

**Washington State Sex Offenders:
Overview of Recidivism Studies**

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INTRODUCTION

Some convicted offenders reoffend after they return to the community—this reoffense behavior is known as recidivism. The percentage of offenders who reoffend within a specified time period is described as the recidivism rate.

State policymakers have expressed interest in knowing the recidivism rates of Washington State sex offenders. Information on these rates can guide policy decisions on issues such as sentence length, terms of supervision, and treatment options.

In 1990, the legislature directed the Washington State Institute for Public Policy to study the effectiveness of the *Special Sex Offender Sentencing Alternative (SSOSA)*. Legislators wanted to know if this treatment option—which allows judges to order community treatment for eligible sex offenders—compromised public safety.

In 1991, the Institute reported on sex offenders who received or were statutorily eligible for SSOSA from January 1985 through June 1986. The report concluded that SSOSA is an effective sentencing alternative for eligible sex offenders because:

- The community is at no greater risk,
- Criminal justice professionals and treatment providers support the alternative, and
- Costs to state government are presumed to be lower.

Following this research, legislators inquired about the recidivism patterns of sex offenders who are *not* eligible for SSOSA—rapists and repeat child molesters—and requested more information on the effectiveness of treatment.

This publication reports on *three* studies regarding sex offenders that are designed to answer policymakers' questions. Each study addresses a particular aspect of recidivism.

I. The Special Sex Offender Sentencing Alternative: A Follow-Up Study of Recidivism

This study examines sex offenders who received community treatment, and determines whether their recidivism rates were different from sex offenders who did not receive treatment. It extends the follow-up period of the 1991 study and includes a new group of sex offenders—those *not* eligible for SSOSA. The study sample included all male sex offenders convicted in Washington State from January 1985 through June 1986.

Sex offense recidivism rates within a seven-year period were: 11 percent for those who received SSOSA, 14 percent for those statutorily eligible but who did not receive SSOSA, and 31 percent for those not eligible for SSOSA.

This study addresses questions such as: Does the community treatment option for sex offenders pose additional risks to public safety? Which offenders are more likely to be selected for community treatment?

II. Recidivism Patterns of Adult Sex Offenders

This second study examines the recidivism patterns of adult sex offenders convicted between 1985 and 1991 in Washington State. The *overall* recidivism rates for various crime categories were estimated, as well as the offender characteristics that were associated with a higher likelihood of rearrest. This study had the largest sample (1,373).

Recidivism rates within a seven-year period were estimated to be: 12 percent for sex offenses, 3 percent for violent offenses, and 8 percent for other felony offenses.

This study addresses questions such as: What is the overall pattern of recidivism for sex offenders? What are the characteristics of sex offenders who are most likely to commit additional sex offenses? Does a community treatment sentence reduce recidivism?

III. The Twin Rivers Sex Offender Treatment Program: Recidivism Rates

The third study compares the recidivism patterns of sex offenders who received treatment during prison confinement with those of offenders who were imprisoned without treatment. The treated offenders completed a sex offender program at Twin Rivers Corrections Center and resided in the community for an average of 20 months.

The estimated recidivism rate of the treatment group (11 percent) was slightly lower than the rate of the comparison group (12 percent). However, the difference was not statistically significant.

Notes to the Reader:

- For each study, *recidivism was defined as a rearrest for a felony offense*. Only *male* sex offenders were studied, since they comprise 99 percent of Washington’s sex offender population.¹
- *Rearrests were divided into three mutually exclusive categories: sex offenses, violent offenses, and other felony offenses*. “Other felony” offenses include non-violent, non-sex offenses.
- The misdemeanor offense of *Indecent Exposure* was included *as a sex offense*, although it is not defined as such in the state sentencing statutes.
- Time spent on community supervision was included in the “*at risk*” time.
- *Event history analysis* was used to analyze the rate at which failures occur within specified time intervals. This method, sometimes called survival analysis, is appropriate when the population is undergoing events (in this case: confinement, release, and rearrest) at various time intervals.
- *Arrest data* was obtained from the Washington State Department of Corrections, Washington State Patrol, and the National Crime Information Center interstate identification index reports.

¹ Another Institute publication addresses female sex offenders. See *Female Sex Offenders in Washington State*, October 1993.

The Special Sex Offender Sentencing Alternative: A Follow-Up Study of Recidivism

EXECUTIVE SUMMARY

The Special Sex Offender Sentencing Alternative (SSOSA) is a community treatment sentence in Washington State that is granted to certain sex offenders convicted for the first time. This study examined the effect of SSOSA on sex offender recidivism. The study sample consisted of adult male sex offenders convicted of a felony sex offense in Washington State between January 1985 and June 1986. These offenders were followed for up to 7 years after release, with an average “at-risk” time of 5.7 years.

Offenders who were selected for SSOSA (*the SSOSA group*) were compared to two groups of offenders who were sentenced to prison and did not receive treatment. These incarcerated offenders included those who were statutorily eligible but did not receive SSOSA (*the SSOSA-eligible group*), and those who were not eligible for SSOSA (*the non-eligible group*). The non-eligible group consisted of rapists and repeat child molesters.

Findings:

- Sex offense recidivism rates within a seven-year period were: 11 percent for those who received SSOSA, 14 percent for the SSOSA-eligible group, and 31 percent for the non-eligible group.
- SSOSA offenders represented a *lower risk to public safety* than those sex offenders who had been incarcerated. Those selected for SSOSA were found to have the *lowest rearrest rates* of the three groups.
- The eligibility requirements for SSOSA appear reasonable. Those offenders who were statutorily excluded from SSOSA demonstrated a more serious reoffense pattern, including the *highest rearrest rate for sex offenses*.
- This study cannot determine whether the lower recidivism rates of SSOSA offenders were due to treatment effectiveness, or to other factors including the selection of low-risk offenders for SSOSA, and the potential negative effects of incarceration.
- White offenders were more than *three times as likely* as non-white offenders to receive SSOSA.

Background

THE SPECIAL SEX OFFENDER SENTENCING ALTERNATIVE

Since 1984, Washington State has provided a community treatment sentence for certain sex offenders convicted for the first time. This sentencing option, the *Special Sex Offender Sentencing Alternative (SSOSA)*, allows judges to sentence certain sex offenders to community treatment, under supervision by the Department of Corrections. To be eligible for SSOSA, offenders must meet three conditions: 1) a first-time conviction for a felony sex offense; 2) a conviction other than First or Second Degree Rape; and 3) a sentence range, under the guidelines, not exceeding eight years.² SSOSA offenders are typically child molesters who are convicted for the first time.

Offenders receiving SSOSA are subject to crime-related prohibitions, such as restricted contact with minors. In addition, the judge may order the offender to spend up to six months in jail. If the offender does not comply with treatment, or is believed to pose a public safety risk, the judge can revoke the suspended sentence and impose the prison term.

Study Design

This study compares the recidivism patterns of Washington State sex offenders who received SSOSA with those who were incarcerated and did not receive treatment.

The study sample consisted of the *entire population* of adult male sex offenders convicted of a felony sex offense from January 1985 through June 1986 (a total of 787 were identified).³ The follow-up time was up to 7 years, with an average “at-risk” time of 5.7 years. To adjust for the varied lengths of follow-up time among individual offenders, recidivism rates were estimated based on event history analysis.

This study updates a previous Institute study,⁴ extending the follow-up time and including a category of offenders not previously addressed: those offenders *not eligible* for SSOSA.

The population was divided into three groups:

² State sentencing guidelines cover sentences for felons based on crime of conviction and criminal history. From 1984 to 1990, SSOSA was statutorily limited to offenders with sentences up to six years. When sentences for sex offenders were lengthened in 1990, the limit was changed to eight years.

³ 868 male sex offenders were recorded in Washington State’s Sentencing Guidelines Commission database for this time period. Excluded cases included duplicates, those with missing records, and offenders who were still in prison at the end of the study period.

⁴ Lucy Berliner et al. (1991), *The Special Sex Offender Sentencing Alternative: A Study of Decision-Making and Recidivism*, Harborview Sexual Assault Center and Urban Policy Research.

- **The SSOSA group:** Those who received SSOSA sentences.
- **The SSOSA-eligible group:** Those statutorily eligible, but who did not receive SSOSA.
- **The Non-eligible group:** Those not eligible to receive SSOSA.

