

UNIVERSITY OF CALGARY

**The Anatomy of Sexual Assault:
Linking Opportunity and Motivation**

by

Alison J. Sherley

**A THESIS
SUBMITTED TO THE FACULTY OF GRADUATE STUDIES
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE
DEGREE OF MASTER OF ARTS**

**DEPARTMENT OF SOCIOLOGY
CALGARY, ALBERTA
JUNE, 2001**

© Alison J. Sherley 2001



**National Library
of Canada**

**Acquisitions and
Bibliographic Services**

**395 Wellington Street
Ottawa ON K1A 0N4
Canada**

**Bibliothèque nationale
du Canada**

**Acquisitions et
services bibliographiques**

**395, rue Wellington
Ottawa ON K1A 0N4
Canada**

Your file Votre référence

Our file Notre référence

The author has granted a non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of this thesis in microform, paper or electronic formats.

The author retains ownership of the copyright in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de cette thèse sous la forme de microfiche/film, de reproduction sur papier ou sur format électronique.

L'auteur conserve la propriété du droit d'auteur qui protège cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

0-612-65052-9

Canada

Abstract

Sexual assault is a complex crime involving interactions and exchanges between offenders and victims, as well as the situational contexts in which the sexual assaults occur. Considered within a criminal event framework, sexual assault consists of social, spatial and temporal dimensions which each contribute characteristics to shape the sexual assault event. This analysis examines the anatomy of the sexual assault event both quantitatively and qualitatively in terms of routine activities and control theory. The victim as attractive target and the lack of capable guardianship are addressed in terms of vulnerabilities and contexts conducive to sexual assault, while offender motivation is assessed by way of control theory and social bonds. As well, the nature of the sexual assault event is explored as it relates to the prevailing themes of opportunity and motivation.

Acknowledgements

First and foremost, I would like to thank my supervisor, Erin Van Brunschot, whose guidance over the past two years has taught me more than what I could possibly learn from any book. I am grateful for the time and effort she has devoted to this undertaking, as well as for her answers and advice to what must have seemed like endless questions. Erin's constructive criticism and expertise have made this a very rewarding experience from which I will benefit for years to come. With this, I also thank Jim, Giorgia, Paige and Jesse for their patience in allowing me to "borrow" Erin on countless occasions.

I thank my committee members, Yvonne Ko and Brenda Baker, for their ideas and suggestions provided at my defence. Thank you to the Calgary Police Service for recognizing the importance of such research and for allowing me access to the data which serves as the basis for this study. To Yvonne Ko and Brendan Adler who got the process underway and to Bob Mackenzie who set up my data files, replied to my many e-mails and answered my many questions in regards to the police data, I am grateful. The help and clarification you provided is greatly appreciated. Thank you to Angelique Hamilton and Caralynn Stelmack of the Calgary Police Service FOIP section for allowing me access to the qualitative files and for 'preparing' the statements to be analyzed. Your time in this regard does not go unnoticed.

I have been extremely fortunate to progress through the Master's program with a wonderful group of friends whom I could not have done without. To Shelley, Tina, Colleen, Sue, Diane, Charlie and Heather, who provided me with support, advice and

above all, uncontrollable laughter, I am extremely grateful. I'm sure these friendships will last a lifetime.

Most importantly, to my parents, Roberta and Bruce, whose unconditional encouragement, support and patience have afforded me with incredible opportunities, I will always be grateful. Of course, I could never forget the slight, yet constant, irritation provided by Craig and Ken that served as a good outlet for any frustration, nor Stirling's sincere greetings every time I came in the door. I am grateful for Brian's strength and understanding and thank him for putting up with my countless "moments". His constant presence has provided much needed reassurance in times that have occasionally been anything but. The experiences we've all been through over the past two years have only reinforced what is most important, something beyond what academia or work will ever provide.

Dedication

This thesis is dedicated to my parents, Roberta and Bruce, both of whom I admire for the exemplary strength they've shown over the past two years.

Table of Contents

Approval Page.....	ii
Abstract	iii
Acknowledgements.....	iv
Dedication.....	vi
Table of Contents	vii
List of Tables	ix
List of Figures	x
Epigraph.....	xi
 CHAPTER ONE: The Sexual Assault Event.....	 1
What is Sexual Assault?	4
Implications of the Sexual Assault Legislation	8
Sexual Assault in the Canadian Context	10
Summary	13
 CHAPTER TWO: Theoretical Perspectives.....	 15
Routine Activities Theory	15
Control Theory	20
Control Theory and Routine Activities Theory Combined	26
Further Theoretical Considerations	27
Summary	28
 CHAPTER THREE: Methodology.....	 32
Data Source	32
Sample	35
Coding	37
Operationalization of Routine Activities and Control Theory	37
Quantitative Analysis – Predictive Models	39
Qualitative Analysis – Participant Statements	41
Summary	42
 CHAPTER FOUR: Descriptive Statistics.....	 43
Offender Motivation and Social Bonds	43
Summary	53
Victim Vulnerability and Routine Activities	55
Summary	61
Victim-Offender Association	63
Summary	65
Situational Characteristics, Guardianship and Routine Activities	67
Summary	72
Conclusion	75

Correlates of Sexual Assault Severity	76
Summary	89
Conclusion	93
CHAPTER FIVE: The Sexual Assault Event – Elements in Time and Space....	94
Social Bonds and the Motivated Offender	94
Victim Routines and Situational Characteristics	97
Converging Elements of Routine Activities	100
Limitations	105
Conclusion	106
CHAPTER SIX: Interaction and Exchange in the Sexual Assault Event.....	108
Elements in Context	109
The Motivated Offender	109
Life Events	110
Sexual Demands	111
Alcohol and Drugs	111
Anger	112
Manipulation	113
Victims as Attractive Targets	114
Awareness	114
Occupational Hazards	115
Situational Contexts and the Absence of Capable Guardianship	116
Capability	117
Volatility and Risk	118
The Impact of Routine Activities Elements	119
Assessing Motivation	119
Discrepancies in the Categorization of the Sexual Assault Event	123
Conclusion	124
CHAPTER SEVEN: Linking Opportunity and Motivation.....	128
Revisiting the Research Questions	128
Assessing the Theoretical Framework	131
Implications and Directions for Future Research	135
Conclusion	137
REFERENCES.....	139
APPENDIX A: Criminal Code of Canada: Sexual Assault.....	147
APPENDIX B: Criminal Code of Canada: Common Assault.....	151
APPENDIX C: Additional Relationships.....	154

List of Tables

Table	Description	Page
4.1	Offender and Victim Characteristics of Social Bonds and Routine Activities	66
4.2	Situational Characteristics of Routine Activities	74
4.3	Characteristics of Sexual Assault Severity	91
5.1	Logistic Regression Results for Sexual Assault Severity by Offender Social Bonds	95
5.2	Logistic Regression Results for Sexual Assault Severity by Victim Characteristics	98
5.3	Logistic Regression Results for Sexual Assault Severity by Situational Characteristics	99
5.4	Logistic Regression Results for Sexual Assault Severity by Routine Activities and Social Bonds	102

List of Figures

Figures	Description	Page
2.1	Proposed Relationship Between Routine Activities and Control Theory	31
4.1	Offender Age Category	45
4.2	Offender Race	46
4.3	Offender Race by Offender Physical Condition	53
4.4	Victim Age Category	56
4.5	Victim Race	57
4.6	Victim Race by Victim Physical Condition	61
4.7	Victim-Offender Relationship	72
4.8	Sexual Assault Severity	77
4.9	Sexual Assault Severity by Average Offender and Victim Age	78
4.10	Offender Race by Average Sexual Assault Severity	79
4.11	Sexual Assault Severity by Prior Sex-Related Charges	81
4.12	Sexual Assault Severity by Offender Employment Status	83
4.13	Sexual Assault Severity by Offender Impairment	84
4.14	Sexual Assault Severity by Location	86
4.15	Sexual Assault Severity by Victim-Offender Relationship	89

The "why" questions continue indefinitely. Do we really ever have an answer?

Stanton E. Samenow, *Straight Talk About Criminals*

Chapter One: The Sexual Assault Event

Sexual assault is a crime that denies its victims of the right to decide whether to engage in sexual contact with another person and of the freedom and ability to control the circumstances and character of that sexual contact (Sanday 1996). In 1999 there were approximately 24,000 reported sexual assaults in Canada, making up over eight percent of all violent crimes¹ (Statistics Canada 2000). Following a decline from 1995 – 1997, the number of sex-related attacks in Calgary rose in 1998 to 110.5 sexual assaults per 100,000 population and declined again in 1999 to 100.9 assaults per 100,000 population² (Wiltse and Burrows 2000). These rates are above the Canadian national rate of sexual assault, 84.5 and 78.3 per 100,000 population in 1998 and 1999, respectively (Statistics Canada 2000). Furthermore, it is estimated that 1.3 forcible rapes³ occur in the United States every minute (Kilpatrick, Edmunds, and Seymour 1992), while at least 1 out of every 5 women in the United States will be sexually assaulted over the course of their lives (Koss 1992).

Rather than being a crime explicable exclusively in terms of the offender, sexual assault may be best understood as an event, one that encompasses, yet also extends beyond, the analysis of offenders (Sacco and Kennedy 1996). Criminal ‘events’ occur at certain times and places (Sacco and Kennedy 1996) and are not easily extracted from the physical and social settings in which they transpire (Miethe and Meier 1994). Criminal events also assume a social element in that they involve interactions between people,

¹ Violent crimes include any criminal offence involving the threat or use of violence against a person. Among these are sexual assault and other sexual offences, homicide, assault, robbery and abduction.

² Sexual assaults are particularly susceptible to late reporting, therefore decreases reported for a given year may be negated due to subsequent late reporting (Wiltse and Burrows 2000).

³ It should be noted that ‘rape’ in the United States is not equivalent to ‘sexual assault’ in the Criminal Code of Canada. Rape entails penetration whereas sexual assault may encompass a range of behaviors from threats and fondling to intercourse.

whether they are the offenders, victims, witnesses, or police officers. Each event participant interacts with every other, shaping the course of the event and the stages through which it proceeds resulting in a complex set of interactions (Sacco and Kennedy 1996). Thus, both the behavioural and situational elements of the crime (Birkbeck and LaFree 1993) interact to produce the sexual assault event, a social exchange between people who find themselves in particular circumstances (Johnson 1996).

The research questions to be answered in this study are: Does a lack of social bonds lead an offender to commit more severe sexual assaults? Are more suitable targets, i.e. attractive opportunities, vulnerable to more serious degrees of sexual assault? Does the absence of capable guardians place victims of sexual assault at risk for a more severe attack? How do the characteristics of the motivated offender, in terms of a lack of social bonds, as well as aspects of suitable targets and an absence of capable guardianship, converge to produce more or less serious sexual assault events?

The purpose of this study is to thoroughly explore the sexual assault event. In order to understand this criminal event and the interactions that take place, it is necessary to fully examine all of the key aspects of the crime. This study does not involve an investigation into the prevalence of sexual assault in Canadian society as it is well established that sexual assault is an extensive problem (Newton-Taylor, DeWit, and Gliksman 1998; Senn, Desmarais, Verberg, and Wood 2000; Spitzberg 1999), but will instead involve an analysis of the offenders, victims, and situational elements of sexual assault incidents to form an overall picture of the event. This investigation will be accomplished through a quantitative analysis of incident reports combined with a qualitative analysis of witness statements obtained from police files.

The control theory of crime and routine activities theory provide the context for a more complete understanding of the sexual assault event. By widening the analytical framework to encompass offender, victim, and situational characteristics, this study will examine what it is that motivates offenders to commit sexual assault, more specifically, how a lack of social bonds interacts with the presence of opportunity to facilitate, or inhibit, the offender in his commission of the sexual assault. This study will also identify particular victim characteristics and situational elements that allow for, or set the stage for, the criminal event to occur in terms of opportunity and how these elements may interact to shape the sexual assault event.

The identification of pertinent characteristics and patterns of sexual assault will lead to a fuller understanding of this phenomenon and will have practical implications in terms of providing awareness about sexual offences and offenders, as well as victimization risks. There is a need to identify under what conditions sexual victimization and offending occurs, and who is involved in these occurrences. If interventions are to be effective, it is necessary that the contexts and consequences of sexual assaults are known, as well as the contextual differences between different forms of sexual assault (Edward and Macleod 1999; Ullman 1999).

What is Sexual Assault? Rape Law Reform and Sexual Assault Legislation in Canada

In order to study this criminal event, one must understand what behaviors constitute sexual assault and how sexual assault differs from other forms of assaultive behavior. Prior to 1983, the Criminal Code of Canada defined rape under Section 143 of the Criminal Code. It stated:

A male person commits rape when he has sexual intercourse with a female person who is not his wife,

- a) without her consent, or
- b) with her consent if the consent
 - i) is extorted by threats or fear of bodily harm,
 - ii) is obtained by personating her husband, or
 - iii) is obtained by false and fraudulent representations as to the nature and quality of the act. 1953-54, c.51, s. 135.

This narrow definition of rape held several strict criteria. The act in question had to involve sexual intercourse in its most basic form, that is, penetration by a man against a woman. While the act had to have been committed without the consent of the woman, or with consent if it was obtained through fraudulent means, it was also necessary that the act had to occur outside the boundaries of marriage. Under the Criminal Code a wife was afforded no protection from her husband, as he was deemed to have complete and unlimited sexual access to his wife at all times (Department of Justice Canada 1990).

The strict definition provided in the legislation meant that only men who raped women were eligible under the law to be convicted of rape. Therefore, sexual attacks by a man against a man, by a woman against another woman, or by a woman against a man, were excluded from the definition of the rape offence. This limited definition also meant

that those sexual attacks which did not involve actual penetration, but were perhaps equally violent and coercive, were not included under this legislation. Hence, the victims of these 'unequal' offences were not afforded the same protection and consideration under the Criminal Code (Department of Justice Canada 1990).

Furthermore, the rape law "provided no guidelines or parameters for sentencing, generally result[ing] in seemingly arbitrary and light sentences. A chasm existed between legal theory and legal practice" (Department of Justice Canada 1990: 4). While rape was punishable by a maximum sentence of life imprisonment, indicating that it was, indeed, considered a serious offence, rapists rarely received more than a minimum sentence if they were convicted at all. For instance, the Department of Justice Canada (1990) states that in 1971 there were over 2000 rapes reported in Canada. Of these, approximately 1200 were classified as founded⁴ by the police, 119 persons were subsequently charged, and 65 of those charged were actually convicted of rape or a lesser offence. This means that only 3% of the original reports to the police ended in the conviction of an offender. In addition, convictions and trial proceedings were frequently hampered by evidentiary and procedural rules such as the doctrine of recent complaint,⁵ the corroboration rule⁶ and the previous sexual history of the complainant.⁷

⁴ 'Founded' refers to cases in which the police have decided there is enough evidence to substantiate the claim made by the victim.

⁵ The doctrine of recent complaint was an exception to the rule that one is not entitled to introduce evidence of statements made by the witness outside of the courtroom, proposing that it was acceptable to introduce the witness's out of court statements based on the common law notion that a rape victim would complain, by "hue and cry", of rape at the first opportunity provided. This discounts the fact that many women are reluctant to report the sexual attack due to fear and embarrassment (Department of Justice Canada 1990).

⁶ The corroboration rule required that the testimony of a witness to the incident had to be corroborated by other independent evidence. Given that many sexual attacks occur in private, with only the victim and offender present, this rule proved problematic in attaining convictions (Department of Justice Canada 1990).

⁷ Previous sexual history of the complainant refers to the ability to introduce evidence of the complainant's sexual activity with other persons if it is deemed relevant to the existence or lack of consent, the accused's

Amendments to the Criminal Code and the rape law foreshadowed many significant changes. The enactment of Bill C-127, which came into effect in January of 1983, removed the offences of rape, attempted rape and indecent assault from the Criminal Code (Department of Justice Canada 1990). The term 'rape' was replaced by the term 'sexual assault' which now encompassed a range of sexual activities, from the threat of unwanted sexual touching to sexual violence resulting in severe physical injury or disfigurement to the victim. Rather than standing as a type of crime on its own, rape was reclassified as a variation of assault (Tang 1998).

Three levels of sexual assault were specified (see Appendix A), although the exact definition of sexual assault remains undefined by the Criminal Code except to refer to the general definition set forth for assault in Section 265 (Johnson 1996) (Appendix B). In 1987, the Supreme Court of Canada, in the case of *R. v. Chase* (1987), ruled:

[S]exual assault does not depend solely on contact with specific areas of the human anatomy...sexual assault need not involve an attack by a member of one sex upon a member of the other; it could be perpetrated upon one of the same sex...the new [sexual assault] offence is truly new and does not merely duplicate the offences it replaces. Accordingly, the definition of the term "sexual assault" and the reach of the offence it describes is not necessarily limited to the scope of its predecessors...Sexual assault is an assault...which is committed in circumstances of a sexual nature, such that the sexual integrity of the victim is violated. The test to be applied in determining whether the impugned conduct has the requisite sexual nature is an objective one: "Viewed in the light of all the circumstances, is the sexual or carnal context of the assault visible to a reasonable observer" (*Taylor, supra, per Laycraft C.J.A.*, at p. 269). The part of the body touched, the nature of the contact, the situation in which it occurred, the words and gestures accompanying the act, and all other circumstances surrounding the conduct, including threats which may or may not be accompanied by force, will be relevant...The intent or purpose of the person committing the act, to the extent that this may appear from the evidence, may also be a factor in considering whether the conduct is sexual. If the motive of the accused is sexual gratification, to the extent that this may appear from the evidence, it may be a factor in determining whether the conduct is sexual. It must be emphasized, however, that

the existence of such a motive is simply one of many factors to be considered, the importance of which will vary depending on the circumstances (McIntyre J.).

Sections 271-273 of the Criminal Code detail the levels of sexual assault and their respective penalties (Appendix A). The three levels include sexual assault (Level I), sexual assault with a weapon or causing bodily harm (Level II), and aggravated sexual assault involving the wounding, maiming, or disfiguring of the victim (Level III). Under the new legislation, vaginal penetration was not required to bring a charge of sexual assault, nor was a husband any longer protected from being charged with sexually assaulting his wife (Tang 1998). The prohibition of spousal rape meant that either a husband or a wife could be charged with any of the sexual assault offences.

In addition, Section 274 of the Criminal Code states that corroboration is no longer required to convict an accused of sexual assault and Section 275 abrogates the rules relating to evidence of recent complaint. Sections 276 and 277 address the issues of prior sexual activity and reputation of the complainant. They hold that evidence of past sexual behavior of the complainant, either with the accused or with other persons, is no longer admissible to support the idea that the complainant is more likely to have consented to the act in question or that the complainant is less credible in the courtroom. The maximum penalties for sexual assault offences were raised to 10 years, 14 years, and life imprisonment, respectively, for the three levels of assault.

The new sexual assault laws were intended to encourage the reporting of sexual assault incidents, to move the focus away from the sexual nature of the assault and towards the violent and assaultive nature of the crime, and to limit the connections that could be made from a woman's previous sexual behaviour to her credibility in the

courtroom (Tang 1998). The new sexual assault legislation was meant to assist police, juries, and judges in making the law a more efficient and responsive deterrence instrument and to establish more distinction between the different levels of offences and their maximum penalties. Other aims included rectifying sexual discrimination within the criminal justice system, and improving the experiences of sexual assault victims by lessening the distress and humiliation that was often endured during the trial process (Department of Justice Canada 1990). Whether or not these goals were ultimately reached is not a focus of this research. However, as with most initiatives much of the literature reports (Boritch 1997; Department of Justice Canada 1990; Johnson 1996; Tang 1998) that the newly implemented legislation was successful in some respects while it fell short in others, raising new concerns and areas for possible improvement.

Implications of the Sexual Assault Legislation

Since the legislation was passed in 1983, the rate of sex offences reported to the police has risen markedly (Statistics Canada 1999). A gradual reduction in the stigma associated with being a victim of sexual assault as well as increased victim support has helped to increase the willingness of victims to report their victimizations, often years after the incident. The sexual offence rate reached its peak in 1993 when there was a reported 135 incidents for every 100,000 population in Canada.

It must be taken into account that police statistics represent only a very small proportion of all sexual offences, as it has been suggested by victimization surveys that the rate of unreported sexual offences could be as high as 90% (Gartner and Doob 1994), consequently hindering any attempts at correctly estimating sex offence rates. In

addition, there is little evidence to suggest that the law has had any significant impact on the likelihood of charges being laid or the conviction rate (Clark and Hepworth 1994; Roberts 1994). Overall, Boritch (1997) states that while the reform legislation has been successful in achieving one of its intended goals by encouraging the reporting of sexual assault crimes by a larger number of victims, it has not had any considerable impact on the ensuing processing of the reports by the police and courts suggesting limitations on the extent to which law reform can provide solutions to such a substantial and complicated problem.

Many researchers and advocates believe that the legal definition of sexual assault fails to capture the entire scope of the violence experienced by the victims (Sheffield 1997). The *Final Report of the Canadian Panel on Violence Against Women* (Canadian Panel on Violence Against Women 1993) accentuates the fact that the physical acts and injuries sustained by the victims of violence represent only one aspect of violence against women. Incidents of verbal and psychological abuse endured by many women, either alone or in the context of another crime, may have less obvious but no less incapacitating or traumatizing effects on the victims. Sheffield (1997) claims that what women experience as sexually violent and violating is not reflected in the legal codes. Thus, in steering the focus away from the sexual nature of the attacks, the legislation may be seen as minimizing an extremely violating experience.

Ultimately, whether or not the legislative reform leads to the changes that were envisioned depends on the way in which the changes are interpreted and applied at numerous stages and by varying agents within the criminal justice system, including police, prosecutors, defence attorneys and judges. Boritch (1997) states that “[w]hat the

1983 rape-reform legislation essentially created was a general framework for decision-making on the part of the judiciary” (237). Most notably, the legislation fails to provide an exact statutory definition of what constitutes sexual assault and what differentiates a “sexual” assault from a “common” assault (Boyle 1994). Therefore, it is at the discretion of the judges to establish the scope and connotation of “sexual” (Boritch 1997), resulting in crimes of sexual victimization and violence being ambiguous and diverse in definition and in interpretation (Sheffield 1997). Thus, these revisions are better considered the beginning, rather than the end, of an on-going process of decision-making and legislative changes within the criminal justice system in response to sexual assault offences (Boritch 1997).

Sexual Assault in the Canadian Context

Canadian research has found that 1 out of 5 women experience sexual assault after the age of 14 and 1 out of 13 men have committed acts that can be legally defined by the Criminal Code of Canada as sexual assault involving penetration or attempted penetration (Senn, Desmarais, Verberg, and Wood 2000). Findings from the *Women's Safety Project*⁸ indicate that two out of three women have experienced incidents that are legally recognized as sexual assault (Haskell and Randall 1993). Additionally, 41% of a sample of students from the University of Alberta reported that at some point in their lives another person had attempted to initiate sexual activity with them, ranging from kissing to sexual intercourse, when they did not wish to participate. Over three-quarters of these students were women (Elliot, Odynak, and Krahm 1992). Newton-Taylor,

⁸ The Women's Safety Project is a community-based study that took place in Toronto, Canada in 1993. It included one-to-one in-depth interviews with 420 randomly selected women living in Toronto.

DeWit, and Gliksman (1996) also found that 15% of their sample of Canadian female university students from Ontario had been sexually assaulted.

Increased focus on violence against women has resulted in numerous studies in relation to sexual violence, yet the study of sexual assault in the Canadian context remains limited and serves to emphasize certain aspects of the event more than others. All aspects of the criminal event - the offenders, victims, and situational circumstances - are rarely combined and thoroughly examined in one study. Therefore, most of the available research on sexual assault falls short in explaining one or more aspects of the criminal event.

The relative lack of Canadian research on sexual assault is evidence that sexual assault data is not readily available and easily accessible either in the form of quantitative police statistics or qualitative interview data. The sensitivity of the subject precludes easy access to official records and causes victims to be reluctant to disclose their experiences. The most comprehensive Canadian material on this subject focuses broadly on violence against women. Johnson (1996) refers to a number of sources, including the Violence Against Women Survey.⁹ Such survey material is generalizable to the Canadian population yet does not focus specifically on sexual assault, devoting most of its pages to the victims and situational aspects of the violence-against-women

⁹ The Violence Against Women Survey was a national survey undertaken in Canada dedicated entirely to women's experience of male violence which revealed that sexual assault was more prevalent than other data sources indicated, as well as drawing attention to findings that would otherwise be difficult to obtain from official statistics (Canadian Panel on Violence Against Women 1993). Specifically, over half of all women have experienced at least one incident of violence since the age of 16 and almost 18% of this physical or sexual violence resulted in physical injury. The highest rates of female victimization were reported by women in British Columbia (59%), Alberta (58%) and Ontario (53%). The Violence Against Women Survey also confirmed what past research has already suggested. Approximately one half of all women had experienced violence at the hands of someone known to them, including dates, boyfriends, spouses, friends, family, and neighbours and 23% had experienced violence by a stranger. Almost one fifth of the respondents had experienced multiple victimizations by both strangers and men known to them.

phenomenon. While these aspects are a crucial part of research and play a major role in raising awareness, no offence can take place without an offender, which is often missing from victim accounts. Insight into both the victims *and* offenders of sexual assault remains a key element in the movement towards greater understanding.

Studies of sexual violence have tended to focus on populations within the United States (Newton-Taylor, DeWit, and Gliksman 1998; Spitzberg 1999). Likewise, there is a considerable overrepresentation of college samples making it difficult to obtain a generalizable assessment of the problem (Abbey, McAuslan, and Ross 1998; Newton-Taylor, DeWit, and Gliksman 1998; Spitzberg 1999; Ullman, Karabatsos, and Koss 1999). Newton-Taylor, DeWit and Gliksman (1996) focus specifically on female university students in Ontario. They report that 15% of the students had been sexually assaulted and that these students were more likely to consume alcohol, use drugs and attend social activities. While these findings are important for the university community, the results are less generalizable to the broader Canadian population. In addition, their focus on both physical and sexual assault, and the concentration on the victims of these offences, leaves many angles and participants in the event unexamined.

Similarly, Senn, Desmarais, Verberg and Wood (2000) limit their study to coercive sexual behavior in a random sample of Canadian men. These results may be generalizable to the population as a whole; however, their focus on the prevalence of sexually coercive behavior among male offenders similarly neglects other aspects of the sexual assault event. Without information regarding the perpetrators and situational circumstances of these events, their analysis remains narrow in scope. In addition to limiting generalizability, much research has also been conducted on small sample sizes

(Spitzberg 1999). Thus, there has been little in-depth research focusing exclusively on sexual assault that takes into account all participants in the event.

Summary

The preceding sections address relevant issues surrounding the sexual assault event such as the current definition of sexual assault, the legislative processes and changes, as well as highlights Canadian research on sexual assault in order to situate the current study. This provides a foundation on which to base further understanding. The theoretical frameworks with which the sexual assault event will be considered are discussed in Chapter Two. Routine activities and control theory provide a framework with which to examine the sexual assault event that encompasses the offender, victim and situational elements of any given criminal transaction. I then turn to a description of the methodological strategies used to obtain and analyze the sexual assault data (Chapter Three). Chapter Four consists of descriptive statistical analyses of the various elements of the sexual assault event, the relationships between these elements, and relationships between these elements and a constructed scale of sexual assault severity. This will allow for an initial examination of the offender in terms of control theory and social bonds as well as the victim and situational characteristics essential in routine activities.

Chapter Five further investigates the relationships addressed in Chapter Four by way of logistic regression analyses. I examine the convergence of these elements as proposed by routine activities theory and identify statistically significant relationships once controlling factors have been considered. I then turn to a qualitative analysis of the sexual assault event by way of participant statements (Chapter Six). This lends insight

into the exchanges and transactions which take place among the elements of the sexual assault event. Chapter Seven highlights significant findings framed by the research questions, assesses the theoretical perspectives with which the sexual assault event is considered, addresses limitations to the current study and concludes with implications and recommendations for future research.

Chapter Two: Theoretical Perspectives

The sexual assault event involves an interaction between behavioural and situational elements. Whereas many analyses tend to focus strictly on the offender, this research expands the scope of analysis by incorporating victim and situational characteristics as well. Victim and situational characteristics of the assault are incorporated through routine activities while the motivated offender is given well-deserved attention through control theory and the issue of social bonds. Combining control theory and routine activities hence broadens the theoretical framework and captures a wider range of sexual assault event characteristics than would be possible through either theory individually.

Routine Activities

Routine activities theory addresses the characteristics of the criminal event, beyond the offender him or herself. Routine activities theory, or criminal events theory (Miethe and Meier 1994; Sacco and Kennedy 1996), addresses the characteristics of the criminal event, explaining how ordinary lifestyles and activities may contribute to offending and/or victimization. Cohen and Cantor (1980) define routine activities as “any recurrent and prevalent activities...which provide for basic population and individual needs...routine activities would include formalized work, as well as the provision of standard food, shelter, sexual outlet, leisure, social interaction, learning and childrearing” (144).

Originally put forth by Cohen and Felson (1979), routine activities theory approaches crime in terms of the lifestyles and routines of peoples' everyday lives and

the ways in which people adapt to their environments (Kennedy and Forde 1990).

Criminal violations are considered events which occur at specific locations in space and time, involving particular persons or objects (Felson and Cohen 1980). Routine activities theory proposes that vulnerability to crime is contingent on the exposure that comes from adhering to certain lifestyles, a key underlying assumption being that behavior is both repetitive and predictable (Kennedy and Forde 1990).

Routine activities analyzes how social structure facilitates the translation of criminal inclinations into action (Felson and Cohen 1980). In order for a crime to take place, Cohen and Felson (1979) propose an essential convergence of three elements in time and space: a motivated offender, a suitable target, and the absence of capable guardians. The different lifestyles that people lead create opportunities for various events to occur, including criminal events, by bringing individuals together in settings which are conducive to the activities involved in any particular event (Young 1997). According to routine activities theory, the lack of any one of these three essential components is enough to avert a potential predatory violation (Felson and Cohen 1980).

In addition to understanding the motivated offender, knowledge of the lifestyle, structural constraints, and demographic contexts of the environments in which criminal acts occur is also necessary to promote an understanding of criminal victimization (Kennedy and Forde 1990; Sampson and Wooldredge 1987). At a minimum, successful personal predatory crimes require an offender with criminal motivations and the ability to carry out the crime, a person serving as a suitable target, and the absence of guardians capable of preventing the crime from taking place (Cohen and Felson 1979). Routine activities does not explicitly address the motivated offender, but rather treats him/her as

only one element of the criminal event and therefore as a given, paying little attention to what motivates the offenders to behave in a criminal manner. Rather, it is simply stated that offenders who are likely to commit a crime, if and when they are presented with the opportunity, are a necessary part of the criminal event.

Routine activities' focus on victim and situational characteristics maintains that personal and property crime targets are often highly visible and accessible at certain times, and thus the timing of criminal acts is contingent on what the offender thinks he or she knows about the activities of the target (Kennedy and Forde 1990). In effect, the daily routines of certain people increase the possibility that they will be visible and accessible to motivated offenders, while the routines of others may decrease their visibility and accessibility.

