

2016 NATIONAL SYMPOSIUM

ON SEX OFFENDER MANAGEMENT AND ACCOUNTABILITY

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ADAM WALSH ACT

10th

ANNIVERSARY

The Sex Offender Management, Assessment and Planning Initiative (SOMAPI)

Literature Review Findings
Adult Sex Offenders



SMART

Sex Offender Management Assessment and Planning Initiative

- Practitioners and policymakers have a common goal: to protect the public from sex offenders and prevent sexual violence
- A variety of policies and programs exist
- Little known about “what works”
- SOMAPI: identify evidence based practices, current gaps/needs of the field, and provide guidance to states and locals

Literature Review

- Cornerstone of SOMAPI
- Inform the SMART Office, OJP, and policy makers and practitioners in the field
- SOMAPI Report released in October 2014 via website and hardcopy
 - <http://smart.gov/SOMAPI/index.html>
 - Describes the research and presents findings, policy implications, research limitations, and future research needs

Literature Review

- Other products
 - Executive summary-type briefs
 - Webinar series
 - Audio/visual available at www.ncja.org
 - Updates to be published later in 2016
 - Key things to know briefs to be published in 2016

Literature Review

- Process
 - Subcontract with the National Criminal Justice Association (NCJA)
 - Topics identified by SMART Office and multi-disciplinary panel of subject matter experts
 - Researchers/writers identified by NCJA, lead consultants, and SMART Office
 - Extensive peer review

Literature Review Chapters

5 Juvenile Topics

Etiology/typologies
Risk assessment
Recidivism
Treatment effectiveness
Registration and notification

8 Adult Topics

Incidence and prevalence
Etiology
Typologies
Risk assessment
Recidivism
Internet offending
Treatment effectiveness
Management strategies

Literature Review Methods

- Source materials identified using abstract databases, internet searches, outreach to relevant organizations and subject matter experts
- Primarily studies conducted within the past 15 years (up to 2012)
 - Forthcoming update through 2016
- Emphasis on individual studies that employed scientifically rigorous methods, as well as on synthesis studies – such as systematic reviews and meta-analyses

Etiology of Adult Sexual Offending

- Single and multi-factor theories
- There is no simple answer to the question of why people engage in this behavior
- Research suggests that a combination of factors likely contribute to sexual offending behavior
- Sexual abuse is a learned behavior
- Negative or adverse conditions in early development—particularly poor relationships with caregivers—can contribute to the problem

Etiology of Adult Sexual Offending

- Many sex offenders have cognitive distortions or thinking errors, and these distorted thinking patterns appear to be involved in maintaining deviant sexual behavior
- Sex offenders appear to have a problem with self-regulation of emotions and moods, as well as with impulse control
- Etiological research currently suffers from two major shortcomings: sampling problems and a lack of intersection among different theoretical perspectives
 - Relatively few studies explore how social structures or cultural phenomena contribute to sexual offending behavior

Adult Sex Offender Typologies

- **Why typologies matter:**
- Classifying offenders (typologies) helps to:
 - Identify risk and needs
 - Individualize treatment interventions
 - Inform decisions regarding investigation, sentencing, assessment, treatment, and management

Child Sexual Abuse Characterization

- Pedophilic vs. non pedophilic distinction
- Pedophilia is a strong predictor of recidivism⁷
- Pedophilia does not necessarily result in a sexual offense⁸
- Individuals who sexually assault a child are not necessarily pedophiles
- Basis for many traditional typologies

Role of Victim's Gender

- Accounts for variability in child sexual abuse, addresses treatment issues, and related to recidivism
- Male victims- strong predictor of recidivism
- Female victims- twice as many victims
- Both males and females – highest number of victims and offenses, higher rates of sexual recidivism in some studies

Relationship to Child Victim

- Intrafamilial
 - Less psychopathic, fewer victims, more likely to report female victims
 - Less likely to be pedophilic, cause less injury, and have lower recidivism
 - Fewer offense supportive beliefs and interpersonal deficits
- Extrafamilial
 - More likely pedophilic and no/few adult relationships
 - More child victims
 - Atypical sexual interests
 - Antisocial tendencies

Rape Characterization

- Younger
- Socially competent
- Substance abuse
- Externalizing behaviors
- Intimacy deficits, negative peer influences, deficits in self-regulation, and offense supportive beliefs
- Engage in many types of crime over time
- Higher sexual and violent recidivism
- Underlying antisocial condition

