

From Their Angle: A Look at the Emotional World of Defense Attorneys Who Represent Sex Offenders

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Abstract

This research focused on how defense attorneys who represent sex offenders perceive their work with them and whether this representation affects their daily life and mental well-being. Fifteen defense attorneys working for the Public Defender's Office in Israel were interviewed using a semi-structured interview. The findings indicated two major issues related to defense attorney perception of their work: (1) the distinctiveness of representing sex offenders due to their unique characteristics and (2) the emotional impact of working with sex offenders. The findings suggest complex effects and implications of working with sex offenders. In the interviews, participants reiterated their attempt to remain objective and nonjudgmental. Even so, they also described a wide range of feelings in the face of exposure to sex offenses and their job of defending sex. Feelings of anger, disgust, and revulsion at the offenses co-existed with feelings of pity and empathy for the offender. These descriptions constitute significant support for the emotional cost to attorneys and their consequent distress. Feelings of wariness, loss of trust, and emotional detachment were described as part of coping with exposure to the disturbing nature of sex offenses. In addition, participants noted how these feelings impact daily interactions with their own children.

Keywords

sex offenders, criminal justice, defense attorneys, emotional effects, vicarious traumatization

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Introduction

The last two decades have seen a considerable rise in public and professional awareness of sex offences and sexual deviation—their effects on society, in general, and on victims, in particular. This has contributed to renewed debate on the appropriate social response to developing initiatives for legislation and treatment of sex offenders in various countries, including Israel (Shechory Bitton, 2014). As a result, we are witnessing a considerable rise in the number of professionals involved in this field (Dreier & Wright, 2011; Severson & Pettus-Davis, 2013; Slater & Lambie, 2011). In parallel, a growing number of testimonies note the impact of working with sex offenders on the mental well-being of professionals involved in this field (for a literature review, see Baum & Moyal, 2020).

Most of the research literature on the mental effects of working with sex offenders has focused on therapists in the mental health field (Baum & Moyal, 2020; Kozar & Day, 2017). Various studies have stressed the association between exposure to the content of the offenses and traits of sex offenders (for instance, exposure to deviant behaviors, distorted thinking, etc.) and measures of distress and high levels of stress among exposed therapists (Carmel & Friedlander, 2009; Dreier & Wright, 2011; Hatcher & Noakes, 2010; Severson & Pettus-Davis, 2013). A significant effect on therapists was found on cognitive, emotional, behavioral, and physical levels (for reviews, see Bach & Demuth, 2018; Baum & Moyal, 2020). Rising awareness mental and behavioral implications has led to the understanding that special skills are necessary in order to work with this population (Knight & Modi, 2014). In an attempt to reduce negative consequences as much as possible, extensive efforts have been made to identify risk and protective factors as well as to provide a response through adequate training, professional support, and so on (for a review, see Baum & Moyal, 2020).

Notwithstanding the accumulated knowledge on the implications for therapists, the literature lacks insights on the effects of work with sex offenders in the criminal legal system, in general, and among defense attorneys, in particular. The current study provides a response to this lacuna by exploring how defense attorneys perceive their work with sex offenders and the impact of representing sex offenders on their daily life and mental well-being. In contrast to therapists, who acquire tools for coping with stressful situations as part of their studies and training, lawyers lack such training. Law students, upon graduation from law school, are generally ill-equipped to deal with the problems, prejudices, and fears of individuals and are woefully inexperienced in working with forensic populations (Maroney, 2011; Peterson & Peterson, 2009; Watson, 1976). Thus, the significant emotional issues related to their exposure to sexual offences and sex offenders remain largely invisible, unexplained, and unsupported.

Our research findings may enrich the existing knowledge and understanding of this context and help outline a policy that will provide a suitable professional response for legal practitioners. Lack of understanding regarding these processes might both hamper the defense of sex offenders and be detrimental to the mental well-being of the defense attorneys who are supposed to provide them with legal services. Lack of research in this field may be related to the perception whereby

courts are based on logic and not on emotions, and that the work of jurists has a rational basis (Bergman & Wettergren, 2015). For instance, the customary norms of the legal profession instruct lawyers to separate ethical considerations from their professional practice, to support their clients zealously, and to perform their job devoid of emotional involvement—without relating to their capacity to achieve these goals or its effects on them (Maroney, 2011).

Nevertheless, even what little research there is shows that this population is exposed to emotional effects following their work with offenders (Maroney, 2011). For instance, a longitudinal study conducted in Wisconsin checked the implications of exposure to traumatic experiences for the mental well-being of public defenders. The participants reported post-traumatic symptoms (PTSD), depression, and problems with daily functioning over time—beyond variables related to age, sex, and duration of exposure (Levin et al., 2012).