Target suitability consists of two main dimensions, namely the accessibility of the potential victim as a crime target and the attractiveness of the person as a target. The attractiveness of the target is related to its material or symbolic desirability for the offender. Target attractiveness can change from crime to crime and from offender to offender, and can play a greater role in certain crimes than in others (Finkelhor and Asdigian 1996). In some criminal events, the correspondence of personal victim characteristics with the particular motives and predispositions of the offender provides a virtually comprehensive explanation of victim choice, whereas in other cases, personal characteristics of the victim provide only partial explanation. For example, relatively impersonal street crimes such as muggings may involve an offender who likely chose his target based on proximity rather than personal characteristics compared to victimizations such as stalking crimes in which the offender is likely basing his choice of target solely

on the personal characteristics of the victim (as well as past relationship), providing a relatively full explanation of victim choice. Furthermore, in terms of sexual assault, female victims are attractive targets to the majority of male sex offenders.¹⁰

The relationship between attractiveness and target suitability is further mediated by the target's accessibility. This involves the physical visibility and ease of accessibility of the crime target. Personal crimes require physical contact, or the threat of harm, between the offenders and the victims, thus the offenders must be able to come into direct or close contact with their potential victims if any criminal interaction is to occur. This factor also involves the ability of the target to resist attack which, in the case of sexual assault, could include weight and size of the female victim (Bennett 1991). In addition, the opportunities the victim may have to escape and factors such as physical strength and weapons may make the target difficult to overcome, adding a certain degree of risk to the criminal event (Cohen and Felson 1979).

The absence of capable guardians, the third aspect of routine activities theory, can be defined in many ways. In general, this aspect can be divided into three categories: formal social control, informal social control, and target hardening. Agents of formal social control include police, courts, and corrections, whereas informal control includes private individuals and groups of citizens who have the ability to protect people through surveillance and intervention. In addition, devices such as alarms and weapons are

¹⁰ While target attractiveness can be extended to personal violations, such as sexual assault, it has been noted that the concept of target attractiveness in the case of sexual assault carries certain victim-blaming and stereotypical connotations which are somewhat inappropriate and should be avoided (Finkelhor and Asdigian 1996). The characteristic of being female may make a woman an attractive target to the offender, but this is not a routine activity, rather it is a risk attribute. Being female should be seen as a feature that makes women 'congruent' with the distinctive motives and needs of most male sex offenders, therefore carrying implications that are specific to the predispositions and inclinations of the offender and thus removing any blame from the victim for a 'risk attribute' that is unavoidable (Finkelhor and Asdigian 1996).

considered target hardening activities which have been found to deter offenders (Bennett 1991).

In general, routine activities “bring together during various times of day or night persons of very different backgrounds, some of whom are suitable targets and others of whom are likely offenders...these activities provide people with many of the tools, weapons, skills, and facilities which affect their commission or avoidance of criminal acts” (Cohen and Felson 1979: 394). As well as the suitability of targets and the availability of guardianship, one must consider the tools, skills, and weapons at the offender’s disposal and the spatio-temporal distributions of persons who have criminal inclinations. Coupled with the timing of potential offenders’ activities in relation to those of targets and guardians (Cohen and Felson 1979), the convergence of these elements is likely to result in a criminal event according to routine activities.

In essence, routine activities focuses on the contexts that allow motivated offenders to be brought into action. Routine activities are the key intersection between social structures and individual lives, linking the macro and micro aspects of society (Osgood, Wilson, O’Malley, Bachman, and Johnston 1996). Routine activities supports the notion that it is not who people are that influences their chances of being victimized but rather what they do, where they are, and with whom they come in contact (Mustaine and Tewksbury 1999).

Routine activities has been employed in efforts to understand how, why, to whom, when, and under what circumstances crimes occur, facilitating the exploration of the contexts and domains in which crimes evolve (Mustaine and Tewksbury 1999). While general research in these areas has been plentiful, research on specific subpopulations, for

specific offence types, and within specified domains of activity are needed in order to understand how the main components of the theory facilitate or inhibit the commission of criminal events. In addition, gender-specific models for specific offences are necessary to fully comprehend the varying dynamics involved in the victimization experiences of men and women (Mustaine 1997). While routine activities incorporates all major elements of the sexual assault event, the motivated offender remains somewhat unclear. Most importantly, how does the offender come to possess the necessary motivation (according to routine activities) to commit a crime? It is to this aspect of the sexual assault event that we turn in the next section by way of an examination of control theory and social bonds.

Control Theory

Control theory governs much current research on crime and criminality and is widely used to understand why individuals are prone to criminal activity (Akers and Lee 1999; Gottfredson and Hirschi 1990; Hirschi 1969; Sampson and Laub 1990; Sampson and Laub 1993). The underlying assumption of control theory is that everyone has the inherent motive to deviate. Hirschi (1969) states, “[w]e are all animals and thus naturally capable of committing criminal acts” (31). Therefore, control theorists claim that the question to be answered is not why people do commit crime, but why people do *not* commit crime. Control theory maintains that people commit crime due to a weakness of forces that restrains them from doing so. These forces are referred to as social bonds, which are assumed to be weak or broken in the lives of those who commit criminal acts

(Hirschi 1969). That is, what bonds are lacking in the lives of the offenders thus allowing them to deviate?

Control theory focuses on individual socialization, social bonds (Hirschi 1969) and the impact of social bonds on future behaviors. Similar to Toby's (1957) concept of having a "stake in conformity", control theory focuses on social controls that tie the individual to society, such as family, school, work, and peers, as well as the weakness of ties that may fail to restrain people from committing crime. Individuals who are integrated by way of strong social ties to conventional others and to conventional pursuits are presumed to be less prone to break societal rules than those whose bonds are weak. While formal mechanisms of control such as the police and courts play a role in peoples' conformation to societal norms and values, it is the informal agents of social control that provide the social bonds, as well as the prevalence and relevance of these bonds in the lives of individuals (Horwitz 1990), which play a salient role in the abstinence from or participation in criminal activity.

Control theory proposes that the successful development of social bonds plays a part in the inhibition of criminal activities due to implied risk to the 'bonded' relationship. Individuals with strong ties to family, work, school, and other conventional institutions, would presumably desist from criminal activity so as to avoid risking or damaging the 'bonded' relationship. In contrast, one who is lacking social ties, and is therefore not 'bonded' in any way, has less to lose or less to risk, and thus has little or nothing to deter him/her from criminal activity.

Social bonds have been examined in their association to violent relationships and isolation (Johnson 1996). Johnson (1996) suggests that isolation is a product of weak

social bonding that reduces the quality and number of attachments to friendships and community networks and may characterize both victims and perpetrators of violence. The lack of control through social bonds allows the individual to seek gratification in ways that prove to be the least costly, thus increasing the likelihood of involvement in criminal activity. Control theory focuses on individual characteristics of offenders that manifest in every situation of which they are a part. Generally therefore, one who commits crime is said to have weak, or lacking, social bonds and is thus free to partake in criminal activity, whereas one who abstains from criminal activity is considered to be socially bonded to society.

The elements of the social bond and social control have been examined and elaborated in a number of studies. Hirschi (1969) further developed aspects of the social bond treating it as a complex concept composed of four main elements: attachment, commitment, involvement, and belief. The stronger each element of the social bond, the less one is likely to deviate. Attachment involves the individual being bound by the norms and rules of society which are developed through the common value system, or beliefs, held by members of society from which the norms and rules develop. Attachment aids in the desistance from illegal acts by way of these beliefs. Attachment also refers to bonds with conforming others, such as spouses, children and close friends, who act according to the norms of society. Violation of norms is acting contrary to the expectations and desires of conforming others, therefore if one is not concerned with fulfilling these expectations and is consequently not bound by them, he/she is free to deviate.

The commitment aspect of the social bond involves the investment that an individual puts into activities carried out in everyday life. “The person invests time, energy, himself, in a certain line of activity - say, getting an education, building up a business, acquiring a reputation for virtue. When or whenever [*sic*] he considers deviant behavior, he must consider the costs of this deviant behavior, the risk he runs of losing the investment he has made in conventional behavior” (Hirschi 1969: 20). Thus, individuals are committed to conformity not only by what they hope to achieve but by what they fear losing.

Hirschi’s (1969) element of involvement simply states that the individual is presumably too busy partaking in conventional activities to participate in criminality. This element falls under the notion that “idle hands are the devil’s workshop” (Hirschi 1969: 22). It is assumed that the individual tied to conventional activities is constrained by such things as deadlines, schedules, and appointments and therefore lacks the opportunity to engage in, much less think about or plan criminal acts (Hirschi 1969).

Reiss (1951) advanced the concepts of personal and social control in terms of delinquency. He defined delinquency as “the behavior consequent to the failure of personal and social controls to produce behavior in conformity with the norms of the social system to which legal penalties are attached” (1951: 196). Personal and social control referred to notions much like those of self-control and social control advanced by Gottfredson and Hirschi (1990). Reiss (1951) defined personal control as the ability of the individual to desist from meeting needs in ways that were not governed by the norms and rules of society while social control was defined as the capacity of social groups and institutions to make these rules and norms effective and enforce them (Reiss 1951). It

was the weakness of these personal and social controls that resulted in delinquent acts committed by the individual.

More recently, Gottfredson and Hirschi (1990) proposed a general theory of crime which states that individuals who commit crime have low self-control and are therefore vulnerable to self-gratification. Individuals with low self-control tend to be impulsive, insensitive, risk-taking, and short-sighted, thus pursuing acts that provide immediate gain and pleasure, which often result in problems such as divorce, unemployment, and accidents. Their inability to weigh the positive and negative consequences of committing a particular act subsequently manifests in a lack of social bonds.

Gottfredson and Hirschi (1990) further propose that criminal propensity is stable and is determined before the age of criminal culpability. They identify the major cause of low self-control as being ineffective child-rearing. Hence, in the first 6-8 years of life, a child's traits, including self-control (and thus propensity to commit crime), are determined and continue to persist throughout the life-course. However, the frequency with which individuals participate in criminal activity may fluctuate over time without necessarily implying a variation in their levels of self-control because crimes are "short-term, circumscribed events that presuppose a peculiar set of necessary conditions (e.g., activity, opportunity, adversaries, victims, goods)" (Gottfredson and Hirschi 1990: 137). Thus, a change in crime does not necessarily correspond to a change in criminality.

Another variation of control theory is that advanced by Sampson and Laub (1993; 1990). The life course perspective argues that while continuity in criminal behavior does exist, social ties to institutions such as work and family may form in adulthood which could cause changes in criminality over the life span (Sampson and Laub 1990).

Therefore, while childhood experiences and behaviors are important, adult institutions of social control are also influential in terms of crime and deviance.

The life course perspective maintains that an individual's life follows different trajectories, or pathways of development, such as marriage, parenthood, and criminal behavior. These are continuing patterns of behavior defined by a series of transitions, or specific life events. Any of these life events, such as a first job or first child may initiate turning points or changes in the life course, possibly redirecting a path of criminal behavior towards more conforming or normative behavior (Sampson and Laub 1990).

Sampson and Laub (1993; 1990) emphasize the quality and strength of social ties that bind an individual to society, stressing that despite an individual's criminal background, adult social bonds may influence criminal behavior over the life course. Thus, life changes that strengthen an individual's bonds to society in adulthood will result in less crime, while at the same time, changes that weaken these social ties will lead to an increase in criminal activity. Furthermore, Sampson and Laub (1993; 1990) criticize perspectives which focus entirely on the childhood years while ignoring adult experiences, concluding that both continuity and change matter over the life course and individual trajectories are constantly modified by the strengthening or weakening of adult social bonds.

While control theory has been widely applied to explain the criminal behavior of offenders, if a lack of social bonds may lead an offender towards criminality then it should follow that this same characteristic may also play a role in victimization. Victims lacking social bonds may participate in more 'risky' activities which bring them into

closer contact with motivated offenders, consequently making them more vulnerable to victimization.¹¹

Control Theory and Routine Activities Theory Combined

While attempts have been made to focus on understudied aspects of each of these theoretical perspectives, little research exists which combines control theory and routine activities specifically. Hawdon (1996; 1999) uses routine activities as a measure of the involvement aspect of Hirschi's (1969) social bond to investigate the relationship between routine patterns, or sets of behaviors, and delinquent activities. He states that one should not ask whether being involved in routine activities decreases delinquency, but rather which conventional activities are associated with delinquency and which are correlated with conformity. Hawdon (1996) hypothesizes that "the instrumentality of a routine pattern will produce an indirect effect on social control by increasing the visibility of the routine" (168).

In other words, certain routine patterns in which individuals engage are more visible than others. There are more "direct controls", such as family and employers, surrounding these activities which reduce the available opportunities to deviate. However, one may also choose to take part in "invisible" routine patterns where there is less contact with possible control agents, enhancing the opportunity to deviate (Hawdon 1999). The findings of Hawdon's research show that when Hirschi's (1969) concept of involvement is operationalized in terms of routine activities, involvement is an independent and significant element of the social bond in predicting minor acts of

¹¹ While it is beyond the scope of the present research, this issue will be further addressed in Chapter Seven.

delinquency and larceny theft, although the author acknowledges that further work in the area is needed.

Further Theoretical Considerations

Sexual assault has also been examined by way of other theoretical perspectives, such as rational choice (Bachman, Paternoster, and Ward 1992; Stevens 1994b) and power-control theory (Hanrahan 1997; O'Brien 1991). However, given that sexual assault is a highly 'sexed' criminal event, a disproportionate amount of feminist scholarship has also been directed toward this form of violence (Brownmiller 1975; Donat and White 2000; Griffin 1971; Messerschmidt 1993; O'Toole and Schiffman 1997; Russell 1984; Russell 1998; Schur 1997; Sheffield 1997; Travis, Meginnis, and Bardari 2000). In essence, feminist scholars believe that by virtue of their sex women are potential targets of violence (Canadian Panel on Violence Against Women 1993) as "the consequence of social, economic, and political inequality built into the structure of society and reinforced through assumptions expressed in the language and ideologies of sexism, racism and class" (Canadian Panel on Violence Against Women 1993: 3). Sexual assault is viewed as an extension of long-held and deeply-rooted sex role socialization patterns (Donat and White 2000) and patriarchal societal ideals which uphold inherent inequality between the sexes (Russell 1984). Feminist theory focuses on gender relations and how these relations perpetuate inequality between men and women.

The utility of feminist theory for the purposes of the present research, however, appears limited. While feminist theory may help to establish an abstract context by which to situate male socialization and the development of subsequent social bonds (or

lack thereof), a focus by feminist theory on the “typical male” (Messerschmidt 1993) neglects any disparities which may exist among men of differing ages, classes, and races. Messerschmidt (1993) claims that differing social backgrounds create various forms of masculinity, and therefore, distinct “types and degrees of violence against women” (44). He states that “this position disregards the specific ways in which masculinity is embedded in different societies at different times and, therefore, the different forms it takes” (Messerschmidt 1993: 47). Smart (1995) also states that “masculinity is not a unitary thing although feminist writings on rape often assume that it is homogenous, transcultural, and transhistorical” (112). In taking an ahistorical view of masculinity and femininity, radical feminism is consequently incapable of explaining how certain historical and social conditions affect the construction of femininity and masculinity (Messerschmidt 1993).

Summary

The merging of control theory and routine activities theory in the present research is a unique contribution to criminological research and theorizing. Its aim is to combine both theories almost in their entirety, using the strengths of each, thus exemplifying a convergence of the study of offending and the study of victimization. Centred on the routine activities model, control theory is merged with routine activities in order to account for routine activities’ lack of emphasis on the motivated offender. The offender is thus considered in terms of social bonds. Furthermore, the different aspects of routine activities theory (victim, offender, and guardianship) will be incorporated with control theory to allow for focused examination of the victim and situational components,

aspects which are not otherwise found within control theory, but are critical to understanding the sexual assault event.

Approaching the sexual assault event from both perspectives will take the respective criticisms of each into account. The criticism of control theory is its sole focus on the offender, which will be addressed by the introduction of routine activities theory and its attention to the suitable target or potential victim, and the absence of capable guardians in relation to situational characteristics. Similarly, criticisms of the routine activities approach and its tendency to place great emphasis on the victim and less emphasis on the offender (Mustaine and Tewksbury 1999; Pitts and Schwartz 1993) will be addressed by assessing the offender in terms of social bonds and control theory, for while exposure to high-risk environments is necessary, it does not suffice as an explanation for personal violence (Kennedy and Forde 1990). This study will also fill the gap in regards to testing the routine activities theory for specific offence types (Mustaine and Tewksbury 1999). In short, the sexual assault event will be examined from multiple angles and perspectives, as it is imperative to understand the context in which sexual assaults occur and against whom sexual assaults are directed. Figure 2.1 illustrates the proposed relationship between routine activities and control theory in terms of the sexual assault event.

The research questions to be answered in this study are framed by the two theoretical components of the analysis. Control theory is addressed through questions pertaining to social bonds, while routine activities theory is incorporated by way of questions relating to target suitability and lack of guardianship. These questions consider the major elements involved in all criminal events, namely the offender, the victim, and

the surrounding circumstances, all of which are necessary to understand the phenomenon of sexual assault in its entirety. In comparison to other studies, this research will focus on the severity of the sexual assault as opposed to the occurrence of sexual assault, per se. Rather, severity of sexual assault will be addressed as the degree of injury sustained by the victim during the sexual assault occurrence. Methodologically, the greatest limitation imposed by using police files as the data source is a lack of non-events - a sexual assault occurred in every instance - but what does vary is the severity of the assaults (in terms of victim injury).

To reiterate, the research questions to be answered in this study are: Does a lack of social bonds lead an offender to commit more severe sexual assaults? Are more suitable targets, i.e. attractive opportunities, vulnerable to more severe sexual assaults? Does the absence of capable guardians place victims of sexual assault at risk for a more severe attack? How do the characteristics of the motivated offender, in terms of a lack of social bonds, and aspects of suitable targets and an absence of capable guardianship, converge to produce more or less severe sexual assault events? I now turn to an explanation of the methodological strategies used in this examination of sexual assault.

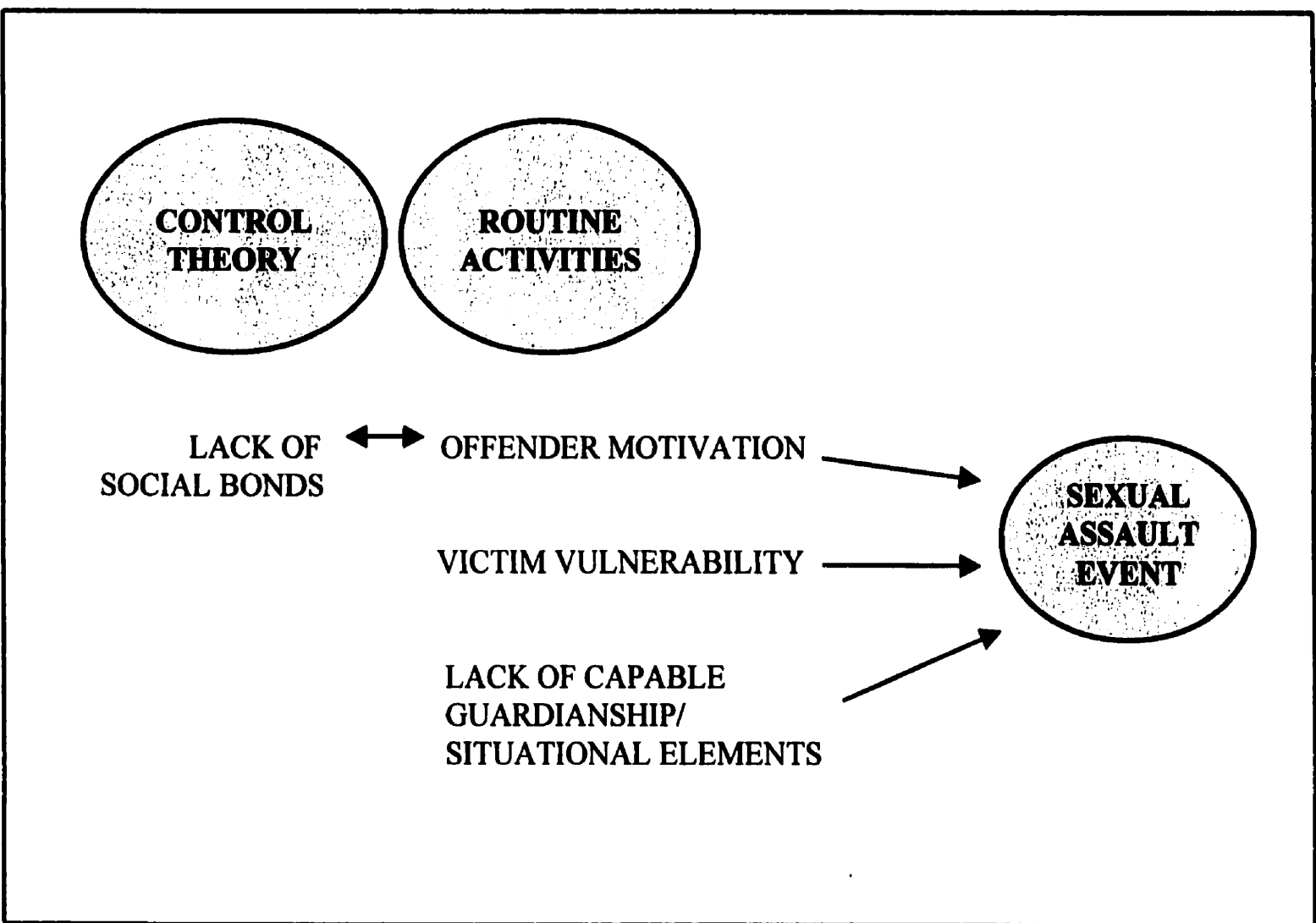


Figure 2.1 : Proposed Relationship Between Routine Activities and Control Theory

Chapter Three: Methodology

The nature of the data used in this study allows for both quantitative and qualitative analyses to be undertaken in order to obtain a more comprehensive understanding of the sexual assault event and its participants. It is believed that each component will contribute unique and important insight into the criminal event. Results from both analyses will be compared and integrated in order to provide as full an explanation of sexual assault as possible. Below, the method for each component of the study will be discussed separately.

Data Source

The source of data for this research is police files. These files contain demographic information about the participants involved in a sexual assault incident, primarily the offenders and victims of the particular assault. The quantitative files consist of data in the form of quantified variables created from information collected by the police over the course of their investigations. In addition, the files contain written summaries of the incident in the form of participant and witness statements, as well as a summary of the police investigation. These narratives provide the unique vantage points of the specific individuals involved and serve to place the sexual assault event within a particular context.

Police files are a rich and complete source of data. Unlike other quantifiable sources such as victimization surveys, which provide only one perspective on a specific incident, police files may provide multiple perspectives of the event from the parties involved. These data also provide the opportunity to study all types of sexual assaults in

greater depth, assessing how offender, victim, and situational characteristics affect the outcome of each assault. Thus, police files offer a degree of detail that is otherwise difficult to achieve (Van Brunschot 1997).

There are, however, limitations to this data that must also be recognized. It is well understood that sexual assault is one of the most under-reported of all crimes (Bachman 1998; Fisher, Belknap, and Cullen 1996; Koss 1992). Therefore, it must be acknowledged that the cases which are reported to the police represent only a fraction of the actual cases that occur within any given time period. It has been suggested that for every reported sexual assault incident there are at least five additional incidents that go un-reported and therefore never appear in police records (Ledray 1991).

Furthermore, it should be acknowledged that the cases which are held in police records have undergone a certain 'filtration' process by way of discretion and value biases on behalf of the victims and the police themselves. Judgements by victims of sexual assault represent the first stage of a long screening process determining whether or not sexual assaults will be reported to and recorded by police. Victims must first define their experience as a crime and decide to treat it as such. This is influenced by a number of major factors surrounding the incident such as the victim's relationship to the offender, her past experiences with the offender or with others, whether those around her minimize the victim's experience in any way, as well as her age, education and social standing. Any of these factors may influence a woman's decision to report the incident to the authorities, beginning a filtration process, or selection bias, which ultimately has a profound effect on the official rates and incidents of violence recorded by police.

The discretionary power and professional judgment employed by individual police officers in their handling of sexual assault cases, while a necessary part of effective and efficient policing, also have a considerable effect on what is ultimately recorded as a sexual assault crime in official policing statistics, including which offences are characterized as founded or unfounded.¹² Police are, in effect, the 'gatekeepers' through which all citizens' complaints must pass before they are officially treated as a crime (Johnson 1996).

Police officers are fully aware of which cases are likely to be successfully prosecuted once they reach the court system, those which are unlikely to make it to the arrest stage, as well as the expectations of the particular departments and the priorities placed on certain calls. Sexual assaults recorded in police records are unlikely to represent the actual incidence of sexual violence but rather reflect, at the initial stage, the willingness of sexual assault victims to report their experiences to the police (Johnson 1996) and later reflect the willingness of police to pursue the complaint. These considerations must be taken into account when working with official police data.

Police files may also be limited to include primarily those cases which constitute sexual assault from a legal perspective and that fall under the Criminal Code definitions of sexual assault (see Appendix A). In defining sexual assault in this manner, there may be incidents that are excluded due to their lack of conformity to legal standards.

Criticisms of the Criminal Code and its definition of sexual assault (or lack thereof)

¹² This analysis uses data on both founded and unfounded cases so as not to assume that because the incident was deemed unfounded by the police after a thorough investigation (there was not enough evidence to substantiate the claim), that a sexual assault did not occur. Relevant data on the victims and situational circumstances of these incidents were still included for study.

suggest that the legal definition does not encompass the entire spectrum of sexually violent experiences.

In terms of the participant statements, the degree of detail with which the sexual assault is recounted differs from statement to statement. Depending on the amount of detail remembered (often a function of the temporal proximity of recording a statement to the incident itself), the time and effort put into the statement, and which participant wrote the statement, the extent of the qualitative information available varies. Despite these limitations police files are thought to be the best methodological strategy to address the theoretical questions of this study. The data obtained from police files of sexual assault, although different, may be no less accurate than information obtained through self-reports (Van Brunschot 1997).

Sample

The sexual assault cases included in this study are drawn from the files of the Calgary Police Service in Calgary, Alberta, Canada, a large corporate city in western Canada with a population of close to 900,000 people. The sexual assault incidents occurred between the years 1995 and 1999, inclusive. When a case is processed, the Calgary Police Service assign it a code based on the pre-determined categories of the Criminal Code of Canada: aggravated sexual assault (Level III), sexual assault with a weapon/sexual assault causing bodily harm (Level II), and common sexual assault (Level I). Once the investigation has been completed the case falls into one of four subcategories based on its status: active, cleared by charge, cleared otherwise, or unfounded. The cases used in this analysis were not filtered in any way based on case

status and the sample includes cases from all categories in order to increase the possible range of cases and associated characteristics.

Three main files were obtained from the police service, one for each element of the criminal event. The culprit (offender) file was filtered to include only male offenders who sexually assaulted females 18 years of age or older. The victim file was similarly filtered to include only female victims 18 years of age and older. Accordingly, incident files (situational characteristics) corresponded to the victim files as there is an incident report recorded for every victim complaint. These three files were merged according to the Calgary Police Service case number assigned to each incident and its corresponding participants. The final sample size includes a total of 1294 cases. However, while there are this many situational and victim files, there are only 440 offender files due to the fact that the cases included in the analysis are only those for which an offender has been apprehended and charged with sexual assault. Finally, the sample is filtered to include only sexual assault cases involving one victim and one offender, as it is believed that the dynamics involved in multiple victim and/or offender sexual assaults may differ from single offender, single victim incidents. Thus, the final breakdown of cases for each level of sexual assault is as follows: 1220 Level I cases, 61 Level II, and 13 Level III sexual assault cases.

Coding

The quantitative files obtained from the Calgary Police Service were pre-coded according to the service's own criteria. After initial frequencies were run for each variable it was determined that more precise coding was needed for several variables. While a number of original codes were retained, other coding schemes were dropped and the variables were subsequently re-coded to enable more clear and straightforward analyses.

Each event component is characterized by differing amounts of specific variable information. Due in part to the fact that it is often the victims of sexual assault who report the incidents to the police, the situational and victim files contain the most complete information while the offender files are frequently lacking information on one or more variables. The offenders' inconsistent variable information may also be attributed to the legal advice the offender may have received over the course of the investigation. Offenders may frequently be counselled not to volunteer information, thus affecting the information in the file.

Operationalization of Routine Activities and Control Theory

In merging control theory and routine activities to explain sexual assault, there are three main elements that must converge in order for the event to occur. Past research suggests that there are certain characteristics of the offenders, victims, and situational circumstances of sexual assault which play a role in the criminal outcome. Routine activities theory focuses on all elements of the sexual assault event and is therefore operationalized from several directions. Firstly, victim information is regarded in terms

of the attractive target component of routine activities, thus the age, race, employment status and physical condition of the victim are examined. The existence of suitable targets is related to where and how potential victims spend their time and distribute their energies across daily activities, thus any of these factors may contribute to a potential victim's vulnerability and his or her likelihood of sharing the same space as motivated offenders.

The guardianship component of routine activities has been expanded to include spatial, temporal and social dimensions, assessed in terms of situational and contextual elements of the sexual assault event. These components of routine activities speak to opportunities that may be created which facilitate or inhibit the occurrence of a sexual assault. Variables include location, time of day, day of week, month, the presence or lack of witnesses to the incident¹³ and the victim-offender relationship. Situational variables measure the presence or absence of citizens as capable guardians as well as the extent to which the public or private domains affect the occurrence of criminal events, while the victim-offender relationship speaks to the social context in which the sexual assault transpired.

Finally, the motivated offender component of routine activities is explored by way of control theory and social bonds. This is accomplished through an examination of the age, race, employment status, marital status, physical condition and previous criminal charges of the offender. The presence or lack of social bonds, as well as the degree to which the offender may be lacking these bonds, is expected to emerge through an examination of these variables.

Quantitative Analysis - Predictive Models

In order to “normalize” the distribution of offences, at the same time creating a plausible scale of offences and severity, cases were recoded so that the information from four variables [occurrence type (level I, II, III), violation code (a specific breakdown of the offence level), culprit *modus operandi* (specific actions involved in the sexual assault), and weapon used] was combined to create the dependent variable “sexual assault severity”. Due to the fact that information contained in police reports often varies across cases as well as differences between the legal categorization of sexual assaults and their actual severity, the newly constructed variable is a more accurate representation of sexual assault severity than if only a single variable had been used. The resulting variable is a five-category ordinal scale of severity, as follows: level 1 (no penetration, no weapon); level 2 (no penetration, physical force); level 3 (penetration, no weapon); level 4 (penetration, physical force); level 5 (threat or use of a weapon or maiming/disfiguring of the victim).

Physical force is considered a weapon by the Calgary Police Service and for the purposes of this analysis, physical force is considered to be potentially less harmful than the use of other weapons such as knives or guns. If the use of physical force was severe enough to warrant a higher severity of sexual assault, these incidents would likely be pre-classified by the police as Level II or Level III assaults, which were automatically coded as the highest level of sexual assault severity (level 5). The level 5 sexual assaults include any incidents that involve the use of a weapon other than physical force, such as a

¹³ Witnesses may include persons who directly witnessed the sexual assault take place as well as those who were involved in some way either before or after the incident occurred and thus did not actually observe the event in progress.

knife, gun or blunt object, as it is thought that the presence or use of one of these weapons necessarily heightens the severity of the sexual assault incident.

