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**AN ANALYSIS OF RISK FACTORS CONTRIBUTING TO THE
RECIDIVISM OF SEX OFFENDERS ON PROBATION**

**A Report Submitted to the
Maricopa County Adult Probation Department
And the
National Institute of Justice**

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1. INTRODUCTION

Over the last decade, the use of community supervision for sex offenders has generated an intensity of public debate rarely experienced with regard to issues of community corrections. Nationally visible cases involving sex offenders who re-offended once released into the community have prompted legislators, the media and local communities to focus on the risk sex offenders pose to public safety and the most appropriate means of dealing with this unique offender population. Recent legislation has, for instance, mandated community notification in an effort to enhance community safety, created the possibility of lifetime probation for sex offenders as a means to extend formal supervision and control indefinitely and, for those deemed to be “sexual predators,” authorized their continued incarceration for an indefinite period for the purpose of “treatment” once their sentence to the Department of Corrections has expired.

These initiatives are based on assumptions regarding the risks posed by this offender population, including the wide-spread belief that strangers pose a greater risk than family members, friends and acquaintances, that all sex offenders pose similar levels of risk and exhibit similar risk factors and that prevailing methods of community supervision and treatment of sex offenders are inadequate. As noted by Prentky, Lee, Knight and Cerce (1997:655) these and other assumptions, and “indeed, all facets of the social and political response to sexual violence... rely upon an informed, empirically sound understanding of the reoffense risks posed by different groups of sex offenders.” There is an increasingly large amount of research on sex offender treatment and recidivism which examines these assumptions and which provides the type of data necessary to make informed policy decisions. This study of 419 adult male sex offenders

on probation contributes new information to the discussion of risk factors and successful probation outcomes.

Sex Offender Recidivism

Any summary of the findings from existing studies of sex offender recidivism must begin by acknowledging that there is a great deal of variation in the offender populations studied, the size of the sample, the definition of recidivism, the length of the follow-up period, and in the use of control or comparison groups (Furby et al., 1989; Prentky et al., 1997). Most studies of sex offender recidivism are studies of only those persons released from prison or prison-based treatment programs (Barbaree, Seto, Langston and Peacock, 2001; Beech, Friendship, Erikson and Hanson, 2002; Dempster and Hart, 2002; Dobson and Konicek, 1998; Escarela, Francis and Soothill, 2000; Nunes, Firestone, Bradford, Greenbert and Broom, 2002; Prentky et al., 1997), and most typically these studies sample a mixed group of sex offenders (Barbaree et al., 2001; Dempster and Hart, 2002; DiFazio, Abracen and Looman, 2001; Dobson and Konicek, 1998; Hanson and Harris, 2000; Nunes et al., 2002). Recidivism studies of persons convicted of the same type of sexual offense, such as rapists (Prentky et al., 1997; Rice, Harris and Quinsey, 1990), child molesters (Hanson, Steffy and Gauthier, 1993; Hanson, Scott and Steffy, 1995) or, more specifically, extrafamilial child molesters (Firestone, Bradford, McCoy, Greenberg, Curry and Larose, 2000; Prentky et al., 1997; Rice, Quinsey and Harris, 1991) are less common.

In nearly all these studies, recidivism is defined in terms of either a rearrest (Barbaree et al., 2001; Dempster and Hart, 2002; Firestone et al., 2000; Nunes et al., 2002) or, even more commonly, a reconviction (Beech et al., 2002; Berlin, Junt, Malin,

Dyer, Lehne and Dean, 1991; DiFazio, Abracen and Looman, 2001; Dobson and Konicek, 1998; Escarela, Francis and Soothill, 2000; Hanson et al., 1993). Further, recidivism generally is defined as the rearrest or reconviction for a new sex offense (Barbaree et al., 2001, Beech et al., 2002; Dobson and Konicek, 1998; Escarela, Francis and Soothill, 2000; Firestone, Bradford, McCoy, Greenberg, Larose and Curry, 1999; Prentky et al., 1997; Quinsey, Rice and Harris, 1995,), although there has been some effort to extend the definition of recidivism to include the commission of a violent non-sexual offense (Barbaree et al., 2001; Dempster and Hart, 2002, Firestone et al., 2000) or any new criminal offense (Barbaree et al., 2001; Escarela, Francis and Soothill, 2000).

Finally, variations in the length of time at risk in the community following release from incarceration range from as little as a few months (Barbaree et al., 2001) to the more typical follow-up observation after 5 to 7 years (Dempster and Hart, 2002; Dobson and Konicek, 1998; Firestone et al., 2000; Nunes et al., 2002). Only a few studies have looked at sex offender recidivism for as long as 20 years (Escarela, Francis and Soothill, 2000; Hanson et al., 1993; Hanson et al., 1995; Prentky et al., 1997; 10b).

Given these differences in the nature of the sample studied, the length of observation and the definition of recidivism, it is not surprising that reported rates of recidivism among sex offenders vary widely. Rates of reconviction for a new sex offense among mixed groups of sex offenders who have been observed for five years following release have been reported variously as (1) 4.3 percent of 5,098 offenders released from Ohio's state prisons (Dobson and Konicek, 1998), (2) 9.3 percent of 321 offenders released from the Canadian federal correctional system (Dempster and Hart, 2002) and (3) 28 percent of 178 offenders released from a Canadian maximum security psychiatric

facility (Quinsey et al., 1995). Hanson and Bussiere (1998) reviewed 61 sex offender data bases containing information on a total of 28,972 offenders; they conclude that 36.3 percent of these offenders committed a new sexual offense and 13.4 percent were reconvicted for a new sexual offense during the first five years following release from prison.

Recidivism rates vary by offense type. Hanson and Bussiere's (1998) analysis notes that the rates of reoffending and reconviction for a new sex offense among the 9,603 child molesters are 36.3 and 12.7 percent, respectively, and that the rates of reoffending and reconviction among the 1,839 rapists are 46.2 percent and 18.9 percent, respectively. Firestone and his colleagues report that whereas 15.1 percent of their sample of extrafamilial molesters committed a new sexual offense during a follow-up period that averaged 7.8 years (Firestone et al., 2000), 6.4 percent of a sample of intrafamilial molesters committed a new sexual offense during a follow-up period that averaged 6.5 years (Firestone et al., 1999). Prentky et al. (1997) studied a group of 115 extrafamilial child molesters released from prison and report that 14 percent committed a new sexual offense during the first five years following release and that 52 percent committed a new sexual offense over 25 years of observation. Similarly, a 19 year follow-up study of child molesters released from prison notes that half of all those reconvicted for a new sex offense were reconvicted 10 years after release (Hanson et al., 1993).

Predicting Sex Offender Recidivism

Recent sex offender recidivism research has been characterized by a distinction between static and dynamic risk predictors. Static risk factors are those relatively

unchangeable factors that are historically antecedent to the time the probationer is placed at risk in the community. Among the static risk factors identified by previous research are the offender's age (Escarela et al., 2000; Firestone et al., 1999; Firestone et al., 2000; Hanson and Bussiere, 1998; Hanson and Harris, 2000), educational history (Firestone et al., 2000; Hanson and Harris, 2000), employment history (Dempster and Hart, 2002), and marital status (Hanson and Harris, 2000; Quinsey et al., 1995; Rice et al., 1991).

Additional static predictors are the offender's criminal history (Dobson and Konicek, 1998; Firestone et al., 1999; Firestone et al., 2000; Grubin, 1999; Hanson and Harris, 2000; Hanson et al., 1993; Hudson, Wales, Baker and Ward, 2002), history of alcohol and drug use (Dobson and Konicek, 1998), and such elements of the instant offense as the number of victims (Dobson and Konicek, 1998, Maletzky, 1991), the age (Dobson and Konicek, 1998; Escarela et al., 2000) and sex (Hanson and Harris, 2000; Hanson and Harris, 2001; Hanson et al., 1993) of victims and the use of force or injury to the victims (Barbaree and Marshall, 1988; Dempster and Hart, 2002; Dobson and Konicek, 1998; Hanson and Harris, 2000; McGrath, 1991).

Select socio-demographic characteristics of the offender and select aspects of his history of offending and substance abuse and of the instant offense have been used to create a number of actuarial risk prediction scales, including the 12-item Violence Risk Appraisal Guide (VRAG) (see Harris et al., 1993), the 10-item Sex Offender Risk Appraisal Guide (SORAG) (see Quinsey, Harris, Rice and Cormier, 1998), the 4-item Rapid Risk Assessment of Sexual Offense Recidivism (RRASOR) (see Hanson, 1997) and the 10-item Static-99 (Hanson and Thornton, 1999), each of which has been found to be significantly associated with recidivism (see Barbaree et al., 2001; Beech et al., 2002;

Hanson and Harris, 2000; Hanson and Harris, 2001; Nunes et al., 2002; Quinsey et al., 1995).

Other important risk factors are dynamic characteristics of the offender, which are more subjective in measurement and more malleable over time (Gendreau et al., 1996; Hanson and Harris, 2000; 2001). Dynamic factors, which can be the focus of intervention and treatment, are of two types: stable and acute. Stable dynamic factors are expected to remain unchanged for months, or even years, whereas acute dynamic factors change rapidly, perhaps by the day or even by the hour. Stable dynamic factors which have been found to be associated with sex offender recidivism are positive social supports, especially from family members (Hanson and Bussiere, 1998; Hanson and Harris, 2000), deviant sexual preferences (Hanson and Bussiere, 1998), use of alcohol and illegal substances (Hanson and Harris, 2000; 2001), access to victims (Hanson and Harris, 2000; 2001) and self regulation (Hanson and Harris, 2000).

Acute dynamic factors, which are the more fluid and more proximate causes of recidivism, have received less systematic attention by researchers. Recent efforts to identify significant acute dynamic factors have produced inconsistent results, but there is some suggestion that sex offender recidivism is associated with the offender's willingness to accept responsibility for his actions (Hanson and Bussiere, 1998; Lund, 2000) and with such emotional states as impulsivity (McGrath, 1991), anger (Hanson and Harris, 2000) and negative moods (Hanson and Harris, 2000; 2001). Further, the offender's motivation for treatment and cooperation with supervision have been found to be significant predictors of subsequent reoffending (Dempster and Hart, 2002; Hanson and Bussiere, 1998; Hanson and Harris, 2000).

Dynamic factors often become the focus of treatment and, it is argued, should be monitored regularly to provide “cues as to when supervision may be relaxed or needs to be intensified (Quinsey et al., 1998: 37). Among the efforts to create a risk assessment instrument to monitor dynamic risk factors are the Fantasy Report (Proulx, McKibber and Lusignan, 1996), the Initial Deviance Assessment, the Evaluation of Progress and the Risk Management elements of the four-element Structured Risk Assessment (see Thornton, 2002) and Hanson and Harris’s (2001) Sex Offender Need Assessment Rating (SONAR).

The relative importance of static and dynamic factors is unclear. Gendreau et al. (1996) and Zamble and Quinsey (1997) conclude their meta-analysis of recidivism among both sexual and non-sexual offenders with the statement that dynamic risk factors are as salient as static risk factors in predicting recidivism. Hanson et al. (1995) find that both static and dynamic factors are important in predicting the recidivism of child molesters. Hanson and Bussiere (1998) conclude their review of 61 previous studies with the conclusion that sex offender recidivism is best predicted by static or highly stable dynamic factors. Hanson and Harris (2000) used a matched sampling strategy which limited the variation in static factors among their sample 409 recidivists and non-recidivists and found that both stable and acute dynamic factors make significant independent contributions to the prediction of recidivism.

However, any effort to weight static predictors versus dynamic predictors soon is undermined by the fact that the distinctions between a static predictor and a stable dynamic predictor often are blurred; marital status, employment, personality disorders and alcohol/drug use may be considered to be static predictors in some research but stable

dynamic predictors in other studies. Similarly, whereas some studies define access to victims, alcohol/drug use, social supports and relationship with parents or spouse as stable dynamic factors, other studies may consider these as acute dynamic factors. Hanson and Harris (2000:23), for example, find that access to victims, noncooperation with supervision and anger were the three best predictors of recidivism among the acute factors they studied, explaining that "most of the factors that were stable risk factors were also acute risk predictors." However these factors are labeled, it is evident that sex offender recidivism is associated with a number of both static and dynamic factors.

Sex Offenders On Probation

Almost invariably, the research to date focuses on sex offenders released from state or federal prisons and/or prison-based treatment programs. As such, most of our extant knowledge about sex offender recidivism applies to those whose criminal history and instant offense are serious enough to receive a lengthy period of confinement. Sex offenders sentenced to probation (or to a short jail sentence followed by probation) may differ in important ways from those sentenced to prison --- at least in the view of the court --- and certainly they differ in that they are placed on community supervision much more quickly than those who spend some amount of time in a state or federal prison. As a result, conclusions based on prison-based populations of sex offenders should be applied to probationers with caution.

Probation (with or without some time in the local jail) is awarded to convicted sex offenders nearly as often as is a lengthy sentence to prison (Greenfeld, 1997). Given the large numbers of sex offenders on probation, clearly in excess of 150,000 nationally (based on data presented in Greenfeld, 1997), it is interesting that only a handful of

studies of sex offenders on probation have appeared recently. These studies suggest that recidivism rates among probationers are similar to those among prison releasees. Berlin et al. (1991) tracked probationers for an average of 5.1 years and report a reconviction rate of 7.5 percent. Romero and Williams (1985) report that 6.2 percent of the probationers they studied were reconvicted over a ten-year (and more) follow-up period. Kruttschnitt, Uggan and Shelton (2000) observed that nearly 35 percent of the probationers in their study had been rearrested for any new offense, but only 5.6 percent for a sex offense, after a follow-up period that ranged from 54 to 66 months.

In the absence of research on sex offenders on probation, insights can be gained from studies of recidivism among non-sexual offenders (e.g., drug offenders, property offenders, and non-sexual violent offenders) on probation. These studies suggest that recidivism among non-sexual offenders is significantly predicted by the same static factors as have been reported elsewhere to predict sexual recidivism among sex offenders released from prison. Among these are the probationer's age, education, employment and marital status, past use of alcohol or illegal substances, age at first arrest, history of prior arrests and offense type (see, for example, DeJung, 1997; Gendreau et al., 1996; MacKenzie, 1991; Morgan, 1994; Roundtree et al., 1984; Stanz and Tewksbury, 2000; Whitehead, 1991; Williams et al., 2000; Zamble and Quinsey, 1997).

Indeed, in one of the few studies of the predictors of sex offenders' success on probation, Kruttschnitt et al. (2000) report that offender's age, criminal history, employment stability, drug use and victim's age (child or adult) were static predictors of any reoffense among probationers; but they note that criminal history was the only static predictor of a new sex offense. Interestingly, they also find that court-mandated sex

offender treatment reduces the likelihood of a new sexual offense among only those probationers with a history of stable employment.

While the limited data available suggest that similar static and dynamic risk factors are at work in predicting recidivism among sex offenders on probation as in predicting recidivism among non-sexual offenders on probation, and while the limited evidence also suggests that there are similar risk predictors for both those sex offenders placed in prison and those sex offenders placed directly on probation, further research is needed. One reason, as noted earlier, is that there may be important differences in criminal histories or elements of the instant offense between those placed on probation and those sentenced to prison. A second reason is that “failure” on probation may be measured in terms of both the commission of a new offense and the violation of the conditions of probation. Probation failure occurs whenever the probationer is discharged unsuccessfully from probation, and the predictors of unsuccessful discharge are important to probation administrators. Third, it is important to note that many studies of prison releaseses have incorporated sophisticated assessment instruments, such as measurements of the mental health, self-esteem, locus of control and other socio-emotional states, which rarely are available for probationers. Probation departments have access to a limited array of static factors and to only those dynamic factors that are observed easily and routinely by probation officers in the course of their work with the sex offender probationers they supervise. Consequently, it is important to identify which of those static and dynamic factors available to probation supervisors are significant predictors of successful probation outcomes. Finally, the success of sex offenders on probation is important because, as noted earlier, cooperation with supervision is a dynamic factor in predicting

long-term sexual recidivism. For these reasons, this is a study of the relative contributions of available static and dynamic factors to predicting the success on probation of sex offenders supervised by the Maricopa County Department of Adult Probation.

Sex Offender Probation in Maricopa County, Arizona¹

Serving the greater Phoenix, Arizona metropolitan region, the Maricopa County Adult Probation Department (APD) has created a specialized unit to supervise adult sex offenders. Two factors contributed to the development of the specialized unit in 1991. One was the implementation of legislation (A.R.S. 13-902.E) in 1987 authorizing lifetime probation for sexual offenses, stalking offenses or child abuse offenses, resulting in an increasingly larger proportion of sex offenders who will remain on probation indefinitely. The other was the creation of specialized conditions of probation for sex offenders which were developed in 1991. All probationers must register with the Sheriff's Office as a sex offender and adhere to the 15 specialized conditions of probation listed below (in addition to the standard conditions of probation):

1. Do not initiate, establish or maintain contact with any male or female child under the age of 18, including relatives, or attempt to do so, without the prior written approval of the APD. Sign and abide by the APD definition of "no contact."
2. Have no contact with victim(s) without prior written approval of the APD.
3. Do not go to or loiter near schools, school yards, parks, playgrounds, arcades, swimming pools or other places primarily used by children under the age of 18, or as deemed inappropriate by the APD, and without the prior written approval of the APD.

4. Do not date, socialize, or enter in to a sexual relationship with any person who has children under the age of 18 without the prior written approval of the APD.
5. At the direction of the APD, attend, actively participate, and remain in sex offender treatment. Authorize therapists to disclose to the Court and the APD information about your progress in treatment.
6. Submit to any program of psychological or physiological assessment at the direction of the APD, including, but not limited to, the penile plethysmograph and/or the polygraph, to assist in treatment, planning and case monitoring.
7. Residence, employment, and education, including any temporary changes, must have the advanced written approval of the APD.
8. Do not travel outside Maricopa County without the advanced written approval of the APD.
9. Abide by any curfew imposed by the APD.
10. Do not possess any sexually stimulating or sexually oriented material, in any form, without the prior written approval of the APD, or patronize any adults-only establishment where such material or entertainment is available.
11. Do not possess children's clothing, toys, games, videos, etc., without prior written approval of the APD.

12. Be responsible for your appearance, including the wearing of undergarments and clothing in locations where another person might see you.
13. Do not hitchhike or pick-up hitchhikers.
14. Do not operate a motor vehicle without prior written approval of the APD.
15. Do not use any computer equipment or access the internet without prior written approval of the APD. If granted use of access, abide by APD computer usage guidelines.

Most of these specialized terms are designed to (1) reduce the probationer's opportunity to have contact with children, (2) reduce the probationer's access to places, electronic, print materials, and activities which might provide a situational inducement to another sexual offense, and (3) compel participation in treatment.

In addition to the specialized conditions of probation, the probationer/probation officer caseload ratio is lowered somewhat for probation officers in this unit. The State of Arizona has a legislated caseload ratio of 60:1 (60 probationers to 1 probation officer) for standard probation and 25:2 (25 probationers to a team of one probation officer and one surveillance officer) for probationers on intensive supervision (IPS). With the standard probation sex offender caseloads the caseload ratio is 60:2. The two officers consist of a probation officer/surveillance officer team.

Surveillance officers play a significant role in the supervision of sex offenders. Surveillance officers are trained to do field contacts which are conducted on a random basis, 24 hours a day, seven days a week. Other aspects of supervision that surveillance officers are involved in include participating in treatment with the sex offender, providing

transportation for sex offenders, providing referrals to urinalysis testing, verifying and approving the sex offenders residence, and making field arrests with the assistance of local law enforcement.

Treatment also plays a significant role in the supervision of sex offenders. All sex offenders must attend 45 hours of classes on human sexuality, the development of sexual deviancy, understanding the offense cycle, and the impact of victimization, after which they are placed into group treatment for as long as is deemed necessary (Scott, 1994). There are several components of sex offender treatment in which Maricopa County Adult Probation currently holds contracts. The services include: sex offender treatment, sex offender education, sex offender physiological assessment, sex offender evaluation, couples and family therapy, victim services and polygraph evaluations. Additionally, the department has been able to create non-offending spousal treatment groups. These individual or group sessions are designed to offer services to the partner or significant other of the offender. They are structured to offer the partner education and insight and will often include understanding the stages of the offense cycle.

Each probationer also receives a polygraph examination upon entry to probation that inquires into prior deviant sexual activities and thoughts; this first, "disclosure" polygraph examination focuses on gathering information about the sex offender's sexual history and is thought to be more useful than official conviction data in discovering the scope and intensity of the probationer's sexual offense background. This information aids in identifying the probationer's risk to the community and needs for treatment, and it also serves as a "baseline" against which information from subsequent "maintenance" polygraph examinations may prove useful in the probationer's continued supervision and

treatment. At a minimum, most sex offenders have an annual polygraph which serves as a useful treatment tool. Finally, penile plethysmography is available as a measure of deviant arousal to aid in cognitive-based treatment, although it is rarely used.

