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Chapter 6: Moral Judgment of Young Sex Offenders with and without Intellectual Disabilities⁸

8 **Van Vugt, E.S.**, Asscher, J.J., Hendriks, J., Stams, G.J.J.M., Bijleveld, C. & Van der Laan, P.H. (2011). Moral Judgment of Young Sex Offenders with and without Intellectual Disabilities. *Research in Developmental Disabilities*, 32, 2841-2846

Abstract

This study examined differences in moral judgment between juvenile sex offenders with and without intellectual disabilities. The Sociomoral Reflection Measure – Short Form (SRM-SF) was used to assess moral judgment, and was extended with questions referring to general sexual situations and to the offenders' abuse victim(s). Juvenile sex offenders with and without ID significantly differed in moral judgment stage regarding general life, sexual and own abuse victim situations. Juvenile sex offenders with ID generally showed stage 2 moral reasoning, which indicated that their justifications for moral decisions were dominated by instrumental and pragmatic reciprocity, whereas juvenile sex offenders without ID used reasons and justifications representing transitional moral stage 2/3 moral judgment, indicating that the maintenance of interpersonal relationships was considered to a certain extent in their justifications for moral decisions. Future research should examine to what extent moral judgment of offenders with ID should be targeted in treatment.

Moral Judgment of Young Sex Offenders with and without Intellectual Disabilities

Moral judgment, which pertains to the “reasons or justifications for moral decisions or values” (Gibbs, 2010; p. 130), is considered to be related to delinquent behavior. Although it is widely acknowledged that moral emotions, such as empathy, are important for moral functioning (Gibbs, 2010; Hofmann, 2000), it is moral cognition, in particular immature moral judgment, that has been shown to be most strongly related to delinquent behavior (Stams et al., 2006; Van Vugt et al., in press). Given the link between moral cognition and delinquent behavior, people with intellectual disabilities (ID) may be at increased risk for delinquency, as their cognitive impairments could set limits to the development of mature moral judgment. Although there is indeed empirical evidence showing that people with ID are overrepresented in the criminal justice system (Cullen, 1993; Holland, 2004; Holland et al, 2002; Lindsay et al, 2002), especially with respect to sexual offending (Cantor, Blanchard, Robichaud & Christensen, 2005; Lund, 1990; Walker & McCabe, 1973), little research has focused on moral development of offenders with ID. It is important to examine moral development of offenders with ID, as it is questionable whether offenders who do not fully understand that certain behavior is against the rules and mores of society (Lindsay, 2002) can be held accountable for their delinquent behavior (Le sage, 2005). Moreover, moral development of offenders with ID should be examined in order to establish whether efforts to enhance their level of moral judgment can be successful.

Langdon, Clare and Murphy (2010) recently discussed the literature regarding moral development of individuals with ID. This review showed individuals with intellectual disabilities to have lower levels of moral judgment than their chronologically aged comparison group. When individuals with ID were compared with typically developing individuals of the same mental age, these differences disappeared (Blakey, 1973; Lind & Smith, 1984). However, there are indications that individuals with ID, compared to typically developing persons, have difficulties understanding the motive of the actor and more frequently focus on the consequences of an act in their judgments (Abel, 1941; Bender, 1980; Blakey, 1973). In addition, moral judgment of individuals with ID develops with age, but only progresses at a slower pace, and this progress is not as marked as in their peers (Mahaney & Stephens, 1974; Moore & Stephens, 1974; Stephens & McLaughlin, 1974).

It is still equivocal which level of moral judgment stage individuals with ID can obtain. For example, Sigman, Ungerer and Russell (1983) found some stage 3 moral judgments in a small group of adolescents with borderline intellectual functioning, although the majority of this group showed pre-conventional (immature) levels of moral judgment. Recently, Langdon, Murphy, Clare and Palmer (2010) showed a group

of adult men with IQ's under 70 to show preconventional levels of moral judgment, indicating that their scores fell within stage 1 and 2. It is questionable if individuals with ID, and in particular offenders with ID, are able to reach mature levels of moral judgment that have been shown to protect against criminal behavior (Stams et al, 2006; Van Vugt et al., 2011).

