
How the FBI and DOJ Minimize Child Sexual Abuse Reporting

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The Institute for Media Education

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**An Examination of Relevant Child Abuse Data
Suggesting That Reported Decreased Violence
to Adults May be a Function of Unreported
Increased Violence to Children**

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Interim Report

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by
Judith A. Reisman, Ph.D.¹

OVERVIEW

On October 15, 2000, the FBI Uniform Crime Report (UCR) was widely celebrated for reporting a decrease in violent crimes, leading to the view that this decrease finds us moving toward a safer, saner society.² Were the reduction in violence true, this could weaken the charge that mainstreaming sex and violence “entertainment” in television, film, music, pornography, violent video games and the like increases sexual violence against women and children.³ Further, it could be argued that such a decrease in violence suggests that society might wisely grant additional license to sexual and violent stimuli for young and old alike.⁴ The April 16, 2002 US Supreme Court decision to legalize “virtual child pornography” and its decision to allow libraries unfiltered access to pornography for their patrons may reflect this perspective. That is, that pervasive sadosexual media stimuli are indeed environmentally nontoxic, perhaps even palliative, and, that any increase in data revealing social chaos is merely a product of “improved reporting.”

Data collections by the Federal Bureau of Investigation (FBI), the Department of Justice’s (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP), the US DOJ National Incident-Based Reporting System (NIBRS), Health and Human Services (HHS), the Centers for Disease Control and Prevention (CDC) and other critical federal entities, along with research carried out by those with advanced academic degrees at credible universities, are the source of most reported and endorsed data-tracking trends in national health and welfare. These include data documenting the increase or decrease in sexual and “nonsexual” violence, inflicted on the nation’s women and children.

However, the axiom “data do not lie” is sometimes false. Data can be used to mislead when data category definitions are changed for any reason. If data are used to such ends, the information received by the citizenry will be skewed, leading to bad personal decisions and bad public policy decisions. This paper addresses several methodological reporting concerns within those agencies that are mandated to provide accurate oversight of data on criminal trends. This paper asks; *is violence to women decreasing while violence to children is increasing?* The following summarizes what appear to be some overarching agency research errors that could produce an alleged “decrease” in nationwide sociosexual violence-- although not all of the following issues are addressed in detail in this short paper:

(NOTE: “percent” is used when quoting a source but “%” in overall data presentation in this paper.)

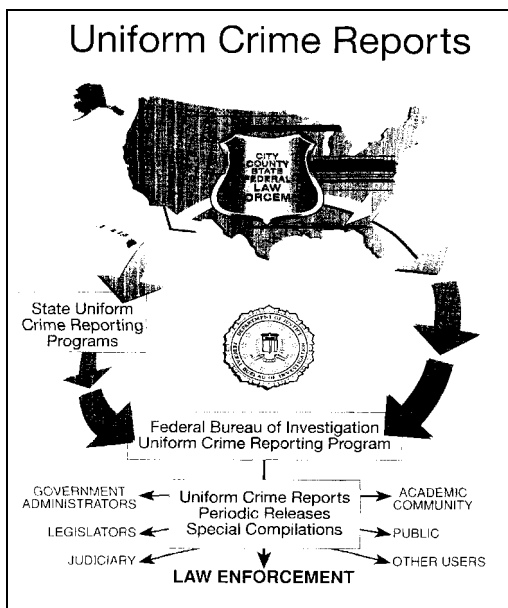
¹ Dr. Judith Reisman earned her Ph.D. at Case Western Reserve University. She is president of The Institute for Media Education. Her publications include the U.S. Department of Justice, Juvenile Justice study, *Images of Children, Crime and Violence in Playboy, Penthouse and Hustler* (1989), *Kinsey, Sex and Fraud* (Reisman, et al., 1990) and *Soft Porn Plays Hardball* (1991), *Partner Solicitation Language as a Reflection of Male Sexual Orientation* (with Johnson, 1995), and *Kinsey, Crimes & Consequences* (1998, 2000). She has been a consultant to three U.S. Department of Justice administrations, The U.S. Department of Education, as well as the U.S. Department of Health and Human Services. Dr. Reisman addresses issues of (a) fraudulent sex science and (b) the power and effect of images and the media to alter human behavior. The special emphasis of her work has been and continues to be the negative influence of these change agents upon children and society.

² October 15, 2000. However, December 12, 2000, the FBI released new data about violent crime saying, “some major cities see increases, FBI reports.” (*The Sacramento Bee*, December 12, 2000, pp. A1, 15).

³ The dramatic increases in male sexual impotence, sexual boredom and divorce, as non-criminal, although often laid at the feet of pornography addiction, are not addressed here.

⁴ Judith Levine, *Harmful to Minors*, University of Minnesota Press, 2002; James Kincaid, *Child-Loving*, New York, Routledge Press, 1992 and Bruce Rind and Philip Tromovitch, “A Meta-analytic review of findings from national samples on Psychological Correlates of Child Sexual Abuse,” *Journal of Sex Research* 1997, pp. 237-55.

- **Reducing** child sex abuse rates by deleting official data on sex abuse of children under 12;⁵
- **Eliminating** sodomy of boys by reclassifying boys in an ageless “male” rape category;⁶
- **Lowering** child abuse predator recidivism by aggregating child molesters into a generalized category of “violent assault.”⁷
- **Decreasing** abuse data for unmarried fathers, step fathers and “live-in” boyfriends by aggregating these men with biological, married fathers into “parents and other caretakers”⁸ for incest offenders;⁹
- **Excising** data on prostituted and other child sex abuse crimes from DOJ’s “Severity of Crime” scales that measure public views of crime severity--implying that child sexual abuse is benign.¹⁰
- **Wholesale failure** to tabulate data on child sex abuse within the child protective services system.



The information process outlined in the schematic (left) taken from the FBI *Uniform Crime Reporting Handbook “NIBRS Edition”* (1992)¹¹ identifies crime data collected from questionnaire forms filled out by police and sent to both state uniform crime reporting programs and the FBI reporting program.

Once compiled, the FBI reports are periodically released to academe, the public, government administrators, legislators, law enforcement and the judiciary, all of whom use the FBI crime data to help decide various legal, public policy and individual issues. However, if the originating data are reorganized into wrong or obscure categories at the reporting program or analysis site, then bad conclusions and decisions will be made on the basis of these bad statistics.

Moreover, lower murder rates are a direct function of improved trauma and emergency room care. Writing in *Homicide Studies*, Anthony Harris, University of Massachusetts at Amherst, explains that better medicine and technology save thousands of assault victims from

death each year. It is “estimated that without advances in trauma care we would have had 45,000 to 70,000 homicides nationwide in each of the past five years instead of 15,000 to 20,000.”¹² Violence expert Lt. Dave Grossman agreed that, “The media, selling violence to children and claiming, “crime is down while media violence is up, so how can media violence be harming kids?” are lying, and here is the smoking gun.”

⁵ See evidence in Part II and III of this monograph.

⁶ The National Center for Victims of Crime, 1997: “Male Rape” cites to “rapes,” (sodomy) excluding boy victims under age 12 in 1994. (*Bureau of Justice Statistics, 1997*). In 1985, the U.S. Department of Justice, Bureau of Justice Statistics reported no ages for “123,000 male rapes over a ten-year period. (*Bureau of Justice Statistics, 1985*,” at 1

⁷ BJS Special Report, April 1989, JCJ referencing JCJ-116261, “Recidivism of Prisoners Released in 1983” by Allen J. Beck, Ph.D., BJS Statistician, and Bernard E. Shipley, BJS Program Manager. The last specific citation to rapist-recidivists rates traced to 1983.

⁸ David Finkelhor and Richard Ormrod, DOJ/OJJDP, “Child Abuse Reported to the Police,” May 2001 at 3-6. Finkelhor and Ormrod collapse parents and other caretakers into one category throughout this report except in Figures 4 and 5. Here they identify “father” as the key offender in “Percentage of all Caretaker Offenders” without separating out the sexual (against boys or girls) from physical violent assaults.

⁹ Id, Finkelhor and Ormrod confirm the fact that HHS largely “exclude assaults by noncaretaker perpetrators, which are outside the domain of the child welfare system” at 6. See also Lawrence Greenfeld, DOJ/OJJDP, *Child Victimized: Violent Offenders and Their Victims*, “Table 13: Victim-offender relationship among prisoners serving time for violence against children, 1991.” Greenfeld cites offenders relationship with their victim as, “Own child” in 33.4% of all rape and sexual assault cases but neglects to identify whether these are male offenders or female offenders, married to the spouse or live-ins, and in the key to the category notes the “Own Child” definition “Includes stepchildren,” a leaving a wholly invalid impression, implicitly of ones married “father” as the statistically significant sexual violator of his “own child” at 10.

¹⁰ Marvin Wolfgang and Robert Figlio, DOJ “The Severity of Crime” 1977 and January 1984. I have written in *Kinsey, Crimes & Consequences* on the Wolfgang and Figlio flawed research reports at 228, 264.

¹¹ The *FBI Uniform Crime Reporting Handbook “NIBRS Edition,”* inside cover, 1992.

¹² Michael S. Rosenwald, *The Boston Globe*, August 4, 2002, p. B1; also see *New York Times*, August 12, 2002.

This paper explores the similarly false pornography mantra, “sex crime is down while pornography use is up, proving pornography is harmless.” A key fatal methodological flaw in sex crime oversight has been the absence of any federal mandate to collect pornography data--despite collecting data on drugs and alcohol--as an evidentiary contributing factor to child abuse, incest, child sexual seduction, sodomy and rape.¹³

Part I examines the changes in attitudes toward sex crimes that began in the 1950’s with the since-discredited research of Dr. Alfred Kinsey et al. (*Sexual Behavior in the Human Male*, 1948, and *Sexual Behavior in the Human Female*, 1953). **Part II** introduces the methodology for the FBI/DOJ undercount of child sexual abuse. **Part III** examines *new* data from DOJ on sex crimes against children 0 to 18. **Part IV** adds ancillary protective and justice agency data (58,200 nonfamily abductions in 1999) and violence *to and by children*. **Part V** offers some discussion and conclusions and the **Addendum** notes a dearth of federal pornography data.

PART I

HISTORICAL BACKGROUND TO EXCLUSION OF CHILD RAPE DATA

Noting the trendy acceptance of pedophilia among the intelligentsia, Mary Eberstadt stated, “Hands down, the real Big Daddy of Pedophilia Chic could only be the long-dead researcher Alfred C. Kinsey.”¹⁴ This chronological accreditation was officially supported by NAMBLA (the North American Man-Boy Love Association). NAMBLA offers a unique historical account of the role of Kinsey and sexology in the acceptance of children as viable sexual targets for adult society:

*Gay liberationists in general, and boy-lovers in particular, should know Kinsey's work and hold it dear...implicit in Kinsey is the struggle we fight today...The sex science movement in this century and the revolution which it has fed, lacks a formal history and needs broader popular consciousness of its importance. Radical agitators and sex revolutionaries like Margaret Sanger and Alfred Kinsey lack proper appreciation in this culture. Kinsey, who began as a typical American empirical scientist, documented, in undeniable ways, the schism between accepted sexual morality and actual sexual practice, thereby exposing the gargantuan hypocrisy that riddles our culture...In the 1960s a trend developed among state legislatures to lower ages of consent. In many states, we saw sexual enlightenment -- and/or criminal code revisions -- which revised ages of consent in progressive moves.*¹⁵

The struggle is ongoing between those who seek to sexually exploit children, like NAMBLA, and those who seek to protect children. In 1912 a coalition of women’s religious and early “feminist” groups secured the end of The “White Slave Trade” (the widespread traffic in child prostitution) after roughly 60 years of campaigning for enforcement of the laws that protected children from sexual exposure and exploitation.¹⁶ Yet, only 36 years later Alfred Kinsey and his Indiana University team would publish *Sexual Behavior in the Human Male* (1948) and five years later, *Sexual Behavior in the Human Female* (1953). The Kinsey reports were carefully designed to weaken American sex laws,¹⁷ to facilitate the sexual revolution,¹⁸ and especially to lower the age of consent as a means of rationalizing child sexual abuse and a revival of the child prostitution traffic that had been endemic in the 1800s.

¹³ Id., e.g., despite the common use of pornography as a stimulant in sex crimes, Greenfeld (see *f*9) chooses not to ask if pornography was “in use at the time of the offense,” in Table 7 “Drug and alcohol use by violent offenders, by age of victim.”

¹⁴ Mary Eberstadt, “Pedophilia Chic.” *The Weekly Standard*, June 17, 1996, p. 28.

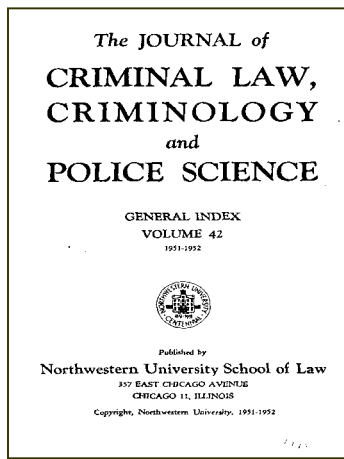
¹⁵ Daniel Tsang, editor, *The Age Taboo: Gay Male Sexuality, Power and Consent*, Alyson Publication, Gay Men's Press, Boston, 1981, p. 96, 98. (Emphasis added)

¹⁶ Judith Reisman, *Kinsey, Crimes & Consequences*, Institute for Media Education, Crestwood, KY, 2000, Chapter 1.

¹⁷ Reviewing specifically the subsequent change in U.S. rape laws reveals the Kinsey reports’ weakening effect. In 1948, the crime of rape in 30 U.S. states carried a maximum penalty of either life or capital punishment. But by 1971, states began to reclassify some kinds of rape as a “misdemeanor” for child or adult. Kentucky Crime Commission, Legislative Research Commission, Frankfort, Kentucky, “Kentucky Penal Code Final Draft, November, 1971,” pp. 136-139

¹⁸ By 1976, “the rape of an adult woman was changed nationally from a capital to a non-capital offense.” The Kinsey Report’s fraudulent data found rape unproblematic unless *unusual force* was used. Upon this basis, rape has been trivialized and

KINSEY'S IMPACT ON REDUCING SEX OFFENDER PENALTIES



In virtually every university after 1948, Kinsey and his colleagues became the foundation and primary authorities for educated discourse on human sexuality. Yet Kinsey's data did not add up. He claimed that 95% of American men violated our sex laws although of his 4,441 women subjects, he claimed none ever suffered a "real" rape and no children had ever been sexually harmed. No judges, legislators or lawyers could imagine that a team of respected Indiana University scholars would, at worst, themselves sexually assault hundreds of infants and children to calculate "orgasms" for their alleged normal child sexuality data, or at best, employ a score of pederasts and pedophiles to do so.¹⁹ That such mass child sex abuse took place under the umbrella of the Kinsey Institute is fully documented in both of my books on the subject.²⁰ The noted attorney Robert Bensing opened his scholarly treatise on sex crimes in America during 1951-1952²¹ (left) by citing Kinsey's sex data as the authority for a national legal and legislative effort to reduce sex crime penalties. Wrote Bensing:

"Since Dr. Kinsey and his associates made their study of the sexual drives public in 1948 the dynamic aspect of sex in the everyday life processes has been the subject of extensive and varied comment. Very little, if anything, however, has actually been done by lawyers and legislators in the field of sex legislation... [Hence] an examination has been made of the sex statutes and penalties in all forty-eight states of the Union [focusing on] adultery, fornication, seduction, sodomy, incest and rape."²²

But why? Kinsey's data did not add up.²³ Yet, following Kinsey's lead and citing his data, a coterie of powerful lawyers and lawmakers launched a nationwide call for reducing or eliminating the penalties for all sex offenses, including rape, against women and children. Adultery, fornication and "seduction" of young girls would no longer be criminal, and statutory rape would lose its onus, as sex crimes entered a new therapeutic "blame the victim" epoch. Indeed, the National Incident-Based Reporting System (NIBRS) now demotes "incest" by redefining this crime as, "nonforcible sexual intercourse."²⁴

In 1952, the Rockefeller Foundation commissioned the American Bar Association's American Law Institute (ALI) to draft a Model Penal Code (MPC) for the purpose of reforming state criminal laws. In the sex offenses section of the ALI's 1955 draft, the authors relied 100% on the fraudulent Kinsey Reports to define "normal" American sexuality. Lawyers and state legislatures soon used the Model Penal Code to change their state penal codes –always softening penalties – to the detriment of women, children and families.

the legal penalties for it have been substantially decreased. See, Marvin Wolfgang, Robert Figlio, "Severity of Crime," *DOJ/Bureau of Justice Statistics Bulletin*, Jan. 1884, p. 1.

¹⁹ Id., Reisman, Chapter 6, "American Women: Eliminating Mothers," p. 108; citing to Kinsey's Female report, p. 122 and Chapter 7, "The Child Experiments," esp. pp. 138-144 citing to Kinsey's Male report, pp. 161 and 175 to 180.

²⁰ See *Kinsey, Crimes & Consequences* (1998, 2000) and *Kinsey, Sex & Fraud*, Huntington House, LA, 1991.

²¹ Robert O. Bensing, "A Comparative Study Of American Sex Statutes," *The Journal Of Criminal Law, Criminology And Police Science*, General Index Volume 42, Northwestern University School Of Law, Chicago IL, 1951-1952, pp. 57-72.

²² Id., Bensing, p. 57.

²³ Id., Reisman, Chapter 6, "American Women: Eliminating Mothers," p. 108; citing to Kinsey's Female report, p. 122 and Chapter 7, "The Child Experiments," esp. pp. 138-144 citing to Kinsey's Male report, pp. 161 and 175 to 180. Barely hidden was the fact that Kinsey reported his own and his colleagues' criminal sexual activities as objective sex science "data." At the time, Kinsey's claims were little doubted, that none of his 4,441 women subjects ever suffered a "real" rape and that no children had ever been sexually harmed. (Based on the current estimate that one in four females have been sexually abused, Kinsey's 4,441 female subjects should easily have included 1,000 rape and sex abuse victims.) No judges, legislators or lawyers could imagine that a respected Indiana University scholar would employ pedophiles to sexually assault hundreds of infants and children for "orgasms" for his alleged child sexuality data.

²⁴ The *FBI Uniform Crime Reporting Handbook "NIBRS Edition,"* (1992), p. 22.

Writing in *Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality*, Princeton historian David Allyn praised Kinsey for his key role in reducing penalties for statutory rape, “forcible rape,” sodomy, (“crime against nature”²⁵) prostitution and all other sex crimes. Kinsey crafted his sex data, says Allyn, to undermine “the very legitimacy of public morality itself” by convincing the nation that there were no harmful civil consequences to “private” consensual sexual acts.²⁶

Today’s epidemic rates of venereal disease and sociosexual anarchy (rape, child sexual abuse, prostitution, child pornography, pornography, seduction, public sexual solicitations, partial-birth abortions and harvesting and marketing embryo parts, bi/homosexual sodomy, adultery, indiscriminate divorce, fornication, etc.) have increased each decade since 1948. This social crisis may technically be laid at the door of Kinsey & Co., a group of Rockefeller Foundation -funded sexual revolutionaries who deluded the polity with “scientific” proofs that promiscuous sexual conduct was both common and harmless and that therefore America’s “archaic” sex laws should be eliminated or relaxed. Hence, America’s comparatively tough sex laws were subverted.²⁷

With the growing influence of The Kinsey Reports at the bar and bench, lawyers such as Beryl Levy began to advance Kinsey’s view of the harmlessness of *child* sexual abuse, unthinkable a few short years before. This revolutionary act began by ridiculing a national belief in the vulnerability and modesty of youngsters that previously had helped protect them from sexual predators.²⁸ The protection of the vulnerability and modesty of youth had been seen in the inclusion of “statutory rape” as a violent Class A crime in the FBI and DOJ databases.²⁹ By 1961 Levy scoffed:

The law of statutory rape [purged from the FBI UCR in 1957-58] might well bear some re-examination to determine if it is still carrying out the old common-law idea, which was protection of innocent young maidens.³⁰

²⁵ Steven H. Gifis, *Law Dictionary*, “Rape: unlawful sexual intercourse with a female person without her consent,” Barron’s Educational Series, Inc., New York, “sexual contact between persons not married to each other consisting of contact between the penis and anus, the mouth and penis or the mouth and vulva.” p. 446.

²⁶ “In the 1950’s the American Law Institute attempted to shape its model penal code in accordance with Kinsey’s scientific discoveries—by privatizing most moral questions. [T]he Supreme Court... drew on the American Law Institute’s model penal code’s distinction between public and private sexual expression, which, in turn, drew on the work of Alfred Kinsey.... [Kinsey’s] 1948 study played a critical role in the mid-century privatization of morality.... In the post- WWII era, experts abandoned the concept of “public morals,” a concept that had underpinned the social control of American sexuality from the 1870’s onward. In the 1950’s and 60’s, however, sexual morality was privatized, [creating] ...a new “deregulated” moral market.... Kinsey....downplay[ed] the problem of public sexual expression. The text gave the impression that sexual behavior only occurred in the private space of the home. [Kinsey] was virtually silent when it came to questions of public sexuality; this silence served Kinsey’s deregulatory ends.” In, David Allyn, “Private Acts/Public Policy: Alfred Kinsey the American Law Institute and the Privatization of American Sexual Morality,” *Journal of American Studies*, 30, 1996, pp. 3, 405-428.

