

**Fetal Alcohol and the Rules for Sex**  
**By David M. Boulding**

Here are the rules for sex:

- 1. Only have sex with people the same age as you.***
- 2. Before you start sex, make sure every person says “yes” out loud.***

Sex is always a difficult topic because every time you and I discuss sex, we reveal more about ourselves than we do about the specific selected sexual topic. Callum, the grade nine teenager I have hired to help me paint the basement this weekend, had his first sex course in grade six. He remembers, perhaps in grade seven, using a condom on a banana. He said he knew what a lubricated condom was, and admitted he learned most of what he knows about sex from his peers, not from the classroom. His peers in the playground seem to be the reliable source of his sex information. He says people always laugh nervously in the sex classes at school and he is clearly more comfortable talking sex with his buddies. The same was true for me in 1965. And you?

It is also true today that people with Fetal Alcohol Spectrum Disorders (FASD) are probably learning about sex mainly from their peers. And who are their developmentally equal peers? Usually they are the same people who become the complainants in their criminal cases. People with FASD tend to have their first sexual experiences with people the same or close to their developmental age, because they are comfortable in social situations with developmental equals. Too many of my clients aged 27 to 35 have sex with 15 year-olds. This paper aims to try to change this trend, because I

believe if parents and caregivers explain the rules of sex over and over again with the same heart and intensity we talk about traffic rules, things will be different for people with FASD.

Judith Rich Harris, in her 1998 book *THE NURTURE ASSUMPTION*, opines that peers are more important than parents. She marshals the data persuasively. I suggest that parents with kids in criminal court read her book, because the learned author explains to parents what happened to their kids--that despite all the teaching, caring, and "parenting," their kids still commit crimes. Many of my young offender clients tell me over and over again, they learned about the offence they were charged with from their peers, or they were involved in criminal behaviour because their peers were involved. This is especially true in sex cases. In sexual assault cases, and in the many times I visited teenage girls in jail charged with soliciting street sex, this theme of peer education was repeated each time.

Two things are happening here. First, parents do not discuss the rules of sex with their children. Second, the kids do talk--a great deal--about the rules of sex. Kids talk about many adult topics, from how to be successful at credit card fraud, to theft and other crimes.

Parents do not talk to their kids about important life issues with a copy of the Criminal Code of Canada in their hands. I am suggesting that parents and caregivers of persons with FASD do talk to their children about criminal conduct, because their children's brains are missing pieces. Parents are the external brain. And the criminal code contains information as valuable as traffic rules.

We, as adults, have failed our children in sex education. My parents never said

anything about sex, and when I meet parents at Fetal Alcohol conferences there are always several who tell me that their son has been arrested for sex with an underage child. For the last five or six years, I get a phone call, an email, an enquiry of some sort at the rate of about one a week that goes like this:

**My son, age 25 to 35 has been arrested for sex with a minor. He, she or they were sexually experienced and my son was not and the prosecutor is seeking 15 years in jail.**

Because the complainants are less than 16 years of age, consent cannot be given. In the old days, this was called “statutory rape.” There is no defense, at least no legal defense.

There is much we can do before the police arrive. I have put off writing this article, as I was uncomfortable, thinking that my telling the parents to say these two rules was an unnecessary extra load on parents, usually adoptive parents, who were dealing with all the other difficult challenges of raising a child with Fetal Alcohol. The numbers of calls I get from Australia to Alberta suggest that I should get over my squeamish fears and just write it.

I have been helped in this process by Dr. Nora Baladarian, a sex therapist from Los Angeles. Why are sex therapists always from L.A.? Her book is called *THE RULES OF SEX: THE SOCIAL AND LEGAL GUIDELINES FOR THOSE WHO HAVE NEVER BEEN TOLD*, (co-authored by Johnny Nunez). The book costs \$25.00, and for \$10.00 you can download the text from the internet. This book is aimed at persons with cognitive disabilities. And every parent of a person with FASD should immediately buy a copy and read it to their child with fetal alcohol every day, starting at about age 12.

I have become good friends with several families who have been navigating the boiling waters of a statutory rape charge. And I am confident had I said to them: “here are the two rules,” 5 or 10 years ago, their sons would not now be in jail!

I suggest the seven “R”s are required when discussing the rules of sex. The information about the rules of sex and the delivery of this material must be:

1. Relational
2. Respectful
3. Repetitive
4. Relevant
5. Rhythmic
6. Rewarding, *and*
7. Recognizing the brain before you.