Female Offending Characterization

- More likely to assault males and strangers
- Less likely to reoffend (1% over 5 yr. period)
- Different offense supportive beliefs (gender specific)
 - Female abuse less harmful
 - Men have control over women
 - Partner's needs are paramount
- More likely to assault in a group or with a co-offender
- Can take an active or passive (indirect) role in the sexual abuse

Internet Offending Characterization

- Report more psychological difficulties in adulthood
- More likely to succeed in the community
- Used as a vehicle for CSA
 - Viewing pornographic images of children (impulsively or sexual interest)
 - Sharing pornographic images of children (financial or sexual gain)
 - Luring or procuring child victims

Crossover Offending

- Presents significant challenges to traditional typologies- multiple victim types
- Crossover offending has been reported in studies using guaranteed confidentiality, anonymous survey, or treatment with polygraphy (more recent clinical and official record combined)
- Offenders admit more victims and offenses than arrested/convicted
- Crossover offending has been associated with sexual recidivism risk

Developmental Risk Factors

- Advanced statistical methods have been able to evaluate the unique and combined contributions of risk factors, offense patterns, and developmental histories
- Different types of maltreatment during childhood associated with different types of sexual offending
 - Child sexual abusers – heightened sexuality
 - Rapists – violence and criminal diversity
- Poor parental bonding enhances the effects of child maltreatment and contributes to sexual offending

Self-Regulation Model

- Individuals are goal-oriented and offend to achieve a desired state
- Nine-stage model of the sex offense process- accounts for heterogeneity of offending
- Examines situational precipitants, cognitive distortions, degree of control, planning, self-evaluation after the offense, attitude toward offending
- Demonstrates clinical utility
- Has been shown to differentiate offense characteristics, static, and dynamic risk
- Validated using several populations and methodologies

Generalist vs Specialist Model

- Specialists – commit sexual crimes persistently; sexual interest in children, history of childhood sexual abuse, sexual preoccupation, more likely to be found among child sexual abusers
- Generalist – do not restrict themselves to one type of crime; commit different crimes over time (majority of sexual offenders); low self-control activities (impulsivity, substance abuse, reckless driving); relationship problems and antisocial behavior

Adult Risk Assessment

- Significant advances in risk assessment over the past 30 years
- Important to clinicians, policymakers, & the public
- Risk assessment involves an estimate of the likelihood of offender recidivism (reverting to illegal behavior) after experiencing legal consequences or intervention for a prior criminal act

Adult Risk Assessment

- Effective sex offender management policies rely on risk assessment
- Results should inform supervision decisions
- Accuracy depends on degree to which the individual offender matches known group of sex offenders & the risk assessment factors being all-inclusive

Research Limitations and Future Directions

- Research on revising risk assessment based on dynamic risk factors needed
- Communication of risk should include both qualitative descriptors and numerical estimates
- Risk assessment should also include how to mitigate and manage risk

Future Directions

- Hanson's recommendations for future sex offender risk assessment:
 - Assess risk factors that can be meaningfully understood
 - Assess clinically useful causal factors
 - Provide precise estimates of recidivism risk
 - Allow all relevant risk factors to be considered
 - Inform development of treatment/management tools
 - Allow the assessment of changes in risk
 - Incorporate protective factors
 - Engage the client/offender in the assessment process
 - Use methods that are easy to implement across a broad range of settings

Conclusions and Policy Implications

- Significant advancements over the past two decades
- Number of reliable, valid risk assessment approaches available
- Research support for:
 - Purely actuarial risk assessment approaches
 - Structured professional judgment
 - Mechanical combination of items from structured risk schemes

Conclusions and Policy Implications

- No research on which risk assessment approaches are best for specific testing circumstances and contexts
- Meta-analyses suggest that purely actuarial risk assessment approaches should be favored over other approaches
- Approach should be determined by:
 - Context of the assessment setting
 - Characteristics of the individual being assessed
 - Specific purpose of the risk assessment

Conclusions and Policy Implications

- Actuarial tools can be completed quickly and easily by trained personnel, or even automated
- Provide ongoing training and monitoring of evaluators
- Primary challenge to identify static and dynamic risk factors
- Develop mechanism to incorporate these factors into the risk assessment process (third-generation risk assessment instruments)
- Assist with identifying tailored interventions (treatment and management)

Conclusions and Policy Implications

- As Hanson and Morton-Bourgon aptly state, “Given its genesis in data, the empirical actuarial approach will ultimately provide the best estimates of absolute risk”
- Use unless there is clear and justifiable reason to do so, such as when no applicable risk instrument exists

