

3/15/05

DEPT. OF  
CORREC-  
TIONS, THE  
“CONTAIN-  
MENT  
MODEL”

**SFIN**

**FILE**

## Sex Offender Containment

Prepared for  
The Senate Finance Committee  
Alaska State Legislature



on behalf of the  
Alaska Department of Corrections

Kim English, Peggy Heil, Jeff Jenks

Tuesday, March 15, 2005, 9:00am-11:00am  
Juneau, Alaska

---

---

---

---

---

---

---

---

## U.S. Dept. of Justice Study

"About 45% of state prisoners participating in the 1991 Bureau of Justice Statistics Survey committed the crime while they were on probation or parole."

•24% of prisoners serving time for RAPE

•19% of prisoners serving time for SEXUAL ASSAULT



U.S. Department of Justice, Sex Offenders and Offenders, Feb. 1997, 15

---

---

---

---

---

---

---

---

## Agenda: The Containment Approach

- The Need for Specialized Sex Offender Management Practices
- Rape Victims Don't Report the Crime
- The Containment Approach: The Goal is INFORMATION!
- What We Can Learn From Sex Offenders?
- Using the Polygraph Examination
- Treatment Provides Information
- A few words about housing, quality control and cost benefit of containment
- Questions?



---

---

---

---

---

---

---

---



## Personal and Social Costs Of Sexual Assault Are Very High

- More than half of victims have been raped more than once.
- 6x more likely to develop PTSD.
- 3x more likely to develop major depression.
- 13x more likely to attempt suicide.

Rape in America: Report to the Nation 1992

---

---

---

---

---

---

---

---



## Alaska's Cost of Victimization

521 victims x \$86,500\*

**\$45,066,500**

per year in costs to victims

\* National Institute of Justice calculated the victim cost of one sexual assault at \$86,500

---

---

---

---

---

---

---

---

**Only 16% of victims  
in the  
*Rape in America*  
study reported  
the rape.**

Kilpatrick, et al., 1992. Medical University of South Carolina.  
NI-4008 Rape in America: A Report to the Nation.

---

---

---

---

---

---

---

---

## Who Reports?

- Younger age
  - Knowing the perpetrator
- Delay Disclosure

*Smith, Letourneau,  
Saunders, Kilpatrick,  
Resnick, Best, 2000*

- Life threat
  - Physical injury
  - Stranger perpetrator
- Increase Likelihood of Disclosure

*Hansen, Resnick,  
Saunders,  
Kilpatrick, Best, 1999*

---

---

---

---

---

---

---

---

## Arrest Rates are Low

27% of reported  
sex crimes resulted  
in an arrest



*NIBRS 1991-1996, Snyder, 2000*

*In Colorado, between 1994-98, 54%-70% of those charged with a felony sex crime were convicted of a sex crime.*

---

---

---

---

---

---

---

---

## Sex Offender Recidivism Rates: Artificially Low

- Incest: 4-10%
- Rapists: 7-35%
- Child Molesters with female victims: 10-29%
- Child Molesters with male victims: 13-40%
- Exhibitionists: 41-71%



*Marshall and Barbaree (1985)*

---

---

---

---

---

---

---

---

**Why don't victims report the crime?**

---

---

---

---

---

---

---

---

**Why Don't Children Report?**



In one study, children ages 3-12 explained delayed disclosure by saying they feared being disbelieved, punished or unprotected



Loeber & Coffey 1992

---

---

---

---

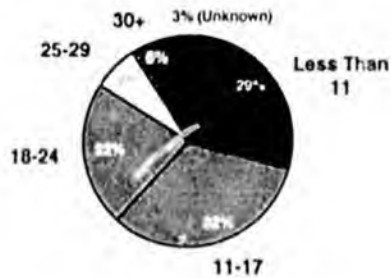
---

---

---

---

**Age at Time of Rape**



---

---

---

---

---

---

---

---

## Adult Victims

71% concerned about family knowing.  
 68% concerned about others knowing.  
 69% concerned about being blamed by others.

*Hope In America Report to the Nation (1992)*

---

---

---

---

---

---

---

---

A goal of  
 The Containment  
 Approach  
 is to obtain and share  
 information.



