

# Understanding the Diversity of Sex Offenders: Implications for Informed Public Policy

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Honolulu, Hawai'i

## Top 10 Policy Issues: 2007 Forecast for State Legislatures

1. Immigration
2. Real ID Act for Homeland security
3. Budget pressures
4. Health insurance
5. Sex offenders and predators
6. Energy and environment
7. Minimum wage
8. Higher education reform
9. Privacy
10. Obesity

(National Conference of State Legislatures, 2007)

# National Trends in Sex Offender Management

Arrests for sex offenses (state level)



Arrests/prosecutions for sex crimes (Federal level)



Sex offenders incarcerated in state and Federal prisons



Sex offenders placed on public registries



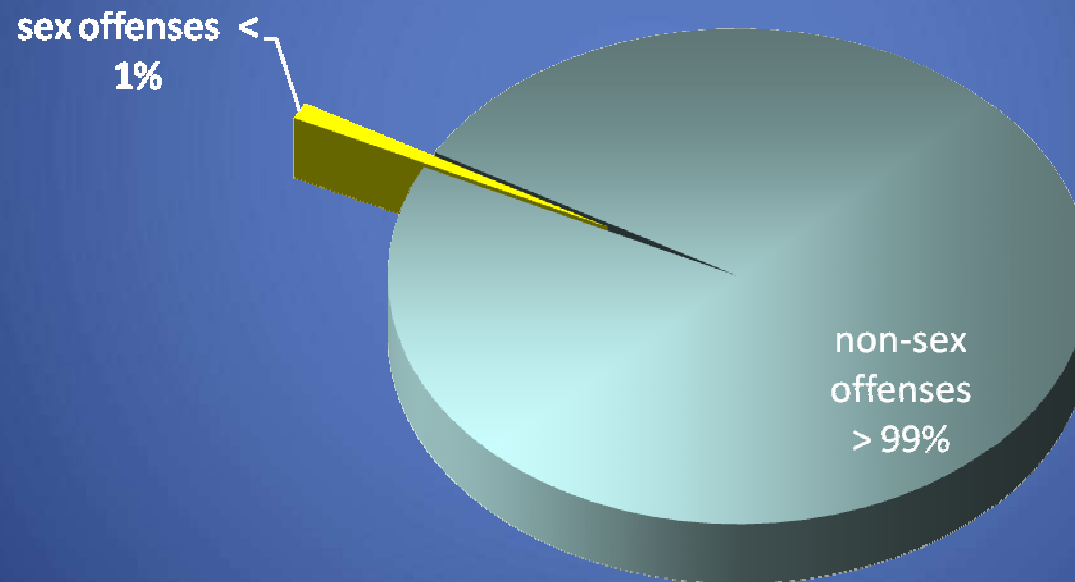
Sex offenders requiring monitoring and/or supervision by law enforcement and/or probation/parole officials



Sex offender-specific legislation introduced and enacted



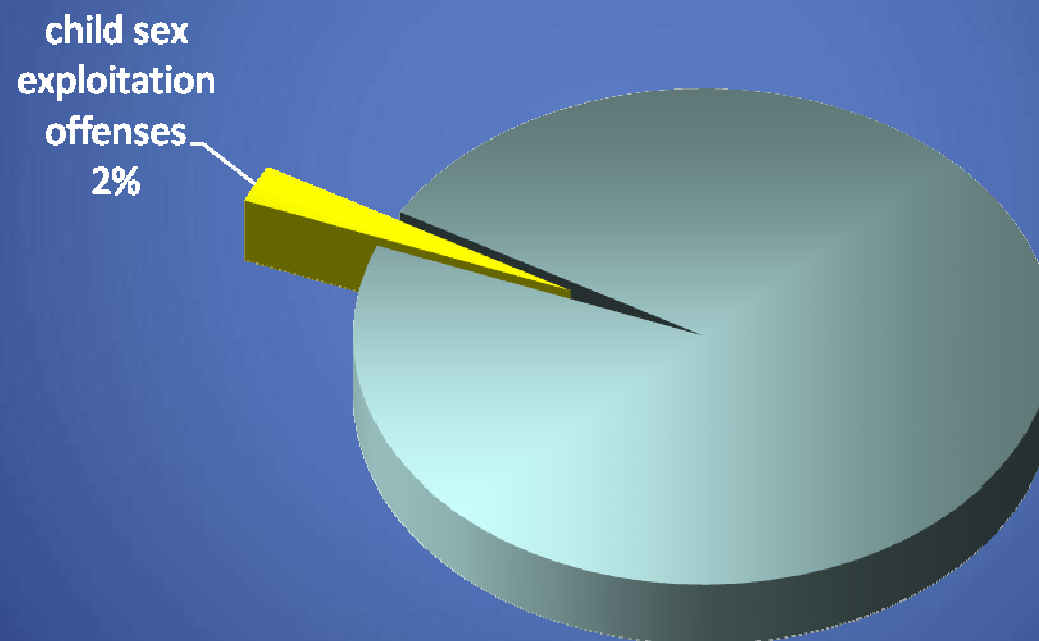
# Percentage of Arrests Nationwide Attributed to Sex Offenses\*



\*Forcible rape, other sex offenses (including hands-on and hands-off offenses )

(Federal Bureau of Investigation, 2007)

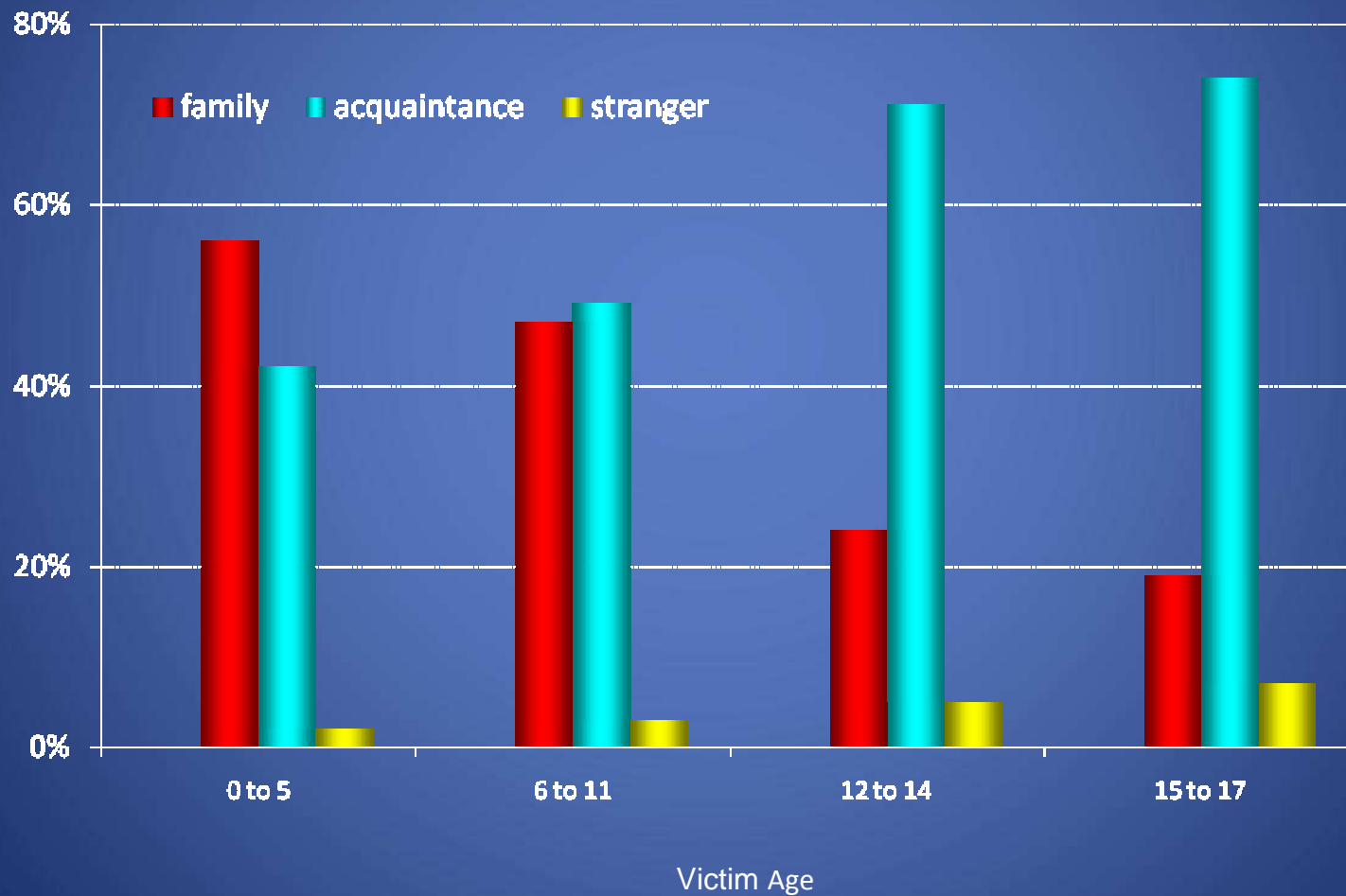
# Percentage of Federal Prosecutions Attributed to Child Sex Exploitation Offenses\*



\*Child pornography, transportation for illegal sexual activity, sex abuse

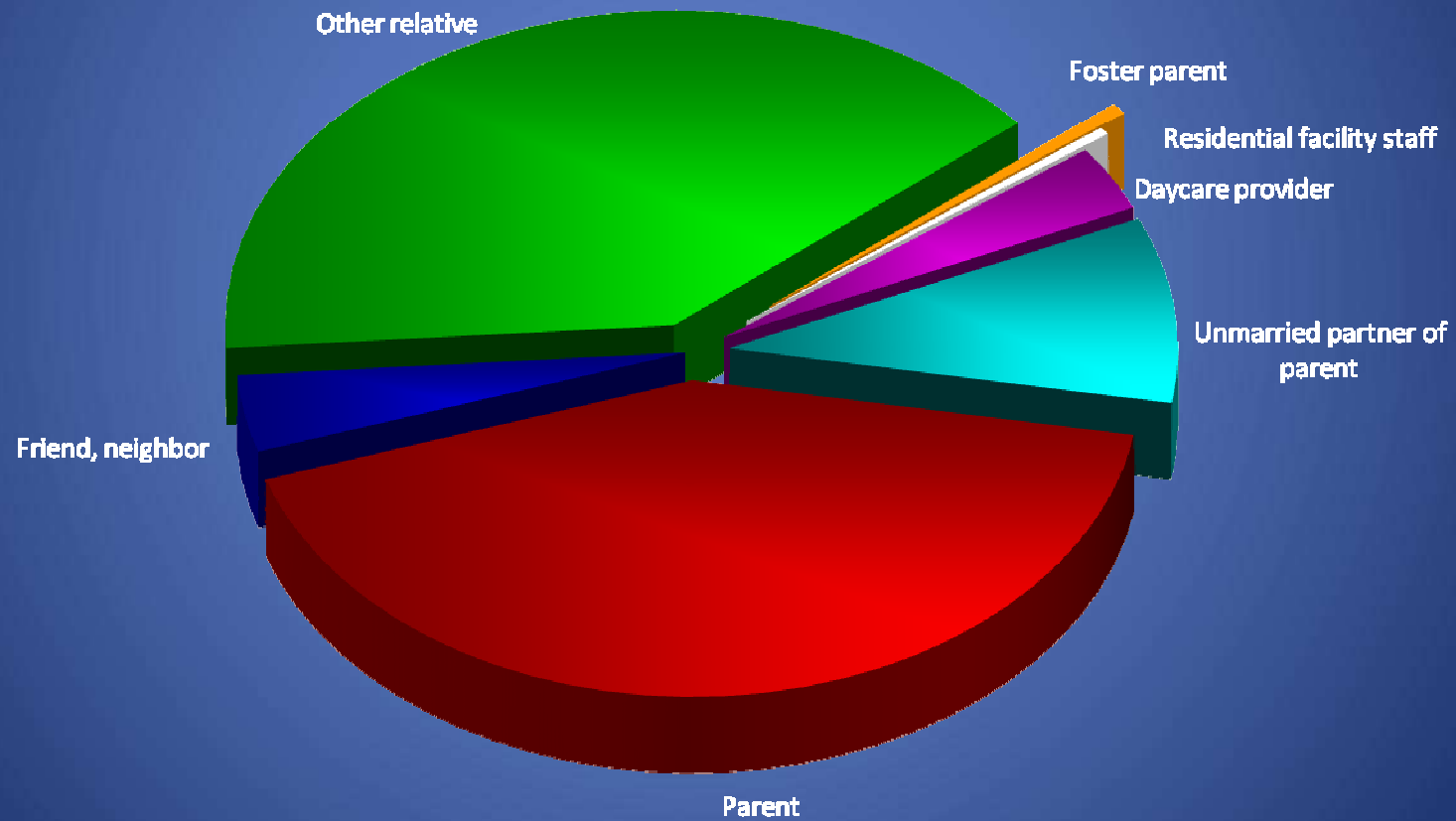
(Bureau of Justice Statistics, 2007)

## Sexual Victimization of Children and Adolescents: Victim-Offender Relationship by Victim Age



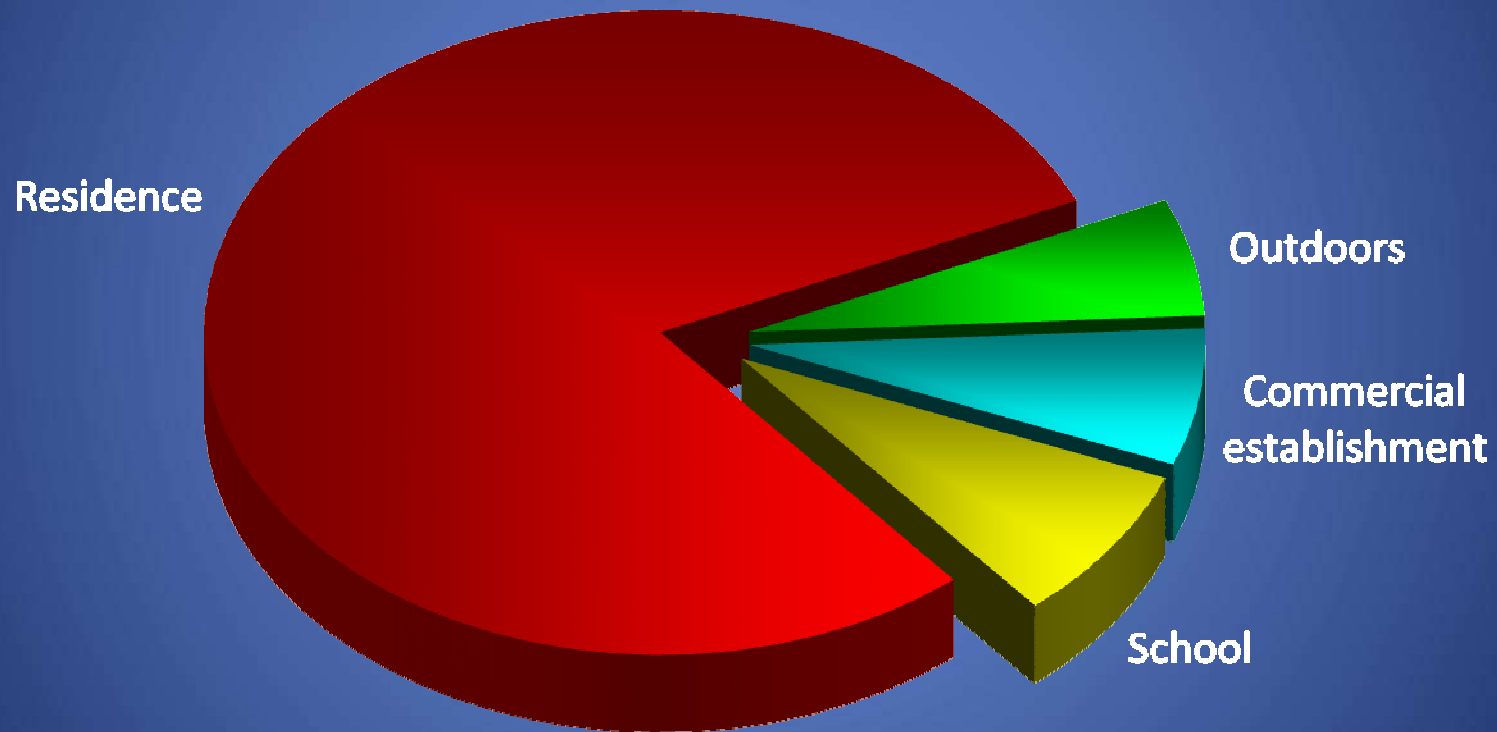
(NIBRS data from Snyder & Sickmund, 2006)

# Identified Perpetrators of Substantiated Child Sexual Abuse Cases



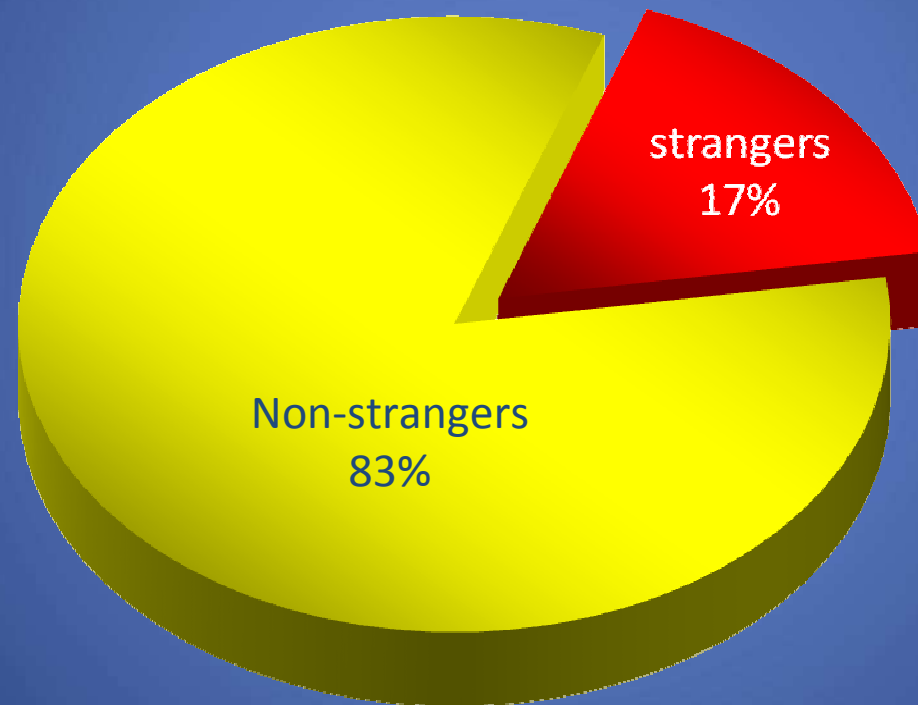
(USDHHS, 2005; Snyder & Sickmund, 2006)

