



National Juvenile Justice Network

FACT SHEET ON YOUTH WHO COMMIT SEX OFFENSES

Children charged with sexual offenses are different from adult sex offenders. Sexually inappropriate behavior by children is wrong – but it requires a response that takes those differences into account in order to best serve both the interests of the child and the protection of the community.

Children and adolescents are constantly changing, developing and learning. They are receptive to rehabilitation and treatment and dependent on adults to guide them in understanding the complexities of the world and appropriate sexual and social behaviors. The adult corrections system is a wholly inappropriate setting for this learning process.

The legal response to children who exhibit sexually inappropriate behavior should take into account their developmental status and should not subject them to registry and community-notification requirements that will essentially prohibit them from ever leading a normal life again.

Youth Sexual Offending Behavior Is Different from Adult Sex Offending Behavior

The scientific literature on this issue distinguishes the behavior of juveniles from adults.

- Youth sex offenders engage in fewer abusive behaviors over shorter periods of time and have less aggressive sexual behavior. (National Center on Sexual Behavior of Youth (NCSBY))
- Juveniles are not fixed in their sexual offending behavior. Juvenile offenders who act out sexually do not tend to eroticize aggression, nor are they aroused by child sex stimuli. Mental health professionals regard this juvenile behavior as much less dangerous. (NCSBY)
- More than nine out of ten times the arrest of a juvenile for a sex offense is a one-time event, even though the juvenile may be apprehended for non-sex offenses typical of other juvenile delinquents. (Zimring, p. 66)
- Only 8% of the incidents leading to juvenile arrests for sexual offenses would be eligible as evidence of a pedophilia disorder under American Psychiatric Association diagnostic criteria for pedophilia (abusive sexual uses of children) (Zimring; pg. 65)

Youth Sex Offenders Have a Low Recidivism Rate

- Youth who commit sex offenses are highly unlikely to commit another sexual offense (OJJDP, December 2001; 30-31).
- The recidivism rate among juvenile sex offenders is only 5-14% versus 8-58% for other delinquent behavior (NCSBY)
- Multiple studies have demonstrated extremely low rates for sexual reoffending for juveniles convicted of sex offenses.
 - A 2000 study by the Texas Youth Commission of 72 young offenders who were released from state correctional facilities for sexual offenses (their incarceration suggests that judges considered these youth as posing a greater risk) found a re-arrest rate of 4.2% for a sexual offense. (Zimring, Appendix C)
 - A 1996 study found similarly low sex offense recidivism rates in Baltimore (3.3-4.2%), San Francisco (5.5%) and Lucas County, Ohio (3.2%). (Zimring, Appendix C)



- A 2000 study of 96 juvenile sexual offenders in Philadelphia showed a 3% sexual re-offense rate. (Zimring, Appendix C)

Youth Sex Offenders Have a Number of Risk Factors, Many Similar to other Juvenile Delinquents

- Youth who commit sex offenses have frequently been sexually abused themselves; approximately 40 to 80 % of juvenile sex offenders have been sexually abused as children and 25-50% have been physically abused. (NCSBY)
- As with other juvenile delinquents, youth who sexually offend, may suffer from child maltreatment, sexual abuse, family instability, mental illness, inadequate social skills, learning disabilities and substance abuse. (NCSBY)

Youth Sex Offenders Constitute a Low Percentage of Total Sex Offenses Committed

Juveniles commit a small percentage of overall sexual assaults, and of these, the most common fall in the least coercive categories.

- Between 1998-1999, juveniles accounted for only 5.6% of the arrests for sex crime killings, which is one half of one percent of all the homicides committed by juveniles. (Zimring, p. 51)
- Juveniles are responsible for only 12% of rape incidents. (Zimring p. 50)
- Juveniles accounted for 19% of all non-rape, other sex-crime arrests. One possible explanation for this is that adults escape detection for predatory sex crimes more easily than juveniles. (Zimring, p. 50)

Youth are Significantly and Negatively Impacted by Registration and Community Notification Laws

- Youth required to register and notify the community about their offense can be hindered from becoming productive citizens by being denied fair opportunities for employment, education, and housing.
- Community notification requirements can complicate the rehabilitation and treatment of these youth. Youth have been known to be harassed at school, forcing them to drop out (Freeman-Longo pg. 9). This stigma that arises from community notification serves to “exacerbate” the “poor social skills” many juvenile offenders possess (Earl-Hubbard cited in Garfinkel, 2003), destroying the social networks necessary for rehabilitation (Rasmussen, 1999; cited in Garfinkel 2003).



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