

An Examination of Intimate Partner Sexual Violence: Comparing Marital and Nonmarital Incidents Employing NIBRS Data, 2008–2012

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Marital rape first appeared in a peer-reviewed publication in 1977 (Gelles, 1977), was first prosecuted as a crime in 1978, but took another two decades to be recognized as a crime across the United States. Marital rape is an underreported social problem occurring twice as frequently as media-saturated stranger rape (Russell, 1990). The present study draws on 5 years of National Incident-Based Reporting System (NIBRS) data (2008–2012) to provide baseline information on reported male-to-female marital sexual intimate partner violence (IPV) compared to non-marital sexual IPV. Findings reveal, in part, that husbands as perpetrators, and wives as victims, are significantly older than non-married sexual IPV offenders and victims. Married offenders are more likely to be White, and dating offenders Black. Injuries are significantly more likely if the victim and offender are married, with marital sexual IPV cases more likely to include sexual penetration, including higher incidence of rape, sodomy, and sexual assault with an object.

KEYWORDS: marital rape; intimate partner violence; sexual assault; sexual violence; NIBRS

Sexual victimization remains the most underreported of all violent crimes (Carbone-Lopez, Slocum, & Kruttschnitt, 2016), with exceptionally low arrest and conviction rates and high victim dissatisfaction with the criminal justice system (Venema, 2016). When sexual victimization occurs within the bond of marriage the inherent complications of reporting are magnified and the crime becomes even more traumatizing for spousal victims (Russell, 1990). There is limited contemporary knowledge about marital sexual intimate partner violence (IPV) especially when compared to the more frequently examined nonmarital intimate partner violence. Research suggests that intimate partners commit one-third of all sexual assaults, yet sexual IPV remains understudied (Bagwell-Gray, Messing, Baldwin-White, Gray, & White, 2015). Baseline knowledge about

marital and nonmarital sexual IPV is outdated and incomplete and in need of further examination.

As Bennice and Resick (2003) note, “. . . marital rape has been largely overlooked in the rape and domestic violence literature” (p. 228). Existing research on IPV often emphasizes aggregate prevalence estimates and relies on homogeneous, small, self-report samples over brief temporal periods. Few examinations have large-scale or national exposure from officially reported incidents or over extended periods of time or aggregations (see Finkelhor & Yllo, 1982; Hanneke, Shields, & McCall, 1986; Russell, 1990). Marital rape is one of the most psychologically damaging offenses though it is rarely examined as an isolated or independent criminal event. The crime is often contextualized as co-occurring with a variety of domestic violence or IPV behaviors rather than as a crime in its own right (Proulx & Beauregard, 2014).

While there has been rapid growth in the empirical literature on physically abusive men in intimate partnerships, there is a notable dearth of research about men’s sexual violence in marriage, and with few exceptions (see Finkelhor & Yllo, 1982; Hirsch, Higgins, Bentley, & Nathanson, 2002; Russell, 1990), there is little information on the characteristics of husbands who rape (Bergen & Bukovec, 2006) or their victims/wives. Further, there is a lack of contemporary information about how those involved in sexual violence in marriage compared to those involved in sexual violence in other intimate partnerships outside of marriage.

The present descriptive study employs the most recent 5 years (2008–2012) of available National Incident-Based Reporting System (NIBRS) data. The dataset consists of all reported incidents of forcible rape, forcible fondling, sexual assault with an object, and forcible sodomy perpetrated by a current husband or boyfriend in NIBRS reporting jurisdictions throughout the United States. This study utilized incident level selection limited to opposite sex relationships including only completed cases with a single male offender, and a single female victim. Data provide information on offender, victim, and incident characteristics which can be used to develop basic profiles for comparative purposes. The study extends prior research beyond self-report or local area studies, incorporating a diversity of reporting jurisdictions to include a contextual comparison of victim–offender patterns, and a detailed comparison between several types of intimate partner sexual violence. The use of a large multiyear aggregated population of officially reported incidents provides clarification for inconsistencies reported in past research that employed small clinical or local samples. This work also utilizes official definitions of marital rape and various forms of sexual violence employed by the U.S. criminal justice system in the interest of uniformity.