## Location Where Sex Offenses Occurred: Victims Under 18 Years of Age

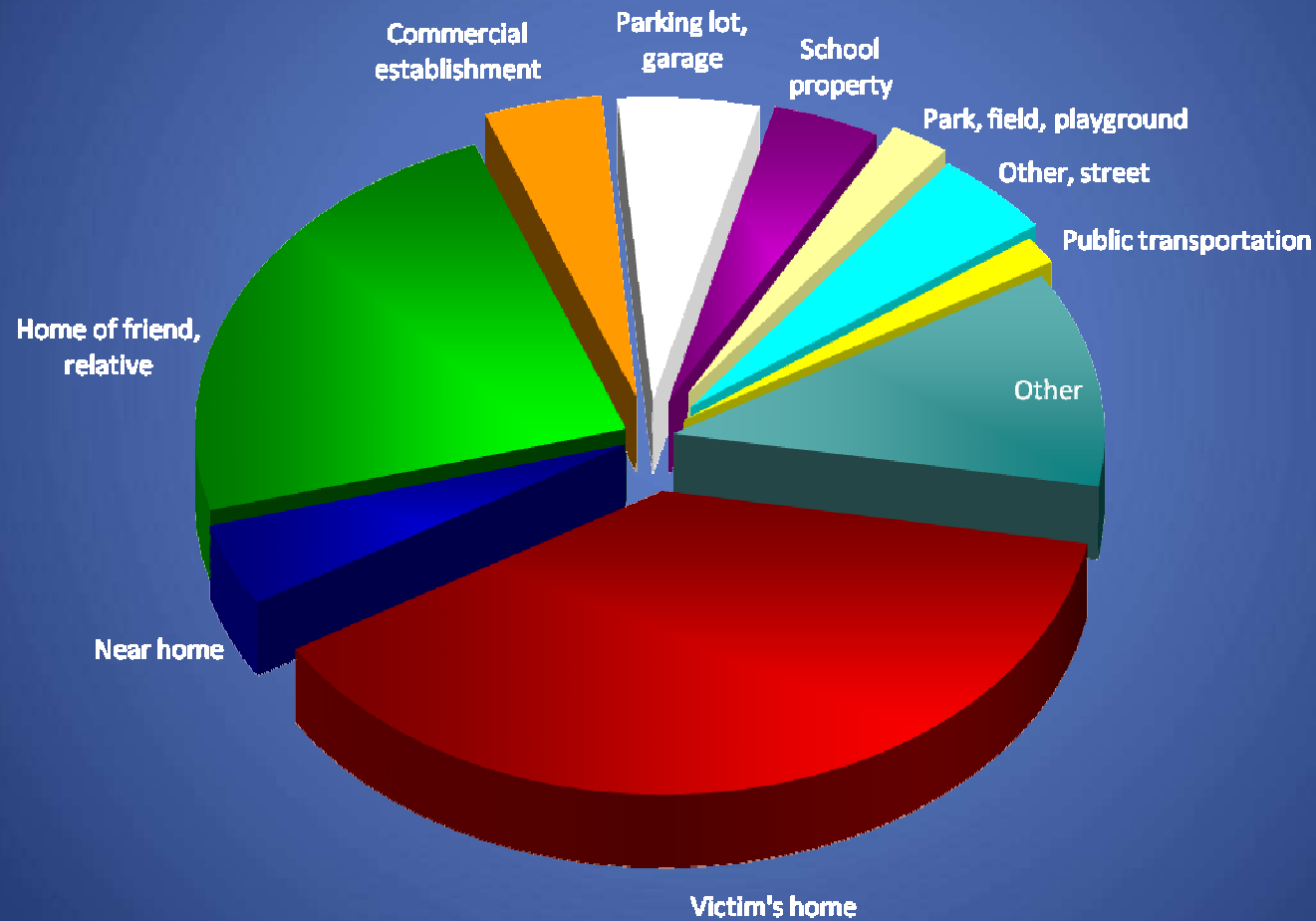


(NIBRS data from Snyder & Sickmund, 2006)

# Rape: Victim-Offender Relationship



# Locations of Rapes/Sexual Assaults



# Unique Challenges of Sex Offender Management

- Under-reporting, under-detection
- Heightened attention, scrutiny
- Widespread myths, misinformation
- Negative public sentiment
- Exacerbated housing and employment challenges
- Proliferation of sex offender-specific policies

## Cautions About Homogeneous Labels

- “Sex offender” term suggests homogeneity
- Research demonstrates heterogeneity
- Variations have important implications for management strategies

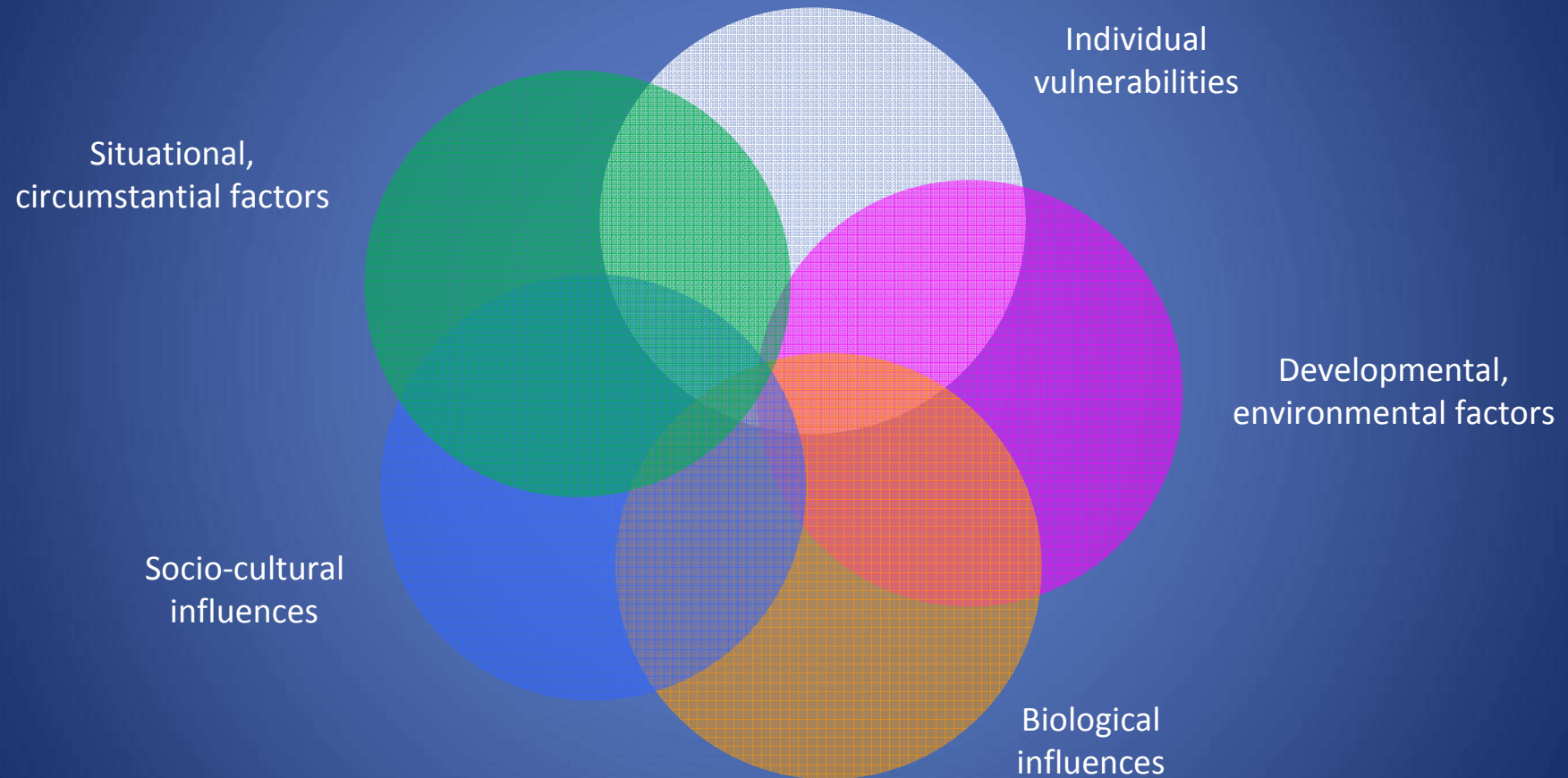
# Significant Variations

- Range, types of offense behaviors
- Victims targeted
- Motivations, driving influences
- Undetected offenses
- Prior criminal history
- Presence/absence of specific risk factors
- Amenability, response to intervention
- Recidivism risk, short- and long-term

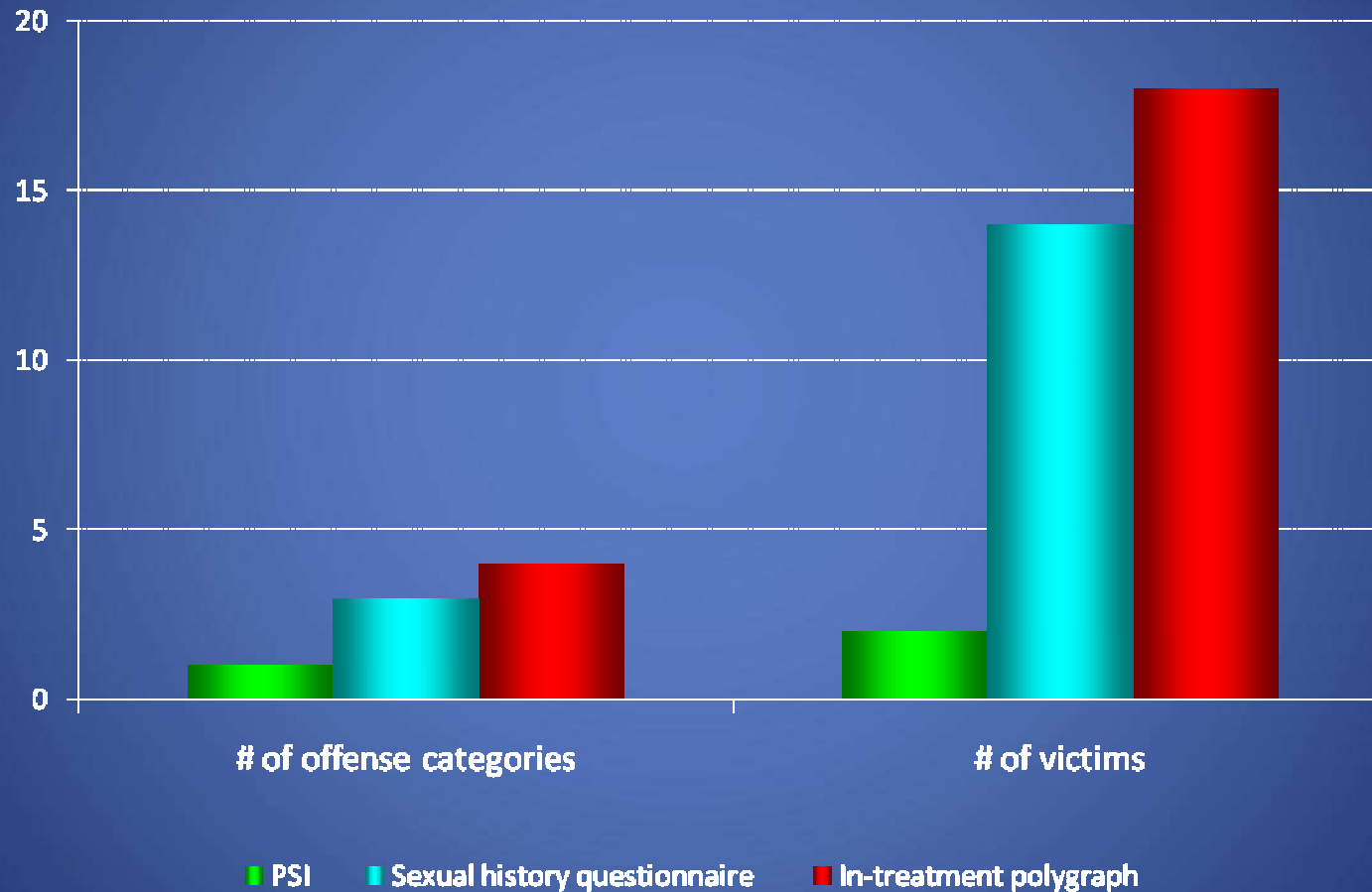
# Suggested Differences Between Juvenile and Adult Sex Offenders

- Fluidity vs. “fixed” patterns of sexual interests
- Impulsive, opportunistic offenses
- Social competency deficits
- Influence of family, environment
- Amenability to treatment
- Recidivism rates

# Etiological Factors



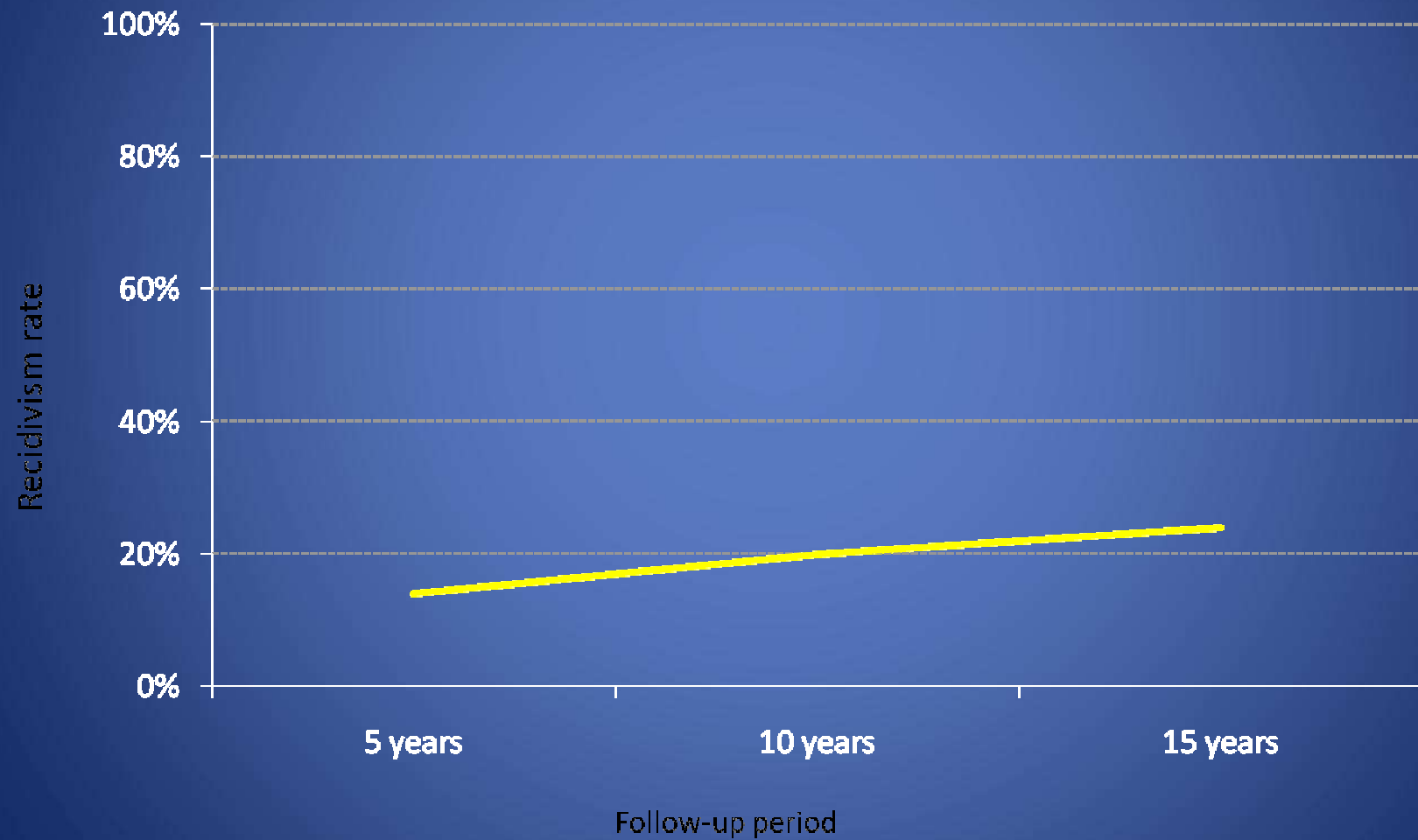
# Evidence of Under-Detection



N = 223 inmates

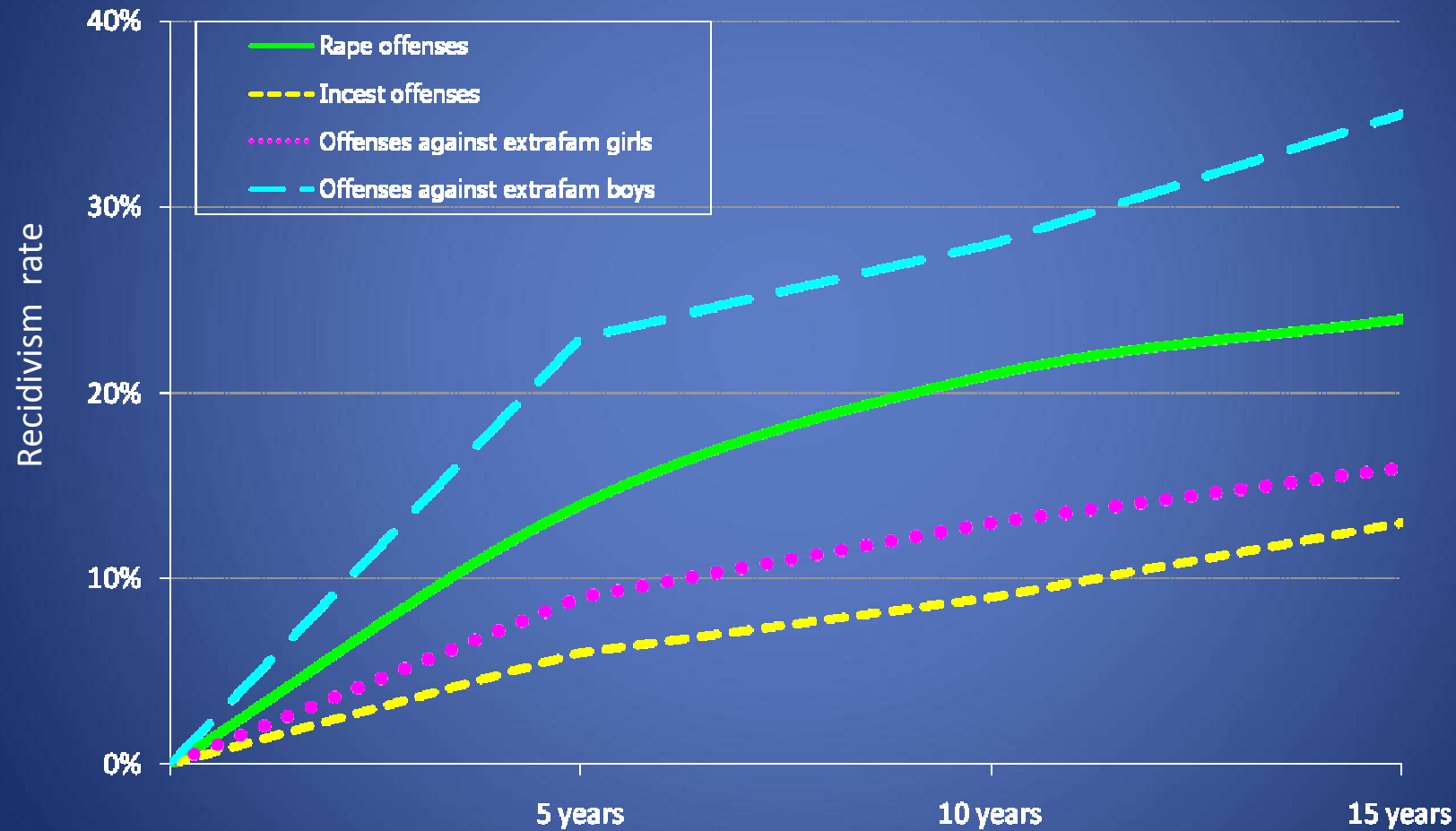
(Heil, Ahlmeyer, & Simons, 2003)