²⁷ In his support for the “utmost resistance” rape test, Columbia law professor Beryl Levy expounded on The Kinsey Report’s claim that rape is harmless: “[I]t must be shown that the woman fought back like a tiger (so to speak).... resisted with all her might and main.... punching, scratching, biting, kicking, screaming, etc.... Some experts *have expressed the opinion that it is well-nigh impossible for a man to rape a woman of ordinary good health and strength*.... Women may have rape fantasies: they think they have been raped even though the man may have been nowhere near them.” See Beryl Levy, “What is Rape?,” *Sexology*, June 1961, pp. 744-748 [Emphasis in the original].

²⁸ Feminist researcher Susan Brownmiller, in *Against Our Will, Men, Women, and Rape*, recalls Kinsey’s view of “innocent young maidens.” Kinsey said, “the difference between a rape and a good time depends on whether the girl’s parents were awake when she finally came home,” Simon and Schuster, New York, 1975, p. 195.

²⁹ *Id.*, Kentucky Crime Commission, p. 139.

³⁰ *Id.*, Beryl Levy. The Kentucky Crime Commission echoed the MPC and many other newly minted state penal codes in stating: The purpose in denominating such conduct between persons within the specified age groups as sexual misconduct rather than rape or sodomy is to eliminate an undesirable stigma [of]...being labeled a “rapist” or a “sodomist.” (p.

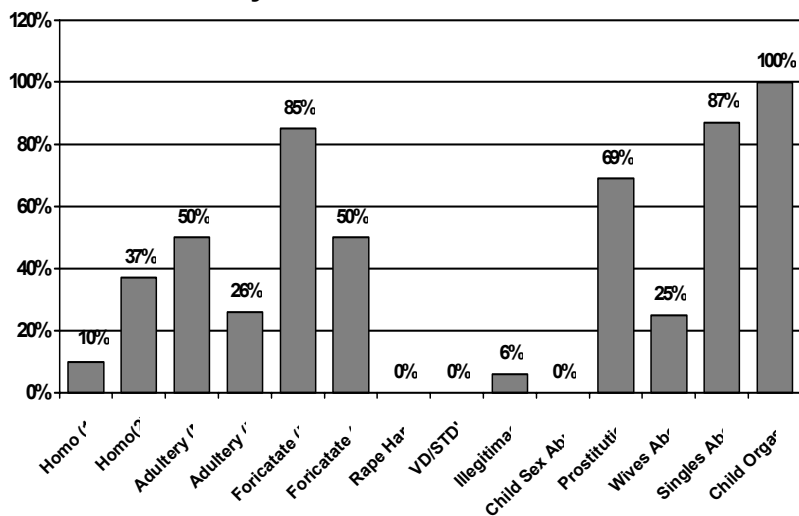
The Kinsey Report would end the notion that our laws should actively work to protect “innocent young maidens.” Kinsey’s false data directly affected laws against “Seduction” and “Statutory Rape.”³¹ Most important to the discussion of why the FBI and DOJ excluded statutory rape and rape of children under 12 from their “rape” classification in 1957-58, may be the belief in Kinsey’s false ‘proofs’ that children were unharmed by sex with adults and even benefited thereby. The Attorney General’s Task Force on Family Violence (1984) urged DOJ to “explore methods to gain information from those under 12 years of age.”³² Today, even lawyers barely recall that in 1948, “seduction” (carnal knowledge by promise of marriage) was criminal in 35 states with punishment ranging from 5 to 20 years in prison. The “seduction” laws discouraged potentially predatory men and boys and offered vulnerable women and naïve young girls some legal recourse. The pre-1948 U.S. law also had a different view of statutory rape than the post-Kinsey FBI and DOJ. In 1952 some 23 states held that “consent is *no* defense” for sex with anyone under age 18, and 21 states also ruled “consent” no defense for sex with children under age 16.³³ Says Bensing; the serious national condemnation of sex with a child is seen in that:

“Life sentences, or their equivalent, are permissible in a total of 30 states, eight of which so provide whenever the child is under the age of 18 years, and eight do so when the minor is under 16 years of age...in only 13 states is it possible to escape after conviction with a fine as the sole penalty.”³⁴

Arguably, children’s safety in any society rests upon the sexual morality of those charged with securing their interests. That being the case, the more that children are “allowed” sexual freedom, the more the motivation of the authorities that grant children that sexual “freedom” are suspect. In 1952, the year of Bensing’s law review article,³⁵ the Rockefeller

Foundation-funded American Law Institute began writing its Model Penal Code that would urge reducing or eliminating sex crime penalties. For, said Kinsey, all sex acts then regarded in the law as “offenses

What Did Kinsey's Team Claim About 'Normal' Americans?



139) A prominent lawyer at the time, Orville Richardson, wrote in a 1973 *Missouri Law Review Journal* report that: “[Many males don’t have] moral and social stamina to refrain from sexual acts. Where no forcible compulsion is used the actor [sic] does not deserve the punishment or label of ‘rapist’ or ‘sodomist’ when the object of *his advances is over 12 years old* (emphasis added). (Id.) By 1952, Bensing complained that the rape of women or children was a felony in every state and “punishable *by death*” in 18 states. Lawyers and legislators who believed or relied on The Kinsey Report’s fraudulent data on American women’s purported promiscuity also weakened the penalties for fornication and adultery. That legal change facilitated no-fault divorce, the poverty of the single-mother household and the escalation of sexual crimes against children.

³¹ Id., Bensing, p. 57-72.

³² *The Attorney General’s Task Force on Family Violence, Final Report*, Washington, DC, September 1984, p. 85.

³³ Supra, Bensing.

³⁴ Id., Bensing, p. 61. Bensing cites Tennessee Age of Consent, 21 years; Georgia 14 years and Delaware 7 years old. Data also drawn from Ernst and Loth, *American Sexual Behavior and the Kinsey Report*, Greystone Press, NY, NY, 1948, p. 128-131, Seduction: 37 states and Washington DC identify as criminal. Advocate Bensing summarized: “In conclusion, it seems undeniable that much of our sex law is incomplete and lacking in reality...and that a study of the field of sex regulation indicates the need for improvement...fitted to present-day needs. Statute revision committees in every state, therefore, might well appraise their laws and those of their sister states, with a view toward alleviating the divergence [by reducing sex crime penalties]. (Id, p. 61).

³⁵ Supra, Bensing, p. 61.

against persons” were “scientifically” confirmed as normal human acts that should not be limited by the law. Again, citing to Kinsey for 100% of their “Sex Offenses” social science data on adultery, sodomy, etc. as “normal” and “private” sexual conduct, the ALI Model Penal Code’s call for lessening or ending sexual controls was adopted all or in part *by all* of the then-existing 48 states. And the liberalized law shaped the view of child sexuality and of punishment of criminals. US Supreme Court Justice Louis Brandeis said:

The conduct of life is to so large an extent determined by the existing legal institutions, that an understanding of the legal system must give you a clearer view of *human affairs*...and aid you in comprehending the *conditions*, and *institutions* by which you are surrounded.³⁶

SEXUAL BEINGS FROM BIRTH: THE “FOUR- OR FIVE-YEAR-OLD SEDUCTRESSES”

In 1950, MPC advisor Dr. Manfred Guttmacher, head of the Group for the Advancement of Psychiatry (GAP), instructed our “legal institutions” that “full responsibility for sexual behavior” should begin at the “age of 7.”³⁷ Citing to Kinsey for its sex offender recommendations, GAP said:

Kinsey’s findings were the points by which we steered. The debt that society will owe to Kinsey and his co-workers for their research on sexual behavior will be immeasurable.³⁸

As The Model Penal Code reiterated the Kinsey Institute team’s claims that sex offenders seldom repeat their crimes and that sexual promiscuity does not produce sex crime, disease or divorce, what was known as immoral behavior was reclassified as having no public health consequences.³⁹ Thus, for the first time in American history “immoral” sexual conduct became privatized in the law. Kentucky researcher Dr. Linda Jeffrey documented how a small cadre of Kinsey disciples formed state sex law revision committees recommending state sex law revisions after directly crafting the ALI MPC on Sexual Offenses. The following quick excerpts from Dr. Jeffrey’s outstanding investigation may help to illuminate some background to subsequent FBI and DOJ child sexual abuse reporting and eventually, Supreme Court decisions.. It begins in 1948 when a prominent New York judge, Morris Ploscowe, wrote that sex laws must not violate one’s natural “human need.”⁴⁰

³⁶ Leonard Baker, *Brandeis and Frankfurter: A Dual Biography*. Washington Square, NY: New York University Press, 1986, at 29. Brandeis’s opening remarks to his business law students at the Massachusetts Institute of Technology. (Emphasis added)

³⁷ *Psychiatrically Deviated Sex Offenders, Report No. 9*, Committee on Forensic Psychiatry of the Group for the Advancement of Psychiatry, February 1950.

³⁸ David Allyn. “Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality.” *Journal of American Studies* 30, 1996, pp. 3, 405-428.

³⁹ *Sex Offender Treatment: Research Results Inconclusive About What Works to Reduce Recidivism*. Government Accounting Office, GGD-96-137, June 21, 1996. Recent federal health institution studies covering the past half a century of treatment modalities for sex offenders conclude that no form of psychotherapy is shown to arrest sexual predation. This can logically be viewed as a report identifying the failure of the treatment mode of penology.

⁴⁰ In New York, Ploscowe proposed that all sex offenses could be processed as “misdemeanor sexual misconduct.” Kentucky law once held rape as a capital offense: The law today echoes the New York law: Their sexual misconduct statute states, KRS 510.140, includes rape and sodomy and thus includes all of the higher degrees of these crimes. “It provides a useful plea-bargaining tool for the prosecutor in certain cases even though some degree of forcible compulsion or incapacity to consent may be present.”

[E]nforcement of the prohibitions of sex legislation [are a] failure ... out of touch with the realities of [life], and... inherently unenforceable ...the law attempts to forbid an activity which responds to a wide human need.⁴¹

Many books and articles supporting such claims followed and by 1962 a premier authority on psychiatry, law and sexuality, Ralph Slovenko, explained why America's child sex abuse laws violated the "wide human need" theory.

Even at the age of four or five, this [female] seductiveness may be so powerful as to overwhelm the adult into committing the offense. The affair is therefore not always the result of the adult's aggression; often the young female is the initiator and seducer.⁴²

In 1966, the crusading Judge Ploscowe asserted, "a girl at puberty fully understands ... sexual intercourse and the fiction of non-consent, which the law sets up, does not correspond to the facts."⁴³ Law review journals began the campaign to normalize Kinsey's claims that all forms of sex, even with children, as perhaps representing a "wide human need." These views would dominate law school journals and percolate down to state statutes and law enforcement to determine what was or was not sexual abuse.

- **1969 *The Georgia Law Review*:** Child molestation is a "*relatively minor crime...[the] absurdity of enforcing most of our sex laws...should be obvious, even to the most prudish Neo-Puritans.*" And child molesters "should be released on probation" or after paying "*a small fine*" if they didn't use "*physical force.*"⁴⁴
- **1973 *Missouri Law Review*:** Rape and child abuse "carry extremely severe punishment...*Those few* who are punished are dealt with cruelly, to the satisfaction of no one except a *shrinking frenetic fringe of maniacal moralists.*"⁴⁵ Elsewhere the Missouri statute states, the label "rapist should not be used in the *statutory non consent cases...*The Code reserves that term for the most heinous sexual offender...*For one may have sex with a fully consenting...social companion ...of 12 years of age.*"⁴⁶
- **1976 *Maine Law Review*:** "Only threats of serious bodily injury, kidnapping, *or death* will suffice to make out the crime of rape."⁴⁷
- **1983 *The New Jersey Law Journal*:** "[T]he older term "rape" was fraught with negative emotion and unrealistic for this era...There is *no justification* for the perception that *the female* is a unique creature, *harmed in some unique way* by untoward sexual behavior."⁴⁸

Current rape penalties are often quite trivial depending on the age difference between child victim and rapist. In complex laws on "age of consent" even the youngest victims (age four in Georgia) are on trial. To prove an authentic rape, a little child may be required to substantiate additional proofs of

⁴¹ Morris Ploscowe, "Sexual Patterns and the Law," in Deutch, A. (Ed.). *Sex Habits of American Men*, New York: Prentice Hall, 1948, p. 126.

⁴² Ralph Slovenko, and C. Phillips, "Psychosexuality and the Criminal Law." *Vanderbilt Law Review*, Vol. 15, 1962, p. 809.

⁴³ Morris Ploscowe, "Sex Offenses in the New Penal Law." *Brooklyn Law Review*, Vol. 32, 1966, p. 274.

⁴⁴ E.C.R. Jr, "Pedophilia, Exhibitionism, and Voyeurism: Legal Problems in the Deviant Society." *Georgia Law Review*, Vol. 4, 1969, at 150. (Emphasis added).

⁴⁵ Orville Richardson, "Sexual Offenses Under the Proposed Missouri Criminal Code." *Missouri Law Review*, Vol. 38, 1973, at 372, 372.

⁴⁶ Vernon's Annotated Missouri Statutes, 2000, 544.040, Comment to 1973 Proposed Code. See also, Richardson, Id., p. 382.

⁴⁷ Judy R. Potter, Sex Offenses, *Maine Law Review*, Vol. 28, 1976, at 69.

⁴⁸ C. Nemeth, "How New Jersey Prosecutors View the New Sexual Offense Statutes." *New Jersey Law Journal*, May 5, 1983, at 6 (Emphasis added).

“force.”⁴⁹ The practical results? In 1990, the American Bar Association reported 80% of convicted child molesters plea-bargain and serve no prison time. Commonly, the felon, as recommended by the legal elite, receives “treatment for his sexual orientation to children,”⁵⁰ at taxpayer expense. In 1950, the Dean of Illinois Law School, Frank Horack Jr., predicted some of the ways in which the Kinsey data would change our view of sexual crimes, and, by extension, child sexual abuse reports, “institutions” and decisions:

The principal impact of the Kinsey Report will be on...the law...[aiding] police officers, prosecutors, judges, probation officers and superintendents of penal institutions [in] judging individual cases. Officials will read it. Defense counsel will cite it. Even when not offered into evidence, it will condition official action. Psychiatrists, psychologists, penologists, juvenile and probation officers...will use the data and their professional advice will be heeded by the judge. Here the Report will control many decisions and dictate the disposition and treatment of many offenders.⁵¹

PART II

METHODOLOGY FOR FBI/DOJ DATA UNDERCOUNT OF CHILD ABUSE

Dean Horack was correct. As penalties for rape of adult victims went from the possibility of death in half of our states to six years, probation or therapy, buried in scores of DOJ reports is also the troubling descent of sex crimes from adults to younger and younger victims. Luckily, the National Incident-Based Reporting System (NIBRS), although still not reflected in most FBI DOJ reports, provides data on child abuse of children under 12. “NIBRS” admits that until now little sex crime victims were officially ignored: “[t]he only existing national data collection effort that explored the incidence of sexual assault ignored crimes against young victims.”⁵² As cited below, the “general concern” about child sexual abuse has also paradoxically *reduced* law enforcement-instigated reports. In 1984 the American Humane Association wrote of child sex abuse reports since the early 1980’s:

[T]he proportion coming from law enforcement personnel decreases from 21 percent to 15 percent [reflecting a] re-definition of the problem of sexual abuse, as it has moved from a law enforcement matter to one of more general concern.⁵³

As principal investigator for a DOJ/OJJDP child pornography study in 1981-1983,⁵⁴ this writer sought but could not find official Justice Department data on sex abuse victims under age 12.⁵⁵ It was

⁴⁹ *State v. Collins*, 70 GA. 42, 508 S.E. 2d 390, 1998.

⁵⁰ American Bar Association. *The Probation Response to Child Sexual Abuse Offenders: How Is It Working? Executive Summary*. State Justice Institute, Grant, SJI-88-11J-E-015, 1990, at 7. Again, despite overwhelming evidence of treatment failure, the *Boston Globe* expose above reports no prison time was served by the following: 100% of those convicted of attempted child molestation; 60% convicted of criminally injuring a child; 30% convicted of indecent assault/battery of a child; 20% convicted of child rape and sodomy

⁵¹ Frank Horack Jr., “Sex Offenses and Scientific Investigation,” *Illinois Law Review*, Vol. 44, 1950, at 156, 158.

⁵² US DOJ, National Incident-Based Reporting System, (NIBRS) “Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics,” July 2000. (Emphasis added.)

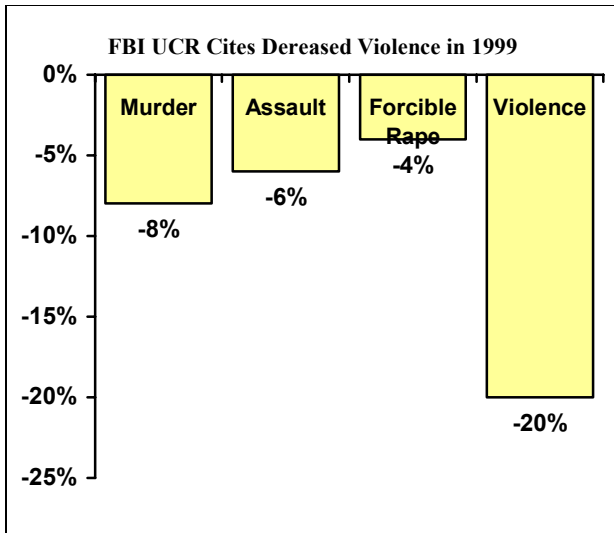
⁵³ *Trends in Child Abuse and Neglect: A National Perspective*, The American Humane Association, Children’s Division, Denver, Colorado, 1984, p. 19. (Emphasis added.)

⁵⁴ DOJ/OJJDP report, Grant No. 84-JN-AX-K007, Judith Reisman, *Children, Crime and Violence in Playboy, Penthouse and Hustler*, The Institute for Media Education, 1989 and Reisman, “Soft Porn Plays Hardball,” Huntington House, Lafayette, La., 1991.

⁵⁵ In fact, in a relevant sidebar to this issue, while our DOJ/OJJDP research was authorized to collect mainstream “child” pornography data as well as data describing Dr. Alfred C. Kinsey’s view and promotion of children as sexual objects, we found much of the research was derailed due to unknown special interest pressures at the highest levels. Much of this “cloak and dagger” information is described and documented in the author’s book, *Kinsey, Crimes & Consequences* (2000) as well as in two other books addressing the political climate in Washington DC., Susan Trento, *The Power House*, St. Martin’s Press, --- and E. Michael Jones’ --- 2000.

discovered that the *national justice database only collected data on sexual victims over 12 years old*-- based on the claim that children under 12 are too difficult to interview (so there is no point in recording crimes in the official record?).⁵⁶ Indeed, this was the DOJ practice until very recently, and continues to be reflected in much DOJ data and in the FBI UCR at the time of this writing.

Table 1: 1999 FBI Uniform Crime Report (UCR) Cite Decreased Violence



The Federal Bureau of Investigation today announced the eighth consecutive annual decrease in serious crime. ... Decreases of 8 percent from 1998 to 1999 were recorded for the violent crimes of both murder and robbery. Aggravated assault figures fell by 6 percent, and forcible rape statistics fell by 4 percent. In 1999, the number of violent crimes was 20 percent below the 1995 figure.⁵⁷ (Errata, Oct. 15, 2002)

Table 1: Based on the significant *increases* in rape, sodomy and other child sex abuse (see Part III and IV) largely purged from the FBI UCR, the alleged *decrease* in violent crime cited by the FBI UCR in October 2000 was the impetus for this study.⁵⁸ The FBI UCR defines “violent crime” as “murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.”⁵⁹

However, since 1957-58, based on the recommendations of “a special Consultant Committee,”⁶⁰ the FBI UCR data *exclude* statutory rape (adult sex with minors). Where “force” can be proven against the child, there appears to be no uniform way rape of an under age 12 child can be included in the overall “rape” data, since there is no record of under 12 sexual crimes against children. Statutory rape had earlier been understood by law enforcement as criminally violent by its nature.⁶¹ Despite the following 1957-

1958 FBI UCR excerpt (below left), this author and others in the child protection field view adult sex with a child as *prima facie* violent.⁶²

It will be seen from the above that the categories of negligent manslaughter and larceny under \$50, which in previous issues of the Uniform Crime Reports were listed together with the above offenses, have not been included in the Crime Index. Statutory rape (no force used—victim under legal age of consent) has also been omitted, and rape figures have been limited to offenses involving force.

