Adult Risk Assessment and Recidivism

July 13, 2015
2:00 – 3:30 pm ET

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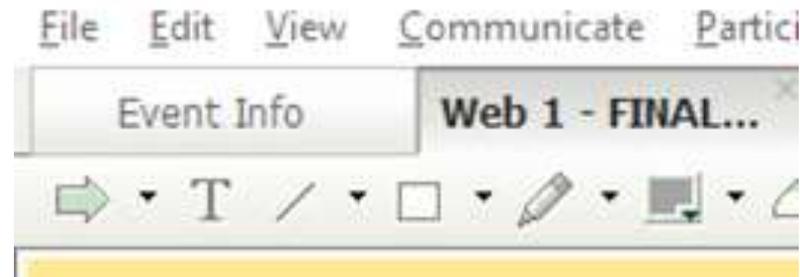---
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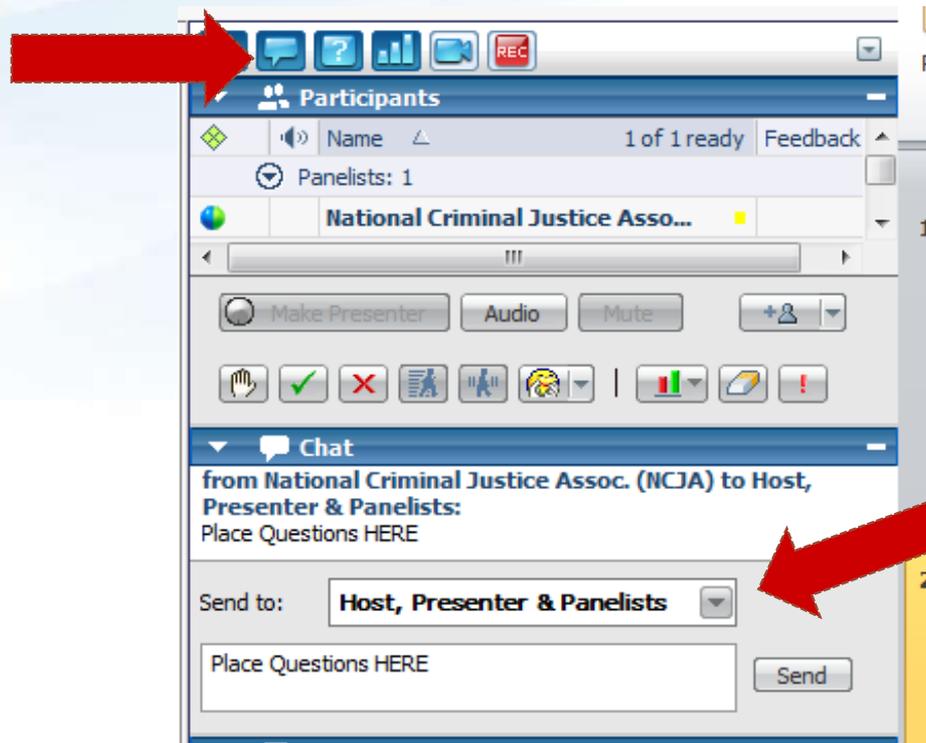Access code: 688 570 494

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NCJP
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Presenters

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Combatting Sexual Offending and Victimization

- 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"

- Programs are more likely to be effective when based on scientific evidence

U.S. Department of Justice, Office of Justice Programs (OJP) Role in Combatting Sexual Offending and Victimization

- Established in 2006 by AWA

- First federal office devoted solely to sex offender management-related activities

- Responsible for assisting with implementation of SORNA, and for informing about a broader scope of sex offender management activities needed to ensure public safety

- SOMAPI: identify evidence based practices, current gaps/needs of the field, and provide guidance to states and locals

SMART Office Sex Offender Management Assessment and Planning Initiative

- Goal is to identify research-supported programs for replication across the U.S.
  - Inform OJP funding decisions concerning sex offender programming and research
- Assess the state of research and practice of sex offender management
  - Work conducted by subject-matter experts through NCJA
  - Review of the literature on sexual offending and sex offender management
- 2012 Discussion Forum involving national experts

SMART Office Sex Offender Management Assessment and Planning Initiative

Literature reviews on 8 adult and 5 juvenile topics

Important to distinguish between adults and juveniles

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

Juvenile Topics
Etiology/typologies
Risk assessment
Recidivism
Treatment effectiveness
Registration and notification

SMART Office Sex Offender Management Assessment and Planning Initiative

- Key products:
  - Summaries of the research available online at: http://www.smart.gov/SOMAPI/index.html
  - Findings, policy implications, future research needs
  - Research briefs
  - Targeted conference presentations
  - Webinars
  - National Symposium

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

- Emphasis on individual studies that employed scientifically rigorous methods, as well as on synthesis studies – such as systematic reviews and meta-analyses

Sex Offender Risk Assessment

Introduction

- 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

Introduction, cont.

