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# CONTEXTUAL FACTORS THAT PERPETUATE STATUTORY RAPE: THE INFLUENCE OF GENDER ROLES, SEXUAL SOCIALIZATION AND SOCIOCULTURAL FACTORS

Gary W. Harper\*

## INTRODUCTION

Childhood and adolescent sexuality are complex phenomena that are impacted by a host of cultural, developmental, environmental, and familial factors. As young people traverse the developmental pathway to adult sexuality, some are confronted with unwanted or premature sexual activity with an adult that can have deleterious psychological, social, or physical consequences. Given the power differential that exists between adults and youth, one that is intensified in male and female dyadic relationships, young people who are involved in such sexual interactions are often not capable of protecting themselves from the dangers of sexual contact with adults. Thus, various statutory rape laws have been developed in the United States and elsewhere to protect young people from sexual coercion and exploitation by adults.<sup>1</sup>

Although these laws have a long history and have undergone numerous transformations throughout the years,<sup>2</sup> there has been a recent focus on reexamining the status and heightened enforcement of statutory rape laws. Many scholars view this reinvigorated examination of statutory rape laws as being attributed to the presumed relationship between heterosexual statutory rape involving an adult male and younger female, and teenage pregnancy.<sup>3</sup> If statutory rape does

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1. See Wallace Loh, *Q:What Has Reform of Rape Legislation Wrought? A: Truth in Criminal Labeling*, 37 J. SOC. ISSUES 33 (1981); Michelle Oberman, *Turning Girls Into Women: Reevaluating Modern Statutory Rape Law*, 85 J. CRIM. L. & CRIMINOLOGY 15, 19 (1994).

2. Oberman, *supra* note 1, at 24-36.

3. Jacqueline Darroch et al., *Age Differences Between Sexual Partners in the United States*, 31 FAM. PLAN. PERSP. 160, 166 (1999); Patricia Donovan, *Can Statutory Rape Laws Be Effective in*

result in increased rates of teen pregnancy, effective statutory rape laws have the potential to decrease the economic, social, and psychological costs of teenage pregnancy, as well as decrease the victimization of young women.<sup>4</sup> Although the majority of statutory rape laws are now gender neutral, these recent discussions regarding the reexamination of these laws has primarily been focused on heterosexual sexual activity between older males and younger females. Further, these discussions have not addressed the issue of inappropriate and unhealthy sexual unions between younger males and older males or females.

Unfortunately, the increased enforcement of statutory rape laws is not likely to be the "silver bullet" that significantly decreases rates of teenage pregnancy, thereby thwarting the exploitation of young females by adult males. In fact, some in the public health and family planning fields suggest that such laws may actually have negative health consequences, because some young females may choose not to seek reproductive health services for fear that they will be compelled to expose the age of their sexual partner.<sup>5</sup> These young women may not want to lose either the emotional support or financial benefits provided by an older man, may fear that their partner will physically abuse them in reaction to being reported to the legal authorities, or may see nothing wrong with dating an older man.<sup>6</sup> Some reproductive health care providers are concerned that if they are forced to report all allegations of statutory rape, they will lose trust and credibility with their clients. As a result, they will be unable to provide the health care and psychosocial support that these young women need.<sup>7</sup> Health care providers view the current focus on increased enforcement of statutory rape laws as directed at the economic costs of teen pregnancy, rather than addressing the health and well-being of the adolescent females impacted by such events.<sup>8</sup>

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*Preventing Adolescent Pregnancy?*, 29 *FAM. PLAN. PERSP.* 30, 37 (1997); Irma T. Elo et al., *Adolescent Females: Their Sexual Partners and the Fathers of Their Children*, 61 *J. MARRIAGE & FAM.* 74, 79 (1999).

4. Joanna Gregson Higginson, *Defining, Excusing and Justifying Deviance: Teen Mothers' Accounts for Statutory Rape*, 22 *SYMBOLIC INTERACTION* 25, 26 (1999).

5. Donovan, *supra* note 3, at 33; M.A. Elders, & A.E. Albert, *Adolescent Pregnancy and Sexual Abuse*, 280 *JAMA* 648, 648-49 (1998); Corrine Miller, *Issues in Balancing Teenage Clients' Confidentiality and Reporting Statutory Rape Among Kansas Title X Clinic Staff*, 16 *PUB. HEALTH NURSING* 329, 333-34 (1999).

6. Donovan, *supra* note 3, at 30; Elders & Albert, *supra* note 5, at 648-49; Higginson, *supra* note 4, at 39-40.

7. Donovan, *supra* note 3, at 33; Miller, *supra* note 5, at 34.

8. Donovan, *supra* note 3, at 34.

Even if current statutory rape laws are enforced with new vigor, there is skepticism regarding whether or not such a strategy will have a noticeable impact on teen pregnancy, or on the rate of sexual activity between adolescent females and adult males.<sup>9</sup> The hypothetical extrapolation of the statistical impact of complete enforcement of statutory rape laws<sup>10</sup> by Professors Irma T. Elo, Rosalind Berkowitz King, and Frank T. Furstenberg, Jr., suggests that such actions are unlikely to result in a substantial reduction in teen childbearing, specifically by minors, since sixty-one percent of teen mothers are eighteen to nineteen years of age. Despite this suggestion, they do acknowledge that the potential impact on the exploitation of very young females remains unknown, especially since research has not fully examined the dynamics of such relationships or the factors that lead individuals to become involved in these unions.<sup>11</sup>

## II. FRAMEWORK FOR EXAMINING FACTORS THAT PERPETUATE STATUTORY RAPE

Since sexual activity and other human behaviors occur within an ever changing social context, the consideration of social and environmental influences when examining the factors that perpetuate statutory rape is important. Bronfenbrenner's Ecological Systems Theory of human development highlights the belief that individuals actively engage in a sociocultural environment consisting of multiple structural systems.<sup>12</sup> Thus, human behavior is affected by interactions with such systemic forces as peers, family members, schools, and social organizations; as well as by culture, media, and world events. It is important to view these interrelationships between the individual and his or her various contexts as being bi-directional and interactive. This systemic ecological approach can be quite beneficial when attempting to elucidate the myriad of factors that contribute to sexual activity and other potentially risky behaviors among adolescent females.<sup>13</sup>

Professor Bandura also expressed the critical nature of the continual flow of interchanges in his concept of reciprocal determinism,<sup>14</sup> a

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9. *Id.*; Laura Lindberg Duberstein et al., *Age Differences Between Minors Who Give Birth and Their Adult Partners*, 29 *FAM. PLAN. PERSP.* 61, 66 (1997); Oberman, *supra* note 1, at 42.

10. Elo, *supra* note 3, at 75-77.

11. *Id.* at 76.