In fact, the effect of the nature of work in the criminal legal system, in general (for instance, among judges, defense attorneys, prosecutors), has only received research attention in the last decade (Knight et al., 2016). This, following the growing consensus that emotions are inextricable from rational behavior. Although the relationship between the two is not always clear, it cannot be said that this is a dichotomous division (Bergman & Wettergren, 2015). Jurists are subject to the same emotions and weaknesses that affect us all (Maroney, 2013), well described by Yakren (2008) in her study:

We are taught to be true to ourselves - to our beliefs, our values, our hearts. . . But we find that our chosen profession often demands the opposite of us - that we compromise our personal attitudes and feelings when they are incongruent with the interests of our clients, even if their interests seem unjust. . . it may also come at a great psychological cost to lawyers. (p. 141)

Although there is no consistent terminology for the effect of indirect exposure to traumatic content on different populations, it is most commonly described as secondary traumatic stress or compassion fatigue (Figley, 1995), vicarious traumatization (McCann & Pearlman, 1990), and burnout (Maslach, 1982). Terminological differences developed due to theoretical diversity, although they share significant similarities. All of these terms with the exception of “burnout,” which was primarily intended to evaluate stressful responses to the work environment, were originally developed to assess the effect of therapists’ work with trauma survivors. In time, they were used to examine effects in a variety of populations (for instance, police officers, judges, lawyers, medical staff, and more) (for a review, see Bach & Demuth, 2018; Baum & Moyal, 2020). However, they can all be used to describe the effects of indirect secondary exposure to traumatic events or stressful situations among various populations (Bach & Demuth, 2018; Hurrell et al., 2018).

In light of the literature reviewed above, the purpose of the present research was to examine how defense attorneys who represent sex offenders perceive their work and its effect on their own daily life and mental well-being. Such an investigation is

particularly important because it concerns personal and interpersonal aspects of daily interactions between jurists and offenders, in general, and between defense attorneys and sex offenders, in particular. Raising awareness of the emotional and behavioral costs of work with sex offenders for employees of the legal system (in this case, defense attorneys) will help in the allocation of resources to provide appropriate responses through suitable training and professional support.

Method

The methodology employed in this research was based on the phenomenological approach (Moustakas, 1994) to qualitative research. Fundamental to phenomenological research is the individual's personal, subjective experience, that is, how one interprets and relates the experience (Finlay, 2011; Van Manen, 2014). This method is particularly suitable for the purpose of the present study. Accordingly, we describe and interpret below the perceptions of defense attorneys concerning their work with sex offenders.

Participants

The research population consisted of 15 defense attorneys (eight women) working in Israel's Office of the Public Defender. Their ages ranged from 36 to 50 ($M=42$, $SD=4.63$). All were born in Israel and are Jewish. Nine participants reported that they were married and 2 were divorced, all of whom had children. The others were single with no children ($N=4$). All had a Bachelor's degree in Law, and seven had a Master's degree as well. All the interviewees had been working in the criminal field for years. The professional experience of the participants ranged from 7 to 23 years ($M=14.80$, $SD=4.97$) and they all had at least 5 years of experience in defending sex offenders ($M=12.93$, $SD=5.31$). As part of their work, they defended criminal cases representing a variety of procedures and offenses, including cases involving sex offenses, working 40–70 hours a month ($M=53.40$, $SD=9.98$).

Procedure

The study used a purposeful sample, which makes it possible to locate and select participants who represent the studied population and who are capable of providing information about the studied phenomenon (Palinkas et al., 2015; Smith et al., 2009). Locating the participants for the study was performed by the second author. Initial contact was made by telephone, where the author presented the topic of the study and asked for their consent to participate. Of the 18 attorneys approached by the author, 15 expressed their consent to be interviewed, and interviews were scheduled.

Each participant chose the location and time of the interview. All interviews were audio-recorded and later transcribed. Prior to the interview, participants signed an informed consent form and ethical approval was received from the Ethics Review

Board of the University. For ethical reasons, participant names and other details were changed to ensure anonymity.

Data Collection

The research data was collected using in-depth semi-structured interviews, based on an interview guide (Cunningham et al., 2011). This type of interview allows participants to raise topics, feelings, and personal views regarding the research topic. To collect the data, an interview guide was constructed, including key questions that were relevant for the current study: How do you see your work with sex offenders? Is this work manifested in your daily life? Each interviewee could then take the interview in an undetermined direction, thus granting unique meaning to their personal experience. This method facilitates flexibility, invites further discussion, and enables the participants to express themselves and to share what they wish. It also allows the researcher to ask additional questions as needed, and to adapt the order of the questions to the conversation between the researcher and the participant (Smith et al., 2009). Each interview lasted at least 60, and no more than 120 minutes, depending on the amount of details provided.

Data Analysis

The data coding was based on qualitative content analysis, designed to identify patterns and meanings from texts and to gather and organize them into main categories and subcategories (Bogdan & Taylor, 1975; Creswell, 1998). At the first stage, an initial reading was conducted of all interviews in their entirety, in order to give the researcher a wide inclusive orientation and a sense of the full data. This was followed by a process of dividing the data into main categories and subcategories according to topics characteristic of each category. In order to reduce possible bias, the two authors strengthened the analysis with a close reading of the texts. During the data collection, and while writing the chapter, the authors agreed on the method of data analysis.

Findings

The results consist of three main experiential categories and further subcategories derived from interviews with participants following exposure to sex offenses as defense attorneys responsible for providing courtroom legal representation to sex offenders.