# Observed Recidivism Rates Over Time: Adult Sex Offenders as a Homogenous Group



(Harris & Hanson, 2004)

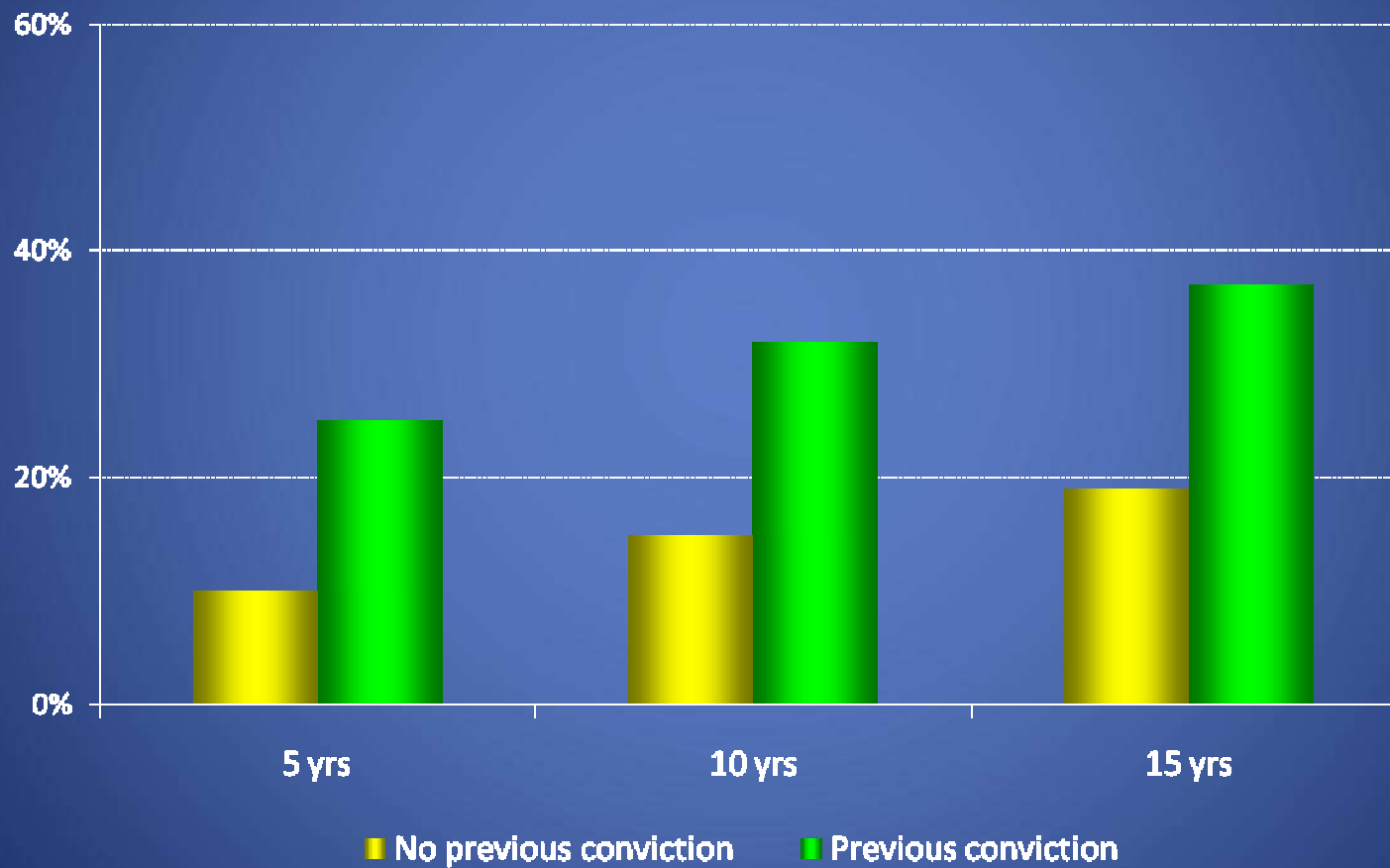
# Observed Recidivism Rates Over Time: Adult Sex Offenders By Subgroup



N = 4,724

(Harris & Hanson, 2004)

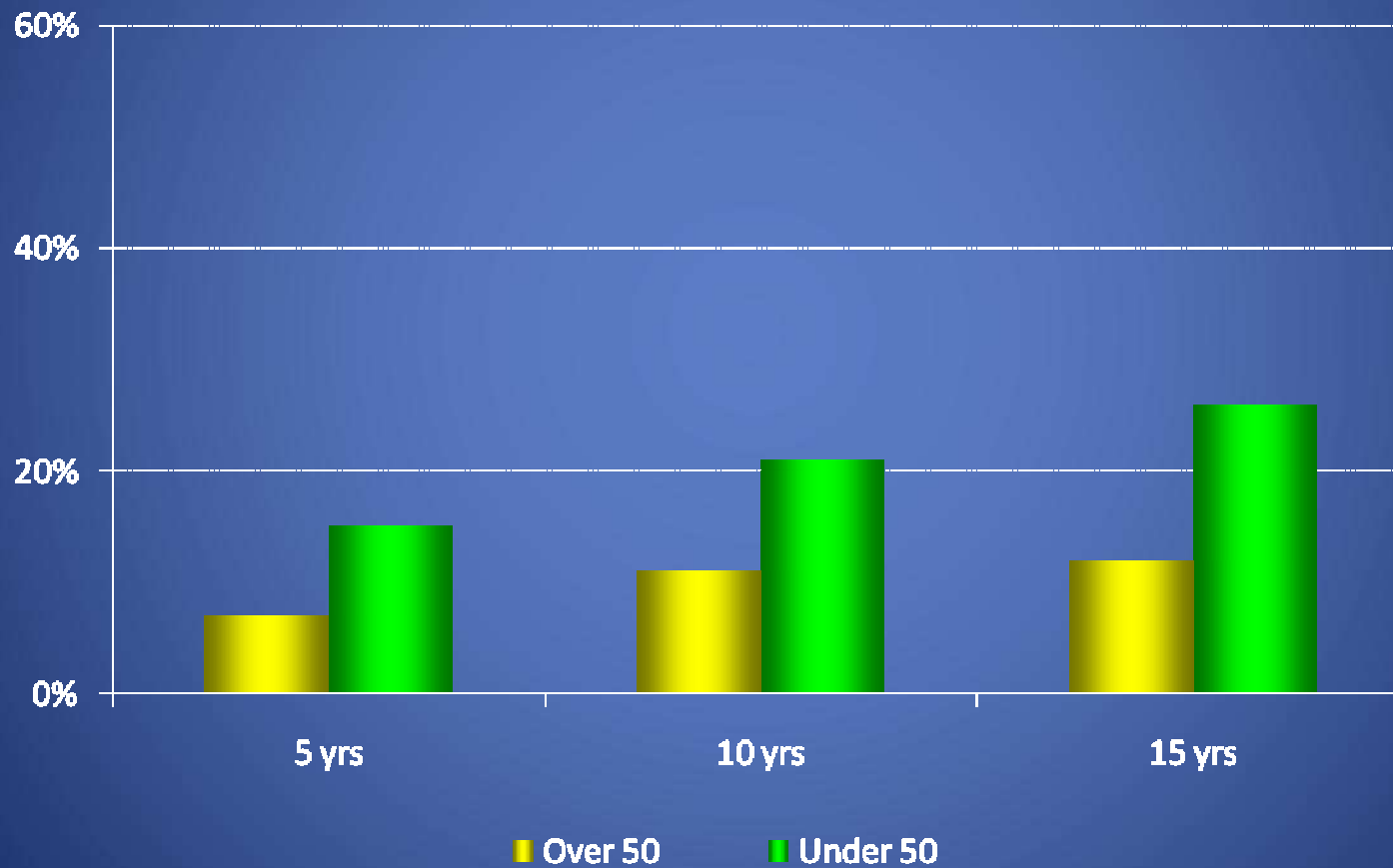
# Recidivism Rates: Previous Conviction vs. No Previous Conviction



N = 4,724

(Harris & Hanson, 2004)

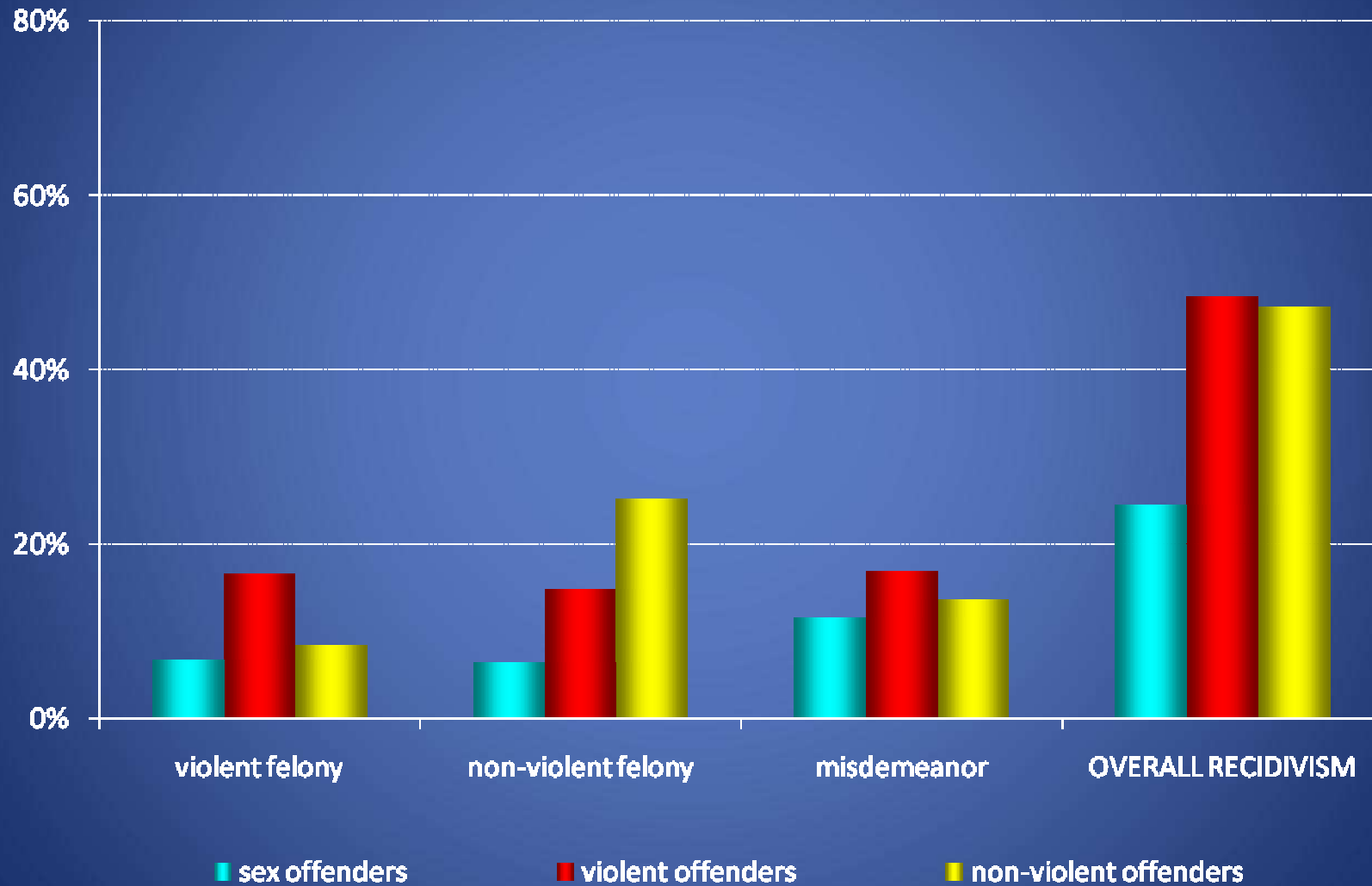
# Recidivism Rates: Over 50 at Release vs. Under 50 at Release



(Harris & Hanson, 2004)

N = 4,724

# Recidivism Rates by Offender Type and Nature of Recidivism



N = 70,000+

(Drake & Barnoski, 2006)

# Internet Offenders vs. Contact Offenders

- Surge in arrests, prosecutions, prison sentences at the Federal level
- Questions about similarities/differences
- Very limited research, unanswered questions
  - Prior “contact” or other internet offenses?
  - Recidivism with “contact” or other additional internet offenses?
  - Risk assessment?
  - Effective interventions?

# Key Study: Prior Histories of Child Pornography Offenders

	Percentage of Sample
Prior child pornography offenses	15%
Prior non-contact sex offenses	17%
Prior contact sex offenses	24%
Prior criminal history of any type	56%

N= 201

(Seto & Eke, 2005)

# Key Study: Recidivism of Child Pornography Offenders

	Percentage of Sample
Child pornography offense	6%
Contact sex offense	4%
Violent offense (inclusive of sex offenses)	6%

N= 201

29 mos. avg time at risk

(Seto & Eke, 2005)

# Summary: Recidivism Findings for Sex Offenders

- View through under-reporting, under-detection lens
- Detected sexual recidivism rates relatively low
  - More likely to be non-sexual
  - Sex offenders less likely than non-sex offenders to recidivate
- Rates differ by subgroups
- Rates differ by study design
  - Sample selection (e.g., probationers, prison releases, interventions provided or not)
  - Measure of recidivism
  - Follow-up period

# Implications of Heterogeneity

- Policy development
- Sentencing, placement
- Treatment interventions
- Supervision, monitoring strategies
- Release decisionmaking
- Registration, notification

# Managing Sex Offenders: Core Components and Legislative Trends

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# Common Sex Offender Management Strategies

- Incarceration
- Probation/parole supervision
- Electronic monitoring/GPS
- Sex offender-specific treatment
- Other risk-reducing or adjunctive programs
- Civil commitment
- Residency restrictions
- Registration, notification

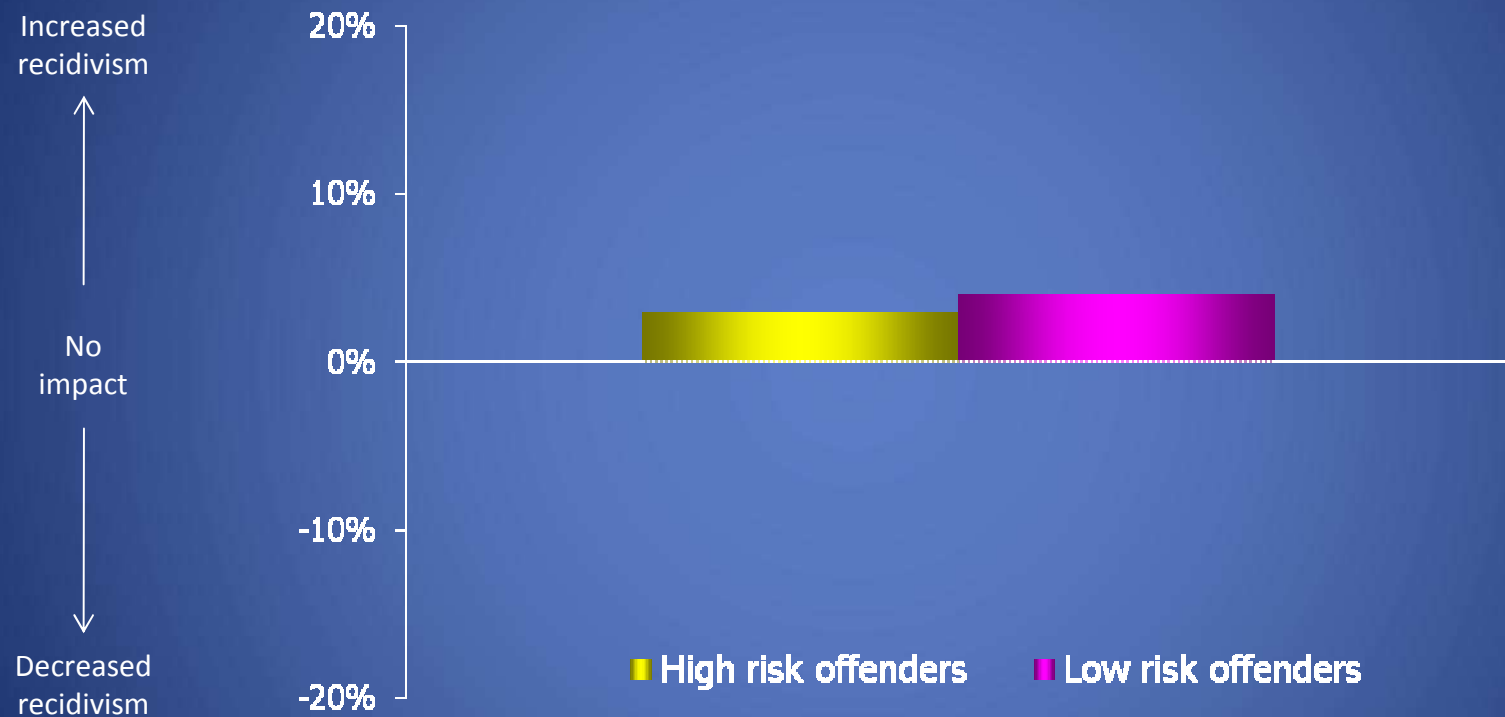
# Incapacitation, Retribution, and Deterrence via Prison Sentencing

