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AGGRESSION AND ANXIETY AS ASSESSED
IN INCARCERATED OFFENDERS

by

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A THESIS

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ABSTRACT

AGGRESSION AND ANXIETY AS ASSESSED IN INCARCERATED OFFENDERS

By

LARRY KENNARD LEWIS

The present study focused upon two groups of violent offenders whom society fears the most--murderers and rapists.

Thirty residents of the State Prison of Southern Michigan were divided into three categories--Murderers, Rapists and Non-Person Offenders. Each resident was administered a battery of tests consisting of the Hand Test, Buss-Durkee Inventory, and the MMPI. The assessment devices attempted to ascertain each subjects level of aggression, degree of anxiety and possible extent of hostility towards women. The findings failed to support the hypotheses that: a) murderers and rapists would manifest more hostility than non-person offenders, b) rapists would express more hostility toward women, and c) murderers and rapists would exhibit more anxiety than non-person offenders.

One unexpected finding of the study revealed a tendency for normals to be significantly more verbally expressive of negative affect (hostility and irritability) than incarcerated individuals. The situational effects of imprisonment may have been important factors in producing these findings.

ACKNOWLEDGMENTS

...if you can trust yourself when all men doubt
you but make allowances for their doubting too...

This thesis is dedicated first and foremost to my Lord and Saviour whose presence in my life made this undertaking possible. The thesis also is dedicated to my father and mother, Lawrence and Heneree, and my little brother, Ronald. Truly it was the support of my family and friends which inspired me to continue when, at times, it would have appeared that success was not within my reach.

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CHAPTER 1

INTRODUCTION

The Federal Bureau of Investigation crime "clocks" for 1976 (Uniform Crime Reports, 1976) indicated that every three seconds there was one crime index offense being committed. There was one violent crime being committed every 32 seconds with one murder every 28 minutes, one forcible rape every nine minutes, one robbery every 75 seconds and one aggravated assault every 64 seconds. When viewing property crimes, there was a burglary occurring every 10 seconds, one larceny-theft every five seconds and one motor vehicle theft every 33 seconds, all which resulted in a property crime taking place every three seconds. Turning from time clocks to numerical tallies, the FBI (Uniform Crime Reports, 1976) recorded for the year 1976, an estimated 18,780 murders (including non-negligent manslaughter); 56,730 rapes; 490,850 aggravated assaults; 420,210 robberies; 3,089,800 burglaries; 6,270,800 larceny-thefts; and 957,600 motor vehicle thefts.

In the state of Michigan alone there were in 1976, 6,596 individuals remanded to facilities operated by the state's Department of Corrections (Dimensions, 1976). It is obvious from these statistics that crime remains a major problem plaguing American society, and as such, must command the attention of the nation's social scientists.

Pesetsky and Rabin (1978) emphasized the necessity of sound, accurate, diagnostic procedures in the psychological assessment of

those persons entering the criminal justice system as clients. Such planning, these authors felt, would allow for better placement of people within the system and further it would aid in the development of programs that could best meet the recipient's needs. From personal observation, this writer has noted the increased attention being paid to the violent offender. This observation is especially salient when the issue of parole eligibility is raised; where there is public fear of a repetition of the violent offender's aggressive activities. Perhaps with increased understanding of the dynamics of aggression in relation to criminality, social scientists can assist the criminal justice system in its handling of the violent offender. The present study is one attempt to garner additional insight into the role of aggression as displayed by two groups of criminal offenders - murders and rapists.

Review of the Literature

There have been numerous articles and books written on the topic of aggression (Singer, 1971; Banduar & Walter, 1959; Buss, 1971; Megargee & Nebzues, 1971) - too many to cite. In this section what has been attempted is the development of a basic conceptual scheme reflective of this author's use of the term aggression.

Buss (1971) delineated three types of aggressive behavior which he labeled: physical-verbal, active-passive, and direct-indirect. These three categories then yielded via their interaction, eight categories presented below (Buss, 1971, p. 8).

Varieties of Human Agression

| | Active | | Passive | |
|----------|----------------------|---------------------------|--------------------|--------------------------------------|
| | Direct | Indirect | Direct | Indirect |
| Physical | Punching the victim | Practical joke booby trap | Obstructing sit-in | Refusing to perform a necessary task |
| Verbal | Insulting the victim | Malicious gossip | Refusing to speak | Refusing consent, vocal or written |

All eight types of aggression share one common feature and that is: "one individual delivers noxious stimuli to another." While this statement may appear to be an adequate definition of aggression, it fails to address the issue of intent. That is, one may deliver noxious stimuli by chance (e.g. accidents) or one may try to deliver a noxious stimulus and fail (e.g. swing at someone and miss). Now, in the first instance aggression really hasn't occurred although noxious consequences have - while in the second situation, no noxious stimuli were experienced, although a definite aggressive action was taken. Consequently, Buss (1971) states, "aggression may be defined in terms of the attempt to deliver noxious stimuli, regardless of whether it is successful (p. 10)."

Two classes of aggression are distinguished by Buss (1961) - angry and instrumental. Angry aggression may be viewed as the response to anger-arousing stimuli (insults, physical attack, etc.) which has as its goal the injury of the victim. Instrumental aggression has as its

goal the acquisition of some reinforcer (money, status, etc.) and is precipitated by competition or the desire to have that which is possessed by another. With angry aggression, anger is the predominant emotion giving rise to the response while with instrumental aggression emotion is not a major factor which initiates action, only a desire to obtain a reinforcer.

Megargee and Menzies (1971) emphasize that despite the diversity among theories of aggression, there is a general consensus that three major variables contribute to the strength of an aggressive response. First, one must consider instigation to aggression which is the motivation for aggression that is present. Second, taboos or inhibitions against aggression have to be taken into consideration for they can serve as blockages to the overt expression of aggression. Finally, it is necessary to take into account, situational factors which promote or discourage aggressive behaviors.

In summarizing their theorizing about the strength of aggressive responses, Megargee and Menzies (1971) developed a series of equations, the first being as follows:

$$P_{J \cdot T-1} = (A_{T-1} + S_a) - (I_{J \cdot T-1} + S_i)$$

where P = response strength, J = aggressive act, T-1 = a particular target, A_{T-1} = instigation to aggress against target T-1, S_a = situational factors facilitating aggressive behaviors, $I_{J \cdot T-1}$ = sum of inhibitions or taboos against aggression, and S_i = situational factors inhibiting overt aggression. Consequently, the strength of an aggressive action directed against a particular target, equals the sum of the motivation for aggression coupled with facilitating situational factors,

minus the sum of inhibitors of aggression coupled with situational factors discouraging aggression. It follows then that for an aggressive act to occur, the following must occur:

$$P_{J \cdot T-1} > 0$$

and that,

$$A_{T-1} + S_a > I_{J \cdot T-1} + S_i$$

where the sum of factors encouraging aggression must outweigh the sum of factors negating aggression. Finally, for an aggressive act to occur against a particular target, it must successfully compete against alternative response modalities. This is represented by the equation:

$$P_{J \cdot T-2, 3 \dots N}$$

or

$$P_{J \cdot T-1} > P_{K, L \dots N \cdot T-1}$$

or

$$P_{K, L \dots N \cdot T-2, 3 \dots N}$$

where $P_{J \cdot T-2, 3 \dots N}$ = same aggression but directed at another object, $P_{K, L \dots N \cdot T-1}$ = alternate responses to original target, and $P_{K, L \dots N \cdot T-2, 3 \dots N}$ = all other possible responses directed at all other possible targets.

Contemplating the analysis of Megargee and Menzies, it is apparent that many variables must be surveyed if one wishes to understand the aggressive potential of any individual.

It is not always necessary to view aggression as something which is negative for often its expression can be of positive benefit for the individual. Bach and Goldberg (1974) were very concerned about the unwillingness of society and its inhabitants to recognize the need for healthy expressions of aggression.

Aggression and its various expressions are a source of great fear. To most people aggressiveness is synonymous with unprovoked, senseless, and hurtful hostility. This horrific definition of the term, which we believe is a distortion of a potentially constructive process, has embedded itself rather firmly in the consciousness of most people...Aggressive energy, as we see it, can add a vital dimension to the process of living. That is, it can, when expressed constructively, intensify the depth and authenticity of personal and interpersonal relationships and experiences (pp. 83-84).

According to Bach and Goldberg, when aggressive interactions are blocked in relationships, this repression results in dishonest, distorted encounters between the parties involved. Eventually these repressed aggressive feelings emerge in less direct but oftentimes pathological forms as seen in some instances of: a) passive-aggressive behaviors; b) depression; c) obsessions; d) compulsions; e) anxiety; f) neurasthenia; g) paranoia; h) sexual dysfunctions; i) suicide; and j) psychosis. The authors (Bach and Goldberg) highlighted the fact that many mass murderers were often described in very favorable, positive terms. These "nice killers" epitomize that which can occur in some individuals when their dams break and the repressed flood of aggressive feelings pours forth.