Literature Review and Background

Both understudied and underexposed in the empirical research and the popular media, marital rape is most often defined as, “any unwanted intercourse or penetration (vaginal, anal, or oral) obtained by force, threat of force, or when the wife is unable to consent”

(Basile, 2002; Bergen, 2006, p. 1). Past research often groups marital and cohabitating couples into the same population/sample as former spouses and/or domestic partners based on the arguably erroneous assumption that long-term relationships have comparable or equitable dynamics. Marital rape victims are rarely single event victims and often experience rape as part of a series of sexually violent events resulting in long-term physical and emotional damage (Bergen, 2006).

Legal Justification. The legal history of marital rape has provided immunity and protection to offenders while paving a daunting path for victims. Even the traditional definition of rape points to the exclusionary manner in which this crime was legally defined, commonly “sexual intercourse by a man with a female not his wife without her consent” (Bergen, 2006, p. 2). Providing husbands with a de facto “license to rape,” the marital exemption from prosecution defined rape law for hundreds of years compromising women’s rights to bodily self-control (Jackson, 2015). Beginning in the 1700s, the marital contract was legally interpreted as a justification for rape, by requiring the wife to acquiesce to all sexual demands of the husband (Gelles, 1977). Rape, originally viewed as a property crime, was a theft of services from an entity owned by another man. The law could not reconcile a man stealing from his own property, thus making marital rape a legal impossibility (Martin, Taft, & Resick, 2007). Once signed, the marital contract revoked the right of sexual refusal for a woman to her husband. Further, spousal abuse was widely viewed as a private matter and not the domain of state legislators (Bennice & Resick, 2003).

Momentum from the Women’s Movement in the early 1970s led to a feminist-inspired campaign to criminalize marital sexual victimization. It was not, however, until the early 1990s that marital rape became a crime in all 50 states. Still treated as a lesser form of rape, legal loopholes exist in 30 states (Bergen, 2006). Common exemptions, now termed “allowances” include mental or physical impairment (e.g., unconsciousness or sleep). Additionally, legal differences exist between marital and traditional/non-intimate partner rape related to reporting periods and severity of punishment. For example, non-intimate partner rape (e.g., strangers and acquaintances) is often afforded more time for reporting and falls under more severe sentencing statutes (Martin et al., 2007). A host of barriers to sexual assault reporting have been thoroughly discussed in the extant literature and include shame, guilt, embarrassment, confidentiality concerns, retaliation, and the fear of doubt (see Gilad & Gat, 2013). Arguably, many of these concerns are exacerbated in incidents of marital rape. Sexual assaults involving strangers have been found to have more thorough investigations and are less likely to be treated as unfounded by law enforcement (Spohn & Spears, 1996; Tellis & Spohn, 2008). Even after entering the system, intimate partner rape and sexual assault cases have a less likely chance of successful prosecution (Alderden & Ullman, 2012).

Cultural Justification. Coupled with inherent legal bias is a longstanding culture of acceptance of forced sexual behavior in marriage. Extant research supports that the public perception of marital rape is that it is less serious than other forms of

rape, with the public more likely to place blame on the victim when the offender is a husband (Ferro, Cermele, & Saltzman, 2008). Basile (1999) found that in a general population sample, 80% of respondents believe that husbands use force often or somewhat often to have sex with their wives. The lingering belief that absolute sexual consent is part of the marital contract has created roadblocks in both marital rape reporting and prosecution. In their college student-based sample, Ferro, Cermele, and Saltzman (2008) noted that study participants were less likely to correctly identify marital rape scenarios, and even when identified, were less likely to believe the act was an actual violation, and also less likely to believe the act had the ability to cause psychological damage to the victim. The view that providing a husband's sexual satisfaction is a required "wifely duty" has supported the cultural stigma associated with marital rape reporting.

Cultural invalidation and even acceptance of nonconsensual sexual relations in marriage has led some to question its importance and in effect relegated the offense to a lesser crime than other forms of rape in society (Kirkwood & Cecil, 2001; Whatley, 2005). The distorted exposure to and perception of rape by the public, driven by media and pop culture entertainment portrayals, affirms the belief that stranger rape, not marital rape, is "real rape" (Bennice & Resick, 2003). A review of the literature suggests that the perception of seriousness decreases when it is known that the victim has previously consented to sex with her eventual rapist. (Bennice & Resick, 2003, p. 232).

Prevalence. "Marital rape is an endemic problem among women because it has been found to be the most prevalent form of rape in the United States" (Bennice & Resick, 2003, p. 243). However, prevalence estimates vary widely across studies and suffer from a host of methodological problems including small, unique samples, underreporting, and broad definitional variation (Basile, 2002; Boucher, Lemelin, & McNicoll, 2009). Estimates of acquaintance and intimate partner rape are plagued by the dark figure or unknown quantity of crime. Even withstanding the complexity related to reporting in the victim-offender marital relationship, rape of all types is vastly underreported (Ferro, Cermele, & Saltzman, 2008). When the offender is an intimate partner underreporting is exacerbated (Martin et al., 2007).