In accordance with routine activities and the presumption that all three elements of the criminal event – offender, victim, and situational components – are necessary in order for the sexual assault event to take place, it is not only the effect of various independent variables on the dependent variable in question, but the interaction of variables from each element that is important. Thus, binary relationships between *all* variables and components of the sexual assault event were assessed by way of descriptive statistics (Lewis-Beck 1995).

In order to assess the explanatory power of routine activities and control theory in relation to the sexual assault event, logistic regression is deemed to be the most appropriate analytical method given the limitations of the data (Demaris 1992; Menard 1995; Pampel 2000; Pedhazur 1997). Thus, the five-category scale of sexual assault severity that is used in the bivariate analyses was dichotomized so as to compare the least severe form of sexual assault (level 1) to the more severe forms of sexual assault (levels 2 through 5). Separate models were run for each element of the sexual assault event, regressing sexual assault severity on offender, victim, and situational characteristics in order to determine their independent powers in predicting the severity of sexual assault as well as to establish which significant variables were to be included in the final model encompassing all three elements of the sexual assault event. Significant variables in the offender, victim, and situational components of the sexual assault event were then entered simultaneously into one logistic model to assess their predictive power of sexual assault severity as a whole.

While the data consists of information for victims, offenders and situations, routine activities suggests that all three elements must converge in order for a crime to occur. The regression analysis is thus limited to include those cases for which information on offenders, victims, and situations, as well as complete variable information on each of these components, was available. The resulting logistic analyses consist of 172 cases.

Qualitative Analysis - Participant Statements

For the qualitative portion of this analysis, the participant statements of the sexual assault events were first read and coded according to dominant themes that emerged related to the sexual assault events. A second reading of the statements was then conducted to further explore the primary themes and to develop a further understanding of the contexts in which the sexual assaults occurred. From these statements, information was gained on how the three elements of the criminal event converged in time and space to result in a sexual assault. Further, insight into the sexual assault as an event - one shaped by interactions that occur before, during, and after the incident - can be drawn from the various viewpoints provided by the different participants.

Certain methodological limitations exist in using these participant statements and police synopses of the sexual assault event. The sample of cases used for the qualitative analysis was drawn by members of the Freedom of Information and Protection of Privacy section of the Calgary Police Service. There was no control over the selection of cases by the researcher, resulting in a non-representative sample of sexual assault files. While the files do represent sexual assaults of various levels of severity, these exist in unequal

numbers. Differing levels of information also characterize the files, due to the fact that they were stripped of any possible identifiers before they could be analyzed. Therefore, the amount and quality of the information that was stripped prior to the analysis is unknown, leaving a gap in the reconstruction of the sexual assault event. In the present analysis, when referring to individual cases in the analysis, details which could serve as possible identifiers were modified by the researcher with what were deemed to be equivalent replacements. This further ensures the anonymity of the participants while still being able to convey the important details and themes in the sexual assault event. Despite these limitations, however, sufficient information remains to link the offender, victim, and situational elements of sexual assault and to extract prominent themes from the incidents that speak to the theoretical underpinnings of this research.

Summary

Approaching the sexual assault event from two different methodological vantage points provides both a broad quantitative ‘snapshot’ as well as a more dynamic image of the event. By combining the methodological strengths of each approach, this analysis considers the entire sexual assault event, generating a more holistic interpretation. The qualitative portion of the analysis reconsiders how the theoretical elements fit together without the abstraction that is necessarily the case within the context of the quantitative analysis. This adds a dimension to the research that is unavailable through quantitative analysis alone, resulting in a more rounded and comprehensive understanding of the sexual assault event.

Chapter Four: Descriptive Statistics

This chapter contains descriptions of the offenders and victims involved in sexual assault events as well as details of the situational contexts in which the sexual assaults occurred. Relationships between elements of routine activities and sexual assault severity are explored, as are various elements of the motivated offender in terms of social bonds. Furthermore, in conjunction with routine activities which states that all elements of the criminal event must converge in time and space in order for the sexual assault to occur, relationships between various independent variables are explored to determine how these elements converged to result in a sexual assault.

Offender Motivation and Social Bonds

No criminal event can occur without a motivated offender, thus we turn first to a focused examination of sexual assault offenders through control theory and social bonds. Differences in social control that may exist in relation to the offenders' presence or absence of bonds presumably affect the ways in which offenders engage in or are restrained from committing sexual assault.

Age

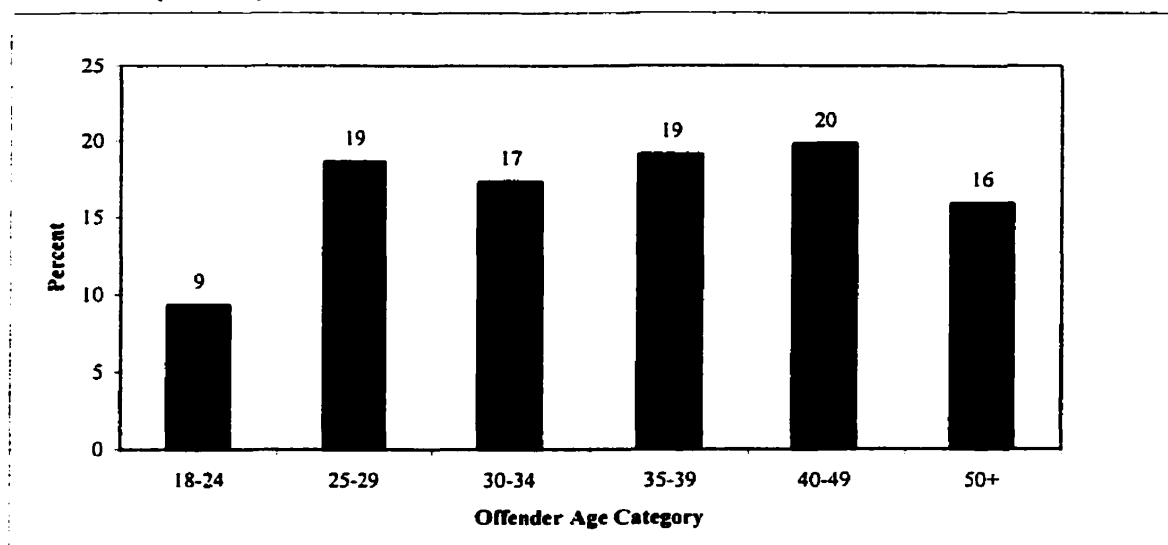
In terms of social bonds, age is an indicator of an offender's possible obligations and social ties. For example, younger offenders are more likely to be enrolled in school and less likely to be employed in full-time conventional jobs, although both of these are presumed to act as social bonds. Younger offenders are also less likely to be married and thus less likely bonded to an intimate other. Trends in the age of sexual assault offenders

provide a context in which to consider the subsequent findings concerning specific social bonds.

The age of the offenders was divided into 6 categories: 18-24 years, 25-29 years, 30-34 years, 35-39 years, 40-49 years and 50 years and older. The average age of offenders in this sample is 38.12 years, with the youngest offender being 18 years of age and the oldest being 90 years of age. Offenders aged 35-39 and aged 40-49 comprise the largest proportions of the sample (19.1% and 19.8%, respectively) while slightly smaller proportions fall in the age categories of 30-34 (17.3%) and 25-29 (18.6%). Those aged 18-24 account for only 9.3% of the offenders while offenders over 50 years of age account for approximately 16% (see Figure 4.1).¹⁴

¹⁴ The data suggest that offender age varies by race. The oldest offenders are Asian (averaging 39.81 years of age) and Caucasian (averaging 39.65 years of age) while the youngest offenders tend to be Arabic who average 32.89 years of age. However, the only significant difference in age exists between Caucasian and Native offenders (this difference is significant at the $p < .05$ level using the Tamhane post-hoc test). The average age of Native offenders is 33.11 years, while the average age of Caucasian offenders is 39.65 years.

**Figure 4.1: Offender Age Category
(N=440)**

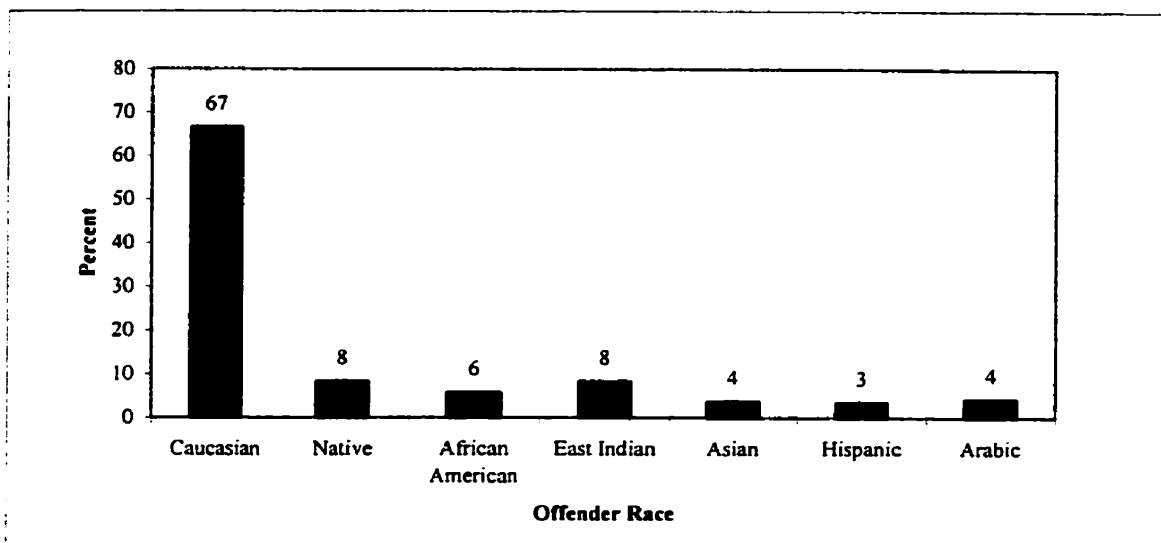


Race

Laub and Sampson (1993) suggest that race is an indicator of social bonds in that “variations...in social capital” (312) are evident across racial types. Racial and ethnic variation “is associated with differential opportunities for participation in conventional adult institutions and therefore for forming adult social bonds” (Nielson 1999: 135). Considerable variation in offender race is evident, although not surprisingly the vast majority of sexual assault offenders are Caucasian (66.5%). Other racial groups include Native¹⁵ and East Indian, which each make up 8.2% of the offender population, and the African American, Asian, Hispanic and Arabic races which together comprise 16.8% of offenders (see Figure 4.2).

¹⁵ ‘Native’ refers to North American Indian and Metis (in accordance with the Calgary Police Service classification).

**Figure 4.2: Offender Race
(N=439)**



Criminal Charges

Consistent with control theory, studies have shown that the vast majority of convicted sex offenders have prior criminal records, which may or may not include other sex offences (Miethe and McCorkle 1998). The existence of a prior criminal record may be indicative of a lack of social bonds whereby it has been established that those with “incarceration records face structural impediments to establishing strong social ties to conventional lines of adult activity” (Sampson and Laub 1993: 165). Also, while many sexual assault offenders are ‘non-violent’ criminals, their association with violent offenders in prison may contribute to an increase in their own violent behaviour upon release (Stevens 1994a). In general, sex offenders tend to have difficulty maintaining relationships and stable employment following conviction (Federoff and Moran 1997), which may subsequently lead to re-offending upon release due to their difficulty in establishing ties to the community which may aid in the desistance from crime.

This analysis uses previous criminal involvement with the Calgary Police Service as an indicator of lacking social bonds. Previous criminal activity suggests a lack of attachment to conventional activities and conventional others, and an increase in the number of previous charges are used to indicate a more pronounced lack of social bonds. Over sixty percent of sexual assault offenders (60.5%) have had prior involvement with the Calgary Police Service and over 40% of these offenders have accumulated between one and six previous charges between the years 1995 and 2000. The number of offenders with more than six previous charges is markedly less, at 17.5%. More specifically, 29.7% of the offenders who have prior involvement with the Calgary Police Service have been charged with at least one prior sexual offence between the years 1995 and 2000, and 41% of the offenders have been charged with prior "common" assault offences during the same time period.^{16,17}

¹⁶ Offender age is significantly correlated with the number of previous charges on the offender's criminal record. As the age of the offender increases, the number of previous charges laid against them by the Calgary Police Service between 1995 and 2000 decreases [Pearson's $r = -.197$, $p < .001$]. Younger offenders tend to have slightly more criminal charges than older offenders. This finding is counterintuitive in that as individuals age they would presumably have more time to acquire a criminal record. That these results indicate the opposite trend may be partially due to the limitation of years from 1995 - 2000. For example, it is possible that certain offenders may have been more active prior to 1995, or certain offenders may have tapered their criminal activity during these years and simply resumed their criminal activity more recently, thus affecting the results. However, this may also be due to changes in the law itself, as well as changes in recording procedures.

¹⁷ The data suggest a relationship between previous criminal charges (this refers to previous criminal involvement with the Calgary Police Service between the years 1995 and 2000) and the offender's race [Cramer's $V = .206$, $p < .01$]. Whereas 54.3% of Caucasian offenders have criminal charges, 80.6% of Native offenders and almost 90% of Arabic offenders have criminal charges as well. Furthermore, over 60% of African American, East Indian, Asian, and Hispanic offenders also hold prior criminal charges. More specifically, of the offenders with prior criminal charges, almost 70% of East Indian offenders, 81.8% of Hispanic offenders, and 43.8% of Arabic offenders have a prior sex-related charge on their record, compared to 25% or less of Caucasian, Native, African American, and Asian offenders [lambda (prior sex charge) = .203, $p < .01$]. Furthermore, 81.8% of Hispanic offenders, 81.3% of African American offenders, and 44.8% of Native offenders have prior common assault charges on their record, while between 30 - 40% each of Caucasian, East Indian and Arabic offenders, and less than 10% of Asian offenders also have prior common assault charges [lambda (prior assault charge) = .156, $p < .001$]. In conjunction with Laub and Sampson's (1993) association between race and differential opportunities, the potential lack of social bonds apparent in some racial groups may be more likely to result in the acquisition of a criminal record.

Marital Status

Sampson and Laub (1993) and Gottfredson and Hirschi (1990) consider social bonds in terms of marital status and attachment. For example, “strong attachment to a spouse (or cohabitant) combined with close emotional ties creates a social bond of interdependence between the two individuals that, all else being equal, should lead to a reduction in criminal behavior” (Sampson and Laub 1993: 140). Thus, the marital status of the offender is an indicator of ties to conventional others. Married offenders are presumed to have more to lose if they were to sexually assault either their spouse or someone else. Married offenders may also be more likely to have family obligations such as children who, if the offender were convicted of a crime, would potentially suffer. Thus, the offender has a certain ‘stake’ in these obligations and increased motivation to restrain himself from perpetrating a crime. Conversely, single, divorced or separated offenders may feel they have less to lose if they were to perpetrate a sexual assault and thus may have fewer, or weaker, social bonds to restrain them from doing so.

A large portion of sexual assault offenders are single (38.4%) and 20.5% are married. The remaining offenders are in either common-law or live-in partner relationships (6.4%) or are divorced or separated (4.8%). Thus, in terms of social bonds 43.2% of the offenders are lacking any marital or intimate social ties, while 26.9% hold conventional ties to intimates. Marital status was unavailable for 29.9% of offenders. A significant difference in age exists between offenders who are single and offenders who are married, common-law, or divorced/separated.¹⁸ Offenders who are single average

¹⁸ This difference is significant at the $p < .05$ level using the Tamhane post-hoc test.

32.51 years of age. This is significantly younger than married, common-law, and divorced/separated offenders (average ages = 44.23, 44.04 and 43.52, respectively).^{19,20}

Employment Status

Previous research suggests that sexual assault offenders are often unemployed (Ullman 1999) and of low socio-economic status (Miethe and Meier 1994). Long-term unemployment of the male partner in a marital or common-law relationship was found to be a significant predictor of violence against wives (Johnson 1996) and these offenders were therefore presumed to have less of a “stake in conformity” or less to lose in terms of bonded relationships (Johnson 1996).²¹ Furthermore, Gottfredson and Hirschi (1990) and Sampson and Laub (1993) explore employment status and stability. Gottfredson and Hirschi (1990) posit that there is “a tendency for people who commit crime to have unstable job profiles – that is, to have difficulty finding jobs and keeping them” (165), and thus fail to possess stable social bonds.

¹⁹ The marital status of the offender is significantly related to his employment status [$\phi = .131$, $p < .05$]. Offenders who are married, and thus socially bonded, are almost twice as likely (1.947 times) to be employed or students than unemployed or involved in illegal occupations. Married offenders (or those with an intimate bond equivalent to marriage) account for 42.2% of offenders who are employed or students while only 27.3% of unemployed offenders hold the same ‘marital’ bonds.

²⁰ A significant difference also exists between married and single offenders in the number of previous criminal charges they have accumulated between 1995 and 2000 (the difference was significant at the $p < .05$ level using the Tamhane post-hoc test). On average, single offenders have 4.01 previous charges while married offenders average 1.84 previous charges. Furthermore, offenders who are ex-spouses, ex-boyfriends, or ex-common-laws of the victims average the highest number of previous charges at 7.64, which may be indicative of a history of victimization within the relationship and weaker social bonds, although without further contextual information conclusive statements cannot be drawn. Stranger offenders average 4.85 previous charges compared to casual or business acquaintance offenders who average the least number of previous charges at 2.29. Due to the fact that there was only one incident between immediate family members in which the offender had a criminal record, immediate family members averaged 0.00 previous charges.

Social bonds are regarded as ties to conventional employment activities.

Therefore, students are categorized as employed under the assumption that their ties to school would act in the same manner as ties to legitimate employment. Similarly, unemployment and involvement in illegal occupations are treated equally due to the lack of conventional social ties that illegal activities would presumably provide. Over half (52.5%) of offenders are employed or going to school (49.3% employed, 3.2% students), while offenders who are unemployed or involved in illegal occupations account for 15.9% of offenders (13.6% unemployed, 2.3% illegal occupation). Employment status is unknown for 31.6% of offenders. Additionally, of the offenders who are employed in conventional occupations, 49.3% of them work in jobs that require only some high school education or on-the-job training while a mere 4.6% are employed at jobs that require either an undergraduate or post-graduate university degree.^{22,23}

Physical Condition

Alcohol and drug use has been consistently associated with criminal behavior (Brecklin and Ullman 2001; Johnson, Gibson, and Linden 1978; Seifert 1999; Testa and Parks 1996; Ullman 1999; Ullman, Karabatsos, and Koss 1999) and a lack of social bonds (Gottfredson and Hirschi 1990; Sampson and Laub 1993). Directly, alcohol and

²¹ Whether this finding can be generalized to other victim-offender relationships, such as strangers and acquaintances, was not explored by Johnson (1996).

²² This variable was derived using the National Occupational Classification of Human Resources Development Canada. The employment requirements indicator is an 8-point scale derived from the amount of education and training requirements needed for entry into a given occupation, where "1" represents no formal education or training requirements and "8" represents post-graduate or professional degree.

²³ Unemployed offenders and those involved in illegal occupations also average significantly higher numbers of previous criminal charges than employed or student offenders [$F=9.894$; $p<.01$]. Offenders who are unemployed or involved in illegal occupations average 4.71 previous charges whereas employed or student offenders average 2.51 previous charges, perhaps reflecting the "bonding" capability of ties to legitimate employment.

drug use may indicate lacking bonds in that offenders may presumably have more time to participate in activities such as drinking if they are unemployed or single. Furthermore, alcohol and drug use may indirectly affect an offender's social bonds through its relation to job instability and marital discord (Sampson and Laub 1993).

Offenders categorized as impaired are classified by the Calgary Police Service as having been under the influence of alcohol or drugs, suffering from mental instability or medical defect, or any combination of these conditions. Otherwise, offenders are classified as 'normal' or unimpaired. Examination of the data reveals that 41.8% of offenders are impaired at the time of the sexual assault, while 40.7% are apparently normal or sober. This suggests that over 40% can be said to be lacking in social bonds. Physical condition is unknown for 17.5% of offenders. Specifically, 36.7% of the offenders are impaired by alcohol at the time of the incident, 2.0% are impaired by drugs, 2.0% are impaired by both alcohol and drugs and 1.1% suffer from mental instability or medical defect.²⁴

An examination of offender race and physical condition yields interesting results showing a significant relationship between the race of the offender and his physical condition.²⁵ Almost 80% of Native offenders and 55.2% of Caucasian offenders are impaired at the time of the assault. Over 45% of Hispanic offenders are impaired, while between 35 and 45% of Arabic and African American offenders are also impaired. Additionally, one quarter of Asian offenders and less than 10% of East Indian offenders

²⁴ There are significant differences in offender age between offenders who are impaired at the time of the assault and those who are not [$F=5.106$] (this difference is significant at the $p<.05$ level using the Tamhane post-hoc test). On average, offenders who are impaired by drugs or alcohol at the time of the sexual assault are younger (35.41 years) than those who are sober or normal (39.49 years). This may be indicative of the differential degrees and types of social bonds between younger and older offenders.

²⁵ Lambda (offender impairment) = .218, $p<.001$.

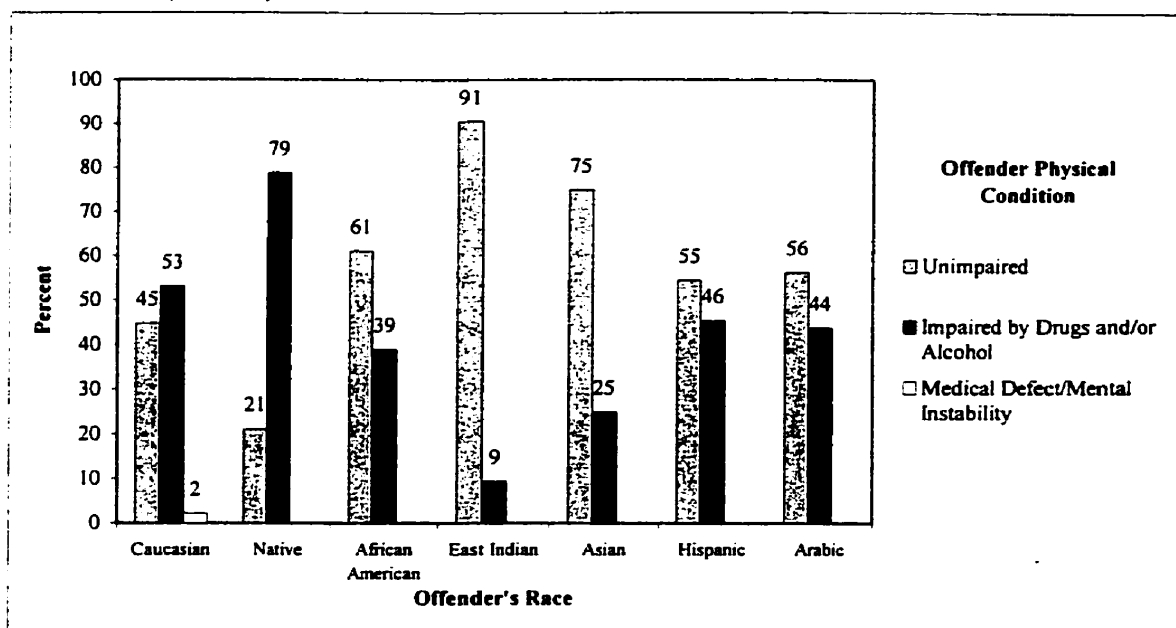
are impaired at the time of the incident (see Figure 4.3). This is consistent with studies suggesting that different patterns of alcohol consumption are evidenced between various racial groups (Caetano and Kaskutas 1995; Nielsen 1999). Specifically, studies in the United States have also shown that Native American, Hispanic, and Caucasian university students consume the highest percentages of alcohol (83%, 85% and 87%, respectively) (Schall, Kemeny, and Maltzman 1992).²⁶

Racial differences in alcohol and drug use can further be related to social bonds in that research on alcohol abuse suggests that lower levels of alcohol consumption are associated with increased involvement in adult institutions. For example, findings show that employment is associated with reduced alcohol use, whereas unemployment is associated with more frequent alcohol use (Power and Estauth 1990). Moreover, marital stability is associated with lower levels of alcohol use compared to being single, while marital dissolution is related to increased rates of alcohol consumption (Kandel 1980; Labouvie 1996; Schulenberg, O'Malley, Bachman, Wadsworth, and Johnston 1996). Hence, in terms of control theory, substance use may be indicative of an offender's lack of stable social bonds in one or more areas of his life.²⁷

²⁶ As well, Native (16%) and Caucasian (17%) American students were found to be among the highest percentage of binge drinkers, that is, drinking heavily three or more times in a period of two weeks (Presley, Meilman, Cashin, and Lyerla 1996). In the same study, researchers found that 28% of Natives, 26% of Caucasians, 19% of Hispanics, and 16% of African Americans had used marijuana in the past year. Furthermore, 12% of Natives reported using amphetamines in the past year, compared to 6% of Caucasians and 6% of Hispanics (Presley, Meilman, Cashin, and Lyerla 1996).

²⁷ The physical condition of the offender is significantly related to the presence of previous sex-related charges on his criminal record [$\phi = -.280$, $p < .001$; λ (offender impairment) = .228, $p < .01$]. Interestingly, of the offenders with criminal charges, those holding previous sex-related charges are 3.597 times less likely to be impaired than offenders with no previous sex-related charges. Offenders holding sex-related charges account for 31.7% of impaired offenders compared to those with no previous sex charges who account for 62.6% of impaired offenders.

**Figure 4.3: Offender Race by Offender Physical Condition
(N=363)**



Summary

Interpreted through a control theory framework, this analysis yields results which demonstrate both similarities and variabilities of characteristics that offenders 'contribute' to the sexual assault event. Offenders range in age from 18 to 90, clustering between 35 and 49 years of age. Not surprisingly, Caucasian offenders comprise most of the sample, partially affected, no doubt, by the demographic characteristics of the population from which the sample is obtained. Criminal activity is not unfamiliar to well over half of the offenders, with almost one-third having been previously charged with one or more sexual offences and over 40% with one or more "non-sexual" assaults. Thus, in many cases, the sexual assault incidents under examination are not the first criminal events of which the offenders have been a part.

Large portions of offenders are lacking any marital or intimate ties and thus have fewer social bonds. Unlike marital status, examination of the employment variable suggests that over half of the offenders do hold ties to conventional employment activities. Results are somewhat inconclusive, however, given that employment information is unavailable for almost one-third of offenders. Little difference exists between the numbers of impaired and unimpaired offenders, but significant differences do emerge with the inclusion of race in the analysis. The considerable portion of impaired Native offenders vastly outweighs the numbers of other racial groups. Due to the inter-relationship between the various forms of social bonds, perhaps a substantial absence of any one bond is indicative not only of a lack of that particular social bond, but of a lifestyle that may place other social ties in jeopardy.

Victim Vulnerability and Routine Activities

We now proceed to an examination of sexual assault victims in terms of daily routines. Motivated offenders may find particular routines and lifestyles followed by potential victims to make more attractive and accessible targets. Therefore, it is important to identify certain characteristics which may increase a potential victim's vulnerability to sexual assault victimization.

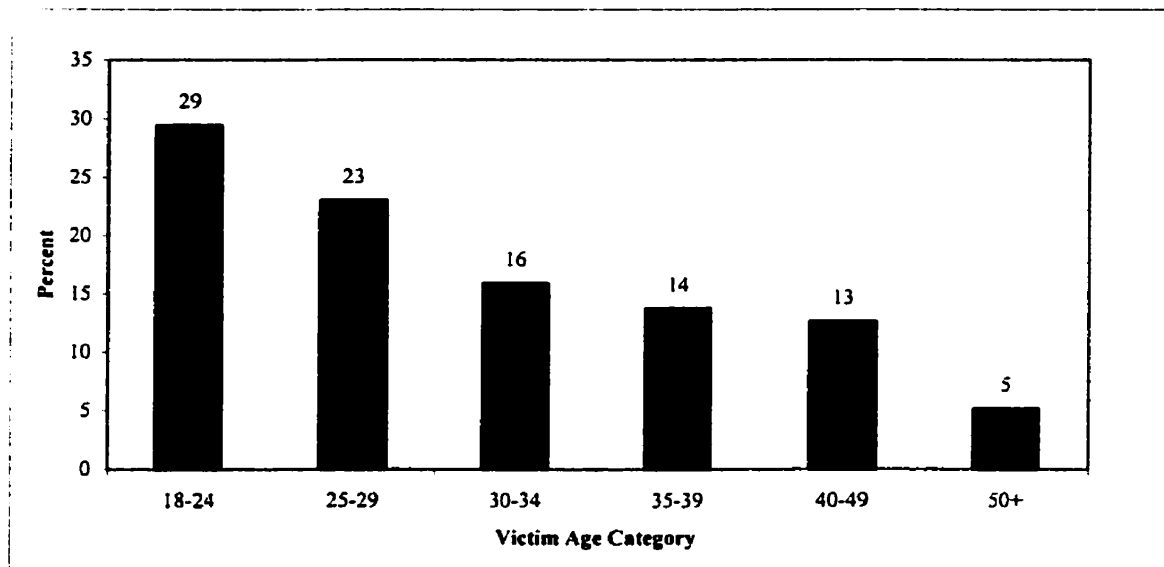
Age

Previous research indicates that sexual assault victims tend to be young, single females, with young women between the ages of 18 - 24 being the most likely victims of violence (Canadian Panel on Violence Against Women 1993). Age serves to situate victims of the sexual assault event within a certain lifestyle, possibly giving indication as to the routine activities followed on a daily basis. For example, younger victims may be less likely to be married²⁸ and less likely to have a stable job than older victims. It is expected that daily routines will vary according to the routine activities in which one is involved. Age may also speak to the social situations in which victims place themselves. Older participants in the sexual assault event may be less likely to publicly consume alcohol or place themselves in 'risky' situations, such as bars and nightclubs, which may be conducive to more severe victimizations. Furthermore, due to the fact that younger participants are likely to have less obligatory responsibilities, such as young children and steady employment, it is probable that they spend more time away from the home, perhaps in closer proximity to motivated offenders.

²⁸ Victimization rates have been found to be six times higher for single and separated/divorced women than for those who were married or living common-law (General Social Survey 1993).

