



# Characteristics of adolescent sexual offenders and their victims: a study of judicial processes

Características dos adolescentes ofensores sexuais e de suas vítimas: um estudo de processos judiciais


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## Abstract

Sexual violence practiced by adolescents is poorly studied in Brazil. It is essential to know these subjects to understand the phenomenon and to develop preventive actions. This article presents characteristics of adolescent sexual offenders, as well as their victims and the context of the offense. To this, 254 lawsuits were analyzed, between 2013 and 2016, in Federal District, involving 285 offenders and 291 victims. From the information collected, a descriptive table was elaborated, whose analysis was carried out in a contextualized manner and with reference to other important studies in the area. The results pointed to the diversity of adolescent sexual offenders, but information about families were scarce in the lawsuits. Most of them committed the offense with 16/17 years old (41.4%) and were in Middle School equivalent – 6<sup>th</sup> to 8<sup>th</sup> grade (29.5%). A significant number of adolescents had previous involvement with the courts (24.2%). The abuses were primarily extrafamilial (48.5%), with female victims (67.7%), between 10 and 14 years old (40.5%) and known to the offender (92.2%). The complexity of the cases is highlighted, making standardized interventions impossible, as well as the importance of knowing the social context of adolescents and their family relationships to more assertive interventions.

**Keywords:** Adolescence; Characterization; Sex Offender Adolescent; Sexual Abuse; Family.

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## Resumo

A violência sexual praticada por adolescentes ainda é pouco estudada no Brasil. Conhecer esses sujeitos é fundamental para a compreensão do fenômeno e execução de ações preventivas. Este artigo apresenta características dos adolescentes ofensores sexuais, bem como de suas vítimas e do contexto da violência. Para isso, foram analisados 254 processos judiciais, entre 2013 e 2016, no Distrito Federal, envolvendo 285 ofensores e 291 vítimas. A partir das informações coletadas, elaborou-se um quadro descritivo, cuja análise foi realizada de forma contextualizada e tendo como referência outros importantes estudos na área. Os resultados apontaram a diversidade dos adolescentes ofensores sexuais, porém as informações sobre as famílias foram bastante escassas nos processos. Quanto à idade e à escolaridade, a maior parte cometeu a ofensa com 16/17 anos (41,4%) e cursava o ensino fundamental II (29,5%). Um número significativo de adolescentes tinha envolvimento anterior com a justiça (24,2%). Os abusos foram prioritariamente extrafamiliares (48,5%), com vítimas do sexo feminino (67,7%), entre 10 e 14 anos (40,5%) e conhecidas do ofensor (92,2%). Ressalta-se a complexidade dos casos, impossibilitando intervenções padronizadas e descontextualizadas, assim como a importância de conhecer o contexto social e as relações familiares desses sujeitos com vistas a intervenções mais assertivas.

**Palavras-chave:** Adolescência; Caracterização; Adolescente Ofensor Sexual; Abuso Sexual; Família.

## Introduction

This text aims to present characteristics of adolescents accused of committing sexual violence, as well as their victims and the context in which the violence occurred. For this, a documentary research was carried out on the legal proceedings of adolescents formally denounced, in the period from 2013 to 2016, in the Federal District, and therefore were investigated by the Justice system.

Sexual violence is not recent in history, but it is currently considered a major public health problem, due to the high epidemiological incidence and the serious damage caused to the victims' psychological, emotional and social development (Krell; Amador, 2015). Attentive to the various aggravations caused by this type of violence and to the societal transformations over the years, Brazilian legislation has also broadened the understanding with regard to sexual crimes and stiffened the penalties. Currently, article 213 of the Penal Code, amended by Law 12,015/2009, considers rape the act of "forcing someone, through violence or serious threat, to have carnal abuse or to practice or allow another libidinous act to be practiced with them", and article 217-A considers statutory rape as "having carnal abuse or engaging in libidinous acts with children under the age of 14". Still as a statutory rape, the first paragraph of article 217-A says that "the person who performs the actions described in the caput with someone who, due to mental illness or disability, does not have the necessary discernment to perform the act, or who, for any other cause, cannot offer resistance" (Brasil, 2009).

