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Abstract

This article is based not only on the research literature but also on the extensive field experience of the authors in consulting with investigators, attorneys, and organizations on the prevention, investigation, prosecution, and civil litigation of molestation of children within or in connection with youth-serving organizations. Acquaintance molesters have often pursued careers or sought out paid or volunteer work with organizations through which they can meet children. To address the problem of such offenders, it is necessary for youth-serving organizations to recognize the diversity of sexual activity, the phenomena of “nice-guy” offenders and compliant child victims, and the grooming/ seduction process, each of which is reviewed here. The four most important protection practices for organizations are screening; management, and supervision; response to suspicions, allegations, and complaints; and prevention and awareness programs. The authors recommend general approaches to each of these and describe the reasons many organizations resist implementing available preventive measures.

Keywords

anything related to child abuse, child abuse, sexual abuse, child abusers

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Overview

This article examines acquaintance molestation within youth-serving organizations and suggests important strategies for such organizations to consider implementing if they have not already done so. For those seeking additional specific information, we recommend starting with publications such as *The Staff Screening Toolkit* (Patterson, 2004) published by the Nonprofit Risk Management Center and *Preventing Child Sexual Abuse Within Youth-Serving Organizations: Getting Started on Policies and Procedures* (Saul & Audage, 2007) published by the U.S. Centers for Disease Control and Prevention (CDC). Ideally, each aspect of the policies and procedures developed by an organization is subject to periodic and documented training, review, and auditing. This process should be reasonable and realistic to ensure proper compliance. The key insights and practices discussed in this *Overview* section will be examined in more detail in the *Commonly Misunderstood Phenomena* and *Critical Protection Practices* sections that follow.

Nature and Scope of the Problem

The nature of the relationship between adult sex offenders and their child victims plays a significant role in the methods offenders use to access and control their victims. The relationships of sex offenders to their victims can be roughly characterized as family members, acquaintances, or strangers (Lanning, 2010). Early efforts to distinguish between “friends” and “acquaintances” delayed the recognition of the severity of the problem of molestation by adult acquaintances.

Sex offenders who are strangers to their victims need only short-term access. Typically, they use trickery to initially lure children, but they more often control their victims through confrontation, threats of force, and physical force.

Intrafamilial sex offenders derive long-term access through their family relationships. They most often control their victims through their private access and family authority. They are the providers of developmental necessities such as food, clothing, shelter, and attention.

Except with victims who are unable to communicate due to age or disability, acquaintance child molesters usually need repeated access to cultivate relationships with their victims. Of necessity, they control their victims—of whom such offenders may have many over a prolonged period of offending—primarily through a grooming/ seduction process and by exploiting their immaturity and developmental stages. Such techniques are

the most successful approach to gaining the victim's initial cooperation, decreasing the likelihood of disclosure, and increasing the likelihood of ongoing access. Violence is counterproductive for such offenders, as it may trigger quick disclosure of their known identity.

Acquaintance molesters have often pursued careers or sought out paid or volunteer work with organizations through which they can meet children (Atkinson, 1939; Goldstein, 1984; Illinois Legislative Investigating Commission, 1980; Lanning & Burgess, 1984; Wolf, 1982). Some of these offenders fit the popular stereotype of the "evil pedophile" who intends to commit offenses at the time of targeting such an organization by taking advantage of the credibility, legitimacy, and well-populated hunting ground it provides. Other offenders seem to genuinely like children, like being with children, and need to rationalize being with children. Many of them believe that such work will help them use their love for children in a productive way or that the tenets and structure of the organization will help them resist the temptations that children pose for them.

Although we have no reliable statistics to prove it, in our experience this second pattern is far more common than the first. Even among those who might start their participation with the best of intentions, however, a proportion of these people, mostly men, eventually use their work with youth-serving organizations to attain the repetitive access needed to cultivate relationships within which they commit and conceal offenses against children. For many offenders, this is part of a long-term pattern of behavior. Some offenders discover their sexual interest in children or in a particular child only after having chosen a career or volunteer work for benevolent reasons. Moreover, we think it likely that strength of character, religious and moral beliefs, and the tenets and structure of youth-serving organizations are sometimes successful in constraining men within such organizations to offend only in their fantasies.

There are also few reliable statistics concerning the prevalence and characteristics of acquaintance offenders sexually victimizing children through their work with youth-serving organizations. General child abuse statistics from child welfare agencies rarely include such cases. Criminal justice statistics typically are not maintained or retrievable based on whether the offender was an employee or a volunteer in a youth-serving organization. The best estimates, therefore, may be those that could be calculated from any internal records maintained by youth-serving organizations.

In recent years, there have certainly been many highly publicized cases involving organizations such as the Catholic Church, the Boy Scouts, and schools. A report by the John Jay College Research Team identified allegations of sexual abuse against a total of 4,392 Catholic priests (approximately

3% to 6% of priests) for the period 1950-2002. According to this report, 78.2% of the alleged victims were between the ages of 11 and 17, and 81% were male (John Jay College, 2004). An American Association of University Women (AAUW) report estimates that 9.6% of students are sexually abused (contact and noncontact) by school staff during their school years (Shakeshaft, 2004). Each victimization can create major repercussions for the organization, and even a small number of offenders can victimize a large number of youths. In a study unique for the opportunity to assure complete confidentiality, Abel studied 561 sex offenders and found that approximately two thirds of all victims molested outside the home were boys (Abel et al., 1987). Pedophiles who targeted young boys outside the home committed the greatest number of crimes, averaging 281.7 acts with 150.2 partners (Abel, Becker, Cunningham-Rathner, Mittelman, & Rouleau, 1988).