Focus of the Research

This study is designed to identify those static and dynamic factors that best predict success or failure among adult sex offenders while on probation. Information on a large number of diverse factors for a sampling of probationers in Maricopa County is examined. This information will permit us, initially, to locate those factors that are associated with unsuccessful probation outcomes. Then, multivariate analyses will be used to identify the smallest number of factors which provides the greatest predictive power. The findings then will be discussed in terms of their implications for probation supervision and treatment.

2. SEX OFFENDERS ON PROBATION: THE SAMPLE STUDIED

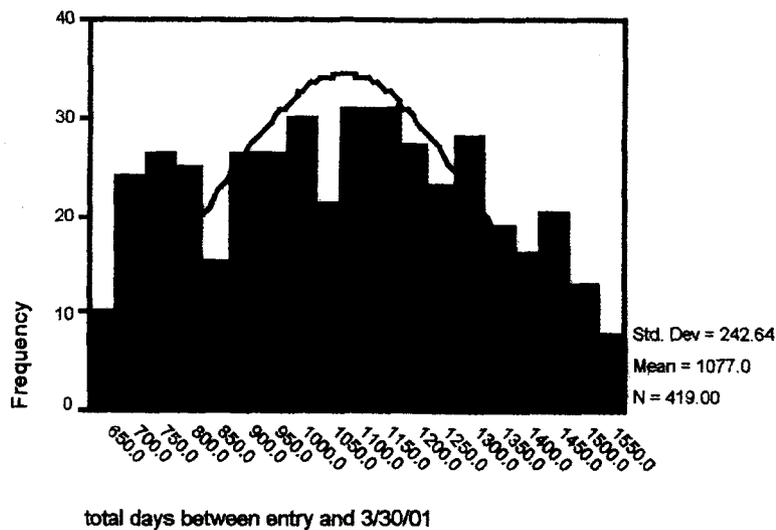
Sampling

Data were obtained by probation officers and staff on each of the 437 probationers who entered probation as sex offenders during the 30-month period between January 1, 1997 and June 30, 1999. This population of sex offenders may include sex offenders sentenced directly to probation or sex offenders placed on probation after serving a period of incarceration. In addition, these sex offenders may include individuals convicted of a sexual offense or individuals convicted of a non-sexual offense who have a prior conviction for a sex offense. Of this number, one probationer was almost immediately withdrawn from probation by the court when his attorney was able to arrange for alternative treatment, and this case was excluded from analysis. Because the number of female probationers was too small to constitute a meaningful group for analysis purposes, the 17 women² who entered probation as sex offenders during this time also were excluded from the analysis. The following analysis, then, is based on a sample of 419 male probationers.

The progress of each probationer was followed from the date of entry to probation to either the probationer's termination from probation supervision or to the end of data collection, March 30, 2001. This creates a minimum follow-up period of 21 months, or 630 days (for those who entered in June, 1999) and a maximum follow-up period of 51 months, or 1530 days (for those who entered in January, 1997). The distribution of cases by the length of time between entry to probation and March 30, 2001 is presented in Figure 1.

The average follow-up period is 36 months, or 1077 days, which is far less than typically is used in studies of sex offender recidivism; it is, however, consistent with many studies of probationer outcomes. An observation period which averages only 36 months is unlikely to identify all those probationers who ever will commit another sex offense, or even another offense of any kind, but it is sufficiently long to identify those probationers who fail to comply with the terms of probation during the first few years of probation. In essence, this becomes a study of early attrition from probation supervision.

FIGURE 1
LENGTH OF OBSERVATION, IN DAYS



Data Collection

A variety of data was collected by the probation department. At entry, data were obtained on the socio-demographic characteristics of each probationer, his criminal justice and substance abuse history, and select information about the offense of conviction. After six months, semi-annual progress reports by the probation officer were designed to obtain information on relevant dynamic factors, such as employment,

relationships with family and friends, treatment participation and assessments of the probationer's emotional state and responsiveness to treatment. Finally, data regarding any technical violations or new crimes were recorded as the occasion arose, and final outcome information was recorded for all cases no longer on probation supervision at the end of the observation period.

Although information on the dynamic factors was to have been collected at six-month intervals, this occurred very rarely³ due to the difficulties involved in complying with time-sensitive reports. As a result of the irregularities in the collection of successive waves of interim data, the analysis relies on only those data obtained at the first interim report. These interim data provide a measure of the probationer's status and progress *at some point during supervision* on probation, after entry and prior to any outcome. In essence, the interim data provide an initial and, generally, an early assessment of the dynamic risk factors while on probation. Changes in dynamic risk factors that might have occurred during the course of probation are not recorded, however. Since all information was obtained prospectively, the data on subjectively assessed dynamic risk factors are not influenced by the final disposition of the case.

Measurement and Distribution of Static and Dynamic Factors

The analysis is designed to identify those static and dynamic factors which significantly predict success or failure on probation for sex offenders. The goal is to identify as many relevant factors as possible and to build a parsimonious model that will predict future outcomes. Many of the factors examined here have been identified in previous studies, and their inclusion in the analysis is based on their known relevance to

criminal justice outcomes. Because this analysis is exploratory, however, it also includes a short list of other static and dynamic factors.

Measurement of Static and Dynamic Risk Factors

Data for nearly all of the static risk factors were obtained from official records, including pre-sentence investigations, police arrest reports and court documents. Offender's ethnicity, employment status, level of education and mental limitations, and age at entry to probation were obtained from the pre-sentence report. The probationer's criminal history and information on the instant offense were obtained from official police records and from court documents. Probationer self-reports at the original disclosure polygraph supplement the official data on criminal history and provide the basis of our information on the history of past alcohol and drug use and on a wide array of possible sexual deviance. These polygraph-based self-reports also provide data for our measures of prior history of treatment for alcohol and drug use, sexual dysfunction or mental health.

Single-item indicators are used for most of the dynamic predictors included in the analysis. Although there are a number of reliable and valid scales available to measure these important dynamic characteristics of the probationer (as reviewed earlier), such scales are not (and cannot reasonably or affordably become) a part of the tools available to the probation officer. Instead, probation officers rely on information obtained during routine conversations and interviews to assess in the most general terms such characteristics as the probationer's level of motivation to change, his acceptance or denial of responsibility for the offense, the presence or absence of positive relationships with family members and the presence or absence of non-familial social support networks.

Such information is subjectively assessed and recorded by the probation officer at the time of the interim status review—generally at least six months after entry to probation. It is at this time that the probation officer also subjectively assesses and records whether or not the probationer feels depressed, angry or isolated and whether or not the probationer is impulsive or immature.

It is important to note that the use of single-item measures which indicate only the presence or absence of a particular trait or characteristic as a result of subjective assessments by probation officers and self-reports by probationers are far from the usual criterion of a reliable and valid psychometric assessment instrument that would be preferred as a measure for each of these many dynamic factors. The limitation is that the measures created by these subjective assessments may inadequately reflect the true values of the traits they purport to measure, in which case the relationship observed between that dynamic factor and probation outcome may not represent the “true” relationship between these variables. That is, a finding that immaturity (as measured by probation officer’s subjective assessment) is associated with probation outcomes may not be the same relationship that would have been observed if immaturity had been measured by means of one of the established scales available. On the other hand, the value of using the data available to probation departments, including subjective assessments by probation officers, is that it permits us to identify the ability of those measures (*as routinely measured by the department*) to predict probation outcomes. In this way, the analysis becomes more a means by which the probation department can rely on existing and available data to identify risk predictors than a means of testing linkages between theoretical concepts that are measured rigorously by means of psychometric tools.

Socio-Demographic Characteristics of Probationers

The average age of probationers at the time they enter probation was 34.6 years (*sd* = 14.3), with a median age of 32.5 years; one-fourth of all probationers were aged 22 or younger and one-fourth were aged 43 or older. As is evident in Table 1, the majority of probationers are white, non-Hispanic, with 25 percent Hispanic and fewer than 10 percent African-American. The mean number of years of formal education is 11.4 (*sd* = 2.4) and about 60 percent of the probationers have a high school degree or its equivalent. Only about 10 percent have completed some college. At the time they entered probation, about 11 percent were unemployed and another 18 percent were not seeking employment (retired, students, disabled, etc.); nearly 60 percent of all probationers were employed full time and 12 percent were employed part-time (less than 30 hours per week). Finally, the information in Table 1 indicates that 30 percent were married, 45 percent were never married, and the remaining 25 percent were formerly married.

Probationers' Criminal Justice and AOD History

Table 2 reports that about one-third of the probationers have a history of alcohol abuse, about one-fourth have a history of illegal substance use or abuse (split largely between the use of marijuana and amphetamines), that 22 percent report they have been sexually abused by parents or others in their lifetime and that 9 percent have some form of mental limitation (disorder, impairment, or low IQ). Consistent with these numbers, nearly 20 percent report they have been treated previously for alcohol and drug use, 17 percent report they have been treated previously for sexual behaviors and/or feelings (hereafter referred to as sexual dysfunction), and 16 percent report they have received

Table 1. Socio-Demographic Characteristics Of Probationers

	<u>N*</u>	<u>%*</u>	<u>Mean</u>	<u>SD</u>
Age (at entry)			34.62	14.31
Ethnicity				
White, non-Hispanic	263	62.8		
Hispanic	105	25.1		
African-American	35	8.4		
Other	16	3.8		
Education			11.40	2.42
Less than H.S. Graduate	162	39.7		
H.S. Graduate/GED	205	48.9		
Some College	22	5.4		
College Graduate	19	4.7		
Employment Status				
Not in Workforce (retired/student)	71	17.9		
Unemployed	43	10.8		
Employed, part-time	48	12.1		
Employed, full-time	235	59.2		
Marital Status				
Single/Never Married	182	45.2		
Married	123	30.5		
Separated/Divorced/Widow	98	24.3		

*Numbers which sum to fewer than 419 reflect missing information ("Don't Know"); all percentages are based on only those cases known, and percentages may not add to 100 percent due to rounding error.

mental health treatment. Of those who report prior treatment for substance use or sexual dysfunction, they are slightly more likely to report that this treatment occurred in the community (57 and 58 percent, respectively) than while incarcerated in a prison or jail (43 and 42 percent, respectively).

Table 2 also provides both official and self-reported data on the probationers' criminal history. According to official records, about 17 percent of the probationers have a prior juvenile conviction and about 50 percent of the probationers have a prior adult conviction. In fact, almost one-fourth of all probationers have three or more prior adult convictions. Asked to self-report their prior juvenile and adult sexually deviant behavior during the disclosure polygraph interview, pedophilia, pornography, and exhibitionism are the most commonly reported behaviors. These reported behaviors are strongly correlated to the offense of conviction, which may suggest that the probationers are self-reporting little beyond that which already is known by the probation officer.

Characteristics of the Offense

Selected information about the offense is presented in Table 3. About 60 percent of all probationers were convicted of either sexual conduct with a minor or attempted child molestation. Another 15 percent of the probationers had been convicted of sexual assault or sexual abuse and 12 percent were convicted of indecent exposure or public indecency. Other offenses of conviction include three cases of incest, 4 cases of sexual exploitation of a minor, 6 cases of providing obscene materials to a minor, 12 cases of kidnapping and 10 cases of assault or aggravated assault. When grouped according to the "sexual intrusiveness" of the offense, this summary measure indicates that sexual contact was present in 49 percent of all offenses of conviction and that attempted sexual contact was

Table 2. Probationers' Juvenile, Adult And AOD History

	<u>N*</u>	<u>%*</u>
History of Alcohol Abuse, Yes	127	33.0
History of Drug Use, Yes	99	26.8
History of Sex Abuse, Yes	93	22.2
Mental Limitation**	36	9.1
Prior Treatment Experience		
Alcohol and Drug Use, Yes	77	19.4
Sexual Dysfunction, Yes	69	17.0
Mental Health, Yes	62	15.9
Prior Juvenile Convictions		
None	346	82.6
One	29	6.9
Two	18	4.3
Three or More	26	6.2
Prior Adult Convictions		
None	206	49.2
One	72	17.2
Two	44	10.5
Three or More	96	22.9
Self-Reported Prior Sexual Behavior		
Bestiality, Yes	9	4.6
Exhibitionism, Yes	73	31.9
Fetishism, Yes	5	2.6
Frottage, Yes	25	12.4
Obscene Phone Calls, Yes	8	4.1
Pedophilia, Yes	289	82.8
Pornography, Yes	88	40.0
Rape, Yes	31	15.0
Masochism, Yes	0	0.0
Sadism, Yes	6	3.2
Voyeurism, Yes	37	17.8
Any Prior Deviant Acts, Yes	373	89.0

*Numbers which sum to fewer than 419 reflect missing information ("Don't Know"); all percentages are based on only those cases known, and percentages may not add to 100 percent due to rounding error.

**Mental Limitation reflects whether or not the probationer was assessed as having one or more of the following: mental/cognitive impairment, intelligence impairment, organic brain disorder, IQ under 70, learning disorder, low functioning.

present in another 43 percent. Physical force was used in 15 percent of the offenses, and it was threatened in another 43 percent of the cases.

Somewhat more than one-fourth (27 percent) of the offenses of conviction involved more than one victim. The victims' age at the time of the crime averaged 11.3 years ($sd = 7.3$); 57.6 percent of all victims were aged 12 or younger at the time of offense, and nearly 92 percent of all victims were minors under the age 18 when victimized. Most victims are female (87 percent). Alcohol was reportedly present in 35 percent of the offense situations, and illegal substances were reportedly present in 20 percent of the situations.⁴ Only 15 percent of the victims had been unknown to the offender prior to the offense; 45 percent were members of the offender's nuclear or extended family (including step children and children of live-in partners). It is consistent, then, that 37 percent of the victims lived in the same household as the offender at the time of the offense; another 28 percent resided in the immediate neighborhood. In summary, more than ninety percent of the probationers had been convicted of a sex offense involving a minor, physical force was used or threatened in about 60 percent of all offenses and nearly 85 percent of the offenders had a previous relationship with the victims, often living in the same household.

Table 3. Characteristics Of Offense

	<u>N*</u>	<u>%*</u>	<u>Mean</u>	<u>SD</u>
Offense Type				
Sexual Conduct with a Minor	130	31.0		
Attempted Child Molestation	121	28.9		
Indecent Exposure/Public Indecency	50	11.9		
Sexual Abuse	47	11.2		
Sexual Assault	20	4.8		
Kidnapping	12	2.9		
Assault/Aggravated Assault	10	2.4		
Furnish Obscene Materials to Minors	6	1.4		
Child Abuse/Endangerment	4	0.9		
Incest	3	0.7		
Sexual Exploitation of Minor	4	0.9		
Misc. Other	12	2.9		
Sexual Intrusiveness				
Minor Offense/Non-Sexual Offense	6	1.4		
Contact/Non-Sexual Offense	29	6.9		
Attempted/Minor Sexual Offense	178	42.5		
Sexual contact	206	49.2		
Relation to Victim				
Stranger	62	14.9		
Neighbor/Acquaintance	166	39.9		
Family	188	45.2		
Access to Victim				
Household	142	37.3		
Neighborhood	107	28.1		
Outside Neighborhood	132	34.6		
Force Involved				
No Force	175	42.4		
Threat of Force	176	42.6		
Physical Force	62	15.0		
Number of Victims				
One	304	72.9		
Two-Three	95	22.5		
Four or More	18	4.2		

Table 3. Characteristics Of Offense (Continued)

	<u>N*</u>	<u>%*</u>	<u>Mean</u>	<u>SD</u>
Gender of First Victim				
Male	53	12.9		
Female	358	87.1		
Age of Victim (at onset)	11.3	7.3		
Alcohol Present at Offense				
Yes	130	35.1		
No	240	64.9		
Drugs Present at Offense				
Yes	69	19.8		
No	279	80.2		
Entry Point				
Jail	239	57.2		
Prison	51	12.2		
Jail and Work Furlough	1	3.8		
Court	112	26.8		
Probation Status				
Intensive Specialized	9	2.2		
Intensive Non-Specialized	2	0.5		
Regular Specialized	403	96.9		
Maintenance	1	0.2		
Length of Probation**			5.65	3.60
2-5 years	72	17.2		
6-10 years	26	6.2		
11-20 years	5	1.1		
Lifetime	316	75.4		

*Numbers which sum to fewer than 419 reflect missing information (“Don’t Know”); all percentages are based on only those cases known, and percentages may not add to 100 percent due to rounding error.

**Mean is calculated for only those 103 probationers who did not receive lifetime probation.

Following conviction, 73 percent of the offenders served some period of post-conviction incarceration. Of these 306 offenders,

- (1) 51 entered probation after confinement (mean = 5.21 years, sd = 3.26 years, median = 5.0 years) within the Arizona Department of Corrections;
- (2) 239 entered probation after serving a sentence (mean = 8.85 months, sd = 3.9 months, median = 12 months) in the Maricopa County Jail; and
- (3) 16 first served a mixed sentence of jail and work furlough (mean = 7.06 months, sd = .29 months, median = 7 months).

Three-fourths of all probationers were placed on lifetime probation. For the others, most were placed on probation for a period of 5 years or less (mean = 5.7 years, sd = 3.6 years, median=4.0 years).

Probationer Characteristics After Entry to Probation – Dynamic Factors

The dynamic factors reported in Table 4 rely heavily on the subjective assessments made by probationer officers. The offender's motivation to change, for example, is rated on a five-point scale, and about 44 percent of the probationers are assessed to have a below-average level of motivation to change. Similarly, nearly 60 percent of the probationers reportedly maintain a victim posture indicating they believe that they are victims, either of the criminal justice system or of the person who they have been convicted of offending. This finding parallels the finding that while on probation fewer than half of the probationers admit their involvement in the criminal act and accept responsibility for it – either to professional staff (including probation officers) or to family members.

Table 4 also reports the probation officers' assessments of the emotional state of the probationers. Anywhere between one-third and one-half of the probationers are reported to be angry (33.2 percent), anxious (44.8 percent), depressed (43.0 percent), immature (50.5 percent), impulsive (46.2 percent), and isolated (44.7 percent).

Finally, Table 4 reports on the social supports present in the probationer's life. Fewer than half of the probationers (47.4 percent) have a positive relationship with their mother during the time they are on probation. In some cases, this is due to the absence of a mother due to death or physical distance; in other cases, it is due to the social distance between mother and son. Even fewer probationers have a positive relationship with their father (27.4 percent) or with their spouse/partner (27.1 percent). However, most probationers (67 percent) do have social support from other members of family and/or close friends.

Table 4. Probationer Characteristics After Entry To Probation

	<u>N*</u>	<u>%*</u>
Assessed Motivation to Change		
Very Low Motivation	87	21.1
Low Motivation	94	22.8
Average Motivation	115	27.8
High Motivation	87	21.1
Very High Motivation	30	7.3
Current Alcohol/Drug Problem		
No	310	79.3
Yes	81	20.7
Victim Posture		
No	154	40.4
Yes	227	59.6
Level of Denial to Staff		
Admit Act, Accept Responsibility	187	49.1
Admit Act, Deny Responsibility	140	36.7
Total Denial of Act/Responsibility	54	14.2
Level of Denial to Family		
Admit Act, Accept Responsibility	165	45.8
Admit Act, Deny Responsibility	133	36.9
Total Denial of Act/Responsibility	62	17.2
Emotional State (probationer appears...)		
Angry, Yes	125	33.2
Anxious, Yes	173	44.8
Depressed, Yes	165	43.0
Immature, Yes	196	50.5
Impulsive, Yes	177	46.2
Suicidal, Yes	29	8.4
Isolated, Yes	174	44.7
Social Supports (relationship with...)		
Friends		
Not Positive	241	69.1
Positive	108	30.9
Spouse		
Not Positive	272	72.9
Positive	101	27.1

Table 4. Probationer Characteristics After Entry To Probation (Continued)

	<u>N*</u>	<u>%*</u>
Mother		
Not Positive	179	52.6
Positive	161	47.4
Father		
Not Positive	236	72.6
Positive	89	27.4
Probationer has support of at least one non-family member		
No	139	39.7
Yes	211	60.3

*Numbers which sum to fewer than 419 reflect missing information ("Don't Know"); all percentages are based on only those cases known, and percentages may not add to 100 percent due to rounding error.