Based on counsel from a group of outside “experts,” “statutory rape” was deleted as a “violent crime” from the **1957** FBI UCR. The FBI UCR stated:

“statutory rape (no force used -- victim under legal age of consent) has...been omitted and rape figures have been limited to offenses involving force.”⁶³ Today’s FBI UCR still excludes forced sodomy or adult sex with a

⁵⁶ This claim does not explain why the extant crime data were not collected and reported.

⁵⁷ DOJ *Crime in the United States*, 1999, Errata, October 15, 2000, at 1.

⁵⁸ However, absent much fanfare, the FBIUCR *rape* rate has quietly *increased* since the 2000 report.

⁵⁹ FBI National Press Office, “Crime Index Trends, January through June 2000,” December 18, 2000, p. 1.

⁶⁰ FBI Uniform Crime Reports—1958, Summary, p. 1.

⁶¹ FBI Uniform Crime Report Handbook, 1999, p. 24.

⁶² It violates the child’s faith in adult authority, the child’s self-respect and the child’s ability to trust adult praise or interest as based on the child’s intrinsic worth rather than the child’s ability to arouse and sexually gratify the predator. Sex with children is a “robbery” of the child in myriad ways significantly more important than the loss of money or property. Sex with children nearly always precipitates physical and emotional trauma, both delayed, immediate and long and/or short term.

child where force is not proven.⁶⁴ Yet, on the evidence, the “force” of much child sex abuse is accomplished by trickery or bribery via candy, games and suchlike.

Do not count statutory rape (defined as the carnal knowledge or the attempted carnal knowledge of a female with no force used and the female is under the legal age of consent) or other sex offenses [sodomy] under this category.⁶⁵

Table 2: Increase in Overall Population⁶⁶ Versus Increase in Crime

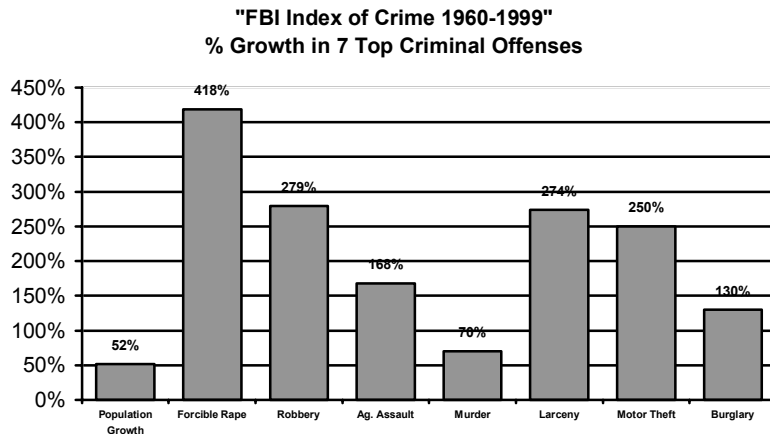


Table 2: The FBI “Index of Crime, United States (ICUSA) 1960-1999” cites “Violent Crime” data for seven major crimes.⁶⁷

- Violent Crime: 396% Increase**
1. **Forcible Rape: +418%**
 2. **Robbery: +279%**
 3. **Aggravated assault: +168%**
 4. **Murder: 70%**
- Property Crime 229% Increase**
5. **Larceny-theft: +274%**
 6. **Motor Vehicle Theft: +250%**
 7. **Burglary: +130%**

The 52% increase (1960-1999)⁶⁸ in the overall population does not explain the FBI’s own sex crime escalation⁶⁹ seen on Table 2.⁷⁰ Forcible rape reports have increased at least by 418% since 1960. In

⁶³ FBI UCR, 1958 for 1957-1958 “Crime Index Trend—U.S., p. 2. Confirmed by “Barbara” in the Quantico, VA., FBI office by phone and fax January 1, 2001, as well as by specialist, Quantico, Virginia, telephone interview, January 16, 2001, 2:45 PM. Child rape, including the sodomizing of boys and girls, is often officially coded as “nonviolent,” since the perpetrator(s) commonly convince the child she or he was guilty of soliciting, seducing the abuser. Bribing a child with candy, ice cream or toys and subtle threats of loss of love (one incest victim wept bitter tears recalling the adored teenage brother who fixed her doll only if she gratified the sexual “needs” he had gleaned from pornography). Children commonly react to the shame of eroticized abuse with silence and often then engage in sex with others, smaller siblings, neighbors, friends or adults. After 1958 these *generally life-changing sexual stimulations* would not be reported to the polity as a serious felony, as “rape.”

⁶⁴ Thus could former FBI child sexual abuse “expert” Ken Lanning recently justify the agency’s lax treatment of child pornography by saying children are not always “pure” and, “the more typical case is a 12-year-old boy with a smile on his face... Children... are sexually developing young people with raging hormones...” Torsten Ove “Expert dispels victims’ image in child porn cases... Children not always ‘pure,’ *Post-Gazette*, (web) Pittsburgh, PA, April 10, 2002.

⁶⁵ *FBI Uniform Crime Reporting Handbook*, Washington, DC, 11984, p. 10.

⁶⁶ Under age 20 population, 1960 to 1999 from 69,005,416 to 78,602,770 = 13.9% increase, “US Bureau of the Census International Data Base, Table 004, Enumerated and Adjusted Census Population by Age, Sex, Urban/Rural Res.” The 1960 under 20 population was 38.48% and the year 2000 was estimated at 28.52% of the total population, a drop of roughly 9.96% boys and girls in the under 20 population, with roughly a 5% to 8% increase in child population in 1976 to 1999 and 1980 to 1999 respectively.

⁶⁷ Page number unreadable. Fax received January 16, 2001 from FIB CJIS, 304 625 5394.

⁶⁸ “Index of Crime, United States, 1960-1999: per 100,000 population. Also “Uniform Crime Reports—1958” Summary p. 1.

⁶⁹ As noted in by the DOJ/OJJDP NIBRS research team in “The US DOJ, National Incident-Based Reporting System, (NIBRS) “Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics,” July 2000, p. 1., while this paper cannot “assess the national representativeness [sic] of... the number of sexual assault victimizations” cited to studies like NIBRS, the American Humane Association, Health and Human Services, still “the sample is very large.” Especially since no investigator appears to have attempted to identify the failure of those charged with oversight for child protection in past records of child sex abuse, especially of children under age 12, “therefore, accepting the inherent qualifications associated with any analysis” of erratic and often contradictory justice and health service data, “the sheer number of reports and the detailed information available” in this paper should provide “researchers and policymakers with an opportunity to” reassess the past failures of those charged with oversight for child protection.

fact, the increase in sex assaults spawned the opening of a “chain” of “rape crisis centers” (RCCs). Following the opening of the first RCC in Washington, D.C., and in the San Francisco Bay area in 1971, by 1974 some 61 RCCs were established in 39 states, and by 1978 the federal government had established a national center to study and evaluate rape assault prevention programs.⁷¹

Ironically, because the RCCs are legally barred from *reporting* the rapes that they process,⁷² they often tend to *reduce* law enforcement reports. Before the 1950’s, shame often kept many women and children from reporting rape. Now, fear of police procedures and of retaliation by a quickly paroled rapist and/or his associates causes many rape/sodomy victims to decide to just “go on with life.” As post-1950’s rape became more common, RCC patrons (who may earlier have sought aid and protection from a more paternalistic police force backed by tougher rape laws)⁷³ find that RCC medical and psychological services allow them to try to just “forget” the crime. Moreover, how many statutory rapes are “eliminated” by abortion centers that excise unborn babies from teenage victims is unknown.

In addition, FBI UCR rape data undercount sexual violence against women and children because oral and/or anal sodomy, even including battery by gangs of predators, is commonly classified not as rape but as “aggravated assault.”⁷⁴ In general, sex abuse increases not normalized by the population increase are significant in many ways. Programs designed to help forcible rape victims have seen a five-fold increase in the *number* of reported victims, as have police, hospitals, therapists, etc.

Police, health and medical services must handle, at a minimum, five times the number of violent crime cases. And society has to annually deal with, by a conservative estimate, an additional 1.2 million “forcible rape” victims (plus some millions more of victims of statutory rape, sodomy, buggery, etc.). The tendency for sexually victimized children to sexually assault other--often younger--children, further contaminates and stresses the larger population. And, the percentage of child sex assault victims⁷⁵ below age 12, etc., that are missing from other relevant DOJ reports is unknown.⁷⁶

Moreover, again, children’s freedom of movement, their freedom to play and work has been severely curtailed due to the growing environmental threats to their safety. Fearful parents warn their children not to talk to strangers, but also not to get too “close” to many adults or other children. More parents drive their children to supervised sports, to stores, schools and friends. As children and even early teenagers come increasingly controlled by worried caretakers, the available abduction and molestation child pool shrinks

⁷⁰ *The Statistical Abstracts of the United States* and the Department of Commerce, Census Bureau data, 1957 to 1997 (even largely ignoring child rape, sodomy, etc.) yield a **326% increase** in violent crime from 1960 to 1999 despite an overall population increase of only 52% from 1960 to 1999 and a decrease of roughly 9.96% in the under-20 population from 1960 to 2000. Note the upsurge in sexual/violent crime over that of property crime post the Kinseyan revolution: 418% more “forcible rape” (17,190 to 89,110); 279% more robbery to 15,530). (107,840 to 409,670); 168% more aggravated assault (154,320 to 916,380); and 70% more murder (9,110 to 15,530).

⁷¹ CALC ASA Preface, to the YWCA of the Mid-Peninsula, Palo Alto, “History of the Rape Crisis Movement,” p xix, circa 2000.

⁷² Personal interviews. Most Rape Crisis Centers began service in the mid 1980s. The Rape Crisis Center Brazos Valley (California) web site “The [RCC] center opened in October of 1983. Meetings with area law enforcement agencies and more in-depth training programs were set up for all new volunteers which continued from 1984-present, with over 1,000 volunteers having been trained to date.” Funding is from state and private groups. As women-and children-use drugs and alcohol and are sexual outside marriage they are increasingly suspect regarding “participation” in their abuse.

⁷³ See Reisman, *Kinsey, Crimes & Consequences*, chapter 8, Kinsey and the Law.

⁷⁴ In fact, NewsMax.com recently noted that DOJ statistics for 2000 found that “violent crimes against women were the only category to increase,” with “Rape/sexual assault” up 13.3% *while all other violent and property crimes decreased*. NewsMax.com April 2002 p. 38, citing to Bureau of Justice Statistics, 2000 KRT.

⁷⁵ Bureau of Justice Statistics, “*Child Rape Victims*” 1992, NCJ-147001 June 1994, p. 2. This report from only 15 states found 1 in 4 rape victims under age 10 in Delaware and under age 11 in North Dakota. As these reflected rapes reported and confirmed by police, the “conservative” estimate in this study was that of 17,000 girls under age 12 raped in 1992.

⁷⁶ Children under 12 are included in the UCR Program, *but UCR national statistics provide no age details*. Consequently, neither program [FBIUCR or the BJS National Crime Victimization Survey (NCVAS) which records reported and unreported rapes] offers information on rape victims under 12Id., BJS, “Child Rape Victims,” p. 1. (Emphasis added)

from the days when children had significantly greater physical liberty. American parents increasingly, without dialogue, treat their children as though the nation was at war and their children were designated targets. On the evidence, they appear to be right.

PART III

DOJ & FBI ELIMINATED DATA ON CHILD SEX ABUSE OF CHILDREN UNDER 12

The FBI “Forcible Rape” Press Releases, typified by the one below, provide no indication that this category excludes all sodomized boys as well as “females” under age 12:

An estimated 90,186 forcible rapes of females were reported by law enforcement agencies during 2000, an increase of 0.9 percent from the 1999 rate, and the first increase for female forcible rape since 1992. By volume, forcible rape in 2000 was 6.3 percent less than in 1996 and 15.4 percent lower than in 1991.⁷⁷

The following DOJ Tables are examples from two separate research reports of *typical* crime data reports. The National Crime Victim Survey, August 1995 (Table 1) ignored children under age 12, while “Rape/sexual assault with unspecified types of injuries” (Table 2) also reports victims “age 12 or older.”⁷⁸ Yet the July 2000 *FBI National Incident-Based Reporting System* (NIBRS) (which, as noted earlier, is the nascent system that includes children under 12) estimated that “14% [of] female rape victims” were under 12 years of age.”⁷⁹ Still, although NIBRS admits that sex assaults on “young victims” were “ignored,” even now, most crime data on victims reflect “age 12 or older.”

Table 1. Average annual rate of violent crime and number of violent victimizations, by sex of victim and type of crime, 1992-93

Type of crime	Average annual rate per 1,000 persons age 12 or older		Average annual number of incidents	
	Female	Male	Female	Male
Crimes of violence	43.7	64.9	4,748,500	6,602,100
Homicide	.04	.16	4,700	17,100
Rape/Sexual assault	4.6	.5	500,200	48,500
Robbery	4.4	8.6	475,900	870,800
Aggravated assault	8.0	16.9	863,000	1,715,400
Simple assault	26.7	38.8	2,904,700	3,950,400

Note: Average annual numbers have been rounded to the nearest 100. Homicides are not measured in the victimization survey; see the box on page 4 for the source.

Rates of violence for women and men, 1992-93

Women annually reported about 500,000 rapes and sexual assaults, almost 500,000 robberies, and about 3.8 million assaults to NCVS interviewers (table 1). (As used in this report, *women and men* refer to persons age 12 or older.)

Table 2. Violent victimizations with injury, by type of injury and type of crime, 1992-98

Type and severity of injury	Victimization with injury			Violent crime with injury				
	Average annual number	Rate per 1,000 persons age 12 or older	Percent**	Rape and sexual assault	Robbery	All	Assault Aggravated	Simple
All injured victims	2,576,710	11.9	100%	100%	100%	100%	100%	100%
Rape/sexual assault with unspecified types of injuries	111,850	0.5	4.3	51.9

⁷⁷ *Crime in the United States, 2000*, Department of Justice, FBI National Press Office October 22, 2001.

⁷⁸ DOJ, Bureau of Justice Statistics, Centers for Disease Control and Prevention, *Special Report on the National Crime Victimization Survey* June 2001, NCJ 168633, p. 3 (Emphasis added).

⁷⁹ DOJ “Crime Data Brief: Child Rape Victims, 1992,” June 1994, NCJ-147001, p. 1, 2 and the National Crime Victimization Survey, “Violence against Women: Estimates from the Redesigned Survey,” August 1995, p. 2.

[W]hile a few highly publicized incidents are engraved in the public's consciousness there is little empirically based information on these crimes. Until recently, law enforcement and policymakers had few hard facts on which to base their response to these crimes, their victims, and their offenders.⁸⁰ ...*The only existing national data collection effort that explored the incidence of sexual assault ignored crimes against young victims.*⁸¹

Moreover, although boys, *not adult men*, are the common sodomy victims, the "Uniform Crime Reports Frequently Asked Questions" (2000) states that boys, semantically obscured as "males," were not included in the overall rape data. Under 12, boys were also eliminated from the male rape data.⁸²

"Q24. For UCR reporting purposes can a male be raped?"

*A 24. No. Sexual attacks on males should be classified as Assaults or "Other Sex Offenses" ...and would be reported on the appropriate age, sex, race, and ethnic origin form. (UCR Handbook, Pg. 10)*⁸³

However it appears that at least some of the NIBRS "Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics," NIBRS data (discussed below) have quietly lain in the "FBI's...master files for the years 1991-1996 [machine-readable data files]."⁸⁴ In view of exploding rates of violence and crime against and by children *under* the age of 12, the lack of public access to these data until the above-cited NIBRS report should be probed for misleading the public by artificially lowering crime statistics.

THE FBI/NIBRS STUDY

Putting pre-Kinsey penology in context, recall that in 1948 "forcible rape" (rape with force) could bring the death penalty in 18 states and life in 22 states; statutory rape (sex with a minor) could bring death in 16 states. The "age of consent" was commonly 16 to 18 years old (even 21 years old), most states had seduction laws, (it was illegal to imply matrimony in order to obtain sexual favors) bringing prison or a fine. Adultery brought prison or a fine plus "fault," leading to a costly loss of family resources for the adulterer.⁸⁵

As noted, most states adopted all or part of the "Sex Offenses" recommendations of the 1955 American Law Institute Model Penal Code. Following this, even children must "fight off" rapists for the legal system to consider their rape "forcible,"⁸⁶ after which convicted pedophiles are regularly "treated" and paroled. (See the FBI elimination of "statutory rape" to further codify the new "consent" view of rape.) Yet of the sex offenders, despite "therapy" DOJ reported, "Released rapists were 10.5 times more likely than

⁸⁰ Supra, NIBRS.

⁸¹ Id., NIBRS, p. 1. (Emphasis added)."

⁸² The National Center for Victims of Crime, 1997: "Male Rape." Even as "forcible sodomy," these data were not available on boys. "There were approximately 4,890 rapes of males *age 12 and over* in the United States in 1994. The rate for rapes of males was .8 per 1,000 persons *age 12 or older*. (Bureau of Justice Statistics, 1997). In 1985, the U.S. Department of Justice, Bureau of Justice Statistics reported in The Crime of Rape that there were 123,000 male rapes over a ten-year period. (Bureau of Justice Statistics, 1985)," at 1. (Emphasis added)

⁸³ See: FBI Web Site Aug-30-00 12:35; <http://www.fbi.gov/archive/docs/ucr/ucrquest.htm>

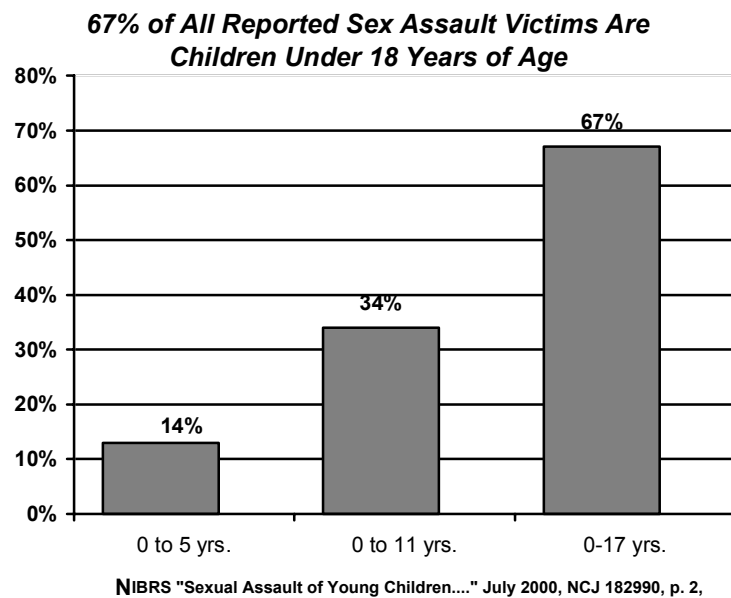
⁸⁴ DOJ/OJJD, "Children as Victims," May 2000, p. 9.

⁸⁵ Robert Bensing, A Comparative Study of Sex Statutes. *Journal of Criminal Law, Criminology and Police Science*, Vol. 42, 1952, pp. 57-72.

⁸⁶ Marvin Wolfgang and Robert Figlio, DOJ "The Severity of Crime" January 1984. I have written in Kinsey, Crimes & Consequences on the Wolfgang and Figlio flawed research reports at 228, 264. Unfortunately, just as the DOJ "Severity of Crime" research led by Wolfgang and Figlio (1977, 1984), excluded all crimes involving adult rape or sodomizing of a child or children under 18 years old from their scale of important "crime," the research on "Recidivism of Young Parolees" (1987), under Allen Beck, similarly excluded recidivism data for all sex crimes. Instead, Beck concealed sex crime recidivism within a nonspecific category of "violent offenses: murder, robbery, assault,"

nonrapists to be rearrested for rape.”⁸⁷ That is, as noted by the 1996 Government Accounting Office investigation of the past half a century of treatment modalities for sex offenders, no therapeutic strategy was shown to truly reduce sexual predation.⁸⁸ Also in 1982 OJJDP reported, “Recidivism appears to be high among youthful sex offenders.”⁸⁹ The recidivism⁹⁰ rate of 50 % for juvenile rapists also noted, “that youth tend to repeat the same sexual offense for which they were originally caught.”⁹¹

Table 3: New DOJ/NIBRS Child Abuse Data, July 2000



While the FBI’s UCR does ask about child-related abuses such as “forcible sodomy, sexual assault with an object, and forcible fondling,”⁹² the FBI UCR only reports *crime* statistics for victims over 12 years old.

Table 3: Finally, with the new NIBRS system in place, 67% of all sex abuse victims, including forcible rape, are under 18, 34%⁹³ are under age 12 and 14% under age 5. Therefore, 34% of all sex abuse victims are apparently not reflected in the FBI UCR or the National Crime Victimization Survey (NCVS) reports of “lower” violent, or sexually violent crime.