Recently, Law 13,718/018 also amended articles 215-A and 218-C of the Penal Code, making sexual harassment a crime, considered to be "practicing against someone and without their consent, a libidinous act in order to satisfy their lust or that of a third party," and the offer, exchange, publication, disclosure, including in the media, of scenes of rape or statutory rape, or that induce their practice, as well as scenes of sex, nudity or pornography without consent of the victim (Brasil, 2018a). Thus, sexual violence/sexual abuse is considered to be any act or conduct aimed at the sexual satisfaction of an adult or adolescent with a significant age difference from

the victim, which may or may not include physical contact and penetration. It is important to highlight that in cases of sexual abuse against children and adolescents, there is a relationship of hierarchy and power over the victims, who are in cognitive and physical development and have a lower level of maturity than the offender (Said; Costa, 2019).

In the international literature, especially in English-speaking countries, the term “sexual offense” has been used in an equivalent way to “sexual abuse,” but aimed especially at the person who performed the act, that is, the offender, adult or adolescent, who has been tried and convicted of this type of violence (Domingues; Costa, 2017). In this sense, when referring to the adolescent judged for committing sexual violence/sexual abuse, the term “adolescent sexual offender” was prioritized in this article.

Under Brazilian law, not only adults are responsible for sexual crimes, but also adolescents who commit sexual abuse must be held responsible, since in cases of proof of the practice of an infraction (an act corresponding to the conduct described as a crime or criminal offense), the Statute of Children and Adolescents establishes the application of socio-educational measures, from warning to juvenile detention (Brasil, 1990). In Brazil, there are few studies on adolescent sexual offenders, both in terms of systematizing statistical data and in terms of their characteristics and life trajectory (Costa et al., 2013; Pincolini; Hutz, 2014). Costa and Santos (2013) highlight that, despite the responsibility of the perpetrator of sexual violence as an important form of social control, just keeping him in prison is not enough to prevent a new recurrence. In general, the sex offender needs treatment and follow-up. Thus, for both adult and adolescent offenders, it is essential to know the context in which they live and their family relationships.

For Carreteiro (2010), adolescence should be considered in its multiplicity, since there is no single adolescence, but “adolescences.” It is a phase of many transformations, whether biological, hormonal, social, emotional and interrelational. On the one hand, it is a period prone to experiencing crises, marked by the movement of rupture with childhood and the search for a new status (Lara; Abdo, 2015). On the other hand, it is also a period rich in possibilities,

discoveries and changes, since it is at this stage that the human being undergoes the greatest changes in their vital process and experiences different roles and social situations (Penso et al., 2012).

From the psychosexual point of view, with the arrival of puberty, the adolescent begins to experience intense changes in the body and, consequently, strong changes in other aspects of life, which do not happen without anguish or conflict. Transformations occur in the way they see themselves in front of the world, in their way of feeling, of experiencing emotions and feelings. As this sexual maturation has occurred earlier and earlier, it often does not coincide with cognitive and emotional development, increasing the chances of premature sexual initiation. The lack of communication within families about sexuality aggravates this element, since there is little open and secure dialogue on the subject. Every young person experiences in this phase, which can be “essayistic” or “definitive,” and in this context of changes, the adolescent’s ways of being and living have a close relationship with family, social and cultural contexts (Carreteiro, 2010). In addition to biological factors, the family context and peer group, as well as youth culture, have a fundamental influence on sexual behaviors and on the experience of affection and intimacy in adolescence (Barroso, 2012).

In countries like the United States and Canada, studies on sexual violence committed by adolescents are much more advanced in relation to the identification and characterization of their authors. Worling and Langton (2015) point out that sexual violence in these countries is being increasingly committed by adolescents. In North America, between 14% and 18% of arrests for sexual offenses are committed by young people under 18 (Pullman et al., 2014). Specifically in the United States, of adolescents aged 12 to 17 years, 33% have already been victims of sexual violence and 20% have been identified as sexual offenders. Approximately 50% of perpetrators of sexual violence reported that the first acts of sexual assault against women began in adolescence (Pullman; Seto, 2012). Due to the increase in young sex offenders, many public policies have been implemented, with the aim of reducing such statistics (Pullman et al., 2014).