In protecting children in their care from sexual victimization, youth-serving organizations have to address both external victimization (e.g., strangers penetrating facility security, identifying those children victimized by family members) and internal victimization (e.g., children within the organization victimizing other children, children victimized by staff members). So far, the sexual victimization of children in their care by staff members who have developed an acquaintance relationship has presented the greatest problems for such organizations, but organizations are now more often recognizing cases in which children are victimizing other children (Finkelhor, Shattuck, Turner, & Hamby, 2014).

Focus and Purpose of Discussion

This discussion is intended to be a general and generic guide or a starting point for youth-serving organizations. It is not intended to be a specific step-by-step manual. Each organization needs to modify and customize any measures implemented to fit their specific situations and to insure compliance with applicable laws and any standards for similar organizations.

The information set forth in this discussion is based primarily on our somewhat overlapping professional experience evaluating the behavioral dynamics of the sexual victimization of children over the past 35 years. During that time, one of the authors (Lanning) has conducted training and research on the topic and consulted on thousands of criminal cases. Since 2000, he has also been retained many times in civil cases as a negligence expert by attorneys suing youth-serving organizations and by attorneys defending them. In the same time frame, the other author (Dietz) has conducted psychiatric evaluations of offenders and victims in scores of civil and criminal cases, advised attorneys on the investigation and evaluation of

thousands of civil cases, conducted evaluations of notice, negligence, and damages in scores of civil cases, and studied the history of scientific and public awareness of acquaintance molestation and the classification and treatment of offenders. Thus, we have considerable familiarity with the narratives advanced by victims, offenders, law enforcement, prosecutors, youth-serving organizations, and the attorneys on both sides of civil cases. We came to realize that many of the challenges in understanding certain behavior patterns that we had seen in working on investigations and in litigation also confront youth-serving organizations. Most problematic seem to be those cases that do not fit the stereotype of “evil” sexual predators forcing “innocent” young children into overt sexual activity. That narrow and naïve stereotype has blinded far too many otherwise reasonable people, delaying or blocking their recognition of how acquaintance molestation more often occurs and how recurrences might be best prevented and addressed.

We recognize that there may be differing industry standards for organizations that incidentally deal with youths (e.g., department stores, professional sports venues, or elder care facilities) and those that specialize in services to youths (e.g., summer camps, toy stores, daycare facilities, or pediatric clinics). A thorough discussion of how these standards may differ is beyond the scope of this overview, which is addressed to organizations that primarily serve youths.

Youth-serving organizations that fail to respond adequately to this problem do so for both inadvertent reasons (e.g., ignorance, incompetence, denial, philosophy of forgiveness, “good old boy” network, elitism) and intentional reasons (e.g., too expensive, fear of being sued by the accused, paranoia, legal advice, damage control, confidentiality agreement, cover-up, complicity). Too often, components of both—particularly ignorance and damage control—seem to affect the judgment of one or more of the decision makers.

Synopsis of Insights and Practices

Children can be sexually victimized within organizations whether or not the organization is legally negligent and regardless of the degree of negligence. There is no magical formula or a set of protection practices that will prevent all sexual victimization. To better protect children, organizations should be urged to do the most that the law allows. Instead, however, budgetary and other constraints seem to influence some organizations (e.g., public schools) to do the least that the law requires (e.g., reporting reasonable suspicions to authorities only if a law specifically requires it).

We will leave to the lawyers the task of arguing what “standard of care” should be applied by the fact finder in any specific lawsuit. We believe that the

standard to which organizations should aspire should be based on informed best practice, not merely what most similar organizations do. Implementing best practices rather than simply doing what most organizations may be doing (however wrong-headed or inadequate) increases the likelihood of protecting children and successfully defending negligence claims.

In developing and implementing policies and procedures, youth-serving organizations may need to review the literature and employ or consult with professionals with expertise and specialized knowledge in employment law, human resources, organizational prevention and response programs, and the dynamics of the sexual victimization of children. When consulting with child abuse experts, organizations need to verify that the experts have specific experience and expertise with *extrafamilial* cases involving *acquaintance* offenders. All efforts to address this problem should be developed and implemented on the basis of an informed understanding of the nature of sexual victimization of children and the behavior patterns of child molesters and victims. As stated, each organization needs to modify and customize any measures implemented to fit its specific situation and to comply with both applicable laws and any recognized standards for similar organizations. They must also continue to learn from their own experience and that of others and to educate themselves about evolving risks, preventive measures, and standards among youth-serving organizations.

Organizations must often deal with difficult cases in which (a) well-liked individuals who are dedicated to helping children sexually victimize children over time in ways that may involve behavior generally not thought of as sexual (e.g., touching, rubbing, hugging, horse play, etc.), (b) children are controlled through a grooming/seduction process (e.g., providing attention, affection, privileges, recognition, fun events, gifts, money, drugs, alcohol, etc.) rather than the threat or use of force or violence, and (c) child victims often cooperate, deny, or do not report their victimization, and may even support and defend the offender. Although one or more of these dynamics can occur in cases of intrafamilial or stranger sexual victimization of children, their prevalence in acquaintance molestation cases within organizations is so high and misunderstood that we focus on these as core issues.