3. CRIMINAL JUSTICE OUTCOMES

Measuring Probation Outcomes

Alternative measures of “success” and “failure” within the criminal justice system are available and multiple measures were used in this study. Outcome measures were selected that are meaningful to the public, the court system, and the probation department. The outcome measure of most concern to the public is the *commission of a new sex offense* while on probation. Another, more inclusive **outcome** measure of failure is the *commission of any new criminal offense* while on probation. The *commission of a technical violation* of the conditions of probation supervision is another measure. This is a measure of the offender’s ability to conform to the conditions imposed while on probation, such as the stipulation that offenders attend treatment. A fourth measure is the filing of a *petition by the probation officer to the court to revoke probation*. This is the measure which is the most likely to occur because a petition to revoke probation can be filed for either a technical violation of the conditions of probation, for a new crime, or for both reasons. Official data on arrest⁵ for a new sex offense, arrest for any new criminal offense, technical violations of the conditions of probation, and revocation petitions during the 21-51 month follow up period provided four measures of criminal justice outcomes.

The fifth measure used in the analysis is defined by the *termination status* of each probationer. Probation revocation petitions filed after the commission of any new criminal offense or technical violation can lead to one of two general outcomes. One outcome is that the probationer is continued on probation supervision, or “reinstated” to probation supervision, with or without some short interval in the county jail and with or

without changes in the conditions of probation (e.g., assigned to Intensive Probation Supervision). The other outcome is that the probationer is terminated from probation and transferred to the county jail or state prison. Those who are terminated and incarcerated have “failed” probation; those who are returned to probation and who continue to satisfy the conditions of their probation can be viewed by the Adult Probation Department and others as a “successful” outcome.

Finally, the degree of probationer success can be measured in terms of the length of time during which the probationer succeeded while on probation. Among those who fail (using one or another criterion of “failure”), some fail more quickly than do others, and this rate of survival on probation is a significant measure of criminal justice outcome. Survival analysis identifies those factors which have a significant effect on the timing of recidivism while “correcting” for, or holding constant, the different lengths of time at risk among the probationers. The result is a model of censored cases (those who never “fail”) over varying time periods.

In this analysis, two measures of survival time are used: length of survival on probation between the date of entry to probation and the date of the first revocation petition and length of survival on probation between the date of entry to probation and the date when probation is unsuccessfully terminated (e.g. the date the probationer absconded or was revoked to jail or prison).

“Failure” As A New Criminal Offense

The criminal justice outcomes for these 419 sex offender probationers are summarized in Table 5. Of this total, 55 probationers (13.1 percent) were arrested for a total of 58 new criminal offenses: 52 committed one new criminal offense and three

committed two new criminal offenses. If arrest for a new criminal offense is the criterion used to assess success and failure, then 86.9 percent of the probationers were “successful” during the observation period. Of the 58 new criminal offenses, the most common offenses were failure to register as a sex offender (N = 16) and violent non-sexual offenses (N = 14). Of the 55 who were arrested for a new crime, 9 were arrested for a new sex offense. If arrest for a new sex offense is the criterion used to assess success and failure, then 97.8 percent of the probationers were “successful” during the observation period.

Failure” As A Technical Violation

Fewer “successes” are evident when the criterion is defined in terms of technical violations. Nearly half of all probationers (48 percent) received a revocation petition for one or more technical violations during the observation period. Indeed, these 201 probationers compiled a total of 527 technical violations. Failure to attend mandated treatment, absconding probation and having contact with a minor are the three most frequently occurring serious technical violations.

Of the 419 probationers studied, 210 (or 50.1 percent) had neither a technical violation nor a new criminal offense during the observation period. Another 154 (36.8 percent) had a technical violation but no new criminal offense, 8 (1.9 percent) had no technical violations but a criminal offense, and 47 (11.2 percent) had both a technical violation and a new criminal offense.

Table 5. Measures Of Criminal Justice Outcomes

	<u>N</u>	<u>%</u>	<u>Mean</u>	<u>SD</u>
Number of Technical Violations				
None	218	52.0		
One	66	15.8		
Two	32	7.6		
Three	63	15.0		
Four or More	40	9.4		
Any Technical Violations				
No	218	52.0		
Yes	201	48.0		
Any New Criminal Offense				
No	364	86.9		
Yes	55	13.1		
Probationers Commit Combination:				
Technical Violation/New Crime				
No Technical, No Crime	210	50.1		
No Technical, One or More Crimes	8	1.9		
One Technical, No Crimes	56	13.4		
One Technical, One or More Crimes	10	2.3		
Two Technicals, No Crimes	24	5.7		
Two Technicals, One or More Crimes	8	1.9		
Three or More Technicals, No Crimes	74	17.6		
Three or More Technicals, One or More Crimes	29	6.8		
Failure on Probation				
No	307	73.3		
Yes	112	26.7		
Time to 1st PTR, Days (for those with PTR)			431.70	295.40
Time to Failure, Days (for those who fail)			484.00	322.86

“Failure” As Probation Revocation

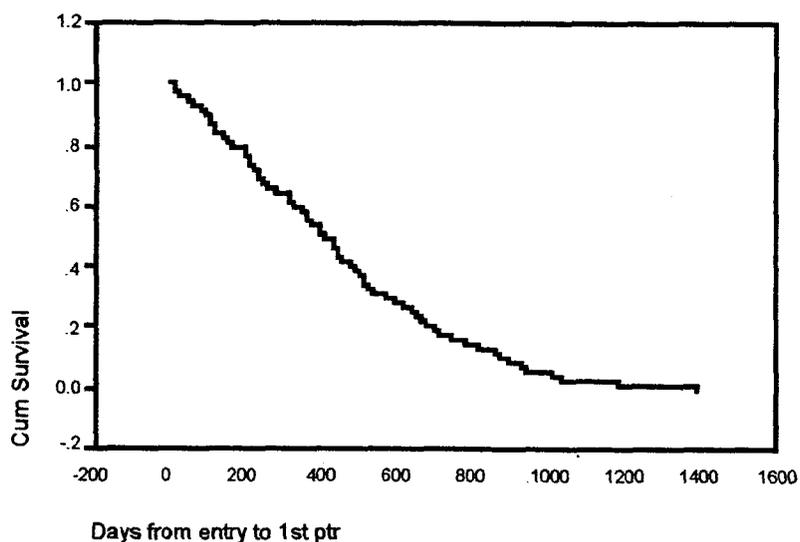
Table 5 also reports the outcomes when failure is defined in terms of unsuccessful termination from probation. Of the 419 probationers studied, 112 (26.7 percent) were terminated unsuccessfully during the observation period: 24 on warrant as absconders, 4 to the county jail with a terminal disposition and 84 to state prison with a terminal disposition. Another 97 probationers received one or more petitions for revocation, totaling 176 petitions, but the disposition of the petition did not terminate probation: 98 dispositions reinstated the probationer to intensive supervision, 6 reinstated the probationer to standard probation, and 72 dispositions reinstated the probationer on the sex offender caseload. These 97 probationers, together with the 210 probationers who did not receive a revocation petition, comprise those who have been “successful” while on probation.

“Failure” As the Length of Time to Unsuccessful Outcomes

Finally, time to failure can be examined as a measure of probationer outcomes. As noted in Table 5, those who received a revocation petition succeeded, on average, for 431 days (*sd* = 295 days, median = 391 days) between the date of entry to probation and the date of the first revocation petition. That is, even those who “failed” as measured by the filing of a Petition to Revoke (“PTR”) did succeed, on average, for about 14 months. The distribution of the time to failure among those 209 probationers who received a revocation petition is presented in Figure 2.

FIGURE 2

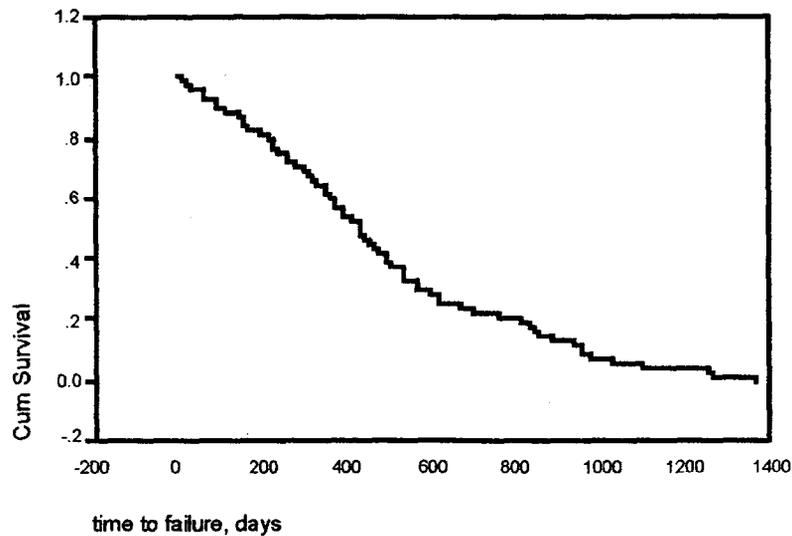
TIME TO FIRST REVOCATION PETITION



For those 112 who were terminated unsuccessfully, the average length of time on probation prior to “failure” was 484 days ($sd = 322$ days, median = 427 days), and varied from as few as 7 days to as many as 40 months (1200 days). The distribution of the time to failure among those probationers whose probation was terminated unsuccessfully is presented in Figure 3.

FIGURE 3

TIME TO PROBATION FAILURE



Summary of Successful Criminal Justice Outcomes

Before proceeding, it may be helpful to quickly summarize the different outcomes observed when “success” or “failure” on probation is measured by each of several widely acceptable definitions. Success on probation occurred to the extent that, during the observation period:

- 97.8 percent of the probationers were not arrested for a new sexual offense
- 86.9 percent of the probationers were not arrested for a new criminal offense
- 52.0 percent of the probationers did not commit a technical violation
- 50.1 percent of the probationers did not receive revocation petition
- 73.3 percent of the probationers did not abscond or were not revoked to prison

As noted earlier, definitions that are based on new criminal charges produce the fewest number of failures and definitions that are based on technical violations produce

the greatest number of failures. A definition of failure that is based on an unsuccessful termination provides a level of failure somewhere between these two extremes. When failure is defined as an arrest for a new sex offense, the base rate of failure is so low that it will be difficult to find any statistically significant relationships between the predictors studied and these outcome measures (Quinsey et al., 1998). In comparison, this problem with low base rates does not exist when failure is conceptualized as either a technical violation of the conditions of probation or as the unsuccessful termination of probation. Defining failure in terms of an unsuccessful termination also has the advantage of being the definition most relevant to the probation department. Consequently, subsequent analyses will incorporate the following definitions of failure: arrest for a new criminal offense, any technical violation and failure on probation (unsuccessful termination).

4. SEX OFFENDER RECIDIVISTS

Nine of the four hundred and nineteen probationers committed another sex offense during the period of observation. Because this number is too small for meaningful statistical analyses, this definition of failure will not be used in the sections that follow. Instead, these nine cases will simply be included together with the other forty-six cases to form the more general category of “new criminal offenses.”

Nine Case Studies

These nine cases are important precisely because they represent the truest sense of the term “sex offender recidivism” and because there is great interest in knowing as much as possible about those persons who fail probation in this manner. Toward that end, we present a brief vignette of each probationer to summarize the details of each case.

Probationer #004 1st Violation: Abscond
Time to Violation: 45 days
Disposition: Jail, Reinstated to Standard Probation

2nd Violation: Attempted child molestation
Time from 1st to 2nd Violation: 380 days
Disposition: Reinstated to Intensive Probation

At the time of the offense (sexual conduct with a minor) that brought him to the specialized sex offender caseload, Probationer 004 was a twenty-year-old single man, with eleven years of education and working part-time. His ethnicity is unclear, listed as other than white, African-American, Hispanic, American Indian or Asian. He entered probation from jail and was placed on regular specialized probation status for a period of five years. At one point, this probationer reports a history of sexual abuse by someone other than his mother or father. He does not report the abuse of alcohol or drugs and he does not appear to have received previous treatment for mental, chemical or sexual problems.

Regarding his prior offense history, this probationer was arrested for three juvenile offenses and one adult offense. Based on official records, he was arrested as a juvenile for sexual conduct with a minor, the minor being a neighbor or acquaintance. As an adult, this probationer was arrested for shoplifting, disorderly conduct and, according to the probationer file, "a minor possessing alcohol." This individual reports no prior juvenile or adult criminal and sexually deviant behavior other than the offense, which brought him to his current term of probation.

The offense that brought him to his current term of probation involved sexual contact with one victim, a thirteen-year-old female. The victim was an acquaintance who lived outside the probationer's neighborhood. At the time of the offense, the probationer was nineteen years old. He used no force and neither drugs nor alcohol were present at the time of the offense.

The probationer's first technical violation occurred two months after being placed on probation – he absconded with his victim. This took place approximately one month prior to his first evaluation. The probationer was reinstated with five years probation and six months jail time.

During the first recorded follow-up period, the probationer lived with his parents and continued to work part-time as an unskilled worker earning \$150 per week. Little information is available regarding the nature of his relationship with his parents, but he did report a less than positive relationship with friends. While he was not assessed to be angry, impulsive, isolated or suicidal, his probation officer believed the probationer to be anxious, depressed and immature. He did admit and take responsibility for his actions to both the staff and his family. His probation officer rated him as a marginal risk in his residential environment and as a safe risk in his work environment. He was viewed as highly motivated to change, rating a four on the five-point scale.

During the second recorded follow-up period, the probationer lived with a spouse or significant other and became employed full-time as an unskilled laborer, earning \$200 a week. He attended an alcohol and drug treatment program, and appeared to make good progress. The probationer reported positive but enabling relationships with friends and his significant other, and

he believed he had the support of at least one person in his life. His self-concept and ability to cope with the environment (angry, anxious, depressed, etc.) did not change from the first evaluation period. However, his probation officer believed the probationer to be even more highly motivated to change, rating him a five on a five-point scale. No data were collected at either evaluation period regarding evidence of sexually deviant interests after the disclosure polygraph.

A third revocation petition was filed fifty-seven days after the probationer had been reinstated to intensive probation, and he subsequently was reinstated to standard probation with two months jail time. Although the probationer "failed" on the basis that he was arrested for attempted child molestation, he was not terminated from probation and is considered to be a success in terms of the criterion of probation failure. The probationer has continued on probation (with intermittent periods of six months and two months in jail) and was on probation at the end of the observation period.

Probationer #055

1st Violation: Treatment; Technical

Time to Violation: 102 days

Disposition: Reinstated to Intensive Probation Supervision

2nd Violation: Sexual exploitation of a minor;
Viewing or owning pornography;

Time from 1st to 2nd Violation: 599 days

Disposition: Revocation - DOC

Probationer 055 entered probation from court, with no post conviction time served. He was placed on a regular specialized caseload for a period of four years. He is a white male who, at the time of his offense, was single, employed part-time as an unskilled laborer and lived with his parents. He was thirty-two years old at the time of the offense, with a tenth grade education. The probationer reported a history of alcohol and drug abuse, and had no previous treatment for a drug, alcohol or sexual deviance problem.

This probationer has no record of prior juvenile offenses, but according to self report, he was committed to a mental hospital for indecent exposure. Official records indicate he has committed several offenses as an adult, including fraud, public nuisance, possession of marijuana and possession of dangerous drugs. According to self report, the probationer has engaged in sexually deviant behavior as an adult, engaging in exhibitionism at the age of thirty-two. The offense that brought him to his current term of probation is recorded as a possession of dangerous drugs and public sexual indecency.

At the time of the first follow-up, the probationer lived with his disabled parents, acting as their caretaker and earning \$250 a week. He was evaluated as posing no risk in either his residential or work environment. He reported a positive relationship with both parents, but not with his friends. His probation officer noted that the probationer appeared angry, isolated and impulsive. In addition, he viewed himself as a victim and was in denial to both his family and the staff regarding his responsibility for his actions. His probation officer noted his lack of motivation to change, rating him as one on a five-point scale. He was required to attend a drug and alcohol treatment program where his attendance and progress was viewed as not satisfactory. The probationer displayed sexual deviant interests after the polygraph disclosure, including exhibitionism and voyeurism.

During the second follow-up period, the probationer continued to live with his parents and to work as their caretaker. Relationships with his friends continued to be mixed, while his relationship with his parents was positive. His probation officer notes little progress being made regarding the probationer's self-concept, noting that he appeared angry, immature, depressed, impulsive, isolated and maintained a victim

posture. The probationer did admit his offense to staff, but continued to deny responsibility. He remained in complete denial with his family. This probationer appeared to have a drug and alcohol problem at this time and continued to attend a drug and alcohol treatment program, although his attendance and progress were not satisfactory. During this time, he began to attend group treatment where his attendance and progress also were not satisfactory. His motivation to change remained at the lowest level. The probationer continued to display sexually deviant interests after the polygraph disclosure, including exhibitionism and pornography.

This probationer was evaluated a third time. During this evaluation period, he was moved to intensive specialized status. He continued to live with his parents and to work as their caretaker. He was considered a marginal risk to his residential and work environment. The probationer reported negative relationships with friends, a positive but enabling relationship with his parents, and as having no significant person in his life (other than a relative) on whom he could depend for support. His probation officer continued to assess him as angry, immature, impulsive, isolated and as maintaining a victim posture. During this period, he was in total denial of his offense to staff and family and his motivation to change remained at the lowest level. He continued to exhibit a problem with drugs and alcohol, but it is unclear whether he attended drug and alcohol treatment. His record does state that he was required to attend sexual deviancy classes and group treatment, however his attendance and progress remained unsatisfactory. He was argumentative and did not cooperate with written directives. The probationer continued to display sexual deviant interests after the polygraph disclosure, including exhibitionism, pornography, fetishism, pedophilia and voyeurism.

Approximately two years after being placed on probation, this individual engaged in a computer conversation with an undercover detective. The detective portrayed himself as an adult male who was interested in obtaining computer images of children under the age of fifteen engaging in sexual activities or exploitive exhibition. The probationer told the detective he was sexually interested in children under the age of fifteen, and that he had engaged in sexual activity with children under the age of fifteen. During this conversation, the probationer sent the detective three computer images of children under the age of fifteen engaging in sexual activities and/or sexual exhibition. In a subsequent computer conversation with this same detective (who portrayed himself as a thirteen-year-old female), the probationer discussed how he liked to be nude. When executing a search warrant at the probationer's residence, police found videotapes with still images of children under the age of fifteen engaged in sexual activities or exploitive exhibition.

In a polygraph session administered after his arrest, the probationer revealed his entire sexual history. He admitted he was guilty of the most recent offenses. He explained how he had been sexually deviant since he was a child, his offenses escalating as he grew older. He had been exposing himself to children for about twenty-five years; he molested approximately twenty girls and ten boys as an adult; he had been involved in computer pornography, targeting minors age nine to seventeen. The individual's probation was revoked and he was returned to prison.

Probationer #137

1st Violation: Sexual Assault
Time to Violation: 503 days
Disposition: Revocation - DOC

At the age of forty-two, Probationer #137 was given lifetime probation. He entered probation from jail and was placed on regular specialized status. He is a white male who, at the time of the offense, was legally separated or divorced, had earned a high school degree and was employed full-time as an unskilled laborer. He reported a history of alcohol use (but not abuse), as well as a history of drug use. Data regarding previous drug and alcohol treatment are missing ; the probationer reported no previous treatment for sexual deviance.

The probationer had no record of juvenile offenses, but official records indicated that he had committed a number of offenses as an adult, including two arrests for possession of marijuana, aggravated assault and attempted child molestation. Based on self-admission, previous sexually deviant behavior was limited to pedophilia.

He was serving his most current term of probation for attempted child molestation. Although there were multiple reports of his sexually abusing other children, this was the first time he had been charged with a sex crime against a child. At the time of the offense, the probationer was forty years old. His victim was his six-year-old son living in the same household. The probationer reports that drugs were present at the offense and that the threat of force was used in the commission of this offense.

During the first evaluation period, the probationer lived on the street or in a shelter. He was employed intermittently as an unskilled worker earning \$210 per week. His probation officer assessed him as a low risk to potential victims at his work and residence. No data were available regarding the quality of relationships with friends or family. The probationer was viewed as being depressed, impulsive, isolated and taking a victim posture. He admitted the act, but he denied responsibility for his actions to staff.

He reported no drug or alcohol problems and was viewed by his probation officer as having little motivation to change, rating a low score of two on a five-point motivational scale. He attended group treatment during this period, but his attendance and progress were viewed as unsatisfactory. After a polygraph test, he presented evidence of pedophilia and pornography.

At the time of the second evaluation follow-up, this probationer remained on regular specialized status. He was chronically unemployed and was viewed as 'risky' regarding his access to victims at his work and his residence. He maintained no close relationships with friends or family members and appeared anxious, angry, immature and impulsive. He continued to maintain a victim posture and was in total denial to staff and family regarding responsibility for his offense. His probation officer lowered the probationer's score regarding motivation to change to one -- the lowest possible rating. He continued to attend group treatment, and both his attendance and progress continued to be unsatisfactory.

Throughout his time on probation, this probationer denied any responsibility for his sexually molesting his son, arguing that his ex-wife secretly gave him a date-rape drug that forced him to molest his son. In addition, the probationer viewed his homosexuality as the root of his sexual deviancy.