Conclusions and Policy Implications

- For assessing the likelihood of sexual recidivism, the best-supported instruments are the Static-99R, Static-2002R, MnSOST-R, Risk Matrix-2000 Sex, and adding the items from the SVR-20
- For assessing the likelihood of violent (including sexual) recidivism, the best supported instruments are the VRAG, the SORAG, the Risk Matrix-2000 Combined, the SIR, and the LSI-R and its variants

Recidivism of Adult Sex Offenders

- **Key Considerations**
- Observed recidivism rates are underestimates of the true reoffense rates of sex offenders
- Recidivism rates are often measured differently from one study to the next
- Different ways of measuring recidivism can produce substantially different results
- Comparing recidivism rates that were derived in different ways can lead to inaccurate conclusions

Recidivism of Adult Sex Offenders

- **Key Considerations**
- Some of the most common ways in which measurement variation occurs in recidivism research are:
 - Variation in the way researchers operationally define recidivism
 - Variation in the length of the follow-up period
 - Differences in the populations being studied

Recidivism Rates for All Adult Sex Offenders

- Largest single study of sex offender recidivism conducted to date was published by the U.S. Department of Justice, Bureau of Justice Statistics (BJS)
 - Examined recidivism patterns of 9,691 male sex offenders released from prisons in 15 states in 1994
 - 2/3rds of all male sex offenders released from state prisons that year
 - 3-year follow-up period

Recidivism Rates for All Adult Sex Offenders

BJS study of male sex offenders released from prisons in 1994 Based on a 3-year follow-up period

- Sexual arrest recidivism rate of 5.3 percent
- Violent arrest recidivism rate of 17.1 percent
- Arrest recidivism rate for any crime of 43 percent
- 3.5 percent were reconvicted for a sex crime; 24 percent were reconvicted for an offense of any kind
- Nearly 4 out of every 10 (38.6 percent) returned to prison within 3 years of their release

Recidivism Rates for All Adult Sex Offenders

- Sample and Bray (2003) examined the recidivism of 146,918 offenders arrested in Illinois in 1990
 - Arrestees categorized as sex offenders (based on their most serious charge in 1990 being a sex offense)
- Sex offenders in the study had 1-year, 3-year, and 5-year rearrest rates for a new sexual offense of 2.2 percent, 4.8 percent, and 6.5 percent, respectively
- Sex offenders in the study had 1-year, 3-year, and 5-year rearrest rates for any new offense of 21.3 percent, 37.4 percent, and 45.1 percent, respectively

Recidivism Rates for All Adult Sex Offenders

- Harris and Hanson (2004) meta-analysis; combined sample of 4,724 sex offenders
- Recidivism based on new charges or convictions for sexual offenses
 - 5-year sexual recidivism rate: 14 percent
 - 10-year sexual recidivism rate: 20 percent
 - 15-year sexual recidivism rate: 24 percent
 - Hanson, Morton, and Harris (2003) reported that the 20-year sexual recidivism rate for the sample was 27 percent
- 15-year sexual recidivism rate for offenders who already had a prior conviction for a sexual offense was nearly twice that for first-time sex offenders (37 percent compared to 19 percent)

Recidivism Rates for Rapists

- BJS study of male sex offenders released from prisons in 1994 included a sample of 3,115 rapists
 - Based on a 3-year follow-up period
 - 5 percent were arrested for a new sex offense
 - Violent crime and overall recidivism rates found for rapists were 18.7 percent and 46 percent, respectively
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- Harris and Hanson (2004) analysis included a sample of 1,038 rapists
 - Sexual recidivism rates for rapists, based on new charges or convictions:
 - 14 percent at 5 years
 - 21 percent at 10 years
 - 24 percent at 15 years

Recidivism Rates for Child Molesters

- BJS study of male sex offenders released from prisons in 1994 included a sample of 4,295 child molesters
- Based on a 3-year follow-up period
 - 5.1 percent rearrested for a new sex crime
 - 14.1 percent rearrested for a violent crime
 - 39.4 percent rearrested for a crime of any kind
- Child molesters with more than one prior arrest had an overall recidivism rate nearly double (44.3 percent compared to 23.3 percent) that of child molesters with only one prior arrest

Recidivism Rates for Child Molesters

- Harris and Hanson (2004) documented differential rates of recidivism for different types of child molesters

Five-Year, 10-Year, and 15-Year Sexual Recidivism Rates (Based on New Charges or Convictions) for Boy-Victim Child Molesters, Girl-Victim Child Molesters, and Incest Offenders

	5 years	10 years	15 years
Boy-Victim Child Molesters	23.0 percent (N=315)	27.8 percent (N=105)	35.4 percent (N=95)
Girl-Victim Child Molesters	9.2 percent (N=766)	13.1 percent (N=218)	16.3 percent (N=208)
Incest Offenders	6.4 percent (N=416)	9.4 percent (N=73)	13.2 percent (N=69)

Source: Harris and Hanson (2004).