Child protection professionals, it seems, may be no better at reporting sex abuse than are law enforcement

professionals. HHS notes that while “professionals have become better attuned to the cues” of physical and sexual abuse, “they are no more likely to report the cases they recognize than they were in 1980.”⁹⁴ In fact, while some such HHS child abuse data under age 12 recently surfaced, they still remain

⁸⁷ US DOJ, “Recidivism of Prisoners Released in 1983,” April 1989, at 2.

⁸⁸ *Sex Offender Treatment: Research Results Inconclusive About What Works to Reduce Recidivism*. Government Accounting Office, GGD-96-137, June 21, 1996.

⁸⁹ US DOJ/OJJDP, *Violent Juvenile Offenders* “Sexual exploitation of Children: A Problem of Unknown Magnitude,” Human Resources Division, April 20, 1982, at 12

⁹⁰ Allen J. Beck, “Recidivism of Young Parolees,” DOJ, May 1987, “Rape” appears in one chart on page 3 addressing “rearrest charge” while it is excluded from all data on recidivism.

⁹¹ *Id.*, p. 12.

⁹² *Id.*, “Children as Victims” report graphs on child abuse from age 0-17. Why—and for how many years—has the HHS Children’s Bureau had “unpublished” data on abuse of 0 to 12-yr-old children? An Internet search and several calls to HHS and the US division on Child Abuse and Neglect produced no answers.

⁹³ *Id.*, NIBRS, p. 2.

⁹⁴ US Department of Health and Human Services, “Study Findings: Study of National Incidence and Prevalence of Child Abuse and Neglect,” National Center on Child Abuse and Neglect. 1988, p. 3:13.

“unpublished.”⁹⁵ Now however the NIBRS “Sexual Assault of Young Children as Reported to Law Enforcement”⁹⁶ has estimated child sex abuse to the general population from a base of 12 states.

[O]ver two-thirds (67%) of all victims of sexual assault reported to law enforcement agencies, were juveniles under the age of 18 at the time of the crime. More than half of all *juvenile* victims were under age 12...*That is, 33% of all victims of sexual assault reported to law enforcement were ages 12 through 17 and 34% were under age 12. Most disturbing was that one of every seven victims of sexual assault (or 14% of all victims)...were under age 6... In each sexual assault category except forcible rape, children below the age of 12 were about half of all victims.*⁹⁷

According to the above, over half of our nation’s juvenile sex abuse victims were under age 12 at the time of their assaults and so could be automatically excluded from the FBI data on violent crime. Since at least 8% of the victims of *reported* “forcible rape” were also under 12, this suggests that the celebrated 1999 FBI “forcible rape” decrease of 4% (Table 1) could be offset by the 8% of unreported “forcible rape” victims that were under age 12. That is, absent proper statistics on child sex abuse we do not know if sexual violence decreased or increased. Now, while some of these younger child victims *might* have been reported in the rape crime statistics, my communications with FBI UCR experts left this unclear.⁹⁸ As noted, *while 67 % of sex crimes are committed against boys and girls under age 18,*⁹⁹ *fully 34.1 % of these crimes are against children under age 12.* A recent DOJ report finds that 40% of violent sex offenders say their victims are *under 12.*¹⁰⁰ Bear in mind, these largely uncounted child abuse data reflect *the same time frame during which the DOJ and the FBI report less “violent crime.”*¹⁰¹

The same period that the FBI reported a *dip* in violent crime (after having largely excluded incest and statutory rape even of small children unless “forcible” violence was proven), and despite the “hierarchy rule,”¹⁰² NIBRS was reporting dramatic rates of *child abuse.*¹⁰³ This goes to the heart of what the FBI statistics claimed was a *decrease* of 4 % in what the FBI now calls “forcible rape.”¹⁰⁴ Neither convictions nor arrests, of course, are actual measures of the level of violent crime in society; rather, they measure many things, including how many people are arrested and convicted of crimes based on the levels of social and criminal justice tolerance of crime and violence at that point in history. Criminal arrests and convictions will largely be a reflection of how a culture’s legal institutions encourage or discourage its capacity for moral outrage.

As worrisome as is the lack of accurate sex crime data due to faulty methodology, so too is the

⁹⁵ In an astonishing revelation, in the “Children as Victims” report provides four 1996 graphs and one chart on child abuse *from age 0-17*. The “Source: Authors’ analysis of unpublished data from the U.S. Department of Health and Human Services, Children’s Bureau, on the detailed case data component of the National Child Abuse and Neglect Data System.” (pp. 20-21).

⁹⁶ The US DOJ, National Incident-Based Reporting System, (NIBRS) “Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics,” July 2000, NCJ 182990. The 12 sample states reporting in comprised 24% of all US states, representing 60,991 child sex abuse victims; 24% of 51 states would be an estimated child sex victim population of roughly 244,000 in 1999.

⁹⁷ Id., NIBRS, “Sexual Assault of Young Children,” p. 2. (*Emphasis added*)

⁹⁸ NCJRS communications; 2/3; 2/11, 2/14, 2/16, 2/19, 2/22, 4/22, 4/26....

⁹⁹ Id., NIBRS p. 2.

¹⁰⁰ Sex Offenses and Offenders, p. www.ojp.usDOJ.gov/bjs/abstract/soo.htm

¹⁰¹ Judith Reisman, see especially chapter 8 in *Kinsey, Crimes & Consequences*, Institute for Media Education, Crestwood, KY; 1998, 2000.

¹⁰² The counting of only the highest crime level in the database, e.g., rape is dropped when murder is committed.

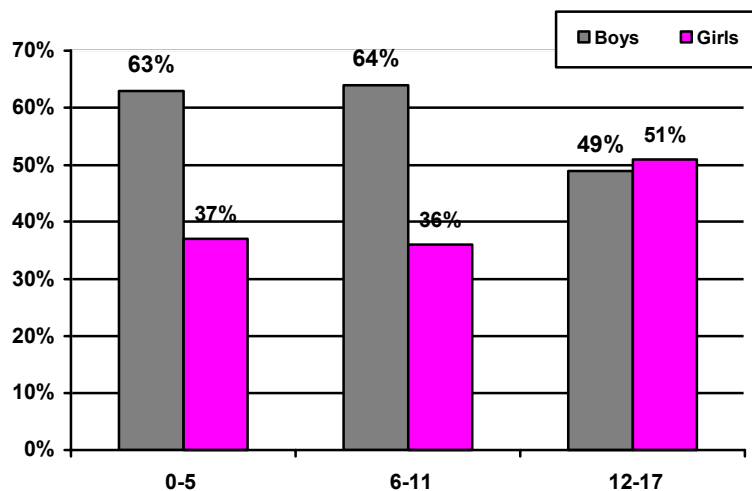
¹⁰³ Phone and fax: interview with FBI agent, Sacramento, California office, November 27, 2000.

¹⁰⁴ US Department of Justice Federal Bureau of Investigation, “Crime in the United States, 1999,” Press Release, October 15, 2000, p.1. In 1999, “the number of *convictions* for violent crimes reported “was 20 percent below the 1995 figure and 21 percent below the 1990 figure.” Consider that of the many reasons for a lower rate of *convictions* a more permissive judiciary and general society must be recognized—this is not a statement about lower real crime rates but rather a statement regarding decisions about those accused of violating social norms and values.

trend of sex murderers escaping punishment based on the modern “rough sex defense.” Here, a convicted killer claims that the deceased woman or child “consented” to the sadistic sex that ended her or his life. This legal defense ultimately is rooted in the American Law Institute use of the Kinsey Reports to privatize all sex acts that have intrinsic public consequences. This murder defense has been used successfully nationwide--exactly how often is unknown.¹⁰⁵

The NIBRS data on the Post 1950’s epidemic of sex crimes against children confirms this author’s 1982-1984 DOJ/OJJDP findings of sexualized children in “soft” pornography as promoting child sexual abuse to males in the larger, more affluent and educated society.¹⁰⁶ *Yet, while law enforcement regularly finds pornography of various types on-site in sexual crimes, and despite the wide assortment of data confirming pornography’s role in sexual crimes,¹⁰⁷ DOJ has consistently avoided funding a data collection and analysis of such on-site pornography use or storage by suspects.* Typical of the unpublicized data of pornography facilitating sex crimes is the 1989 study finding 21% of 193 college men admitting sexual interest in children associated first with negative early sexual experiences and second with “masturbation to pornography.”¹⁰⁸

Table 4: NIBRS: 64% of Sodomized Children are Boys Under 12



Source: U.S. Bureau of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement, July 2000, NCJ 182990:4.*

The July 2000 NIBRS said that males accounted for 96% of all of sexual offenders recorded by law enforcement:¹⁰⁹ “Overall, 23% of sexual assault offenders were under age 18...Sixteen percent of juvenile offenders were under the age of 12.”¹¹⁰ Yet, no research examined what percentage of those young predators used pornography! Boys under age 12 were 25% of all sex abuse victims.¹¹¹

“The single age with the greatest proportion of sexual assault victims...was age 14 [with] more victims ...between 3 and 17 than... over age 17 [any adult age group], and *more*

¹⁰⁵ The most famous “rough sex” defense was the successful “preppie murder” defense by Robert Chambers Jr. who pleaded guilty to manslaughter in the killing in 1986 of Jennifer Levin, See *The New York Times*, “Follow Up,” by Joseph Fried, January 21, 2001, Column 1.

¹⁰⁶ *Images of Children, Crime and Violence in Playboy, Penthouse and Hustler*¹⁰⁶ contained in my *“Soft Porn” Plays Hardball* (1991) and in my exposés, *Kinsey, Sex & Fraud* (1990) and *Kinsey, Crimes & Consequences* (1998, 2000). Also note that while roughly 99% of American men are exposed and many addicted to pornography, a recent accreditation session by the External Studies Division of American Association of Christian Counselors, July 15, 2002, announced; “Statistics indicate that up to 68% of married, Christian men struggle with pornography, and sexual addiction is rampant—even among churchgoers” (Laurie Hall, Focus on the Family Pastoral Care Ministry), Unit 4 “Marital Life,” EW 404.

¹⁰⁷ See especially the *Attorney General’s Commission on Pornography, Final Report*, Government Printing Office, Washington, DC, July 1986.

¹⁰⁸ John Briere and Marsha Runtz, University Males’ Sexual Interest In Children: Predicting Potential Indices Of “Pedophilia” In A Nonforensic Sample *Child Abuse & Neglect*, 1989, Vol. 13, pp. 65-75.

¹⁰⁹ *Id.*, NIBRS, p. 8

¹¹⁰ *Id.*, NIBRS, p. 8 (19% convicted of forcible fondling, 17% sex assaults with an object and 23% forcible sodomy).

¹¹¹ *Id.*, NIBRS, p. 4.

victims age 2 than... over age 40... [U]nder age 12, 4-year-olds were at greatest risk of being the victim of a sexual assault.... [Forcible sodomy peaked at] around age 4... The risk of being sexually assaulted with an object peaked at ages 3 and 4, then fell to less than half by age 8. Forcible fondling ... peaked at age 4...[and] 13.”¹¹²

Children under 12 were nearly half of victims of forcible sodomy, sexual assault with an object, and forcible fondling.¹¹³ And, even after purging statutory rape as “forcible rape” from the FBI data, roughly “an eighth of all forcible rape victims reported to law enforcement agencies were children.”¹¹⁴

Table 4: The NIBRS data find that 63% of all forcible sodomy victims under age 5 are boys, 64% of sodomized children under age 12 are boys¹¹⁵ and 49% of sodomized children between 12 and 17 are boys. Girls in the age group of 0-5 were the main victims of sex assault with an object (80% versus boys at 20%), ages 6 to 11 (83% versus 17%) and ages 12 to 17 (92% versus 8% of boys). The NIBRS Table 2 from which the data above are derived is reprinted below. As can be seen Table 2 excludes male victims in its chart entitled “Female proportion of sexual assault victims.”¹¹⁶ This is unfortunate since these data provide some of the only government reports giving information about the sex abuse of boys. Clearly, extracting “males” under age 18 yields a serious measure of boy abuse via sodomy.

Table 5: (Table 2 in NIBRS)

Victim age	All sexual assaults	Forcible rape	Forcible sodomy	Sexual assault with object	Forcible fondling
All ages	86.2%	98.7%	45.5%	87.4%	81.8%
0 to 5	69.4	93.7	36.7	80.0	70.3
6 to 11	74.9	97.1	36.1	83.2	76.0
12 to 17	90.9	98.5	51.1	92.3	88.8
18 to 24	95.4	99.5	55.5	97.1	91.7
25 to 34	96.1	99.4	67.5	94.7	91.9
Above 34	95.3	99.3	68.4	89.5	90.5

Table 5: As is seen in the reprinted NIBRS Table 2, left, although there is some degree of female abuse of boys, the estimated 2 % to 5 % bi/homosexual cluster¹¹⁷ is mainly responsible for the reported sodomizing of boys under age 5 and those sodomized with an object¹¹⁸ (although some female rape of boys is reported.).

By the time boys were 12 to 17 their victimization decreased. Perhaps they were better able to defend themselves or perhaps over age 12 boys are seen as less desirable by bi/homosexual molesters. In any case, at the “older” ages, boys decreased as victims of object and penile sodomy. Despite the politically

correct use of the term “rape” for males in Table 2, girls were the victims of “rape” since *by definition* boys are sodomized and not raped.¹¹⁹

Although limited, the NIBRS data are truly rare and helpful in that they provide some official DOJ data on sexual abuse of boys by a significant pederast subculture within a culture of 2% to perhaps 5% at most, male bi/homosexuals. The NIBRS data find a significantly higher rate of *boys than girls under age 12*

¹¹² Id., NIBRS, “Sexual Assault of Young Children,” p. 2 (Emphasis added).

¹¹³ Id., NIBRS, p. 2.

¹¹⁴ Id., NIBRS, p. 12.

¹¹⁵ Supra NIBRS.

¹¹⁶ Id., Reisman, *Kinsey, Crimes & Consequences*, Chapter 3, pp. 49-68.

¹¹⁷ See the extensive literature on the current estimates of homosexuality (roughly 1% to 2% of the US male population) perhaps cited best in The Regent University Law Review special issue, “Homosexuality Truth Be Told,” Volume 14, Number 2, 2001-2002. The use here of a “bi/homosexual” male population of 2% to 5% reflects that general valuation.

¹¹⁸ Supra NIBRS.

¹¹⁹ Supra NIBRS. Also Steven H. Gifis, *Law Dictionary*, “Rape: unlawful sexual intercourse with a female person without her consent,” Barron’s Educational Series, Inc., New York, p. 384.

forcibly sodomized by a man, men or older boys. While girls aged 14 to 17 have “10 times”¹²⁰ more reported victimizations, girls are far more likely to *report* male sexual victimization than are boys.

At least some of the *reported* data on sexual violence in the schoolroom has found its way into the DOJ publication, “Indicators of School Crime and Safety, 1999.” The above findings correlate with school safety reports addressed in Part IV that find sex--not guns--responsible for most serious in-school crimes against children.

Also, NIBRS reports more boys under 12 years old (31%) than girls (23%) were victimized while they were in the company of another young child. “For victims under age 12 who were victimized with others, 90% of victimizations involved another youth under age 12.”¹²¹

These findings should inform the debate on bi/homosexual clergy and Boy Scout leaders, since a small group of children, say in a sports team, may be the victims of one or two predators’ group or team sexual assaults. Prevent *Child Abuse America* notes that “[e]stimates suggest that males account for 25-35% of child sexual abuse victims.”¹²² The NIBRS data report that “[a] greater percentage of juvenile sexual assault victims were boys” than were adult male sexual assault victims.¹²³ Even these few adults are commonly homosexual males victimizing one another.¹²⁴ “Hate” crime data confirm historical and cross-cultural evidence that thousands of *boys* are forcibly sodomized by bi/homosexual males annually.¹²⁵ Thus, the most significant “hate crimes” against homosexuals (as Kirk and Madsen noted) are inflicted by same-sex men.¹²⁶

SODOMY OF BOYS IS UNDERREPORTED OR NOT REPORTED

The National Center for Victims of Crime (NCVC) (www.ncvc.org) FYI Bulletin, “Male Rape,” cites to the *Bureau of Justice Statistics, 1997*, stating that there were “over approximately 4,890 rapes [sic] of males age 12 and over in the United States in 1994.” *Again, omitted in this official bulletin are any data on the ages of these victims, that is, the largest bi/homosexual victim population: boys under 12 years old.*

The “males” reported as sodomized in “Male Rape,” were largely *boys*, about 5,000 “rapes” of boys 0 to 17 years old, their ages carefully purged from the DOJ report. On the evidence, most boys so assaulted

¹²⁰ Supra NIBRS.

¹²¹ Id., NIBRS, p. 5.

¹²² The “Fact Sheet: Sexual Abuse of Children” No date, February 2002, preventchildabuse.org.

¹²³ Supra NIBRS.

¹²⁴ See the document by homosexual activists, David Island and Patrick Letellier, *Men Who Beat the Men Who Love Them: Battered Gay Men and Domestic Violence*, Harrington Park Press, New York, 1991.

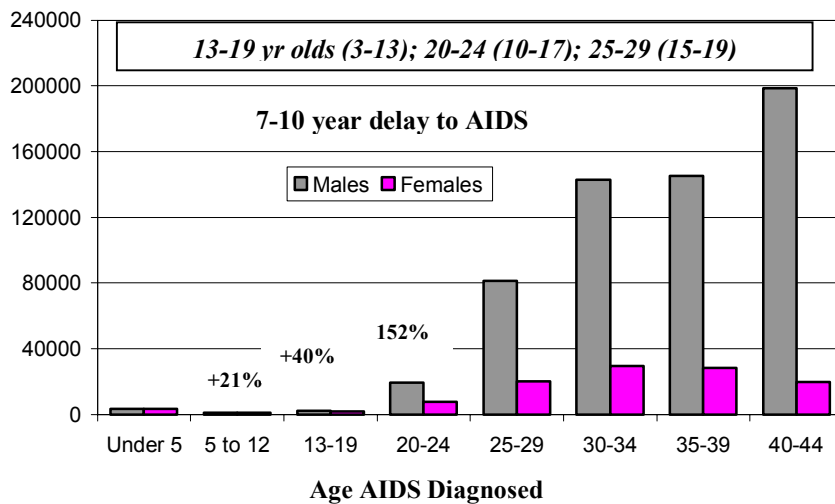
¹²⁵ Judith Reisman, “Crafting Bi/Homosexual Youth,” *Homosexuality: The Truth Be Told, Regent University Law Review*, May 2001, pp. 283-342, especially see 292.

¹²⁶ Id, REISMAN, MARSHAL KIRK & HUNTER MADSEN, AFTER THE BALL: HOW AMERICA WILL CONQUER ITS FEAR AND HATRED OF GAYS IN THE 90S (1989). On the one hand, “hate crimes” against homosexuals, such as a physical assault are statistically meager. On the other hand, the most statistically significant “hate crimes” against homosexuals, as Island and Letellier document in *Men Who Beat the Men Who Love Them*, are inflicted on male homosexual victims by male homosexual predators. ISLAND & LETELLIER. The United States Department of Justice, *Criminal Victimization 2000* finds 14,700 male victims of “Rape or sexual assault.” DEPARTMENT OF JUSTICE, NATIONAL CRIME VICTIMIZATION SURVEY: CHANGES 1999-2000 WITH TRENDS 1993-2000, at 8 (2001). The data citing 14,700 male “rape” victims identify no males reporting their forcible sodomization-rape as a “hate crime.” *Id.* Roughly 14,700 males (commonly young boys) were sodomized (while sodomy is perhaps an equally vile crime, I confine “rape” to its traditional definition of penetration of the female) during 1999-2000. Therefore, these 14,700 males were largely victims of bi/homosexual assault. By using the now discredited Kinseyan 10% homosexual figure, Island and Letellier overestimate “650,000 gay men” as annually battered; “a gay man is abused . . . every 90 seconds,” by his lover, ISLAND & LETELLIER at 267. The figures proposed by Island and Letellier and the Lloyd and West data documenting the sexual violence common to 300,000 to 600,000 boy prostitutes (addressed further herein) suggest that the 14,700 “rape” figure from the Department of Justice is a modest estimate of the current problem of bi/homosexual sexual violence.

eventually contract STDs while many, sodomized by infected men, succumb to AIDS. John R. Diggs, Jr., M.D. discussed the CDC findings, **Table 6**, on men infecting boys with AIDS:

Table 6: Men Infecting Boys versus Girls With AIDS

Cumulative AIDS Cases by Age and Sex Thru December 2001



“The Centers for Disease Control have compiled data on the difference in AIDS rates between males and females which reveal a trend in minor male sexual abuse which has been largely overlooked by law enforcement and social service agencies. As expected, congenital AIDS acquired in mother-to-child transmission is equally distributed between males and females. However, ominous changes appear as early as the 5-12 age group when male AIDS victims exceed the female by 21%. This excess doubles to 40% in the 13-19 age group before skyrocketing to excess male AIDS cases in the 20-24 year-old group.”

