

## Stress and Coping of Experiencing Criminal Justice among Adolescents who did Sexual Abuse

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### Abstract

Nevertheless the government has regulated the protection of children who did criminal acts through Children Criminal Justice System, previous research found that sexual abuse perpetrators have a tendency of experiencing violence while experiencing criminal justice. This study is conducted to describing *stress* and *coping* of experiencing criminal justice among adolescents who did sexual abuse. For acquiring depth data, this study used the qualitative method and thematic analysis. Three male participants age 14 and 18 explained they had *short-term distress* and *long-term distress* with emotional and increased heart rate, which coped by *active coping* and *acceptance coping* strategies while experiencing criminal justice.

**Keywords:** Stress, Coping, Criminal Justice, Sexual Abuse

### Introduction

Criminal rate by adolescents in Indonesia have increased every year. Data from Directorate of Penitentiary Institution showed there were 6.638 in 2014, and became 7.177 adolescents undergoing incarceration in Indonesia (Asnita, Arneliwati, & Jumaini, 2015). Data from Indonesia Commission for Children Protection also reveal high rate, in 2015, there were 6.006 cases of children conflicted with law in Indonesia (Kurniawan, 2015).

There are many kinds of literature that explained the reason of many adolescents involved in criminal acts and risk behaviors from a developmental perspective. Ponton (in APA, 2002) explained that risk behaviors by adolescents are the way to create self-identity, to assess of self and others, and also for doing experimentation with themselves. Furthermore, adolescents who did criminal acts are also caused because of their activities which spend more with their

friends than their parents who have responsibilities to educate them (Sickmund, Synder & Poe-Yamagata in APA, 2002). From a biological perspective, Papalia and Feldman (2012) explained that criminal acts and risk behaviors by adolescents are caused by the social network in the brain which develops since adolescents, and it's not followed by cognitive control network which is developed in young adulthood. Therefore, although adolescents have tendency for doing criminal acts and risk behaviors, they need protection and guidance for achieving their self-actualization in adulthood.

Adolescents who did criminal acts will experience criminal justice processes. Criminal justice is a mechanism which all of the law enforcers, start from investigation until judge's verdict, and also, the children and adolescents conflicted with the law who has proved to do criminal act will be incarcerated (Setiadi, 2010). Indonesia has arranged law for protecting children who did criminal acts, for example, is ratification of

Undang-Undang Nomor 11 Tahun 2012 which called as Sistem Peradilan Pidana Anak (SPPA). Nevertheless, the cases showed the application of SPPA still not suitable with SPPA contains, which is the children who experiencing criminal justice receive pressure from the officers.

Children conflicted with law which is called with Anak Berhadapan Hukum (ABH) tends to be treated like an adult, and it sums up with insensitiveness of the officers to children rights in unfriendly criminal justice (Kusumaningrum & Supatmi, 2011). According to monitoring of Advocation of Children Right Institution, there were 44 children in 2004 incarcerated, 66% of them received physical violence while experiencing criminal justice (Joni, 2012). The physical violence is varied, like flushing, punching, etc. (Joni, 2012). Those violence are not suitable with the applicable law which actually protect ABH very much. Indonesian Commission of Children Protection visit one of child prison found there were 18 of 32 incarcerated children received violence while experiencing investigation (Supeno in Joni, 2012).

Those facts showed that the behaviors which are received by ABH from the officers can danger their well-being, which potentially makes them stress. Referring to the definition which explained by Lazarus and Folkman (in Aldwin, 2007), stress is a particular relationship between the person and the environment that is appraised by the person as taxing or exceeding his or her resources and endangering his or her well-being. Moreover, Sholichatun research on adolescents who were being imprisoned found there were so many *stressors* that ABH faced, not only the violence experiences while experiencing investigation, but also while being imprisoned, thoughts about their fault, separation with family, boring environment, and thought about future after finishing the justice system (Sholichatun, 2011).

