

Sex Offense Research Brief

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Crime Statistics Unit

August 2006

INTRODUCTION

This study was compiled using the new Tennessee Crime Online website at: www.tncrimeonline.com The Tennessee Crime Online website has been active since June 2006. The public is able to access the site and can research crime statistics based on their own criteria. The data in this study may be run for a region, county or agency at the website. There is a tutorial available from the main page that will guide the user through running a basic report as well as a second tutorial on the “Public Reports” page.

Agencies report incidents of crime through the TIBRS system. An incident is defined for TIBRS reporting purposes as ““one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place.” “Acting in concert” requires that the offenders actually commit or assist in the commission of the crime(s). “Same time and place” means that the time interval between the offenses and the distance between the locations where they occurred were insignificant.”

Sex offense statistics in Tennessee are submitted to the Tennessee Bureau of Investigation (TBI) through the Tennessee Incident Based Reporting System (TIBRS). Data is submitted by sheriff’s departments, municipal police departments, state parks, colleges and universities, drug task forces, other police departments (i.e., airport police departments), and state agencies. The data period covered in the research brief is for the calendar year 2005.

Sex Offenses

The Tennessee Incident Based Reporting System (TIBRS) defines four forcible sex offenses and two non-forcible sex offenses. The forcible sex offenses include Forcible Rape, Forcible Sodomy, Sexual Assault with an Object and Forcible Fondling. Forcible Sex Offenses are defined as “Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.” The non-forcible offenses include Incest and Statutory Rape. Non-forcible sex offenses are defined as “Unlawful, non-forcible sexual intercourse.” The following are the definitions of the offenses as found in the TIBRS Data Collection Manual (pages 81-83):

- Forcible Sex Offenses
 - Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against that person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
 - Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

- Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- Non-Forcible Sex Offenses
 - Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

These offenses are all classified as Crimes Against Persons, which means that they will always have an Individual as the victim. The current method of counting incidents that contain a Crime Against Persons is based on the national methodology which counts the number of victims involved and not a count of the actual incidents. The following are examples of this method of counting:

- An incident of Aggravated Assault with one Victim would be counted as one Aggravated Assault.
- An incident of Aggravated Assault with four Victims would be counted as four Aggravated Assaults.

Clearances

There are two ways an incident can be cleared in TIBS – either by arrest or by exceptional clearance. If an incident is cleared by arrest, this means that one or more of the offenders in the incident were arrested. An incident is cleared by exceptional means when an element beyond law enforcement control prevents a physical arrest. All of the following conditions must be met to clear an offense by exceptional means:

1. Investigation must have established the identity of at least one offender.
2. Sufficient probable cause must have been developed to support the arrest, charging, and prosecution of the offender.
3. The exact location of the offender must be known so that an arrest could be made.
4. There must be a reason outside of law enforcement control, which prevents the arrest.

The following are examples of exceptional clearances:

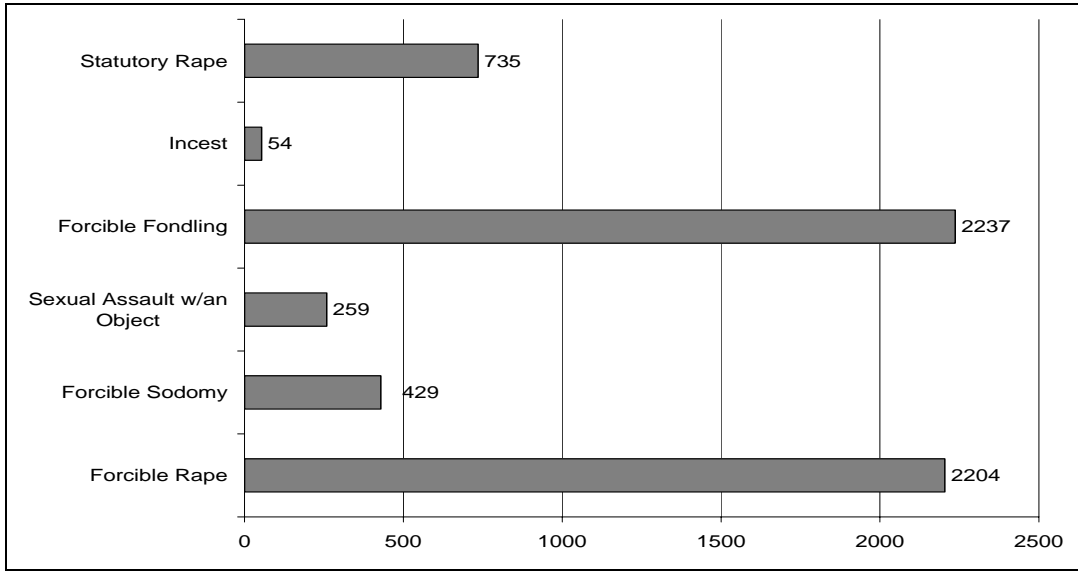
- Death of the Offender – Offender accidentally killed or dies of natural causes, suicide of the offender, double murder, deathbed confessions, or offender is killed by police or citizen.
- Prosecution Declined – Prosecution declined by the prosecutor for other than lack of probable cause, e.g., offense falls outside prosecution guidelines by virtue of value of loss, first-time offender, etc.
- Extradition Denied – Offender was prosecuted by state or local authorities in another city for a different offense or prosecuted in another city or state by the Federal government for an offense which may be the same (an attempt is made to return the offender for prosecution but other jurisdiction will not allow the release).
- Victim Refused to Cooperate – Victim refused to cooperate in the prosecution of the offender.
- Juvenile/No Custody – The handling of a juvenile without taking him/her into custody but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense.

In a multiple-offense incident, the exceptional clearance of one incident clears the entire incident. An incident cannot be cleared exceptionally if any arrest has been made in connection with the incident. (The incident has already been “cleared by arrest.”)