Approximately seventeen months after being placed on probation, this probationer was arrested for sexually assaulting a member of his treatment group. The two probationers worked together at a warehouse. The victim stated that while at work, the offender put his hand up the man's shorts and touched his genitals. When confronted with these allegations, the offender blamed the probation department for allowing the two

of them to work and attend group together. In addition, the offender states that he thought the victim was 'flirting' with him and would enjoy the contact. The police department did not pursue the charges because the victim was not willing to testify in court.

The individual's probation was revoked and he was returned to prison to serve a sentence of fourteen years with approximately two years credit.

Probationer #276

1st Violation: Contact with minor, technical (2)

Time to Violation: 389 days

Disposition: Jail, Reinstated to Probation

2nd Violation: Viewing child pornography on Internet,
technical (3)

Time from 1st to 2nd Violation: 586 days

Disposition: Revocation – DOC

Probationer 276, a twenty-year-old white male with a high school education, entered probation from court (no post conviction time served). He was sentenced to a ten year probation term and placed on regular non-specialized status. At the time of the offense, this probationer was unmarried, living with his extended family and not in the workforce. Children were present in the household. The probationer reported no history of alcohol or drug use and no previous treatment for mental health or substance abuse. He did report previous treatment for sexual deviancy. He did not appear to be mentally impaired.

This probationer has no official history of juvenile offenses. Based on official records, the probationer had been arrested for only one offense as an adult, indecent exposure. This was the offense that brought him to his current term of probation. Self-

report data indicate that in addition to exhibitionism, this probationer also had a history of pornography and voyeurism.

At the time of the offense that brought him to probation, the probationer was nineteen years old. His victim, an eight-year-old girl, was a family member living in the same household. He pled guilty to entering his cousin's bedroom while she was sleeping, uncovering her vaginal area, and masturbating while viewing her vagina. No force was used and neither drugs nor alcohol was present during the offense.

At the time of his first evaluation, this probationer was determined to have a learning disorder and was low functioning. He suffered brain damage after being hit by a car. He lived alone, employed full-time as an unskilled laborer earning \$320 a week. His probationer officer assessed the risk he posed to potential victims to be marginal at his residence and safe at work. He reported positive relationships with friends and mixed relationships with relatives. During this period, he appeared to be anxious, depressed, immature, impulsive and isolated. He had attempted suicide and maintained a victim posture. Although he admitted committing the offense, he denied responsibility to the staff. His probation officer rated his level of motivation as a two on a five-point scale. The probationer appeared to have no substance abuse problem. He satisfactorily attended and progressed in a low functioning group, a group treatment program and a sexual deviancy class. Sexually deviant interests were present after the disclosure polygraph, including fetishism, pedophilia, pornography and voyeurism.

Approximately a year after entering probation, this individual admitted to hugging two children at church, thereby violating his probation. He was reinstated to standard probation supervision

During the second evaluation period, the probationer was placed on regular specialized status. Data regarding his living arrangements is missing. He was employed intermittently as an unskilled laborer and was enrolled in school part-time. He was assessed as posing a marginal risk at home and little or no risk in his work environment. No data were available regarding the quality of relationships with friends, however the probationer reported a negative relationship with relatives. No parent or significant other was present during this time. The probationer was viewed as being angry, impulsive and immature. He continued to maintain a victim posture. He admitted his act and accepted responsibility to staff, but denied responsibility to family. The probationer was rated a three on a five-point scale regarding his motivation to change. He continued to attend a low functioning group, as well as participate in group treatment. While his attendance at group treatment was satisfactory, his progress was not. Sexually deviant interests were present after the disclosure polygraph, including evidence of obscene phone calls, pedophilia, pornography and voyeurism.

Approximately two years and eight months after this individual was placed on probation for the original offense of contact with a minor, a second petition was filed to revoke his probation. His surveillance officer discovered sexually explicit computer compact discs in the probationer's possession. When confronted, the probationer admitted to watching only adult pornography and accessing only adult pornographic websites. Further investigation of his home computer indicated that the offender was viewing sexually explicit photographs of nude twelve-year-olds.

At the time of his second violation, the probationer's performance on probation was inconsistent. His commitment to complying with his terms of probation fluctuated

between wanting to control his sexual deviance by participating in treatment to asking his probation officer to allow him to tour a prison to determine if a prison term would be easier to complete than his term of probation. His probation officer assessed him as a high risk for reoffending based on the probationer's questionable commitment to complying with his terms of probation, his mental health issues and his dishonesty.

This probationer was revoked to the department of corrections to serve a sentence of one year and six months.

Probationer #297 1st Violation: Sexual assault
Time to Violation: 255 days
Disposition: Revocation – DOC

Probationer 297 is an African American male. At the time he entered probation from prison, he was thirty-six years old with a tenth grade education. He was placed on lifetime probation and assigned to regular specialized status. At the time of his offense, this probationer was chronically unemployed and lived with his extended family members. He reported receiving no previous treatment for mental, substance or sexual deviancy problems, but does report a history of alcohol and drug abuse.

This probationer had no official history of juvenile offenses, however according to official records he had engaged in criminal activity as an adult, including theft, sexual assault (2) and burglary. According to self-report data, he had engaged in prior sexually deviant behavior, including the rape of two individuals. The victims were nineteen and twenty-one years old.

The offense that brought him to his current term of probation was the kidnapping and rape of a twenty-one-year-old woman, when the probationer was thirty-two years old. The woman was an acquaintance of the offender, living outside the probationer's

neighborhood. Alcohol was present at the offense and actual force (but no weapon) was used.

At the time of this first follow-up period, the probationer was employed full-time as a skilled laborer, although his weekly income was unknown. He lived with his extended family, the same living arrangements at the time of the offense, and minors were present in the household. The probationer was evaluated as 'risky' regarding his access to potential victims in the residential environment. The risk he posed at his work environment was unknown. His record indicated the negative influence of close friends. No information was available regarding the nature of his relationships with family members. His probation officer viewed him as angry, impulsive and isolated and rated his motivation to change as a one (the lowest) on a five-point scale. The probationer remained in total denial of his act to both staff and family, and appeared to have a continuing substance abuse problem. His file contained no information regarding treatment of any kind, nor any information regarding evidence of sexually deviant interests after polygraph disclosure.

Approximately eight months after being placed on probation, this offender faced sentencing on eighteen new felony accounts as a result of a sexual assault against a twenty-two-year-old woman and his own fifteen-year-old stepdaughter. He was sentenced to life with no release until serving twenty-five years.

Probationer #327 1st Violation: Attempted child molestation
Time to Violation: 349 days
Disposition: Revocation – DOC

At the age of twenty-nine, Probationer 327 was placed on lifetime probation. He entered probation from jail and was placed on regular specialized status. He is a white

male who, at the time of the offense, had a high school education and worked intermittently as a cashier. He was married and lived with his wife, daughter and stepson. He did not report a history of substance abuse problems. It is not known whether he received any previous treatment for substance abuse or sexual deviance.

This probationer had no official juvenile record and his only adult offense, according to official data, was for attempted child molestation. According to self-report data, the only prior sexual deviancy engaged in by the probationer was pedophilia. It appears that this is the offense for which he received his term of probation.

At the time of the offense, the offender was twenty-nine years old and his victim, his stepson, was three years old. This probationer engaged in repetitive incidents with the child. He used no force (other than his position of authority) or weapon ; drugs and alcohol were not present at the time of the offense.

During the first follow-up evaluation period, the probationer no longer lived with his wife and children. He lived with his extended family where no children were present. He continued to work intermittently and no information was available regarding his weekly wages. According to his probation officer, he posed a marginal risk at home and work. His file contained no data regarding the quality of relationships with family and friends, although the probationer reported having no one to count on for support. He appeared to be angry, anxious, depressed, immature, impulsive, isolated and suicidal. He maintained a victim posture. His motivation to change was ranked as a one (the lowest) on a five-point scale. No information was recorded regarding his level of denial to staff and family. It appears that he was required to attend sexual deviancy classes and group treatment, however no information was available regarding his progress. He and his

wife completed the sexual paraphilia program. He was then directed to complete a polygraph and plethysmograph examination and enter treatment. The day he was arrested, he made a visit to his probation officer and tried to postpone his polygraph. He then left the office and within one-half hour the probation officer was contacted by the police department regarding possible new molestation offenses.

Approximatley one year after being placed on probation, the probationer was arrested for repeated incidents of child molestation involving his five-year-old daughter and six-year-old stepson. These incidents took place over a period of several months. At that time, it became apparent that the offender had been in and out of his wife's residence for the last five months and had access to his children. The wife reportedly kicked the offender out of the house the prior week because she had become aware that he had been molesting the children. The probationer stated that he returned to his wife's residence in part due to a lack of funds. He admitted that lied to the probation officer regarding his true living situation and was assisted in this deception by a friend.

He was sentenced to twenty- five years in prison.

Probationer #339 1st Violation: Indecent Exposure
Time to Violation: 558 days
Disposition : 90 days jail ; Reinstated to Intensive
Probation Supervision

Probationer 339, an African American male, was approximately forty years old when placed on lifetime probation for indecent exposure. He entered from jail and was placed on intensive specialized status. At the time of the offense, he was a high school graduate, married and employed full-time. This probationer reported a history of sexual abuse by his parents. He had received previous treatment for mental health issues and

substance abuse, both while incarcerated and in the community; however, he reported no history of problems with alcohol or illegal/perscription drugs. He had not received previous treatment for sexual deviancy.

The probationer was arrested for shoplifting as a juvenile. As an adult, he was arrested four times for indecent exposure. According to self-report data, the probationer also had a history of voyeurism and other deviant sexual behavior.

At the time of the offense, the probationer was thirty-nine years old and his four victims ranged in age from twelve to twenty-one. All victims were female and were strangers to the offender. No alcohol or drugs were present at the offense and no force was used.

During the first of three evaluation periods, the probationer continued to live with his wife, however no children were present in the household. He was employed intermittently as a skilled laborer. His probation officer rated his risk to potential victims at his work and home as safe. The probationer did not appear to have any kind of relationships with friends, his father or other relatives. He reported a positive relationship with his spouse, but had a negative relationship with his mother. He appeared depressed and in total denial to staff, rating a low motivation score of one on a five-point scale. It appears that both substance abuse treatment and group meetings were required of the probationer, but no information exists regarding his progress in these programs. An interest in exhibitionism was present after the disclosure polygraph.

After the second evaluation period, this probationer was placed on regular specialized status. He continued to live with his wife and no children were present in the household. He was employed full-time as an unskilled laborer earning \$400 per week.

His probation officer assessed his risk to potential victims as safe at work and at home. He reported having no close friends or close relationships with relatives, and a mixed relationship with his spouse. At this time, he admitted to having been sexually abused by someone other than his parents. He appeared depressed and rated a two on a five-point motivation to change scale. He admitted and accepted responsibility for his offense to both staff and family and appeared to be making satisfactory progress in his group treatment classes. No information was available regarding his second polygraph exam.

During his third evaluation period, the probationer remained on regular specialized status. He continued to live with his wife. At this time, he was unemployed and appeared angry, anxious, depressed and maintained a victim posture. He was rated as safe in his home environment. He reported positive relationships with his friends, spouse and other relatives, but appeared to have an enabling relationship with his mother. The probationer admitted and accepted responsibility for his actions to staff and family and appeared to have no substance abuse problems. On the motivation to change scale, the probationer rated a four on a five-point scale. He was required to attend sexual deviance classes and group treatment and was making satisfactory progress in both. The probationer continued to display sexual deviant interests after the polygraph disclosure, including exhibitionism, pornography, fetishism, and voyeurism.

Approximately eighteen months after being placed on probation, this probationer was arrested for indecent exposure. He exposed and fondled his penis while seated on a city bus. When confronted by a police officer, the offender stated that the whole situation was unintentional. A similar explanation was used in several previous exposure incidents.

Although this probationer was arrested for a new sex offense, and therefore is considered to be a “failure” in terms of any new arrests, he remained on probation throughout the observation period and is considered to be a “success” in that he was never terminated from probation.

Probationer #396 1st Violation: Sexual Abuse
Time to Violation: 392 days
Disposition: Revocation – DOC

Probationer 396, a forty-six-year-old Hispanic male, was placed on lifetime probation for attempted child molestation. After release from prison, he was placed on regular specialized probation status. At the time of the offense, the probationer was divorced, working full time as a skilled laborer and living with a significant other and her children. He had less than a high school education. He reported no previous abuse by his parents, but he did indicate that he had been abused. He had no history of substance abuse. He had not received prior treatment for substance abuse or sexual deviancy, but had received previous mental health treatment in a residential setting.

According to official records, this probationer had no history of arrests as a juvenile. As an adult, he had been arrested for a probation violation, theft (twice) and attempted child molestation. According to self-report data, the probationer had a history of sexually deviant behavior, specifically pedophilia.

At the time of the offense, the probationer was thirty-six years old. His victims, two female children of his live-in partner, were seven and thirteen years old. In both instances, the probationer used his position of authority. He used no other force or weapon, and the children were not physically injured. He engaged in repeated incidents with both victims.

During the first follow-up period, the probationer lived alone, no longer residing with his significant other or any children. He remained employed full-time as a skilled laborer earning \$200 per week. He reports having no close friends, a mixed relationship with his significant other, no relationship with his parents, and a positive but enabling relationship with other relatives. His probation officer reported him as feeling isolated and rated his level of motivation to change as a three on a five-point scale. The probationer admitted and took responsibility for his offense to both staff and family. His probation officer assessed his risk to potential victims at home and work as marginal. He was required to attend sexual deviancy classes and group treatment. His file contained no information regarding treatment attendance or progress. No data were available regarding a polygraph exam.

At the time of his second follow-up evaluation, this probationer remained on regular specialized probation status. He continued to live alone and became unemployed during this period. Regarding his access to potential victims at home and work, his assessment was revised to that of 'risky'. The probationer reported negative relationships with friends and his significant other, a positive but enabling relationship with his mother, no relationship with his father and a mixed relationship with other relatives. His probation officer believed the probationer to be impulsive and his motivation to change rating fell to a low of one on a five-point scale. At this time, the probationer admitted his offense to staff and family, but denied responsibility. His attendance at sexual deviance classes and group treatment was satisfactory, however his progress was not. Sexually deviant interests were present after the disclosure polygraph, including evidence of frottage, pedophilia, pornography and voyeurism.

During the third evaluation period, the probationer remained on regular specialized status. He continued to live alone. His employment status is unclear, however he reports earning \$0 per week. His probation officer revised the risk assessment regarding access to potential victims at home and work, to that of 'safe'. The probationer's assessment of interpersonal relationships remained the same, except that his relationship with other relatives became more negative in nature. The probationer appeared to be immature, impulsive and maintained a victim posture. At this time, the probationer admitted his offense to staff and family, but denied responsibility. His motivation to change remained at a low of one. His attendance at sexual deviance classes and group treatment was satisfactory, however his progress was not. The probationer left treatment with an unresolved polygraph regarding sexual contact with minors. Sexually deviant interests were present after the disclosure polygraph, including evidence of voyeurism and 'other' deviant interests.

Approximately a year after being placed on probation for his original offense, this probationer sexually abused two females, a nineteen-year-old woman and a minor. He denied one offense and placed blame for the second on the victim.

His probation was revoked and he was returned to prison.

Probationer #550 1st Violation: Public Indecency
Time to Violation: 500 days
Disposition: Jail, Reinstated to Probation

At age sixteen, Probationer 550 was placed on lifetime probation for engaging in sexual conduct with a minor. He entered probation from jail and was placed on regular specialized status. He is an Hispanic male who, at the time of the offense, lived with his parents and other minor children and was a full-time student. He did not report a history

of substance abuse problems, nor did he report a history of sexual abuse. The probationer did not report receiving any previous treatment for substance abuse, mental health or sexual deviance.

According to official records, the probationer had no history of arrests as a juvenile. His only arrest as an adult was for the offense that brought him to this term of probation. Self-report data regarding previous sexual deviant acts refer only to this one offense.

At the time of the offense, the probationer was fifteen years old. He digitally penetrated his victim, a six-year-old female, the child of a neighbor. The probationer used his position of authority. He used no other force or weapon, and the child was not injured physically.

At the time of this first follow-up period, the probationer was employed full-time as a stocker at a grocery store; his weekly income was approximately \$300.00 per week. He lived with his parents, as well as a brother, and reportedly completed his GED. The probationer was evaluated as 'safe' regarding his access to potential victims in the residential environment. The risk he posed at his work environment was assessed as 'marginal'. His record indicated a positive and supportive relationship with his parents. No information was available regarding the nature of his relationships with any others. His probation officer viewed him immature and as maintaining a victim posture, and rated his motivation to change as a three on a five point scale. The probationer admitted to and took responsibility for his offense to both staff and family. He was required to attend group treatment and his attendance and progress were viewed as satisfactory.

Sexually deviant interests were present after the disclosure polygraph, including pedophilia and pornography.

At the time of his second evaluation, the probationer remained on regular specialized probation status. He no longer lived with his parents, nor with minor children. He continued to work as a stocker at a grocery store. The probationer was evaluated as 'safe' regarding his access to potential victims at work and at home. His record indicated a positive but enabling relationship with friends, his mother and other relatives. He reported his relationship with his father as 'mixed'. His probation officer viewed him as anxious, depressed, immature, isolated, impulsive and as maintaining a victim posture, and rated his motivation to change as a one on a five-point scale. The probationer admitted to and took responsibility for his offense to both staff and family. Sexually deviant interests were present after the disclosure polygraph, including pedophilia and exhibitionism.

At this time, it appeared that he had a substance abuse problem and was required to attend substance abuse treatment, however no information is available regarding his progress. He continued to attend group treatment. Shortly after this followup, his therapist reported that the offender was attentive and participated well in group discussions. He appeared to be following the rules of probation and had family support. The focus of his treatment at this time was on offense cycle and relapse prevention planning. Over the previous seven months, the individual had attended twenty-three sessions. The therapist later noted that just prior to reoffending, the probationer missed group sessions and chose not to disclose to group any deviant sexual thoughts or buildup behaviors.

Approximately one month after the second evaluation, and twenty-two months after the original offense which placed him on probation, this probationer reoffended. He was arrested and charged with four counts of indecent exposure. While driving home from work, the probationer exposed himself to a thirty-three-year-old woman and then to five minor females near an elementary school. He stated that he was under the influence of ecstasy at the time of the offense. The arresting officer indicated that the offender did not display remorse for his actions.

The offender pled guilty. He was jailed and later reinstated to probation.

Summary of Sexual Recidivists

It appears that the nine probationers who were arrested for a new sex offense during the observation period do not conform to any single "profile." They differ in age, education and other background characteristics; they have diverse criminal behavior and drug use histories; their performance while on probation varied considerably. As a result of their behavior, six of the nine were terminated from probation and incarcerated with the Arizona Department of Corrections. Yet, the other three actually continued on probation after the new arrest and are defined as a "success" on at least one criterion of success because they were making satisfactory progress on probation at the end of the observation period.

5. WHAT PREDICTS PROBATION OUTCOMES FOR SEX OFFENDERS?

The Relationship of Static Factors to Criminal Justice Outcomes

The search for a predictive model begins with an examination of the relationship between each of several antecedent variables to each of the three measures of criminal justice outcome. These bivariate correlation coefficients reported in Tables 6, 7 and 8 indicate the statistical significance and strength of these relationships.

Socio-Demographic Characteristics and Prior History

Marital status and employment are related to each of the three measures of criminal justice outcome. Those who are married are less likely than those who are unmarried to commit a technical violation, commit a new crime or fail probation. Probationers who are employed full time are significantly less likely to commit a technical violation, commit a criminal offense or fail probation than those probationers who are not employed full time. The relationships presented in Table 6 also indicate that the younger the age of the probationer at the time he enters probation, then the greater the likelihood that he will commit a technical violation and the greater the likelihood that he will commit a new criminal offense; similarly, the greater the probationer's level of education, the less likely he is to have committed a technical violation or to have failed probation. Finally, race is only weakly associated with outcome: white probationers are less likely than others to commit a probation violation, but there is no significant difference by race in the likelihood of either a new criminal offense or probation failure.