The first category is mainly informative. It presents the characteristics of the sex offenders, their distinctiveness, and the differences between their defense and that of other offenders, as seen by the participants. The second category focused on the positive and negative feelings evoked toward sex offenders. In the third category, the effect on the attorney's emotional life and daily conduct was described. This information, on a personal level, may assist in understanding how their occupation influences their daily life.

Owing to space limitations, we demonstrate the categories and subcategories with a small selection of quotations. For ethical reasons, as is customary in qualitative studies, the names presented throughout this section are fictitious in order to protect the anonymity of the participants.

The Distinctiveness of Sex Offenders

In the interviews, the attorneys spoke about the difference between representing sex offenders and other offenders (1.1). They noted that the former has distinctive characteristics and that often they do not belong to the criminal world, requiring treatment (1.2). As such, it is difficult to build trust relations with them due to their characteristics and the nature of the offense (1.3).

Denial and rejection of responsibility: Distinctive characteristics or an outcome of social stigma? The sex offenders were described by the participants as having difficulty with admitting having committed the offenses and with assuming responsibility for their deeds. Participants emphasized this contextual difference relative to other offenders. Idan noted the differences between types of offenders: “What you don’t see in other violence offenses [denial of the act]. . . It’s very rare for someone to come and say: Yes, I did it.” As for sex offenders, Karin observed that they often “deny criminal intent, even if they admit the facts. Namely, they deny the sexual intention.” In addition, Ronit reported that “Some sex offenders deny, even if they are videotaped. They will make up a story—say: It was my twin brother.”

Some attributed denial and refusal to take responsibility to thought distortions characteristic of sex offenders. In the words of Ronit: “In many cases, the denial stems from thought distortions.” Nonetheless, many participants explained sex offender difficulty with confession as primarily stemming from the social conception and social stigma that accompanies such offenses. Dalit related that “In most cases they deny the offense because it comes with so much disgrace and you find yourself in charge of fairly unwinnable cases.” Asaf explained that: “Their cases often reach the evidence management stage, even if there is no real basis, because they don’t want to confess to this offense. . . In regular cases, this problem does not exist, and no stigma is attached to convictions and sentences, so there are differences also in the representation and in your ability to cause them to confess. They prefer to go to trial.”

They’re not from the criminal world—they need treatment. Side by side with the above described difficulty, some participants reported working with sex offenders as being more convenient to some degree, because most have no previous criminal records and are relatively intelligent and cooperative. Asaf explained that “There are differences, of course, between representing offenders in general and representing sex offenders. Although there are always exceptional cases, as a rule many times sex offenders have no criminal background, they’re not from the criminal world, they’re more intelligent, they have all kinds of problems, including personality disorders. But with regard to the relationship with the lawyer, it is often easier for me with them because it is easier for

them to understand what you're saying to them and to listen to legal advice. Of course, some cases do not fit this rule." Idan defined them as "more 'normative' people who got into trouble, and it is easier to represent them, compared to criminals with an anti-social personality." Avishai too noted: "My work with sex offenders is easier. . . they have a quicker grasp of what needs to be done; they are willing to listen to legal advice."

However, most participants described the difficulties that accompany sex offender representation. They are described as a population that often suffers from a pathology of personality disorders as well as psychological and mental problems, who need therapy. For example, David noted that "A considerable part of these people are on the spectrum of psychiatric and intellectual problems." In addition, Meital described sex offenders as "a population with therapeutic needs. . . a population that has itself been hurt either mentally psychologically or socially; their psychosocial development was very disturbed." Therefore, when representing sex offenders, particularly those with disabilities (mental, cognitive, etc.) the defense attorney must "recruit additional resources beyond the legal treatment" (Meital) in order to provide a response in this context as well.

Structuring trust relations: A nearly impossible task. Another difficulty described by the participants was directly related to the trust relations required between a defense attorney and a client as a necessary condition for their collaboration. Revital explained: "Every initial contact with a client is characterized by the structuring of trust. The client is in his most distressful state. . . and he doesn't know me. . . can't know if he can trust me and how much, doesn't know how I present in court. He's in fact depositing his life in the hands of a lawyer without knowing anything about him." In the case of sex offenders, the interviewers stressed the difficulty of structuring trust when working with this population due to their distinctive characteristics (manipulation, denying the offense) and the nature of their offenses. In her words: "Work with sex offenders includes other intimate, sensitive layers that do not exist in lawyer-client relations in cases other than sex offenses. . . From the first encounter I have to delve into embarrassing terminology. . . It's not only that he doesn't know me, he has to tell me in 5 minutes whether his penis was erect or not. . . [it's] an intricate task, building trust, breaking through the barriers of embarrassment." These difference between sex offenders and other offenders are further specified by Avishai: "The way in which you are required to explore intimate questions, unlike with other clients—sexual habits, descriptions of intimate situations. . . Sometimes if you are given mistaken answers it can be more harmful than helpful."

Feelings Toward Sex Offenders, Following Exposure to Offenses and Their Defense

In parallel with the description of the diverse feelings experienced by the defense attorneys (2.1), the need to neutralize their feelings was also reported: objectivity and lack of judgmentalism being essential in order to do their job well (2.2).