12. See generally Urie Bronfenbrenner, *The Ecology of Human Development: Experiments by Nature and Design* (1979).

13. Gary W. Harper & W. LaVonne Robinson, *Pathways to Risk Among Inner-City African American Adolescent Females: The Influence of Gang Affiliation*, 27 *AM. J. COMTY. PSYCHOL.* 383, 383-404 (1999).

14. See generally Albert Bandura, *Social Learning Theory* (1979).

component of Social Learning Theory, and his emphasis on the importance of social and environmental interactions in human development, as well as the manner in which individuals interact with the environment and interpret environmental influences. For individuals who have been marginalized in society (e.g., women, people of color, sexual minorities), these social contexts have even greater meaning and influence on their psychological development. For example, these individuals may be targets of oppression and discrimination at an early age, or raised in environments where parents and peers emphasize how they are different and subordinate to others. These social and environmental forces may impact an individual's psychological adjustment and perception of self,<sup>15</sup> and could potentially have a negative influence on an individual's perceived sense of control and power in social and dyadic situations.

In order to understand the sexual behavior of children, adolescents, and the adults that may choose to engage in sexual activity with these young people, it is important to understand two specific socialization processes: gender role socialization and sexual behavior socialization. These processes represent factors that impact the sexual behavior of children, adolescents, and adults. For the adult engaging in sexual behavior with a minor, he or she is not only influenced by his or her own developmental socialization processes, but also by current societal and cultural norms regarding sexual behavior. Since such sexual behavior between an adult and an adolescent or child occurs within a sociocultural context, it is important to explore the range of social and environmental factors that promote sexual activity between older men and younger women, both from the perspective of the adult and the adolescent.

#### A. *Gender Role Socialization*

Although the terms "sex" and "gender" are often used interchangeably, it is important to distinguish between these two constructs. "Sex" generally refers to the biological attributes that make a person male or female, whereas "gender" refers more to the sociocultural and behavioral aspects of being a male or female.<sup>16</sup> "Gender role" typically refers to a set of societal expectations regarding how males and females are expected to think, act, and feel, and is often determined based on the degree to which the individual exhibits socially sanc-

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15. Gary W. Harper & G.Y. Iwamasa, *Cognitive Behavioral Therapy With Ethnic Minority Adolescents: Therapists Perspectives*, 7 *COGNITIVE & BEHAV. PRAC.* 37, 37-53 (2000).

16. See generally RHODA UNGER & MARY CRAWFORD, *WOMEN AND GENDER: A FEMINIST PSYCHOLOGY* (1992).

tioned feminine or masculine characteristics.<sup>17</sup> “Gender stereotypes” are those cultural and societal expectations regarding how members of each gender “should” behave, and thus attribute particular characteristics to an individual based on his or her membership in a particular gender group. Gender roles and gender stereotypes differ across various ethnic and cultural groups. Furthermore, ethnic-minority adolescents often find themselves confronted with discrepancies between the gender roles and stereotypes of the majority culture and those of their traditional home culture.<sup>18</sup>

Gender roles and stereotypes are important in the process of adolescent identity development, however, they can also put a great deal of pressure upon an individual to behave in a particular way, since they send strong messages about “appropriate” and “inappropriate” behaviors and reactions. For example, males are generally encouraged to be dominant, aggressive, self-reliant, self-sufficient, achievement oriented, and decisive. Females, on the other hand, are often encouraged to be warm, compassionate, caring, nurturing, affiliative, and helpful in times of distress. When these characteristics are in opposition to the young person’s individual belief system, or when the child or adolescent does not behave in gender normative ways, they are often ridiculed by their peers and viewed as socially unpopular.<sup>19</sup> Furthermore, the divide between gender behaviors has been decreasing in the United States and other industrialized countries, especially as sexual equality increases.<sup>20</sup>

Examining the process of gender role socialization aids in the understanding of why some individuals engage in rigid and proscribed sets of gender-specific behaviors. Males and females receive differential gender socialization, which is based on societal expectations for each gender.<sup>21</sup> Although earlier researchers believed that parents and caretakers were the primary change agent in the gender role socialization of children and adolescents, it is now recognized that parents are

17. See generally LOUIS DIAMANT & RICHARD D. McANULTY, *THE PSYCHOLOGY OF SEXUAL ORIENTATION, BEHAVIOR AND IDENTITY* (1995).

18. See generally Cynthia de las Fuentes & Melba J.T. Vasquez, *Immigrant Adolescent Girls of Color: Facing American Challenges*, in *BEYOND APPEARANCE: A NEW LOOK AT ADOLESCENT GIRLS* 131-150 (Norine G. Johnson et al. eds., 1999).

19. Thomas Berndt & Kirby Heller, *Gender Stereotypes and Social Influences: A Developmental Study*, 50 *J. PERSONALITY & SOC. PSYCHOL.* 889, 897 (1986); DONNA EDER, *SCHOOL TALK: GENDER AND ADOLESCENT CULTURE* (1995); Aletha C. Huston & Mildred Alvarez, *The Socialization Context of Gender Role Development in Early Adolescence*, in *FROM CHILDHOOD TO ADOLESCENCE* 156, 157-62 (R. Montemayor et al. eds., 1990).

20. See generally JOHN WILLIAMS & DEBORAH BEST, *SEX AND PSYCHE: SELF-CONCEPT VIEWED CROSS-CULTURALLY* (1989).

21. See generally SHAWA MEGHAN BURN, *THE SOCIAL PSYCHOLOGY OF GENDER* (1996).

only one of a multitude of forces that impact this process.<sup>22</sup> Social Learning Theory<sup>23</sup> is viewed by many developmental theorists as one of the primary mechanisms through which gender normative behavior is learned in childhood and adolescence. According to this theoretical perspective, gender-specific behaviors are learned through observational learning, whereby actions and behaviors are modeled by significant others within various contexts, and then imitated by the child or adolescent.

In addition, it has been well established that parents and caretakers often shape their children's gender specific behavior by rewarding them for behaviors that are gender appropriate (e.g., "Juan, what a brave little man you are!" or "You are acting like such a little lady today, Tioni!"), and discouraging them for engaging in behaviors that are characteristic of the opposite gender (e.g., "Gayle, don't be so aggressive with your little brother" or "Dry your eyes Darryl, remember that big boys don't cry").<sup>24</sup> In some instances, parents and caretakers may give children direct instruction regarding the ways in which males and females should behave (e.g., "Boys should always fight to win"). Some parents also shape their child's gender-specific beliefs and behaviors through other practices, such as the type of clothes and toys they purchase for their children, the types of chores they assign their children, the degree to which they monitor their children's behavior, and the emphasis they place on achievement versus caretaking.<sup>25</sup>

In addition to the influence of parents and caretakers, children and adolescents' gender role socialization is impacted by peers, teachers, and various forms of mass media. Peers often provide immediate feedback regarding the "inappropriateness" of behaving in a manner that is not characteristic of one's gender. This often takes the form of ridicule and rejection. Conversely, reinforcement of gender appropriate behavior is shown through praise and acceptance.<sup>26</sup> Studies of teachers have discovered that males receive more attention in the form of focused instruction, remediation, criticism, and praise from teachers than do females. In addition, males receive more pressure to

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22. Huston & Alvarez, *supra* note 19, at 160.