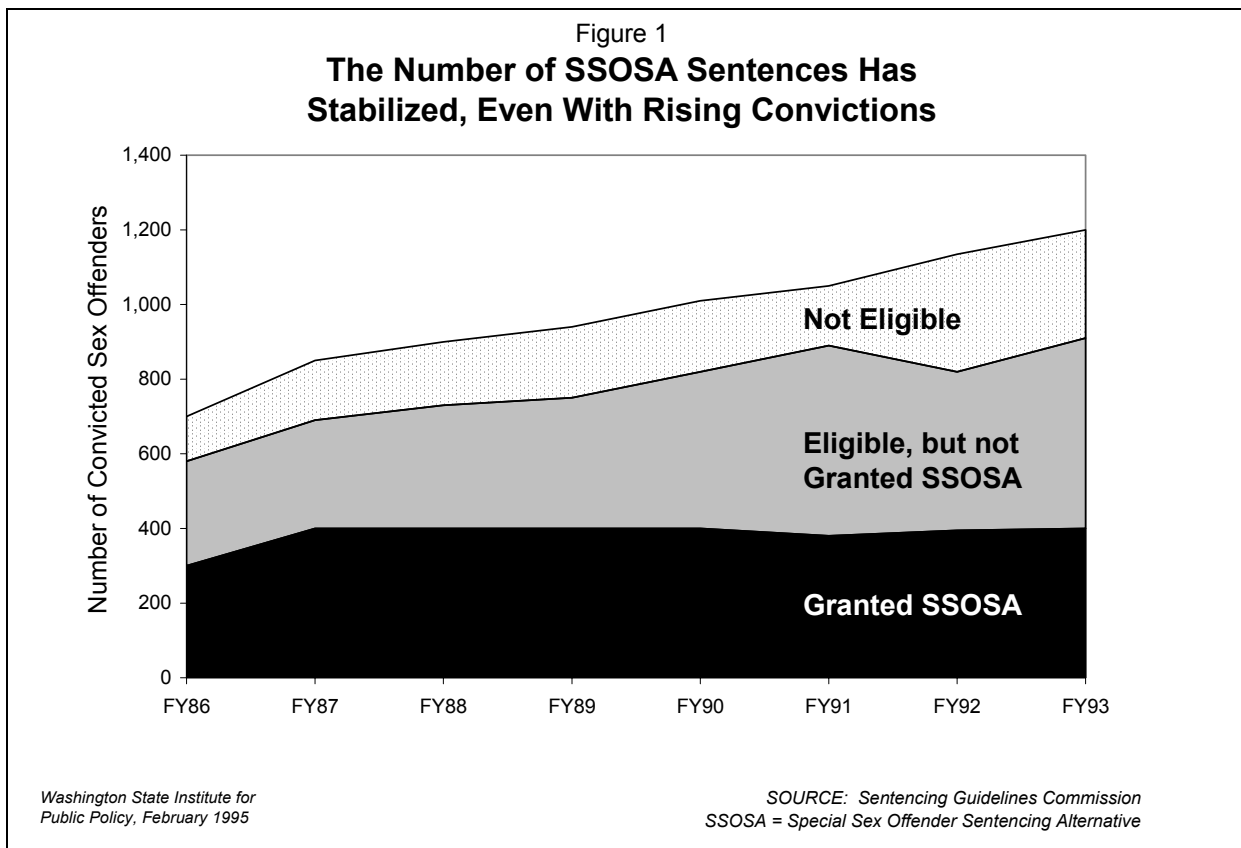
Recidivism was defined as a rearrest for a felony offense. Rearrests were grouped into one of three categories:

- Sex offenses
- Violent offenses
- Other felony offenses

Findings

SSOSA SENTENCES IN WASHINGTON STATE

Figure 1 presents the number of sex offenders convicted between Fiscal Year 1986 and 1993, and the number who received SSOSA. *The number of offenders receiving SSOSA has been relatively stable, averaging 380 offenders per year, even though the total number of sex offenders convicted each year has increased.*



SEX OFFENDER CHARACTERISTICS (See page 19 in Appendix A.)

- **Age:** Of the entire sample, the offenders' average age at sentencing was 34 years; the youngest offender was 17, and the oldest was 81. On average, offenders who received SSOSA were older than the SSOSA-eligible offenders. Of the three groups, the non-eligible group had the youngest average age.
- **Race:** Of the SSOSA offenders, 7 percent were non-white, while 22 percent of the SSOSA-eligible offenders and 26 percent of the non-eligible offenders were non-white. The likelihood of white offenders receiving SSOSA was over three times higher than that of non-white offenders. (See page 20 in Appendix A.)
- **Criminal History:** Most of the sample (91 percent) had not previously been convicted of a sex offense. Nearly half of the offenders (46 percent) had a prior felony or misdemeanor conviction.

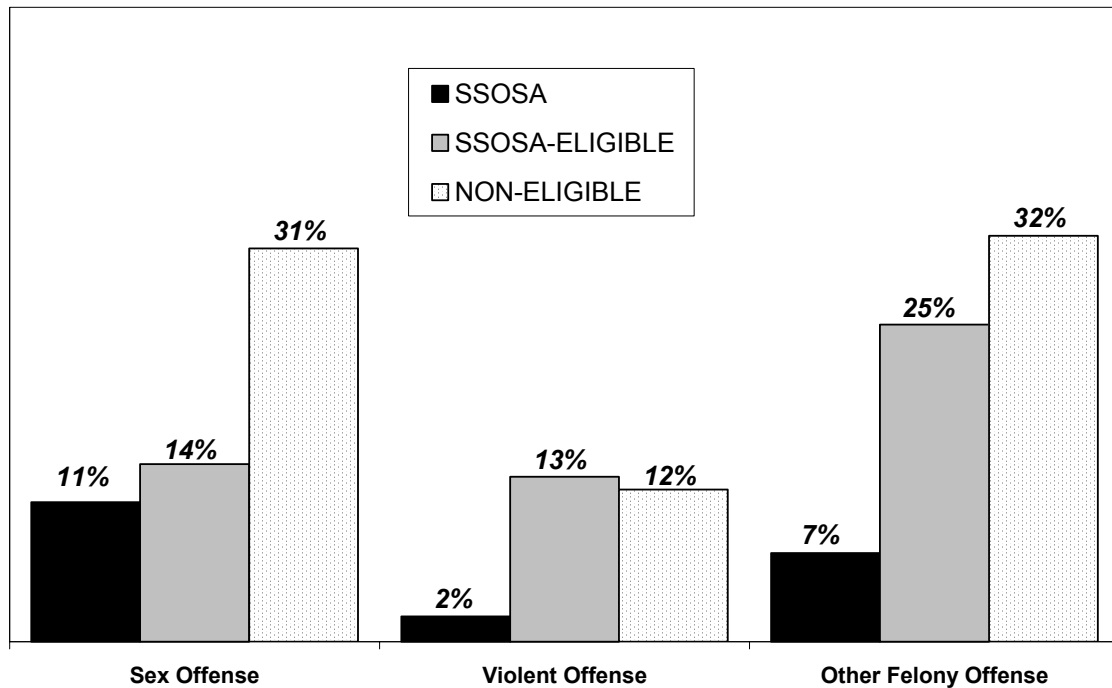
Because SSOSA is restricted to sex offenders who are convicted for the first time, the non-eligible group contains offenders with the most serious criminal histories.

SSOSA OFFENDERS HAD LOWER RECIDIVISM RATES

Figure 2 presents the seven-year rearrest rates for the three groups of offenders. The results indicate that:

- A relatively small percentage of sex offenders were rearrested for new *sex offenses*. 11 percent of the SSOSA group, 14 percent of the SSOSA-eligible group, and 31 percent of the non-eligible group were rearrested for sex offenses during the follow-up period.
- The SSOSA group had the lowest rearrest rate for *violent offenses*. 2 percent of the SSOSA group, 13 percent of the SSOSA-eligible group, and 12 percent of the non-eligible group were rearrested for violent felony offenses during the follow-up period.
- The SSOSA group had the lowest rearrest rate for *other felony offenses*. 7 percent of the SSOSA group, 25 percent of the SSOSA-eligible group, and 32 percent of the non-eligible group were rearrested for other felony offenses during the follow-up period.