Mix of feelings: Anger, disgust, and revulsion versus pity and empathy. Examining the sensations and feelings reported by the defense attorneys in the interviews indicates a complex state of affairs. In addition to feelings of anger, disgust, and revulsion, many noted that they feel pity and empathy when exposed to the life stories of these offenders, and that, in fact, they distinguish between the offense and the person. The participants described this distinction as an outcome that evolved over time and with experience. As Ronit reported: "At the beginning they [sex offenders] would disgust me. . . in time and with experience I learned to separate the offense from the person. Today I don't call it a sex offender. I say: He committed a sexual offense." Similarly, Reut explained that "over the years, I reached the understanding that people commit sex offenses not because they're 'horny' (sorry for the language), as the large majority do it due to something that underlies the act—whether they had been victims, or certain personalities. Just as I won't be angry at someone who is mentally ill for murdering a person, because he did it due to his illness, so I won't be angry at a sex offender."

Most of the participants exhibited empathy and pity toward the sex offenders, which often stems from their tough life stories and victimhood. For instance, Ronit said: "When you read the indictment you feel all the feelings that the public expresses. . . but when you meet the person it's always different. Very often you meet a person who has been hurt himself and who is himself lacking." Dalit added: "As a defense attorney, if you have absolutely no feelings of empathy you can't represent him well. Each person has a life story." This point was elaborated on by Nir: "I have a sex offender whose uncle and father abused him sexually as a child. . . When I hear from him honestly what he went through as a child, this can create in me a certain level of identification, pain, empathy, and it can also have an emotional effect on me. . ."

At the same time, along with understanding and empathy, some participants experienced emotional difficulty distinguishing between the person and the offense, reporting complex feelings and emotions, even an unwillingness to represent the offender. Asaf, for instance, said: "Sometimes there are clients toward whom you start to feel disgusted only by talking to them. The moment this happens I try not to take the case." Revital added: "Some are extremely disgusting. . . ." Meital well described the complexity of defending sex offenders: "When you meet with a sex offender, in general, he arouses in you a mix of feelings. There is empathy toward the person, what he went through, there is anger at what he did, and, sometimes, there are feelings of disgust and revulsion."

This antipathy is especially pronounced in cases when sex offenders committed offenses against babies and children. As Reut explained: "An uncrossable boundary can be when a sex offender committed offenses against a baby. . . Regarding sex offenses against children—that's harder for me than sex offenses against adults." Idan noted: "I don't think I'll take any more cases like that. . . with pornography of minors." Both Meital and Asaf reported being disgusted at the prospect of representing offenders who committed incest, acknowledging that they would not do their job properly if they had to take on such cases. In the words of Meital: "The extreme cases in which I have hard feelings are cases of incest. . . I think he needs a good defense, which I would not be able to provide considering the feelings I have." And as Asaf put it: "It is

very hard to represent them emotionally, ethically. . . I truly believe in the right of representation, but I myself don't have to represent all cases."

The need to neutralize feelings: Lack of judgmentalism and objectivity. As noted, lack of judgmentalism and objectivity are critical components of defense attorney conduct. Some participants described this as an obligation to "disregard" feelings and behave more objectively and nonjudgmentally. As Reut reported: "Acceptance is not the right word. For me it is a lack of judgmentalism. My duty is to defend him. And he too deserves the best defense, even if he committed the worst ugliest act. Of course, I also have empathy for the victims, but my job at the moment requires me to be on the side of the accused. . . rage and anger are irrelevant, because if I feel rage or anger it will affect the representation I provide. . . I have to come from a nonjudgmental place." Similarly, Meital noted: "I have to provide him with the best possible legal representation, whether he arouses in me feelings of empathy or not, and often my main focus is on the pure legal argument." Avishai added: "I have to have no problem with the act he committed and the person he offended. I'm not emotionally unfeeling, but I represent him."

The participants stressed their personal need to avoid knowing any details of the offense beyond that required for representation and explained this by reference to the professional and ethical problems this might entail. Dalit explained: "You don't want to know the truth, because if you know you have ethical problems. The defense attorney must behave wisely both when talking to the client and when talking to a witness and must know exactly when to stop asking questions. If he confesses to me then I will not be able to manage the case and to find proof. . . Defense attorneys don't want to know, because no one wants to commit an ethical offense." Idan added: "My job is not to find out the truth. I'm not a judge. My job is to analyze the case and to evaluate risks versus possibilities and therefore what really happened is of no interest to me." However, David presented an alternative view: "I have a different approach: to ask what happened, because I think that if I don't ask what happened he can give an incompatible version to that underlying my defense line and cross-examinations at some later stage, and I will not be able to prepare him well for trial and for the police interrogation or giving evidence or anything else. So, my approach is to take this risk. . ."

Emotional and Behavioral Effects on the Participants

Most of the participants described a range of emotional and behavioral effects that are an outcome of their work with sex offenders. They reported a change in their worldview, which led to more awareness of sexual abuse, loss of naivety, and erosion of trust in others (3.1). They also expressed their concern that their own children or relatives' children might be victimized. Along with this heightened concern, they described the steps they take to increase their children's awareness of the threat of sexual offenders as well as the parental restrictions they impose on them (3.2). Finally, the participants described the emotional effect of working with sex offenders (3.3).

