

TOPIC M:

JUVENILE SEXUAL OFFENDERS AND THEIR VICTIMS

(For additional assistance, refer to the Commission-approved Specialized Course “Crimes Against Children,” the advanced course, “Sex Crimes,” and the Florida Juvenile Handbook, a joint effort between the Florida Department of Law Enforcement, the Department of Juvenile Justice and the Department of Children and Families.)

OBJECTIVES:

The student will:

1. Define “alleged juvenile sexual offender” as
  - (a) A child 12 years of age or younger who is alleged to have committed a violation of 794, 796, 800, 827.071, or 847.0133; or
  - (b) A child (*includes children 18 and under*) who is alleged to have committed any violation of law or delinquent act involving juvenile sexual abuse.
2. State that child on child sex offenses involve more than experimentation. Juvenile sexual offender behavior ranges from non-contact sexual behavior such as making obscene phone calls, exhibitionism, voyeurism, and the showing or taking of lewd photographs to varying degrees of direct sexual contact, such as frottage, fondling, digital and/or penetration with any other object, rape, fellatio, sodomy, and various other sexually aggressive acts.
3. Define “juvenile sexual abuse” as any sexual behavior that occurs without consent, without equality, or as a result of coercion or manipulative seduction.
4. Define “consent” as intelligent, knowing, and voluntary, and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.
5. Define “equality” as two participants operating with the same level of power in a relationship, neither being controlled nor coerced by the other.
6. Define “coercion” as exploitation of authority, use of bribes, threats of force, or intimidation to gain cooperation or compliance.

7. Define “sexual battery” as oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for bona fide medical purpose.
8. State that “rape” is not a legally accepted term for sexual abuse.
9. Define “mentally incapacitated” as temporarily incapable of appraising or controlling a person’s own conduct due to the influence of narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person with his or her consent.
10. Define “physically helpless” as unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.
11. Define “physically incapacitated” as bodily impaired or handicapped and substantially limited in ability to resist or flee.
12. State that non-consent is not an element in sexual assaults of victims less than sixteen years of age in Florida.
13. Define “incest” as a person knowingly marrying or having sexual intercourse with a person to whom he/she is related by lineal consanguinity, or a brother, sister, uncle, aunt, nephew, or niece.
14. Define Pedophilia as the act or fantasy of engaging in sexual activity with pre-pubescent children (usually 13 or younger), as a repeated, preferred or exclusive method of achieving sexual excitement.
15. Define pedophile as a person who has a sexual preference for children.
16. Define child molester as a person who is sexually attracted to and/or engaged in any type of sexual activity with individuals legally defined as children.
17. Define the two classes of sex offenders, to include situational and preferential child molester.
18. List common characteristics of the situational molester.
19. List patterns of behavior of situational molesters.
20. List common characteristics of the preferential child molester.
21. List patterns of behavior of preferential child molesters.
22. List common characteristics of juvenile sex offenders.

23. List patterns of behavior of juvenile sex offenders.
24. State that child sex offenders represent every type of sexual orientation.
25. State that with the exception of pedophilia, among child sex offenders no sexual orientation is predominant or more common than others.
26. Describe patterns of behavior of a preferential molester to include the seducer, introvert and sadistic offender.
27. Describe patterns of behavior of the regressed situational molester.
28. Describe patterns of behavior of the morally indiscriminate situational molester.
29. Describe patterns of behavior of the sexually indiscriminate situational molester.
30. Describe patterns of behavior of the inadequate situational molester.
31. Describe characteristics of the opportunist offender.
32. Describe characteristics of the sexual fantasist.
33. Describe characteristics of the vindictive offender.
34. Describe characteristics of the angry offender.
35. Describe characteristics of the sexual sadist.
36. Define child erotica.
37. Give examples of child erotica.
38. Identify elements of child pornography.
39. Identify the elements of computer pornography and computer related offenses.
40. Define the elements of s. 827.071, F.S., as they relate to child sexual performance.
41. State four common characteristics of sexual assaults.
42. State five common effects of sexual abuse on victims.
43. List physical indicators of a non-consensual sexual assault.

44. List five manners of identifying and investigating juvenile sex offense cases.
45. Identify factors that may influence sex crime evidence, to include:
  - (a) Delay in reporting
  - (b) Outside contamination
  - (c) The victim bathes or showers
  - (d) Victim urinates
  - (e) Victim eats, drinks or smokes
46. List potential evidence of a recent assault that may be collected at a sex crime scene, to include:
  - (a) Serological
  - (b) Microscopic
  - (c) Corroborative
  - (d) Eliminative
47. List five types of evidence in a crime that may be collected during an investigation, to include:
  - (a) Physical
  - (b) Documentation
  - (c) Medical
  - (d) Testimony
  - (e) Photographs
48. Identify possible physical evidence from which DNA samples may be extracted.
49. List major evidence collection errors occurring at a sex crime scene that can hinder prosecution.
50. State the importance of conducting an immediate medical exam of the victim when a complaint is made within 72 hours after the abuse occurs.
51. List potential evidence that may be collected during a medical examination.
52. State the differences between a “traditional” search warrant and an “expertise” search warrant.
53. Given s. 90.404, F.S., apply Williams Rule or Similar Fact evidence to sexual abuse cases.

54. Pursuant to chapter 39 (and former 415), F.S., define the duties and requirements of law enforcement officers assisting or working with members of the Department of Children and Families/Department of Health, to include situations involving:
  - (a) Joint investigations
  - (b) Taking children into protective custody
  - (c) Gathering evidence
  - (d) Assisting in the interview process
  - (e) Providing services to the family
  
55. List social service providers and other agencies that may become involved in the response or investigation of a juvenile sex crime, to include:
  - (a) Victim witness
  - (b) Child protection teams
  - (c) Florida Department of Law Enforcement Rapid Response Team (RRT)
  - (d) Local law enforcement
  - (e) Florida Abuse Hotline/Registry
  - (f) Protective Investigators
  
56. State the role of the Child Protection Team in investigating sex crimes.
  
57. State the purpose of the Florida Abuse Hotline.
  
58. Identify the Sexual Abuse Intervention Network (SAIN) as a community-based, multi-disciplinary, inter-agency case and services management systems network, specifically designed to assist a jurisdiction in addressing the management of juvenile sexual offenders and their families.
  
59. State that pursuant to s. 914.16, F.S., most jurisdictions are under local court order to limit or minimize the number of interviews of child victims and/or utilize local child advocacy centers.
  
60. State pursuant to s. 914.16, F.S., under what conditions exceptions to the number of child interviews is applicable.
  
61. Given Florida Statutes and local codes, state the legal requirements for videotaping and audio taping a child-victim's statement.
  
62. List possible child-victim reactions to sexual abuse that may be experienced during the interview.
  
63. State that it is not uncommon for a sexual assault victim to retract their initial statement.

64. Define the elements of the statute of limitations as stated in s. 775.15, F.S.
65. List common interview tools that may be used in the child interview process.
66. State uses of the anatomical dolls and/or drawings, and the training necessary in their use.
67. List do's and don'ts of the child interview process.
68. State the exceptions for administration of child-victim statements with regard to the hearsay rule pursuant to s. 90.803, F.S.
69. State the legal requirements of controlled phone calls in a juvenile sexual abuse investigation.
70. State the legal requirements of confidentiality in sexual abuse cases involving juveniles.
71. List special techniques to follow in interviewing the offender.
72. Describe possible defenses of a child molester to include a description of denial, minimization, justification, fabrication, mental illness, sympathy, attack, and guilty, but not guilty.
73. List three major reasons for false reporting of sexual abuse.