Figure 2
SSOSA Offenders Have the Lowest Rearrest Rates*



Washington State Institute for
 Public Policy, February 1995

Note: Rearrest rates are calculated at seven years of follow-up.
 * These rearrest categories are mutually exclusive.

To explore further the relationship between SSOSA status and recidivism, the variables of age, race, criminal history, and type of conviction were statistically controlled. We discovered that the effects of SSOSA on recidivism, independent of these variables, are:

- The *non-eligible* group was more likely to be rearrested for sex offenses than the SSOSA and SSOSA-eligible groups.
- For sex rearrests, the difference in rates between the *SSOSA* and *SSOSA-eligible* groups was not statistically significant.
- The *SSOSA* group had a significantly lower rearrest rate for other felony offenses than the SSOSA-eligible group.

Results of the analysis are provided on page 22 in Appendix A.

TYPES OF SEX REOFFENSES

We examined the type of sex offenses for which the recidivists were rearrested, including whether the victims were children or adults. Recidivists generally targeted the *same type of victims* for their reoffenses. For example, if offenders were originally sentenced for child molestation, and *if* they were arrested for a new sex offense, they were most likely to be rearrested for offenses against children. (See page 24 in Appendix A.)

CONCLUSIONS

These findings support the legislature's decision to exclude certain categories of sex offenders from receiving a SSOSA sentence. Offenders who were not eligible for SSOSA had the *highest* recidivism rates for all three categories of offenses—sex, violent, and other felony. But while offenders who received SSOSA had a lower *overall* recidivism rate, this analysis cannot determine whether these lower rates were due to treatment effectiveness, or because low-risk offenders were selected for the SSOSA treatment sentence.

Recidivism Patterns of Adult Sex Offenders

EXECUTIVE SUMMARY

This study examined the recidivism patterns of adult male sex offenders convicted between 1985 and 1991 in Washington State. The *overall rate of recidivism* for sex offenders was estimated, as well as identifying offender characteristics associated with a higher likelihood of rearrest. The follow-up time was up to 7 years, with an average “at-risk” time of 4.6 years.

Findings:

- The *overall* rearrest rate for sex offenders in Washington State was *relatively low*. At seven years after release, this rate was estimated to be 12 percent for sex offenses, 3 percent for violent offenses, and 8 percent for other felony offenses.⁵
- Offenders selected for SSOSA sentences had the *lowest* recidivism rates.
- Offenders *more likely* to be rearrested for a sex or violent offense had the following characteristics: younger age, non-white, repeat sex offender, and rapist.
- 76 percent of the *reconvicted* sex offenders reoffended against victims of the *same age group* as in their original offenses.
- 43 percent of the *reconvicted* sex offenders committed reoffenses *more serious* than their original offenses.

⁵ A February 1993 Institute publication reported a sex offense recidivism rate of 13 percent for this study; a more detailed analysis revealed this rate to be 12 percent.

Study Design

The study population consisted of adult male sex offenders who were convicted of a felony sex offense in Washington State between 1985 and 1991, and who were released by December 31, 1991. (See page 26 in Appendix B.) The sample size was 1,373.

The follow-up time was up to 7 years, with an average “at-risk” time of 4.6 years.

Recidivism was defined as a rearrest for a felony offense. Rearrests were grouped into one of three categories:

- Sex offenses
- Violent offenses
- Other felony offenses

Findings

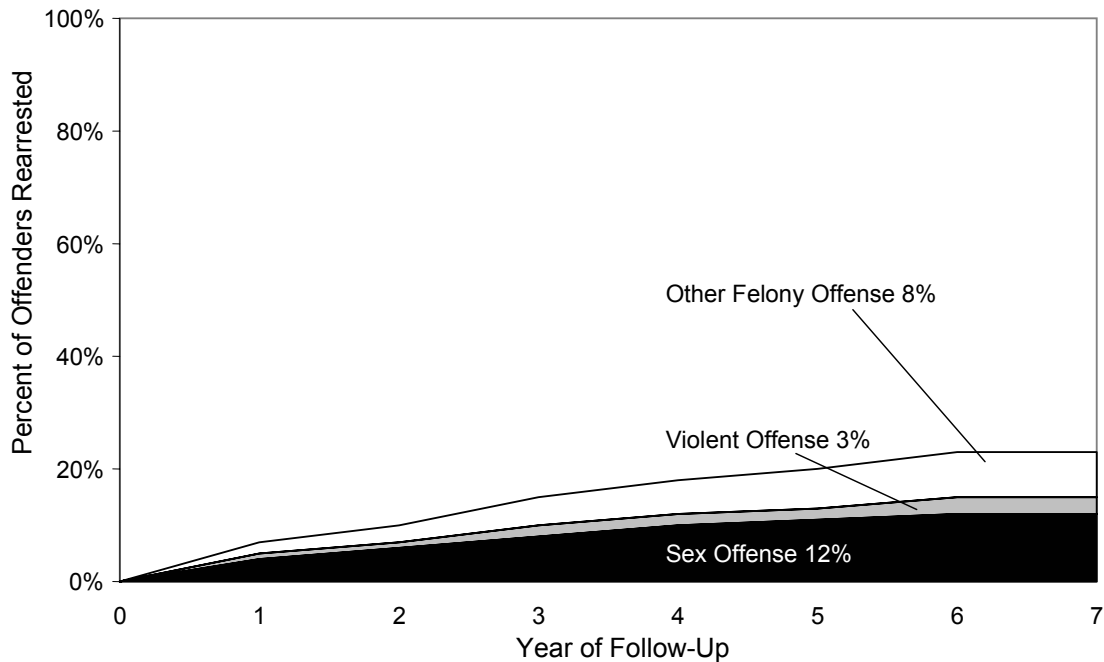
OVERALL RECIDIVISM RATES

Figure 3 presents the *overall* recidivism rates for all offenders in this study. After seven years of follow-up, the recidivism rates were:

- Sex offenses = 12 percent
- Violent offenses = 3 percent
- Other felony offenses = 8 percent

OVERALL RECIDIVISM RATE = 23 percent

Figure 3
Rearrest Rates for Convicted Sex Offenders*



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* Includes adult male sex offenders convicted of a felony sex
offense in Washington State between 1985 and 1991, and
who were released by 12/31/91.

FACTORS ASSOCIATED WITH REARREST

The differences in recidivism rates could potentially be influenced by variables in addition to the type of offense. (See page 27 in Appendix B.) For example, while we found that rapists had higher recidivism rates than non-rapists, this difference may have been significantly related to age differences between the two types of offenders rather than the offense type. A second analysis was therefore conducted. This analysis controlled for differences so the *independent* effect of an individual variable could be identified. (See page 28 in Appendix B.)

The results indicated that the following factors were *significantly* associated with recidivism of convicted sex offenders:

- **Age:** Younger offenders were *more likely* to be rearrested for all three categories of offenses.
- **Criminal history:** Repeat sex offenders were *more likely* than first-time sex offenders to be rearrested for a new sex or other felony offense.