As with sexual assault offenders, victim age was divided into six categories: 18-24 years, 25-29 years, 30-34 years, 35-39 years, 40-49 years and 50 years and older. Of the 1294 victims included in the analysis, the average age is 31.24 years. The youngest victim is 18 years of age and the oldest victim is 95 years of age. Consistent with previous findings, sexual assault victims between the ages of 18-24 comprise 29.4% of the victims and those aged 25-29 account for 23%. Slightly lesser proportions of victims fall between 30-34 and 35-39 years of age (15.9% and 13.7% respectively) while only 17.7% of the victims are 40 years of age or older (see Figure 4.4).²⁹

Figure 4.4: Victim Age Category
(N=1294)

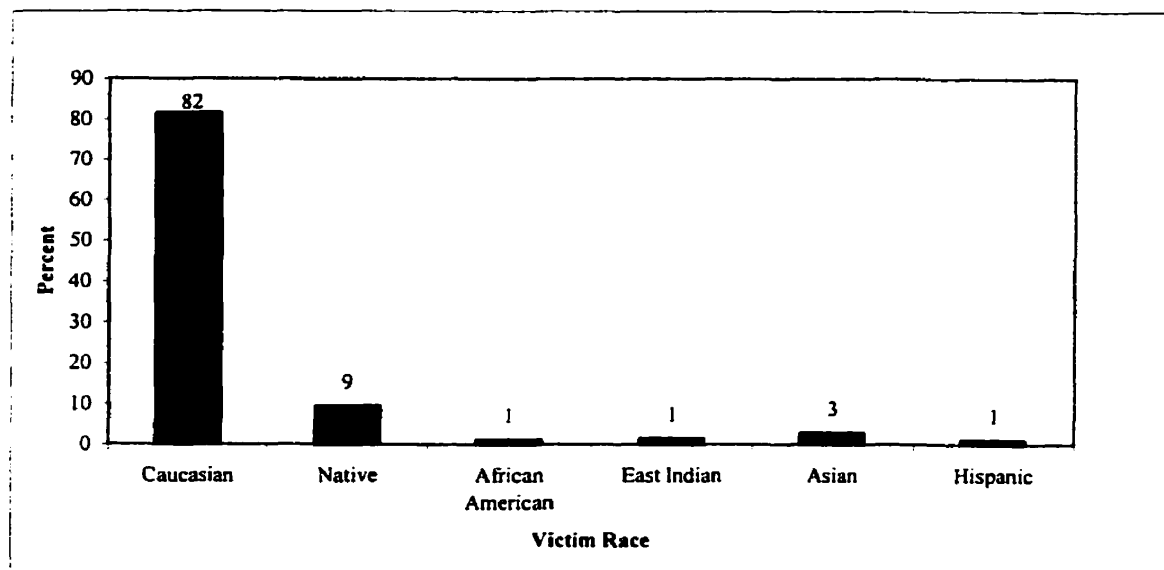


²⁹ Contrary to offender age, victim age varies little by race. The data show that Hispanic victims are, on average, the oldest at 34 years of age while East Indian victims are the youngest average age at 28.78 years. Victims of other races average approximately 31 years of age with very little variation between them.

Race

The race of sexual assault victims can be construed as an indicator of social capital and opportunities, both of which may affect the routine activities followed on a daily basis. As is the case with sexual assault offenders, the majority of sexual assault victims are Caucasian (81.5%). An additional 9.4% of victims are Native and 2.8% are Asian. The remaining 3.3% of sexual assault victims are African American, East Indian or Hispanic (see Figure 4.5). Victim race is unknown in 2.9% of the incidents.

Figure 4.5: Victim Race
(N=1256)



Employment

In terms of routine activities, employment speaks to the lifestyles, which people maintain, on a daily basis. Victimization rates have been found to be higher for females who are employed outside the home or attending school (Ullman, Karabatsos, and Koss 1999). Consistent with routine activities, those who have an active lifestyle outside the home at night may be more susceptible to victimization as they are exposed to potential offenders on a more consistent basis. It has been suggested that women who participate in the workforce may actually put themselves at greater risk by placing themselves in the public sphere and in closer proximity to criminal offenders (Mustaine and Tewksbury 1999). At the same time, however, victims who are employed may distance themselves from crime to a greater degree than unemployed individuals. Victims who are unemployed may be lacking daily routine and therefore may either increase or diminish their chances of coming into contact with motivated offenders. Thus, the effects of unemployment on victimization are unclear.

The employment variable was divided into three main categories: employed/student, unemployed, and illegal occupation. Victims who are employed or going to school are thought to follow the same degree of routine on a daily basis and were thus merged into one category. Similar to offenders, a large portion of sexual assault victims are employed or students (41.4%). Others are unemployed or involved in illegal occupations (20.2%). Employment status is not known for 38.4% of victims. More specifically, 33.7% of victims are employed in conventional occupations, 7.7% are students, 15.5% are unemployed and 4.7% are involved in illegal activities. Of those victims employed in conventional occupations, 42.2% are employed in an occupation that

requires only some high school education or on-the-job training, 17.2% in an occupation that requires the completion of high school, while just 4.4% are employed in an occupation that requires at least an undergraduate university degree.³⁰

Physical Condition

Alcohol is thought to play a role in increasing the likelihood of sexual victimization (Harrington and Leitenberg 1994; Lasley 1989; Newton-Taylor, DeWit, and Gliksman 1998; Testa and Parks 1996). Furthermore, alcohol consumption by women is often misperceived by potential offenders as a sign of sexual availability (Abbey, McAuslan, and Ross 1998). In terms of sexual assault victims, substance use may play a role in target suitability by making women more easily accessible and perhaps more compliant. Victim pre-assault alcohol use may also decrease the ability of the victim to offer any forceful resistance to a sexual assault (Ullman, Karabatsos, and Koss 1999).

The physical condition of the victims in the sexual assault event is an important indicator of routine activities. Impairment by drugs and/or alcohol may indicate an adherence to certain lifestyles and situations from which volatile or 'risky' interactions may occur. Situations involving impairment by drugs and/or alcohol are often associated with spaces such as bars and nightclubs, environments in which people come into contact with various others while situating potential victims (attractive targets) in closer proximity to motivated offenders.

³⁰ Significant differences (at the $p < .05$ level using the Tamhane post-hoc test) in employment status exist between different age groups [$F = 29.842$; $\eta^2 = .117$, $p < .001$] which may be indicative of the lifestyles led by specific age groups. The average age of victims who are employed/students is 29.75 years while unemployed victims average 33.78 years and those involved in illegal occupations average 28.34 years.

Less than half (42.3%) of sexual assault victims are impaired in some way at the time of the incident and 51.1% are unimpaired. In particular, 35% of the victims are impaired by alcohol, 2.9% suffer from a medical defect or mental instability, 2.7% are impaired by both alcohol and drugs, 1.4% are impaired by drugs and the remaining 0.4% of victims are affected by other substances or fatigue. Physical condition is not known for 6.6% of victims.

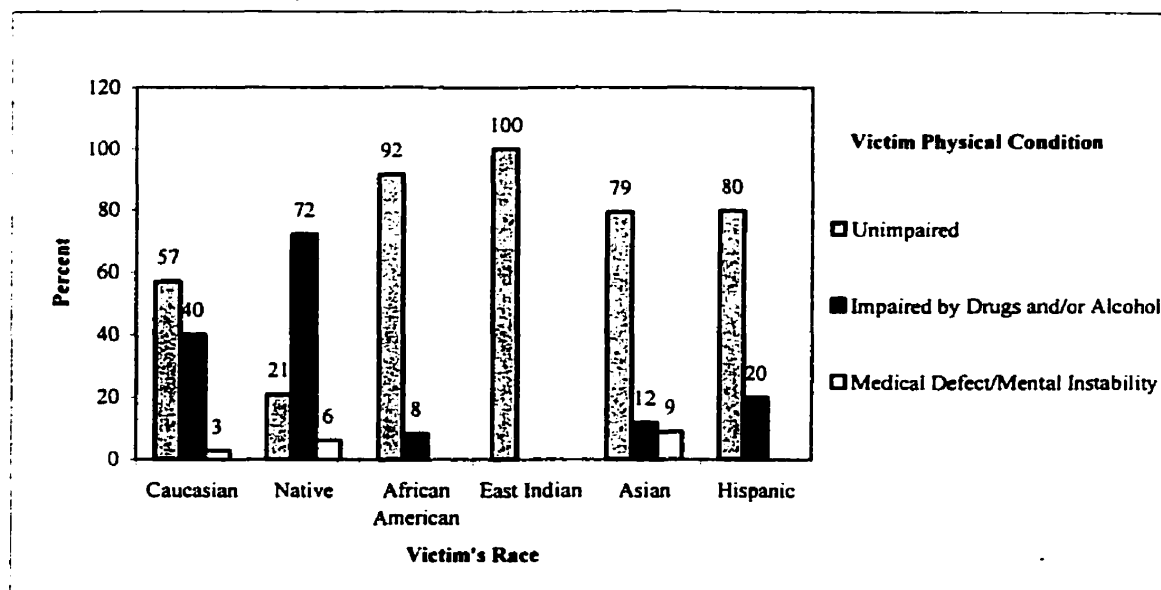
As with offenders, a relationship exists between the victim's physical condition and her race³¹ with significant differences arising between Native victims and victims of every other race.³² The data reveal that 78.9% of Native victims are impaired at the time of the assault, whereas Caucasian victims are impaired 42.9% of the time,³³ Asian victims 20.6% of the time, Hispanic victims 20% of the time, and African American victims 8.3% of the time (see Figure 4.6).

³¹ $F=18.476$, $p<.001$; λ (victim physical condition) = .126, $p<.001$.

³² These differences are significant at the $p<.05$ level using the Tamhane post-hoc test.

³³ Physical condition was unknown for equal proportions (6.5%) of Native and Caucasian victims.

**Figure 4.6: Victim Race by Victim Physical Condition
(N=1176)**



Summary

The routine activities analysis of sexual assault victims provides information in regards to potential vulnerabilities. Similar to sexual assault offenders, victims range in age from 18 - 95 years. In contrast, however, over half of the victims fall between the ages of 18 and 29. This finding may serve to situate sexual assault victims within a particular lifestyle, in that younger victims may be more likely to partake in 'risky' behaviors such as drinking and drugs, frequenting bars and nightclubs and dating situations. Victims involved in illegal occupations also tend to be younger.

In comparison to sexual assault offenders, a larger portion (over 80%) of victims are Caucasian, resulting in less racial variation within the remaining portion of the sample. Victims involved in illegal occupations account for a larger proportion of sexual assault victims than offenders involved in the same activities, reflecting the vulnerability

involved in these types of daily routines. Data show that roughly the same proportions of victims as offenders are impaired at the time of the incident. Generally, substance use may be related to riskier situational contexts and therefore play a role in target suitability by making women more easily accessible. Victim pre-assault alcohol use may also decrease the ability of the victim to offer any forceful physical or verbal resistance to a sexual assault. Furthermore, perhaps an offender sees a victim who is intoxicated or drinking as a more viable and attractive target with whom he may not have to use other coercive behaviors.

Once again, there are sizeable differences between victims of various races and their physical condition. The percentage of Native victims who are impaired at the time of the assault is essentially the same as the percentage of Native offenders, suggesting adherence to a particular lifestyle, perhaps one involving higher levels of substance use. Overall, the results of this analysis reflect the vulnerabilities that may be attached to certain routine activities associated with various lifestyles which may place potential victims at more risk and create more opportunity for a sexual assault to transpire.

Victim-Offender Associations

Significant relationships between victim and offender characteristics were found with respect to age, race and physical condition. These results may speak to the social situations in which people from certain groups place themselves. Thus, it is likely that victims come into contact with offenders of the same group depending on their daily routines. For example, young potential victims who frequent bars or nightclubs are likely to come into contact with motivated offenders of roughly the same age group. Likewise, middle-aged victims who participate in the workforce may be more likely to come into contact with offenders of the same age group in her daily routines, for it is less likely that an 18-year-old male will be frequenting the same establishments or social situations as a 35-year-old professional woman.

With respect to age, the data show that as the age of sexual assault offenders increases so does the age of their victims. Furthermore, sexual assault victims are likely to be assaulted by offenders of approximately the same age category.³⁴ For example, victims aged 18-24 are assaulted by offenders aged 18-24 in 18.3% of cases and by offenders aged 25-29 in 23.9% of cases. Likewise, victims aged 50 and older are assaulted by offenders aged 50 and older 46.9% of the time.

Victim-offender racial combinations indicate that sexual assault offenders are likely to victimize within their racial groups.³⁵ Caucasian victims are assaulted by Caucasian offenders 73% of the time, by East Indian offenders 6.5% of the time, by African American offenders 5.1% of the time, by Native offenders 4.9% of the time, by Arabic offenders 4.3% of the time, by Hispanic offenders 3.5% of the time, and by Asian

³⁴ Gamma=.348; Pearson's $r=.365$, $p<.001$.

³⁵ Lambda (offender race) = .092, $p < .05$.

offenders 2.7% of the time. Similarly, Native victims are assaulted by Native offenders in 50% of cases, by Caucasian offenders in 37.5% of cases, and by African American, East Asian, or Arabic offenders each in 4.2% of cases. Interestingly, East Indian victims of sexual assault are victimized by East Indian offenders 90% of the time and by Native offenders in the other 10% of incidents.

The data show a relationship between the physical condition of both the victim and offender.³⁶ Impaired victims are 9.974 times more likely to be sexually assaulted by an impaired offender than by an offender who is unimpaired at the time of the incident. Specifically, 50.6% of impaired offenders and 9.3% of unimpaired offenders assault impaired victims.³⁷

³⁶ $\Phi=.449$, $p<.001$; λ (offender physical condition), $p<.001 = .401$.

³⁷ The data indicate a relationship between the race of the victim and the physical condition of the offender [$F=3.299$, $p<.01$; λ (offender physical condition) = .087, $p<.01$]. Native victims are assaulted by impaired offenders 78.9% of the time and Asian victims only 15.4% of the time. Conversely, Caucasian victims are victimized in near equal proportions by unimpaired (48.5%) and impaired (51.5%) offenders.

Summary

In conjunction with routine activities, connections between various offender and victim characteristics are evident. Similarities in age, race, and physical condition may support the notion that motivated offenders and potential victims frequently cross paths while partaking in similar types of daily routines. While these characteristics may speak to an offender's weak or lacking social bonds, the same qualities may be possible vulnerabilities when associated with victims. While the intersection of these characteristics is evidenced by the occurrence of a sexual assault, the outcomes of these events may differ with various offender-victim combinations and the backgrounds each bring with them to the sexual assault event. Table 4.1 summarizes the results of the offender and victim analyses.

Table 4.1: Offender and Victim Characteristics of Social Bonds and Routine Activities

Variable		Offender N=440	Victim N=1294
Age	Mean	38.12 years.	31.24 years
	18-24	9.3%	29.4%
	25-29	18.6%	23.0%
	30-34	17.3%	15.9%
	35-39	19.1%	13.7%
	40-49	19.8%	12.6%
	50+	15.9%	5.1%
Race	Caucasian	66.5%	81.5%
	Native	8.2%	9.4%
	East Indian	8.2%	1.4%
	African American	5.7%	1.0%
	Asian	3.6%	2.8%
	Hispanic	3.4%	0.9%
	Arabic	4.1%	0.0%
	No Information	0.2%	2.9%
Criminal Charges			
	Yes	60.5%	
	No	39.5%	
Marital Status			
	Single	38.4%	
	Married	20.5%	
	Common-law/live-in Partner	6.4%	
	Divorced/Separated	4.8%	
	No Information	30.0%	
Employment Status			
	Employed	49.3%	33.7%
	Student	3.2%	7.7%
	Unemployed	13.6%	15.5%
	Illegal Occupation	2.3%	4.7%
	No Information	31.6%	38.4%
Physical Condition			
	Unimpaired	40.7%	51.1%
	Impaired by Drugs and/or Alcohol	40.7%	39.3%
	Mental Instability/ Medical Defect	1.1%	2.9%
	No Information	17.5%	6.6%

Situational Characteristics, Guardianship and Routine Activities

We turn now to an exploration of the various situational characteristics surrounding the sexual assaults. Variables speaking to capable guardianship, as well as to the social, spatial and temporal dimensions of the incidents provide important contextual information in which to consider the sexual assault event.

Time of Year

Results indicate that little variation exists in the time of year most sexual assaults occur, although the largest portion of sexual assaults occur in the summer months of June to August (31%). Both spring (March - May) and fall (September - November) each account for approximately 24% of the incidents, while 20.9% of sexual assaults occur in the winter months of December to February. More specifically, sexual assaults that take place during the month of July account for 11.7% of all assaults and the least number of incidents occur in the month of December (6.7%). This is consistent with previous research indicating that the summer months of July and August have the highest rate of sexual assaults, whereas the winter months of December, January, and February have the least recorded number of incidents (Dobrin, Wiersema, Loftin, and McDowall 1996; Perkins and Klaus 1994).

These findings may be related to research indicating that hot temperatures are more conducive to the manifestation of aggression (Cohn and Rotton 1997) and support the finding that a significant correlation exists between monthly temperatures and sexual assault rates (Cohn 1990). Warm days also produce more interactions between people, as individuals have a tendency to participate in activities outside the home when the weather

is warmer. Furthermore, people are more likely to patronize settings in which alcohol is served on warm rather than cool days. These trends bring motivated offenders and attractive targets into closer proximity to each other, thus facilitating the sexual assault event.³⁸ Cohn and Rotton (1997) found that correlations between temperature and assault were most significant during the evening hours, times when strangers are most likely to interact with each other in the participation of discretionary activities, such as socializing and sports.

Day of Week and Time of Day

Particular days and times are associated with certain activities. For instance, activities involving establishments such as bars, restaurants and nightclubs, where alcohol consumption may be more likely, are more prevalent on weekends and evenings. Engaging in routine obligatory activities, such as work, during the day, may allow less time for involvement in potentially volatile situations. Activities that require leaving the confines of one's home and interacting to a greater degree with others may provide more opportunity for victimizations to occur.

The data indicate that most sexual assaults (55.2%) occur on weekends (Friday to Sunday) or between the hours of midnight and 5:00 a.m. (42.4%). Specifically, large proportions of assaults occur on Sundays (21.4%) and between midnight and 1:00 a.m. (13.1%). The least likely days of the week for a sexual assault occurrence are Monday (9.4%) and Wednesday (10.6%) while the least likely times are between 5:00 a.m. and twelve noon (14%). These results are consistent with previous research linking weekends

³⁸ More conclusive statements require further investigation of the specific monthly and daily temperatures.

and early morning hours to sexual assault incidents (Cohn and Rotton 1997; Dobrin, Wiersema, Loftin, and McDowall 1996; Perkins and Klaus 1994).

Location

The location in which the sexual assault occurs is an important indicator of the routine activities of both offenders and victims. This measure was constructed by recoding 112 premise codes used by the Calgary Police Service into three. Locations are classified into private, semi-private/semi-public, and public spaces, based on the estimated probability of an uninvolved party coming across the sexual assault in progress. The majority of sexual assaults take place in private locations (56.3%),³⁹ followed by public locations (25.9%)⁴⁰ and semi-private/semi-public locations (13.8%).⁴¹

Witnesses

Less than half (41.7%) of sexual assaults take place with no witnesses present. When witnesses are present (58.3% of incidents), there is most frequently only one witness (40.7%), followed by two to three witnesses (24.2% and 13.4% respectively). The remaining incidents have anywhere from 4 to 17 witnesses, making up 21.7% of the witnessed incidents.⁴²

³⁹ Private locations include any private residences such as houses, apartments, condominiums, townhouses, as well as garages, farms, trailers, professional offices (ie. doctor, chiropractor, massage therapist).

⁴⁰ Public locations include stores, shopping malls, parking lots, shopping mall parkades (and other non-residential parkades), restaurants, bars/pubs/nightclubs, public transportation, sidewalks, alleys and schools.

⁴¹ Semi-public/semi-private locations include common areas in group homes, apartments and lodges, as well as private residence parkades, shelters, driveways, yards, vehicles, elevators, escalators, stairwells, and hospitals.

The number of witnesses present to any one sexual assault incident may, however, be indicative of the differing circumstances surrounding various sexual assaults as well as to policing practices, in that sexual assaults perpetrated by strangers may be considered more serious and therefore witnesses are more actively sought for their testimony as to the events that took place. Thus, due to the compounding factors that may influence the presence or number of witnesses, findings should be viewed with this in mind.

Victim-Offender Relationship

The victim-offender relationship situates sexual assault victims and offenders within a particular social context. Sacco and Kennedy (1996) state that victims and offenders involved in a criminal event exert a mutual influence over each other in the ways they act and react to certain elements of the situation. The criminal event can therefore be thought of as a social exchange between people. It is also suggested that behavior in these situations is considerably affected by the roles that each participant holds (Sacco and Kennedy 1996). Cleveland, Koss and Lyons (1999) further suggest that sexual assault is a situationally opportunistic crime and that one of the main determinants of offender behavior during the assault is the relationship context surrounding the event. Thus, by looking at sexual assault as an event that involves interactions between the individuals involved, the victim-offender relationship may exert considerable influence over the transaction that takes place.

⁴² The average number of witnesses to a sexual assault incident is 1.47.

Consistent with previous research (Coker, Walls, and Johnson 1998; Senn, Desmarais, Verberg, and Wood 2000; Statistics Canada 1999), the data show that the majority of sexual assault victims have a prior relationship with their offender (59.7%) with approximately half of these (38.3%) being casual acquaintances (see Figure 4.7). The various relationships include intimates such as husbands or boyfriends (11.6%),⁴³ immediate family (0.5%),⁴⁴ extended family and friends (4.2%),⁴⁵ casual and business acquaintances (38.3%)⁴⁶ and ex-spouses, ex-common-laws or ex-boyfriends (5.1%).⁴⁷ Strangers perpetrated the remaining 37.6% of sexual assault incidents.⁴⁸ This is a noticeably smaller proportion than those committed by perpetrators known to the victim and is consistent with the national rate of 34% for stranger sexual victimizations on adult females reported by Statistics Canada for 1997 (Statistics Canada 1999).

⁴³ Intimate relationships include spouse/husband, boyfriends, cohabiting partners, common-law husbands, close friends and caregivers.

⁴⁴ Immediate family includes father, other immediate family and parents.

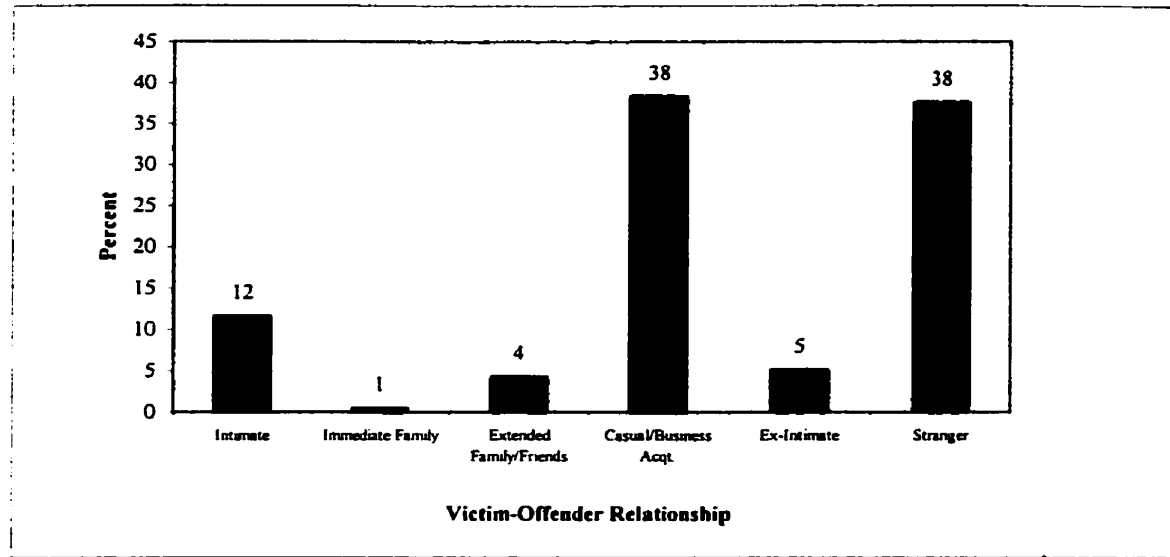
⁴⁵ Extended family/friends includes uncles, other extended family, friends and roommates.

⁴⁶ Casual/business acquaintances include boarders, business relationships and casual acquaintances.

⁴⁷ The ex-spouses/ex-common-laws/ex-boyfriends category is composed of these three relationships.

⁴⁸ Victim-offender relationship is unknown in 2.7% of cases.

**Figure 4.7: Victim-Offender Relationship
(N=1259)**



Summary

Situational characteristics offer further contextual information in which to place the sexual assault event. Over half of sexual assault incidents occur on the weekend in the early hours of the morning, times typically associated with increased activities in the public sphere at the same time heightening the chances of motivation, vulnerability and a lack of guardianship converging to result in a sexual assault. The absence of capable guardianship is further evidenced in that over half of sexual assault incidents occur in private locations where the probability of an uninvolved party intervening is less likely. Strangers perpetrate over one-third of sexual assaults, while nearly 60% involve participants who are known to one another. The nature of the relationship between the victim and offender is indicative of the types of interactions that may surround the event. Furthermore, the victim-offender relationship is capable of hindering or fostering a sexual

assault, given the circumstances surrounding particular situations. Overall, situational circumstances and the presence or lack of capable guardianship speak to the opportunities which may present themselves in combination with other victim, offender, and situational factors. Table 4.2 summarizes findings related to guardianship and situational components of the sexual assault event.⁴⁹

⁴⁹ Appendix C details additional relationships between participant and situational variables, further elaboration of which is beyond the scope of this research.

Table 4.2: Situational Characteristics of Routine Activities

Variable	Situational Circumstances N=1294
Season	
Winter	20.9%
Spring	24.0%
Summer	31.0%
Fall	24.0%
No Information	0.0%
Day of Week	
Weekend	55.2%
Weekday	44.8%
No Information	0.0%
Time of Day	
5:00 a.m. - 11:59 a.m.	14.0%
Noon - 5:59 p.m.	15.9%
6:00 p.m. - 11:59 p.m.	27.7%
Midnight - 4:59 a.m.	42.4%
No Information	0.0%
Location	
Private	56.3%
Semi-Private/Semi-Public	13.8%
Public	25.9%
No Information	4.1%
Witnesses	
None	41.7%
1	23.7%
2	14.1%
3	7.8%
4-17	12.7%
Victim-Offender Relationship	
Intimate	11.6%
Immediate Family	0.5%
Extended Family/Friends	4.2%
Casual/Business Acquaintances	38.3%
Ex-spouse/common-law/boyfriend	5.1%
Stranger	37.6%
No Information	2.7%

Conclusion

The preceding exploration of routine activities and social bonds uncovers relationships which exist within and between offender, victim, and situational elements of the sexual assault event. Firstly, sexual assault offenders emerge as participants who vary in personal characteristics as much as they share a resemblance to one another. The same is true for sexual assault victims. While certain characteristics stand out as common traits, diversity among sexual assault participants and situations is also clear.

The characteristic relationships that exist between offenders and victims are evidence of the lifestyles and routines that may be followed on a daily basis and how individual characteristics interact with others to create opportunity and vulnerability. It is evident that offenders and victims, while separate components of the sexual assault event, do act together in some instances in the manifestation of a sexual assault. Their relationship to certain situational circumstances suggests that, indeed, these elements should be considered simultaneously in trying to explain sexual assault, in that it is the convergence of the elements that appears to eventually bring a sexual assault to fruition. It is the nature of the sexual assault event that may vary in accordance with the diversity of elements involved in each sexual assault, and it is to this we will turn in the next section.

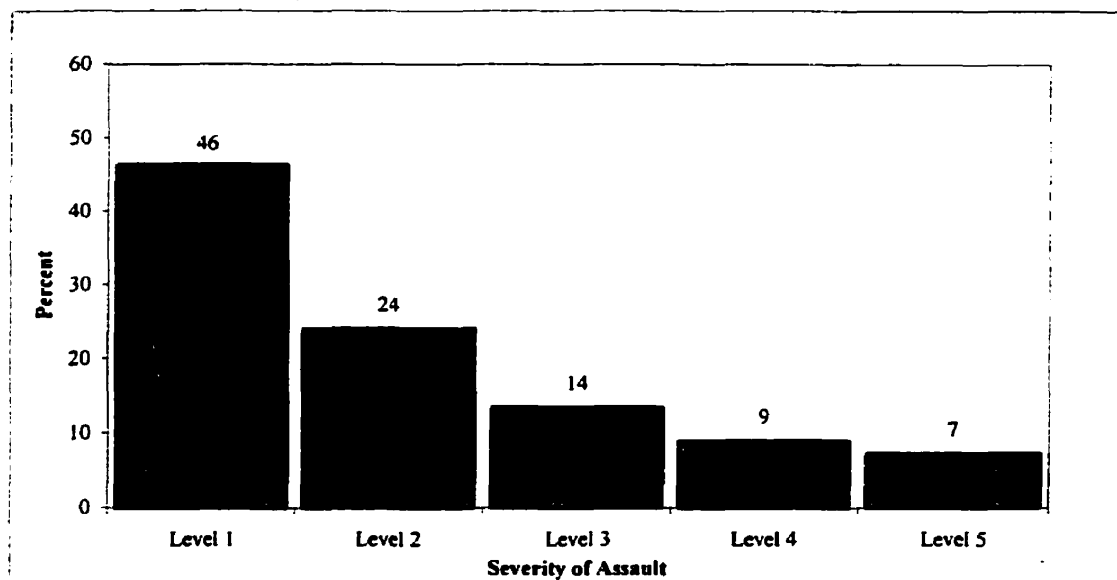
Correlates of Sexual Assault Severity

In legal terms, the vast majority of the sexual assault incidents are classified as Level I sexual assaults (94.3%). Of the remaining sexual assaults, 4.7% are Level II assaults and 1.0% are Level III assaults (see Appendix A). According to the newly constructed five-category scale of sexual assault severity used in this research, 46.3% of incidents involve no penetration and no weapon (Level 1). This may include situations in which there are acts such as fondling, kissing and exposure and in which no weapon of any sort is present or used (according to the police reports). Another 24% of incidents involve no penetration and the use of physical force (Level 2). These incidents may involve the same type of acts, such as fondling, kissing, and exposure, but the use of physical force as a weapon is also involved. An additional 13.5% of sexual assault incidents involve penetration but no weapon (Level 3). These assaults may involve vaginal, anal, or oral penetration with penis, finger, and/or object. Incidents involving penetration and the use of physical force as a weapon (Level 4) account for 9% of all sexual assaults, while sexual assaults involving the use of a weapon other than physical force, such as a knife, gun, club or blunt object (Level 5), account for 7.3% of all incidents. These assaults may involve penetration or no penetration, but all have the common use of a weapon (see Figure 4.8).^{50,51}

⁵⁰ Unless otherwise stated, reference to the level of sexual assault refers to the newly constructed severity scale ranging from 1 - 5 and not the legal levels of I, II and III.

⁵¹ In terms of case status, the largest portion of sexual assault cases are inactive (36.6%), meaning that there is no ongoing investigation (such as in cases where a sexual assault is reported but the victim does not wish to proceed with charges at the time). Cases cleared by laying criminal charges against the accused account for a slightly lesser proportion (34%). Another 15.2% of sexual assault incidents have been "cleared otherwise" meaning that a criminal charge was not laid but the case is still considered cleared. This may include cases where investigators cannot or choose not to lay a charge even though they have identified the person responsible, such as when the victim or culprit has died from unrelated circumstances, or where the victim is unable, for whatever reason, to testify. In addition, 9.2% of the cases are classified as 'unfounded' (there was likely not enough evidence to substantiate the complaint made by the victim) after thorough investigation by the police, and 4.9% of the cases are active and ongoing investigations.