Much of the statistical variation in prevalence rates and estimates can be directly linked to how rape is defined by different researchers. For example, common definitions of rape vary by level of force used to gain compliance, as well as the completed/attempted dichotomy, not to mention wide variation in defining the relationship related to what constitutes an intimate partner. Additional issues confound numeric estimates as the crime is often a serial or series crime that is subsumed under the umbrella of domestic violence (Boucher et al., 2009).

A further definitional and reporting hurdle emerges when victims themselves may not view the act as rape. Rooted in a strong history of legal acceptance, many victims fail to recognize marital rape as rape, out of allegiance to outdated beliefs of marital duty. Guilt and social stigma work together to redefine marital aggression leading to both vast underreporting and redefinition of the act (Martin et al., 2007). Modern

rape myths exacerbate the problem, showing stronger acceptance when the perpetrator and victim are married (Basile, 2002).

Few national samples have been used to examine marital rape with prior literature relying on clinical or convenience samples often drawn from shelters or crisis centers (Martin et al., 2007). Early estimates found that between 10% and 14% of married women were raped in marriage (Russell, 1990) with Bergen and Bukovec (2006) noting that among clinical studies, approximately one-third to one-half of battered women report also being sexually assaulted in their relationship. Bennice and Resick (2003) note that marital rape is more prevalent among women who also experience physical abuse within their intimate relationships. In a study conducted by Breiding et al. (2014), utilizing the National Intimate Partner and Sexual Violence Survey, 45% of lifetime rape victims reported their attacker was an intimate partner. Utilizing a random sample of Boston mothers, Finkelhor and Yllo (1985) found that 10% of their 326 female sample experienced force or threat of force from a spouse or cohabitating partner. Contrary to popular opinion, spousal rape was noted as the most common form of rape in their study. In a self-report mail survey, Hanneke, Shields, and McCall (1986) found that of 307 married female respondents recruited from family planning agencies and university samples; nearly 9% reported their most recent partner had physically forced them into a sexual activity. In a large localized sample of 930 women in San Francisco, Russell (1990) found that 14% had experienced at least one attempted or completed marital rape, a figure twice as high as the reported amount of stranger rape.

In Tjaden and Thoennes (2000) large-scale examinations of marital rape, the National Violence Against Women Survey in 2000 included 8,000 women and 8,005 men through random digit dialing procedures in all 50 states. The study found that nearly 8% of responding women reported being raped by an intimate partner at some point in their life. The definition used in the study included both current and former spouses, cohabitants, and dates. Additionally, they noted that 84% of all reported rapes were committed by an acquaintance or intimate partner, with 26% of all rapes and sexual assaults perpetrated by an aggressor meeting the study definition of intimate partner. The 2010 National Intimate Partner and Sexual Violence Survey found that 9% of heterosexual women reported being raped by an intimate partner in their lifetime (Black et al., 2011). Further adding to the definitional constraints, Basile (2002), in a national random telephone survey of 1,108 female respondents 18 years of age and older, found that 34% of responding women indicated that they had unwanted sex with their partner—most frequently as a result of marital obligation (61%). The definition of rape in the study included coercive and unwanted activities as well as those involving physical force.

Consequences. Victims of sexual violence experience ongoing trauma long after the actual victimizing incident. It is important to note at the outset of the following discussion that correlation does not equate to causation though associations have been found between sexual IPV and a variety of negative victim experiences. Research

indicates that victims of marital rape may experience more severe post-trauma reactions than those assaulted by strangers, or those suffering only physical violence from a partner (Plichta & Falik, 2001). Long-term problems with trust and intimacy, as well as increased risks for multiple victimizations have been reported. Because these victims were raped by a spouse they may experience deeper feelings of betrayal and distrust (Bennice & Resick, 2003). Increases in depression, anxiety, and fear are often coupled with lowered self-esteem and guilt (Boucher et al., 2009). McFarlane et al. (2005) found that female victims of intimate partner rape had a greater likelihood of Post Traumatic Stress Disorder (PTSD) and increased attempts of suicide. Other examinations have reported eating disorders and long-term sleep disturbances as well as distorted body image issues (Bergen, 1996, Bergen, 2006).

