

# 2016 NATIONAL SYMPOSIUM

ON SEX OFFENDER MANAGEMENT AND ACCOUNTABILITY

JULY 26-27 | KANSAS CITY MARRIOTT DOWNTOWN, KANSAS CITY, MO

ADAM WALSH ACT

10<sup>th</sup>

ANNIVERSARY

## Monitoring Sex Offenders in the Community: Thinking Beyond Address Verification

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**SMART**

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# ***GREETINGS AND INTRODUCTIONS***



# Outline for the Session

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- Sexual Offender Risk Assessment
- Supervision of Sex Offenders in the Community
- Sex Offender Registry Checks

# Risk Assessment in Community Supervision – Base Rates

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- Base Rates: It helps to start with an understanding of the recidivism rates of sexual offenders
  - U.S. DOJ study: 5.3% of U.S. sexual offenders are rearrested for a new sex crime within three years (BJS, 2003)
  - A study of nearly 30,000 sex offenders from North America and England found an average re-arrest rate of 14% over an average five-year follow-up period (Hanson & Bussière, 1998; Hanson & Morton-Bourgon, 2005)

# Base Rates, cont.

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- Male-focused pedophiles are among the most likely to reoffend sexually (35% over 15 years), whereas the average recidivism rate over 15 years is 24% (Harris & Hanson, 2004)
  - While these official rates necessarily underestimate true recidivism rates, most sexual offenders do not reoffend sexually (Harris and Hanson, 2004)
  - Sex offenders are actually more likely to recidivate non-sexually than sexually

# Assessing Risk

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- Recidivism rates vary based on a number of factors such as criminal history, type of victim, offender characteristics like age, etc.
  - We need to identify what factors are reliably associated with increased risk, and then apply scarce resources according to assessed risk
  - Thankfully, a number of studies over the past 30 years have done this, and we have solid information and tools as a result

# Assessing Risk, cont.

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We can conceptualize risk factors as follows:

Static Risk Factors: those risk factors that change very little if at all, such as age at first offense, number of prior offenses, and victim characteristics

Dynamic Risk Factors: those risk factors that can and do change, such as substance abuse, cooperation with supervision, and participation in treatment. These factors are also referred to as criminogenic needs and psychological meaningful or relevant risk factors.

# Assessing Risk, cont.

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We can further subdivide dynamic risk factors into two categories:

Stable factors: these are often targeted for intervention efforts, and change over months or years, e.g., relationships, impulsivity

Acute factors: more rapidly changing (weeks or days) and often represent emergent issues, such as current substance abuse, lifestyle instability, and attitudinal changes



# Assessing Risk, cont.

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Given that sexual offenders are more likely to recidivate non-sexually than sexually, start with a broad assessment of risk and criminogenic needs, such as the:

- Level of Service Inventory – Revised (LSI-R) or Level Service – Case Management Inventory (LS-CMI)
- Brief Assessment for Recidivism Risk (BARR-2002R), a subset of items from the Static-2002R
- Psychopathy Checklist – Revised (PCL-R)

# Assessing Risk, cont.

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- Next use one or more validated, actuarial assessments of static sex offense risk, such as the:
  - Static-1999R (Hanson and Thornton: available at [www.static99.org](http://www.static99.org))
  - Static-2002R (Hanson and Thornton: available at [www.static99.org](http://www.static99.org))
  - Mn-SOST-3.1 (Duwe, Grant and Freske, 2012: available at <http://www.doc.state.mn.us/pages/files/large-files/publications/>)

# Assessing Risk, cont.

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- Finally, use a measure of dynamic sex offense risk, such as the:
  - Stable-2007 and Acute-2007 (Hanson, Harris, Scott, and Helmus, 2007: available at: <http://www.publicsafety.gc.ca/cnt/rsracs/pblctns/ssssng-rsk-sxl-ffndrs/index-eng.aspx>)
  - Sex Offender Treatment Intervention and Progress Scale (SOTIPS: McGrath, Cumming, and Lasher, 2012: available at: <http://robertmcgrath.us/index.php/risk-instruments/sotips/>)

# Assessing Risk, cont.

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Regarding frequency of administration, time the administration to the temporal nature of the risk factors being assessed

- General Risk and Needs – annual assessment
- Static Risk – annual assessment
- Stable Dynamic Risk – every six months to annual
- Acute Dynamic Risk – at every contact, monthly, or more often as needed