Moreover, the adolescent who did sexual abuse has more risk to receive violent acts. Yasin (2013) found that sexual abuser tends to receive violent acts, because the kind of criminal act influence how the investigator will do an investigative interview on investigation process. Where weight criminal act, like sexual abuse, will make the officers become more aggressive to the perpetrator. Instead of receive violence act, the adolescent who did sexual abuse has to receive education with protection so they will become a better person. Education is very important for them, because adolescent who did sexual abuse, before doing this criminal act, they tend to have experience of neglect, physical or sexual violence, far from parents guidance, trauma, academic problems, and have neurological detention than other adolescents (Veneziano & Veneziano, 2002). Adolescents who did sexual abuse were lack of self-control and planning skill (Veneziano & Veneziano, 2002).

The negative experiences and continuously suppression can give negative impacts for the adolescent who did sexual abuse. Farrel, Simpson, Carlson, Englunn, and Sung (2016) explained that *stress* on children and adolescents can cause health problems when they become an adult. Therefore, children and adolescents need to be protected, because they are in important developmental period, which very influential to their adulthood health (Farrel, Simpson, Carlson, Englunn, & Sung, 2016). Nevertheless, negative impacts from individual *stress* depend on *coping* which people do. Cohen and Lazarus (in Everly & Lating, 2002) explained that *coping* is efforts, both action-oriented an intrapsychic, to manage (that is, master, tolerate, reduce, minimize) environmental and internal demands, and conflicts among them, which tax or exceed a person's resources.

On the previous research literature about *stress* and *coping* on ABH in Indonesia, there was no study on adolescent who did sexual abuse. Besides, research

about *stress* and *coping* on ABH in Indonesia still focused on imprisonment process, and there was no research that study all of criminal justice process. This research wants to study about *stress* while experiencing criminal justice on adolescent who did sexual abuse, which include *stressor*, *cognitive appraisal*, *stress response*, and also *coping*.

## Research Method

This study is try to answer the study question of *stress* and *coping* while experiencing justice system, that includes arrested, investigation, trial, and imprisonment, on adolescent who did sexual abuse. This study used qualitative method for obtain depth data. Participants that include on this study is adolescent who did sexual abuse, and being imprisoned in one of Special Child Development Institution in Indonesia. Participant characteristics are sexual abuser, adolescent, being imprisoned, and Indonesian. There were just 3 participants that met the requirements when the researcher did data field. Data was analyzed by thematic analyzing technique, which defined by Poerwandari (2013) as information coding process, which result in themes list, main model, or complex indicator, qualification that related with the themes, or things between them.

## Result

### *Stress and Coping of Arrested Experience*

According to three participants analysis, they had *distress* in arrested experience. Mills, Reiss, and Dombeck (2015) explained that *distress* caused people felt worry and kinds of unpleasant emotions. *Distress on arrested experience* was caused by two experiences which caused negative experience, which defined by Lazarus and Folkman (1984) as *stressor*. The first *stressor* that faced by participants while they were being arrested was going to the police office. According to *stressor* categorization

which explained by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), this *stressor* was categorized as *acute, time-limited stressor*, that is *stressor* that happened in short time. Based participant explanation, it did not need long time to go to the police office. Through *primary appraisal*, participant A and B appraised the *stressor* as *threat of stress appraisal*. Lazarus and Folkman (1984) explained that *threat of stress appraisal* refer to the danger of loss that has not happened. Both participants thought that police office like to hurt people. So, on the *primary appraisal*, A and B thought there was a threat that they would be hurt by the police. After *primary appraisal*, the next *cognitive appraisal* process was *secondary appraisal*, which was defined by Lazarus and Folkman (1984) as individual process to assess everything that can be done, where there is *coping options*, what should be done, and *strategies* that should be taken (Lazarus & Folkman, 1984). On the arrested experience, just participant A, who did *secondary appraisal*. He explained that while he was brought by the police, A thought to talk nicely to the police officer, so the justice system that he should take can be finished fast.