For the purpose of  
 protecting the public and  
 potential victims

---

---

---

---

---

---

---

---

## The Containment Approach Containment Policies

### POLYGRAPH

- |                             |                               |
|-----------------------------|-------------------------------|
| Confidentiality waivers     | Family reunification policies |
| Surveillance officers       | LE registration               |
| Consistent policies         | IIA                           |
| Interagency teams           | Monitored leisure time        |
| Employment restriction      | 72 hour MII Patch             |
| Internet restriction        | To A Co of supervision        |
| Approved to providers       | Victim therapist              |
| Polygraph examiner approval | Victim court family approval  |
| Leisure time monitoring     | Cross Training                |
|                             | Victim Services               |



TJ

CJS

---

---

---

---

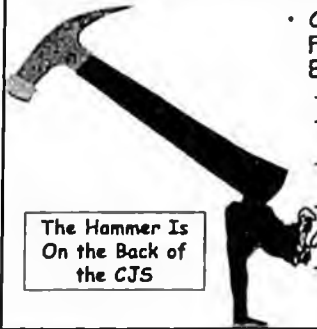
---

---

---

---

## The Criminal Justice System Provides the Hammer



The Hammer Is On the Back of the CJS

- Consequences for Failed Polygraph Examinations Must Be:
  - Immediate
  - Linked to the Implied Risk
  - Include Increased Surveillance
  - Involve Obtaining Corroborative Information
  - Include Informing Others of Poly Results

---

---

---

---

---

---

---

---

## Sex Offenders Who Failed Supervision

- Sees self as no risk
- Diverse Victim Types
- Fewer months in the community
- Access to victims
- Sexual entitlement
- Poor social influences



Hanson and Harris, 1998

---

---

---

---

---

---

---

---

## What Can We Learn From Sex Offenders ??

Studies with...



- Guaranteed Confidentiality,
- Anonymous Survey, or
- Polygraph

---

---

---

---

---

---

---

---

## Secrets Revealed

Polygraph Research at the Colorado DOC  
Comparing Court Information v. Polygraph

Information at	# of victims	# of offenses
Sentencing	2 (1)	7 (1)
Sex History	83 (21)	394 (50)
1 <sup>st</sup> Polygraph	165 (24)	511 (95)
2 <sup>nd</sup> Polygraph	184 (26)	528 (95)

Ahmerayer et al., 2000, studied 35 sex offenders in treatment and polygraph testing at the CO Dept. of Corrections

---

---

---

---

---

---

---

---

## Polygraph Research at the Colorado DOC

Comparing Court Information v. Polygraph

Admissions of Hands-on Crossover Offending  
223 Sex Offenders Participating in SOTMP TC at the Colorado  
Department of Corrections

Type of Crossover	Court	Polygraph
Adult & Child Victims	7%	70%
Male & Female Victims	9%	36%
Multiple Relationships	20%	86%

Med. Ahmerayer, Simons (2003)

---

---

---

---

---

---

---

---

180 convicted sex offenders on probation and parole in TX, WI, OR

### Current Conviction Crime: Incest

n=80

Ever assaulted...



Assaulted strangers	35%
Assaulted from position of trust	57%
Assaulted adult victims	36%

---

---

---

---

---

---

---

---

### Average Age of Onset

<u>Study</u>	<u>Type of Offender</u>	<u>Age of Onset</u>
Freeman-Longo(1985)	Rapist	18
	Child Molester	15
Elliot (1984)	Juvenile Rapists	16 peak
Emerick & Dutton(1993)	Juvenile Child Molesters	13 median
Ahlmeyer et al.(2000)	Inmates	12
English et al.(2001)	Supervised or: Parole or Probation	12

---

---

---

---

---

---

---

---

### Average Lag Time in Detection

<u>Study</u>	<u>Type of Offender</u>	<u># of Years</u>
Freeman-Longo (1985)	Rapist	6
	Child Molester	13
Elliot (1986)*	Paraphiliacs	10
Ahlmeyer et al.(2000)	Rapists and Child Molesters	16

