Position Paper:

Psychological and Behavioral Characteristics of Child Pornography Offenders in Treatment

Global Symposium: Examining the relationship between online and offline offenses and preventing the sexual exploitation of children

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Abstract

Child pornography (CP) offenders represent one of the fastest growing groups in the criminal justice system. These offenders often present with diverse backgrounds that differ from most criminal groups. Many have no prior criminal history. Some are deeply immersed in highly sophisticated criminal networks involving the sexual abuse and exploitation of children. Understanding the diversity of these offenders is crucial to the development of effective public policy. This paper provides an overview of the results of a study that examined the incidence of hands-on sexual criminality, crossover behavior, and the onset of (online and offline) sexual criminality among a sample of CP offenders who participated in a prison-based treatment program. The paper concludes with recommendations for a research agenda based on existing empirical and theoretical work in other, but related, areas of study.

Introduction

Child pornography offenders, the vast majority of whom are first time offenders, have been entering the criminal justice system at an alarming rate for the past two decades. Many of these individuals appear to have led responsible, law-abiding lives, and their involvement in criminal activity is restricted to possession and distribution of child pornography. Others are deeply immersed in complex and sophisticated world-wide criminal networks that produce, distribute and consume millions of images of child abuse and exploitation. Between these two ends of the spectrum is a significantly heterogeneous group of individuals that comprise the majority of CP offenders.

As the penalties for child pornography crimes have steadily increased over the past ten years, judges have felt challenged by sentencing decisions and risk management
considerations regarding community supervision. CP defendants are frequently portrayed by their attorneys as individuals who were regrettably seduced by the Internet into an illegal activity, and that they pose no danger to public safety because their behavior was caused by a relatively minor or temporal problem (e.g., depression, Internet addiction). On the other side of the courtroom, the same defendants are portrayed by prosecutors as sick, dangerous and covert predators who pose a direct and imminent risk to the safety of children everywhere. In my opinion, these extreme and opposing views do not describe the vast majority of CP offenders. Like other criminal offenders, CP offenders are distributed along a wide spectrum with multiple dimensions (e.g., criminogenic, sexual deviance, demographic). For example, there are CP possessors who are highly criminalized, behaviorally dysregulated, and sexually deviant. These individuals obviously represent a risk to public safety. On the other side of the spectrum, there are CP possessors who are not generally antisocial or sexually deviant, and have relatively intact self-regulatory mechanisms. Although both offenders commit the same crime (i.e., possession of child pornography), they are vastly different in terms of their risk to public safety. Understanding CP offenders requires comprehensive study of the individual offenders, the crimes, and the contextual variables in which the crimes occur. Focusing on only the extremes of a subject matter obscures the truth, inhibits rational dialogue and scientific inquiry, and sometimes results in uninformed public and criminal justice policy decisions. For example, while residency restrictions, community notification, sex offender registration, and civil commitment laws may be noble attempts to increase public safety, the impetus for these laws was a handful of tragic (and extreme) cases that acquired national attention (e.g., Megan Kanka, Dru Sjodin, Jacob Wetterling, Adam
Walsh, Jimmy Ryce). In my opinion, many of the laws passed in the name of these victims indeed have merit. However, they also foment the (unsupported) notion that most sex offenders are skilled and violent predators who assault their victims in parks or near schools. In the interests of keeping our children safe, these laws have proliferated and, while they remain popular among legislators, politicians, and concerned citizens, the scientific evidence supporting their efficacy or positive impact is weak and arguably counterproductive (see Levenson & Cotter, 2005).

