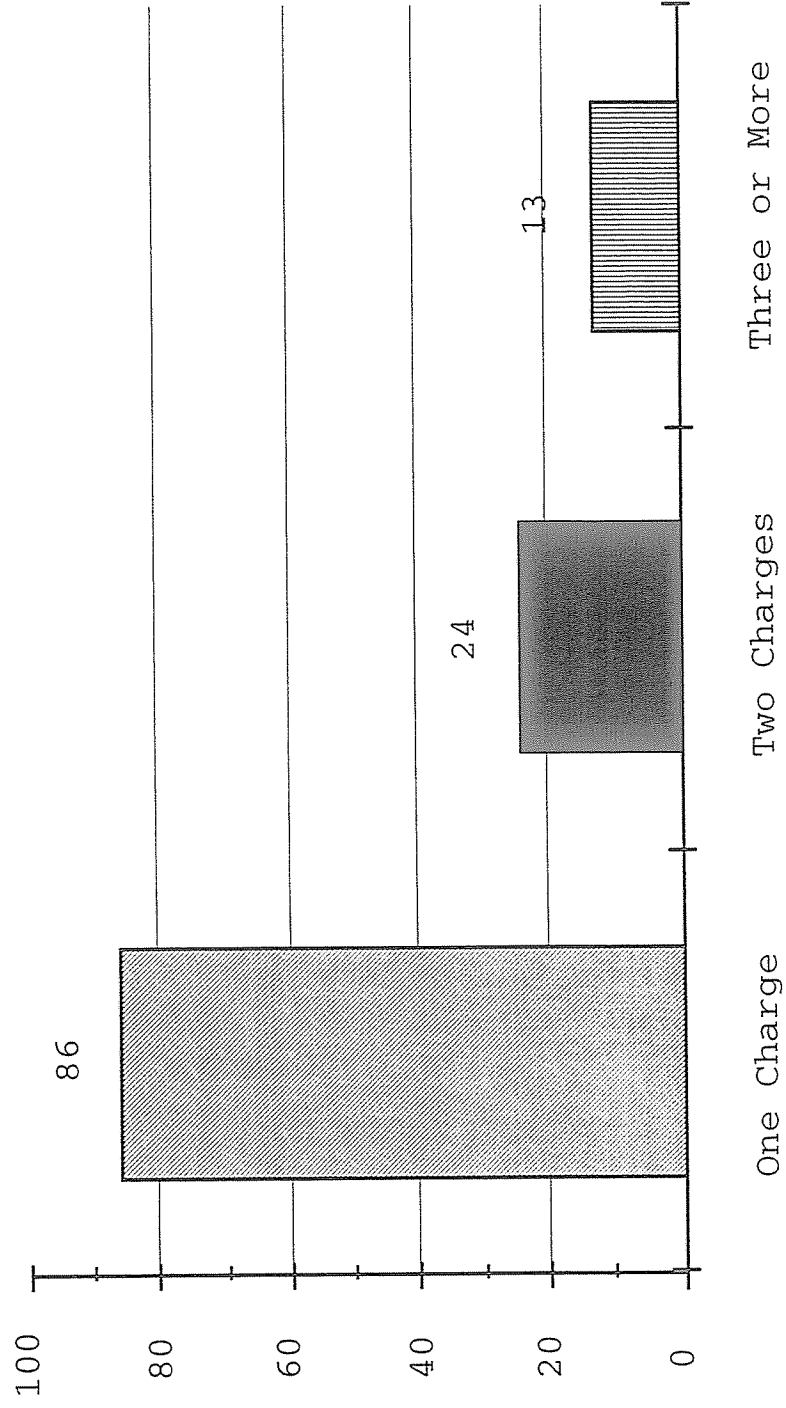
Victim Age



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Chart 4J: Juvenile Offenders

