Chapter 14

The challenge of viewing sexual offenders as both perpetrators and victims[1]

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Evaluating sex offenders' risk for sexually reoffending involves unique psychological challenges. It forces us to grapple with a difficult task, described by F. Scott Fitzgerald as the "ability to hold two opposed ideas in mind at the same time, and still retain the ability to function," which Fitzgerald referred to as "the test of a first-rate intelligence" (Fitzgerald, 1936). Evaluating sexual offenders is complex and challenging precisely because it requires the ability to experience opposite feelings and perceptions toward the same person, in this case, the offender himself.

Psychological evaluators (as well as therapists who treat perpetrators) must be receptive to experiencing vicarious trauma (McCann & Pearlman, 1990) or countertrauma, Richard Gartner's two-person or intersubjectively based term for the transformation that results from listening empathically to stories of trauma (Gartner, 2014, 2017). Evaluators must be receptive to a wide range of emotions – horror, outrage, and sadness when encountering details of a perpetrator's offenses – and receptive to these very same emotions when listening to or reading about the offender's experience of trauma as a child. In other words, it requires the capacity to understand that the offender is – in many cases – both a perpetrator and a victim.

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Evaluators must understand this because offenders themselves, in order to deeply change, must recognize they are both perpetrators and victims. Offenders must understand how and why they perpetrated – how and why

1 This chapter is dedicated to the late Abby Stein, whose passion and lucidity about the precursors to violence and its psychological underpinnings deepened my understanding of sexual aggression and inspired me to write about my experience. In it I will use the masculine pronoun to refer to sex offenders because men comprise the very large majority of those charged with sexual offenses.

sexual aggression became not just thinkable but doable. They must understand that they were traumatized as children and know the harm done to them in order to recognize, in a visceral way, the harm they did to others. This recognition is pivotal for not perpetrating in the future. Only if an offender empathizes with himself as a child victim can he empathize with other people – including those he offended against and potential victims. The ability to put oneself in the mind, heart, and soul of another human being is an essential bulwark against violence. Therefore, evaluators must understand the perpetrator as a whole person in order to assess whether the perpetrator recognizes himself and others as whole people.

Viewing the perpetrator as victim as well as perpetrator is emotionally and intellectually challenging. What do we do when we hear, as often happens, that the same individuals who committed these horrific acts were victims of horrible acts themselves? As I have written, "It is not easy to feel horrified and angry towards a person for what he has done to another person and also feel sympathetic and sad for what he endured as a child" (Greif, 2010, p. 277).

Fear, revulsion, and rage are powerful, expectable reactions to sexual violence. It is tempting to dismiss one dimension of offenders' reality and, concomitantly, one side of our own reactions to their reality.

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Because it is hard to view sexual offenders as human beings who have suffered severe trauma and deficits and have also perpetrated evil, it is very easy, for the forensic professional and the layperson alike, to see sex offenders (and other violent criminals) as intrinsically bad or evil, as monsters or psychopathic deviants who are somehow not human, a view that Abby Stein (2007) referred to as "bad seed theory." Demonizing sexual offenders protects us from seeing the humanness of the person who offended while shielding us from recognizing our own potential for committing violence.

Perhaps it is more tempting to vilify sex offenders in the United States – where our criminal justice system is heavily weighted toward punishment – than in countries that emphasize rehabilitating people who commit violent crimes and helping them reintegrate into society. Moreover, in American culture sexual offenders are often reviled, making it that much harder to view them as damaged – though dangerous – human beings. Viewing them as human violates a culturally normative view, and therefore requires overcoming the culturally shaped and reinforced tendency to see them as monsters.

Receptiveness to the full range of one's emotional responses – and being able to see sexual offenders as badly damaged human beings who developed into people who badly damaged other human beings – means resisting or overcoming dissociation when listening to overwhelming stories about the offender and his offenses. This can be difficult, since dissociation is as normal a response to hearing devastating stories as it is to enduring trauma. Parenthetically, dissociation, as Stein elucidated in her book *Prologue to Violence* (2007), played a large role in the lives of many violent offenders, both in their response to trauma and in their offenses, and overcoming it is critical for their growth.