Murder

Perkins (1946) provides a solid foundation for the legal understanding of homicide and one of its subgroups - murders. In his article, Perkins cites numerous law references and the reader is referred to this work for a more in-depth understanding of the topic of homicide.

"Homicide is the killing of a human being by another human being." Criminal law recognizes two basic classes homicide: 1) innocent homicide, and 2) criminal homicide.

Essentially, innocent homicide is a homicide that does not involve criminal guilt. Innocent homicide itself is divided into two categories: 1) justifiable and 2) excusable. Justifiable homicide involves killing that is authorized or commanded by the state, such as in executions or killings that are an act of war and that are within the rules of war. A homicide is excusable if it is neither commanded nor authorized by the state and does not entail criminal guilt. Examples of excusable homicide are certain killings done in self-defense, or killings resulting from unfortunate accidents not involving criminal negligence or unlawful activity.

Criminal homicide includes those homicides which are not lawfully justifiable or excusable. Generally, criminal homicide has two categories: 1) murder and 2) manslaughter.

"Murder is homicide committed with malice aforethought (Perkins, 1946, p. 397)." In describing the term malice aforethought, Perkins chose the following explanation: "Malice aforethought is an unjustifiable, inexcusable and unmitigated man-endanger-state-of-mind (p.409)."

In other words, a killing is considered murder if it is not excusable or justifiable and results from actions where intent was to kill, of where actions were done in complete disregard of the danger to human life. Manslaughter is a catch-all category covering those homicides which are neither murder nor innocent homicide. In most instances, manslaughter is of two kinds, voluntary and involuntary.

In his study of homicide, Tanay (1969), on the basis of evidence gathered from clinical cases, attempted a characterization of the homicidal perpetrator. The author noted that, in his population, there was better than a 7 to 1 male to female ratio and that the majority of offenders were between the ages of 20 and 40. Severe corporal punishment was present in the up-bringing of 67 percent of the cases. Interestingly enough, 84 percent of the sample had no prior record of arrest and/or conviction. Only 11 percent of the cases had any history of psychiatric contact and only 15 percent of offenders were ranked as members of the higher occupational status.

In surveying the homicidal situation, Tanay (1969) discovered that a characteristic feature prior to the act was an altered state of consciousness in the perpetrator - a state for which he used the term "dissociative reaction." Generally, at the time of the clinical interview, the vast majority of the individuals evidenced no signs of gross psychopathology and were viewed as functioning on a "well-integrated level." However, 70 percent of the sample described experiences of a dissociated nature occurring around the time of the crime, such as memory impairment and perceptual disturbance. In classifying the superegos of the offenders, 68 percent of the population had superegos which were categorized as "severe."

Tanay (1969) on the basis of his observations found that he could separate his sample into three groups: 1) dissociative homicide, 2) psychotic homicide, and 3) ego-syntonic homicide. The author also noted the deleterious effect middle-class prohibitions against the expression of aggression coupled with violent child-rearing practices has upon the superego. Here the superego becomes "a cruel and punitive master, intolerant of any overt expressions of aggression (p. 1257)."

Reinforcing the idea that repressed aggression contributes to homicidal behaviors, is the work of MacDonald (1963) who observed that difficulty in the expression of hostility was a prominent feature in his population of patients who were hospitalized as a result of their homicidal threats. MacDonald also noted that from his clinical experience, "a history of great parental brutality, extreme maternal seduction, or the triad of childhood firesetting, cruelty to animals and enuresis are unfavorable prognostic factors in those who threaten homicide (p. 130)."

Rape

Testimony: I am 73 years old and I was raped when I was 67. A young fellow followed me into the elevator of my apartment building. He was wearing a green uniform. He asked me if I know the apartment number of a certain tenant but I told him that name was unfamiliar to me. I said, "Oh, are you the man from United Parcels? I'm expecting a package that hasn't arrived." He asked me my name and apartment number and told me he'd go down and check in the truck. A few minutes later my doorbell rang. I looked through the peephole and there was the young man with a package. Of course I opened the door right away. He shoved me against the wall and started hitting my head...I told him I didn't have any money hidden, just what was in my pocketbook. He didn't seem to believe me. He told me to get on the bed. He pulled off my underthings and then he tore into me (Brownmiller, 1975, p. 347).

The result of numerous research and/or clinical experiences has been the emergence of various typologies of rapists (Guttmacher and Weihofen, 1952; Gebhard, et.al., 1965; Howell, 1972; and Cohen, et.al., 1971). Howell (1972) delineated two categories of rapists. In the first group the author placed those men suffering from problems with impotence. These men develop feelings of inferiority and sexual inadequacy which they perceive as being attributable to female domination. They combat this feeling of domination by subjugating the feared female perpetrator with an act of forceful degradation in which the female now becomes the weakened, frightened character. Rape, with the second group, was described as a generalized assault wherein the victim could be anyone and was representative of the original object of the attacker's anger. The attacker was depicted as an antisocially oriented man whose feelings of rejection prompted him to vent his wrath and exaggerated humiliation against the first available female. Howell failed to indicate why such an individual chose rape as opposed to other forms of assault.

Cohen et.al. (1971) observed that the act of rape contained both sexual and aggressive features. Depending on the dynamics involved, either the sexual or aggressive aims were the predominant motivating factors. In some instances the sexual aim is in service to a dominant aggressive aim; in other instances, the aggressive aim is secondary to a more important sexual aim; and in some instances there is a mixture of the two aims giving rise to what the author termed "sexual sadism." Following is a brief summary of Cohen, et.al.'s clinical descriptions of three categories of rapists.

Rape-Aggressive Aim

This sub-type of rapist utilizes the sexual attack to humiliate and defile his victim. There is clearly a savage intent that can be seen in the brutality present and in the various forms of sexually mutilating behaviors (tearing, biting, etc. of the genitals or breast, violent insertion of objects in the anus, and so forth). The emotional state of the attacker is anger and the women are objects of displacement for his rage. Always the females are total strangers.

Rape-Sexual Aim

In this category, sexual desires/wishes are the prime motivators and excessive aggression is lacking. Most attacks of this type take place in isolated, out of doors areas. If the victim should resist too vigorously, this rapist will more than likely flee, but if she should submit passively from fear, then the rape will occur without any additional force. The victim here is always a stranger, however, it is one that has been identified and stalked. As opposed to an impulsive act, the rape is a scene that has been lived and rehearsed numerous times in the offender's fantasy life.

Rape-Sex-Aggression Diffusion

There is in this third pattern of rape the necessity of aggression as a stimulus for sexual arousal. Usually, the resistance of the victim is encouraged to bring about sexual excitation that otherwise would be lacking. Aggression generally is absent after completion of the sexual act and the affect of anger does not manifest itself in this form of rape. The sadistic aspects of this rapist's psyche is projected onto the victim and her struggles are consequently viewed as indications of

her own sexual arousal. Men in this category are similar in many ways to the psychopathic personality.

One interesting study compared the sex offenses of Black versus White offenders (Kirk, 1975). The author discovered that Black offenders tended to: a) select proportionally more adult victims; b) engage most often in vaginal intercourse; and c) aggress against a female victim. On the other hand, whites tended to: a) select younger victims; b) participate in less "conventional" sexual acts; and c) were involved in a higher proportion of homosexual offenses. It is worth noting that the statistical differences between Black and Whites disappeared when social class, as a variable, was controlled.

Assessment of Aggression in Murderers and Rapists

McKie (1971) utilized the TAT (Thematic Apperception Test) in comparing the fantasy levels of anger, fear, overt aggression, and modes of coping in murderers versus non-violent offenders. Some of the author's major findings were: a) the fantasy theme of murderers contained less anger than non-murderers; b) the fantasy themes of murderers contained less fear than non-murderers; and c) the fantasy themes of non-murderers contained more overt aggression behaviors. Surprisingly enough, McKie's results showed that non-murderers in their fantasy themes showed more signs of hostility and aggression and that they were more at ease in the handling of their fantasies; on the other hand, murderers tended to demonstrate the presence of a repressive mechanism where aggressive thoughts, fears, and hostilities were inhibited.

Beit-Hallahmi (1970) divided his prison sample into three groups: 1) inmates with a history of violent crimes and a record of institutional

midconduct, 2) inmates with a history of violent crimes but no record of institutional misconduct and 3) inmates with no history of violent crimes or institutional misconduct. The author was interested in comparing the levels of aggressive and sexual fantasies within his sample. The only significant finding in this study was that the frequency of aggressive fantasies was positively correlated with the frequency of sexual fantasies. Outside of this finding, no other comparative analysis reached statistical significance.

An investigation of rapists utilizing the Rorschach was done by Freeman (1975). A group of incarcerated rapists was compared with a control group of "normals" from normative Rorschach data. The data revealed that the rapists when compared to the normals manifested more hostility, deprivation of contact and impulsivity. Rapists in comparison with the inmate population differed only on indices of deprivation and impulsivity with rapists scoring higher on both.

