

SEXUAL OFEENDERS ASSESSMENT BOARD

Module 4
Risk Assessment

Transcript

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Section 1: Introduction

Screen Number	Character	Narration
4001	Treatment Provider:	So, how do we stop sex offenders from re-offending? Lock them up and throw away the key? Not legal. Castrate them? Believe it or not, that's no guarantee. Take away their drugs and alcohol? Doesn't automatically take away their urge to re-offend.
4002	Treatment Provider:	What our research and clinical experience have shown us can work is "containing" the offender – keeping him "boxed in," if you will. We "contain" the offender through appropriate and effective treatment and supervision plans, verified by polygraph. These plans are developed, in part, through – and here we come to the subject of this module – "Risk Assessments." These assessments are effective tools for evaluating types of offending and likelihood of re-offense.
4003	Treatment Provider:	In this module we are going to discuss the information risk assessments provide and why they are important to the team. Then we will look at some top factors correlated with recidivism and two different types of risk factors: static and dynamic. Then we'll wrap up the program with a brief overview of common risk assessment tools and some final thoughts on how we can use their results.

Section 2: Prediction vs. Probability

Screen Number	Character	Narration
4004	State Parole Agent with Supervision:	Risk assessments addresses two general concerns. First, how <u>likely</u> is an offender to re-offend? Second, what can be done to <u>decrease</u> this likelihood? We answer these two concerns through statistics. The risk assessment tools we use give us information that demonstrates an offender’s probability of re-offending compared with others <i>like him</i> who have recidivated. We’ll explain this in more detail later.
4005	State Parole Agent with Supervision:	Now let me talk a minute about the word, <u>predict</u> . Most people – those who don’t work in the criminal justice system – think we should be able to predict if an offender will re-offend. But we can’t. Pure and simple. We can’t <u>predict</u> how a sex offender will behave. To predict what he will do is to say, “He <u>will</u> do this” or “he <u>will</u> not do that.” By the very nature of the word, predict, you can be either right or wrong. In this field, the stakes are too high to try to <u>predict</u> an offender’s behaviors. Primarily for victims but for offenders as well.
4006	State Parole Agent with Supervision:	Risk assessment, on the other hand, is about <u>probability</u> not prediction. It’s about understanding how <u>likely</u> or <u>pre-disposed</u> the offender is to re-offend. Risk assessment recognizes that offenders and their behaviors <u>change</u> . So, that means risk levels for offenders may go up or down, depending on where they are with their treatment and supervision plan.
4007	State Parole Agent with Supervision:	Generally, the risk assessment process works like this: we use actuarial risk tools – like those used by insurance companies – to assign numbers to offenders. These numbers are then scored on various scales. Our job is to look at the related statistics of re-offending for persons who scored like the offender.
4008	State Parole Agent with Supervision:	These statistics indicate how “probable” a particular offender would be to re-offend compared to others who did. The stats do not <u>predict</u> who will or will not re-offend – they only show probability. That’s important to remember. Now let’s see how we use probability within our roles in the sex offender containment team.

Section 3: Roles in Risk Assessment

Screen Number	Character	Narration
4009	Judge:	The first risk assessment – and there are usually several while an offender is in the system – is completed prior to sentencing. This is important to me because the court uses this assessment to understand the offender’s probability of re-offending. The higher the probability, the longer the “tail” or consecutive probation after incarceration the court will impose to allow for a longer period of treatment and supervision.
4010	Judge:	This means <u>all</u> sex offenders should be assessed for their risk to re-offend. The practice is not limited to offenders who have committed the most serious or violent offenses.
4011	Treatment Provider:	Risk assessment is very important part of my job. When a sex offender is in treatment, we review all of the information available about him – including the risk assessment provided by the court. Then we may conduct our own risk assessment based on that information. These assessments enable us to develop a treatment plan that focuses on the high-risk issues and changing factors that are unique to each offender’s situation. Because of our limited time and resources, sex offenders are supervised and treated to the level of their risk. We may consider the risk level in order to decide whether to divide the treatment into phases.
4012	State Parole Agent with Supervision:	Risk assessment is also very important in my job. It’s a tool in supervision planning and review. When a sex offender is on parole or probation, the State Parole Board or County Probation Department uses the risk assessment to get a better understanding for the appropriate level of supervision to impose. The assessment is also used to consider what conditions to impose – such as specific restrictions based on the offender’s history.

