

## F. Representativeness of the Cross-Sections

### 1. Comparison of the Three Cross-Sections with One Another

The results of the three studies [F496] are simultaneously presented as follows. To this end, we are obliged to recall the different groups of declared sexual victims that the three studies relate to:

#### Study 1

Total number of reported sexual contacts in Lower Saxony during the years 1969-1972 (N = 8,058 declared sexual victims).

The advantage of Study 1 is the great statistical power it affords, even for carrying out separate evaluations of numerically smaller sub-groups. The disadvantage of this study is the fact that in many places, the questionnaires had been filled out by various police officers, rather than by the victims themselves.

#### Study 2

Psychodiagnostic and victimological follow-up study (six to ten years after Study 1), in the years 1979/1980, of a random cross-section from Study 1 (N = 112 declared sexual victims).

The advantage of Study 2 is that very extensive materials were collected by specialist psychologists in cooperation with the declared victims; using the panel enabled the data from Study 1 to be checked; any data missing from Study 1 might be able to be compensated by using data from Study 2, and conversely, data missing from Study 2 due to potential subjects' refusal to participate might be able to be compensated by using data obtained from Study 1. The disadvantage of Study 2 lies in its more limited statistical power, which is a result of its very open-ended method of gathering data. In addition, this led to individualized, very specialized questioning in Study 2, which meant that cross-evaluations were not able to be made.

#### Study 3

An unrepresentative study of expert opinions concerning credibility provided in the course of legal proceedings in which a perpetrator had been found guilty during the years 1965-1969 (N = 131 sexual victims).

The advantage of Study 3 consists of its likewise relatively extensive data-material. Furthermore, this cross-section will aid in the assessment of whether and in what ways convicted cases differ from those which are merely reported. The disadvantage of this study is that it relates to a certain select group of

subjects (sexual victims regarding whom expert opinions had been provided), and also that sub-groups were not able to be cross-compared in terms of particular issues. The number of subjects was also too small for this to have been possible.

The advantage of the research as a whole (1, 2, and 3 combined) is that the studies, especially 1 and 2, are able to complement one another.

Studies which have established findings concerning corresponding issues can also be consulted. Simultaneously, we can also describe:

- what the cases which have become known to the police look like upon closer victimological examination, and,
- whether and how convicted cases differ from those which were merely reported.

If necessary, for comparison purposes, the results from other studies [F497] will also be consulted.

The organization of the presentation of results is based on how the enumerated hypotheses were organized. [F498] The working hypotheses are correspondingly numbered in Section G, so as to permit an arrangement that <sup>can</sup> be easily followed. However, before the data can be further analyzed, we must first answer the question as to whether there are statistically significant differences between the sub-groups in Studies 1 and 2. Therefore the following concrete questions are posed:

- a. Does the group of 8,058 declared sexual victims differ from the group of 112 who were studied in the follow-up? If so, in what ways? Do declared sexual victims who permit themselves to become involved in a follow-up study have particular characteristics?
- b. Does the group of 76 declared victims who were ready and able to talk about the previous reported sexual contact differ from the 36 who were unwilling or unable to talk about it? Are the declared sexual victims who spoke about the previous reported sexual contact distinguishable in terms of particular characteristics?

The null hypotheses concerning this would be that there are no --or at best, merely random -- differences in frequency distribution among the various cross-sections.

The advantage of panel studies like the ones conducted in Studies 1 and 2 herein is that, with the older data (from Study 1), we are able to check the composition of the sub-groups. For this reason, the results from nearly

all of the items in the SST questionnaire are presented in terms of the following groups or sub-groups: [F499]

- all 8,058 declared victims from Lower Saxony (1969-1972);
- all declared sexual victims who were contacted by mail (N = 431);
- all declared victims who did take part in a follow-up interview (N = 320); among them:
  - refusers (N = 41);
  - declared victims who did not respond to the written request (N = 279);
- all declared victims who participated in the follow-up study (N = 112); among them:
  - declared victims who provided statements regarding the reported sexual contact (N = 76);
  - declared victims who did not provide any statements regarding the reported sexual contact (N = 36).

For example, in the table in Appendix 15a, the absolute number is presented; the percentage values for the row are below it. Accordingly, for the "behavior of the declared victim during the reported sexual contact" [F500], there are the following values: 58.3% of all declared sexual victims had shown "defensive behavior"; 32.4% had shown "acquiescent behavior," and 4.6% had shown "facilitating behavior." A further 2.1% had actively participated in the sexual acts, and 218 victims (= 2.7%) had not provided any statement for this item.