”To understand the full meaning of this finding, further explanation is necessary. First, the current medical understanding is that there is a 7-10 year delay between HIV infection and a full diagnoses of AIDS. The CDC statistics are for AIDS patients. *Therefore, the 13-19 year old group was probably infected between ages 3 and 13. The 20-24 year old group was probably infected between ages 10 and 17 and the 25-29 year old group between ages 15 and 19.*”

”How were these males exposed to HIV in ways that were not as common for females? Certainly, sexual activity with persons at high risk for HIV must be at the top of the list. Clearly, the high risk perpetrators would not include minor females. It also would not include other minor males. Sexual abuse by adult females, besides being rare, is not a high-risk for HIV unless the female is an IV drug abuser. *Therefore, we are left to conclude that the excess number of AIDS cases in boys is the result of sexual abuse, pederasty, by males at high risk for HIV. By definition, this means males practicing homosexuality.*”

”This criminal behavior consists of both pederasty (male sex with boys) and possibly attempted murder or murder when perpetrators are aware of their HIV status. Public health and legal authorities have not adequately responded to this threat. Instead, in some states (such as my own Commonwealth of Massachusetts) government funding facilitates access of adult homosexuals to minors who *think* they may be homosexual. The consequences are fatal.”¹²⁷

Dr. Diggs’ observations are in concert with NIBRS findings. For NIBRS reports that under age 12 (and especially boys at age 4) are the most likely ages for victimization via bi/homosexual sodomy.

¹²⁷ Personal discussion with John Diggs, M.D., August 7, 2002, citation to: CDC Surveillance Report Vol. 12, No. 2, Table 7. AIDS cases by sex, age at diagnosis, and race/ethnicity, reported through December 2000, United States. Available online, [CDC HIV/AIDS Surveillance Report - Volume 12, Number 2](#).

NIBRS data translate into pandemic boy sex abuse while the AIDS data translate into pandemic boy sexual homicide.

“Based on the NIBRS data, the year in a male's life when he is most likely to be the victim of a sexual assault is age 4.”¹²⁸

Thousands of boys are forcibly sodomized, thousands more sodomized with an object and allegedly roughly 20,000 will later test positive each year for AIDS. While the NIBRS data find *boys under age 12 are 64% of all forcible sodomy victims*, only *once*, in discussing teenagers, does the politically incorrect noun “boy” appear in “Male Rape.” The authors write:

“Boys in their early and mid-teens are more likely to be victimized than older males (studies indicate a median victim age of 17). The form of assault usually involves penetration of the victim anally and/or orally ...

Gang rape is more common...[as are] multiple [abuses]... weapons ... and [serious] physical injury is more likely to occur, than with injured female rape victims (Porter, 1986)... There are many reasons that male victims do not come forward and report being raped, [sic: sodomized] but perhaps the biggest reason for many males is the fear of being perceived as homosexual.”¹²⁹

A full, objective DOJ report on “male” sexual victimization and the role of pornography in boy and girl sexual abuse is critically needed. By minimizing the widespread sexual abuse of boys by bi/homosexuals, government bureaucrats and academicians inevitably put at risk hundreds of thousands of potential boy victims. Following the emergence of the “gay rights” movement, academic and government researchers, no less than the mainstream press and television news, began to repeat politically motivated accounts for bi/homosexual predation that compromised serious child protection scholarship.

PART IV

ANCILLARY CHILD SEXUAL ABUSE STATISTICS

The exclusion of “statutory rape” by the FBI UCR post-1957-1958 raises serious questions about loss of data on incest and child sexual abuse. On the one hand, “*Crime in the United States, 1999*” includes data on child homicides under 12, detailing the murders of infants “under 1,” as well as ages “1 to 4” and “5 to 8,” “9 to 12,” etc.¹³⁰ On the other hand, the “Rape” data for “*Crime in the United States, 1999*” include *no* victim ages *despite* ages on record and despite detailed age-of-victim homicide data.¹³¹

Adult and “virtual” child pornography champions, on guard to position their product as nontoxic, commonly cite to any law enforcement data that indicate reduced sex crimes. However, the April 2002 DOJ statistics finding that “Rape/sexual assault” again *increased* by 13.3% continues the upward spiral of pandemic sexual violence. On the other hand, the *decrease* in non-sexual crime negates the alleged “catharsis” effect from widely available post-1950 pornography. Having pornography widely available has in no manner cathartically *decreased* sexual crime--as was eagerly predicted by psychologists and sociologists employed as witnesses for the sex industry.¹³²

¹²⁸ Id., NIBRS, p. 4.

¹²⁹ The National Center for Victims of Crime (NCVC) (website, ncvc.org), FYI Bulletin, “Male Rape,” cites to the *Bureau of Justice Statistics, 1997, 1998*, p. 2.

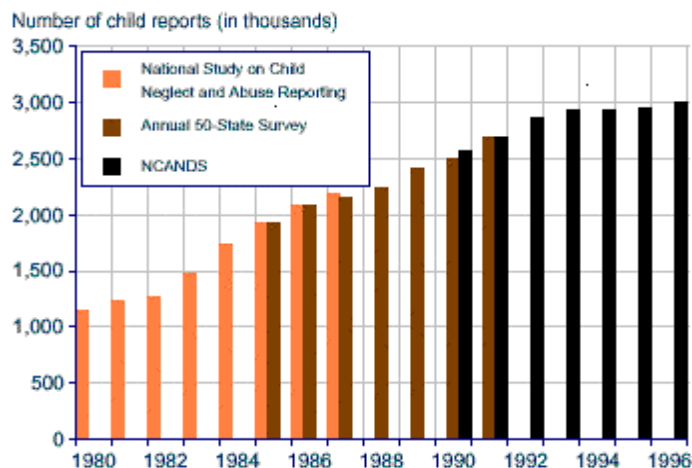
¹³⁰ BJS, “*Crime in the United States, 1999*,” p. 16.

¹³¹ See US Department of Justice, “Database,” Abstracts, Authors, Reisman, NCJ number: 107147; Title: “Role of Pornography and Media Violence in Family Violence, Sexual Abuse and Exploitation, and Juvenile Delinquency,” Author: J A Reisman; Corporate Author: American University, School of Education; Sponsor: US Department of Justice, Office of Juvenile Justice and Delinquency Prevention; Publication Date: 1987; Grant No.: 84-JN-AX-K007, winter 1999.

¹³² NewsMax.com April 2002 p. 38, citing to Bureau of Justice Statistics, 2000 KRT. The evidence shows that instead, copycat sex crimes have increased exponentially following “soft” pornography’s depiction; from single rapes by an adult male of an adult woman to gang rapes by adult and juvenile males and even smaller boys; from coital assault to oral/anal assault, to

Table 7: Summary Data 161% Increase In Overall Child Abuse Reports 1980-1996

Maltreatment reports may involve more than one child—in 1996 over 3 million children were the subjects in 2 million reports



■ Reports of alleged maltreatment increased 161% between 1980 and 1996. The increasing trend in child maltreatment reports is believed to be the result, at least in part, of a greater willingness to report suspected incidents. Greater public awareness both of child maltreatment as a social problem and of the resources available to respond to it are factors that contribute to increased reporting.

Table 7: The 1996 DOJ abuse chart from “Children as Victims” documented an increasing profile of sexual and non-sexual abusers. “[O]ver 3 million children” are the reported subjects of various forms of maltreatment. 1980-1996.¹³³

Law enforcement collects vital statistics on victims and offenders, (weapons used, drugs, locations, dates and time of the crime, etc.), but the FBI and DOJ data on children under 12 and pornography use by child sex offenders are still consistently ignored, or closeted.

Table 8: The U.S. Census Bureau finds children to be a *decreasing percentage* of the US population, with roughly an overall 5% increase 1976 to 1999,¹³⁴ finding increased child abuse is not a function of increased child population.

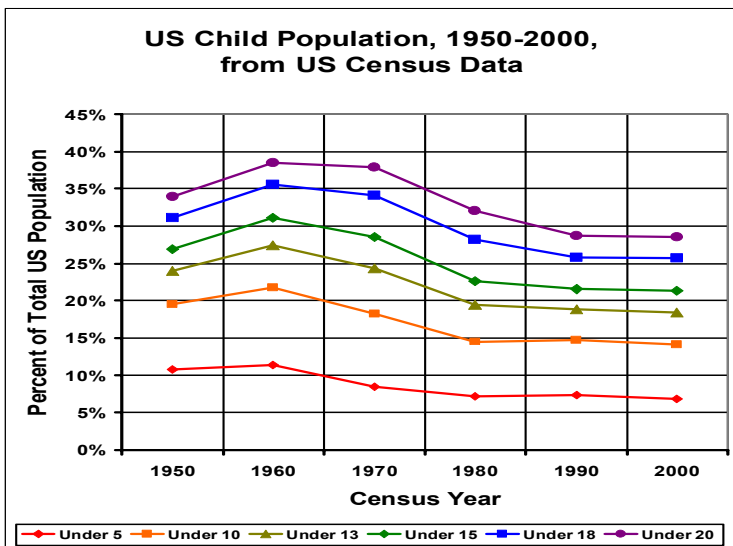


Table 8: U.S. Census Bureau Child Population Data

Using the best long-range child sex abuse data we have at this time, let us look briefly at two national reports that include data from our earliest, 1976 American Humane Association “Trends” analysis.

sex assault with objects, scatological sex crimes, bestiality, mutilations, murders and, finally, the targeting of children, both boys and girls. While it is difficult to hide a murdered body, the 418% forcible rape increase dramatically undercounts real rape data. The FBI figure of a 4% drop in forcible rape would mean that “forcible rape” temporarily decreased to a 414% increase after the 1950’s sexual revolution.

¹³³ U.S. Department of Justice, OJJDP, “Children as Victims,” 1999, National Report Series, May 2000, p 19. If about 33%, or “1 in 3 victims of sexual assault are under age 12,” and 14% are under age six, and if these data are not counted by the FBI as forcible rape, i.e., violent crime, then the FBI’s reported lower rates of criminal violence are dangerously misleading, at p. 10.

¹³⁴ US Census Bureau, Statistical Abstract of the United States: 2000, No. 12: “Resident Population by Age and Sex: 1980 to 1999,” p. 13.

Table 9: 348% More Child Abuse Reports 1976-1996

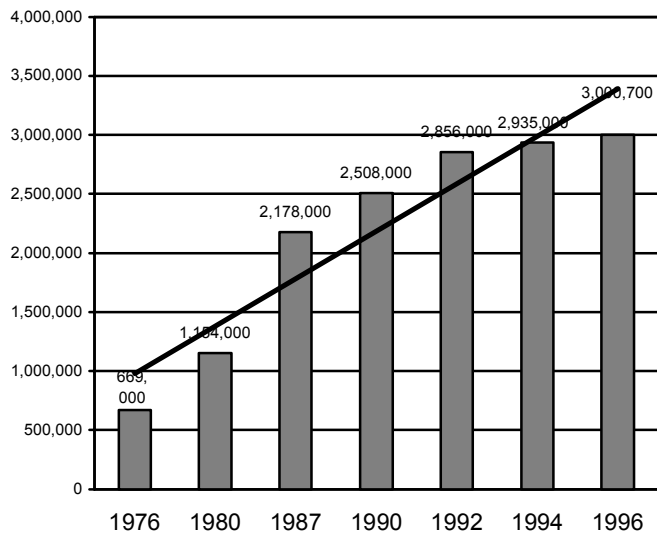


Table 9: The miniscule juvenile population increase does not explain the reported 348% boost in child abuse and significantly higher child maltreatment reports during that same time frame.

The AHA data during 1976 show an estimated 669,000 children reported to child protective services (CPS). Given the pioneering nature of the 1976 study and the unevenness of early state input, these *underreported* 1976 data support the observation that child maltreatment had reached critical mass by the mid-1970's, thus making a CPS data collection obligatory.

“[T]he massive increase in child abuse reporting between 1976 and 1982 may actually be a conservative estimate.”¹³⁵

Post-1987 NCANDS (The National Child Abuse and Neglect Data System) data are from the OJJDP Bulletin citing over 3 million “*Children as Victims*” and reporting 161% more child maltreatment from 1980 to 1996.¹³⁶ AHA data are child abuse reports to state departments of social services¹³⁷ contracted by the United States Department of Health, Education and Welfare, (DOHEW).¹³⁸

¹³⁵ Id., “Trends,” p. 12 (Also, AHA reports “[A]lthough there is much stability in distributions over time for all maltreated children, there are two interesting trends in the [child] sexual abuse data. On the one hand, the proportion of reports coming from social service personnel nearly doubles over the years from 8 percent to 16 percent... Conversely, the proportion coming from law enforcement personnel decreases from 21 percent to 15 percent.” AHA notes “Clearly these changes reflect illustrate the gradual re-definition of the problem of sexual abuse, as it has moved from a law enforcement matter to one of more general concern.” (p. 19). However, “general concern” could not have *reduced* reports by law enforcement, indeed “general concern” should have *increased* such reports, unless there was some intervening change in the attitudes of law enforcement leadership, percolating down to the field, regarding the issue of what constitutes the definition of child sexual abuse.

¹³⁶ US Department of Justice, OJJDP, “Children as Victims,” 1999, National Report Series, May 2000, NCJ 180753 p 19. Both the AHA database and those cited below document maltreated children. Roughly 10% of each child maltreatment database is commonly considered to reflect child sexual abuse. See Jones and Finkelhor, “The Decline in Child Sexual Abuse Cases” discussed here as misleading due to poor data collection and reporting and changes in law enforcement procedures, etc. (OJJDP, January 2001, p.3). Still, for purposes of understatement, the lower Jones/Finkelhor data are used here in Table 11b.

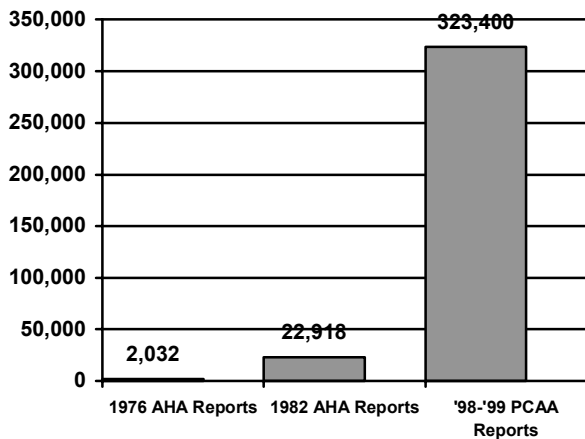
Sources: Authors' analyses of U.S. Department of Health and Human Services' *Child maltreatment: Reports from the States to the National Child Abuse and Neglect Data System* for the years 1992–1996 and the National Center on Child Abuse and Neglect's *National Child Abuse and Neglect Data System: Working paper 2, 1991 summary data component*.

¹³⁷ Id., Trends, “[A]lthough by and large there is considerable continuity... a certain minority of states has never participated in the National Study” while a few others erratically joined, etc. p. 11. AHA considers these “**conservative estimate**” of child sexual and non-sexual abuse and neglect. p. 19.

¹³⁸ AHA was contracted by the U.S. Department of Health and Welfare. “Incidents of child abuse and neglect are recorded by caseworkers who investigate them on state reporting forms submitted to their departments of social services.... processed by American Humane staff... [T]he data collected represent only cases of child neglect and abuse **reported** to state departments of social services.” Trends in Child Abuse and Neglect: A National Perspective, The American Humane Association, Children's Division, Denver, Colorado, 1984, p. 8. See OJJDP site <http://ojjdp.ncjrs.org:80/ojstatbb/excel/ga105.xls> for raw data.

These agencies commonly *report only* familial and *caretaker* abuse--*excluding* sexual abuse by strangers, friends, neighbors, clergy, etc. However, although pornography is increasingly common in the home environment, escalating incest exponentially, until the data separate out biological fathers from non-biological father figures, the oft-cited claim that fathers commit most child sex abuse is not sustained by the data.

Table 10: 15,185% to 1,311% More Child Sex Abuse Reports 1976-1999



Source: American Human Association, 1976 & Prevent Child Abuse America, Post 1982

Table 10:¹³⁹ On April 1, 2001 in their 1999 50-State Survey (*parent/caretaker-only abuse*), the National Center on Child Abuse Prevention Research, Prevent Child Abuse America (PCAA), estimated over 3 million children reported to Child Protection Services (CPS) as maltreatment victims.¹⁴⁰ As various agencies claim a 9%, 11%, 12% to 14% child sex abuse population,¹⁴¹ Table 10 reflects a conservative 10% abuse population to calculate changes in *reports* of child sex abuse.

Were the earliest CPS dataset even vaguely correct, this would be a 15,185% increase from the 1976 HHS CPS *child sex abuse reports* to the '98-'99 PCAA CPS reports.¹⁴² An 8% child population increase during that time does not explain this, nor does it clarify the increase of 1,311% CPS *reports* from 1982 to '98-'99 (22,918 to 323,400).¹⁴³

Jones and Finkelhor, Office of Juvenile Justice and Delinquency Prevention (OJJDP) authors, claimed a “decline of 31 percent” in “substantiated” sex abuse cases from 1992 to 1998.¹⁴⁴ However, while NIBRS documents that “[i]n each sexual assault category except forcible rape children below the age of 12 were about half of all [sex] victims,”¹⁴⁵ Jones and Finkelhor again *exclude* the age and sex of these sex abuse victims. Absent age and sex victimization data, said “decline” is misleading. Also, “substantiated” abuse cases, as the authors admit, do not mean that the unsubstantiated reports were untrue.¹⁴⁶ Elsewhere HHS notes that roughly 34% of their referrals are just never investigated.^{147 148} Moreover, while Jones and Finkelhor assert 314,400 child sex abuse cases in 1998,

¹³⁹ AHA "Trends," p. 112 and Regression Estimates for 1950, 2000 and 2010, linear least squares estimates.

¹⁴⁰ Id, supra 6, Finkelhor, citing to child welfare agencies as only recording parents and such caretaker offenders.

¹⁴¹ “Current Trends in Child Abuse Prevention, Reporting, and Fatalities,” Working Paper Number 808, National Center on Child Abuse Prevention Research, a program of Prevent Child Abuse America, April 1, 2001, p. III.

¹⁴² HHS News, “HHS Reports New Child Abuse and Neglect Statistics,” The press release says that HHS investigated “66 percent” of the 2,806,000 child abuse and neglect referrals. Of that group, “Nearly 12 percent of the victims were sexually abused” April 10, 2000, p. 2. The unconfirmed reports allegedly remained thus due to lack of HHS resources—this is the case throughout the tenure of the agency. Also see, “Trends in Child Abuse and Neglect: A National Perspective, The American Humane Association, Children’s Division, Denver Colorado, 1984, p. 22, identifies “Sex Abuse statistics, p. 106, Table A-IV-16. See OJJDP site <http://ojjdp.ncjrs.org:80/ojstatbb/excel/qa105.xls> for raw data.

¹⁴³ See also a 367% *substantiated* increase in CPS reports (AHA, p. 22. Sex Abuse statistics, p. 106, Table A-IV-16.) from 1982 to '98-'99 (AHA CPS to PCAA CPS

¹⁴⁴ Id., Jones and Finkelhor, “The Decline in Sexual Abuse Cases,” January 2001, pp. 2, 5. Finkelhor has consistently ignored children under age 12 in his justice department reports and data, a dramatic error in methodology at best.

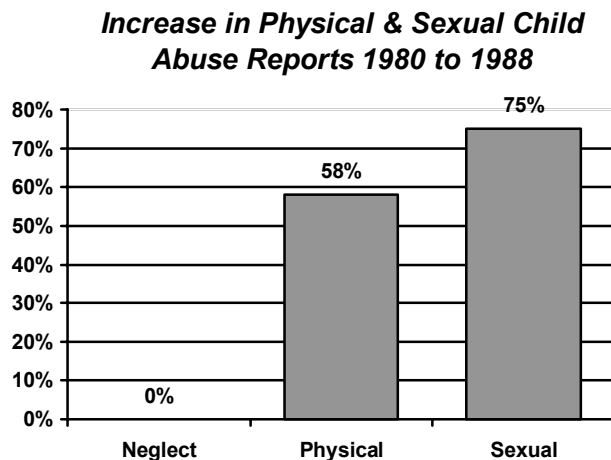
¹⁴⁵ NIBRS, “Sexual Assault of Young Children,” p. 2.

¹⁴⁶ Id, Jones and Finkelhor at 7.

¹⁴⁷ Note that its press release states that the HHS investigated “66 %” of the 2,806,000 child abuse and neglect referrals. The remainder were not necessarily invalid reports. The reports remained unconfirmed due to lack of resources—this is the case throughout the tenure of the agency. Of that group “Nearly 12 % of the victims were sexually abused,” April 10,

Prevent Child Abuse America cites “844,320 new cases of child sexual abuse accepted for service” in 1997.¹⁴⁹ The absence of 529,920 child sex abuse victims in the Jones/Finkelhor study – in one year – requires clarification.

Table 11: HHS: 75% More Child Sex Abuse in 8 yrs.