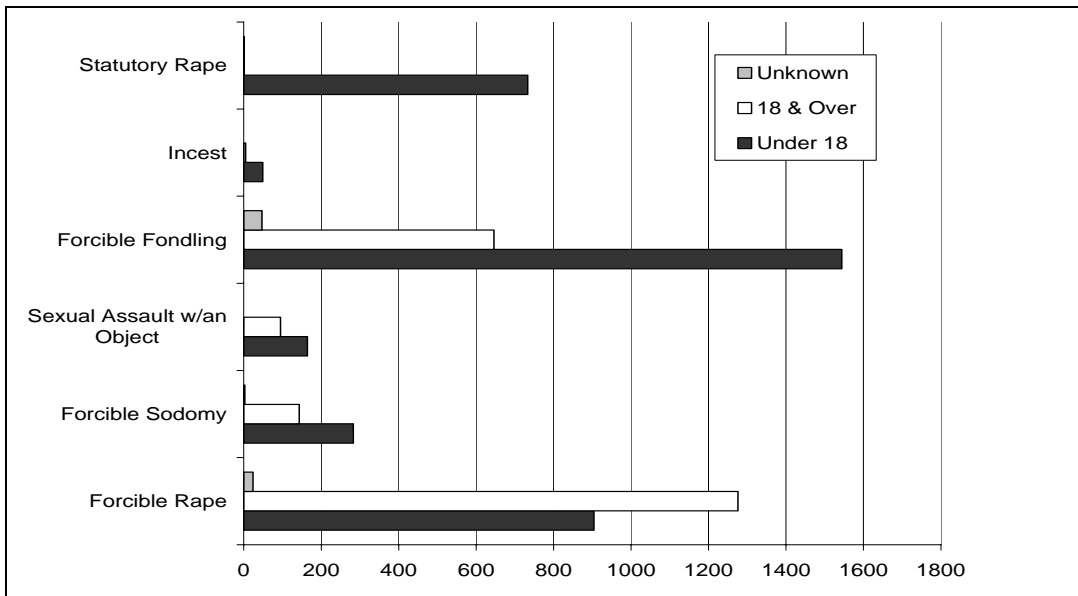
Summary of Findings

Victims of Sexual Offenses

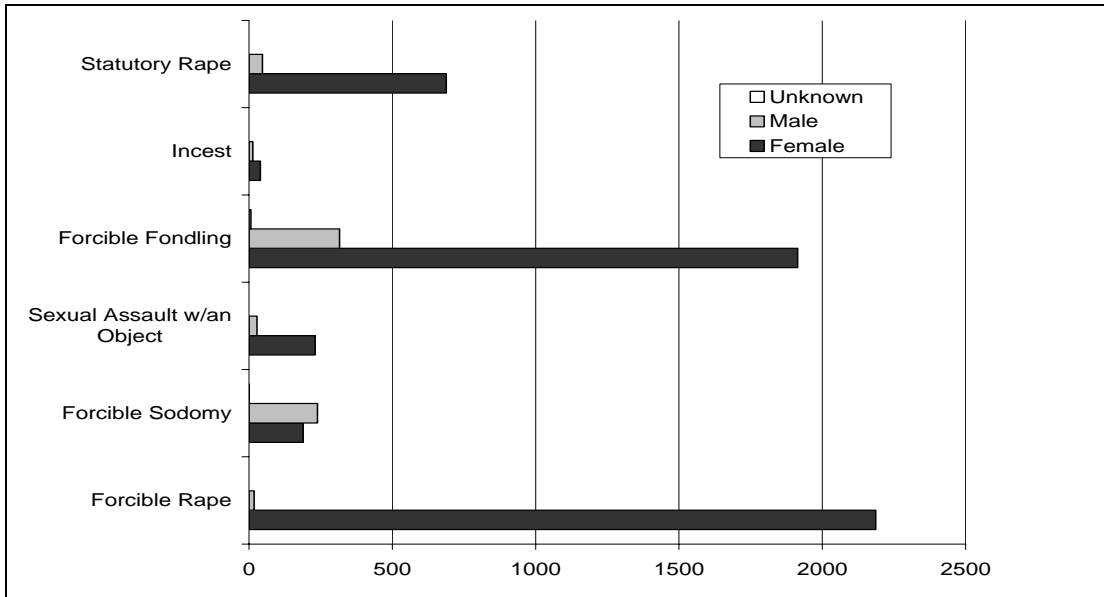
- Fondling was the most common form of sexual violence in Tennessee in 2005. It accounted for 37.8% of the victims. Forcible Rape followed closely with 37.2% of the victims.



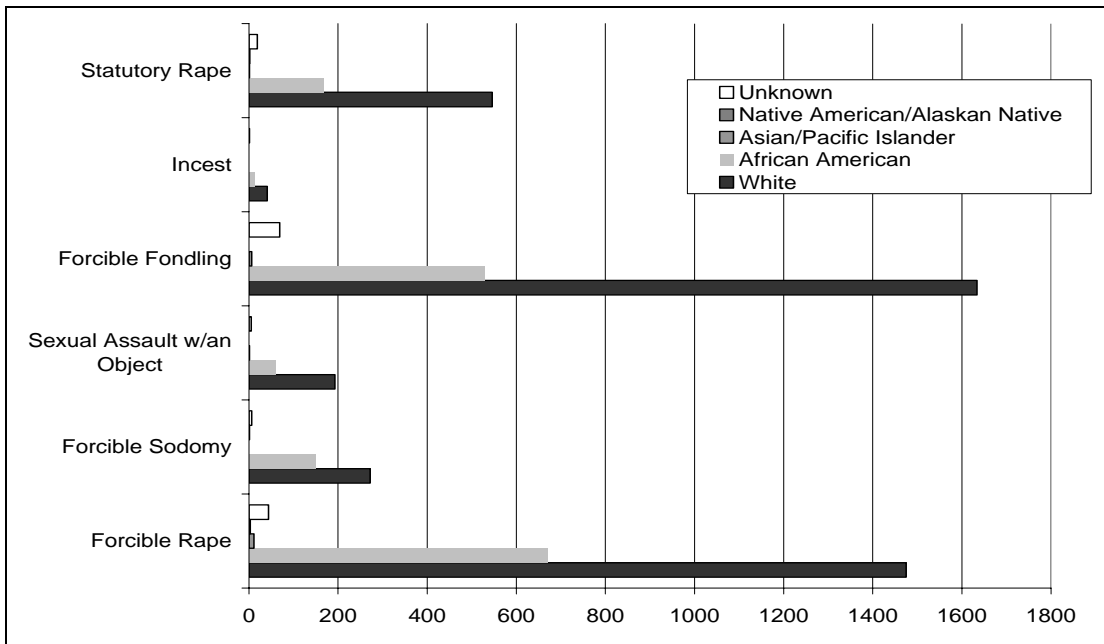
- The majority of the victims of sexual violence were under 18 (62.1%). Victims over the age of 18 constituted 36.6% of the victims. The remaining victims had age reported as “unknown”.