\* modified by Elliot & Aulicoff, Training Topics

---

---

---

---

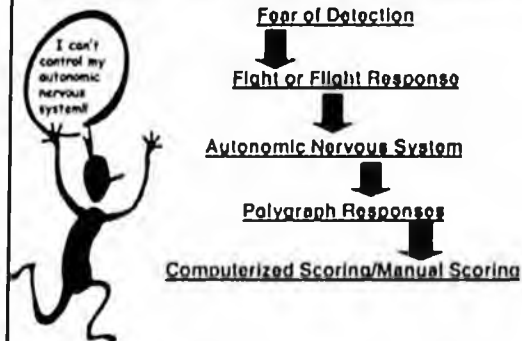
---

---

---

---

### How Does the Polygraph Work?




---

---

---

---

---

---

---

---

## Accuracy of the Polygraph Test

National Academy of Sciences  
(2003) set median accuracy  
at 89%  
with a range of 70 to 99%

Page 125

Information from Raymond Nelson & H. Lawson Hightler (2004)

Picture: [www.vsp.state.vt.us/vf/bv1/polygraph.htm](http://www.vsp.state.vt.us/vf/bv1/polygraph.htm)

---

---

---


---

---

---

---

---



**1. Pre-Test**

- Review medical conditions
- Sign release and consent forms
- Explain purpose of exam
- Review equipment
- Review terminology
- Develop final questions
- Calibrate instrument

**2. In-Test**

- 2-4 relevant questions tucked inside 10-20 comparison questions
- Relevant questions must be specific
- Run 3 sets of charts
- Score and interpret chart markings (pen tracings)

**3. Post Test**

- Conducting an in-depth interview with examinee, giving him/her an opportunity to explain deceptive findings

---

---

---

---


---

---

---

---

### The Purposes of the PC Exams Vary



- **Sex History:** Obtain information on past victims and past methods used to access those victims. Need to know age of onset, frequency, extent of crossover behavior.
- **Specific Issue:** Offender may be in denial about the crime...or may be facing a new accusation...or may have failed a recent examination...
- **Maintenance:** Check out assault patterns and behaviors regarding supervision conditions. *Looking for precursors = behaviors!!!*

*\*Fantasies are tantamount to planning sessions...\**

© William Fisher, 1998

---

---

---

---

---

---

---

---

### Sex History Exam

- Types of past victims (gender, age, relationship)
- Frequency of assaults
- Types of behaviors (voyeurism, rape, child molesting, internet)
- Modus Operandi !!!!
  - Did they get friendly with parent?
  - Go to church to find single, exhausted moms?
  - Always engaged in obscene phone calls before rape?
  - Lured child with puppy?



---

---

---

---

---

---

---

---

### Specific Issue Exam



- Used when offender is denying offense or significant aspects of the offense
- Used when there is an allegation
- Used to clear up a past deceptive test

---

---

---

---

---

---

---

---

### Monitoring Polygraph

- To monitor problem behavior...
- Since entering treatment
  - While on probation/parole
  - Since the last polygraph exam
  - Conducted every 3-6 months



---

---

---

---

---

---

---

---

### Monitoring Testing

- **Provides information** on whether the offender is changing his lifestyle and applying what they are learning in treatment
- **Provides information** on whether he is continuing to engage in high risk behaviors



---

---

---

---

---

---

---

---

### Specific-Issue Tests Are Used to Clarify Risk Concerns

A specific-issue exam should be scheduled when concerns persist even after increasing surveillance.



---

---

---

---

---

---

---

---

### Polygraph as a Deterrent

Abrams and Ogard, 1986

Studied the deterrent effect of polygraph on offenders on probation:

- Supervision with polygraph - 69% successful compliance with probation
- Supervision without polygraph - 20% successful compliance with probation



---

---

---

---

---

---

---

---

### Only 2-4 Questions Allowed

- There can be NO surprise or trick questions.
- Questions must focus on BEHAVIORS.
  - No mental state questions.
  - No intent questions.
- No emotionally laden language

"rape" "murder" "molest"

---

---

---

---

---

---

---

---

### Examiner Qualifications

- Graduated from APA accredited polygraph school.
- Colorado Standards: Minimum of 150 criminal issue exams.
- Minimum of 50 clinical exams in 12-month period.
- 40 hours of specialized training every 3 years.



---

---

---

---

---

---

---

---

### Implementation Considerations

- Develop procedures
- Educate therapists
- Develop sex history questionnaires
- Set examiner qualifications and requirements
- Videotape exams
- Develop system to track and use results
- Educate stakeholders
- Develop consequences



Simon Hall, Abuser, 2003

---

---

---

---

---

---

---

---

## SUMMARY: Value of Polygraph Testing in Risk Assessment

- Increase information on past offenses
- Evaluate treatment effectiveness/compliance
- Evaluate risk of child contact



Without the poly,  
we're operating  
blind.