Stone (1956) introduced his TAT Aggressive Content Scale which he hoped would objectively score hostile-aggressive responses on the TAT. In his study he utilized three groups of Army prisoners. The first group was considered low assaultive and was comprised of men confined for charges of AWOL or desertion under combat conditions with no previous offenses in their history. Group 2 consisted of men who also had deserted or gone AWOL in combat but who additionally had a prior record of at least two previous "non-aggressive" offenses. This second group was characterized as medium aggressive. The third group was labeled as most aggressive and contained men who were remanded to prison for murder or assault with intent to murder. Analysis of the experimental data revealed, as hypothesized, that group 3 (assaultive) men exhibited

the greatest amount of aggressive content in comparison to groups 1 and 2 (non-assaultives).

Summary

Murder and rape are both crimes whose enactment reflects the destructive release of aggressive energies which are generated by numerous motivational factors. Yet, all persons have aggressive feelings but all persons are not motivated to criminally injure others in their expression of such feelings. Consequently, a better understanding of aggression and its relation to criminality is needed if society ever hopes to reduce the alarming number of persons entering into its penal system and reduce the recidivism rate of those who are released from said system. The present research project is an effort to investigate the level of aggression in incarcerated criminal offenders while also attempting to identify factors which may determine the degree of aggression expressed and its focus of that expression.

CHAPTER II

HYPOTHESES

The present research project was designed to investigate three major hypotheses.

1. Level of Aggression

H₁: (a) Rapists and murderers score higher on measures of aggression in comparison with those individuals remanded for non-person crimes.

(b) There is no significant difference in the scores of rapists and murderers on the aforesaid measures.

Rape and murder are crimes of violence which share a common object of attack--another human being. Given the strong social sanctions against illegal violence directed toward another person, it is postulated that stronger motivations are needed to overcome this inhibition than is needed to overcome inhibitions which do not involve direct aggression against another. Consequently, rapists and murderers share a need for person-directed aggression that surpasses that of non-person crime.

2. Aggression Towards Women

H₂: Rapists more so than other criminal groups demonstrate a greater amount of hostility toward

women on measures designed to assess aggressive attitudes relative to women.

Rather than assume that the objects and modes of aggression are random choices, the position is adopted that aggressive behavior is motivated, formed and directed by the needs of the perpetrator. Therefore, rapists (of women) should display a greater degree of hostility toward members of the female gender since it was these persons which were chosen as the objects of their attack.

3. Managment of Anxiety

H₃: Rapists and murderers manifest more anxiety than individuals incarcerated for non-person crimes.

If murder and rape are crimes which reflect a great release of hostility, then that pent-up aggression should generate more anxiety than crimes whose sanctions allow for easier and consequently more frequent releases of tension.

CHAPTER III

METHODOLOGY

SUBJECTS

Subjects (S) were residents (inmates) of the State Prison of Southern Michigan selected on the basis of three criterion. First, residents were considered only if they were incarcerated for current offenses of murder, rape or victimless crimes. On the basis of their offenses, residents were then placed into one of three groups:

1. Murderers (M) - Residents in this group had been convicted of either Murder First Degree, Murder Second Degree or Manslaughter (cases of Negligent homicide were not included).
2. Rapists (R) - Residents comprising this group were sentenced for crimes of Rape, Criminal Sexual Conduct First Degree, Criminal Sexual Conduct Second Degree, or Criminal Sexual Conduct Third Degree (See Appendix for more detailed description of "Criminal Sexual Conduct"). Only residents with females as victims were utilized.
3. Non-Person Offenders (NPO) - Included in this group were residents whose crimes did not involve direct physical aggression (or the threat thereof) against another human being such as Breaking and Entering,

Larceny, Unlawful Possession and Violation of
Drug Laws.

After it was determined that a resident could fit into one of the designated groups, a search of his institutional testing file was conducted to determine if he possessed a scored MMPI (Minnesota Multiphasic Personality Inventory) Profile. Those individuals whose profiles appeared to be valid (subjective determination on the part of the Experimenter) were then sent a letter (See Appendix) requesting their participation in the research project while offering them one dollar for their efforts. Persons responding favorably to the inquiry were then subsequently tested and consequently were included in the study.

There was a total of 30 subjects in the study with 10 subjects in each of the three categories of offenders. Tables I, II, and III provide demographic data--Age and Time Served--for the three groups. There were no significant differences between categories in respect to the aforementioned measures.

TABLE I
DESCRIPTIVE DATA FOR EACH
INMATE GROUP

| Groups | N | Age | | Time Served | |
|------------------------|----|------|------|-------------|------|
| | | Mean | SD | Mean | SD |
| Group M (Murder) | 10 | 28.7 | 4.14 | 19.7 | 6.90 |
| Group R (Rape) | 10 | 33.6 | 7.76 | 15.6 | 8.93 |
| Group NPO (Non-Person) | 10 | 29.3 | 7.44 | 15.6 | 8.86 |

TABLE II
ANOVA--AGE

| Source | SS | df | ms | F | p |
|----------------|---------|----|-------|------|-------|
| Total | 1471.47 | 29 | -- | -- | -- |
| Between groups | 142.87 | 2 | 71.43 | 1.45 | p>.05 |
| Within groups | 1328.60 | 27 | 49.20 | -- | -- |

TABLE III
ANOVA--TIME SERVED

| Source | SS | df | ms | F | p |
|----------------|---------|----|-------|-----|-------|
| Total | 2172.97 | 29 | -- | -- | -- |
| Between groups | 112.07 | 2 | 56.03 | .73 | p>.05 |
| Within groups | 2060.90 | 27 | 76.32 | -- | -- |

PROCEDURE

Each S qualified for inclusion in the study was seen for individual testing by the E. Before testing began, the basic purpose of the project was explained as follows:

"Good day. This is a study being conducted to compare and contrast the psychological make-ups of different groups of offenders. The tests you will be taking will give me some idea of your personality and I will be comparing your scores to those of other residents. Hopefully, such comparisons will result in some leads as to better understanding residents and planning effective programs for them."

All Ss were provided the opportunity to ask questions after which testing began. Two assessment devices were administered--the Hand Test (Bricklin,

Piotrowski, and Wagner, 1962) and the Modified Buss-Durkee Inventory (Buss and Durkee, 1957). The Hand Test, due to its being a quick and easily understood measure, was administered first. Following the Hand Test, each S was given a copy of the Modified Buss-Durkee Inventory, an answer sheet and a pencil with which he could complete the measure. Upon completion of the inventory, the testing session was ended and each S signed and dated a release of information form while also receiving a \$1.00 token for their efforts. Further questions concerning the project were entertained by the E after which Ss were free to go.

MMPI data for computation of an Anxiety Index (AI) and Internalization Ratio (IR) was retrieved from the testing files maintained in the Reception and Guidance Center. Scoring of all test data was done by the E due to practical considerations.

MATERIALS

Hand Test. The Hand Test (Bricklin, Piotrowski and Wagner, 1962) is an assessment device, utilizing as a stimulus hands in various positions depicted on a card approximately three by five inches in size. Ten testing cards (See Appendix) are used and on nine of them, a hand is drawn in an ambiguous pose. The subject is required to tell the tester his impressions of what the hand is doing in the card. The tenth testing card is blank and the respondent is requested to imagine a hand whose actions he must then describe.

Past studies (Wagner and Hawkins, 1964; Wagner and Medvedeff, 1963; and Brodsky and Brodsky, 1967) have found the Hand Test to be a successful device in distinguishing assaultive from nonassaultive populations. Although having several formal and informal scoring categories, the

present study utilized three of the summary scores--Acting Out Ratio (AOR), Maladjustment Score and Pathology--as provided by Wagner (1977) in the Hand Test Manual and also included on the test's "Scoring Summary Sheet" (See Appendix).

The AOR is a ratio of the sum of responses indicating more socialized interpersonal trends to the sum of responses suggesting less socialized interpersonal tendencies. In interpreting the AOR, the greater the less socialized responses exceed the socialized responses, the greater the chance of witnessing overt, antisocial behaviors. Comparison of AOR scores permitted the E to observe if any of the inmate groups being studied had a greater tendency to act-out.

The Maladjustment score (MAL) is considered to be a good indicator of a neurotic process and is the sum of those responses indicating the degree to which an individual feels incapable of coping with his environment because of internal weaknesses (tension, inadequacy, apprehension) and/or external prohibition. Pathology (PATH) is a score which provides a "quick and dirty" approximation of the amount of psychopathology present in an individual and is representative of those responses which suggest both neurotic and psychotic processes. The higher the score, the more one should become concerned about the presence of a debilitating mental disorder. Both MAL and PATH were used in the present study as a crude means of assessing the mental health of the groups under scrutiny.