Consistent with previous research, the relationships summarized in Table 6 indicate that many aspects of the probationers' prior history, including criminal justice history, substance abuse history and treatment history, are found to be associated with

Table 6. Relationship Of Select Socio-Demographic And Prior History Variables To Each Of Three Measures Of Criminal Justice Outcomes: Bivariate Correlation Coefficients

	Any Technical Violation	Any Criminal Offense	Probation Failure
Socio-Demographic			
Age at Entry	-.26 ^a	-.13 ^b	-.07
Race-White	-.11 ^c	-.02	-.09
Education	-.11 ^c	-.06	-.13 ^c
Marital Status-Married	-.28 ^a	-.14 ^b	-.20 ^a
Employment Status - Full-time Employed	-.18 ^a	-.13 ^b	-.18 ^a
Prior History			
Prior Alcohol Abuse - yes	.08	.07	.14 ^b
Prior Drug Use or Abuse - yes	.17 ^a	.17 ^a	.16 ^b
Prior Sexual Abuse - yes	-.08	-.04	-.01
Prior Drug/Alcohol Treatment - yes	.03	-.01	-.03
Prior Mental/Emotional Treatment - yes	.04	.03	.01
Prior Treatment for Sexual Dysfunction-yes	-.09	-.07	-.12 ^c
Prior Arrest as Juvenile - yes	.19 ^a	.08	.02
Prior Arrest as Adult - yes	.08	.16 ^a	.06
Mental Impairment - yes	.12 ^c	.01	.01
Entry to Probation from Jail/Prison - yes	.03	.04	-.05
Lifetime Probation - yes	-.06	-.01	-.08

^ap<.001

^bp<.01

^cp<.05

their success on probation: (1) technical violations are more likely to occur among those probationers with a history of prior drug use/abuse and those with a prior arrest as a juvenile; (2) a new criminal offense is significantly more likely among those with a history of prior drug use/abuse and those with a prior arrest as an adult; (3) probation failure is more likely to occur among those probationers with a history of prior alcohol abuse, prior drug use/abuse, and those who have not received prior treatment for sexual problems. Stated conversely, the three measures of failure are unrelated to the probationer's history of prior sexual abuse, or prior treatment for alcohol/drugs or for mental/emotional problems. Mental impairment is, however, associated with a higher likelihood of a technical violation.

Interestingly, there is no significant association between any of the three outcome measures and either the point of entry into probation or the sentence of lifetime probation. Those who enter probation directly from the court are no more or less likely to commit a technical violation, commit a new crime or fail probation than those who enter probation following a period of confinement. When point of entry is restructured to compare those entering from prison to those who enter from any other point (not shown in Table 6), the results are the same: those who enter from prison are no more or less likely to fail than those who do not. Similarly, those serving a sentence of lifetime probation are no more or less likely to fail than those who are serving a fixed-term sentence to probation.

Characteristics of the Offense

Offense characteristics are found to be largely unrelated to the probationer's success on probation. As reported in Table 7, not one of the three outcome measures is

significantly associated with age of victim, with victim-offender relationship, with residence of the victim, with the sexual intrusiveness of the offense or with the presence of force in the commission of the offense. Only the presence of alcohol or drugs in the offense is related to probation outcomes: those offenders whose offense was characterized by the presence of alcohol or drugs were more likely than other offenders to commit a technical violation and to commit a new criminal offense while on probation. However, there is no association noted between the presence of alcohol or drugs and the final disposition of the probationer.

Table 7. Relationship Of Select Offense Characteristics To Each Of Three Measures Of Criminal Justice Outcomes: Bivariate Correlation Coefficients

	Any Technical <u>Violation</u>	Any Criminal <u>Offense</u>	Probation <u>Failure</u>
Offense Information			
Age of Victim	.06	.01	.04
Relationship - Family	-.08	-.03	-.09
Victim Residence - In Household	.07	.03	.03
Alcohol/Drugs Present – yes	.12 ^c	.12 ^c	.09
Sexual Intrusiveness - Sexual Contact	.01	-.04	-.04
Force Used or Threatened - yes	.04	.00	.06

^ap<.001

^bp<.01

^cp<.05

The Relationship of Dynamic Factors to Criminal Justice Outcomes

Many of the dynamic factors are found to be related to the measures of probation success, as reported in Table 8. Whether the probationer is living alone or is living with others is unrelated to any of the three measures, but the other three indicators of social integration are significantly related to the outcome measures. Those with full-time

employment are significantly less likely than those who are not employed full time to commit a technical violation or to fail probation. Also,

Table 8: Relationship Of Select Dynamic Factors To Each Of Three Measures Of Criminal Justice Outcomes: Bivariate Correlation Coefficients

	Any Technical Violation	Any Criminal Offense	Probation Failure
Dynamic Factors			
Living Alone - Yes	-.02	-.03	-.01
Employed Full Time – Yes	-.14 ^b	-.09	-.21 ^a
Positive Relationship with Mother - Yes	-.14 ^c	-.03	-.16 ^b
Positive Social Supports - Yes	-.24 ^a	-.07	-.32 ^a
Current AOD Problem - Yes	.30 ^a	.28 ^a	.34 ^a
Motivation to Change	-.38 ^a	-.17 ^a	-.37 ^a
Assumes Victim Posture - Yes	.16 ^b	.07	.08
Accepts Responsibility to Staff - Yes	-.31 ^a	-.14 ^b	-.32 ^a
Accepts Responsibility to Family - Yes	-.35 ^a	-.11 ^c	-.30 ^a
Angry - Yes	.22 ^a	.05	.21 ^a
Anxious - Yes	.05	.02	.03
Depressed - Yes	.08	.00	.01
Immature - Yes	.27 ^a	.08	.07
Isolated – Yes	.07	-.06	.07
Suicidal – Yes	.10	.03	.12 ^c
Impulsive - Yes	.34 ^a	.14 ^b	.27 ^a

^ap<.001

^bp<.01

^cp<.05

those probationers who have a positive relationship with their mother and those who have positive social supports from other family members and friends are significantly less likely to commit a technical violation or to fail probation.

Those dynamic factors which reflect the probationers' response to their current situation also are significantly related to probation outcomes. Those who assume the "victim" posture are more likely to commit a technical violation, but there is no relation

between posture and either new criminal offense or probation failure. In comparison, new technical violations, new criminal offenses, and probation failure are significantly more likely to occur among those with a current alcohol and drug problem (than among those with no AOD problem) and significantly less likely to occur among those who accept responsibility for their offense and those who are motivated to change.

The probationer's emotional state, as assessed by the probation officer during the first interim evaluation, also is found to be associated with probation outcomes. Specifically, those probationers who are assessed to be angry, immature or impulsive are more likely to commit a new technical violation; those who are assessed as impulsive are more likely to commit a new criminal offense; and those who are assessed as angry, suicidal or impulsive are more likely to fail probation.

Building a Model of Sex Offender Outcomes on Probation

The relationships noted above between each of the probation outcome measures and the many static and dynamic characteristics of the probationer are instructive. Many of them are consistent with findings of prior research, and many support previously untested hypothesized relationships. Further, these bivariate associations serve to identify those factors which merit further examination as the analysis strives to build a statistical model of the predictors of sex offender outcomes. Toward that end, the analysis now incorporates a series of logistic regression equations⁶ to identify those static and dynamic factors that best predict probation outcomes. The first step is to assess the independent and additive effects of each static variable found to be associated with probation outcomes when each of the other static variables (also found to be associated with probation outcomes) is simultaneously controlled. The second step is to identify the

effects of each dynamic variable when all of the other dynamic variables are controlled. The third step is to include both the significant static and significant dynamic factors into a single model.

The Effect of Static Factors on Probation Outcomes

The predictive effect of selected static factors on each of the three measures of criminal justice outcomes is summarized in Table 9. The likelihood that a probationer will commit a technical violation is significantly greater for those who are younger at time of entry to probation, those who were unmarried at the time of the offense, and those for whom alcohol or drugs were present during their most recent offense. Those who were married are only half ($\text{Exp}(B) = .491$) as likely as those who were unmarried to commit a technical violation, and those whose crimes were committed when alcohol or drugs were present are nearly 1.7 times ($\text{Exp}(B) = 1.674$) more likely to commit a technical violation as those probationers whose offenses did not occur when alcohol or drugs were present. Interestingly, education, prior employment status, and prior criminal history are not significant predictors of technical violations.

In comparison, prior arrest record and age are the only two static variables that significantly affect the likelihood that a probationer will commit a new criminal offense. While not a strong relationship, it nonetheless is evident that new criminal offenses are more likely to be committed by younger probationers. The effect of prior adult arrests is much stronger, however: those with a previous arrest as an adult are five times more likely than those with no previous adult arrest to commit a new criminal offense while on probation ($\text{Exp}(B) = 5.006$).

Table 9. Effect Of Select Static Factors On Probationer Success, For Each Of Three Measures Of Criminal Justice Outcomes

	<u>Any Technical Violation</u>			<u>Any Criminal Offense</u>			<u>Probation Failure</u>		
	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>
Age at Entry	-.031 ^b	.010	.969	-.051 ^b	.019	.950	-.003	.011	.997
Race - White	-.169	.261	.844	.395	.398	1.485	-.067	.287	.935
Education	.013	.054	1.013	-.038	.086	.963	-.038	.060	.963
Marital Status - Married	-.711 ^c	.287	.491	-.526	.516	.591	-1.042 ^b	.361	.353
Employed - Full-time	-.346	.272	.707	-.592	.405	.553	-.648 ^c	.293	.523
Prior Drug Abuse - Yes	.237	.321	1.267	-.038	.432	.963	.395	.337	1.484
Prior Sex Treatment - Yes	-.418	.318	.658	-.573	.577	.564	-.879 ^c	.419	.415
Prior Arrest, Juvenile - Yes	.296	.336	1.344	-.052	.445	.949	-.208	.356	.812
Prior Arrest, Adult - Yes	.495	.258	1.640	1.611 ^a	.445	5.006	.338	.283	1.403
Mental Impairment - Yes	.317	.330	1.373	-.125	.476	.883	-.477	.362	.621
Alcohol/Drugs Present at Offense - Yes	.515 ^c	.290	1.674	.746	.420	2.108	.156	.319	1.169
Constant (Intercept)	.808	.654		-.927	1.001		.051	.711	
-2 Log Likelihood		412.690			215.318			354.005	
X ²		56.198 ^a			38.679 ^a			38.366 ^a	
Nagelkerke R ²		.204			.205			.156	

^ap<.001

^bp<.01

^cp<.05

The likelihood of probation failure is significantly greater among those who were unmarried at the time of the offense and those who were not employed full-time at the time of the offense. Those who were married are only one-third as likely ($\text{Exp}(B) = .353$) as those who were unmarried to fail probation, and those who were employed full-time are only half as likely ($\text{Exp}(B) = .523$) to fail probation as those who were not employed full-time. Probation failure also is significantly more likely to occur among those who have not had prior treatment for sexual behaviors. Specifically, those with prior treatment are less than half as likely as those without treatment ($\text{Exp}(B) = .415$) to fail probation.

In summary, the logistic regression of each dichotomous measure of criminal justice outcome simultaneously on eleven static variables which had been found to be correlated with one or more of these outcomes suggests that only six static factors are significant predictors of any of these three measures of success on probation. Age, marital status and employment status prior to probation affect the likelihood of successful outcomes, but race, education, mental impairment and prior arrests as a juvenile do not have a significant affect on these outcomes. In addition, prior treatment for sexual problems/behaviors decreases the likelihood of failure while prior arrest as an adult increases the likelihood of failure. It is noteworthy that the probationers' prior history of drug abuse is not a significant predictor of probation outcomes when it is entered into the equation simultaneously with the presence or absence of drugs or alcohol at the offense, which does increase the likelihood of failure as a technical violation. That is, it appears that the prior use of drugs is less important to probation outcomes than the fact that the probationer was using drugs or alcohol at the time of the criminal offense.

The Effect of Dynamic Factors on Probation Outcomes

The results of the logistic regression of the three measures of probation outcomes simultaneously on each of twelve dynamic variables are presented in Table 10. The likelihood of committing a technical violation is not affected by relationship with mother, but it is significantly less among those with positive social support from friends and family members. Indeed, those with social support from others are only one-third as likely ($\text{Exp}(B) = .347$) as those without this support to commit a technical violation while on probation. Further, the data presented in Table 10 indicates that those probationers with a current AOD problem are nearly four times ($\text{Exp}(B) = 3.978$) more likely than those with no AOD problem to commit a technical violation, and those assessed by the probation officer to be immature are nearly four times ($\text{Exp}(B) = 4.045$) more likely than their more mature counterparts to commit a technical violation.

The likelihood that the probationer committed a new criminal offense is significantly affected by only one of the dynamic factors in the model. Compared to the probationers who do not have a problem with alcohol or drugs, those who do are nearly five times more likely ($\text{Exp}(B) = 4.943$) to commit a new criminal offense while on probation.

Probation failure also is significantly affected by social supports and by the presence of an AOD problem while on probation. The likelihood of failing probation is significantly less among those with a positive relationship with their mother and with positive social support from friends and other members of the family. Indeed, those with a positive relationship with their mother are only a third as likely ($\text{Exp}(B) = .397$) to fail probation as those who do not have a positive relationship with their mother, and those

Table 10. Effect of Select Dynamic Factors On Probationer Success, For Each Of Three Measures Of Criminal Justice Outcomes

	<u>Any Technical Violation</u>			<u>Any Criminal Offense</u>			<u>Probation Failure</u>		
	<u>B</u>	<u>SE</u>	<u>EXP(B)</u>	<u>B</u>	<u>SE</u>	<u>EXP(B)</u>	<u>B</u>	<u>SE</u>	<u>EXP(B)</u>
Employed - Full-time	-.339	.347	.713	-.213	.456	.808	-.900 ^c	.417	.407
Positive Relationship with Mother	-.708	.364	.493	-.009	.486	.991	-.923 ^c	.450	.397
Positive Social Supports	-1.058 ^b	.393	.347	-.005	.497	.995	-1.370 ^a	.411	.254
Current AOD Problem	1.381 ^b	.492	3.978	1.598 ^a	.473	4.943	1.611 ^a	.465	5.008
Motivation to Change	-.330	.199	.719	-.522	.283	.593	-.304	.236	.738
Assumes Victim Posture	-.342	.420	.710	.127	.552	1.135	-.538	.519	.584
Accepts Responsibility to Staff	.962	.987	2.616	.255	1.183	1.291	1.231	1.005	3.425
Accepts Responsibility to Family	-1.734	.984	.177	.209	1.174	1.233	-1.466	.992	.231
Angry	-.137	.414	.872	-.092	.523	.912	.376	.473	1.457
Emotional Immaturity	1.397 ^a	.404	4.045	.647	.517	1.910	-.048	.479	.953
Suicidal	.774	.788	2.167	-.235	.787	.791	-.907	.786	.404
Impulsive	.526	.394	1.692	.200	.517	1.221	.923	.492	2.518
Constant (Intercept)	1.395	.718		-1.701	.916		.672	.814	
-2 Log Likelihood		223.438			146.568			170.077	
X ²		96.093 ^a			28.254 ^b			76.816 ^a	
Nagelkerke R ²		.454			.217			.430	

^ap<.001

^bp<.01

^cp<.05

with social support from other family and friends are only one-fourth ($\text{Exp}(B) = .254$) as likely to fail probation as those without this support base. In addition, probation failure is significantly less likely among those who are employed full-time while on probation; in fact, they are about half as likely to fail probation ($\text{Exp}(B) = .407$). Also, probation failure is about five times more likely ($\text{Exp}(B) = 5.008$) among those who have a problem with alcohol or drugs while on probation than among those who do not.

In summary, the logistic regression results presented in Table 10 suggest that only five of the 12 dynamic factors have a significant effect on any of the three measures of probation outcomes. When these 12 factors are simultaneously entered into the equation, the likelihood of a negative outcome is predicted by employment status, relationship with mother, positive social supports, current AOD problem, and emotional immaturity. The seven other dynamic factors entered into the equation do not improve the ability to predict probation outcomes. These factors have a significant bivariate correlation to one or more of the probation outcomes (see Table 8), but they have no effect on outcome once the other dynamic factors are controlled.

A Parsimonious Model of the Static and Dynamic Predictors of Probation Outcomes

The final step in developing a parsimonious model is to develop a model that includes all surviving static and dynamic factors simultaneously. By including only those static factors which have been found to significantly affect probation outcomes (see Table 9) together with those dynamic factors which have been found to significantly affect probation outcomes (see Table 10), the new logistic regression equations will measure the effects of the static factors when the dynamic factors are introduced. Simultaneously, the equations will assess the effects of the dynamic factors when the

effects of the static factors are controlled. The product will be a predictive model which includes only those static and dynamic factors found to significantly affect the likelihood of negative probation outcomes.

The effects of the static and dynamic factors on the likelihood of a technical violation are presented in Table 11. The results presented for Model 1 substantially replicate the findings from the earlier analysis of the effects of static variables: age, marital status, employment status, prior adult arrests, and the presence of alcohol or drugs in the offense affect the likelihood of a technical violation. When these factors are controlled, prior treatment for sexual dysfunction does not affect the likelihood of a technical violation. Model 2 indicates, however, that only marital status continues to have a significant effect on the likelihood of probation violation once the relevant dynamic factors are entered into the equation. When controlling for other relevant static factors and for the relevant dynamic factors, those who were married prior to entering probation are only half as likely as those who are unmarried to commit a technical violation ($\text{Exp}(B) = .478$). Model 2 of Table 11 also reports that, when relevant static and other dynamic factors are introduced into the same model simultaneously, positive social supports, current AOD problem and emotional immaturity significantly affect this probation outcome. Those with positive social supports are only one-fourth as likely ($\text{Exp}(B) = .273$), those with current AOD problems are more than four times as likely ($\text{Exp}(B) = 4.420$), and those assessed to be immature are about three times as likely ($\text{Exp}(B) = 3.047$) to commit a technical violation than those who differ on these important dynamic characteristics.

Table 11. Predicting Technical Violations: Logistic Regression Results

	<u>Model 1</u>			<u>Model 2</u>		
	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>
Antecedent - Static Factors						
Age at Entry	-.041 ^a	.009	.960	-.024	.013	.976
Marital Status – Married	-.778 ^b	.266	.459	-.739 ^c	.363	.478
Employed - Full-time	-.578 ^c	.233	.561	-.214	.351	.807
Prior Sex Treatment	-.250	.300	.779	-.172	.382	.842
Prior Arrest, Adult	.541 ^c	.240	1.718	.197	.323	1.218
Alcohol/Drug at Offense	.532 ^c	.243	1.702	.596	.337	1.814
Intervening - Dynamic Factors						
Employed - Full-time				-.155	.359	.856
Positive Relationship with Mother				-.491	.312	.612
Positive Social Supports				-1.297 ^a	.344	.273
Current AOD Problem				1.486 ^b	.448	4.420
Emotional Immaturity				1.114 ^a	.348	3.047
Constant	1.439	.333		1.180	.685	
-2 Log Likelihood		465.331			287.801	
X ²		67.246 ^a			100.947 ^a	
Nagelkerke R ²		.214			.403	

^ap<.001

^bp<.01

^cp<.05

A similar analysis to identify the significant predictors of a new criminal offense is presented in Table 12. Model 1 examines the effects of only the static factors, and only age and prior adult arrest have a significant effect on the likelihood of a new criminal offense. Older offenders are slightly less likely to recidivate while on probation while those with a prior arrest as an adult are nearly four times more likely to re-offend. The results reported for Model 2 indicate that both age and prior adult arrest continue to affect the likelihood of a new offense, although the effect of prior adult arrest is reduced somewhat ($\text{Exp}(B) = 2.921$), when the joint effect of the dynamic factors are entered into the model. Only one of the dynamic factors is found to have a significant effect on the likelihood of a new offense, however: probationers with an AOD problem are five times more likely to commit a new offense than those probationers who do not have an AOD problem ($\text{Exp}(B) = 5.016$).