Forensic institutions deemphasize sexual offenders' histories of trauma, which can promote and encourage evaluators – as well as judges and juries – to dissociate or simply ignore this dimension of offenders' experience. In the forensic settings where I've evaluated sex offenders – prisons and secure treatment centers for civilly committed offenders – their records give scant attention to their histories as victims of abuse and neglect. Sometimes it is not even mentioned. Treatment for abuse and its psychological sequelae is minimal at best in these settings.

Viewing sexual offenders – any violent criminals, for that matter – "as having been seriously maltreated and injured humanizes them, and forces us to see perpetrators as more like us than otherwise" (Greif, 2010, p. 276). When one listens empathically and hears the terrible details of the early lives of many violent criminals, we identify with their early innocence and vulnerability, and this deeply shakes us and makes us wonder how our lives would have turned out had we been subjected to the same conditions.

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Among the first sexual offenders I evaluated was a man who had been incarcerated for sexual offenses against children, serving his criminal sentence and then civilly committed because he was deemed a high risk to reoffend. My job was to assess his readiness to leave the secure treatment center where he had been held for years. Responding to my questions, he told me that as a child he was forced on a number of occasions to have sex with his parents' friends while they and other friends watched. I was shocked. A part of me did not want to know any more about this; it would have been easier for me to dissociate, perhaps not even discuss his childhood. But I was also curious and thought it important for me to know what happened in order to understand how he developed into someone who

could sexually violate children. He answered my questions in a matter-of-fact, emotionally muted way, which I also found shocking (but later realized was probably a manifestation of dissociation). But he also looked very sad. As he told me the gruesome details of these sexual encounters I felt sickened, horrified, and outraged. He straightforwardly told me, too, about his own sexual abuse of children – not his own – while continuing to look sorrowful.

After meeting with him I went to my car and began driving home. I felt shaken by what I'd heard. My eyes welled up as I realized the evil some parents can perpetrate upon their children. I realized that if I had grown up in his home and had his meager internal resources I could have easily wound up in the same place he was. In fact, I could think of no reason I wouldn't be. I realized luck plays an incredibly important role in how our lives turn out. "There but for the grace of God go I" seemed an irrefutable conclusion.

Despite realizing I could have ended up in prison had I been as unlucky as he, I also recognized he knew right from wrong and was capable of choosing to not sexually offend, even though his choice to offend was powerfully influenced by his terrible experiences as a kid. Although sexual offenders' histories usually go a long way to explaining their actions, viewing sexual offenders simply as victims of bad circumstances, severe trauma, and abuse when they were children is as simplistic as is viewing them as monsters.

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While I empathized with this man, I also knew he groomed children to engage in sex with him. I felt sad for his victims and disturbed that he did to these children what was done to him. In evaluating his sexual dangerousness, I saw his understanding of the links between his history and his offenses was still rudimentary and his internal resources were still sparse in spite of many years of treatment. Ultimately I considered him at high risk to reoffend and I expressed the opinion that he was not ready to be released into the community. It saddened me to think he could very well spend the rest of his life inside the barbed wire.

Following are vignettes of two men at different stages of treatment when I evaluated them. They illustrate how important it is that offenders connect their offenses to their trauma histories.

Mr. A, now in his mid-50s, was sexually and physically abused by his father beginning at age five. He remembered the physical pain he felt

when his father anally penetrated him. I asked him if he thought there was any connection between having been sexually abused by his father and his sexual abuse of others. He said he never thought about it that way. But then, he reflected, "I could have wanted my victims to experience what I experienced." Although he had not previously made connections between his offenses and his childhood trauma, when I asked him to consider the link he made this sophisticated psychological interpretation, one many psychoanalysts take for granted. But for this man – and many other sexual offenders who are extremely concrete and limited in their ability to symbolize their experience in words – it represents a meaningful achievement.