Among the barriers to complete prevention is the considerable variance among child molesters (Lanning, 2010), making accurate identification unlikely prior to discovering the first offense. A useful distinction in understanding the difficulty of preventing the first offense is that between situational and preferential sex offenders in general (Dietz, 1983) and child molesters specifically (Lanning, 1986). Offenders with no sexual deviation who act out of poor moral character, personality disorder, or substance abuse to take advantage of situational opportunities (situational offenders) are

sometimes screened out or recognized on the basis of nonsexual behaviors observable by adults. In contrast, those offenders who have unusual and persistent sexual preferences (preferential offenders) may be much harder to recognize prior to their first efforts at victimization if they appear to be of good moral character, have intact personalities, lead sober lives, and have adequate social skills. Over time, they also develop and improve the skills they need to be more successful in sexually victimizing children (Lanning, 2010), which are similar to the skills a married man would need to cultivate an extramarital affair while concealing it from his wife.

Post-pubescent adolescent children are obviously potential targets of a much larger and more diverse population of offenders than are younger, pre-pubescent children. First, many more adults are aroused by attractive adolescents with secondary sex characteristics than by pre-pubescent children. Second, adolescents more often communicate their sexuality through clothes, makeup, actions, and words than do pre-pubescent children. Third, adolescents spend more time away from their parents and have greater freedom than younger children. Although adults attracted to post-pubescent children may behave inappropriately or criminally, they do not necessarily have any recognized psychosexual or other mental disorder. Although often referred to incorrectly as *pedophiles*, offenders against adolescents usually do not meet the diagnostic criteria for *pedophilia* (attraction without action, distress, or dysfunction) or *pedophilic disorder* (attraction with action and/or distress and/or dysfunction), which require recurrent and intense sexual attraction to *pre-pubescent* children (American Psychiatric Association, 2013).

Although the insights and practices discussed in more detail in the next two sections obviously do not guarantee that no child will be sexually victimized, when used together they make such victimization less likely to occur (primary prevention) and more likely to be interrupted sooner (secondary prevention).

Commonly Misunderstood Phenomena

To effectively recognize, intervene, and prevent sexual molestation within youth-serving organizations by acquaintance sex offenders who gain access to and control of children in the context of their occupations and volunteer work, responsible adults must understand and address four interrelated but commonly misunderstood phenomena: (1) the diversity of sexual activity, (2) “nice-guy” offenders, (3) compliant child victims, and (4) the grooming/seduction process (Lanning, 2010). In this section, we briefly discuss each of these phenomena that play a major role in impeding prevention and intervention efforts in these cases.

These four particular phenomena are poorly understood not only by the public and the media, but even by many child abuse specialists and organizational leaders. Nonetheless, youth-serving organizations and those responsible for protecting other people's children must recognize, comprehend, and address them if such cases are to be effectively prevented and managed. Although not every case of sexual victimization of children confronting youth-serving organizations will involve all of these behavior patterns, cases involving one or more of them appear to represent the most common and biggest challenges.

The Diversity of Sexual Activity

Sexual victimization of children can run the gamut of sexual acts that would be normal between consenting adults, from passionate kissing to intercourse. Victimization can also include deviant sexual behavior (e.g., fetishism, urination, defecation, sexual masochism, sexual sadism, and playing dead) that often goes unrecognized as being sexual in nature, even in the language of statutes. Victimization may even include activities that are generally not viewed as sexual, such as touching, rubbing, hugging, horse play, wrestling, biting, binding, spanking, gagging, blindfolding, foot rubs, or contact with shoes or clothing.

Defining sexual activity or sexual crimes is not as easy as one might imagine. Is sexual behavior determined by the motivation for the acts or by the specific acts performed? Seemingly sexual behaviors (i.e., vaginal or anal intercourse) can be in the service of nonsexual needs and are sometimes more motivated by power and/or anger. Seemingly nonsexual behavior (e.g., touching, rubbing, hugging, etc.) can be in the service of sexual needs. Some sexually motivated behavior with children—such as watching them play or listening to them urinate, either of which is arousing to some men—is most likely not even illegal. For purposes of youth-serving organizations—the protection of minors against foreseeable risks—it is best to be overly inclusive and to regard as sexual misconduct any action toward a child motivated by sexual desire or any sexual act toward a child, regardless of motivation.

Having a broader conceptualization and understanding of what could constitute sexual behavior should improve the ability of professionals to evaluate questionable behavior and set proper boundaries for interaction with children. Simply recognizing that what could be sexual activity is not limited to sexual intercourse or other self-evident acts is crucial to developing proper responses to this problem. In many instances, it will not be possible to determine with reasonable certainty that the motivation for ambiguous behavior was sexual. Yet the organization that changes nothing when it learns that an adult had children repeatedly sit in his lap or pose for unapproved photos with

their eyes closed will find that these look like “red flags” to a jury that has heard heartbreaking testimony about a series of children who were later victimized. In such instances, the prudent employer will require chaperones or eliminate interaction with children, and the prudent volunteer organization will take steps to protect the children it serves from further interaction with the questionable actor.

