



# INDECENT EXPOSURE

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*Denver, Colorado*

*With a Chapter by*

**N. K. Rickles, M.D.**

**INDECENT  
EXPOSURE**

By the Same Author

The Murderer and His Victim  
Rape: Offenders and Their Victims  
Psychiatry and the Criminal  
Homicidal Threats

# INDECENT EXPOSURE

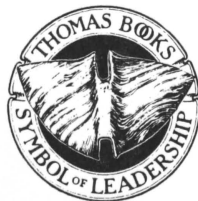
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## **PREFACE**

ONE-THIRD of all sex offenses reported to the police are acts of indecent exposure. Yet men who commit this offense do not always receive the attention they deserve for a problem which may have devastating effects on their personal lives. Harsh punishment or judicial indifference with minor sanctions which do not alter their behavior is too often their fate. Much can be done to help them. Despite common belief, some of these men are dangerous and commit more serious crimes such as aggravated robbery, rape, and even criminal homicide. Early recognition of the dangerous offender is of prime importance. Hopefully this book will contribute to a better understanding of the exhibitionist.

JOHN M. MACDONALD



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My thanks are due to many authors and publishers who have permitted reproduction of material. The source of quotations has been listed in the references at the end of the book. Permission to quote at length is greatly appreciated.

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J.M.M.





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**INDECENT  
EXPOSURE**



*Chapter 1*

**INDECENT EXPOSURE:  
DEFINITION AND INCIDENCE**

*“And they were both naked, the man and his wife,  
and were not ashamed.”*

–Genesis 11:25

*“Indecent exposure of the person to the public  
view, if intentional, or even when due to neg-  
ligence, is a public nuisance and a misdemeanor at  
common law.”*

–Clark and Marshall, *Law of Crimes*.

**I**NDECENT exposure is surely one of the most puzzling offenses in the court docket. The explanation of crime is usually sought in such obvious motivations as greed, envy, revenge, anger, and lust. Yet exposure of the genitals brings no financial reward, and if lust is a motive, few men lust after such an unusual and fleeting experience which is without any bodily sexual contact but with considerable risk of public humiliation and ridicule.

This offense is important because of its frequency, the high rate of recidivism among offenders, and the alarm which it arouses in some victims, particularly in children. One-third of all sex offenses reported to the police are acts of indecent exposure. Almost invariably the offender is a male, and he is more likely than other sexual offenders to continue his abnormal sexual behavior following arrest, conviction and punishment. Although these men are properly regarded as posing slight risk of physical injury, a few of them also commit forcible rape and criminal homicide.

*Indecent Exposure Defined*

Indecent exposure is the unlawful exposure of the “private parts” to public view. It is lawful to walk around one’s home in the nude providing care is taken to avoid exposing oneself to passersby. It was lawful for Winston Churchill to walk around

nude on the occasion of a visit to his bedroom by Franklin D. Roosevelt. (He took the opportunity to make the point that the Prime Minister of England had nothing to hide from the President of the United States.) It would have been unlawful for him to stand in public view in the same state of undress. The distinctions between lawful and unlawful exposure are reviewed in Chapter 7.

Women are seldom charged with indecent exposure. Society's divergent attitudes toward the same behavior in males and females is illustrated by the following apocryphal story. If a man walking past an apartment house stops to watch a woman undressing before the window, the man is arrested as a peeper. If a woman walking past an apartment stops to watch a man undressing before a window, the man is arrested as an exhibitionist (Gebhard et al).

### EXHIBITIONISM

In 1877 Lasègue, a French physician, coined the term "exhibitionist" to describe persons, usually men, who purposely and repeatedly expose their genitals before passersby. The police had been informed of a public scandal. A man was exposing himself in churches before women as they knelt in prayer. He always did so at night and would disappear into the shadows without saying a word. It was difficult to keep a watch for him because of the number of churches where the offenses were committed. One evening, however, he exposed himself in front of an elderly nun whose screams brought a guard on the scene. The man held public office, came from an honorable family and was a member of high society. His behavior was so unusual that the court requested a medical evaluation.

Subsequently, Lasègue interviewed a number of other men who had exposed themselves. His pioneer clinical description of exhibitionism captures many of the outstanding features of the disorder. The patient, usually an otherwise respectable person, feels compelled to repeat the act often at the same location and before the same victim; relief of sexual tension follows the exposure although there is shame and remorse for the act; no attempt is made at sexual intercourse; indeed the man makes no effort to touch or even come close to his victim.