23. See generally BANDURA, *supra* note 14.

24. Hugh Lytton & David Romney, *Parents' Differential Socialization of Boys and Girls: A Meta-Analysis*, 109 PSYCHOL. BULL. 267, 267-89 (1991).

25. See generally BARRY THORNE, *GENDER PLAY: GIRLS AND BOYS IN SCHOOL* (1993); Jacquelynne S. Eccles et al., *Gender Role Stereotypes and Parents' Socialization of Gender Differences*, 46 J. SOC. ISSUES 183, 189-97 (1990).

26. Berndt & Heller, *supra* note 18, at 897; EDER, *SUPRA* NOTE 19; Huston & Alvarez, *supra* note 19, at 160.

achieve from teachers than their female counterparts.<sup>27</sup> Further, many educators feel that coeducational schools are more oriented toward males than females.<sup>28</sup>

Mass media can be a powerful source of gender-specific information and messages, and professionals are increasingly concerned about the role that the media plays in modeling and shaping gender-specific behavior.<sup>29</sup> Adolescents today are bombarded with multiple forms of mass media including the Internet, magazines, video games, movies, videos, music, and television. In fact, modern youths spend an average of three to five hours per day interacting with such sources.<sup>30</sup> Striking gender differences are often portrayed on television and music videos, with the most negative stereotypical portrayals being of adolescent females.<sup>31</sup> The typical portrayal of teenage females on television represents young women as primarily concerned with dating, shopping, appearance, and finding ways to make themselves more appealing and attractive to men.<sup>32</sup> The image of women in music videos is often highly eroticized, as many females are portrayed as being aroused and in search of sexual gratification from men.<sup>33</sup> The print media also promotes gender-specific stereotypes for teenagers, as magazines and romance novels send the message to females that their self-worth and standing in society depends on factors such as self-sacrifice, physical appearance, and popularity with males.<sup>34</sup>

The gender socialization of males and females illustrates how gender socialization may be a contributing factor in the perpetuation of coercive sexual situations that involve younger females and older adult males. This perception is especially true for those individuals raised in environments, cultures, and families that promote rigid gen-

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27. Eccles, *supra* note 25; MYRA SADKER & DAVID SADKER, *FAILING AT FAIRNESS: HOW AMERICAN SCHOOLS CHEAT GIRLS* (1994).

28. Valerie Lee & Helen Marks, *Sustained Effects of Single-Sex Secondary School Experience*, 82 J. EDUC. PSYCHOL. 579, 579-580 (1990).

29. Gary Remafedi, *Study Group Report on the Impact of Television Portrayals of Gender Roles on Youth*, 11 J. ADOLESCENT HEALTH CARE 56, 56-60 (1990).

30. Jane Brown, *Adolescents' Sexual Media Diets*, 27 J. ADOLESCENT HEALTH 35-40; Edward Donnerstein & Victor C. Strasburger, *Children, Adolescents and the Media in the 21st Century*, 11 ADOLESCENT MED. 51, 51-68 (2000).

31. CAROLE P. BEAL, *BOYS AND GIRLS: THE DEVELOPMENT OF GENDER ROLES* (1994).

32. C.Y. Campbell, *Group Raps Depiction of Teenagers*, BOSTON GLOBE, Aug. 24, 1998, at 44; DALE KUNKEL ET AL., *SEX ON TV: A BIENNIAL REPORT TO THE KAISER FAMILY FOUNDATION* (1999).

33. Videotape: *Dreamworlds: Desire/sex/power in rock video* (Sut Jhally, University of Massachusetts at Amherst Dept. of Comm., 1990).

34. Kate Pierce, *A Feminist Perspective on the Socialization of Teenage Girls Through Seventeen Magazine*, 23 SEX ROLES 491, 495-500 (1990). LINDA K. CHRISTIAN-SMITH, *BECOMING A WOMAN THROUGH ROMANCE* (1990).



der-specific roles. Many of the female specific gender attributes are focused on being subservient to men or engaging in self-restrictive behaviors to attract men, such as dieting and hair altering. The female's "value" is often externally validated by males' reactions to her physical beauty, with little regard for her internal personality characteristics or her ability to accomplish non-superficial tasks.

Based on traditional gender stereotypes and roles, many females are not encouraged to put their needs and desires before those of men, but rather, are encouraged to gain approval and acceptance by serving in an attentive caretaking or nurturing role. Therefore, young females who have been raised with traditional gender roles, modeled and reinforced by individuals within multiple ecological systems, may become "targets" for older men seeking young sex partners. These men may exploit the messages that the females have received and convince them to put the man's sexual needs paramount over any desires or opinions they may hold. This type of behavior may not "feel" coercive or exploitative to the young female who may view herself as being a "good girl," due to the fact that her behaviors conform to the gender stereotypes that she learned during her childhood and early adolescence.

### B. *Sexual Development and Adolescent Sexual Activity*

From the earliest point of development, humans are sexual beings, as is evidenced by research demonstrating that sexual self-exploration and participation in autoerotic behavior begins within the first year of life.<sup>35</sup> As infants and young children continue to develop, they have the physiological capacity for sexual response and have an innate curiosity regarding their bodies and the bodies of others.<sup>36</sup> Parents' or caregivers' early responses to children's genital exploration and autoerotic expressions can have an important influence on the attitudes that children will develop toward their own bodies and sexuality.<sup>37</sup> The way in which parents respond to these behaviors is partially impacted by the larger society's view on childhood sexuality. For example, parents functioning within sexually restrictive cultures will display very different reactions to childhood genital stimulation than those living within more sexually permissive or supportive cultures. The gender of

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35. See generally ERNEST BORNEMAN, *CHILDHOOD PHASES OF MATURITY: SEXUAL DEVELOPMENTAL PSYCHOLOGY* (trans. Michael Lombardi-Nash 1994); Floyd Martinson, *Sexual Development in Infancy and Childhood*, in *JUVENILE SEXUAL OFFENDING: CAUSES, CONSEQUENCES AND CORRECTION* 36-58 (Gail Ryan & Sandy Lane, eds., 1997).