“Nice-Guy” Offenders

The second commonly misunderstood phenomenon is the nice-guy offender who seems to love and is often loved by children. Acquaintance offenders are frequently described as “nice guys” and “pillars of the community,” and quite often they actually are, in all other respects. Many have qualities that are much admired by particular groups (e.g., regular and “faithful church attendance,” many hours of community service, or an exemplary military career).

Many individuals do not prevent or recognize the sexual victimization of a child by a respected member of society because they cannot believe a man who is otherwise good, spiritual, generous, or seems to truly care for children could be a child molester; even a plea or jury verdict of guilt may be rejected by such supporters. Some accept the general proposition that such individuals can be child molesters, but just not the particular nice guy that they personally know and like. They might even rally to the support of the offender or blame the victims. Nice-guy offenders usually have strong needs to rationalize and justify their sexual behavior. The psychological need to justify and validate their interest in children and the instrumental need to gain access to potential victims are not mutually exclusive (Lanning, 2010).

Recognizing that even “nice guys” can be child molesters should improve the ability of professionals to screen, manage, and supervise personnel. Such offenders will generally try to conceal their sexual interests and behavior from anyone they believe will not accept their rationalizations for it, but often disclose, at least in part, their sexual interests—or at least their excessive interest in other people’s children—to those they believe will accept their rationalizations. Knowing this can assist trained, experienced, and talented interviewers in eliciting important information. It is important for professionals attempting to elicit incriminating information from such offenders to communicate in a non-judgmental, nonthreatening, and receptive manner, at least initially.

Compliant Child Victims

The third commonly misunderstood phenomenon is the compliant child victim (Lanning, 2005). The term compliant child victim is used to describe

those children who in any way, partially or fully, cooperate in their sexual victimization without the threat or use of force or violence. With sexual activity between adults, with a few rare exceptions, there must be a lack of consent for there to be a crime. With sexual activity between children and adults, there may be a crime even if the child cooperates or “consents.” The reality of age of consent is not so simple. The legal age of consent varies by jurisdiction and depending on the type of sexual activity and individuals involved. There can often be a conflict between the law and society’s viewpoint when it comes to defining a child, and many people using the term have a mental image of children 12 or younger. In some jurisdictions, 16-year-olds may be able to consent to have sex with the man down the street, but not with their father or schoolteacher. There is sometimes inconsistency in how the law evaluates consent when addressing cases involving sexual partners of varying age differences.

As a result of the grooming/seduction process or their basic human needs, many children are compliant in their victimization. Some behaviors among children who have complied with sexual victimization that mislead or confuse adults investigating or evaluating suspicions or allegations of abuse include the following:

- Trading sex for attention, affection, or gifts
- Confusion over sexuality and feelings
- Embarrassment and guilt over sexual activity
- Minimizing their responsibility and maximizing the offender’s (e.g., fabricating claims of being drugged, threatened, or forced)
- Denying or exaggerating their victimization

These behaviors do not mean the child is not a victim. They do mean that children are human beings with human needs. Youth-serving organizations can neither expect nor rely on all child victims to immediately report or accurately describe their victimization. They cannot assume that children who express positive feelings toward or voluntarily spend time with an adult are not victims.

Because of the nature of the relationship between the offender and victim, compliance is a particularly difficult aspect of acquaintance child molestation cases. Whether or not the child resisted, said “No,” was overpowered, immediately reported it, or even enjoyed the sexual activity are not necessarily elements in determining if an adult has criminal culpability for sexually victimizing a child. Those children who initiate the sexual activity with a willing adult can be victims. It is the adult who has the legal obligation and maturity to say “No” to such advances. Understanding all

this is especially problematic for the public (i.e., potential jurors) and professionals (i.e., teachers, physicians, therapists, clergy members) who lack specialized training in criminal law and may not rely on strict legal analysis. Even if legally accurate, simplistic or emotional use of terms such as *rape* and *sexual assault* may lead to false impressions by the uninformed concerning exactly what happened and how. Most people have been influenced by the media, professionals, and prevention programs that either state or imply erroneously that all child victims are forced or tricked into unwanted sexual activity with adults.

These child victims, even after becoming adults, often either deny their victimization or disclose it in inaccurate, but more socially acceptable ways because they suffer from varying degrees of shame, guilt, and embarrassment. Sympathy for victims is also inversely proportional to their age and sexual development, and older children, sensing this, may embellish to avoid punishment or retain the acceptance of their family and peers. When an adult and child have sex under these circumstances, the adult is always the offender and the child is always the victim.

The primary reason we protect children and do not recognize their “consent” to have sex with adults is not because they are “innocent” or vulnerable due to prior abuse or family dysfunction but because they are developmentally immature (e.g., brain development, cognitive decision-making, judgment). Recognizing the reality of compliant child victims in place of an unrealistic stereotype of childhood innocence should help organizations to better identify and evaluate cases.

The Grooming/Seduction Process

The fourth commonly misunderstood phenomenon is the grooming/seduction process. As used in this discussion, grooming/seduction is defined as the use of nonviolent techniques by one person to gain sexual access to and control over potential and actual child victims (Lanning, 2010). The nature of this seduction is partially dependent on the developmental stages, needs, and vulnerabilities of the targeted child victims. Although some children (e.g., those previously abused or craving attention) may be at increased risk, all children are potentially vulnerable to these grooming and seduction techniques.