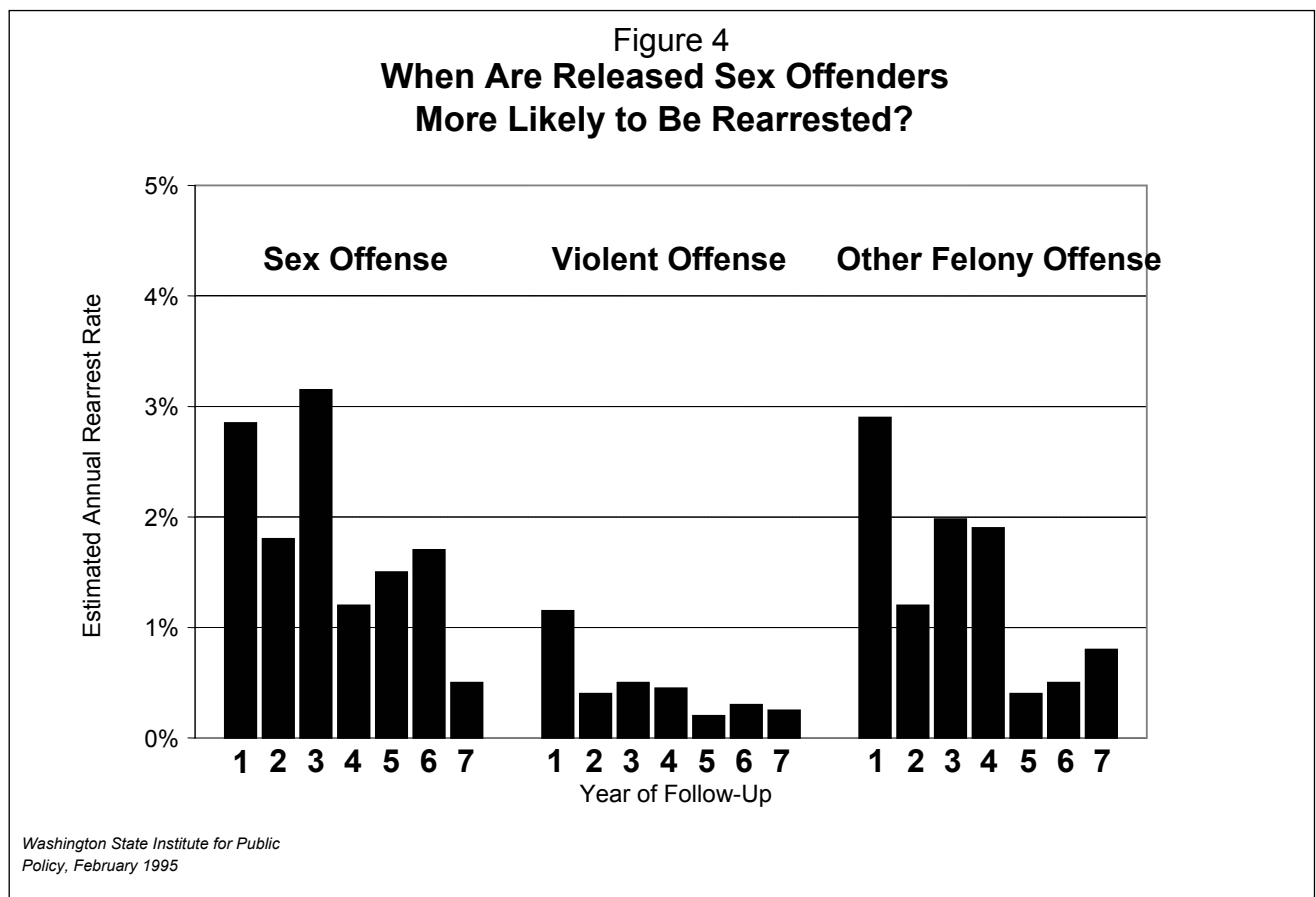
- **Race:** Non-white sex offenders were *more likely* than white sex offenders to be rearrested for a violent offense.
- **Type of conviction:** Rapists were *more likely* than child molesters to be rearrested for a new sex offense or a new other felony offense.
- **Sentence length:** Offenders with longer sentences were more likely to be rearrested for sex offenses. Total sentence length was not associated with the risk of rearrest for non-sex offenses.

See Appendix B (pages 31–32) for charts illustrating these findings in some detail.

TIMING OF RECIDIVISM

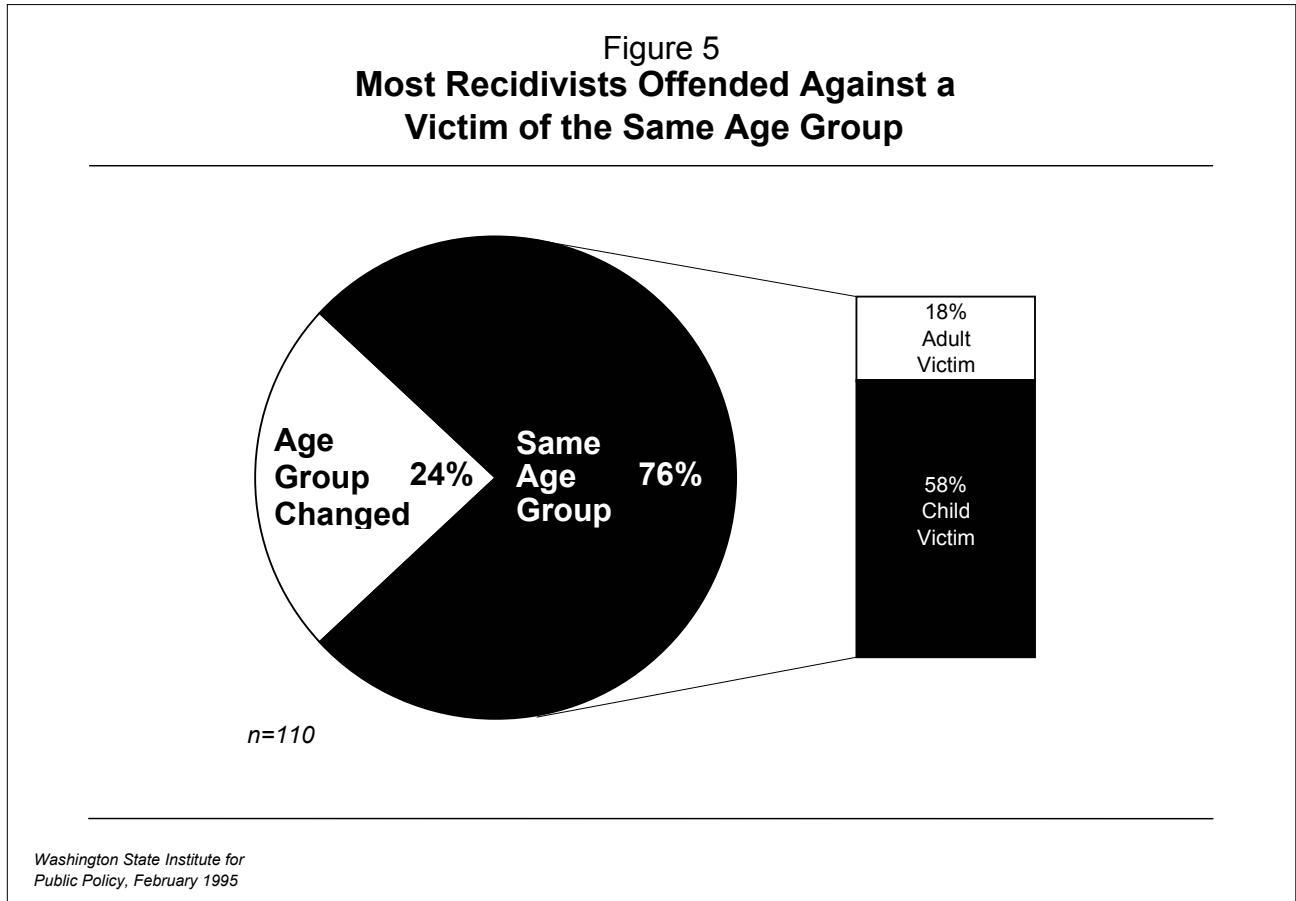
When we examined the timing of rearrests, we learned the following: (See Figure 4.)

- The overall rearrest rate was generally *highest* during the *first year* after release.
- The rearrest rate for sex offenses was *highest* during the *first and third year* after release.
- During the *later years* of follow-up, the overall rearrest rate *declined*.



CHANGES IN TYPE OF CONVICTION

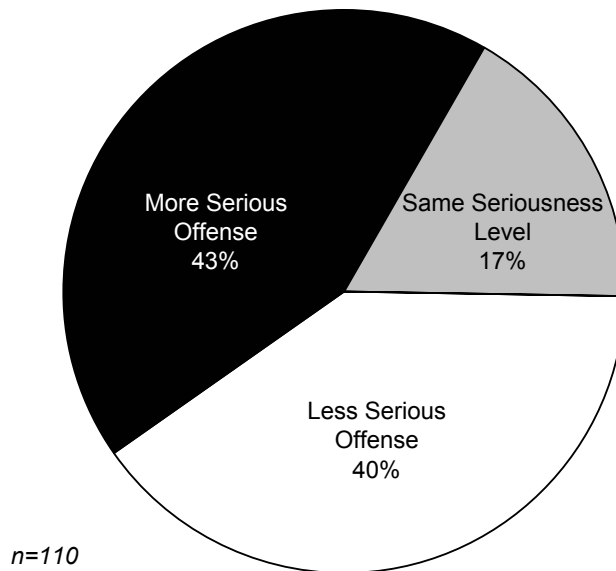
In addition to rearrests, records were examined for the 110 offenders *reconvicted* of a sex offense. Of the offenders with new sex offense convictions, 76 percent reoffended against *victims of the same age group* (18 percent reoffended against adults, 58 percent reoffended against children). The remaining 24 percent *changed* their victim age group for the new offense. (See Figure 5.)