At the center of this debate of extremism is the question of the nexus between online and offline (contact) sexual offenses involving children. Some studies have reported a noteworthy co-occurrence of contact sexual offenses among CP offenders entering the criminal justice system or in clinical settings (Hernandez, 2000; Wolak, Finkelhor & Mitchell, 2005; Seto, Cantor & Blanchard, 2006; Bourke & Hernandez, 2009). However, the actual co-occurrence of online and offline sexual offenses in the larger population of CP users is unknown. The number of individuals who are apprehended by law enforcement for committing CP offenses represents a small proportion of the population of individuals collecting, trading and producing child pornography worldwide. Although child pornography crimes are clearly abhorrent and show visual evidence of child abuse and exploitation, the strong emotional reactions experienced by individuals enforcing child pornography laws frequently fuel the extreme argument that all of these offenders are dangerous monsters. Some individuals have misused the results of Hernandez (2000) and Bourke and Hernandez (2009) to fuel the argument that the majority of CP offenders are indeed contact sexual offenders and, therefore, dangerous predators. This simply is not supported by the scientific evidence.
The incidence of contact sexual crimes among CP offenders, as we reported in our studies, is important and worthy of considerable empirical examination. However, it is not a conclusive finding that can be generalized to all CP offenders. Notwithstanding, some individuals in law enforcement are tempted to rely on a biased interpretation of our study (i.e., to prove that the majority of CP offenders are child molesters). Some law enforcement personnel are horrified at the thousands of tragic images of child abuse and exploitation they review on a regular basis. These “crime scene” images depict terrible child exploitation, sexual violations, and emotional suffering in unimaginable quantity. The emotional reactions of those who investigate and prosecute these crimes are understandable. The reasonable person investigating or prosecuting these crimes may ask, “How is anyone in their right mind able to collect and derive sexual pleasure from the victimization of innocent children, and how can these people __ be dangerous offenders?” Some may also believe that the only way to ensure public safety is by placing CP offenders in prison. While I empathize with the emotional issues and moral dilemmas experienced by those who investigate and prosecute CP crimes, I believe we cannot prosecute or incarcerate our way out of this problem. The answer to complex problems requires complex and rational solutions. The scientific evidence informing the relationship between the online sexual exploitation of children and contact sexual crimes against children is in its infancy. The field of psychology has recently begun to recognize that CP offenders present with a unique set of paraphilic, criminogenic, and other psychological characteristics (e.g., Seto, Cantor and Blanchard, 2006; Elliott, Beech, Madeville-Norden, and Hayes, 2009; Paul and Linz, 2008; Webb, Craissati, and Keen,
2007; Quayle and Taylor, 2002). Still, many questions about these offenders remain unanswered.

**Overview of “The ‘Butner Redux’ Study”**

The impetus for my empirical study of CP offenders was my clinical work with incarcerated online sex offenders. In 1997, there was little information about this criminal population and many individuals in the criminal justice system viewed these offenders as mere “computer criminals.” During their participation in treatment, however, I began to observe more similarities than differences between the so-called online and offline sex offenders. One dimension in which the two groups appeared similar was their history involving undetected contact sexual offenses. I found that CP offenders in treatment routinely disclosed previously undetected contact sexual offenses, mimicking patterns frequently observed in research involving contact sexual offenders (Alhmeyer et al., 2000).

In the Butner Redux study, we examined the relationship between online and contact sexual offenses among a group of male incarcerated sex offenders participating in a residential treatment program. We posed the question: “Are offenders who collect and/or distribute child pornography merely collectors of child abuse images, at little risk for engaging in hands-on sexual offenses, or are they contact sex offenders whose hands-on behavior involving children has gone undetected?”

Our sample was comprised of 155 sex offenders who volunteered to participate in a prison-based sex offender treatment program. The subjects were convicted of possession, receipt, and/or distribution of child pornography. We compared their
documented criminal sexual history (i.e., the number of victims of sexual abuse per offender) with their self-reported sexual history as disclosed in treatment. The purpose of our study was to determine how many of the CP offenders without a documented history of contact sexual crimes subsequently self-reported contact sex offenses. To validate the accuracy of self-report, treatment participants received a sexual history polygraph examination. Approximately half (52%) of the study sample received a polygraph examination; the remainder did not for various reasons, including premature termination or withdrawal from the treatment program.

In our first analysis, we compared the incidence of documented contact sexual crimes with the incidence of self-reported contact sexual crimes upon completion of treatment. At the time of sentencing, 40 subjects (26%) had documented histories of abusing a child via a hands-on sexual act, totaling 75 victims, or an average of 1.88 (SD = 1.88) victims per offender. By the end of treatment, 131 subjects (85%) admitted they had at least one hands-on sexual offense, a 59% increase in the number of subjects with documented hands-on offenses. The total number of reported victims known at the end of treatment, among all offenders disclosing such history (n = 131), was 1,777, an average of 13.56 (SD = 30.11) victims per offender. When analyzed separately, we found that the 40 subjects who had documented histories of hands-on sexual offending at the time of sentencing disclosed an average of 19.4 victims during their treatment period. In comparison, the 115 subjects with no documented histories of contact sexual crimes ultimately disclosed an average of 8.7 victims. In other words, the online sex offenders in our sample with a known or documented history of contact sexual crimes reported
committing more than twice as many contact sexual crimes than those whose contact offenses had remained undetected by the criminal justice system.