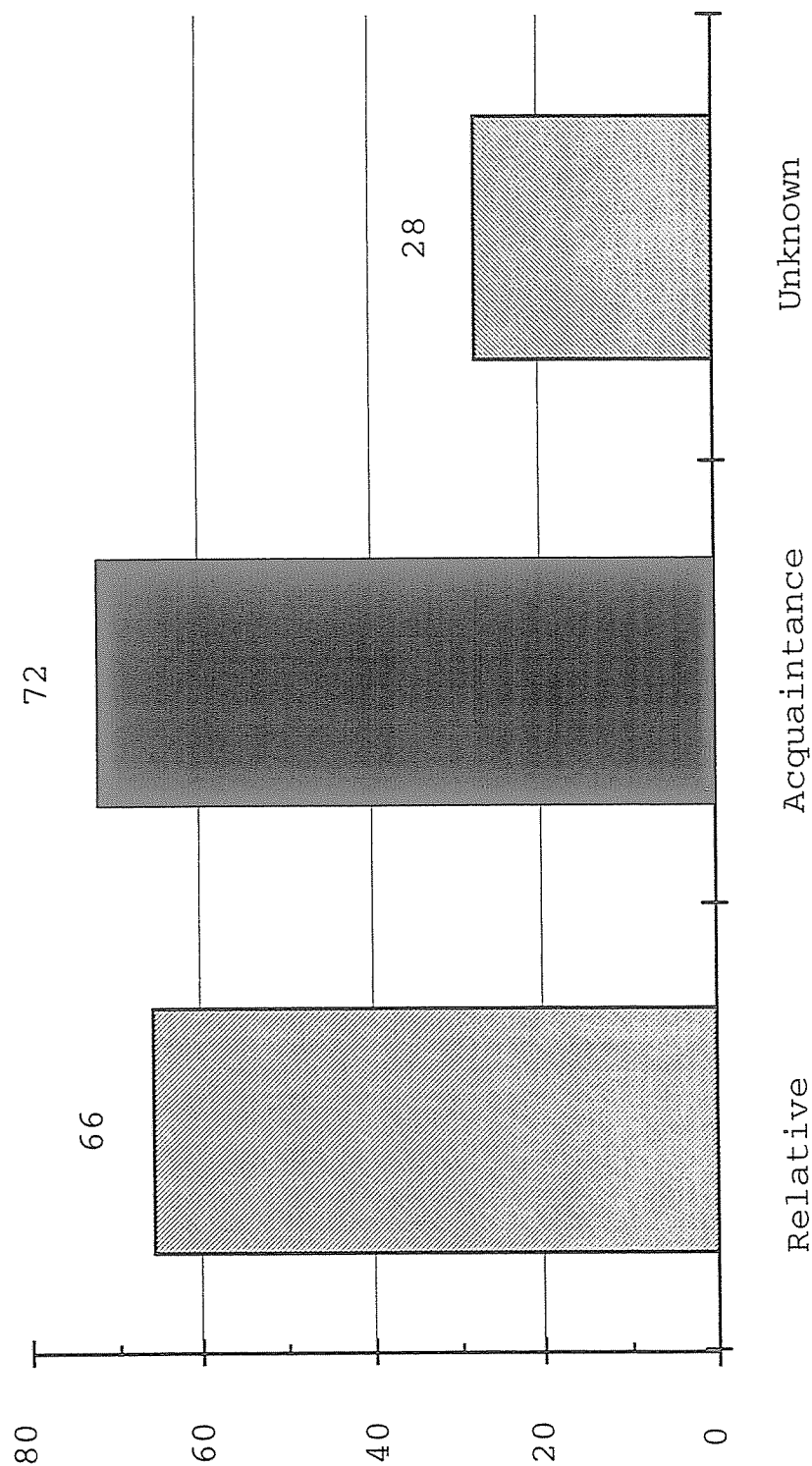
Number of Victims per Case



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Chart 5J: Juvenile Offenders

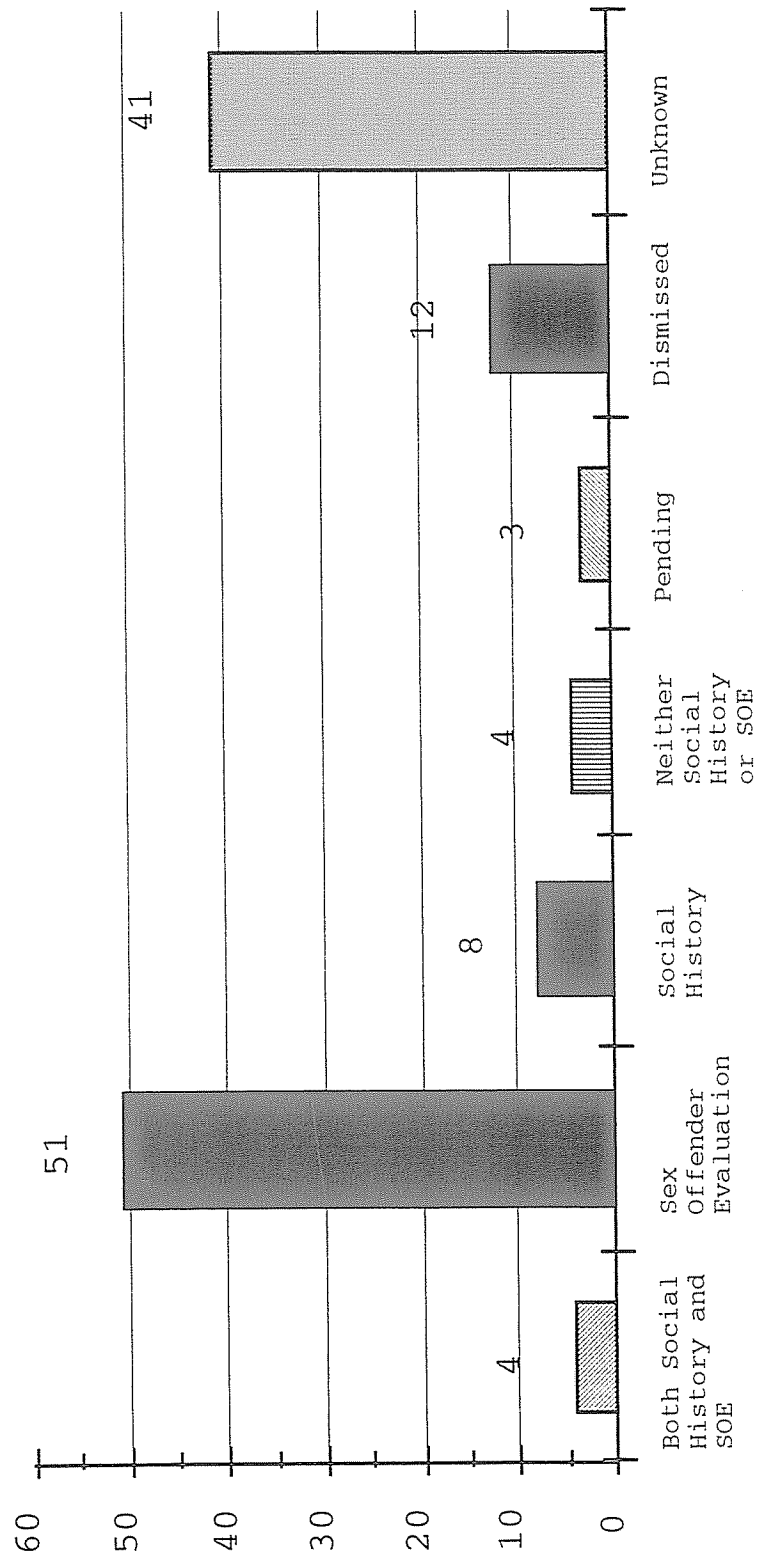
Relationship to Victims



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Chart 6J: Juvenile Offenders