The *seriousness* of the sex offense reconviction was compared with the original sex offense conviction. Of the 110 reoffenders, 17 percent were reconvicted of an offense of the same seriousness level, 43 percent were reconvicted of a more serious offense, and 40 percent were reconvicted of a less serious offense.⁶ (See Figure 6.)

⁶ Seriousness levels for felonies are set by state law; felonies are grouped into 15 categories.

Figure 6
**57 Percent of the Recidivists Were Convicted of an
Offense of the Same or Less Seriousness Level**



Washington State Institute for
Public Policy, February 1995

*Washington State law ranks felonies into 15 seriousness levels; these
rankings were used to compare the original crime with the new conviction.

HOW SELECTION FOR SSOSA INFLUENCES RECIDIVISM RATES

This study allows one to analyze which factors contribute to both higher and lower recidivism rates. An important policy question is whether a SSOSA sentence, which usually requires offenders to seek treatment, influences recidivism rates.

Ideally, research assessing the influence of treatment on recidivism would randomly assign sex offenders to treatment alternatives, and include a “no treatment” group. With such an experiment, one can discern the precise contribution of the treatment intervention of interest. Such experiments are rarely possible, and social scientists are left with studies which compare results for one population with those for a matched population.

Offenders who received SSOSA had two primary characteristics that distinguished them from the other sex offenders in this study:

- They were selected for SSOSA, and
- They received sex offender-specific treatment in the community as part of their sentence.

Because random assignment was not possible, it is difficult to ascertain whether their different rearrest rates were caused by treatment effects, or because an offender's characteristics that lead a judge to impose a SSOSA sentence may also be characteristics that reduce the offender's likelihood of reoffense. Additionally, some people theorize that the experience of incarceration increases recidivism rates because inmates' anti-social values are reinforced in this setting. If this theory is correct, offenders who are not imprisoned would commit fewer reoffenses regardless of treatment.

To better understand the independent influence of the SSOSA sentence itself, we conducted an analysis relying on econometric estimates. For this analysis, we separated the *SSOSA selection process* from the *SSOSA sentence*. The *SSOSA sentence* includes sex offender treatment as well as supervision by the Department of Corrections. The *selection process* includes the legislative decision regarding which offenders are eligible, and the judicial decision to impose a SSOSA sentence on select offenders. We found that:

- 1) SSOSA offenders committed fewer *violent* and *other felony* reoffenses, but there were no differences between SSOSA and non-SSOSA offenders for *sex* reoffenses.
- 2) Examination of the independent contributions of *selecting* offenders for SSOSA, and the *effect* of the SSOSA sentence revealed that:
 - For *sex offenses*, neither the SSOSA selection process nor the effect of the SSOSA sentence influenced the recidivism rates.
 - For *violent offenses*, the SSOSA sentence helped reduce recidivism rates, but the selection process did not make a difference.
 - For *other felony offenses*, both the SSOSA selection process and treatment contributed to lower recidivism rates.

Thus, the SSOSA sentence appears to reduce the *overall* criminal activity of sex offenders selected for this option, but *alone does not* significantly reduce their future sex offenses.

CONCLUSIONS

This study reveals that the overall recidivism rates for convicted sex offenders in Washington is relatively low. The sex offense recidivism rate within a seven-year period was estimated at 12 percent, with a recidivism rate of 3 percent for violent offenses and 8 percent for other felony offenses.

Further analysis revealed that the following sex offender characteristics were significantly associated with a higher risk of sex reoffense: age, criminal history, race, type of conviction, and sentence length.

It should be noted that the association between the analyzed variables and the likelihood of rearrest was obtained from statistical models based on the study sample. Also, we examined a limited number of variables. Therefore, the results cannot, and should not, be used to predict the risk of reoffending for individual offenders.

The Twin Rivers Sex Offender Treatment Program: Recidivism Rates

EXECUTIVE SUMMARY

This study is an *estimate* of the recidivism rates of sex offenders who completed the Sex Offender Treatment Program at the Washington State Department of Corrections' Twin Rivers Corrections Center (**the treatment group**). The recidivism patterns of a **comparison group** of released sex offenders who did not receive sex offender treatment during incarceration were also analyzed.

Because of the program's requirements for participation, there may be significant differences between the treatment group and the comparison group that result from the *selection process* and are *unrelated* to the effects of the program.

Findings:

- Estimated recidivism rates of the treatment group were *slightly* lower than the rates of the comparison group. However, the differences were not statistically significant. (11 percent for the treatment group; 12 percent for the comparison group.)
- In designing future research on the effectiveness of treatment, random assignment is suggested to minimize bias from self-selection into treatment programs.
- A larger sample size and a longer follow-up time would provide more information about the long-range effects of prison-based sex offender treatment and increase the likelihood of scientifically valid results.

Background

The prison-based Sex Offender Treatment Program is located at the Twin Rivers Corrections Center, a medium-security prison near Monroe, Washington. This program, started in 1988, uses a combination of treatment techniques including group therapy, psycho-educational classes, behavioral treatment, drama therapy, and family involvement. Treatment lasts from a minimum of one year up to four years.

Offenders selected for the treatment program must meet the following requirements:

- Voluntary participation
- An I.Q. of 80 or above
- Admission of guilt
- A minimum of one year remaining in prison

Study Design

The **treatment group** consisted of the first 119 sex offenders to complete the treatment program and reside in the community for at least one month by March 1993. Eighty-eight percent of the offenders were sentenced between 1988 and 1990. These offenders had been out of prison for an average of 20 months.

The **comparison group** consisted of 159 released sex offenders who were incarcerated in Washington State prisons during the same time period without treatment. These offenders had been out of prison for an average of 30 months.

The maximum follow-up time for both groups was three years. The varied lengths of at-risk time were adjusted in the analysis.

Recidivism was defined as a rearrest for a felony offense. Rearrests were grouped into one of three categories:

- Sex offenses
- Violent offenses
- Other felony offenses

Study Limitations:

Because the program accepts only offenders who admit their guilt and voluntarily request treatment, there may have been significant differences between the treatment group and the comparison group that were unrelated to the effects of the treatment program. Offenders who volunteer for treatment may have a higher motivation to change their criminal behavior, and thus would have lower recidivism rates regardless of treatment. Also, other factors not examined in this study, such as

marital status, level of education, and socioeconomic status, may have influenced the results. Furthermore, the follow-up time in this study was relatively short (averaging 20 months), which does not allow evaluation of the long-term effects of treatment. *For these reasons, this study is a preliminary estimate of recidivism rates. It is suggestive only, and is not an overall assessment of the program's effectiveness.*

Findings

OFFENDER CHARACTERISTICS

The treatment group included a *higher* percentage of white offenders and repeat sex offenders, but a *lower* percentage of rapists. *The analysis of recidivism rates for the treatment and comparison groups took these differences into account and adjusted them statistically.* (See page 34 in Appendix C.)

