



Understanding DOC Risk for Sex Offenders

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Risk Concepts

Dynamic Risk Factors



Acute

- Substance use
- Hostility
- Rejection of Supervision

Stable

- Enduring but changeable characteristics
- Antisocial attitudes
- Antisocial behavior
- Etc.



Static 99R

- Age of release
- Sex
- Criminal History
- Pattern of Offending Behavior

RISK NEED RESPONSIVITY (RNR)

DOC and SOTAP Commitment to RNR

SOTAP:

- Risk Assessment Unit located at HQ (Risk)
- Screening practices (Need/Responsivity)
- Staff are trained and certified in the Static-99R, Stable/Acute-2007. (Risk/Need)
- Stable-2007 assessment is foundation for ITP
- Development and training to manual (Need/Responsivity)

The image displays three overlapping assessment forms used in the Risk Need Responsivity (RNR) framework. The top-left form is the 'Static-99 - TALLY SHEET' for 'Dynamic Supervision of Sexual Offenders'. The top-right form is the 'ACUTE-2007 - TALLY SHEET' for 'The Dynamic Supervision of Sexual Offenders'. The bottom form is the 'Stable 2007' assessment, which includes a 'Scoring Form' and a 'Risk Category' section.

Static-99 - TALLY SHEET

Subject Name: _____
Place of Scoring: _____
Date of Scoring: _____ Name of Assessor: _____

Question Number	Risk Factor	Codes	Score
1	Young	Aged 25 or older Aged 18 - 24.99	0 1
2	Ever Lived With	Ever lived with lover for at least two years? Yes No	0 1 0

ACUTE-2007 - TALLY SHEET

Subject Name: _____
Place of Scoring: _____
Date of Scoring: _____ Name of Assessor: _____

Sex/Violence Score (Sum four factors)	Score	General Recidivism Score (Sum all seven factors)	Scoring
Victim Access			

Stable 2007

Assessment ID: DOCH-STABLE-84
Assessed: 7/11/2008
Name: John Doe (SID #: A0980003)

DOB:	Gender:	Sentence Date:	Offense Type:	Unit:	County:
06/04/2057	Male	10/09/1982	Indecent exposure	Intake Svc. Center	Hawaii
Assessor: susan@cyzap	Purpose: Initial Assessment	Assessment Status: Pre-trial	Disposition: Pre-trial		
Case Number: 733272					

Scoring Form

Item	Score
1. Significant Social Influences A. Number of Positive Influences (Max. 8) B. Number of Negative Influences (Max. 7) C. Number of Neutral Influences D. Total Significant Social Influences	2
2. Capacity for Stable Relationships A. Ever lived with an intimate partner for at least two years? B. Currently living with an intimate partner?	2
3. Emotional Identification with Children Any child victims less than 14 years?	N/A
4. Hostility toward women Notes: Extreme hostility	2
5. General Social Rejection Notes: anti-social	2
6. Lack of concern for others	2
7. Impulsive	2
8. Poor Problem Solving Skills	2
9. Negative Emotionality	2
10. Sex Drive/Sex Preoccupation	2
11. Sex As Coping	1
12. Deviant Sexual Preferences	0
13. Co-operation with Supervisor	1
Total Score:	20
Risk Category:	High