**Figure 4.8: Sexual Assault Severity
(N=1294)**

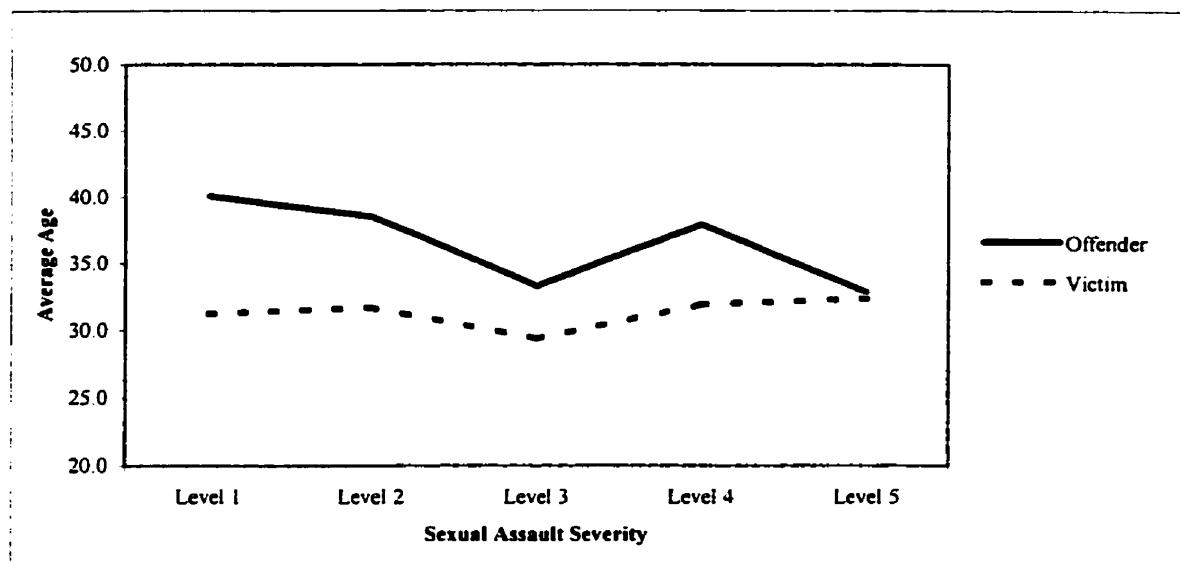


Age

Sexual assault severity is significantly correlated with the age of the offender,⁵² increasing in severity as the age of the offender decreases. The average age of offenders who perpetrate level 1 sexual assaults is 40.10 years compared to those who commit level 5 sexual assaults and average 32.85 years of age. The average victim age in level 1 sexual assault incidents is 31.23 years. The average age declines slightly for level 3 assaults (mean =29.37 years) and then increases again for level 5 sexual assaults (mean =32.38 years). Figure 4.9 illustrates the existing pattern between the average ages of offenders and victims as the sexual assaults increase in severity.

⁵² Pearson's $r = -.175$, $p < .001$.

Figure 4.9: Sexual Assault Severity by Average Offender and Victim Age
Offender N = 440 **Victim N = 1294**



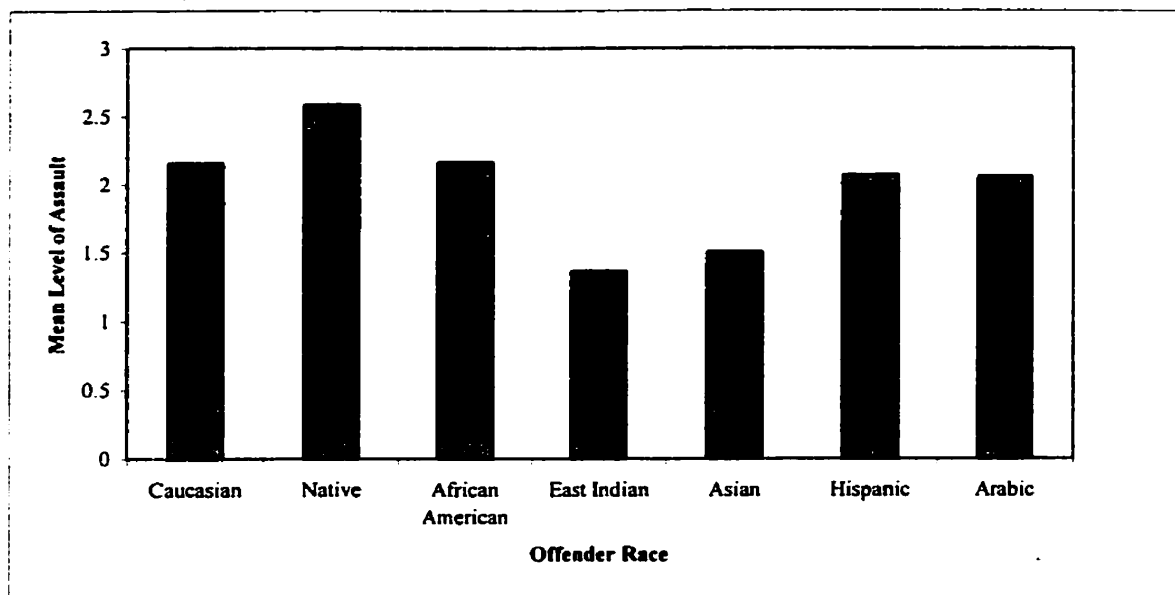
Race

Although sexual assault severity is not significantly correlated with victim race, the data suggest significant differences between various offender races and the severity of the sexual assaults these offenders commit (see Figure 4.10). Significant differences are found between Caucasian and East Indian offenders with Caucasian offenders, on average, committing more severe sexual assaults.⁵³ Significant differences also exist between Native offenders and East Indian and Asian offenders.⁵⁴ On average, Native offenders commit more severe sexual assaults than the other two racial groups.

⁵³ This difference is significant at the $p < .05$ level using the Tamhane post-hoc test.

⁵⁴ These differences are significant at the $p < .05$ level using the Tamhane post-hoc test.

Figure 4.10: Offender Race by Average Sexual Assault Severity
(N=439)



Criminal Charges

The data show that sexual assault severity is significantly correlated with an offender's previous criminal involvement with the Calgary Police Service. Sexual assault severity escalates with the presence of criminal charges.⁵⁵ Approximately 58% of level 1 sexual assaults are perpetrated by offenders with previous criminal charges compared to 75% of level 5 sexual assaults. The presence of at least one previous sex-related charge is significantly related to sexual assault severity,⁵⁶ although not in the manner expected. The severity of the sexual assaults committed by offenders with *no* previous sex charges is, on average, more severe than those perpetrated by offenders *with* previous sex

⁵⁵ $t=2.236, p<.05$.

⁵⁶ Cramer's $V=.351, p<.001$.

charges.⁵⁷ Almost half (47%) of level 1 assaults (perpetrated by an offender with previous charges) are committed by someone holding prior sex-related charges. However, offenders holding prior sex charges commit only 3.3% of the most severe assaults. Figure 4.11 shows the proportions of offenders with previous sex-related charges for each level of assault severity.

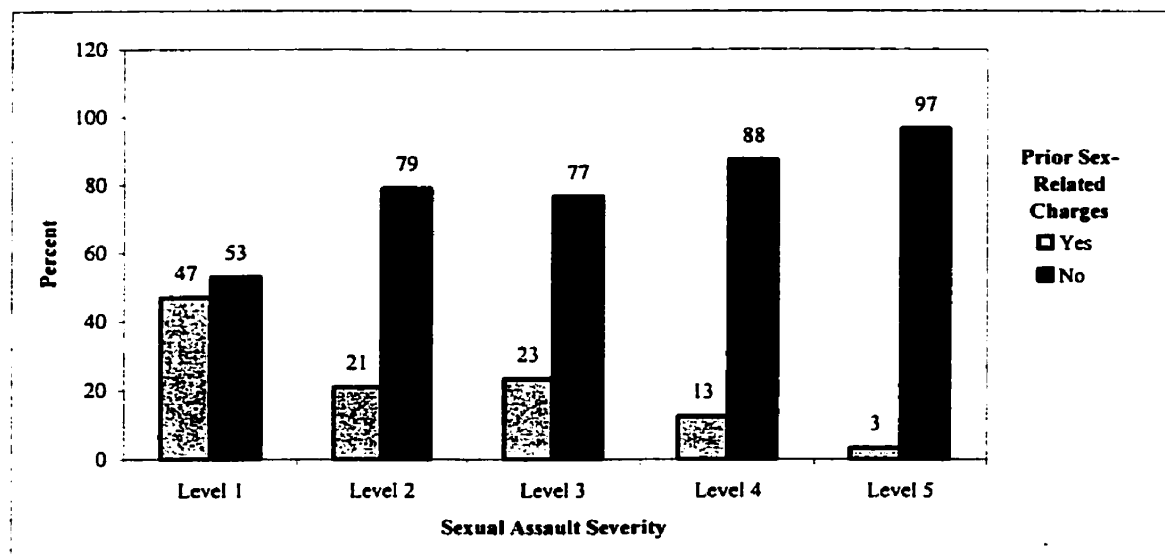
The existence of various “common” (or non-sexual) assault charges is also significantly related to the severity of the sexual assault.⁵⁸ Sexual assaults perpetrated by offenders with no previous common assault charges are, on average, less severe than those committed by an offender with previous assault charges.⁵⁹ Specifically, offenders with prior assault charges perpetrate 28.7% of level 1 sexual assaults. This is in contrast to 43.3% of level 5 sexual assaults also perpetrated by offenders with assault charges on their record. Additionally, offenders with previous assault charges perpetrate 58.3% of level 4 sexual assaults and 56.7% of level 5 sexual assaults.

⁵⁷ On the scale of sexual assault severity, assaults committed by offenders with no previous sex charges average 2.49 while those committed by offenders with previous sex charges average 1.52.

⁵⁸ Cramer's $V = .239$, $p < .01$.

⁵⁹ On the scale of sexual assault severity, sexual assaults committed by offenders with no previous assault charges average 1.94 while those committed by offenders with previous assault charges average 2.57.

**Figure 4.11: Sexual Assault Severity by Prior Sex-Related Charges
(N=266)**



Marital Status

The data show a significant relationship between the marital status of the offender and sexual assault severity. Specifically, the most severe sexual assaults (level 5) are perpetrated by single offenders 69% of the time, divorced/separated offenders 10.3% of the time, offenders involved in common-law or live-in relationships 13.8% of the time, and married offenders 6.9% of the time. Generally, offenders with no marital bond tend to commit more severe sexual assaults than those involved in marital (or bonded) relationships.⁶⁰ Over three-quarters (79.3%) of level 5 sexual assaults are perpetrated by offenders with no marital, or intimate, bond compared to slightly over half (54.3%) of level 1 sexual assaults. As well, offenders with marital bonds commit 45.7% of level 1 sexual assaults whereas only 20.7% of the most severe assaults are perpetrated by offenders of the same marital status.

Employment Status

The employment status of the offender is significantly related to sexual assault severity. On average, offenders who are unemployed or involved in illegal occupations commit more severe offences than those who are employed or students.⁶¹ Level 5 sexual assaults are perpetrated by offenders who are unemployed or illegally employed 37.5% of the time, whereas Level 1 sexual assaults are perpetrated by this type of offender only 16.4% of the time. Additionally, 60% of sexual assaults perpetrated by offenders involved in illegal occupations fall under the two *most* severe forms of sexual assault (level 4 and level 5) while 55% of those incidents perpetrated by offenders who are employed or students fall under the *least* severe form of sexual assault (level 1). This is depicted in Figure 4.12.⁶²

The employment status of sexual assault victims is also significantly related to the severity of the assault. On average, victims who are unemployed or involved in illegal occupations suffer more severe assaults than victims who are employed.⁶³ In 46.9% of level 5 incidents the victims are unemployed or involved in illegal occupations compared to 28.1% of level 1 sexual assaults. Specifically, level 5 sexual assaults involve victims in illegal occupations 23.4% of the time and victims who are unemployed 23.4% of the time.

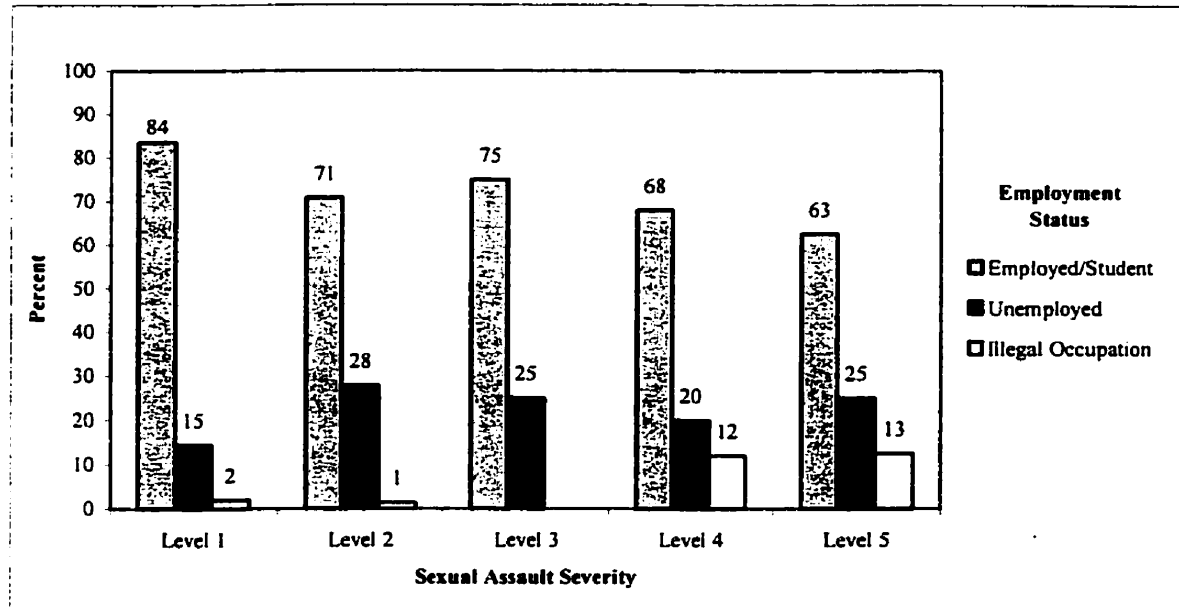
⁶⁰ $t = -3.034$, $p < .01$; Cramer's $V = .180$, $p < .05$.

⁶¹ $t = -2.544$, $p < .05$.

⁶² Furthermore, almost three-quarters (73.3%) of level 5 sexual assaults were perpetrated by offenders who, if employed, hold jobs that require only some high school or on-the-job training qualifications, whereas level 3 and level 1 assaults are committed by offenders who, if employed, hold jobs that require some high school or on-the-job training in 33.3% and 53.9% of the cases, respectively.

⁶³ $t = -3.196$, $p < .001$; Cramer's $V = .128$, $p < .01$.

Figure 4.12: Sexual Assault Severity by Offender Employment Status
(N=301)



Physical Condition

Impairment of the offender, either by drugs, alcohol (or both), mental instability or medical defect is significantly related to sexual assault severity. Impaired offenders, on average, commit more severe assaults than offenders who are not impaired.⁶⁴

Impaired offenders commit 69.7% of level 5 sexual assaults compared to only 37.3% of level 1 incidents⁶⁵ (see Figure 4.13). Additionally, with knowledge of the severity of the incident, error in predicting the offender's physical condition can be significantly reduced by 22.9%.⁶⁶

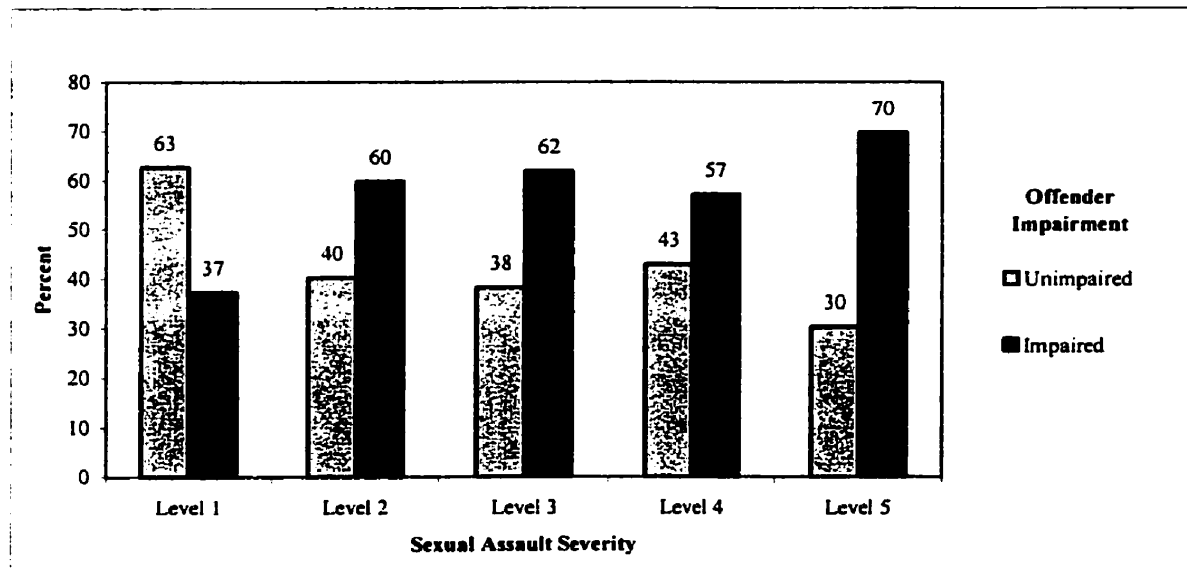
⁶⁴ $t=3.978$, $p<.001$; Cramer's $V=.247$, $p<.001$.

⁶⁵ All offenders impaired by medical defect or mental instability perpetrated either level 1 or level 2 sexual assaults.

⁶⁶ Lambda (offender impairment) = .229, $p<.001$.

These results may coincide with findings that link alcohol consumption to aggression (Bushman and Cooper 1990). The association between increased victimization risk and increased use of violence may be due to increased offender aggression brought on by the use of alcohol (Ullman, Karabatsos, and Koss 1999). Thus, while reducing the offenders inhibitions about committing the sexual attack, alcohol may encourage increased offender aggression towards his victim resulting in more severe injuries (Ullman, Karabatsos, and Koss 1999; Brecklin and Ullman 2001). Coker, Walls and Johnson (1998) report that, with the exception of weapon use, alcohol and drug use by the assailant is related to a heightened risk of traumatic injury to sexual assault victims. Statistical tests show no consistent significant relationship between victim physical condition and sexual assault severity.

Figure 4.13: Sexual Assault Severity by Offender Impairment (N=363)



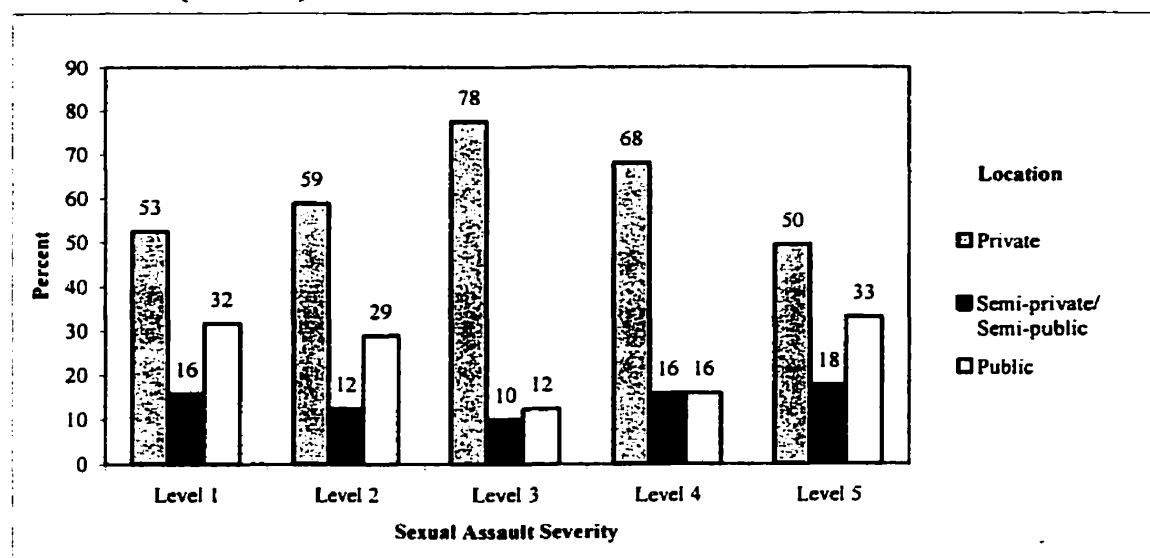
Location

The data show significant differences between the mean level of assault and the location in which the sexual assault occurs.⁶⁷ On average, sexual assaults that take place in private locations are more severe than those which take place in public. The difference seems to occur between those assaults in which there is no penetration and assaults in which penetration is involved. For example, 31.7% of level 1 assaults (involving no penetration and no weapon) take place in public locations in contrast to only 12.4% of level 3 assaults (involving penetration and no weapon) and 15.9% of level 4 sexual assaults (involving penetration and physical force).

The proportions of sexual assaults which occur in private locations follow a curvilinear pattern, peaking at the number of level 3 sexual assaults. In contrast, events which occur in public follow the opposite pattern, with the lowest proportion of public incidents being level 3 assaults and the highest proportion being level 5 assaults (see Figure 4.14). This may concur with findings indicating that the majority of level 5 sexual assaults are perpetrated by strangers, typically associated with locations outside the private realm.

⁶⁷ These differences are significant at the $p < .05$ level using the Tamhane post-hoc test.

Figure 4.14: Sexual Assault Severity by Location
(N=1241)



Witnesses

Results show that the presence and number of witnesses is also significantly correlated to sexual assault severity.⁶⁸ The average number of witnesses increases with the severity of the sexual assault event. Level 1 incidents average 1.17 witnesses while level 5 assaults average 2.53 witnesses. More generally, significant differences in severity exist between those incidents where witnesses are present and those in which no witnesses are present⁶⁹ with the former being more severe.⁷⁰ In 71.6% of level 4 sexual assaults and in 61.7% of level 5 sexual assaults there was at least one witness present,

⁶⁸ $t=3.038$, $p<.01$; Pearson's $r=.173$, $p<.001$.

⁶⁹ $t=3.038$, $p<.01$.

⁷⁰ It should be reinforced that witnesses may include those who were present when the sexual assault took place as well as those who were involved in some way prior to or after the event occurred. Thus, the number of 'witnesses' documented for any one incident is not necessarily a direct indicator of people who observed the sexual assault occur, perhaps offering some explanation as to the counterintuitive nature of this finding.

compared to witnesses present in 53.6% of level 1 sexual assaults. This is in contrast to the routine activities element of capable guardianship. One would assume that the presence of witnesses to any sexual assault event may either deter the transaction from taking place or at least mitigate the seriousness of the assault.

Victim-Offender Relationship

Previous research varies in regards to the effect of the victim-offender relationship on the severity of the incident. Sexual assaults involving intimates have been associated with more traumatic injuries to the victim (Coker, Walls, and Johnson 1998). However, Cleveland et al. (1999) found that threats of bodily harm, hitting and slapping, and the use of weapons is found at significantly higher levels in stranger, as compared to acquaintance, perpetrated sexual assaults.

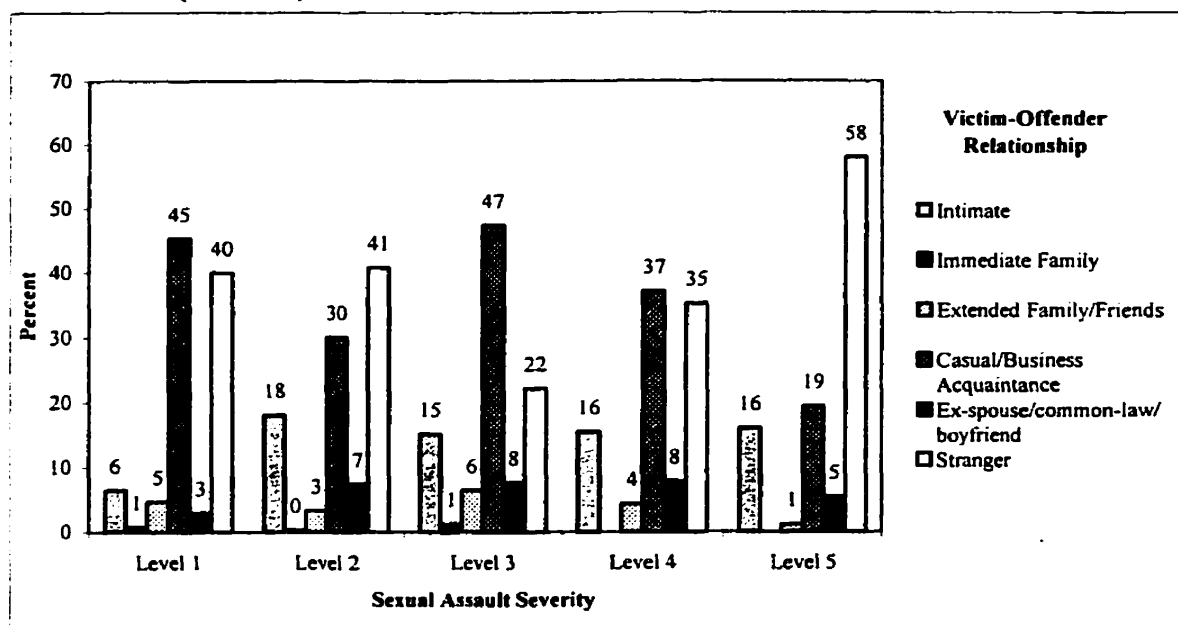
Results show a significant correlation between the victim-offender relationship and sexual assault severity.⁷¹ Strangers perpetrate almost 60% of level 5 sexual assaults whereas the proportion of level 3, level 2 and level 1 assaults perpetrated by strangers is significantly less (22.2%, 40.8% and 40% respectively). The proportion of sexual assaults committed by casual and business acquaintances also varies considerably by assault severity. For example, 45.3% of level 1 sexual assaults are committed by casual or business acquaintances. This number decreases to 30.1% for level 2 assaults, increases slightly to 47.4% for level 3 assaults and then declines substantially, to 19.4%, for level 5 sexual assaults (see Figure 4.15).

Significant differences in severity also exist between assaults committed by casual/business acquaintances and ex-spouses/ex-common-laws/ex-boyfriends, between assaults committed by casual/business acquaintances and intimates, as well as between incidents perpetrated by intimates and strangers.⁷² On average, intimate and ex-intimate offenders commit more severe sexual assaults than casual/business acquaintances and strangers. Specifically, 25.8% of offenders who are ex-spouses/common-laws/boyfriends perpetrate level 1 assaults. This number is similar for intimate offenders (24.7%). However, over half (53.1%) of casual/business acquaintance offenders and 47.6% of stranger offenders commit level 1 sexual assaults. The trend reverses somewhat for level 2 assaults. One third (33.3%) of ex-intimate offenders perpetrate level 2 sexual assaults, as do 36% of intimates. However, the proportion of casual/business acquaintances that perpetrate level 2 assaults drops to 18.2%. As the severity of the incident increases to level 4 the proportions of offenders in most relationship categories drops (12% intimate, 0% immediate family, 9.3% extended family/friends, 8.7% casual/business acquaintance 13.6% ex-spouse/common-law/boyfriend). While the trend remains relatively stable, it is notable that the proportion of strangers that commit level 5 assaults is higher than any other relationship type.

⁷¹ Lambda (victim-offender relationship) = .089, $p < .001$.

⁷² These differences are significant at the $p < .05$ level using the Tamhane post-hoc test

**Figure 4.15: Sexual Assault Severity by Victim-Offender Relationship
(N=1259)**



Summary

The severity of sexual assault events is related to a number of situational, offender and victim characteristics including age, criminal record, marital status, employment, physical condition, victim-offender relationship and location. Table 4.3 summarizes these results. Younger offenders tend to commit more severe sexual assaults while the relationship between the victim's age and the severity of the assault is less clear. Offenders with a criminal record also commit more severe assaults, although the particular types of charges on their criminal record have differing effects. While those with prior sex-related charges perpetrate less severe offences, offenders with prior common assault charges perpetrate more severe sexual assaults. Additionally, single offenders tend to commit more severe forms of sexual assault than those who are married

or in common-law relationships in that over three-quarters of the most severe assaults (according to the severity scale used in this research) were perpetrated by single, divorced, or separated offenders.

The same pattern holds for employment status, where offenders who are unemployed or involved in illegal activities are likely to have committed more severe sexual assaults. Offenders involved in illegal occupations are responsible for over half of the two most severe forms of sexual assault, that is, those categorized as level 4 and level 5 assaults. Additionally, victims who are unemployed or involved in illegal occupations tend to be victimized more severely than those who are employed in conventional occupations.

Impairment of the offender is a key factor in the relationship between the offender and sexual assault severity in that impaired offenders are responsible for almost three-quarters of the most severe (level 5) sexual assaults. However, impairment of the victim did not produce significant results, nor was the relationship in the direction anticipated. Contrary to expectations, the most severe sexual assaults commonly involve a victim who is not impaired in any way. Strangers to the victims are more likely to have perpetrated sexual assaults involving weapons, while sexual assaults committed by offenders known to the victims vary somewhat in severity according to the specific type of relationship. Furthermore, increasingly severe sexual assaults are more likely to be carried out in private locations than in semi-private or public locations.

Table 4.3: Characteristics of Sexual Assault Severity

Variable	Sexual Assault Severity				
	Level 1 N=599	Level 2 N=310	Level 3 N=175	Level 4 N=116	Level 5 N=94
Age (Mean)					
Offender (N=440)	40.10	38.53	33.32	37.97	32.85
Victim (N=1294)	31.23	31.71	29.37	31.94	32.38
Offender Race (N=439)					
Caucasian	42.7%	28.3%	10.9%	7.2%	10.9%
Native	25.0%	30.6%	19.4%	11.1%	13.9%
African American	44.0%	24.0%	8.0%	20.0%	4.0%
East Indian	77.8%	13.9%	2.8%	5.6%	0.0%
Asian	62.5%	25.0%	12.5%	0.0%	0.0%
Hispanic	33.3%	46.7%	6.7%	6.7%	6.7%
Arabic	55.6%	11.1%	11.1%	16.7%	5.6%
Offender # Previous Charges (Mean)	3.35	3.67	3.81	4.39	3.98
Prior Sex Charges (N=266)					
Yes	47.0%	20.9%	23.3%	12.5%	3.3%
No	53.0%	79.1%	76.7%	87.5%	96.7%
Prior Assault Charges (N=266)					
Yes	28.7%	43.3%	53.3%	58.3%	56.7%
No	71.3%	56.7%	46.7%	41.7%	43.3%
Offender Marital Status (N=308)					
Single	51.2%	50.0%	72.2%	50.0%	69.0%
Married	37.8%	32.6%	13.9%	23.3%	6.9%
Common-law/Live-in	7.9%	8.1%	11.1%	10.0%	13.8%
Divorced/Separated	3.1%	9.3%	2.8%	16.7%	10.3%
Offender Employment Status (N=301)					
Employed/Student	83.6%	70.8%	75.0%	68.0%	62.5%
Unemployed	14.5%	27.8%	25.0%	20.0%	25.0%
Illegal Occupation	2.0%	1.4%	0.0%	12.0%	12.5%
Victim Employment Status (N=797)					
Employed/Student	71.9%	68.0%	58.8%	65.1%	53.1%
Unemployed	23.8%	24.2%	33.3%	23.8%	23.4%
Illegal Occupation	4.3%	7.7%	7.8%	11.1%	23.4%

Variable	Sexual Assault Severity				
	Level 1 N=599	Level 2 N=310	Level 3 N=175	Level 4 N=116	Level 5 N=94
Offender Impairment (N=363)					
Impaired	37.3%	59.8%	61.8%	57.1%	69.7%
Unimpaired	62.7%	40.2%	38.2%	42.9%	30.3%
Victim Impairment (N=1203)					
Impaired	41.0%	45.5%	57.9%	52.3%	35.3%
Unimpaired	59.0%	54.5%	42.1%	47.7%	64.7%
Location (N=1241)					
Private	52.5%	58.9%	77.6%	68.1%	49.5%
Semi-Private/ Semi-Public	15.8%	12.4%	10.0%	15.9%	17.6%
Public	31.7%	28.8%	12.4%	15.9%	33.0%
Witnesses (Mean)	1.17	1.54	1.52	1.84	2.53
Victim-Offender Relationship (N=1259)					
Intimate	6.4%	18.1%	15.2%	15.5%	16.1%
Immediate Family	0.7%	0.3%	1.2%	0.0%	0.0%
Extended Family/ Friends	4.7%	3.3%	6.4%	4.3%	1.1%
Casual/Business Acquaintance	45.3%	30.1%	47.4%	37.1%	19.4%
Ex-Spouse/ Common-Law/ Boyfriend	2.9%	7.4%	7.6%	7.8%	5.4%
Stranger	40.0%	40.8%	22.2%	35.3%	58.1%

Conclusion

Findings relating to the severity of the sexual assault illustrate that the sexual assault event is a complex event that cannot be fully explained by one or the other element alone (offenders, victims or situations), but rather the event may require the intersection of all elements in order to be fully understood.