Offenders who prefer younger child victims are more likely to first seduce their parents or caretakers to gain their trust and confidence and then rely more on techniques involving fun, games, and play to manipulate the children into sexual activity. The child is often physically separated from parents and caretakers by the involvement in the youth-serving organization, and the

more trust the offender has cultivated, the greater his odds of success in grooming the child and discouraging disclosure. The parents and caretakers may even encourage the child to spend more time with the trusted offender, believing he is good for their child.

Those who prefer older child victims are more likely to take advantage of times the child is scheduled and expected to be away from the family and then rely more on techniques involving ease of sexual arousal, rebelliousness, and curiosity to manipulate the children into sex. These seduced and compliant victims are less likely to disclose their victimization and more likely to voluntarily return to be victimized again and again.

Situational factors that elevate the risk of sexual exploitation include placing children in private settings with adults, encouraging bonding between children and adults, and providing adults with added authority over children. Where these are inherent in the structure of an organization, special precautions are needed to protect the children. Without these protections, the organization may inadvertently provide the child molester with almost everything necessary to groom and seduce children. Camping, scouting, or traveling organizations (e.g., boys choirs or sports teams), for example, fulfill such an offender's needs for access to children of a specific age or gender, a bonding mechanism to ensure the cooperation and secrecy of victims, and opportunities to spend the night with a victim or have a victim change clothing. Youth-serving organizations need to be alert to the sometimes subtle differences between mentoring done for the benefit of the child and grooming done for the benefit of the offender.

Critical Protection Practices

There are four important protection practices that youth-serving organizations must consider implementing. Whether based on legal requirements, licensing regulations, contract agreements, organization/industry standards, established internal policy, specific organizational experience, or informed best practice, organizations that provide their volunteers or employees with structured access to children have a special obligation to protect these children from sexual victimization by these individuals.

Although it was not always the case, today this should include (1) proper screening of applicants; (2) managing and supervising volunteers and/or employees; (3) implementing response plans for suspicions, complaints, and allegations; and, for some organizations, (4) establishing prevention and awareness programs. In this section, we provide a brief overview of these four critical protection practices. We emphasize, however, that before implementing any such procedures, organizations should always seek appropriate

legal guidance to ensure compliance with all applicable laws and should seek consultation from experts in human resources and sexual victimization of children within organizations.

Screening

The first critical organizational practice necessary to promote children's safety from acquaintance molestation is the proper screening of applicants. Some youth-serving organizations seem to believe that their only protection obligation is to screen applicants through some level of criminal-background check. The appropriate types and degree of screening are to some degree dependent on the level of risk involved in the position being filled. Some organizations and companies (e.g., schools, daycare centers, camps, youth athletic programs, scouting) provide their employees or volunteers with structured or formal access to children and therefore bear special responsibilities to protect the children they serve. The level of screening in such settings should be higher than that for organizations or employers that provide only incidental or inadvertent access to children (e.g., those providing in-home appliance repairs or installations, lifeguards, or retail sales associates).

A study funded by the U.S. Department of Justice (DOJ) surveyed 3,800 child-serving organizations (American Bar Association, 1995). It found that as part of their screening mechanism for potential employees, 98% conducted personal interviews, 93% conducted reference checks with past employers, 86% conducted personal reference checks, and 80% confirmed educational status. To screen volunteers, 76% used personal interviews and 54% used personal reference checks. U.S. DOJ guidelines state that all applicants seeking a position to work with children should be screened at a basic level including a comprehensive application form with a signed statement, a thorough personal interview that examines an applicant's past employment or a volunteer experience and explores other indicators of potential problem behavior, and reference checks with past employers and personal contacts (U.S. DOJ, 1998).

These DOJ guidelines also recommend that each applicant's references be checked completely and that additional screening be conducted if warranted. If the applicant's hiring cannot be delayed until completion of screening, the applicant should be restricted to situations in which another worker is present. The applicant should never be alone with vulnerable individuals. An organization's screening policies should be reviewed annually and whenever new information about available mechanisms arises. Incidents involving questionable behavior should be evaluated in consultation with appropriate

professionals. Guidelines published by the CDC offer similar recommendations (Saul & Audage, 2007).

Basic screening for youth-serving organizations should include the following:

- Written application
- Pre-employment interview
- Reference checks that include obtaining information from some social acquaintances
- Appropriate criminal-history background checks

If not previously done, these screening measures must be applied even to personnel being promoted or transferred from within an organization to positions involving structured access to children (Saul & Audage, 2007).

We recommend that organizations require applicants to agree to a criminal-background search not only at the time of employment or acceptance as a volunteer but also periodically thereafter, so that screenings may be repeated periodically or whenever suspicions, complaints, or allegations arise. Organizations should carefully consider background checks on existing but previously unscreened personnel whose access to children has changed.

Multiple routes are available for criminal-background checks, and they vary considerably in cost, completeness, and speed of results. Many vendors deliver background checks that are quite poorly done and incomplete, yet provide an illusion of safety, so organizations should seek guidance on the differences among providers. Nationwide background checks are vastly superior to checks limited to one county or state, and the primary sources for nationwide checks require either name, date of birth, social security number, and a list of current and previous addresses, or a fingerprint. Fingerprint-based background checks are not available to all private organizations. Vendors vary greatly on their compliance with applicable law, whether they share results with applicants to afford them an opportunity to correct errors or withdraw their applications, and the quality of the data they search.