Moral judgment has been identified as an important risk factor for recidivism in both adolescent and adult offender samples (Van Vugt et al., 2011). Although, according to the "what works" principles of judicial interventions, treatment should address criminogenic risk factors, such as moral judgment, risk factors also need to be dynamic in the sense that they are changeable over time (Andrews & Bonta, 2010). Even though there seems to be some progress in the level of moral judgment of individuals with ID, these progresses are small and inconsistent. This may mean that in specific groups of individuals, such as offenders with ID, moral judgment should not be a target for treatment because of its relatively static nature. Nevertheless, as the risk-need-responsivity model (RNR model) suggests, it is all about fitting general models to individualistic cases (Doyle & Dolan, 2002), signifying that moral judgment as a risk factor should not be addressed as a changeable criminogenic factor (needs principle) in treatment, but needs to be addressed to as a rather unchangeable factor (responsivity principle) that should be taken into account in treatment that targets desistance from crime.

Langdon, Clare and Murphy (2011) recently suggested moral judgment in individuals with ID to be curvilinear, meaning that the lowest levels of moral judgment may protect against criminal behavior, as this stage reflects the obeying of authorities and law. Individuals who have borderline intellectual functioning and whose moral judgment falls into stage 2, meaning their reasons for moral decisions are dominated by the fulfillment of own needs and instrumental exchange of favors, would be at risk for antisocial and delinquent behavior.

For the purpose of this study, we examined a group of young offenders with and without ID who have a history of sexual offending. To our knowledge, no research has yet focused on differences in moral judgment between young sex offenders with and without ID. For the purpose of this study the Sociomoral Reflection Measure Short Form (SRM-SF) was used. As it is suggested that sex offenders with ID also have a poorer sexual knowledge than individuals without ID (Clare, 1993), possibly affecting their sexual mores, we added questions to the SRM-SF regarding moral judgment in sexual situations. Lastly, as all respondents committed a sexual offense, we also added questions about the offender's own abuse victim (see Van Vugt et al., 2008). The expectation was that juvenile sex offenders with ID would show lower-stage moral judgment in all three moral judgment situations; general-life (original items), sexual and own abuse victim situation than those without ID.

Method

Sample

All sex offenders were sampled from three juvenile correctional facilities (one special facility for offenders with ID) and six forensic outpatient treatment centers in the Netherlands. The sex offenders were subdivided into two groups according to the standard criteria that are used in the Netherlands for the classification of mental retardation. All individuals with a total IQ between 50 and 85, additional adaptive behavior problems or psychiatric problems, and who are in need of long-term support were designated as individuals with intellectual disability (Moonen & Versteegen, 2006). The group with an IQ over 85 was designated as the non ID group.

The first group consisted of $n = 32$ male sex offenders with (borderline) intellectual disability (IQ < 85): the total IQ scores ranged from 57 to 84, $M = 72.26$; $SD = 7.03$. The mean age of the offenders at the time of the index offense was $M = 14.27$, $SD = 1.59$, and at the time of the assessment $M = 17.94$, $SD = 2.12$. The majority of the participants attended special education schools (46.9%) or were enrolled in pre-vocational secondary education (43.8%), which prepares students for careers in (non-academic) manual labor jobs. One of the respondents was still enrolled in primary education and one respondent was enrolled in secondary vocational education. This information was not available for one of the participants. Most participants (81.3%) were native Dutch. We classified the sex offender group according to typologies that are used in clinical practice and scientific research. Most offenders were classified as solo sex offenders (90.6%), as they committed the sexual offense alone. Only one participant was a group sex offender (3.1%) and two respondents committed both solo and group sex offenses (6.3%). Approximately 56.3% of our sample was classified as child abusers, meaning that the victim was at least five years younger than the offender. Twenty eight point one percent of our sample was identified as peer abusers, which means that the victim differed less than five years with the offender or was older than the offender. The smallest group (9.4%) was treated or sentenced for a combination of offenses (child, peer abuse offenses and hands-off offenses such as exhibitionism). For two participants (6.3%) this information was unavailable. The offender knew his victim – being a family member, neighbor or classmate – in 71.9% of the cases. Fifty six point three percent abused female victims only, 15.6% had only male victims, and 28.1% of the offenders had both female and male victims.