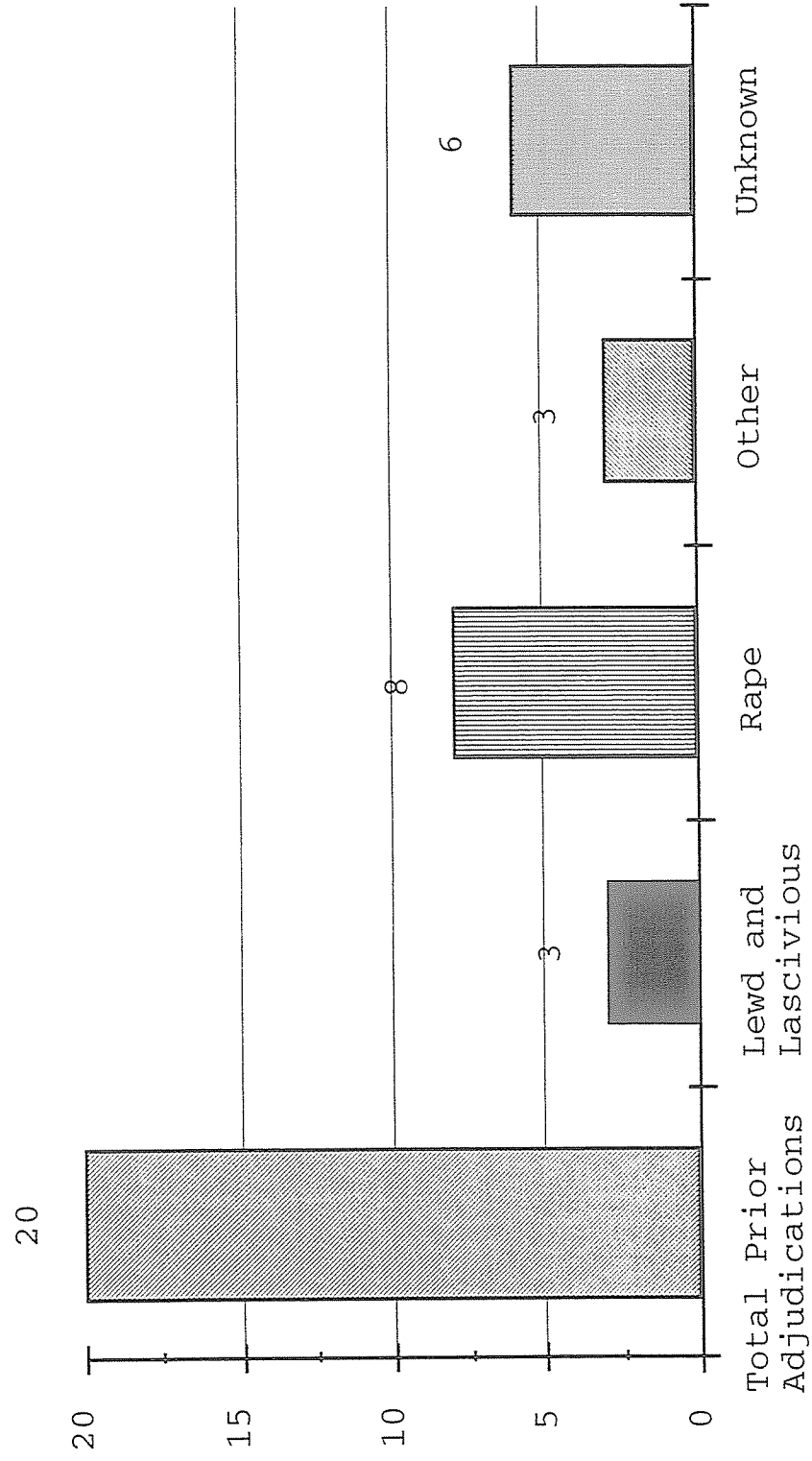
Social History and Sex Offender Evaluation



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Chart 7J: Juvenile Offenders

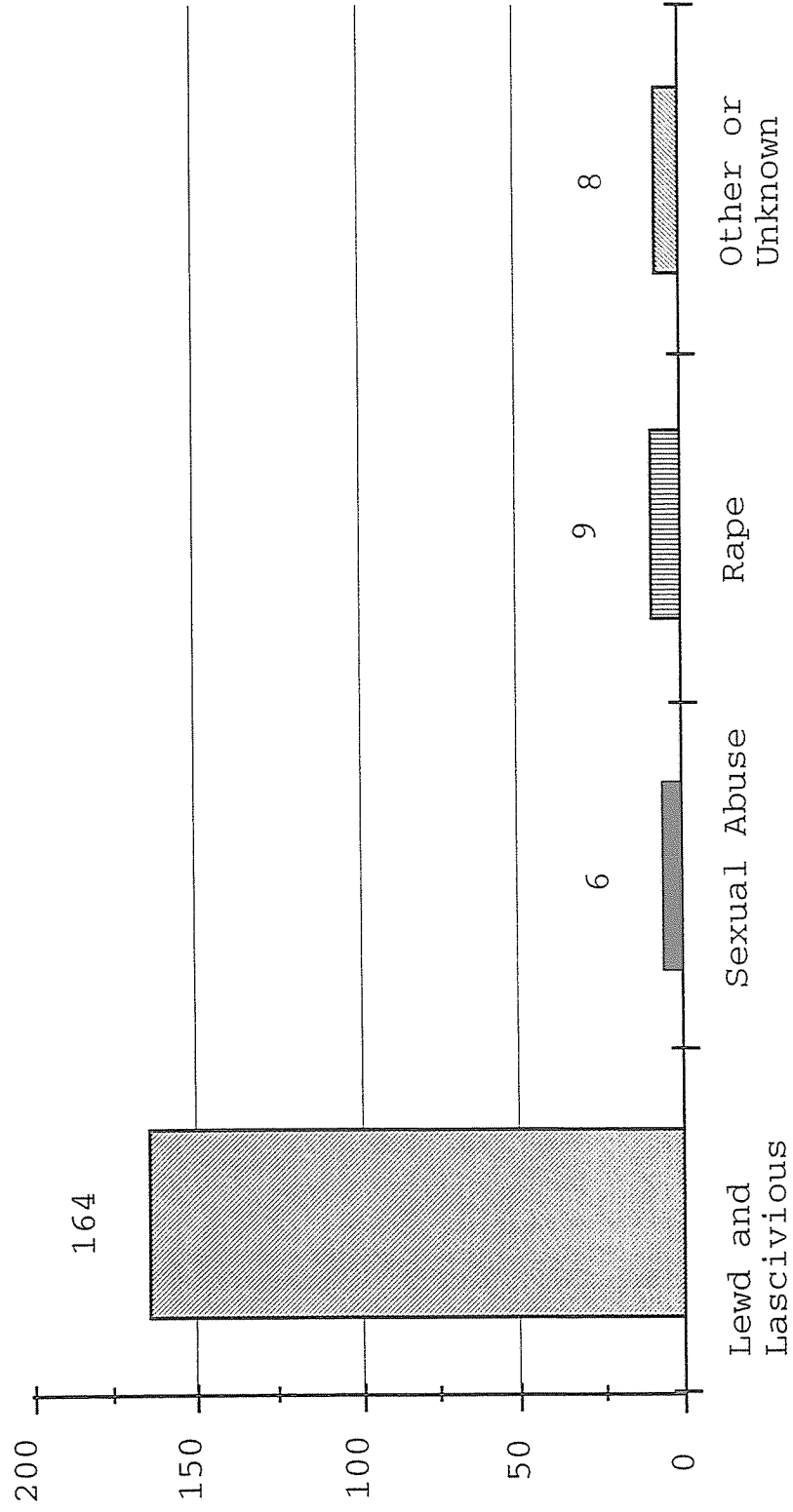
Prior Sexually Related Adjudications



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Chart 8J: Juvenile Offenders