- The gender of victims of sex offenses was typically Female (88.7%). Male victims were 11.2% of the total and the remaining victims had a gender reported as unknown.

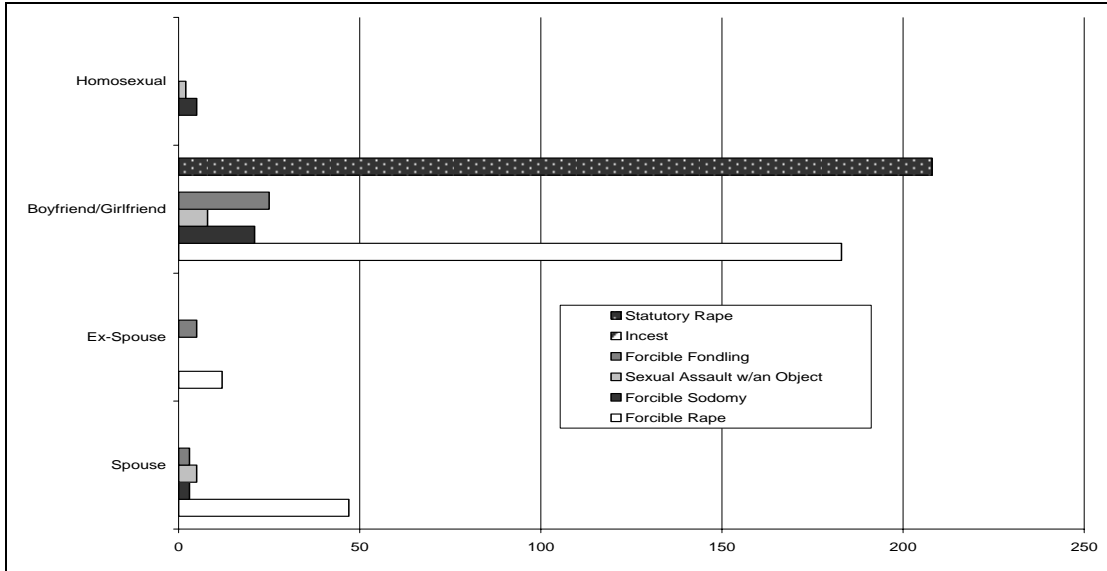


- The majority of the victims had their race listed as White (70.3%). African Americans made up 26.8%, Asian/Pacific Islander was 0.3%, Native American/Alaskan Native was 0.1% and the remaining 2.5% was reported as Unknown.