In Appendix 3, the results from the SST questionnaires are listed as percentages or mean values, less, of course, those cases that were "without statements." The number of usable answers is also listed there (in this example: [F501]  $N = 7,840$ ). Discounting the unusable answers yields the following distribution:

**Table 16:**

Behavior of Declared Victim During the Reported Sexual Contact  
(Lower Saxony, 1969-1972; N = 7,840) [F502]

defensive behavior	-	59.9%
acquiescent behavior	-	33.3%
facilitating behavior or active participation	-	6.9%

A comprehensive evaluation of the results from Table 16 will be made later on. [F503] From the table in Appendix 15a, it can be seen that there is a numerical difference between how the overall group of declared sexual victims (N = 8,058) and the sexual victims who were prepared to participate in the long-term cross-sectional Study 2 (N = 112) answered this question. The different percentage values are contrasted with one another in Tab. 17a:

**Table 17a:**

**Behavior of Declared Victim During the Reported Sexual Contact (Lower Saxony, 1969-1972), in %; Comparison Between the Overall Total (N = 8,058) and the Sub-Group of Those Who Took Part in the Follow-Up Study 6-10 Years Later (Panel, N = 112)**

Behavior of the Declared Victim	Overall Total (N = 8,058)	Participants in the Follow-Up Study (N = 112)	Difference
"Without Statement"	2.7	2.7	0.0
Defensive Behavior	58.3	61.6	-3.3
Acquiescent Behavior	32.4	33.9	-1.5
Facilitating Behavior	4.6	1.8	2.8
Active Participation	2.1	0.0	2.1
		(absolute total:)	9.7

One might suppose that the greatest difference between the "Total" and "Panel" groups (see Tab. 17a) relates to "defensive behavior" (difference: -3.3%). Upon closer examination, however, it becomes clear that relatively greater differences exist between the two groups in the areas of "facilitating behavior" and "active participation." Moreover, when one considers that the two preceding behaviors logically must have been combined, then this yields a difference of  $(4.6 + 2.1) - (1.8 + 0.0) = 4.9$ . For the statistician, the question now becomes: Is there a substantial, meaningful, significant difference between these two sets of numbers (Total/Follow-Up Study) ?

Table 17b:

Behavior of Declared Victim During the Reported Sexual Contact (Lower Saxony, 1969-1972), in %; Comparison Between the Sub-Group of Those Who Made Statements About Their Case in the Follow-Up Study (N = 76) and the Sub-Group of Those Who Made No Statements About Their Case (N = 36)

Behavior of the Declared Victim	With Statement (N = 76)	Without Statement (N = 36)	Difference
"Without Statement"	0.0	8.3	-8.3
Defensive Behavior	63.2	58.3	4.9
Acquiescent Behavior	34.2	33.3	0.9
Facilitating Behavior	2.6	0.0	2.6
Active Participation	0.0	0.0	0.0
			(absolute total:) 16.7

In order to be able to answer this question, general procedures used in probability calculations will be employed. Firstly, the null hypothesis would be that there is no, or only a chance, difference between these two rows of numbers. A difference is classified as "significant," according to the chance principle, when it could occur randomly in more than five percent of cases. (The null hypothesis would thereby be confirmed.) When the difference could only randomly occur in 1%-5% of cases, and consequently would rarely be expected, then a meaningful difference exists which is known as a trend. The 1% significance-level lower-limit is deemed to be a significant result; with a high degree of assurance, the difference may be interpreted as being a meaningful one. The 0.1% level is interpreted herein as being a very significant result. [F504] The so-called Chi-Square method [F505] is able to compare such number sets with one another. It can then be established whether the differences that occurred are random or lie below the various levels deemed to constitute reliable results.

Appendix 15b contains just such a calculation. [F506] A significance level of 0.115 would mean that in 11.5% of cases, such a difference between the two groups

could occur randomly. No degree of certainty could be ascribed to results based on this significance level. Consequently, the possibility cannot be excluded that the difference between the two group's behavior during the reported sexual contacts was purely random; thus, the different number values cannot be interpreted as being distinctly different from one another.

In order to analyze the statistical significance of such differences, the data values (i.e., number of persons questioned, number of groups, etc.) are entered into the calculation. For reasons related to reliability, the measuring instrument is not as powerful when comparing smaller N's as it is when higher N's are present (i.e., many people were questioned, many and finely-subdivided groups are compared with each other, etc.).