Comparative Recidivism Rates of Female and Male Sex Offenders

- Research demonstrates that female sex offenders reoffend at significantly lower rates than male sex offenders

Differential Recidivism Rates for Male and Female Sex offenders

	Estimated Percentage Recidivating Based on a 5-Year Followup Period		
	Sexual Recidivism	Violent Recidivism	Any Recidivism
Male Sex offenders	13–14 percent	25 percent	36–37 percent
Female Sex offenders	1 percent	6.3 percent	20.2 percent

The recidivism rate differences between male and female sex offenders were statistically significant for each type of recidivism ($p < .001$). Source: Cortoni and Hanson (2005).

Conclusions and Policy Implications

- Official records underestimate recidivism
- The observed sexual recidivism rates of sex offenders range from about 5 percent after 3 years to about 24 percent after 15 years
- Sex offenders—regardless of type—have higher rates of general recidivism than sexual recidivism
- Sex offenders have lower rates of general recidivism but higher rates of sexual recidivism than non-sex offenders

Conclusions and Policy Implications

- Different types of sex offenders have markedly different rates of recidivism
 - The highest observed recidivism rates are found among child molesters who offend against boys
 - Comparatively lower recidivism rates are found for rapists, child molesters who victimize girls, and incest offenders
- Research suggests that different recidivism-reduction policies and practices are needed for different types of sex offenders
 - Policies and practices that take into account the differential reoffending risks posed by different types of sex offenders are likely to be more effective and cost-beneficial than those that treat sex offenders as a largely homogenous group

Treatment Effectiveness Research

- **Key Considerations**
- Effectiveness has been assessed in both single studies and synthesis studies
- Important to consider both the quality and consistency of the evidence
- Among single studies, well designed and executed randomized controlled trials (RCTs) provide the most trustworthy evidence
 - Few sex offender treatment RCTs have been conducted

Findings from Single Studies

- California Sex Offender Treatment and Evaluation Project (SOTEP) Study
- One of few studies to use an RCT design
- Examined recidivism reduction effects of a prison-based cognitive behavioral/relapse prevention program
- Program participants (N=204) were serving prison sentences for child molestation or rape
- Follow-up period of approximately eight years; two control groups
 - 225 incarcerated sex offenders who volunteered for treatment but who were randomly selected not to receive it
 - 220 incarcerated sex offenders who did not want treatment

SOTEP Study

- No significant differences in sexual or violent recidivism between treated sex offenders and the two untreated control groups
 - Due to RCT design, study is frequently cited as evidence that treatment is ineffective
- Study author's have pointed out that the treatment and control groups likely differed in important ways, and the treatment program itself did not fully adhere to the risk-need-responsivity (RNR) principles of effective intervention

SOTEP Study

- However, some of the subgroup analyses did find a treatment effect
 - High-risk offenders who participated in treatment and demonstrated they “Got It” — meaning that they derived benefit from the program, or met specified treatment goals — recidivated at a significantly lower rate than offenders who “Did Not Get It”
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- Treatment effectiveness can be dependent on a variety of factors, including program delivery and how the participant responds to treatment

Findings From Single Studies

- Canadian study of a prison-based cognitive-behavioral program for moderate- to high-risk sex offenders that followed RNR principles found reductions in sexual recidivism
 - Treated offenders had sexual reconviction rates of 11.1% after three years, 21.8% after 10 years
 - Untreated offenders had sexual reconviction rates of 17.7% after three years, 32.3% after 10 years

Findings From Single Studies

- Minnesota study found that participating in treatment significantly reduced the likelihood and pace of recidivism
 - Offenders who completed prison-based treatment had sexual, violent, and general rearrest recidivism rates of 13.4%, 29%, and 55.4%, respectively
 - Sexual, violent and general rearrest rates for sex offenders who did not participate in treatment were 19.5%, 34.1%, and 58.1%
- Study is important because it used propensity score matching (PSM) to create the comparison group
 - PSM is a sophisticated statistical technique for achieving greater equivalence between the treatment and comparison offenders