And then, *stress* that happened while participant was going to the police office caused *stress response* which explained by Horowitz (2003), this *stress response* belongs to *strong emotion of emotional response*. Participant A and B explained that they worried they would be hurt by police officer, and also worried that they would be incarcerated. Besides, Williams (in Everly, 1989) explained that one pattern in body while facing *stressor* is "*defense pattern*", where sympathetic nervous system will be highly activated, which will cause increase in heartbeat and neuromuscular activation. This is consistent with participant A and B who felt their heart beat so fast while they were going to the police office for the first time. And then, participants used *coping strategy* for dealing with their *stress*. According to *coping*

categorization which explained by Carver, Scheier, and Weintraub (1989), both participants used different strategy. Participant A used *active coping* strategy, which defined as steps/attempts that used for eliminating or finishing *stressor*, or for ameliorate the impact of the stress (Carver, Scheier, & Weintraub, 1989). While he was brought by police officer, A asked police the reason why he had to follow the police officer, and tried to talk nicely, so he would not be hurt and could go home earlier. While participant B, which was accompanied by his father, used *acceptance coping*, which defined as people acceptance to the *stressor*, so people will try to deal with the problem they are facing (Carver, Scheier, & Weintraub, 1989). B explained that he accepted and helpless to experiencing criminal justice, especially for giving himself to the police. The *distress* because of arrested experience belongs to *short-term distress*, because it happened on short periode (Everly & Lating, 2002). As the participant used short time to go to the police office.

The next *stressor* of arrested experience was hurt by victim witness significant others. This experience was faced by two participants, they are A and Y. This kind of *stressor* belongs to *stressor sequences*, sequence of experiences which happen and give suppression in long time (Elliot & Eisdorfer in Lazarus & Folkman, 1984). Both participant A and Y felt the suppression in long time because of the experience. Through *primary appraisal*, participant appraised the *stressor* as *danger of stress appraisal*. *Danger of stress appraisal* happened when people appraised there is loss, scar, decrease of self-esteem, and loss someone important (Lazarus & Folkman, 1984). Participant appraised there was loss of hurt and scar which they felt on their body. Besides, both participants appraised the experience further through *secondary appraisal*. They thought to accept the hurt because there was no chance to change the situation.

And then, participants showed *emotional response*, which explained by Horowitz (2003) as strong emotion. Participant A explained that he felt fear he would be hurt, while participant Y felt worry because his family would also be hurt by victim witness's family. Besides, after they were hurt, participant A and Y were also had sleep disturbance. A explained that he had sleep disturbance because of scar on his head. While participant Y explained that his sleep disturbance was caused by his worry thought of his family. The sleep disturbance that happened while people *stress* was explained by Cohen and Herbert (in Everly & Lating, 2002). They explained that the sleep disturbance is cause by the relationship of individual characteristic (age, gender, genetic factors, etc), with immune system in the body while under stress. For dealing with their stress, participants used different *coping* strategies which were categorized by Carver, Scheier, and Weintraub (1989). While participant A was being hurt, A used *restraint coping* strategy, that people will kept hold themselves, waiting until there is a chance for act, and doing nothing (Carver, Scheier, and Weintraub, 1989). A explained that while he was being hurt, he was so helpless, so there was no chance to fight back. Different with A, participant Y used *acceptance coping*, because he thought that he deserved to be hurt because of his fault. Besides, Y was also used *turning into religion coping*, because Y asked forgiveness to God while he was being hurt. Because *stress* that caused of hurt by victim witness significant others, this kind of stress belongs to *long-term distress*, because it experienced in long time. Participant A and Y explained that after the hurt, both of them felt further impact like sleep disturbance.

### ***Stress and Coping while Experiencing Investigation***

Based *stress* categorization which was explained by Selye (in Lazarus & Folkman, 1984), *stress* which was experienced by participants in the

investigation experience belong to *distress*, which caused by two *stressors*. First *stressor* was investigator rude behaviors to the participants, which categorized According to Elliot and Eisdorfer (in Lazarus & Folkman, 1984) as *acute, time-limited stressor*. Participant A explained that he was threatened that he would be electrocuted by the investigator. While participant B explained that he was snapped by the investigator. Through *primary appraisal*, both participants appraised *stressor* as danger of *stress appraisal*. Because on that time, participant A received threat of be electrocuted and B received loss of emotion changing to the negative emotions, like became afraid. Then, both participants appraised the experience further through *secondary appraisal*, they thought to talk nicely and honestly to the investigator.

