

# **REPORT TO THE IDAHO LEGISLATURE**

## **THE PROSECUTION OF CHILD SEX ABUSE**

**JULY 1, 1994-JUNE 30, 1995**

**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, 1996**



OFFICE OF THE GOVERNOR

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PHILIP E. BATT  
GOVERNOR

(208) 334-2100

TO THE IDAHO LEGISLATURE AND THE CITIZENS OF IDAHO

*January 20, 1996*

Child sexual abuse continues to be a grave threat to our children. Most of us recall our own childhood with fondness, and as a time of wonder and innocence. It is a senseless tragedy that so many children are robbed of their childhood by this crime.

This report was compiled after many months of research and review of District Court records throughout the state. The report provides us a profile of those accused with the crime of child sexual abuse. In many instances, those who commit child sexual abuse are opportunistic. This means all of us should be watchful and work to prevent the occurrence of child sexual abuse.

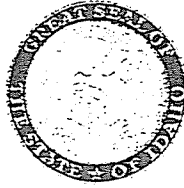
Law enforcement, prosecutors, and judges have worked hard to prosecute, punish and deter those accused and convicted of this heinous crime. All branches of state government remain committed to the task before us. Yet, as we have learned in so many other areas, the efforts of government or of the criminal justice system alone cannot solve this problem. This report tells us that in the vast majority of cases the perpetrators of this crime are either acquainted with or related to their victims, and are often in a trust relationship with their child victims. Parents must help protect their children from this crime by educating them to this threat.

Law enforcement, prosecutors and judges have my fullest support in their campaign to prevent this crime. I support strong sanctions aimed at deterring those who are tempted to abuse our children. I also support any treatment which might help end this tragedy.

Very truly yours,

A handwritten signature in black ink that reads "Philip E. Batt".

Philip E. Batt  
Governor



## STATE OF IDAHO

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January 20, 1996

To the Idaho Legislature and the Citizens of Idaho

Re: The Prosecution of Child Sexual Abuse

In 1995 the number of child sexual abuse cases decreased by 61 to 295 reported cases. Despite this decrease, the outrage of child sexual abuse demands continued vigorous prosecution by the state, and vigilance by parents.

Over 80% of child sexual abuse cases are committed not by strangers, but, rather by acquaintances, friends or family members of the victim. Certainly, the findings contained in this report point to the need for parents to know the adults and perhaps even the children with whom their own sons and daughters spend time.

Mirroring the findings from 1994, juveniles were identified as perpetrators in roughly one-third of the cases reported. Seventy-five percent of the victims of these juvenile offenders were eleven years old, or younger. Forty percent were seven years old, or younger. Of the 94 cases involving juvenile defendants there was not a single case in which it could be confirmed that the perpetrator was a stranger to the victim. In 84% of the cases, it was confirmed that the perpetrator was either an acquaintance or a relative of the victim.

The problem of child sexual abuse will receive my administration's highest priority. I will use the resources at my disposal to prevent and punish this heinous crime. In addition, I will examine whether measures such as mandatory evaluations of those convicted of child sexual abuse can assist judges in determining an appropriate sentence for those convicted.

With Best Regards,

A handwritten signature in cursive script, reading "Alan G. Lance", is positioned above the typed name.

ALAN G. LANCE  
Attorney General

AGL/yj

# THE PROSECUTION OF CHILD SEX ABUSE

JULY 1, 1994-JUNE 30, 1995

January, 1996

## **SUMMARY OF FINDINGS**

**>295 TOTAL CASES WERE PROSECUTED (201 ADULTS, 94 JUVENILES) IN DISTRICT OR JUVENILE COURT. THIS REPRESENTS A DECREASE OF SIXTY-ONE CASES FROM THE PREVIOUS REPORT.**

**>21 (10%) OF THE 201 ADULTS HAD PRIOR CONVICTIONS FOR CHILD SEXUAL ABUSE PARALLELING THE FINDINGS FROM THE 1992-93 REPORT BUT LESS THAN LAST YEAR'S REPORT.**

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

**>OVER HALF OF THE VICTIMS OF ADULT DEFENDANTS WERE BETWEEN TWELVE AND SEVENTEEN YEARS OLD. THIS IS CONSISTENT WITH LAST YEAR.**

**>THE GREATEST NUMBER OF VICTIMS (72 OF 115) OF JUVENILE OFFENDERS CHARGED WITH CHILD SEXUAL ABUSE WERE BETWEEN FOUR AND ELEVEN YEARS OLD.**

**>40% OF THE ADULT ABUSERS WERE ACQUAINTANCES OF THEIR VICTIMS AND 37% WERE RELATED TO THEM.**

**>44% OF THE JUVENILE ABUSERS WERE ACQUAINTANCES OF THEIR VICTIMS AND 39% WERE RELATIVES (NON-PARENTS)**

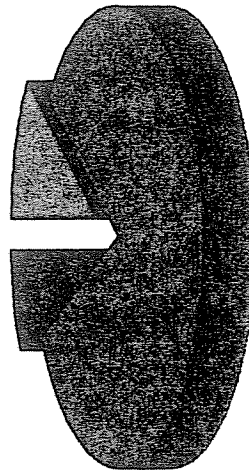
**>WHERE ADULT DISPOSITION WAS KNOWN, THE IMMEDIATE SENTENCE WAS 20% PROBATION; 36% PRISON; 40% RETAINED JURISDICTION; 3% JAIL AND PROBATION.**

# Gender of Offenders and Victims for Adults and Juveniles



Adults Charged

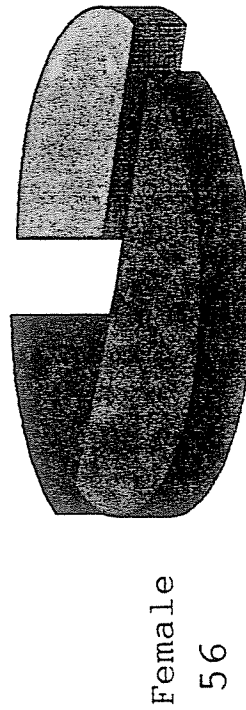
Unknown 14  
Male 26



Victims of Adults

Juveniles Petitioned

Unknown 18  
Male 35



Victims of Juveniles

1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

## **RESEARCH PROJECT TEAM**

The research team for this project consisted of a number of people. Professor Ted Hopfenbeck was the Coordinator of Data Collection and Dr. Stephen Patrick was Coordinator of Data Analysis and Co-Principal Investigator. Tami Martin, Tammy Kelley, Kristine Jackson and Shannon Smith served as Research Associates. Rebecca Howell provided secretarial support.

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

## TABLE OF CONTENTS

INTRODUCTION .....	1
METHODOLOGY/DATA COLLECTION .....	4
ANALYSIS OF ADULT CASES .....	7
ANALYSIS OF JUVENILE CASES .....	29
STATEWIDE ANALYSIS OF CASES .....	45
CONCLUSION .....	53



# INTRODUCTION AND METHODOLOGY

# REPORT TO THE IDAHO LEGISLATURE

## THE PROSECUTION OF CHILD SEXUAL ABUSE

JULY 1, 1994 - JUNE 30, 1995

### INTRODUCTION

House Bill 362, passed in 1989 (adding section 67-1405), expands the Attorney General's duties to require an annual report be submitted to the legislature on the incidence of felony child sex abuse charges filed in adult and juvenile courts in 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 and submitted to the Attorney General's and Governor's offices for review. The completed report was submitted to the legislative leadership by Governor Phillip Batt and Attorney General Alan Lance.

### 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 four 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 previous report to insure consistency. Rates were reported in a standardized format based on county population.

#### SIXTH REPORT: July 1, 1993 - June 30, 1994

Court records were reviewed throughout the state for adults and juveniles accused of child sex abuse. Data were collected consistent with the reports from the previous two years. In addition to reporting standardized rates comparisons were made of reported incidence in the most and least populated counties.

### **METHODOLOGY/DATA COLLECTION PROCEDURES**

This report includes data on adult and child sex abuse cases filed from July 1, 1994 to June 30, 1995. Actual review of court records for this report was initiated the summer of 1995, and continued through early December. All counties were contacted by mail by the

Chief Justice of the Supreme Court explaining the yearly data collection on **cases filed in District Court** for the annual report to the legislature in January, 1996. Follow-up phone calls were made by the Project Team from the 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 on-site visits to counties reporting more than five 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-six counties were visited. Nine 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, 1994, through June 30, 1995, 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. 18-301, 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 Exploitative 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 18-6606), Forcible Sexual Penetration with a Foreign Object (I.C. 18-6608) 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 Blaine and Canyon 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.) Some counties enter ISTARS data at the outset while others entered the case into the system at the final disposition.

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 filed 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 have been made by the researchers to alleviate problems of data collection by developing a standardized tracking system.**

## ADULT CASES



## **ANALYSIS OF ADULT CASES FILED-CHARTS 1-16**

**July 1, 1994 - June 30, 1995**

The information from adult cases is included in Charts 1-16 and immediately follows the discussion of adult defendants. A total of 201 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 356 charges were filed in the 201 adult cases. This represents a decline of thirty-two cases from the 233 cases filed in the previous survey period, July 1, 1993 - June 30, 1994. There was an average of 1.77 charges filed against each defendant. This average is comparable with the number of charges filed against each defendant in the previous report.

### **Adult Defendants: Victim Gender-Chart 2**

Victim gender was predominantly female representing 83% (N=192) of the victims. Reported female victimization was less in this study period than victim gender reported in the 1992-3 study but comparable with the figures reported in last year's (1993-94) study. Male victims represented 11% (N=26) of all victims. The gender distribution was approximately the same as the 1991-92, 1992-93 and the 1993-94 studies. The information on victim gender was not available to the research team in fourteen (6%) 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**

Two per cent (N=4) of the victims were under three years of age. Children from four to seven represented 15% (N=35) of the victims. Twenty per cent (N=46) of the total were

from eight to eleven years old. A total of 44% (N=102) of the victims were between the ages of twelve and fifteen. Ten per cent of the victims (N=24) were between the ages of sixteen and seventeen. Age was unknown for twenty-one (9%) of the victims. The age distribution in this study shows a decrease in victims from infant to three years and from eight to eleven years. There is an increase in the four to seven year old victims, the twelve to fifteen and sixteen to seventeen age groups.

#### **Adult Defendants: Number of Victims Per Case-Chart 4**

Data presented in this chart represents the number of reported victims in each of the 201 cases. Defendants in 87% (N=175) of the cases were charged with a crime against only one victim. There were two victims reported in 9% (N=19) of the cases. Four defendants (2%) were charged with crimes against three or more victims. The number of single victims increased and those charged for sex crimes against two or more victims declined.

#### **Adult Defendants: Victim Relationship-Chart 5**

Chart 5 indicates the relationship between the 232 victims and the 201 charged adult defendants. The data indicate that 12% (N=28) of the children were victimized by their actual parents and 8% (N=19) of the victims were abused by stepparents. Other family members were named for abusing 17% (N=39) of the victims. Acquaintances were identified as the abuser for 40% (N=93) of the victims. Six strangers (3%) were accused of child sex abuse. In 20% (N=47) the relationship was unknown.

Of the 232 victims, the relationship between the victim and the accused was known for 185 victims. Most of these 185 where the victim/accused relationship was known were abused by either acquaintances or family members (relatives, parents, or step-parents). A total of 95% (N=188) of the victims fit these two categories. 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, 1992-93, and the 1993-94 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, the Convicted/Awaiting Sentence, Dismissed/Acquitted, Pending, or Unknown/Fled/Transferred categories are not included. The total for the following calculations is 113.) Both Presentence and Sex Offender Evaluations were prepared in fifty-nine (52%) of the cases. The survey indicated that forty-three (38%) of the defendants had a Presentence Report only before sentencing. There were eleven (10%) 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-one (10%) of the 201 adults charged during the study period had prior sexually related convictions. Ninety per cent of the adult defendants (N=180) had no prior sex abuse convictions against children. Of the twenty-one with prior sexual abuse charges, 52% (N=11) were convicted of Lewd and Lascivious Conduct.

#### **Adult Defendants: Type of Charges Filed -Chart 8**

Chart 8 shows the breakdown of the 356 criminal charges filed against adults. Lewd and Lascivious Conduct (IC 18-1508) charges were most frequently filed representing 213 charges or 60% of the total. Rape (IC 18-6101) charges were filed fifty-

five times (16%) during the year. The charge of Sexual Abuse (IC 18-1506) resulted in fifty-one charges or 14% of the total number of charges filed. The remaining 10% of the charges were for Sexual Battery (IC 18-1508A), or other sex related charges.

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 fondling to actual copulation. Most charging decisions seemed to reflect a decision in favor of filing the most serious charge possible, not necessarily the most accurate charge. This is particularly problematic. Attempts to develop treatment programs or education/prevention programs need accurate data on criminal history.

#### **Adult Defendants: Sentencing Information-Chart 9**

Chart 9 shows the sentencing information for the adult defendants in this study. Twenty-five of those charged had their charges dismissed or were acquitted. The sentencing disposition is known for 115 of the cases. The additional defendants are awaiting trial. Probation Only was the disposition in 20% (N=23) of the known cases. Retained Jurisdiction was the sentence given by judges in 40% (N=46) of the cases with known dispositions. A number of convicted defendants (36%, N=41) were sent directly to prison without retained jurisdiction ordered. Three (3%) received a jail sentence. The disposition was unknown for two of the persons sentenced.

#### **Adult Defendants: Case Status/Outcome-Chart 10**

Fifty-seven per cent (N=115) of the defendants charged were convicted. The case is pending for 26% (N=53) of the total. Charges were dismissed against 10% (N=19) of the defendants and 3% (N=6) were acquitted. The outcome was unknown for 2% (N=4)

of the defendants because of incomplete records. Four (2%) were amended to a non-sex abuse charge.

#### **Adult Defendants: Offender/Victim Ethnicity-Chart 11**

Information was collected on ethnicity of the accused offender compared to the victim. One hundred thirty-eight (60%) victims were victimized by a member of their own ethnic group. Seventeen (7%) were victimized by a member of a different ethnic group and the ethnicity relationship was unknown for seventy-seven (33%) of the remaining victims.

#### **Adult Defendants: Offender Ethnicity-Chart 12**

Offender ethnicity data was collected and showed that 79% (N=159) of the total were Caucasian. Approximately 12% (N=25) were Hispanic. Two of the accused (1%) were Black and one (1%) was Asian. The remainder (7%, N=13) were recorded as unknown or other.

#### **Adult Defendants: Educational Level-Chart 13**

Educational data on adult defendants was available for 107 of the 201 defendants. Twenty -three per cent (N=47) had not completed high school. Nineteen per cent (N=39) had completed high school and eleven per cent (N=21) had some college. Information was not available for 94 (47%) of the cases.

#### **Adult Defendants: Offender Income-Chart 14**

Income data was available for ninety-three of the 201 cases. Of that number (93), the majority of the defendants (N=61 or 66%) earned incomes of \$15,000 or less. The remaining 33% (N=36) earned greater than \$15,000 annually.

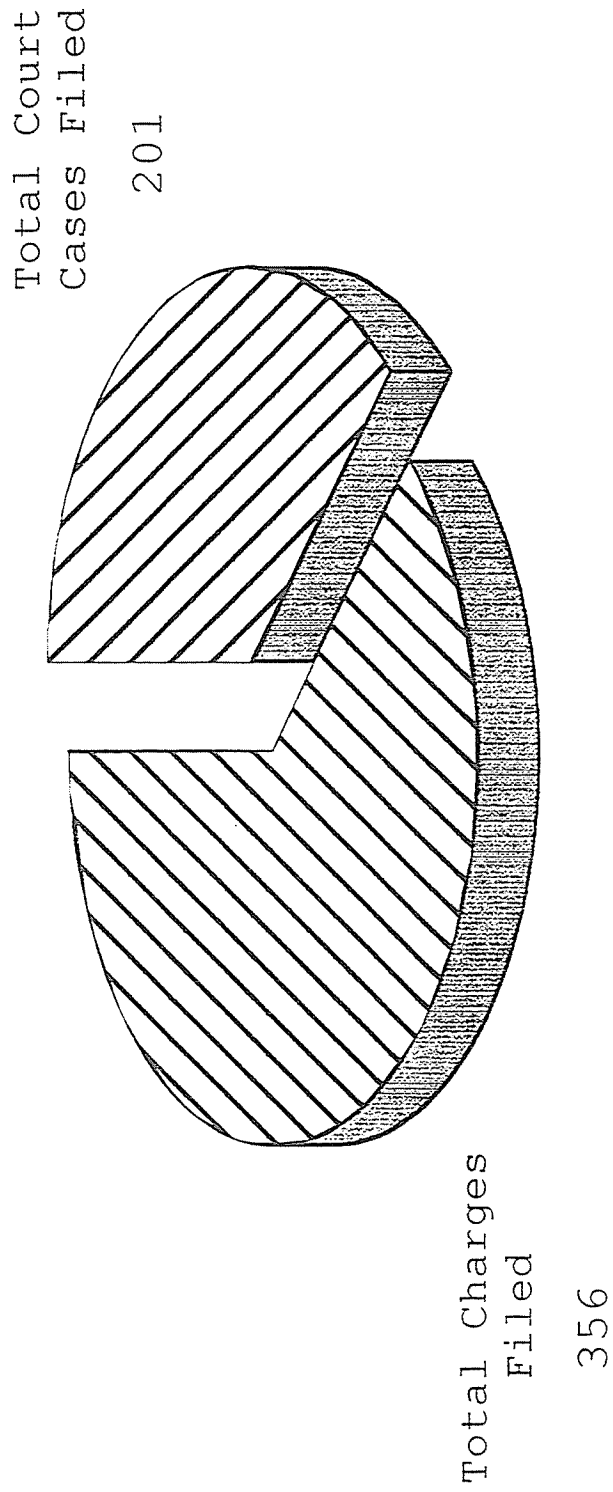
#### **Adult Defendants: Offender Occupation-Chart 15**

Defendant occupation data was collected and available for 120 of the 201 adult defendants. Of the 120 where occupation was known, 18% (N=21) were unemployed, 24% (N=29) worked at unskilled jobs, 26% (N=31) worked in skilled labor occupations, 11% (N=13) were white collar, 14% (N=17) were professionals, 3% (N=4) were students, and occupation was unclear for the remaining 4% (N=5).

