

CHAPTER – 1

INTRODUCTION

Sex is understood as the biological difference between men and women. Even though this difference should not matter to how people are seen and treated, the distinction between both is assigned through by gender and does make a difference. Gender violence is a term for wide range of violations, which consist of both the physical and the sexual, for example ranging from sexual assault in society to sexual abuse in prison. Women are disproportionately the victims of gender violence, which happens in different forms in different social contexts throughout the world ^[2].

Today's world is accustomed to the term "Sexual Molestation" or "Sexual harassment". Sexual Molestation can be identified as a behavior. It can in general terms be defined as an unwelcome behavior of sexual nature. Sexual Molestation or harassment at workplace is a universal problem in the world whether it be a developed nation or a developing nation or an underdeveloped nation, atrocities and cruelties against women is common everywhere. It is a problem giving negative effect on both men and women. It is seen to be happening more with women gender as they are considered to be the most vulnerable section of the society these days. Sexual Molestation therefore is a serious problem in the workplace.^[1]

Rape, molestation, incest, psychological abuse, assault, physical abuse, and domestic violence are events that we hear about and may confront frequently while working in medical settings. These formidable and devastating aspects of human behavior are becoming an increasing part of our clinical and administrative practices as a result of the advent of child protection laws, a robust and growing body of literature discussing the physical and psychological effects of sexual and physical abuse, and the requirements to report abuse and assault. Recent research concerning childhood sexual and physical trauma has increased not only in quantity but also in quality. Studies have reported that between 12 and 64% of women and between 3 and 31% of men have experienced sexual abuse during0 childhood and/or adolescence. ^[4]

Rape is a highly gendered violent behavior whereas the majority of the sexually violent perpetrators are men and the majority of their victims are women. Rape, the most common form of violence against women has been a part of human culture and is a profound violation of woman's bodily integrity and can be a form of torture. The subject of rape comprises more than the actual physical act as it involves many factors such as law and customs, social and political events and so on. While the physical reality of rape has been unchanged over time and place however, the perceptions, ideas and laws about rape have changed. [2]

Violent crimes directed towards women such as rape poses serious violations of human rights. The advocates of women's rights have been able to put pressure on governments by placing gender-based violence in human rights framework to fulfill government's obligations under international human rights law to punish and prevent such violence. However, despite a substantial number of contraventions, rape still exists in some form, filling the lives of women with pain and terror from which some might never recover.

While the United Nations continues to promote democracy as the best system to secure women's dignity and rights, India the world's largest democracy fails to protect the nation's women. [2]

CRIMINAL

A criminal is someone who breaks the law. He might be a murderer, thief, or tax cheater, then he is a criminal.

When we think of criminals, our first thought might be of someone awful like a murderer. But this word is a lot broader —Anyone who breaks the law is technically a criminal, even if the crime is just not paying a speeding ticket.

MOLESTATION

Sexual assault or abuse of a person, especially a woman or child.

Sexual Molestation can be identified as a behavior. It can in general terms be defined as an unwelcome behavior of sexual nature. Sexual Molestation or harassment at workplace is a universal problem in the world whether it be a developed nation or a developing nation or an underdeveloped nation.

CRIMINAL BEHAVIOR

The focus of Criminal behavior study is to understand offender better and answer questions like: who criminals are, why do they commit an offence (In order to define ways of preventing criminal), how do they think, and what do they do (in order to predict their future actions and assist investigation in catching offenders).

They offered four general definitions of criminal behavior that will fit all the types of it.

These four areas include the following types of act:

1. Prohibited by law and are punished by the state.
2. Considered to be violation moral or religious code and is believed to be punishable by a Supreme Spiritual being such as God.
3. Violate norms of society or traditions and are believed to be punishable by community.
4. Acts causing serious psychological stress or mental damage to a victim, but is somewhat affordable for offender.

A general definition of criminal behavior can be stated as “Any kind of antisocial behavior, which is punishable by law or norms, stated by community.” Therefore, it is very difficult to define it, because the acts, being considered as violation at one point of time now is accepted by community.^[4]

RAPE

Rape is forced sexual intercourse, including vaginal, anal, or oral penetration. Penetration may be by a body part or an object. Rape victims may be forced through threats or physical means. In about 8 out of 10 rapes, no weapon is used other than physical force. Anyone may be a victim of rape: women, men or children, straight or gay.