The impact of these experiences and consequences is compounded by the lack of available services for marital rape victims. Victims are less likely to seek assistance and as Bergen, 2006, p. 6) notes, there is “often a failure on behalf of others including police officers, health-care providers, religious advisers, advocates, and counselors to provide adequate assistance.” Many agencies do not specifically include marital rape victims in their mission, and do not recognize the unique consequences that exist for this population and the differences between more traditional rape victims (Bennice & Resick, 2003). In 1996, Bergen noted that roughly 50%–70% of women in domestic violence shelters reported experiences of sexual aggression from intimate partners, yet only 52% of domestic violence shelters ask questions about sexual marital violence.

METHOD

This work examines the most recent 5 years (2008–2012) of available reported incidents of sexual IPV data compiled from participating National Incident-Based Reporting System (NIBRS) jurisdictions throughout the United States. Comprehensive victim, offender, and incident characteristics are used to create and expand offense and victimization profiles for marital and dating sexual victimization. Past studies relied heavily on data derived from small, nongeneralizable, clinical samples and/or geographically homogeneous college campus self-report data. This work overcomes several prior limitations employing 5 years of aggregate data on sexual IPV.

Data Source and Selection

Reported intimate partner sexual assault cases were extracted from the NIBRS data which are developed by the Federal Bureau of Investigation. Part of the UCR reporting program, this data contain expanded incident-level information for intimate partner cases reported to the FBI by participating agencies in NIBRS states during the years 2008–2012.¹ Beginning in 1989 with only a handful of reporting states, each year NIBRS adds additional states and new jurisdictions within states. Currently, 15 states submit all crime data to NIBRS and 32 state programs are certified for NIBRS

participation (Federal Bureau of Investigation, 2012). NIBRS allows researchers to link criminal incident characteristics with a multitude of associated individual level offender and victimization data. For the current examination, incident was chosen as the level of analysis. Although not a representative sample, the amount of data—5 years—and the level of available detail at the incident level, provides a distinct advantage in analyzing the offender, victim, and event-based characteristics of intimate partner sexual violence given the previous limited availability of aggregate-level official reports.

Participants. For the years 2008–2012, there were 24,456 incidents of sexual IPV² reported to law enforcement in NIBRS jurisdictions. We limited our incident level selection to opposite sex relationships including only completed cases with a single male offender, and a single female victim. The 1:1 opposite sex relationship with male perpetrator and female victims was emphasized in part because these are the most typical dynamics of sexual violence and IPV specifically. Incidents with multiple victims or offenders may dramatically shift the crime context. The category of reported same-sex intimate partner violence is also excluded from the current examination due to extremely small numbers at present and the potential for significant differences in incident dynamics. The resulting sample included 19,006 reported IPV sexual assault cases recorded in NIBRS data over the 5-year period.

ANALYSIS PLAN

To develop a general profile of victims and offenders, both demographic and incident characteristics were examined to assess prevalence across a sample of reported cases over 5 years of official NIBRS reported data as shown in Table 1. Following a basic univariate demographic comparison, χ^2 tests were employed to identify and explore the differences in sexual assault/rape across type of relationship including victim–abuser and incident level demographics as noted in Table 2. Finally, binomial logistic regression, as shown in Table 3, was utilized to further assess potential differences in sexually violent marital and dating relationships using victim, offender, and incident characteristics as predictors. Logistic regression relies on maximum likelihood estimates and employs an iterative process estimating the population parameters that created the dependent variable. In other words, “. . . this simply means that we can predict which of two categories a person is likely to belong given certain other information . . . [for example] which variables predict whether a person is male or female” (Field, 2005, p. 218). Using relationship as a dichotomous dependent variable (married = 1), logistic regression predicts whether the offender–victim relationship is marital or dating based on other victim, abuser, and incident characteristics including victim age, victim sex, victim race, offender age, offender race, substance abuse, weapon usage, and arrest characteristics. The logit analysis allows us to explore the typical profile of victims and offenders across marital and nonmarital intimate partner sexual violence.