- Spans the full adjudication spectrum

- Used in a variety of community corrections, institutional corrections, & civil commitment decision-making contexts

- Evidence support is important for successful management of adult sexual offenders[1]

Introduction, cont.

- Effective sex offender management policies rely on risk assessment[2]
- Results should inform supervision decisions[3]

Introduction, cont.

- Accuracy depends on degree to which the individual offender matches known group of sex offenders & the risk assessment factors being all-inclusive

Summary of Research Findings

Methods of assessing sex offender risk have been categorized by Hanson[4] as follows:

- Unguided (or unstructured) clinical judgment
- Guided (or structured) clinical judgment
- Research-guided clinical judgment
- Pure actuarial approach
- Adjusted actuarial approach

Summary of Research Findings

Bonta's[5] three generations of risk assessment:

- First Generation: Unstructured professional opinion (Hanson's unstructured clinical judgment)

- Second Generation: Actuarial methods using static factors (Hanson's actuarial approach)

- Third Generation: Methods including both static & dynamic factors (i.e., criminogenic needs)

Summary of Research Findings

- Including dynamic risk factors can both guide & evaluate the impact of intervention efforts

- Third-generation risk assessment methods show promise, as research demonstrate relationship between specific dynamic factors and & risk for recidivism[6]

Summary of Research Findings

- Knowledge about risk factors generated through research on the recidivism rate for offenders with a particular characteristic as compared to the rate for offenders without that characteristic, or for offenders possessing other characteristics[7]

- Hanson and colleagues[8] published series of meta-analyses that identify static risk factors

- To date, no single risk factor has been found to be a robust predictor of recidivism in isolation

Summary of Research Findings

- Strongest risk predictors are related to sexual criminality:
  - Sexual interest in children
  - History of prior sexual offenses
  - Age of onset of sexual offending behavior
  - Committing a variety of sexual offenses
- Other significant factors are related to lifestyle instability/criminality[9]
- Specific type of conviction crime unrelated to risk[10]

Summary of Research Findings

- Static risk factors have been established in numerous studies[11]

- Number of dynamic risk instruments have been developed recently

- Instruments incorporating both static and dynamic risk factors becoming more prevalent[12]

Summary of Research Findings

- Hanson & Morton-Bourgon[13] concluded empirically derived actuarial approaches more accurate than unstructured professional judgment in assessing risk

- Structured professional judgment methods fell between these two methods

Summary of Research Findings

- Dynamic risk factors important but adjusting actuarial instruments not most effective way

- No single "best" assessment instrument

  - Consider using more than one instrument during the assessment process[14]

Summary of Research Findings

- Support for administering multiple measures:
  - Classical test theory (increase number of items increases reliability and coverage)
  - Multiple factors in sexual recidivism
- Multiple dimensions or pathways underlie sexual offending. Some identify 2:
  - Sexual criminality
  - General criminality[15]

Summary of Research Findings

- Communication of results important:[16]
  - Nominal descriptors of risk (low, moderate, and high) most common[17]
  - Limitation: very different interpretations of categories
- Alternative: provide numerical indicators of risk
  - Recidivism rate probability
  - Percentile rank
  - Risk ratio

Research Limitations and Future Directions

- While much progress has been made regarding the ability of professionals in the field to accurately estimate the likelihood of future sexual re-offense, no one is presently able to estimate either the timing or the severity of such future criminal conduct[18]

Research Limitations and Future Directions

- No single "best" risk assessment
- Certain populations have no validated risk assessment instruments (e.g., child pornography offenders & female offenders)
- Clinical judgment still needed to choose the most applicable instrument

Research Limitations and Future Directions

- Research on revising risk assessment based on dynamic risk factors needed[19]

- Communication of risk should include both qualitative descriptors and numerical estimates

- Risk assessment should also include how to mitigate and manage risk

Research Limitations and Future Directions

- Hanson[20] 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[21]

- Meta-analyses suggest that purely actuarial risk assessment approaches should be favored over other approaches[22]

- 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,[23] or even automated.