---

---

---

---

---

---

---

---

Polygraph testing should never  
be used in isolation

Multiple methods should always be used

Polygraph + treatment = more information  
than

Polygraph or treatment alone

Admissions made in the process of polygraph  
testing should be confirmed through collateral  
sources or retesting

**Caution**

---

---

---

---

---

---

---

---

### Options for Processing Information on Past Crimes

<u>No Immunity</u>	<u>Sentencing Limitations</u>	<u>Limited Immunity</u>	<u>Full Immunity</u>
Specific information (i.e., date, place, name of victim) would not be collected on past crimes.	Specific information on past crimes would be obtained and reported to the appropriate law enforcement agency.	Specific information on past crimes would be obtained and reported to the appropriate law enforcement agency.	Specific information on past crimes would be obtained and reported to the appropriate law enforcement agency.
Information on the range, type and pattern of sex offenses would be collected.	If District Attorneys decide to prosecute they would utilize sentences which increase the length of supervision but allow for the possibility of community supervision when the offender is complying with treatment and monitoring requirements.	Offenders would sign a limited immunity agreement which would include provisions that they would not be prosecuted on the offense as long as they complied with recommended treatment and did not reoffend.	Offenders would not be prosecuted for past crimes.
Information on the range and types of past crimes would be reported in an M.O. database that could be queried by law enforcement.	Some sentencing options could include lifetime probation, sex offender's act (1 day to life) or deferred sentence.		



April 2002

---

---

---

---

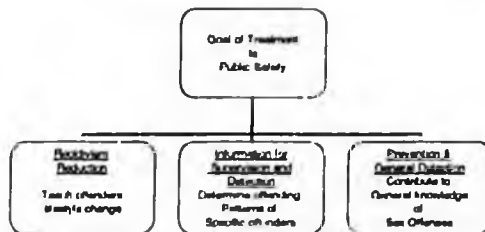
---

---

---

---

## Value of Treatment: Public Safety




---

---

---

---

---

---

---

---

## Admitted # of Sex Crime Victims

Source	Mean (Median)	
	Inmates (n=35)	Parolees (n=25)
PSIR	2(1)	2(1)
Sexual History	83(21)	4(2)
1 <sup>st</sup> Poly	165(24)	6(3)
2 <sup>nd</sup> Poly	184(26)	7(3)

Includes victims of contact and non-contact sex offenses

Ahlmeyer, Heil, McKee, English, 2000

---

---

---

---

---

---

---

---

## Sex Offender Treatment

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• <b>Offense Specific</b></li> <li>- Non-trust basis/external verification of statements</li> <li>- Verify changes in behavior</li> <li>- Client's responsibility to change</li> <li>- Client has choices</li> <li>- CONSEQUENCES if directives are not followed</li> <li>- Focus on present</li> <li>- Limited confidentiality</li> <li>- Behavior change req'd</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Traditional Therapy</b></li> <li>- Accept client statements as truth</li> <li>- Client has choice to change</li> <li>- Non-judgment and supportive of client choices</li> <li>- No consequences for choices</li> <li>- Focus on insight regarding the past</li> <li>- Complete confidentiality</li> <li>- No change required</li> </ul> |
|--|---|

---

---

---

---

---

---

---

---

## In Colorado

"The client is the community."



Protecting known victims and potential victims

---

---

---

---

---

---

---

---

## Does Sex Offender Treatment Work?

Washington State Institute for Public Policy

<u>Type of Treatment</u>	<u>Recidivism Rate</u>	
	<u>Without</u>	<u>With</u>
Cognitive-Behavioral	6.4%	3.5%
Psychotherapy	6.4%	11.2%
Behavioral	5.4%	5.5%