Krafft-Ebing (1840-1902), professor of psychiatry in the University of Vienna, included in his book *Psychopathia Sexualis* twelve cases of exhibitionism and noted that “the cases thus far recorded are exclusively those of men who ostentatiously expose their genitals to persons of the opposite sex, whom in some instances they even pursue, without, however, becoming aggressive.”

Like other physicians of his time who did not confine their reports of sexual psychopathology to medical journals, Krafft-Ebing came under severe censure from his medical colleagues. Thus a book reviewer for the *British Medical Journal* (February 8, 1902) referred to his book as “the largest and most widely circulated and we may as well at once say the most repulsive of a group of books of which it is the type.” The reviewer went on to complain, “The book is in fact for the most part a record of a very large number of cases of masturbation, pederasty, bestiality and other abnormal methods of obtaining sexual gratification . . . the reader is not spared the minutest and most nauseous detail.”

The review concludes with the statement that “there may be persons in the stews of Vienna and the brothels of Paris who would be ‘socially elevated’ by Professor Krafft-Ebing’s stories, but at the risk of leaving such unfortunates in their social degradation we should prefer that the book should convey solace by being put to the most ignominious use to which paper can be applied.”

Havelock Ellis (1859-1939) in his seven-volume *Studies in the Psychology of Sex* defined exhibitionism as a remarkable form of erotic symbolism in which “sexual gratification is experienced in the simple act of exhibiting the sexual organ to persons of the opposite sex, usually by preference to young and presumably innocent persons, very often children . . . . In a typical exhibitionist the act is prompted consciously or instinctively by the desire to gain sexual pleasure by the spectacle of the emotion – whether of corresponding pleasure or of confusion or of horror – in a person of the opposite sex.”

The book reviewer in the *British Medical Journal* who referred to Krafft-Ebing’s publication as pseudoscientific also questioned the scientific purpose of *Studies in the Psychology of Sex*.



They are not interesting in themselves, nor are they important in connexion with any scientific principle, hypothesis, or doctrine. They have, moreover, the additional disadvantage that they are in themselves disgusting and nauseous. It is as though the lunatic were to collect, not bits of string or paper, but morsels of dung and scraps of offal and ordure. It does not become members of the medical profession to object to dealing with filth when it is necessary to deal with filth for the purpose of elucidating a scientific principle or obtaining a valuable datum.

A physician may be compelled in the course of his duty to examine and analyse the feces of his patient, and he is supported in the repellent task by the anticipation of gaining knowledge that may be useful in saving life or mitigating pain. But there are persons of such unhappy mental constitution that they dabble with feces, not for the purpose of gaining knowledge, but from a perverted love of stink and filth. They rub it on their hands, they plaster it in their hair, they bedaub their persons and clothing with it . . . he (Ellis) frequently presents the appearance of bedaubing himself with filth without serving any useful purpose . . . yet his scientific and explanatory discussions although they do not advance our knowledge much, are serious and honest attempts to deal with his subject.

Almost 40 years later the same journal (July 22, 1939) in an obituary on Havelock Ellis referred to his *Studies in the Psychology of Sex* as seven monumental volumes which “have probably served more than any other single work to bring sex out of the atmosphere of ignorance and prudery into the clear light of science, and will always remain an incomparable digest of the scientific knowledge of the subject up to contemporary times.”

These book reviews have been quoted at length as they give some perspective on the change in public opinion during this century. Future changes in public attitudes and behavior may have some consequence for the exhibitionist. Sex education in the schools, increased license in literature and common language, exhibitions of erotic art, underground newspapers with sexual advertisements (especially of penile prostheses), peep shows and “art” cinemas, pubic hair and simulated sex in movies as well as increasing acceptance of nudity on the stage may eventually deprive the exhibitionist of his victims. Who will be left to be startled or shocked?

Wilhelm Stekel (1868-1940) included under the term “exhibitionism” not only exposure of the genitals but also

exposure of the buttocks. One of his clinical examples is Jean Jacques Rousseau who in his *Confessions* describes exposing his naked backside to a band of washerwomen as the result of an invincible urge.

N. K. Rickles (1950) in his monograph on this disorder defines exhibitionism as a pathologic condition characterized by a compulsion to expose the male genitalia periodically for the relief of inner tension – an act which is seemingly incongruous with the rest of the individual's personality. He regards exhibitionism as an aberration when it becomes an end in itself, performed compulsively and in such a way as to shock the viewer. In these circumstances exhibitionism becomes a means of sexual gratification rather than a prelude to gratification through sexual intercourse or sexual molestation of the victim.

