REPORT TO THE OHIO CRIMINAL
SENTENCING COMMISSION:
SEX OFFENDERS

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OFFICE OF CRIMINAL JUSTICE SERVICES
EXECUTIVE DIRECTOR KARHLTON F. MOORE
1970 W. BROAD ST.
COLUMBUS, OH 43223

PHONE: (614) 466-7782
FAX: (614) 466-0308

WWW.OCJS.OHIO.GOV
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EXECUTIVE SUMMARY

The effective containment of sex offenders has been an ongoing concern for policymakers. In summer 2005, the Ohio Criminal Sentencing Commission created a Penalty Review Subcommittee to examine the current statutes in Ohio and to determine if there was a need for recommendations to improve Ohio’s management of sex offenders. The purpose of this report is to provide information on sex offenders in Ohio’s prisons and discuss what works in effectively managing this population, including SORN legislation.

Research in Ohio and nationally has found there are effective ways to manage sex offender populations. Assessing sex offenders when they enter the prison system, developing effective treatment programs while they are in prison and closely supervising offenders when they are released to the community can assist in containing sex offender behavior. The following summarizes the highlights of the report:

SEX OFFENDERS IN OHIO

♦ The largest group of the offenders (45 percent) at the Sex Offender Risk Reduction Center (SORRC) at the Ohio Department of Rehabilitation and Correction was those who victimized children under the age of 13. This number rises to 56 percent when offenders with multiple victims that include children are included. Twenty-three percent of offenders victimized youth 13- to 17-years old, and 21 percent victimized adults.

♦ Forty-eight (48) percent of the offenders with child victims were convicted of gross sexual imposition and 37 percent were convicted of rape.

♦ The majority of offenders (52 percent) at SORRC in 1999 had no judicial designation that would require them to register as a sex offender. Twenty-two percent were designated as sexual predators, 23 percent were designated sexually oriented offenders, and 3 percent were habitual sex offenders.

♦ Eighty-five (85) percent of the sex offenders at SORRC in 1999 had no prior sex offense conviction and 65 percent had no prior violent offense.

♦ The sex offender was known to the victim in 87 percent of all offenses, and 93 percent of the offenses involving child victims. Fifty-one percent of the child victim offenders only victimized children related to them.

♦ A higher percentage of offenders sentenced for Felony 1 rape entered prison with longer sentences than other Felony 1 offenders. Fifty-eight (58) percent of the Felony 1 rape offenders in the intake sample received sentences of six years or longer in comparison to 38 percent of other Felony 1 offenders.

♦ The average sentence length for offenders committed during calendar year 2004 with only one rape conviction and a life sentence was calculated at 11.3 years until a parole board hearing, and 6.9 years for only one Felony 1 rape sentences excluding life sentences. The average sentence length for all Felony 1 rape offenders committed during calendar year 2004 was 17.8 years until a parole board hearing for offenders with a life term, and 11.4 years for offenders with a Felony 1 rape conviction.

♦ The average time served for Felony 1 rape offenders released in 2004 was 13.2 years for both parole and post-release control.
ASSESSMENT, TREATMENT AND RECIDIVISM

♦ Valid instruments exist that can assess the risk sex offenders pose in reoffending with new sex offenses or other offenses. The instruments also assist qualified professionals in determining the type of treatment needed.

♦ Research of treatment for violent offenders has shown that programs that combine treatment for risk, need, and general responsivity\(^1\) are the most effective in reducing recidivism.

♦ A review of the evaluations of prison-based sex offender treatment found that cognitive behavioral treatment\(^2\) combined with relapse prevention\(^3\) reduced recidivism of sex offenders in the community. The evaluation of a Colorado intensive therapeutic community\(^4\) for sex offenders in prison found that graduates of the program had a lower recidivism than offenders not participating in the program.

♦ Community containment models that combine treatment, relapse prevention, and intensive supervision have been shown to have success in managing sex offenders in the community.

♦ In a national sex offender recidivism study, the Bureau of Justice Statistics found no clear link between length of sentence and recidivism.

♦ Sex offenders in Ohio have a lower recidivism rate than the recidivism rate of all offenders (38.8 percent). A 10-year follow-up of a 1989 cohort of sex offenders released from Ohio prisons found that only 8 percent of sex offenders were recommitted for a new sex offense and 14.3 percent were recommitted for a non-sex offense. The total sex offender sex related recidivism rate, including technical violations, was 11.0 percent. The total recidivism rate for all crime committed by sex offenders was 22.3 percent.

SORN

♦ There has been very little research on the effectiveness of SORN legislation in protecting the public. Of the few existing studies none found statistically significant reductions in recidivism. However, one study fund that SORN registration resulted in less time to arrest for subsequent offenses.

♦ SORN laws have had a positive impact on the general public. The notification meetings in Wisconsin were found to be effective in educating the public on how sex offenders are managed in the community.

♦ Research has shown SORN to have some unintended consequences such as retribution toward the offender’s family and offenders having difficulty getting a job or housing.