TABLE 1. Offender and Victim Demographics by Intimate Partner Relationship

	Spouse		Boyfriend	
	<i>N</i>	%	<i>N</i>	%
Offender age**				
Under 18	16	0.4	3,233	21.0
18–24	343	9.4	5,891	38.3
25–34	1,225	33.7	2,973	19.3
35–44	1,156	31.8	1,801	11.7
45+	900	24.7	1468	9.6
Offender race**				
White	2,282	80.8	11,372	76.5
Black	604	16.9	3,219	21.7
Other	82	2.3	272	1.8
Victim age**				
Under 18	63	1.7	7,579	49.3
18–24	564	15.5	2,988	19.4
25–34	1,340	36.8	2,344	15.3
35–44	1,052	28.9	1,447	9.4
45+	621	17.1	1,008	6.6
Victim race*				
White	2,985	83.8	123,467	82.7
Black	493	13.8	2317	15.5
Other	83	2.3	273	1.8
Injury**				
None	2,238	61.5	11,672	76.0
Minor	1,135	31.2	2,951	19.2
Major	267	7.3	743	4.8

* $p \leq .05$. ** $p \leq .001$.

RESULTS

Victim Characteristics

Descriptive statistics were utilized to assess demographic and offense characteristics for intimate partner sexual violence. For the years 2008–2012, there were 19,006 opposite sex intimate partner sexual assault incidents reported to law enforcement with offenders and victims in a marital or boyfriend/girlfriend relationship. The sample consisted primarily of White ($n = 15,352$; 83%) victims, under the age of 18 ($n = 7,642$; 40%) with a mean age of 29. Victims were most commonly involved in dating relationships with 19% of the sample ($n = 3,640$) involved in a marital relationship. Minor to no injury was frequently reported, with only 5% of all cases ($n = 1,010$) involving major injury.

TABLE 2. Incident Characteristics by Intimate Partner Relationship

	Spouse		Boyfriend	
	<i>N</i>	%	<i>N</i>	%
Type of offense**				
Forcible rape	2763	75.9	10948	71.2
Forcible sodomy	251	6.9	883	5.7
Sexual assault with an object	198	5.4	612	4.0
Forcible fondling	428	11.8	2923	19.0
Residence**				
No	286	7.9	3185	20.7
Yes	3,354	92.1	12181	79.3
Weapon**				
None	646	18.2	4,449	30.0
Firearm	42	1.2	95	0.6
Knife	64	1.8	165	1.1
Blunt object	30	0.8	57	0.4
Personal weapon	2,597	73.3	9,530	64.3
Other	162	4.6	535	3.6
Alcohol**				
No	3,223	88.5	14,045	91.4
Yes	417	11.5	1321	8.6
Drugs				
No	3,550	97.5	14,975	97.5
Yes	90	2.5	391	2.5
Arrest made**				
No	2,654	72.9	11985	78.0
Yes	986	27.1	3381	22.0
Type of arrest**				
On view	430	43.6	1,291	38.2
Summoned/cited	61	6.2	384	11.4
Taken into custody	495	50.2	1,706	50.5
Exceptional clearance*				
Offender death	11	1.4	19	0.6
Prosecution declined	413	51.1	1,457	49.1
Extradition denied	17	2.1	96	3.2
Victim refused cooperation	367	45.4	1,364	46.0
Juvenile/no custody	1	0.1	31	1.0

* $p \leq .05$. ** $p \leq .001$.

Offender Characteristics

Offenders and victims are a racially homogenous group with 75% ($n = 14,254$) White offenders. Offenders were older than victims with a mean age of 29 with the largest

TABLE 3. Aggregate Logistic Regression Results by Relationship, 2008–2012 (N = 19,006)

	<i>B</i>	<i>SEB</i>	<i>Wald</i> χ^2	<i>p</i>	<i>Exp (B)</i>
Victim age**	.054	.003	331.150	.000	1.055
Offender age**	.028	.003	90.985	.000	1.028
Victim Black*	.241	.091	7.030	.008	1.272
Offender Black**	-.282	.083	98.560	.000	.437
Injury (Y/N)**	.182	.047	15.077	.000	1.200
Penetration**	.245	.064	14.580	.000	1.278
Residence**	.833	.072	132.022	.000	2.299
Weapon (Y/N)**	.327	.054	36.655	.000	1.387
Alcohol (Y/N)*	-.203	.069	8.747	.003	.816
Drugs (Y/N)	-.246	.133	3.446	.063	.782
Arrest (Y/N)**	.260	.049	27.588	.000	1.297

Note. Dependent variable = relationship (married = 1).

* $p \leq .05$. ** $p \leq .001$.

portion of married offenders in the 25- to 34-year-old (34%) category compared to boyfriends in the 18- to 24-year-old (38%) category.