In Brazil, data from the Atlas of Violence prepared by the Institute of Economic and Applied Research (Ipea) indicate that in 2016 Brazilian police stations registered 49,497 cases of rape, and the Brazilian National Health System (SUS), 22,918 incidents of this nature. Despite the data from the SUS Notifiable Diseases Information System being approximately half of those registered at police stations there was an increase of 90.2% in rape notifications between 2011 and 2016 (Ipea, 2018). In addition, it can be considered that the two information bases still have a great underreporting and do not account for the real dimension of the problem. Such underreporting is due in large part to the victim's feelings of shame, fear and tolerance, the fear of dissolution of the family, the insistence of the courts for strict rules of evidence, fear of the various questions and interrogations throughout the judicial process, in addition to the existence of cultural taboos, favoring the maintenance of violence in secret for years (Arpini; Savegnago; Witt, 2017; Martins; Jorge, 2010).

An important research carried out by Pincolini and Hutz (2014) investigated the sexual abuse perpetrated by adults and adolescents referred to the 1st and 2nd Court of Childhood and Youth in Porto Alegre between 2003 and 2007. The data showed that of the 255 offenders identified, 70 were adolescents, all male, with an average age of less than 15 years old. Regarding education, 43% of adolescents were between 5<sup>th</sup> and 6<sup>th</sup> grade, and 8.3% worked irregularly. Among the processes analyzed, of those referring to adolescents, 70% consisted of extra-family sexual abuse and 10% were practiced by more than one adolescent.

Another recent Brazilian study provides a brief profile of adolescents who committed sexual offense in the Federal District. When analyzing 15 sexual violence lawsuits, initiated between 2008 and 2013, Domingues and Costa (2017) identified the prevalence of sexual abuse in the extra-family context (n=10), with victims, mostly female and known to the offender. As for the age group, the offenders were between 12 and 14 years old (n=4) and 15 and 17 years old (n=11). It was found that previous history, relationship with family members and social networks are non-existent in the processes, so that information about the victim is taken into account.

Studies on adolescent sexual offenders and their family relationships highlight that there is no single profile, as it is a very heterogeneous audience (Barroso, 2012; Costa; Costa, 2013; Pullman et al., 2014). Although it cannot be generalized, some common characteristics are identified, such as the fact that these adolescents live in family environments full of conflicts and violence (Barroso, 2012; McCuish; Lussier; Corrado, 2014).

In this sense, it is essential to interpret the characteristics of adolescent sexual offenders, taking into account the type of sample (for example, whether clinical or legal), the nature of the study group (if the victims were children), the type of comparison of the group (violent and non-violent) and the time of the investigation (whether before or after some treatment) (Driemeyer; Yoon; Briken, 2011). The deeper knowledge of the reality of these adolescents has clinical implications for both evaluations and interventions by preventive programs (Cale et al., 2015; McCuish; Lussier; Corrado, 2014; Ronis; Borduin, 2007). Therefore, this study expands the knowledge produced on the theme in Brazil, placing itself alongside these other works, national and international, which have been elucidating these subjects and emphasizing the importance of further deepening them for more effective preventive interventions and actions.

## Method

In order to achieve the proposed objectives, the judicial processes of male adolescents, who were denounced for committing rape, in the Federal District between 2013 to 2016 were analyzed. The definition of the period to be studied was motivated to continue the study carried out by Domingues and Costa (2017). Thus, the context of the research is that of sexual violence perpetrated specifically by adolescents and the resulting process of accountability. This context involves several actors, including the Justice System, and the Child and Youth Courts, the Guardianship Councils and the Child and Adolescent Police Stations.

In the Federal District there are two courts responsible for investigating juvenile offenses, which are divided according to the jurisdiction

area: the Court of Childhood and Youth (VIJ) and the Regional Court of Infractions of Children and Youth (VRAIJ). When receiving and investigating complaints, the Child and Adolescent Police Station (DCA) of the Federal District forwards cases to VIJ or VRAIJ, depending on the area of jurisdiction, or in cases of apprehension in the act, the adolescent is referred to a Nucleus of Integrated Service, and subsequently the process initiated there is referred to the VIJ or VRAIJ for further action. The selection and analysis of the processes took place along with these two courts.

### **Selection of processes**

The first articulations with the VIJ and VRAIJ took place in March 2017, when it was possible to identify that both perform the investigation of the infraction acts independently and do not have a single information system capable of carrying out a survey of the adolescents according to the infraction committed in all the Federal District. To this end, VIJ itself asked the DCA for a list of police reports resulting from sexual violence perpetrated by adolescents from January 2013 to December 2016. From this survey, everyone involved in the VIJ information system was sought by name. The list sent by the police station identified 240 adolescents accused of committing some type of sexual violence in the Federal District. Of these, 126 came from the area of jurisdiction of the VIJ, and only 95 lawsuits were found. At VRAIJ, the survey took place through the agency's Statistics Center, which found 297 cases related to statutory rape and indecent assault, under its jurisdiction. In total, 392 lawsuits were identified for analysis.