# Assessing Risk, cont.

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- Ensure that whoever is administering these measures is trained and/or credentialed to do so, and that they stay current in their knowledge and skills given the rapid pace of development in this area
- Don't give in to the temptation to adjust the scores of the actuarial measures, as such adjustments have repeatedly been found to decrease their accuracy

# Acute Dynamic Risk

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- Sometimes the process factors (what goes on during your interaction with the individual) are as important or even more important than the content factors (what is being said by the individual)
- Two acute, dynamic factors to pay particular attention to in this area are hostility and rejection of supervision

# Acute Dynamic Risk – Acute-2007

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- Generally speaking, those who score in the “Moderate” range on the ACUTE-2007 should receive twice the supervisory priority as those who score in the “Low” range
- Those who score in the “High” range should receive four times the supervisory priority as those who score in the “Low” range

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## Sex Offender Supervision



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# Types of Offenders

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- Contact offenders
- Non-contact offenders
  - Most federal offenders
- Registration Offenders

# Advantage of Specialization

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- Selected officer(s) suited for the supervision
  - Able to discuss sexual issues related to supervision
  - Good communicator
- Allows specific focus
- Permits the development of expertise
- Provides consistent supervision practices

# Key Supervision Approaches

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- Set parameters
  - Firm, consistent rules and boundaries – offenders often attend same treatment program
  - Convey professional, nonjudgmental approach
  - Rely on departmental policy and rules
- Zero tolerance for deception no matter how small
- Ongoing, periodic verification
  - Including already approved third-party contacts

# Key Supervision Approaches

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- Diligence
  - Long-term compliance
  - Nontraditional
- Responsiveness
  - Timely interventions
  - Response relative to the nature of the violation and repetitiveness
  - Individualized approach – each offender presents unique issues
  - Balance need for community safety with the offender's ability to remain in the community
- Seek second opinions often

# Community-Based Supervision

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- Frequent unannounced home contacts
  - Nontraditional hours
- Home Inspections
  - All rooms of the residence and outside structures
- Frequent, scheduled meetings with treatment provider
- Collateral contacts
  - Including all associates

# Supervision Tools

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- Polygraph
  - Investigative tool
  - Don't over-rely on polygraph
- Search and seizure
- Computer monitoring
  - Allow only one device
- Registration
  - Goal is to have the offender registered properly
- Treatment
  - Allow treatment to be treatment

# Supervision Team

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Supervision is enhanced by involving a variety of information sources

- Registration authorities
- Counselor
- Polygrapher
- Other sex offender specialists
- Family members

# Sex Offender Registration

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- Not every offender is on supervision or probation
- There are limited intervention and interaction opportunities with these persons
- Your state, county, territory, or tribe may have additional laws determining the residence or community access a sex offender may have



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## Monitoring SORNA Registrants



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# Monitoring Model

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- History
- Culture
- Importance of a Baseline




# Sex Offenders? Get the Specifics

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- History
  - Criminal History
  - Sexual Offenses (charged and uncharged)
- Deviance (What is deviant? What is normal?)
  - Offenses – behaviors during the offense
  - Pre-offending behaviors
  - Paraphilias
- Personality Characteristics
  - Typologies
  - Supervision issues


Nor·mal<sup>1</sup>

[ˈnɔrməl] 

**DEFINITION**

1. a town in central Illinois, home to Illinois State University (originally a normal, or teachers, school); pop. 52,056 (est. 2008).

Powered by Oxford Dictionaries · © Oxford University Press · Translation by Bing Translator

Translations, word origin, and more definitions 

# History

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- Education level
- Employment (past and current)
- Family status
- Charges
- Juvenile charges?
- Uncharged offenses
- Offense characteristics – crime scene behaviors  
(Mokros, 2007 & 2013)

# Deviance

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- There is no “normal” when it comes to sexual behavior
- People are sometimes not entirely aware of their sexual interests and arousal, and are sometimes not honest with themselves
- Abnormal, however, has some bright lines
  - Children
  - Animals
  - Murder
  - Non-consensual
- When does an interest become a “paraphilia”?