The second group ($n = 45$) consisted of male sex offenders who were classified with an IQ over 85, further referred to as the non-ID group. The total IQ of this group of offenders ranged from 85 to 128, with $M = 95.14$, $SD = 14.97$. The mean age of this group at the time of the index offense was $M = 14.16$, $SD = 1.73$ and at the time of the assessment $M = 17.44$, $SD = 2.35$. Two participants were enrolled in special education

(4.4%) and two were still enrolled in primary education (4.4%). The majority of the participants were enrolled in pre-vocational secondary education (73.4%), which prepares students for careers in (non-academic) manual labor jobs. Six participants were enrolled in secondary vocational education (13.3%), and two participants were enrolled in senior general secondary education (4.4%). Most participants (71.1%) were native Dutch. The majority of the offenders were classified as solo sex offenders (97.8%), as they committed the sexual offense alone. Again only one participant was a group sex offender (2.2%). Approximately 75.6% of this sample was classified as a child abuser, whereas 22.2% of our sample was identified as a peer abuser. For one participant this information was unavailable. The offender knew his victim – being a family member, neighbor or classmate – in 84.4% of the cases. Fifty five point six percent abused only female victims and 20% only male victims. Twenty four point four percent of the offenders had both female and male victims.

We did not find any significant differences between the two groups with regard to the type of sex offender (child versus peer abuser and solo and group offender), age at the time of the offense or at the time of assessment, ethnicity, familiarity to the victim, type of treatment (community or institutional setting), treatment duration and psychopathology. As expected significant differences were found for educational level, with juvenile sex offenders with ID being enrolled in lower levels of education, $t(74) = -3.85, p < .001, d = -.90$ (one-tailed).

Measures

Moral judgment was measured with the *Sociomoral Reflection Measure– Short Form (SRM-SF)*, which is a structured interview that contains 11 questions about a set of core values that are considered important in most societies: contract and truth, affiliation, life, property and law, and legal justice (Gibbs, Basinger & Fuller, 1992). The SRM-SF has been shown to be cross-culturally valid (Gibbs, Basinger, Grime & Snary, 2007). Recently, the psychometric properties of the SRM-SF were examined for individuals with ID, showing satisfactory internal consistency and good test-retest reliability (Langdon et al., 2010a).

For the purpose of this study, we added four questions with sexual content. An example is: "Imagine two people kissing. How important is it that someone stops kissing if the other person says no? Could you explain why?" Another set of four questions was designed to measure the offenders' evaluations about situations that concern their own abuse victim(s). For example: "How important is it that your own abuse victim receives help?" (see Van Vugt et al, 2008, and Appendix A).

The SRM-SF interviews were transcribed and the answers containing justifications indicative of stage 1 to 4 of Gibbs' model of moral judgment development

were summed and divided by the number of scorable answers (Gibbs et al., 1992). By multiplying the final scores by 100, the mean scores can be compared with the global moral stage index of Gibbs et al. (1992). Appendix B presents an overview of the global stages.

Internal consistency reliability analyses were performed for the three sets of questions, yielding $\alpha = .67$ for the standard SRM-SF questions, $\alpha = .59$ for the questions concerning sexuality, and $\alpha = .63$ for questions about the offenders' own abuse victim(s). The global stage inter-rater agreement in terms of Cohen's Kappa was .83, which is satisfactory according to the SRM-SF manual (Gibbs et al., 1992, p. 57).

Procedure

A consent form was signed by the respondents to declare voluntary participation and to give the researcher permission to analyze psychological and criminal records. In case the participant had not yet reached the age of 16 years, a parent or a caregiver had to sign for consent as well. We explained to the respondents that withdrawal from the research did not have any consequences for their treatment or detention situation. Each assessment started with the Sociomoral Reflection Measure Short Form (SRM-SF) that was recorded on audiotape and transcribed and scored by the first and third author of this article. In the second part of the assessment the respondent had to answer questions that were programmed on notebooks. Participant numbers were assigned in order to preserve anonymity. After full participation, all respondents received a reward of 5 Euros for their cooperation.