- 4013 **State Parole Agent
with Supervision:** Later, when the offender is back in the community, we may use the assessment to add more detailed conditions to the probation or parole. Risk assessment should be used as a tool to help with community supervision, never to punish the offender. Remember – we’re talking about risk, not an actual offense.
- 4014 **Victim Advocate:** Risk Assessment is important to me because it helps us create more effective safety plans for the victim. If we know what the offender’s risk factors are, we can do a better job safeguarding victims and the community.

Section 4: Top Factors Correlated with Sexual Recidivism

Screen Number	Character	Narration
4015	Treatment Provider:	Risk assessment is an evolving area of research. Prior to the current actuarial tools we use now, the best tool we had was our brains. Based on our experience and the facts of the case, we would make an educated guess about an individual's probability of re-offending. Of course, what I would see as important risk factors might be very different from what another treatment provider would think is critical. So, obviously, we weren't always very successful with assessing risk.
4016	Treatment Provider:	Researchers addressed the need to assess risk <u>better</u> by first identifying the top factors that seemed to lead to an increased risk of sexual recidivism. This is the list they developed...
4017	Treatment Provider:	<ul style="list-style-type: none">- Deviant sexual preferences- Prior sexual offenses- A personality disorder – diagnosed by a psychiatrist- A negative relationship with his mother- Low treatment motivation- Whether the offender chose a stranger or an acquaintance as his victim, <u>and</u>- An antisocial personality – again, diagnosed by a psychiatrist.
4018	Treatment Provider:	Researchers also found the scores from these two tests seemed to indicate increased risk: <ul style="list-style-type: none">• The M/F scale of the Minnesota Multiphasic Personality Inventory (MMPI), which also includes a paranoia scale, and• The Plethysmograph, which measures sexual arousal to children and also tests for a specific preference for boys.

- 4019 **Treatment
Provider:** You may be unfamiliar with the plethysmograph. We use this test with offenders who have shown a preference for children. It's a highly accurate tool for assessing risk with this type of offender. This instrument measures an offender's sexual arousal in response to audiotapes depicting sexual interactions with children or adults.
- 4020 **Treatment
Provider:** The test is conducted like this: the offender sits in a room – alone – and places a lightweight aluminum gauge or mercury-filled plastic ring on his penis. Wires from this ring are connected to a computer in the next room. As the audiotapes are played through a headset, the computer measures the degree of arousal. The plethysmograph is used to discover an offender's sexual interests: specifically, what age and gender turns him on. The test also shows whether or not he is aroused by violence.
- 4021 **Treatment
Provider:** In addition, our research also led us to identify two other useful findings: offenders who target male victims and young offenders both tend to re-offend more often.
- 4022 **Treatment
Provider:** It is important to note that that the research also revealed factors that did not increase risk. A few of these surprised even those of us who have been in the field a long time. The factors are: empathy, denial, social skills, childhood sexual abuse, general psychological problems, and alcohol abuse. Again, these factors did not indicate a higher risk for re-offending.
- 4023 **Treatment
Provider:** Keep in mind any of these factors taken alone or together can't predict if an offender will or will not re-offend, but they can help treatment providers and supervision agents focus on areas of concern.

Section 5: Static & Dynamic Risk Factors

Screen Number	Character	Narration
4024	State Parole Agent with Supervision:	Risk factors can be broken into two categories: static risk factors and dynamic risk factors. <u>Static</u> – or unchangeable – historical factors, tell us things like the offender’s age when he first offended and the gender of his victim. These factors can be used to assess his <u>long-term</u> recidivism risk.
4025	State Parole Agent with Supervision:	<u>Dynamic</u> factors are <u>changeable</u> factors. These are considered those behaviors or conditions that offenders demonstrated <u>prior</u> to recidivating. These factors are so influential that when we controlled for static factors, the dynamic factors were still strongly associated with recidivism. Let’s take a look at a case and look for some static and dynamic factors.
4026	State Parole Agent with Supervision:	The offender is a 43 year old male, who is currently serving 5 to 10 years in prison for Simple Assault, Sexual Assault, and Terroristic Threats. The offender and the victim met on the same day as the offense. The offender grabbed the victim from behind and dragged her to the ground. He began choking and beating her and engaged in multiple offending behaviors.
4027	State Parole Agent with Supervision:	The offender stated that before the offense, he was bored and somewhat discouraged because he was out of work. He also just had a fight with his girl friend, and was agitated because he hadn’t had anything to drink for several days. In addition to this offense, the offender has the following offenses on his record: underage drinking, simple assault, possession of drugs, theft, rape, and burglary and theft.
4028	State Parole Agent with Supervision:	So in this case, what are some static factors and dynamic factors? One static factor is the fact that the offender was a stranger to the victim. Another is the offender’s prior offenses. Think about it, static factors are historical factors, so they don’t change. No matter what happens, nothing is going to change the facts: the victim and the offender were strangers and the offender has multiple offenses on his record.