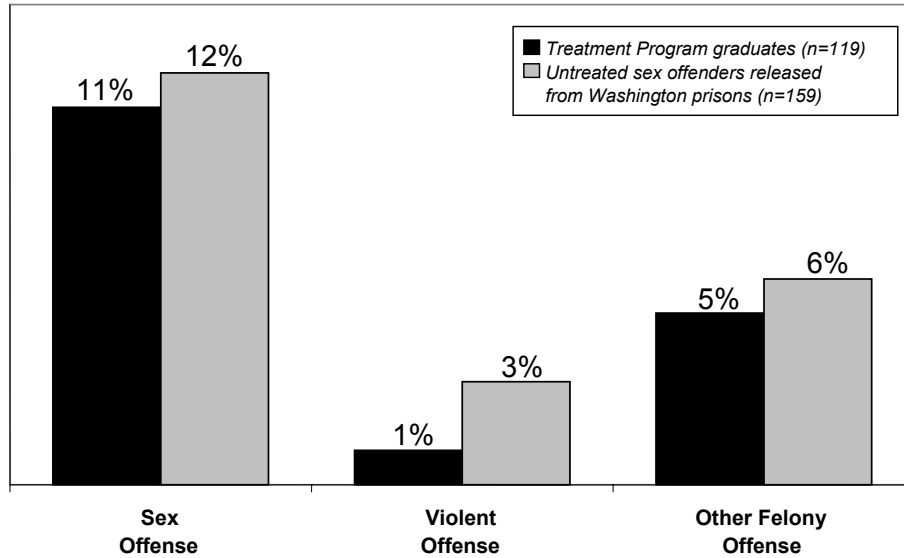
ESTIMATED RECIDIVISM RATES

Throughout the three-year period, recidivism rates for the treatment group were *slightly lower* than the rates for the comparison group. The rearrest rates for sex offenses and violent offenses were 11 and 1 percent, respectively, for the treatment group; 12 and 3 percent, respectively, for the comparison group (Figure 7). These differences were not statistically significant. For other felony offenses, the estimated rearrest rate was also not significantly different: 5 percent for the treatment group, and 6 percent for the comparison group.

The treatment and comparison groups differed in terms of race, prior sex offenses, and type of offense. These factors were adjusted for statistically to assess the independent effect of the treatment program.⁷ *The adjusted differences in recidivism rates between the two groups were not statistically significant.*

⁷ The adjustment was made using logistic regression analysis, a multivariate method in which the dependent variable is dichotomous.

Figure 7
After Three Years, Treated Sex Offenders Have Slightly Lower Rearrest Rates Than Untreated Sex Offenders*



Washington State Institute for Public Policy, February 1995

* The differences are not statistically significant. Rearrest rates are adjusted for three years of follow-up in the community.

CONCLUSIONS AND DISCUSSION

During the three years of follow-up, estimated recidivism rates in the treatment group were slightly lower than those in the comparison group, but these differences were not statistically significant.

Because few offenders had completed the program when this study was conducted, these findings represent a preliminary report on the program's effectiveness.

Future research can be assisted by minimizing the bias from self-selection. For example, the Sex Offender Treatment and Evaluation Project at Atascadero Hospital in California randomly assigned all sex offenders who volunteered for treatment into either a treatment group or a control group.⁸ This approach would allow a clear understanding of the benefits of a treatment program.

⁸ J.K. Marques et al. (1992), "Findings and Recommendations from California's Experimental Treatment Program," in G.C.N. Hall and R. Hirschman (eds.), *Sexual Aggression: Issues in Etiology and Assessment, Treatment, and Policy*, Hemisphere, Washington, D.C.

APPENDIX A

Supporting Data

The Special Sex Offender Sentencing Alternative: A Follow-Up Study of Recidivism

Offender Characteristics

Offender Characteristics	SSOSA ⁹ (n ₁ =321)	SSOSA- eligible (n ₂ =306)	Non- eligible (n ₃ =160)	Total N=787
Age at sentence: Average*	36.4	33.9	29.9	34.1
Race (%)*				
White	93	78	74	83
African American	2	8	18	8
Asian American	0	1	1	1
Native American	1	3	2	2
Hispanic American	3	10	4	6
Other	1	1	1	1
Prior sex conviction ¹⁰ (%)*				
Yes	4	4	28	9
No	96	96	73	91
Prior non-sex felony conviction (%)*				
Yes	9	33	39	24
No	91	67	61	76
Prior conviction of any kind (%)*				
Yes	31	49	68	46
No	69	51	32	54
Rapists ¹¹ (%)*	3	9	76	20
Child Molesters	98	91	24	80

* The difference between the groups is statistically significant.

Note: Due to rounding, some categories may not add to 100 percent.

⁹ The sample sizes for the SSOSA and the SSOSA-eligible groups are slightly higher than in the Berliner study because records for additional cases were identified.

¹⁰ Fourteen offenders (4.3%) in the SSOSA group and 11 offenders (3.6%) in the SSOSA-eligible group had a least one prior adult sex offense conviction, even though the sentencing laws restrict SSOSA to first-time offenders. The reason these offenders received SSOSA or were considered SSOSA-eligible is explained by either court discretion or documentation errors.

¹¹ The offense of Rape (first, second, and third degree) was classified as an offense against an adult. Other sex offenses were classified as offenses against children.

Factors Associated with SSOSA Selection

This table describes the factors that influenced an offender’s selection into SSOSA. The chart shows that, all other things being equal, age did not have an effect, and an offender with a prior felony conviction had a 20 percent chance of receiving SSOSA.¹² White offenders were more than three times as likely to be selected for SSOSA.

Variable	Odds Ratio	Standard Error	t	Probability Value
Age at sentence	1.01	.007	.782	.435
Prior felony conviction	.20	.047	-6.791	.000
Rape conviction	.33	.146	-2.498	.013
Violent offense conviction	.47	.092	-3.883	.000
White	3.43	.935	4.527	.000

¹² The eligibility requirements for SSOSA established in the statute are not always followed by the court. Thus, even though the statute restricts offenders with prior felony convictions, some are selected for SSOSA.

Correlations Between Rearrest and Reconviction

To validate the use of rearrest as the measure of recidivism, whether a rearrest resulted in a reconviction is examined using the failure curves and the Pearson's correlation coefficient. Results show that the failure curves of rearrest and reconviction parallel each other and the correlation coefficients between rearrest and reconviction for sex offenses, non-sex, violent offenses, and non-sex, non-violent felony offenses are 0.79, 0.61, and 0.68 respectively.

SSOSA Status and Recidivism: Weibull Regression Models

Rearrest for Sex Offenses

Variable	Hz. Ratio	Std. Error	t	Prob. Value
Age at sentence	.82	.05	-3.49	.000
White	.96	.26	-.15	.88
Prior felony conviction	1.25	.29	.99	.323
Violent offense conviction	.91	.25	-.35	.73
Total length of sentence (yrs.)	1.15	.08	2.01	.065
Receiving SSOSA	.73	.19	-1.18	.242
Not eligible for SSOSA	2.26	.64	2.91	.004

Number of subjects = 743
 Model chi2 = 54.1
 Prob > chi2 = .000
 Pseudo R2 = .103

Rearrest for Violent Offenses

Variable	Hz. Ratio	Std. Error	t	Prob. Value
Age at sentence	.61	.07	-4.2	.000
White	.56	.19	-1.7	.08
Prior felony conviction	1.37	.44	.99	.32
Violent offense conviction	.92	.38	-.20	.85
Total length of sentence (yrs.)	.96	-.133	-.32	.75
Receiving SSOSA	.32	.14	-2.6	.01
Not eligible for SSOSA	.84	.39	-.35	.724

Number of subjects = 743
 Model chi2 = 77.4
 Prob > chi2 = .000
 Pseudo R2 = .076

Rearrest for Other Felony Offenses

Variable	Hz. Ratio	Std. Error	t	Prob. Value
Age at sentence	.75	.05	-4.0	.000
White	.83	.23	-.67	.506
Prior felony conviction	2.81	.69	4.2	.000
Violent offense conviction	.92	.30	-.26	.795
Total length of sentence (yrs.)	.96	.16	.42	.675
Receiving SSOSA	.42	.14	-2.63	.009
Not eligible for SSOSA	1.66	.54	1.47	.137

Number of subjects = 744

Model chi2 = 122.4

Prob > chi2 = .000

Pseudo R2 = .100

**Types of Sexual Reoffenses
(Number of Offenders)**

Reoffense Category	SSOSA	SSOSA-eligible	Non-eligible	All Offenders
Murder, sexual motivation	1	0	1	2
Assault, sexual motivation	0	1	1	2
Rape¹³	4	9	22	35
Child Rape	8	13	0	21
Sexual touching offenses¹⁴	10	8	6	24
Incest	2	0	0	2
Other sex offenses¹⁵	2	6	1	9
Total	27	37	31	95

¹³ The offense of Rape (first, second, and third degree) was classified as an offense against an adult. Other sex offenses were classified as offenses against children.