Static-99R

- Utilized for rank ordering

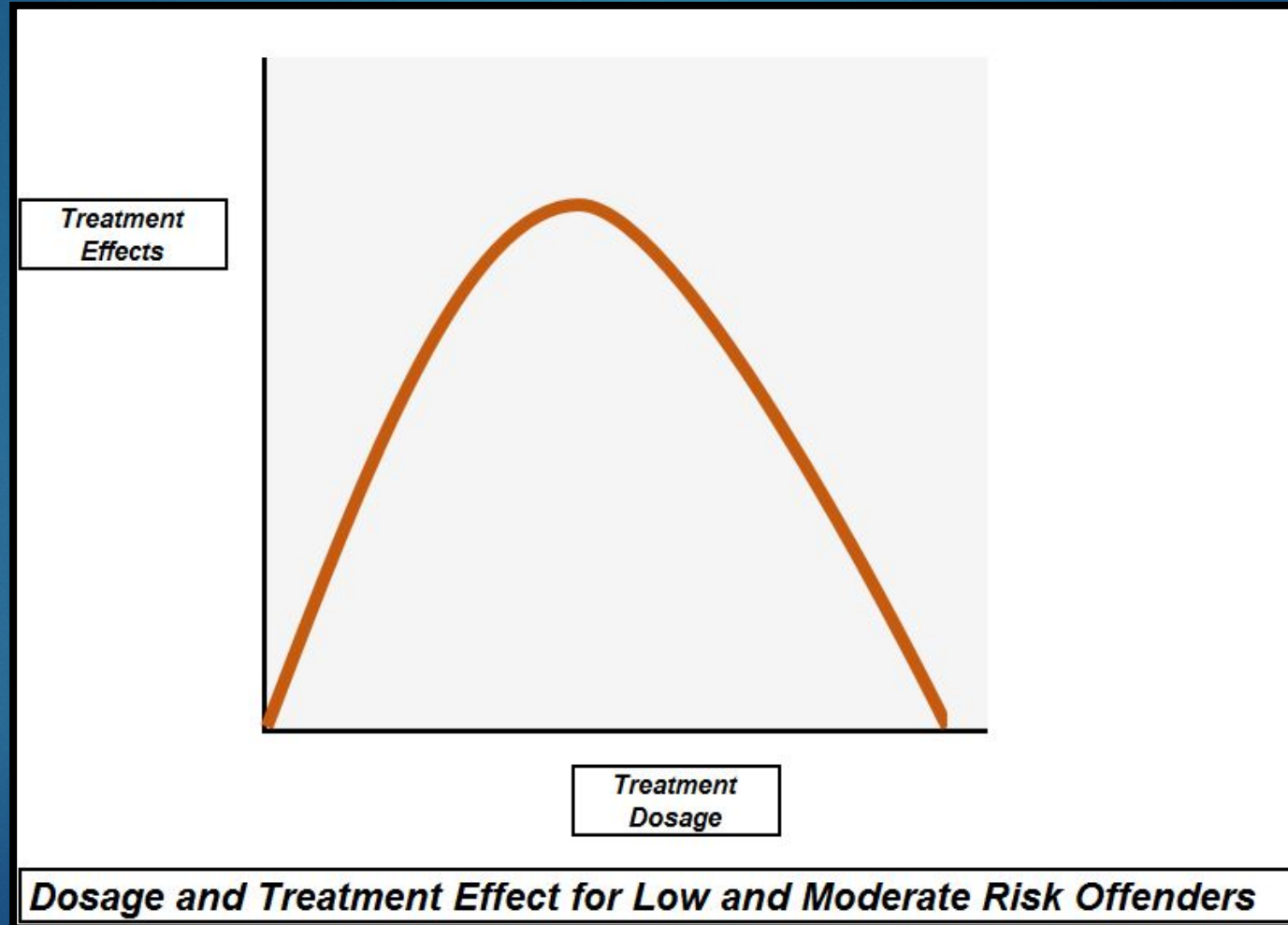
Sex Offender Treatment	Static 99R Risk Level			
	High: 6+	Moderate/High: 4 - 5	Low/Moderate: 2 - 3	Low: (-)3 - 1
Priority	<u>Priority 1A:</u>	<u>Priority 2A:</u>	<u>Priority 3A:</u>	<u>Priority 4A:</u>
Sentence Structure	CCB / ISRB	CCB / ISRB	CCB / ISRB	CCB / ISRB
Additional Criteria	Court Ordered SOTP	Court Ordered SOTP	Court Ordered SOTP	Court Ordered SOTP
Consideration				
Priority	<u>Priority 1B:</u>	<u>Priority 2B:</u>	<u>Priority 3B:</u>	<u>Priority 4B:</u>
Sentence Structure	Non CCB / ISRB	Non CCB / ISRB	Non CCB / ISRB	Non CCB / ISRB
Additional Criteria	Court Ordered SOTP	Court Ordered SOTP	Court Ordered SOTP	Court Ordered SOTP
Consideration				
Priority	<u>Priority 1C:</u>	<u>Priority 2C:</u>	<u>Priority 3C:</u>	<u>Priority 4C:</u>
Sentence Structure	Non CCB / ISRB	Non CCB / ISRB	Non CCB / ISRB	Non CCB / ISRB
Additional Criteria	No Court Ordered Treatment	No Court Ordered Treatment	No Court Ordered Treatment	No Court Ordered Treatment
Consideration			<p>❶ Offenders with low to low/moderate risk may be moved to a higher priority if all other identified need areas have been addressed.</p> <p>❷ LWOP will not be considered for SOTP per policy 570.000</p>	