Mr. A had also taken responsibility for 22 offenses against children, many of which he had not been charged with, meaning no one would have known about them had he not reported them. He disclosed many details about the offenses, acknowledged he was addicted – as early as nine years old – to the feeling of having an orgasm, and expressed the thought that he may have offended against younger children instead of having sex with peers because he wanted to find someone more vulnerable with whom he could feel dominant, powerful, and in control.

Yet, this man clearly had much more work to do to access what he felt about his abuse, develop a greater capacity to empathize, and build other psychological capacities and resources. One of the formulations in my report to the court refers to the type of transformation I hope Mr. A and other sexual offenders aspire to, and at least partially achieve:

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> [M]any of Mr. A's victims were close to the same age as he was when he was sexually abused by his father. This is not coincidental; rather, it represents Mr. A's attempt to cope with the trauma he suffered as a little boy and it represents his cry for help. So too, in my professional opinion, did Mr. A's false reports of sexual abuse, in which he fabricated having sexually abused other children, represent an enactment or role-play of the help and protection he wished for when he was being sexually abused by his father. Instead of being protected, however, his mother failed to protect Mr. A from his father's sexual and physical abuse. It is imperative that Mr. A's experience as a child victim of sexual abuse, the extent of which is unknown, be the focus of as much clinical attention as possible. The link between childhood sexual trauma and perpetration of sexual abuse is well known, and the road to rehabilitation must involve skillful therapeutic work around

trauma. It is likely that Mr. A, similar to many other victims of childhood sexual abuse, learned to use the pleasurable feelings associated with sex to manage and escape from profoundly distressing feelings, including vulnerability, betrayal, helplessness, shame, rage, hatred, guilt, anxiety, and depression. He may have also used sex as a way to seek contact, connection, affection, and affirmation with others.

Mr. S, in his early 50s, was the fifth of six children whose parents separated when he was two. His mother moved with her children to another part of the country and afterward he only saw his father annually. He was kidnapped and anally raped by an older man when he was ten years old. His mother told him not to tell anyone about it. A few weeks later, an older woman seduced and fellated him, then coerced and shamed him into performing cunnilingus and having intercourse with her. Mr. S became socially withdrawn, confused about his sexuality, and unable to express his feelings. He looked at other children and tried to see if any of them went through what he'd experienced. He felt jealous of kids who had fathers. His teachers wondered why he was "spaced out." When he was ten, Mr. S turned to alcohol and at 13 began using marijuana and cocaine. At 14, Mr. S sodomized another 14-year-old boy; at 16 he tried to anally sodomize a six-year-old boy; at 17 he anally raped an 11-year-old girl; and at 26 he tried to anally rape a seven-year-old girl.

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After refusing treatment for many years and displaying little remorse for his offenses, in his early 40s Mr. S embraced treatment, developing self-awareness and insight into the reasons he offended and displaying what his group therapist called "striking empathic participation." After his initial offense, Mr. S told me, he was "off to the races" and "felt power and control and wanted more of (it)." He said, "I wanted someone to do as I wanted them to do, as someone had me do. It was vengeful. Putting people through what I went through." He recognized his wish for a father who could provide comfort, support, and guidance, teaching him right from wrong and to care about others. He understood that children are innocent and "need to be protected," and he thought of himself as a "wounded coward" when he offended.

By examining his history of trauma and neglect – and its connection with his sexual offenses – Mr. S achieved substantial psychological growth. I recommended his release to a strict and intensive supervised treatment program in the community but the judge decided to keep him civilly committed as a "dangerous sex offender requiring confinement."

In sum, for many sexual offenders, in order to change it is vitally important to understand the connections between their childhood trauma and their offenses. In turn, viewing offenders as victims as well as perpetrators is a difficult but essential challenge in evaluating their recidivism risk.

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