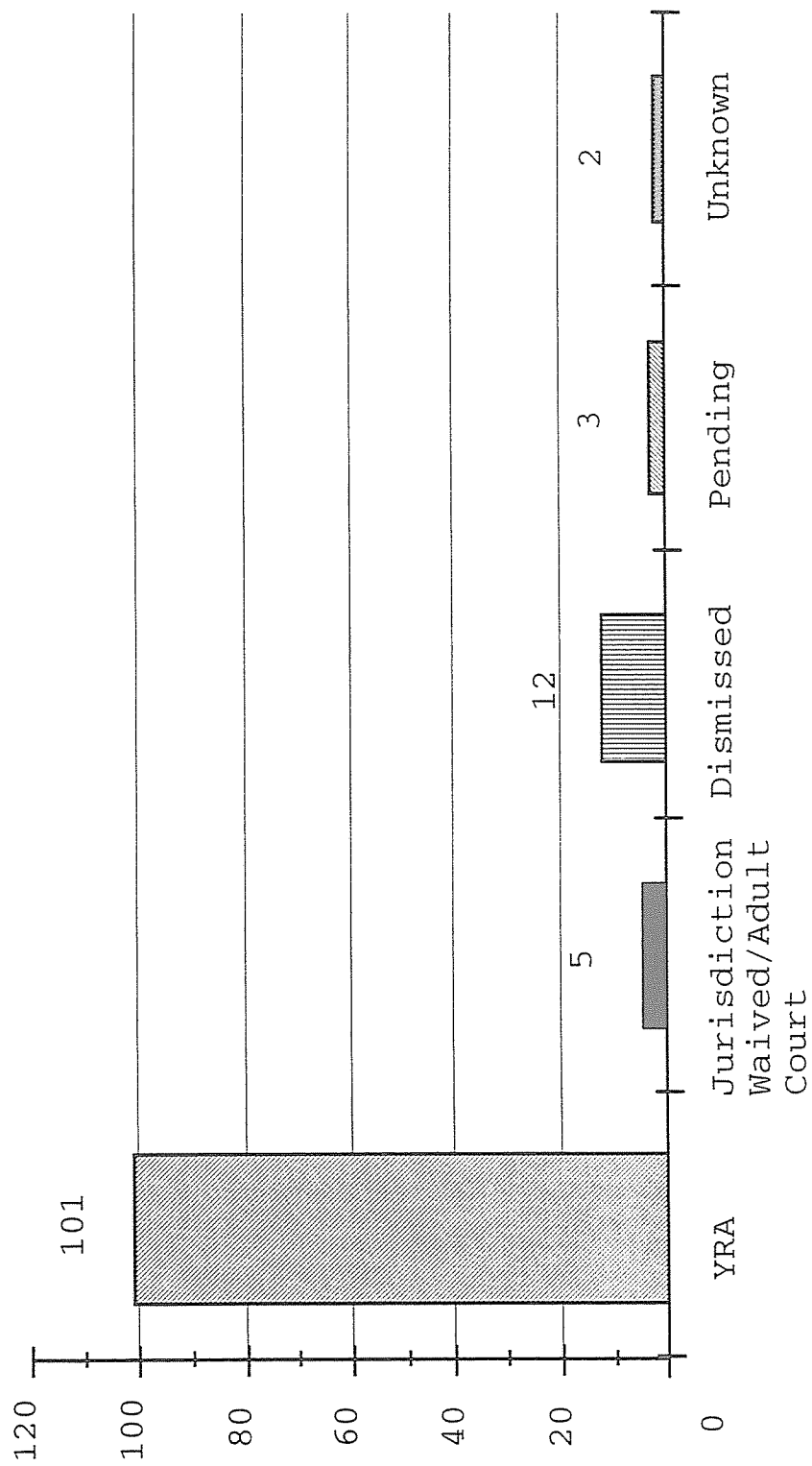
Most Frequently Filed Offenses



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Chart 9J: Juvenile Offenders