## Minimum Mandatory Sentences

# Sentencing Philosophies Relative to Incarceration

- Collective
  - Offense-based
  - Determinate sentences, mandatory minimums
- Selective
  - Risk-based
  - Proportional, indeterminate sentences

# Impact of Longer vs. Shorter Periods of Incarceration\*: High Risk and Low Risk Offenders\*\*

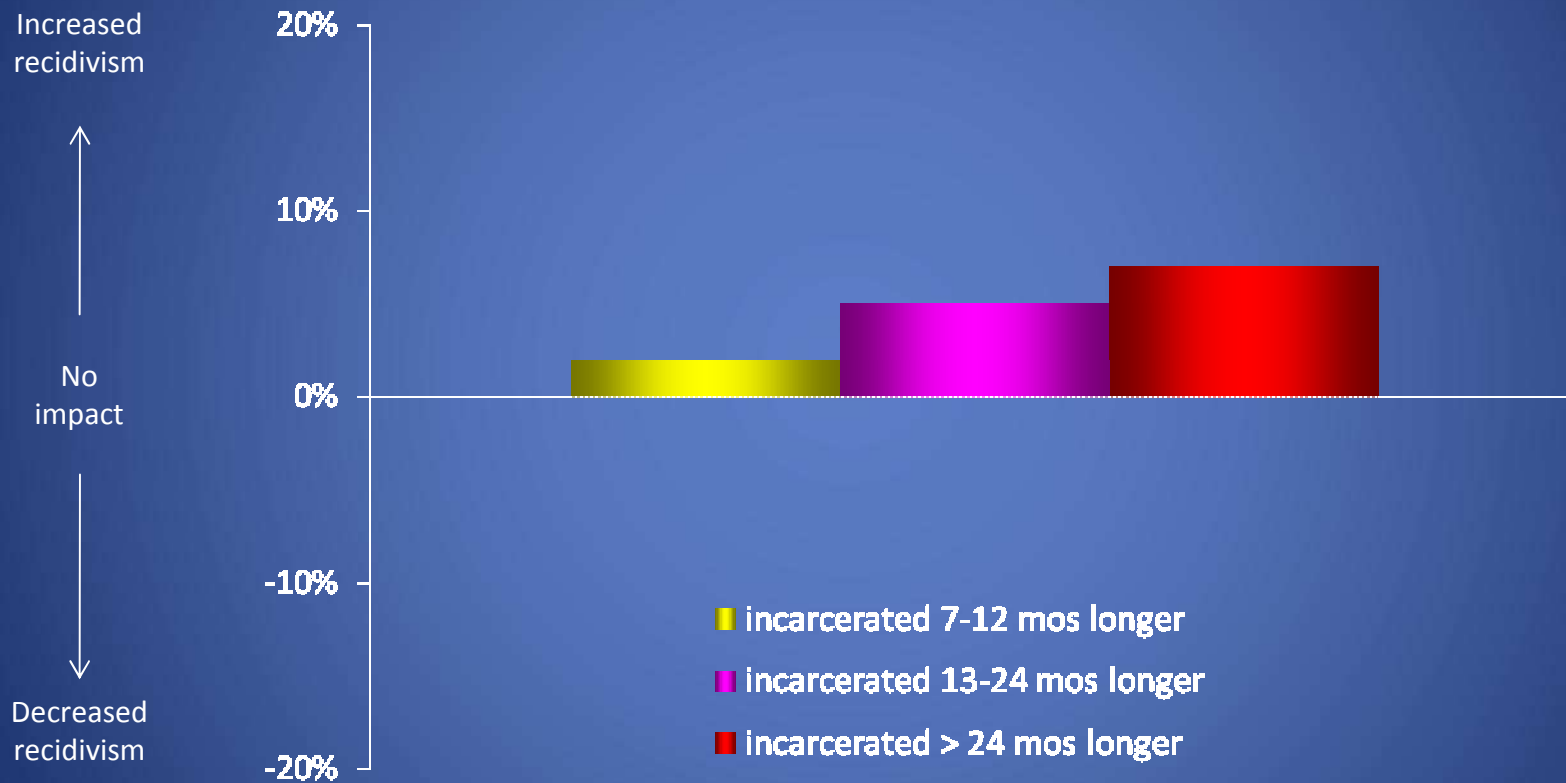


\* Approximately 2.5 yrs vs. 1 yr time served

\*\* 100,000+ offenders (not specific to sex offenders)

(Smith, Goggin, & Gendreau, 2002)

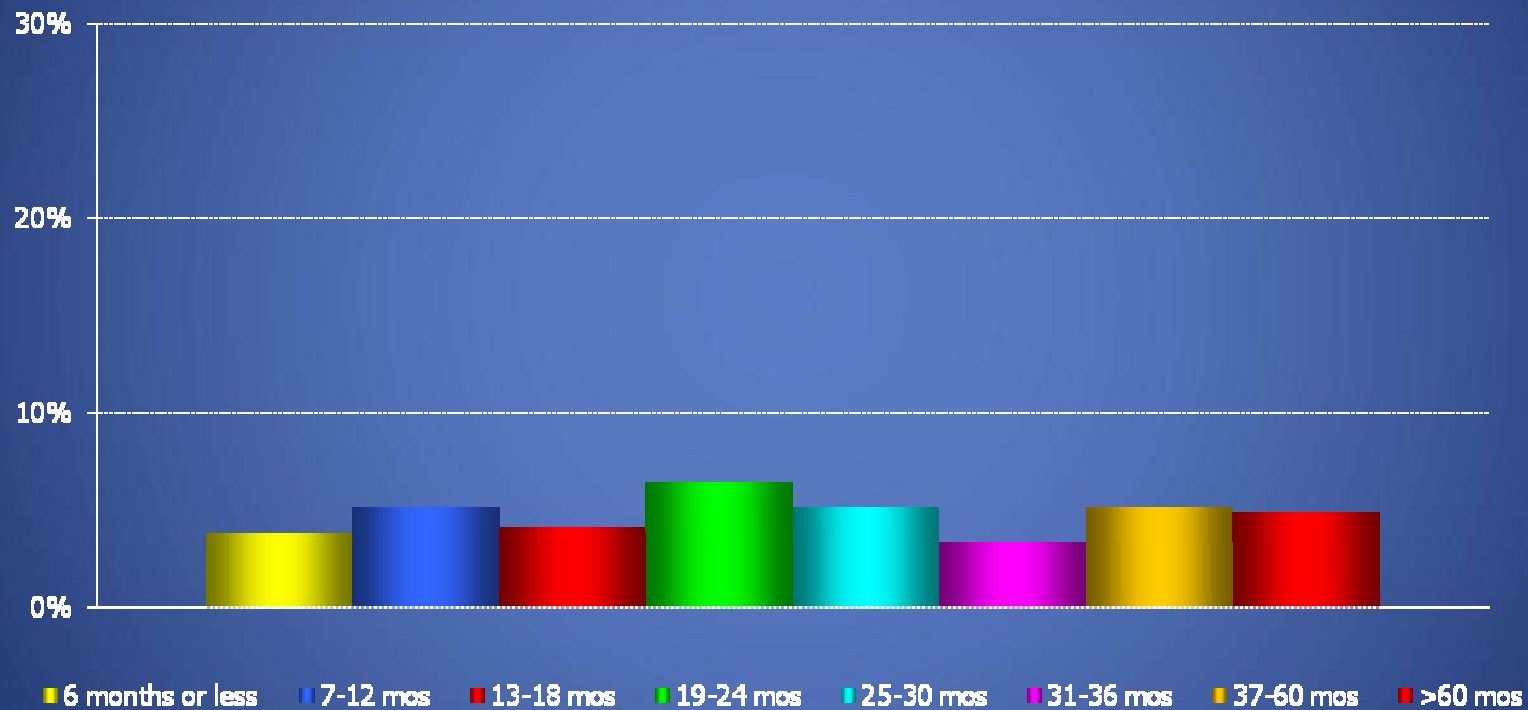
# Impact of Incremental Increases in Length of Incarceration



N = approx. 96,000 offenders compared, not specific to sex offenders

(Smith, Goggin, & Gendreau, 2002)

## Sex Offenders' Arrest Rates for New Sex Offenses within 3 Years Post-Release from Incarceration (by Time Served)











n = approximately 7,000 sex offenders, first release










(Langan, Schmitt, & Durose, 2003)

Deterrence and Retributive Strategies

Risk-Reducing, Rehabilitative Strategies

Risk Management Strategies

Correctional Strategy	Recidivism Impact
Incrementally Longer Sentences	
Incarceration vs. Probation	
Intensive Supervision	
Drug Testing	
Electronic Monitoring	
Boot Camps	
Shock Incarceration	
Scared Straight	

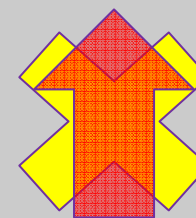
Correctional Programs and Services	Recidivism Impact
Cognitive skills interventions	
Intensive prison-based substance abuse treatment, community-based drug treatment	
Educational/cognitive-behavioral domestic violence programs	
Cognitive-behavioral sex offender treatment (prison-based, community-based)	
Adult basic education (prison-based)	
Vocational education (prison-based)	
Correctional industries	
Work release	
Community-based employment training and job assistance	

(see Andrews & Bonta, 2006; Aos et al., 2006; MacKenzie, 2006)

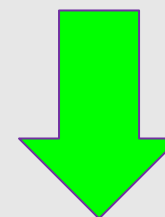
Supervision Strategy

Recidivism Impact

Surveillance-Oriented



Surveillance- and Rehabilitation-Oriented



(see Andrews & Bonta, 2006; Aos et al., 2006; MacKenzie, 2006)

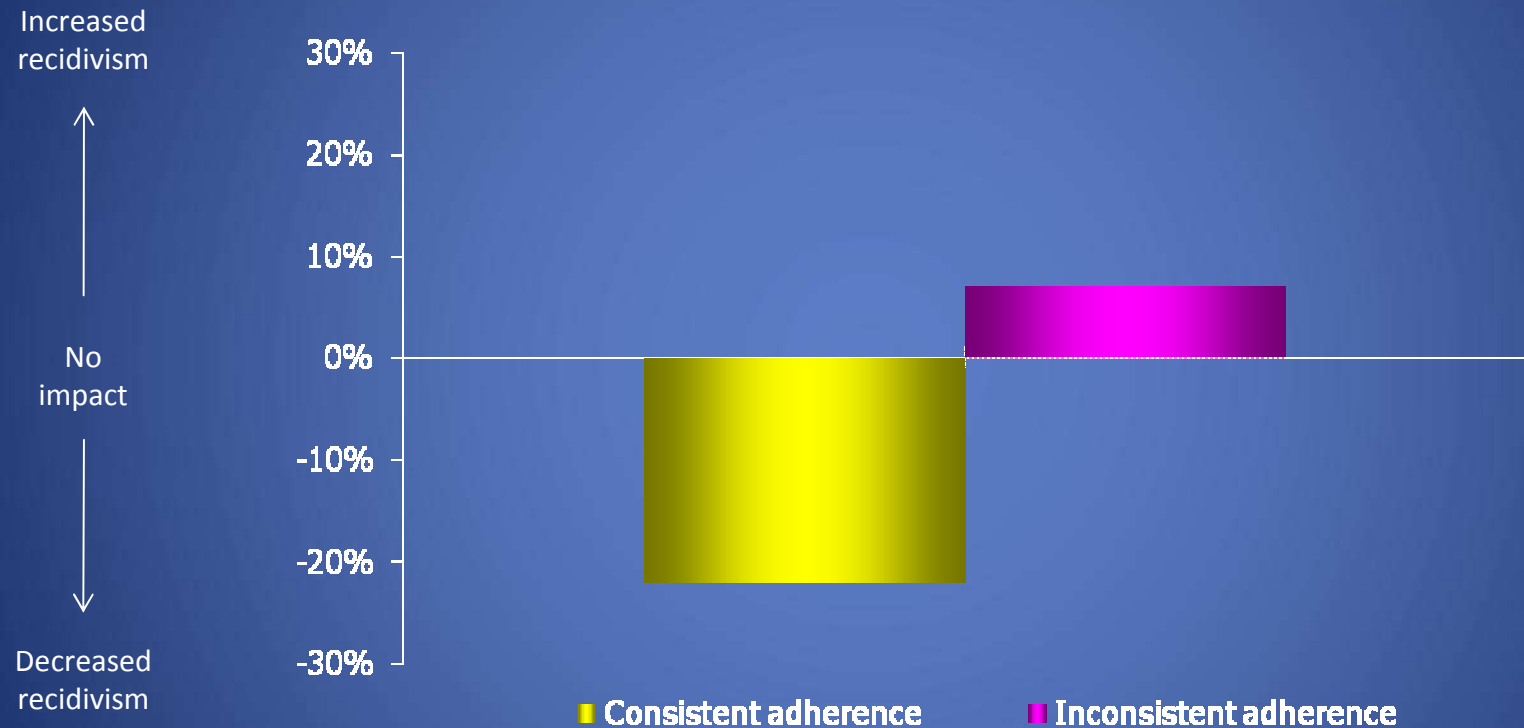
Maximizing Public Safety Outcomes Through  
Evidence-Based Principles for Correctional  
Interventions

# Core Evidence-Based Principles for Correctional Interventions

- Risk (who we target)
  - Use research-supported tools to assess risk
  - Prioritize interventions/strategies for higher risk offenders
- Need (what we target)
  - Use research-supported tools to identify the factors that are linked to crime and recidivism (criminogenic needs)
  - Focus interventions/strategies primarily on criminogenic needs

(see Andrews & Bonta, 2006)

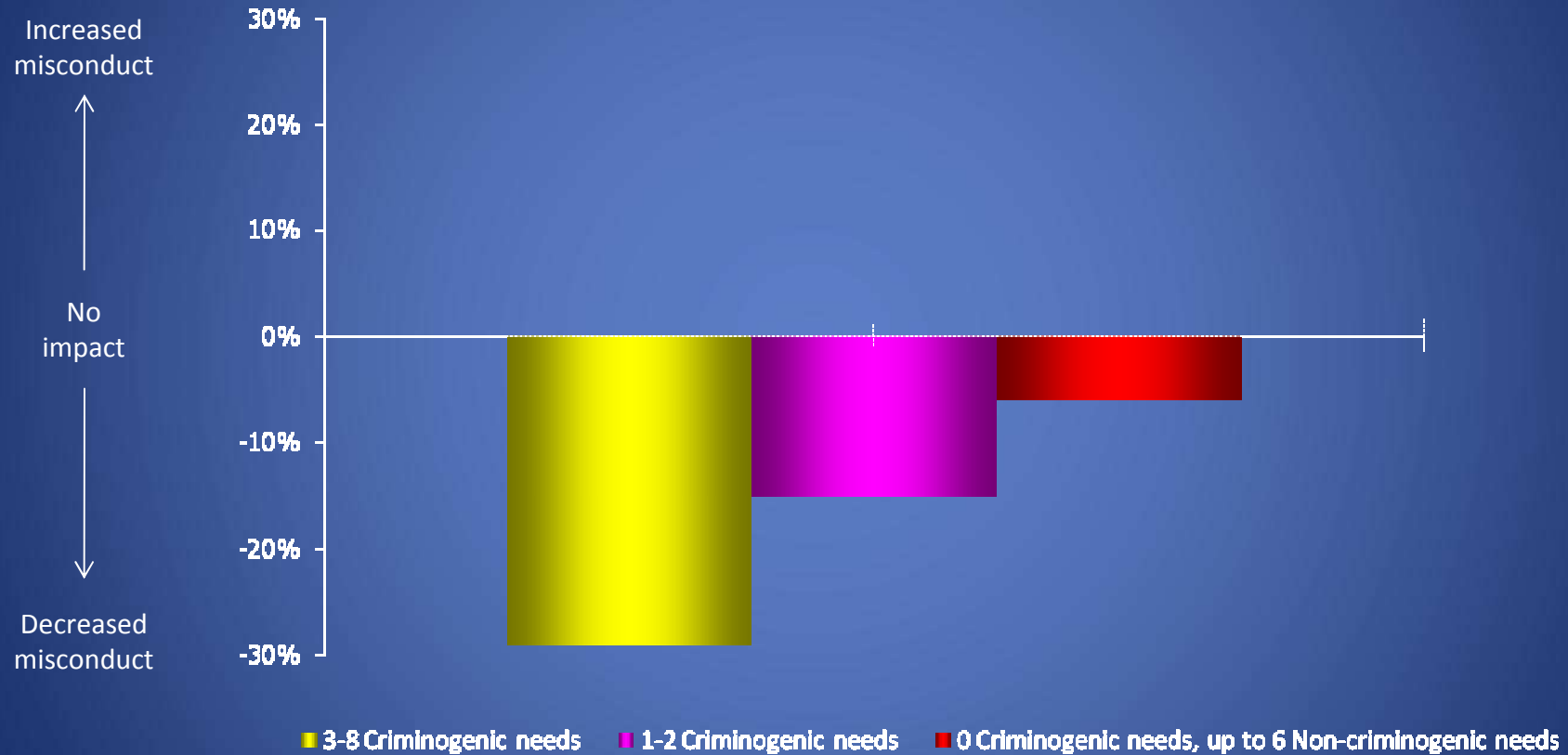
# Recidivism Impact as a Function of Adherence to Core Evidence-Based Principles for Correctional Interventions



\*meta-analysis of over 500 studies

(Pearson et al., 1996)