The inclusion criteria included cases that have already been closed (sentenced), whose communication to competent bodies took place between January 2013 and December 2016, with offenders precisely between 12 and 17 years of age, male, formally accused of committing an offense related to rape. Lawsuits that had not been concluded, with female offenders, with date of communication to competent bodies out of the defined period were excluded; lawsuits that had no identification of the

offender or with an offender under the age of 12; and duplicate lawsuits. Finally, for the documentary analysis, 254 cases (175 from VRAIJ and 79 from VIJ) remained, involving 285 adolescents and 291 victims, since there were lawsuits whose sexual violence was committed by more than one adolescent or with more than one victim. It is noteworthy, therefore, that the universe studied is due to a legal context, in which the adolescents were investigated and received a response from the Justice system, be it accountability, absolution or the filing of the lawsuit due to the lack of evidence.

### **Instrument**

In order to record the information, a specific instrument was prepared in advance, containing questions related to the lawsuit (period of investigation, sentence, application of protective and/or socio-educational measures), the characteristics of the accused adolescent and the family (age at the time of the fact, previous offenses/lawsuits, place of residence, education, number of family members, guardian, family income, participation in social assistance programs), the victim (age at the time of the event, sex, relationship with the offender) and sexual abuse (if practiced individually or collectively, intrafamily or extrafamily). From the research objectives, the choice of these questions was based on the studies by Pincolini and Hutz (2014) and Domingues and Costa (2017). Especially in relation to the accused adolescents, a limiting factor in filling out the instrument was the impossibility of obtaining all the information provided, since much of it was not registered in the lawsuits.

### **Procedure**

After completing the initial stage of identification of the adolescents, the detailed study of the lawsuit (usually containing a police report, criminal record, apprehension records, orders and sentences of the judge, technical reports, among others) took place in rooms made available by the VIJ and VRAIJ in their facilities, from September 2017 to June 2018. The information related to the profile of the adolescent,

the victim and the accountability process were recorded manually by the authors in the specific instrument. Subsequently, all the information was organized in a database, and the statistical analysis of frequency was performed using the *IBM SPSS Statistics software*, version 24.

### Ethical attention

The research project was authorized in advance by the judges of the Court for Children and Youth of the Federal District and of the Regional Court for Infrafractional Acts of Children and Youth of the Federal District, and it was also approved by the Research Ethics Committee of the Institute of Human and Social Sciences of the Federal District. Universidade de Brasilia, according to Opinion No. 2,054,880.

## Results

This text presents a snapshot of the information recorded and analyzed, especially those related to the characterization of the adolescent sex offender and his victims. The results are organized into two sections. The first refers to the main characteristics of the accused adolescents and their families. The second deals specifically with the victims and the context of the sexual offense.

### Characteristics of adolescent sexual offenders

Information was collected from 285 adolescents denounced and prosecuted for committing sexual offense. Table 1 presents the results referring to the information of the adolescent and his family.

**Table 1 – Characteristics of adolescents sued for sexual abuse, according to age**

Characteristics	Age <sup>(1)</sup>			Total n (%)
	12 / 13 n (%)	14 / 15 n (%)	16 / 17 n (%)	
<i>Education</i>				
Elementary I <sup>(2)</sup>	6 (2.1%)	10 (3.5%)	2 (2.1%)	22 (7.7%)
Elementary II <sup>(3)</sup>	19 (6.9%)	37 (13%)	28 (9.8%)	84 (29.5%)
Incomplete HS <sup>(4)</sup>	1 (0.4%)	6 (2.1%)	21 (7.4%)	28 (9.8%)
Complete HS <sup>(5)</sup>	0	0	3 (1.1%)	3 (1.1%)
N.I. <sup>(6)</sup>	33 (11.6%)	55 (19.3%)	60 (21.1%)	148 (51.9%)
<i>Abuse practice</i>				
Collective	17 (6.0%)	22 (7.7%)	29 (10.2%)	68 (23.9%)
Individual	42 (14.7%)	86 (30.2%)	89 (31.2%)	217 (76.1%)
<i>Previous involvement with justice</i>				
Yes	8 (2.8%)	25 (8.8%)	36 (12.6%)	69 (24.2%)
No	49 (17.2%)	83 (29.1%)	76 (26.7%)	208 (73.0%)
N.I.	2 (0.7%)	0	6 (2.1%)	8 (2.8%)
<i>No. of people in the family</i>				
Up to 02	1 (0.4%)	2 (0.7%)	6 (2.1%)	9 (3.2%)
3 to 4	13 (4.6%)	30 (10.5%)	21 (7.4%)	64 (22.5%)
5 to 6	6 (2.1%)	16 (5.6%)	9 (3.2%)	31 (10.9%)
7 or +	3 (1.1%)	3 (1.1%)	4 (1.4%)	10 (3.5%)
Shelter	5 (1.8%)	4 (1.4%)	4 (1.4%)	13 (4.6%)
N.I.	31 (10.9%)	53 (18.6%)	74 (26.0%)	158 (55.4%)