Criminal-background checks are only one step in the background-screening process. It is important to keep in mind that most people who are trying to gain access to children for the wrong reasons will not have a criminal history or will have one that does not clearly justify denial of access to children. Interviews and observations of the applicant interacting with children in representative environments play an extremely important role in the background-screening process. Where possible, the newcomer should be accepted provisionally, allowing separation within 30 days without explanation if any concerns emerge. Additional information should be sought in situations

involving exceptionally high risk or in response to identified “red-flags,” “warning signs,” or “triggers.”

Red-flags, warning signs, and triggers refer to possible indicators of increased risk of offending. Unfortunately, untrained personnel often fail to recognize potential “red-flags” on an application, during an interview, or in the comments of contacted references. Many traits set forth as evidence of the applicant’s “good” character (e.g., dedication to children, volunteer work, conducting child-sex-abuse prevention programs, offers to assist law enforcement) can in fact be indicators of ability to access and seduce children and/or rationalize sexual interests or behavior. These possible indicators can assist organizations in identifying potential sex offenders. They are more behavior patterns than character traits. It must be emphasized that the indicators alone mean little. Their significance and weight come as they are accumulated and come to form a clear, long-term pattern of behavior. High-risk situations include such things as contacts in private or isolated locations, occasions to spend the night with a child or to have a child change clothing, access to children of a specific age or gender, and opportunities to develop a close bonding relationship with a child.

It is highly unlikely that an applicant will openly admit to being a child molester. If interviewed by a properly trained screener, however, an applicant may make significant admissions and express attitudes that may signal a need for additional concern and scrutiny. It is probably a good idea to specifically point out things the organization is doing to prevent abuse. This might even encourage self-screening by a predisposed candidate. The CDC guidelines provide some specific advice for written applications and personal interviews and guidance on questioning (e.g., open-ended questions encouraging broad answers, requests to clarify and expand on answers, questions about age and gender preferences, responses to specific scenarios; Saul & Audage, 2007). Trained and experienced screeners must understand that many of those they are trying to screen out will not appear to be and are not “evil” or “sleazy.” They must learn to evaluate an applicant using their informed instincts, understanding of behavior patterns, and interviewing skills.

Although there is no “profile” predicting whether someone will molest children, some sex offenders, particularly the preferential type, tend to engage in behavior patterns that are highly predictable and more recognizable to observers who have training or experience with sex offender behavior. The potential indicators available as a result of the long-term, persistent behavior patterns of many acquaintance molesters make these offenders easier to identify by trained individuals (and also make it easier to document and prove misconduct if suspicions, complaints, or allegations arise).

Behavioral indicators that we have too often seen ignored include the following:

- Excessive interest in children
- Associates and circle of friends are predominately young
- Limited peer relationships
- Age and gender preferences
- Refers to children in idealistic terms
- Skilled at identifying vulnerable children
- Identifies with children better than with adults
- Has worked with children in multiple capacities (e.g., instruction, sports, care-giving, volunteer groups)
- Activities with children exclude other adults
- Skilled at manipulating children
- Lavishes attention, affection, and gifts
- Hobbies and interests appealing to children
- Photographing of children

None of these patterns of behavior reliably predict that someone is or will be a child molester, but they can indicate an increased risk of such behavior. Many offenders with multiple victims, with collections of child pornography and child erotica, and with planned, repeated, and high-risk attempts to victimize children have displayed more than one of these indicators. At a minimum, the presence of any of these indicators requires follow-up questioning appropriate to the situation and/or additional reference checks.

In developing a prevention program for the department of education in one state, Dietz emphasized the difference between early warning signs, which might be identified before children have been victimized, and late phase warning signs, which may not arise until victimization is already occurring.

Some of the early signs may continue or progress in ongoing victimization and become more significant. Examples of early warning signs include the following:

- History of working with children in both academic and other settings
- Extracurricular activities involving others' children
- Preference for a particular gender
- Preference for a particular age group
- More comfortable with children than adults

In contrast, late warning signs may better indicate that victimization, or at least grooming, is already in progress:

- Extra attention, favors, or gifts to one or a few children
- Socializing with children without other adults
- Involvement with the child's personal life
- Involvement with the child's family
- Private time with the child (in office, vehicle, or off-site)

Management and Supervision

The second critical organizational practice is the proper management and supervision of personnel. This should include such things as developing clear and specific job descriptions, policies, and procedures. Without clear job descriptions, policies, and procedures, it is almost impossible to prove someone is violating any established guidelines and engaging in inappropriate behavior. Such policies and procedures must be implemented, disseminated, and publicized. Training involving these standards must be regularly conducted and documented. In addition, there must be an audit process in place to ensure compliance with the established policies and procedures. Youth-serving organizations have a duty to supervise the interaction between adults and the children to whom they have provided access. They must be alert to detect sexual relationships even if they are voluntary or go undisclosed by the child victim. Even long-term and well-known personnel, including those promoted from within, must be properly managed and supervised if they now have access to children.

