



## **Recommended Guidelines for Using Details of Sexual Offense Specific Behavior and Abuse Experiences in Training, Media, and Legislative Hearings<sup>†</sup>**

This paper on using details of sexual offense specific behavior and abuse experiences reflects the views of the *Offender Management Committee* of the Oregon Attorney General's Sexual Assault Task Force (Task Force) and was approved by the membership of the Task Force on June 26, 2008; October 17, 2019.

This paper includes language to refer to *people who sexually abuse, sexual abusers, and individuals* in lieu of *offender(s)* to

- 1) address sexual offense specific behavior, and
- 2) expand the definition of people who have caused harm to include adjudicated and non-adjudicated sexual abusers.

Myths and misconceptions<sup>1</sup> regarding those who sexually abuse present a challenge to the goal of ending sexual violence.

Effective advocacy for the prevention of sexual violence must provide accurate knowledge, information, and education about sexual abusers by dispelling commonly held myths and misconceptions. Specific problems emerge requiring sensitivity and respect for the precarious nature of professionals using details of individual's experiences in training, legislative hearings, and the media.

While details of individual's experiences may provide useful information and insight into risks of perpetration, it is important to give thought to the purpose and intent of sharing such information and weigh the potential risks and benefits. The considerations provided here are a useful starting point for determining what is most appropriate for each situation and audience.

### **SIX IDENTIFIED CONSIDERATIONS**

#### **# 1 SURVIVOR/VICTIM TRAUMA**

It is known that many victims/survivors of sexual abuse, harassment, and assault

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<sup>†</sup> We recommend reviewing, "[Eight Things Everyone Should Know about Sexual Abuse & Sexual Offenders](#)" published by the Association for the Treatment of Sexual Abusers (ATSA).

attend trainings, legislative hearings, or watch or listen to media when details of sexual abuse are part of the content. It is recognized that the potential exists for this information to be harmful and traumatic.

#### Recommendation

It is recommended that when using details of abuse, consider the audience to whom the information is shared with. For example, a law enforcement audience may be different than an advocacy audience. It is also recommended that warnings or qualifications be given at the onset of training and to the media regarding sensitivity to potential harm.

### **#2 PRURIENT INTEREST**

It is recognized there can be a prurient interest in sexual abusers, and some professionals may use details of abuse experiences for shock or titillation rather than knowledge building.

#### Recommendation

It is recommended that professionals be educated about the potential result of shocking or titillating information provided through sharing details of abuse experiences and how these can be counterproductive to the educational goals.

### **#3 CONSENT**

The problem of consent arises if professionals ask individuals to give permission to use their personal experiences in training events, legislative hearings, or in access to the media. Since professionals hold great power and control, *true consent* may be impossible and a question of ethics. More importantly, it is particularly problematic if youth are asked to give permission for use of their narratives/offense histories since by virtue of being *children*, true consent is impossible.

#### Recommendation

It is recommended that careful consideration be given to whether individuals can truly consent - consent forms should reflect different language to those sensitive issues. Considering youth, it is recommended that the conversation be youth driven and that parent or guardian or trusted adult be involved in the conversation. In interfamilial cases, consent should also be given by the survivor.

### **#4 CONFIDENTIALITY**

Confidentiality is a broad, complex, and potentially dangerous issue when using details of abuse experiences. Even though ethical demands prohibit the use of specific names and personal identification information of victims/survivors, without sensitivity,

professionals could provide technically “non-confidential” information that could nonetheless identify the survivor and cause them additional trauma.

#### Recommendation

It is recommended that training occur regarding sensitivity beyond the ethics of confidentiality, teaching the potential harm when information is disclosed that may allow the identification of the victim without violating specific laws of privacy.

### **#5 AVOID SEXUAL OFFENSE BEHAVIOR REINFORCEMENT**

If people who have sexually abused are asked to make personal presentations or provide face-to-face interviews to the media, there is always a risk that the process enhances arousal as the sexual criminal conduct is relived.

#### Recommendation

It is recommended that professionals be educated about the arousal potential in individuals who may be asked to provide a public forum describing their past conduct. This is not to suggest that, because of the potential arousal, details of abuse experiences cannot be educational. It is recommended, however, that the reality of potential arousal become part of education for professionals and that a clarifying statement to that fact should be considered for audiences or for members of the media who may desire to use these experiences.

### **#6 INTENT**

There is a clear difference between professionals using details of abuse experiences in trainings, hearings, and the media and having people who have sexually abused others provide information in person. Much confusion exists regarding whether this effort should be used as testimony of the individual's growth and progress or, in reality, contributes to the offending behavior of the individual.

#### Recommendation

Although some survivors/victims may feel exonerated or empowered sharing their experiences in public, the benefit to people who have sexually abused in this process should not be considered a valid motivation. There is no guarantee that making public the individual's conduct is evidence of their remorse or treatment success. Therefore, it is recommended that no such claims be made by professionals. It is also recommended that professionals involved provide qualifying statements clarifying that the use information is for the sole purpose of providing knowledge and information.

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<sup>†</sup> Please contact the Attorney General's Sexual Assault Task Force for permission to reproduce this document in full or in part:  
3625 River Rd. N., Suite 275, Keizer OR 97303 | Phone: (503) 990-6541 | Fax: (503) 990-6547  
Email: [taskforce@oregonsatf.org](mailto:taskforce@oregonsatf.org) | Web: [www.oregonsatf.org](http://www.oregonsatf.org)