Modified Buss-Durkee Inventory. Buss and Durkee (1957) developed an inventory designed to assess the global concept of hostility as well as sub-classes of this concept. Out of an original item pool of 105 items, their inventory consists of 75 items derived rationally and

settled upon empirically. The inventory has eight scales which correspond to the author's sub-classes of hostility (See Appendix). All the items are worded so as to be answered True or False and the sub-scales can be compiled to yield a "total hostility" score. Essentially two factors are present in the inventory--one factor assesses the attitudinal (emotional) component of hostility, while the other factor is concerned with the motor (aggressive behaviors) component of hostility.

In the present study, E developed an ad hoc sub-scale consisting of 30 items reflecting aggressive feelings and/or behaviors about or toward women. The scale, entitled "Aggression Toward Women," had face validity and the items were interspersed among the items of the original Buss-Durkee. Three measures from the scale were utilized in the project, a Total Hostility score with the ad hoc scale, a Total Hostility score minus the ad hoc scale, and the score of the ad hoc, Aggression Towards Women, scale.

Welsh Anxiety Index. Welsh (1952) was concerned about the lack of an objective measure assessing anxiety. In response to this void, Welsh studied the attempts other researchers had made at deriving an anxiety measure from the MMPI scales (Modlin, 1947; Ruesch, 1945; and Gough, 1946). Building upon their efforts, Welsh (1952) developed the following formula:

$$\text{Anxiety Index (AI)} = \frac{\text{Hs} + \text{D} + \text{Hy}}{3} + (\text{D} + \text{Pt}) - (\text{Hs} + \text{Hy})$$

Along with the Anxiety Index, Welsh (1952) also developed what he called the "internalization ratio (IR)." This ratio reflected the sum of the complaint, mood and feeling scales as divided by the three behavior/character disorder scales. The formula is.

$$IR = \frac{Hs + D + Pt}{H_y + Pd + Ma}$$

In a normal population, one would expect an IR of 1.00

Subjects who tend to have many somatic symptoms and subjective feelings of stress--who internalize their difficulties--can be expected to obtain values above 1.00. Those who tend to act out and "externalize" their conflicts will obtain a ratio below 1.00 (Welsh, 1952).

The AI and IR scores were computed as indicators of the anxiety levels and acting-out proclivity present in each of the inmate populations being studied.

Treatment of the Data. For each of the experimental variables a Simple Randomized Analysis of Variance (Bruning and Kintz, 1968) was performed.

CHAPTER IV

RESULTS

The present study focused upon three categories of inmates--Rapists, Murderers and Non-Person Offenders. Three major hypotheses were tested and in reporting the results each hypothesis has been listed with its appropriate analysis.

Hypothesis I

The first hypothesis was concerned with the amount of hostility/aggression that would be expressed by the three inmate groups. It was hypothesized that while Rapists and Murderers would not differ from one another in their expression of hostility, both would differ significantly from the Non-Person Offender group.

TABLE IV
ANOVA--ACTING OUT OF RATIO

| Source | SS | df | ms | F | p |
|----------------|--------|----|--------|-----|-------|
| Total | 119.37 | 29 | -- | -- | -- |
| Between groups | 1.67 | 2 | 1.67 | .19 | p>.05 |
| Within groups | 117.70 | 27 | 117.70 | -- | -- |

One measure of overt hostility utilized in the study was the Acting-Out Ratio (AOR) of the Hand Test. As Table IV reveals, there was not any significant difference between the groups on this measure.

Two other measures assessing overt hostility were the two total scores on the Modified Buss-Durkee Inventory, that is, with and without the experimental scale (Hostility Toward Women). Tables V and VI indicate that neither measure yielded a significant difference between groups.

TABLE V
ANOVA--TOTAL AGGRESSION

| Source | SS | df | ms | F | p |
|----------------|---------|----|--------|-----|-------|
| Total | 4388.97 | 29 | -- | -- | -- |
| Between groups | 294.87 | 2 | 147.43 | .97 | p>.05 |
| Within groups | 4094.10 | 27 | 151.63 | -- | -- |

TABLE VI
ANOVA--TOTAL AGGRESSION MINUS
EXPERIMENTAL SCALE

| Source | SS | df | ms | F | p |
|----------------|--------|----|--------|-----|-------|
| Total | 3684.8 | 29 | -- | -- | -- |
| Between groups | 155.4 | 2 | 77.70 | .59 | p>.05 |
| Within groups | 3529.4 | 27 | 130.71 | -- | -- |

Hypothesis II

The second hypothesis stated that Rapists would demonstrate a greater amount of hostility directed toward women than either Murderers or Non-Person Offenders.

TABLE VII
ANOVA--AGGRESSION TOWARD WOMEN

| Source | SS | df | ms | F | p |
|----------------|--------|----|-------|-----|-------|
| Total | 339.87 | 29 | -- | -- | -- |
| Between groups | 14.87 | 2 | 7.43 | .61 | p>.05 |
| Within groups | 325.00 | 27 | 12.03 | -- | -- |

The experimental scale--Aggression Towards Women--located in the Modified Buss-Durkee Inventory was utilized for the analysis of Hypothesis II. As Table VII above illustrates, there was no significant difference between groups on their expression of hostility towards women.

Hypothesis III

The third hypothesis postulated that both Rapists and Murderers would manifest more anxiety than Non-Person Offenders.

TABLE VIII
ANOVA--MALADJUSTMENT

| Source | SS | df | ms | F | p |
|----------------|--------|----|------|------|-------|
| Total | 105.47 | 29 | -- | -- | -- |
| Between groups | 9.87 | 2 | 4.93 | 1.39 | p>.05 |
| Within groups | 95.60 | 27 | 3.54 | -- | -- |

TABLE IX
ANOVA--PATHOLOGY

| Source | SS | df | ms | F | p |
|----------------|-------|----|------|-----|-------|
| Total | 259.2 | 29 | -- | -- | -- |
| Between groups | 2.4 | 2 | 1.20 | .12 | p>.05 |
| Within groups | 256.8 | 27 | 9.51 | -- | -- |

The Hand Test yields two related measures--Maladjustment and Pathology--which provides a "quick and dirty" estimation of the amount of anxiety and degree of psychopathology present in an individual. The Pathology (Path) score is, in part, composed of an individual's Maladjustment (Mal) score. While Mal is primarily an indicator of neurotic trends, the Path score also includes indication of more serious mental disturbances. Tables VIII and IX show that there was no significant differences between groups on the amount of anxiety/degree of psychopathology as measured by the Hand Test.

Two other related measures of anxiety--Anxiety Index (AI) and Internalization Ratio (IR)--are reported in Tables X and XI below; both measures were taken from the MMPI data. It was noted by Welsh (1952) that IR scores closely followed AI scores, where high AIs would also have IRs greater than 1.00. Neither measure, AI or IR, produced a significant difference between groups (See Tables X and XI).

TABLE X
ANOVA--ANXIETY INDEX

| Source | SS | df | ms | F | p |
|----------------|---------|----|-------|-----|-------|
| Total | 1283.60 | 29 | -- | -- | -- |
| Between groups | 44.51 | 2 | 22.75 | .49 | p>.05 |
| Within groups | 1238.09 | 27 | 45.85 | -- | -- |

TABLE XI
ANOVA--INTERNALIZATION RATIO

| Source | SS | df | ms | F | p |
|----------------|-----|----|-------|------|-------|
| Total | .52 | 29 | -- | -- | -- |
| Between groups | .09 | 2 | .0450 | 2.83 | p>.01 |
| Within groups | .43 | 27 | .0159 | -- | -- |

CHAPTER V

DISCUSSION OF RESULTS

Hypothesis I. The first hypothesis predicted that Murderers and Rapists, while not differing from one another with respect to aggression, would exhibit more measured aggression than offenders incarcerated for victimless crimes. On all the measures utilized, neither Murderers nor Rapists expressed significantly more aggression than perpetrators of offenses where a victim was not physically assaulted. Of note was the fact that in keeping with the hypothesis, Murderers and Rapists did not differ significantly from each other in respect to expressions of hostility.

The results were not totally surprising, for, in fact, they were in keeping with studies conducted by Megargee (Megargee and Mendolsohn, 1962, 1963; Megargee, 1964; and Megargee, 1966b) who, at first, was continually unsuccessful in finding or developing a measure that would discriminate assaultive from nonassaultive criminal populations. Finally, the author decided to investigate the manner in which a person's assaultive potential was being assessed. Examination led the author to develop his typology of "Overcontrolled" and "Undercontrolled" types--

...the Overcontrolled violent person...has considerably more inhibitions against aggression than the Undercontrolled person... the Chronically Overcontrolled person, because of the extreme amount of instigation to aggression required to overcome his high

inhibitions, would be likely to engage almost exclusively in extreme acts of violence...the Undercontrolled type on the other hand would be capable of a full range of aggressive responses... (Megargee, 1971.