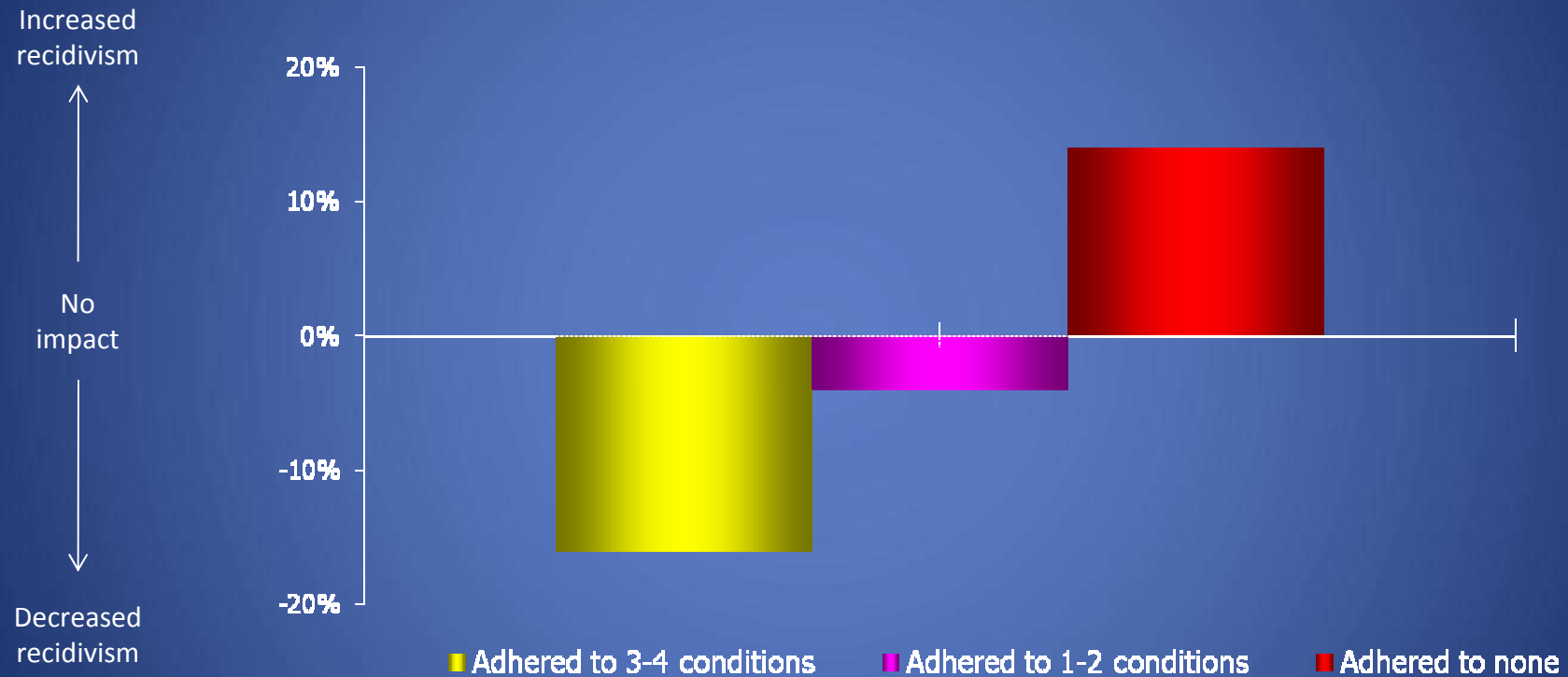
# Prison Misconduct Rates as a Function of Targeting Multiple Criminogenic Needs (Density)



\* Meta-analyses including over 13,000 offenders

(French & Gendreau, 2003)

# Adherence to Risk-Need Conditions\* in Supervision Practices: Impact on Recidivism



\*Risk-Need Conditions

*More intensive supervision for higher risk offenders*

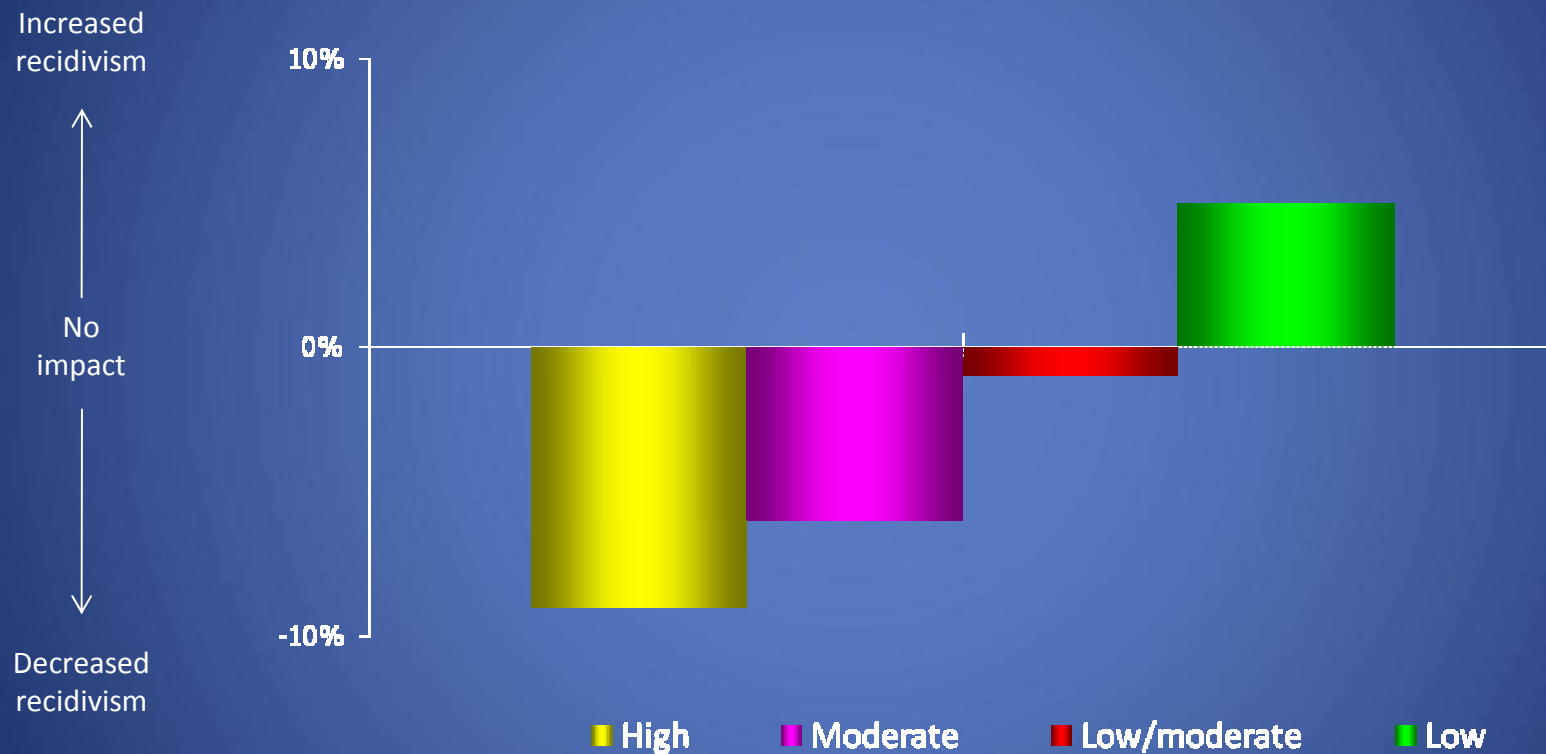
*Longer supervision periods for higher risk offenders*

*More program referrals for higher risk offenders*

*More criminogenic than non-criminogenic needs targeted*

(Lowenkamp, Pealer, Smith, & Latessa, 2006)

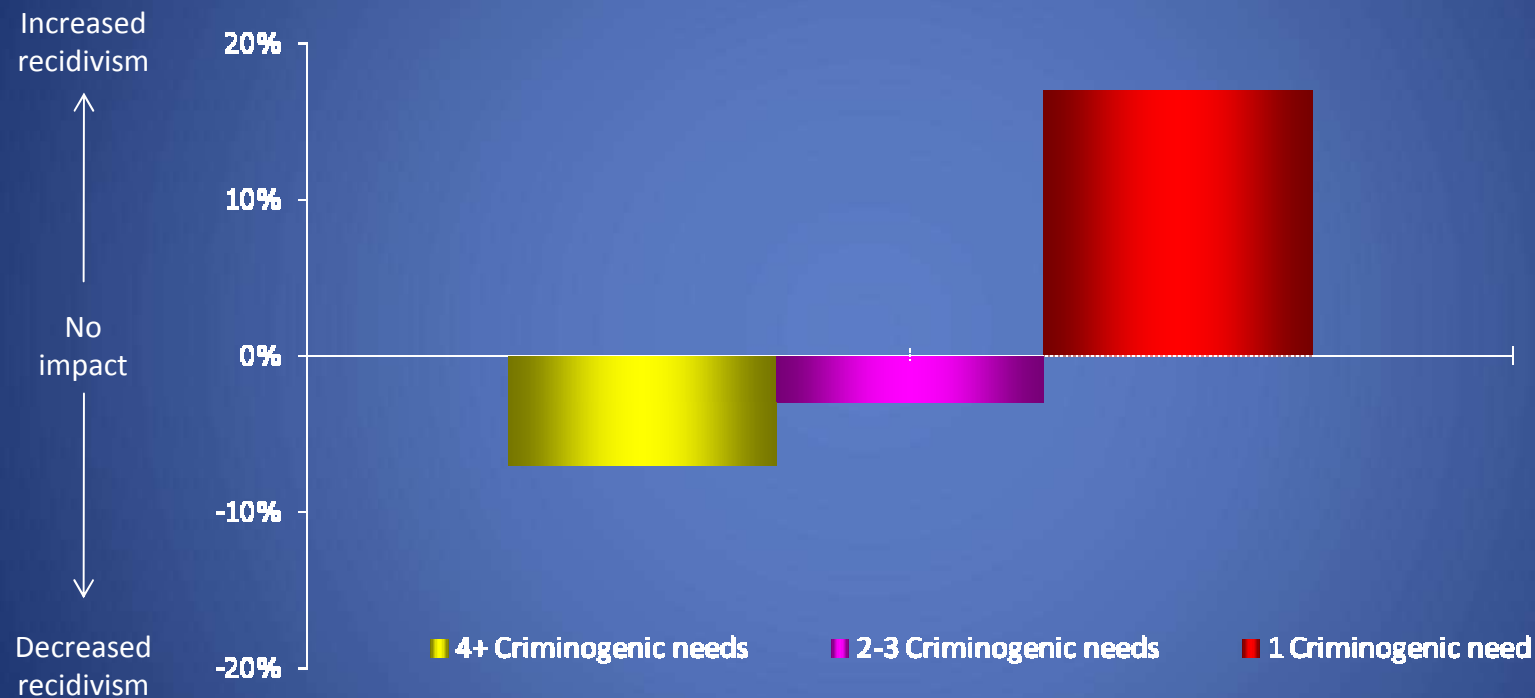
# Halfway Houses to Promote Public Safety Through Effective Reentry: Outcomes as a Function of Offender Risk\*



\* Approx. 3,500 offenders placed in halfway houses, compared to 3,500 not placed in a halfway house

(Lowenkamp & Latessa, 2005b)

# Halfway Houses to Promote Public Safety Through Effective Reentry: Outcomes as a Function of Number of Services Targeting Criminogenic Needs (Density)\*



\* Approx. 3,500 offenders placed in halfway houses compared to 3,500 offenders not placed in a halfway house

(Lowenkamp & Latessa, 2005b)

# Differentiating Higher Risk from Lower Risk Sex Offenders

# Differentiating Higher Risk from Lower Risk Sex Offenders

- Research-identified static (unchangeable) risk factors
  - Longer-term recidivism risk
- Research-identified dynamic (changeable) risk factors
  - Shorter-term recidivism risk
- Empirically-validated, sex offender-specific tools

## Key Examples of Static Risk Factors Associated with Recidivism Among Sex Offenders

- Prior sex offenses
- Prior non-sex offenses
- Prior non-contact sex offenses
- Unrelated victims
- Stranger victims
- Male victims

(Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005)

## Key Examples of Dynamic Risk Factors Associated with Recidivism Among Sex Offenders

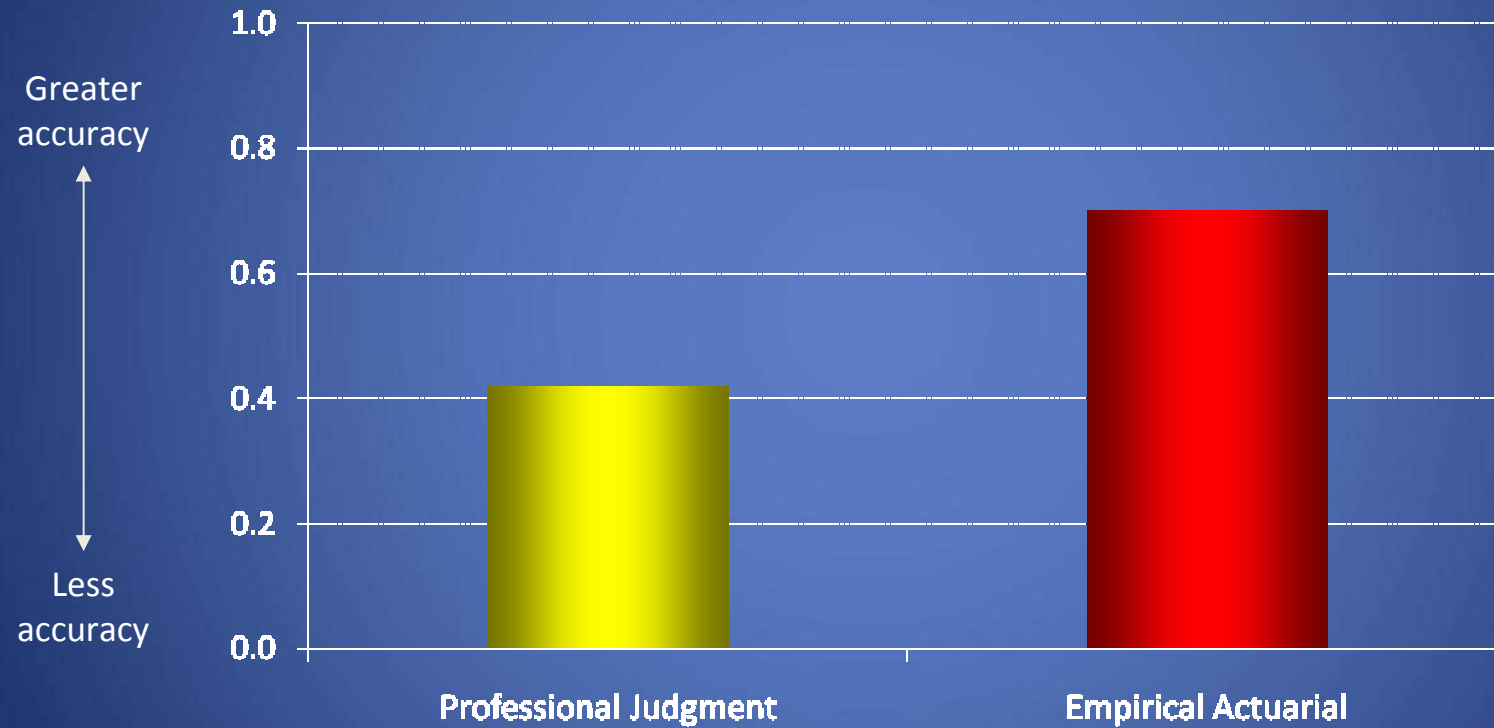
- Victim access
- Deviant sexual interests
- Attitudes supportive of offending
- Intimacy deficits, conflicts in intimate relationships
- Impulsivity
- Substance abuse
- Supervision non-compliance
- Collapse of social supports
  - Family
  - Residence
  - Work

(Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005)

## Assessing Static Risk and Dynamic Risk (Criminogenic Needs): Examples of Sex Offender-Specific Tools

- STATIC-99, STATIC-2000
- Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)
- Minnesota Sex Offender Screening Tool – Revised (MnSOST-R)
- ACUTE-2000/2007, STABLE-2000/2007
- Sex Offender Treatment Needs and Progress Scale

# Predictive Accuracy of Risk Assessment Strategies with Sex Offenders



(Hanson & Morton-Bourgon, 2007)

# Sex Offender Treatment

# Key Treatment Targets

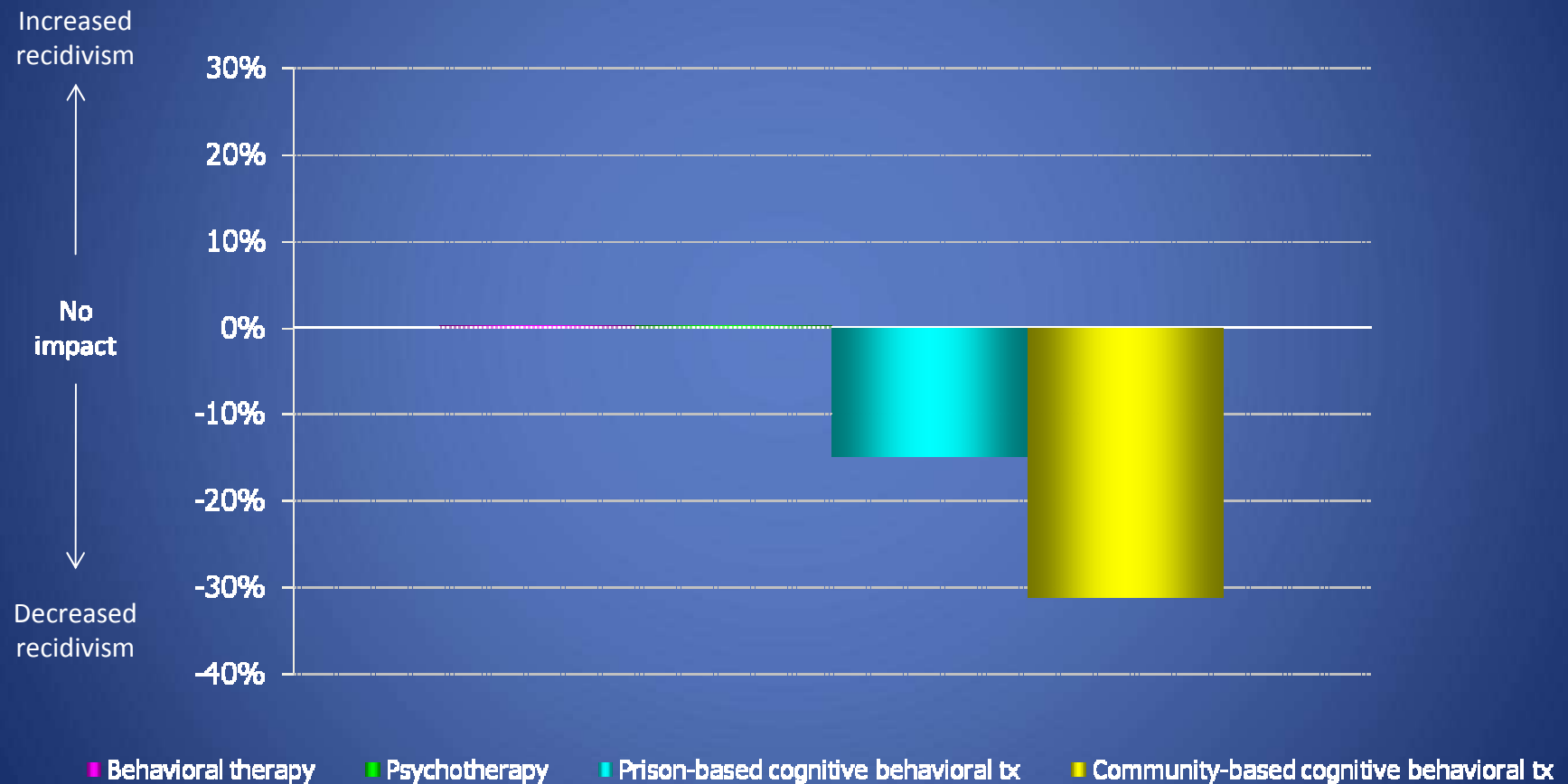
- Sexual deviance variables
- Antisocial orientation
- Intimacy deficits
- Pro-offending attitudes and schemas