Risks-Needs-Responsivity (RNR)

- ▶ Risks are factors that increase the likelihood of sexual dysregulation and sexual recidivism.
- ▶ Treatment is guided by the assumption that reducing the impact of a risk factor on self-regulation will increase prosocial, adaptive functioning in the community and reduce criminal behavior.
- ▶ Criminogenic risk factors is another term used to describe dynamic risk factors.
- ▶ If a client is said to have a criminogenic risk factor, then he/she also has a criminogenic need for treatment in that area.
- ▶ “Need” is, therefore, often used as synonymous with Risk, and does not mean need in the sense of humanistic psychology.

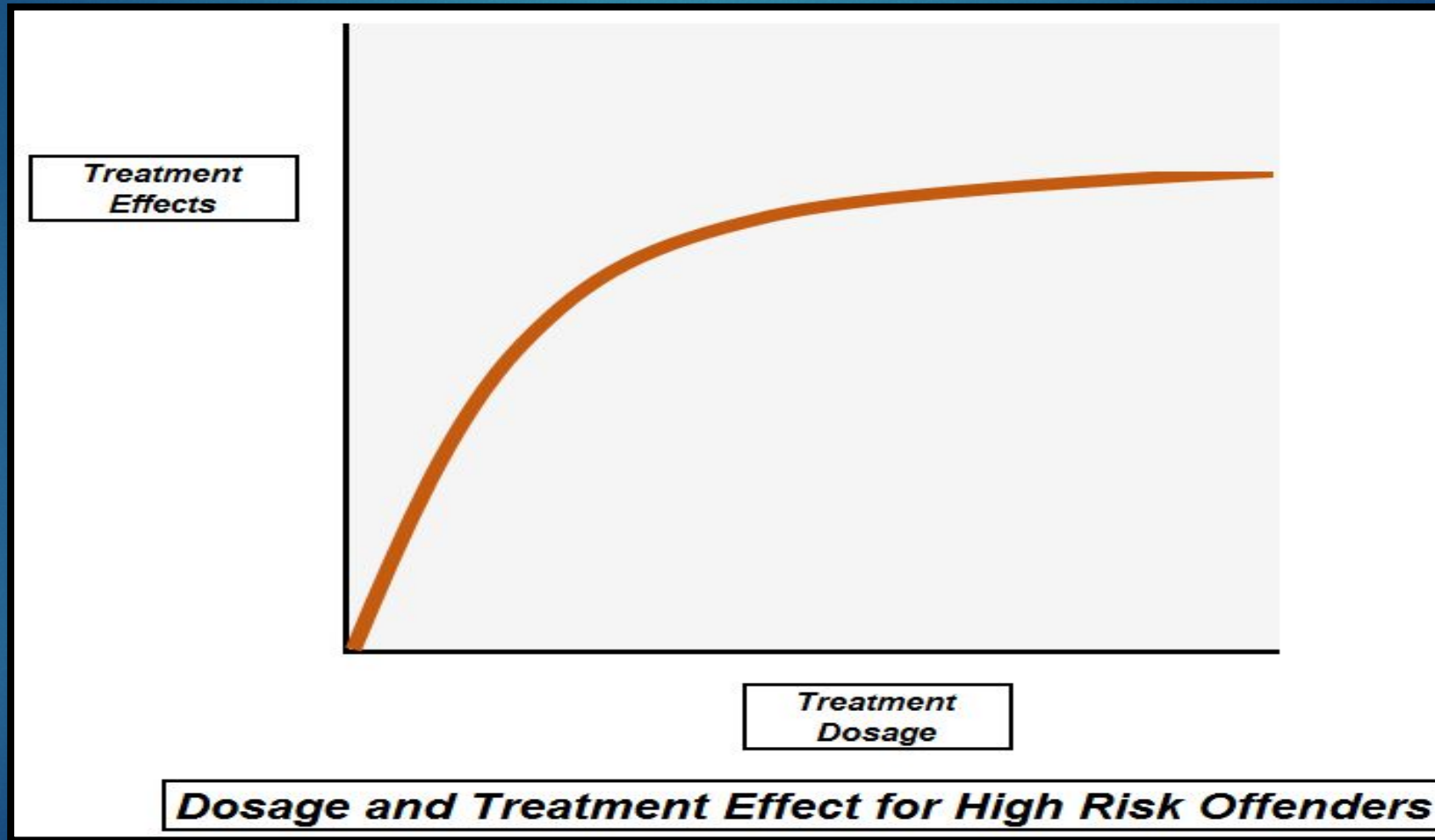
Static & Stable- dosage

Inverse Parabolic Relationship Graph
(low and moderate risk)



dosage

Dosage and Treatment Effect for High Risk Offenders



Dosage

Summary

- ▶ McGrath, Cummings and Williams (2014) provide the following recommendations:

	Low	Moderate	High
Percentile Rank	Bottom 15%	Middle 70%	Top 15%
Treatment Intensity (90 minute sessions)	0-2 sessions/week	1-3 sessions/week	2-5 sessions/week
Program Length	0-6 months	9-18 months	12-36 months
Total Treatment Hours	0-100	150-250	300-600

Targeted Treatment

- ▶ CORE Group placement (Static-99R)
- ▶ Treatment assignments (Stable-2007)
- ▶ Specialty Groups (Stable-2007)
- ▶ Revokes (Static, Stable)
- ▶ Re-offense (Static, Stable)

End of Sentence Review Committee

- ▶ The ESRC reviews individuals that are currently incarcerated for a registerable sex offense
- ▶ The ESRC is comprised of voting members from DOC, DSHS, and law enforcement