Source: US Dpt. of Health and Human Services, "Study of National Incidence and Prevalence of Child Abuse and Neglect, 1988," at 3-15.

Table 11: The confusion is compounded. A 1988 US Health and Human Services report reflected in Table 11 cites *no* increase in child *neglect* from 1980 to 1988 while reporting “*physical abuse* increasing 58% and *sexual abuse* occurring at more than triple its 1980 rate.”¹⁵⁰

So kin and other caretakers who once merely *neglected* their wards may be seen to have ratcheted up (or down) as a class into physical and especially *sexual* maltreatment of their wards. Or, older juveniles in the household may account for some of the dramatic increase in physical and sexual domestic child abuse. This is a logical deduction as juveniles are increasingly violent. May 2000, the DOJ report “Children as Victims” cited ballooning juvenile violence 1980 to 1997: “Between 1980 and 1997, nearly 38,000 juveniles were murdered in the U.S... Unlike the pattern of all murders... juvenile murders in 1997 were still substantially above the levels in the mid-1980’s when about 1,600 juveniles were murdered annually.”¹⁵¹

Over the 17 years (1980-1997), if 2,235 juveniles are killed a year, roughly 612 more juveniles were killed annually after the mid-1980’s. The slight increase in the youth population from 1980 to 1999 versus an overall increase of 40% in juvenile murder is highly relevant when the FBI broadcasts a general 6% decrease in “murder.”¹⁵² Moreover, the “hierarchy rule” that drops out the “lower” crime (rape in a murder case) misleads the polity. For example, following the kidnapping, rape and murder of 5-year-old Samantha Runnion in Stanton, California, *The Washington Times* (July 19, 2002) headline read, “Child abductions in decline, FBI says.”

But, the FBI *does not say that rape-murder* of children is down. For, is murder down while rape-murder is up? The FBI official website disingenuously identifies Samantha as a “Murder Victim.” The child was a *Rape/Murder Victim*. Obfuscating the *sexual lust* that *resulted* in the child’s murder, the FBI avoids challenging the mainstream pornography supplied to her predator. Indeed, two news reports casually mentioned the predator’s rental of *legal* pornographic videos that he viewed in concert with mainstream videos about children. The adult sex scenes would fuse with innocent child scenes in his brain, mind and memory, creating his personalized, lust filled, “child pornography” fantasy and plan.

2000, p. 2. And, “Trends in Child Abuse and Neglect: A National Perspective, The American Humane Association, Children’s Division, Denver Colorado, 1984, p. 22, identifies “Sex Abuse statistics, p. 106, Table A-IV-16.

¹⁴⁸ US Department of Health and Human Services, National Center on Child Abuse and Neglect, “Study Findings: Study of National Incidence and Prevalence of Child Abuse and Neglect,” substantiation is a result of voluntary information and subsequent “investigation,” while some states do not report, etc., p xi, 1988.

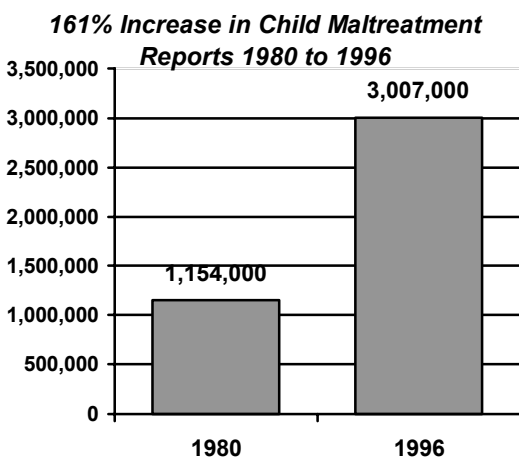
¹⁴⁹ Prevent Child Abuse America “Fact Sheet: Sexual Abuse of Children,” 1995-2002; preventchildabuse.org.

¹⁵⁰ US Department of Health and Human Services, “Study of National Incidence and Prevalence of Child Abuse and Neglect: 1988,” pp. 3-15. [Emphasis added.]

¹⁵¹ Id., “Children as Victims,” pp. 2, 3.

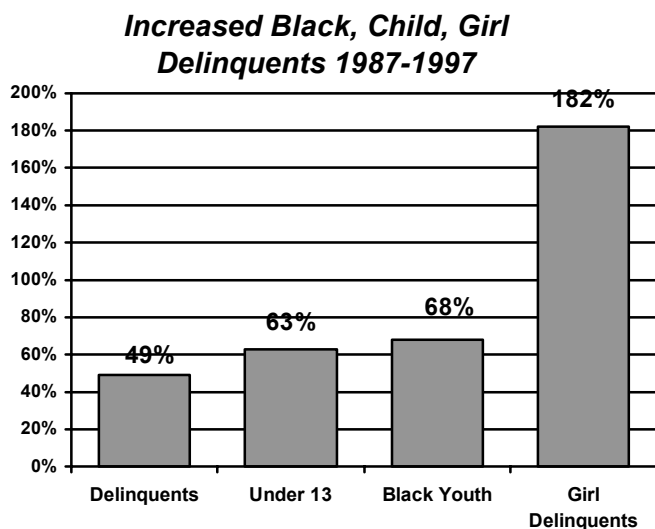
¹⁵² Id., “Children as Victims,” p. 14.

Table 12: Maltreatment Grows 1980 to 1996



OJJDP Children as Victims, 1999 National Report Series.

Table 13: 182% Increase in Girl Offenders



Source: DoJ/OJJDP Fact Sheet, August 1999, p. 1, #115

Table 12: This “Children As Victims” Table isolates the early (1980) and most recent (1996) years of data collection of child maltreatment.

The 161% increase in child maltreatment covers the years that the FBI claims to have recorded increasingly less violent crime.¹⁵³ On that note, we look at other overlapping, corroborative data, that profile too many of our future fathers and mothers, especially our juvenile girls.

Table 13: This table presents Juvenile Justice and Delinquency Prevention data that also appear to contradict decreases in child sexual abuse. The “juvenile Violent Crime Index arrests in 1996 were 49% above the 1987 level.”¹⁵⁴

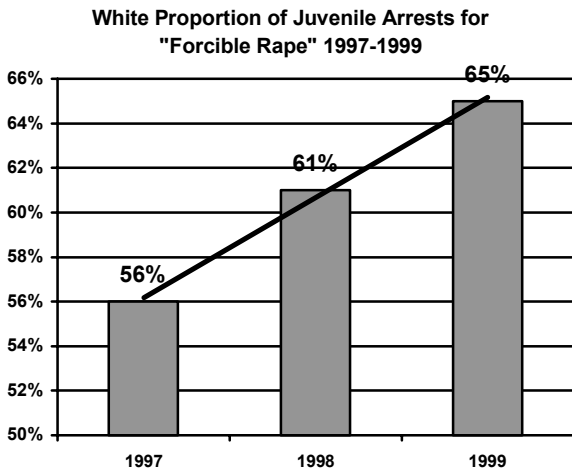
Note a 63% increase in offenders under 13, a 68% increase among black youth and the record-breaking 182% increase in young girls (our nation’s future mothers) engaged in “person offenses” 1987-1996. There are further problems with government reports alleging less violence, because these, like most, are restricted to “Violent victimization rate per 1,000 persons age 12 or older.”¹⁵⁵

¹⁵³ Id., “Children as Victims,” p. 19. Note that the FBI National Press Office, *Crime in the United States, 1999, and Errata*: stated, “The Federal Bureau of Investigation today announced the eighth consecutive annual decrease in serious crime. The final 1999 statistics released by the Uniform Crime Reporting (UCR) Program in the annual publication *Crime in the United States, 1999* indicate that reported serious crime was down 7 % from the 1998 figure and 16 % from the 1995 figure,” October 1, 2000 at 1.

¹⁵⁴ DOJ/OJJDP Fact Sheet, “Detention in Delinquency Cases, 1987-1996,” August 1999, #115, p. 1.

¹⁵⁵ U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics National Crime Victimization Survey Criminal Victimization 2000 Changes 1999-2000 with Trends 1993-2000 June 2001, NCJ 187007 p. 2.

Table 14: White Juvenile Predators, 2000

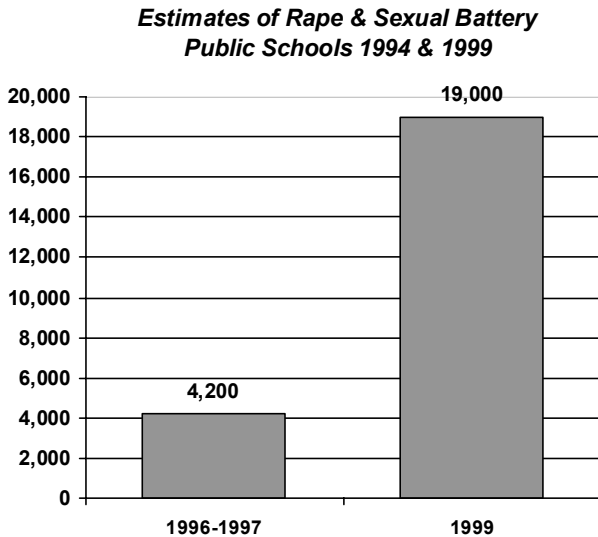


Source: DoJ/OJJDP Bulletin, 12-'98; '99; 2000, pp. 4, 6.

Table 14: In 1997 white juveniles comprised 56% of the juvenile arrests for “forcible rape” and 40% of the juvenile arrests for murder.¹⁵⁶ The 1998 “Juvenile Arrests” report gives only the black proportion for murder (49%) and forcible rape (39%). In 1999 the black juvenile was arrested for murder (49%) and forcible rape (35%).¹⁵⁷ The DOJ/OJJDP reported data state that all races were classified as “white” or black. If these arrest data are accurate, “white” juvenile rapists have increased by roughly 10% in three years and are now 65% of all reported juvenile rapists.

That juveniles are increasingly sodomizing and raping other juveniles and younger children is significant information indeed. Yet, white juvenile murder and *forcible rape* rates *rose* significantly during the years Jones and Finkelhor claim child sex abuse *decreased*. Despite these reports, DOJ agencies continued to largely ignore rape and violence to children under age 12.¹⁵⁸

Table 15: "School Crime and Safety" 1999



Sources: DoE, NCES 1999-057; DoJ, NCJ 178906, 1999, p. 63.

Table 15: College administrators are finally admitting their campuses have a rape epidemic and more recently primary and secondary schools are admitting to such school-ground crimes.¹⁵⁹ While the above tables address juvenile sex offenders and not the age of their victims, juveniles are on record as largely victimizing other youths or children physically and sexually. At right, in 1996-97, public schools reported 4,200 cases of “rape or other type of sexual battery” (e.g. forcible sodomy, etc.) against students,¹⁶⁰ while other DOJ 1999 estimates cited perhaps 19,000 school victims. While reporting criteria appear to be the same, inexplicably, the resulting data differ radically.

These findings also appeared in the 2001 DOE report on rape and sexual assault on school grounds.¹⁶¹ However, a DOJ specialist¹⁶² confirmed a *New York*

¹⁵⁶ DOJ/OJJDP, Juvenile Justice Bulletin, “Juvenile Arrests 1997,” December 1998, p. 1, 7.

¹⁵⁷ DOJ/ OJJDP “Juvenile Arrests 1999,” December 2000, p. 4.

¹⁵⁸ U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics National Crime Victimization Survey Criminal Victimization 2000 Changes 1999-2000 with Trends 1993-2000 June 2001, NCJ 187007 p. 2.

¹⁵⁹ *The Sacramento Bee*, “Rape, An Invisible Epidemic,” September 24, 25, 2000 A1. (sacbee.com).

¹⁶⁰ Id., US Dpt. of Education and US Dpt of Justice, *Indicators of School Crime and Safety*, September 1999, p. 47 and p. 63, Table 8.5.

¹⁶¹ US Dpt. of Education and US Dpt of Justice, *Indicators of School Crime and Safety*, September 2001, p. 67, Table 8.3.

¹⁶² Dear Dr. Reisman: According to our data, there were approximately 12,000 rapes in or around schools in 1994. In 1999 (the most recent data that we have), there were over 19,000 rapes that occurred in or around schools."Criminal Victimization in

Times report which claimed “12,000 rapes and sexual assaults,”¹⁶³ “[i]nside school building/on school property” in 1994, and 19,000 in 1999.¹⁶⁴ Upon closer scrutiny, this author found the higher DOJ estimates were “based on about 10 or fewer sample cases” that “includes verbal threats of rape and threats of sexual assault.”

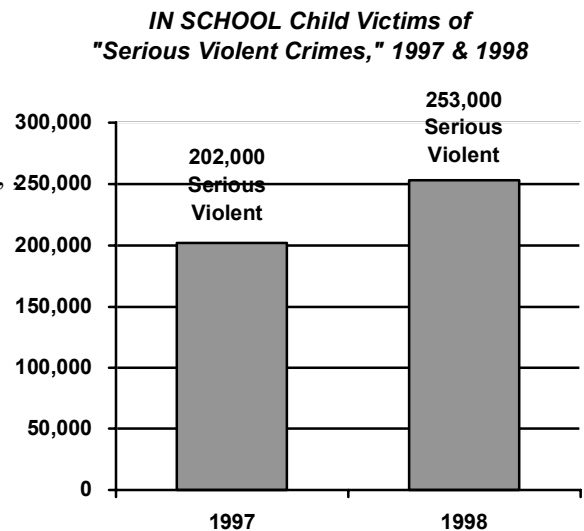
While the actual number of sexually violent crimes remains to be determined, crime is clearly an increasing problem in primary and secondary schools. As an example, allegedly typical of the nation, California schools are in session 180 teaching days a year.¹⁶⁵ And, 34 children are expelled every day for bringing (not using) guns or bombs to school.¹⁶⁶ If California's 180 school days roughly applicable to the nation, even at 4,200 sexual victims,

Table 16: All school violence data still exclude victims under age 12. The school sexual abuse data -- were they even modestly reliable -- support a finding that eroticized schools are hazardous to children's health, even in terms of “verbal threats” of rape or sodomy.¹⁶⁷

Adults assaulted in childhood by educators also document the frequency of child abuse in schools.

SESAME, (Survivors of Educator Sexual Abuse & Misconduct Emerge) is an activist group of largely adult whistleblowers alleging they survived sexual assault by those in the educational field. SESAME: “A Voice for the Prevention of Sexual Exploitation, Abuse, and Harassment of Students by Teachers and Other School Staff” points out that pedophiles and pederasts seek out jobs and volunteer services where they can have criminal access to children.

Table 16: DOJ "School Crime and Safety"



Sources: DoE/DoJ Report, 1999-057; pp. vii, 43; DoE/DoJ Report, 2000, p. 5.

the United States, 1994," <http://www.ojp.usDOJ.gov/bjs/pub/pdf/cvius94.pdf>. ...Table 63... For the 1999 data, you can take a look at "Criminal Victimization in the United States, 1999 Statistical Tables," National Crime Victimization Survey, January 2001. [383,170,000 rapes and sexual assaults, 8.9% “inside school building or on school property” compared to 1.8% taking place “on public transport or inside station”] at <http://www.ojp.usDOJ.gov/bjs/pub/pdf/cvus99.pdf>... Table 63. These are all age 12 and over only data. ...[See also] crime that is committed in schools. “1999 Annual Report on School Safety.” [Ages 12 through 18 were counted, no “elementary school” age children. Out of 72 pages 25 cites were to “hate crimes” and 2 cites to rape, no data regarding the numbers of rapes in schools each year. Rape is lumped together with assaults and robbery. While there were 46 killings in schools 1997-8 compared to 4,000 to 12,000 rapes or sexual assaults neither schools nor DOJ demands accountability for the sexual violence against school children.] “You can access them from our Web site at <http://virilib.ncjrs.org/juv.asp?category=47&subcategory=185>. If you have any further questions, please feel free to write back and thanks for using AskNCJRS. Ken M, Information Specialist, NCJRS, received 7/23/2001.

¹⁶³ *NYT*, June 3, 2001. In addition the July 9, 1999 *Heights Hackensack University Medical Center News*, reported “Sate Lawmakers urge redefining of sex crime,” due to the “narrow definition of rape created by the FBI and followed by New Jersey State Police.” On point re: this paper, Assemblywoman Rose Marie Heck stated “If we don’t see the crimes in print, then we’re going to think they’re not happening anymore.” See www.bergen.com/news/scrimerg19990787.htm.

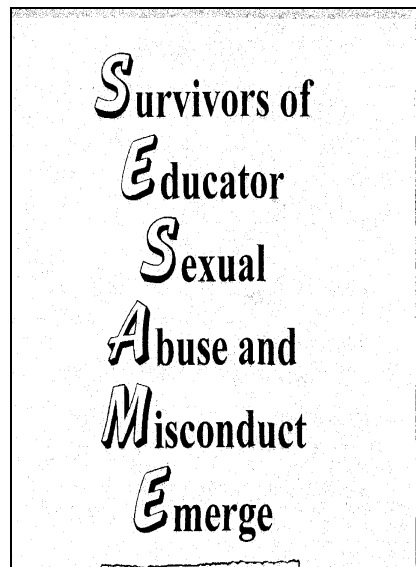
¹⁶⁴ DOJ Criminal Victimization in the United States, 1994, and same document, 1999, Table 63 via “% of Incidents” in a series of locations. DOJ buries the school abuse data in % of incidents, in two columns, “strangers, non strangers” requiring extrapolation from number of incidents, etc., by noting only the percent of each group that experienced “rape/sexual assaults” with 12 choices for crime location. These data do not appear to have been designed for easy public access.

¹⁶⁵ The Sacramento, California Unified District website.

¹⁶⁶ Center for Successful Parenting, “Every Day in America,” Indianapolis, Indiana, 2002, csp@americaonramp.net.

¹⁶⁷ John R. Lott, Jr., *More Guns, Less Crime*, University of Chicago Press, Chicago, Ill, 2000.

SESAME, (SURVIVORS OF EDUCATOR SEXUAL ABUSE & MISCONDUCT EMERGE)



SESAME reports that *the Journal of Education Research* (1991) finds in its "Survey of high school graduates ... 13.5% of those surveyed said they had engaged in sexual intercourse with a teacher."¹⁶⁸ In yet another survey reported by SESAME, "The best estimate is that 15% of students will be sexually abused by a member of the school staff during their school career."¹⁶⁹ "Criminal convictions of Ontario teachers in 1996-97 involves enough victims to fill an entire classroom."¹⁷⁰

With today's opportunities to bring sex into the classroom, legislators, parents and educators are obliged to question what percentage of those adults "helping" children seek to exploit themselves. We now know Kinsey, for example, "was deeply influenced by five paedophile headmasters who were quite clear they had very warm relationships with young adolescent boys of twelve or thirteen" in one New England area.¹⁷¹

The Department of Education and the Department of Justice "Indicators of School Crime and Safety 1999" report more than a 25% increase in what are called "nonfatal" but "violent" in-school crimes against children," 1997 to 1998.¹⁷² The DOE/DW reports 2,721,200 total crimes in 1997 with children between ages 12 and 18 as "victims of about 202,000 serious violent crimes at school." This increased to "more than 2.7 million total crimes at school, and about 253,000 serious violent crimes at school" in 1998,¹⁷³ a 25% increase in "serious violent crime" in one year.¹⁷⁴

The 1999 DOE/DOJ "Indicators" report also obscures *data on child victims*, citing the number of rape victims per month and their locations but saying only, "Of those arrested, 44 percent were under age 25."¹⁷⁵ Both sex abuse data for under-age 12 child victims and that of the general "youth" population, ages 13 to 24 are withheld. (Note that as more children have left the school's 'crime victims census population' for private, charter, parochial and home-schools, the school crime rate should have *decreased* significantly.¹⁷⁶)

¹⁶⁸ SESAME brochure, 1996, Shakeshaft, Ph.D., Hofstra University Testimony, the New York State Commission on Children and Families, February 2, 1998 at 1.

¹⁶⁹ *Id.*

¹⁷⁰ SESAME, *Id.*, The Kingston Whig-Standard, Ontario, September 13, 1997, at 1.

¹⁷¹ England's Yorkshire television, "SECRETS: Kinsey's Paedophiles," Tim Tate producer, director, interview with Jonathan Gathorne-Hardy, Kinsey biographer, in the author's archive, June 17, 1998, Tape #SP 27 & 28, at 46.

¹⁷² US Dpt. of Education and US Dpt of Justice, *Indicators of School Crime and Safety*, 1999 September 1999, p. 47.

¹⁷³ *Id.*, *Indicators*. pp. 5/12 download from Internet file.

¹⁷⁴ *Id.*, "serious violent crimes at school (that is rape, sexual assault, robbery, and aggravated assault," p. v.

¹⁷⁵ DOJ/FBI, "Crime in the United States, 1999", P. 25.