(see, e.g., Hanson & Morton-Bourgon, 2007)

# Important Treatment Considerations

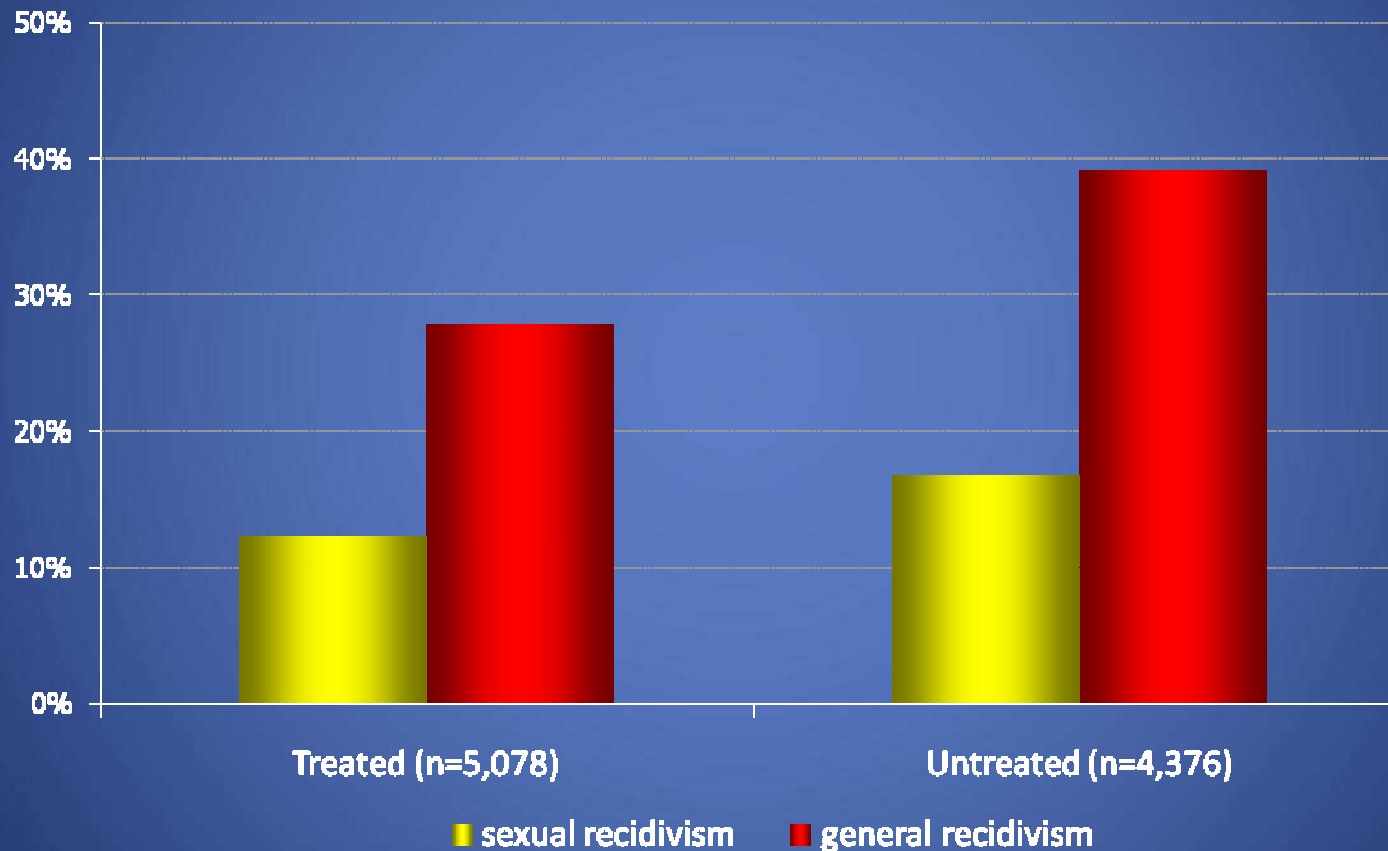
- Is the program based on a research-supported model?
- Are treatment targets supported by research?
- Is treatment individualized and assessment-driven?
- Are providers specially trained?
- Are approaches tailored for special populations?
- Are community-based and institutional programs parallel and linked?
- Are within-treatment changes and long-term outcomes measured?

# Treatment Approaches for Sex Offenders: Impact on Recidivism



(Aos et al., 2006)

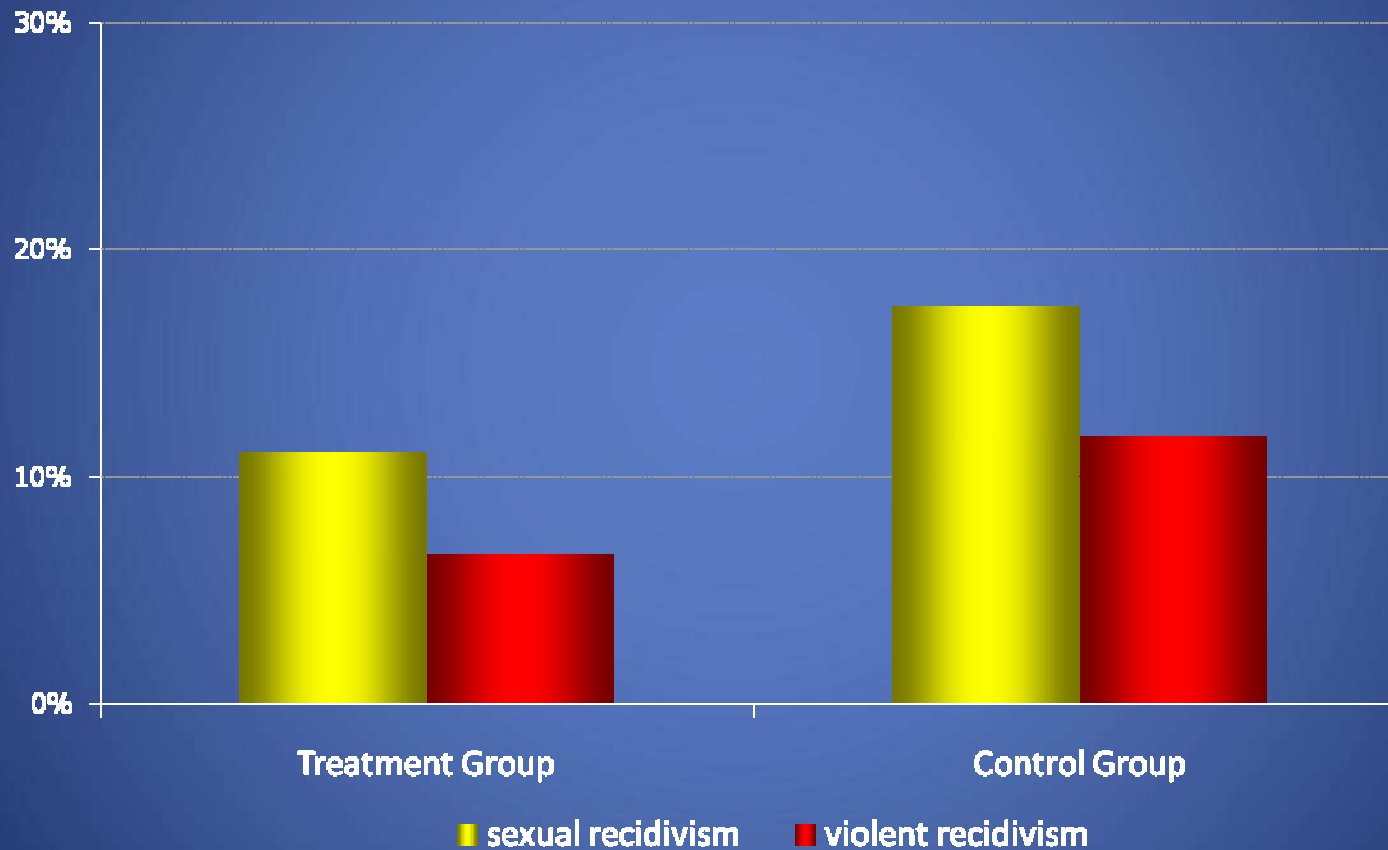
# Sex Offender Treatment Effects: Sexual and General Recidivism (2002 Meta-Analysis)



\*average follow-up 46 months, broadly defined recidivism

(Hanson et al., 2002)

# Sex Offender Treatment Effects: Sexual and Violent Recidivism (2005 Meta-Analysis)



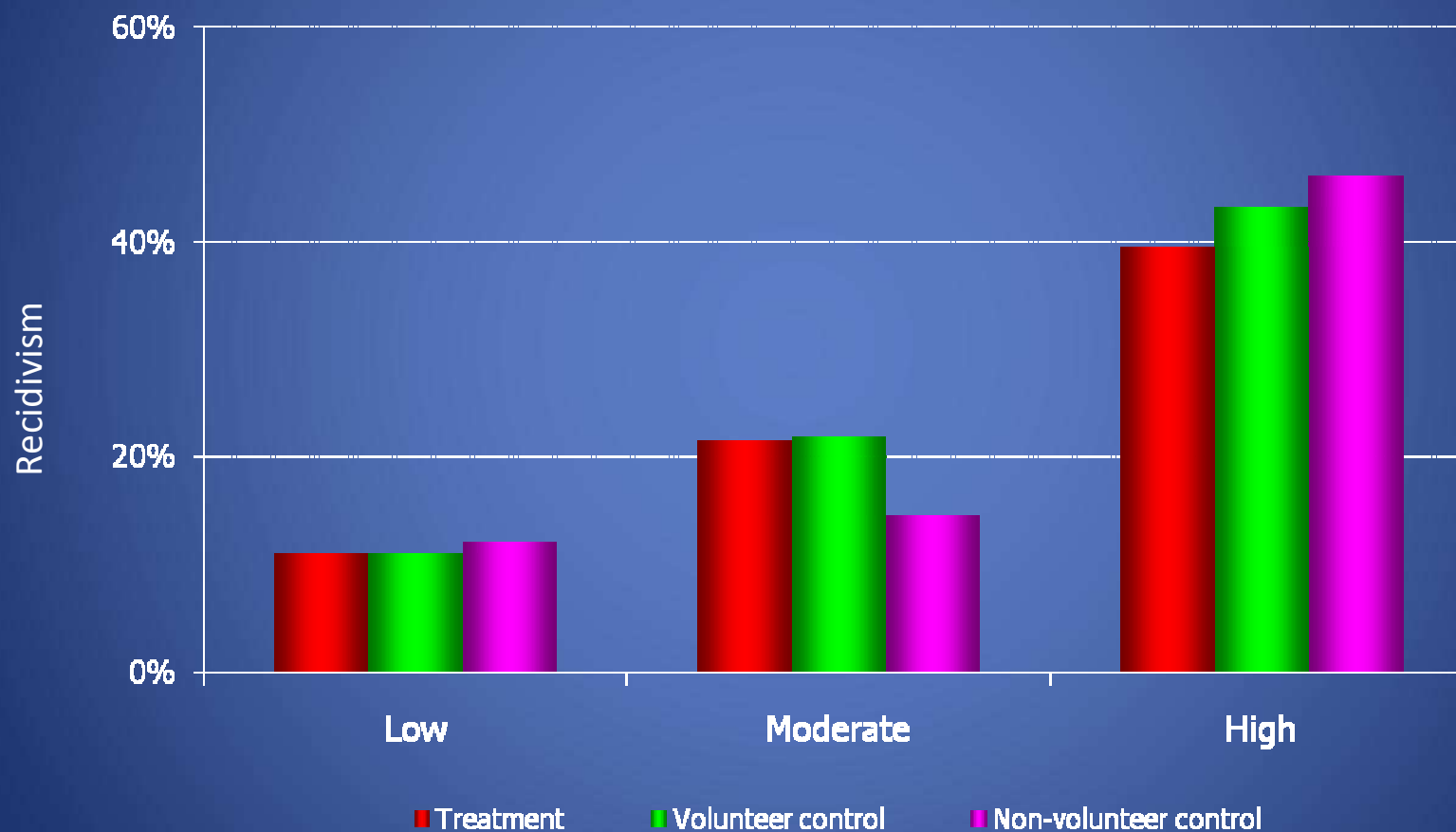
\*average follow-up 5 years, broadly defined recidivism

(Losel & Schmucker, 2005)

# Applying the Core Principles of Correctional Intervention to Sex Offender Treatment

- Meta-analysis of treatment impact on sex offender recidivism
  - Specific focus on program adherence to core evidence-based correctional principles
- Better outcomes for sex offender treatment programs with adherence

## Intensive Sex Offender Treatment: Sexual Recidivism Rate Comparisons by Risk Level\*



\*Average 8 yr follow-up, over 700 offenders, random assignment

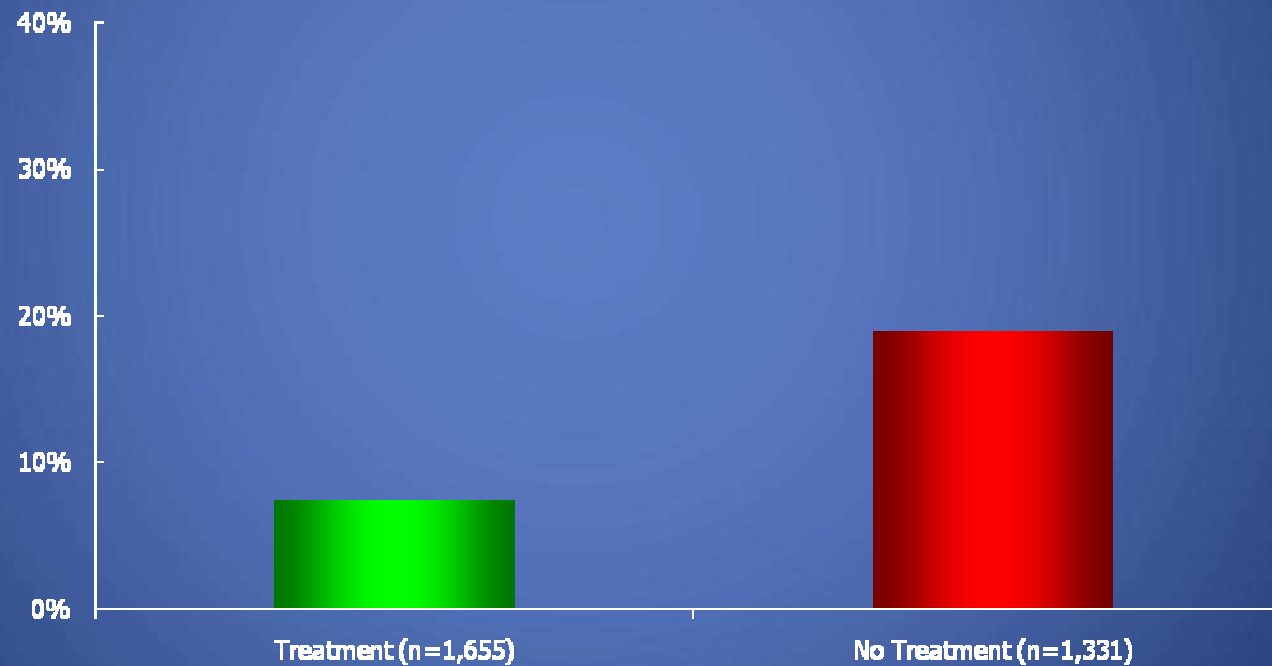
(Marques et al., 2005)

# Costs-Benefits Analyses of Sex Offender Treatment

- Research demonstrates that investing in sex offender treatment yields positive dividends
  - Tangible and intangible costs
    - Victims, families, communities
    - Court processing
    - Correctional management
    - Taxpayers
  - Tangible and intangible benefits

(see Aos et al., 2001; Cohen & Miller, 1998; Donato & Shanahan, 2001; Shanahan & Donato, 2001)

# Meta-Analysis of Treatment Outcomes for Juvenile Sex Offenders

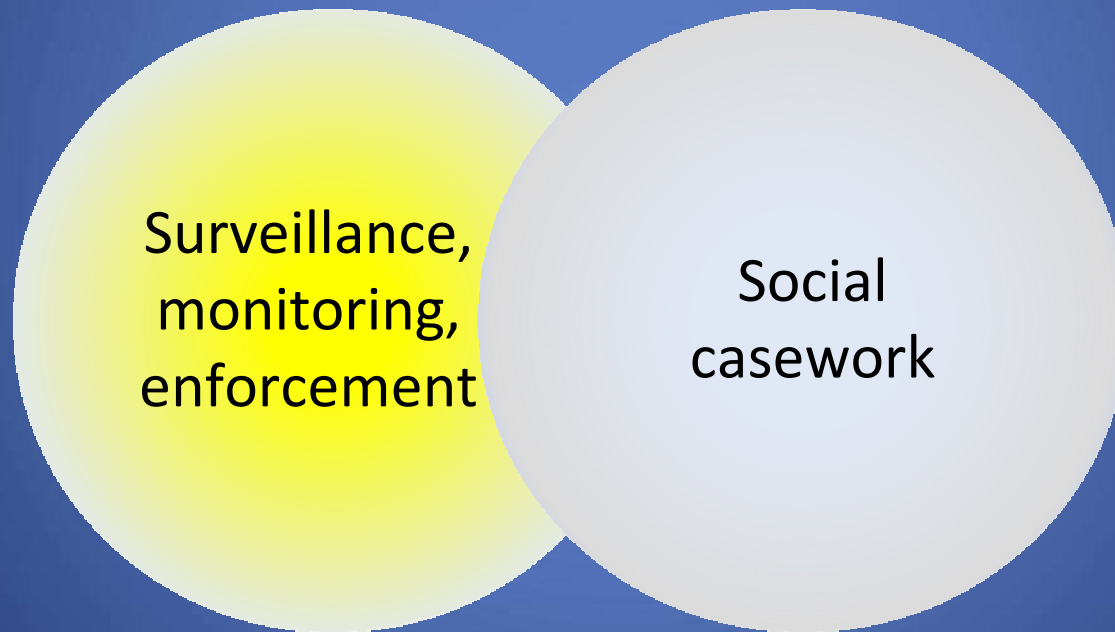


(Reitzel & Carbonell, 2006)