In terms of control theory, these results demonstrate that the offender motivation necessary in routine activities may perhaps originate from a lack of social bonds in the lives of sexual assault offenders. Elements such as employment and marriage may serve as 'stakes' which provide the necessary deterrence to offenders from committing more severe forms of sexual assault that are more likely to result in a loss of existing social bonds. Consistent with previous research (Testa and Parks 1996) results indicate that the consumption of drugs and/or alcohol by either or both parties may facilitate the materialization of sexual assaults in specific situations.

Separately, the relationships between various characteristics and the sexual assault event indicate that there are many factors that influence the outcome of the assault. However, in order to assess their importance in the presence of other elements, and to determine how the elements fit together to form the transactions that take place, situational, offender, and victim characteristics must be analyzed for the effect that each has in the presence of other variables. We turn to this analysis in the next chapter.

Chapter Five: The Sexual Assault Event – Elements in Time and Space

The preceding chapter has established various patterns within the separate components of the sexual assault event, as well as binary relationships that exist between these components. Routine activities suggests a essential convergence of offenders, victims and situations, thus it is also necessary to determine the effects of various sexual assault event components while controlling for other elements. This can be accomplished through logistic regression analyses. We first turn to a separate examination of offenders in terms of social bonds, followed by separate examinations of the victim and situational components. We then examine the effects of the three components of the sexual assault event when entered simultaneously into one logistic regression analysis.

Social Bonds and the Motivated Offender

The motivated offender aspect of routine activities is examined in terms of control theory and the social bonds of the offender. Much research employing routine activities treats this fundamental aspect as a given. However, while exposure to ‘risky’ environments and adherence to certain lifestyles is necessary, it does not suffice as an explanation for personal violence. Thus, the motivated offender is examined by way of social bonds to determine *how* it is that he comes to possess the motivation necessary to carry out a crime. Results of the logistic regression containing offender variables are discussed so as to determine the efficacy of social bonds as indicators of offender motivation. Table 5.1 displays the results of the analysis containing the offender variables. The marital status variable was removed due to results that are inconsistent with the bivariate relationship, as well as it having the effect of significantly reducing the

sample size. In accordance with control theory, criminal record is coded 1= yes, 0 = no; offender impairment is coded 1= impaired, 0 = unimpaired; and employment status is coded 1= employed/student, 0 = unemployed/illegal occupation. In addition, the race of the offender is coded so that Caucasian is the reference category to which all other races are compared.⁷³ The five-category scale of sexual assault severity used in the bivariate analyses (Chapter Four) was dichotomized so as to compare the least severe form of sexual assault (level 1) to the more severe forms of sexual assault (levels 2 through 5).

Table 5.1: Logistic Regression Results for Sexual Assault Severity by Offender Social Bonds

Offender Characteristics	B	S.E.	Exp(B)
Age	-.013	.014	.987
Race – Caucasian			
Native	.248	.788	1.282
African American	-.724	.779	.485
East Indian	-1.312*	.720	.269
Asian	.045	.781	1.046
Hispanic	7.168	18.174	1297.061 ^a
Arabic	-.436	.834	.647
Criminal Record	-.183	.374	.833
Offender Impairment	.857**	.350	2.357
Employment Status	-.475	.424	.622

Model $X^2 = 24.002$, $df=10$, $p=.008$

Pseudo $R^2 = .101$

N=172

* $p<.10$, ** $p<.05$

^a This number is due to the fact that there are only 4 Hispanic offenders in the analysis.

⁷³ All logistic regression models were run on both the full, un-matched, sample (ie. 440 offenders, 1294 victims and 1294 situations) as well as on a sample of 172 cases which contained information for each of the three elements and all variables. Results from these analyses yielded only slightly varying results, thus the sample containing 172 matched cases was chosen for discussion to maintain consistency.

Only one factor emerged as a significant indicator of social bonds and its relation to sexual assault severity. While controlling for other offender characteristics, offenders who are impaired at the time of the assault are almost two and a half times more likely to perpetrate a more severe assault than offenders who are unimpaired at the time of the incident.⁷⁴ The model chi-square also indicates that the inclusion of the offender variables allows for significant improvement in the fit of the model⁷⁵ (Table 5.1).

It is equally important to recognize absences in variable significance in relation to sexual assault severity. Interestingly, other indicators of social bonds that were important factors in bivariate relationships, namely age, race, criminal record, and employment status, appear to be less important once controlling for other factors. It is worth noting, however, that the regression coefficient for the East Indian racial group is close to achieving statistical significance ($p < .069$). The negative coefficient and odds ratio suggest that East Indian offenders are 73% less likely to perpetrate more severe forms of sexual assault.

⁷⁴ $p < .05$.

⁷⁵ $p < .01$.

Victim Routines and Situational Characteristics

Tables 5.2 and 5.3 show the separate logistic regression results for victim and incident characteristics that were used to select the significant variables for the final model. The victim's race is coded so that Caucasian is the reference category to which all other races are compared. The victim's employment status is coded into three categories so that employed/student is the reference category to which unemployed and illegal occupation are compared and victim impairment is coded 1 = impaired, 0 = unimpaired.

The only variable to achieve statistical significance (at the $p < .05$ level) in this model is victim impairment. Impaired victims are two and a half times more likely to experience a more severe sexual assault than victims who are unimpaired. This may speak to the importance of impairment in determining sexual assault severity and the effect that impairment has on a victim's vulnerability. It is also worth noting that victims involved in illegal occupations are roughly eight times more likely to suffer more severe victimizations than those who are employed, students, or unemployed, likely reflecting the degree of risk involved in illegal occupations, such as prostitution, and resulting lifestyles.

Table 5.2: Logistic Regression Results for Sexual Assault Severity by Victim Characteristics

Victim Characteristics	B	S.E.	Exp(B)
Age	.024	.020	1.024
Race – Caucasian			
Native	.988	1.166	2.687
East Indian	7.704	25.901	2216.763 ^a
Asian	-.208	.657	.812
Hispanic	7.380	25.776	1604.244 ^a
Employment Status – Employed			
Unemployed	.096	.387	1.100
Illegal Occupation	2.101*	1.122	8.172
Victim Impairment	.927**	.364	2.526

Model $X^2 = 18.915$, $df=8$, $p=.015$

Pseudo $R^2 = .079$

N=172

* $p<.10$

** $p<.05$

^a These numbers are due to the fact that there are only 2 cases in each of these racial groups.

The witness variable was removed from the situational analysis due to the fact that it is likely that more severe incidents average a higher number of witnesses because the police more actively seek out witnesses and corroborating evidence for more severe sexual assaults. The weekend variable is coded 1= weekend, 0= weekday. The time of day the assault took place is coded so that midnight to 4:59 a.m. is the reference category to which all other times are compared and the victim-offender relationship was recoded into a four-category variable to minimize the degrees of freedom. This variable has the intimate/former intimate relationship as the reference category against which the other relationship types are assessed.⁷⁶ As previously mentioned, the victim-offender relationship variable is included under situational characteristics because it is believed

that this relationship speaks to the social and situational context within which the sexual assault occurs. Therefore, this situational component of the analysis includes spatial, temporal, and social dimensions.

Table 5.3: Logistic Regression Results for Sexual Assault Severity by Situational Characteristics

Situational Characteristics	B	S.E.	Exp(B)
Time of Day – Midnight – 4:59am			
5am – 11:59am	.107	.510	1.113
Noon – 5:59pm	-.769	.480	.463
6pm – 11:59pm	-.500	.436	.607
Location – Private			
Semi-Private/Semi-Public	.214	.539	1.238
Public	-.627	.434	.534
Weekend	-.245	.359	.783
Victim-Offender Relationship –			
Intimate/Former Intimate			
Family/Friends	-.835	.974	.434
Casual/Business Acquaintance	-1.813***	.489	.163
Stranger	-1.537**	.552	.215

Model $X^2 = 30.710$, $df=9$, $p=.000$

Pseudo $R^2 = .129$

N=172

** $p<.01$

*** $p<.001$

⁷⁶ The logistic regression was also run with the original relationship variable. This yielded similar results, thus the collapsed variable was retained to minimize the degrees of freedom.

The sole significant variable that emerges from the situational elements of the sexual assault event is the victim-offender relationship. Casual and business acquaintances are over six times less likely than intimate and former intimates to perpetrate more severe sexual assaults.⁷⁷ Likewise, strangers are over four and a half times less likely than intimates and former intimates to perpetrate more severe sexual assaults.⁷⁸ This may reflect the diverse social contexts in which the victimizations occur and the social dimensions surrounding the events, further influenced by the interactions that take place depending on the social relationship existing between the victim and offender.

Converging Elements of Routine Activities

The final logistic regression model includes those variables demonstrating moderately significant explanatory powers, those below $p < .10$, in the distinct models for the three elements of routine activities.⁷⁹ The full model regressed sexual assault severity on offender impairment and offender race, victim impairment and victim employment status, and victim-offender relationship. The results of this model are shown in Table 5.4. It is evident that once all the three elements of the sexual assault event are merged according to routine activities, most of the offender and victim elements become non-significant, while the sole situational element retains its explanatory power.

⁷⁷ $p < .001$.

⁷⁸ $p < .01$.

⁷⁹ This is in accordance with Mustaine and Tewksbury (1999) who state that while they are "aware that measures of significance are inapplicable for a nonrandom sample," variables achieving significance at approximately the $p < .2$ level are used "as gauges of variables that are important explanatory indicators" (60).

Positive coefficients indicate that the impairment of both the victim and offender increases the likelihood that the sexual assault will be more severe. However, only the victim impairment coefficient achieves statistical significance. In accordance with routine activities, impairment of the victim in the sexual assault event may make for more easily 'accessible' and attractive targets and thus increase the possibility of a more severe assault taking place. Impaired victims are 2.5 times more likely to suffer a more severe sexual assault than victims who are unimpaired at the time of the incident.⁸⁰

⁸⁰ $p < .05$.

Table 5.4: Logistic Regression Results for Sexual Assault Severity by Routine Activities and Social Bonds

	B	S.E.	Exp(B)
Offender:			
Offender Impairment	.295	.426	1.343
Offender Race – Caucasian			
Native	.016	.780	1.016
African American	-.329	.801	.720
East Indian	-1.287*	.745	.276
Asian	-.587	.832	.566
Hispanic	6.967	17.112	1061.047 ^a
Arabic	-.388	.910	.679
Victim:			
Victim Impairment	.921**	.471	2.513
Employment Status – Employed			
Unemployed	.019	.431	1.019
Illegal Occupation	2.131*	1.181	8.426
Situation:			
Victim-Offender Relationship			
Intimate/Former Intimate			
Family/Friends	-.732	1.017	.481
Casual/Business Acquaintance	-2.041***	.499	.130
Stranger	-1.783***	.548	.168

Model $X^2 = 47.353$, $df=13$. $p<.000$

Pseudo $R^2 = .199$

N=172

* $p<.10$

** $p<.05$

*** $p<.01$

^a This number is due to the fact that there are only 4 Hispanic offenders in the analysis.

The victim-offender relationship also emerges as a significant factor in explaining sexual assault severity. Specifically, sexual assaults that occur between casual and business acquaintances are 7.692⁸¹ times less likely to be more severe forms of sexual assault than those that occur between intimates or former intimates.⁸² Likewise, sexual assaults perpetrated by strangers are 5.952 times less likely to fall under the more severe forms of sexual assault.^{83,84} This finding approximates other research indicating that sexual assaults perpetrated by someone known to the victim are more likely to be completed (ie. result in penetration), and thus be more severe, than those committed by strangers (Martin and Bachman 1998).

The significance of the victim-offender relationship suggests that it is not necessarily activities which take a person outside of their home that place them at the greatest risk of more severe victimizations. Rather, daily routines carried out in the privacy of one's home can be equally, if not more, conducive to more severe sexual assaults. When taken in the context of the bivariate association that exists between the victim-offender relationship and the location of the sexual assault (see Appendix C, p. 154), it can be noted that almost 97% of assaults that occur between intimates and almost 88% of assaults that occur between former intimates take place in private locations. The privacy of these locations may limit capable guardianship in the form of other citizens and law enforcement, thus allowing more severe victimizations to be carried out. Similarly, almost half of the assaults that occur between strangers take place in public

⁸¹ These odds ratios were achieved by dividing the exp(B) into 1.

⁸² $p < .001$.

⁸³ $p < .01$.

⁸⁴ The inversion of this relationship (as compared to the bivariate analyses) is due to the reduced number of cases in the logistic regression analysis, as well as the collapsing of the independent (victim-offender relationship) and dependent variables.

locations, hence in the presence of more potential guardians, perhaps limiting the severity of the sexual assault.

Although only three relationships attain significance in the full routine activities model, there are additional relationships that deserve mention due to the size of the odds ratios and the near significant values they achieve. In terms of offender characteristics, the coefficient associated with the East Indian racial group indicates a negative relationship with sexual assault severity. Specifically, as in the separate logistic model for the offender, the odds ratio suggests that East Indian offenders are 3.623 times less likely to commit more severe sexual assaults ($p < .084$). The victims' employment status also produces a large odds ratio although it falls short of achieving significance. Not surprisingly, victims who are 'employed' in illegal occupations are 8.426 times more likely to be victims of more severe sexual assaults ($p < .071$). This may be indicative of the 'risky' situations in which these victims may routinely find themselves thus increasing their attractiveness and accessibility to motivated offenders.

Overall, while the inclusion of all three elements of routine activities allows for significant improvement in predicting the dependent variable,⁸⁵ the pseudo R^2 has a relatively weak value of .199. The final routine activities model explains a larger portion of the variance than any of the three elements alone indicating that the merging of the offender, victim, and situational elements of routine activities allows for greater accuracy in the prediction of sexual assault severity. Furthermore, the model allows for the correct prediction of 73.8% of the sexual assault cases.

⁸⁵ Model chi-square=47.353, degrees of freedom=13, $p < .000$.

Limitations

The lack of significant variables in the final model leads one to speculate on the possibility that there were certain confounding factors which may have played a role in this outcome. First, when working with police files it is difficult to obtain complete data for each sexual assault event. In addition to the fact that over half of the incidents are lacking an offender file, of those sexual assault incidents that do have files on each major component of the criminal event, the data available are often incomplete. Missing data on one or more variables make for a significantly reduced sample size once the victim, offender, and situational files are merged for the final model.

Secondly, the construction of the dependent variable for use in a regression model posed several problems. Ideally, one would want to compare these sexual assault incidents with similar incidents that did *not* result in a sexual assault. However ideal this may be, it is also an impossible situation for which to obtain any data. Police agencies do not possess this type of data and nor, for that matter, does anyone else. To acquire data on “non-events” that is comparable to police data, both in the scope of information and in the amount of detail, is simply not possible.

The dependent variable in this analysis measures one of the few alternative outcomes that can be extracted from the available data, one that remains hampered by a lack of incidents which can be classified as ‘more severe’ sexual assaults, which in turn limits the extent to which a viable ‘scale’ can be constructed. The resulting ordinal scale thus consisted of only five dimensions, falling short of a possible proxy continuous measurement required for linear regression. Whilst losing some of the specificity of the

ordinal measurement, a dichotomous dependent variable in a logistic regression was viewed as a feasible alternative. Both methods, however, failed to produce notable numbers of significant relationships. Thus, while both the five-point ordinal scale used in the bivariate analyses as well as the dichotomous dependent variable used in the logistic regression attempt to measure sexual assault severity, they are perhaps trying to force severity into terms that do not conform to statistical assumptions. It is likely that despite statistically unimpressive models, severity may simply be to a certain extent non-quantifiable.

Conclusion

Despite the limitations of the data source, the above findings indicate that there are certain lifestyle elements which may affect the development and outcomes of sexual assault events. Based on the logistic regression results it appears that routine activities has the potential to explain certain elements of the sexual assault event, as evidenced by the significance of the victim-offender relationship and victim impairment. The significance of the victim-offender relationship, as well as impairment of the sexual assault victim once the elements are merged into one model suggest that it is not who these people are that influences the potential escalation of the sexual assault into a more severe victimization, but rather what they do, where they are, and with whom they come in contact.

Equally important are those factors that did *not* surface as significant predictors of sexual assault severity. Interestingly, offender characteristics related to control theory and a lack of social bonds show limited significant effects on sexual assault outcomes in

the separate model and no significant effects in the merging of the three routine activities elements. However, this is not to suggest that the offender plays little role in the manifestation of the sexual assault event, but rather that the contexts which allow motivated offenders to be brought into action are as important as the offenders' specific motivations. The offender, victim and situational components of the sexual assault event are all important in that their inclusion in the analysis 'allows' significant variables to emerge.

The fact that few of the variables retain significance once routine activities is integrated into one model may also suggest that the elements of the sexual assault event are so inter-dependent and complex that the individual relationships are being partialled out of the model. Perhaps a different conceptualization of the sexual assault event in terms of the dependent variable would lead to more significant results. It is warranted to proceed to a further examination of the sexual assault event by way of a qualitative exploration into what might best be considered a non-quantifiable phenomenon.

Chapter Six: Interaction and Exchange in the Sexual Assault Event

The qualitative portion of the analysis is derived from a select sample of case files obtained from the Calgary Police Service (N=22). It is an illustrative, rather than comprehensive, look into the sexual assault event and the interactions and exchanges that occur between offenders, victims and situations. The qualitative analysis is meant to further our comprehension of *what* actually happens, including events leading up to, and interactions that take place during the sexual assault incident, as well as to provide insight into *how* the elements of the event converge to result in variation amongst the incidents.

Essentially, although clearly a convergence has occurred, this analysis examines *how* it is that the three components of routine activities converge to result in different forms and severities of sexual assault in terms of their relative importance to the sexual assault event. This analysis captures elements of the social contexts in which the events take place that cannot be drawn from quantitative data, but are critical to understanding the sexual assault event. This adds a new dimension to the sexual assault event which can be integrated with the quantitative findings to expand our comprehension of the phenomenon. Through stories told by the participants involved in the event, namely the victims, witnesses and police officers, this analysis facilitates an understanding beyond that gleaned from the quantitative material.

Elements in Context

Generally, these sexual assault files illustrate that the participants in the event, namely the offenders and victims, are more diverse than the quantitative data would have us realize. Far from the description of the ‘average’ offender or ‘typical’ victim that is extracted from the quantitative data, the qualitative files demonstrate that the offenders and victims of the sexual assault event come from a range of backgrounds and circumstances, some of which can be typified while others defy conformity.

Several themes that speak to the intersection of the routine activities elements and the creation of the contexts in which sexual assault events occur were found throughout the incidents. Specific characteristics of the sexual assault incidents allow for a greater understanding of the motivated offender, the victim as attractive target, the lack of capable guardianship and situational factors while at the same time illustrating certain patterns in the relative weighting each element may hold in sexual assault outcomes. To begin, thematic content of each element will be discussed.

The Motivated Offender

Three main “motivations” materialize from the sexual assault files. Namely, 1) an incident has occurred in the offender’s life which is unresolved or for which the offender seems angry, 2) a refusal on the part of the victim to comply with the offender’s sexual demands, and 3) the consumption of drugs or alcohol by the offender. In many cases it is a combination of two or more of these “motivations” that seem to propel the offenders in their perpetration of a sexual assault.

Life Events

In several cases it appears that an event has transpired in the context of the offender's life, either in the present or in the past, which has motivated him to commit sexual assault. This often materializes in cases where the offender makes reference to former intimate partners in the course of sexually assaulting another female. Two 'sub-themes' often combine to produce this 'motivation' in many of the incidents. These are: 1) the offender is angry with another woman and projecting his anger onto someone else in the form of a sexual assault and 2) the offender has suffered the loss or dissolution of an intimate relationship.

These specific cases may relate to control theory and the issue of social bonds, or to broader themes evident throughout the qualitative information (discussed momentarily). In terms of social bonds, these incidents may speak to the offenders' loss of what is understood to be an important social bond. The loss of an intimate relationship, be it with a girlfriend or wife, represents the loss of a tie to presumably conventional others that would typically restrain the offender from perpetrating a crime. This is consistent with Sampson and Laub's (1993) notion that changes in adult social bonds lead to changes in behavior. Furthermore, transitions over the life course generate "turning points" and "adaptation to life events is crucial because the same event or transition followed by different adaptations can lead to different trajectories" (Elder, 1985: 35). Thus, perhaps these sexual assault offenders are responding to this "lost bond" or have not adapted to these "turning points" in their lives in a manner that bestows them with the restraint they need to keep from perpetrating sexual assault.

Sexual Demands

The second ‘motivation’ that may be apparent is the victim’s refusal to comply with the offender’s sexual demands. This motivation is evident in several cases and seems to arise regardless of the victim-offender relationship. Statements such as “I didn’t come all the way out here for nothing”, “come now when I call you” and “try moving and I’ll kill you” exemplify several offenders’ positions that their sexual demands should be satisfied. For instance, in one case a young male became aggressive after the victim, a stranger, refused to give in to the offender’s repeated requests for sexual favours. The offender subsequently forced the victim into a room, ripped her clothes off and claimed she was now his “bitch” and she had better do what she was told. Another incident involved an offender’s repeated orders for sexual favours that were refused by his common-law wife. The offender proceeded to beat and threaten the victim and forced her to perform sexual acts against her will. When taken in the context of an intimate relationship, the offender’s actions following the partner’s refusal is perhaps indicative of a weakness in the relationship, for one might assume that if the relationship was strong, situations such as these would not occur. However, it is evident in both of these situations that a refusal to comply with sexual demands appears to motivate the offender to take the favours by force.

Alcohol and Drugs

Consumption of drugs or alcohol by the offender emerges as a third motivating factor. However, this may act not necessarily as a *motivating* factor, but rather as a factor that reduces the offenders’ inhibitions in regards to committing a sexual assault. In terms

of control theory and social bonds, the offenders' use of alcohol and drugs may speak to fewer social bonds, or weaker social bonds if they do exist. For example, research has shown that involvement in adult institutions, such as marriage and employment, is associated with reduced alcohol use while marital instability or dissolution is related to higher rates of alcohol consumption (Kandel 1980). The offenders in these incidents show a lack of social bonds in at least one fashion be it through the lack of a marital or intimate relationship, a lack of employment, or the possession of a criminal record. It is perhaps a combination of weak or lacking bonds, a greater tendency to consume drugs and alcohol and the consequent minimization of inhibitions that affects the offenders' motivations to committing sexual assault.

Anger

A dominant theme evident throughout the sexual assault incidents is an implied hatred or anger towards women. In addition to contributing to an understanding of the offenders' social bonds in general terms, this overriding theme gives insight into the social contexts in which several sexual assaults transpired. Repeated use of stereotypical phrases such as "all you women are the same", "fucking whore", "stupid bitch", and "disgusting witch," as well as words such as "prostitute" and "slut" denote a theme of anger and hatred towards women. Use of these words may signal a perception of women that gravitates towards the traditional view of the female as subordinate and subservient to their male counterparts.

This follows the conclusion of Senn, Desmarais, Verberg and Wood (2000) who state that men's attitudes towards sexual assault are partly a result of socialization

patterns that include hostility and aggressiveness. It is not surprising then to read of the offender's satisfaction at being "the first" (sexual partner) in some incidents. This illustrates treatment of the sexual assault as a type of conquest or a 'badge of honour'. Phrases such as "you're my bitch" and "you'd better come when I call you" further denote an offender's sense of ownership over the victim. Several offenders make comments such as "what's wrong with you women?" and "how could you do this?" which serve to deflect blame from themselves and toward the sexual assault victim, perhaps implying the offender's belief that the victims are deserving of such violence. An offender's claim of "that's what you girls are there for", in reference to a prostitute, may perhaps be more broadly applicable.

Manipulation

Another general theme in relation to sexual assault offenders is their apparent tendency to, in some cases, manipulate the situational contexts in order to create circumstances conducive to the commission of a sexual assault. Statements such as "he basically invited himself to my house" and "he offered to walk with me because it [isn't] safe to walk alone" may show an initiation of and "management" of the situation by the offender. Manipulations occur in forms such as contributing to a victim's alcohol consumption thus making her more vulnerable to assault than if she had been sober, as well as extending invitations to accompany the offenders to their own residences, perhaps a deliberate action to render the victim increasingly vulnerable by taking her away from the crowd and onto the offender's own 'turf'. Both of these manipulations are evidenced in the following incident: The offender first came into contact with the victim at a bar.

Along with his friend, the offender continually bought the victim and her friend alcohol throughout the night, also insisting on at least one occasion that the victim and her friend drink several shooters. Both the offender and victim, therefore, were under the influence of a great deal of alcohol. As the evening progressed, the offender invited the victim back to his residence for a party, to which she agreed. Once at his residence, the offender then forced himself on the victim, eventually having forcible anal intercourse while beating her and commenting that she was his 'bitch'.

In these ways the offenders, in many cases, appear to create the desired situation themselves. Therefore, opportunity as it relates to the sexual assault event may not be completely independent of the efforts of sexual assault offenders, but rather something that evolves out of situational circumstances in concert with a specific offender's motivations.

Victims as Attractive Targets

Awareness

One major theme emerged in the analysis of sexual assault victims. It appears that many victims of sexual assault unknowingly become attractive targets by increasing their vulnerability through the use of alcohol or drugs, or by being in a lesser state of awareness, such as when one is asleep. In approximately half of the sexual assault incidents for which narratives were obtained, victims had been drinking or using drugs, were completely passed out due to alcohol consumption, or were unaware of what was going on around them because they were sleeping. These 'vulnerabilities' apparently make for attractive and perhaps 'easier' targets for offenders. For instance, one incident

involved a victim who had consumed large amounts of alcohol at the bar prior to falling asleep at her friend's residence. The victim awoke to find a male performing sexual acts on her and states that she struggled to comprehend what was happening because of the deep sleep in which she had been.

The apparent link between alcohol and victim vulnerability is consistent with literature stating that women who are sexually assaulted are more likely to drink, use drugs, and be involved in more social activities (Harrington and Leitenberg 1994; Newton-Taylor, DeWit, and Gliksman 1998). The consumption of alcohol by sexual assault victims is also associated with more severe victimizations (Ullman, Karabatsos, and Koss 1999), perhaps indicating that a woman who has been drinking is perceived by the offender as an easier target less capable of resistance and therefore a more viable opportunity.

Occupational Hazards

The 'occupational hazards' and subsequent daily routines of particular victims present another vulnerability in relation to the sexual assault event. This refers to victims involved in illegal occupations, such as prostitution. While only one sexual assault incident involving a prostitute as the victim is included in the qualitative sample, it can be assumed that victims or potential victims involved in these types of occupations are all subject to the same type and degree of risk. The incident describes a young male who sexually assaulted a prostitute. The offender drove the victim to a secluded area, produced a weapon and forced the victim to perform sexual acts against her will while he fondled her. Upon completing the assault the offender made known the reason for the

victimization - he had previously experienced a fight with his girlfriend and wanted to 'get back' at her, further stating "that's what [prostitutes] are there for." This demonstrates the potential hazards which accompany these types of daily routine.

Another theme surrounding the notion of 'attractive targets' is the victim's vulnerability created by the absence of others. However, this may better correspond to the routine activities aspect of capable guardianship, and so will be addressed in the following section.

Situational Contexts and The Absence of Capable Guardianship

A lack of capable guardianship is evidenced in sexual assaults that took place both in private and public locations. In private, the lack of guardianship typically arises from being in a private space with no potential guardians present. Similarly, in public victims were often alone with the offender when other possible guardians were absent or did not arrive on scene until the sexual assault was already in progress, at which time some of them intervened.

For instance, after an evening at the bar with friends, one of the victims decided to walk alone to her car at approximately one o'clock in the morning. A male with whom she had just made acquaintance offered to walk with her for 'safety' reasons and proceeded to lead her into an unfamiliar area. The offender then threw her to the ground, forcefully removed her clothing and sexually assaulted her while stifling her screams for help. Even though the assault did take place in a public location it was, in essence, rendered largely private due to the relatively small number of people who are found in public at this time of the morning. In leading the victim away from the bar and other

people, the offender effectively rendered the situation private in the sense that capable guardianship was more or less absent.

In another sexual assault incident the victim left the bar around two o'clock in the morning to await a taxi. As she waited, an unknown male attacked the victim. The offender forced the victim to the ground near an essentially deserted parking lot and proceeded to sexually assault the victim. After several minutes a car with four occupants stopped to see what was transpiring at which time the offender fled. Similar to the previous situation, the time of night and the area in which the assault took place ensured that few capable guardians would be available to potentially avert the assault.

Capability

In other situations, guardianship may have been present although not necessarily 'capable' as routine activities would infer. This may be because the guardian is unwilling to help or simply because the guardian is unable to help, such as is the case with children. In one situation a woman was sexually assaulted by her common-law husband. Alone in the residence with her young children, the victim was beaten and forced to perform sexual acts against her will. When one of the children began to cry and the victim stated she needed to check on the child, the offender responded by stating she was a "fucking liar" and subjected her to further physical and sexual abuse. Similarly, in another incident involving repeated fondling and excessive force, the victim was sexually assaulted by her common-law husband while a child younger than two years of age was present.

Volatility and Risk

A common theme that ran throughout the sexual assault narratives in terms of situational circumstances is that many of the incidents involved situations which one might expect to be 'risky' or more 'volatile' than others. For example, a large number of incidents involved bars or nightclubs - whether it be *at* the bar, while *leaving* the bar, or *after* arriving home from the bar - which are typically perceived as characterized by impulsive behavior and are perhaps unpredictable surroundings. Coupled with the ingestion of alcohol and/or drugs, these circumstances produce situations that may be more unsafe and unstable than others. Furthermore, behaviors associated with these situations may potentially contribute to other routine activities elements, such as offender motivation and suitable targets.

