

Sexualized Violence Against Women and Children: A Psychology and Law Perspective

Edited by B. J. Cling, PhD, JD. New York: The Guilford Press, 2004. 305 pp. \$38.00 (hardcover).

Reviewed by Rebecca Vauter Stredny, PsyD

As noted in Chapter 1, this edited volume seeks to unite legal and psychological perspectives on sexualized violence for the purposes of increasing the contextual understanding of both lawyers and forensic psychologists. The editor points out that in recent decades there has been an increased awareness of the psychological harm inflicted on women and children by the experience of sexual violence. She also notes, however, that legal and psychological perspectives on this topic have not always been well integrated. In a succinct introduction, the editor summarizes the major ways in which legal approaches tend to differ from psychological approaches, with particular attention to sexual violence, and she makes a cogent argument for the potential symbiotic effects of increased integration between the disciplines. This creates an excellent springboard into the body of the book, which is divided into three sections, focusing on women, children, and perpetrators.

Part I, "Sexualized Violence against Women," covers a wide range of traumatic sexual experiences, including rape, domestic violence, stalking, and sexual harassment. Chapter 2, authored by the volume's editor, discusses rape and its psychological effects. The chapter includes a brief history of rape law, and the eventual identification of Rape Trauma Syndrome (as identified in a significant body of research literature) or Post-traumatic Stress Disorder, with rape as the triggering event. The author describes the initial and, in some jurisdictions, ongoing resistance to using Rape Trauma Syndrome as evidence of non-consent, and she provides a detailed account of how this syndrome has been viewed through the lenses of the *Frye* and *Daubert* standards. Finally, the author discusses malingering and mistakes (concerning the assault) as potential objections to the introduction of Rape Trauma Syndrome as evidence. She concludes

by noting that despite the varied objections that have been raised in court, there are ample legal and scientific reasons for it to be considered as evidence.

In Chapter 3, Nancy Kaser-Boyd discusses the Battered-Woman Syndrome, beginning with a brief description of abuse cycles and the clinicians' and researchers' gradual realization that psychological effects of spousal battering are often similar to the symptoms of Post-traumatic Stress Disorder. The author then provides a description of the personality traits of batterers, as well as some common experiences and personality dynamics among their victims. The next section of the chapter provides an excellent summary of the forensic evaluation of battered women, including the use of psychological testing and the possibility of malingering the effects of battering. In addition, the author reviews the legal defense of battered women, including those who kill their batterers in self-defense or become involved in criminal acts under duress. Finally, expert testimony is reviewed, and an excellent appendix containing a large number of sample direct examination questions is provided.

Chapter 4, authored by Carrie L. Hempel, covers in greater depth the current legal standards for expert testimony on the effects of battering on women who kill their abusers. The chapter begins with an anecdote used to underline the significant changes that have occurred since 1987 in the legal system that now allow expert testimony on the effects of battering. The author then provides an outstanding discussion of how expert testimony is viewed in the self-defense cases of women who kill their batterers, including an equally excellent discussion of the varying legal definitions of self-defense. She reviews the preparation and admission of expert witnesses and the scope of expert testimony, with guidance on the types of general testimony an expert should be able to provide regarding the effects of battering. She also discusses with reference to existing legal precedents, more specific factors, such as the veracity of a woman's claims, her belief that she was in immediate danger, and whether that danger was reasonable. The final section of the chapter addresses the provocation defense sometimes used when a battered woman cannot show that she had reason to fear imminent death or bodily harm. The author points out that these generally represent a small minority of cases in which women have killed their abusers and reviews potential expert testimony in such cases.

In Chapter 5, Barry Rosenfeld and B. J. Cling discuss the relatively recently criminalized behavior known as stalking. The authors review prevalence data for this crime, sometimes referred to as “epidemic,” and point out that victims of stalking are disproportionately female. In addition, they review legal definitions of stalking and recent anti-stalking legislation. A well-referenced discussion of descriptive research findings regarding stalkers ensues, including attempts at creating typologies of stalkers. The authors briefly review the impact of stalking on victims, a relatively young area of research. They point out that the existing research regarding stalking remains fairly scant, resulting in imperfect methods of intervention and prevention.