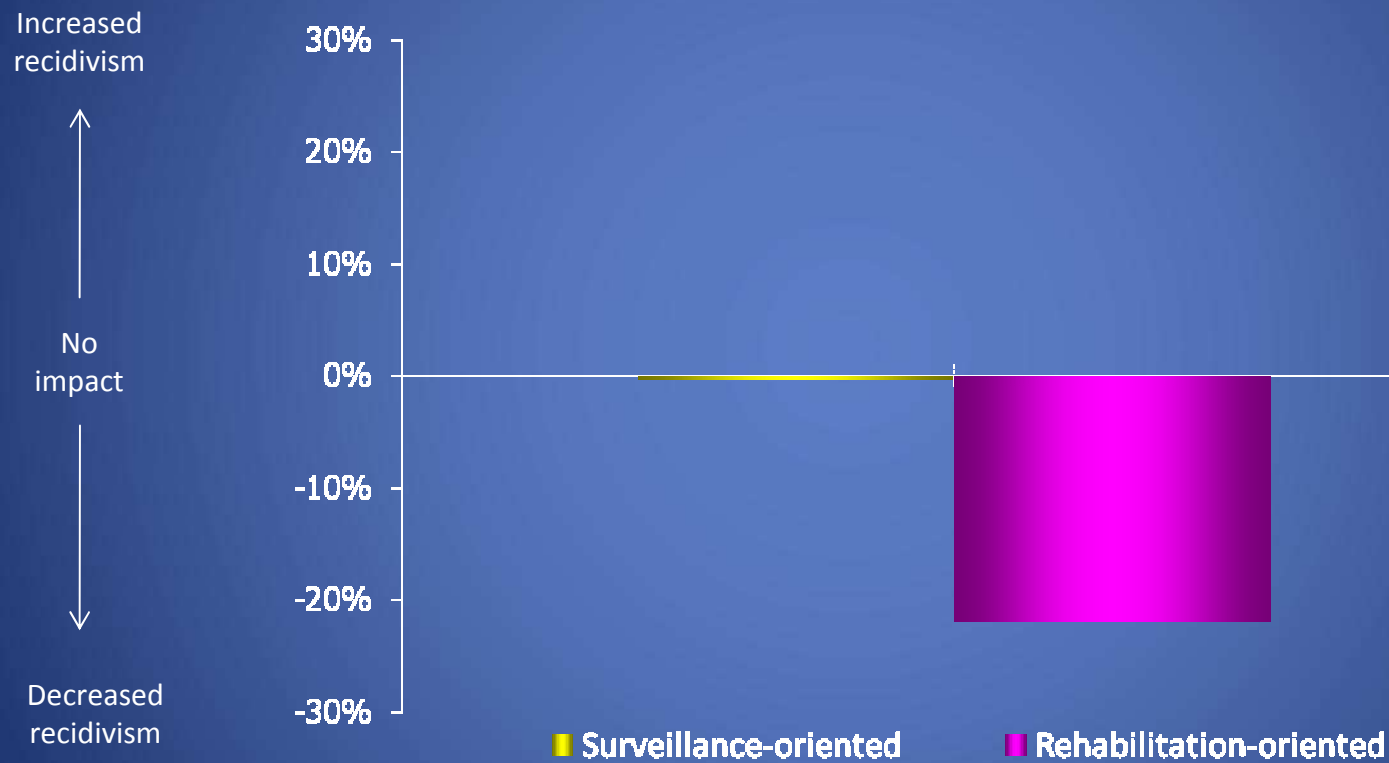
# Specialization for Community Supervision of Sex Offenders: Common Trends

- Specialized officers/caseloads
- Specialized conditions
- Specialized technology

# Blended Community Supervision Philosophies and Functions

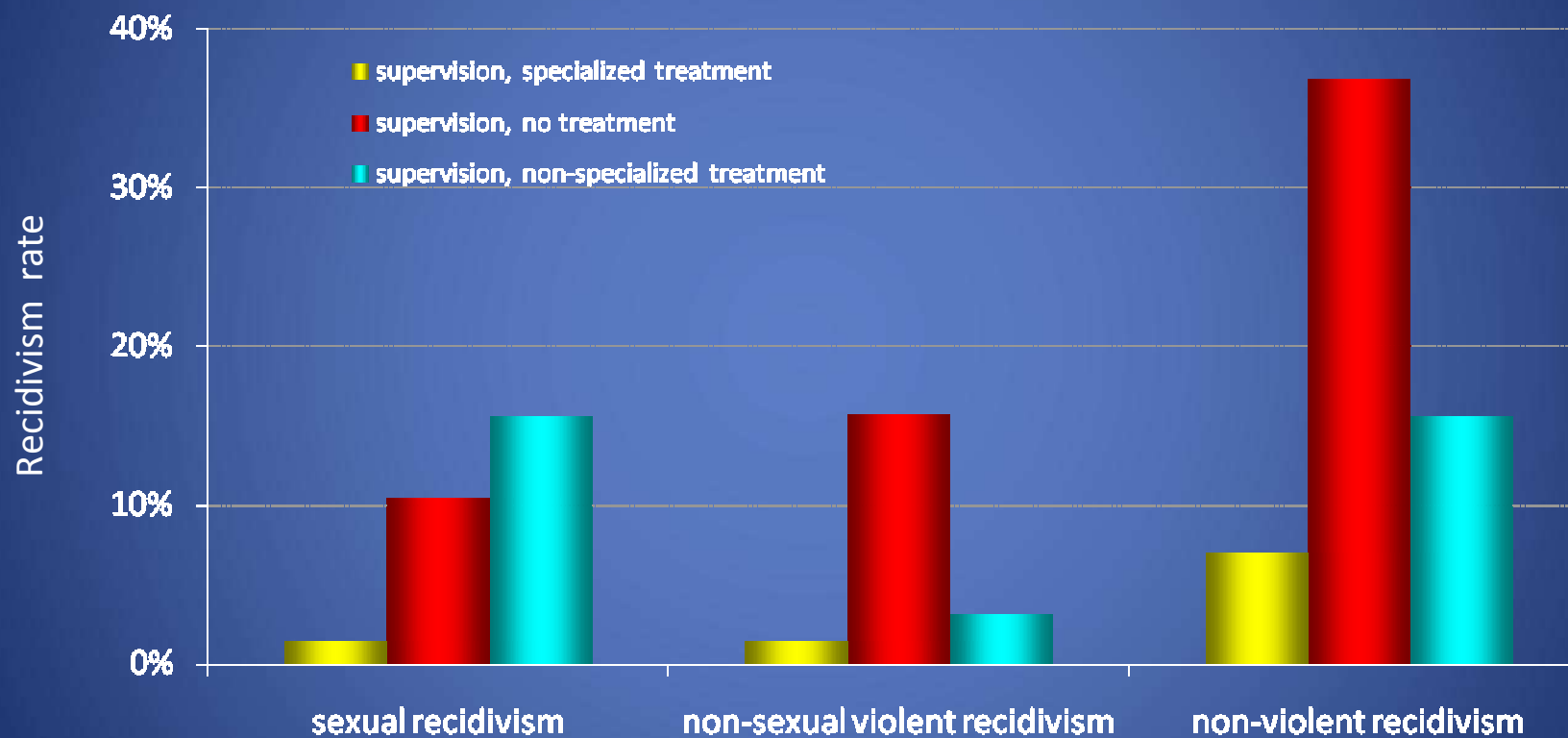


# Impact of Supervision Approach with General Offenders: Surveillance-Oriented vs. Blended/Rehabilitation-Oriented



(Aos et al., 2006)

## Recidivism of Sex Offenders: Supervision Alone vs. Supervision with Treatment



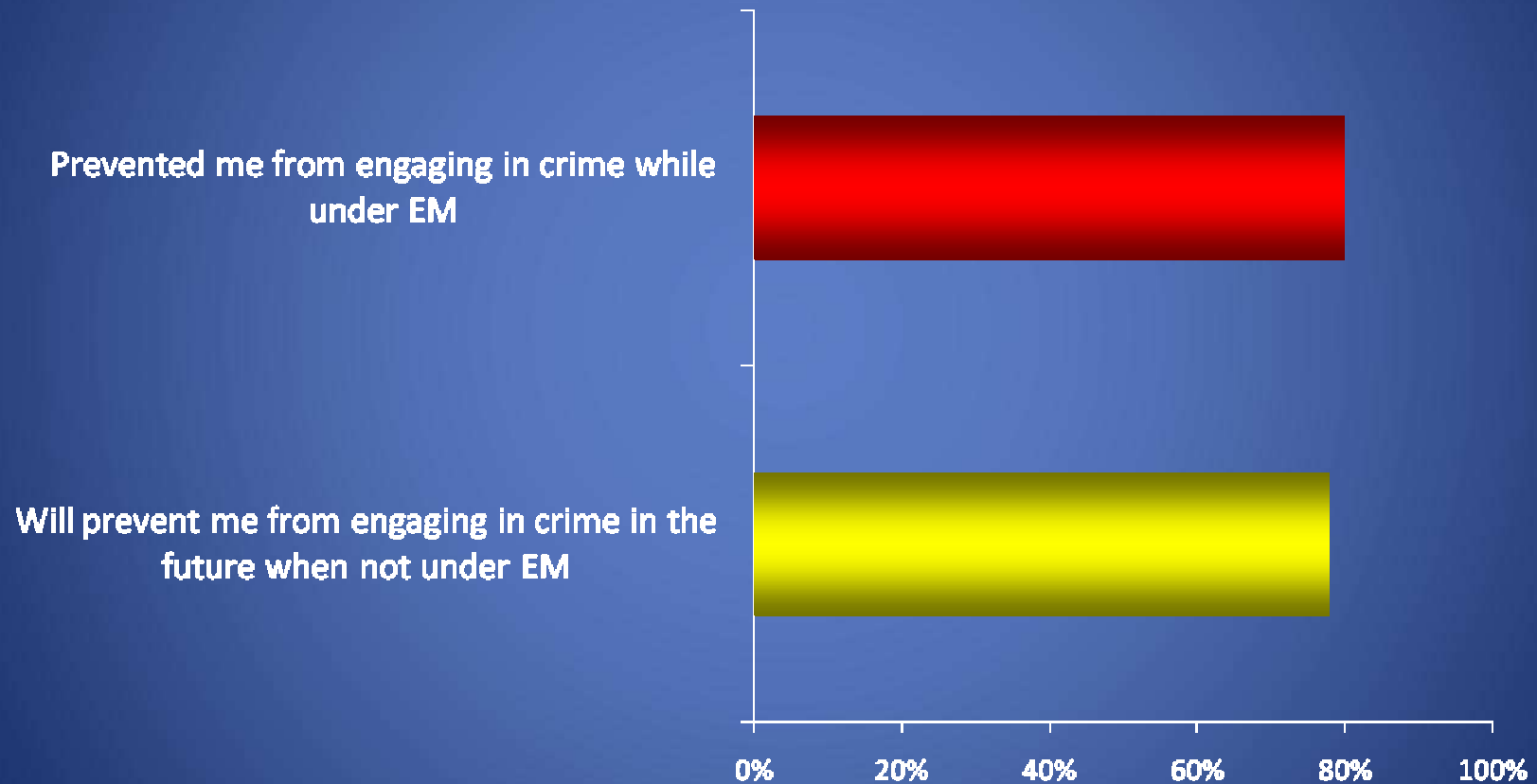
(McGrath, Hoke, & Vojtisek, 1998)

# Newest Legislative Wave

# Electronic Monitoring/GPS

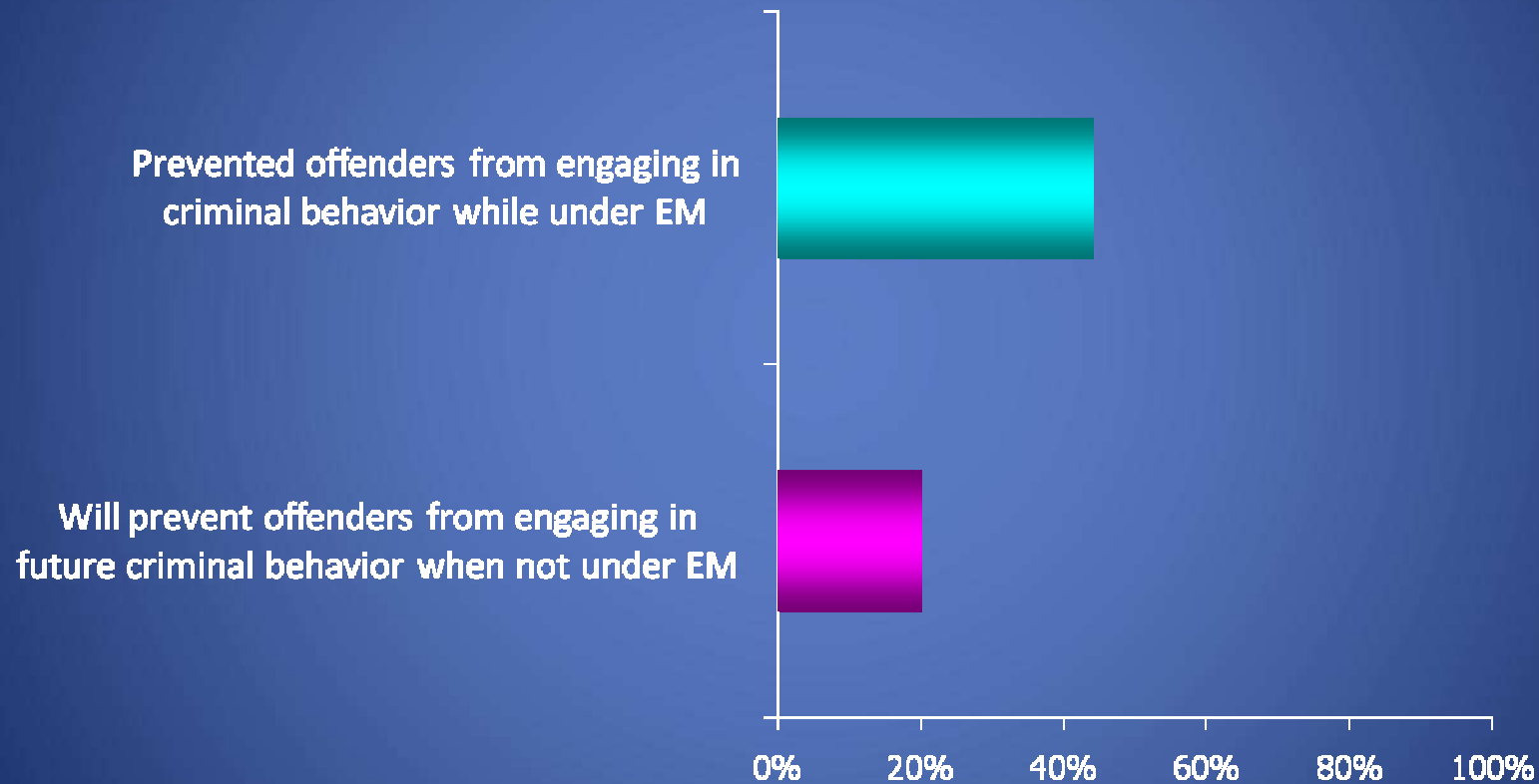
- Primary objectives
  - Deter
  - Enhance accountability and monitoring
  - Increase preventative intervention potential
- Active vs. Passive

# Examining Impact on Deterrence: General Offenders' Reports



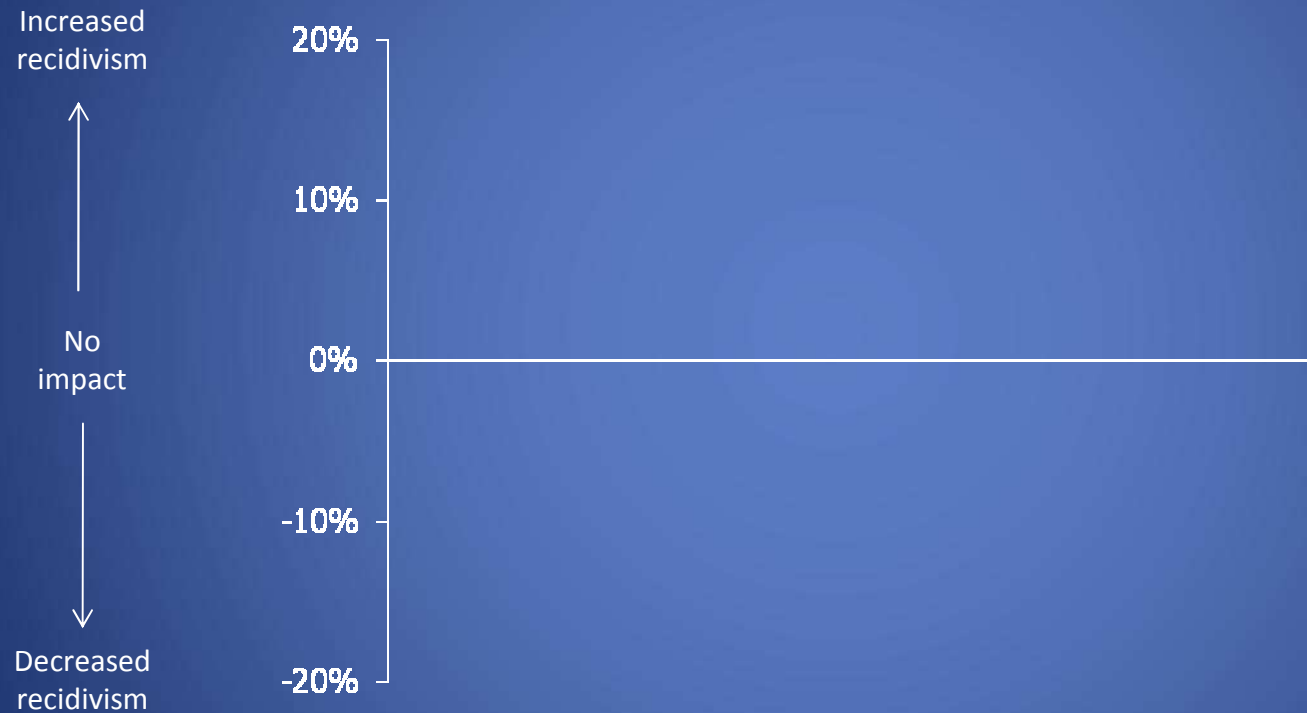
(Adapted from Bonta, Wallace-Capretta, & Rooney, 1999, 2000)