In Table 17b, a comparison is made between the contemporaneously self-characterized behavior of declared sexual victims who provided a statement concerning the event for the follow-up study (N = 76) and the behavior of those who could not or would not provide a statement in the follow-up (N = 36). We see that the differences between these two groups are greater than those between the previous two groups. Disregarding the minus sign, the sum total of this difference amounts stand in contrast to the 9.7 percentage point figure from Tab. 17a. Comparing the analogous values for the two sub-groups of questioned victims -- those who did versus those who did not give statements in the follow-up study -- it is clear that the absolute difference values (thus disregarding the minus signs) sum up to a much larger 16.7 percentage points.

The calculation [F507], however, shows that the significance level here would be even higher; namely, 99.22%. The observed difference here is therefore purely random. [F508]

These statistical comparisons between the various sub-groups were drawn from each of the variables in the SST questionnaire, provided that the given item appeared to be meaningful and/or the particular answer categories had been filled in. [F509] It is now time to answer the questions posed in points a. and b. (see pg. 206 supra).

#### Concerning a.:

With the help of special statistical procedures, it was found that the total group of registered, declared sexual victims from Lower Saxony for the years 1969-1972 (Total, N = 8,058) only differed from the follow-up study group (Panel, N = 112) in one noteworthy respect.

The declared sexual victims in the panel-study group tended to have a more advanced educational level, as assessed at the time the act was originally reported. [F510] Indeed, the statistical

difference is still not significant, though it does indicate a trend (2.2%-level), in the direction of former declared sexual victims with higher educational levels (at the time of the reported act) being slightly more willing to participate in the follow-up study. (This difference should be interpreted cautiously, because it does not possess any great degree of reliability.) With this caveat in mind, it may be presumed that persons with more advanced educational levels have more experience in establishing contact in the kind of written mode employed by the researcher, and that they are less shy regarding scientific institutions, as well as the psychologists who offered themselves as conversational partners.

Statistical differences between the overall group (N = 8,058) and the follow-up study group (N = 112) were no more significant for the other 21 variables evaluated. [F511] It can therefore be relied upon that the panel of 112 declared sexual victims who were re-questioned about their earlier victimization experiences represent a microcosm of the overall group. This means that the results that were obtained in Study 2's conversations with the previous declared sexual victims are transferable to all 8,058 victims in Study 1. Furthermore, because the declared victims and cases from Lower Saxony probably do not differ substantially from equivalent cases in West Germany as a whole, it would seem reasonable to conclude that the 112 declared sexual victims in the follow-up study constitute a representative cross-section of the German situation as a whole. However, this statement must to some extent be qualified, due to the fact that, because of the limited role assigned to the Female Criminal Police Bureau (WKP) in Lower Saxony at that time [F512], this study is lacking the (of course numerically smaller) group of older declared sexual victims. [F513] All in all, therefore, the structure of the overall research project proved to be very useful, because it enabled the representativeness of the panel-group to be verified.

#### Concerning b.:

When one further subdivides the declared sexual victims from the follow-up study into those who did (N = 76) and those who did not (N = 36) provide statements concerning the experienced sexual contact, and then compares these two groups with the original data from Study 1, differences then emerge in the

- age of declared victims at the time of the sexual contact (Appendix 7b),
- educational level of declared victims at that time (Appendix 13b), and,
- the degree of acquaintance between declared victim and alleged perpetrator (Appendix 2b), and, a tendency for these to differ relative to the variable: location of act (Appendix 30b).

Declared sexual victims who were older at the time of the reported sexual contact were more likely to talk about the case in the follow-up study. [F514] This may be due to the fact that the then younger victims (2-5 years old) were, at the time of the follow-up study, at an age (either 8-12 or 11-15) in which they tended to be more reluctant to talk to a stranger (the interviewer). A second reason would likely be that some of the victims who had experienced the event when they were between two and five years old would no longer remember it today. A third reason is that younger victims have frequently also experienced insignificant sexual contacts (such as exhibitionism) which were not impressed into their memories, precisely because of their insignificance. In contrast, the victims who had experienced violent sexual contacts, almost all of whom were over fourteen years old at the time (and were frequently over 16 \* years old), would consequently have retained the experience in their memories for a long time. It was also likely -- assuming the presence of an empathetic emotional atmosphere -- that the victims of violence would have had a great need to talk about their earlier unpleasant experience.