SEXUAL ASSAULT

Sexual assault is unwanted sexual contact that stops short of rape or attempted rape. This includes sexual touching and fondling. (But, be aware: Some states use this term interchangeably with rape.

FORENSIC SIGNIFICANCE

Interviews with sex crimes investigators have revealed factors officers consider most important to sexual assault investigations and shed light on the potential uses of forensic evidence. According to investigators, the presence of biological evidence can confirm sexual contact or aid in suspect identification, but may be of little use in family and acquaintance cases where the suspect is known or likely to claim that contact was consensual. Investigators have reported evidence to be less important than factors such as victim and suspect credibility and cooperation, crime scene photographs, and witness statements. This is consistent with studies highlighting the importance of victim credibility in successful sexual assault case completion. It follows that the investigative value of forensic evidence may be contingent on the strength of other case characteristics, such as victim and witness statements. Moreover, the absence of analyzed forensic evidence during investigations requires that officers rely on other types of evidence to pursue cases, potentially reducing the perceived importance of results among investigators.

Indirect evidence about the utility of forensic evidence for sex crime investigations comes from studies that document how frequently evidence is collected, analyzed, and generates meaningful results. Overall, a relatively small portion of sexual assault cases involves the analysis of forensic material and, therefore, it may be expected that such evidence would have limited impact overall on case outcomes.^[2]

Evaluator

A forensic psychologist can be hired to evaluate the alleged victim or the alleged perpetrator. Some areas of the evaluation can entail the following:

- Personality style and coping Emotional reactions
- Assessment of fabrication and malingering
- Intellectual testing
- Memory testing

The interviewer should be extremely cautious in their approach and ask open-ended questions as well as be cautious of the suggestibility of the interviewee. One popular way law enforcement officers interview is using the cognitive interviewing technique in order

to enhance retrieval of information during the alleged incident without inadvertently implanting information. [4]

Therapist

A forensic psychologist or licensed professional counselor could be hired as a therapist in an effort to address the emotional reaction of being accused or being an

alleged victim. The word “alleged” is important to use since there will not have been any decision rendered by the judge. It is still important to remain objective and not tainted by any information. [2]

Fact witness

A forensic psychologist or licensed professional counselor could be hired as a fact witness. The fact witness would be pronounced by the court as an expert in the area that needs to be explored and capable of answering important questions. [4]

CHAPTER – 2

LITERATURE REVIEW

Lanyon, R. I. (1986) Reviews the state of current knowledge on child molestation, as distinguished from child rape. The traditional view that deviant sexual behavior is based in a character disorder is contrasted with the functional view, which makes no assumptions about ethology. Descriptive characteristics of child molesters are presented; in particular, preference molesters or pedophiles, who prefer children, are distinguished from situational molesters, whose basic preference is for adult partners but who choose children as a function of circumstances. Structured assessment devices are needed for making this distinction and also for assessing molesters' potential for violence. From a clinical perspective, the family systems approach is widely considered to be the treatment of choice for incestuous families. For eliminating the deviant behavior and impulses of the offenders themselves, the empirical treatment literature shows that behavioral methods using covert sensitization have considerable promise, at least for situational molesters. Suggestions for a systematic treatment program are presented.

A. Kenneth Fuller, MD (1989) (Child molestation and pedophilia) Child sexual abuse is a serious, pervasive problem with clinical, social, moral, and legal implications. Between 100 000 and 500 000 children in the United States are thought to be sexually molested annually. Physicians in all specialties may detect sexual exploitation of youngsters and are mandated to report such cases. Failure to diagnose child molestation and pedophilia and to treat their cause can have serious, long-lasting consequences for innocent victims and continued distress for the perpetrator and for the professional who missed the diagnosis. A single child molester may commit hundreds of sexual acts on hundreds of children. The etiology of paraphilic syndromes is multifactorial. There are substantial differences among sexual abusers of children in their personalities and psychopathologies. Although available interventions are symptomatically palliative rather than curative, many pedophiles can benefit from appropriate treatment. Primary prevention may be the key to reducing the frequency of child sexual abuse.