36. Martinson, *supra* note 35, at 37-38.

37. Mary Calderone, *Eroticism As a Norm*, 23 *FAM. COORDINATOR* 337, 337-341 (1975).

the child is another crucial factor in this developmental equation. Specifically, recent biopsychosocial theoretical approaches to human sexuality development suggest that gender-specific styles of sexual behavior and interactions are initially developed in childhood, and are subsequently maintained throughout the life cycle.<sup>38</sup>

Adolescents are faced with unique challenges as they progress through normative sexual development, including: a) feeling comfortable with their maturing and more sexualized body, b) accepting feelings of sexual arousal as normal and appropriate, c) feeling comfortable about voluntarily choosing to either participate in, or abstain from, sexual activity, and d) for those who engage in sexual activity, choosing to use contraceptive devices to prevent pregnancy and disease.<sup>39</sup> In addition, adolescent sexuality is related to accomplishing other more general developmental tasks such as establishing one's own moral system, establishing an identity (especially a sexual identity), establishing autonomy from parents, and developing a capacity for establishing intimate relationships. Although the motivation for participation in sexual activity during adolescence is primarily to experience the intimacy and pleasure associated with sexual contact, adolescents may engage in sexual activity for other reasons as well. Some young people may participate in sexual activity as a form of rebellion, as part of a pattern of delinquent or risky behavior, as a way to gain power and control over another individual, or as a method to express and satisfy other emotional or interpersonal needs that have no connection to the sexual act.<sup>40</sup>

Although patterns of sexual activity among adolescents may vary according to ethnicity, socioeconomic status, and gender, approximately fifty percent or more of adolescents in the United States have had vaginal sexual intercourse by the time they graduate from high

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38. Anke Ehrhardt, *Gender, Sexuality and Human Development*, 6 KINSEY INSTITUTE SERIES 3-16 (2000).

39. Jeanne Brooks-Gunn & Roberta L. Paikoff, *Sex Is a Gamble, Kissing Is a Game: Adolescent Sexuality and Health Promotion*, in PROMOTING THE HEALTH OF ADOLESCENTS: NEW DIRECTIONS FOR THE TWENTY-FIRST CENTURY 180-208 (Susan Millstein et al. eds., 1993). R. L. PAIKOFF ET AL., *Adolescent Sexuality*, in PSYCHOLOGICAL PERSPECTIVES ON HUMAN SEXUALITY 416-439 (L.T. Szuchman et al. eds., 1999).

40. Delbert S. Elliot & Barbara J. Morse, *Delinquency and Drug Use as Risk Factors in Teenage Sexual Activity*, 21 YOUTH & SOC. 32, 32-57 (1989); Gary W. Harper et al., *Contextual Influences on the Sexual Risk Behaviors of Homeless Youth*, Paper presented at the annual meeting of the Society for the Scientific Study of Sexuality (1989), Harper & Robinson, *supra* note 13, at 398; Richard DeBlassie & Sharon D. White, *Adolescent Sexual Behavior*, 27 ADOLESCENCE 183, 183-191 (1992).

school.<sup>41</sup> The Centers for Disease Control and Prevention's (CDC) most recent national probability sample survey of thirteen to eighteen year-olds revealed that 26.7 percent to 64.8 percent (overall median of 49.9 percent) of the adolescents in their thirty-three state and sixteen local school-based surveys had sexual intercourse at least once, and that 7.0 percent to 29.5 percent (overall median of 16.2 percent) already had four or more different sexual partners. Nationwide, 3.2 percent to 20.3 percent (overall median of 8.3 percent) of these students reported having their first episode of vaginal sexual intercourse before the age of thirteen.<sup>42</sup>

There have been a plethora of studies conducted in the past two decades to examine the range of factors that are related to both the early onset and continuation of sexual activity among adolescents. These studies have increased in frequency as health care professionals identify unprotected adolescent sexual activity as a major cause of morbidity and even mortality among youths in the United States.<sup>43</sup> Although a complete review of the factors identified as contributing to participation in sexual activity among adolescents is beyond the scope and purpose of this paper, a brief overview of the most salient factors will be presented. It is important to recognize that the adolescents' decision to be sexually active, if indeed it is a decision, is greatly impacted by environmental, sociocultural, and biological factors.<sup>44</sup>

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41. CENTERS FOR DISEASE CONTROL & PREVENTION, *Youth Risk Behavior Surveillance-United States*, 49 MORBIDITY & MORTALITY SURVEILLANCE SUMMARIES 1-96 (1999); Robert W. Blum & C. Wayne Sells, *Current Trends in Adolescent Health*, in HANDBOOK OF ADOLESCENT HEALTH RISK BEHAVIOR 5, 17 (Ralph J. DiClemente et al. eds., 1996); Sonenstein, *infra* note 66, at 957.

42. CDC, *supra* note 41, at 1-96; Blum & Sells, *supra* note 41, at 17; Sonenstein, *infra* note 66, at 956-57.

43. *See generally* CDC, *supra* note 41.

44. The following brief overview is based on three literature reviews by Doctors Paula K. Braverman and Victor C. Strasburger, Goodson, Evans, and Edmundson, and Professors Sharon D. White and Richard R. DeBlassie. *See* Patricia Braverman & Victor C. Strasburger, *Adolescent Sexual Activity*, 32 CLINICAL PEDIATRICS 658, at 660-61 (1993); Patricia Goodson & Alexander Evans et al., *Female Adolescents and Onset of Sexual Intercourse: A Theory-Based Review of Research From 1984-1994*, 21 J. ADOLESCENT HEALTH 147 (1997); White & DeBlassie, *supra* note 40, at 184-189. These articles have identified a host of contextual factors associated with an adolescent's early participation in sexual activity. There exists considerable overlap across the three articles. The majority of factors discussed were external factors including those related to parents and family, religious affiliation and participation, peer affiliation, educational goals and attitudes toward school, goal orientation, and the media. *See* Braverman & Strasburger, *Adolescent Sexual Activity*, 32 CLINICAL PEDIATRICS at 659-668; Goodson, *Female Adolescents*, 21 J. ADOLESCENT HEALTH at 152-156; White & DeBlassie, *supra* note 40, at 184-85. These are each systemic factors of Bronfenbrenner's Ecological Systems Theory of human development, presented earlier as a framework for examining contextual factors that impact the perpetuation of statutory rape. *See generally* BRONFENBRENNER, *supra* note 12. Parental and family influences appeared to be some of the most prevalent, demonstrating a link between adolescent sex-

*C. Sexual Socialization*

Although the physical act of sexual activity for adolescent females and males may be quite similar, each gender may attach very different meaning to early sexual activity.<sup>45</sup> This is not only impacted by the differential processes of gender socialization, but also by gender-specific sexual socialization processes. The process of sexual socialization for males and females has not received as much research attention as gender socialization. This type of socialization generally involves the development of the adolescents' psychological response to sexual activity and his or her expectations regarding sexual events. Some view the sexual socialization process as involving the development of gender-specific sexual scripts, which are stereotyped patterns of behaviors, roles, and emotions experienced or enacted during a sexual episode.