#### **Adult Defendants: Location of Child Sexual Abuse - Chart 16**

Location was a new variable added to the analysis this year. One hundred twenty-one (60%) of the alleged offenses occurred in a residence. Sixty-one (30%) of the locations could not be determined from court or police records. Twelve (6%) were in other locations such as a car. Seven (4%) occurred outside.

# **Chart 1: Adult Defendants Total Cases and Charges Filed**



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

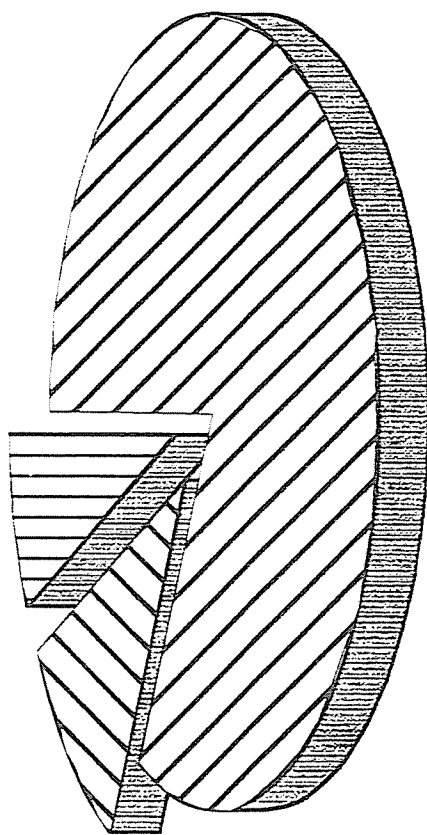
# Chart 2: Adult Defendants Victim Gender

Victims of  
Unknown Gender

14

Male Victims

26



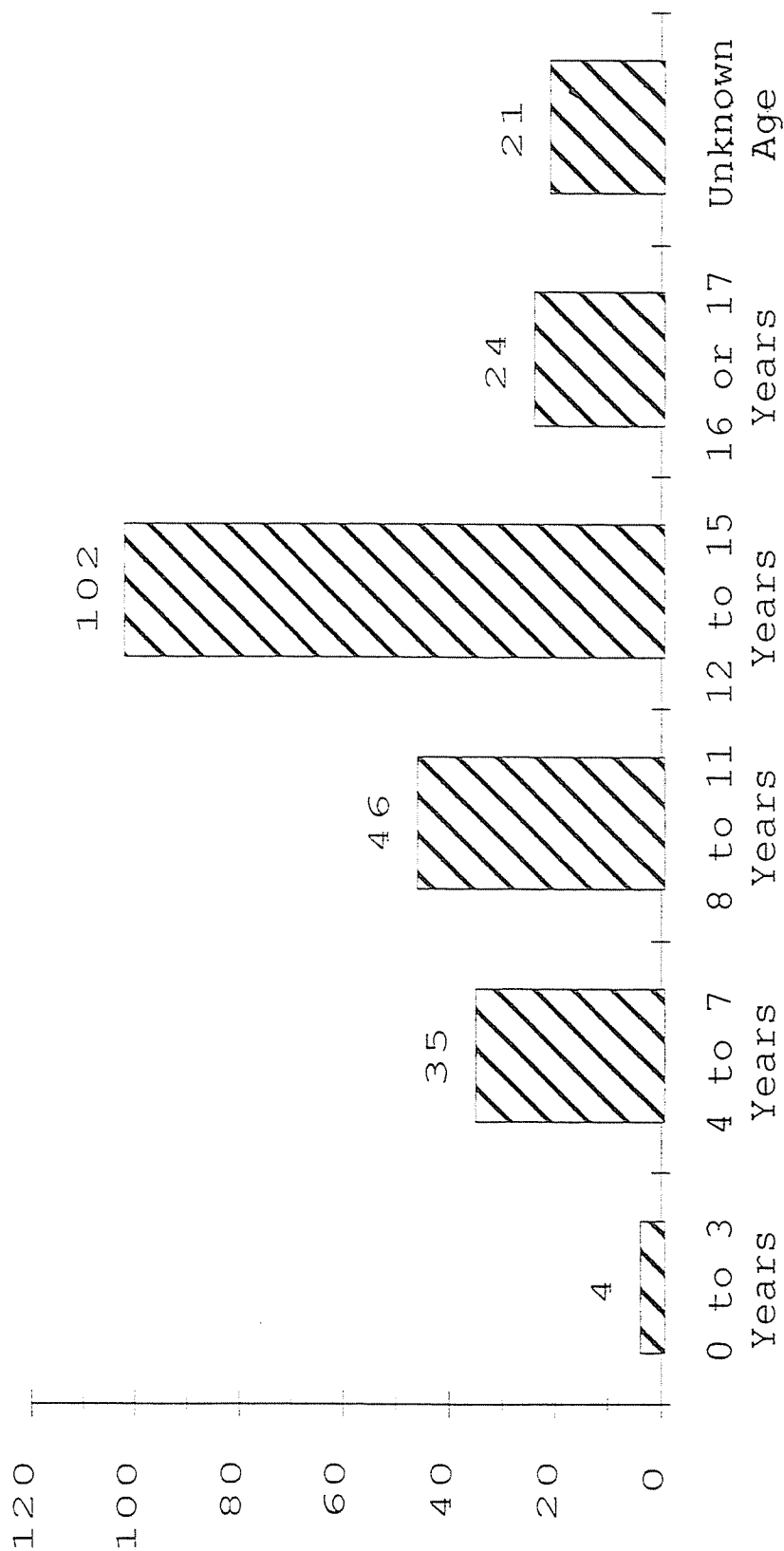
Female Victims

192

1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

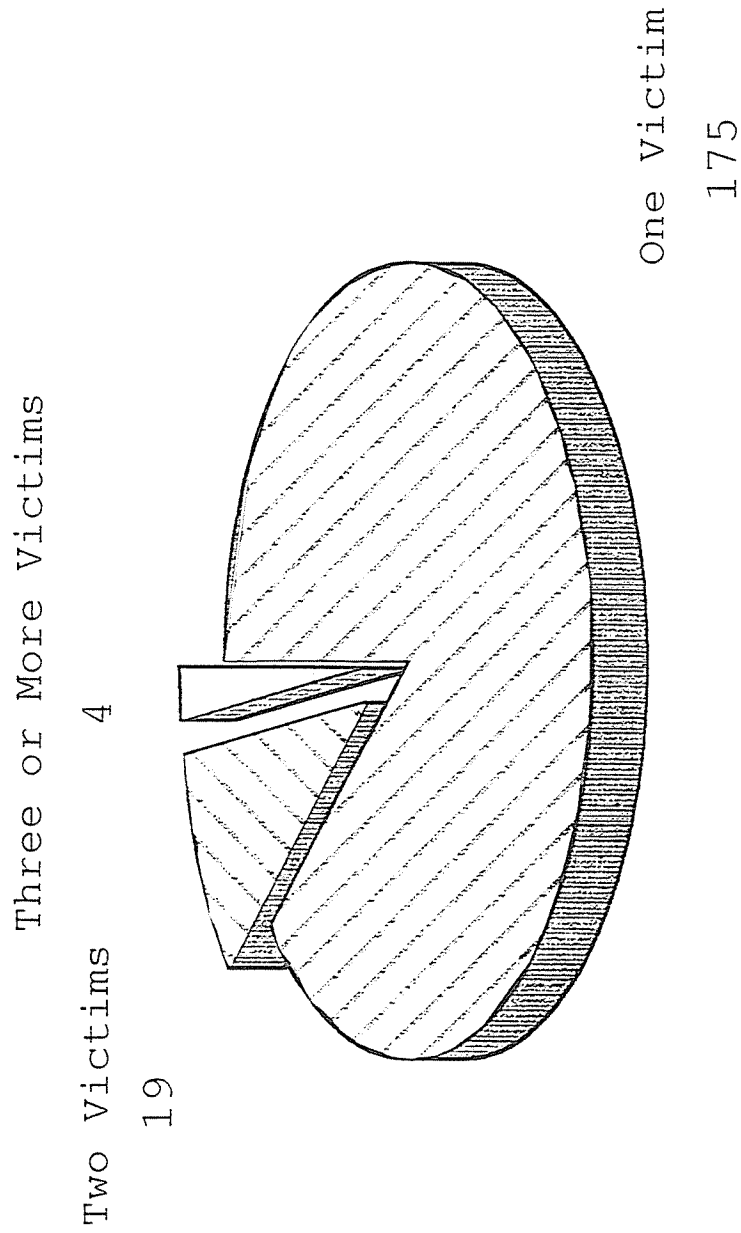


# Chart 3: Adult Defendants Victim Age



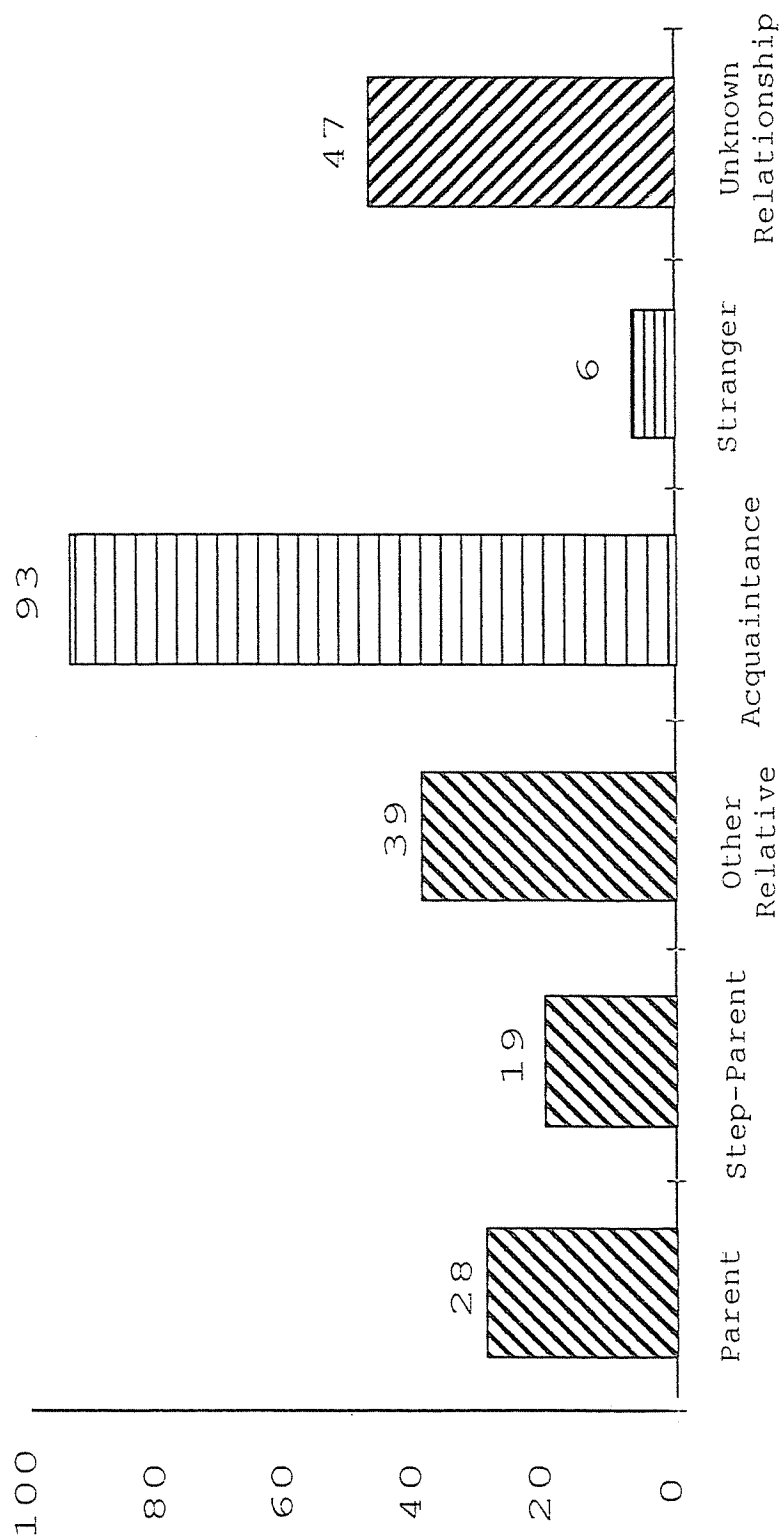
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

**Chart 4: Adult Defendants  
Number of Victims per Case**



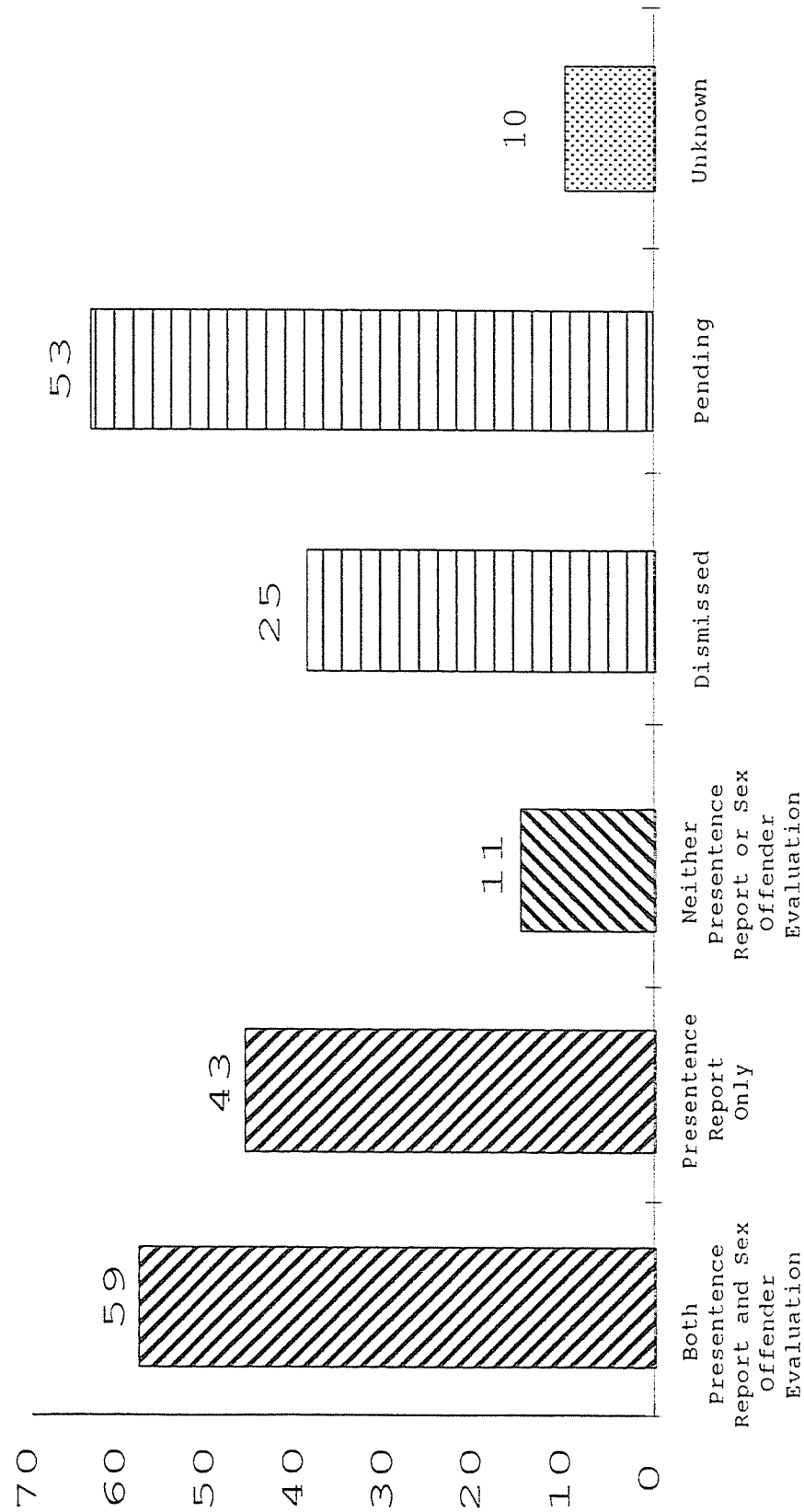
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 5: Adult Defendants Relationship to Victims