In our second analysis, we explored “crossover” of offending, a concept that refers to sexual offending across gender, age groups, and relationship to victim (Heil et al., 2003). In this analysis, we used a subset of 131 offenders who, at the end of treatment, acknowledged they had committed at least one act of hands-on abuse. We found that a significant percentage of subjects in our sample crossed age bands and gender categories. Offenders who reported targeting male victims were significantly more likely to engage in crossover behavior by gender when compared with subjects who only reported targeting female victims. By the end of treatment, 67% of the admitted hands-on offenders (n = 131) acknowledged abusing both pre-pubescent and post-pubescent children, a 47% increase from what was known at the time of sentencing. With respect to gender, the percentage of these offenders who admitted both male and female victims increased from 15% to 40%. Of all subjects in our sample (n = 155), nearly two-thirds admitted during treatment they had abused both pre- and post-pubescent victims, an increase of 52% from what was documented prior to sentencing. Similarly, the percentage of subjects who acknowledged abusing children of both genders increased by 25%. Among the offenders who did not have any documented contact victims at the time of sentencing, 24% indicated during treatment that they had victimized children of both genders and 48% said they abused both pre- and post-pubescent victims.

In a third analysis of the data (not reported in Bourke & Hernandez, 2009), we examined the age of onset for online and offline (contact) sexual crimes among a subset (n = 42) of the sample who had committed contact sexual crimes after 1990. The purpose
of this exploratory analysis was to shed light onto the issue of developmental pathways for CP offending. We examined whether the CP offenses were preceded by contact sexual offenses, or vice versa. The median age for the onset of contact sexual crimes was 16 years, and the median age for the onset of online child pornography crimes was 24 years. The vast majority of our subjects indicated they committed acts of hands-on abuse prior to seeking child pornography via the Internet. The results indicated that in 41 of the 42 cases examined, hands-on sexual crimes preceded CP offenses. Although this observation is noteworthy, readers are cautioned against over-interpretation. At this time, these findings should promote the formulation of hypotheses and further scientific inquiry.

While the findings reported in Bourke and Hernandez (2009) have received considerable attention, the conclusions articulated in the article are limited by the fact that subjects were volunteer participants in a sex offender treatment program. Our subjects were predominantly Caucasian (95%), spanning the ages of 21 to 71 years, and well-educated relative to the overall prison population (i.e., the modal level of education was “some college”). While the demographic characteristics of our sample were similar to large national samples (e.g., Wolak et al, 2005), the degree to which the results of our study are generalizable to all CP offenders is unknown, and this important question will only be answered with additional scientific inquiry.

Conclusions of Bourke and Hernandez (2009)

A substantial percentage of offenders in our study who initially claimed to be at low (or no) risk of harm to children because they exclusively collected child abuse
images and allegedly never molested a child, subsequently indicated they had committed acts of undetected child sexual abuse. In fact, the Internet offenders in our sample were significantly more likely than not to have sexually abused a child. The findings also indicate that the offenders who abused children were likely to have offended against multiple victims, and that the incidence of “crossover” by gender and age was high.

The findings suggest that online criminal investigations, while targeting so-called “Internet sex offenders,” likely have resulted in the apprehension of concomitant child molesters. Had it not been for their Internet criminality, these offenders may otherwise have escaped detection by law enforcement. This raises the question of whether the advent of the Internet has created a new type of sex offender, or if it merely provides additional outlets for sexually deviant individuals. In other words, are we faced with a new type of offender, or a new type of offending? The results of this study suggest the latter: Internet child pornography offenders may be undetected child molesters, and the use of child pornography may be an adjunctive behavioral manifestation of their preexisting paraphilic orientation.

Our study did not address the questions of how, and under what circumstances, exposure to Internet child pornography affects individuals. Juxtaposing the documented and self-reported sexual offending histories of CP offenders (i.e., 26% vs. 85% incidence of contact sexual crimes) was an important objective of our study. In the context of a criminal justice system that is frequently driven by extreme opinions (i.e., “CP offender are not at risk of harm to children versus CP offenders are all dangerous sexual predators”), we believe the results of our investigation will provide the basis for much
needed empirical work. We seek to promote additional scientific and disciplined study of this subject matter.