Behavioral guidelines about forms of physical contact, privacy, and topic restrictions should be established and promulgated. The CDC guidelines offer excellent recommendations for policies and procedures concerning such things as the interaction of children with employees, volunteers, and each other, defining and describing appropriate, inappropriate, and harmful behavior, ratios of employees and volunteers to children, and prohibitions and restrictions on certain activities. All employees and volunteers should be responsible for monitoring behavior and interactions within the organization (Saul & Audage, 2007). Beyond this, we recommend that all employees and volunteers be trained what to observe and to whom to report it. Although important in evaluating and reducing potential risk, group activities or the presence of a minimum of two adults do not ensure as much safety as many believe. Sex offenders, especially the preferential type, given time and opportunity to develop close personal relationships with children can use grooming/seduction techniques and engage in a variety of "sexual" activities even in group and public settings (Lanning, 2010).

Organizations should also establish restrictions on out-of-program contact with children they serve. Such restrictions should prohibit contact of the

children with employees or volunteers outside the context of the organization and contact between children and outsiders, while the child is under the care of the organization or involved in any organizational activity (Saul & Audage, 2007). Offenders who use the organization to screen and select victims, gain access, and develop trust do not necessarily commit all their offenses within the organization or during organizational activities. Instead, many cultivate a relationship that allows them to offend at other times and places, even within the child's home. One camp counselor with many victims on several continents so thoroughly seduced the parents of his child victims that he was permitted to sleep in the rooms of the children at their family homes during his off-season travels. Restrictions on out-of-program contact—which should be publicized to parents and other caretakers—would reduce the opportunity for personnel to circumvent organizational safeguards by becoming involved with the children outside of the organizational setting.

Response to Suspicions, Complaints, and Allegations

The third critical organizational practice to enhance child safety involves developing the proper response to any suspicions, complaints, and allegations. Failure to properly respond to such situations lies at the heart of many successful lawsuits against youth-serving organizations, under theories of negligent retention and negligent supervision.

One key element of a prevention program is to establish and encourage victimization reporting procedures. Personnel should be trained and encouraged to recognize and report to supervisors the early warning signs (e.g., red-flags, grooming behavior) and not just obvious sexual acts. Organizations should be aware of and comply with mandatory reporting laws that require the reporting of reasonable suspicions and not just proven facts. The organization should aspire to doing the most the law allows, not the least the law requires. In addition, although the wishes of the families of victims are important considerations, they should not be the deciding factor in determining whether to report any suspected abuse to the authorities. While there were times in the past when many believed that it was best for the child to be shielded from police interviews, public disclosure, and the stresses of criminal and civil litigation, the tenor of the times has changed so as to encourage maximal reporting.

Many mandatory reporting laws were passed at a time when lawmakers were focused on emerging awareness of intrafamilial child abuse, with little recognition of acquaintance molestation, and these statutes have not necessarily been updated. The requirements of such laws vary from state to state. Organizations need to understand that in many jurisdictions, suspicions of

sexual victimization of a child by an acquaintance (i.e., not a parent or a guardian) will not be accepted or investigated by a local social welfare agency such as Child Protective Services (CPS) or Department of Children and Family Services (DCFS). It is important to report allegations and suspicions to the proper governmental agency. Just as criminal-background checks alone do not constitute adequate screening, rote compliance with mandatory reporting alone does not solve the problem of or alleviate responsibility for developing proper responses to suspicions and allegations.

When reporting allegations and suspicions to law enforcement, organizations must be aware of limitations and problems in any investigative response. The statute of limitations may have expired concerning older allegations. Law enforcement must consider the complex question of whether and what type of an investigation can be conducted to identify victims when there are no disclosing victims or only vague, nonspecific complaints. An investigation based only on the behavior of someone with access to children seemingly fitting some suspicious pattern may not be justified or may be limited. During an investigation, the need to protect children must be balanced with concern about damaging the reputation of a possibly innocent suspect and the legal consequences of leading or suggestive questioning. Many law enforcement agencies also have limited training and experience investigating cases involving nonviolent acquaintance molesters and the behavioral patterns commonly seen in these cases. In spite of this, allegations or suspicions of criminal activity should be reported.

Allegations should not necessarily be "investigated" by the organization. Not only do most organizations not have a staff of trained investigators, but even those who happen to have volunteers or staff members with an investigative background do not have the investigative resources of law enforcement (access to law enforcement data, capacity to seek search warrants or issue subpoenas, and so on). There is an important distinction between an inquiry and an investigation. Organizations may, however, need to determine the validity of allegations before, during, or after they are reported to the appropriate authorities. Organizations should coordinate and cooperate with any official investigation and minimize the tendency to hide behind attorney/client privilege by filtering all details through their attorneys. Transparency seems to be a rare, but desirable organizational response that is too often sacrificed in the name of damage control and legal defense strategy.

All reports and actions must be carefully documented. Keeping good records concerning allegations is essential to the evaluation process. Statements such as "He is a wonderful person loved by the children" or other indicators he is "a nice guy" cannot be the sole basis for concluding a suspicion or allegation is unfounded. In evaluating allegations or suspicions, organizations must

remember that it is not uncommon for compliant child victims to fail to disclose, deny victimization, or provide incomplete, inaccurate, and distorted information when they do disclose. Organizations need to be cautious about inquiries conducted by members of the organization who are close friends or associates of the accused or suspected person. Emotional or personal involvement makes objective analysis extremely difficult. Retrievable files concerning the suspicion and subsequent inquiry must be maintained.