Paul Cameron, Kay Proctor, William Coburn, Jr. (February 1, 1986) (Child Molestation and Homosexuality). How much child molestation occurs in our society and how much is homosexual? Random-probability samples in Los Angeles, Denver, Omaha, Louisville, and Washington, DC yielded 4,340 adults who answered an extensive questionnaire regarding sexual attitudes, activities, and experiences. Results indicate that perhaps 16% of both boys and girls claim sexual relations with an adult before the age of 16; if only experiences with men are counted about 5% of boys and 15% of girls claim sexual involvements. Sexual contacts with adults before respondents were aged 13 were claimed by 9% of boys and 7% of girls; if only experiences with men are counted, only 3% of boys claimed molestation. Considering only children's claims of sex with men, about a third were homosexual molestations. About 1% of females claimed some sexual involvement with their fathers and a like number with stepfathers. The latter were considerably more apt to be considered "serious." About 1% of elementary pupils and 3% of secondary pupils claimed sexual advances by teachers and about a third of these advances resulted in physical sexual contact. Bisexuals or homosexuals claimed much more frequent sexual contact with caretakers, and homosexuality was disproportionately implicated in sexual events under caretakers' charge. No generational differences in rate of claims of sexual molestation were found.

Kathleen A.Kendall-Tackett M.A.Arthur F.Simon (1958) (Molestation and the onset of puberty) This study examines whether molestation is most likely to occur before or after the onset of puberty and also whether molestation is likely to be a one-time occurrence or last for a long time. The study analysed intake interviews from 365 adults molested as children (AMACs). The AMACs were entering treatment at the Child Sexual Abuse Treatment Program, San Jose, CA. This paper presents data on the age of onset and end of the molestation and the duration of the molestation in years. For this sample, the average age of onset was 7.5; the average age at the end of the molestation was 13. The overwhelming majority of molestations lasted one year or more. We discuss results in the context of past studies and suggest areas for further research.

Damaris J.Rohsenow*(1978) (Molested as children abuse): A hidden contribution to substance A history of child sexual victimization may be much more prevalent among substance abusers than previously suspected and may be commonly missed if not assessed directly in every patient. The rates of reporting child sexual abuse among inpatient substance abusers were compared before and after the question was routinely asked in a treatment program. Before routine inquiry, 4% of men and 20% women disclosed such abuse but after routine inquiries began the rates for adult men quadrupled, up to 42% of the teenaged boys reported such abuse, about 75% of adult women admitted such abuse, and 71 to 90% of teenaged girls disclosed histories of child sexual abuse. Unresolved issues from childhood sexual abuse may be hidden factor underlying much substance abuse and if not treated may lead to rapid relapse.

Kahr, B. (1991)Reviews the historical literature on child abuse, focusing on the trends in the historical epidemiology of incest and abuse. Four major periods in the history of sexual abuse of children in the West are identified: the Ancient Period (time of Greeks and Romans), the Medieval Period (from the rise of Christianity through the Renaissance), the Early Modern Period (18th, 19th, and early 20th centuries), and the Late Modern Period (latter half of the 20th century). The overwhelming denial of child abuse is addressed, and the need for a trend toward greater attention to this serious problem is emphasized.

Damaris J.Rohsenow*(1978) (The Extent and Origins of Sexual Molestation and Abuse among Incarcerated Adolescent Males). While sexual victimization is one of the most prevalent forms of child abuse reported within this country, investigations into the history of such abuse among groups of juvenile offenders remain limited. The purpose of this study was to investigate the extent and origins of sexual victimizations perpetrated upon incarcerated male juvenile offenders. The results suggest significantly large numbers of adolescent males entering the juvenile justice system have been victimized and the incidence of sexual molestation and abuse within this population is often under-reported and misunderstood. These findings are discussed in relation to the need for developing intervention and treatment strategies within residential programs and the self-reinforcing cycle of abuse often found among the families of youthful offenders.

Lucy Berliner, J. Robert Wheeler (December 1, 1987) (Treating the Effects of Sexual Abuse on Children) Effects of child sexual abuse are conceptualized as the result of conditioned anxiety and as socially learned responses to the victimization experience. This conceptualization is used to link existing psychological theory and research to therapeutic interventions. Strategies are proposed to alleviate anxiety, modify maladaptive beliefs and cognitions, restore or instate expectations of self-efficacy, and mitigate disturbed sexual attitudes or behaviors.