Other researchers, such as Buzwell and Rosenthal,<sup>46</sup> have focused on the component of identity development that regards the adolescent's sense of who they are as sexual beings or their "sexual self." This aspect of sexual socialization involves the construction of self-perceptions along at least three dimensions, including: a) their perception of their worth as a sexual being (sexual self-esteem), b) their confidence in their mastery concerning sexual activities (sexual self-efficacy), and c) their perception of their sexuality and beliefs about their sexual needs (sexual self-image).<sup>47</sup> The vast majority of research on sexual socialization during adolescence has focused on heterosexual interactions, therefore, not much is known about how this process may be different for gay and lesbian youth. Since the primary focus of this article is on statutory rape involving heterosexual contact, and due to the paucity of research on gay and lesbian adolescent sexual socialization, this section will focus on heterosexual sexual socialization.

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ual activity and low parental educational attainment, separation and divorce, permissive parental values, low levels of parental monitoring, and poor family communication. See Braverman & Strasburger, *Adolescent Sexual Activity*, 32 *CLINICAL PEDIATRICS* at 660; Goodson, *Female Adolescents*, 21 *J. ADOLESCENT HEALTH* at 152; White & DeBlasie, *supra* note 40, at 184-85. The articles also identified more individual level influences on adolescent sexual activity, including the biological factors of age, hormonal level, and degree of pubertal development, as well as the use of substances such as alcohol, tobacco, and drugs and participation in other delinquent activities. *Id.*

45. Brooks-Gunn, *supra* note 39, at 186-187.

46. Simone Buzwell & Doreen Rosenthal, *Constructing a Sexual Self: Adolescents' Sexual Self Perceptions and Sexual Risk-Taking*, 6 *J. RES. ON ADOLESCENCE* 489, 489-513 (1996).

47. *Id.*

The sexual socialization of females and males is typically very different, and results in divergent expectations regarding sexual activity. This process is linked to the gender socialization process, since several aspects of society's expectations of "appropriate" or "expected" female and male behavior has to do with sexuality and sexual contact. Many young males receive the social message that in order to be a "man," they should be sexual risk-takers, initiating all sexual advances when with a female. Furthermore, during sexual activity they should be dominant, aggressive, assertive, and even forceful at times.<sup>48</sup> Females, on the other hand, often learn that in sexual situations, women should let the male initiate sexual contact, and allow the man to be the decision-maker regarding whether or not the voluntary sex act will occur.<sup>49</sup> They should be affectionate, sensitive, tender, and emotional in their sexual interactions. Additionally, some researchers have suggested that these gender-specific expectations are becoming more relaxed and that the divide between males and females is beginning to blur.<sup>50</sup>

Researchers have examined various aspects of adolescents' first sexual experiences in an attempt to better understand young people's differential expectations and views regarding sex and sexuality. When females have their first sexual experience with a male, they typically have not engaged in masturbation because females tend to initiate masturbation later in life as compared to their male counterparts. Therefore, their first feelings of sexual arousal and genital stimulation occur within the context of a sexual interaction with a male. Thus, many females do not know what to expect physically from their first sexual experience. Moreover they are unaware of what actions will result in heightened sexual pleasure. Males, on the other hand, have typically engaged in masturbation prior to having dyadic sexual contact.<sup>51</sup> Therefore, they have had some experience with sexual feelings and orgasm, and may even have developed idiosyncratic methods of sexual arousal.

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48. Jacqueline D. Goodchilds & Gail L. Zellman, *Sexual Signalling and Sexual Aggression in Adolescent Relationships*, in *PORNOGRAPHY AND SEXUAL AGGRESSION* 233, 238 (Neil M. Malamuth & Edward D. Donnerstein eds., 1984).

49. *Id.* at 237-38.

50. Linda Kalof, *Sex, Power, and Dependency: The Politics of Adolescent Sexuality*, 24 *J. YOUTH & ADOLESCENCE* 229-249 (1995).

51. John H. Gagnon, *The Creation of the Sexual in Early Adolescence*, in *TWELVE TO SIXTEEN: EARLY ADOLESCENCE* 231, 239-46 (Jerome Kagan & Robert Coles eds., 1972).

Young females' first sexual experience is one that is viewed in terms of romance, love, friendship, and intimacy.<sup>52</sup> Therefore, the sexual situation is intimately linked to a strong emotional involvement with another person.<sup>53</sup> Females typically have their first sexual contact with someone that they have a prior commitment with, or with whom they are "in love." More than sixty percent of females report being engaged to, or going steady with, their first partner.<sup>54</sup> In contrast, males' early sexual experiences are often viewed in terms of physical pleasure and recreation, as opposed to intimacy and love.<sup>55</sup> The young male's first sexual partner is typically someone he would describe as a casual date, and more than one-third of males have their first heterosexual sexual episode with a friend.<sup>56</sup> Accordingly, males are more than twice as likely as females to have their first sexual episode with someone they only recently met.<sup>57</sup>

The loss of virginity has an important emotional and psychological impact on females, and they typically report a strong attachment to their first sexual partner.<sup>58</sup> After females have their first sexual experience with a male, they are likely to experience a range of conflicting feelings, ranging from fear and guilt, to excitement and joy.<sup>59</sup> Conversely, males typically do not have a strong attachment to their first sexual partner, and the initiation of sex does not impact their feelings of affection in the relationship.<sup>60</sup> Males also typically do not experience mixed emotions after their first sexual experience, and instead report feelings of excitement, satisfaction, exhilaration, and happiness.<sup>61</sup>

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52. D. Aitken & J. Chaplin, *Sex Miseducation*, 14 *FAMILY THERAPY NETWORKER* 24-25 (1990); Susan Hendrick & Clyde Hendrick, *Gender, Sexuality, and Close Relationships*, Paper presented at the biennial meetings of the Society for Research on Adolescence, San Diego (February 1994).

53. Jane F. Gilgun & Sol Gordon, *Adolescent Sexuality*, in *HANDBOOK OF ADOLESCENT PSYCHOLOGY* 147, 149 (Vincent Van Hasselt & Michael Hersen eds., 1987).

54. CAROL CASSELL, *SWEPT AWAY: WHY WOMEN FEAR THEIR OWN SEXUALITY* 67-68 (1984); D. Kallen & J. Stephenson, *Talking About Sex Revisited*, 11 *J. YOUTH & ADOLESCENCE* 11, 12-24 (1982); Melvin Zelnik & Farida K. Shah, *First Intercourse Among Young Americans*, 15 *FAM. PLAN. PERSP.* 64, 64-70 (1983).

55. Hendrick & Hendrick, *supra* note 52.

56. Donald E. Carns, *Talking About Sex: Notes on First Coitus and the Double Sexual Standard*, 35 *J. MARRIAGE & THE FAM.* 677, 686-688 (1973); Zelnik & Shah, *supra* note 54, at 64.