Hirschfeld emphasizes that an essential feature in the behavior of the exhibitionist is his eager enjoyment of his victim's reaction. "The reaction is, in fact, the source of his erotic pleasure, and the exhibitionist's satisfaction is complete or incomplete according to whether the victim's reaction is intense (fear, blushing, escape), or whether they deliberately ignore the exposure. All the exhibitionist wants is to evoke strong emotions so that other acts accompanying the exposure are only of a secondary character. When, as often happens, the exhibitionist uses obscene words or invites the victim to 'take hold,' his sole purpose is to call attention to the exposed part."

Although the usual exhibitionist must be seen and must feel that he is seen, Howard describes a patient who stated that he exhibited only in the dark or at a great distance and that if he were seen the satisfaction was lost. Howard speculates that his patient could derive satisfaction from the fantasy of being seen and that the actuality of being seen was in itself too dangerous to afford a pleasurable experience.

### ***Exhibitionism Defined***

Exhibitionism refers to exposure of the genitals for sexual pleasure, without any intention of further sexual contact with the viewer or viewers of the exposure. Indecent exposure is not

exhibitionism unless the exposure, possibly combined with masturbation, is for the purpose of sexual gratification without any intention of further sexual contact. The exhibitionist usually exposes himself before one or more females and often, but not invariably, seeks gratification from her reaction to the exposure.

This definition is modified from that provided by Mohr et al, who point out the need to evaluate with great care statements by offenders that exposing was used to attract females. These authors have encountered cases of intelligent men who having exposed more than one hundred times without attracting a female still cling to this explanation. They note that the great majority of acts of genital exposure arise out of exhibitionistic impulses with the exception of pedophilic acts in which the offender goes no further than showing the genitals, although there is an intention of further contact.

The two deviations can be differentiated when one realizes that in heterosexual pedophilia the victim is most often known to the offender, which is not the case with exhibitionism, and that the pedophilic act occurs in close bodily proximity whereas in exhibitionism there is usually some distance between victim and offender. Moreover in pedophilia the place of the offense tends to be private and in exhibitionism it is almost always public. In short, factors of a personal relationship or interaction are absent in exhibitionism (Mohr et al).

In clinical practice it is not always as easy as these authors suggest to distinguish between the two deviations solely on the basis of information provided by the victim. The problem is complicated by the fact that some child molesters and rapists are also exhibitionists.

A minority of offenders charged with indecent exposure are not exhibitionists. Some are persons detected urinating in public, usually while under the influence of alcohol. Many exhibitionists, however, claim that they were urinating, when in fact they were exposing themselves. A few offenders are schizophrenics who expose themselves on the instruction of voices or because of their delusional ideas. Other psychotic disorders, epilepsy and personality deterioration due to organic brain disease also contribute to the ranks of offenders who expose themselves in public yet do not suffer from the clinical disorder exhibitionism.

## INCIDENCE OF INDECENT EXPOSURE

In their book *Pedophilia and Exhibitionism*, Mohr, Turner and Jerry state that there is overwhelming evidence that indecent exposure consistently comprises about one-third of all sexual offenses. This may be a conservative estimate as the authorities cited by these authors derived their figures from jails, criminal courts and psychiatric clinics. As many indecent exposures are not reported to the police, and as an unusually high proportion of indecent exposure offenses are not solved by the police, figures based upon arrests or convictions for this offense do not accurately reflect the incidence of this crime.

In England, East (1924) found that over a period of 12 months 36.7 per cent of 291 sex offenders received for trial or on remand at Brixton prison were exhibitionists. Taylor (1947), repeating this study 23 years later found that 33.2 percent of 295 sex offenders at the same prison were exhibitionists. (In his paper Taylor states 32.2% but this must be a typographical error as there were 98 exhibitionists among the 295 sex offenders).

Arieff and Rotman (1942) reported that indecent exposure was the most common of all sex offenses (about 35%) seen at the Psychiatric Institute of the Municipal Court of Chicago. Apfelberg et al (1944) found that among 242 consecutive non-psychotic male sex offender admissions to the psychiatric division of Bellevue Hospital in New York, indecent exposure was the most frequent offense. Eighty-eight men or 36 percent were exhibitionists.