The section on sexualized violence against women concludes with Chapter 6, “Sexual Harassment in the Workplace,” by Maureen O’Connor and Brigitte Vallabhajoula. The authors launch the topic with a brief description of the effects of Anita Hill’s testimony in the Clarence Thomas hearings on the awareness of sexual harassment and the substantial increase in harassment and discrimination claims that occurred after the hearings. They present a review of current prevalence findings and a brief discussion of the legal definition of sexual harassment. A presentation of a number of models, described in the literature as developing and maintaining sexually harassing behavior such as sociocultural, evolutionary, and organizational models, follows. The authors point out that despite these models, there is no unified theory of sexual harassment, nor is there any gold standard for identifying or defining it. Nonetheless, the Equal Employment Opportunity Commission has defined two types of harassment generally recognized by the courts: *quid pro quo* harassment and hostile work environment. They examine specific topics such as “unwelcome” conduct and what types of harm can be caused by sexual harassment. This latter subject is examined from both a psychological and legal viewpoint. Finally, the authors address the matter of employer versus individual employee liability.

Part II contains a discussion of sexualized violence against children. This is, unfortunately, the weakest section of the book. In Chapter 7, Erna Olafson provides a general overview of child sexual abuse, beginning with the various permutations and definitions of this crime. A very brief discussion of the impact of child sexual abuse on victims is provided, giving cur-

sory attention to psychiatric disorders, dysfunctional behavior, and neurobiological dysregulation. Next comes a history of public awareness and perceptions of child sexual abuse, as well as the ways in which the law has viewed it. The author pays particular attention to the period from 1970 to 1990, during which substantial legal changes occurred in favor of victims. This period also saw phenomena such as mass accusations of abuses of children in daycare and of satanic ritual abuse of children, which resulted in increased public skepticism toward sexual abuse victims in less dramatic cases. A brief summary of the current research on children’s memory and suggestibility ensues. The author then reviews recent advances in the development of training programs for child forensic evaluators and improvements in techniques designed to minimize the effects of suggestibility. She discusses the implications of recent apparent declines in the prevalence of child sexual abuse, as well as the recent movement by some organizations to normalize sexual relations between children and adults. The final section of the chapter discusses incest and the far-reaching effects it has on victims and families.

In Chapter 8, Laura S. Brown provides a discussion of memories of childhood abuse, including the early 1990s phenomenon of “recovered memories.” A basic overview of the nature and functions of memory is provided as a foundation for the debate over delayed or recovered memories. The author concludes that there is research evidence for delayed recall of childhood abuse, noting that certain circumstances appear more likely to produce memory impairment. She discusses the mechanisms believed by some to contribute to recovery of memories. A discussion of the research on suggestibility provides some balance; however, this section is much briefer and has a clearly critical tone. The author reviews legal standards for the admissibility of expert testimony, but provides no discussion of how experts testifying about recovered memories have fared in regard to these standards.

Part III addresses the perpetrators of sexualized violence against women and children. In Chapter 9, William D. Murphy discusses the management and treatment of the adult sexual offender. He provides a brief review of offender characteristics as identified by the research literature, with emphasis on the fact that there is a great deal of heterogeneity in this population. The author then discusses some of the efforts of the criminal justice system in managing these of-

fenders, including registration and community notification laws and treatment programs. He also discusses the variability of results of treatment programs, with the conclusion that no consensus yet exists regarding successful treatment. The chapter concludes with brief descriptions of civil commitment as a means of preventing recidivism and of risk assessment for sex offenders.

In Chapter 10, Karen Terry and B. J. Cling discuss Megan's Law and other new measures for protecting against sexual abuse. They provide an in-depth description of the law's genesis and development, and its risks and benefits are weighed. The authors also make several suggestions for protecting children from sexual abuse. Chapter 11 concludes the book with a look at maternal violence, authored by Julie Blackman. A review of the literature regarding risk factors and demographic features of such mothers is provided, and the author presents four circumstances she views as resulting in women killing their children. This section relies most heavily on anecdotes to illustrate these sets of circumstances, but also provides some research data as a context for understanding them. In the final section of the chapter the author provides suggestions for appropriate societal responses to women who kill, with a strong emphasis on the advantages of treatment programs over punishment.

This book represents the first effort to combine psychological and legal perspectives on the effects of sexual trauma on psychological functioning. As a whole, it provides an overview of research relevant to legal proceedings related to sexualized violence against women and children. However, there is some unevenness in the contents, in that some chapters are much more extensively referenced and take a more balanced, scholarly tone than others. In addition, some chapters represent such a cursory introduction to their topic as to do the subject scant justice, as in the case of the chapter on child sexual abuse. Other contributions, such as Nancy Kaser-Boyd's discussion of Battered-Woman Syndrome, do an admirable job of providing genuine assistance to the expert witness, even within the space of a single chapter. Overall, this book should be regarded as a source of brief summaries of very complex topics. For the expert witness seeking thorough preparation, the book provides insufficient aid. The same is true of the legal practitioner seeking increased knowledge of the psychological effects of sexual violence, as some chapters

are insufficiently balanced in their presentation. However, the book would serve well as a textbook for undergraduate or graduate courses when supplemented with additional resources from the literature.