Organizations should do everything reasonable to resolve suspicious behavior involving “inappropriate conduct” or “boundary violations” or “public displays of affection” in a timely manner. Left unresolved, such suspicious behavior leaves a cloud over the reputation of innocent people and allows guilty people to continue their victimization of children within or outside the same or other organizations. Reports or suspicions about such behavior should be evaluated in the context of all available information about the involved parties and their previous conduct, and this is best done by those with specialized training and knowledge, including knowledge of previous documented incidents in the organization. It is easier to determine the true nature of such questionable behavior if it can be evaluated in the context of other similar behaviors. It may also be useful to involve an outside expert consultant to provide an unbiased evaluation and opinion regarding concerns of possible misconduct by staff members, volunteers, or other children. Organizations must carefully evaluate responses and policies concerning inappropriate conduct that may not be criminal in nature. Just because one finds no proof that a crime has been committed does not mean that the organization must continue to provide a suspected person with continuing access to children. A variety of strategies are available to protect the children without unfairly damaging the suspected person, who may well be innocent. In these situations, the organization may need to be particularly creative or may need to consult an expert.

In response to finding a child molester in their midst, some organizations seem to believe that the best response is to simply “move” the individual out of their midst and then engage in scandal avoidance and damage control by downplaying or covering up the incident. This strategy is at the least irresponsible, is increasingly uncovered in litigation, and may provide grounds for punitive damage awards, particularly since 1986 when there was significant national publicity about cases in which this has occurred.

Prevention and Awareness Programs

The fourth critical organizational practice is the development and implementation of appropriate prevention and awareness programs. This should include

educating staff members, volunteers, parents/guardians, and, in some organizations, the potential child victims. In some organizations or situations, it may not be feasible, appropriate, or permissible to conduct prevention programs for the children. Any education for children associated with the term *sex* can create controversy. Even some schools limit such programs. If applicable, this could also include “target-hardening” such as increased visibility, access control, privacy rules, transportation rules, and the use of monitoring devices (Saul & Audage, 2007). No organization should overly rely on parents, guardians, or children to prevent sexual victimization within their organizations. In addition to discussing a wide variety of potential offenders, organization-based educational and prevention programs should overtly mention the specific possibility that an offender may be a member of that organization’s staff, a volunteer, a child, or any other adult.

Organizations having had a significant number of past incidents should initiate review and analysis of those cases to identify possible patterns of behavior and develop corrective measures. Parents and guardians of children should be informed of the nature and scope of past incidents and the identified risks in the specific organization in which they are placing their children. Although not easy, the fact that many offenders are “nice guys” and some children not only do not resist and report but are compliant in their victimization must be incorporated into preventive education and prevention programs.

Advice to prevent the sexual victimization of children by acquaintances is complex and difficult to implement (Lanning, 2010). How do you warn children about a potential molester who may be their teacher, coach, clergy, therapist, or Internet “best friend forever” (bff) and whose only distinguishing characteristics are that they will treat the children better than most adults, listen to their problems and concerns, and fill their emotional, physical, and sexual needs? Will parents, society, and professionals understand when such victimization is suspected, discovered, or disclosed?

A great deal of prevention advice simply does not mention to which types of sexual victimization it applies. Simplistic advice advocating “Say no, yell and tell” or “Recognize, resist and report” is likely to have little impact on cases involving acquaintance molesters who effectively groom/seduce their compliant child victims. The core of most of these programs focuses on concepts such as “unwanted feeling or affection,” “inappropriate demands from adults,” “refusing gifts,” and “fight off unwanted advances.” Reminding children of their right to say “no” does not transfer the responsibility of prevention to the child, and both the child’s willingness to try this approach and success at doing so will vary depending on whether the offender is a stranger, family member, teacher, or coach.

For adolescent children, prevention advice needs to deal realistically with their developmental stage—including sexual curiosity, sexual desires, and, for many, an active sexual life—and help them understand why relationships with adults are not a good idea for them and positively ruinous for the adult. Other adolescents who may suspect or know about these relationships should be empowered to counsel their friends against them.

Summary

All of the considerations regarding the sexual victimization of children by acquaintance molesters reviewed in this article must be recognized, understood, and addressed if these cases are to be effectively identified, evaluated, reduced, and prevented. The responses of society and youth-serving organizations must reflect this understanding and recognition.

The lack of understanding and acceptance of the reality of acquaintance molestation of children (Lanning, 2010) often results in

- Victims failing to disclose and even denying their victimization
- Incomplete, inaccurate, and distorted victim disclosures
- Victims experiencing varying degrees of shame, embarrassment, and guilt
- Offenders being able to exploit numerous children over many years
- Unrealistic prevention programs that are ineffective and that compound each of the above problems

The cost of developing and implementing a reasonable response program is significantly less than the cost of a single adverse judgment for a serious incident. For prevention to be effective, we need to help ensure programs are grounded in the most complete and accurate knowledge about offenders, victims, and the victimization process. At the same time, prevention initiatives must be developmentally sensitive and based on realistic expectations for the behavior of both children and adults. One of the biggest obstacles in implementing these strategies is getting organization members and the public they serve to accept and integrate the concepts explained above. Most people prefer the comforting and familiar illusion that the sexual victimization of children is always about “evil predators” forcing “innocent angels” into sexual activity.

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