

Crime Victims' Institute studies adolescent sex and laws

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While statutory rape laws have been enacted to protect minors from sexual abuse by adults or peers, more teenagers are engaging in sexual activity before the legal age of consent and are facing sexual assault charges.

A recent study by the Crime Victims' Institute at Sam Houston State University examines various state laws that have been adopted to address the growing problem and suggests ways to address the dilemmas caused by the laws that are written.

"It is becoming increasingly clear that some teenagers engage in [sexual activity](#) even before they reach the legally defined age of consent," said Glen Kercher, Director of the Crime Victims' Institute. "Given the changing mo-ores in this country and the increasing acceptance by teenagers of early sexual intimacies, more and more young people are finding themselves facing [sexual assault](#) charges, whether or not either partner feels victimized."

The report, entitled "Adolescent Sexual Behavior and the Law," provides an overview of [state laws](#) involving statutory rape and offenders who are close in age to their victims. It also refers to the model penal code, which decriminalizes sexual relationships between [teenagers](#) who are close in age when the acts are consensual and the person is no more than four years older than the minor.

While few would argue that statutory rape laws should be eliminated,

cases involving consensual, close-in-age relationships continue to be processed through the courts and may result in youth being labeled as sex offenders. Decriminalizing these cases could result in saving time and expenses in criminal court, and offenses could be tied to brief educational programs and provide parents with the option of a restraining order to control their child's behavior, according to the report.

In lieu of decriminalization, judges and prosecutors should be encouraged to use education classes instead of punishment in deciding these consensual, close-in-age relationships. In addition, juveniles who meet carefully crafted criteria, even when these cases are prosecuted, should be removed from the sex offender registry because of the wide-ranging restrictions and stigma imposed.

Provided by Sam Houston State University

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