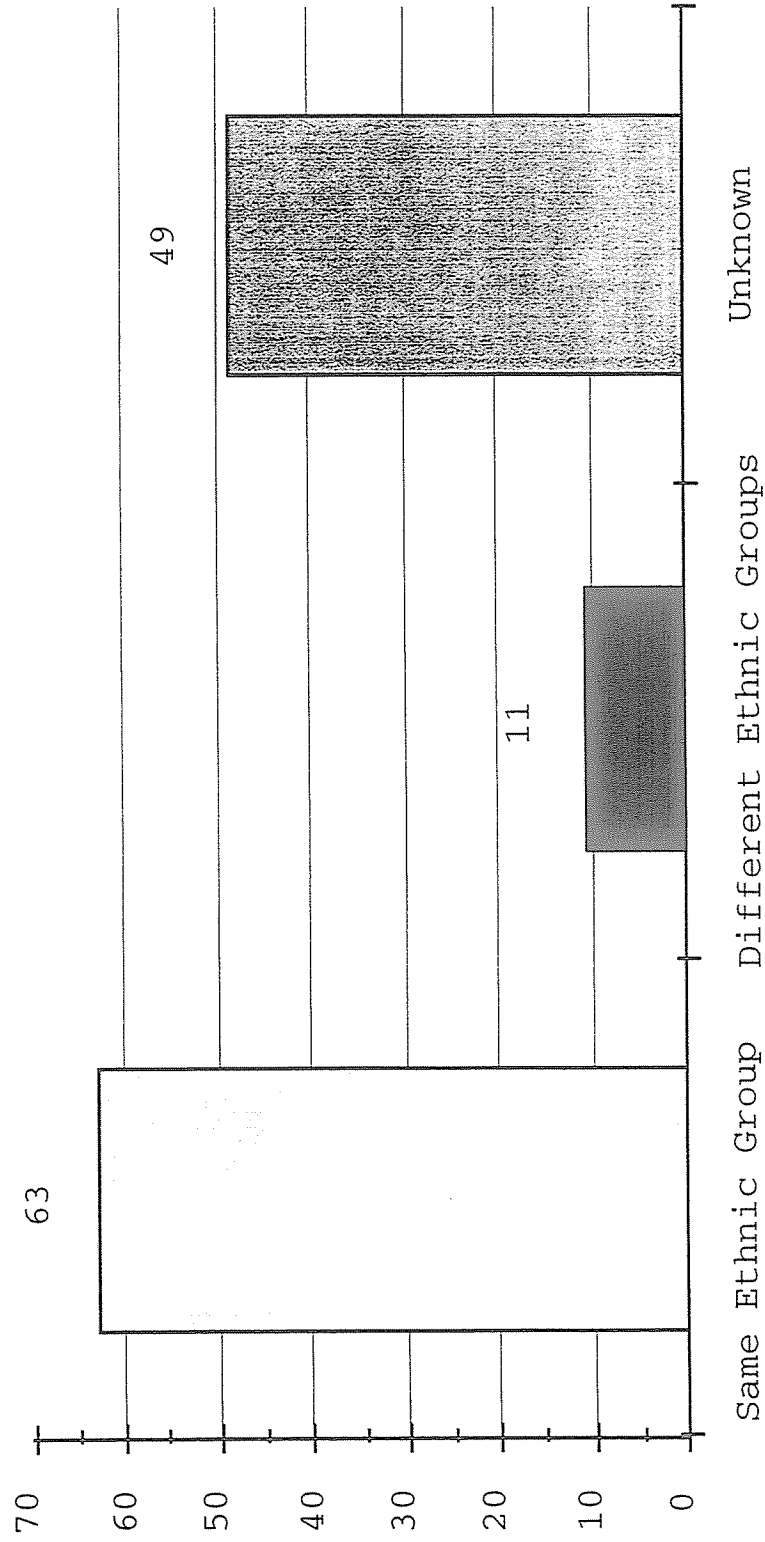
Dispositional Information



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Chart 10J: Juvenile Offenders

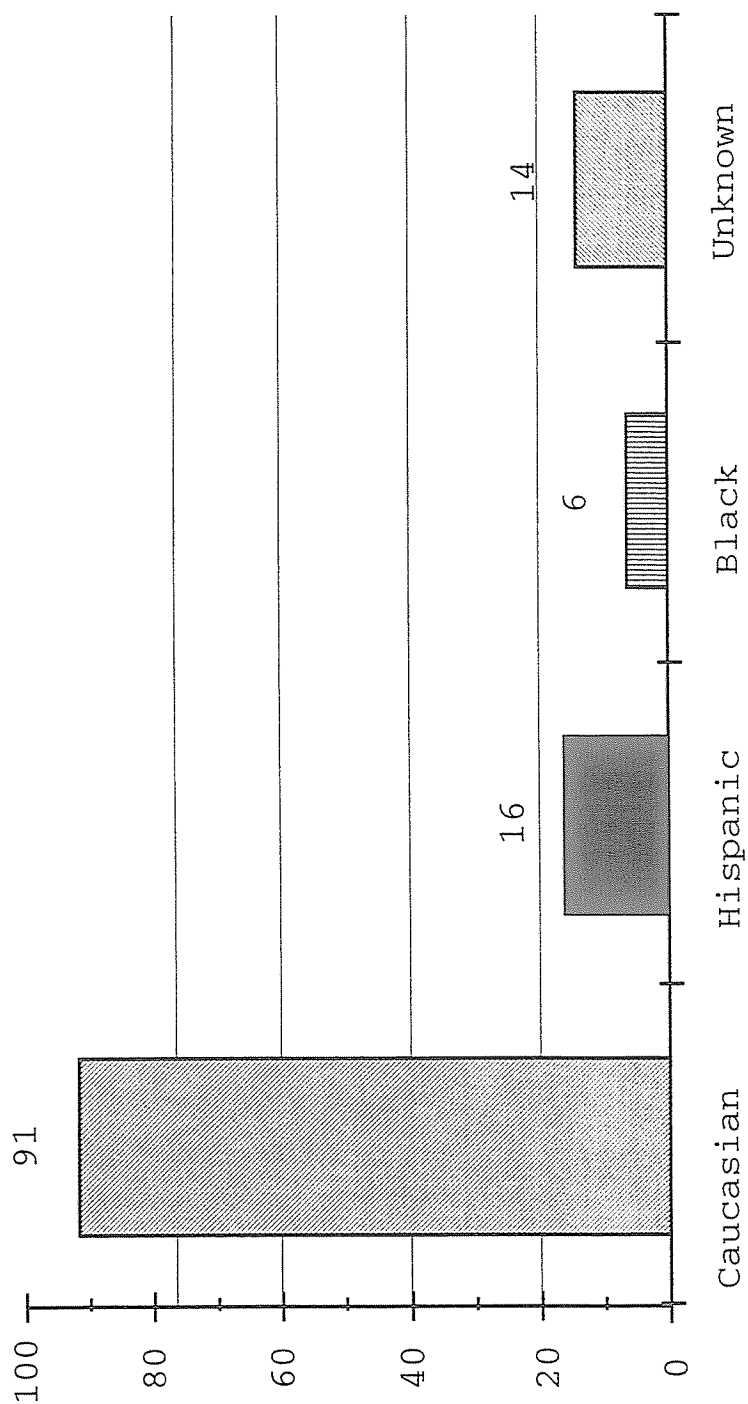
Offender/Victim Ethnicity for First Victim



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Chart 11J: Juvenile Offenders

Offender Ethnicity



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STATEWIDE CASE ANALYSIS

STATEWIDE CASE ANALYSIS

This year's report includes the third analysis of data standardized to the population in each of the forty-four Idaho counties based on the 1990 U.S. Census. This allows for a valid comparison of the incidence of child sexual abuse prosecutions across the state. The data is reported based on a standard of 10,000 persons. Smaller counties are corrected to conform with this reporting standard and the comparisons or rates are accurate throughout the state.

There were 233 adult and 123 juvenile cases of child sex abuse filed in district and juvenile courts during the period of July 1, 1993-June 30, 1994. The total number of cases filed for the period covered by this report was 356. This represents a decrease of 69 cases from the 425 reported for the previous year, and a decrease of 16 cases from the survey of two years ago when 372 total cases were reported. Adult child sex abuse cases decreased and juvenile cases increased.

Incidence of Case Filings by County-Table 1

The overall incidence of child sex abuse is reported by county and type of offender (adult or juvenile) for every county in Idaho. This information was taken from the records provided to the research team by the county clerk's office and the county prosecutor in the 44 counties of the state. This information was verified with the Prosecutor in each county.