continues...

**Table 1 – Continuation**

Characteristics	Age <sup>(1)</sup>			Total n (%)
	12 / 13 n (%)	14 / 15 n (%)	16 / 17 n (%)	
<i>Family income (Mw)<sup>(7)</sup></i>				
Less than 1	2 (0.7%)	2 (0.7%)	0	4 (1.4%)
1 to 2	2 (0.7%)	10 (3.5%)	6 (2.1%)	18 (6.3%)
3 to 4	0	0	3 (1.1%)	3 (1.1%)
More than 4	1 (0.4%)	4 (1.4%)	1 (0.4%)	6 (2.1%)
Shelter	5 (1.8%)	4 (1.4%)	4 (1.4%)	13 (4.6%)
N.I.	49 (17.2%)	88 (30.9%)	104 (36.5%)	241 (84.6%)
Total adolescents sued	59 (20.7%)	108 (37.9%)	118 (41.4%)	285 (100%)

<sup>(1)</sup> Age of the adolescent at the time of the fact; <sup>(2)</sup> Elementary I: 1st to 5th year; <sup>(3)</sup> Elementary II: 6th to 9th grade; <sup>(4)</sup> Incomplete HS: incomplete high school; <sup>(5)</sup> Complete HS: complete high school; <sup>(6)</sup> NI: not informed or not identified; <sup>(7)</sup> Family income expressed in minimum wage (Mw).

### Characteristics of victims

Table 2 presents the information regarding 291 victims and the context in which the abuse was committed.

**Table 2 – Characteristics of victims and type of abuse, according to sex**

Characteristics	Sex		
	Female n (%)	Male n (%)	Total n (%)
<i>Age</i>			
0 to 4	25 (8.6%)	16 (5.5%)	41 (14.1%)
5 to 9	40 (13.7%)	65 (22.3%)	105 (36.1%)
10 to 14	106 (36.4%)	12 (4.1%)	118 (40.5%)
15 to 19	12 (4.1%)	1 (0.3%)	13 (4.5%)
20 or more	13 (4.5%)	0	13 (4.5%)
N.I. <sup>(1)</sup>	1	0	1 (0.3%)
<i>Type of abuse</i>			
Extrafamily	110 (37.8%)	31 (10.7%)	141 (48.5%)
Intrafamily	78 (26.8%)	56 (19.2%)	134 (46.0%)
Institutional <sup>(2)</sup>	8 (3.1%)	7 (2.1%)	15 (5.2%)
N.I.	1 (0.3%)	0	1 (0.3%)
<i>Victim-offender link</i>			
Strangers	21 (7.2%)	1 (0.3%)	22 (7.5%)
Acquaintances/Neighbors	29 (10.0%)	26 (8.9%)	55 (18.9%)
Siblings	29 (10%)	19 (6.5%)	48 (16.5%)
Relatives	33 (11.3%)	34 (11.7%)	67 (23%)
Cousins	33 (11.3%)	34 (11.7%)	67 (23%)
Nephews	14 (4.8%)	3 (1%)	17 (5.8%)
Other relatives <sup>(3)</sup>	4 (1.4%)	0	4 (1.4%)
Friends/Colleagues/ Boyfriends	66 (22.7%)	11 (3.8%)	77 (26.5%)
N.I.	1 (0.3%)	0	1 (0.3%)
Total Victims	197 (67.7%)	94 (32.3%)	291 (100%)

<sup>(1)</sup> NI: not informed or not identified; <sup>(2)</sup> Institutional abuse is considered to be that committed in host institutions; <sup>(3)</sup> Other relatives: wife (n=1); mother (n=1); grandmother (n=1); sister-in-law (n=1).