Paul Cameron (December 1, 1985) (Homosexual Molestation of Children/Sexual Interaction) A review of the literature was conducted in which 19 separate studies were examined for the ratio of heterosexual-to-homosexual molestations of children and the ratio of female-to-male child victims. Using random-probability studies reported by three different sets of investigators, an estimate that about 4% of the general population is bisexual-to-homosexual was employed to generate relative degrees of 'dangerousness' of the various sexual orientations. It appears that at least a third of all the reported child molestations involve homosexual acts, while girls account for about two-thirds of children victimized. Those who practice homosexual acts are at least: 12 times more apt to molest a child sexually, and with suitable corrections for bisexuals (who molest both genders), probably at least 16 times more apt to molest a child. A review of recorded

cases of teacher-pupil sexual interaction indicated that of the 30 instances detailed in the literature, 24 (80%) involved homosexual acts. It appears that teachers who practice homosexual acts are between 90 to 100 times more apt to involve themselves sexually with pupils than teachers who confine themselves to heterosexual acts.

Helen Sheldon (02 January 2018) (Childhood Sexual Abuse in Adult Female Psychotherapy Incidence and Implications for Treatment) Among 115 Women referred to a regional psychotherapy unit, childhood sexual abuse was reported at the referral or assessment stage by 19, and referred to covertly by 5. A significant number of cases must remain undetected. For the purpose of this study, sexual abuse includes any form of sexual activity between a female child and a familiar adult or young person older than her, which was perceived by the subject to be of a sexual nature and distressing to her. The symptoms in adulthood have been described as similar to those of Borderline Personality Disorder. Development, treatment and implications are discussed.

Mary Ellen Fromuth Ph.D. (1986) (The relationship of childhood sexual abuse with later psychological and sexual adjustment in a sample of college women) The purpose of the present study was to explore the relationship of childhood sexual abuse with later psychological and sexual adjustment. Subjects were 383 female college students recruited from undergraduate psychology classes. Each was asked to complete a packet which contained a victimization questionnaire as well as measures of adjustment. A number of small, but significant, relationships were found between a history of childhood sexual abuse and measures of later psychological and sexual adjustment. In light of the relationship between family background and sexual abuse, however, it was questioned whether these associations were due to the sexual abuse per se, or were due to the confounding of sexual abuse with family background. Indeed, once parental supportiveness was controlled, very few significant relationships emerged. There was a trend, however, for the significant correlations to involve the sexual measures rather than the more general adjustment measures. The implications of the current findings, particularly for future research, were discussed.

Morrison J (1989) (Childhood sexual histories of women with somatization disorder) Interviewed 60 women with somatization disorder and 31 women with primary affective disorders who were matched for race, age at interview, and level of education to obtain their childhood sexual development histories. The 2 groups reported similar sexual experiences at similar ages, except that significantly more Ss with somatization disorder had been molested as children.

James Morrison & Jessica Herbstein (1988) (Secondary affective disorder in women with somatization disorder) Of 60 women with somatization disorder (SD), 54 (90%) met DSM-III criteria for a major affective episode. This group with secondary affective disorder (SAD) was compared with 29 women who had primary affective disorder (PAD). SAD patients reported significantly more symptoms, more psychiatric admissions, more and longer episodes of depression; more had attempted suicide, and more had made multiple attempts. SAD patients had often been hospitalized and were likely to have been treated with lithium and a variety of antidepressants. Studying relatively homogeneous primary psychiatric diagnoses facilitates the identification of distinctions between SAD and PAD patients.

Gagnon H (1965) (Female child victims of sex offenses) Of all the obscurities in the field of criminology the study of the victim of the criminal offense offers one of the murkiest prospects. The obscurity is compounded of two major elements, one connected to the operating definitional processes of the traditional criminal legal system and the other to the logistical consequences of this system. The processes of criminal justice require, for the kind of social sorting in which they result, an allocation of responsibility to one or another of the actors who are involved in an offense.