According to *stress response* categorization which was explained by Horowitz (2003), *stress* that caused by investigator rude behaviors belong to *strong emotion* of *emotional response*. Both participant A and B felt fear while answering investigator questions because they afraid the investigator would hurt them and they would answer incorrectly. Beside, participant A and B also explained their heartbeat also increased while answering the questions. For cope with it, based *coping* strategy categorization which explained by Carver, Scheier, and Weintraub (1989), participant A and B used *active coping* strategy Participant A tried to talk better, while participant B tried to talk honestly. From investigator rude behaviors, based *stress* categorization which was explained by Mills, Reiss, and Dombeck (2015), this *stress* belong to *short-term distress*, because both participants tried to talk nicely to the investigator, and investigator did not continue his rude behaviors after that.

The second *stressor* of experiencing investigation is incarceration experience. All participants explained that the place where they were incarcerated was very uncomfortable. According to *stress or*

categorization which was explained by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), this *stressor* belongs to *stressor sequences*, because this stressor always presented in incarceration which experienced for 10-19 days. Through *primary appraisal*, all participants appraised the experience of incarceration as danger of *stress appraisal*. They explained that incarceration experience made them had loss with inconvenience for doing activities, like eating or sleeping. Through *secondary appraisal*, participant A and B thought to keep being patient in experiencing incarceration, while participant Y thought to ask remission to the officer from incarceration cell, he also thought to tell his friend about his feeling.

Stress that caused by incarceration experience, According to stress response which explained by Horowitz (2003), participants showed *strong emotion* of *emotional response*. Participant Y explained that he felt disgusting, while participant B felt very sad while he was being incarcerated. For cope with their stress, all participants used different coping strategy. According to coping categorization which explained by Carver, Scheier, and Weintraub (1989), Participant B used *acceptance coping* strategy, participant B accepted and helpless for experiencing the incarceration. While participant Y used *active coping*, because Y asked for inhale the fresh air for a moment to the officer. But the officer did not allow him to do so. Because experiencing incarceration, based *stress* categorization by Selye (in Lazarus & Folkman, 1984), this stress belongs to *long-term distress*, because it happened for long time. Participant A incarcerated for 10 days, B incarcerated for 15 days, and Y for 19 days.

### Stress and Coping of Trial Experience

In the trial experience, there are three experiences which caused negative impact to participant, which was explained by Lazarus and Folkman (1984) as *stressor*.

The first *stressor* was experienced by participant A and B, that is accepted the judge verdict experience, which was categorized as *acute, time-limited stressor* (Elliot & Eisdorfer in Lazarus & Folkman, 1984). Based *primary appraisal* categorization by Lazarus and Folkman (1984), *stressor* of accept the judge verdict was appraised participant A as *threat* of *stress appraisal*, because participant A appraised there were threat that he would be hurted with another prisoners if the judge punish him with imprisonment. Whereas participant B appraised the judge verdict as *stress appraisal* as *loss*, because B appraised there was loss in form of punishment that he had to receive. Then, participant A appraised the experience further, through *secondary appraisal* with thought the plan for asking conditional redemption so his imprisonment period will be shorter. While participant B did not appraised the experience further through *secondary appraisal*.

Based stress response categorization which explained by Horowitz (2003), accept the judge verdict cause *strong emotion* of *emotional response*, where participant A felt worry, and participant B felt of fear while he was hearing the judge verdict. Furthermore, participant A used *turning into religion coping*, because he wanted to follow his grandmother suggestion to always pray dilligently. Different from participant A, participant B used *active coping strategy* while he was hearing the judge verdict, B immediately asked the judge punishment remission, he did not want to be imprisoned. Based *stress* categorization which explained by Selye (in Lazarus & Folkman, 1984), *stress* of acception judge verdict belongs to *short-term distress*, where *coping* which participants did succesfully coped their stress.