This is consistent with findings indicating that 'risky' situational contexts and spontaneous social situations such as occurring in bars and nightclubs may be related to sexual assault (Ullman and Knight 1993). And while these high-risk contexts do not alone suffice as an explanation of sexual assault (Kennedy and Forde 1990), when combined with the other elements of the criminal event, these situational circumstances provide the context in which high-risk offenders and victims may become part of a sexual assault event.

The Impact of Routine Activities Elements

The previous discussion demonstrates the various ways in which offenders, victims, and situations of the criminal event may interact in manners that eventually create circumstances conducive to the occurrence of a sexual assault. It is “the situation, and the third parties who interact with victims, [that] combine to create opportunities for crime” (Kennedy and Forde 1990: 150). The convergence in these incidents is obvious, representing an exchange or interaction between the elements. However, an examination of the narratives suggests that as the sexual assaults grow progressively more severe in nature, the relative importance of the distinct elements shifts to an unequal balance. Specifically, it appears that, relative to the attractive target and capable guardianship components of routine activities, the motivated offender’s importance to the sexual assault outcomes plays an increasingly significant role. Contextualized by many of the themes discussed in the preceding section, the following incidents illustrate the relative importance of the motivated offenders to the sexual assault event.

Assessing Motivation

This sexual assault incident involves an impaired offender and a victim who was at a bar with her female friends. As the victim prepared to take her seat at the table, the offender walked by and struck her on the buttocks. Offender motivation in this case appears to be the consumption of alcohol, while the suitable target appears more circumstantial. Capable guardians were present and intervened after the assault had occurred. The bar is often associated with unpredictable behavior and may expose victims to potential vulnerability. Furthermore, while guardians were present during the

assault, when in situational contexts such as bars and nightclubs, one can not be certain of their 'capability' in terms of routine activities.

Another incident involved a victim who invited an acquaintance over to her residence to watch TV. Both the victim and offender were impaired by alcohol. The victim fell asleep and awoke when the offender thrust his penis into her face. The victim successfully defended herself and the offender left. Unlike the first incident, the offender motivation may be more evident in that the offender was impaired at the time of the incident. The victim was also vulnerable due to alcohol and guardianship was absent in that the participants of the event were alone in the residence.

Sexual assaults that appear somewhat more severe in nature evidence slight differences in offender motivation. Rather than simply being intoxicated or angry, the offender in this particular situation appears to be driven by more than one factor. This incident involves an elderly offender who invited himself over to the residence of a female acquaintance. The victim originally declined his offer to visit, but with the offender's persistence finally conceded. After several hours and repeated requests to leave, the offender decided to progress past friendly conversation. He forcefully removed the victim's clothing and fondled her repeatedly. Her resistance was met with comments such as "you're just like my wife" and questions such as "what's wrong with you women?" The offender appears in this situation to be motivated not only by the victim's refusal to comply with his sexual advances, but also by an underlying anger towards his wife which has been extended to other women. The suitable target and capable guardian components remain stable, with isolation from others being a key factor.

Sexual assault events involving penetration and the use of physical force as a weapon appear to be perpetrated by offenders who appear progressively more motivated to commit the act. In this incident the offender, a middle-aged male, drove the victim out to a rural property under legitimate pretences. Once they arrived and were alone in the residence the offender began to obsess about his previous divorce and his unfaithful ex-wife, displaying his anger over the legal battles he had subsequently lost and infrequent time with his children. The offender repeatedly stated that he wanted a “lady like [the victim]” with whom to reconstruct his life, to which the victim refused. The offender consistently directed the conversation towards his past experiences with women asking the victim if she would consider his requests to include him in her “future plans”. He then directed the conversation towards items of a sexual nature and proceeded to remove some of his own clothing, creating a heavily ‘sexualized’, or seductive, mood.

The offender made sexual comments and sexual advances towards the victim and succeeded in removing her clothing despite her resistance. The offender fondled, kissed, and ultimately engaged in forcible intercourse with the victim. In the process, the offender also took the victim’s virginity claiming he was grateful he was “the first”. The victim bled profusely and suffered extensive physical damage which the offender stated would “heal in due time”. It is evident that while the victim in this situation was in a vulnerable state due to the absence of capable guardianship, the offender in this situation seems to have had particularly strong motivations behind the act - personal problems, the dissolution of an intimate relationship (hence, loss of a social bond), legal battles, and the victim’s refusal to comply with both his “life plans” and sexual advances.

Sexual assault incidents involving the use of a weapon other than physical force or the wounding, maiming or disfiguring of the victim appear to be the most severe. A particular incident involved a victim who was extremely intoxicated and had passed out and woken up in a private room sometime after midnight to find that some of her clothing had been removed. She confronted a male in the room who was also intoxicated. The offender began to assault and asphyxiate the victim and tear off her clothing, calling her a 'whore', claiming the victim had wronged him. The offender then repeatedly and forcibly shoved a foreign object inside the victim's vagina as she continued to be kicked in the face to a state of near comatose and threatened her life. When the offender ceased assaulting the victim, subsequently robbing her of the cash in her wallet, she staggered down a flight of stairs whereupon she collapsed and members of the establishment contacted emergency medical services.

The offender's motivation in this incident appears to be three-fold. First, the offender was extremely intoxicated and thus perhaps less inhibited in the commission of the assault. Secondly, the offender's threat on the victim's life and his claim that she had wronged him suggests a previous relationship and prior events for which the offender is angry. Furthermore, the use of words such as "whore" and "prostitute" may reflect a projection onto the victim of stereotypical images portraying women as promiscuous, 'dirty', and subordinate. This may reflect hostility and perhaps a hatred towards women. Interaction between this motivation and the relatively stable roles of the attractive target and capable guardianship resulted in extreme severity of the sexual assault event.

Discrepancies in the Categorization of the Sexual Assault Event

One of the most noticeable distinctions between the sexual assault case files (quantitative data) and the narratives used in this chapter, is the discrepancy between the legal level assigned to the sexual assault incident and the apparent severity of what occurred according to, primarily, the victims' interpretations. The legalistic criteria the police are required to use in their handling of sexual assault incidents seems necessarily different than how the victims define and describe their experiences. In analyzing the quantitative data, one assumes that incidents marked as Level I sexual assaults are less severe than those labelled as Level II or Level III assaults. However, upon examination of the qualitative case files it becomes evident that this is not always the case. Many of the sexual assault incidents legally labelled as Level I assaults appear more severe than Level II or III cases. Further, considerable variation also exists within those incidents labelled as Level I sexual assaults. For example, one incident labelled a Level II sexual assault by the police involved an offender who ran his hand up the victim's leg while holding a knife. The victim was physically unharmed. Yet, in a Level I sexual assault the victim was driven to a remote location where the offender removed her clothing and forcefully had intercourse with her. The victim, a virgin prior to this act, was caused extensive physical injury and bled substantially. Due to the absence of a 'true' weapon, other than the physical force used by the offender, this incident is considered *legally* less severe than the former.

These examples reinforce the fact that the objective classification of sexual assault cases by legal standards may, in some cases, be misleading in terms of the severity of the assault from the victims' perspectives, compounded by the fact that law

enforcement is given little option in classifying sexual assault incidents. While legalistically a classification based on 'harm', such as legal codes, is more objective, outside the legal realm it appears very difficult to label any one sexual assault as more or less severe than another given that victims experience unique forms of victimization which affect them in individual ways. Given this, it seems as appropriate to use the witness statements as an indication of the severity of the occurrence. The witness statements express a range of detail and emotion which represent criminal events that do not fit neatly into the three-level legal framework of sexual assault, nor into the five-category framework developed here. The differences between the "objective" sexual assault implied by the legal system and the "subjective" sexual assault implied by witness statements parallel the distinctions that exist between the quantitative and qualitative forms of sexual assault data.

Conclusion

It is self-evident that the sexual assault incidents resulted from the convergence of the routine activities elements of the criminal event. However, what is not as explicit is *how* these elements converged and to what extent each element is a factor in the outcome of the assault. While each case shows evidence of a motivated offender, a suitable target, and a lack of capable guardianship, a closer examination of the files yields interesting results in terms of the relative importance of each component. The attractive target and capable guardianship components of the sexual assault event, while vital to the occurrence of the assault, appear to remain relatively stable as the sexual assault incidents increase in severity. Whether the victim was vulnerable due to alcohol alone, or due to a

combination of factors, these vulnerabilities were perceived as attractive by the motivated offenders. Thus, the 'extent' of her vulnerabilities does not seem to necessarily heighten the chances of more severe victimization. The same is true of capable guardianship. Several victims were alone in enclosed spaces with their offenders, some by choice, others by way of offender 'manipulation'. Generally, this element remains relatively constant over every incident, at least in terms of the information used here. It is likely that if capable guardians had been present, the development of the sexual assault incidents may have been thwarted.

What does seem to affect the nature of the sexual assault events, however, is the extent or degree to which the offender's motivation seems more or less obvious. This pattern reflects a possible "continuum" of offender motivation. In the least severe incidents, motivation seems less prominent but as the offences become increasingly more severe in nature, the offenders' motivations appear to become more pronounced. Offenders who perpetrate the most severe assaults are seemingly characterized by several motivating factors. More than simply one motivating factor, underlying issues that may revolve around social bonds are often apparent. The dissolution of intimate relationships seems to be a key factor in causing anger that the offender may project onto the victims. Themes regarding anger and hatred towards women may also speak to the offenders' lack of social bonds more generally in that apparent anger towards women may reflect weak intimate and marital ties. Intoxication may reflect weak or lacking social bonds in several areas of the offenders' lives, such as intimate relationships, employment, and previous criminal activity (or, intoxication may simply weaken existing bonds). Thus, it appears that while a vulnerable victim and situational circumstances, such as the lack of

capable guardians, are vital components of the sexual assault event, the motivated offender and his unique motivations may be greater determinants of the sexual assault events. More 'intense' motivations appear to be associated with progressively more severe victimizations.

Again, limiting characteristics of the primary data source in the qualitative analysis should be noted. In examining complainant (victim) statements, it seems likely that as the severity of the sexual assault event increases the victim would seek to find more evidence of offender motivation, as would the police. Severely assaulted victims may make an effort to identify more motivational factors in order to direct attention towards the offender (with good reason). Thus, while the apparent increase in offender motivation may be real, it should be kept in mind that the qualitative data source is "offender oriented", likely directing the analysis in this manner. Furthermore, while indicators of motivation can be suggested and it may appear that offender motivation increases with the severity of assault, it seems that motivation may not be as easily assessed as what routine activities and control theory would lead us to believe. Perhaps the quantitative analysis and the five-category scale of severity are pigeonholing the assessment of motivation in the qualitative material into attributes that can be easily measured, such as employment and marital status, when it is possible that motivation itself is not an easily captured phenomenon.

From reading the sexual assault case files and the statements within, it is apparent that the sexual assault event may transpire from a variety of circumstances and may culminate in several different outcomes, ranging both in severity and form. The possibility exists that a routine activities framework for the sexual assault event may be

too simplistic because the behaviours are too wide-ranging to be adequately encompassed by one framework. Thus, attempts to compartmentalize sexual assault components into distinctly homogeneous elements may be counterproductive. Therefore, if analysis rested solely on sexual assault data gathered from witness statements and case files, sexual assault might appear to be a criminal phenomenon which is neither predictable nor preventable. Perhaps if the sample had consisted of more cases a thematic assessment may have generated more results, although one cannot be certain.

A qualitative reading of these files provides insight into *how* the sexual assaults evolved and what factors played an important role. Sexual assault offenders appear to be opportunistic perpetrators who take advantage of vulnerabilities. However, it may be the motivations tied to the offenders which seem to determine the directions which the sexual assault events will take. Thus, it appears that when vulnerability and situational elements combine with these motivations, the resulting circumstances translate into sexual assault events characterized by a range of distinct interactions and exchanges.

Chapter Seven: Linking Opportunity and Motivation

Sexual assault is a complex criminal event that evolves from interactions between offenders, victims and situations. It is an event that is not determined exclusively by the actions of one participant. Far from being a simplistic manifestation of one particular element, it is instead a complex set of transactions and exchanges that link the various elements and draw them into a single event, the natures of which are as distinct as they are similar. I turn now to the research questions, a reiteration of significant findings and an assessment of the effectiveness of routine activities and control theory as one theoretical framework. I conclude with implications and directions for future research.

Revisiting the Research Questions

Several research questions were posed at the outset of this research and through consideration of the quantitative and qualitative results, speculation can be made as to the backgrounds and lifestyles of each participant, as well as the role of capable guardians and situational elements.

Does a lack of social bonds lead an offender to commit more severe sexual assaults?

Sexual assault offenders tend to cover a broad age range. These differences in age may reflect general patterns in the offender's social bonds that can also be considered in the context of other significant findings. In terms of control theory, well over half of the offenders have criminal records, suggesting weak or lacking social bonds and, it seems, a propensity towards increasingly serious criminal activity. The lack of social bonds is further evidenced by results indicating that the majority of offenders hold no

marital or intimate attachment. Conversely, the majority of sexual assault offenders *do* hold ties to conventional employment. The absence of either or both of these bonds is also related to the commission of more severe sexual assaults.

Impairment of sexual assault offenders is associated with the increased severity of the incident, speaking to the importance of the effects of substance use as potentially influencing motivation to offend. Interestingly, substantial differences in physical condition emerge between Native participants and other races. Notably higher proportions of Native offenders are impaired by drugs or alcohol at the time of the event. The significance of these findings clearly requires further investigation into the circumstances surrounding sexual assaults involving Native offenders, as well as the wider social context in which these sexual assaults occur.

Are more suitable targets, i.e. attractive opportunities, vulnerable to more severe sexual assaults?

Over half of sexual assault victims fall between the ages of 18 to 29 years. This may give indication as to the routine activities of victims of particular age groups making them more or less vulnerable to severe sexual assaults. A substantially larger proportion of victims than offenders are involved in illegal occupations, including, for example, prostitution. This may be evidence of the risk inherent in the daily routines followed by these victims, as victims involved in illegal occupations are over eight times more likely to be severely assaulted. It is difficult to deny that vulnerability increases once activities such as these are brought into the picture. Increased contact with strangers (who assault 84% of victims in illegal occupations) may amplify the 'uncertainty' of the situation as well as the possibility of converging with motivated offenders. Victim impairment also

increases vulnerability to more severe sexual assaults. The consumption of alcohol and drugs may make victims more attractive targets and is thus a potential source of vulnerability for many victims. These results suggest that victims involved in routine activities, as indicated by impairment and illegal occupations, may increase their attractiveness and vulnerability, and therefore become more susceptible to severe victimization.

Does the absence of capable guardians place victims of sexual assault at risk for a more severe attack?

In terms of situational elements, data show that large numbers of assaults occur on weekends in the hours of the early morning. These are times typically associated with activities outside the home as well as with more 'risky' behaviors such as going to bars or nightclubs where a convergence of motivated offenders and potential victims is more likely, but also where guardianship may or may not be present or capable. The majority of sexual assault incidents occur in private locations, such as residences, challenging the widely held assumption of safety that one draws from being within the confines of one's home. Furthermore, results indicate that the severity of sexual assault increases in incidents that occur in private locations where capable guardianship may be less available.

These findings are further complicated by the fact that strangers, typically associated with the public sphere, perpetrate almost 20% of sexual assaults that occur in private spaces. Moreover, the image of safety that is often connected to people with whom one is assumed to feel most comfortable, such as intimates, is distorted by results indicating that intimates, including husbands, boyfriends and common-law partners,

perpetrate almost half of the sexual assaults that occur in private. Further research into the relationships associated with public and private victimizations may alleviate the misperceptions surrounding these connections.

How do the characteristics of the motivated offender, in terms of a lack of social bonds, as well as aspects of suitable targets and the absence of capable guardianship, converge to produce more or less severe sexual assault events?

Each of the offender, victim and situational elements appear to be relevant in the materialization of the sexual assault event. Viable opportunities shaped by attractive targets, situational elements and an absence of capable guardians, as well as opportunities created by offenders, may enable a motivated offender to be brought into action. Contextual information provided by the narratives gives insight into the transactions surrounding the sexual assault event, suggesting that offender motivation appears to become more evident as the severity of the sexual assault increases. Narratives further suggest that each sexual assault event is distinct in terms of *who* the participants are, *what* they bring to the transaction and *how* the convergence of the offenders, victims and situations occur to result in a sexual assault event. In other words, a variety of exchanges taking place between offenders, victims and situational elements demonstrate that these events often come to fruition through the convergence of unique circumstances.

Assessing the Theoretical Framework

A further purpose of this research has been to broaden current understanding of the sexual assault event by expanding the analytical and theoretical perspectives with which the event is considered. This research demonstrates that the sexual assault event

cannot be adequately conceptualized by focussing on a single criminal element, that is, offenders, victims or situations. Rather, analyses need to encompass all three aspects in order to extend our understanding beyond that produced by examination of any one particular component.

The control theory of crime and routine activities theory have provided the lens with which to examine the sexual assault event. Routine activities is used as the framework from which this investigation was conducted. This allowed for consideration of the vulnerability of sexual assault victims, and of the guardianship element of the event. Given the data source, few *direct* measures of routine activities were available (such as, for example, the number of nights spent outside the home). Furthermore, results of the quantitative analysis suggest that expanding the guardianship component of routine activities to include situational circumstances may have captured a wider range of temporal, spatial and social contexts than would have been the case using only direct measures of guardianship (i.e. using witnesses alone as the measure of guardianship). Control theory and social bonds were integrated to examine the motivated offender, as routine activities neglects to provide any explanation of offender motivation.

The focus on social bonds suggests that perhaps weak or non-existent ties *allow* for, or set the stage for, the motivated offender to engage in criminal activities. Yet equally important are the victim and situational circumstances which also form the context in which the motivated offender is brought into action. Degrees of victim vulnerability as well as capable guardianship, coupled with varying offender motivation, evidently create differences in the severity of the sexual assault event. Hence, the theoretical frameworks used in this research may best be considered as facilitating a

thorough examination of the sexual assault event, acting as an organizing 'tool' from which more detailed analyses may evolve.

While the separate elements contribute to the nature of the sexual assault event, it may be that the dynamics of the components (as evident in the qualitative narratives) resist placement into specific categories. From a qualitative angle, it might appear that sexual assault is neither as predictable or as preventable as might be hoped. An analysis of the witness and police statements suggests that the quantitative data may inaccurately categorize and force standardization of the circumstances surrounding the sexual assault event and its participants. The range of experiences and circumstances that constitute sexual assault are not necessarily reflected in the quantitative analyses, perhaps evidenced in the fact that the logistic regression model only accounted for approximately 20% of the variation in sexual assault severity. This suggests that there may be non-quantifiable factors at play (or, on the other hand, I simply may not have had access to all the relevant variables through this data source).

It appears that the relative impact of each routine activities element may differ in accordance with sexual assault severity. It seems that increased offender motivation has considerable influence on the severity of the assault. At the same time, it may be somewhat presumptuous to suggest that offender motivation can be interpreted exclusively through the easily measured indicators of social bonds included in this analysis. In other words, a consideration of offender motivation may go well beyond this analysis, with offender motivation not easily 'captured' by the variables included here.

Importantly, the analysis of the qualitative files was driven by a quest to address the theoretical framework developed throughout the previous chapters. Thus, entering

the qualitative analysis with set theoretical goals in mind likely directed the analysis to a certain extent. It may be that if a “tabula rasa” approach towards the qualitative analysis had been taken therefore allowing the data itself to guide the development of a theoretical framework, different elements and angles of the sexual assault event may have emerged from these narratives.

In merging routine activities and control theory, it becomes difficult to draw clear distinctions between the two theoretical perspectives. Offender motivation was examined in terms of social bonds such as employment, criminal record, marital status and physical condition. However, these ‘social bonds’ may also be indirect indicators of daily routines and lifestyle, and hence opportunity. Furthermore, offender motivation for crime “might influence the extent to which individuals' perceive situations as constituting criminal opportunity” (Grasmick, Tittle, Bursik, and Arneklev 1993: 25).

Similarly, victim vulnerability was considered through indicators such as physical condition, employment and age, but these proxy indicators of ‘routines’ are also possible indicators of social bonds. The same factors may therefore be interpreted as indicators of routine activities *or* social bonds, regardless of whether one’s focus is on offenders or victims. As Gottfredson and Hirschi propose, if “[o]ur image of the “offender” suggests that crime is not an automatic or necessary consequence of low self-control... many non-criminal acts analogous to crime (such as accidents, smoking, and alcohol use) are also manifestations of low self-control” (1990: 91). It seems that while weak social bonds may indicate a propensity towards criminal activity in terms of the offender, at the same time weak social bonds may be indicative of a propensity towards victimization.

Implications and Directions for Future Research

Several implications arise from this research. First, given the distinctions between the quantitative and qualitative analyses, conclusions may be drawn with respect to the difficulties inherent in any attempts to legislate against this type of crime. The pre-categorization built into the Criminal Code may over-simplify actual experiences of sexual assault (which may not be dissimilar to other types of crimes). Results from the quantitative analyses as well as data drawn from the narratives suggest that the sexual assault event is idiosyncratic in nature and may not easily lend itself to categorization. Limits imposed by legalistic categories may serve to limit the effectiveness of the police and courts in dealing with these events.

Furthermore, while one might argue that there is some degree of flexibility in the Criminal Code simply because there is no real definition of sexual assault, this flexibility may also be a weakness. A better strategy to capture the full range of sexual assault events may be to more clearly define sexual assault while allowing for adaptations when necessary. However, developing guidelines around the issue of severity may be problematic in that the severity of the sexual assault is likely relative to the individual experiencing it. The Criminal Code has attempted to legislate harm, as evidenced in the levels of assault, but the objective framework may not be suited to 'sexual' harm, because of the subjectivity associated with such experiences. This criticism also applies to my construction of a scale of severity in this research. While quantitatively the severity scale seems to account for an entire range of incidents, narratives suggest that attempts to objectify severity through such scales may be misleading. Hence, any attempts to assess severity in this manner should be done with caution.

Second, methodologically, in order to capture the full range of circumstances and characteristics surrounding the sexual assault event, multiple data sources and methods are needed. Police files are a rich source of data and provide details and perspectives that are seldom found in other sources. However, there are limitations with this data source. Inconsistencies in the amount and detail of information as well as the various perspectives ingrained in the participant statements suggest that additional sources would allow for the information to be more comprehensive, thus facilitating a more complete and perhaps generalizable analysis. Knowledge pertaining to participant backgrounds and events preceding the sexual assault would also provide crucial information regarding motivation and circumstances that facilitate (or aggravate) the sexual assault event.

Future research on the sexual assault event should also continue to combine quantitative and qualitative methodologies. While qualitative analyses generate critical information in and of themselves, they further serve as a reminder that a criminal event such as sexual assault is a complex interaction between people and situations, the 'real' and personal nature of which cannot be fully captured through quantitative analyses alone. Quantitative analyses generate a typical 'profile' of the sexual assault event while qualitative narratives suggest much greater variability among the incidents.

Third, theoretical integration may be the most promising way to capture the various elements that shape the sexual assault event. It appears, however, that an even broader theoretical framework than used here may be necessary to adequately address all aspects of the sexual assault event. Clearly, a theoretical focus on one element of a criminal event appears insufficient to explain crime, thus the theoretical framework used to understand the sexual assault event must account for the inclusion of all major

components. It would seem that integrating theoretical perspectives to address more than a singular specific element is also necessary in order to highlight the importance of the other elements of the criminal events, such as explaining victim vulnerability (in terms that go beyond the routine activities emphasis on vulnerability and accessibility).

Conclusion

This research has attempted to broaden our knowledge of sexual assault so as to bring attention to the multi-faceted nature of these criminal events. Each chapter draws attention to the broad range of circumstances that may potentially evolve into sexual assault events, the ‘anatomy’ of which has been examined by way of offenders, victims and situations. A plethora of circumstances that play a role in the manifestation of a sexual assault have been uncovered, perhaps serving to dispel the presumption that sexual assault events occur only between certain types of people and under particular sets of circumstances.

Quantitative analyses generated commonalities and differences between the incidents facilitating a detailed *description* of sexual assault events and participants, while the qualitative analysis furthered our *understanding* of these events by providing indication as to the unique contextual circumstances within which these events take place. I would suggest that both a description and an understanding of the sexual assault event are necessary to further our awareness of and to interpret the sexual assault event. The uniqueness and similarities inherent in each sexual assault suggest an event in need of further in-depth examination if a higher level of awareness and effective intervention is sought. The knowledge gained through this examination contributes to the recognition

that each sexual assault event is a complex and unique transaction. While sexual assault events may likely defy categorization, they do not necessarily defy understanding. It is my hope that this research has furthered our insight into and comprehension of the sexual assault event by drawing attention to the link between motivation and opportunity and the social, temporal and spatial contexts in which sexual assault events transpire.

References

- Abbey, Antonia, McAuslan, Pam, and Ross, Lisa Thomson. 1998. "Sexual Assault Perpetration by College Men: The Role of Alcohol, Misperception of Sexual Intent, and Sexual Beliefs and Experiences." *Journal of Social and Clinical Psychology* 17:167-195.
- Akers, Ronald L. and Lee, Gang. 1999. "Age, Social Learning, and Social Bonding in Adolescent Substance Use." *Deviant Behavior* 20:1-25.
- Bachman, Ronet. 1998. "The Factors Related to Rape Reporting Behavior and Arrest." *Criminal Justice and Behavior* 25:8-29.
- Bachman, Ronet, Paternoster, Raymond, and Ward, Sally. 1992. "The Rationality of Sexual Offending: Testing a Deterrence/Rational Choice Conception of Sexual Assault." *Law and Society Review* 26:343-372.
- Bennett, Richard R. 1991. "Routine Activities: A Cross-National Assessment of a Criminological Perspective." *Social Forces* 70:147-163.
- Birkbeck, Christopher and LaFree, Gary. 1993. "The Situational Analysis of Crime and Deviance." *Annual Review of Sociology* 19:113-137.
- Boritch, Helen. 1997. *Fallen Women: Female Crime and Criminal Justice in Canada*, Edited by L. W. Kennedy and V. F. Sacco. Scarborough, Ontario: ITP Nelson.
- Boyle, Christine. 1994. "The Judicial Construction of Sexual Assault Offences." Pp. 136-156 in *Confronting Sexual Assault: A Decade of Legal and Social Change*, edited by J. Roberts and R. Mohr. Toronto, ON: University of Toronto Press.
- Brecklin, Leanne R. and Ullman, Sarah E. 2001. "The Role of Offender Alcohol Use in Rape Attacks." *Journal of Interpersonal Violence* 16:3-21.
- Brownmiller, Susan. 1975. *Against Our Will: Men, Women and Rape*. New York, NY: Fawcett Columbine.
- Bushman, B.J. and Cooper, H.M. 1990. "The Effects of Alcohol on Human Aggression: An Integrative Review." *Psychological Bulletin* 107:341-354.
- Caetano, Raul and Kaskutas, Lee Ann. 1995. "Changes in Drinking Patterns among Whites, Blacks and Hispanics, 1984-1992." *Journal of Studies on Alcohol* 56:558-565.
- Canadian Panel on Violence Against Women. 1993. "Changing the Landscape: Ending Violence - Achieving Equality." Ottawa, Canada: Statistics Canada, Minister of Supply and Services Canada.

- Clark, Scott and Hepworth, Dorothy. 1994. "Effects of Reform Legislation on the Processing of Sexual Assault Cases." Pp. 113-135 in *Confronting Sexual Assault: A Decade of Legal and Social Change*, edited by J. Roberts and R. Mohr. Toronto, ON: University of Toronto Press.
- Cleveland, H. Harrington, Koss, Mary P., and Lyons, James. 1999. "Rape Tactics from the Survivors' Perspective: Contextual Dependence and within-Event Independence." *Journal of Interpersonal Violence* 14:532-547.
- Cohen, Lawrence E. and Cantor, David. 1980. "The Determinants of Larceny: An Empirical and Theoretical Study." *Journal of Research in Crime and Delinquency* 17:140-159.
- Cohen, Lawrence E. and Felson, Marcus. 1979. "Social Change and Crime Rate Trends: A Routine Activity Approach." *American Sociological Review* 44:588-608.
- Cohn, Ellen G. 1990. "Weather and Crime." *British Journal of Criminology* 30:51-64.
- Cohn, Ellen G. and Rotton, James. 1997. "Assault as a Function of Time and Temperature: A Moderator-Variable Time-Series Analysis." *Journal of Personality and Social Psychology* 72:1322-1334.
- Coker, Ann L., Walls, Lucille G., and Johnson, Joseph E. 1998. "Risk Factors for Traumatic Physical Injury During Sexual Assaults for Male and Female Victims." *Journal of Interpersonal Violence* 13:605-620.
- Demaris, Alfred. 1992. *Logit Modeling*, Edited by M. S. Lewis-Beck. Newbury Park, CA: Sage Publications.
- Department of Justice Canada. 1990. "Sexual Assault Legislation in Canada: An Evaluation." Department of Justice Canada, Policy, Programs and Research Sector, Ottawa, ON.
- Dobrin, Adam, Wiersema, Brian, Loftin, Colin, and McDowall, David. 1996. *Statistical Handbook on Violence in America*. Phoenix, AZ: The Oryx Press.
- Donat, Patricia L.N. and White, J.W. 2000. "Chapter 14:Re-Examining." Pp. 355-376 in *Sexuality, Society, and Feminism*, edited by C. B. Travis and J. W. White. Washington, D.C.: American Psychological Association.
- Edward, Katherine E. and Macleod, Malcolm D. 1999. "The Reality and Myth of Rape: Implications for the Criminal Justice System." *Expert Evidence* 7:37-58.
- Elder, Glen H. Jr. 1985. "Perspectives on the Life Course." in *Life Course Dynamics*, edited by G. H. J. Elder. Ithaca, NY: Cornell University Press.

- Elliot, Susan, Odynak, Dave, and Krahn, Harvey. 1992. "A Survey of Unwanted Sexual Experiences among University of Alberta Students." Population Research Laboratory, University of Alberta, Edmonton, Alberta, Canada.
- Federoff, J. Paul and Moran, Beverley. 1997. "Myths and Misconceptions About Sex Offenders." *Canadian Journal of Human Sexuality* 6:263-276.
- Felson, Marcus and Cohen, Lawrence E. 1980. "Human Ecology and Crime: A Routine Activity Approach." *Human Ecology* 8:389-406.
- Finkelhor, David and Asdigian, Nancy L. 1996. "Risk Factors for Youth Victimization: Beyond a Lifestyles/Routine Activities Theory Approach." *Violence and Victims* 11:3-19.
- Fisher, B., Belknap, J, and Cullen, Francis T. 1996. "The Extent and Nature of Sexual Victimization of College Women: Pretest Results." in *Paper presented at the American Society of Criminology annual meeting*. Chicago, IL.
- Gartner, Rosemary and Doob, Anthony N. 1994. "Trends in Criminal Victimization: 1988-1993." *Juristat, Canadian Centre for Justice Statistics* 14:Ottawa: Ministry of Industry, Science and Technology.
- General Social Survey. 1993. "Cycle 8: Personal Risk." *National Opinion Research Centre*, USA.
- Gottfredson, Michael R. and Hirschi, Travis. 1990. *A General Theory of Crime*. Stanford, CA: Stanford University Press.
- Grasmick, Harold G., Tittle, Charles L., Bursik, Robert J., and Arneklev, Bruce J. 1993. "Testing the Core Empirical Implications of Gottfredson and Hirschi's General Theory of Crime." *Journal of Research in Crime and Delinquency* 30:5-29.
- Griffin, Susan. 1971. "Rape: The All-American Crime." *Ramparts* 10:26-35.
- Hanrahan, Deborah M. 1997. "Gender and Spousal Violence: A Test of Social Control and Power-Control Theories." *Free Inquiry in Creative Sociology* 25:189-197.
- Harrington, Nicole Turillon and Leitenberg, Harold. 1994. "Relationship between Alcohol Consumption and Victim Behaviors Immediately Preceding Sexual Aggression by an Acquaintance." *Violence and Victims* 9:315-324.
- Haskell, Lori and Randall, Melanie. 1993. "The Women's Safety Project: Summary of Key Statistical Findings." Canadian Panel on Violence Against Women, Statistics Canada, Ottawa.
- Hawdon, James E. 1996. "Deviant Lifestyles: The Social Control of Daily Routines." *Youth and Society* 28:162-188.