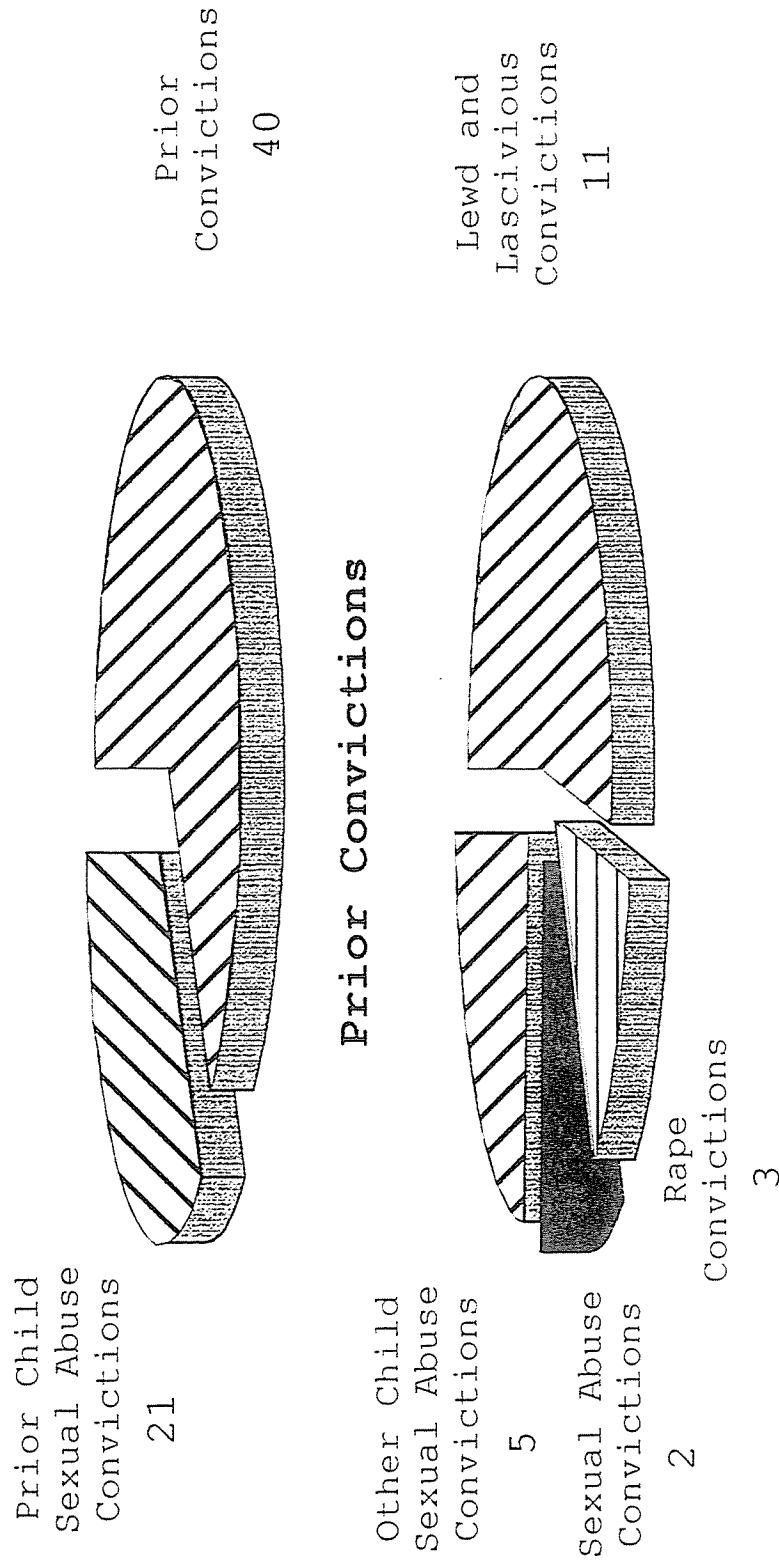
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 6: Adult Defendants Presentence Reports and Sex Offender Evaluations



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

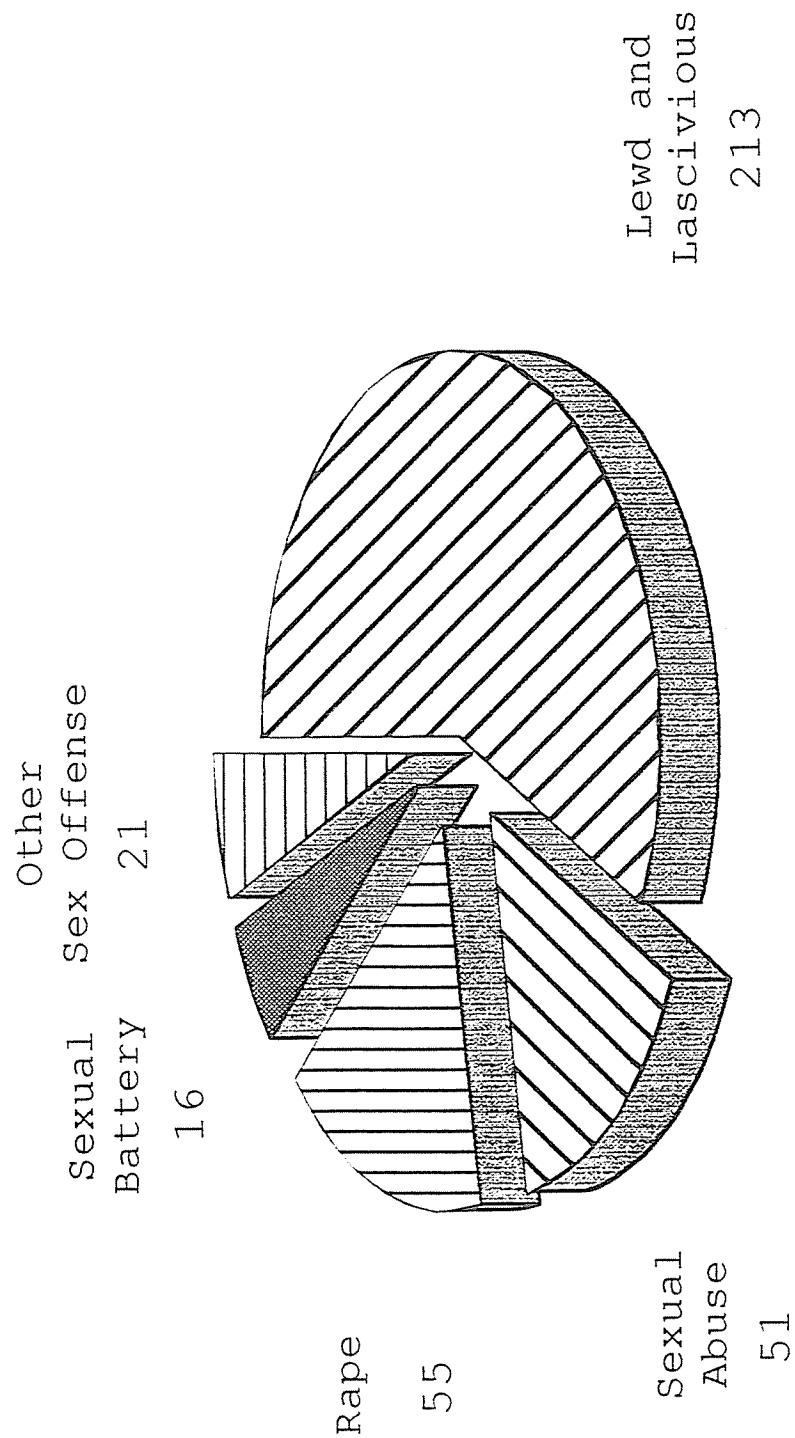
# **Chart 7: Adult Defendants Prior Convictions**



## **Prior Child Sexual Abuse Convictions**

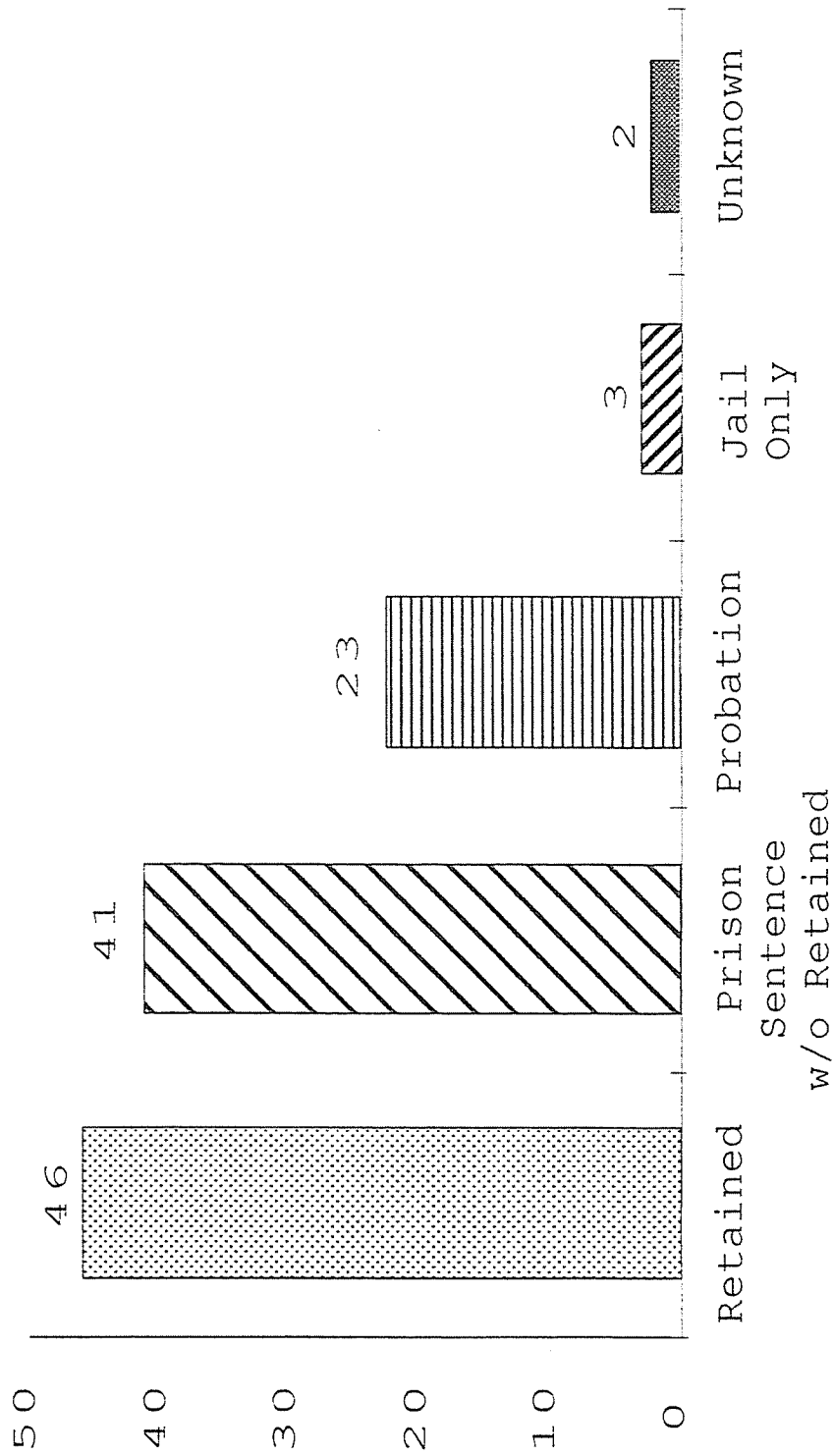
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 1995)

**Chart 8: Adult Defendants  
Most Frequently Filed Offenses**



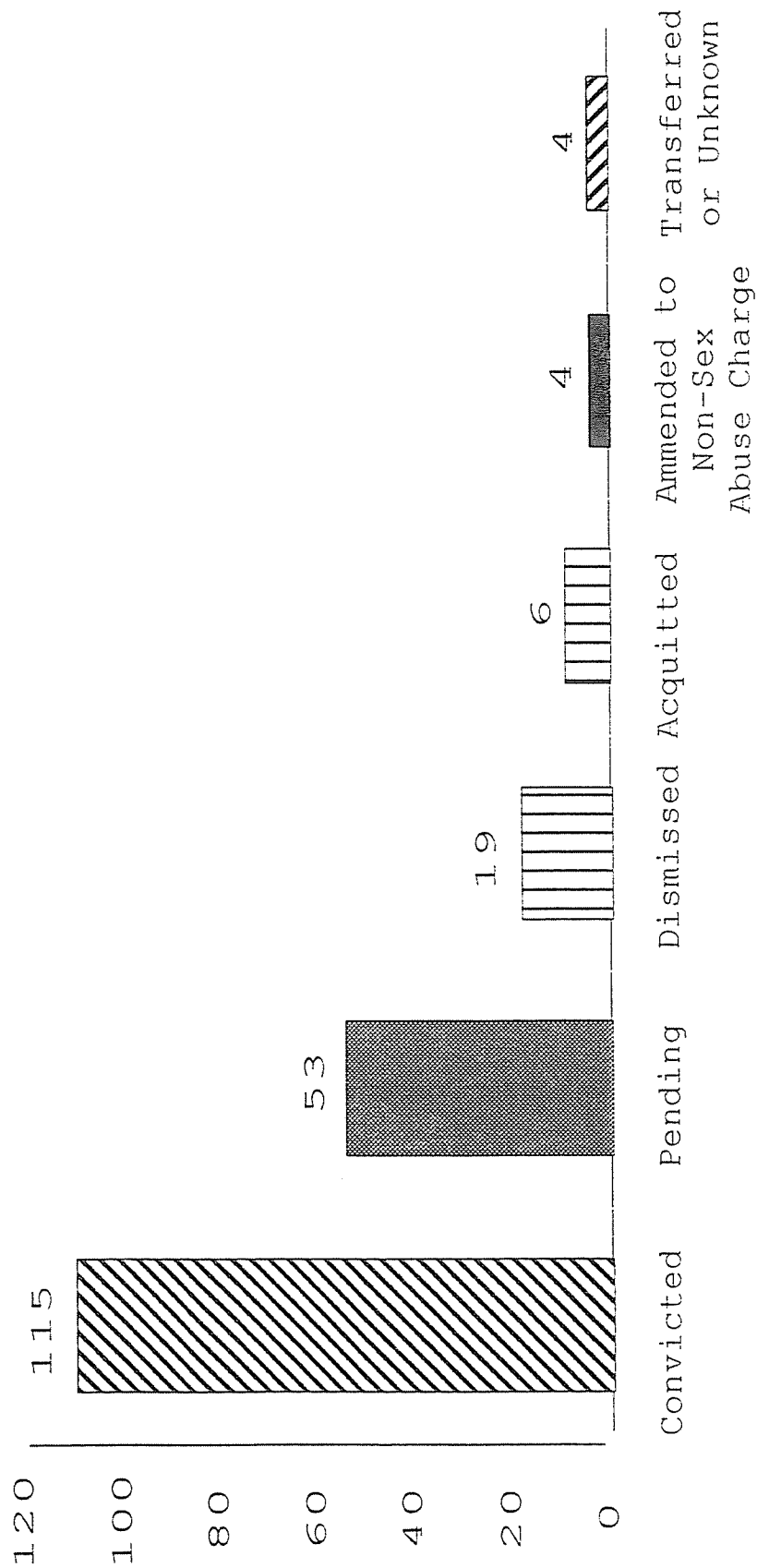
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

**Chart 9: Adult Defendants  
Sentencing Information for Convicted Adults**



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

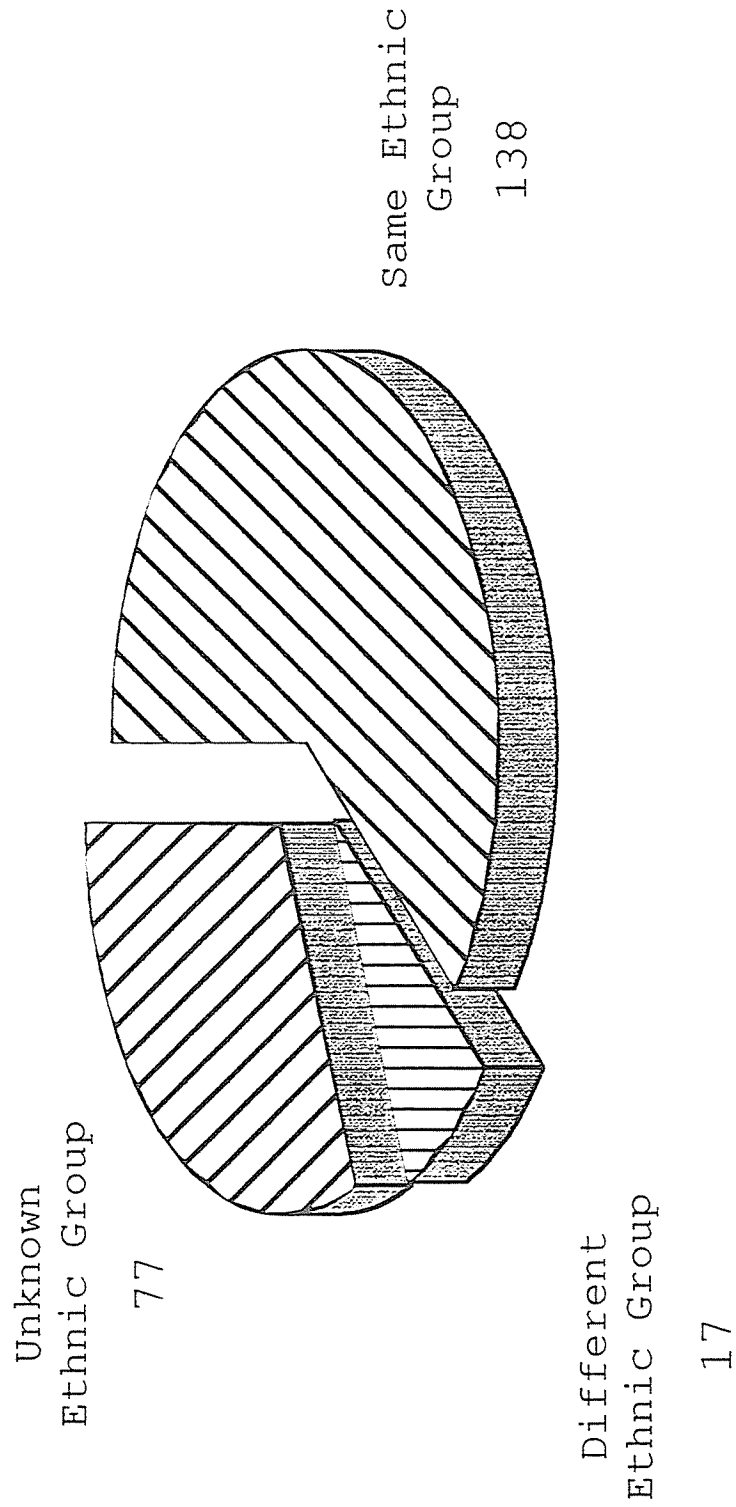
# Chart 10: Adult Defendants Cases Status/Outcome