¹⁷⁶ Not only has the notion of what is "vile" to inflict on others been downgraded to what is physically, seriously "violent," the FBI and law enforcement "hierarchy rule" (see Discussion following) reveals one way that critical violence data are eliminated from the public square and public debate, which limits adequate corrective action through appropriate state and federal intervention and/or legislation. For example, if the high increase in violence and sexual violence in our schools is not a function of gun ownership, this might just suggest an environmental toxin (such as mainstream media and mainstream education) is at work. Following are other evidential indicators of increased violence to children.

Table 17: State foster care has displaced orphanages and has become the preferred destination of children removed from 'inadequate' parents or kin. On the evidence, however, foster care frequently provides at least as much injury to children as do errant, even violent, parents.¹⁷⁷ Child Protection Services has come under investigation in many jurisdictions for hiding child abuse by foster parents.¹⁷⁸ Nor is CPS mandated to report sex crimes against roughly one million child runaways and "throwaways," the majority of whom survive as child prostitutes. In fact these brutally exploited children are not clearly identified in any DOJ and FBI statistics located for this research.

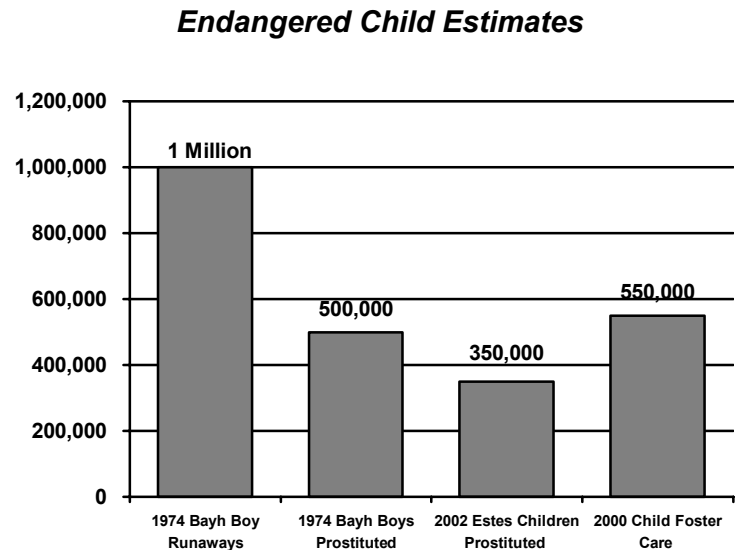
Nor does it appear that the DOJ or FBI data reflect the abuses sustained by prostituted and runaway children. Sexual libertarian Richard Green, in *Sexual Science and the Law* (1992), writes of the existence of at least 600,000 prostituted children, whose average age is reported as "fourteen (two years after the first experience with intercourse)."¹⁷⁹

On September 10, 2001 University of Pennsylvania researchers reported an estimated 350,000 U.S. children *age 17 or under* were being used as "prostitutes, performers in pornographic videos" and as victims of other "commercial sexual exploitation." The three-year, \$400,000 study covered 17 cities and interviews with 200 child victims as well as 800 state, federal and local officials. Juvenile law experts claim this is the deepest investigation yet into the extent of U.S. commercial sex abuse of children. Richard Estes, a professor of social work at Penn and primary author found that among the 72 million U.S. children age 17 or under As many boys as girls were identified as being commercially abused.¹⁸⁰

The research by Estes and Neil Weiner of Penn's Center for the Study of Youth Policy was funded by grants from the Justice Department, the W.T. Grant Foundation, the Fund for Nonviolence and Penn's Research Foundation. Previously there were few estimates of the number of children involved in the illegal commercial sex trade.

However, in 1974, Senator Birch Bayh, former Chairman of the U.S. Senate Subcommittee to Investigate Juvenile Delinquency, cited investigative journalist Robin Lloyd for his excellent work documenting the growing problem of prostitution and murder of boys. In *For Money or Love*,¹⁸¹ Lloyd reported on runaways¹⁸² and high school students marketed in boy prostitution rings.¹⁸³ Bayh found Lloyd's data "frightening in its accuracy."¹⁸⁴ Decades before the current "pedophile priest" scandal, Bayh

Table 17: Child Runaways, Prostitutes & Foster Care



¹⁷⁷ *Time Magazine*, "The Crisis Of Foster Care," Timothy Roche, November 2000, VOL. 156, NO. 20. (Emphasis added.)

¹⁷⁸ *Id.*, *Time*

¹⁷⁹ Richard Green, *Sexual Science and the Law*, Harvard University Press, Cambridge, 1992. p. 192.

¹⁸⁰ Dr. Richard Estes, *The Commercial Sexual Exploitation of Children in the U. S., Canada and Mexico*, U.S. Department of Justice/National Institute of Justice), Reisman, FBI. See *The Courier-Journal, USA Today*, "325,000 U.S. children in sex trade, study says," September 10, 2001.

¹⁸¹ Robyn Lloyd, *FOR MONEY OR LOVE*, Bantam, New York, 1976, p. 38.

¹⁸² *Id.*, Lloyd, p. 17.

¹⁸³ *Id.*, Lloyd, p. x.

¹⁸⁴ *Id.*, Lloyd, p. ix.

disclosed that the expanding “homosexual world”¹⁸⁵ was largely responsible for the “growing abuse and murder of boys.” Since 1976 the national influence of the so-called gay rights movement has fueled the burgeoning child sexual exploitation underground.¹⁸⁶ Said Lloyd:

Perhaps half of the million runaway boys in this country (aged 10 to 16) are peddling their bodies to “chicken hawks”— older men who lust for “chicken” [boys]¹⁸⁷... There are tightly run organizations... geared to provide wealthy clients with both pornography and boys... their boys will entertain movie stars, prominent athletes, politicians, and in some cases, heads of state.¹⁸⁸

In November 2000, *Time Magazine* published a three-part expose, “The Crisis of Foster Care,” which documented too many segments of the child-care system as corrupt and unrepentant, even having hidden records of rape and child murder.

Five years ago [in 1995], there were about a quarter of a million (250,000) children in the country's foster-care systems. Today that number has doubled; to between 550,000 and 560,000 children... neglect, physical and sexual abuse of children in the various foster-care systems *is feared to be significantly higher than the incidence in the general population. Nobody bothers to keep an accurate count, but in round numbers, more than 7,500 children are tortured under what is technically government protection.*¹⁸⁹

Table 17, above, finds boy “Runaways & Throwaways” cited by Bayh’s 1975 Senate subcommittee as roughly one million. “Perhaps half of the million runaway boys in this country (aged 10 to 16) are peddling their bodies.” Loyd reports, “Boy prostitutes in Times Square outnumber female hookers five to one.”¹⁹⁰ Neither DOJ nor the FBI appears to have a system in place that reflects the abuse level among these children in foster care or the level of abuse of prostituted children.

PROSTITUTED CHILD DATA IGNORED BY LAW ENFORCEMENT AGENCIES?

While about one million children were estimated as prostitutes, with roughly half of these boys, recent child protection estimates suggest 350,000 children are prostituted in the USA. How do the FBI and other justice agencies classify sex crimes against prostituted girls and boys? The real number of child prostitutes is invalidated by indifference seen by the absence of any uniform data collection, despite the word ‘uniform’ being a prominent part of the title. The latest *FBI Uniform Crime Reporting Handbook, NIBRS Edition* (1992) states: “Certainly no 4-year-old is capable of consenting, whereas victims aged 10 or 12 may need to be assessed within the specific circumstances.”¹⁹¹ The National Center for Missing and Exploited Children offers further evidence of the bureaucratic disinterest in our prostituted children:

Child prostitution is the most overlooked form of child abuse in the United States and the public attitude towards it needs to change. There are currently no state agencies charged with identifying and investigating juvenile prostitution and recording its existence. It is often treated as a nuisance crime by local law enforcement. There is also the misconception that juvenile prostitutes are willing participants in their own victimization. Having experienced unimaginable abuse, they are truly victims in desperate need of help. Professionals from a variety of disciplines including the

¹⁸⁵ Id., Lloyd, Id.

¹⁸⁶ See Judith Reisman, “Crafting Gay Children,” The Institute for Media Education, Crestwood, KY, May 2000.

¹⁸⁷ Id., Lloyd, p. book cover.

¹⁸⁸ Id., Lloyd, p. 17.

¹⁸⁹ Id., *Time*.

¹⁹⁰ Id., Lloyd, back of book jacket.

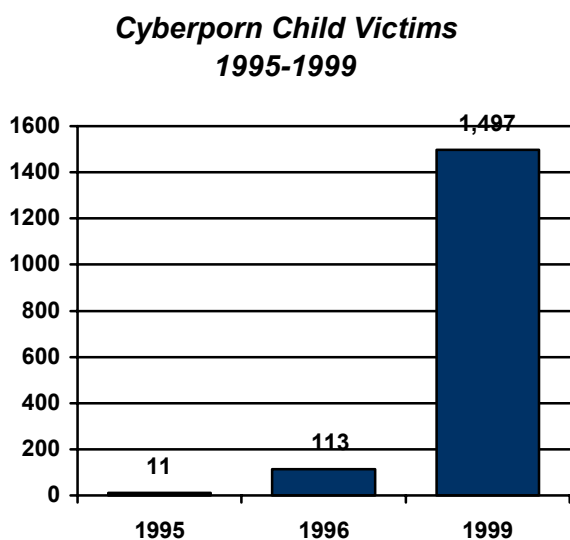
¹⁹¹ *FBI Uniform Crime Reporting Handbook, NIBRS Edition* (1992), at 21.

court system, law enforcement, and victim service agencies must increase their collective efforts to combat this problem.¹⁹²

The FBI “Crimes Against Children” office confirmed to this writer that runaways and prostitutes (especially boys) are NOT commonly reported as victims of rape, “forcible rape” or “forcible sodomy.” The “decline” in child sexual abuse reported by DOJ’s Jones and Finkelhor’s report, “Children as Victims,” ignored these victims of the sex industry. Moreover, if victims were under age 12, do the FBI data reflect the “estimated 1,077 children [who] died as the result of maltreatment in 1996” or what % of the roughly 700 girls murdered each year from 1980 to 1997 are rape victims?¹⁹³ Neither FBI representatives nor the Uniform Crime Report provide a clear answer to these queries.¹⁹⁴

Uniformity is lacking in 1) the reporting of victims under 12, 2) the handling of abused boys versus abused girls 3) the tabulation of rape if other crimes are also committed against the child, 4) the publicizing of the data to news and media sources. The lack of uniformity impairs the accurate determination of trends, understands the real level of violence and danger in our schools and on our streets, and permits false sense of security on the part of parents, school officials, law enforcement, and researchers. Furthermore, this error-laden system may be concealing violence against children in the hands of Child Protection agencies which may exceed any threat presented by their parents that led to removal from the home in the first place.

Table 18: 136 Times More Child “Cyberporn” Victims



Source: Full Citations Provided in Endnotes.

Table 18: The FBI states that any situation that results in children living with a single parent, usually the mother, subjects children statistically to a significantly higher rate of abuse.¹⁹⁵ That which undermines patriarchal responsibility, parental guidance and control adds to the child’s injury.

The danger to unsupervised children is heightened by “cyberporn.” Internet pornography may be the key element that has provoked a rising toll of sexual abuse and abduction.¹⁹⁶

In Table 18, a 13,509%, or 136-fold increase from 1995 to 1999 (11 to 113 to 1,497) of child Internet sex victims is on record. Internet-pornography is also on record as provoking incestuous abuse by children on younger siblings, friends and neighbors. The increase in children

¹⁹² Adapted from *The Report on Child Prostitution as a Form of Forced Labor: A Non-Governmental Organization Perspective* by Ladda Saikaew. Reprinted with permission of the Bureau of International Labor Affairs of the U.S. Department of Labor. <http://www.labor.gov>. Office of Publications, Department of Labor, 200 Constitution Avenue, Northwest, Washington, DC 20001.

¹⁹³ Id., “Children as Victims,” p. 19, 3, 4, while most juvenile homicides are “19-and 20-year-olds killing 19-and 20-year-olds.” At the time of this writing the answer to that question is still unknown.

¹⁹⁴ Id., Phone interview with FBI agent re: the Uniform Crime Report. Indeed, until recently, under the guidelines of the “hierarchy rule,” compound crimes were listed in only one category. So rape rates *decrease* when rape-murder is recorded as “murder.” Moreover, despite the efforts of many heroic child care protective workers and administrators, “[c]hild protection services agencies” are also on record as covering up serious battery, rape and murder of the children in their care.

¹⁹⁵ Id., “Children as Victims,” p. 15.

violated by cyber-predators has led law enforcement to create whole new departments to deal with the problem of kidnapped girls, and boys.¹⁹⁷

Eroticized violence by and to children and juveniles continues to explode as more youngsters obtain on-line access. In fact, The National Coalition for the Protection of Children & Families, in its brochure “Tips and Talking Points: An Age-Appropriate Guide Book for Discussing The Harms of Pornography With Your Family” states “The San Diego Police department in California reports that solicitation of minors for sex online is growing at a rate of 1000% per month.” This increase in child sexual solicitation should be seen in concert with the fact that “stealth” sites abound to seduce children into viewing pornography and that “80% of [children’s] first time hits on pornography sites are accidental.”¹⁹⁸ That is, the Internet serves as a seduction device for trapping children into sexual conduct via pornography, and then sends the “pimps” from the street to recruit them into deviant conversation and too often later, into injurious, even fatal sexual conduct.

“MURDER VICTIM”
“Stanton, California
July 15, 2002”
[FBI “Seeking Information”
July 2002]



It bears repeating that 5-year-old Samantha Runnion was an abducted *rape-murder* victim and not just a “Murder Victim.” That is, the official FBI “Murder Victim” status misclassifies the crime as simply one of violence. The original crime was abduction and rape. The proper attribution to the sexual crime must implicate the mainstreaming of pornography as playing a role in this crime and in the pandemic of sexual assault on children. While children have certainly been sexually molested in the past, the increase in child victims of rape, *mutilation* and/or *murder* is a statistic that requires disclosure.

It also requires legal reassessment of pornography as a victimless crime. Recalling the predator’s video rentals of normal child movies and pornography to create his own images of child pornography, consider the following statement by James Comey, United States Attorney for the Southern District of New York. The FBI “announced that 10 defendants were charged today with possessing child pornography...” The idea seems to be that only officially designated *child* pornography and not adult pornography could harm children, that simply arresting child pornography *users* could somehow stop the child sexual abuse epidemic. Said

Mr. Comey:

“One of the most important charges that we have in law enforcement is to protect our children from those who would abuse and exploit them. Let this case and the dozens of others that this Office prosecutes each year serve as a warning to those individuals who create, trade or possess child pornography. Let it also serve as a warning to those individuals counting on the anonymity of the Internet to cloak criminal activity. If you break the law, you cannot hide in cyberspace. We will remain vigilant and will continue to use every available resource to identify, investigate and prosecute child pornography cases to the fullest extent of the law.”¹⁹⁹

¹⁹⁶ See a mainstream expose in the popular journal, *Time*, July 3, 1995.

¹⁹⁷ A letter to the Editor in *The Washington Times* charged: “according to a report from the National Center for Missing and Exploited Children, **52 percent of all abducted children are boys.**” The NCMEC website “Personal Safety for Children” identifies boys as 35 percent of non-family abductions (August 2002).

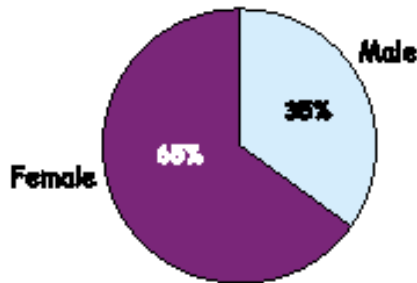
¹⁹⁸ The National Coalition for the Protection of Children & Families in its brochure “Tips and Talking Points: An Age-Appropriate Guide Book for Discussing The Harms of Pornography With Your Family,” Cincinnati, OH, 2000, p. 11.

¹⁹⁹ FBI News Release, July 9, 2002.

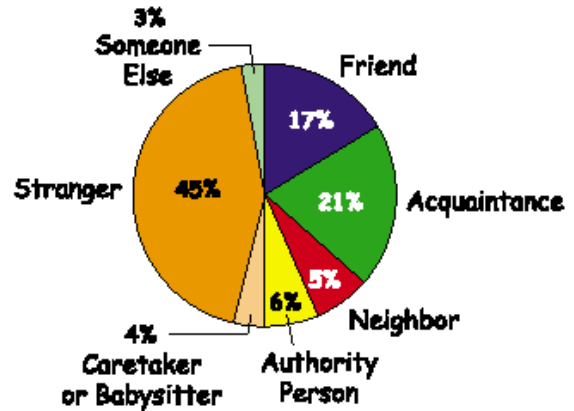
Despite the vigilant rhetoric above, the evidence finds “adult” and “child” pornography both victimize children and are directly associated with their rapes and rape-murders while pornography drives the engine of a still unknown percentage of the 58,200 “non-family” child abductions reported in 1999.

58,200 “NON FAMILY” ABDUCTIONS IN 1999: “PERSONAL SAFETY FOR CHILDREN,” NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN
Roughly 11,100 of These Kidnapped Victims Are Children Under 12

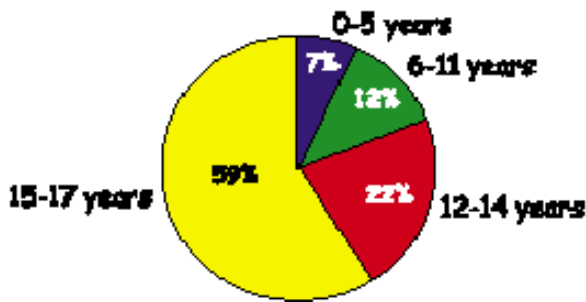
Non-family Child Abductions by Gender



Identity of Perpetrator in Non-Family Abductions



Non-family Child Abductions by Age



On August 27, 2002 *The New York Times* reported that “[c]hild abduction by strangers, the experts continue to say, is not a growing menace. The number of cases — 115 or so a year, according to the most recent federal statistics — has remained steady.” However, the 115 abductions reflect *only the most violent cases involving ransom or death*. The NCMEC website, “Personal Safety for Children” cites “approximately 58,200 “non-family [child] abductions” in 1999.” These data need to be compared to the May 1990 OJJDP report identifying 3,200-to 4,900 non-family abductions of children, also absent killing, ransom, etc.²⁰⁰ This rate change requires a thorough explanation.

The pie charts above and left are taken from the NCMEC website. The NCMEC find boys are 35% of “non family” child abduction victims, with no data citing the nonsexual or sexual nature of the child kidnapping. Most victims are said to be between 15 and 17 years old with 41% under age 14 and 19% (over 11,000 of these little victims) under the critical, largely invisible “age 12.” Contradicting the claims of current abduction “experts,” roughly 75% of the kidnapers are *not* seen as close intimates of their child victims. Strangers are responsible for 45% of the 58,200 abductions, 21% are “acquaintances,” 3% “someone else” and 5% are similarly vague “neighbors.”

²⁰⁰ Hearing: Committee on the Judiciary, One Hundred First Congress, Second Session on HR 4404, “National Child Search Assistant Act of 1990” September 5, 1990, citing to the report by Finklehor, Hotaling and Sedlak, “Missing, Abducted, Runaway, and Thrownaway Children” OJJDP, Executive Summary, p. 56 and pp. 64-67.

Abductions in this category involved forcibly moving or detaining the child for a relatively short period of time, usually in connection with another crime....Over 50% of the children kidnapped in non-family abductions were taken from the street, in a vehicle, or from a park or wooded area.²⁰¹

While diligent parents warn their children “not to talk to strangers,” they are largely unaware that disembodied conversations their children have with strangers in “chat rooms” often trigger incestuous or other dysfunctional acting out by the child, family, neighbors and friends. Also, as equal protection and the right to “life, liberty and the pursuit of happiness” are guaranteed by the US Constitution and our Bill of Rights, parents often logically assume that proliferation of pornographic images and experiences are generally harmless to their children’s right to equal protection under the law for liberty and pursuit of happiness.²⁰²

An investigation of the subversion of the FBI UCR, our nation’s most respected indicator of moral health or sickness and the post 1950 laws, institutions and agencies responsible for child protection is mandatory.

PART V

SUMMARY & CONCLUSIONS

If “an understanding of the legal system must give you a clearer view of *human affairs*...and aid you in comprehending the *conditions*, and *institutions* by which you are surrounded,”²⁰³ than Justice Brandeis’s warning summarizes this initial research effort. The evidence finds our legal “institutions” have been emasculated by an academic cadre that portrayed an aberrant population as the American norm. These surveys reshaped national “human affairs” to mirror the cadre’s own disordered sexual “conditions.” No longer did the justice system vigorously enforce laws that protected children from sexual violence and sexual exploitation.