With his typology, Megargee theorized that "an extremely violent group should be measured as being more controlled and less violent, as a group, than would groups of moderately aggressive or nonviolent criminals." His rationale was that the extremely violent group would be composed of both Overcontrolled and Undercontrolled types while the other groups would contain only the Undercontrolled type. It was expected that the Overcontrolled type would only engage in extreme acts of violence as a result of the enormous amount of instigation that would be necessary to overcome his inhibitions; on the other hand, Undercontrolled types, because of the minimal provocation needed, could be expected to be involved in a wider range of activities with varying degrees of violence. Consequently, the presence of Overcontrolled individuals would effectively alter the mean of the extremely violent group relative to the moderately and non-violent group whereby they would appear less aggressive and more controlled. Now, if the Overcontrolled type did not exist, then the extremely violent group, being composed of those individuals identified as most violent, should appear most aggressive and least controlled without the dampening factor of the Overcontrolled type. Megargee's (1966b) research gave strong support to his notion of an Overcontrolled type where the author's results showed an extremely assaultive population as least aggressive and most cooperative and controlled than a group of moderately assaultive subjects.

Perhaps, then it might have been more fruitful in the present research to abandon the notion of viewing an inmate's crime as a direct indicator of his aggressive nature. It may very well be that irrespective of the specific offense, some criminal's behaviors are due to poor impulse control, such as the psychopath, while other criminals' behaviors are representative of an explosive break in a rigid, very well-controlled personality structure. If this were so, one could postulate that a man convicted of murder might be much less aggressive overall than someone convicted of larceny from a building and instead of working on better impulse control in therapy with such an individual, it would be more productive to encourage greater and more varied emotive expressions.

The failure for measures of aggressiveness in this study to successfully distinguish any of the three inmate groups suggests that:

a) All inmates are equally aggressive regardless of their crimes, b) Traditional practices of categorizing and comparing inmate groups on aggressiveness as a function of the crime they committed may actually be overlooking much more salient delineation factors, or c) The experimental measures failed to accurately discriminate between the sample populations.

Hypothesis II. It was postulated in the second hypothesis that Rapists, more than Murderers or Non-Person Offenders, would exhibit a greater amount of aggression towards women. The experimental scale testing this hypothesis failed to yield any significant differences between groups in their expression of hostility focused upon women. If valid, this finding could have several implications.

One possibility is that most incarcerated individuals harbor a hostility for women, and therefore, would attack a female given the proper set of circumstances. Another explanation might be that the central issue in rape may not be a need to aggress against women as it is "a need to aggress." Aggression may be one way of outwardly establishing one's "masculinity" when internally one feels weak and inadequate (superiority as a defense against inferiority). Women are easy targets of aggression for men not only because of biological differences, but also because of the difficulty in prosecuting a rape case in the present judicial system. Thereby, a man needing to prove himself would find that perpetration of violence against women via rape is an easily accessible avenue.

Hypothesis III. The third hypothesis investigated the degree of anxiety present in the groups being studied whereby it was felt that murderers and rapists whose crimes reflected a great release of bound aggression should be individuals who were more "uptight" than those persons given to frequent, less damaging releases of aggression. Once again the data failed to yield a significant difference between the groups measured.

One explanation of this lack of significance is that most criminals engage in a wide range of illegal activities and that if given a long enough time span, there would be no crime that would not have been committed. In other words, criminals have basically similar characterological structures and only fortuitous circumstances, i.e. luck, prevents the commission of certain activities. However, a more plausible explanation for the lack of significant difference might very well be the fact that testing for anxiety took place after the crime which allowed its

release. Had it been possible to test the murderers before they killed, one might have found an extremely anxious individual. Therefore, obtaining a truly representative level of anxiety after the crime becomes akin to assessing an individual's sex drive using only measurements attained immediately after orgasm.

Additional Findings. Buss and Durkee (1957), in reporting the development of their Inventory, provided normative data obtained from a group of 85 college men and 88 college women. Perusal of their data revealed two instances where there was quite a disparity between the means of the college males on the sub-scales and those of the inmate population taken as a whole. The first instance involved the sub-scale labeled "Irritability," while the second instance involved the "Verbal" hostility sub-scale.

Irritability as a sub-class of hostility was defined by the scales authors as "a readiness to explode with negative affect at the slightest provocation." The mean score for the inmate population was 5.94 while the mean of the college population was 3.6. The "t" test of significance was performed yielding a t of 4.2864 which was significant at the .01 level (see Table XII).

TABLE XII

T VALUES FOR GROUP COMPARISON
OF IRRITABILITY SCORES

| Groups | N | Mean | S.D. | t | df | p |
|---------------|----|------|------|--------|-----|-------|
| Inmates | 30 | 3.60 | 2.25 | 4.2864 | 113 | p<.01 |
| College Males | 85 | 5.94 | 2.65 | -- | -- | -- |

Irritability included such qualities as a "quick temper, grouchiness, exasperation and rudeness." What the data seems to suggest is that college males are much more likely to express negative feelings in this less threatening manner, while inmates, in comparison, are more inclined to suppress such feelings. In part, this may be a function of the environments each group functions within whereby prison promotes the suppression of negative affect while college campuses allegedly expouse freedom of expression. Still, the possibility remains that the significant difference bespeaks a characterological difference between the inmate and college groups wherein the college population utilized a greater array of methods of "letting off steam" while the inmates allow the pressure to build.

In keeping with the above finding, a significant difference was found in comparing the two groups on the Verbal hostility sub-scale (see Table XIII).

TABLE XIII
T VALUES FOR GROUP COMPARISON
OF VERBAL HOSTILITY SCORES

| Groups | N | Mean | S.D. | t | df | p |
|---------------|----|------|------|--------|-----|-------|
| Inmates | 30 | 5.86 | 2.38 | 3.0858 | 113 | p<.01 |
| College Males | 85 | 7.61 | 2.74 | -- | -- | -- |

Verbal hostility was described in the following manner by Buss and Durkee (1957):

"...negative affect expressing in both the style and content of speech. Style includes arguing, shouting, and screaming; content

includes threats, curses, and being over-critical.

Once again it appears that the college males allow themselves a greater freedom of expression while the inmates appear to be suppressing their hostile feelings.

The aforementioned significant findings support the notion that criminal offenders may be more tightly constricted in their behavioral patterns than "normal" individuals. Consequently, whereas normals find numerous ways to express feelings, the criminal offender keeps his emotions bound within. Eventually, circumstances engender a break in the offender's defensive structure and antisocial behaviors occur.

Having the MMPI scores at his disposal, E decided to compare the three inmate groups on the number of scaled scores they had above 70. One indication of psychopathology on the MMPI is the presence of any score above a T score of 70; therefore, significant differences between the groups in respect to the total number of scores above 70 would indicate differences in the degree of pathology present in each group. A chi-square analysis (Bruning and Kintx, 1968) failed to produce any significant results (see Table XIV) which was in keeping with prior analysis where there were no statistical differences between groups in relation to the amount of measurable psychopathology.

TABLE XIV
 χ^2 VALUE FOR MMPI SCORES
 ABOVE 70

| Groups | N | χ^2 | df | p |
|------------|----|----------|----|-------|
| Murderers | 10 | 1.094 | 2 | p>.05 |
| Rapists | 10 | -- | -- | -- |
| Non-Person | 10 | -- | -- | -- |

One final qualitative analysis compared the median scores for the prison population on the various subscales of the Hand Test with the scores of an Ohio Police Department (Wagner, 1977). Table XV below provides a comparison of those scores.

TABLE XV
 MEDIAN HAND TEST SCORING VARIABLES FOR
 INMATE GROUPS AND CUYAHOGA FALLS, OHIO POLICE DEPARTMENT

| Variable | GROUPS | | | |
|----------|---------------------|-------------------|----------------------|-------------------|
| | Murderers (N-10) | Rapists (N-10) | Non-Person (N-10) | *Police (N-54) |
| AFF | 2.500 | 2.160 | 2.100 | 1.50 |
| DEP | 0.214 | 0.000 | 0.125 | 0.00 |
| COM | 1.000 | 0.833 | 1.160 | 1.03 |
| EXH | 0.833 | 0.214 | 0.125 | 0.00 |
| DIR | 0.833 | 1.500 | 1.500 | 2.30 |
| AGG | 1.000 | 0.750 | 0.900 | 0.94 |
| INT | 7.000 | 6.500 | 5.333 | 6.88 |
| ACQ | 0.333 | 0.125 | 0.125 | 0.00 |
| ACT | 3.500 | 3.500 | 3.833 | 2.61 |
| PAS | 0.333 | 0.500 | 0.050 | 0.55 |
| ENV | 4.833 | 4.500 | 4.833 | 3.71 |
| TEN | 0.750 | 0.500 | 0.750 | 0.98 |
| CRIP | 1.700 | 0.500 | 0.500 | 0.00 |
| FEAR | 0.050 | 0.125 | 0.214 | 0.00 |
| MAL | 2.300 | 1.500 | 1.500 | 1.74 |
| DES | 0.125 | 0.214 | 0.125 | 0.00 |
| FAIL | 0.000 | 0.000 | 0.050 | 0.00 |
| BIX | 0.000 | 0.000 | 0.000 | 0.00 |
| WITH | 0.125 | 0.214 | 0.214 | 0.00 |

* Mean Age = 35.1, S.D. - 8.6

Of note, is the fact that overall there appears to be no major difference between the inmates' scores and those of the police. It is interesting, however, that murderers tend to be less "directive" than police (see DIR category) while also feeling more inferior (see CRIP category), appearing more neurotic (see MAL category), and expressing a greater need for pleasurable relationships with others (see AFF category). These observations suggest that murderers may be insecure

individuals who combat their feelings of inferiority by a display of extremely aggressive behaviors. Perhaps through these behaviors they frighten others away, whereby, no person can get close enough to them to see how scared they are themselves on the inside. Also, the violent act can be one method the murderer has of convincing himself that he is not as emasculated as he inwardly fears.