**Future Directions**

In order to understand a new phenomenon, it is helpful to draw upon the knowledge base that stems from related areas of study. For example, the scientific inquiry into the psychological impact of exposure to (adult) pornography represents an important building block that may inform the empirical study of individuals who are exposed to child pornography. Although the results of some studies in this area have yielded mixed and equivocal results (e.g., Fisher and Grenier, 1994), there are some conclusions that we can more confidently draw from the scientific literature. One such finding is that exposure to (adult) pornography appears to have a negative impact on the viewer, especially if the content of the pornography is violent and the individual being exposed has preexisting psychological factors that place him at risk of offending (see Malamuth et al, 2000). Regarding the use of pornography by sex offenders, Abel, Mittelman, and Becker (1985) found that adult pornography use was common (88%) among their sample of pedophilic child molesters, and Bernard (1985) reported that 74% of a sample of pedophiles reported possessing visual images of nude children. There is also evidence showing that the frequency of use and type of (adult) pornography correlates with criminal and violent recidivism in sex offenders (Kingston et al, 2008). Williams et al. (2009) found that, while deviant sexual fantasies are common, behavioral acting out on those fantasies is largely mediated by personality characteristics such as psychopathy. These findings, while they are most relevant to the impact of adult
pornography, may be extrapolated to guide our study of child pornography and its psychological and behavioral impact on those who view the material. The evidence appears to suggest there is a complex and perhaps reciprocal relationship between adult pornography and sex offenders; that is, sex offenders use pornography and pornography negatively affects sex offenders.

Another promising area of study focuses on the motivational pathways to offending behavior (Ward & Siegert, 2002; Ward et al, 2004) in CP cases. While CP offenders’ motivations for engaging in deviant sexual and criminal behavior varies considerably and appears complex, the pathways and self-regulatory styles may be very similar to those of contact sexual offenders. Ward and Siegert (2002) propose four pathways for sexual offending. Each pathway is characterized by interpersonal and psychological skills deficits (i.e., intimacy deficits and emotional dysregulation), faulty cognitions (i.e., distorted sexual scripts and antisocial cognitions), and sexual deviance. Middlleton, Elliot, Mandeville-Norden and Beech (2006) found that sixty percent of Internet offenders in their sample could be assigned to one of the pathways. The majority of the subjects belonged to the Intimacy Deficits and Emotional Dysregulation pathways. In comparing Internet offenders with contact sexual offenders, Elliott, Beech, Mandeville-Norden and Hayes (2009) examined a number of psychological dimensions related to offense-supportive beliefs, empathic concern, interpersonal functioning, and emotional management. They found that Internet sex offenders had less entrenched cognitive and victim empathy distortions and lower frequency of attitudes and beliefs supportive of child sexual abuse. These two studies are very promising, as they highlight the complexity and multi-factorial nature of Internet sexual offending. Further study of
the application of the Pathways Model to CP offenders is likely to reveal similarities and
differences as compared to contact sexual offenders.

One of the questions that frequently baffle mental health and criminal justice
professionals alike is whether it is possible for sexual deviance, such as pedophilia, to
emerge later in life. In fact, it has been a common experience to encounter CP offenders
who are apprehended well into their 40s, 50s and, in some cases, their 60s. Many of
these offenders report that their sexually deviant interest and behavior began late in life.
Some have stated that it was through their exploration of sexual themes and adult
pornography that they became increasingly aware of their deviant sexual interests, and
that the child pornography available on the Internet awakened preexisting sexual
deviance. Other CP offenders assert that had it not been for the images available on the
Internet, they would have never developed pedophilic interests, fantasies or urges, and
would have never committed a sexual crime (i.e., possession or distribution of child
pornography). For other CP offenders, the Internet represented a long awaited bridge to
something they always wanted to explore and satisfy, but were afraid, inhibited or
unskilled to try. These different “points of entry” into child pornography crimes also
deserve scientific study. Regardless of the point of entry into CP crimes, the vast
majority of offenders engage in deviant fantasy. Their fantasy life is frequently revealed
by the volume and content of their collection, the time spent online, the content of their
communication with others online, and the frequency of their masturbatory behavior.
Among clinical samples, it is quite common for CP offenders to report spending several
hours per day engaged in viewing, fantasizing and masturbating to child pornography.
Although deviant sexual fantasies among sex offenders are common, the incidence of
deviant sexual fantasies among non-criminal individuals is also common (Langevin, Lang, and Curnoe, 1998; Briere and Runtz, 1989; Abel and Harlow, 2001). However, the cumulative effect of hundreds of hours engaged in such behaviors is unknown and the dynamics involved in predicting behavioral acting out are complex (see Malamuth et al., 2000). Deviant (and normative) sexual interests and arousal patterns usually develop by the end of adolescence or early adulthood (Abel et al, 1987), however, it is unclear whether or how deviant sexuality develops outside the normal window of psychosexual development (i.e., adolescence to early adulthood). As applied to CP offenders, it is not clear how sexual deviance may develop or become further refined strictly as a result of exposure to child pornography. It may be that, for some offenders, exposure to child pornography images is the triggering mechanism that unravels preexisting sexual fantasies, urges and interests. It appears equally plausible that tolerance develops as a result of immersion in pornography and, consequently, more deviant stimuli are required over time to achieve the same level of arousal or satiation.