[\* The text here actually states the number "11," which would clearly make no sense. Therefore this seems to be a misprint. This number should obviously be greater than 14 -- 16 is just a guess.]

Additionally, as a fifth reason, it could be that the age of the interviewer (all 25-35 years old) functioned as a selection factor for younger witnesses' willingness to engage in conversation.

How much each of these factors is responsible for the moderate degree of age-selection in victim willingness to communicate cannot be reliably determined. Presumably, however, the second explanation (many victims have forgotten about the event) or possibly the first (age-conditional victim shyness regarding talking about sexuality) would be the principal reason.

Victims of reported sexual contacts who had a higher educational level at the time of the report were more likely to make statements about the case in the follow-up study. [F515]

Among the victims who spoke about their victimization in the follow-up study, fewer victims had been of elementary school age at the time, and more had been attending secondary schools. These differences are probably substantially analogous to the differences stemming from victim age (see above). The variable "educational level at the time" is probably strongly related to the variable "age at the time," if not actually determined by it.

In the follow-up study, declared sexual victims were more likely



situations and the sexual abuse of dependents, where victim and perpetrator had previously -- or even yet today -- live(d) together. Cases are also conceivable in which the victim had not wanted to talk about the experience because, as far as making a report was concerned, they already had considerable burdens they had to deal with. Situations involving stranger perpetrators maybe easier to declare -- including to the interviewer.

We have no described three areas in which the two sub-groups differ from one another. Two of these areas are connected by the common characteristic "victim age." Besides these, the only other observable difference is a trend relating to the variable "location of act." [F517] There appears to be a trend whereby declared sexual victims who encountered the alleged perpetrator in an outdoor location were more likely to be prepared to discuss the case in the follow-up study. This tendency is probably strongly related to the difference seen in the area of "degree of acquaintance" (see above), because a stranger perpetrator is more likely to be encountered in an outdoor location (i.e., an encounter with an exhibitionist). In the remaining variables by which these victim sub-groups were evaluated, there were no significant differences.

In summary, it may be said, concerning the quality of the sub-groups, that they satisfactorily represent the overall total. As a whole, meaningful differences were observable in only four variables. The sub-groups extracted from Study 1 are almost fully generalizable. The sub-group questioned in Study 2 (panel) is, likewise, to a high degree representative of the overall number of sexual victims who have become known to the police. On the other hand, the group which was analyzed in Study 3 (records examination) was put together quite differently; it was constituted of convicted cases (from a different overall total).

## 7. Comparison with Officially-Registered Criminality

Comparing results from the 1969-1972 special statistical survey (Study 1) as well as those from the follow-up inquiry (Study 2) with official criminal statistics for either the State of Lower Saxony or the country as a whole posed special problems because, beginning in 1970-1971, the way in which the criminal statistics were organized was changed. [F518]

Until 1971, there were actually no victim statistics kept for Lower Saxony or for the country as a whole. The only statistical work was a special one carried out by the Female Criminal Police Bureau (WKP). With the annual report [F519] of the same year, the Lower Saxony WKP

to make statements concerning their previous victimization if the victim and suspected perpetrator had been strangers prior to the reported sexual contact. [F516] Obviously, among those punishable sexual contacts in which the victim and alleged perpetrator had been previously acquainted, there were some that were reported by the victims only reluctantly. Extreme cases of this include incest

also included the victim numbers for 1969-1972; thus, these figures are available for comparison. From 1972 on, these work reports from the Lower Saxony WKP were no longer included in the annual reports. By 1971, state criminal statistics had already been reorganized. To this extent, the official perpetrator and case statistics were also substantially changed in 1971. As with cases throughout the country, due to the introduction of a new method of calculation, cases in which the same person was suspected of having committed the same crime numerous times against the same victim were now counted as being just one case. Therefore, criminal statistics through 1970 are scarcely comparable to those from 1971 and after. Moreover, at both the state and federal levels, the criminal statistics for the year 1971 had particular weaknesses, due of course to the considerable difficulties involved in converting the data to the new format. Consequently, the reliability of the official criminal statistics for 1971 is quite dubious. Because Study 1 herein covers the years 1969-1972, we are only able to make a partial comparison with the official criminality numbers. The criminal law reform efforts of the late 1960's and early 1970's, which were especially concerned with the sexual criminal law, posed a further methodological problem, in that they likely also affected the criminal statistics of that era. Admittedly, it is difficult to ascertain what impact criminal law reform (discussions) had on actual criminal prosecutions. [F520]