LIMITATIONS OF THE STUDY

The present study has several limitations which may have profoundly affected the results. Foremost is the problems inherent with the utilization of incarcerated individuals. First is the fact that criminal records and sentences reflect only those crimes of which an individual has been apprehended and/or convicted--these records are not always indicative of the true extent of the offender's criminality. As a result, an individual in the category of Non-Person Offender may have committed numerous murders and rapes of which there is no knowledge and vice versa. Another problem with an inmate population is the issue of Social Desirability complicated by the offender's distrust of institutional personnel. These factors can result in the individual trying to present himself as healthy and socially conforming as possible despite reassurances by the Examiner that individual test results are confidential and will not effect their chances of parole. Finally institutionalization by its very nature oftentimes artificially produces certain results.

Another limitation of the study was the fact that finer discriminations were not made when categorizing the inmate population. For example, no distinction was made between persons incarcerated for felony murder (those committed while in the process of engaging in another

criminal activity, e.g. killing someone in a robbery) and those who killed in an act of passion. Distinctions also were not made between rapists who attacked adult females and those who molested children (even though all in the rapists group had attacked females). Race, socioeconomic status and prior incarcerations were other variables which were not controlled.

One other major limitation of the study is imbedded in the difficulty in ascertaining whether one's assessment devices are actually valid indices of the variable(s) being measured. The Buss-Durkee Inventory was utilized despite limited normative data, and the effect of the inclusion of the experimental sub-scale is uncertain. The experimental sub-scale (Hostility Towards Women) had only face validity and as of yet has not been subjected to more rigorous validation procedures. The Anxiety Index and Internalization Ratio measures derived from the MMPI data are both subject to criticisms challenging the validity of the MMPI as an assessment tool. The present study represented this author's first use of the Hand Test thereby increasing the possibility of scoring inaccuracies.

A final drawback of the study was its small subject pool. Besides increasing the number of offenders in each category, it could have been informative if a group of "normals" had been included in the experimental design.

CHAPTER VI

SUMMARY

As crime continues to steadily increase and as our nation's prisons continue to swell, greater interest in the area of Forensic Psychology/Psychiatry can be expected. Despite many rehabilitative programs in and after imprisonment, the criminal offender continues to engage in anti-social behaviors much to the dismay of Judicial and Correctional employees. Perhaps of greatest concern are those individuals whose crimes involve the direct aggression against the members of society.

The present study focused upon murderers, rapists and non-person offenders in an attempt to investigate some of the psychological dynamics which contrasted the groups. The data suggested that murderers, rapists and non-person offenders do not differ in: a) their amount of and potential for aggression, b) the amount of intrapsychic anxiety, and c) the amount of hostility directed toward women. An additional finding in the analysis indicated that differences may exist between criminal offenders and normals in their readiness to express feelings as offenders have more of a tendency to suppress verbal expression of negative emotion.

One conclusion that may be gained from the research is that criminal offenders, despite their particular offense, are a fairly homogenous group in terms of psychological functioning. The differences in their crimes then are more a function of fortunate/unfortunate circumstances

than a function of distinct differences in their dynamic make-ups. The conclusion formed by this author is one which emphasizes that perhaps the present categorization of offenders on the basis of their crimes is too limiting and, as a consequence, significant variables are being overlooked. Future research might find it productive to view the offender in terms of Overcontrolled and Undercontrolled personality types. Also, further research in comparing normals and criminal offenders in their ability to gradually release aggression is needed. It is worth noting that Berman (1971) in his research studying the characteristics of Correctional Officers discovered that both officers and inmates had similar personality profiles. The author in attempting to explain why one group acted out and the other had not, surmised that the officers had developed gradual methods of releasing their aggression.

Lastly, the social psychologist may venture to examine how the effect of cultural allowances for freedom of expression is related to the degree and particular types of criminality engaged in by various racial and socioeconomic groupings.

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APPENDIX

- Description of Criminal Sexual
Conduct Statutes
- Letter to Subjects
- Explanation of Buss-Durkee Scales
- Copy of Modified Buss-Durkee
Inventory with identification
of ad-hoc scale items
- Hand Test Stimulus Cards
- Hand Test Scoring Summary Sheet
- Explanation of Major Hand Test
Categories

Act No. 266
Public Acts of 1974
Approved by Governor
Aug 12, 1974

**STATE OF MICHIGAN
77TH LEGISLATURE
REGULAR SESSION OF 1974**

Introduced by Senators Byker, Faust, Zaagman, Hart, Lodge, Bowman, Toepp, Novak, Pursell, Plawecki, Mack, McCauley, Zollar, O'Brien, Cartwright, Rozycki, Davis, Bouwsma, Brown, DeGrow, Rockwell, Richardson, Ballenger, Faxon, Cooper, McCollough, DeMaso, Pittenger, Bishop and Fleming

ENROLLED SENATE BILL No. 1207

AN ACT to amend Act No. 328 of the Public Acts of 1931, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for the competency of evidence at the trial of persons accused of crimes; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," as amended, being sections 750.1 to 750.568 of the Compiled Laws of 1970, by adding sections 520a, 520b, 520c, 520d, 520e, 520f, 520g, 520h, 520i, 520j, 520k and 520l; and to repeal certain acts and parts of acts.

The People of the State of Michigan enact:

Section 1. Act No. 328 of the Public Acts of 1931, as amended, being sections 750.1 to 750.568 of the Compiled Laws of 1970, is amended by adding sections 520a, 520b, 520c, 520d, 520e, 520f, 520g, 520h, 520i, 520j, 520k and 520l to read as follows:

Sec. 520a. As used in sections 520a to 520l:

- (a) "Actor" means a person accused of criminal sexual conduct.
- (b) "Intimate parts" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.
- (c) "Mentally defective" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of his or her conduct.
- (d) "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent.
- (e) "Physically helpless" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
- (f) "Personal injury" means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease, or loss or impairment of a sexual or reproductive organ.

(g) "Sexual contact" includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification.

(h) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.

(i) "Victim" means the person alleging to have been subjected to criminal sexual conduct.

Sec. 520b. (1) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with another person and if any of the following circumstances exists:

(a) That other person is under 13 years of age.

(b) The other person is at least 13 but less than 16 years of age and the actor is a member of the same household as the victim, the actor is related to the victim by blood or affinity to the fourth degree to the victim, or the actor is in a position of authority over the victim and used this authority to coerce the victim to submit.

(c) Sexual penetration occurs under circumstances involving the commission of any other felony.

(d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:

(i) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(ii) The actor uses force or coercion to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in subdivision (f) (i) to (v).

(e) The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.

(f) The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration. Force or coercion includes but is not limited to any of the following circumstances:

(i) When the actor overcomes the victim through the actual application of physical force or physical violence.

(ii) When the actor coerces the victim to submit by threatening to use force or violence on the victim, and the victim believes that the actor has the present ability to execute these threats.

(iii) When the actor coerces the victim to submit by threatening to retaliate in the future against the victim, or any other person, and the victim believes that the actor has the ability to execute this threat. As used in this subdivision, "to retaliate" includes threats of physical punishment, kidnapping, or extortion.

(iv) When the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable.

(v) When the actor, through concealment or by the element of surprise, is able to overcome the victim.

(g) The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless.

(2) Criminal sexual conduct in the first degree is a felony punishable by imprisonment in the state prison for life or for any term of years.

Sec. 520c. (1) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:

(a) That other person is under 13 years of age.

(b) That other person is at least 13 but less than 16 years of age and the actor is a member of the same household as the victim, or is related by blood or affinity to the fourth degree to the victim, or is in a position of authority over the victim and the actor used this authority to coerce the victim to submit.

(c) Sexual contact occurs under circumstances involving the commission of any other felony.

(d) The actor is aided or abetted by 1 or more other persons and either of the following circumstances exists:

(i) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(ii) The actor uses force or coercion to accomplish the sexual contact. Force or coercion includes but is not limited to any of the circumstances listed in sections 520b (1) (f) (i) to (v).

(c) The actor is armed with a weapon, or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon.

(f) The actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact. Force or coercion includes but is not limited to any of the circumstances listed in section 520b (1) (f) (i) to (v).

(g) The actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless.