- Provide ongoing training and monitoring of evaluators

Conclusions and Policy Implications

- 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)[27]
- Assist with identifying tailored interventions (treatment and management)

Conclusions and Policy Implications

- As Hanson and Morton-Bourgon[28] 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[29]

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.[30]

- 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.[31]

Conclusions and Policy Implications, cont.

- By contrast, recent research[32] as well as the accumulated findings in the sex offender risk assessment literature[33] suggest that relying solely on an offense-based risk classification system (as stipulated by the Adam Walsh Act) would actually decrease the accuracy of sex offender risk assessment procedures already in wide use today.[34]

Notes

1. Tabachnick, J., and Klein, A. (2011). *A Reasoned Approach: Reshaping Sex Offender Policy to Prevent Child Sexual Abuse*. Beaverton, OR: Association for the Treatment of Sex Abusers.

2. Hanson, R.K., and Morton-Bourgon, K.E. (2005). The characteristics of persistent sex offenders: A meta-analysis of recidivism studies. *Journal of Consulting and Clinical Psychology, 73,* 1154-1163.

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6. Hanson, R.K. (2011). Directions for future research on evaluating change among high risk sex offenders. Paper presented at Advancing our Understanding of Treatment Change Among High-risk Sex Offenders Conference, Carleton University, Ottawa, Ontario, Canada.

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A. Phenix, personal communication, May 10, 2011.

7. Hanson, R.K. (2000). *Risk Assessment*. Beaverton, OR: Association for the Treatment of Sexual Abusers.

8. Hanson, R.K., and Bussière, M.T. (1998). Predicting relapse: A meta-analysis of sex offender recidivism studies. *Journal of Consulting and Clinical Psychology, 66,* 348-362.

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Notes (continued)

9. Hanson, R.K., and Bussière, M.T. (1998). Predicting relapse: A meta-analysis of sex offender recidivism studies. *Journal of Consulting and Clinical Psychology, 66,* 348-362.

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10. Freeman, N.J., and Sandler, J.C. (2010). The Adam Walsh Act: A false sense of security, or an effective public policy initiative? *Criminal Justice Policy Review, 21,* 31-49.

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18. J. Levenson, personal communication, May 23, 2011.

19. Hanson, R.K. (2011). Directions for future research on evaluating change among high risk sex offenders. Paper presented at Advancing our Understanding of Treatment Change Among High-risk Sex Offenders Conference, Carleton University, Ottawa, Ontario, Canada.

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21. Hanson, R.K. (2009). The psychological assessment of risk for crime and violence. *Canadian Psychology, 50,* 172-182.

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Notes *(continued)*

29. Hanson and Morton-Bourgon (2009, p. 10). Hanson, R.K., and Morton-Bourgon, K.E. (2009). The accuracy of recidivism risk assessments for sex offenders: A meta-analysis of 118 prediction studies. *Psychological Assessment, 21,* 1-21.

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Adult Recidivism

Adult Recidivism Research
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

Adult Recidivism Research
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

Research Findings
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)[1]

  - 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

Recidivism rates based on 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

BJS study of male sex offenders released from prisons in 1994

Based on 3-year follow-up period

Sex offenders had a lower *overall* rearrest rate than non-sex offenders (43 percent compared to 68 percent), but their *sex crime* rearrest rate was four times higher than the rate for non-sex offenders (5.3 percent compared to 1.3 percent)

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[2]

Based on 3-year follow-up period

- 5 percent were arrested for a new sex offense
- 2.5 percent were charged specifically with another rape
- Violent crime and overall recidivism rates found for rapists were 18.7 percent and 46 percent, respectively
- Rapists had a lower overall recidivism rate than non-sex offenders (46 percent compared to 68 percent), but a higher sexual recidivism rate (5 percent compared to 1.3 percent)

Recidivism Rates for Rapists

- 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 Rapists

- Prentky and colleagues (1997) found that some rapists remain at risk to reoffend long after their discharge
  - Generalizing the study's findings to offenders engaged in rape behavior today is difficult
    - Study period began in 1959 and ended in 1985
    - Study sample was small (136 rapists); consisted of individuals who were determined to be sexually dangerous and who were civilly committed
  - Based on a 25-year follow-up period: 39 percent sexual recidivism rate; recidivism rate for any charge of 74 percent

Recidivism Rates for Child Molesters

BJS study of male sex offenders released
from prisons in 1994 included a large sample (4,295) of
child molesters[3]

- Based on 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

BJS study of male sex offenders released
from prisons in 1994 included a sample of 4,295 of child molesters

- Child molesters were more likely than any other type of offender—sexual or nonsexual—to be arrested for *a sex crime against a child* following release from prison

- Released child molesters with more than one prior arrest for child molesting were three times more likely to be rearrested for child molesting than released child molesters with no more than one prior arrest (7.3 percent compared to 2.4 percent)

Recidivism Rates for Child Molesters

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

Table 1. 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).			