Results

We conducted several independent T-tests to detect differences in mean scores on the five individual domains of the original (general life) SRM-SF questions as well as on the total SRM-SF scores for the three situations: general life, sexual and own abuse victim situation. First, significant differences were found between the ID group ($M = 2.07, SD = .51$) and the non ID group ($M = 2.37, SD = .46$) on the domain of contract and truth, $t(75) = -2.69, p = .00, d = .62$ (one-tailed). Last, we found significant differences on the domain of property and law, $t(73) = -1.81, p < .04, d = .43$ (one-tailed), the ID group scoring $M = 2.15, SD = .50$ and the non ID group scoring $M = 2.39, SD = .61$. Unexpectedly, no significant differences were found on the domains of affiliation, life and legal justice (see Table 1).

Table 1: Mean scores of juvenile sex offenders with ID and without ID on the domains of the SRM-SF

	Offenders with ID			Offenders without ID			t
	n	M	SD	n	M	SD	
Contract and Truth	32	2.07	.51	45	2.37	.46	-2.69**
Affiliation	32	2.36	.63	44	2.57	.59	-1.48
Life	24	2.30	.61	41	2.59	.70	-1.64
Property and Law	31	2.15	.50	44	2.39	.61	-1.81*
Legal Justice	27	2.07	.78	37	2.36	.83	-1.42

Note. * $p < .05$; ** $p < .01$

Secondly, we inspected whether there were significant differences on the total SRM-SF scores regarding the three situations. On the general life domain (total scores based on the original SRM-SF items), we found sex offenders with ID to show a significantly lower moral judgment stage, $M = 2.16$, $SD = .31$, than the non-ID group, $M = 2.42$, $SD = .37$, $t(75) = -3.16$, $p < .001$, $d = .76$ (one-tailed). Next, we examined differences between juvenile sex offenders with and without ID on the general sexual situation and regarding the offender's abuse victim. Significant differences were found, with juvenile sex offenders with ID showing lower mean scores ($M^{sexual} = 2.05$, $SD = .36$ / $M^{victim} = 2.11$, $SD = .31$) than the non ID offenders ($M^{sexual} = 2.45$, $SD = .47$ / $M^{victim} = 2.37$, $SD = .33$) for the sexual situation, $t(75) = -3.97$, $p < .001$, $d = .96$ (one tailed) and the own abuse victim situation, $t(75) = -3.54$, $p < .001$, $d = .81$ (one-tailed) (see Table 2).

Table 2: Means scores of moral judgment stage in general life, sexual and own abuse victim situations, of juvenile sex offenders with and without ID

	General Life Situations (original items)			Sexual Situations			Own Victim Situations		
	n	M	SD	n	M	SD	n	M	SD
Offenders with ID	30	2.16	.31	30	2.05	.36	30	2.11	.31
Offenders without ID	47	2.42	.37	47	2.45	.47	47	2.37	.33

These results indicate that juvenile sex offenders with ID generally showed stage 2 moral reasoning, which indicated that their justifications for moral decisions were dominated by instrumental and pragmatic reciprocity (tit for tat), whereas juvenile sex offenders without ID used reasons and justifications representing transitional moral

stage 2 /3 judgment, meaning that the maintenance of interpersonal relationships was considered to a certain extent in their justifications for moral decisions (do as you would be done by) (Gibbs, 2010; p. 38).

Discussion

This study showed juvenile sex offenders with and without ID to significantly differ in moral judgment stage regarding general life, sexual and own abuse victim situations. Also for the domains of contract and truth and property and law of the original SRM-SF (the general life situation questions), significant differences were found between the two groups; the ID group showing stage two moral judgment and the non ID group showing transitional moral stage 2 /3 judgment.

Individuals with ID have a lower moral judgment stage than individuals without ID. Moreover, their lower moral judgment stage was also present when moral situations reflected general sexual situations or the offender's abuse victim. As suggested by Langdon, Murphy, et al. (2010) and Langdon et al. (2011), in particular individuals with borderline ID whose moral judgment falls within stage 2 are at risk for delinquent behavior, as their moral judgment is dominated by the fulfillment of their own needs or by instrumental exchange of favors. The juvenile sex offenders included in our study had a mean IQ score of approximately 72, and would accordingly be classified showing borderline intellectual functioning (American Psychiatric Association, 2000; Moonen & Versteegen, 2006).