The second stressor of trial experience was the attempt from victim witness so the participant would receive high punishment. Based *stressor*

categorization which explained by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), this stressor belongs to *acute, time-limited stressor*, because it just happened once to participant B and Y. Through *primary appraisal*, both participant B and Y appraised *stressor* as threat of *stress appraisal*, because the victim statement threatened participants with high punishment. Moreover, participant Y gave furhter appraisal through *secondary appraisal*, where participant Y remembered his friends suggestion for asking remission to the judge. Different from participant Y, participant B did not take further appraisal through *secondary appraisal*.

Stress because of victim witness who wanted participant to be punished heavily caused participant showed *emotional response* which explained by Horowitz (2003) as *strong emotion*. Participant A worried with the punishment that he would receive. As for participant Y who worried with high punishment. For coping with their stress, According to coping categorization which explained by Carver, Scheier, and Weintraub (1989), participant B and Y used *active coping* strategy. While hearing wrong statement from victim witness, participant B immediately said to the judge that what victim witness said was wrong. As for participant B, participant Y explained that after victim witness said that participant Y should be punished heavily, participant Y asked remission to the judge. Based *distress* duration categorization which explained by Everly and Lating (2002), *stress* of participant B belong to *short-term distress*, because it happened on short time, that is on verdict trial.

The third stressor was experiencing trial. Based *stressor* categorization which explained by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), this *stressor* belongs to *stressor sequences*. Y explained that Y experienced many trials and waiting for the judge process took 19 days. While A waited for the judge verdict on 4 days, they

are prosecution trial until judge verdict trial. Through *primari appraisal*, participant A and Y appraised the *stressor* as *threat of stress appraisal*. Participant A and Y appraised there were threat that they will receive long punishments. And through *secondary appraisal*, both participant A and Y planned to follow his friend advise to talk nicely while experiencing the trial.

According to stress response categorization which explained by Horowitz (2003), while experiencing trial, participants had emotional response as strong emotion. While experiencing trial and waiting for the judge verdict, participant A and Y worried with punishment they will receive. For coping with it, participants used different coping strategy According to Carver, Scheier, and Weintraub (1989). A used *active coping* strategy with he asked to the judge for giving him mild punishment. Y also used *seeking social support for instrumental reason*, that he asked for advises, guidance, and information from other inmates. He asked about how to face the trial. The stress of experiencing trial is belongs to *long-term distress*, because there were many trials and participants needed to wait the judge verdict for some weeks. *Long-term distress* was explained by Everly and Lating (2002) as *distress* which occurred in long time.

### **Stress and Coping while Experiencing Imprisonment Punishment**

Participants faced three stressors while experiencing imprisonment punishment. First stressor was the experience of separation with parents after the judge verdict, which experienced by participant B and Y. According to *stressor* categorization which explained by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), this *stressor* belongs to *acute, time-limited stressor* because successfully coped with coping strategy which will be explained later. Through *primary appraisal*, the experience of separation with parents was appraised as *loss of stress appraisal*.

Participants explained that they usually to help their parents, and imagined their parents will had difficulties without them. Through *secondary appraisal*, Y thought to tell his feelings to another prisoner, while participant B did not make further appraisal through *secondary appraisal*.

According to stress response categorization which explained by Horowitz (2003), the experience of separation with parents make both participant showed *emotional response* as strong emotion. Participant B felt so sad while separated with his parents, while participant Y felt worried thinking his parents condition without him. To cope with their stress, participant B used *acceptance coping* strategy, where B tried to accept and hugged his parents. While participant Y used *seeking social support for emotional reasons*, where Y told his feelings toward one of his friend who also a prisoner. The kind of stress which experienced by both participants are different. According to stress categorization which explained by Everly and Lating (2002), *distress* which experienced by B belongs to *long-term distress*, because B explained that the experience cause sleep disturbance for 5 days. While the *distress* which was felt by Y belongs to *short-term distress*, because after Y explained his feeling to his friend, he tried to follow his friend suggestion to be patient. Y's mother was also often visit Y, so there were no further impact of the distress he felt.