Aggression, Antisocial Behavior, and Violence Among Girls

Edited by Martha Putallaz and Karen L. Bierman. New York: The Guilford Press, 2004. 322 pp. \$38.00 (hardcover).

Reviewed by Deborah Giorgi-Guarnieri, JD, MD

Last month I was given the dubious honor of speaking to my daughter's sixth grade class about cliques and popularity. As I was not up to date in these areas, I had to turn to my shelf of books waiting to be reviewed. (Yes, this is a subtle plea for help from the membership.) Fortunately, for the sixth grade class at Walsingham Academy and me, Putallaz and Bierman's *Aggression, Antisocial Behavior, and Violence Among Girls* was sitting among the unselected. It truly did not belong there. As I prepared for the talk, I shared much of what I was reading with my colleagues, the school faculty, and other parents. Everyone showed a keen interest in the assorted facts and philosophies. So, I have decided to share them with the journal readers.

Putallaz and Bierman divide their book into five parts. The first is "Setting the Stage: Understanding the Development of Gender Differences in Aggression and Antisocial Behavior." Chapter 1 raises the question of whether we can or should distinguish sex and gender in aggression. It seems that boys are good at physical aggression and girls prefer social aggression. Social aggression means, "acts intended to inflict damage on a victim's social relationships or social status," (p 15) such as gossip. The research is inconclusive about whether the bruised eye or the damaging rumor hurts more in the long run. Chapter 2 reviews all the biological suspects: testosterone, estrogen, adrenal androgens, oxytocin, and serotonin. Chapter 3, "All Things Interpersonal," takes on the hypothesis that girls are socialized differently from boys. Interesting statements include: "father's use of control strategies (behavioral or psychological or

both) predicted girls' (but not boys') use of physical or relational aggression" (p 54), and "eating family dinners together was linked to less aggression in both boys and girls, and to less delinquency in girls" (p 55). The chapter concludes that girls are socialized in a manner that creates greater social awareness and sensitivity to the rights of others, causing less physical violence.

Part II, "Aggression and Victimization among Girls in Childhood," is my favorite. Girls use relational aggression, including "both direct and indirect acts, such as threatening to end a friendship unless a peer complies with a request, using social exclusion or the silent treatment to control or punish others, and spreading nasty rumors about someone so that others will reject him or her" (p 71). Chapter 4 explores the harm done by early childhood aggression to the victims and perpetrators. Apparently, neither group fares well. Chapter 5 explores "Girls Who Bully." At risk of giving the punch line away, the authors discuss how patterns of power and aggression established in bullying may continue into opposite sex and life-long abusive relationships. The authors conclude that female bullying may be a more significant risk, in that relationships are of central importance to female children, adolescents, and adults. Chapter 6, "A Behavioral Analysis of Girls' Aggression and Victimization," suggests some guidelines. Successful social aggression evades both responsibility and retaliation. Socially competent and popular girls are the least likely to be victimized. Contrary to popular wisdom, just ignoring it usually perpetuates the victimization. Details are in the book.

Parts III, IV, and V strike a more familiar note in the ears of the forensic psychiatrist. In Part III, Chapters 7 and 8 cover early disruptive behavior and sexually abused females. Chapter 9 provides a thought-provoking, long-term follow-up of serious adolescent offenders. Chapter 10 identifies trends in aggression and violent behavior in delinquent girls. The chapter "emphasizes the need to avoid both denial and demonization of girls' violence, and to seek to understand the context that produces girls' aggressive behavior" (p 216).

Part IV looks at conflictual relationships from different perspectives. Chapter 11 picks up on the idea that social aggression in childhood and adolescence may continue into adult abusive relationships. It reinforces that women play a much greater role than expected in the initiation and engagement in physical aggression in intimate relationships. Chapter 12 explores the inheritance of behavioral problems of the mother. Chapter 13 looks at the aggressive girl as a mother. Part V concludes the book with suggestions for intervention and policy.

I thoroughly enjoyed reading Putallaz and Bierman's book. The talk went well, and I did not embarrass my daughter. The children asked many questions about how to avoid bullies and how to become popular. The parents asked the same questions. The teachers and guidance counselors have asked to borrow the book. My colleagues offered to review it, but not for this issue of the *Journal*. I am not certain it is an essential for every forensic psychiatrist's library, but it certainly deserves to be read.