In the 1950’s, Europeans often condescendingly dubbed the USA a “child-centered” society. After the sexual revolution that label was jettisoned as American legal institutions and attitudes about human sexual conduct were liberalized, precipitating the dramatic increases in the abuse of and by children, including crimes of incest, sadistic battery and even murder.²⁰⁴ Obsessed with bi/homosexual pornography himself, Alfred Kinsey employed pederasts and pedophiles to rape and sodomize children as young as two months old to “prove” that children can “consent” to sexual acts with adults and other children. By falsely claiming that homosexuals were 10% to 37% of the population, Kinsey managed to suggest that children’s “consent” could mitigate charges of heterosexual rape of girls and bi/homosexual sodomy of boys.

This investigation was launched to consider the question: *Is violence crime against children increasing while overall violent crime decreasing?* To do this we examined whether federal justice and health agencies, charged to oversee the protection of American children, had instead systematically and uniformly ignored critical reports and causes for what is pandemic child sexual abuse. We confirmed the methodological failures in FBI and DOJ data collections, and found these failures largely reflect the false

²⁰¹ The Second National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children, known as NISMART, The Department of Justice’s Office of Juvenile Justice and Delinquency Prevention, National Center for Missing & Exploited Children, “Personal Safety for Children” (2002);NISMART, “Nonfamily Abducted Children,” (Oct. 2002).

²⁰² Source: 1995, *Time*, July 3, 1995 Cover Story “Cyberporn”: 1996 and 1999 data, FBI AP report, March 14, 2000; reprinted by the National Coalition for Protection of Children and Families, Summer 2000.

²⁰³ Leonard Baker, *Brandeis and Frankfurter: A Dual Biography*. Washington Square, New York University Press, 1986, at 29. Brandeis’s opening remarks to his business law students at the Massachusetts Institute of Technology.

²⁰⁴ *Id.*, DOJ/OJJDP, “Children as Victims,” p. 19.

view of human sexuality found in The Kinsey Reports and codified in law via the American Law Institute Model Penal Code.

Any objective examination of sociosexual disease demographics (e.g., venereal disease, “illegitimacy,” abortion, rape, homicide, suicide, drug and alcohol abuse, sexual harassment, juvenile delinquency, divorce, impotence, sex addictions, pornography and prostitution, etc.) confirms that fewer children Pre-Kinsey (1948), were sexually abused and that the *sexual* life was *measurably* healthier for adults and children than is our contemporary *sexual* life. Indeed, FBI and DOJ reporting errors appear to reflect such bad research methodologies that precise comparative trend analyses of child welfare, over time, is almost unworkable. Some fatal flaws of the data collection system are:

- **Reducing** child sex abuse rates by deleting official data on sex abuse of children under 12;²⁰⁵
- **Eliminating** significant data on sodomy of boys by reclassifying boys in an ageless “male” rape category;²⁰⁶
- **Lowering** child abuse predator recidivism rates by aggregating child molesters into a generalized category of “violent assault;”²⁰⁷
- **Falsely** increasing biological, married father incest rates by aggregating unmarried fathers, step fathers and “live-in” boyfriends together into a “parents and other caretakers”²⁰⁸ category;²⁰⁹
- **Failing** to identify and tabulate on-site pornography collection as evidence in incest, child sexual seduction, sodomy and rape by collecting only drugs and alcohol as official on-site abuse contributory factors;²¹⁰
- **Implying** that child sexual abuse is benign by excising data on prostituted and other child sex abuse crimes from DOJ’s “Severity of Crime” scales measuring public views of crime severity.²¹¹
- **Wholesale failure** to tabulate data on child sex abuse within the child protective services system.

Wholly brutal forms of sexual harassment at work and school surface as a common grievance; child homicides and sadistic sexual mutilations are on the rise; shelters for battered women and children swell with refugees from their homes as violence abounds in both “straight” and “gay and lesbian” “domestic unions.” Homosexual and heterosexual international trafficking in child prostitution and child pornography are global industries.²¹² Pornography profits are stuffed into Wall Street corporate investment portfolios from Internet and newsstand pornography such as *Playboy*, *Penthouse* and *Hustler*, that systematically sexualize children to adult and juvenile consumers.²¹³ The increasing union of mainstream mass media with pornographers and

²⁰⁵ See evidence in Part II and III of this monograph.

²⁰⁶ The National Center for Victims of Crime, 1997: “Male Rape” cites to “rapes,” (sodomy) excluding boy victims under age 12 in 1994. (*Bureau of Justice Statistics, 1997*). In 1985, the U.S. Department of Justice, Bureau of Justice Statistics reported no ages for “123,000 male rapes over a ten-year period. (*Bureau of Justice Statistics, 1985*,” at 1

²⁰⁷ BJS Special Report, April 1989, JCJ referencing JCJ-116261, “Recidivism of Prisoners Released in 1983” by Allen J. Beck, Ph.D., BJS Statistician, and Bernard E. Shipley, BJS Program Manager. The last specific citation to rapist-recidivists rates traced to 1983.

²⁰⁸ David Finkelhor and Richard Ormrod, DOJ/OJJDP, “Child Abuse Reported to the Police,” May 2001 at 3-6. Finkelhor and Ormrod collapse parents and other caretakers into one category throughout this report except in Figures 4 and 5. Here they identify “father” as the key offender in “Percentage of all Caretaker Offenders” without separating out the sexual (against boys or girls) from physical violent assaults.

²⁰⁹ Id., Finkelhor and Ormrod confirm the fact that HHS largely “exclude assaults by noncaretaker perpetrators, which are outside the domain of the child welfare system” at 6. See also Lawrence Greenfeld, DOJ/OJJDP, *Child Victimization: Violent Offenders and Their Victims*, “Table 13: Victim-offender relationship among prisoners serving time for violence against children, 1991.” Greenfeld cites offenders relationship with their victim as, “Own child” in 33.4% of all rape and sexual assault cases but neglects to identify whether these are male offenders or female offenders, married to the spouse or live-ins, and in the key to the category notes the “Own Child” definition “Includes stepchildren,” a leaving a wholly invalid impression, implicitly of ones married “father” as the statistically significant sexual violator of his “own child” at 10.

²¹⁰ Id., Despite the common use of pornography as a stimulant for incestuous and other sex abuse, Greenfeld chooses not to ask if pornography was “in use at the time of the offense,” in Table 7 “Drug and alcohol use by violent offenders, by age of victim.”

²¹¹ Marvin Wolfgang and Robert Figlio, DOJ “The Severity of Crime” 1977 and January 1984. I have written in *Kinsey, Crimes & Consequences* on the Wolfgang and Figlio flawed research reports at 228, 264.

²¹² Robin Lloyd, *FOR MONEY OR LOVE*, Bantam, New York, 1976.

²¹³ Id., Reisman, *Images of Children, Crime and Violence*.

school sex educators²¹⁴ forecasts the continuation of the vicious cycle of sexual abuse from one generation to another. These stark and glaring realities make FBI claims of decreased sexual untenable.

Before the changes in sex offense laws brought about by the Model Penal Code, the Common Law definition for “fornication” forbade *consent* to sodomy or pre-marital intercourse as a criminal defense. Today however,²¹⁵ having so trivialized what was ‘illicit’ sex, rape victims find they must defend themselves from counter-charges of “consent” to even the most violent and degrading sexual conduct. Meanwhile child rape takes on the mantle of illness rather than crime²¹⁶ allowing 80% of convicted child molesters to serve no prison time.²¹⁷

This short discussion paper challenges the judgment of the 1957-1958 FBI “committee of experts” who “lightened” the harm measures of child sexual abuse by demoting statutory rape from “rape” into a catch-all category of “Sex Offenses” that lumps statutory rape together with adultery, fornication, indecent liberties, indecent exposure, seduction, incest and sodomy while categorizing burglary (even “Theft from Coin-Operated Device or Machine”) as a “violent” crime.²¹⁸

The effect of The Kinsey Report’s social science fraud on sex crime laws is seen especially in the way the Reports affected the view of rape and sexual abuse of children. Whether or not the absence of data on the under 12 year old children reflected a desire to hide the fact that 64% of all forcible sodomy victims in that age group were actually boys, this was the result. For, such false negative crime data works to undermine efforts to reduce future child victimization by reducing or removing contributing environmental causes such as violent and sexually explicit media and other sociosexual brain-mind-memory toxins.

The FBI Uniform Crime Report’s claimed decrease in violent crimes provides a false positive image by eliminating significant data on sexual and nonsexual violence to children, leading society to less vigilance and more bad policy decisions.²¹⁹

That adult and child pornography are harmful and feed the current child sexual abuse epidemic is consistent with the ‘law of reason.’ Scholarly research is overwhelmingly confirmed by the testimony of victims and law enforcement personnel regarding mass media’s “copy cat” effects and this investigator has written on the issue of media’s effect upon restructuring the human brain.²²⁰ That DOJ has consistently resisted funding a serious on-site collection of pornography use in criminal conduct should lead the prudent citizen to ponder what conflicts of interest may be at work to undermine the mandate of those designated as our domestic guardians of safety and security.

The aim of examining “the *conditions*, and *institutions* by which [we] are surrounded”²²¹ is to raise sufficient questions to warrant a revisiting of federal and state oversight agencies, in the best interests of the child. For more information, examine the research in this author’s latest book, *Kinsey, Crimes & Consequences* (1998, 2000) as well as relevant data published by the Department of Health and Human

²¹⁴ See extensive writings by the author, *Kinsey, Crimes & Consequences* and articles available on drjudithreisman.org.

²¹⁵ Reisman, *Kinsey, Crimes & Consequences*, Chapter 8, Kinsey and the Law.

²¹⁶ Id., Bennett, The Index of Cultural Indicators.²¹⁶

²¹⁷ American Bar Association. *The Probation Response to Child Sexual Abuse Offenders: How Is It Working? Executive Summary*. State Justice Institute, Grant, SJI-88-11J-E-015, 1990, at 7. Again, despite overwhelming evidence of treatment failure, the *Boston Globe* expose above reports no prison time was served by the following: 100% of those convicted of attempted child molestation; 60% convicted of criminally injuring a child; 30% convicted of indecent assault/battery of a child; 20% convicted of child rape and sodomy

²¹⁸ *FBI Uniform Crime Reporting Handbook*, Washington, DC, 1984, p. 26.

²¹⁹ October 15, 2000. However, December 12, 2000, the FBI released data about violent crime saying, “some major cities see increases, FBI reports.” (*The Sacramento Bee*, December 12, 2000, pp. A1, 15).

²²⁰ See: <http://www.drjudithreisman.org/whitep/040402.html> www.drjudithreisman.org, “The Toxic American Public Library: Violating Children With “Harmful Matter: “A Clear & Present Danger, and “The Psychopharmacology Of Pictorial Pornography: [Restructuring Brain, Mind, Memory And Subverting Freedom Of Speech.](#)”

²²¹ Leonard Baker, *Brandeis and Frankfurter: A Dual Biography*. Washington Square, NY: New York University Press, 1986, at 29. Brandeis’s opening remarks to his business law students at the Massachusetts Institute of Technology.

Services, the American Humane Association, the FBI, the DOJ's Office of Juvenile Justice and Delinquency Prevention and the Department of Justice from the 1950s through 2002. Reisman's website is drjudithreisman.org.

ADDENDUM

A FEW BRIEF CITES ON PORNOGRAPHY AS FACILITATING VIOLENCE AGAINST CHILDREN AND WOMEN—INCLUDING SERIAL-RAPE-MURDER

The Power of Images: Response and Repression

1

The Power of Images: Response and Repression

People are sexually aroused by pictures and sculptures; they break pictures and sculptures; they mutilate them, kiss them, cry before them, and go on journeys to them; they are calmed by them, stirred by them, and incited to revolt. They give thanks by means of them, expect to be elevated by them, and are moved to the highest levels of empathy and fear. They have always responded in these ways; they still do. They do so in societies we call primitive and in modern societies; in East and West, in Africa, America, Asia, and Europe. These are the kinds of response that form the subject of this book, not the intellectual constructions of critic and scholar, or the literate sensitivity of the generally cultured. My concern is with those responses that are subject to repression because they are too embarrassing, too blatant, too rude, and too uncultured; because they make us aware of our kinship with the unlettered, the coarse, the primitive, the undeveloped; and because they have psychological roots that we prefer not to acknowledge.

When we read in one Italian writer of 1584 that a painting

will cause the beholder to wonder when it wondreth, to desire a beautifull young woman for his wife when he seeth her painted naked; to have a fellow-feeling when it is afflicted; to have an appetite when he seeth it eating of dainties; to fall asleepe at the sight of a sweete sleeping picture; to be mooved and waxe furious when he beholdeth a battel most lively described; and to be stirred with disdain and wrath, at the sight of shameful and dishonest actions

or in another of 1587 that

*
Curves are too emotional
PIET MONDRIAN

*
*Wir sehen es, aber
das tut
uns nicht weh.*
ABY WARBURG

First, "high art." Note the following from the prestigious "high art" book by David Freedberg, *The Power of Images: Studies in the History and Theory of Response*, The University of Chicago Press, Chicago, 1989, page 1. Freedman's addresses the universality of the emotional impact of art.

"People are sexually aroused by pictures and sculptures; they break pictures and sculptures; they mutilate them, kiss them, cry before them, and go on journeys to them; they are calmed by them, stirred by them, and incited to revolt. They give thanks by means of them, expect to be elevated by them, and are moved to the highest levels of empathy and fear. They have always responded in these ways; they still do. They do so in societies we call primitive and in modern societies; in East and West, in Africa, America, Asia, and Europe...

[Images] make us aware of our kinship with the unlettered, the coarse, the primitive, the undeveloped; and because they have psychological roots that we prefer not to acknowledge."

As seen on page 1, Freedman cites one Italian writer in 1584, noting a painting

"will cause the beholder to...desire a beautifull young woman for his wife when he seeth her painted naked; to have a fellow-feeling when it is afflicted;

to have an appetite when he seeth it eating of dainties; to fall asleepe at the sight of a sweete sleeping picture; to be mooved and waxe furious when he beholdeth a battel most lively described; and to be stirred with disdain and wrath, at the sight of shameful and dishonest actions.”

“*Curves are too emotional*”, writes Mondrian. One needs here to pause and consider the cross-cultural and historical etymology of art as a mover and shaper of not only opinion but of action.

From 1584 to the causal impact of today’s mainstreamed “erotic” art. FBI premier serial rape profiler, John Douglas identifies pornography as a regular obsession of sex offenders in *Journey Into Darkness*, (Pocket Star Books, New York, 1997). Serial-rape murders are commonly found:

...with a large pornography collection, either store-bought or homemade...our [FBI] research does show that certain types of sadomasochistic and bondage-oriented material can fuel the fantasies of those already leaning in that direction. (p. 299)

In *Thrill Killers, a Study of America’s Most Vicious Murders*, Charles Linedecker reports the self-confessed zeal of violent sex offenders for pornography. (PaperJacks, New York, 1988).

Responding to a request to indicate their primary sexual interest, 81 percent of the men put pornography at the top of the list...I, too, found overwhelming evidence of twisted sexual fantasizing, and addiction to pornography in the backgrounds of many of the killers profiled in this book...(pp. xvii-ixx):

Roy Hazelwood, FBI serial-rape-murderer-mutilator-profiler cites pornography as inspiring a predator’s pedestrian imagination. In Stephen Michaud, *The Evil That Men Do*, St. Martin’s Paperbacks, 1998, Hazelwood asks a serial rapist-murderer about a photograph of a bound woman he saw as a child in pornography.

“Do you think the picture had an impact on you?”

”I think it did. It’s stayed in my subconscious all these years...”

“A while back we were talking about sexual bondage,” Roy said, “and you mentioned tying your victims in a variety of positions. Where did you get the idea for that?”

“From [pornographic] magazines.” (p. 154).

Writing *Criminal Neglect, Why Sex Offenders Go Free* (Seal Books, Toronto, 1990), Dr. W.L. Marshall adds more support to the overwhelming evidence that pornography “feeds and legitimizes” sexual violence.

[T]here is mounting evidence that in susceptible men, the material [pornography] feeds and legitimizes their deviant sexual tendencies. Gene Abel, director of the Sexual Behaviour Clinic at the New York Psychiatric Institute, told the United States Attorney General’s Commission on Pornography in 1985 that his research indicated that more than fifty percent of sex offenders use pornography. [Ed: *While five percent is more than adequate to implicate pornography as causally associated with sexual crimes, see below for this author’s view that Abel significantly underestimates the facts.*] Furthermore, Abel testified, the rapists and child molesters who do use pornography are less able to control their deviant behaviors than are offenders who do not. The link between pornography and sex offenses was given further support by the results of a study conducted at the Kingston Sexual Behavior Clinic, also presented to the commission. In a survey of eight-nine sex offenders over a six-year period, one-third reported that they had used pornography immediately prior to at least one of their crimes....*even brief*

exposures to violent pornography can lead to a more callous attitude towards rape and women in general. (pp. 156-157 and 163) (Emphasis added)

Testifying on the "Effect of Pornography on Women and Children," rather than "fifty percent" of sex offenders as criminally fueled by pornography, this author's experience confirms the 100% survey provided by John Rabun, then Deputy Director of the National Center for Missing Children, below.²²²

One of the things that became preeminent in what we found in these [1,400] cases, because we tried to heavily research each one of them in combined effort with the area universities, was that all, ***that is 100 percent of the arrested pedophiles, child pornographers, pimps, what have you, all of these in effect child molesters had in their possession at the time of arrest, adult pornography*** ranging from what is in the literature typically referred to as *soft pornography, such as Playboy, on up to harder, such as Hustler, and* et cetera.

[It was used] for ***their own sexual arousal***. . . particularly for the pedophiles, [it] was a form of ***self-validation***, "it is OK because I see it in other places. It must be all right, it is published nationally," that kind of a mind set.

The scenario, usually went something like the adult presenting them pictures in decent magazines, Redbook, Ladies Home Journal, Reader's Digest, whatever. Just simply showing them pictures of children, adult women who are fully clothed appropriately, in manners and dress, what have you; and then progressing to something in the form or fashion of Playboy, where you had partial or full nudity going on, up until something like Penthouse and Hustler, where you had full nudity to full exhibition, to actual sex acts themselves, all of which was done over a long period of time.

Another fact that we came up with these 1,400 cases, is that it seemed to us if we are ever going to begin to prevent children from becoming sexually exploited, we have to determine when they become sexually exploited, not just who the children are, but when [and why] does it happen. (pp. 133-134)

The Attorney General's Task Force on Family Violence, Final Report, September 1984.

Task Force testimony indicates that an alarming number of rape and sexual assault offenders report that they were acting out behavior they had viewed in pornographic materials. (p. 112)

For the last fifteen years in America, the pornography industry has had a definite and devastating impact on the stability of the American family and the relationship between men, women, and children--Bruce Taylor, Attorney. (p. 112)

Every child is a potential victim. [Pornographers] have a powerful underworld network of peers focused totally on children as targets--Rita Rooney, Journalist. (p. 112)

²²² "Effect of Pornography on Women and Children," Hearings before the Subcommittee on Juvenile Justice of the Committee on the Judiciary, United States Senate, Ninety-Eighth Congress, Second Session on "Oversight on Pornography, Magazines of a Variety of Courses, Inquiring into the Subject of Their Impact on Child Abuse, Child Molestation, and Problems of Conduct Against Women," August 8, September 12 and 25, and October 30, 1984, Serial No. J-98-133, US Government Printing Office, Washington, D.C. 1985. (pp. 43-44). (See Rabun testimony pp. 133-134).

On page one of its report, The Task Force endorses the creation of the National Commission on Pornography.

Pornography has become a big business in the United States. Some government officials estimate that pornography is a \$4 to \$6 billion industry that continues to grow and expand. It is an industry that victimizes countless children who are exploited in pornographic photographs and films.

The Task Force recommends that the Commission should examine: the nature, extent, and effects of pornography on society, concentrating especially on the areas of child pornography; the enforcement of obscenity statutes; and the development of model legislation. (p. 112)

Testifying on the "Effect of Pornography on Women and Children," FBI special agent, Kenneth Lanning explained that allegedly respectable sex education books as well as "adult" pornography is commonly used in the seduction of boys and girls.

Books on human sexuality, sex education, and sex manuals are also used to lower inhibitions. Children are impressed by books, and they often believe that if something is in a book it must be acceptable. The controversial sex education book *Show Me* has been used by many pedophiles for this purpose. ***Adult pornography is also used, particularly with adolescent boy victims, to arouse and to lower inhibitions.***

[T]he rousal and fantasy fueled by the pornography is only a prelude to actual sexual activity with children.

A second use...is to lower children's inhibitions....A third major use of child pornography collections is blackmail...A fourth use of child pornography and erotica is as a medium of exchange...A fifth use of the collected material is for profit...worldwide distribution.

This brief collection of testimony and evidence above merely illustrate some reasons why law enforcement authorities should search out and tabulate *all* forms of "erotica" and pornography associated with any sexual crime. Indeed, the presence of pornography in a crime scene should be *quantified* in order to establish data identifying its role in the liberation of sexual restraints toward both non-criminal and criminal sexual conduct. By careful and verifiable measurement and quantification, the mainstreaming of pornography could be calculated as *evidence* of a major or minor factor in swelling our national rates of child sexual abuse.