Incident Characteristics

The majority of all incidents in the sample were forcible rapes ($n = 13,711$; 72%) with most sexual IPV occurring in the victim's residence ($n = 15,535$; 82%). Personal weapons, such as hands, feet, and teeth were the most common weapons ($n = 12,127$; 66%), followed by no weapon ($n = 5,095$; 28%). Alcohol was present in 9% ($n = 1,738$) of incidents, with drugs reported in only 3% ($n = 481$) of all IP sexual assaults. The presence of alcohol and/or drugs at the scene is likely underreported; a common limitation in official data. An arrest was made in 23% ($n = 4,367$) of incidents. Of those arrested, the largest proportion ($n = 2,201$; 50%) were taken into custody with a warrant. Additionally, for those cases exceptionally cleared, the largest proportion ($n = 1,870$; 50%) were declined prosecutions with a lack of victim cooperation a close second at ($n = 1,731$; 46%).

Sexual Violence Characteristics by Victim–Offender Relationship

A review of the bivariate results in Table 1 highlights several statistically significant findings comparing dating and marital sexual violence. Significantly different demographic profiles exist between the two, with profiles varying by age, race, and injury. As expected, married female victims are significantly older than female dating victims with nearly 50% ($n = 7,579$) of dating victims under the age of 18 compared to only 2% ($n = 63$) of married victims under age 18. Similarly 17% ($n = 621$) of married victims were over the age of 45 compared to only 7% ($n = 1,008$) of

dating victims, $\chi^2(4, n = 19,006) = 3616.30, p \leq .001$. Mirroring their victims, husbands as offenders of intimate partner sexual violence are also significantly older than dating offenders with 25% ($n = 900$) of spousal offenders over the age of 45 compared to only 10% ($n = 1,468$) of dating offenders, $\chi^2(4, n = 19,006) = 3056.52, p \leq .001$. Racial differences are also noted by relationship. Dating offenders are significantly more likely (22%; $n = 3,219$) than marital offenders (17%; $n = 604$) to be Black, $\chi^2(2, n = 18,431) = 41.07, p \leq .001$. Finally, injuries were significantly more likely to occur if the victim and offender were married, with 39% ($n = 1,402$) of marital victims reporting injury compared to 24% ($n = 3,694$) of those who were dating, $\chi^2(2, n = 19,006) = 315.22, p \leq .001$.

Incident characteristics offer additional significant differences across relationship status. Marital IPV cases are more likely to include sexual penetration, including higher incidence of rape (76% compared to 71%), sodomy (7% compared to 6%), and sexual assault with an object (5% compared to 4%), whereas dating relationships have a higher number of forcible fondling cases (19% compared to 12%), when compared to spousal assaults, $\chi^2(3, n = 19,006) = 118.10, p \leq .001$. Additionally, marital sexual assault is significantly more likely than dating sexual assault to occur at the victim's residence, with 92% ($n = 3,354$) of marital assaults in residences compared to 79% ($n = 12,181$) of dating assaults, $\chi^2(1, n = 19,006) = 326.57, p \leq .001$. Incidents among those in dating relationships are more likely to occur without a weapon (30%, $n = 4,449$), whereas those who are married are significantly more likely to include some sort of weapon (18%, $n = 646$), with nearly 75% ($n = 2,597$) of all marital incidents involving personal weapons, $\chi^2(5, n = 18,372) = 220.62, p \leq .001$. Spousal sexual assault cases are also more likely than dating cases to involve alcohol with 12% ($n = 417$) of those in married relationships compared to 9% ($n = 1,321$) of those in dating relationships, $\chi^2(1, n = 19,006) = 28.96, p \leq .001$. These results are contextualized in the discussion of findings below.

Legally, relationship status differences are noted as well. Somewhat contradictory to past literature, marital sexual assault cases are more likely to result in arrest (27% compared to 22%), $\chi^2(1, n = 19,006) = 42.99, p \leq .001$. Similarly cases involving spouses are less likely to receive summons than those in dating relationships (6% compared to 11%), $\chi^2(2, n = 968) = 25.75, p \leq .001$.

Logistic Regression Results

Logistic regression was employed to predict the probability that an intimate partner sexual assault occurred in a marital relationship, with relationship (coded dating = 0 and married = 1) as the dependent variable and each predictor or independent variable, with the exception of age, coded as 0 = No and 1 = Yes.