57. Zelnik & Shah, *supra* note 54, at 64.

58. Letin A. Peplau & Zick Rubin et al., *Sexual Intimacy in Dating Relationships*, 33 *J. SOC. ISSUES* 86, 86-109 (1977).

59. Gordon & Gilgun, *supra* note 53, at 149; ROBERT C. SORENSEN, *ADOLESCENT SEXUALITY IN CONTEMPORARY AMERICA* (1973).

60. Peplau, *supra* note 58, at 103-104.

61. Gordon & Gilgun, *supra* note 53, at 149; SORENSEN, *supra* note 59.

The differential sexual socialization of females and males has created a type of "double standard" for the sexual expectations of each gender. Although some researchers feel that this double standard is slowly being replaced with more gender equal norms regarding sexuality, other research supports the notion that there are still some gender-specific standards for adolescent sexual behavior.<sup>62</sup> Many people in society view sexual behavior that occurs outside the context of a committed relationship or emotional connection as being more acceptable for adolescent males than females. As a result, they are more likely to closely monitor the sexual behavior of their female children and urge them to be cautious about entering into a sexual relationship.<sup>63</sup>

Although adolescent males and females likely experience similar levels of sexual curiosity and desire, females and males receive conflicting messages regarding the acceptability of pursuing sexual contact. Females receive the unique message that they should not act on their sexual desires or plan sexual activity for fear that they will be identified as "bad."<sup>64</sup> Females are also exposed to the conflicting media messages which show young females striving to find ways to make themselves more sexually appealing and attractive to men.<sup>65</sup> The use of societal slang adds to this confusion by labeling females who refuse to have sex with a male with negative terms such as "Ice Princess," "Virgin," or "Baby," while also labeling those females who chose to have sex with another set of derogatory slang terms such as "Easy," "Slut," "Ho," "Bitch," or "Skank." Males receive very different messages, as they are consistently encouraged to engage in sexual activity and pursue sexual conquests as a way to "prove" their masculinity.<sup>66</sup> Societal slang terms such as "Sissy," "Weak," "Pussy," "Faggot" have been created to degrade those males who do not engage in sexual exploits, but reinforce and praise young men with multiple sexual

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62. Gordon & Gilgun, *supra* note 53, at 149; Joseph H. Pleck et al., *Masculinity Ideology: Its Impact on Adolescent Males' Heterosexual Relationships*, 49 J. SOC. ISSUES 11, 29 (1993); Zelnik & Shah, *supra* note 54, at 65; Richard S. Zimmerman et al., *Perceived Ability to Say "No" to Unwanted Sex*, 10 J. ADOLESCENT RES. 383, \_\_ (1995).

63. Gordon & Gilgun, *supra* note 53, at 167; Goodchilds & Zellman, *supra* note 48, at 240; D. Rosenthal, *Gendered Constructions of Adolescent Sexuality*, Paper Presented at the Biennial Meetings of the Society for Research on Adolescence (Feb. 1994).

64. D. Tolman, "When My Body says Yes" Adolescent Girls' Experiences of Sexual Desire, Paper Presented at the Biennial Meetings for Research in Child Development (March 1993). Zelnik & Shah, *supra* note 54, at 68.

65. Campbell, 1988; Kunkel, *supra* note 32, at 53.

66. Joseph H. Pleck, *The Theory of Male Sex Role Identity: Its Rise and Fall, 1936-Present*, in *IN THE SHADOW OF THE PAST: PSYCHOLOGY PORTRAYS THE SEXES* 205, 215 (Miriam Lewin ed. 1984); Freya Sonenstein et al., *Changes in Sexual Behavior and Condom Use Among Teenaged Males: 1988 to 1995*, 88 AM. J. PUB. HEALTH, 956-959 (1998); Tolman, *supra* note 64.

conquests with positive terms such as "Mac Daddy," "Pimp," "Player," "Stud," and "Men."

The differential sexual socialization of males and females may somewhat reinforce sexual relationships between younger females and older males, since the qualities that females typically seek in early sexual episodes often are not provided by a same-age male peer. While the young female typically desires an emotional connection with romance, intimacy, and love for her early sexual encounters, the young male is seeking a physically arousing sexual adventure devoid of emotional commitment. Older males who have gone through their initial phases of sexual exploration and have more sexual experience with females may be more aware of the qualities and characteristics that females typically seek in a sexual union. Therefore, these men may chose to initiate contact with younger females and provide them with the emotional aspects they desire in a sexual relationship. In some instances, the emotional displays by the men may be genuine, and in others, they may be fabricated in order to coerce the female to have sexual contact.

#### *D. Age Differences in Adolescent Sexual Encounters*

Recent increased public concern over age differences between teen mothers and their sexual partners has triggered an increase in research studies examining this phenomenon. Many of these studies have utilized nationally representative data from an array of sources including Vital Statistics, the National Maternal and Infant Health Survey, the National Survey of Family Growth, and the Alan Guttmacher Institute Abortion Patient Survey. The first studies conducted with these and other statewide samples examined teen birth data in order to better understand age differences that exist between adolescent females and their male sexual partners. Some researchers have argued that only examining birth data may be misleading when attempting to extrapolate to the larger social issue of older men engaging in sexual activity with younger adolescents, since this data does not include female adolescents who have abortions or who engage in sexual activity without becoming pregnant. In fact, examination of live birth data may inflate statistics examining the proportion of fathers who are adults as opposed to teenagers, since a higher number of pregnancies involving teen fathers end in abortions than those involving older men.<sup>67</sup> With regard to sexual unions that do not neces-

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67. Jacqueline E. Darroch et al., *Pregnancy Rates Among U.S. Women and Their Partners in 1994*, 31 *FAM. PLAN. PERSP.* 122, 123-124.



sarily result in teen pregnancy, national data on age differences between females and their first sexual partners do not suffer from potential biases inherent in live birth data. Examination of such data has demonstrated lower rates of sexual involvement with older males during adolescence, as opposed to data related to teen births.<sup>68</sup>

Although an examination of historical trends in the sexual behavior of adolescent females from 1960 to the late 1990s failed to reveal a recent increase in the number of older men who are fathering children with adolescents,<sup>69</sup> the problem of older men engaging in sexual activity with adolescent females continues to exist. Studies differ in terms of exact rates of sexual involvement between adolescent females and adult males, but there are some commonalities with regard to patterns of these relationships. This is especially true when examining the sexual activity of younger adolescents, typically those who are fifteen years of age or younger.