Social learning theory provides an insightful framework for understanding how exposure to deviant pornography may create a nexus with deviant sexual behavior. This theory posits that deviant sexual behavior depicted online can be learned through modeling (even in the absence of behavioral performance). This form of vicarious online learning takes place in a highly charged visual context (i.e. the images of child pornography) that highlights the positive valence of child sexual abuse and conceals its negative consequences (Taylor & Quayle, 2003), thus creating a strong probability that the behavior may be repeated or performed. Moreover, this form of vicarious learning takes place within a socio-cultural milieu that endorses, validates, justifies and
rationalizes various aspects of child-adult sexual contact. For individuals who frequently feel marginalized, unaccepted, and ostracized by society for their sexually deviant urges and cognitions, the Internet provides a powerful context to explore, validate and satisfy their deviant sexuality. It also acts as a social medium with which to connect with a network of like-minded individuals and satisfy their psychological need for group affiliation. From this perspective, online sexual crimes against children are sexually and socially motivated.

In a seemingly synergistic relationship, sexual and social factors create a powerful context that underlies online sexual crimes. While the images of child sexual abuse and exploitation seek to satisfy the sexual appetite of the CP offender, the subculture of individuals who traffic in child pornography satisfy his need for group affiliation. This is often revealed by the CP offender’s communication with like-minded individuals, such as sharing written stories and fantasies of child sexual abuse or sexual contact with minors, exchanging and promoting political views and “scientific” evidence supporting the normalcy of pedophilia, etc. (Durkin & Bryant, 1999). The negative social influence that results from associating with criminal associates is a well-supported criminological risk factor (Hanson & Bussiere, 1998).

It may be that the CP offender’s social identification with and “immersion” in the deviant subculture may further influence his behavior through a process of deindividuation. Zibardo (1969) proposes that factors such as anonymity, loss of individual responsibility, arousal, sensory overload, novelty, and consciousness-altering substances (e.g., drugs and alcohol) contribute to a state of deindividuation and behavioral disinhibition where established norms of conduct may be violated.
Contemporary views of deindividuation expand the theory by proposing that decreased self-evaluation (or self-awareness) and evaluation apprehension (or fear of getting caught) causes disinhibition of behavior and transgression of general social norms (Postmes & Spears, 1998). As it relates to online child pornography, virtually all the elements necessary for deindividuation are present: the perception of privacy and anonymity, highly charged visual images, intense sexual arousal, increased “tolerance” to images which creates a seemingly insatiable drive to consume (and produce) more images, and the context of an industry that remains largely unregulated and meagerly policed. Understanding these social aspects of Internet child pornography and the dimension of cultural “immersion” may further expand our understanding of CP offenders and online offending.

Concluding Comments

The relationship between online and offline sexual offenses, and the sociocultural and technological context in which they occur, require much more empirical study. The nexus between these two forms of sexual offending is complex and multidimensional. The fact that we know that some CP offenders commit contact sexual crimes and some do not is only a small piece of the puzzle. We will begin to see a more complete picture as we attempt to understand who, why and under what circumstances CP offenders commit contact sexual crimes. Interdisciplinary dialogue and intellectual exchange, as evident in this Global Symposium between academicians, clinicians, criminal justice professionals, and public policy officials, is essential to guiding our empirical and public policy efforts.
References