Over-awareness: Loss of innocence and trust in others. Wariness, loss of innocence, and erosion of trust in others were cited by all participants as a result of their defense of sex offenders: "I became more suspicious, very cynical. I'm no longer a naive person. I'm a more realistic person. . . It's this work; it turns you into an alley cat." (Karin). As Dalit reported: "Once I used to be naïve. . . I wasn't afraid. . . I could stop at a gas station in the middle of the night and go to the public restrooms. Today I don't stop. . . public restrooms have become a war zone." This was echoed by Meital: "My naivety before working in the office of the defense attorney disappeared. . . You look at the world with a suspicious gaze. . . and it doesn't happen to me with other offenses." Yaron added in a similar vein: "It's on a paranoid level. . . this work doesn't let you stay as innocent as you were born." In sum, Idan stated the matter concisely: "You learn not to trust anyone."

An extreme manifestation of the effect of exposure to sex offenses was voiced by two participants. Ravit and Reut reported being concerned that their children might come to abuse others. In Ravit's words: "The real difficulty. . . as a mother, to represent boys who sexually abuse, [is that] you're constantly stressed, worried that it will happen in your family too. . . As part of the job you encounter sexually abusive boys from the most normative families, who received a good education with good values and still committed abuse." Reut added: "I think that an absurd aspect is that anyone on the street might be a sex offender and this does affect my conduct with my children. It bothers me that [my] children could be sexual abusers or abused and I don't know what's worse. I'm more suspicious of my children. I allow them less freedom of movement, because I play out scenarios in my head unlike other parents since I don't know if they are different than other people and simply go unrecognized."

A unique element characteristic only of men who participated in the study related to the rise in awareness of the need to be careful of false accusations. They explained their fear of false accusations as an outcome of their work. As Yaron described: "There were changes in my life also as a man who could potentially be incriminated. . . [There was an incident that] I won't forget and, in my perception, it was an indication of how my life has changed with regard to myself. . . My wife and I returned from a play. My son was with a teenage babysitter. . . [I took her home] and the entire way I leaned over to the left so that she would not interpret anything as an improper movement." In the same way, David explained: "I'm more careful around women and girls, so that my words or behavior will have no hint of anything sexual. . . I know that there are more and more minor incidents that lose all proportion and become criminal cases, and if you're not careful you can get into trouble." And Asaf added: "I have personal phobias involving the concern of false accusations—I won't take female students in my car to court sittings. . . I won't allow any possibility that someone can come and claim that I did something to her."

Yaron and Idan related this context to children as well. Yaron explained: "As a parent who is very close to his children, I am in charge of bathing at home. When my daughter reached age 5, I told my wife: I'm not bathing her any more. She can do it herself or you should. . . I remember when my daughter was younger her friends would come to our house. . . both as a parent and as a man, I would be concerned of

being alone at home and I would think: Stupid parents who send a child when only the father is at home. . . .” As Idan put it: “It also makes you a more careful person. I won’t touch or get close to any child aside from my own. If I see a child fall and hurt himself, I won’t come near—his father can help him.”

Concern of child victimization: Awareness, information, and restrictions. Acute participant awareness and wariness of sexual offenders translates into elevated concern for their children and their relatives’ children. As Helena explained: “You start thinking that anyone can be a sexual abuser of children. . . . The recurring elements in the stories can make me think that it might happen to my children. . . . to those of relatives, of friends.” The participants described the need to instill in children, from a young age, awareness of risky situations. For instance, Dalia noted: “When it concerns children. . . . it raises lots of concerns. . . . I try to raise my children with awareness. I do warn my children. . . . Don’t go to public restrooms on your own. . . . to a home where there is an older brother or father. . . . I won’t allow it.” Revital emphasized her efforts at explaining to her children: “I say to them, ‘You know that there are people who like children. Pay attention’. They’re aware. . . . so I’m not an anxious person. . . . I’ve developed more conscious children thanks to my work and they’re capable of being more alert. I trust them.”

Several participants referred to the restrictions they impose on their children, particularly with regard to leaving the house. As Helena described: “If I hear that they went outside to the public park, I say no and I warn them of the dangers, as though it’s very common.” Yaron referred to a concrete local example: “We take them by car a lot. . . . we [my wife and I] are very careful. . . . the matter of my children not walking alone down the main street, it’s not undue caution—there was a case of a defendant who met a 7-year-old girl on the same main street where I live, enticed her to go with him to the stairwell and abused her sexually there. My children are very aware of things.”

Two other interviewees described situations that demonstrate the extreme care they take with regard to fear of child abuse: “My daughter told me that the school bus driver gives out candy and [says] that she’s the cutest girl, so the next day he lost his job as a bus driver. My ears know those words. . . . I’m not an anxious person. I’m very alert, like a demon. . . . I can ask my son, ‘Has someone bothered you? Did someone tell you not to talk about it. . . . Did someone touch your penis?’ He says to me: ‘What?’ He looks at me and says: ‘Mommy, you’re crazy, mom. . . .’” (Ronit). Similarly, Karin reported: “I think that I recognize pedophiles quicker than anyone else. I see their eyes following the children. . . . There was someone there [at a social gathering] who was fooling around with the little children, so I immediately got up and took the little boy and put him next to his mother.”