Statewide and national representative studies have generally demonstrated an inverse relationship between the age of the teen mother and the age difference between the teen mother and the father of the child.<sup>70</sup> Therefore, the youngest and most vulnerable of teen mothers are demonstrating the most substantial age discrepancy, and thus, may be at greatest risk for coercion and exploitation. This pattern appears to be echoed in statewide and national studies that have examined the age of female adolescents' first sexual partners.<sup>71</sup> These studies reveal that females who initiate sexual intercourse earlier in adolescence are more likely to engage in such activity with males who are substantially older, as compared to their female counterparts who initiate sex later in adolescence.

One study also revealed that as the age difference between the young woman and her partner increased, the females' self report of the degree to which she "wanted" to participate in the sexual act decreased.<sup>72</sup> This finding indicates the likelihood of a greater power dif-

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68. Elo, *supra* note 3, at 78-80.

69. *Id.* at 83.

70. David J. Landry & Jacqueline Darroch-Forrest, *How Old Are U.S. Fathers?*, 27 *FAM. PLAN. PERSP.*, 159, 160 (1995); Duberstein, *supra* note 9, at 65-66; Mike Males & Kenneth S. Chew, *The Ages of Fathers in California Adolescent Birth*, 1993, 86 *AM. J. PUB. HEALTH* 565, 566-67 (1996); Mike A. Males, *Adult Involvement in Teenage Childbearing and STD*, 346 *LANCET* 64-65 (1995).

71. Joyce Abma et al., *Young Women's Degree of Control Over First Intercourse: An Exploratory Analysis*, 30 *FAM. PLAN. PERSP.* 12, 16-18 (1998); Elo, *supra* note 3, at 79. See generally Harold Leitenberg & Heidi Saltzman, *A Statewide Survey of Age at First Intercourse for Adolescent Females and Age of Their Male Partners: Relation to Other Risk Behaviors and Statutory Rape Implications*, 29 *ARCHIVES OF SEXUAL BEHAV.*, 203-215 (2000).

72. Abma, *supra* note 71, at 15.

ferential between the female and her male sexual partner, and that the episode may not have been voluntary.<sup>73</sup> In addition, these younger adolescents who participate in their first intercourse or subsequent sexual activity with an older man are at an increased risk of becoming pregnant and contracting a sexually transmitted disease, due to lower rates of contraceptive use. Data also indicates that females whose first sexual intercourse was with an older male partner engage in subsequently higher rates of sexual risk (i.e., lower rates of condom use and higher rates of teen pregnancy) than females whose sexual debut occurred with a younger male partner.<sup>74</sup>

### *E. Sociocultural Factors*

In addition to gender role socialization and sexual socialization, there are sociocultural factors that may reinforce and perpetuate sexual relationships between younger females and older males. These may include such forces as mass media, cultural or community norms, and socioeconomic and environmental influences. As has been discussed previously, adolescents are exposed to a range of mass media sources, most of which are highly sexually charged. Each year, teenagers view nearly 15,000 sexual references, innuendoes, and jokes on television; in fact, nearly one-third of family hour shows contain sexual references.<sup>75</sup> Some research suggests that adolescents who watch a great deal of television tend to view such images as their sense of reality.<sup>76</sup> Therefore, if adolescents observe multiple images of older men engaging in sexual activity with younger women, they may perceive this as normal and be compelled to participate in such behavior. Prolonged exposure to erotic images via magazines, videos, and the Internet, has also been shown to alter an adolescent's view of normative sexual behavior,<sup>77</sup> including sex between adolescent females and adult males.

One particular genre of television shows that portrays a high percentage of sexual unions between younger females and older males is soap operas. Soap operas are increasingly appealing to a more youth-

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73. *Id.* at 16.

74. Darroch, *supra* note 3, at 165-66; Kim S. Miller et al., *Sexual Initiation With Older Male Partners and Subsequent HIV Risk Behavior Among Female Adolescents*, 29 *FAM. PLAN. PERSP.* 212, 214 (1997).

75. Victor C. Strasburger & Edward Donnerstein, *Children, Adolescents, and the Media: Issues and Solutions*, 103 *PEDIATRICS* 129 (1999).

76. See generally Victor C. Strasburger, *Adolescent Sexuality and the Media*, 4 *CURRENT OPINION IN PEDIATRICS* 594-98 (1992).

77. Dolf Zillmann, *Influence of Unrestrained Access to Erotica on Adolescents' and Young Adults' Dispositions Toward Sexuality*, 27 *SOC. FOR ADOLESCENT MED.* 41, 41-42 (2000).

ful and less gender-specific audience by featuring characters that are young and progressive. One analysis of soap operas revealed a preponderance of portrayals of extramarital sexual activity, which is shown twenty-five times more often than sex within the context of marriage.<sup>78</sup> The characters that engage in these sexual behaviors are rarely shown to experience negative outcomes such as sexually transmitted diseases or unplanned pregnancies, due to their sexual activity. This lack of negative consequences is unrealistic due to the fact that these characters may be having sex with multiple actors within the same storyline.<sup>79</sup>

In order to examine some of the other cultural factors that perpetuate statutory rape, data from two qualitative studies conducted with adolescent females will be explored. Data for one of the studies were gathered during a three-year participant-observation study of mothers enrolled in a high school program for adolescent parents, the majority of whom were white youth.<sup>80</sup> This study focused on examining the excuses and justifications used by teenage mothers to justify their relationships with older boyfriends. The other study was a qualitative interview study of Mexican-American adolescent females who were participating in a community-based HIV prevention program.<sup>81</sup> Although the primary focus of this study was on the young women's perspectives on sexual activity and pregnancy, many of them talked about sexual relationships with older men.

Young women in both of these studies revealed similar reasons why adolescent females become sexually involved with older men, many of which had to do with a range of social, cultural, and environmental factors. Consistent with the attributes that female adolescents report they desire in their early sexual relationships, these young women reported that since older men are more mature, they are able to provide females with emotional qualities that younger males cannot, including love, respect, and a deeper intimate connection. Some of the young women in both studies reported that due to the immaturity of males in their age group, they do not consider them to be acceptable dating partners. They also felt that older men were better able to "take care of them" as compared to younger men. The major reasons given to

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78. Dennis T. Lowry & David E. Towles, *Soap Opera Portrayals of Sex, Contraception, and Sexually Transmitted Diseases*, 39 J. COMM. 76, 80 (1989).

79. *Id.* at 81.

80. Higginson, *supra* note 4, at 25.

81. Gary W. Harper et al., *Age Matters for Adolescent Females: Dating Older Men Presents Risks for HIV*, PSYCHOL. & AIDS EXCHANGE (forthcoming).]

explain why younger men were deficient in this area were immaturity and lack of emotional and financial resources.