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

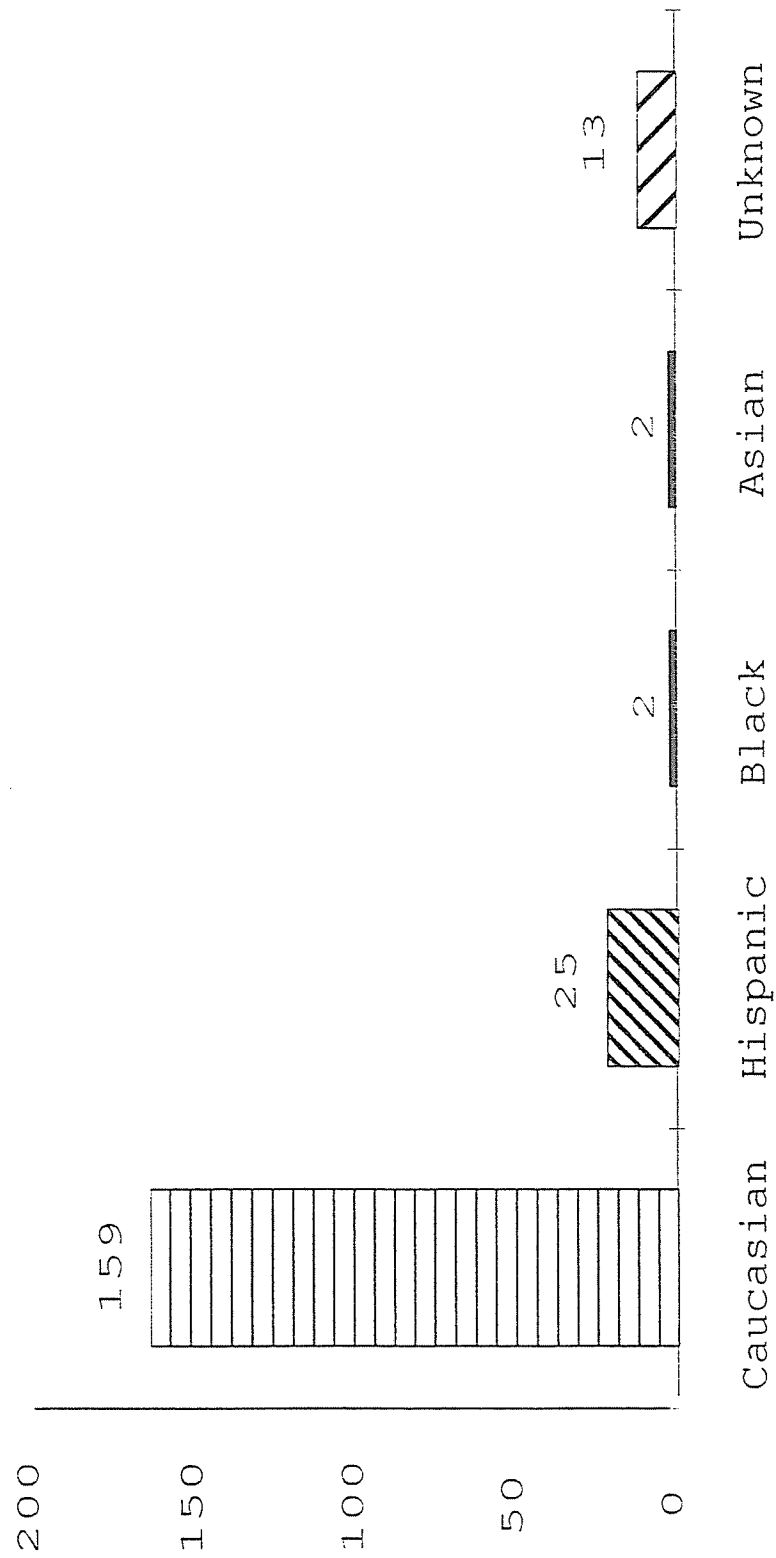


**Chart 11: Adult Defendants  
Offender/Victims Ethnicity for all Victims**



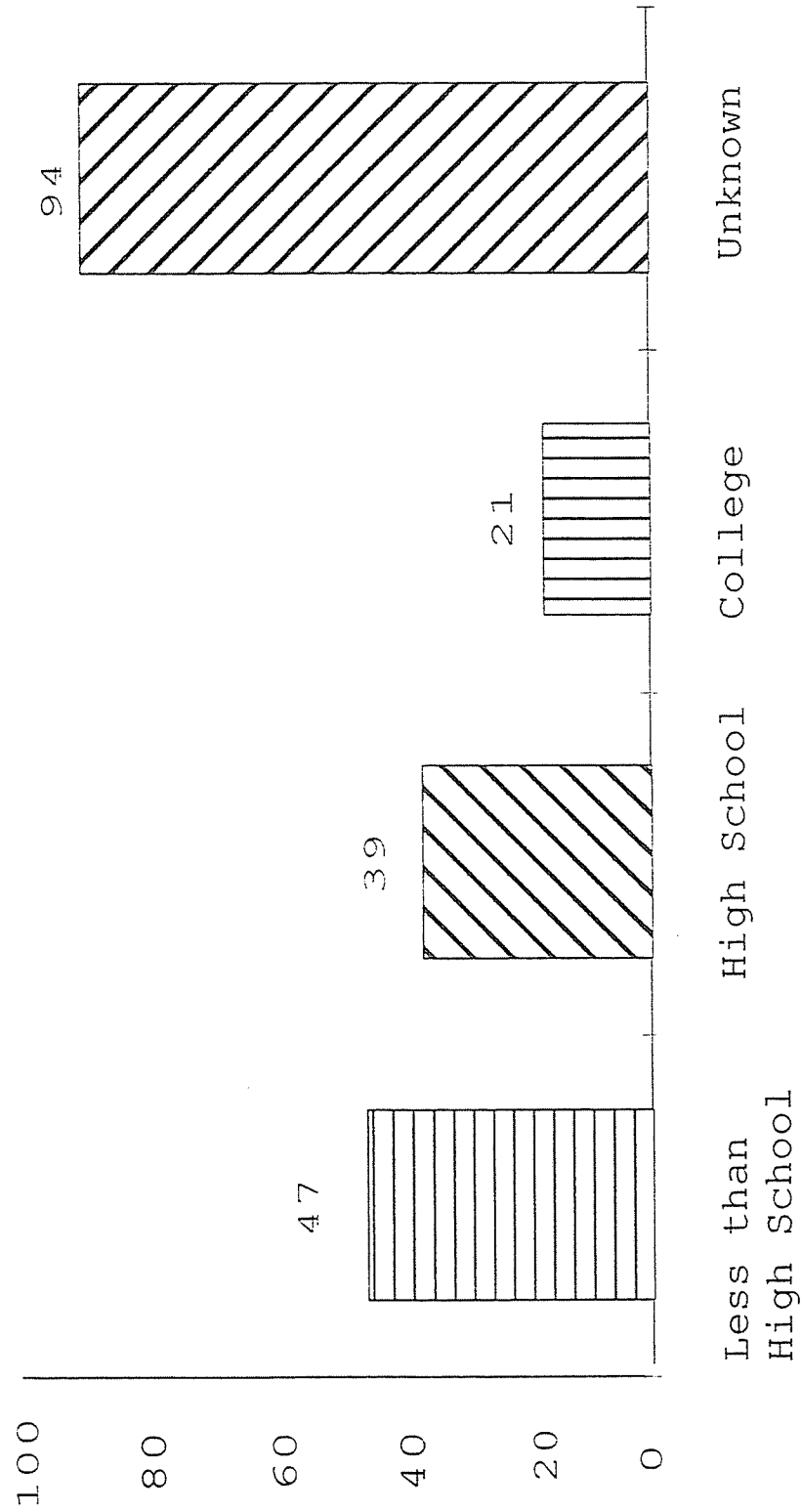
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 12: Adult Defendants Offender Ethnicity



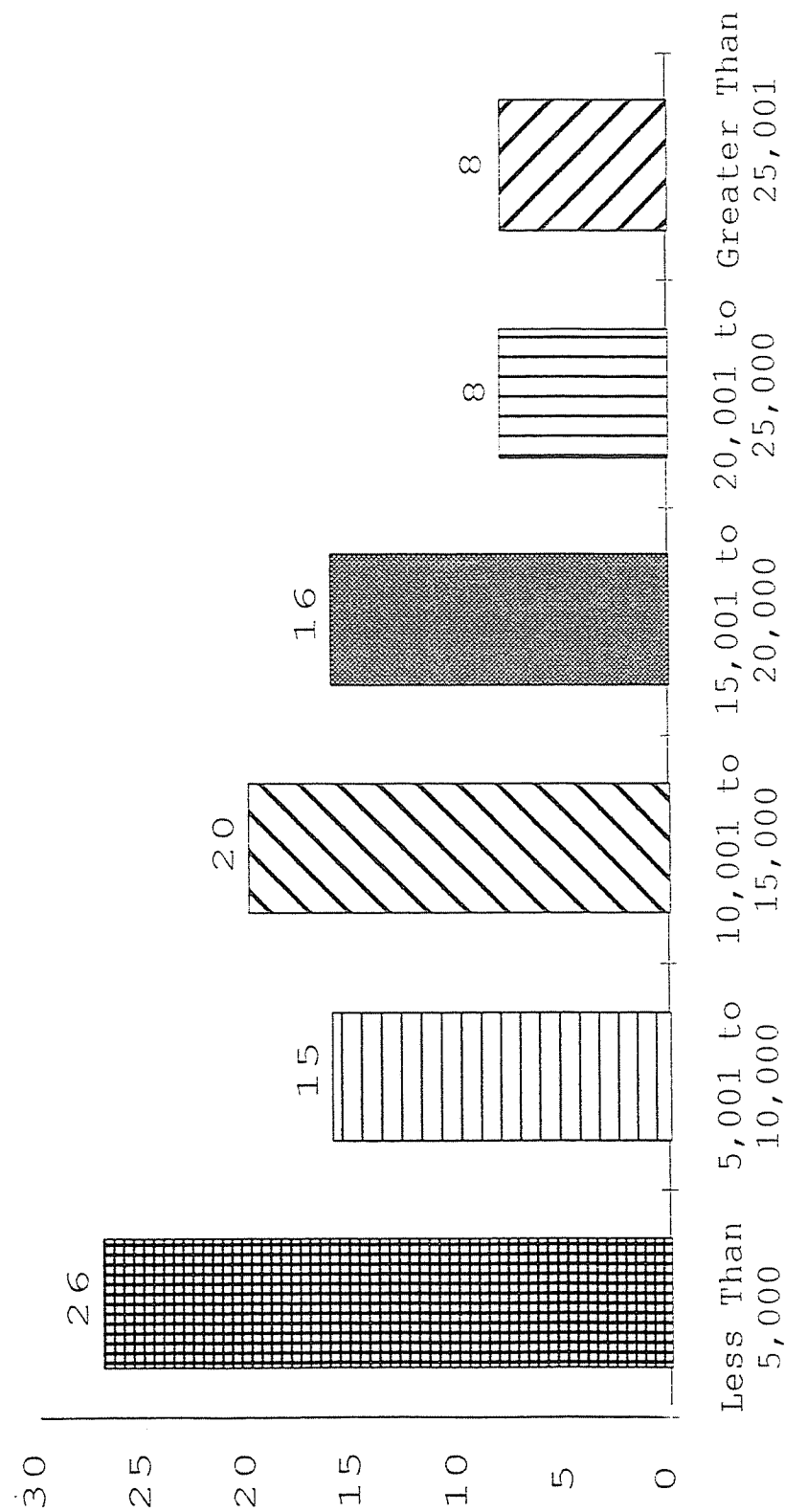
1995 Idaho Child Sexual Abuse Study  
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# Chart 13: Adult Defendants Education Level of Offenders



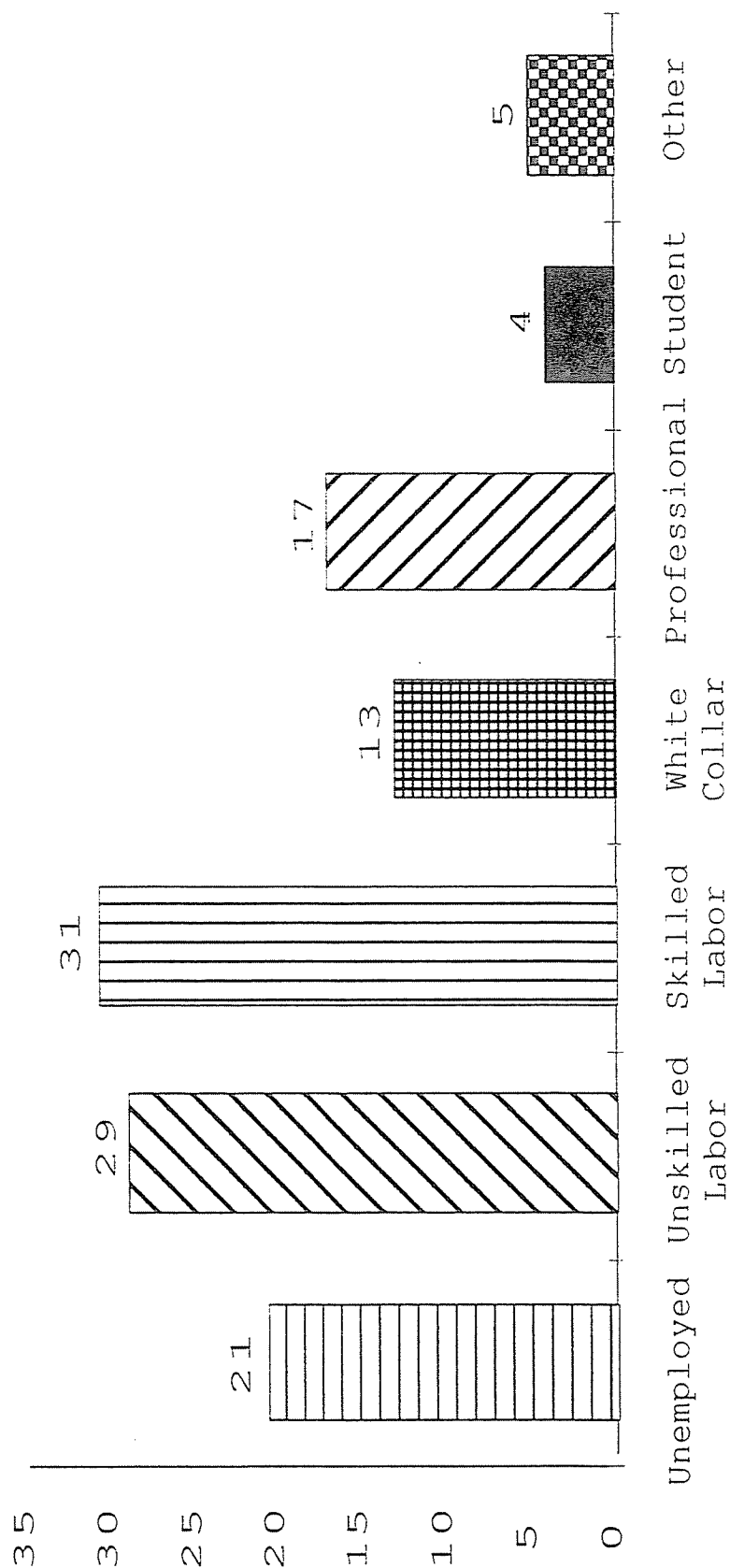
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 14: Adult Defendants Offender Income