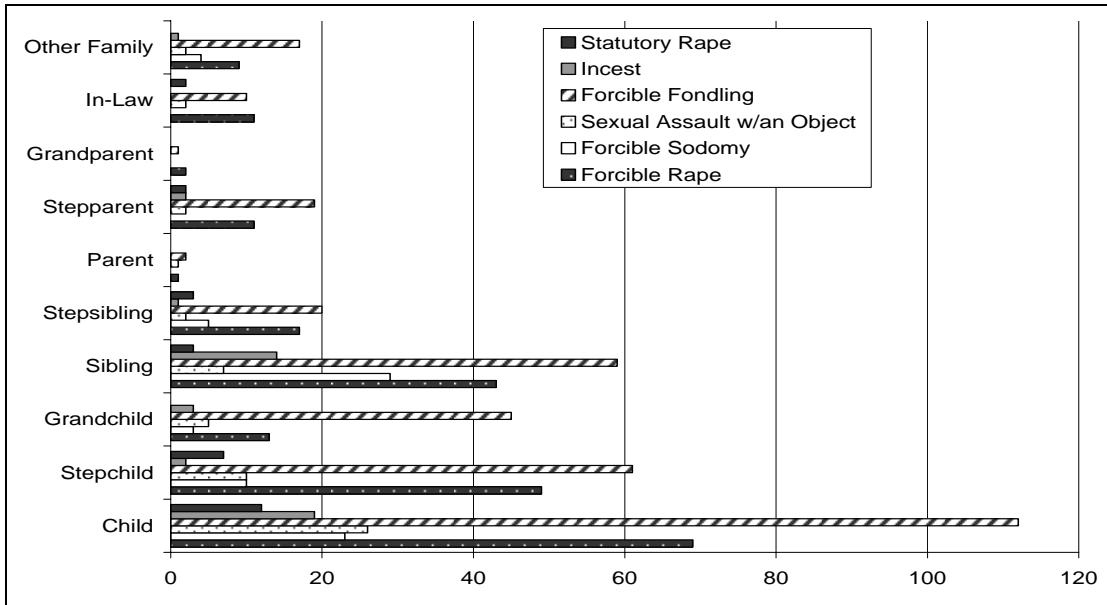


Victim to Offender Relationships

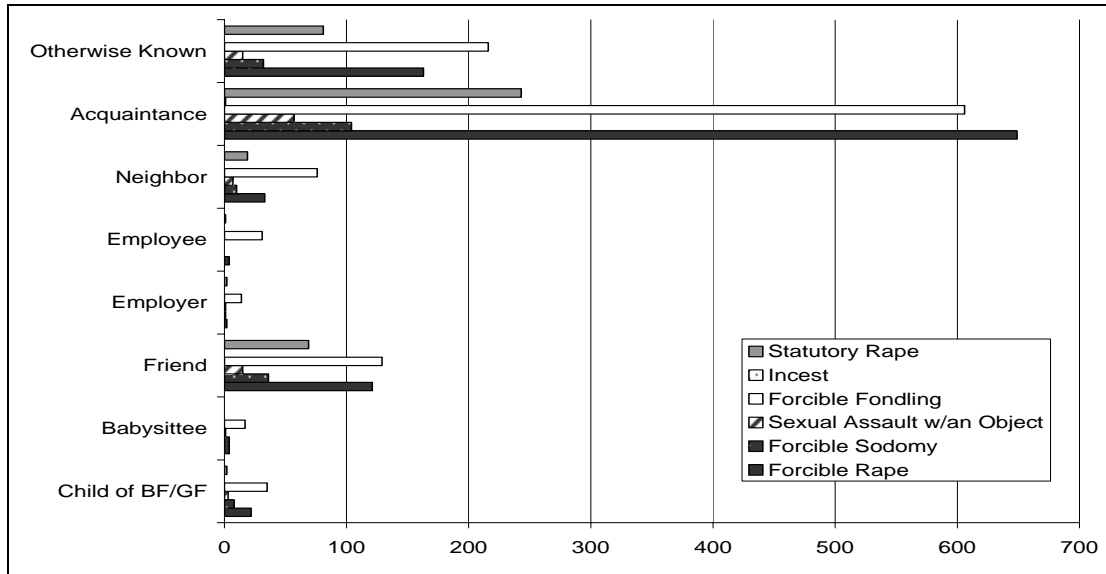
- When looking at relationships that are classified as “Intimate”, the relationship of Boyfriend/Girlfriend had the most victims with 7.5%. The relationships classified as Intimate made up 8.9% of the total victims.