- ▶ The ESRC review occurs approximately four to eight months prior to their anticipated release date
- ▶ The ESRC reviews collected file material, a draft bulletin, and a completed Static 99R

End of Sentence Review Committee

- ▶ Under RCW 72.09.345, the ESRC was established for:
 - ▶ Reviewing available release plans
 - ▶ Making appropriate referrals
 - ▶ Recommending sex offender notification risk levels
- ▶ There are three sex offender notification risk levels:
 - ▶ Level I: Low risk to sexually reoffend within the community at large
 - ▶ Level II: Moderate risk to sexually reoffend with the community at large
 - ▶ Level III: High risk to sexually reoffend within the community at large

Sex Offender Notification Risk Level

- ▶ Under RCW 72.09.345 and RCW 4.24.550, sex offender notification risk levels shall be based initially on a risk assessment
- ▶ Since May of 2016, ESRC has used the Static 99R to determine a baseline level of risk

Total Score	Nominal Risk Category	Baseline Notification Level
-3 to 1	Low	Level I
2 to 3	Low-Moderate	Level I
4 to 5	Moderate High	Level II
6+	High	Level III

Sex Offender Notification Risk Level

- ▶ Limitations of the Static 99R when determining a sex offender notification risk level:
 - ▶ The Static 99R can under predict the risk to sexually reoffend as the developers defined recidivism as a charge or conviction for a new sex offense
 - ▶ The Static 99R does not predict the risk to sexually reoffend within the community at large
 - ▶ The Static 99R does not take into account other external risk factors to include dynamic risk factors that may increase or decrease an individual's risk to sexually reoffend