¹⁴ These offenses include Child Molestation and Indecent Liberties.

¹⁵ Other offenses include Communication with a Minor and Indecent Exposure.

Appendix B

Supporting Data

Recidivism Patterns of Adult Sex Offenders

The Study Population

The study population consisted of male sex offenders sentenced in Washington State between 1985 and 1991. (Because only 94 female offenders were sentenced during this time period, they were not included.) Based on data maintained by the Sentencing Guidelines Commission, the following table presents the number of sex offenders sentenced. Release dates for the individual offenders were estimated.

Three subsamples were drawn from this population:

- **Sample 1** consisted of the *entire group* of sex offenders convicted between January 1985 and June 1986 (747 subjects).¹⁶
- **Sample 2** was a random sample of *10 percent of the first-time sex offenders* convicted between July 1986 and December 1991 (481 subjects).
- **Sample 3** included *all repeat sex offenders* convicted between July 1986 and December 1991 (145 subjects).

Offenders convicted of the most serious offenses were under-sampled in this study because they were given longer sentences, and thus were not released by 1991.

Study Population

Year of Sentence	Number of Offenders	Year of Release ¹⁷	Number of Offenders
1985	485	1985	225
1986	791	1986	593
1987	836	1987	736
1988	967	1988	800
1989	922	1989	745
1990	1,048	1990	830
1991	1,072	1991	807
Total	6,121	Total	4,736

¹⁶ This sample was previously used in a study of treatment sentences. See *The Special Sex Offender Sentencing Alternative: A Study of Decision-Making and Recidivism*, Washington State Institute for Public Policy, 1991.

¹⁷ The release dates of the offenders were estimated based on the date of sentence, time served prior to sentencing, the maximum good time (one-third of the sentence can be deducted for good behavior in prison), and the average earned good time for each offense type.

**Summary of Sex Offender Characteristics:
Organized by Reoffense Patterns
(weighted by sampling frequency)**

Offender Characteristics	All Offenders	With Sex Rearrest	With Violent Rearrest	With Other Felony Rearrest	With No Felony Rearrest
Age at original sentence					
21 or younger	11%	21%	31%	31%	9%
Less than 30	27%	35%	53%	45%	25%
Less than 40	30%	31%	12%	19%	31%
40 or older	32%	13%	4%	6%	35%
Race: White	86%	83%	53%	83%	88%
Rapist¹⁸	13%	18%	41%	21%	12%
Repeat sex offender	5%	9%	4%	8%	5%
Prior non-sex offense	17%	29%	28%	43%	15%

Note: Due to rounding, some categories may not add to 100 percent.

¹⁸ The offense of Rape (first, second, and third degree) was classified as an offense against an adult. Other sex offenses were classified as offenses against children.

Factors Associated with the Likelihood of Recidivism

Variables Related to the Likelihood of Rearrest for Sex Offenses

Variable	Significance Level*	+/- Effect on Likelihood of Rearrest**	Mean or Percent of Offenders in the Sample
Age at sentencing	Highly sig.	-20% per 5 yrs older	35.8 yrs
Prior sex offense conviction	Highly sig.	+130%	5.0%
Prior felony offense conviction	Significant	+41%	17.0%
Rape conviction	Significant	+57%	13.4%
Total length of sentence (years)	Significant	+1%	1.3 yrs

*Highly significant: p-value <.01, Significant: p-value <.05

**From hazard ratio of the Cox Regression Model

Variables that were *not* significantly associated with the likelihood of rearrest for sex offenses:

- Race
- Violent offense conviction for the original offense
- Sentencing period (before 1988 or after 1990)

Variables Related to the Likelihood of Rearrest for Violent Offenses

Variable	Significance Level*	+/- Effect on Likelihood of Rearrest**	Mean or Percent of Offenders in the Sample
Age at sentencing	Highly sig.	-43% per 5 yrs older	35.8 yrs
Prior non-sex felony conviction	Highly sig.	+143%	17.0%
Race: White	Highly sig.	+61%	86.4%

*Highly significant: p-value <.01, Significant: p-value <.05

**From hazard ratio of the Cox Regression Model

Variables that were *not* significantly associated with the likelihood of rearrest for violent offenses:

- Prior sex offense conviction
- Rape conviction for the original offense
- Violent offense conviction for the original offense
- Total length of sentence

Variables Related to the Likelihood of Rearrest for Other Felony Offenses

Variable	Significance Level*	+/- Effect on Likelihood of Rearrest**	Mean or Percent of Offenders in the Sample
Age at sentencing	Highly sig.	-34% per 5 yrs older	35.8 yrs
Prior sex offense conviction	Significant	+71%	5.0%
Prior non-sex felony conviction	Highly sig.	+193%	17.4%
Rape conviction	Highly sig.	+71%	13.4%

*Highly significant: p-value <.01, Significant: p-value <.05

**From hazard ratio of the Cox Regression Model

Variables that were *not* significantly associated with the likelihood of rearrest for other felony offenses:

- Race
- Violent offense conviction for the original offense
- Sentencing period (before 1988 or after 1990)
- Total length of sentence

Variables Related to the Likelihood of Rearrest for Sex or Violent Offenses

Variable	Significance Level*	+/- Effect on Likelihood of Rearrest**	Mean or Percent of Offenders in the Sample
Age at sentencing	Highly sig.	-25% per 5 yrs older	35.8 yrs
Race: White	Significant	-30%	86.4%
Prior sex offense conviction	Highly sig.	+88%	5.0%
Rape conviction	Highly sig.	+60%	13.4%
Prior non-sex felony conviction	Significant	+48%	17.4%

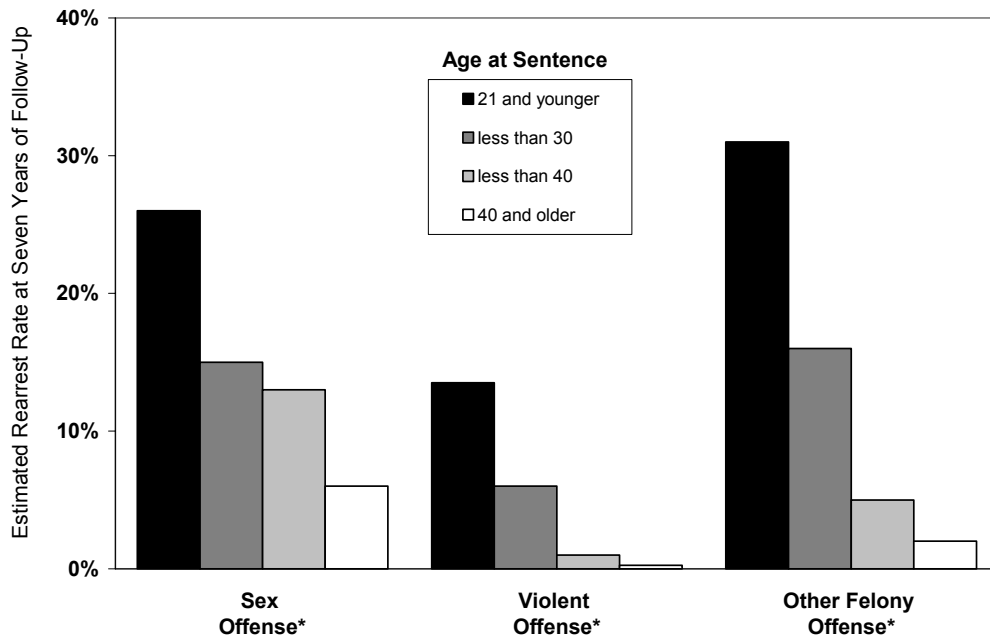
*Highly significant: p-value <.01, Significant: p-value <.05

**From hazard ratio of the Cox Regression Model

Cumulative Rearrest Rates for Convicted Sex Offenders

	Year of Follow-Up						
Type of Offense	1	2	3	4	5	6	7
Sex Offense	2.7%	4.7%	7.7%	9.1%	10.2%	11.6%	11.9%
Violent Offense	1.1%	1.3%	1.9%	2.3%	2.4%	2.8%	3.0%
Other Felony Offense	2.0%	3.1%	5.1%	6.8%	7.2%	7.6%	8.4%