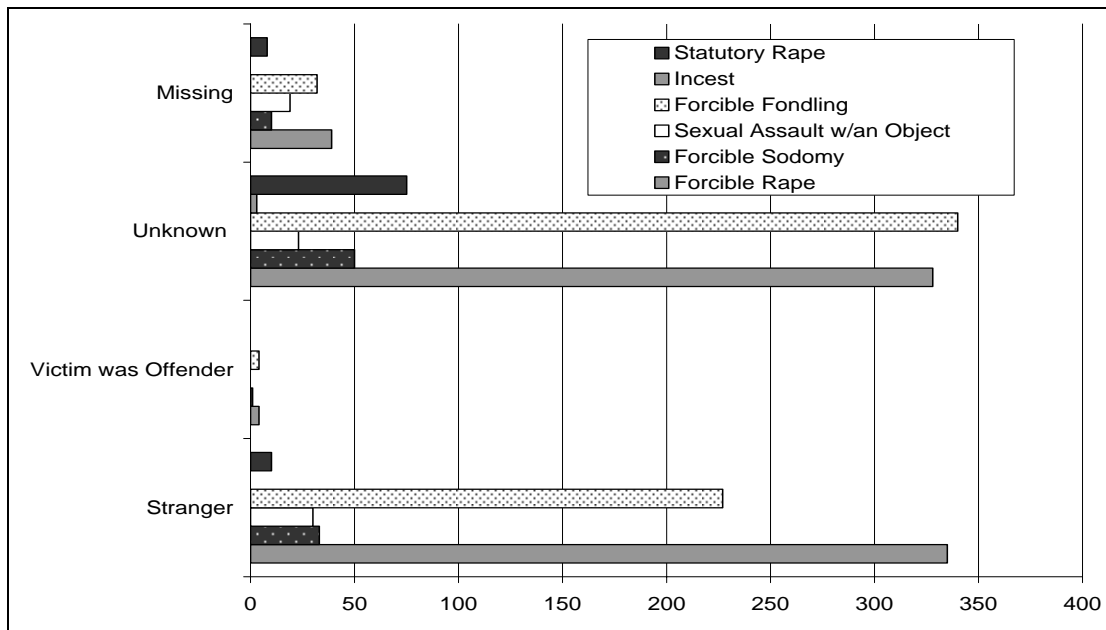
- When looking at relationships that are classified as “Family”, the relationship of Child had the most victims with 4.4%. The relationships classified as family made up 13.1% of the total victims.



- When looking at the relationships classified as “Acquaintance”, the relationship of Acquaintance had the most victims with 28.1%. The relationships classified as acquaintance made up 47.9% of the total victims.

