



Progress Report Regarding Dynamic Risk Assessment Pilot Program

Prepared for the
Office of the Governor, Criminal Justice Division
Pursuant to Section 110.502, Occupations Code

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Council on Sex Offender Treatment
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Adult Dynamic Risk Assessment Pilot Program Progress Report Regarding the Progress of Implementing the Pilot Program

Background

The 79th Legislature adopted House Bill 2036 (HB2036), directing the Council on Sex Offender Treatment (CSOT) to work with the appropriate entities to develop, implement, research, and deploy dynamic risk assessment tools and protocols. The bill required that not later than November 1, 2006, the Council on Sex Offender Treatment shall report to the Criminal Justice Division of the Governor's Office on the progress of implementing the pilot program.

Design of the Dynamic Risk Assessment

The central goal of this dynamic risk assessment (DRA) is to compare the accuracy of the ABEL Assessment for Sexual Interest, penile plethysmograph, and sexual history polygraph with the currently used Static-99 in predicting sex offense recidivism. The CSOT is working with Dr. Matthew Ferrara (Licensed Clinical and Forensic Psychologist in Austin, Texas) and Dr. Mark Stafford (Professor, Department of Sociology, The University of Texas at Austin) in conducting the DRA.

The sites are Harris, Tarrant, and Travis counties, and the study population is comprised of offenders who meet the following criteria:

1. adult males placed on probation after April 2005;
2. who have been convicted of registerable, felony sex offenses (no injury to a child, unlawful restraint, or misdemeanor cases) and;
3. who are not so mentally impaired or mentally ill that their reality is impaired.

The study population is limited to English speakers because there is no accepted non-English version of the ABEL Assessment for Sexual Interest. Community Supervision and Corrections Departments (CSCDs) in the state are identifying sex offenders who match these criteria. The goal is to include 300 offenders in the study, with about an equal number from each county.

Each sex offender in the DRA will complete a Client Information Form with the assistance of CSCD staff. In addition to asking about name, age, and race/ethnicity, the Client Information Form includes questions about Health and Mental Health, Family of Origin, Employment, Lifestyle, Education, Significant Others, Substance Use, Relationships and Sexual History, Offense History, Childhood Behavior Problems, and Instant Offense (the offenses for which they were most recently convicted). Static-99 scores are calculated from answers to questions in the Client Information Form about prior and current sex offenses, relation to victims, gender of victims, age, prior and current nonsexual violence, prior sentences and marital history.

When sex offenders have completed the Client Information Form, they are randomly assigned to one of five groups. All offenders will complete the Client Information Form. For the first (control) group, only the questions from the Client Information Form are asked. In addition, the ABEL Assessment for Sexual Interest will be conducted for the second (ABEL) group). A plethysmograph will be conducted for the third (plethysmograph)

group. A sexual history polygraph will be conducted for the fourth (polygraph) group. The fifth group will be asked the questions in the Client Information Form, and all the other assessments -- ABEL, plethysmograph, and sexual history polygraph -- also will be conducted. For groups 2-4, the assessments will be conducted within 12-15 months of the time an offender is identified as eligible for the study. For the fifth group, the ABEL will be conducted first within the 12-15 month period; the plethysmograph will be conducted about three months later; and a sexual history polygraph will be conducted about three months after that. The ABEL assessments, the plethysmographs, and the sexual history polygraphs will be conducted by licensed professionals.

Identifying information provided by offenders in the Client Information Form will be used by CSOT to collect recidivism data over a 10-year period, using CSOT records, including information from the National Crime Information Center and the Texas Crime Information Center. Data will be collected about offenders' arrests/convictions for new sex and "nonsex" offenses; technical violations of supervision, including termination from treatment for noncompliance; absconding from supervision; and successful completion of treatment.

Current Status of DRA and Description of Offenders

Seventy-seven sex offenders have been identified as eligible for the DRA and have completed Client Information Forms. The first of these were identified in late 2005 and are scheduled for their first assessments. About 60 other offenders have been identified as eligible for the DRA, but no other information has been reported to the CSOT.

The 77 offenders currently in the study are very diverse. The ages range from 19-77, and the average age is 36. The racial/ethnic background is: White Non-Hispanic -- 47%; Hispanic -- 32%; African American -- 18%; and Other -- 3%. The offenders' instant offenses were:

- Sexual assault of a child, including attempted and aggravated -- 37%
- Indecency with a child by contact or exposure, attempted and completed -- 26%
- Sexual assault, including attempted and aggravated -- 18%
- Possess/promote child pornography -- 9%
- Indecent exposure -- 3%
- Assault, including assault with a weapon -- 3%
- Injury to a child -- 1%
- Criminal solicitation of minor -- 1%
- Unspecified sex offense -- 1%

In the Client Information Form, 77% reported having had sexual contact with a child (usually their instant offense); 21% reported having sexually exposed themselves; 11% reported having had phone sex (e.g., 1-900 numbers); 11% reported forced sexual contact; 53% reported having seen X-rated movies; 23% reported having had adultery; 43% reported having gone to topless bars; 40% reported having viewed internet adult pornography; 9%

reported having viewed Internet child pornography; 9% reported sexually touching other persons without their permission; 13% reported having used prostitutes; and 8% report having had Internet sex.

Almost 66% of the 77 offenders had been arrested more than once, and three had been arrested 10 or more times. In addition to their arrests for sex offenses, 27% had been arrested at least once for a drug or alcohol offense; and 20% reported one or more arrests for theft.

Timetable

There is a sliding timetable. Once CSOT is notified about an offender's eligibility for the study, he is randomly assigned to one of the five groups described above, and this is then communicated to his CSCD. The CSCD is told that the offender should have the first assessment within the next 12-15 months (except for the first group that completes only the Client Information Form). Hence, some offenders will be completing their assessments while others are just beginning the study. All 300 of the offenders needed for the study will be identified by fall 2007, and most of their assessments should be completed by that time as well.

Recidivism data will be collected for all offenders from the time they are included in the study to 10 years later. The 10-year period is necessary to provide a reasonably long enough period for offenders to reoffend. This means that the CSOT intends to continue to monitor the DRA offenders through about 2017.