# Criminogenic Needs

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- Psychologically Meaningful Risk Factors
  - Dynamic – can change
  - Targets for Intervention
    - Criminal personality, anti-social attitudes, values & beliefs
    - Criminal associates
    - Family dysfunction
    - Poor self-control, poor problem-solving skills
    - Lack of employment/employment skills/education
- Variables *Not* Linked to Recidivism for Sexual Offenses
  - Victimization/maltreatment history
  - Emotional/psychological difficulties
  - Poor clinical presentation

(Hanson & Morton-Bourgon, 2005)

# Personality Characteristics

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- Criminal Thinkers
  - Psychopath
  - Anti-social Personality Disorder
  - Sadists
- Emotional Drains
  - Narcissistic Personality Disorder
  - Borderline Personality Disorder
  - Histrionic Personality Disorder
- Dual Issues
  - Mental Illness
  - Substance Abuse

# Registration Verification

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- Is it important to verify the registration information offenders provide?
  - *Sec. 2250 of the Adam Walsh Act* – failure to register
- Must provide: address where they live, work, go to school



# What is the Residence Like?

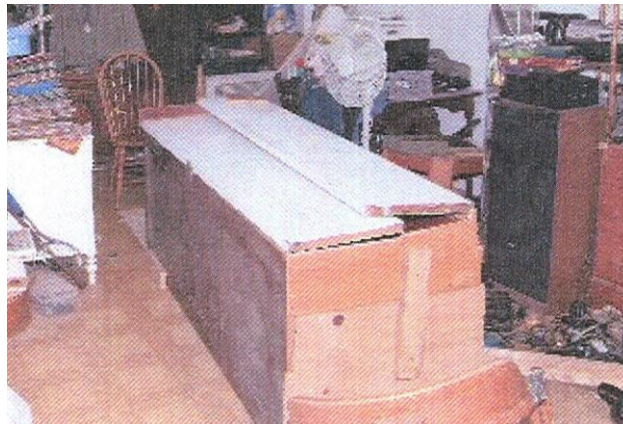
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- Do they live there?
- Who else lives there?
- Where are you?
- Any criminal violations?
- Supervision issues?
- Computer(s)?
- Sex offense specifics?
- Are vulnerable people present?
- Indicators?
- Collections?
- AOOTTO?

# Case Examples: Paul & His Coffin

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- Operation DC Star
  - USMS & CSOSA
  - Registry checks on RSO's in DC metro
  - Behavioral Analysis Unit: interview registrants
    - Collect data on re-entry
    - Collect data on environmental risk assessment



# Lawrence and his Grandma

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- Residence: an elder care apartment complex
- Lived there as primary caregiver for his bedridden grandmother
  - Also is financial executor
- History: sexual assault of 5 vulnerable teens all cognitively and physically disabled
  - He was their primary caregiver (hired)
  - Also stole money from them

# Sex Offender Interaction Strategies

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Surprisingly people aren't interested in admitting they are contemplating bad behavior.

Criminal thinkers use a series of tactics to:

- Get what they want
- Avoid what they don't want
- Get by with as little effort as possible
- Get others to do things for them
- Present a better image to others

# Most Common = Criminal Thinking

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Make themselves a victim

Avoid responsibility

Use anger as a weapon or anger's secret friend: tears

# Countering Criminal Thinking

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- Keep focused
- Get the real answer to the question you asked
- Don't fill in information
- Silence
  
- Remember:
- Unable to identify when someone is lying or hiding information (Bond & DePaulo, 2006)
- We believe that others have the same underlying motivations, wants, and needs as we do so we use ourselves as a baseline (Baumeister & Leary, 1995)

# Documentation

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- The value of case notes
- Documentation not only protects you - it can help build a case if something goes wrong...
- or right...

# The Citizen Phone Call

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*“I saw ‘ \_\_\_ ’ downtown and he is hanging out with ‘teenagers/kids/drunk women at bars’ and he is a registered sex offender and what are you going to do about it”*

- Legally?
- Other options?
  - Community leaders or elders, spiritual leaders
  - Re-entry services: treatment, substance abuse
  - Ask questions



# Supervision and Risk Assessment

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- Aren't we doing this already?
- Specialized supervision
  - Trained supervision personnel
  - Sex-offense specific treatment
  - Polygraph assessment
    - 100% of treatment providers rated as helpful\*
    - 90% of probation officers rated as helpful\*
    - 72% of sexual offenders rated as helpful\*\*
- Rehabilitation aspect
  - Re-entry programs
  - Models like COSA

\*(Tubman-Carbone, 2009)

\*\* (Kokish, Levenson, & Blasingame, 2005)

# Questions or Comments?

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- Sex Offender Risk Assessment
- Supervision of Sex Offenders
- Sex Offender Registration
- Others?

# Thank You

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