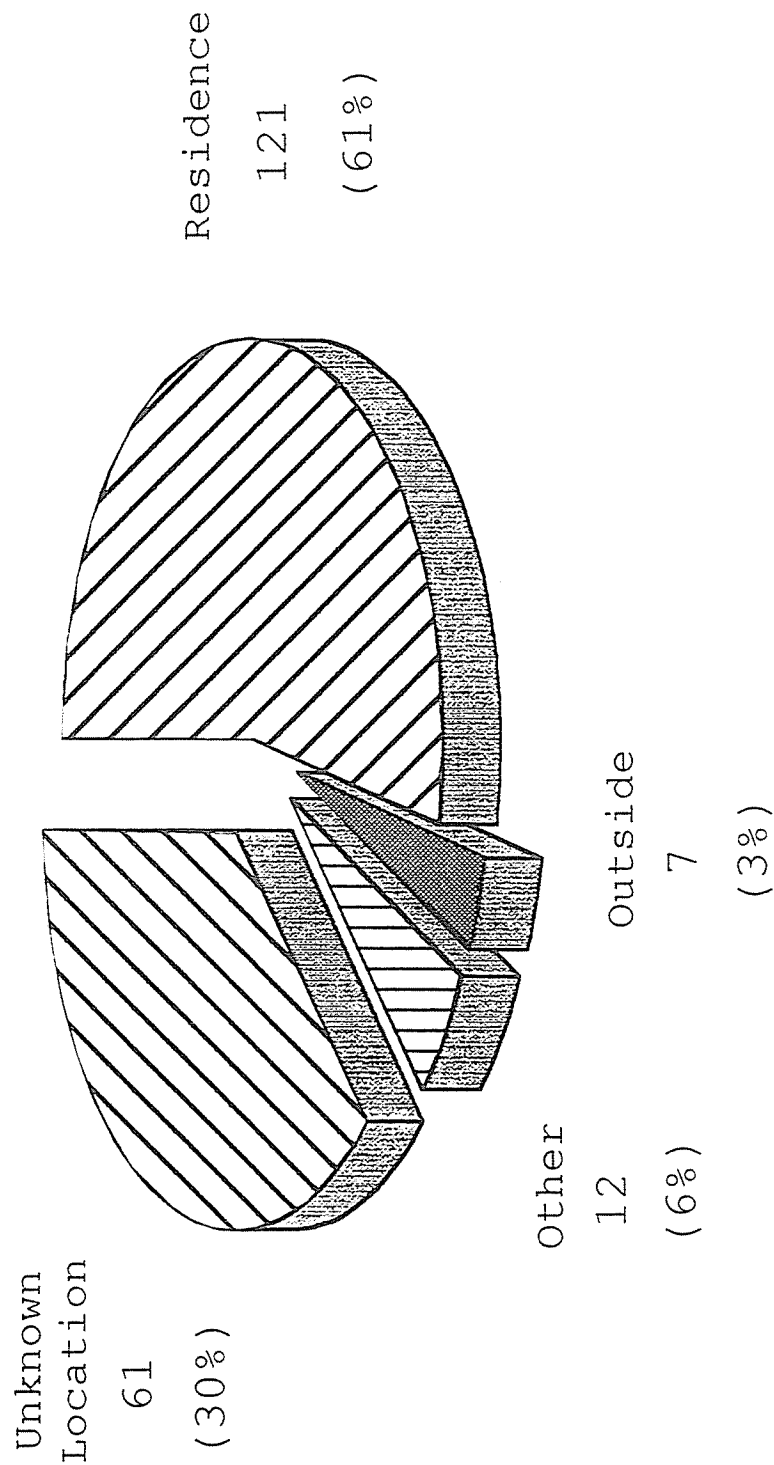
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 15: Adult Defendants Offender Occupation



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

**Chart 16: Adult Defendants  
Location of Child Sexual Abuse**



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# JUVENILE CASES

## **ANALYSIS OF JUVENILE CASES FILED-CHARTS 1J-12J**

There were a total of one hundred juvenile cases filed from July 1, 1994, to June 30, 1995.

### **Juvenile Offenders: Total Petitions and Offenses Filed-Chart 1J**

Chart 1J indicates that 94 petitions were filed against juveniles representing 154 offenses. This represents a decrease of twenty-nine cases from the 123 juvenile cases filed from July 1, 1993, to June 30, 1994. There was an average of 1.64 offenses filed against each juvenile.

### **Juvenile Offenders: Victim Gender-Chart 2J**

There was a total of 109 victims listed in the juvenile petitions. Victim gender was known for ninety-one victims. Victim gender was predominantly female representing 51% (N=56) of the total number of known victims. (Females represented 83% of the victims for adult offenders.) Male victims represented 32% (N=35) of the total for juveniles. This was over three times higher than the victims of adults. The information on victim gender was not available to the research team in 17% (N=18) cases. Some juveniles had no Social History completed and it was impossible to determine victim gender from court files.

### **Juvenile Offenders: Victim Age-Chart 3J**

Of the 94 juvenile cases reported during the study period, the age of the victims was known for 106 of the 109 victims. Victims from infant to three years of age comprised 7% (N=8) of the total study population. Victims from ages four to seven years comprised 33% (N=36) of the study population. Children eight to eleven years were victims in 33% (N=36) of the cases. Another 21% (N=23) were from twelve to fifteen



years of age and the remaining 3% (N=3) were sixteen or older. Age was unknown for 3% (N=3) of the victims.

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

The number of victims was known for all of the 94 juveniles petitioned. Eighty-six per cent of the juveniles (N=81) had been charged with violations against a single victim. There were two victims in 12% (N=11) of the cases and three or more victims in 2% (N=2) of the cases.

#### **Juvenile Offenders: Victim Relationship-Chart 5J**

Chart 5J indicates the relationship between the 109 victims and the 94 petitioned juveniles. Relatives (non-parents) were named for abusing 39% (N=42) of the victims. Acquaintances were identified as the abuser for 44% (N=48) of the victims. One percent (1%) of the victims was abused by a parent. The relationship could not be determined for 17% (N=18) of the victims. No victims in this study were abused by a stranger or step-parent where victim relationship was known.

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-six per cent (N=72) of the victims were between the ages of four and eleven.

#### **Juvenile Offenders: Social History/Sex Offender Evaluation- Chart 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 thirty cases that were not pending, dismissed or unknown.) The research indicated that 10% (N=3) of the juveniles had a Social History only before disposition. Twenty per cent (N=6) of the known juveniles had a Sex Offender Evaluation only completed before disposition. Both a Social History and Sex Offender Evaluation was

prepared in 53% (N=16) of the known cases. Juvenile offenders with neither comprised 17% (N=5) of the study. The petition was Dismissed in fifteen cases and sixteen cases were Pending. The information was unavailable or incomplete in thirty-three 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 whether a Sex Offender Evaluation and Social History were completed.

#### **Juvenile Offenders: Prior Adjudications-Chart 7J**

Four (4%) of the ninety-four petitioned juveniles in this study had prior adjudications for child sexual abuse. This is a decrease from the 1993-94 study. Three of the four (75%) had previous adjudications for Lewd and Lascivious Conduct. One (25%) had another prior offense on a sexually related crime but detail was not provided in the file reviewed.

#### **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) petitions were most frequently filed representing 124 or 81% of the total petitions. Rape (IC 18-6101) charges were filed twenty-four times (16%) during the year. There was one charge (1%) filed for Sexual Abuse (IC 18-1506) and other charges were filed in four (3%) 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: Dispositional Information-Chart 9J**

Chart 9J shows dispositional information on juveniles. The outcome was not available in the court records for six juveniles. Sixty-four were sentenced under the Youth Rehabilitation Act. Thirty-one were detained under the YRA and thirty-three were released under supervision. The petitions were dismissed against fifteen of the juveniles and the disposition was pending in fourteen of the petitions.

#### **Juvenile Offenders: Offender/Victim Ethnicity-Chart 10J**

Eighty-five (85%) of the juveniles petitioned into court committed the sexual offense on a child of the same ethnic status. Five (5%) abused a child of a different ethnic group and ethnic relationship was unknown in twenty-four (22%) cases.

#### **Juvenile Offenders: Offender Ethnicity-Chart 11J**

Offender ethnicity was overwhelmingly Caucasian with 82% (N=77) of those petitioned listed in this group. Three per cent (N=3) were listed as Hispanic and four per cent (N=4) as Black. The remaining nine (9%) had no race recorded in their files.

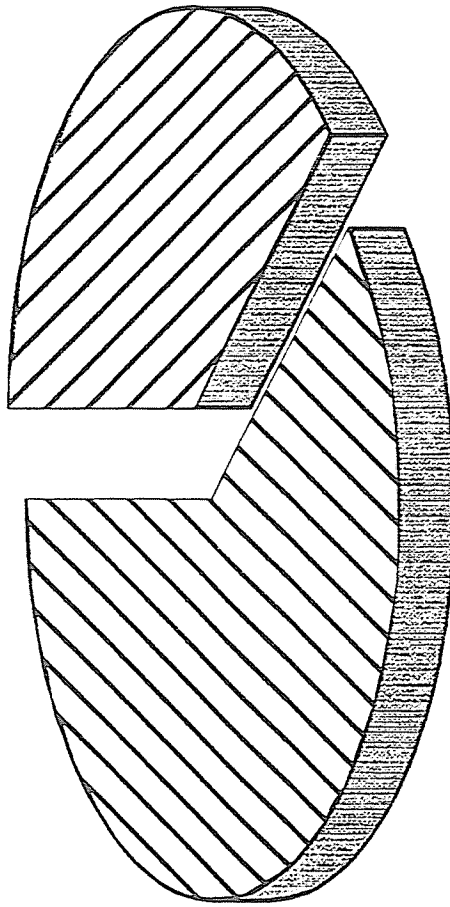
#### **Juvenile Offenders: Location of Child Sexual Abuse-Chart 12J**

Fifty-one (55%) of the alleged events occurred in a residence. Location was unknown for thirty-one (32%) juveniles. Nine (10%) occurred outside and two (2%) in other locations such as a car. One (1%) of the alleged events occurred in the school setting.

# Chart 1J: Juvenile Offenders Total Cases and Petitions Filed

Total Court  
Petitions Filed

94

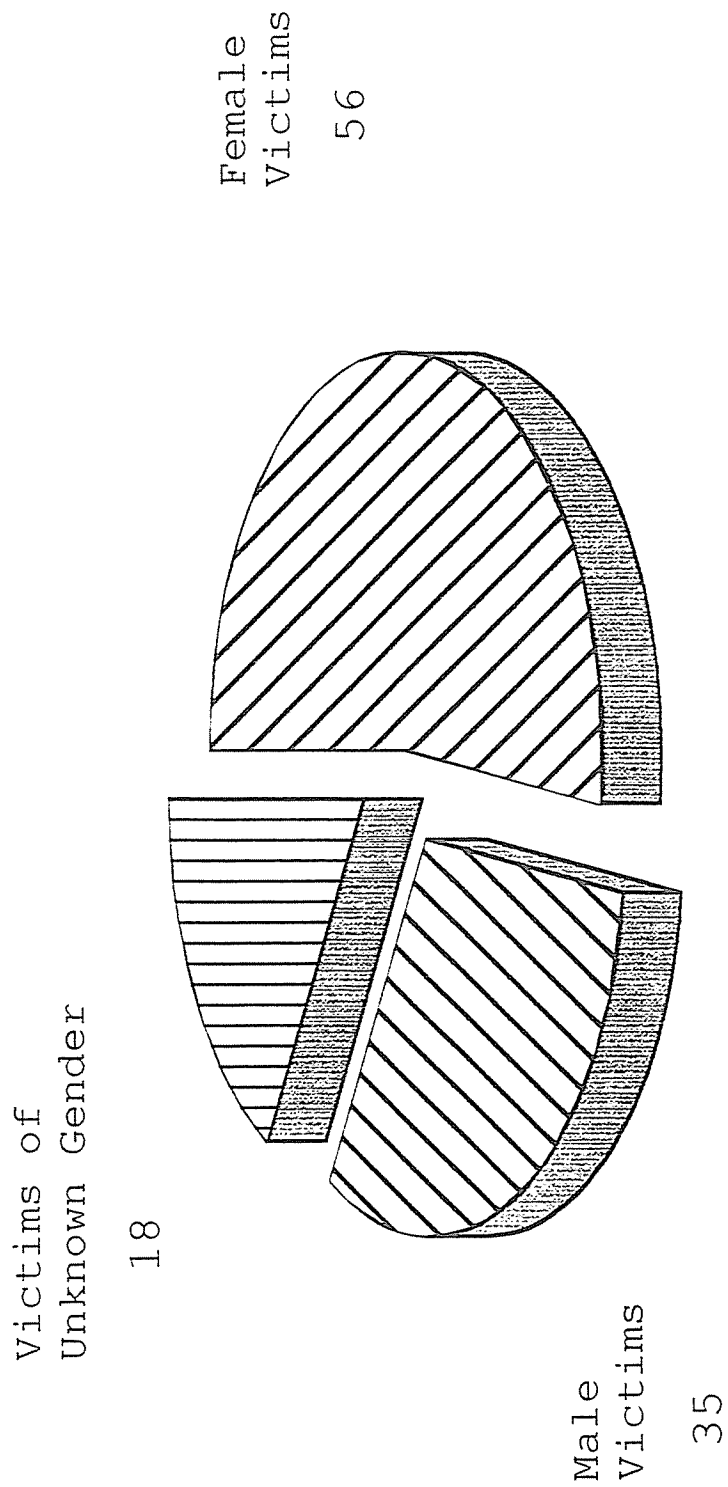


Total Charges  
Filed

154

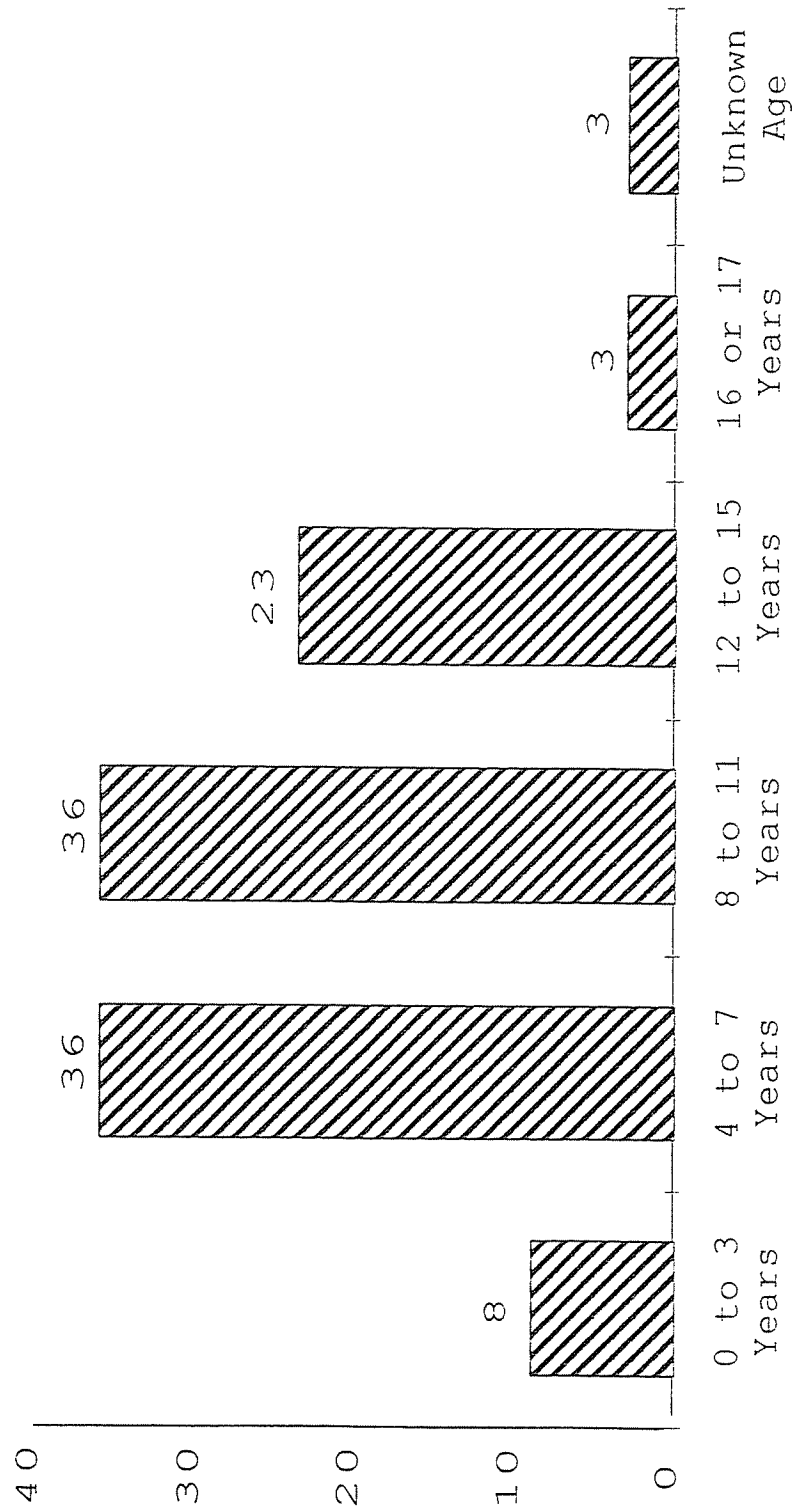
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 2J: Juvenile Offenders Victim Gender