---

---

---

---

---

---

---

---

Intensity and length of treatment had a measurable effect on outcome

English 2003

This finding is similar to drug and alcohol research findings

---

---

---

---

---

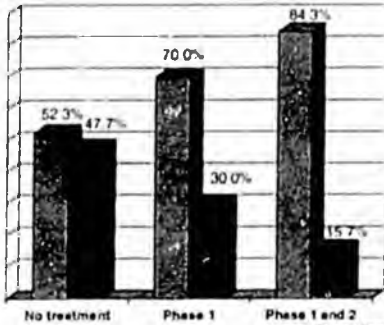
---

---

---

## Parole Outcomes 1993-2002

n=1585



\*Phase 2\* is the  
Therapeutic  
Community

■ Completed  
■ Revoked

Differences  
are significant

Colorado Department of Criminal Justice, 1998

---

---

---

---

---

---

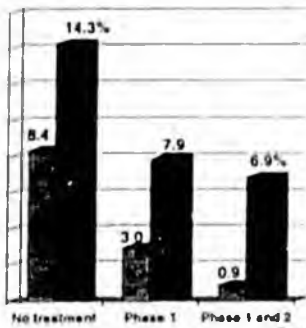
---

---

---

---

## Parole Release v. Discharge VIOLENT ARREST at 1 year



■ Discharge  
from Parole  
n=1003  
■ Discharge  
from Prison  
n=2040

Differences  
are significant

Colorado Department of Criminal Justice, 1998

---

---

---

---

---

---

---

---

---

---

## Success is in the combination of prison and community containment

Twin Rivers Correctional Center in Washington

- After 2000 days, 40% of sex offenders receiving only prison treatment failed
- After 2000 days, 15% of sex offenders receiving prison treatment and community treatment and supervision failed

Exhibit 6, Page 6, 1995

---

---

---

---

---

---

---

---

---

---

## Where will sex offenders live after their release from prison?



---

---

---

---

---

---

---

---

### Research Regarding Living Arrangements

- Sex offender probationers living with their families in Denver were more likely to have a criminal & technical violation than those living in other types of residences
- For high-risk offenders, those with no support and living with a family member or friends had the highest numbers of violations
- Living with a family member or friends does not necessarily mean that he or she is living in a supportive or healthy environment

Colorado Sex Offender Management Board, 2004

---

---

---

---

---

---

---

---

### Research Regarding Living Arrangements

- Those who had support in their lives had significantly lower numbers of violations than those who had negative or no support
- Recommendation - Efforts should be made to ensure that the sex offender's support is positive in order to aid in his or her treatment

Colorado Sex Offender Management Board, 2004

---

---

---

---

---

---

---

---

### Positive Support Defined

- Awareness of the cycle, offense patterns and early abuse signs.
- Familiarity with the offender's schedule and whereabouts.
- The ability to enhance and encourage application of the offender's treatment tools outside of the therapy setting.
- A working relationship with the treatment provider and criminal justice supervisor.
- The ability to acknowledge the seriousness of the offending behavior.
- The ability, skills and tools to hold the offender accountable early in the onset of risky behaviors.
- Willingness to report non-compliance to the containment team.



---

---

---

---

---

---

---

---

### The Containment Approach: Quality Control

- Training training training
- Written protocols
- Adequate supervision
- Standards for practice
- Regular team meetings
- Individual treatment plans
- Measures of progress/program evaluation



Or how will you know  
if you are getting  
anywhere?

---

---

---

---

---

---

---

---

### Cost Benefit

*Considering benefits to crime victims in addition to taxpayer, each taxpayer dollar spent on a cognitive-behavioral program for adult sex offenders returns between \$1.19 and \$5.27 in victim and taxpayer benefits*

Washington State Institute for Public Policy

---

---

---

---

---

---

---

---

Questions?



---

---

---

---

---

---

---

---

Provided by Ms. Heil  
3/15/05

## GROOMING FAMILIES AND CHILDREN

### Accountability Statement

The simple fact was, all my victims were kids or had the mind of a child. And it's hard for someone to believe a child, or that I could do this, because I was the type of person who would help out when someone needed something, such as a ride, money, something fixed on the car or in the house. I would also make sure people knew that I was doing this. That way, if one of my victims did say something, I would tell them, "I couldn't do something like that. Look at all I've done. No. How could I do something like that? For some reason, the kid is lying." Then, I would bring up incidents where that child had lied.

I also set this up by giving the child a toy or money, and when he told his parents about it, I would tell the parents, "No, it wasn't me. Hell, I can't afford to give my own kid money or toys like that," and just simple things like that. So, after a long time of making the child out to be a liar, that's when I would assault him. Then, if he did tell, no one would believe him. Most of the family was dysfunctional anyway, and all my victims were either physically abused or mentally abused. So, communication in the family wasn't that good, and I know this from the story. And the parent didn't have time for the kids, or they just annoyed them.