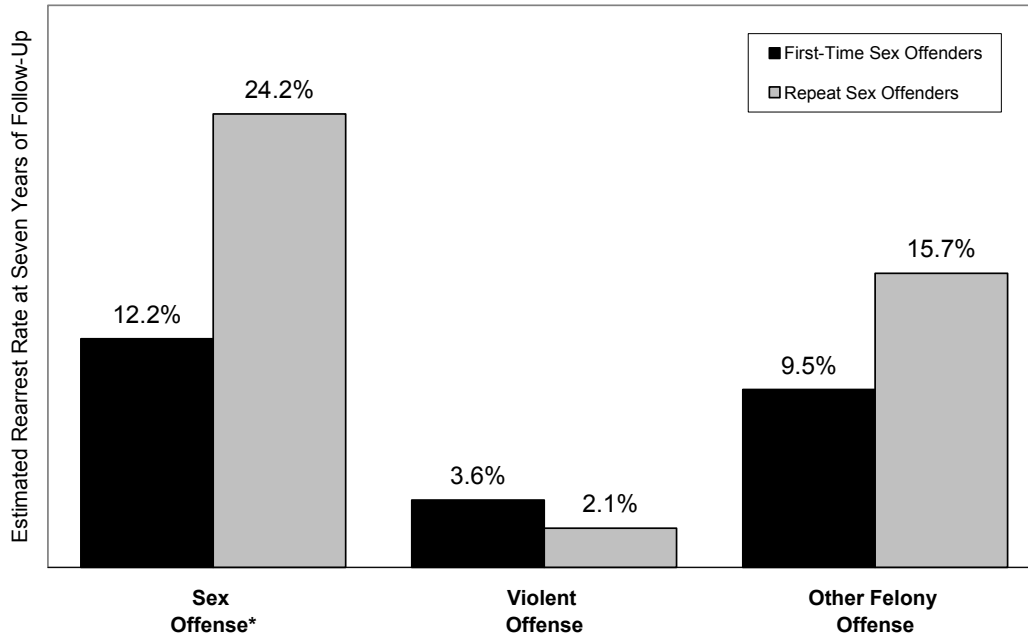
Figure 1-B
Younger Offenders Are More Likely to Reoffend



Washington State Institute for
 Public Policy, February 1995

* The difference is statistically significant.

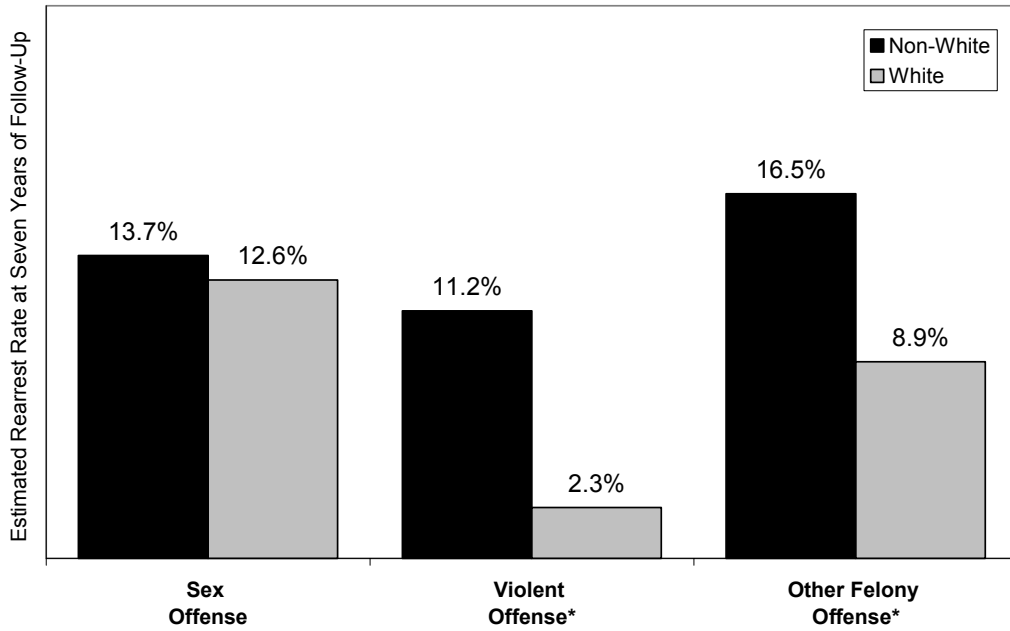
Figure 2-B
**Repeat Sex Offenders Are More Likely to Commit
 A Sex Reoffense Than First-Time Sex Offenders**



Washington State Institute for
 Public Policy, February 1995

* The difference is statistically significant.

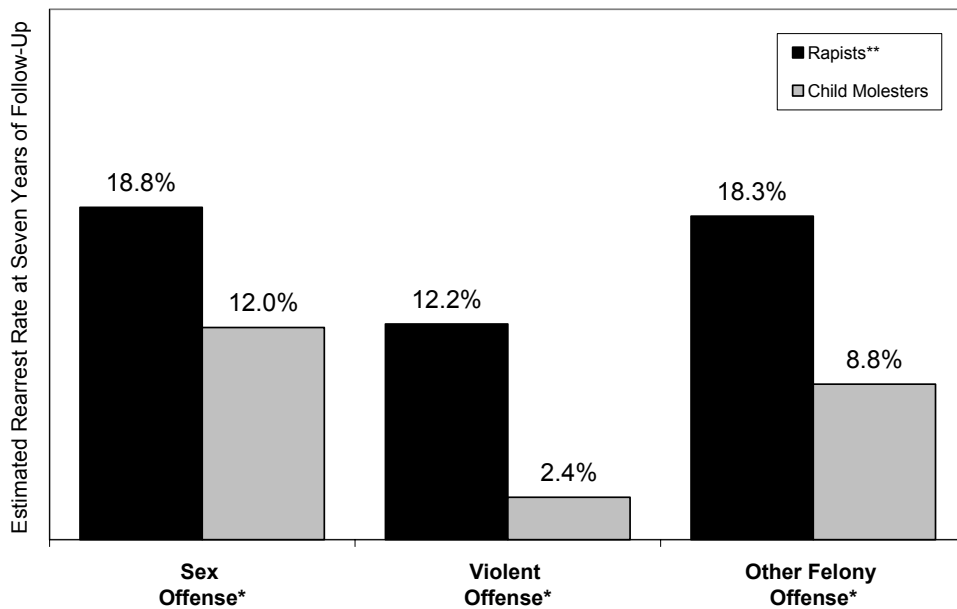
Figure 3-B
**Non-White Offenders Are More Likely to Be Rearrested
 for Other Felony Offenses Than White Offenders**



Washington State Institute for
 Public Policy, February 1995

* The difference is statistically significant.

Figure 4-B
**Rapists Are More Likely to Reoffend
 Than Child Molesters**



Washington State Institute for
 Public Policy, February 1995

* The difference is statistically significant.

** Rapists include offenders convicted of First, Second, or Third Degree Rape.

Appendix C

Supporting Data

The Twin Rivers Sex Offender Treatment Program: Recidivism Rates

Offender Characteristics

Characteristics	Treatment Group (n=119)	Comparison Group (n=159)
Average Age	35 years	34 years
White*	90%	84%
Non-White	10%	16%
Prior Adult Convictions of Any Kind ¹⁹		
Yes	45%	40%
No	55%	60%
Prior Adult Non-Sex Felony Convictions		
Yes	22%	22%
No	78%	78%
Prior Adult Sex Conviction*		
Yes	18%	8%
No	82%	92%
Rapists ^{20*}	15%	25%
Child Molesters	85%	75%
SSOSA Eligibility		
Eligible	71%	78%
Not Eligible	29%	22%

**The difference between the two groups is statistically significant.*

¹⁹ These include prior adult felony or misdemeanor convictions, excluding traffic misdemeanor convictions.

²⁰ The offense of Rape (first, second, and third degree) was classified as an offense against an adult. Other sex offenses were classified as offenses against children.