An unusual sample of sex offenders was studied by Ellis and Brancale (1949-1950). At the time of their study the Sex Offender Act of the New Jersey legislature required that any person convicted of the offense of rape, sodomy, incest, lewdness, indecent exposure, uttering or exposing obscene literature or pictures, indecent communications to females of any nature whatsoever, or carnal abuse or an attempt to commit any of these offenses should be given a mental examination. All the sex offenders examined under this act were sent to the New Jersey State Diagnostic Center. These authors found that 29 per cent of 300 consecutive sex offenders were exhibitionists. In Toronto,

*Indecent Exposure*

TABLE I  
SEX OFFENDERS IN NEW JERSEY

<i>Type of Sex Offense</i>	<i>Sex Offenders Examined at the Diagnostic Center 1949-1950</i>		<i>Sex Offenders Confined at the New Jersey State Prison 1950</i>	
	<i>Number</i>	<i>Percent (%)</i>	<i>Number</i>	<i>Percent (%)</i>
Sexual assault	21	7	35	10
Forcible rape	8	3	83	23
Statutory rape	61	20	8	2
Incestuous relations	11	4	24	7
Non-coital sex relations with a minor	51	17	113	32
Exhibitory sex acts	89	29	36	10
Disseminating "obscene" material	8	3	1	0
Homosexual relations	49	16	50	14
Other sex offenses	2	1	9	2
Total	300	100	359	100

From Ellis, E. and Brancale, R.: *The Psychology of Sex offenders*. Springfield, Thomas, 1956.

Canada (1957–1960) 27 per cent of 1,256 sexual offenders convicted in Magistrates' court were charged with indecent exposure (Mohr et al).

The *Uniform Crime Reports* of the Federal Bureau of Investigation give a nationwide view of crime in the United States. The crimes reported in the Crime Index – murder, forcible rape, robbery, aggravated assault, burglary, larceny and auto theft – are those crimes considered to be most consistently reported by the public. The Uniform Crime Reporting Program does have the classification "sex offenses" which includes statutory rape, offenses against chastity, common decency, morals and the like as well as attempts to commit these offenses. As many police departments follow the *Uniform Crime Reports* and group indecent exposure with a variety of other sexual offenses, it is difficult to determine the indecent exposure rates per 100,000

population within the United States.

In Holland the number of men convicted of indecent exposure each year per 100,000 of the male population ranged from 17.7 to 21.8 during the years 1950 to 1954 (Van Bemmelen).

### **Unreported Exposures**

Many victims of crime, especially victims of rape and indecent exposure, do not report the crimes to the police. Children often do not confide in their parents that a man has exposed himself to them. Some women feel too embarrassed to describe the offense to a police officer. Indecent exposure is not associated with physical injury or financial loss, and some victims regard the incident as too trifling to warrant the inconvenience of a call to the police.

Concern for the welfare of children and fear of physical assault prompt notification of the police. Inquiry may reveal that the woman has had several prior similar experiences, perhaps years before, which have not been reported. Sometimes after the offender has repeated the exposure daily for several days the woman becomes sufficiently irritated to seek police help. Some offenders, following arrest for a single act of indecent exposure, will confess to many other exposures and will give the locations, dates, and times of these offenses. Not infrequently, a check of prior offense reports will show that none of these offenses has been reported to the police. One man arrested on a charge of indecent exposure told police that in the preceding two years he had exposed himself more times than he could remember. Another offender confessed to 15 recent offenses, but there were reports by victims on only two of these 15 exposures.

When the offender is known to the victim, private action may be taken to discourage repetition of the offense. On occasion the next-door neighbor will be asked to put his elderly father in a nursing home, or his mentally retarded son in an institution. Police may be called only as a last resort when other efforts to discourage nudity have failed.

**THE SCENE OF THE CRIME**

Indecent exposure takes place outdoors and in daylight, whereas rape usually occurs indoors under cover of darkness. Thus only 29 percent of 200 consecutive indecent exposures in Denver were indoors in comparison with 58 percent of 200 consecutive rapes in the same city. More indecent exposures occurred in the streets and alleys than in all other places combined (see Table II). Forty-four percent of the exposures were from automobiles, and in a further 12 percent of the cases the offenders left the scene in an automobile.

TABLE II  
PLACES OF INDECENT EXPOSURE

<i>Place</i>	<i>Number</i>	<i>Percent (%)</i>
Outdoors		
Streets	91	45.5
Alleys	22	11.0
Parking lots	19	9.5
Parks	6	3.0
School playgrounds	4	2.0
	<u>142</u>	<u>71.0</u>
Indoors		
Homes	29	14.5
Apartment houses	16	8.0
Laundromats	9	4.5
Offices or stores	4	2.0
	<u>58</u>	<u>29.0</u>
Total	200	100.0

In Denver 72 percent of the exposures occurred outdoors or in vehicles compared with 74 percent in Canada (Mohr et al) and 84 percent in England (Radzinowicz). Cars or other vehicles involved 44 percent of the exposures in Denver, 30 percent in Canada and only 6.9 percent in England. Furthermore, in England 21 of the 32 exposures in vehicles were to female passengers most often in public vehicles, whereas only two Denver drivers exposed themselves to passengers and all these passengers were in cars other than the offender's.