In summary, we can say of officially-registered sexual criminality for the years 1969-1972 that: The earliest criminal statistics comparable to those which are typically gathered today are those for the year 1972. Since the extent of criminal sexual acts relative to overall criminality remains relatively constant over the course of time [F521], it was appropriate to assume that the registered numbers for 1972 are comparable to those for the four years in the present study (1969-1972). This was probably needed in order for one to get a more realistic picture than could be obtained merely by adding the old incoming statistics from 1969 and 1970, the faulty outcome statistics from 1971, and the improved outcome statistics from 1972. A further, numerical comparison between the studied groups and the criminal statistics is made below (Section G, II, pg. 218 ff).

#### FOOTNOTES

F496. The construction of the three studies is described beginning on pg. 127.

F497. See Tab. 9, pg. 117 ff.

F498. See pg. 137 ff.

F499. See Appendices 4a-30a. Question 27 from the SST questionnaire and the results for this question (Appendices 15a and 15b) provide more detailed exemplary explanations of this.

F500. See SST questionnaire, question 27 (Appendix 2), where "attitude toward the act" is written above it.

F501. See Appendix 3.

F502. The total amounts to 100.1%. The +0.1% error results from the preceding partial results having been rounded up. This factor is observable in many of the subsequent tables, and will no longer be specifically mentioned.

F503. See Section X infra, pg. 315 ff.

F504. In many works, even the 5% level is accepted as being "meaningful," and the results are interpreted accordingly. However this way of proceeding must be condemned, because the probability is still too high that what are being interpreted are in fact chance results.

F505. See Mittenecker: The Planning and Statistical Interpretation of Experiments, pg. 42 ff.

F506. Most of the statistical calculations were performed by Thomas Parpart (Mainz), using SPSS [Statistical Package for the Social Sciences] Software Version 7, on a Honeywell Bull 66/80 computer. [ >E ] (Converted from SPSS Incorporated's IBM/OS SPSSH Package by the Institute for Social and Environmental Studies, University of Kansas). [ <E ] Concerning this, see Nie/Hull: The SPSS 8 Statistical Program System for the Social Sciences.

F507. See Appendix 15b.

F508. The fact that in spite of the numerically greater differences here the statistical significance is even less had to do with the smaller number of categories, which in turn is due to the fact that there are smaller numbers of persons in each individual category.

F509. In many cases, categories were combined based on statistical and logical considerations.

F510. See Appendix 13b.

F511. See Appendices 4a-30b.

F512. See pg. 127.

F513. For a numerical comparison between reported sexual

contacts appearing in police statistics and the cases studied herein, see pg. 213 ff infra.

F514. See Appendix 7b.

F515. Differences between the overall (N = 8,058) and follow-up study (N = 112) groups which are in fact merely trends are considered, for the purposes of the present comparison, as being significant (see Appendix 13b).

F516. See Appendix 24b.

F517. See Appendix 30b.

F518. BKA (Eds.): Police Criminal Statistics 1969, Police Criminal Statistics 1970, Police Criminal Statistics 1971, pg. 5 ff therein. For explanations of the changes, see: BKA (Eds.): Police Criminal Statistics 1972; Lower Saxony Police Bureau (Eds.): 1969 Annual Report, 1970 Annual Report, 1971 Annual Report, pg. 43 ff therein. For explanations of the changes, see: Lower Saxony Police Bureau (Eds.): 1972 Annual Report.

F519. The annual report was the official register of criminal statistics, published yearly by the Lower Saxony Police Bureau.

F520. Using numbers from the Police Criminal Statistics, Schroeder pointed out the shifts and "compensations" in criminal prosecutions that took place following the passage of the fourth criminal law reform bill. (Schroeder: "The Evolution of the Sex Offense Following the Passage of the Fourth Criminal Law Reform Bill," in: Criminology and Criminal Law Reform Monthly, 1976, pg. 108 ff). There are further details concerning this in Section G, II (see pg. 218 ff infra).

F521. As early as 1950, Bader spoke of a certain "constancy in indecent offenses." (Bader: "Changes in Sexual Classifications and the Constancy of Indecent Offenses," in: Journal of Sex Research, 1950, pg. 214 ff.) This was later further confirmed by Würtenberger: "The Development of Sexual Delinquency and Its Practical Importance for the Present Day," in: Göppinger/Witter (Eds.): Current Criminological Issues, esp. pg. 157 ff.