Logistic regression results in large part support the bivariate analysis yielding several significant findings. As shown in Table 3, cases of intimate partner sexual assault vary by relationship. Marital sexual assault cases are significantly more likely

to include injury, penetration, a weapon, and the presence of alcohol. This is strikingly different from the stranger/acquaintance dichotomy that is so frequently referenced in extant literature. It is important to note that if wives report sexual assault it is likely to be the result of more serious and severe victimizations. Additionally, marital rape is also significantly more likely to result in arrest, perhaps due to the higher degree of injury occurring in reported marital incidents.

CONTRIBUTIONS OF THE PRESENT STUDY

Employing 5 years of NIBRS data, we expand traditional intimate partner sexual violence research beyond the typical clinical or local area studies by incorporating national-level reported incident data with a considerably larger sample than much of the prior work. NIBRS provides for a broad examination of emerging patterns of offending and risk factors of victimization. A category-based comparison creates profiles of offenders and victims across two types of intimate partner relationships (marital sexual IPV and nonmarital sexual IPV) improving past research by identifying both differences and similarities across marital and dating relationship rape and sexual assault perpetrated by males against female victims. Baseline profiles allow researchers, policy makers, and practitioners to make informed decisions in an effort to reduce the prevalence and scope of social problems. Employing an official definition serves to normalize and standardize offense definitions. The use of an official, nonclinical, population of officially reported events creates another vantage point from which to examine and better understand intimate partner sexual violence, specifically the underexamined areas of marital rape and intimate partner sexual victimization.

Finally, this work fills the need for empirical research on marital sexual violence. For too long the media-driven stereotypes of stranger and acquaintance rape have pervaded the public psyche and social science research agenda, arguably at the expense of marital rape and sexual IPV awareness and prevention. Information about the role of sexual violence across intimate partner relationships is needed to combat stereotypes and cast appropriate attention to a severely understudied and underreported crime. Although the sexual perpetrator hiding in the shadows violating unsuspecting women on a college campus may provide more media sensationalized storylines, the sad reality is that women are much more likely to be victims of sexual assault at the hands of someone who claims to love and care for them. A better understanding of the contextual role of this crime will inform actionable recommendations for intervention and prevention.

DISCUSSION

Drawing on data from a large population of officially reported incidents of intimate partner sexual violence to better understand the crime of marital rape, findings here offer an insightful description of marital sexual violence compared to non-married intimate partner sexual violence. According to Basile (2002), and still true today, there

has been very limited study of marital rape since the early work of Finkelhor and Yllo (1982), as well as very few national study findings ever published on the topic. Much of the prior research on sexual violence emphasizes stranger and acquaintance relationships. Contrary to both public perception and the prevailing emphasis of empirical investigation, the majority of sexually violent acts involve intimate partners (Tjaden & Thoennes, 2000). While the extant intimate partner violence research has focused on explaining the occurrence of marital rape and the limitations in its prosecution more broadly, this research, drawing on reported criminal incidents, addressed many of the shortcomings emerging from prior works, providing a more comprehensive baseline profile of marital rape and other intimate partner sexual violence behaviors across numerous demographic and incident-based characteristics.

Following a thorough analysis of intimate partner sexual violence across victim, offender, and incident characteristics we found notable differences distinguishing marital sexual IPV from nonmarital sexual IPV. Both victims and offenders in marital sexual IPV incidents are older than victims and offenders in nonmarital sexual IPV incidents. This is likely due to the increasing trend line in the age at which people frequently get married. There is also a likely link to more frequent cohabitation occurring in intimate partnerships prior to marriage (Copen, Daniels, & Vespa, 2012). Whites are more likely to perpetrate marital sexual IPV while Blacks are more likely to perpetrate nonmarital sexual IPV. This finding is in contrast to Russell (1990) seminal work which found African Americans had slightly higher rates than other groups. Race-based differences are challenging to explain and must be examined in the context of temporal shifts in rates of both marriage and divorce. Victims of marital sexual IPV are more likely to have some type of weapon used against them, are more likely sustain injury, and are more likely to be raped, sodomized, or penetrated with an object, than victims of non-marital sexual IPV who are more likely to be forcibly fondled. This is supported by early work by Browne (1993) and Coker, Smith, Bethea, King, and McKeown (2000) and is consistent with research that has found marital rapists to be patriarchal and controlling and exhibiting an entitlement to sex (Bergen, 1996). Explanations for the level of violence exhibited in marital sexual IPV incidents remain elusive and is an important area for future research. Perpetrators of marital sexual IPV are also more likely to be under the influence of alcohol and are more likely to be arrested than perpetrators of nonmarital sexual IPV. It is important to note though that the use of alcohol and drugs in sexual IPV is relatively rare compared to stranger and acquaintance sexual assault. Intimate partners often have a sexual history together and intoxication is less likely by offenders and victims compared to strangers and acquaintances. A plausible explanation requiring further examination suggests that the use of intoxicants like alcohol and drugs to gain a victim's compliance or render a victim defenseless is more likely in dating relationships and less likely in marital relationships (Livingston, Buddie, Testa, & VanZile-Tamsen, 2004).