- 4029 **State Parole Agent with Supervision:** The dynamic factors on the other hand can change. In the case, the offender admits that before the offense he was bored and discouraged because he was out of work. He also said that he just had a fight with his girl friend and was agitated because he hadn't had anything to drink for several days. The offender's mood and work status can change, so they represent dynamic factors. These factors are important because they can signal eminence of re-offense.
- 4030 **State Parole Agent with Supervision:** One more thing about static and dynamic factors: static risk assessment should take place soon after the offender enters the system. Then assessments of both static and dynamic risk factors should be conducted on an ongoing basis. Now that you have a better understanding of static and dynamic factors, let's look at the different assessment tools and see which risk factors they measure.

Section 6: Assessment Tools

Screen Number	Character	Narration
4031	Treatment Provider:	Okay, this is the technical part – where I talk about risk factors, statistics and assessment tools. Before we get started, you should know these are actuarial tools that should <u>only</u> be handled by trained and qualified professionals. This means the information presented in this program is <u>not</u> enough to qualify you to administer these tests.
4032	Treatment Provider:	Since that’s out of the way, let me give you an overview. We use what we call “structured risk scales” or tools to assess sexual offense recidivism. Their accuracy, although not 100%, is clearly superior to other methods used to assess risk with sex offenders.
4033	Treatment Provider:	These assessment tools measure risk by examining risk factors. Then the different risk factors will influence different types of risk decisions – like in parole board hearings or referral decisions involving sexually violent predators. Now let’s look at the common risk assessment tools that are used to make these decisions.
4034	Treatment Provider:	In this section, we’re going to examine four risk assessment tools – for sex offenders: <ul style="list-style-type: none">- The RRASOR- STATIC-99- MnSOST-R and- SONAR

4035	Treatment Provider:	<p>The first tool is the Rapid Risk Assessment for Sex Offense Recidivism, or RRASOR. This assessment tool contains four targeted items:</p> <ul style="list-style-type: none"> - Prior Sexual Charges or Convictions - Age at Release - Victim Gender, and - The Offender's Relationship to the Victim <p>With this scale, points are assigned to these four <u>static</u> risk factors, and then these points are added to come up with a score between 0 and 6.</p>
4036	Treatment Provider:	<p>The interpretation of the scores appears in the table on screen. An offender's score categorizes him with similar offenders. Then it would be accurate to say that the offender has the same probability of re-offending as the other offenders with the same score. Let's look at an example.</p>
4037	Treatment Provider:	<p>Greg is a 49 year old sex offender. Based on his prior sexual convictions, age at release, the victim's gender, and his relationship to the victim, Greg's RRASOR score is a 3. This means Greg has the same score as offenders, 24.8% of whom would re-offend sexually in 5 years. And 36.9% of whom would re-offend sexually in 10 years.</p>
4038	Treatment Provider:	<p>The <u>advantages</u>, of the RRASOR test, are that it can be coded quickly, and evaluators can access criminal records for information – no individual interview is required. The drawback of this scale is that it's based on only four variables. So, evaluators should not rely <u>exclusively</u> on this tool, but use it to establish a baseline for the risk of re-offending.</p>
4039	Treatment Provider:	<p>And there's one other limitation of the test: it's only been validated on male, adult offenders who have been incarcerated. That means it would be useful for parolees. However it is not recommended for use with probationers, females, juveniles (under the age of 16), or the mentally ill.</p>

- 4040 **Treatment
Provider:** The second assessment tool we're looking at in this program is the STATIC-99. This tool was created by combining the RRASOR with another existing actuarial tool. The STATIC-99 measures static risk factors like prior sentencing dates, any unrelated victims, and prior non-sexual violence. To see a full list of items, check out the STATIC-99 Items document in the program library.
- 4041 **Treatment
Provider:** Evaluators for this scale assign scores ranging from 0 to 12, based on a coding manual. STATIC-99 scores can be interpreted to determine the probability of sex offense recidivism and violence offense recidivism. The interpretation of the scores appears on screen. Now we'll take a closer look with an example.
- 4042 **Treatment
Provider:** Miguel is a 66 year old sex offender with several prior offenses. Based on his static risk factors, his STATIC-99 score is a 4. This means that Miguel is in the same category as other offenders who had a 38% re-offense rate over 15 years. It also shows that Miguel has the same score as a group of offenders who had a 52% violent re-offense rate.
- 4043 **Treatment
Provider:** As you can see, a major strength of this test is that it's been shown to be effective in assessing the risk of violent recidivism in sex offenders as well as sexual recidivism. Like the RRASOR, the STATIC-99 can be scored from records alone. So we can actually rate all offenders – even if they refuse to cooperate. And the STATIC-99 has a higher correlation with recidivism and is more comprehensive than the RRASOR.
- 4044 **Treatment
Provider:** The population limitations with this scale are the same as the RRASOR: adult male sex offenders who have been incarcerated. We don't recommend relying on it for probationers, females, and juveniles (under the age of 16).
- 4045 **Treatment
Provider:** A third assessment tool we use often with sex offenders is the MnSOST-R, or the Minnesota Sex Offender Screening Tool-Revised. This tool was developed by the Minnesota Department of Corrections to identify high-risk sex offenders, who might also be considered sexual predators.