Browne, Angela, Finkelhor, David (1986) (Impact of child sexual abuse) Reviews studies that have tried to empirically confirm the effects of child sexual abuse cited in the clinical literature. In regard to initial effects, empirical studies have indicated reactions—in at least some portion of the victim population—of fear, anxiety, depression, anger and hostility, aggression, and sexually inappropriate behavior. Frequently reported long-term

effects include depression and self-destructive behavior, anxiety, feelings of isolation and stigma, poor self-esteem, difficulty in trusting others, a tendency toward revictimization, substance abuse, and sexual maladjustment. The kinds of abuse that appear to be most damaging are experiences involving father figures, genital contact, and force. The effects of duration and frequency of abuse, age at onset, the child's reporting of the offense, parental reaction, and institutional response are also considered. The controversy over the impact of child sexual abuse is discussed.

CHAPTER – 3

AIM AND OBJECTIVES

Aim:

To study criminal behavior of a person involve in Sexual Molestation cases: A Review

Objectives:

1. To determine behavior of criminal.
2. To establish any changes in reported incidences of Molestation cases.
3. To identify the programs and policies being adopted by the government to meet the challenges of Molestation cases.

CHAPTER – 4

MATERIALS AND METHODOLOGY

Materials:

1. Database collected from Suryapet Police Station, Suryapet district.
2. Database collected after the interrogation with criminals in the jail.

Methodology:

Prior permission was taken from the Jail authorities and from the Chief Incharge of the jail with a proper request. An informed personal consent of the victims were sought and they were assured to maintain the confidentiality after the rapport formation a brief report of their demography was taken. Later investigated some of the people with permission of Jail head.

The questions which were asked to them:

1. What made you to commit the crime?
 2. Before is there any case on you?
 3. Have you ever said to yourself that “this is wrong and I must stop myself”?
 4. Is your crime is planned or repulsion action?
 5. Could someone like you be stopped, could you be helped?
 6. Why did you choose that the particular Modus- operandi?
 7. When did you decide the defense yourself?
 8. Are you Guilty with allegations or charges filed against you?
- The data is also collected from research papers and NCRB and the Web browsers.

Case Study 1: Telagana man booked for raping strep daughter in Suryapet.

TNN Dec 5 2019

Victim: 16 year old step daughter

Culprit: Step father

Place: Suryapet

Section: POCSO act.

Case Study 2: Telangana civil judge arrested for the raping advocate

TNN august 14

Victim: 29 year old advocate

Culprit: Junior civil judge

Place: Suryapet

Section: IPC provision of the SC/ST act.

Date: August 3

Case Study 3: Man rapes, sets ablaze teenage girl inn Suryapet.

TNN Feb 29 2020

Victim: 17 year old girl

Culprit: 21 years old man

Place: Suryapet

Section POCSO act attempt to Murder Rape

Date: Feb 23

CHAPTER-5

DISSCUSSION

Based on the Methodology:

Majority of the criminals are committing by consuming of alcohol or taking drugs, Mental illness and grudge. Usually they seems like a normal person. People with mental illness are more prone to commit acts of violence and aggression and more likely to be a victim of violent crime than the perpetrator.

While talking to them they feel afraid of telling what actually they have done. According to the case studies their answers are different. They do the crimes without knowing the circumstances after that.

The person who has raped a 17 year old girl was a graduate. The main reason behind that case is due to consumption of alcohol and drugs.

A person who is planned to rape her step daughter. Where he works in private company he used to drunk every day and come to home. Her actual father died before 11 months. Her mother married a man who is having of 39 years. And he planned to send her wife out. After he has raped her step daughter. He planned to rape her step daughter before the 1 month because as his step daughter is supporting her wife and not speaking properly with their step father.

In the field of personality psychology, it is used to be believed that our personalities remain largely fixed in adulthood. In fact despite relative stability our habits of thought, behavior and emotion do change in significant and consequential ways. Especially in response to the different roles that we adopt as we go through the life.

Prison environment that are likely to lead to personality change include the lack of privacy, fear, neat to wear a dress. Prison environment can change and can shape an inmate's character. This clearly could affect their return to society.

Released prisoners may be less capable of living a lawful life than they were prior to their imprisonment.