Finally, the ability of these static and dynamic factors to predict probation failure is summarized in Table 13. Model 1 suggests that those who are married are one-third less likely than those who are unmarried to fail probation, and those who are employed full-time are about half as likely to fail probation as those who are not employed full-time. When the dynamic factors are added to the model (Model 2), the effect of employment status is no longer significant and marital status continues to be a significant predictor of the likelihood of success on probation. In addition, positive social relationships decrease the likelihood of failure on probation and a current AOD problem increases the likelihood of failure on probation. Indeed, those with positive social relationships are only about one-fourth as likely as those without positive social relationships to fail probation ($\text{Exp}(B) = .279$) and those with a current AOD problem are

Table 12. Predicting New Criminal Offense On Probation: Logistic Regression Results

	<u>Model 1</u>			<u>Model 2</u>		
	<u>B</u>	<u>SE</u>	<u>EXP(B)</u>	<u>B</u>	<u>SE</u>	<u>EXP(B)</u>
Antecedent - Static Factors						
Age at Entry	-.041 ^b	.015	.960	-.042 ^c	.021	.959
Marital Status - Married	-.800	.490	.449	-.979	.689	.376
Employed - Full-time	-.487	.337	.615	-.471	.484	.624
Prior Sex Treatment	-.370	.514	.691	-.227	.623	.797
Prior Arrest, Adult	1.364 ^a	.390	3.911	1.072 ^c	.478	2.921
Alcohol/Drug at Offense	.557	.343	1.746	-.030	.462	.971
Intervening - Dynamic Factors						
Employed - Full-time				-.135	.473	.873
Positive Relationship with Mother				-.166	.433	.874
Positive Social Supports				-.159	.444	1.167
Current AOD Problem				1.613 ^a	.453	5.016
Emotional Immaturity				-.012	.467	.988
Constant	-1.204	.490		-1.182	.922	
-2 Log Likelihood		253.551			174.875	
X ²		36.076 ^a			40.251 ^a	
Nagelkerke R ²		.169			.249	

^ap<.001

^bp<.01

^cp<.05

Table 13. Predicting Probation Failure: Logistic Regression Results

	<u>Model 1</u>			<u>Model 2</u>		
	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>
Antecedent - Static Factors						
Age at Entry	-.005	.009	.995	-.004	.014	.996
Marital Status – Married	-.982 ^b	.338	.374	-1.079 ^c	.494	.340
Employed - Full-time	-.626 ^c	.250	.535	-.042	.397	.959
Prior Sex Treatment	-.625	.377	.504	-.367	.471	.693
Prior Arrest, Adult	.238	.262	1.269	.029	.369	1.030
Alcohol/Drug at Offense	.390	.261	1.477	.213	.377	1.238
Intervening - Dynamic Factors						
Employed - Full-time				-.661	.396	.516
Positive Relationship with Mother				-.663	.362	.515
Positive Social Supports				-1.275 ^a	.336	.279
Current AOD Problem				-1.478 ^a	.400	4.385
Emotional Immaturity				.160	.411	1.173
Constant	-.492	.341		.173	.753	
-2 Log Likelihood		403.203			237.043	
X ²		33.598 ^a			73.948 ^a	
Nagelkerke R ²		.123			.346	

^ap<.001

^bp<.01

^cp<.05

more than four times more likely than those without an AOD problem to fail probation (Exp(B) = 4.385).

In summary, the analysis has identified a very small number of static and dynamic factors which significantly affect the likelihood of probation outcomes. When those six static and five dynamic factors previously identified to have a significant effect on one or more of the three probation outcomes are entered simultaneously into a logistic regression equation (Model 2 in Tables 11, 12, and 13), the independent effects of most of those factors do not significantly affect the likelihood of the outcome.

- Age has a significant, but small, effect on the likelihood of a new criminal offense, but it does not affect the likelihood of either a technical violation or probation failure.
- Marital status has a significant and moderately strong effect on the likelihood of a technical violation and of a probation failure, but not of committing a new criminal offense.
- Prior arrest as an adult has a significant and moderately strong effect on the likelihood of a new criminal offense, but it does not alter the likelihood of either a technical violation or a probation failure.
- Positive social supports with family and friends has a significant and moderately strong effect on the likelihood of a technical violation and of failing probation, but it does not affect the likelihood of a new criminal offense.

- A current AOD problem has a significant and persistently strong effect on the likelihood of a technical violation, of a new criminal offense and of a probation failure.
- Emotional immaturity has a significant and moderately strong effect on the likelihood of a technical violation, but not on the likelihood of either a new criminal offense or a probation failure.

These findings are confirmed by the results of a logistic regression which uses a forward stepwise procedure to introduce each of the 11 variables into a model, one at a time, and which retains only those variables which significantly improve the model's ability to predict the likelihood of the probation outcome. These results are presented in Table 14.

- The likelihood of a technical violation is affected by five factors (in descending order of importance): AOD problems while serving probation, emotional immaturity, positive social support, marital status at time of offense and the presence of alcohol or drugs in the offense.
- The likelihood of a new criminal offense is affected by two factors (in descending order of importance): AOD problems while on probation and marital status at the time of the offense.
- The likelihood that the probationer will fail probation is affected by four factors (in descending order of importance): AOD problems while on probation, positive social support, marital status at the time of the offense and full-time employment while serving probation.

Table 14. Predicting Probation Outcomes: Predictors Identified By Forward Stepwise Logistic Regression

	<u>Any Technical Violation</u>			<u>Any Criminal Offense</u>			<u>Probation Failure</u>		
	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>
Marital Status - Married	-.951 ^b	.337	.387	-1.388 ^c	.631	.250	-1.162 ^c	.455	.313
Alcohol/Drug at Offense	.645 ^c	.324	1.906						
Employed - Full-time on Probation							-.767 ^c	.325	.464
Positive Social Support	-1.363 ^a	.329	.256				-1.369 ^a	.326	.254
Current AOD Problem	1.581 ^a	.441	4.861	1.714 ^a	.389	5.551	1.568 ^a	.368	4.795
Emotional Immaturity	1.422 ^a	.312	4.145						
Constant	-.127	.365		-2.172	.259		-.008	.312	
-2 Log Likelihood		295.132			186.011			242.263	
X ²		93.615 ^a			29.114 ^a			68.729 ^a	
Nagelkerke R ²		.378			.184			.324	

^ap<.001

^bp<.01

^cp<.05

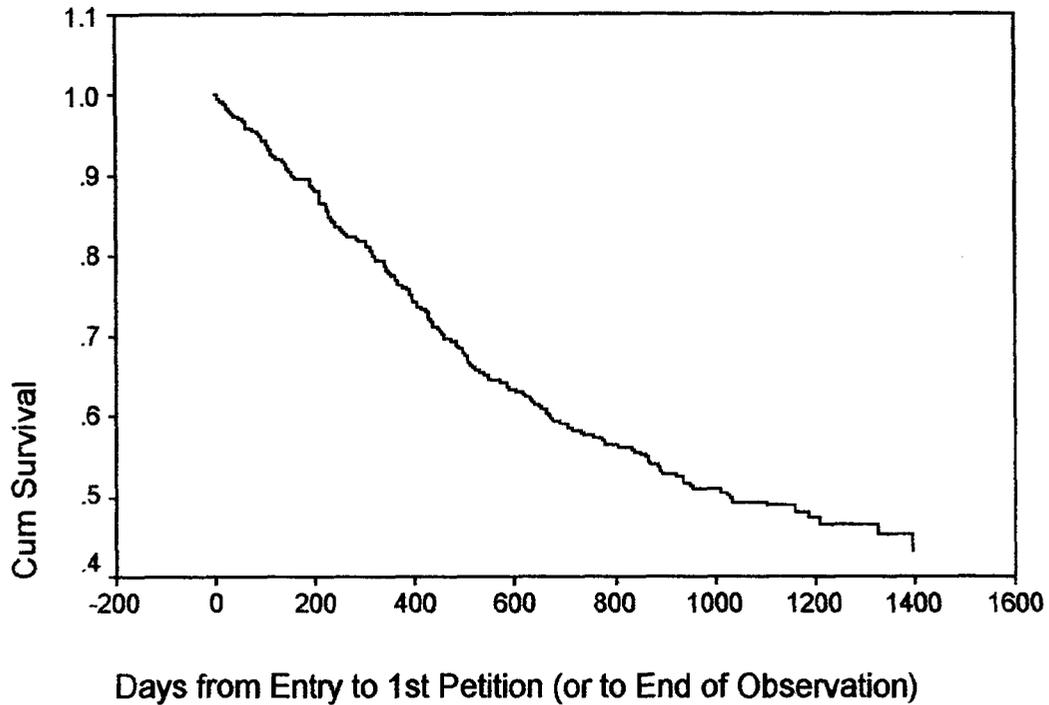
6. PREDICTING TIME TO FAILURE

An important distinction often is made between the proportion who fail while on probation and the survival rate of probationers. The proportion who fail refers to the final or ultimate outcome of each case at the end of a specified period of observation. It has been noted already, for example, that 209, or 49.9 percent, of the 419 probationers received a revocation petition for either a technical violation or a new criminal offense and that 112, or 26.7 percent, of the 419 probationers were unsuccessfully terminated from probation. The survival rate, however, takes into consideration the fact that not all probationers fail after the same length of time following entry to probation; some probationers may fail almost immediately, and others may be successful for an extended period prior to their failure. The analysis of the duration of time to failure, and the factors which predict that duration, is referred to as survival modeling: it examines the factors which significantly "explain" differences in the length of time that probationers "survive" on probation.

Figures 4A and 4B illustrate the survival rates of the probationers to the first revocation petition and to probation failure, respectively. In Figure 4A, there is the anticipated 100 percent "survival" rate at day 0, meaning that, on the first day of probation, all probationers have succeeded at not failing (when "failing" is defined as receipt of a revocation petition). By the 200th day following entry to probation, however, less than 90 percent of the probationers continue to survive (because the other 10 percent have received a revocation petition). About 70 percent of the probationers continue to survive after the 400th day on probation, and fewer than 60 percent survive past day 800. Note that the survival curve is a rather steady decline almost from the beginning of

FIGURE 4A

TIME TO REVOCATION PETITION

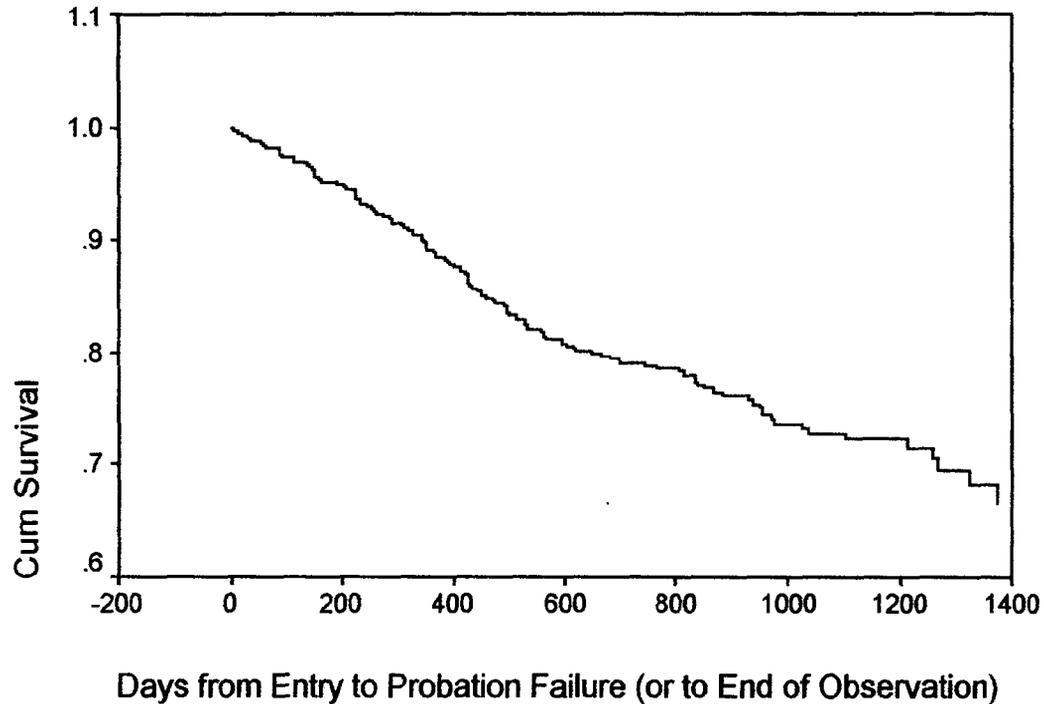


probation until after the 800th day, at which point the slope of the curve becomes less sharp and begins to level off somewhat.

In contrast, the survival curve of probation failure is far less steep (see Figure 4B). After 200 days, nearly 95 percent of probationers survive as successful probationers; by day 400, more than 85 percent remain successful; and about 75 percent of the probationers continue to survive on probation at day 800. Clearly, the time to failure differs among probationers and by measures of “failure.”

FIGURE 4B

TIME TO PROBATION FAILURE



What explains the differences among probationers in their survival rate? The previous analysis has indicated that the likelihood of a petition for either a technical violation or a new criminal offense is significantly affected by AOD problems while serving probation, emotional immaturity, positive social supports, marital status and the presence of alcohol or drugs in the offense. Because these variables have a significant affect on whether or not there is a revocation petition, it is hypothesized that they also will have a significant effect on the length of time a probationer will survive before that petition is filed.

Survival Time to the First Revocation Petition

When survival time to first revocation petition is regressed on these five factors, as is reported in Table 15, only marital status and positive social support have a significant effect on survival time. Those who are married and those who have positive social support are likely to survive on probation significantly longer than those who are not married or who do not have positive social support. The effect of marital status on time to the first revocation petition, when the effect of social support is controlled, is illustrated in Figure 5. Those who are married are much less likely to receive a

FIGURE 5

MARITAL STATUS AND TIME TO PTR

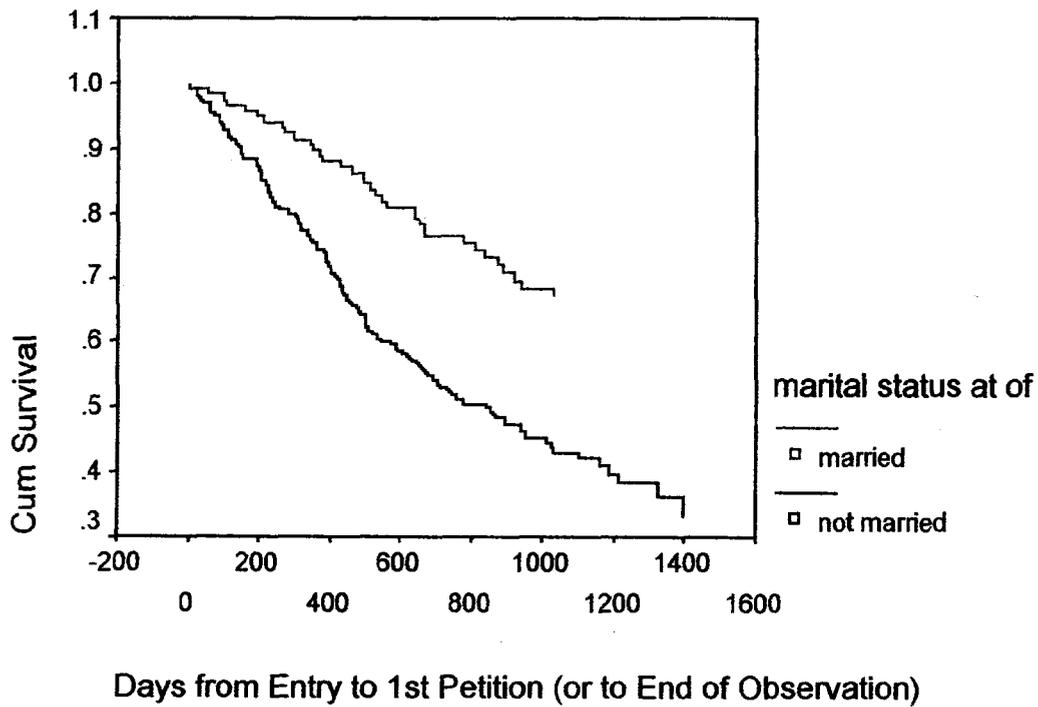


Table 15. Predicting Survival On Probation

<u>Exp(B)</u>	<u>Time to First Revocation Petition</u>			<u>Time to Probation Failure</u>		
	<u>B</u>	<u>SE</u>	<u>Exp(B)</u>	<u>B</u>	<u>SE</u>	
Static Factors						
Marital Status-Married	.692 ^b	.229	1.998	.731 ^c	.320	2.077
Alcohol/Drugs at Offense	-.261	.169	.770			
Dynamic Factors						
Positive Social Support	.828 ^a	.163	2.289	1.019 ^a	.221	2.770
Current AOD Problem	-.896	.180	.408	-1.236 ^a	.224	.290
Emotional Immaturity	-.870	.174	.419			
Employed Full Time				.756 ^a	.220	2.129
-2 Log Likelihood		1725.988			885.509	
X ²		133.448 ^a			110.406 ^a	

^ap<.001

^bp<.01

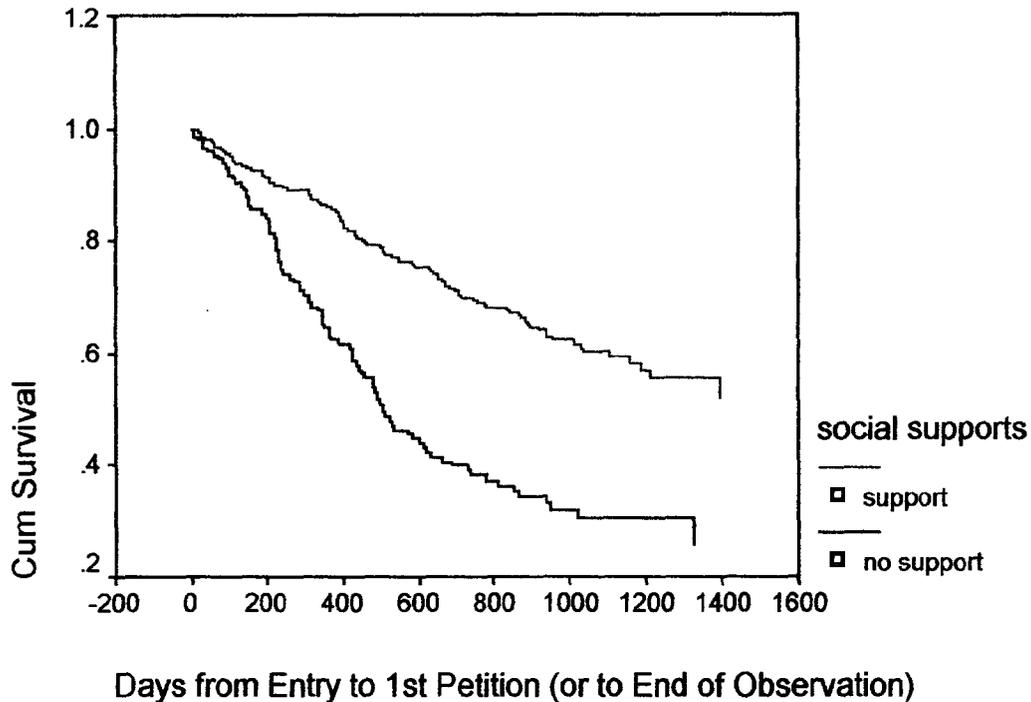
^cp<.05

revocation petition, as already documented in Table 14. Figure 5 illustrates that those who are not married have a much steeper trajectory of failure than do those who are married, such that 20 percent of the unmarried probationers and only 5 percent of the married probationers have received a revocation petition by day 200.

Figure 6 illustrates a similarly sharper decline in survival time for those without positive social supports than with those who have positive social supports (when controlling for the effects of marital status). By the 200th day, 90 percent of those with positive social supports have survived on probation, compared to about 70 percent of those without positive social supports.

FIGURE 6

SOCIAL SUPPORT AND TIME TO PTR

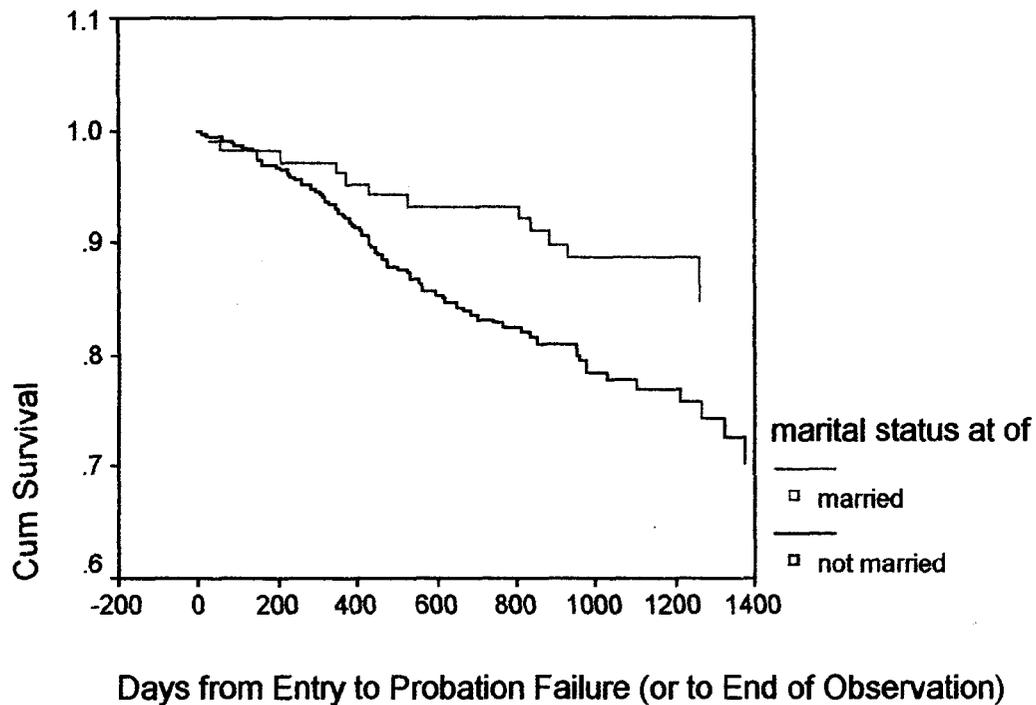


Survival Time to Probation Failure

Probationers' time to probation failure (an unsuccessful termination of probation) also is significantly affected by marital status and positive social support, as well as by whether or not the probationer has a current AOD problem and by whether or not the probationer is employed full time while on probation. As summarized in Table 15, those who are married, those who have positive social supports and those who are employed full time while on probation survive on probation significantly longer before being unsuccessfully terminated than do those who are unmarried or who do not have positive social supports. Also, the length of survival time is significantly shorter for those who

have a current AOD problem while on probation. These relationships are visually presented in Figures 7, 8, 9 and 10. When the other variables are controlled, the survival curve to probation failure of married probationers is substantially “flatter” than the curve of those who are not married. Similarly, those probationers who do not have positive social supports have a much faster rate of failure during the first 600 days than do those

FIGURE 7
MARITAL STATUS AND TIME TO FAILURE



who have these supports. The absence or presence of an AOD problem while on probation presents the sharpest contrast in the length of time to probation failure: those with an AOD problem fail probation at a significantly faster rate than do those without an AOD problem. Indeed, at the 1000th day, more than 85 percent of those with no AOD

FIGURE 8

SOCIAL SUPPORT AND TIME TO FAILURE



problem, but only 60 percent with an AOD problem, continue successfully on probation.