4046	Treatment Provider:	MnSOST examines 16 items, which include static and dynamic factors. Some examples include: the number of sex/sex related convictions (including current), evidence of antisocial behavior in the offender’s file, employment history, and the age of the offender at the time of release. A full list of the items is available in the program library.
4047	Treatment Provider:	With this test, points are assigned to each of the factors, ranging from – (negative) 14 to 31. The higher scores are more indicative of the risk to re-offend. Let’s take a closer look with an example.
4048	Treatment Provider:	Kenneth is a 19 year old, first time offender. Based on the static and dynamic risk factors, his MnSOST-R score is a negative 6. As you can see on the table, this score means Kenneth is in the same group of men, 0% of whom re-offend sexually in 6 years.
4049	Treatment Provider:	Like the RRASOR and the STATIC-99, the MnSOST-R’s strength is that it can be scored from criminal records. Also like the previous tests’ limitations, this test was developed on adult male sex offenders who were incarcerated. It has <u>not</u> been validated on female sex offenders or juveniles (under the age of 16). It also hasn’t performed well in predicting sexual recidivism in incest offenders.
4050	Treatment Provider:	The last of the four assessment tools is the SONAR – which stands for the “Sex Offender Need Assessment Rating.” This nine item scale was developed to measure dynamic or <u>changeable</u> factors. Other scales focus mainly on static factors, which <u>are</u> helpful in assessing overall risk, but they don’t take into account any changes in the offender’s situation.
4051	Treatment Provider:	The SONAR actually looks at two different types of <u>dynamic</u> risk factors: acute factors and stable factors. For a full breakdown of the specific acute and stable factors that are measured check out the SONAR Factors document in the program library.
4052	Treatment Provider:	SONAR’s scoring model was created with data collected from two groups: a group of sex offenders who had re-offended while on probation and a group who had not. In general the overall score and each of the nine variables differed between recidivists and non-recidivists.

4053

**Treatment
Provider:**

The major strength of the SONAR is the fact that it measures these dynamic variables. This means an offender's SONAR risk assessment score may change. However, a major limitation is the fact that it has not been cross-validated. This makes it difficult to know the extent to which these results will replicate on a different sample.

Section 7: Conclusion

Screen Number	Character	Narration
4054	Judge:	Here are some final thoughts about the subject of risk assessment. As you can tell by the number of risk factors and the different assessment tools we've described here, there is a wide variability in sexual recidivism risk. The assessment tools help us "narrow" that range somewhat by helping us distinguish between low-risk and high-risk offenders. This enables us to direct resources where they're best suited. The reality is our resources are limited, so it doesn't make sense to use them generically with all offenders, when we can be more effective with containment policies and practices targeted to high-risk offenders.
4055	Judge:	Earlier, we talked about the importance of "static" risk factors and "dynamic" risk factors. These factors are key in all our risk decisions and treatment and supervision plans. The dynamic factors, in particular, have to be constantly monitored. (The static factors we know won't change.) No behavior that is relevant to the sex offender's M.O. should be ignored – "low-risk" does not mean no risk. By closely monitoring the offender's risk factors, supervising officers and treatment providers are better prepared to provide responsive interventions. That's our goal.
4056	Judge:	Evaluators and agents should also keep in mind that an offender's risk level changes. That's why it's important to conduct several assessments while the offender is in our system.
4057	Judge:	Finally, risk assessment is just one of <u>many</u> tools we have to better inform sex offender containment. No single instrument can measure all risk factors. <u>Good</u> treatment and supervision plans incorporate <u>all</u> the available information on an offender – including his risk assessment scores.

For more information related to this topic, you should check out the Risk Assessment document in the program's library.