In sum, in addition to being extremely emotionally and psychologically damaging with long-term impacts, the present work found sexual violence in marital relationships to be markedly more severe and physically harmful than sexual violence in non-marital intimate partner relationships. Wives experience more of the most serious

consequences of sexual IPV including rape and injury than victims of nonmarital sexual IPV. While intimate partner violence in marital relationships has undergone extensive study, much less is known about sexual IPV specifically. The alarming findings here suggest that marital sexual violence is a serious problem requiring much more thorough examination and understanding to provide effective intervention and prevention. There has been considerable study on intimate partner violence but there remains a dearth of empirical research on marital sexual intimate partner violence.

Importantly, while differences across nonmarital and marital sexual IPV emerge we are not suggesting that these populations are mutually exclusive, in fact, early sexual dating violence behavior likely extends into marital relationships once these dating relationships progress to marriage. In other words what we find here may be two points on the sexual IPV continuum. The present work does not examine this relationship transition and sexual IPV persistence throughout the relationship though recommendation is made below that this should be undertaken in future research efforts.

CONCLUSION

There are important limitations to note in this study beginning with a reliance on NIBRS data which contains concerns regarding underrepresentation and accuracy in official data due to underreporting. Further, NIBRS data are not a representative sample and are comprised of voluntarily reported incidents. As such, wives are less likely to report incidents of sexual IPV given complex marital dynamics. Marital sexual IPV incidents that are reported are likely to be among the most severe incidents. Second, we limited our incidents to those with male perpetrators and female victims and a one-to-one victim-offender relationship to simplify case linkage and statistical analysis and to comport with traditional sex-based IPV relationship dynamics. With cultural shifts underway with regard to same-sex marriage, same-sex sexual IPV is an important and emergent area warranting empirical study. The data examined, as would be expected, contained uneven groups with considerably more reported incidents of nonmarital sexual IPV compared to marital. While the data collected are from a national reporting system, value could be added to the analyses by acquiring even more marital sexual IPV incidents to increase the sample size. Finally, we are limited in the contextual variables that are available and as a result we are not able to explore other important variables which might shed light on marital and nonmarital sexual IPV. For example, the duration of the relationships in the present study was unavailable but could provide useful information regarding the sexual IPV onset and intervention. Also, racial differences that were found between married and non-married IPV incidents need to be considered in light of racial differences in marital rates which suggest Whites have higher rates of marriage than Blacks and other minorities. Counterbalancing these limitations are the important contributions of new baseline findings derived from a large population, an informative intimate partner relationship-based predictive model, and progress towards constructing victim and offender profiles contrasting marital sexual IPV from other forms of sexual IPV including rape.

Having identified a number of salient characteristics related to victims, offenders, and incidents using a large population of reported incidents, future research efforts might focus on complementing the present work by examining same sex sexual IPV and female perpetrated sexual IPV. We believe an important avenue of future research includes examination of the sexual IPV continuum from sexual violence in dating relationships to marital sexual violence which could be advantageous to better understanding the complex process-related variables that have some victims of dating sexual IPV becoming married victims of sexual IPV. Included in this future research should be a measure of the duration of the relationship as this could provide meaningful information about the temporal onset of sexual IPV. Additionally, studying the longer term psychological and physical consequences of both nonmarital and marital sexual IPV could help in understanding the long-term prognosis for victims.

NOTES

1. The states and subsequently counties participating in NIBRS data reporting have steadily increased since its 1989 implementation. From 9 states comprising 481 counties (4% of the population) in 1995 to 32 states and D.C. comprising 7,799 agencies in 2012, the increasing annual participation by states and counties in the NIBRS reporting program presents difficulties for longitudinal pattern and trend analyses. The present work uses the NIBRS data in the aggregate and is therefore less impacted by annual changes in participation.
2. Intimate partner was comprised of the categories of boyfriend/girlfriend, spouse, or common-law spouse.

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