Finally, those who are not employed full time while on probation fail at a significantly steeper rate than do those who are employed full time.

FIGURE 9

AOD PROBLEM AND TIME TO FAILURE

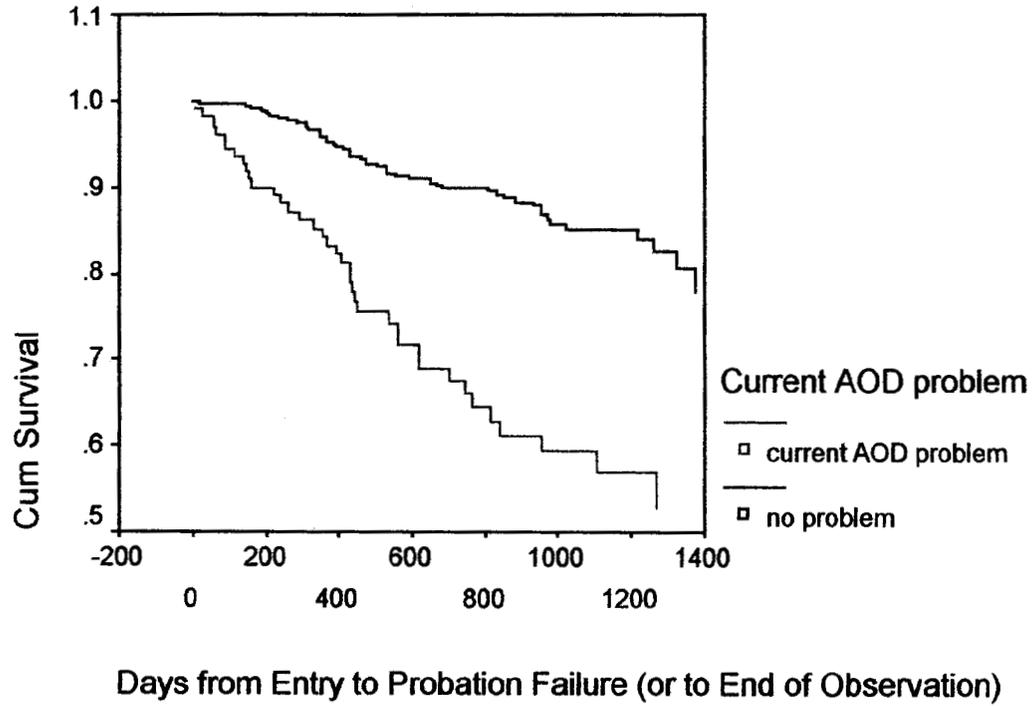
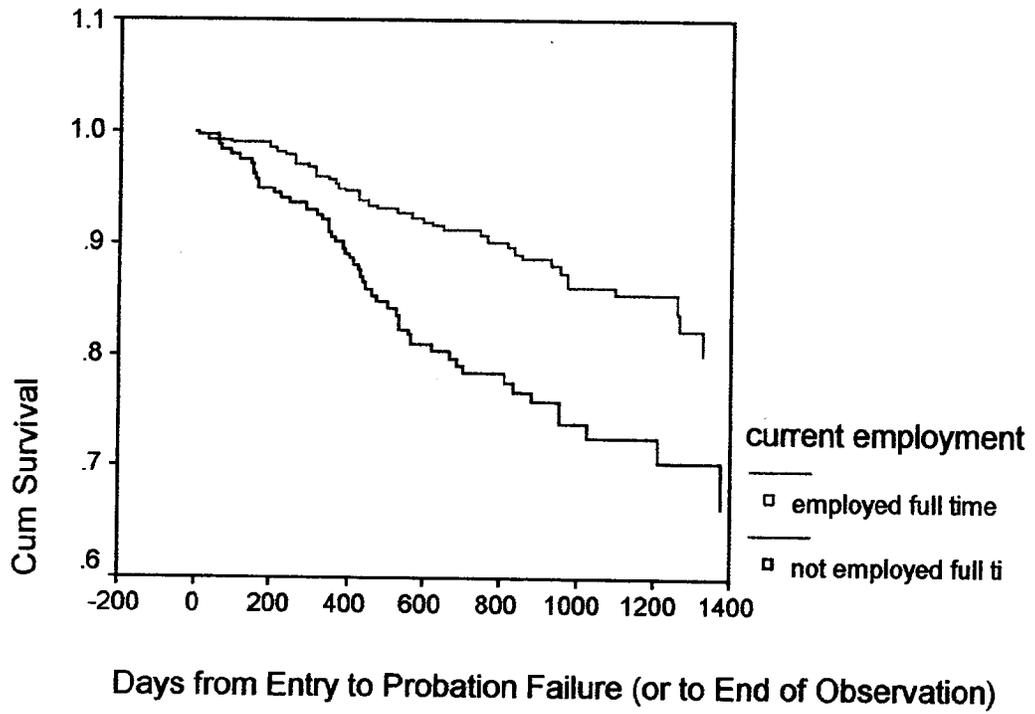


FIGURE 10

EMPLOYMENT AND TIME TO FAILURE



7. CONCLUSIONS

Previous studies of sex offenders have identified a number of static and dynamic factors associated with the offenders' likelihood of failure after release from prison, usually defined in terms of the commission of a new sex offense or reconviction for a new sex offense. While there is a growing body of literature which looks at probation success among a variety of offenders, little has been done to date to investigate the factors associated with probation outcomes for sex offenders. This analysis of 419 adult male sex offenders who entered probation in Maricopa County, Arizona between January 1, 1997 and June 30, 1999 examines the success of each probationer for a period of 21 to 51 months after entry to probation. Data on a total of 21 static or historical factors and 16 dynamic factors were collected for each probationer, and the relationship of each factor to probation failure is analyzed. Probation failure is defined alternately as an arrest for a new criminal offense, a technical violation of the conditions of probation, and termination from probation supervision. This analysis examined both the likelihood of failure and the time to failure.

The findings are summarized in Table 16. A technical violation while on probation is found to be significantly associated with 9 of the 21 static factors and 11 of the 16 dynamic factors, as indicated in Table 16 by a $\sqrt{}$ symbol. Arrest for a new criminal offense (although not necessarily a new sex offense) is found to be associated with 6 of the static factors and 5 of the dynamic factors. Finally, probation failure (i.e., an unsuccessful termination from probation) is found to be associated with 7 of the static and 10 of the dynamic factors. The factors which are not associated with any of these three criminal justice outcomes are notable: prior treatment for drug or alcohol abuse,

prior mental health treatment, entry to probation from prison or jail versus entry directly from the court, lifetime probation, age of victim, relationship to victim and force used in the offense. Equally notable is the finding that some of these factors are associated with all three outcome measures: marital status, employment status, prior use or abuse of drugs, presence of alcohol or drugs at the offense, a current problem with alcohol or drugs, motivation to change, acceptance of responsibility for the offense and impulsivity.

Although many of the 21 static and 16 dynamic factors are associated with one or more of the outcome measures, the summation presented in Table 16 indicates (with a red colored $\sqrt{\quad}$ symbol) that only a few of these factors have a significant and independent predictive effect when the effects of the other factors are taken into account.

- Technical violators are predicted most parsimoniously by the additive effects of being unmarried, the presence of alcohol or drugs during the offense, the absence during probation of positive social supports from family and friends, the presence during probation of a drug problem, and probationer impulsivity. The combined effects of these 5 factors explain approximately 38 percent of the total variation of the likelihood that sex offenders will commit a technical violation.
- Criminal offenders are predicted most parsimoniously by the additive effects of being unmarried and the presence during probation of a drug problem. The combined effects of these 2 factors explain approximately 18 percent of the total variation of the likelihood that sex offenders will commit a new criminal offense.

Table 16. Summary of the Relationship of All Factors Studied to Each of Three Measures of Criminal Justice Outcomes

<u>Factors Included In The Analysis</u>	<u>Any Technical Violation</u>	<u>Any Criminal Offense</u>	<u>Probation Failure</u>
A. Static Background Factors			
Age at Entry to Probation	√	√	
Race	√		
Education	√		√
Marital Status	√	√	√
Employment Status	√	√	√
Prior Alcohol Abuse			√
Prior Drug Use or Abuse	√	√	√
Prior Drug/Alcohol Treatment			
Prior Mental/Emotional Treatment			
Prior Treatment for Sexual Dysfunction			√
Prior Arrest as Jrvenile	√		
Prior Arrest as Adult		√	
Mental Impairment	√		
Entry to Probation from Jail/Prison			
Lifetime Probation			
Age of Victim			
Relationship - Family			
Victim Residence - In Household			
Alcohol/Drugs Present	√	√	√
Sexual Intrusiveness - Sexual Contact			
Force Used or Threatened			
B. Dynamic Factors While on Probation			
Living Alone			
Employed Full Time	√		√
Positive Relationship with Mother	√		√
Positive Social Supports	√		√
Current AOD Problem	√	√	√
Motivation to Change	√	√	√
Assumes Posture As Victim	√		
Accepts Responsibility, to Staff	√	√	√
Accepts Responsibility, to Family	√	√	√
Assessed Emotions			
Angry	√		√
Anxious			
Depressed			
Immature	√		
Isolated			
Suicidal			√
Impulsive	√	√	√

√ indicates that there is a significant ($p \leq .05$) association between the variable and the outcome measure.

√ indicates that the variable is a predictor because it has a significant ($p \leq .05$) independent effect on the outcome measure when other possible predictors are statistically controlled.

- Probation failure is predicted most parsimoniously by the additive effects of being unmarried, the presence of alcohol or drugs during the offense, unemployment during probation, the absence during probation of positive social supports from family and friends and the presence during probation of a drug problem. The combined effects of these 5 factors explain approximately 32 percent of the total variation of the likelihood that sex offenders will be unsuccessfully terminated from probation.

Finally, survival models indicate that a small number of static and dynamic factors predict the length of time the probationer will succeed on probation. Those who are married and who have positive social support while on probation survive on probation significantly longer than those who are not married or who do not have positive social support, as will those who are employed full time and those without a current alcohol or drug problem.

Limitations to the Study

These findings must be viewed in the context of the study and its limitations. One obvious limitation is that the study examines recidivism among sex offenders who are adult probationers, and it does not include either adult parolees or those who were released from incarceration without parole. Therefore, it is important to note that the findings reported here can not be generalized to all sex offenders. On the other hand, the findings do provide meaningful information for those offenders placed on probation.

Another limitation is that the follow-up period, which ranges from 21 to 51 months, is too short to capture long-term recidivism. While it is true that most studies of recidivism are based on a follow-up period of 12 to 26 months, and that most studies of

recidivism by sex offenders are based on follow-up periods of 5-7 years, it also is true that the highest rates of recidivism are found in those studies with the longest period of observation. The amount of recidivism, and the factors which best predict that recidivism, may vary considerably if these offenders were tracked for 8, 10 or 15 years. Thus, the best use of these findings is in the discussion of short-term probation failure.

A third limitation is in the definition of recidivism. Sex offense recidivism is the truest form of sex offender recidivism; it also is the least likely to occur. Because it is most difficult to predict an event which occurs only rarely, and because any prediction must be based on a large number of cases, the fact that only 9 persons, or 2.2 percent of the probationers in this study, were arrested for a new sex offense precluded any effort to identify its salient predictors. Instead, this study focuses on important alternative measures: an arrest for any new offense, the commission of a technical violation and the unsuccessful termination from probation. Those factors identified as predictors of these measures of recidivism cannot be assumed to be the same factors that would be important in predicting the commission of new sex offenses. On the other hand, the study does add to our knowledge about the factors which best predict new criminal offenses, technical violations and, perhaps most importantly, the unsuccessful termination from probation.

Although the study includes a total of 37 potential static and dynamic predictors – which is a much greater level of inclusion than most studies of this sort – it is worth noting that information about important dynamic factors is either limited or not available for analysis. Information on the dynamic factors included in the study is limited by the inability to obtain time-sensitive reports at specified intervals during the offender's probation career. The result is that there is only a single observation of these changeable

factors, and that measure was not taken at the same point in time for all probationers. The absence of information about the probationers' participation in treatment also is a regrettable limitation, largely because there is little evidence to date which suggests that treatment achieves the desired effect of reduced recidivism or increased success on probation (see, for example, Furby et al., 1989; Kruttschnitt, 2000; Rice et al., 2001).

Finally, the reliability of many of the measures used for important dynamic factors is questionable. Whereas the official records and through probation reports provide reliable information on key static factors, such as the socio-demographic characteristics of the offender and the offender's past criminal justice and AOD histories, less reliable measures are available for dynamic risk factors included in this analysis. Existing psychometric tools with proven reliability are not used by the department during the routine six-month re-evaluation that each probation officer is expected to do for each sex offender supervised. Instead, these data were obtained from the subjective assessments made and recorded by probation officers to assess key dynamic factors. Accordingly, the offender's motivation to change, denial of responsibility for the offense, available social supports and such emotional states as being angry, depressed, isolated, impulsive and suicidal were assessed only subjectively, and the level of reliability of these measures is unknown.

These and other limitations notwithstanding, the study is a robust assessment of the effects of number of potential risk factors on the recidivism of sex offenders on probation. It studies a large number of adult sex offender probationers in a major metropolitan area; it incorporates an unusually large number of both static and dynamic factors into the analysis; it follows these probationers for an average of nearly three

years; and it looks at “failure” in terms of three alternative measures of criminal justice outcomes. Moreover, it provides a multivariate analysis using logistic regression and survival modeling. While caution should be exercised in extending the implications beyond the limitations of the study, it also is clear that the strengths of the study permit the following discussion of the implications of these findings.

Implications for Probation Supervision

Does the probationer’s failure to successfully complete probation indicate a failure of probation itself? On the one hand, it may be argued that termination signals the inability of probation to supervise and treat the offender; that is, that the offender “failed” despite the success-oriented activities of probation officers and probation procedures. On the other hand, however, it is reasonable to claim that probation termination is the result of vigilant probation officers who detect and sanction those probationers making an unsuccessful adjustment to community supervision. Given these alternative interpretations, any increase in the proportion of probationers who are unsuccessfully terminated may be seen alternatively as a measure of probation’s failure or of probation’s success.

Similarly, while the level of supervision and both the number and range of the conditions of release can be increased with the intent of increasing the likelihood of probationer success, the increased surveillance also serves to increase the likelihood that misconduct will be detected and the increased range of conditions of release increases the likelihood that one or more will be violated. The result is a “fish-bowl effect” in that closer monitoring of adherence to more rules may serve to increase the likelihood of probation failure.

This paradox notwithstanding, the findings provide some clear guidelines for probation supervision of sex offenders. First, the findings indicate that unmarried and unemployed offenders are more likely to fail, and more likely to fail more quickly, than married and employed offenders. This suggests that efforts be made to solidify marriages and find jobs for probationers whenever possible and, when not possible, to monitor more closely those probationers who are unmarried and unemployed. Since the findings indicate that social support from family and friends is important, then probation officers must also monitor the level of social support available to the probationer. Marital status, employment and social support are indicators of the probationer's social stability and social integration, and it is not surprising to find that persons with lower social stability and social integration are less likely to abide by the official rules and regulations imposed by probation.

Second, the findings reveal the pervasive influence of drug and alcohol problems on probation success. Drug and alcohol problems have a direct effect on probationer success, but they also have an indirect effect whenever these problems interfere with personal relationships and employability, so every effort should be made to identify and successfully treat this group of sex offenders.

Third, the survival models indicate that few of those who fail probation do so quickly. Most of the "failures" actually survive on probation for quite some time; indeed, more than half of all those who fail do not fail until after their first year on probation. This suggests that there is ample time to assess and constructively intervene in those malleable dynamic factors which are predictors of successful outcomes.

Finally, a few of the findings have broader implications for public policy. First, those offenders who entered probation directly from court performed no better or no worse than those offenders who entered probation following a lengthy period of confinement in the state prison. Second, those offenders who had been sentenced to lifetime probation were no more and no less successful than those offenders sentenced to a shorter, definite period of probation. Third, only a very small proportion of all offenders committed a new sex offense, and that proportion is so small as to render prediction efforts almost useless. Indeed, a prediction that none of the offenders would commit another sex offense would have resulted in an error rate of only 2.2 percent, and it would have been hard to make clinical predictions with fewer errors. While it is important to prevent any new sex offense, the infrequency of these offenses and the difficulty in predicting the offenders raises the ethical and resource-based questions about how many offenders must be constrained and treated in the effort to prevent those few who will recidivate.

NOTES

1. The description of sex offender probation in Maricopa County, Arizona was provided by the Maricopa County Adult Probation Department. The extent to which each of the components described is implemented was not evaluated as part of this report.
2. At the time of entry to probation, the 17 women excluded from the analysis ranged in age from 16 to 45, with an average age of 25.5 years. Ten are Caucasian. Thirteen of the 17 women (53 percent) had completed high school at the time of the offense, and 10 were employed full time at the time of the offense; only 4 of the 17 held or had held professional jobs (the others were unskilled or semi-skilled workers). Nine of the 17 were single, three were married, and 5 were either separated or divorced at the time of offense. Seven of the 17 were convicted of sexual conduct with a minor, 4 with attempted child molestation, 2 with sexual abuse, 2 with indecent exposure/public indecency, one with contributing to the delinquency of a minor, and one with an alcohol violation. Ten of these 17 women were sentenced to lifetime probation, with the others serving probation terms which range from 3 to 10 years. Of the 17 women, 3 had received previous treatment for alcohol and/or drug use and 2 had received treatment for sexual dysfunction; 6 of the women were thought to have a current problem with alcohol and/or drugs at entry to probation. Of these 17 women, 8 received one revocation petition, 5 received two revocation petitions, and 1 received three revocation petitions. Of these, however, only one was for a new crime (theft). At the time of data collection, 6 of the 17 women were making

satisfactory progress on probation, 1 woman was awaiting court action on a revocation petition, 5 had been reassigned to Intensive Probation supervision, and 5 had been placed in the Department of Corrections.

3. While there is at least one interim report for 417 probationers, the initial interim report seldom was completed at the six-month interval: an interim report within the first seven months was completed for only 12 percent of the cases; the mean length of time between entry and the first interim report was 542.9 days (or nearly 18 months), with a median of 525 days. Given the duration between entry and the first interim report, it is not surprising that a second interim report was completed for only 337 probationers and that these reports were completed, on average, 315 days (10 months) after the initial interim report. A third interim report was available for 160 probationers, and the time between the second and the third interim report, although it averaged the desired 188 days (6 months), ranged from a low of 77 days to a high of 464 days.
4. Information was recorded to indicate whether or not alcohol was present during the offense and whether or not illegal drugs were present during the offense. However, it is not possible to determine whether the use of either substance was by the offender, the victim or both the victim and the offender.
5. The commission of a new crime can be measured or defined in various ways. This analysis is based on the presence of an arrest for a new criminal offense as a measure of the probationer's criminal recidivism. More restricted measures would include only those cases in which (1) the arrest occurs and charges are filed by the county attorney's office or, even more conservatively, (2) there is a conviction for

a new offense. Since persons may be arrested without subsequent prosecution or conviction, the use of arrest as a measure of recidivism increases the likelihood that a probationer may be falsely defined as a recidivist when in fact he did not commit another crime. In contrast, the inclusion of only those cases which are prosecuted or which result in a new conviction increases the likelihood that a probationer may be falsely defined as a non-recidivist when in fact he did commit another crime, especially when prosecution is waved for lack of evidence or because a probation revocation returns the probationer to prison. For the purpose of this analysis, the more inclusive definition is used, resulting in a lower likelihood of error in measurement when using official data. However, while arrest data represent a more inclusive definition of recidivism based on official records, it should also be acknowledged that crimes of a sexual nature are often under reported.