### **Streets and Alleys**

A 9-year old girl was walking home from school when a young man approached her and said "Have you seen my Pierre?" The girl replied "No" and the man opened his trousers, showed his penis to her and said "Some little girls like to kiss it." He ejaculated in front of her and then told her to go home and not tell anyone what happened.

A young married woman went into the alley behind her home to empty a trash can. A man was standing in the alley by the driveway fumbling with the fly of his pants. The woman's 5-year old daughter and her 6-year-old friend were in the backyard about five feet from the man. The mother learned from her daughter that the man had said, "Look at this," exposed his penis, shaken it at her and said "Squint." The man was hurrying away but the woman followed him. On his arrest he explained, "I was in the alley walking. I had been standing for about two minutes. I guess it was an impulse and I exposed myself to a couple of little girls in the alley. The last time I exposed myself was two years ago."

A 17-year-old girl was parking her car in front of an apartment building. As she was backing in toward the curb, a man ran across the street toward the car. She pulled out of the parking space and went down the street and parked near the corner. In the company of another girl who was with her, she walked back toward the apartment house. Near the entrance, the man they had seen earlier jumped out from between two parked cars, dropped his trousers



to his ankles and said, "Do you want to see this?" The girls screamed and ran into the building.

### **Automobiles**

A 25-year-old married woman was walking to work when a car pulled up alongside her. The driver raced his engine to attract her attention. He asked her, "Where is Colfax?" She pointed in the direction of Colfax Avenue and said, "That way." The man said "I can't hear you, come closer." When she walked toward the car, she noticed that he was nude from the waist down and he was holding his penis in his hand.

A car pulled up alongside a 12-year-old girl and the driver asked her, "Where is Cherokee Street?" The girl said she didn't know and the man said, "Come here." On coming closer to the car, she saw that his trousers were opened and that he was "petting" his penis. He asked her, "Do you know what this is?" The girl became very upset and ran to her mother who was nearby. Her mother and father jumped into their car and chased the other car. The driver gave the following account of the incident.

I was looking for a friend who lived on Cherokee Street. I noticed this young girl and I asked her from the right front window, "Do you know where Cherokee Street is?" She pointed in a back direction. I said something to her and asked where. The next thing I knew she was standing near the right front window of my car.

Prior to her arriving at the car I had my shorts unzipped. I was warm and sweating and airing my genitals. I had a cloth on my pants over me like an apron. I didn't expect her to come up to the car. She seemed startled when she saw me and the cloth had fallen on the floor. She looked startled and I drove off. The next thing I knew I was being followed. I stopped and this girl got out of the car with her parents. I asked if there was a reason why they were following me. I then noticed the young girl was extremely excited and making comments of some sort that I had deliberately undressed myself in the car. I said we had better get a policeman.

A teenage girl was walking home from school when she noticed a man in a red car driving up and down the street. She went into a

soda fountain and when she came out ten minutes later the red car was parked outside. Later as she was walking down the street the driver of the red car pulled into an alley and blocked what would have been the sidewalk. “He said something but I couldn’t understand the words. I looked at him but he didn’t have anything on at all but a green shirt. I could see that he was playing with himself. I turned and glanced at the license number, but it was covered with a white piece of paper or a sheet. The next day I saw the same car with the same man in it going up and down the street.”

### **Buses, Trains, and Planes**

The exhibitionist on a bus, train or plane has a captive audience, at least until the next stop. A 40-year-old man with numerous prior arrests for indecent exposure sat alongside a 50-year-old woman in a city bus. He unzipped his pants and masturbated. The bus driver refused to call the police and told the woman that if she felt so strongly about it she should make a report to the police. The man had exposed himself on a bus the day before and also ten months previously. He said he was so drunk he could not remember these exposures although he did recall similar acts on the streets, in drugstores and in movie theatres.

### **Parking Lots**

A 25-year-old man standing in an alley alongside a bank parking lot dropped his pants to his knees and exposed himself to female customers of the bank.

I just don’t know what happened. I was driving home from work, I just don’t know what came over me. I had just gotten off work and was tired. I was going across the street to have a beer. I saw those girls and I don’t know what happened. I turned toward their car and had my trousers unzipped. I don’t remember if I had my penis out or not. They drove off. I just stood there a few minutes I guess. I started to walk away and I saw the police car. I got scared and started running and I ran into these other policemen. I’m glad I got caught. I don’t know why I did that. I want to see a psychiatrist.