Sex Offender Notification Risk Level

- ▶ Once the baseline notification level is established, the ESRC reviews other rationally related factors that may mitigate or aggravate the individual's risk to sexually reoffend within the community at large
- ▶ Mitigating factors may include:
 - ▶ Familial or known sex offense victim(s)
 - ▶ Current offense is not sexual in nature
 - ▶ Disability or terminal illness that decreases ability to sexually reoffend
 - ▶ Documented information that may decrease risk for sexual re-offense
- ▶ Aggravating factors may include:
 - ▶ Statements of intent/threat to sexually re-offend
 - ▶ Deviant sexual preoccupation/acting out during incarceration
 - ▶ Relationships with sex offense victim(s) was established or promoted for the primary purpose of victimization
 - ▶ Past interventions and/or treatment have not deterred sexually deviant behavior

Sex Offender Notification Risk Level

- ▶ **Example A:** John is releasing from prison on his fourth Failure to Register conviction. When last in the community, he registered as a Level I. He is now 40 years old. He is required to register due to his index sex offense, which he committed at age 21 and released at age 23. His index sex offense was a single contact event with a 14 year old male. Their families were friends and John and the victim had known each other their entire lives. Prior to committing the index sex offense, John had never lived with an intimate partner. The offender has four prior sentencing dates to include a conviction for Assault 4th Degree.
- ▶ **Example B:** James is releasing homeless from prison on his index sex offense at age 41. He was convicted of numerous sexual assaults. He was not arrested until he committed his eighth and final rape. All the victims were strangers, whom he stalked over a period of time. Prior to his index offense, James was married and lived with his wife for three years. He has never been arrested before. While in prison, he continued to state that he planned to seek out new sexual assault victims upon release and had been found to be in possession of sexually deviant pornography (sexual assault themes). James has stated he will not cooperate with his supervision or CCO.

Sex Offender Notification Risk Level

- ▶ John would score 6 points for a baseline Risk Level III notification
- ▶ James would score 1 point for a baseline Risk Level I notification

Would these be appropriate notification levels or are there factors that may cause you to mitigate or aggravate their notification level?

ESRC Leveling Recommendations

- ▶ From May 2016 to April 2018, the ESRC has made 1841 leveling recommendations:
 - ▶ Level I—1084 (59%)
 - ▶ Level II—454 (25%)
 - ▶ Level III—303 (16%)
 - ▶ Mitigations—269 (15%)
 - ▶ Aggravations—250 (14%)

ESRC Leveling Recommendations

- ▶ The ESRC recommended notification risk level and bulletins are provided to:
 - ▶ Indeterminate Sentence Review Board
 - ▶ Community Corrections Officers
 - ▶ Law enforcement
 - ▶ Prosecutors
 - ▶ Uploaded into Offender Watch
- ▶ Under RCW 4.24.550, local law enforcement has the authority to set the final risk level classification as deemed appropriate for the community

ESRC Referrals

- ▶ The ESRC also makes referrals based on the individual's potential risk. Referrals can be made for:
 - ▶ Child Protective Services
 - ▶ Developmental Disabilities Administration
 - ▶ Adult Protective Services
 - ▶ Victim Services
 - ▶ Forensic Psychological Evaluations for potential civil commitment

How is the Static 99R used in the Community?

- ▶ Provide contact standards for Community Corrections Officers (CCO's).
- ▶ Low Contact: 1 face to face office contact per month, 1 face to face out of the office contact per quarter and 1 collateral contact per month.
- ▶ High Contact: 3 face to face contacts per month with at least one office contact and at least one out of the office, and 1 collateral contact per month.
- ▶ If the offender is transient, the CCO has the ability to increase contact standards to weekly face to face office contacts and 1 monthly collateral contact per month.
- ▶ And if the offender has a history of compliance, the CCO can discuss the case with the supervisor and if the supervisor agrees, the contact standards can be reduced down one contact standard.



Keep in mind:

For every five years in the community without a new sex offense, the risk for recidivism roughly halves.