Parents of little children, in particular, emphasized the concern of leaving their children with others, including relatives. Ravit admitted that she “. . . simply prevents them [the children] from being with people alone. Even their cousins.” Asaf declared: “I won’t allow my children to stay with a stranger, aside from a grandfather whom I know. There’s no way that they’ll be with a male babysitter.” In the

words of Idan: “I will never leave my daughter with a stranger. . . you learn not to trust anyone—not the guard at school or pre-school, not the bus driver, no one. . . I see him [a security guard at pre-school] when the children arrive. . . he hugged them and my first thought was—maybe you wanted to be a security guard here to hug children in the area?” A similar wariness was expressed by the three interviewees who are not parents. For instance, Meital noted: “When I went to the park with my niece and a man passed by with no children and he stopped walking, suddenly I became alert.” Avishai predicted much the same for herself as a future parent: “When I’ll have children, I’ll be more careful because I’m part of this world and I know things. My brother has a baby and I do see things.”

Emotional effect on the participants. All the participants described the emotional and mental effects that they experience as a result of their work with sex offenders. They described symptoms of intrusion, emotional detachment and avoidance, and sleep disorders, as described below.

Intrusion is evident from difficulty in maintaining emotional distance from sexual offender cases and its effect on participant mental well-being: “They remain with me [cases of sex offenders]. . . unlike a robbery case, that doesn’t remain with me all day long” (Reut). As Ravit put it: “I can’t see cases other than those of sex offenders continuing to pop up throughout my life. It’s true only of sex offenders.” Asaf admitted: “I’m traumatized by encounters with certain sex offenders. . . I remember them well.” And Reut confessed: “There are situations that follow me from reading material, films. . . very bothersome and with a strong influence.”

Two participants reported negative effects of exposure to the content of sex offenses on their sex life: “I represent someone in a case that’s taking a personal toll on me. . . I had to go to the public defender’s office and watch child pornography. It’s an extremely difficult experience. . . when you return home, you sometimes remember what you’ve seen and you want to puke. It can also affect your sexual appetite and its very unpleasant” (Asaf). As Revital recalled: “There was a sex offender who humiliated his wife and peed on her and forced her to drink the urine. . . raped her. The moment I understood that I was feeling sick lying in my own bed, I understood that I have to separate my work from my private life.”

In different contexts, the motifs of *emotional detachment* and *avoidance* surfaced in participant interviews. In the words of Idan: “You become detached from your feelings. . . you work from your head. This is a given situation and I’m trying to help him under the circumstances. I don’t cry, not for him nor for the victim nor for the situation.” Helena explained that she tries to avoid becoming emotionally involved: “If I get involved emotionally it takes me to bad places and doesn’t allow me to do what I have to. . . so I keep the encounters politically correct. I avoid asking: How are you? How are you feeling? I ask less questions and refrain from exposing myself to things that I’d find hard to contain.”

In addition, Reut and Nir used the word “detachment” as a placeholder for avoiding exposure to information irrelevant to the defense work. Reut explained: “Maybe emotional detachment. . . I read the material from a legal perspective. There was a case

involving gang rape. . . as part of my job I had to do it. A very very very tough gang rape, so I tried not to get into questions of what he did or did not do. . .” For Nir, detachment was a mechanism to handle disturbing sex offense content: “I’m not shaken by severe offenses. . . it must be a psychological mechanism that I can’t explain. There’s a certain sense of detachment when I get the case as the defender. There’s a screen that comes down. If I had to get emotionally involved. . . I couldn’t go on with it. It’s true of all offenders and also of sex offenders. Otherwise it would be impossible. . . maybe it’s only a story we tell ourselves.” Similarly, Meital experienced a kind of desensitization: “Over the years, the sensitivity threshold has become very high. Today it would need something very extreme to shock me. . . I’ve become a little more emotionally unfeeling.”

Other emotional effects manifested in the form of sleep disorders. David described “sleep difficulties and insomnia—irregular sleep.” Along with insomnia, Meital described an all-encompassing emotional exhaustion: “It’s undoubtedly very intensive work and you’re on the unpopular side. It can be wearying and mainly frustrating when you don’t succeed and it stays with you, and you take it home and go to sleep with it. The emotional burden and the physical burden. . . it has its effects. . . disrupts. . . it’s constantly with you. . . at night too.”

Discussion

An analysis of the findings shows that the defense attorneys we interviewed perceive sex offenders as a population with characteristics distinct from other offenders that they represent. Sex offenders were described as being manipulative, not taking responsibility for their actions, and denying having perpetrated the offenses as well as harming their victims, compatible with research findings on sex offender characteristics (Jung & Dowker, 2016; Nunes & Jung, 2013; Ware et al., 2015). A common social perception is that sex offenders must be severely punished and that they are dangerous and untreatable. Even so, the interviewees expressed a certain degree of empathy toward the sex offenders on behalf of whom they work to provide a legal defense. Consistent with the literature, they rank exposure to the content of sex offenses (particularly when the victims are children) as more disturbing than other offenses (King & Roberts, 2017; Malinen et al., 2014; Pickett et al., 2013).