Case filings were standardized based on the most recent census data. The rate for adults was calculated and is reported for each county in the column Ad/Rate. The rate for juveniles was calculated and is reported for each county in the column

Juv/Rate. A total rate for each county was calculated and the combined adult and juvenile rate is reported in the column Total Rate. Boise, Butte, Camas, Clark, Custer, Fremont, Lewis, Lincoln, Minidoka, Oneida, and Teton reported that no cases were filed and their rate is reported as 0.

THE TOTAL (MEAN) RATE OF THE CHILD SEX ABUSE COURT CASES FILED BY COUNTY FOR THE STUDY PERIOD WAS 3.84/10,000. THE STANDARD DEVIATION WAS 3.67/10,000. THIS INDICATES THAT OVER 95% OF THE COUNTIES FALL WITHIN A RANGE OF PLUS OR MINUS 2 STANDARD DEVIATIONS ($3.67 \times 2 = 7.34$ CASES PLUS OR MINUS FROM THE AVERAGE NUMBER OF CASES). THE RANGE WOULD BE 0-11.18.

THE TOTAL (MEAN) RATE FOR ADULTS (AD/RATE) IN EACH COUNTY WAS 2.57/10,000 WITH A STANDARD DEVIATION OF 2.55/10,000. THE TOTAL RATE FOR JUVENILES (JUV/RATE) WAS 1.1/10,000 WITH A STANDARD DEVIATION OF 1.88/10,000.

Filing Rates in the Most Populated Counties-Chart 1S

Chart 1S shows the incidence of child sex abuse in the 10 most heavily populated counties. County population varies in these ten counties from a high of 205,775 in Ada County to 26,622 in Bonner. Total/Rate varies from a high of 4.3/10,000 in Bonneville County (closely followed by Ada with 4.2/10,000) to a low of 0.98/10,000 in Latah County. Both Bonneville and Latah fall well within one standard deviation of the mean of the total rate (TOT/RATE) of 3.84. This indicates that all of the ten most populated counties are grouped around the average for the state.

Filing Rates in the Least Populated Counties-Chart 2S

Chart 2S shows the incidence of child sex abuse in the 10 least populated counties. The Total/Rate varied from a low of 0.0 to a high of 9.2 in Adams County. The least populated

counties were within the expected average range for the state, as with the ten most populated counties.

Idaho Counties with Greatest Incidence of Child Sex Abuse Case Filings-Chart 3S

Chart 3S indicates the counties with the highest incidence of filings for child sex abuse. The rate is shown for Adults, Juveniles and the Total/Rate per 10,000. The figures are standardized based on 1990 census data allowing for valid comparisons among the counties regardless of population density. Based on this analysis, Power County (7,086) had the highest Total/Rate with 15.5 (4 adults and 7 juveniles). Caribou County (6,963) had the second highest incidence with 12.9/10,000 (5 adults and 4 juveniles). Shoshone County (13,931) had the next highest with a Total/Rate of 10.8 (13 adults and 2 juveniles).

Any analysis of incidence must be tempered by the fact that child sex abuse may be dramatically under reported. It is also important to note that a few reported cases in a small population county can indicate a very high Total/Rate. Trend analysis over time should provide a clearer picture of incidence.

Table 1: Incidence of Prosecution by County
(Rate per 10,000 Population)

County	Pop	Adult	Ad/Rate	Juvenile	Juv/Rate	Total Rate	Totals	County	Pop	Adult	Ad/Rate	Juvenile	Juv/Rate	Total Rate	Totals
Ada	205775	49	2.38	37	1.8	4.18	86	Gem	11844	4	3.38	0	0	3.38	4
Adams	3254	3	9.22	0	0	9.22	3	Gooding	11633	4	3.44	1	.87	4.3	5
Bannock	66026	12	1.82	7	1.06	2.88	19	Idaho	13783	6	4.35	1	.72	5.08	7
Bear Lake	6084	1	1.64	2	3.29	4.93	3	Jefferson	16543	3	1.81	9	5.44	7.25	12
Benewah	7937	3	3.78	0	0	3.78	3	Jerome	15138	10	6.6	5	3.3	9.91	15
Bingham	37583	6	1.6	8	2.13	3.72	14	Kootenai	69795	10	1.43	3	.43	1.86	13
Blaine	13552	3	2.21	0	0	2.21	3	Latah	30617	1	.33	2	.65	.98	3
Boise	3509	0	0	0	0	0	0	Lemhi	6899	4	5.8	0	0	5.8	4
Bonner	26622	0	0	4	1.5	1.5	4	Lewis	3516	0	0	0	0	0	0
Bonneville	72207	27	3.74	4	.55	4.29	31	Lincoln	3308	0	0	0	0	0	0
Boundary	8332	1	1.2	1	1.2	2.4	2	Madison	23674	2	.84	0	0	8.45	2
Butte	2918	0	0	0	0	0	0	Minidoka	19361	0	0	0	0	0	0
Camas	727	0	0	0	0	0	0	Nez Perce	33754	2	.59	3	.89	1.48	5
Canyon	90076	13	1.44	14	1.55	3	27	Oneida	3492	0	0	0	0	0	0
Caribou	6963	5	7.18	4	5.74	12.92	9	Owyhee	8392	2	2.38	1	1.19	3.57	3
Cassia	19532	5	2.56	0	0	2.56	5	Payette	16434	6	3.65	2	1.22	4.87	8
Clark	762	0	0	0	0	0	0	Power	7086	4	5.54	7	9.88	15.52	11
Cleanwater	8505	5	5.88	1	1.18	7.05	6	Shoshone	13931	13	9.33	2	1.44	10.77	15
Custer	4133	0	0	0	0	0	0	Teton	3439	0	0	0	0	0	0
Elmore	21204	4	1.89	1	.47	2.36	5	Twin Falls	53580	14	2.61	3	.56	3.17	17
Franklin	9323	3	3.22	0	0	3.22	3	Valley	6109	4	6.55	0	0	6.55	4
Fremont	10937	0	0	0	0	0	0	Washington	8550	4	4.68	1	1.17	5.85	5
								Totals	1006839	233	2.57	123	1.1	3.84	356