- . 1999. "Daily Routines and Crime: Using Routine Activities as Measures of Hirschi's Involvement." *Youth and Society* 30:395-415.
- Hirschi, Travis. 1969. *Causes of Delinquency*. Berkeley, CA: University of California Press.
- Horwitz, Allan V. 1990. *The Logic of Social Control*. New York, NY: Plenum Publishing Corp.
- Johnson, Holly. 1996. *Dangerous Domains: Violence against Women in Canada*, Edited by L. W. Kennedy and V. F. Sacco. Scarborough, Ontario: ITP Nelson.
- Johnson, Stuart D., Gibson, Lorne, and Linden, Rick. 1978. "Alcohol and Rape in Winnipeg, 1966-1975." *Journal of Studies on Alcohol* 39:1887-1894.
- Kandel, Denise B. 1980. "Drug and Drinking Behavior among Youth." *Annual Review of Sociology* 6:235-285.
- Kennedy, Leslie W. and Forde, David R. 1990. "Risky Lifestyles and Dangerous Results: Routine Activities and Exposure to Crime." *Sociology and Social Research* 74:208-211.
- Kilpatrick, D.G., Edmunds, C.N., and Seymour, A. 1992. "Rape in America: A Report to the Nation." National Victim Center, Arlington, VA.
- Koss, M. P. 1992. "The under Detection of Rape: Methodological Choices Influence Incidence Estimates." *Journal of Social Issues* 48:61-75.
- Labouvie, Erich. 1996. "Maturing out of Substance Use: Selection and Self-Correction." *Journal of Drug Issues* 26:457-476.
- Lasley, J. 1989. "Drinking Routines/Lifestyles and Predatory Victimization: A Causal Analysis." *Justice Quarterly* 6:529-542.
- Ledray, L. 1991. "Coping with Interpersonal Violence and Sexual Victimization: Perspectives for Victims and Care Providers." Pp. 181-194 in *Rape and Sexual Assault Iii*, edited by A. Burgess. New York, NY: Garland Publishing, Inc.
- Lewis-Beck, Michael S. 1995. *Data Analysis: An Introduction*, Edited by M. S. Lewis-Beck. Thousand Oaks, CA: Sage Publications.
- Martin, Susan E. and Bachman, Ronet. 1998. "The Contribution of Alcohol to the Likelihood of Completion and Severity of Injury in Rape Incidents." *Violence Against Women* 4:694-712.
- Menard, Scott. 1995. *Applied Logistic Regression Analysis*, Edited by M. S. Lewis-Beck. Thousand Oaks, CA: Sage Publications.

- Messerschmidt, James W. 1993. *Masculinities and Crime: Critique and Reconceptualization of Theory*. Lanham, Md.: Rowman and Littlefield.
- Miethe, Terance D. and McCorkle, Richard. 1998. *Crime Profiles: The Anatomy of Dangerous Persons, Places and Situations*. Los Angeles, CA: Roxbury Publishing Company.
- Miethe, Terance D. and Meier, Robert F. 1994. *Crime and Its Social Context: Toward an Integrated Theory of Offenders, Victims, and Situations*. Albany, NY: State U New York Press.
- Mustaine, Elizabeth Ehrhardt. 1997. "Victimization Risks and Routine Activities: A Theoretical Examination Using a Gender-Specific and Domain-Specific Model." *American Journal of Criminal Justice* 22:41-70.
- Mustaine, Elizabeth Ehrhardt and Tewksbury, Richard. 1999. "A Routine Activity Theory Explanation for Women's Stalking Victimization." *Violence Against Women* 5:43-62.
- Newton-Taylor, Brenda, DeWit, David, and Gliksman, Louis. 1998. "Prevalence and Factors Associated with Physical and Sexual Assault of Female University Students." *Health Care for Women International* 19:155-164.
- Nielsen, Amie L. 1999. "Testing Sampson and Laub's Life Course Theory: Age, Race/Ethnicity, and Drunkenness." *Deviant Behavior* 20:129-151.
- O'Brien, Robert M. 1991. "Sex Ratios and Rape Rates: A Power-Control Theory." *Criminology* 29:99-114.
- Osgood, D. Wayne, Wilson, Janet K., O'Malley, Patrick M., Bachman, Jerald G., and Johnston, Lloyd D. 1996. "Routine Activities and Individual Deviant Behavior." *American Sociological Review* 61:635-655.
- O'Toole, Laura L. and Schiffman, Jessica R. 1997. "Gender Violence: Interdisciplinary Perspectives." Pp. 526. New York, NY: New York University Press.
- Pampel, Fred C. 2000. *Logistic Regression: A Primer*, Edited by M. S. Lewis-Beck. Thousand Oaks, CA: Sage Publications.
- Pedhazur, Elazar J. 1997. *Multiple Regression in Behavioral Research: Explanation and Prediction*. Orlando, FL: Harcourt Brace College Publishers.
- Perkins, Craig and Klaus, Patsy. 1994. *Criminal Victimization*. Washington, DC: Bureau of Justice Statistics.
- Pitts, Victoria L. and Schwartz, Martin D. 1993. "Promoting Self-Blame in Hidden Rape Cases." *Humanity and Society* 17:383-398.

- Power, C. and Estaugh, V. 1990. "Employment and Drinking in Early Adulthood: A Longitudinal Perspective." *British Journal of Addiction* 85:487-494.
- Presley, C.A., Meilman, P.W., Cashin, J.R., and Lyster, R. 1996. *Alcohol and Drugs on American College Campuses: Use, Consequences and Perceptions of the Campus Environment, Volume Iii, 1991-1993*. Carbondale, IL: Core Institute.
- R. v. Chase*. 1987. 37 C.C.C. (3d) 97. Supreme Court of Canada
- Reiss, Albert J. 1951. "Delinquency as the Failure of Personal and Social Controls." *American Sociological Review* XVI:196-207.
- Roberts, Julian V. 1994. "Criminal Justice Processing of Sexual Assault Cases." Statistics Canada, Canadian Centre for Justice Statistics, Ottawa.
- Russell, Diana E. H. 1984. *Sexual Exploitation : Rape, Child Sexual Abuse, and Workplace Harassment*. Beverly Hills, Calif.: Sage Publications.
- . 1998. *Dangerous Relationships: Pornography, Misogyny and Rape*. Thousand Oaks, CA: Sage Publications.
- Sacco, Vincent F. and Kennedy, Leslie W. 1996. *The Criminal Event*. Belmont, CA: Wadsworth Publishing Company.
- Sampson, Robert J. and Laub, John H. 1990. "Crime and Deviance over the Life Course: The Salience of Adult Social Bonds." *American Sociological Review* 55:609-627.
- . 1993. *Crime in the Making: Pathways and Turning Points through Life*. Cambridge, MA: Harvard University Press.
- Sampson, Robert J. and Lauritsen, Janet L. 1990. "Deviant Lifestyles, Proximity to Crime, and the Offender-Victim Link in Personal Violence." *Journal of Research in Crime and Delinquency* 27:110-139.
- Sampson, Robert J. and Wooldredge, John D. 1987. "Linking the Micro- and Macro-Level Dimensions of Lifestyle-Routine Activity and Opportunity Models of Predatory Victimization." *Journal of Quantitative Criminology* 3:371-393.
- Sanday, Peggy Reeves. 1996. *A Woman Scorned: Acquaintance Rape on Trial*. New York, NY: Doubleday.
- Schall, M., Kemeny, A., and Maltzman, I. 1992. "Factors Associated with Alcohol Use in University Students." *Journal of Studies on Alcohol* 53:122-136.
- Schulenberg, John, O'Malley, Patrick M., Bachman, Jerald G., Wadsworth, Katherine N., and Johnston, Lloyd D. 1996. "Getting Drunk and Growing Up: Trajectories of Frequent Binge Drinking During the Transition to Young Adulthood." *Journal of Studies on Alcohol* 57:289-304.

- Schur, Edwin. 1997. "Sexual Coercion in American Life." Pp. 80-91 in *Gender Violence: Interdisciplinary Perspectives*, edited by L. L. O'Toole and J. R. Schiffman. New York, NY: New York University Press.
- Seifert, Steven A. 1999. "Substance Use and Sexual Assault." *Substance Use and Misuse* 34:935-945.
- Senn, Charlene Y., Desmarais, Serge, Verberg, Norine, and Wood, Eileen. 2000. "Predicting Coercive Sexual Behavior across the Lifespan in a Random Sample of Canadian Men." *Journal of Social and Personal Relationships* 17:95-113.
- Sheffield, Carole J. 1997. "Sexual Terrorism." Pp. 110-127 in *Gender Violence: Interdisciplinary Perspectives*, edited by L. L. O'Toole and J. R. Schiffman. New York, NY: New York University Press.
- Smart, Carol. 1995. *Law, Crime and Sexuality: Essays in Feminism*. Thousand Oaks, CA: Sage Publications.
- Spitzberg, Brian H. 1999. "An Analysis of Empirical Estimates of Sexual Aggression Victimization and Perpetration." *Violence and Victims* 14:241-260.
- Statistics Canada. 1999. "Sex Offenders: Integration and Analysis Program." *Juristat* 19.
- . 2000. "Crimes by Type of Offence." Statistics Canada Website. Available at www.statcan.ca.
- Stevens, Dennis J. 1994a. "Predatory Rape and Violence." *International Review of Modern Sociology* 24:97-118.
- . 1994b. "Predatory Rapists and Victim Selection Techniques." *Social Science Journal* 31:421-433.
- Tang, Kwong-leung. 1998. "Rape Law Reform in Canada: The Success and Limits of Legislation." *International Journal of Offender Therapy and Comparative Criminology* 42:258-270.
- Testa, M. and Parks, K. 1996. "The Role of Women's Alcohol Consumption in Sexual Victimization." *Aggression and Violent Behavior* 1:217-234.
- Toby, Jackson. 1957. "Social Disorganization and Stake in Conformity: Complementary Factors in the Predatory Behavior of Hoodlums." *Journal of Criminal Law, Criminology and Police Science* XLVIII:12-17.
- Travis, C.B., Meginnis, K. L. , and Bardari, K.M. 2000. "Chapter 10: Beauty Sexuality and Identity." Pp. 237-272 in *Sexuality, Society and Feminism*, edited by C. B. Travis and J. W. White. Washington D.C: American Psychological Association.

- Ullman, Sarah E. 1999. "A Comparison of Gang and Individual Rape Incidents." *Violence and Victims* 14:123-133.
- Ullman, Sarah E., Karabatsos, George, and Koss, Mary P. 1999. "Alcohol and Sexual Assault in a National Sample of College Women." *Journal of Interpersonal Violence* 14:603-625.
- Ullman, Sarah E. and Knight, Raymond A. 1993. "The Efficacy of Women's Resistance Strategies in Rape Situations." *Psychology of Women Quarterly* 17:23-38.
- Van Brunschot, Erin Gibbs. 1997. "The Assault Event: Individuals, Interactions and Interpretations." Doctor of Philosophy Thesis, Department of Sociology, Faculty of Graduate Studies and Research. University of Alberta, Edmonton, Alberta, Canada.
- Wiltse, J.A. and Burrows, B.A. 2000. "Annual Statistical Report: Person and Property Crimes, 1995-1999." Centralized Analysis Unit, Research and Development Section, Calgary Police Service, Calgary, Alberta, Canada.
- Young, Shelley. 1997. "The Use of Normalization as a Strategy in the Sexual Exploitation of Children by Adult Offenders." *Canadian Journal of Human Sexuality* 6:285-295.

Appendix A: Criminal Code of Canada - Sexual Assault

271. (1) Every one who commits a sexual assault is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding ten years; or**
- (b) an offence punishable on summary conviction and liable to imprisonment for a term not exceeding eighteen months.**

(2) [Repealed, R.S., 1985, c. 19 (3rd Supp.), s. 10]

R.S., 1985, c. C-46, s. 271; R.S., 1985, c. 19 (3rd Supp.), s. 10; 1994, c. 44, s. 19

Sexual assault with a weapon, threats to a third party or causing bodily harm

272. (1) Every person commits an offence who, in committing a sexual assault,

- (a) carries, uses or threatens to use a weapon or an imitation of a weapon;**
- (b) threatens to cause bodily harm to a person other than the complainant;**
- (c) causes bodily harm to the complainant; or**
- (d) is a party to the offence with any other person.**

Punishment

(2) Every person who commits an offence under subsection (1) is guilty of an indictable offence and liable

- (a) where a firearm is used in the commission of the offence, to imprisonment for a term not exceeding fourteen years and to a minimum punishment of imprisonment for a term of four years; and**
- (b) in any other case, to imprisonment for a term not exceeding fourteen years.**

R.S., 1985, c. C-46, s. 272; 1995, c. 39, s. 145.

Aggravated sexual assault

273. (1) Every one commits an aggravated sexual assault who, in committing a sexual assault, wounds, maims, disfigures or endangers the life of the complainant.

Punishment

(2) Every person who commits an aggravated sexual assault is guilty of an indictable offence and liable

- (a) where a firearm is used in the commission of the offence, to imprisonment for life and to a minimum punishment of imprisonment for a term of four years; and
- (b) in any other case, to imprisonment for life.

R.S., 1985, c. C-46, s. 273; 1995, c. 39, s. 146.

Meaning of “consent”

273.1 (1) Subject to subsection (2) and subsection 265(3), “consent” means, for the purposes of sections 271, 272 and 273, the voluntary agreement of the complainant to engage in the sexual activity in question.

Where no consent obtained

- (2) No consent is obtained, for the purposes of sections 271, 272 and 273, where
 - (a) the agreement is expressed by the words or conduct of a person other than the complainant;
 - (b) the complainant is incapable of consenting to the activity;
 - (c) the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority;
 - (d) the complainant expresses, by words or conduct, a lack of agreement to engage in the activity; or
 - (e) the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

Subsection (2) not limiting

- (3) Nothing in subsection (2) shall be construed as limiting the circumstances in which no consent is obtained.

1992, c. 38, s. 1.

Where belief in consent not a defence

273.2 It is not a defence to a charge under section 271, 272 or 273 that the accused believed that the complainant consented to the activity that forms the subject-matter of the charge, where

- (a) the accused’s belief arose from the accused’s
 - (i) self-induced intoxication, or
 - (ii) recklessness or wilful blindness; or
- (b) the accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain that the complainant was consenting.

1992, c. 38, s. 1.

Punishment

(2) Every person who contravenes this section is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or
- (b) an offence punishable on summary conviction.

1993, c. 45, s. 3; 1997, c. 18, s. 13.

Corroboration not required

274. Where an accused is charged with an offence under section 151, 152, 153, 155, 159, 160, 170, 171, 172, 173, 212, 271, 272 or 273, no corroboration is required for a conviction and the judge shall not instruct the jury that it is unsafe to find the accused guilty in the absence of corroboration.

R.S., 1985, c. C-46, s. 274; R.S., 1985, c. 19 (3rd Supp.), s. 11.

Rules respecting recent complaint abrogated

275. The rules relating to evidence of recent complaint are hereby abrogated with respect to offences under sections 151, 152, 153, 155 and 159, subsections 160(2) and (3), and sections 170, 171, 172, 173, 271, 272 and 273.

R.S., 1985, c. C-46, s. 275; R.S., 1985, c. 19 (3rd Supp.), s. 11.

Evidence of complainant's sexual activity

276. (1) In proceedings in respect of an offence under section 151, 152, 153, 155 or 159, subsection 160(2) or (3) or section 170, 171, 172, 173, 271, 272 or 273, evidence that the complainant has engaged in sexual activity, whether with the accused or with any other person, is not admissible to support an inference that, by reason of the sexual nature of that activity, the complainant

- (a) is more likely to have consented to the sexual activity that forms the subject-matter of the charge; or
- (b) is less worthy of belief.

Idem

(2) In proceedings in respect of an offence referred to in subsection (1), no evidence shall be adduced by or on behalf of the accused that the complainant has engaged in sexual activity other than the sexual activity that forms the subject-matter of

the charge, whether with the accused or with any other person, unless the judge, provincial court judge or justice determines, in accordance with the procedures set out in sections 276.1 and 276.2, that the evidence

- (a) is of specific instances of sexual activity;
- (b) is relevant to an issue at trial; and
- (c) has significant probative value that is not substantially outweighed by the danger of prejudice to the proper administration of justice.

Factors that judge must consider

- (3) In determining whether evidence is admissible under subsection (2), the judge, provincial court judge or justice shall take into account
 - (a) the interests of justice, including the right of the accused to make a full answer and defence;
 - (b) society's interest in encouraging the reporting of sexual assault offences;
 - (c) whether there is a reasonable prospect that the evidence will assist in arriving at a just determination in the case;
 - (d) the need to remove from the fact-finding process any discriminatory belief or bias;
 - (e) the risk that the evidence may unduly arouse sentiments of prejudice, sympathy or hostility in the jury;
 - (f) the potential prejudice to the complainant's personal dignity and right of privacy;
 - (g) the right of the complainant and of every individual to personal security and to the full protection and benefit of the law; and
 - (h) any other factor that the judge, provincial court judge or justice considers relevant.

R.S., 1985, c. C-46, s. 276; R.S., 1985, c. 19 (3rd Supp.), s. 12; 1992, c. 38, s. 2.

Appendix B: Criminal Code of Canada - Common Assault

265. (1) A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

Application

- (2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

Consent

- (3) For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of
 - (a) the application of force to the complainant or to a person other than the complainant;
 - (b) threats or fear of the application of force to the complainant or to a person other than the complainant;
 - (c) fraud; or
 - (d) the exercise of authority.

Accused's belief as to consent

- (4) Where an accused alleges that he believed that the complainant consented to the conduct that is the subject-matter of the charge, a judge, if satisfied that there is sufficient evidence and that, if believed by the jury, the evidence would constitute a defence, shall instruct the jury, when reviewing all the evidence relating to the determination of the honesty of the accused's belief, to consider the presence or absence of reasonable grounds for that belief.

R.S., c. C-34, s. 244; 1974-75-76, c. 93, s. 21; 1980-81-82-83, c. 125, s. 19.

Assault

266. Every one who commits an assault is guilty of

- (a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or

(b) an offence punishable on summary conviction.

R.S., c. C-34, s. 245; 1972, c. 13, s. 21; 1974-75-76, c. 93, s. 22; 1980-81-82-83, c. 125, s. 19.

Assault with a weapon or causing bodily harm

267. Every one who, in committing an assault,

- (a) carries, uses or threatens to use a weapon or an imitation thereof, or
- (b) causes bodily harm to the complainant,

is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or an offence punishable on summary conviction and liable to imprisonment for a term not exceeding eighteen months.

R.S., 1985, c. C-46, s. 267; 1994, c. 44, s. 17.

Aggravated assault

268. (1) Every one commits an aggravated assault who wounds, maims, disfigures or endangers the life of the complainant.

Punishment

- (2) Every one who commits an aggravated assault is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

Excision

- (3) For greater certainty, in this section, “wounds” or “maims” includes to excise, infibulate or mutilate, in whole or in part, the labia majora, labia minora or clitoris of a person, except where
 - (a) a surgical procedure is performed, by a person duly qualified by provincial law to practise medicine, for the benefit of the physical health of the person or for the purpose of that person having normal reproductive functions or normal sexual appearance or function; or
 - (b) the person is at least eighteen years of age and there is no resulting bodily harm.

Consent

- (4) For the purposes of this section and section 265, no consent to the excision, infibulation or mutilation, in whole or in part, of the labia majora, labia minora or clitoris of a person is valid, except in the cases described in paragraphs (3)(a) and (b).

R.S., 1985, c. C-46, s. 268; 1997, c. 16, s. 5.

Unlawfully causing bodily harm

269. Every one who unlawfully causes bodily harm to any person is guilty of

- (a) an indictable offence and liable to imprisonment for a term not exceeding ten years; or**
- (b) an offence punishable on summary conviction and liable to imprisonment for a term not exceeding eighteen months.**

R.S., 1985, c. C-46, s. 269; 1994, c. 44, s. 18.

Appendix C: Additional Relationships

Situational and Participant Associations

As referred to in Chapter Four and in accordance with routine activities, several associations exist between the situational and participant components of the sexual assault event. These are discussed below.

Victim-Offender Relationship and Race

The data also suggest that the victim-offender relationship is related to the victim's race. For example, 8% of Native victims are sexually assaulted by an intimate in comparison to 38.9% of East Indian victims. Furthermore, only 11.1% of East Indian victims are assaulted by a stranger in relation to over 40% of Native victims. Significant differences exist in the victim-offender relationships between East Indian victims and victims who are Caucasian, Native and Asian.⁸⁶ This may speak to cultural differences in the expectations and boundaries in intimate relationships, as well as the activities in which victims of difference races and backgrounds participate.

Victim-Offender Relationship and Marital Status

Generally, single offenders are more likely than married, common-law/live-in, or divorced/separated offenders to have victimized someone with whom they had no prior relationship (27.2%) while offenders involved in common-law or live-in relationships are more likely than other offenders to have sexually assaulted someone with whom they *did* have a prior relationship (92.9%). More specifically, the data suggest a relationship between the offender's marital status and the victim-offender relationship.⁸⁷ For example, single offenders victimize intimates 12.4% of the time while married offenders victimize intimates 31.5% of the time, offenders involved in a common-law or live-in relationship assault intimates 57.1% of the time, and divorced or separated offenders assault intimates 42.9% of the time.

Similarly, single offenders victimize strangers 27.2% of the time, married offenders assault strangers 20.2% of the time, offenders involved in common-law/live-in partner relationships victimize strangers 7.1% of the time, and divorced or separated offenders sexually assault strangers 9.5% of the time. That married offenders sexually assault strangers in 20% of cases suggests that these offenders are looking outside the bounds of their marriage for potentially attractive targets.

These findings speak to the presence of opportunity. Single offenders are less likely than married, common-law or divorced offenders to sexually assault someone with whom they have an intimate relationship, perhaps indicating that offenders involved in intimate relationships are given more opportunity, as well as more easily accessible targets, thus increasing the chances of a sexual assault occurring. Alternatively, single offenders, who may be lacking the more easily accessible targets of intimate partners,

⁸⁶ These differences are significant at the $p < .05$ level using the Tamhane post-hoc test.

⁸⁷ Lambda (victim-offender relationship) = .071, $p < .05$.

may therefore be more likely to seek targets outside these boundaries with whom they have no prior relationship.

Victim-Offender Relationship and Employment Status

The data suggests that the victim's employment status is also related to the victim-offender relationship.⁸⁸ Of the victims who were involved in illegal occupations, 83.6% were victimized by strangers. This may relate to the higher probability of coming into contact with previously unknown persons which victims involved in illegal occupations (such as prostitution) might experience. Their lifestyle and routines would typically place them in closer proximity to strangers and potentially motivated offenders. Slightly over half (50.3%) of victims who were unemployed were victimized by a casual or business acquaintance, and 41.2% of employed or student victims were also sexually assaulted by a casual or business acquaintance.

Victim-Offender Relationship, Age, Witnesses and Previous Charges

Results indicate significant differences in victim age, offender age, the number of witnesses, and the offender's number of previous criminal charges, between the various types of victim-offender relationships.⁸⁹ The youngest victims are those victimized by immediate family members with victims averaging 29.57 years of age, while the oldest victims (averaging 34.48 years of age) are those victimized by intimates. This may reflect a greater tendency for older victims to be married or otherwise involved in intimate relationships. Significant differences in victim age were found between incidents involving intimates (average victim age is 34.48) and those involving casual or business acquaintances (average victim age is 30.88), as well as between incidents involving intimates (average victim age is 34.48) and those involving strangers (average victim age is 30.52).⁹⁰ Additionally, the youngest offenders are those who sexually assault ex-spouses/ex-common-laws/ex-girlfriends (averaging 32.06 years of age) while the oldest offenders are those who victimize extended family or friends (averaging 42.80 years of age).⁹¹

Victim-Offender Relationship and Day of Week

Sexual assaults occurring on the weekend are also 1.396 times more likely to be perpetrated by someone known to the victim versus a stranger. This finding may be counterintuitive in the sense that one would expect stranger victimizations to rise on the weekends when people tend to participate in activities outside their home, coming into closer contact with strangers. Perhaps this finding indicates that victims are just as likely to be victimized by someone known to them when partaking in activities outside the

⁸⁸ λ (victim-offender relationship) = .091, $p < .001$.

⁸⁹ $F = 4.786$, $p < .001$; $F = 4.323$, $p < .001$; $F = 2.333$, $p < .05$; $F = 5.893$, $p < .001$.

⁹⁰ These differences are significant at the $p < .05$ level using the Tamhane post-hoc test.

⁹¹ Post hoc tests could not be performed for offender age because at least one group has fewer than two cases.

home given that it is equally probable that they will be in closer proximity to friends and acquaintances as they are to strangers. Conversely, this may suggest that the offender accompanied the victim to participate in activities outside the home or that potential victims remain in close proximity to motivated offenders when staying at home with intimates or friends.

Victim-Offender Relationship and Witnesses

In terms of routine activities and capable guardianship, incidents in which the victims and offenders are intimates have the greatest average number of witnesses (1.64) and incidents between immediate family members average only 0.71 witnesses. This may be due to the reluctance of family members to disclose sexual victimization due to fear of disbelief on the part of other family members or feelings of shame and embarrassment that may accompany the disclosure. Additionally, victimizations between family members may be more likely to occur at private locations, likely limiting the number of potential witnesses. Significant differences exist between incidents involving intimates (1.64 average witnesses) and ex-spouse/common-laws/boyfriends (0.80 average witnesses), incidents between casual/business acquaintances (1.56 average witnesses) and ex-spouses/common-laws/boyfriends (0.80 average witnesses), as well as in incidents between ex-spouses/common-laws/boyfriends (0.80 average witnesses) and strangers (1.43 average witnesses).⁵⁴

Location and Victim-Offender Relationship

Generally, results indicate that the location at which the assault occurs is strongly related to the existence of a prior relationship between the victim and offender.⁵⁵ Error in predicting the existence of a prior relationship between the victim and offender can be reduced by 37.8% with knowledge of the location where the assault occurs.⁹² Specifically, 81.5% of sexual assaults that occur in private locations are perpetrated by someone known to the victim, in comparison to only 30.1% of incidents that occur in public locations.

Furthermore, error in predicting the *specific* relationship between the victim and offender can be reduced by 26.2% with knowledge of the location in which the assault occurs.⁹³ Almost 70% of assaults that occur in public locations are perpetrated by strangers whereas only 27.4% are committed by casual or business acquaintances, and a mere 0.3% are perpetrated by intimates. Sexual assaults that take place in private locations, on the other hand, are perpetrated by casual/business acquaintances 45.9% of the time, by intimates 20% of the time, by strangers 18.5% of the time, by ex-spouses/common-laws/boyfriends 8% of the time and by immediate family, extended family, or friends 7.7% of the time. It is likewise notable that 96.6% of all intimate offenders, 100% of immediate family offenders, 92.3% of extended family/friend

⁵⁴ These differences are significant at the $p < .05$ level using the Tamhane post-hoc test.

⁵⁵ Cramer's $V = .499$, $p < .001$ (value may be inflated due to a sample size of over 1000).

⁹² Lambda (prior relationship) = .378, $p < .001$.

⁹³ lambda (specific relationship) = .262, $p < .001$; Cramer's $V = .379$, $p < .001$.

offenders, 87.7% of ex-intimate offenders and 69.1% of casual/business acquaintance offenders perpetrate the sexual assaults in private locations compared to only 27.7% of strangers.

Location and Age

Significant differences in victim age are also found between those who are assaulted in private and those assaulted in public or semi-public/private locations.⁹⁴ Victims of sexual assaults occurring in public or semi-public/private locations tend to be slightly younger than victims assaulted in private locations. This may indicate a tendency of younger victims to be frequenting 'riskier' establishments, such as bars, or possibly that sexual assaults occurring in private locations may involve intimate relationships of which younger victims are less likely to be a part.

Location and Physical Condition

The data suggest a relationship between the location of the sexual assault and the physical condition of the offender.⁹⁵ Of the incidents that occur in public locations, 38.1% are perpetrated by an offender who is impaired, compared to 58.1% of offences that take place in private locations. A similar, although weaker, relationship exists between the impairment of the victim and the location in which the assault takes place.⁹⁶ Just over 32% of sexual assaults that transpire at public locations involve an impaired victim, while almost half (47.5%) of sexual assaults that occur in private locations involve an impaired victim.

Physical Condition, Time of Day and Day of Week

The data show a correlation between the time of day the sexual assault takes place and whether the perpetrator is impaired in some fashion.⁹⁷ Additionally, with knowledge of the time of day at which the sexual assault occurs, error in predicting the physical condition of the offender can be reduced by 26.3%.⁹⁸ Just below 70% of sexual assaults that occur between midnight and 4:59 a.m. are committed by offenders who are impaired compared to only 16.7% of assaults that occur between noon and 5:59 p.m.

Knowing the time of day at which the sexual assault takes place reduces error in predicting the victim's physical condition by 21.8%.⁹⁹ Specifically, 61.7% of sexual assaults that occur between midnight and 4:59 p.m. are perpetrated against a victim who is impaired while 40.9% of assaults that occur between 6 p.m. and midnight also involve impaired victims, in comparison to only 20.4% of assaults that occur between noon and 5:59 p.m.. The victim's physical condition is also significantly related to the day of week

⁹⁴ $F=9.887$, $p<.001$. This difference is significant at the $p<.05$ level using the Tamhane post-hoc test.

⁹⁵ Lambda (offender physical condition) = .190, $p<.01$.

⁹⁶ Cramer's $V=.140$, $p<.001$ (value may be inflated due to a sample size of over 1000).

⁹⁷ Cramer's $V=.359$, $p<.001$.

⁹⁸ Lambda (offender physical condition) = .263, $p<.01$

⁹⁹ Lambda (victim physical condition) = .218, $p<.001$.

the assault takes place.¹⁰⁰ In cases where the victim is impaired, it is 1.689 times more likely that the assault occurs on a weekend (Friday, Saturday or Sunday) than on a weekday (Monday through Thursday).¹⁰¹ Sexual assault incidents occurring on the weekend are also 2.018 times more likely to be committed by an impaired offender.¹⁰² This may indicate a tendency to participate in activities outside the home on the weekend, such as going to bars or nightclubs, where alcohol consumption is more likely.

¹⁰⁰ kappa=.126, p<.001.

¹⁰¹ kappa=.126, p<.001; Phi =.129, p<.001 (could be inflated due to large sample size).

¹⁰² Phi =.173, p<.001.