Briefly, the nervousness, the uneasy laughter Callum, my teenager neighbour, speaks of at his grade nine sex education class, is not just about sex; it is about a lack of relationship. The teacher is uncomfortable and does not want to be there and neither do the kids because they already know much of the course content from their peers on the playground. And, in those grades, sex talk with adults is socially awkward. Kids require the safety of relationship before they will open up about sex. This explains the high volume of information they acquire on the playground.

Nora Baladarian is wonderful and everyone is immediately comfortable with her. Relationship skills must be the first qualification to be a sex therapist. I watched her navigate a room of some 1500 people at a disability conference in L.A. Everyone wanted

to talk to her, to reach out and touch her, and to be recognized by her. There is a lesson here. She reminds me of Bill Clinton, because she can work a room and every one feels seen and heard. To me, this means when talking about sex, you must communicate that you want to be with the people, not tell them what to do or be.

When I meet people who work in the prison system, the forensic psychiatrists who do the sex offender treatment programs, my first reaction is to run and wish Nora Baladarian would arrive like Samantha from the TV show BEWITCHED.

People with Fetal Alcohol are not stupid. They can tell when someone is uncomfortable because they have survived socially by being vigilant, watching for cues to see if they are pleasing or at least not irritating the people in charge. If you are not comfortable talking about sex, you cannot be relational. Everyone can spot “faking good” with high accuracy. “Faking good” is death in a relationship. If there is no relationship, your sex talk, your sex advice will fall away unheard.

When you begin to explain the two rules of sex, you must be “in relationship,” not in a power based dynamic of “I know, you do not.” Relationship skills can be taught. Here, I mean, speak as you would like to be spoken to.

Respect requires looking twice before speaking. If something else is going on, address it first because attention focused elsewhere means no one is listening.

Repetition requires heart and the awareness that you may need the information once or twice. Your son may need to hear it every day for years!

Relevant means choosing words that fit the topic. Speak plain English. The birds and the bees story never made sense to me. Try saying penis and vagina! Simple, clear, concrete language focused on the rules of sex means explaining that these rules are meant

to help your child stay out of jail.

Rhythmic is the key. Rhythm keeps the information fresh and not stale and boring. Find the rhythms of the person, each evening, each Saturday night. Rhythm is musical and makes life fun!

And of course rewarding means not just, “here is a cookie or a dollar,” it means giving yourself fully to the other. There is no greater gift than just being with someone because you want to be there! People know when the other is giving them their full attention. There is a bond when people are tuned in to each other. The reward is the quality of the experience. The nature of the connection between people who want to be with each other is the reward we seek in life. And, for people with FASD, this kind of connection is rare.

The last ingredient requires recognizing that the brain before you is missing pieces. The person with FASD has a brain that is missing pieces. Their brain is not like your brain. Recognize the limits and the strengths of that brain and build on the strengths. Find a way to see what strengths they have. Be curious. This building on strengths may require the information to be visual or even using music. I can remember in 1974, when Dr. Bennet Wong played for me the song from musical HAIR, “Masturbation can be fun.” At 22 years old, I did not know what the word masturbation meant! I can still laugh at his gentle humour: well, someone had to tell me!

I have set out the seven “R”s in a pedantic way, because there is this assumption that a PhD makes you an expert not only in your thesis topic, but also in all things human. Excellent probation officers are special people. Everyone in court can spot them. The same goes for any profession. If we want to help people with Fetal Alcohol, we need to

be human first, and skilled in our trade second.

The army of good people with PhDs often laugh at this practice point. The point is that successful communicators are first relational and then distantly concerned with content. We forget that relationship is forged in the limbic system, the older lower brain, the dog brain, the Lassie brain. We zero in on the higher cognitive brain functions of the higher developed human brain and focus on content. We plow on relentlessly with our sex talk as if we were speaking to ourselves or someone like ourselves with a brain like ours. All too often we use long words, esoteric concepts, and speak way above the developmental level of the person with Fetal Alcohol or other cognitive challenges.

The reason you, my gentle readers, are not in prison, and my clients are, is because we think of consequences, and often our clients do not. Yet we design our prisons, our sex education programs, and our probation services for our brains!

A probation officer in South Dakota drove home this truth by telling me about her anti-theft program for a young fellow with FASD. She spent hours of individual time with one offender and once watched him steal something off the desk of the receptionist as he left her office. Water off a duck's back, I believe, is the technical explanation she gave me. For her, it was a life changing moment. From that point on, she realized she had to do something different with the client, because talking was not working.

I take this hard line about talking about sex because this topic of sex offenders is too important to trivialize. **WHAT WE ARE DOING NOW IS NOT WORKING.** We need to look at the problem as a question of relationship, not course content.