The Environment in a prison is very strict with respect to both regulations and norms, and private space is limited. Such a environment place demands on inmates to acquire order to avoid both formal punishment and negative acts.

Prison life leads to the personality changes that are likely to hamper a person's rehabilitation and reintegration.

CHAPTER-6

RESULT AND CONCLUSION

RESULT

According to the study of criminal behavior, it is a function of norms which are discriminative for criminal behavior, the learning of which takes place when such behavior is more highly reinforced than noncriminal behavior

Mainly criminals do the crimes because of the serious psychiatric illness, cerebral damage, Genetics and Heredity, Taking Intoxicating Substances, biological problems

According to the observation every year the rape cases are increasing. As it is increasing they are so many pending cases because of the insufficient evidence, political affects and prestige issues.

The rapes cases are committed by persons who know there victim, only between 5 to 15% of assaults are those whose victims are stranger. Typically, rape is an expression of aggression, anger, or need for power; psychological gratification, it is more violent than sexual harassment. Approximately 50% of rape cases on which the female having less genital injuries. Sexual assault includes being touched, grabbed, kissed, or shown genital organs to the victim.

According to Andhra Pradesh, Telangana crime records and police records most crimes were committed for by consuming of alcohol or taking drugs, Some crime was done by grudge, Some of the crimes were committed by mental disorders.

CONCLUSION

According to statistics, Andhra pradesh is also not a safest state for women, Andhra pradesh stands fourth in sexual harassment cases, according to the data released by the National Crime Records Bureau.

Woman are raped in India every 20 minutes. India was also declared the most dangerous country in the world for women due to the high risk of sexual violence.

In order to stop crime against women the studies have suggested the policy makers of the government, NGO's, and social communities in the year of 2017. Generally

Women have lack of awareness of which is happening of crimes against them, due to this women have under reporting their sexual abuse, and they wish to keep silence, which that heinous crime embarrassed their family social status and many of sexual abuse victims may feel even after the knocked the court, there will be long legal battle will be there. Our constitution will provide large number protective laws to prevent and control the crimes against women. Therefore mass media should play important role to create legal, social awareness amongst the young men and women's by catchy programmes. In Indian community generally women have under reporting their abuse i.e. domestic abuse, rape.

Because they feel embarrassed, guilty and family social status because they wish to protect their perpetrators with whom they may have in relationship.

Laws alone cannot provide a solution for this problem. Anyway laws provides for speedy investigations and fast track of trials in rape cases. What we need is better policing making public spaces safer for women. Provide equal opportunity for male and female in the society and respect girls/women.

Punishment is not a solution but the best thing you can do is safeguard yourself from rape is raise your sons, brothers and male friends properly, Teach them properly.

Finally concluded that no human commit crimes without any reason. Human being commits crime knowingly or unknowingly for their own benefits. It's the situation or circumstances which he had faced in life to survive in this present society. In this society for daily survival human being does lot of things like jobs. Here some people work hard to survive. While some other people looks for easy to survive like illegal way of earning without killing anyone.

It is a simple fact that we all have negativity inside us some is able to control it while some are provoked.

“NO ONE BORN AS CRIMINAL BUT THE SOCIETY IS WHAT MADE THEM A CRIMINAL”.

After the Nirbhaya rape case in 2012. The Indian rape laws were amended on 19th march, 2013 in the Lok Sabha and on 21 march 2013 in the Rajya Sabha for the Indian Penal Code, Criminal Procedure Code and Indian Evidence Act. Strict laws for rape were introduced related to punishments for the accused and treatment for victims at hospitals. .

The Criminal law (Amendment) Act Section 375 is to remove ambiguity in the earlier law and provide for strict punishment in cases of rarest cases of sexual violence.

And the punishment will be imprisonment of seven years and it may extend to imprisonment for life and as well as fine.

CONVICTION RATE

Between 2002 and 2011, convictions were secured in about 26% of all cases that went to court. After 2012, the conviction rate started to improve before falling back to just over 25% in 2016. 2017, the conviction rate went up to just over 32%.

It can be difficult to secure convictions given the length of time it takes for cases to reach court, and the pressures that are sometimes exerted on both the victim, and potential witnesses. Last year, the government said it was setting up an additional 1,000 fast-track courts to deal with the backlog of rape cases.

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