The factor of "being taken care of" had several different facets across the two studies. Since older men typically had a job, money, and a car, some of the females preferred these men because they were able to buy them desirable gifts and take them to various places on dates. The appeal of older men having the advantages of a job, money, and a car has been noted in other articles as well.<sup>82</sup> For others, being taken care of involved a fantasy of moving out of the parental home and living with the older man (usually within the context of marriage). This was especially true in the case of lower income females who were often frustrated with living at home with a single parent and having to care for multiple siblings. In such cases, the older male was often viewed as a promise for a better life, free from worries. This view of the older man as a vehicle of rescue or escape from a current life situation has also been discussed in other studies with adolescents.<sup>83</sup> For others, being taken care of included providing for their children, as older men were viewed as being more responsible and suitable fathers for their current and future children.

In addition to the emotional and physical benefits associated with dating an older man, some of the young women in these studies discussed how their families and communities sanctioned relationships between younger females and older males. For some of the young women, their parents approved of the relationships because they were familiar with the males' family, or because they had met the male and felt that he would treat their daughter with greater care and respect than a younger man. The latter case was especially prevalent in situations where many of the adolescent males in the community were involved in gangs. For those young women who were pregnant or had children, some parents were more approving of older men because of their assumed ability to economically care for daughters and her child.

Young women in both studies reported that their communities and peers often reinforced relationships between younger females and older males, and in some instances there was a certain degree of status connected with dating an older man. Many of the young women in the Higginson study<sup>84</sup> reported that it was "no big deal" to date an older man, that "everybody does it" in their community, and there was nothing wrong with such a relationship. This perspective of young

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82. Donovan, *supra* note 3, at 34.

83. See generally Mike Males, *School-Age Pregnancy: Why Hasn't Prevention Worked?* 63 J. SCHOOL HEALTH 429-32 (1993).

84. Higginson, *supra* note 4, at 30.

females who do not view dating and having sex with an older man as a negative activity has also been reported by other investigators.<sup>85</sup> In the Harper, Bangi, Contreras, & Pedraza study,<sup>86</sup> which was conducted in a predominately Mexican-American urban community, some of the young women talked about how it was not unusual for an older man to marry a fourteen year-old female in traditional Mexican culture. Some explained that many newly immigrated men in their community felt that in order to obtain a suitable wife, they would have to marry a young female and then “train” her to be a good wife and mother. A number of researchers have analyzed this issue of different cultures promoting relationships between young females and older males. In some instances, the family will promise the young daughter to the man. In return, he will help to support the entire family.<sup>87</sup>

### III. CONCLUSIONS AND RECOMMENDATIONS

The goal of this article has been to demonstrate the complexity of sexual activity between males and females that is classified as statutory rape, and to examine some of the contextual factors that serve to promote and maintain such behaviors. The two predominant theoretical perspectives that have guided this review are Bronfenbrenner’s Ecological Systems Theory of human development,<sup>88</sup> and Bandura’s Social Learning Theory.<sup>89</sup> The primary factors that have been explored include gender role socialization, sexual socialization, and sociocultural factors including mass media, cultural or community norms, and socioeconomic or environmental influences. Each of these factors influence both members of the sexual union in statutory rape situations, as well as other parties who may have influenced such a relationship.

Given the systemic and socioculturally embedded nature of the many factors that serve to perpetuate statutory rape, it is unlikely that increased enforcement of current statutory rape laws will result in significant decreases in sexual activity between younger females and older males. Modification of such laws may serve to protect young women only if they are drafted with an understanding of the contextual factors that promote statutory rape, and are combined with funding for social programs and initiatives which address the social conditions that allow young women to be sexually coerced and ex-

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85. Donovan, *supra* note 3, at 34.

86. Harper, *supra* note 81.

87. Donovan, *supra* note 3, at 34.

88. *See generally* BROFENBRENNER, *supra* note 12.

89. *See generally* BANDURA, *supra* note 14.

ploited by older men. The call for an increased focus on social programs and initiatives aimed at the amelioration and eventual eradication of statutory rape has also been forwarded by previous authors who are concerned with the limitations of current statutory rape laws.<sup>90</sup>

Former United States Surgeon General Doctor M. Joycelyn Elders and Alexa Albert emphasize the need to have an increased focus on the needs of the young women who may be exploited in statutory rape situations by intervening with health care workers who treat these young women. "Rather than prosecute adult boyfriends indiscriminately, health care professionals need to improve their abilities to identify and support adolescent girls who are experiencing nonvoluntary sex and are subsequently at risk for unplanned pregnancy."<sup>91</sup> Researchers at the Urban Institute also suggest an increased focus on the females impacted by statutory rape with a broad stroke approach to this issue. This approach would involve creating and implementing policies that "improve young women's current lives and expand their future options."<sup>92</sup> Attorney Patricia Donovan echoes this perspective and suggests that without efforts aimed at improving the education, employment, and future goal orientation of disadvantaged young women, older men will continue encouraging them to engage in sexual activity.<sup>93</sup> In addition, Research Associates Laura Duberstein Lindberg, Freya L. Sonenstein, Leighton Ku, and Gladys Martinez<sup>94</sup> also recommend focusing attention on the men who become sexually involved with young women by helping to improve their access to profitable employment and their involvement in activities that offer a sense of achievement and fulfillment.

The multitude of systemic factors that impact statutory rape require that all recommendations for programs include a range of broad-based societal level initiatives that may be accomplished through policy interventions, as well as more specific policies that could be implemented in schools or community agencies. In order for such initiatives to be successful, the American people must decide that statutory rape is an intolerable phenomenon and encourage the allocation of funding to support programs for young women and men who are currently involved in, or at risk for, statutory rape. In addition, citi-

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90. Donovan, *supra* note 3, at 34; Elders & Albert, *supra* note 5, at 649; Lindberg, *supra* note 9, at 66.

91. Elders & Albert, *supra* note 5, at 649.

92. Lindberg, *supra* note 9, at 66.

93. Donovan, *supra* note 3, at 34.

94. Lindberg, *supra* 9, at 66.

zens must work toward changing social norms and conditions that allow statutory rape to continue.

The following recommendations are offered in order to provide some guidance in the future development and implementation of social programs and initiatives aimed at decreasing the current rates of statutory rape between older males and younger females.

- 1.) Improve social conditions for young women (especially those from lower socioeconomic backgrounds) so that they will not feel compelled to seek resources and status from older men.
- 2.) Alter social norms and media images that promote the glamorization of sexual unions between young females and older males who possess abundant and desirable material goods.
- 3.) Alter social norms and media images that portray beautiful young female partners as chattel property or "trophy dates" that are displayed to other males as a sign of success or virility.
- 4.) Develop programs to help young women to feel empowered and in control of dating and sexual situations, with a specific focus on resisting advances from older men.
- 5.) Develop programs to help older men who are attracted to young women explore their need to exploit, and help them to develop the social skills necessary to engage in healthy romantic relationships with women who are closer to their own age.
- 6.) Develop programs to help heterosexual adolescent males develop the skills necessary to become compatible dating partners to adolescent females, by treating young women with more respect and attention.