6. Two statistics are used to determine if the logistic regression model improves our predictive ability: the log likelihood statistic of the model and the chi-square statistic. The tables report the log likelihood for the model, with all predictors included, and the chi-square statistic reflects the degree to which the model represents an improvement over the intercept-only, or baseline, model. The difference between the log likelihood for the intercept-only model and the log likelihood for the final model is interpreted as a chi-square distributed statistic. The chi-square is the difference between -2 times the log-likelihood for the intercept-only model and that for the final model. A significant chi-square statistic indicates that the model gives a significant improvement over the intercept-only

model. That is, it indicates that the model gives better predictions than if we just guessed based on the marginal probabilities for the outcome categories. A third statistic, the Nagelkerke (1991, 1992) pseudo- R^2 statistic, assesses the overall goodness of fit of the model and, in effect, tells us how much better the model is than the intercept-only model. With logistic regression models, the R^2 is based on the likelihood ratio and serves as an estimate of the coefficient of determination. Nagelkerke's pseudo- R^2 is asymptotically independent of the sample size; it varies between "0" and "1"; it admits the interpretation of the proportion of explained variance or rather, $1-R^2$ should admit the interpretation of the proportion of unexplained variation; and it is consistent with the estimation method: the R^2 is defined in terms of the difference in (log) likelihood achieved.

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PROBATIONER DATA FILE
PERSONAL DATA
(Initial Data Collection Form)

1. Probationer's Last Name: _____
2. Probationer's First Name: _____
3. Probationer's CR#: _____
4. Probationer's Date of Birth: _____
Month Date Year
5. Probationer's Gender: 1. Male 2. Female
6. Probationer's Ethnicity:
- | | | |
|-------------|--------------------|-------------------------------|
| 1. White | 4. American Indian | 69. Don't know / missing data |
| 2. Hispanic | 5. Asian | |
| 3. Black | 6. Other | |
7. Probation Officer's Name: _____
8. Probationer's Offense: _____
9. Date Probationer Entered Probation: _____
10. Length of Probation: _____
11. Probationer's Current Probation Status: 1. Active 2. Jail 3. DOC
12. Has Probationer Register With MCSO: 1. No 2. Yes 69. Don't know / missing data
13. Has Probationer's DNA Been Collected: 1. No 2. Yes 69. Don't know / missing data
14. Community Notification Level: _____ (1-3) 69. Don't know/ missing data

SECTION ONE

(Probationer at the time of the offense for which he/she is now on probation)

15. Evaluation Interval: (In this section the answer will always be a 1) _____
16. Evaluation Completed By: _____
17. Date Evaluation Completed: _____
18. Years of education: _____ (at time of offense) 69. Don't know / missing data
19. Was probationer attending school: (at time of offense)
- | | |
|-------------------|-------------------------------|
| 1. No | 3. Yes, full-time |
| 2. Yes, part-time | 69. Don't know / missing data |
20. Highest degree earned: (at time of offense)
- | | |
|--------------------------------|------------------------------|
| 1. Less than high school | 4. Bachelor's degree |
| 2. GED, high school graduate | 5. Graduate degree |
| 3. AA degree, Technical degree | 69. Don't know/ missing data |

21. Employment: (at time of offense)

- 1. Unemployment .full-time student
- 2. Unemployed .retired, disabled, not in work force
- 3. Unemployed .usually works, unemployed more than 30 days
- 4. Chronic unemployment
- 5. Intermittent employment
- 6. Employed part-time .less than 30 hours per week
- 7. Employed full-time .more than 30 hours per week
- 8. Hospitalized, residential treatment
- 9. Self-employed
- 10. Other .please specify _____
- 69. Don't know / missing data

22. Occupation .Please choose one category: (at time of offense)

- 1. Student
- 2. Unskilled labor
- 3. Skilled labor
- 4. Food service
- 5. Retail
- 6. White collar
- 7. Professional
- 8. Self-employed
- 9. Retired / Disabled
- 10. Other _____(specify)
- 69. Don't know / missing data

23. Wage earned: _____(week): 69. Don't know / missing data

24. Marital status: (at time of offense)

- 1. Single, never married
- 2. Married, living together
- 3. Married, living apart
- 4. Legally separated or divorced
- 5. Widow (er)
- 69. Don't know / missing data

25. Number of times probationer was married (at time of offense)_____ 69. Don't know / missing data

26. Number of times probationer lived with a spouse/significant other for 3 months: _____ 69. Don't know/
Missing data

27. Living arrangements: (at time of offense)

- 1. Living alone
- 2. Living with spouse / significant other
- 3. Living with parents
- 4. Living with adult children
- 5. Living with extended family members
- 6. Living with friends / roommates
- 7. Living in a group home
- 8. Living in shelter / or on the street
- 69. Don't know / missing data

28. Was spouse / significant other the victim of sexual abuse as a minor or adult: (at time of offense)

- 1. No
- 2. Yes
- 69. Don't know / missing data

29. Living with minor children in household: (at time of offense)

- 1. No
- 2. Yes
- 69. Don't know / missing data

30. Religious affiliation: (at time of offense)

- 1. Protestant
- 2. Catholic
- 3. Mormon
- 4. Jewish
- 5. Other _____(specify)
- 6. None
- 69. Don't know / missing data

31. Church Attendance: (at time of offense)

- 1. None
- 2. Occasional (holidays, etc.)
- 3. Frequent
- 69. Don't know / missing data

32. Church participation / involvement .in addition to attending services: (at time of offense)

- 1. Volunteer
- 2. Paid staff
- 3. Only attends services
- 69. Don't know / missing data

33. Probationer's use of alcohol: (at time of offense)
 1.No use of alcohol 3. Abuse of alcohol
 2.Use - but no abuse 69. Don't know / missing data
34. Was probationer using illegal drugs or illegally using prescription drugs: (at time of offense)
 1. No 2. Yes 69. Don't know / missing data
35. If illegal use, list the 2 most commonly used drugs: (including prescription drugs)
 A. Drug #1 _____ B. Drug #2 _____ 69. Don't know / missing data
36. Remarks by Probation Officer: _____

SECTION TWO
Offense Data

(information for only those convictions leading to current term of probation)

37. Number of offenses for which the probationer was convicted: _____ 69. Don't know / missing data

For Each Offense For Which There Was A Conviction:

38. Offense number One: Date of offense: Start .A. _____ End .B. _____
39. Probationer's age: (at start of offense) _____
40. Type of offense:
41. Intoxicants present: A. Alcohol: .1.No 2. Yes B. Drugs: .1. No 2. Yes
 69. Don't know / missing data 69. Don't know / missing data
42. Number of victims: _____
43. Information about victim number: _____ A. Age (at onset) _____ B. Gender: 1. Male 2. Female
44. Probationer's relationship to victim:
 1. Immediate family .biological child 7. Responsible adult leader (youth group, teacher, religious)
 2. Immediate family .stepchild, foster, adopted 8. Stranger
 3. Immediate family .brother, sister, etc. 9. Co-Worker
 4. Child of live-in partner 69. Don't know / missing data
 5. Extended family .grandchild, niece, nephew, cousin, etc.
 6. Neighbor or acquaintance (or child of)
45. Access to victim:
 1. Live in same household 3. Live outside of neighborhood
 2. Live in neighborhood 69. Don't know / missing data
46. Use of force:
 1. None 4. Threats of violence 69. Don't know / missing data
 2. Manipulative / coercive 5. Physical force or violence
 3. Position of authority 6. Substantial/great bodily harm
47. Use or presence of weapon:
 1. No presence 3. Threatened use 69. Don't know / missing data
 2. Presence 4. Actual use

48. Physical injury to victim: 1. No 2. Yes 69. Don't know / missing data
 49. Number of incidents: 1. One 2. Two-Three 3. Repetition 69. Don't know / missing data

SECTION THREE

Prior Criminal History

report all previous offenses. including offense of current conviction

50. Juvenile and Adult Arrest History: (based on official records) 69. Don't know / missing data
 (If you need more space please use other side of questionnaire)

	A. Date	B. Offense Charged	C. Relationship to Victim
J.1 Juvenile	_____	_____	_____
J.2. Juvenile	_____	_____	_____
J.3. Juvenile	_____	_____	_____
A.1. Adult	_____	_____	_____
A.2. Adult	_____	_____	_____
A.3. Adult	_____	_____	_____
A.4. Adult	_____	_____	_____
A.5. Adult	_____	_____	_____

(from the above data we will determine defendant's age at first arrest, age at first arrest for sex offense, total number of priors, total number of priors of sex offenses, specialization of offense type and any pattern in relationships to victims)

51. Prior Juvenile and Adult Criminal and Sexually Deviant Behavior: 69. Don't know / missing data

(All information based on self-report)
 (Circle all that apply)

	1. Def's age	2. Victim's age(s)	3. Frequency
A. bestiality	1. No 2. Yes 3. Dk	_____	_____
B. exhibitionism	1. No 2. Yes 3. Dk	_____	_____
C. fetishism	1. No 2. Yes 3. Dk	_____	_____
D. frotteurism/frottage	1. No 2. Yes 3. Dk	_____	_____
E. obscene phone calls	1. No 2. Yes 3. Dk	_____	_____

(Circle all that apply)

	1. Def's age	2. Victim's age(s)	3. Number of Victims
F. pedophilia (child molest)	1. No 2. Yes 3. Dk	_____	_____
G. pornography	1. No 2. Yes 3. Dk	_____	_____
H. rape	1. No 2. Yes 3. Dk	_____	_____
I. sexual masochism	1. No 2. Yes 3. Dk	_____	_____
J. sexual sadism	1. No 2. Yes 3. Dk	_____	_____
K. voyeurism	1. No 2. Yes 3. Dk	_____	_____
L. other _____	1. No 2. Yes 3. Dk	_____	_____

(from the above data we will determine defendant's age at first illegal activity of any kind, age at first sex offense, total number of priors, total number of priors for sex offenses, specialization of offense type and any pattern in relationships to victims)

52. Remarks by Probation Officer: _____

68. List all of probationer's minor children or if probationer lived with parent(s) then give age and sex of all minor siblings: 69. Don't know / missing data / not applicable .no children
- | | | | |
|--------|--------|-----------------|------------------------|
| 1. Age | 2. Sex | 3. Relationship | 4. Living Arrangements |
|--------|--------|-----------------|------------------------|

- A. Child #1 _____
 B. Child #2 _____
 C. Child #3 _____
 D. Child #4 _____
 E. Child #5 _____
 F. Child #6 _____

OCCUPATIONAL ACTIVITIES

69. Current employment:
1. Unemployed .full-time student
 2. Unemployed .retired, disabled, not in work force
 3. Unemployed .usually works, unemployed more than 30 days
 4. Chronic unemployment
 5. Intermittent employment
 6. Employed part-time .less than 30 hours per week
 7. Employed full-time .more than 30 hours per week
 8. Hospitalized, residential treatment
 9. Self-employed
 10. Other-please specify _____
69. Don't know / missing data

70. Occupation .Please choose one category:
- | | | |
|--------------------|------------------|-------------------------------|
| 1. Student | 5. Retail | 9. Retired / Disabled |
| 2. Unskilled labor | 6. White collar | 10. Other _____(specify) |
| 3. Skilled labor | 7. Professional | 69. Don't know / missing data |
| 4. Food service | 8. Self-employed | |

71. Wage earned _____(week) 69. Don't know / missing data

COMMUNITY ACTIVITIES

72. Does probationer have hobbies and avocational activities:
 1. No 2. Yes 69. Don't know / missing data

73. If probationer does have hobbies/avocational activities:
- A. Are they solitary activities or social activities:
- | | |
|--------------------------------|-------------------------------|
| 1. Largely solitary activities | 3. A nearly even mix of both |
| 2. Largely social activities | 69. Don't know / missing data |
- B. Are they all appropriate activities or is any one of them considered to be inappropriate:
- | | |
|--|-------------------------------|
| 1. All are appropriate activities | 69. Don't know / missing data |
| 2. At least one is an inappropriate activity | |
- C. Is there any indication that probationer is using a computer for deviant purposes:
 1. No 2. Yes 69. Don't know / missing data

74. Education - highest grade completed: _____ 69. Don't know / missing data

75. Educational involvement/activity:
- | | |
|---------------------------|-------------------------------|
| 1. Education is completed | 3. Enrolled full-time |
| 2. Enrolled part-time | 69. Don't know / missing data |

76. Religious affiliation:
- | | | |
|---------------|------------------------|-------------------------------|
| 1. Protestant | 4. Jewish | 69. Don't know / missing data |
| 2. Catholic | 5. Other _____ specify | |
| 3. Mormon | 6. None | |

77. Church attendance:
- | | |
|--------------------------------|-------------------------------------|
| 1. None | 3. Frequent (at least once a month) |
| 2. Occasional (holidays, etc.) | 69. Don't know / missing data |

78. Church participation/involvement: (in addition to attending services)
- | | |
|---------------|-------------------------------|
| 1. Volunteer | 3. Only attends services |
| 2. Paid staff | 69. Don't know / missing data |

79. Number of social, occupational, community or fraternal organizations in which probationer participates:
- | | | |
|---------|------------------|-------------------------------|
| 1. None | 3. Two | 69. Don't know / missing data |
| 2. One | 4. Three or more | |

80. Regarding probationer's access to potential victims, is the residential environment:
- | | | | |
|----------|-------------|---------|-------------------------------|
| 1. Risky | 2. Marginal | 3. Safe | 69. Don't know / missing data |
|----------|-------------|---------|-------------------------------|

81. Regarding probationer's access to potential victims, is the work environment:
- | | | | |
|----------|-------------|---------|-------------------------------|
| 1. Risky | 2. Marginal | 3. Safe | 69. Don't know / missing data |
|----------|-------------|---------|-------------------------------|

INTERPERSONAL RELATIONSHIPS

82. Nature of relationship with close friends:

- | | |
|-------------------------------------|--|
| 1. Positive influence, supportive | 4. Mixed |
| 2. Positive influence, but enabling | 5. Neutral or absent .no close friends |
| 3. Negative influence | 69. Don't know / missing data |

83. Nature of relationship with spouse/significant other:

- | | |
|-------------------------------------|---|
| 1. Positive influence, supportive | 4. Mixed |
| 2. Positive influence, but enabling | 5. Neutral or absent .no spouse / significant other |
| 3. Negative influence | 69. Don't know / missing data |

84. Nature of relationship with mother:

- | | |
|-------------------------------------|---|
| 1. Positive influence, supportive | 4. Mixed |
| 2. Positive influence, but enabling | 5. Neutral or absent .no mother present |
| 3. Negative influence | 69. Don't know / missing data |

85. Nature of relationship with father:

- | | |
|-------------------------------------|---|
| 1. Positive influence, supportive | 4. Mixed |
| 2. Positive influence, but enabling | 5. Neutral or absent .no father present |
| 3. Negative influence | 69. Don't know / missing data |

86. Nature of relationship with other relatives:

- | | |
|-------------------------------------|--|
| 1. Positive influence, supportive | 4. Mixed |
| 2. Positive influence, but enabling | 5. Neutral or absent .no relatives present |
| 3. Negative influence | 69. Don't know / missing data |

87. Relationship with parents: Is there any indication of any of the following with mother or father:
(circle all that apply)

- | | | |
|--------------------------------------|------------------|-------------------|
| | 1. MOTHER | 2. FATHER |
| A. alcohol abuse | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |
| B. drug abuse | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |
| C. emotional abuse of probationer | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |
| D. physical abuse of probationer | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |
| E. physical separation before age 16 | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |
| F. sexual abuse of probationer | 1. Yes 2.No 3.Dk | 1. Yes 2.No 3. Dk |

88. Was there sexual abuse by persons other than parents:
1. No 2. Yes 69. Don't know / missing data

89. Does the probationer have at least one significant person in his life, other than a relative, who is aware of the offense and who can be counted on for support:
1. No 2. Yes 69. Don't know / missing data

90. Victim's attitude:
1. Wishes eventual re-contact 4. Clarification done
2. Wishes eventual reunification 5. Reunification
3. Ambivalent 69. Don't know / missing data

91. Victim's status:
1. Emotionally stable 5. Substance abuse problems
2. In treatment 6. Pregnant before age 19
3. Refused treatment 7. Ran away from home
4. Dropped out of school 69. Don't know / missing data

92. Non-Victim minor children:
1. Wish for eventual re-contact 4. In treatment
2. Wish for eventual reunification 5. Reunified
3. Ambivalent 69. Don't know / missing data

SELF-CONCEPT - THE ABILITY TO COPE WITH ENVIRONMENT

93. Which of these characterize the probationer:
(circle all that apply)
A. angry 1. No 2. Yes 3. Dk E. impulsive 1. No 2. Yes 3. Dk
B. anxious 1. No 2. Yes 3. Dk F. isolated 1. No 2. Yes 3. Dk
C. depressed 1. No 2. Yes 3. Dk G. suicide attempts 1. No 2. Yes 3. Dk
D. immature 1. No 2. Yes 3. Dk H. victim posture 1. No 2. Yes 3. Dk

94. What is probationer's level of denial to professional staff:
1. Total denial of act 3. Admit act, accept responsibility
2. Admit act, deny responsibility 69. Don't know / missing data

95. What is probationer's level of denial to family / spouse / significant other:
1. Total denial of act 3. Admit act, accept responsibility
2. Admit act, deny responsibility 69. Don't know / missing data

96. Current alcohol/ drug problems: 1. No 2. Yes 69. Don't know / missing data

97. How motivated is the probationer to change. Rated on a scale of 1 to 5, with 5 being very motivated: _____

TREATMENT PROGRAM

98. Previous chemical dependency treatment:
1. Treated while incarcerated 4. None
2. Treated while in community 69. Don't know / missing data
3. Treated in jail / prison / community

99. Previous sex offender treatment:
1. Treated while incarcerated 4. None
2. Treated while in community 69. Don't know / missing data
3. Treated in jail / prison / community

100. Previous mental health treatment:

- | | |
|---|-----------------------------------|
| 1. Treated while incarcerated | 4. None |
| 2. Treated while in community | 5. Treated in residential setting |
| 3. Treated in jail / prison / community | 69. Don't know / missing data |

101. Does probationer attend low-functioning group meetings for low functioning offenders:

1. No 2. Yes 3. Not applicable 69. Don't know / missing data

102. Current treatment program participation: (circle all that are required)

1. classes on sexuality/sexual deviance 2. group treatment 3. drug / alcohol treatment

103. If sexuality and sexual deviancy class is required:

- A. Date entered: _____
- B. Is / was attendance satisfactory: 1. No 2. Yes 69. Don't know / missing data
- C. Is / was satisfactory progress being made: 1. No 2. Yes 69. Don't know / missing data
- D. Date terminated: _____
- E. Is / was termination status successful: 1. No 2. Yes 69. Don't know / missing data

104. If group treatment is required:

- A. Date entered: _____
- B. Is / was attendance satisfactory: 1. No 2. Yes 69. Don't know / missing data
- C. Is / was satisfactory progress being made: 1. No 2. Yes 69. Don't know / missing data
- D. Does / did spouse / significant other attend: 1. No 2. Yes 69. Don't know / missing data
- E. Date terminated: _____
- F. Is / was termination status successful: 1. No 2. Yes 69. Don't know / missing data

105. If drug / alcohol treatment is required:

- A. Date entered: _____
- B. Is / was attendance satisfactory: 1. No 2. Yes 69. Don't know / missing data
- C. Is / was satisfactory progress being made: 1. No 2. Yes 69. Don't know / missing data
- D. Does / did spouse / significant other attend: 1. No 2. Yes 69. Don't know / missing data
- E. Drug testing: 1. No 2. Yes 69. Don't know / missing data
- F. Date terminated: _____
- G. Is / was termination status successful: 1. No 2. Yes 69. Don't know / missing data

106. Did probationer's spouse / significant other attend Partners group:

- | | |
|--|-------------------------------|
| 1. Refused to attend; never began to attend | 4. Began and completed class |
| 2. Began to attend but failed to complete group | 5. Not applicable |
| 3. Began to attend and currently active attendance | 69. Don't know / missing data |

107. Did spouse / significant other attend Sexuality and Sexual Deviancy class:

- | | |
|--|-------------------------------|
| 1. Refused to attend; never began to attend | 4. Began and completed class |
| 2. Began to attend but failed to complete group | 5. Not applicable |
| 3. Began to attend and currently active attendance | 69. Don't know / missing data |

108. Date of Plethysmograph: _____ 69. Don't know / missing data
month, day, year

109. Significant Arousal: _____

110. Date of Abel: _____ 69. Don't know / missing data
month, day, year

111. Significant: _____

112. Date of Polygraph: _____ 69. Don't know / missing data
month, day, year