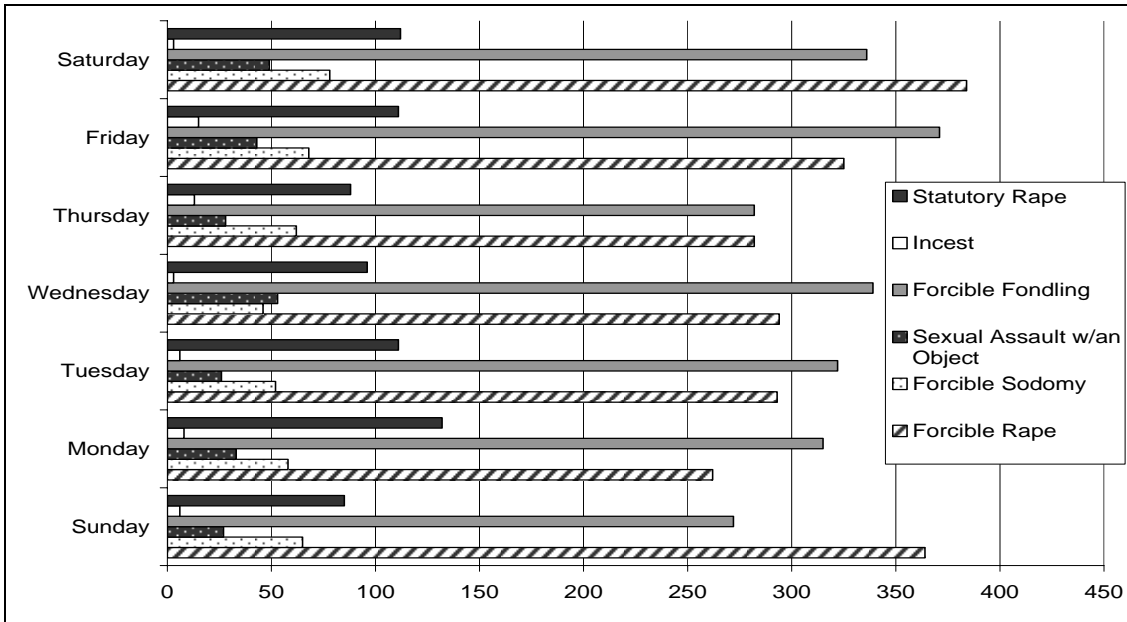


- When looking at the relationships classified as “Other”, the relationship of Stranger had the most victims with 13.8%. The relationships classified as other made up 26.5% of the total victims.

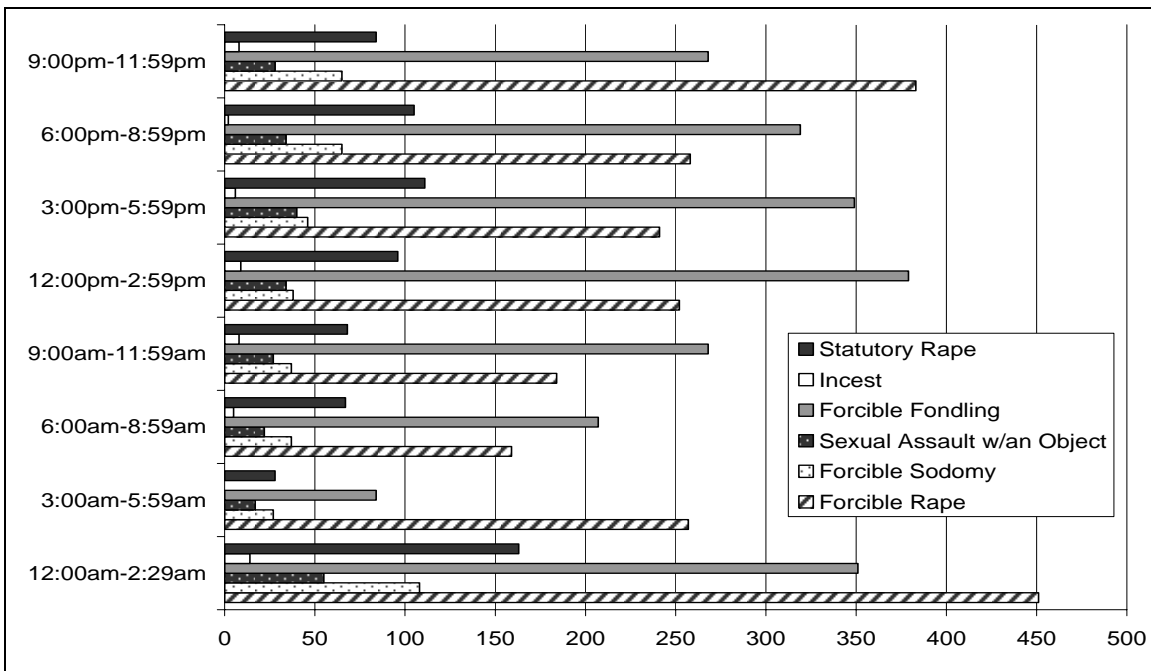


Time and Location

- Most of the Sex Offenses occurred on a Saturday (16.3%) followed closely by Friday (15.8%).



- The majority of the sex offenses reported occurred during the hours of 12:00 am (Midnight) to 2:59 am. This time period constituted 19.5% of the reported sex offenses. The next most frequent time period was 9:00 pm to 11:50 pm which was 14.2% of all offenses reported.