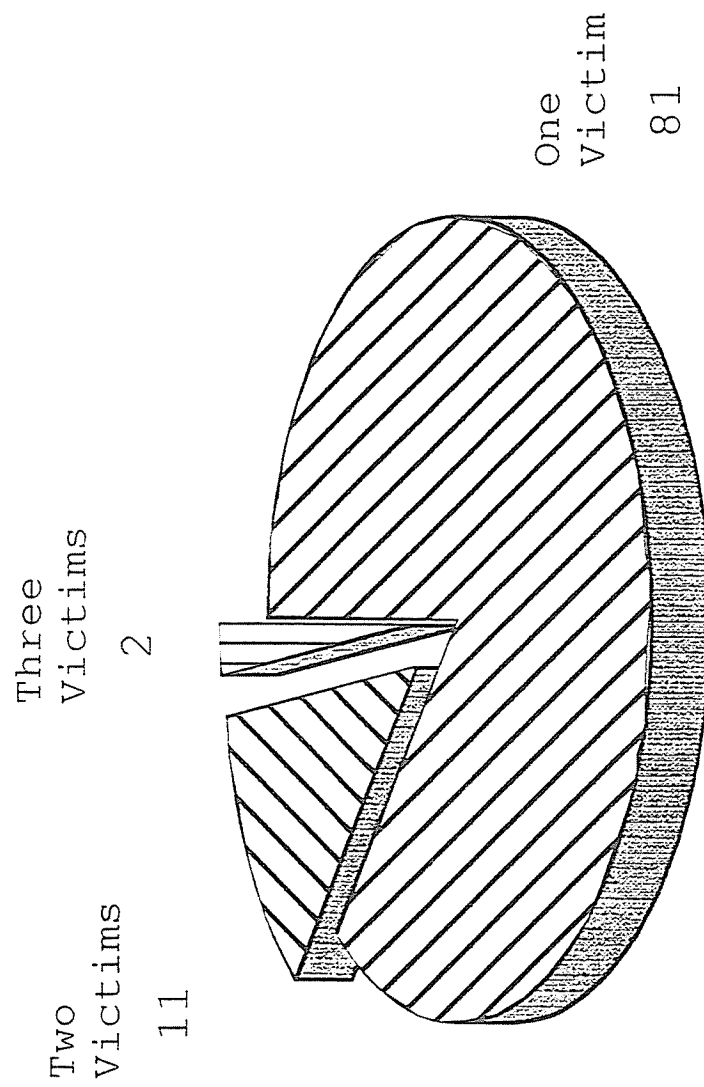
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 3J: Juvenile Offenders Victim Age



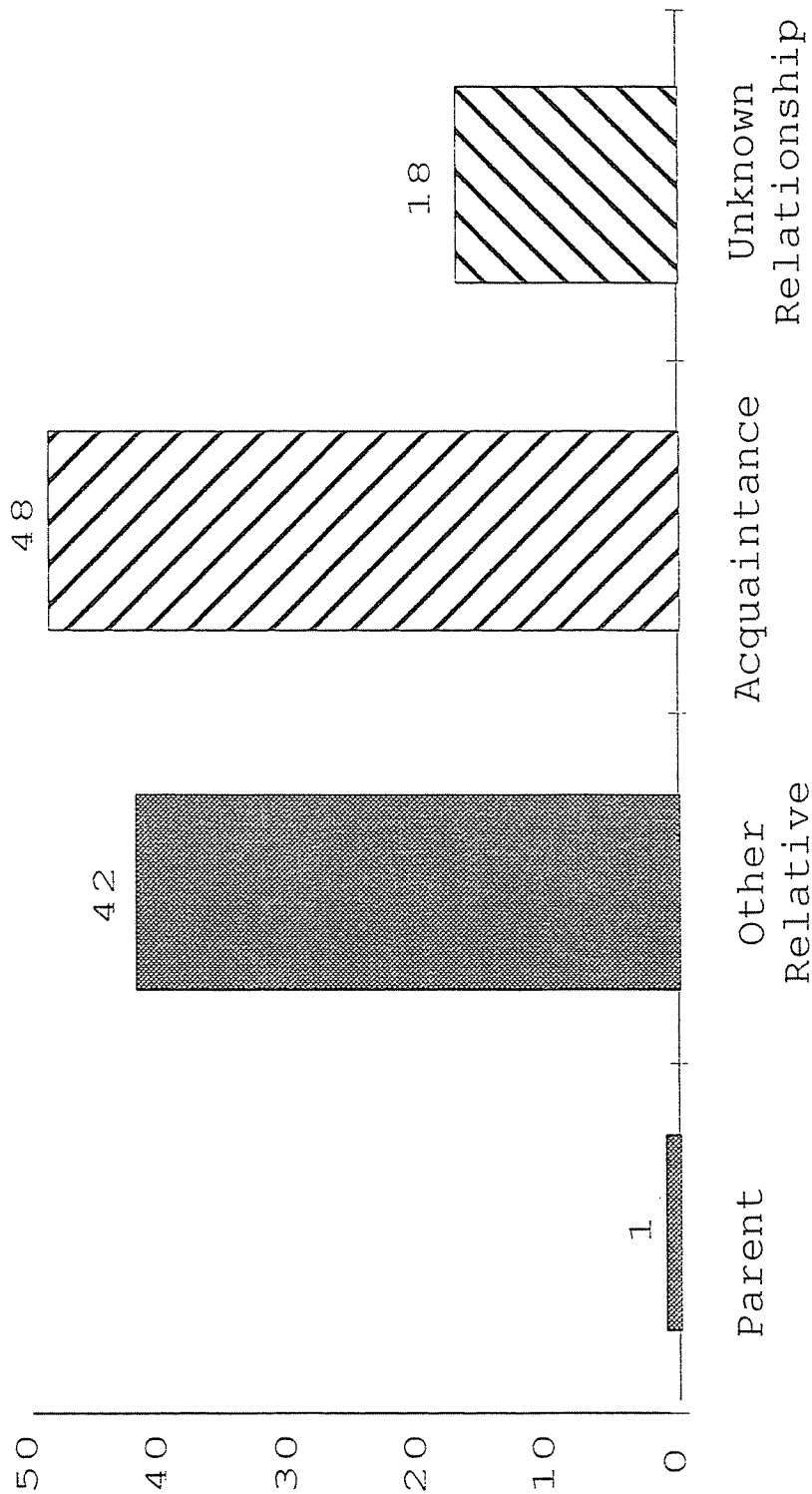
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**Chart 4J: Juvenile Offenders  
Number of Victims per Case**



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

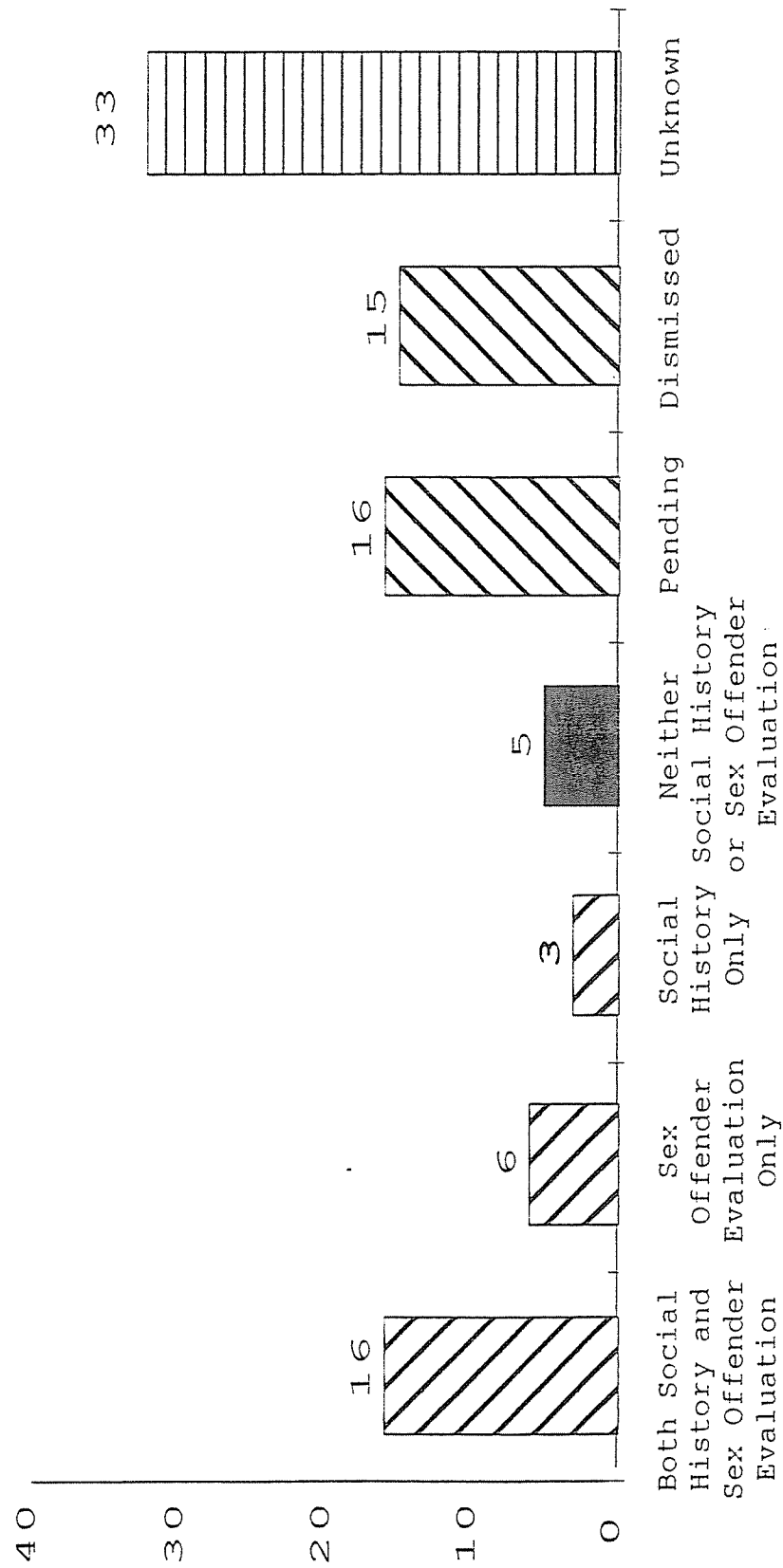
# Chart 5J: Juvenile Offenders Relationship to Victims



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

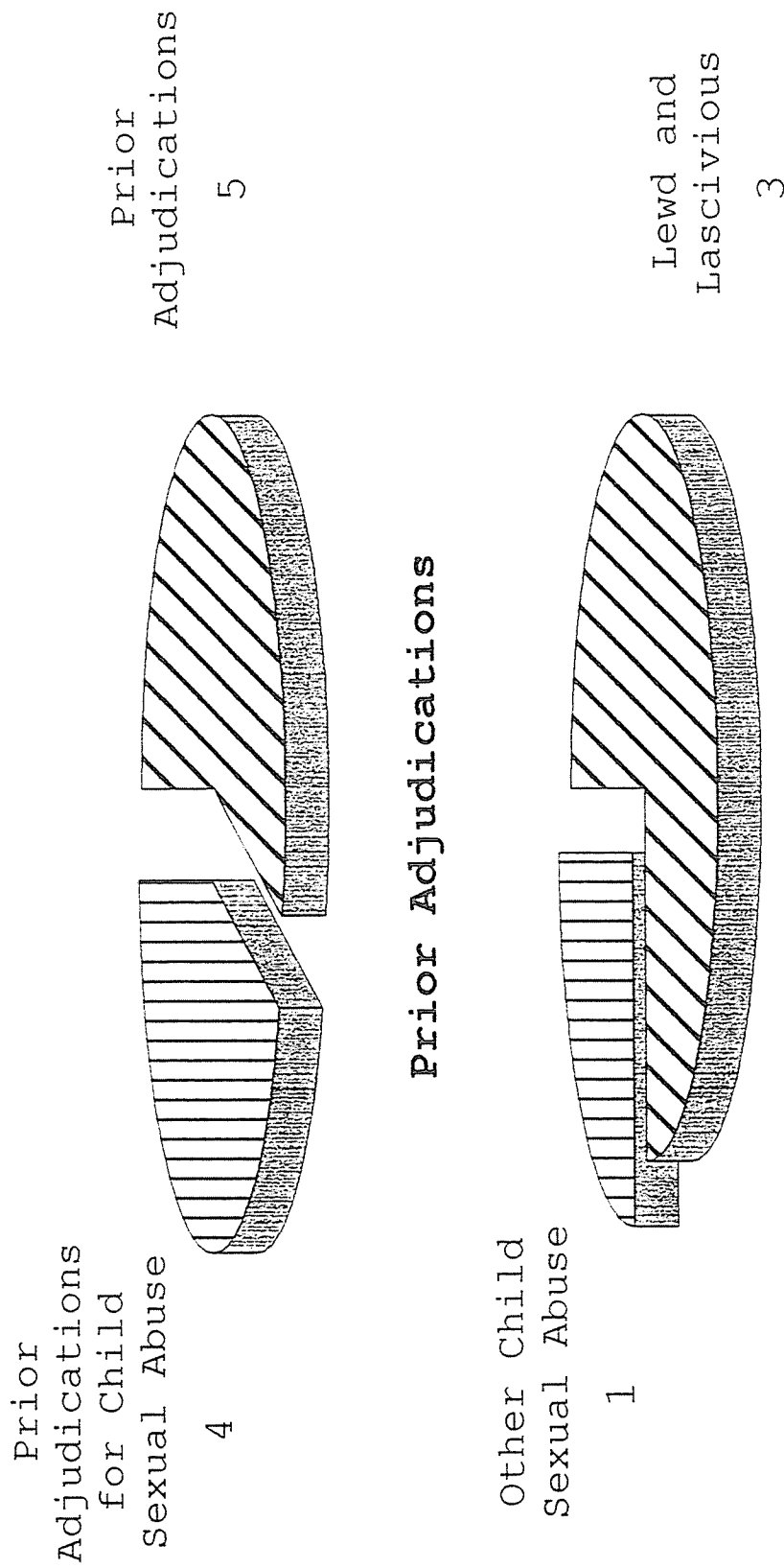


# Chart 6J: Juvenile Offenders Social History and Sex Offender Evaluation



1995 Idaho Child Sexual Abuse Study  
(July 1994 to June 30 1995)

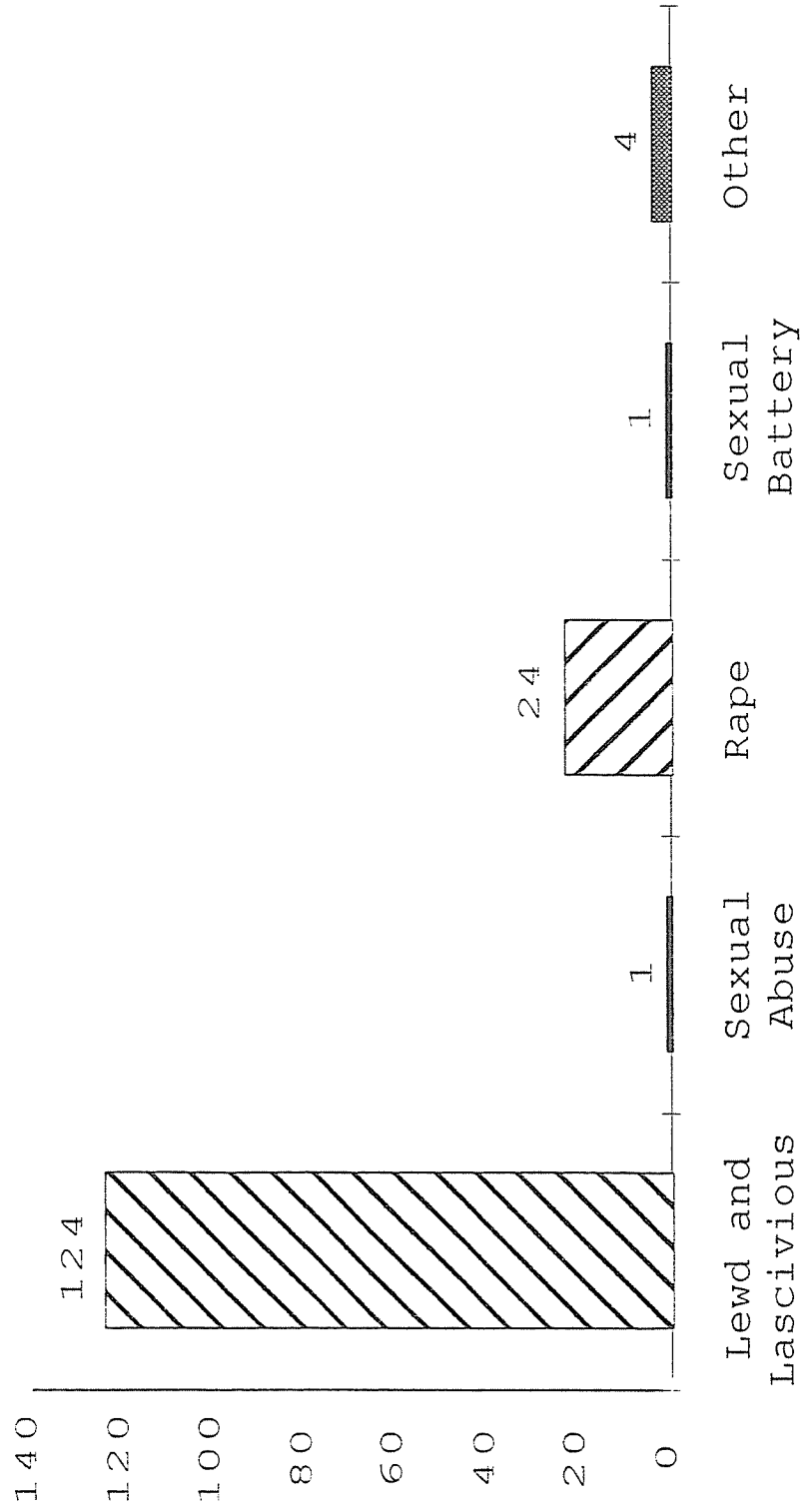
# Chart 7J: Juvenile Offenders Prior Adjudications