Findings From Synthesis Research

- 4 important meta-analyses that incorporated methodological quality considerations
 - MacKenzie (2006)
 - Lösel and Schmucker (2005)
 - Schmucker and Lösel (2015)
 - Hanson, Bourgon, Helmus and Hodgson (2009)

Mackenzie (2006)

- Meta-analysis of 28 independent studies
 - Employed the Maryland Scientific Methods Scale (SMS), criminology's most commonly used tool for assessing the quality of a study
- Treated sex offenders had a lower rate of recidivism than untreated sex offenders, 12% compared to 22%
- Based on the most rigorous studies, cognitive behavioral/relapse prevention treatment was found to be effective
 - The average recidivism rate for treated offenders was 9%, compared to 21% for untreated offenders

Lösel and Schmucker (2005)

- Meta-analysis of 69 independent studies; combined total of 22,181 study subjects
 - Found significant reductions in sexual, violent and any recidivism based on an average follow-up period of slightly more than five years

	Sexual	Violent	Any
Treated Sex Offenders	11.1%	6.6%	22.4%
Untreated Sex Offenders	17.5%	11.8%	32.5%

- Treatment effects were greater for cognitive-behavioral therapy and for sex offenders who completed treatment

Schmucker and Lösel (2015)

- Update of 2005 study using a slightly different, but arguably more robust methodology
 - Based exclusively on studies with equivalent treatment and control groups
- Found that treatment reduced sexual recidivism by 26.3%; overall recidivism by 26.4%
- Larger treatment effects were found for higher risk offenders; treatment for low risk offenders was not effective at all
- Treatment was equally effective for those who entered treatment on a voluntary or mandatory basis

Hanson, Bourgon, Helmus and Hodgson (2009)

- Meta-analysis of 23 studies
- Found significant reductions in sexual and overall recidivism based on an average follow-up period of 4.7 years

	Sexual	Any
Treated Sex Offenders	10.9%	31.8%
Untreated sex Offenders	19.2%	48.3%

- Adhering to the RNR principles increased treatment effectiveness
 - Treatment that adhered to all three principles was most effective

Conclusions and Policy Implications

- While the knowledge base is far from complete, the evidence suggests that treatment can and does work
 - Cognitive-behavioral approaches can achieve at least modest reductions in both sexual and nonsexual recidivism
- Cost-benefit analysis indicates the treatment for adult sex offenders produces a net return on investment of \$1.30 in benefits for every \$1 spent
- Treatment may have a differential impact depending on the characteristics of the treatment participant and other contextual factors

Conclusions and Policy Implications

- Rather than following a one size fits all approach, treatment is apt to be most effective when it is tailored to the risks, needs and offense dynamics of individual sex offenders
 - Adhering to the RNR principles of effective intervention appears to be important
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- Future research needs
 - There is an acute need for more high-quality studies on treatment effectiveness, particularly those that help specify what types of treatment work, for which type of offenders, in which situations
 - Studies on the effectiveness of the GLM approach also are needed

Supervision and Management

- **Intensive Supervision Research – General**
 - No support for ISP with criminal offenders
 - Support for treatment oriented ISP
- **Containment Approach**
 - Developed based on research of best practices at the time
 - Collaboration between officers, treatment providers, & polygraphers
 - Research supports effectiveness
 - But is not conclusive

Supervision and Management

- **Electronic Monitoring – GPS**
 - Passive (radio transmitter device; GPS) and active (GPS – real-time location tracking)
 - Exclusion zone and victim residence notification
 - 47 states use GPS (6 – lifetime)

Supervision and Management

- **Electronic Monitoring (GPS) General and Specific Research**
 - General offender research results mixed with some showing no benefits while others do show benefits
 - Sex offender research also mixed with some showing benefits while others don't
 - Laws have no impact on rate of rape

Conclusions

- More research is needed on SORN
 - Has broad community support
- Residence restrictions don't appear to be effective; should not be used
- Positive impact of strategies reliant upon RNR approach (not 1 size fits all)

Conclusions

- Policies should be evidence-based; allow for innovation and study
- Treatment oriented specialized supervision appears to be effective
- COSA is a promising practice but more research needed
- Polygraph research is mixed; should only be used as part of comprehensive treatment/supervision approach

Thank You

Questions or Comments?