The non ID group of young sex offenders' fell into transitional moral stage 2 /3, which indicates that their moral judgment reflected to a certain extent the maintenance of interpersonal relationships (do as you would be done by) (Gibbs, 2010; p. 38). This level of moral judgment is in line with various studies (Gibbs et al., 2007) showing moral judgment of juvenile delinquents to generally fall into transitional moral stage 2 /3. Possibly, non ID juvenile sex offenders do not differ so much in moral judgment stage from other adolescent offenders. However, it should be kept in mind that the offenders who participated in our study were generally somewhat older than the adolescents in most studies, and therefore their level of moral judgment is expected to be somewhat higher.

No significant differences between juvenile sex offenders with and without ID were found on the domains of affiliation, life and legal justice of the original SRM-SF questions. Several studies have reported that (juvenile) delinquents generally show less mature moral judgment than their peers (Gibbs et al., 2007), and show lower moral judgment stage where it concerns values in the areas of law and legal justice (Palmer & Hollin, 1998; Peterson, 2001).

A remarkable finding is that offenders with ID displayed relatively higher levels of moral judgment on the domain of affiliation compared to their moral judgment stage on other domains, and compared to the level of moral judgment of the non-ID group. It has been shown that offenders with ID have difficulty in understanding hypothetical situations (see Abel, 1941; Bender, 1980; Blakey, 1973). Although some of the SRM-SF questions, due to their more hypothetical character, may have been more difficult to relate to for the ID group, at least one of the affiliation questions, "How important is it that children help their parents?", can be considered a more concrete situation that is experienced in daily life. The concreteness of this question may have triggered a higher level of moral judgment on the domain of affiliation. This might indicate that treatment of juvenile sexual offenders with ID should aim to be as concrete as possible. As some juvenile sexual offenders with ID might never be able to reach higher levels of moral reasoning, it seems worth focusing on the concrete question of what is allowed and what is not allowed rather than on reasons or justifications for moral decisions.

Some limitations of this study should be mentioned. The small sample size did not permit examining subgroups of offenders with ID, such as offenders with IQ's between 50 and 70 and those with and IQ's between 70-85. Second, despite the fact that the SRM-SF showed good reliability in previous studies, reliability in this study was relatively low for the standard SRM-SF questions and only marginally reliable for the questions concerning sexuality and the offenders' own abuse victim(s). The level of concreteness of the sexual and own victim questions might have negatively influenced the reliability of the SRM-SF.

Although juvenile sex offenders have been shown to be delayed in moral judgment in general, sexual and own abuse victim situations, it is questionable whether juvenile sex offenders' moral judgment, due to small and inconsistent progress, could be enhanced, and should be a target in treatment. It is possible that higher stages of moral judgment can be achieved by improving social information processing abilities and social skills of offenders with ID, as individuals with ID generally have difficulties with the coding and understanding of complex social situations (Sigman, Ungerer & Russell, 1983; Sigman & Erdynast, 1988; Van Nieuwenhuijzen, Orobio de Castro, Wijnroks, Vermeer & Matthys, 2004). As this research provides some evidence that juvenile sex offenders have difficulties in understanding more profound moral rules, treatment should also focus on social conventions and moral rules regarding sexual situations in order to prevent sexual recidivism (Lindsay, 2002), as a lack of sexual mores may increase the risk of sexual trespassing behavior.

Appendix A: Additional SRM-SF items regarding sexual situations and own abuse victim situations.

Sexual items	Own abuse victim items
1. How important is it that victims of sexual abuse receive help?	1. How important is it to tell the truth about the sex offense you committed?
2. How important is it that rapists are being punished?	2. How important is it that your victim(s) receive help?
3. Imagine two people kissing. How important is it that someone stops kissing if the other person says no?	3. How important is it that you receive (involuntary) treatment or imprisonment for the sexual abuse act you committed?
4. How important is it that parents talk with their children about sex?	4. How important is it that your victim(s) receive(s) support from their family and friends?
5. How important is it that people don't cheat (sexually)?	

Appendix B: The total scores of the sociomoral reasoning measure related to their moral stages

Total scores	Moral stage
100 - 125	Stage 1
126 - 174	Transition stage 1/2
175 - 225	Stage 2
226 - 274	Transition stage 2/3
275 - 325	Stage 3
326 - 374	Transition stage 3/4
375 - 400	Stage 4