Recidivism Rates for Child Molesters

- Based on a 25-year follow-up period, Prentky et al. (1997) found a sexual recidivism rate of 52 percent for child molesters

  - Based on a sample of 115 child molesters who were discharged from civil commitment in Massachusetts between 1960 and 1984

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- The difference between the recidivism rates for child molesters found by Prentky et al. (1997) using a 25-year follow-up period (52 percent) and Harris and Hanson (2004) using a 15-year follow-period (23 percent) can be interpreted in different ways

Recidivism Rates for Child Molesters

- One interpretation is that first-time recidivism may occur for some child molesters 20 or more years after criminal justice intervention, and that recidivism estimates derived from shorter follow-up periods are likely to underestimate the lifetime risk of child molester reoffending[4]

- An alternative interpretation is that the difference is primarily an artifact of sampling, and that the lifetime prevalence of sexual recidivism for child molesters overall is lower than the 52 percent suggested by the Prentky et al. (1997) research

Recidivism Rates of Exhibitionists

- A limited body of research exists on the recidivism rates of exhibitionists

Study	Sample	Follow-up Period	Recidivism Findings		
Sugarman and colleagues (1994)	210	17 years	32% based on conviction for a contact sexual offense	75% based on conviction for any type of crime other than exposing	
Rabinowitz-Greenberg and colleagues (2002)	221 exhibitionists assessed between 1983 and 1996	6.8 years average	11.7% based on new sexual charge or conviction	16.8% based on new violent charge or conviction	32.7% based on any new charge or conviction
Firestone and colleagues (2006)	221 exhibitionists assessed between 1983 and 1996	13.2 years	23.6% based on new sexual charge or conviction	31.3%% based on new violent charge or conviction	38.9% based on any new charge or conviction

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
(continued)

- 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

Conclusions and Policy Implications
(continued)

- 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

Conclusions and Policy Implications
(continued)

- Female sex offenders have lower rates of sexual and general recidivism than male sex offenders
  - Five- to six-year rates of sexual recidivism for female sex offenders may be as low as 1 to 3 percent
- The empirical evidence suggests that intervention and management practices need to differentiate between female and male sex offenders, and that procedures for assessing risk developed for male sex offenders are unlikely to be accurate when applied to female sex offenders[5]

Future Research Needs

- Variations across studies in the operational definition of recidivism, the length of the follow-up period employed, and other measurement factors make it difficult to make cross-study comparisons of recidivism rates

- Studies that produce more readily comparable findings are greatly needed, as are those that employ follow-up periods longer than 5 years

- Analyses that standardize the time at risk for all offenders in a given study using survival analysis also are needed

Future Research Needs
(continued)

- Future research should also attempt to build a stronger evidence base on the differential recidivism patterns of different types of sex offenders

  - Far more evidence regarding the recidivism patterns of crossover offenders and other specific sex offender subtypes is needed

- More *policy-relevant* research is needed on the absolute and relative risks that different types of sex offenders pose

Notes

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4. Doren, D. (1998). Recidivism base rates, predictions of sex offender recidivism, and the "sexual predator" commitment laws. *Behavioral Sciences and the Law, 16,* 97-114.

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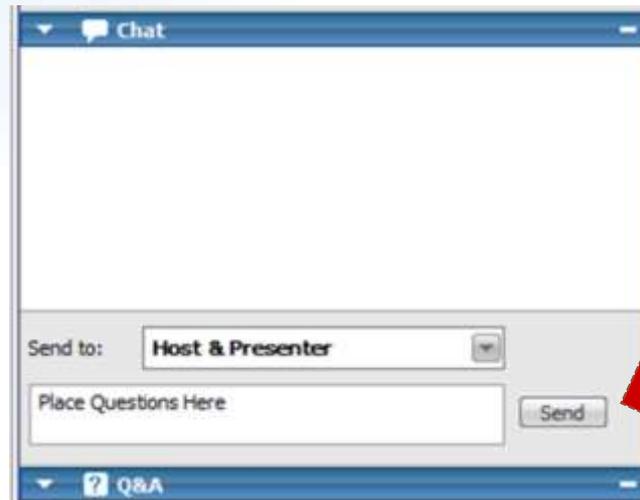
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