### Discussion of results

The results point to the diversity of adolescents accused of committing sexual abuse, as already reported in national and international surveys (Cale et al., 2015; Domingues; Costa, 2017; McCuish; Lussier; Corrado, 2014; Pullman et al., 2014). Although most of them are 16/17 years old (41.4%), in the final years of adolescence, the age group between 14/15 years (37.9%) was also significant. Regarding education, 29.5% attended elementary school II (6th to 9th grade), followed by 9.8% with some high school. It is important to highlight that in 51.9% of the cases it was not possible to know the adolescents' level of education.

Regarding the family, the information was very scarce. The families of 6.3% of the adolescents had a family income between one and two minimum wages at the time of the fact and 22.5% of the adolescents had families composed of three to four members. Despite this, it was not possible to identify the family composition in 55.4% of the cases and the family income in 84.6%, showing a lack of knowledge of the justice system regarding the families of the accused. Other information such as the person responsible for the adolescent, inclusion in social programs was also provided for in the data collection instrument, however, due to the lack or inconsistency of information, we preferred not to include it in the study. Such information is important since it provides significant elements in relation to the social context in which the adolescent lives. It was found that the justice system knows little about the

family's socio-economic configuration and situation when investigating an infraction.

Costa and Costa (2013) emphasize that sexual violence produces a set of implications and consequences that confuse the intergenerational limits and, consequently, the social representation of the roles of adult, family, father, uncle and brother. In relation to the families of adolescents who committed sexual abuse, a striking feature is the restricted family and social support, since these families do not live with other distant relatives, limiting affective exchanges, and do not make use of the community's social resources. In addition, they are adolescents who have few friends, are in a situation of social isolation, relate more to young children and experience feelings of social and sexual inadequacy, rejection and submission (Costa; Costa, 2013). Their families are especially concerned with the maintenance of basic needs, with the distribution of tasks and responsibilities among their members, making the adolescent offender, most of the times, responsible for the care of the house and siblings while the parents work outside (Costa et al., 2013). Barroso (2012) also reports that sexual offenders have a longer history of sexual, physical abuse and neglect, as well as early exposure to sex and pornography, manifest more atypical sexual interests, are more anxious and with low self-esteem. Thus, information about schooling, living with peers, the social context of the adolescent and his family are very relevant, as they direct referrals and preventive interventions.

Regarding the practice of sexual abuse, the research identified a significant number of cases committed with the presence of more than one offender adolescent (23.9%), mainly aged between 16 and 17 years old (10.2%). According to the Atlas of Violence, from 2011 to 2016, there was an increase in cases of collective rape, from 13% to 15.4% (Ipea, 2018). In these cases, the largest proportion of victims are adolescents or people over 18 years of age. About this, the study by Santos et al. (2015), with sexual aggressors in a city in Northeast Brazil (adolescents and adults), pointed out that 13.6% of cases were committed by more than one aggressor, with a higher proportion of male victims.

Höing, Jonker and Van Berlo (2010) highlight that young sexual offenders of children almost always act alone, while sexual offenders of their peers act in groups in 33% to 50% of cases. The two types of offenders showed no significant differences in relation to past sexual or physical abuse and violence between parents. However, adolescent offenders of children have significantly more relationship problems with their peers. The authors of this research point out that the subdivision of sexual offenders who act alone and those who act in groups is also important for understanding the adolescent.

Regarding previous involvement with the justice, a significant number of adolescents (24.2%) already had one or more lawsuits before being accused of rape. Among the offenses committed are theft, robbery, bodily injury, threat, damage, fraud, trafficking and possession of weapons, possession and use of drugs, contempt, homicide and rape. International studies make an interesting distinction between adolescents who commit exclusively sexual offenses, called *sex only*, and adolescents who, in addition to sexual offenses, also commit other types of offenses of a social nature, *sex plus*. According to Pullman et al. (2014), adolescent *sex plus* offenders are more involved in general antisocial factors, while the *sex only* have different characteristics, especially with regard to atypical sexual interest, such as interest in children or sexual violence and difficulties with romantic relationships. Thus, previous involvement with justice must also be considered as a relevant aspect in directing interventions, in the clinical and socio-educational follow-up of these young people.