For location types, the following is a breakdown of the larger categories:

Commercial includes:

- Air/Bus/Train Terminal
- Bank/Savings and Loan
- Bar/Night Club
- Commercial/Office Building
- Convenience Store
- Department/Discount Store
- Drug Store/Doctors Office/Hospital

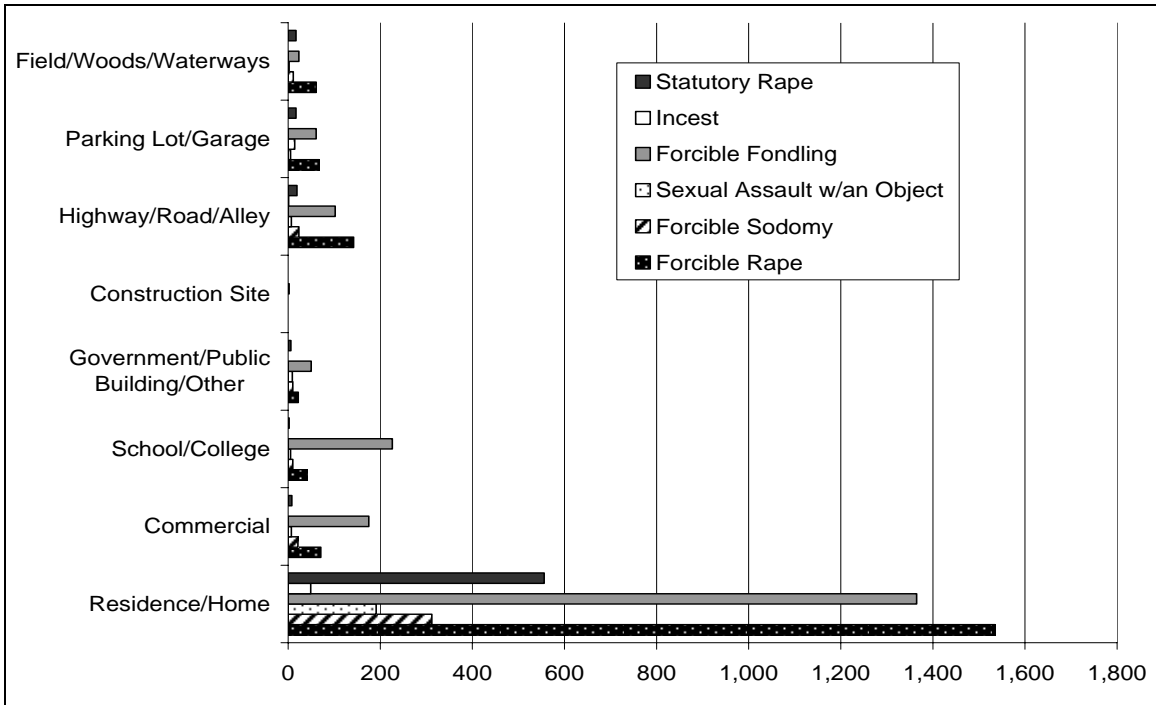
- Grocery/Supermarket
- Hotel/Motel/Etc.
- Liquor Store
- Rental Storage Facility
- Restaurant
- Service/Gas Station
- Specialty Store (TV, Fur, etc.)

Government/Public Buildings and Other include:

- Church/Synagogue/Temple
- Government/Public Building
- Jail/Prison

Fields/Woods/Waterways include:

- Field/Woods
- Lake/Waterway



The graph above shows that the majority of the sex offenses occurred in a Residence/Home with 76.4% of the total. Highway/Road/Alley, Commercial and School/College were the next most frequent locations with 5.6%, 5.4% and 5.4% respectively.

This project was partially supported by 2005-BJ-CX-K041 funds awarded by the Department of Justice's Bureau of Justice Statistics. The opinions, findings and conclusions or recommendations expressed in this publication are those of the TBI's Statistical Analysis Center/Crime Statistics Unit and do not necessarily reflect the views of the Department of Justice.



Publication Authorization – 348128
Tennessee Bureau of Investigation – August 2006