(2) Criminal sexual conduct in the second degree is a felony punishable by imprisonment for not more than 15 years.

Sec. 520d. (1) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and if any of the following circumstances exists:

(a) That other person is at least 13 years of age and under 16 years of age.

(b) Force or coercion is used to accomplish the sexual penetration. Force or coercion includes but is not limited to any of the circumstances listed in section 520b (1) (f) (i) to (v).

(c) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless.

(2) Criminal sexual conduct in the third degree is a felony punishable by imprisonment for not more than 15 years.

Sec. 520e. (1) a person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and if either of the following circumstances exists:

(a) Force or coercion is used to accomplish the sexual contact. Force or coercion includes but is not limited to any of the circumstances listed in section 520b (1) (f) (i) to (iv).

(b) The actor knows or has reason to know that the victim is mentally defective, mentally incapacitated, or physically helpless.

(2) Criminal sexual conduct in the fourth degree is a misdemeanor punishable by imprisonment for not more than 2 years, or by a fine of not more than \$500.00, or both.

Sec. 520f. (1) If a person is convicted of a second or subsequent offense under section 520b, 520c, or 520d, the sentence imposed under those sections for the second or subsequent offense shall provide for a mandatory minimum sentence of at least 5 years.

(2) For purposes of this section, an offense is considered a second or subsequent offense if, prior to conviction of the second or subsequent offense, the actor has at any time been convicted under section 520b, 520c, or 520d or under any similar statute of the United States or any state for a criminal sexual offense including rape, carnal knowledge, indecent liberties, gross indecency, or an attempt to commit such an offense.

Sec. 520g. (1) Assault with intent to commit criminal sexual conduct involving sexual penetration shall be a felony punishable by imprisonment for not more than 10 years.

(2) Assault with intent to commit criminal sexual conduct in the second degree is a felony punishable by imprisonment for not more than 5 years.

Sec. 520h. The testimony of a victim need not be corroborated in prosecutions under sections 520b to 520g.

Sec. 520i. A victim need not resist the actor in prosecution under sections 520b to 520g.

Sec. 520j. (1) Evidence of specific instances of the victim's sexual conduct, opinion evidence of the victim's sexual conduct, and reputation evidence of the victim's sexual conduct shall not be admitted under sections 520b to 520g unless and only to the extent that the judge finds that the following proposed evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value:

(a) Evidence of the victim's past sexual conduct with the actor.

(b) Evidence of specific instances of sexual activity showing the source or origin of semen, pregnancy, or disease.

(2) If the defendant proposes to offer evidence described in subsection (1) (a) or (b), the defendant within 10 days after the arraignment on the information shall file a written motion and offer of proof. The court may order an in camera hearing to determine whether the proposed evidence is admissible under subsection (1). If new information is discovered during the course of the trial that may make the evidence described in subsection (1) (a) or (b) admissible, the judge may order an in camera hearing to determine whether the proposed evidence is admissible under subsection (1).

Sec. 520k. Upon the request of the counsel or the victim or actor in a prosecution under sections 520h to 520g the magistrate before whom any person is brought on a charge of having committed an offense under sections 520h to 520g shall order that the names of the victim and actor and details of the alleged offense be suppressed until such time as the actor is arraigned on the information, the charge is dismissed, or the case is otherwise concluded, whichever occurs first.

Sec. 520l. A person does not commit sexual assault under this act if the victim is his or her legal spouse, unless the couple are living apart and one of them has filed for separate maintenance or divorce.

Section 2. All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this amendatory act takes effect are saved and may be consummated according to the law in force when they are commenced. This amendatory act shall not be construed to affect any prosecution pending or begun before the effective date of this amendatory act.

Section 3. Sections 85, 333, 336, 339, 340, 341, 342 and 520 of Act No. 328 of the Public Acts of 1931, being sections 750.85, 750.333, 750.336, 750.339, 750.340, 750.341, 750.342 and 750.520 of the Compiled Laws of 1970, and section 82 of chapter 7 of Act No. 175 of the Public Acts of 1927, being section 767.82 of the Compiled Laws of 1970, are repealed.

Section 4. This amendatory act shall take effect November 1, 1974.


Secretary of the Senate.


Clerk of the House of Representatives.

Approved.....

.....
Governor.

STATE OF MICHIGAN



WILLIAM G. MILLIKEN, GOVERNOR

CORRECTIONS
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State Prison of Southern Michigan
 4000 Cooper Street
 Jackson, Michigan 49201

August 16, 1978

Dear Sir:

You have been selected to participate in a research project conducted by Larry Lewis and Dr. Fred Pesetsky. This research has the approval of the Department of Corrections and Warden Anderson. Your participation in the project is entirely voluntary but if you should choose to participate you will receive a \$1.00 token for your efforts. Participation should take approximately 40 minutes of your time and you will be called out within the next three weeks. Whether or not you are interested in this project, please check the appropriate box below and return this letter immediately to:

Larry Lewis, Psychologist
 Psychiatric Services Unit
 3 North Infirmary

Thank you for your time and consideration.

Larry K. Lewis
 Psychologist
 Psychiatric Services Unit

☐ Yes, I am interested in participating.

☐ No, I am not interested in participating.

NAME: _____ NUMBER: _____ LOCK: _____



Explanation of Buss-Durkee Inventory Scales

Assault - physical violence against others. This includes getting into fights with others but not destroying objects.

Indirect Hostility - both roundabout and undirected aggression. Roundabout behavior like malicious gossip or practical jokes is indirect in the sense that the hated person is not attacked directly but by devious means. Undirected aggression, such as temper tantrums and slamming doors, consists of a discharge of negative affect against no one in particular; it is a diffuse rage reaction that has no direction.

Irritability - a readiness to explode with negative affect at the slightest provocation. This includes quick temper, grouchiness, exasperation, and rudeness.

Negativism - oppositional behavior, usually directed against authority. This involves a refusal to cooperate that may vary from passive noncompliance to open rebellion against rules or conventions.

Resentment - jealousy and hatred of others. This refers to a feeling of anger at the world over real or fantasied mistreatment.

Suspicion - projection of hostility onto others. This varies from merely being distrustful and wary of people to beliefs that others are being derogatory or are planning harm.

Verbal Hostility - negative affect expressed in both the style and content of speech. Style included arguing, shouting and screaming; content includes threats, curses, and being overcritical.

Guilt - self explanatory. (Buss & Durkee, 1957, p. 343).

Modified Buss-Durkee Inventory

TRUE - FALSE

- | | | |
|-------|-------|---|
| _____ | _____ | 1. I seldom strike back, even if someone hits me first. |
| _____ | _____ | 2. I sometimes spread gossip about people I don't like. |
| _____ | _____ | 3. Sometimes I have an uncontrollable urge to harm a woman. |
| _____ | _____ | 4. Unless somebody asks me in a nice way, I won't do what they want. |
| _____ | _____ | 5. I lose my temper easily but get over it quickly. |
| _____ | _____ | 6. I don't seem to get what's coming to me. |
| _____ | _____ | 7. On at least one occasion, a girlfriend has made me so mad that I broke or threw something away that belonged to her. |
| _____ | _____ | 8. I know that people tend to talk about me behind my back. |
| _____ | _____ | 9. When I disapprove of my friends' behavior, I let them know it. |
| _____ | _____ | 10. Women sometimes bother me by just being around. |
| _____ | _____ | 11. The few times I have cheated, I have suffered unbearable feelings of remorse. |
| _____ | _____ | 12. You have to figure out what women really want. |
| _____ | _____ | 13. Once in a while I cannot control my urge to harm others. |
| _____ | _____ | 14. I never get mad enough to throw things. |
| _____ | _____ | 15. I hardly ever did what my mother wanted. |
| _____ | _____ | 16. Sometimes people bother me just by being around. |
| _____ | _____ | 17. Women have been my greatest downfall. |
| _____ | _____ | 18. When someone makes a rule I don't like I am tempted to break it. |
| _____ | _____ | 19. The women in my family could be trusted. |
| _____ | _____ | 20. Other people always seem to get the breaks. |
| _____ | _____ | 21. You can never trust a woman. |

- _____ 22. I tend to be on my guard with people who are somewhat more friendly than I expected.
- _____ 23. I often find myself disagreeing with people.
- _____ 24. I sometimes have bad thoughts which make me feel ashamed of myself.
- _____ 25. I have cussed out many a lady in my day.
- _____ 26. I can think of no good reason for ever hitting anyone.
- _____ 27. When I am angry, I sometimes sulk.
- _____ 28. Rarely have women lied to me.
- _____ 29. When someone is bossy, I do the opposite of what he asks.
- _____ 30. There are some things I have done to women that I feel terrible about.
- _____ 31. I am irritated a great deal more than people are aware of.
- _____ 32. I don't know any people that I downright hate.
- _____ 33. I secretly wanted to hurt my mother.
- _____ 34. There are a number of people who seem to dislike me very much.
- _____ 35. I can't help getting into arguments when people disagree with me.
- _____ 36. People who shirk on the job must feel very guilty.
- _____ 37. When I get mad at a lady I may not speak to her for a couple of days.
- _____ 38. If somebody hits me first, I let him have it.
- _____ 39. When I am mad, I sometimes slam doors.
- _____ 40. Once I stole something from my mother because she had made me so mad.
- _____ 41. I am always patient with others.
- _____ 42. Occasionally when I am mad at someone I will give him the "silent treatment."