According to stress response categorization which explained by Horowitz (2003), the experience of hurt by the officers caused participant showed emotional response as strong emotion. Participant B was fear officer who hurted him, while participant Y felt guilt of criminal act that he did. For coping with stress they experienced, According to coping categorization which explained by Carver, Scheier, and Weintraub (1989), B used active coping strategy, where B tried to the officer for not hurt him, and try to avoid the officer. While participant Y used

acceptance strategy which consistent with his secondary appraisal, Y accept the fact that he did wrong and deserved to be punished. Hurt experience by the officer belong to *short-term distress*, because B explained that *stress* just be felt while being hurt and not cause further impact. It's also same with participant Y who did not feel the distress because he immediately accepted the stressor as cause of his behavior.

Third *stressor* in experiencing imprisonment was conflict with another prisoner, which According to Elliot and Eisdorfer (in Lazarus & Folkman 1984), include *accute, time-limited stressor*. Conflict experience which faced by participant A was offered of drug by one of his friend. While conflict that faced by participant B was annoyed by his friend that did not respect teacher on class, and was asked of money forcibly by other prisoner. And with participant Y was faced his friend that could not wait asking for Y's cigarette that just bought by him. According to *stressor* categorization by Elliot and Eisdorfer (in Lazarus & Folkman, 1984), those *stressor* belong to *chronic intermittent stressor*, because the *stressor* was present frequently everytime Y buys cigarette.

Stressor of having interpersonal conflict then appraised cognitively by participants. Through primary appraisal, participant A appraised drug offering experience as stress appraisal as threat, because A explained that if he receive the offering, he is threatened of more punishments. Meanwhile participant B also felt threatened will be hurt by another prisoner who asked him money forcibly. This was caused by the prisoner was famous by his rude behavior that often hurt anyone. Through *secondary appraisal*, participant A planned to refuse the drug offering from his friend. And the participant B though that his condition is so urgent and there was no other way beside to give his money.

Beside was being asked of money forcibly, *stressor* of annoyed by friend who

did not respect with teacher in the class, is appraised as danger of stress appraisal, because it annoyed participant B concentration and makes him upset. As for participant Y, he appraised that faced one of his friend that could not wait for his cigarette as danger or loss. Y explained that the disadvantage which he received was his friend got more cigarettes than him. Through secondary appraisal, Y thought to give his cigarette to his friend.

According to stress response categories explained by Horowitz (2003), all participants showed strong emotion of emotional response because of interpersonal conflict while were being imprisoned. Participant A felt of fear while being offered of drugs. Moreover, participant B felt fear while another prisoners asked him for money forcibly. And Participant Y felt upset while his friend asked him for cigarette which just Y bought. For coping with interpersonal conflict, all participants used active coping strategy that categorized by Carver, Scheier, and Weintraub (1989). Participant A refused the drugs offering, participant B gave his money to other prisoners, and participant Y also gave his cigarette to his friend. According to *stress* categorization by Selye (dalam Lazarus & Folman, 1984), this *stress* belong to *short-term distress*, because all participants succeeded to use active coping for coping the stress they felt. So, there is no further impact of the distress.

## Conclusion

Adolescent who did sexual abuse has negative attitude toward sexual violence. Moreover, although participants felt guilty because they did criminal act, but they don't blame themselves thoroughly. While experiencing justice system process, participants had short-term and long-term distress. This distresses was caused by negative experiences, like hurt, incarcerated, waiting for judge verdict, and separation with family. Those experiences make participant had emotional responses,



they are fear and sad. Participant's heart rate was also increased. For coping with their stress, participants used acceptance, active, turning into religion, and seeking social support for emotional reason coping strategies. This coping succession is supported by social support, and communication skill.

### Suggestion

On the next study, researcher suggests to conduct study about *stress* and *coping* on Children Conflicted with Law (ABH) who experiencing education in social institution. This suggestion is based by discovery of one participant that *stressed* because receiving many violences in social institution before incarcerated. There are also some practical suggestions as protection of Children Conflicted with Law (ABH) below.

- a) Giving psychological accompaniment to ABH for undergo justice system process, especially in waiting and receiving judge verdict;
- b) Giving investigative interview training that proper for children and adolescent to ABH investigator;
- c) Giving skill training for incarcerated adolescent as preparation for living after undergo punishment period;

Giving more attention to ABH so they can receive more protections from dangerous substances like cigarette and drugs.

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