Participants attempted to provide objective descriptions of their clients, which turned out to corroborate the sexual offender literature. They exhibited varying levels of empathy, along with deep understanding of their clients—despite the terrible nature of the sexual offenses. As the interviews progressed, participants increasingly felt comfortable opening up, offering a more complex picture of their legal representation of sexual offenders in the criminal justice system.

Analysis of the interviews shows that ambivalence often accompanies defense attorney representation of sex offenders. On one the hand, they characterized their clients as generally intelligent people with no criminal background, and this made it easier to represent them. On the other, forming trust relations with the defendants was described as involving difficulties, even though it forms an essential starting point for

productive collaboration between defense attorney and client. The complexity of representing sex offenders—because they suffer from mental problems and need treatment—was also depicted.

There is a wide consensus among therapists that sex offenders (particularly those suffering from paraphilias) require therapy in order to prevent recidivism and harm to victims (Stinson et al., 2016). This understanding is a challenge to therapists and a motivation for treating this population. In fact, the main goal of those treating sex offenders is to utilize this understanding to facilitate suitable treatment. The research findings show that the situation is different in the case of those involved in the legal system. The notion that this is a pathological population that requires treatment makes client defense harder and generates reluctance on the part of the defense attorney. The participants described severe cases of abuse, particularly of children, that they found deeply disturbing, and this produced a reluctance to represent such abusers.

This ambivalence is also evident in descriptions of participant feelings. In parallel with the legal ideal of objectivity and lack of judgmentalism (a concept reiterated by participants as essential to their profession), defense attorneys experience a wide range of feelings, both negative and positive. These include feelings of anger, disgust, and revulsion at exposure to the nature of the sexual offenses, together with feelings of pity and empathy. Even so, attorneys often qualified their descriptions of these negative feelings with the caveat that they did not hamper their professional work. However, most described some degree of empathy and compassion for the sex offenders when exposed to their tough life stories and circumstances that led to the abuse, distinguishing between the “person” and the “act.” Such a distinction may be intended to moderate the difficulty of the defense attorneys in coping with exposure to descriptions of the offenses. In fact, direct contact with the sex offenders softens their resistance and raises their level of empathy, particularly with regard to abuser life circumstances, in this way helping them provide adept representation. Similar feelings were also found in studies that examined this subject among therapists working with sex offenders (for a review, see Baum & Moyal, 2020).

Avoiding knowledge of details that may be deemed irrelevant for legal representation was cited as a means of circumventing potential professional and ethical problems. This was justified as both the defense attorney obligation to act loyally and devotedly on behalf of their clients (Israel Bar Association, 1986) and the legal duty (section 34(1) of the Israeli Penal Code) to report the truth in court. In the latter, lawyers are seen as “officers of the court,” reflecting the court’s trust in lawyers and its assumption of their integrity and trustworthiness. Nevertheless, our analysis clearly shows it not only as an attempt to follow the rules, but also as a desire to prevent exposure to information that might affect attorney conduct, which some participants explained as the desire to refrain from judgmentalism. In fact, they conspicuously referred to this legal imperative to adhere to objective, nonjudgmental standards based on logic and rationalism (Bergman & Wettergren, 2015) while refraining from emotional involvement (Maroney, 2011; Yakren, 2008) in describing how they represent their clients.

Even so, this self-perception was challenged to some degree, with occupational concerns often seeping into the daily lives of participants. As with previous research

on emotional effects of working with forensic populations on legal professionals (Maroney, 2011), our findings showed a quite considerable emotional and behavioral toll on all participants, which may be hazard to their mental well-being.

A recurring element indicated a change in the worldview of the participants, with a loss of innocence, loss of trust, and wariness toward all people. This perception led them to take extreme precautions, with some even suspecting their own children of the capacity to harm others. In fact, working with sex offenders led some participants to believe that every person is a potential victim/offender. This perception contradicts the Just World Theory (Lerner, 1980), whereby our tendency as human beings is to believe that the world is ultimately a safe place, a just world where everyone receives their due and just deserts. It is evident that working with sex offenders led these defense attorneys to believe the opposite—the world is unjust and it is necessary to be wary.

Seeing the world as a dangerous place comes at a psychological cost. Describing their various symptoms, participants reported a high level of wariness, sleep difficulties and sleep disorders, invasive thoughts that disrupt their daily life, and difficulty in maintaining professional distance from their sex offender cases—even to the degree that their sexual relations were negatively affected. Among other things, attempts to remain emotionally detached and avoidant were described as defense mechanisms against exposure to the disturbing contents that arise from graphic descriptions of the offenses.

Wariness and distrust were accompanied by fear and concern of ending up as a sex offense victims, with participants worrying especially about their children. They described loss of trust and loss of confidence in others, including relatives. This was translated into behavioral restrictions and prohibitions imposed on their children (from instructions to avoid public restrooms on their own to prohibitions against sleeping at friends' homes to an extreme directive not to remain alone with cousins) side by side with raising awareness of hazards “outside.” Interestingly, even as they presented their concern for their children as objective, as an outcome of professional familiarity with the criminal area of sex offenders, their subjective concern was evident *in their manner of conduct with their children*. For example, in one instance, Ronit gave the appearance of non-emotional professional detachment: “I’m not an anxious person. . . . I’ve developed more conscious children thanks to my work.” However, in another, she came across as extremely agitated: “I can ask my son, ‘Has someone bothered you? Did someone tell you not to talk about it. . . Did someone touch your penis?’”