- _____ 43. When I look back on what's happened to me, I can't help feeling mildly resentful.
- _____ 44. Very rarely do women make me angry.
- _____ 45. Men are easier to get along with than women.
- _____ 46. There are a number of people who seem to be jealous of me.
- _____ 47. I demand that people respect my rights.
- _____ 48. It depresses me that I did not do more for my parents.
- _____ 49. Whoever insults me or my family is asking for a fight.
- _____ 50. I never play practical jokes.
- _____ 51. It doesn't bother me to go out of my way to please a lady.
- _____ 52. It makes my blood boil to have somebody make fun of me.
- _____ 53. When people are bossy, I take my time just to show them.
- _____ 54. Almost every week I see someone I dislike.
- _____ 55. I sometimes have the feeling that others are laughing at me.
- _____ 56. Even when my anger is aroused, I don't use "strong language."
- _____ 57. I am concerned about being forgiven for my sins.
- _____ 58. People who continually pester you are asking for a punch in the nose.
- _____ 59. I avoid doing what most women want as a matter of pride.
- _____ 60. I sometimes pout when I don't get my own way.
- _____ 61. My mother mistreated me when I was younger.
- _____ 62. If somebody annoys me, I am apt to tell him what I think of him.
- _____ 63. Women have it made.
- _____ 64. I often feel like a powder keg ready to explode.

- _____ 65. Although I don't show it, I am sometimes eaten up with jealousy.
- _____ 66. My motto is "Never trust strangers."
- _____ 67. When people yell at me, I yell back.
- _____ 68. I do many things that make me feel remorseful afterward.
- _____ 69. Most of the time I get treated fairly by women.
- _____ 70. When I really lose my temper, I am capable of slapping someone.
- _____ 71. Since the age of ten, I have never had a temper tantrum.
- _____ 72. When I get mad, I say nasty things.
- _____ 73. I sometimes carry a chip on my shoulder.
- _____ 74. If I let people see the way I feel, I'd be considered a hard person to get along with.
- _____ 75. Women are always plotting against men.
- _____ 76. I commonly wonder what hidden reason another person may have for doing something nice for me.
- _____ 77. I could not put someone in his place, even if he needed it.
- _____ 78. Failure gives me a feeling of remorse.
- _____ 79. I don't argue with women too often.
- _____ 80. I get into fights about as often as the next person.
- _____ 81. I can remember being so angry that I picked up the nearest thing and broke it.
- _____ 82. I often make threats I don't really mean to carry out.
- _____ 83. There are very few instances I can remember yelling at my mother.
- _____ 84. I can't help being a little rude to people I don't like.
- _____ 85. At times I feel I get a raw deal out of life.
- _____ 86. I used to think that most people told the truth but now I know otherwise.

- _____ 87. I generally cover up my poor opinion of others.
- _____ 88. Women sometimes have made me so angry that I have seriously hurt them.
- _____ 89. When I do wrong, my conscience punishes me severely.
- _____ 90. If I have to resort to physical violence to defend my rights, I will.
- _____ 91. I regret very few things I have done to women.
- _____ 92. If someone doesn't treat me right, I don't let it annoy me.
- _____ 93. I have no enemies who really wish to harm me.
- _____ 94. When arguing, I tend to raise my voice.
- _____ 95. When a woman makes me angry it is easier to take it out on something else.
- _____ 96. I often feel that I have not lived the right kind of life.
- _____ 97. I enjoy being around women most of the time.
- _____ 98. I have known people who pushed me so far that we came to blows.
- _____ 99. I don't let a lot of unimportant things irritate me.
- _____ 100. I have threatened my mother several times.
- _____ 101. I seldom feel that people are trying to anger or insult me.
- _____ 102. Lately, I have been kind of grouchy.
- _____ 103. I would rather concede a point than get into an argument about it.
- _____ 104. I sometimes show my anger by banging on the table.
- _____ 105. It is easy for women to provoke you to strike them.

Modified Buss-Durkee Inventory

The following items represent the experimental scale measuring aggression toward women:

3, 7, 10, 12, 15, 17, 19, 21, 25, 28, 30, 33, 37, 40, 44, 45, 51,
59, 61, 63, 69, 75, 83, 88, 91, 95, 97, 100, 105.

HAND TEST STIMULUS CARDS

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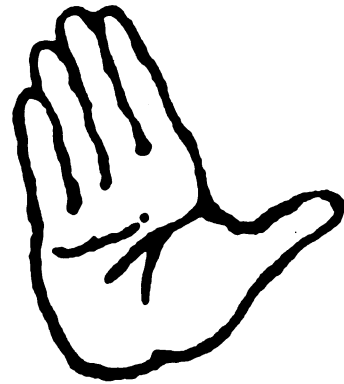
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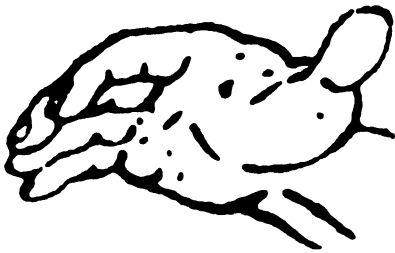
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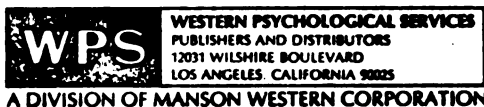
9

The Hand Test

SUMMARY SHEET

by Edwin E. Wagner, Ph. D.

PUBLISHED BY



DATE _____

NAME _____ SEX _____ AGE _____ RACE _____

ADDRESS _____

OCCUPATION _____ DIAGNOSIS _____

| | | | | |
|----------------|--|----------------|-----------------|--------|
| AFF = | ACQ = | TEN = | DES = | R = |
| DEP = | ACT = | CRIP = | FAIL = | AIR = |
| COM = | PAS = | FEAR = | BIZ = | M-L = |
| EXH = | Σ ENV = | Σ MAL = | Σ WITH = | PATH = |
| DIR = | | | | |
| AGG = | ER = Σ INT: Σ ENV: Σ MAL: Σ WITH = _____ : _____ : _____ : _____ | | | |
| Σ INT = | AOR = (AFF + DEP + COM):(DIR + AGG) = _____ : _____ | | | |

QUALITATIVE ADMINISTRATIVE OBSERVATIONS

CASE HISTORY AND DIAGNOSTIC DATA

EXAMINER _____

W-110A

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1 2 3 4 5 6 7 8 9

DESCRIPTION OF MAJOR HAND TEST SCORING CATEGORIES*

1. Affection, AFF: Interpersonal responses involving an interchange or bestowment of pleasure, affection or friendly feeling.
2. Dependence, DEP: Interpersonal responses involving an expressed dependence or need for succor from another person.
3. Communication, COM: Interpersonal responses involving a presentation or exchange of information.
4. Exhibition, EXH: Interpersonal responses which involve displaying or exhibiting oneself in order to obtain approval from others or to stress some special noteworthy characteristic of the hand.
5. Direction, DIR: Interpersonal responses involving influencing the activities of, dominating, or directing others.
6. Aggression, AGG: Interpersonal responses involving the giving of pain, hostility, or aggression.
7. Acquisition, ACQ: Environmental responses involving an attempt to acquire or obtain a goal or object. The movement is ongoing and the goal is as yet unobtained and, to some extent, still in doubt.
8. Active, ACT: Environmental responses involving an action or attitude designed to constructively manipulate, attain, or alter an object or goal. ACT responses are distinguished from ACQ responses in that the object or goal has been, or will be, accomplished and the issue is therefore not in doubt.
9. Passive, PAS: Environmental responses involving an attitude of rest and/or relaxation in relation to the force of gravity, and a deliberate and appropriate withdrawal of energy from the hand.
10. Tension, TEN: Energy is being exerted but nothing or little is accomplished. A feeling of anxiety, tension or malaise is present.
11. Crippled, CRIP: Hand is crippled, sore, dead, disfigured, sick, injured or incapacitated.
12. Fear, FEAR: Responses in which the hand is threatened with pain, injury, incapacitation, or death.
13. Description, DES: Subject can do no more than acknowledge the presence of the hand with perhaps a few accompanying inconsequential descriptive details or feeling tones.
14. Bizarre, BIZ: A response predicted on hallucinatory content, delusional ideation or other peculiar, pathological thinking. The response partially or completely ignores the drawn contours of

the hand and/or incorporates bizarre, idiosyncratic, or morbid content.

15. Failure, FAIL: Subject can give no scorable response whatsoever to a particular card.

*Taken from Hand Test Manual (Wagner, 1977), pp. 5-6.

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