Chart 1s: Filing Rates

10 Most Populated Counties

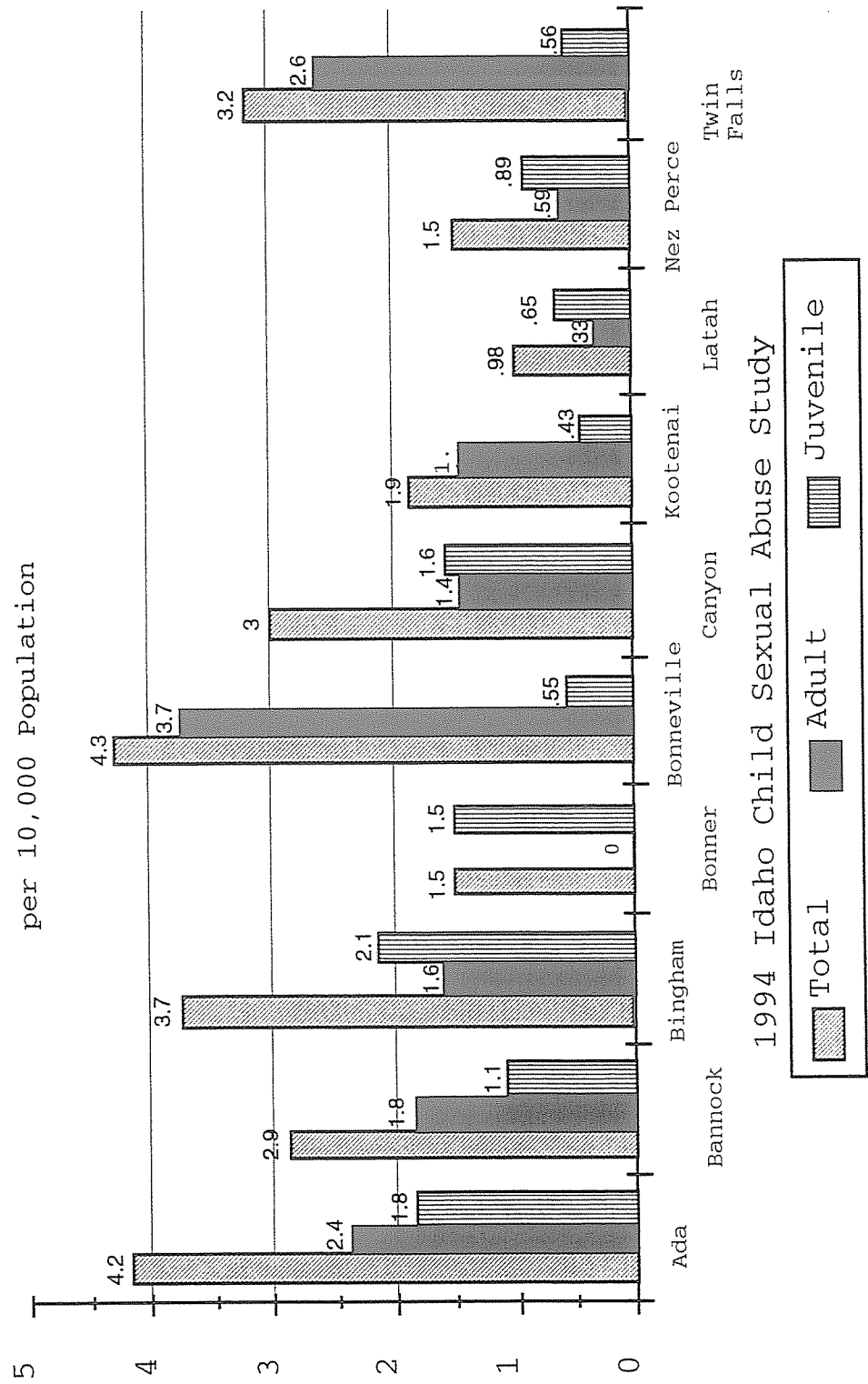
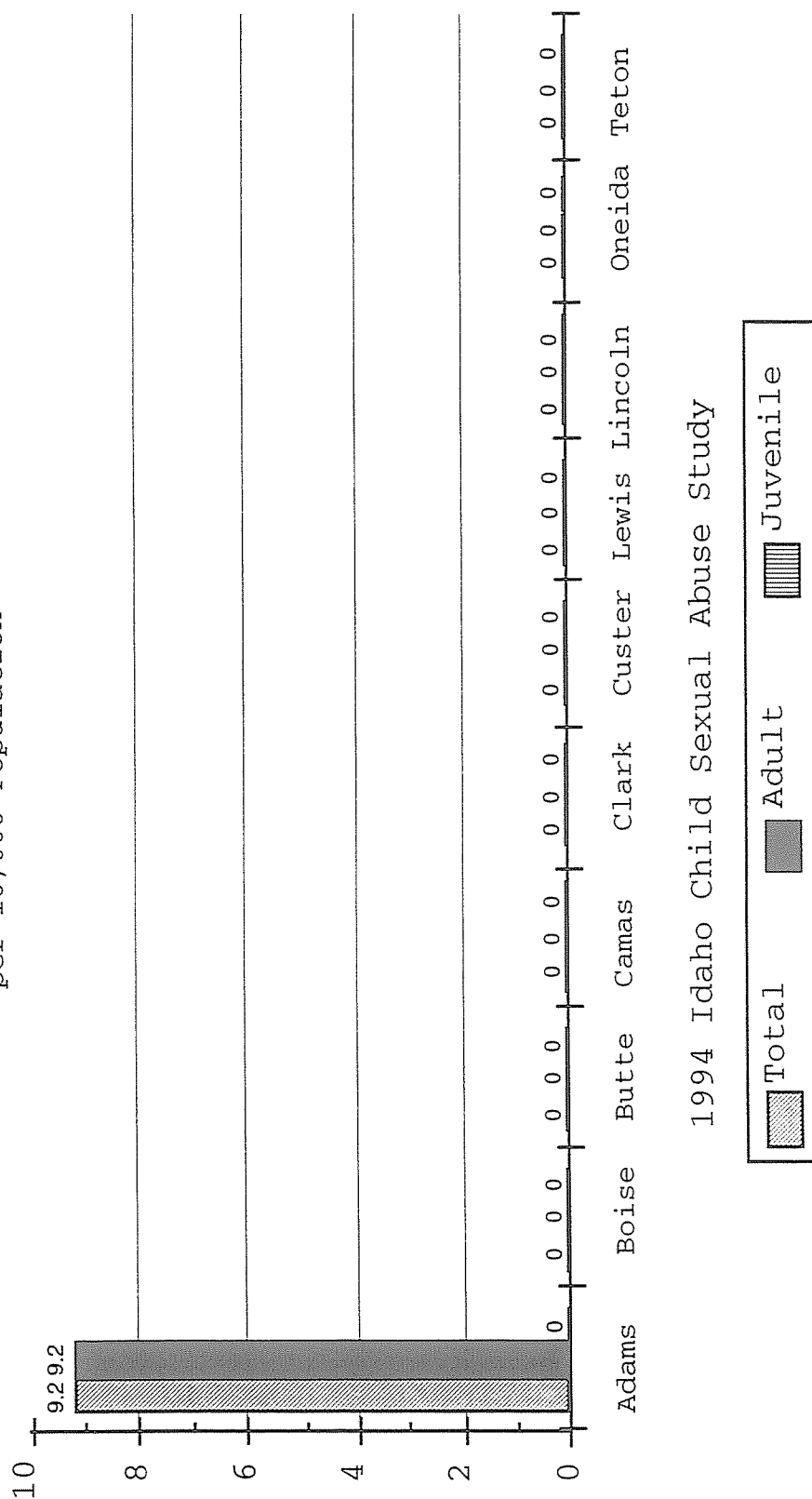