## Type of Child Sexual Abuse

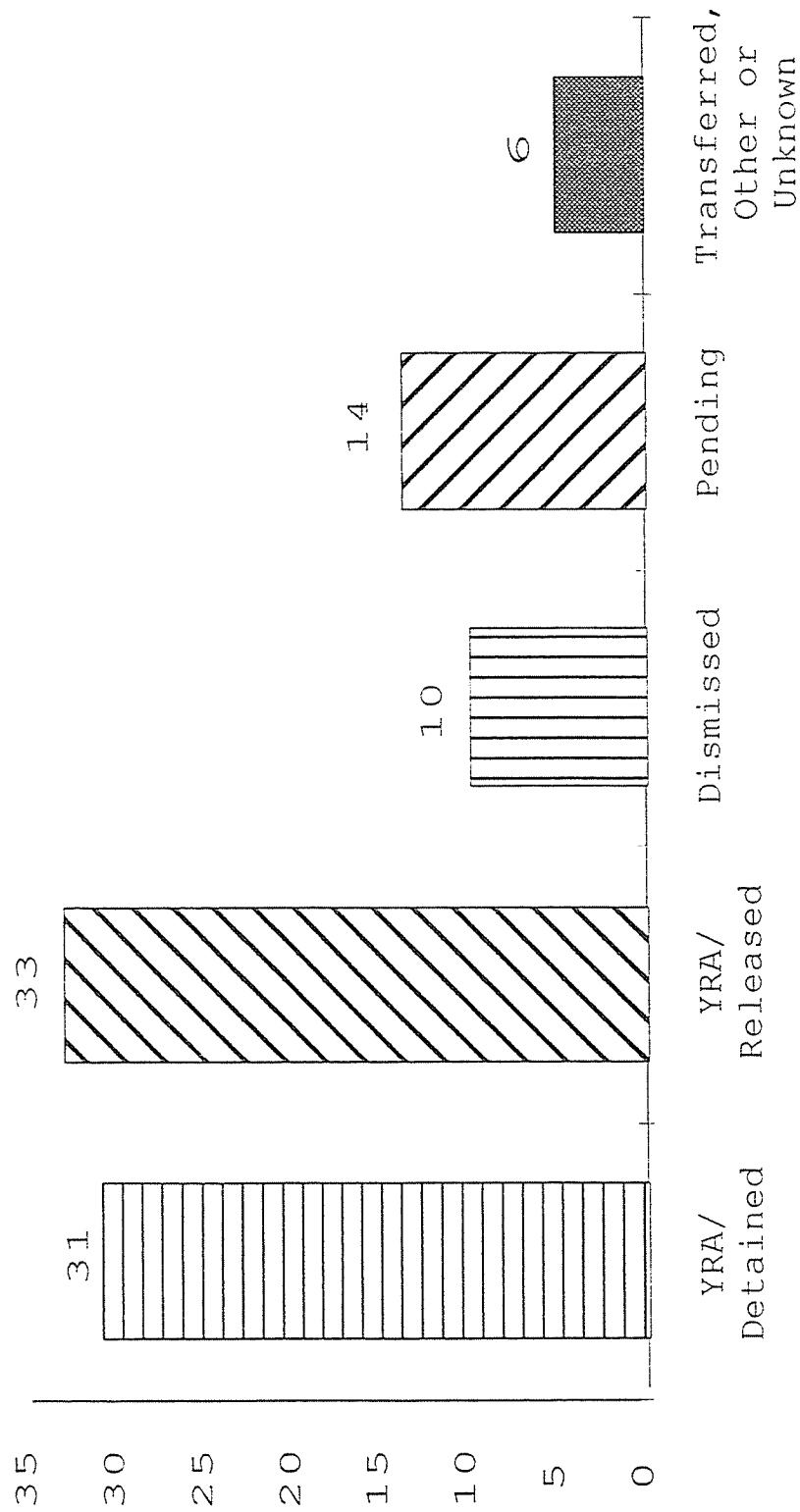
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 8J: Juvenile Offenders Most Frequently Filed Petitions



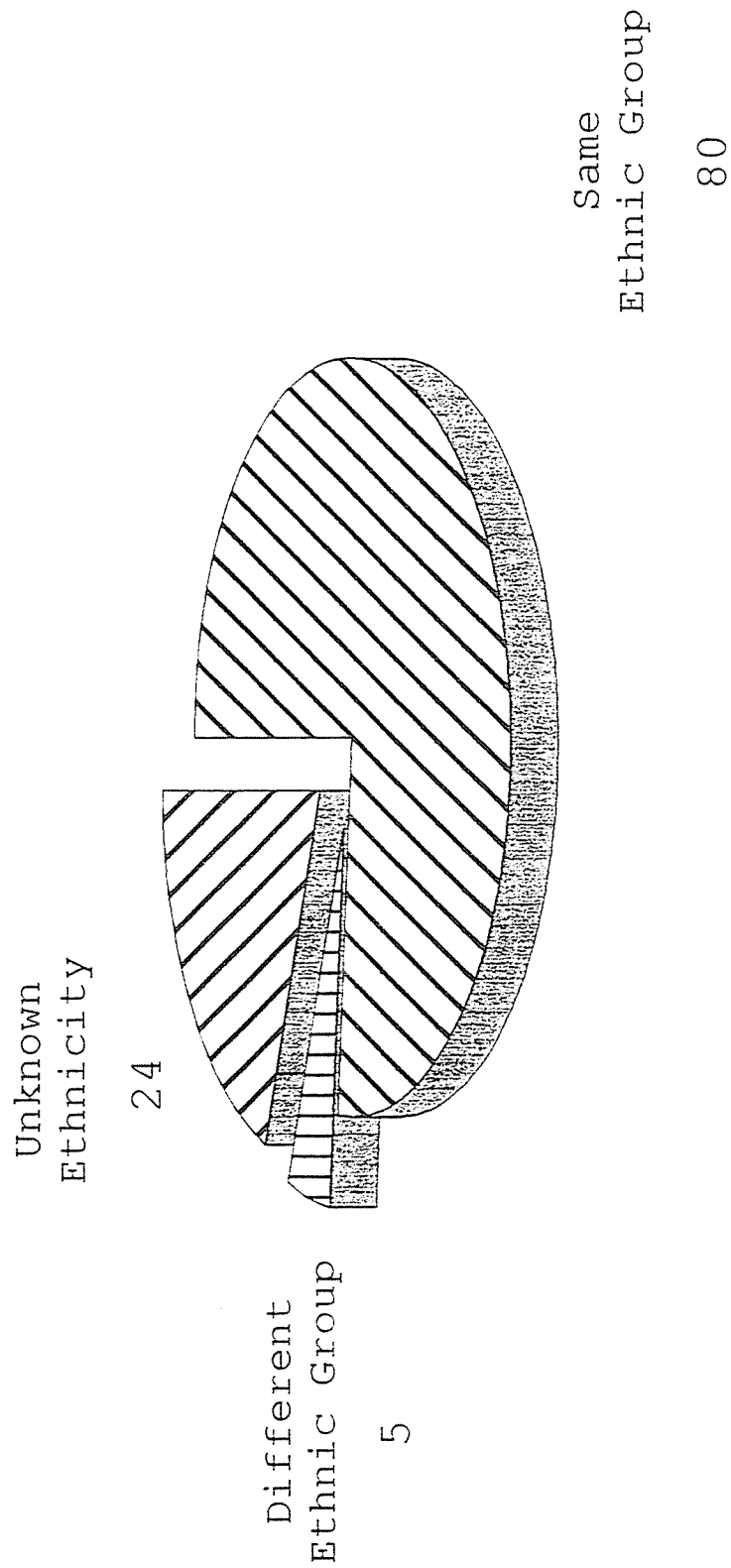
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 9J: Juvenile Offenders Dispositional Information



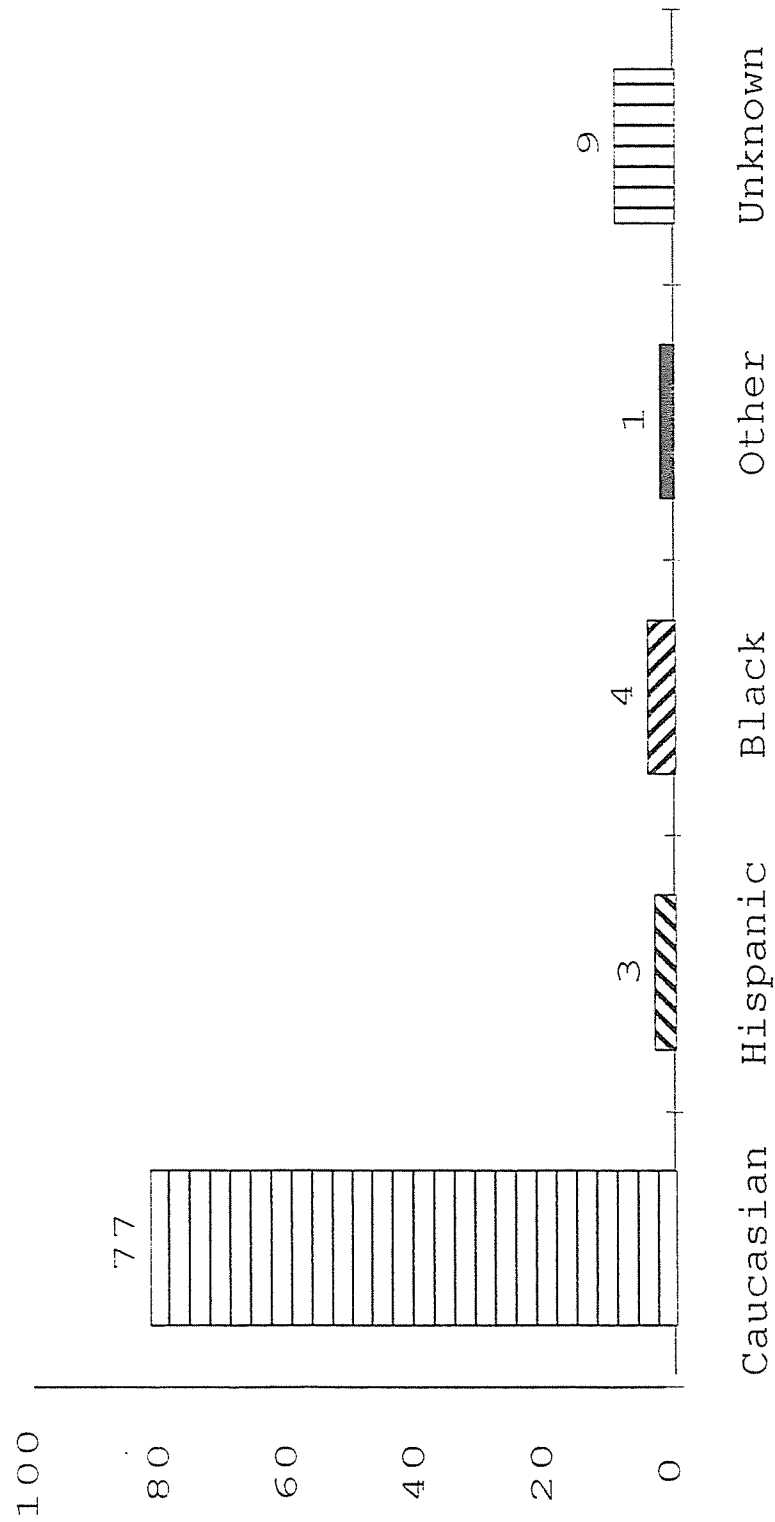
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# **Chart 10J: Juvenile Offenders Offender/Victim Ethnicity**



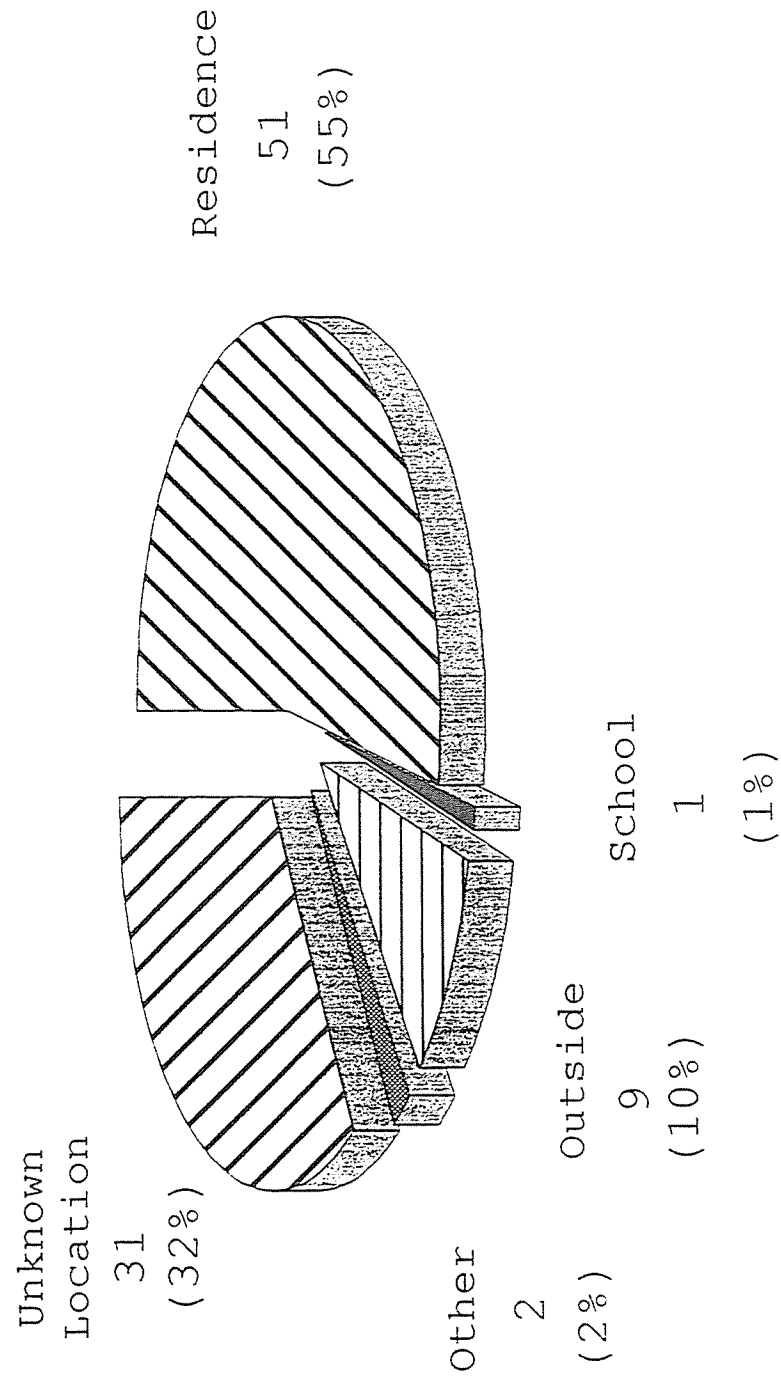
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 11J: Juvenile Offenders Offender Ethnicity



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# Chart 12J: Juvenile Offenders Location of Child Sexual Abuse



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

# STATEWIDE CASE ANALYSIS



## STATEWIDE CASE ANALYSIS

This year's report includes the fourth 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 201 adult and 94 juvenile cases of child sex abuse filed in district and juvenile courts during the period of July 1, 1994-June 30, 1995. The total number of cases filed for the period covered by this report was 295. This represents a decrease of sixty-one cases from the 356 reported for the 1993-94 study; a decrease of one hundred thirty from the 425 cases reported in the 1992-93 study and a decrease of seventy-seven cases from the 1991-92 survey when 372 cases were reported.

### 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 forty-four counties of the state.

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 Adult/Rate. The rate for juveniles was calculated and is reported for each county in the column Juvenile/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, Caribou, Clark, Franklin,

Lincoln, Minidoka, and Oneida reported that no cases were filed and their rate is reported as zero.

THE TOTAL (MEAN) RATE OF THE CHILD SEX ABUSE COURT CASES FILED BY COUNTY FOR THE STUDY PERIOD WAS 2.86/10,000. THE STANDARD DEVIATION WAS 2.68/10,000. OVER 95% OF THE COUNTIES FALL WITHIN A RANGE OF PLUS OR MINUS TWO STANDARD DEVIATIONS ( $2.68 \times 2 = 5.36$ ) FROM THE AVERAGE OF 2.86 CASES PER 10,000. THIS MEANS THAT 95% OF IDAHO COUNTIES REPORTED FROM 0 TO 8.22/10,000 CHILD SEX ABUSE CASES FILED DURING THE STUDY PERIOD.

THE AVERAGE RATE FOR ADULTS (ADULT/RATE) IN EACH COUNTY WAS 2.10/10,000 WITH A STANDARD DEVIATION OF 2.40/10,000. THE TOTAL RATE FOR JUVENILES (JUVENILE/RATE) WAS .77/10,000 WITH A STANDARD DEVIATION OF 1.07/10,000.

#### **Filing Rates in the Most Populated Counties-Chart 1S**

Chart 1S shows the incidence of child sex abuse in the ten 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 4.5/10,000 in Bonner County to a low of .6/10,000 in Nez Perce County. Both Bonner and Nez Perce fall within one standard deviation of the mean Adult Rate of 2.1/10,000. 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 ten least populated counties. The Total/Rate varied from a low of 0.0 in Boise, Butte, Camas, Clark,

Lincoln, and Oneida to a high of 14.2 in Lewis County. Lewis County reports a rate of filings higher than the expected state averages. The sparsity of population in this county amplifies the rate reported.

### **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, Lewis County (3,516) had the highest Total/Rate with 14.2 (five adults). Shoshone County (13,931) had the second highest with a Total/Rate of 7.9 (nine adults and two 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. The higher reported numbers may also indicate more aggressive enforcement efforts and prosecution. Trend analysis over time should provide a clearer picture of incidence.