The victims were primarily female (67.7%), which corroborates data from the Ministry of Health (Brasil, 2018b). It is observed that, since adolescence, power relations between men and women have already been established, which become domination and inequality, lasting until adult life. However, cases of sexual abuse against male children and adolescents are quite representative (32.3%). Since gender beliefs and stereotypes relate masculinity to conceptions of strength and virility, identifying men as aggressors and women as victims, cases of sexual abuse against boys tend to be less recognized and, consequently, less reported (Brasil, 2018b; Said; Costa, 2019; Vieira, 2017).



Regarding the type of abuse, there is a higher incidence of extra-family abuse (48.5%), as well as in the studies by Domingues and Costa (2017) in the Federal District, by Pincolini and Hutz (2014) in Rio Grande do Sul, by Vieira (2017) in Pará, and by Santos et al. (2015) in Bahia, all with judicial samples. Unlike other studies in which most cases of sexual abuse occur within the family (Arpini; Savegnago; Witt, 2017; Martins; Jorge, 2010), that is, at home, by family members or by who play a role of responsibility or caregiver of the victim, as well as by intimate partners (Brasil, 2018b; Domingues; Costa, 2017; Pincolini; Hutz, 2014), it is observed that in relation to adolescent offenders, the Justice system has judged extra-family cases in a greater proportion. However, intrafamily abuse is not so distant (46%). A relevant point in relation to this aspect is the difficulty of denouncing sexual violence committed at home, considering the existing family ties (Santos et al., 2015). Intrafamily violence tends to be committed over a longer period, with greater losses for the victims, since the offender is usually a close person and the coexistence is maintained (Arpini; Savegnago; Witt, 2017). It is interesting to note that 5.2% of the abuses occurred in host institutions (shelters). Such situations were considered as institutional abuse (Domingues; Costa, 2017). However, it is worth mentioning that although the adolescent offender and the victim do not have consanguineous ties, both live in the same institution, maintaining interaction and bond similar to a family.

Regarding the choice of victims, in the cases studied, the majority (92.2%) knew the adolescent, 45.3% of whom were brothers, nephews and cousins, which proves that the sexual offender is someone of their trust or coexistence (Brasil, 2018b). This fact highlights the need to establish protective contexts, both for the victim and for the offender, who may have lived exposed to multiple forms of victimization or sexualized behavior on the part of adults, including the family (Domingues; Costa, 2017).

As for the age group, the research pointed out that female victims were mostly between 10 and 14 years old (36.4%), while male victims were between 5 and 9 years old (22.3%). Similar results were found in the studies by Martins and Jorge (2010)

and Platt et al. (2018), however without distinction of the offenders' age. Such studies indicate that the predominance of male victims at a young age may be related to the difficulty of these children to defend themselves, which does not occur with children of older age. Looking at the data in more detail, it is possible to make a relationship between the victim's sex and age and their link with the offender. On the one hand, it is highlighted that 26.5% of the victims, the majority being female (22.7%), were friends, colleagues or girlfriends of the adolescent offenders. On the other hand, 36.4% of female victims were between 10 and 14 years old. Throughout the study of lawsuits, the presence of sexual relations in common with the partners was observed, but with the disapproval of the parents, who reported the case to the competent authorities. Lowenkron (2016), when discussing minority and sexual consent, highlights that for the current and majority understanding of the law, the age criterion (14 years as the age of consent) is absolute, that is, children and adolescents up to 14 years are considered incapable to exercise their will and therefore must be protected by law. However, for the author, this criterion cannot be taken as unique and sufficient, since the age-based categories are socially constructed and manipulated, with the boundaries between the acceptable and the unacceptable constantly being redefined and negotiated. Considering historical transformations in gender inequalities is fundamental in the debates around consent in the context of sexual behavior.

An important change concerns sexual abuse, understood as violence against the "intimate and private" body and no longer as a threat to the family's honor. In this context, in addition to age, a set of factors must be analyzed, including the behavior and personality of the subjects involved, the type of relationship and the social distances between "minority" and "majority", and the context in which the sexual intercourse occurred (Lowenkron, 2015). In this study, of the 291 victims, it was possible to identify 47 (16.1%), all female, between 10 and 14 years old, who declared themselves to be girlfriends or who had "consented" sexual relations with their partners. Still, the adolescent partners were prosecuted due solely to the victim's age group. Despite the majority having received remission or

archiving of the process, nine of them were legally liable and received socio-educational measures of warning (n=1), provision of service to the community (n=3) and assisted freedom (n=5).