As such, attempts on behalf of participants to present an objective perception of sex offenders (for instance, distinguishing between person and offense, demonstrating compassion, and empathy) do not diminish the level of anxiety and fear that accompany these defense attorneys in their daily conduct and life routines. This was especially pronounced in the case of child sexual offenders, even at times translating into an unwillingness to represent them. Notably, our findings on fear of sexual victimization, particularly with regard to children, do not differ from the common social conception that sees the sexual abuse of children as graver than that of adults (King & Roberts, 2017). A similar conception was also found among therapists who work with sex offenders. They reported a fear that their children would be hurt and over-protection of their children following exposure to cases under their professional treatment (Baum & Moyal, 2020).

The symptoms described by the participants may indicate harm to their mental well-being. However, the current study made no clinical distinction that can indicate the existence of a disturbance. Even so, the descriptions that arose from the analyses, which point to a high level of wariness, intrusive thoughts, difficulty to keep distance, and sleep disorders, side by side with expressions of stress and distress, significantly support the existence of distress and are compatible with studies on symptoms of psychological distress found among various populations exposed to the traumas of others, including therapists and jurists (Baum, 2016; Severson & Pettus-Davis, 2013).

An exceptional finding characteristic of several male participants is their fear of false accusations, explained as an outcome of exposure to cases they managed in the defense of sex offenders. Arguably, the subject of sexual harassment has attracted increased attention in recent years (e.g., the “Me Too” movement), and its effects are felt by male defense attorneys who exercise extreme caution around any situation with potentially damaging legal implications. This assumption should be examined in further research.

In conclusion, exposure to disturbing and graphic sex offense case files has a considerable impact on defense attorney well-being—on emotional, cognitive, behavioral, and physical levels. Although most sex offenders are not characterized by anti-social or psychopathic personalities, their negative effects on the mental well-being of the defense attorneys is higher than that of other offenders. Thus, it is unsurprising that most of the participants made use of defense mechanisms and techniques of emotional detachment, repression, and avoidance, often unconsciously, as part of their coping with the anxiety occasioned by their work with sex offenders. Interestingly, most of the attorneys disregarded or were not aware of the mental cost of this work. Due to their lack of awareness, they showed little inclination to turn to mental health professionals. Nor did they express any interest in individual or group guidance for emotional management.

Most studies on the effects of working with sex offenders have focused on therapists rather than lawyers who represent the offenders. This research suggests an association between exposure to disturbing sex offenses/deviant sexual offenders and the mental health of the therapists, manifested by stress, symptoms of secondary trauma, burnout, and more (see for instance, Carmel & Friedlander, 2009; Severson & Pettus-Davis, 2013). These effects (for a review, see Baum & Moyal, 2020) seem to be no different in essence than those found in the current study of defense attorneys.

In the literature on exposure to sex offenders, the association between distress measures and long-term therapeutic relationships is stressed (Levin & Greisberg, 2003). The current findings show that this effect may also exist in other professional contexts such as the well-being of defense attorneys who provide legal representation for sex offenders. The impact of their exposure to sex offenders is thus similar other professionals. For example, a study conducted in the UK found that health care and social services staff exposed to victims of human trafficking were more strongly affected by the sex trade and reported higher measures of distress and burnout than when exposed to other vulnerable populations (Kliner & Stroud, 2012). The unique impact of exposure to sex offenders and their victims on the mental well-being of those exposed was also found among police investigators who investigated cases of sexual abuse of children (Hurrell et al., 2018).

The research findings arouse concerns regarding the state of all defense attorneys who represent sex offenders. Despite the similarities described above, it is clear that the attorneys have no special protection from the mental effects of their exposure. Unlike therapists who acquire tools to cope with stressful situations as part of their studies and training, defense attorneys mostly receive no suitable training for coping with these effects (Maroney, 2011; Peterson & Peterson, 2009; Watson, 1976). Therefore, it is very important to expand the support and information options for treating symptoms and managing the intensity of exposure by identifying risk and protective factors. The research findings indicate the need for systemic thinking by decision makers in order to provide an established and permanent support system.

Along with these conclusions, it is notable that the current study has several limitations that must be considered when generalizing from the findings. First, the research sample consisted of 15 defense attorneys. Although this sample size is customary in qualitative research, it is fairly small. Moreover, all the participants were defense attorneys who represent sex offenders on behalf of the office of the public defender. Public defenders have a support system that includes professional consultants and mental health experts. Although the support mainly concerns legal issues that arise with regard to the defense rather than systematic structured guidance for coping with emotional difficulties, this resource may help them in their work with sex offenders. The topic should also be examined further among attorneys who do not receive the support provided to public defenders, who may be more severely affected. Finally, there is room to examine the differences among the population of legal professionals according to their specific occupation, including comparisons between those in the criminal field in general and those exposed to sex offenses, in particular, as well as other fields indirectly related to sex offenses (for instance, in tort cases involving victims of sexual assault).

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