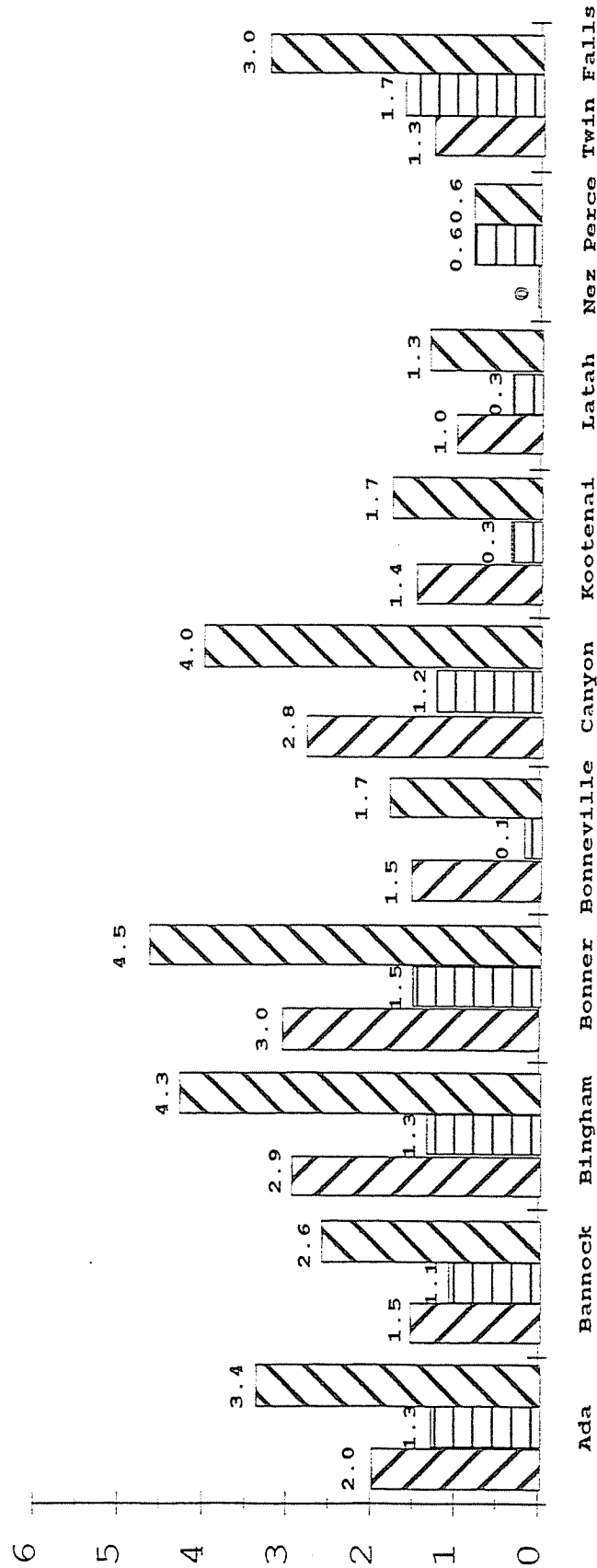
### **Trends In Incidence and Prosecution of Child Sex Abuse - Table 2**

Table 2 shows the reported rate of prosecution over a four-year period for both adults and juveniles. This provides a more accurate picture of the variation of prosecution over time. Based on the four year rates (per 10,000 population) of prosecution, most counties that reported higher rates in a particular reporting year regressed toward the state averages in subsequent reporting periods.

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

County	Pop	Adult Count	Juvenile Count	Total Count	Adult /Rate	Juvenile /Rate	Total /Rate	County	Pop	Adult Count	Juvenile Count	Total Count	Adult /Rate	Juvenile /Rate	Total /Rate
Ada	205775	42	27	69	2.04	1.31	3.35	Gem	11844	3	1	5	2.53	0.84	3.38
Adams	3254	1	0	1	3.07	0.00	3.07	Gooding	11633	2	0	2	1.72	0.00	1.72
Bannock	66026	10	7	17	1.51	1.06	2.57	Idaho	13783	6	0	6	4.35	0.00	4.35
Bear Lake	6084	0	1	1	0.00	1.64	1.64	Jefferson	16543	3	0	3	1.81	0.00	1.81
Benewah	7937	1	0	1	1.26	0.00	1.26	Jerome	15138	4	2	6	2.64	1.32	3.96
Bingham	37583	11	5	16	2.93	1.33	4.26	Kootenai	69795	10	2	12	1.43	0.29	1.72
Blaine	13552	8	0	8	5.90	0.00	5.90	Latah	30617	3	1	4	0.98	0.33	1.31
Boise	3509	0	0	0	0.00	0.00	0.00	Lemhi	6899	1	0	1	1.45	0.00	1.45
Bonner	26622	8	4	12	3.01	1.50	4.51	Lewis	3516	5	0	5	14.22	0.00	14.22
Bonneville	72207	11	1	12	1.52	0.14	1.66	Lincoln	3308	0	0	0	0.00	0.00	0.00
Boundary	8332	4	1	5	4.80	1.20	6.00	Madison	23674	3	4	7	1.27	1.69	2.96
Butte	2918	0	0	0	0.00	0.00	0.00	Minidoka	19361	0	0	0	0.00	0.00	0.00
Camas	727	0	0	0	0.00	0.00	0.00	Nez Perce	33754	0	2	2	0.00	0.59	0.59
Canyon	90076	25	11	36	2.78	1.22	4.00	Oneida	3492	0	0	0	0.00	0.00	0.00
Caribou	6963	0	0	0	0.00	0.00	0.00	Owyhee	8392	3	1	4	3.57	1.19	4.77
Cassia	19532	4	0	4	2.05	0.00	2.05	Payette	16434	4	0	4	2.43	0.00	2.43
Clark	762	0	0	0	0.00	0.00	0.00	Power	7086	1	4	5	1.41	5.64	7.06
Clearwater	8505	2	1	4	3.35	1.18	3.53	Shoshone	13931	9	2	11	6.46	1.44	7.90
Custer	4133	1	0	1	2.42	0.00	2.42	Teton	3439	2	1	2	2.91	2.91	5.82
Elmore	21205	5	5	11	2.36	2.36	4.72	Twin Falls	53580	7	9	16	1.31	1.68	2.99
Franklin	9323	0	0	0	0.00	0.00	0.00	Valley	6109	1	1	2	1.64	1.64	3.27
Fremont	10937	1	0	1	0.91	0.00	0.91	Washington	8550	1	1	2	1.17	1.17	2.34
								Total/Ave /Std Dev		201	94	295	2.10	0.77	2.86
													2.40	1.07	2.68

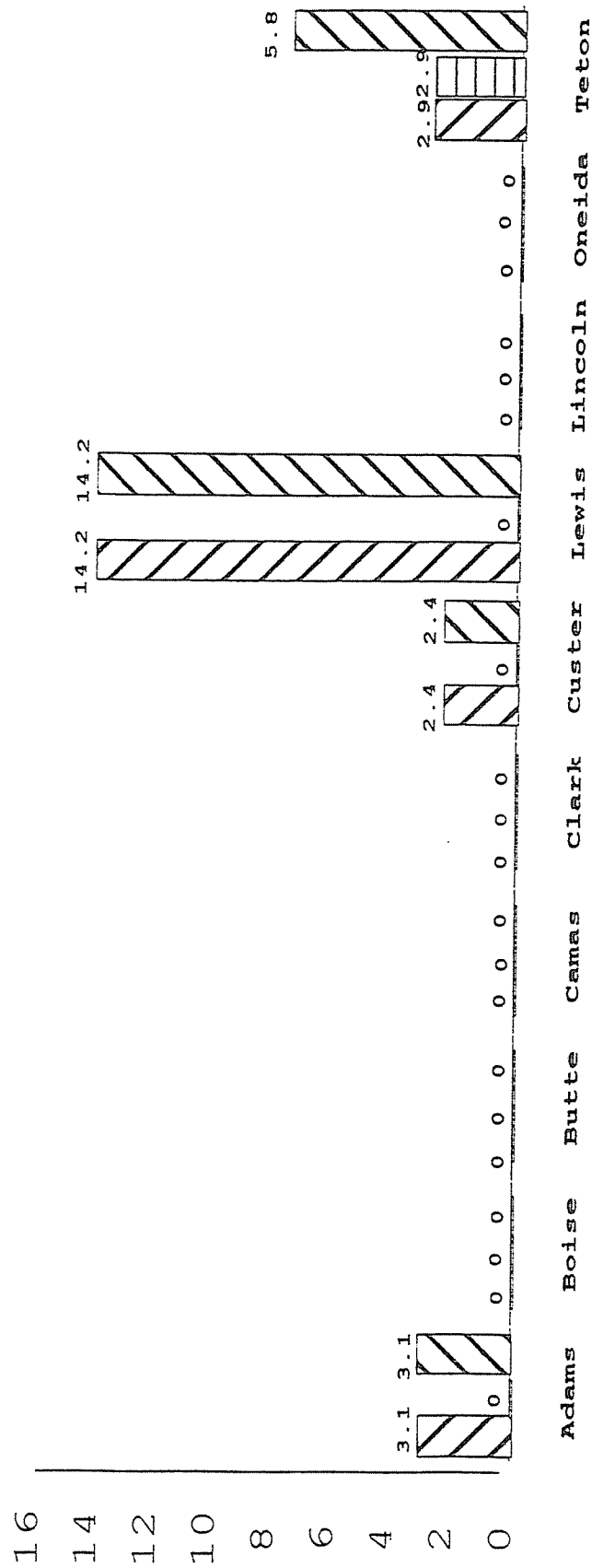
# Chart 1S: Filing Rates 10 Most Populated Counties per 10,000 Population



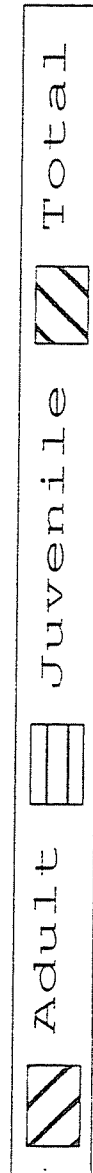
1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 30 1995)

Adult
  Juvenile
  Total

# Chart 2S: Filing Rates 10 Least Populated Counties per 10,000 Population



1995 Idaho Child Sexual Abuse Study  
(July 1 1994 to June 1995)



**Chart 3S: Filing Rates**  
**Counties with the Greatest Filing Rates**  
 per 10,000 Population

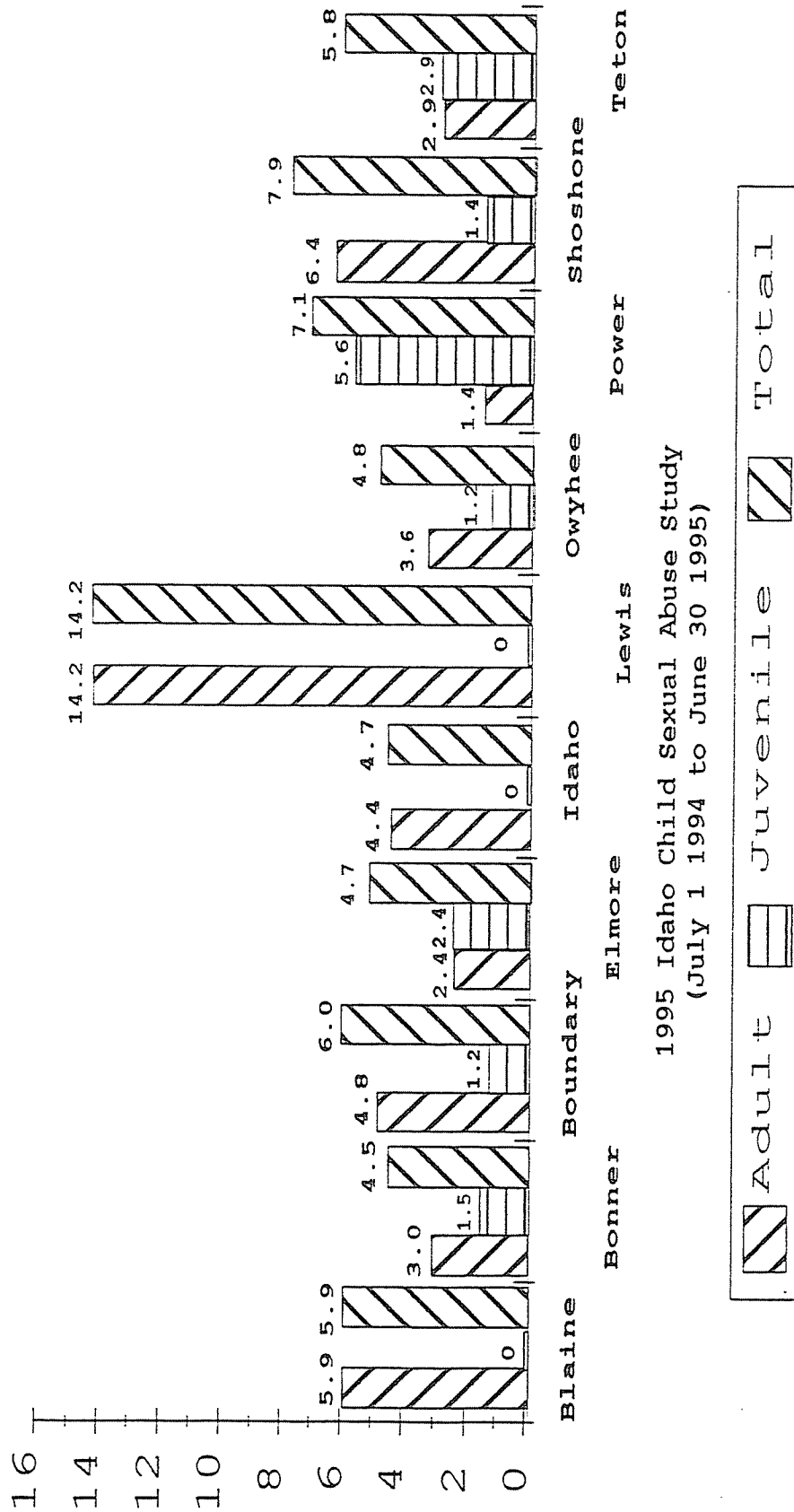


Table 2: Trends in Prosecution by County between 1992 and 1995  
(Rate per 10,000 Population)

County	Population	Rate 92	Rate 93	Rate 94	Rate 95	County	Population	Rate 92	Rate 93	Rate 94	Rate 95
Ada	205775	3.84	5.54	4.18	3.35	Gem	11844	1.69	5.07	3.38	3.38
Adams	3254	6.15	6.15	9.22	3.07	Gooding	11633	3.44	1.72	4.30	1.72
Bannock	66026	5.00	5.60	2.88	2.57	Idaho	13783	2.18	0.00	5.08	4.35
Bear Lake	6084	1.64	4.93	4.93	1.64	Jefferson	16543	4.23	.060	7.25	1.81
Benewah	7937	1.26	6.30	3.78	1.26	Jerome	15138	5.28	2.64	9.91	3.96
Bingham	37583	5.32	5.06	3.73	4.26	Kootenai	69795	3.30	2.72	1.86	1.72
Blaine	13552	2.95	0.00	2.21	5.90	Latah	30617	4.57	1.63	0.98	1.31
Boise	3509	19.95	2.85	0.00	0.00	Lemhi	6899	1.45	2.90	5.80	1.45
Bonner	26622	4.13	5.26	1.50	4.51	Lewis	3516	0.00	0.00	0.00	14.22
Bonneville	72207	4.29	2.35	4.29	1.66	Lincoln	3308	6.05	6.05	0.00	0.00
Boundary	8332	7.20	4.80	2.40	6.00	Madison	23674	0.84	0.84	0.84	2.96
Butte	2918	0.00	0.00	0.00	0.00	Minidoka	19361	5.17	2.58	0.00	0.00
Camas	727	0.00	0.00	0.00	0.00	Nez Perce	33754	5.33	2.96	1.48	0.59
Canyon	90076	2.78	5.66	3.00	4.00	Oneida	3492	2.86	5.73	0.00	0.00
Caribou	6963	1.44	2.87	12.93	0.00	Owyhee	8392	7.15	4.77	2.38	4.77
Cassia	19532	3.07	3.58	2.56	2.05	Payette	16434	7.91	3.04	4.87	2.43
Clark	762	0.00	13.12	0.00	0.00	Power	7086	1.14	12.70	15.52	7.06
Clearwater	8505	1.18	10.58	7.05	3.53	Shoshone	13931	1.44	13.64	10.77	7.90
Custer	4133	0.00	0.00	0.00	2.42	Teton	3439	0.00	0.00	0.00	5.82
Elmore	21205	6.13	2.83	2.36	4.72	Twin Falls	53580	2.61	2.61	3.17	2.99
Franklin	9323	1.07	4.29	3.22	0.00	Valley	6109	11.46	9.82	6.55	3.27
Fremont	10937	5.49	0.91	0.00	0.91	Washington	8550	3.51	1.17	5.85	2.34



## 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-six counties reporting five 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 December , 1995 were included in this analysis.

This report marks the fourth 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 295 cases of child sexual abuse were prosecuted during the study period (July 1, 1994-June 30, 1995). Of that number, 201 were adults and 94 were juveniles. The Total (Mean) Rate of cases filed by county (standardized to census data) was 2.86/10,000.

The average Total Rate (Adult/Rate) for adult child sex abuse felony filings was 2.1/10,000. The average Total Rate (Juvenile/Rate) for juvenile child sex abuse petitions filed was .77/10,000. The Adult Rate is comparable with the previous report but juvenile cases have declined.

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 and the low incidence of reporting. 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.