It is also worth mentioning that although the Brazilian Penal Code presumes a crime of any sexual act with children under 14 years of age, the age of first sexual intercourse among adolescents has been increasingly lower (Gonçalves et al., 2015; Lara; Abdo, 2015). According to Gonçalves et al. (2015), the average age of onset of sexual life is 14.9 years old, however, a survey carried out by the authors showed that the beginning of sexual life between 10 and 14 years old has been frequent, mainly among male adolescents with less schooling and low economic level. For Lara and Abdo (2015), several factors contribute to the beginning of early sexual life, such as longer time at home without supervision and without occupation, low education, low socioeconomic level and drug use. In the area of health, the age of the first sexual relation between adolescents, 10 to 14 years, occurs at a time in life when the adolescent often does not have a set of conditions, whether emotional or knowledge, that allows them to manage situations that may bring consequences for their health in the future, such as always adopting good contraceptive/preventive practices.

## Final remarks

The research data reaffirm the plurality of profiles of adolescent sexual offenders, as well as the complexity of the cases, making standardized and decontextualized interventions impossible. In addition, the invisibility of adolescent sex offenders was noted, due to the lack of statistics regarding sexual violence committed by them and the lack of information regarding their socio-family and economic context. Although the population studied received a response from the Justice system regarding the act performed, the investigation of the infraction turned especially to the evidence of the fact, often disregarding the context of the abuse and the adolescent's life trajectory.

Oliver (2007) explains that sexual abuse committed in adolescence has a direct connection

with such a stage of development, therefore, the absence of intervention facilitates the recurrence of this conduct (Worling; Langton, 2015), which expresses the need for studies in this area. From the observation of the complexity in relation to the characteristics of adolescent sexual offenders, the importance of preventive programs to be aware of the predominant characteristics of young people attended is highlighted, so that, based on these characteristics, interventions are directed to the multiple factors associated with sexual abuse. Ronis and Borduin (2007) and Pullman and Seto (2012) defend multisystem treatments, aimed at both adolescents and families. Aspects such as the practice of abuse (whether collective or individual), previous involvement with justice, the victim's age and the victim's relationship with the offender, as well as the type of abuse (whether intrafamily or extrafamily) must be carefully observed.

Sexual violence is a phenomenon that has an interface especially with the areas of health, social assistance and justice. The high prevalence of sexual violence committed by adolescents in the victims' life circle suggests the need for action by different social sectors and public policies, aiming to interrupt the cycle of victimization/aggression and contribute to the prevention of intergenerational transmission of violence. McGoldrick, Gerson and Petry (2008) point out that there are issues in the family that are continually addressed, with the patterns of relationship of previous generations being implicit models for the relationships of subsequent generations. It is precisely in this sense that it is essential to break the repetition of patterns of violence in family life that are passed on from one generation to the next.

It is also observed that adolescent sexual offenders judged by the justice system represent the part of the population that is socially excluded. They are young people with low education, from low-income families and with difficulty in accessing social protection services. Also with regard to sexual violence, the burden of accountability has fallen on the poorest population, in which Justice remains selective in the face of a society that is marked by social, and gender and race/ethnicity inequality (Bonalume; Jacinto, 2019).

Finally, the methodological limitations of this research are highlighted, mainly related to the registration of information. In addition to the scarcity of information in relation to the accused adolescent, when existent, it was recorded at different stages of the judicial process. In view of the long term for the investigation of the offense, which may last a few days or more than three years, information on schooling and family conditions was not recorded at the same time for all cases. In some cases, such data were in the police report itself, in others, in the minutes of the hearings or in specific reports. These difficulties are often related to the embarrassment and suffering experienced by these subjects, who are unable to talk about what happened, making it difficult for the Justice system to register it during the process. However, the difficulty of registers of the information did not preclude analysis and interpretation, maintaining the importance of this study.

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### **Authors' contributions**

Eusébio, Pereira and Silva collected and tabulated the data. Bastos collected the data and wrote the article. Costa revised the manuscript and approved the final version to be published.

Received: 03/11/2019

Resubmitted: 06/03/2020

Approved: 09/09/2020