# Examining Impact on Deterrence (General Offenders): Supervision Officers' Perceptions



(Adapted from Bonta, Wallace-Capretta, & Rooney, 1999, 2000)

# Meta-Analyses of Impact of Electronic Monitoring (General Offenders)



(Adapted from Aos, Phipps, Barnoski, & Lieb, 2006;  
Renzema & Mayo-Wilson, 2005)

## Recent Efforts to Examine Impact of GPS: Officers Supervising Sex Offenders in Tennessee

- Reported benefits of GPS with sex offenders
  - Information-gathering tool
  - Accountability and monitoring strategy
  - Deterrence method
- Reported “costs”
  - Strain on agency and staff resources
  - Increased workload, continuous “on call” requirements
  - Excessive monitoring for some levels of sex offenders

(Tennessee Board of Probation and Parole , 2007)

## Recent Efforts to Examine Effectiveness of GPS: Sex Offenders in Tennessee

- No significant differences between GPS and control groups on:
  - Number of violations
  - Number of days until first violation
  - New charges

(Tennessee Board of Probation & Parole, 2007)

## Recent Efforts to Examine Effectiveness of Electronic Monitoring: Sex Offenders in Florida

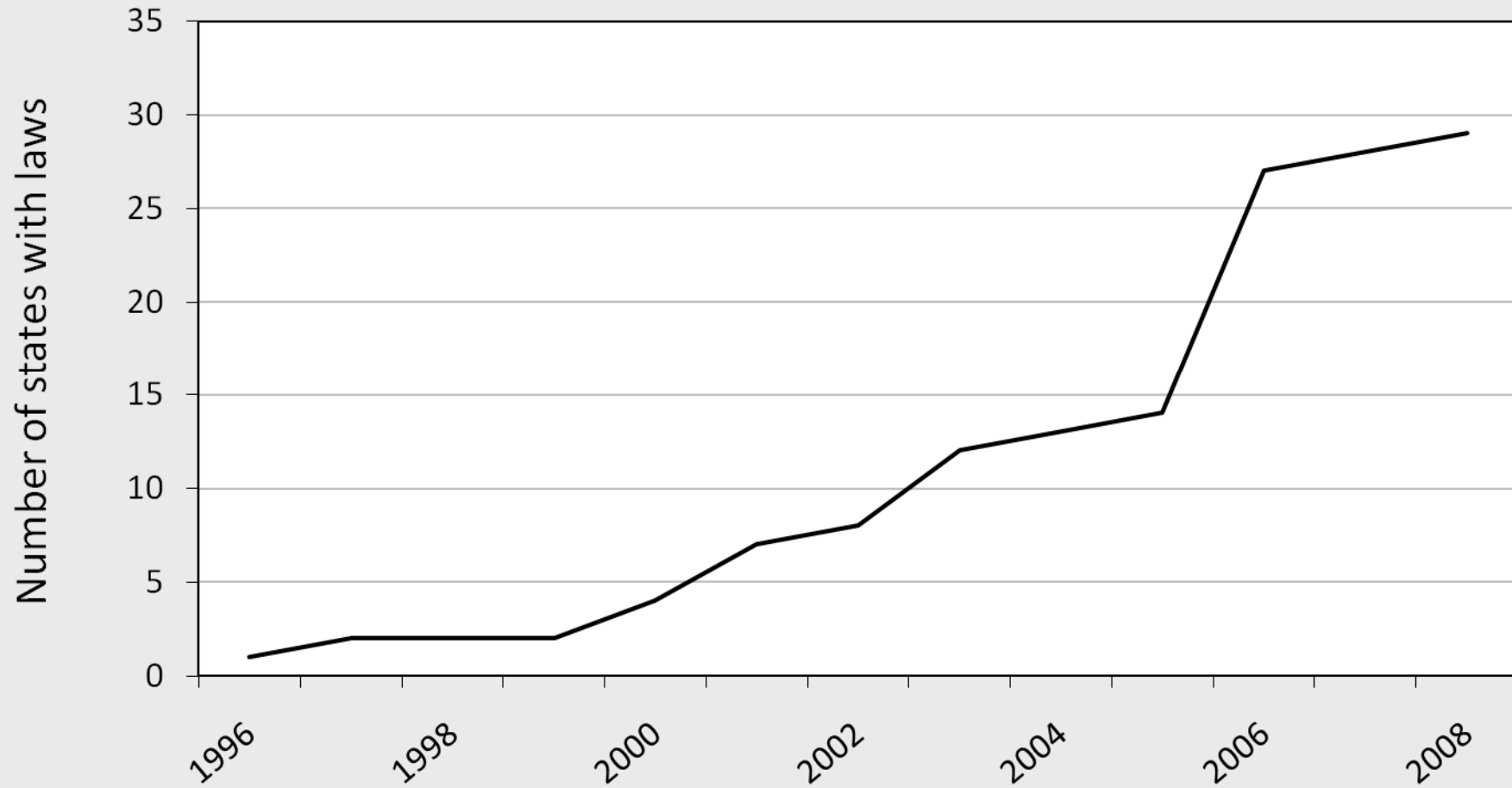
- Serious sex offenders placed on home confinement with electronic monitoring
  - Less likely to be revoked for new offense
  - Less likely to be revoked for absconding
  - Non-significant effect for revocation for technical violations
- Compared to other offender groups, sex offenders were least likely to be revoked for any reason

(Padgett, Bales, & Blomberg, 2006)

# Residency Restrictions: Stated and Implicit Goals

- Deterrence
- Public protection via eliminating “physical proximity” risk factors
  - Two primary forms
    - Outright residency bans
    - Prohibited entrance into zones

## Cumulative Enactment of Residency Restrictions Nationwide

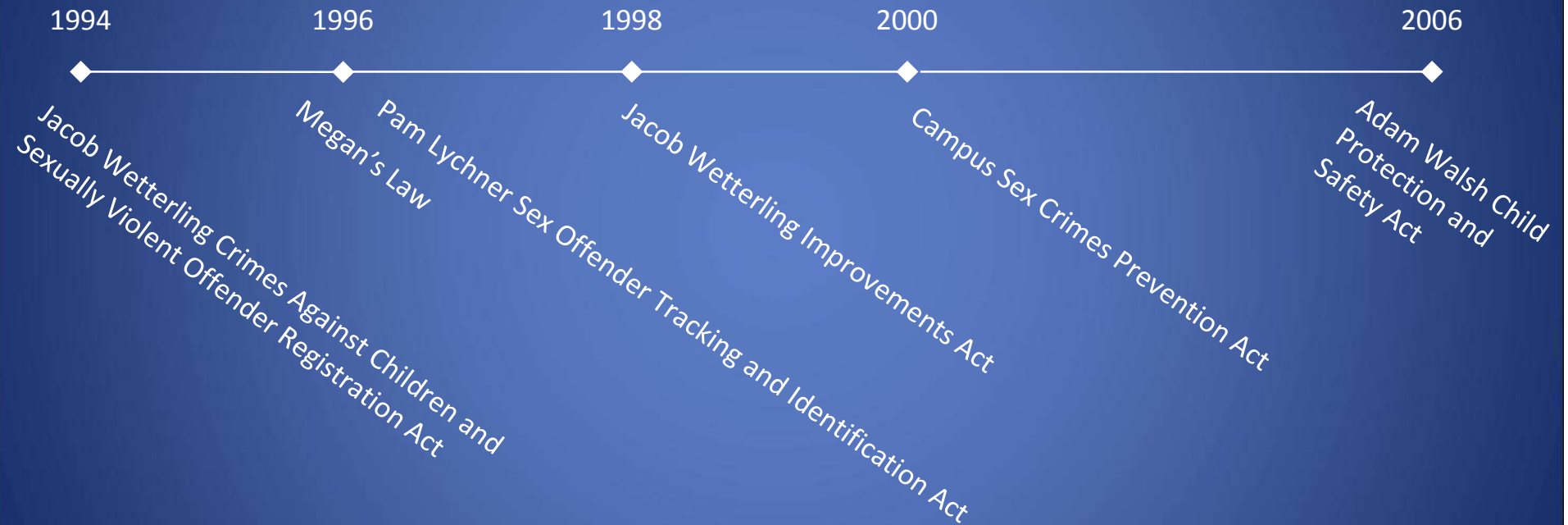


Source: Council of State Governments, 2008

# Review of Findings: Residency Restrictions

- Limited research on impact, effectiveness
  - Questionable deterrence effect
  - Unintended, unanticipated collateral consequences
- Additional questions raised
  - Impact on law enforcement and supervision agencies
  - Costs vs. benefits
  - Empirical rationale based on known victimization trends

# Timeline of Key Federal Legislation (Primarily Registration and Notification)



## Registration and Notification: Stated Goals

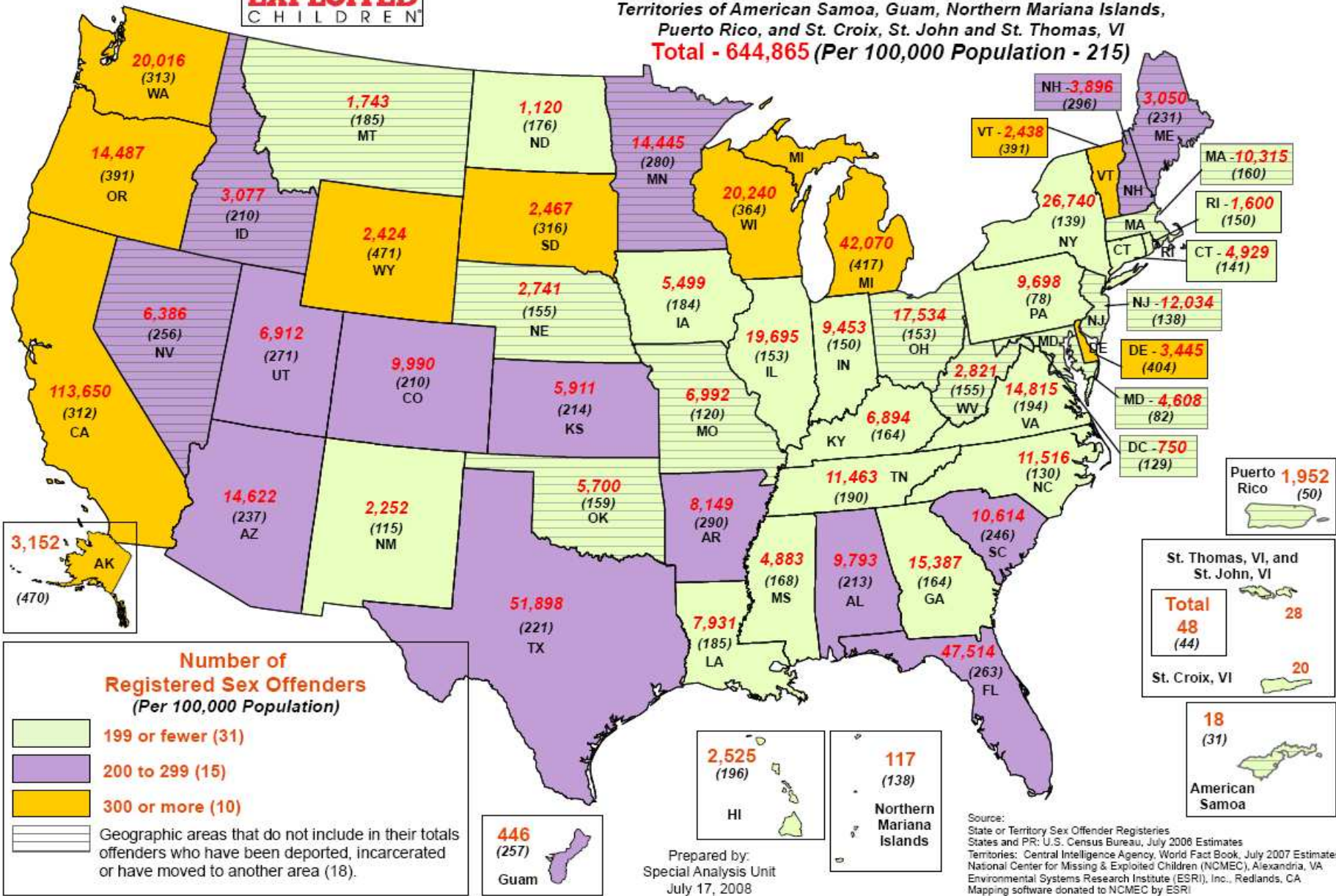
- Increase public protection through ensuring that citizens can obtain local offender information
- Provide law enforcement with an additional investigative tool
- Deter sex offenders from committing future sex crimes
- Deter others from committing sex crimes



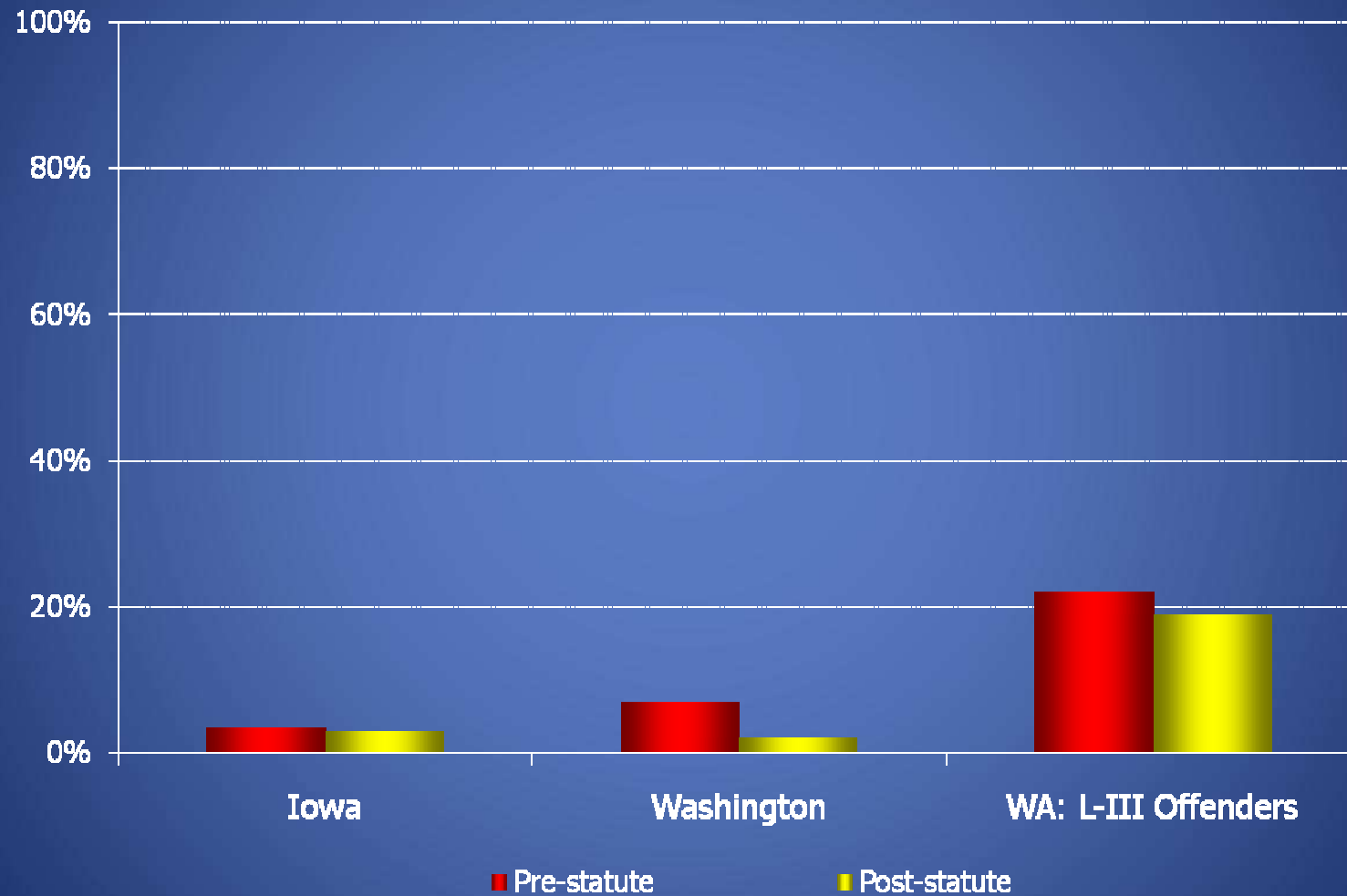
# REGISTERED SEX OFFENDERS IN THE UNITED STATES PER 100,000 POPULATION

Including the District of Columbia and  
Territories of American Samoa, Guam, Northern Mariana Islands,  
Puerto Rico, and St. Croix, St. John and St. Thomas, VI

**Total - 644,865 (Per 100,000 Population - 215)**



## Sexual Recidivism Rates Pre- and Post- Implementation of Statutes: Iowa and Washington State



(Adapted from Adkins, Huff, & Stageberg, 2000; Barnoski, 2005; Schram & Milloy, 1995)

# Review of Findings: Registration and Notification

- Limited scope of inquiry
  - Evidence limited, mixed, inconclusive
- Additional questions
  - Unanticipated, unintended collateral consequences
  - Costs vs. benefits
  - Risk-based vs. offense-based outcomes
  - Impact on juveniles

## Summary: Evidence-Based Lessons from Correctional Research

- Longer sentences, punishment-driven strategies unlikely to reduce recidivism
- Strategies pairing surveillance/monitoring with rehabilitative services have better outcomes
- Prison-based and community-based cognitive interventions (including sex offender treatment) reduce recidivism
  - Costs-benefits analyses generally support investment
- Targeting higher risk offenders for more intensive interventions yields better outcomes
- Empirically-validated risk assessments provide best estimates of risk

# Summary: Decisionmaking Regarding Sex Offender Management Policies and Practices

- Clarify state's most important interests/goals
  - Retribution/punishment?
  - Maximize public safety via incapacitation, deterrence, risk-reduction/rehabilitation?
- Appreciate the potential for correctional research to be instructive regarding how to best address these interests/goals
  - Some strategies “work,” and some strategies do not work
  - For others, effectiveness is unclear/unknown
- Ensure that stakeholders (e.g., policymakers, constituents) are informed consumers
  - Accurate information about sexual victimization
  - Diverse nature of the sex offender population
  - Range of investment options and expected returns/dividends

# Summary

- Sex offenders are a diverse population
  - Recidivism rates are relatively low, but vary considerably
  - Under-reporting and under-detection must be recognized
- Risk can be differentiated reliably using validated, sex offender-specific risk assessment tools
- Some criminal justice/correctional strategies seem to “work,” some do not, and the impact of others is unknown
- Decision-making informed by risk and needs maximizes outcomes and resources

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