Chart 2S: Filing Rates

10 Least Populated Counties

per 10,000 Population

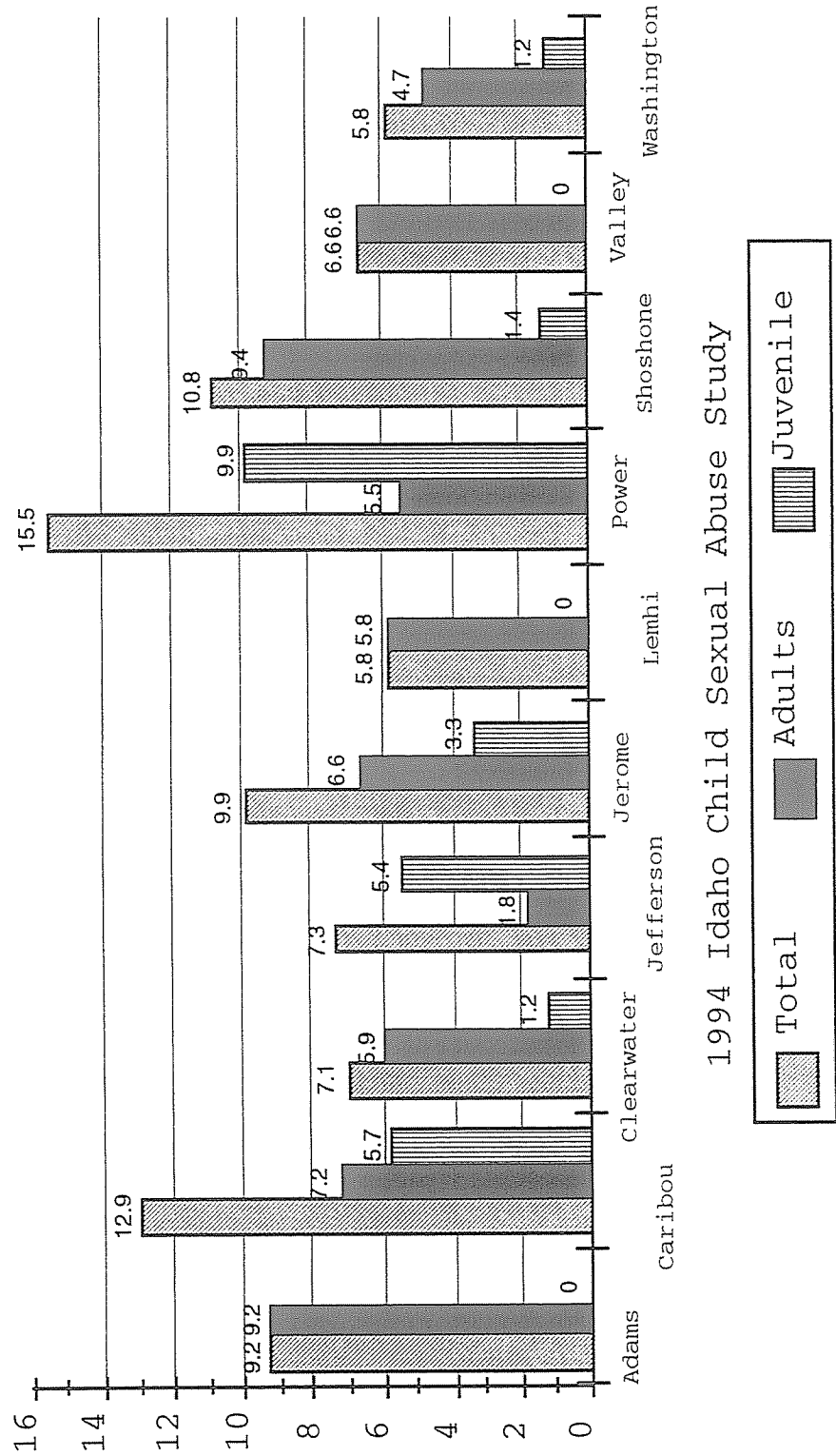


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Chart 3S: Filing Rates

Counties with Greatest Filing Rates

per 10,000 Population



1994 Idaho Child Sexual Abuse Study

CONCLUSION

The data in this report covers the period as designated by the Idaho Legislature for the annual report. Data was collected throughout Idaho by a Research Project Team in accordance with the guidelines specified by the Governor's and Attorney General's Offices. On-site visits were made in twenty-two counties reporting seven or more cases. The number of actual cases was sent to the prosecuting attorney in each jurisdiction for verification. All corrections that were sent to the project team by November 22, 1994 were included in this analysis.

This report marks the third year that data has been standardized for cross county comparisons. This type of analysis provides policy makers at the local and state levels with accurate comparative data to determine the counties with higher incidence.

A total of 356 cases of child sexual abuse were prosecuted during the study period (July 1, 1993-June 30, 1994). Of that number, 233 were adults and 123 were juveniles. The Total (Mean) Rate of cases filed by county (standardized to census data) was 3.84/10,000.

The average Total Rate (Ad/Rate) for adult child sex abuse felony filings was 2.57/10,000. The average Total Rate (Juv/Rate) for juvenile child sex abuse petitions filed was 1.1/10,000.

The data in this study further indicated that child sexual abuse occurs most frequently between the victim and an acquaintance or relative. This has significant implications for policy makers in preventing child sexual abuse and treating those persons convicted of this type of crime.

Any conclusions about this information should be guarded because of the nature of child sex abuse, low incidence of reporting, and the lack of adequate data for a trend analysis. A more detailed trend analysis will be included in next year's report. More detailed research should be conducted to determine the actual trends over time. This would be greatly facilitated by the development of a state-wide standardized tracking method.