These two rules are intended to keep people with brains that are missing pieces out of jail. The rule for those people with complete brains speaking to people with FASD is simple: stop assuming their brain is like yours!

There are joys in sex; too little energy is spent discussing the positives. We focus on what goes wrong and fail to build on the person's strengths. We must try to focus on what the person is doing well and create opportunities to multiply those situations. A sex training course that is limited to the injunction "*do not do this*" is destined for failure. I refer readers to the theories and practices of "Appreciative Inquiry." The academic libraries have many books on the topic. I suggest readers take a look at a slim book called *THE THIN BOOK OF APPRECIATIVE INQUIRY* by S. A. Hammond (1998). Many people in business, in schools, and in sports have chosen this appreciative approach over inspecting and analyzing mistakes, because being with people in a wholehearted ways gets results that intellectual bullying can never achieve. Anyone who has worked with people with Fetal Alcohol knows this, except perhaps the people who talk about sex.

Appreciative Inquiry works because it is personal. So, I would advise parents when speaking about sex, get personal. Speak about your first experiences. I can see professionals cringing, as if this suggestion is the height of unprofessionalism. Ask yourself what is so embarrassing that you cannot discuss your mistakes.

Your clients, your children, may be as easily embarrassed as you were about your first sexual hang-ups. They will enjoy having quality information about sex. The contact with you over this topic is a true bonding activity.

As I said, you can teach relationship. If you model relationship, they will learn relationship. To assist I want to point out a distinction about sex and relationship that most people choose to ignore.

Sex is all about the creation and release of sexual tension and sexual charge. Sex is a bodily function. Physiologically, sex happens within the confines of a single physical body. It is not necessary that others be involved.

Too often we speak about sex as if it were a strict set of behaviours classified as good or bad. The fuss about gay marriage, abortion, Catholic priests not allowed to be sexual, and the social silence about masturbation, indicates how difficult sex topics are for many to discuss.

Sex is not always in the context of a loving long term relationship. My proof of this assertion is the immortal industry of prostitution, and the billion-dollar internet pornography industry. And then there is all that masturbation. And then there is rape, which is about power, and no one will say rape is relational.

I am aware that this proposal that sex and relationship need not coincide is difficult for many. My intention is to offer you a framework, so that when discussing the rules of sex with a person with a brain that is not like yours, you can help them avoid jail.

Relationship is about sharing vulnerabilities, and taking risks about intimate topics while in contact with another. Relationship is bonding. Relationship is intimacy in action.

I believe teaching, or being taught, often can be an intimate relationship. When parents talk about sex with the intention to keep their child out of jail, there is an opportunity for a meaningful relationship. To me, that is intimacy. I repeat: relationship

is intimacy in action. The proposal here is that sex is physiological. When speaking at conferences, I use the example of arm wrestling as a model of the sex experience.

We are romantic, and we wish sex was always within the confines of a relationship. Some people still insist sex requires marriage. This is a minority view. A relational view is that being personal and being relational means you know that what is best depends on the situation, on the facts of each person. The law is situational: some facts are legal; some facts put you in jail. And you are expected to know the difference. The criminal code is clear: ignorance is no defence!

You might try framing sex as best within a loving relationship. However, if you demand that sex only occur within a relationship, this is the “save yourself until marriage” argument, you are blind to the realities of teenage life. Parents of children with FASD cannot afford such frivolous views. These parents need to be reality-based every moment of every day. Parents know their kids will be sexually active and will give their kids some survival skills. Parents of children with FASD need to take steps to keep their kids out of jail because these children have brains with pieces missing. The missing pieces make it nearly impossible for persons with FASD to navigate the rapids of legal sexual conduct without clear rules, made clear over and over again by caregivers who truly care enough to be clear.

Sex is about physically gratifying the urge to experience sexual release. Relationship is the frame we choose to live our lives in. One is biological, the other is existential. We need both, and I propose that this framework of separating sex and relationship will keep my clients out of jail.

If you wish to keep your son from committing statutory rape, use the two rules and model human relationship. If you can separate sex and romantic relationships, if you can separate sex and intimate relationships, you may be successful. If you do nothing, you risk your son's life.

If you choose to delay, as I have, someone will go to jail because no one told your son the rules of sex.

To be an "external brain," you need to supply facts, rules, social expectations, and much more. Your son is going to have sex. Prepare your child by explaining the rules of sex.

And remember Nora Baladarian and her ten dollar book!

For this paper I have relied on the writings of Bennet Wong M.D. and Jock McKeen M.D. , Sterling Clarren M.D, and many fine probation officers.