♦ Ohio SORN has not been evaluated; however, prison commitments for SORN violations have been steadily increasing since 2000.

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\(^1\) Responsivity is defined as treatment programs designed to meet the different temperament, learning style, motivation, gender, and culture of the offenders in the program.

\(^2\) Cognitive behavioral treatment programs are those that work with offenders to correct distorted thinking patterns and incorrect behavioral responses to situations.

\(^3\) Relapse prevention is teaching offenders self-management including how to avoid or cope with situations that trigger their sex offending behavior.

\(^4\) A therapeutic community is an intensive treatment program where the offenders are required to take increasing responsibility for personal and social responses. Peer influence, mediated through a variety of group processes, is used to help individuals learn and assimilate social norms and develop more effective social skills.
INTRODUCTION

The effective management of sex offenders has been an ongoing concern for policymakers nationally. In summer 2005, the Ohio Criminal Sentencing Commission created a Penalty Review Subcommittee to examine the research and current statutes in Ohio to determine if there was a need for recommendations to improve Ohio’s management of sex offenders. The purpose of this report is to provide information on sex offenders in Ohio’s prisons and discuss what works in effectively managing this population.

The first section provides a statistical snapshot of the offenders in 1999 at Ohio’s Sex Offender Risk Reduction Center (SORCC), sentencing information for calendar year 2003 offenders, and length of stay information for sex offenders released from the system in the past five years. The data given is designed to provide background information for the review of policy.

The second section of the report is a discussion of what works based on 15 years of research on sex offender assessment, treatment, and recidivism. Canadian and British researchers have been trying to identify the characteristics of the “sexual predator,” or the sex offender who is violent and causes the most harm to society. Colorado has had a sex offender management and containment approach since 1992 when the legislature created the Sex Offender Management Board as an oversight board for policy. The Board has completed several research studies on the effectiveness of treatment and management of sex offenders. This research indicates that with effective treatment and close supervision of offenders in the community, steps can be taken to reduce the likelihood they will reoffend. Finally, research on recidivism is presented together with an Ohio study which followed a 1989 cohort of offenders for 10 years.

The final section looks at sex offender registration and notification nationally and in Ohio. The report highlights current research on the effectiveness of SORN legislation in implementing the policy purposes and reducing recidivism of sex offenders in the community. Information on program implementation in Ohio has also been provided.
SEX OFFENDERS IN OHIO

CHARACTERISTICS

The Ohio Department of Rehabilitation and Correction collected data on 437 male offenders admitted to the Sex Offender Risk Reduction Center (SORRC) for the first five months of 1999. (Pettway, 2001) The data were then used to provide a profile of the offenders in the system at that time. The victimology of instant conviction of these offenders was:

<table>
<thead>
<tr>
<th>Victim Type</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim under 13 years old (child victim)</td>
<td>196</td>
<td>45%</td>
</tr>
<tr>
<td>Victim 13 to 17 years old (teen victim)</td>
<td>99</td>
<td>23%</td>
</tr>
<tr>
<td>Victim 18 years or older (adult victim)</td>
<td>91</td>
<td>21%</td>
</tr>
<tr>
<td>Multiple Age Victims</td>
<td>41</td>
<td>9%</td>
</tr>
<tr>
<td>Victim Age Unknown</td>
<td>10</td>
<td>2%</td>
</tr>
<tr>
<td>Total</td>
<td>437</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Ohio Department of Rehabilitation and Correction, Profile of ODRC Sex Offenders Assessed at the Sex Offender Risk Reduction Center

The largest group of offenders was those who victimized children under the age of 13. Forty-eight percent of the offenders with child victims (victims under the age of 13) were convicted of gross sexual imposition and 37 percent were convicted of rape. The number of offenders who victimized children increases to 56 percent when offenders of multiple victims, one of whom was a child, were included. Forty-five percent of the teen victim offenders were convicted of unlawful sex with a minor. The majority of adult victim offenders were convicted of rape (59 percent).

Most of the sex offenders had female victims (87 percent). In addition, the offender was known to the victim in 85 percent of the cases, which rose to 93 percent in the case of child victims. Fifty-one percent of the child victim offenders only victimized individuals related to them. This is similar to the national statistics. The 2003 national victimization study found that 70 percent of the offenders knew their victim (Catalano 2004).

Very few of the sex offenders tied up their victims (3 percent), transported them to another location (12 percent), or used a weapon during the crime (18 percent). Force was used in the commission of most of the crimes (61 percent) with it being most prevalent for adult victim offenders (99 percent).

According to the 2000 Department of Rehabilitation and Correction Intake Study, the general male inmate population was 54 percent African American and 46 percent Caucasian. The sex offender sample from SORRC in 1999 was 67 percent Caucasian and 33 percent African American. The child, teen, and multiple-age victim sex offenders were more likely to be Caucasian (79 percent, 65 percent, and 77 percent, respectively) and the adult victim sex offenders were more likely to be African American (60 percent). This is a shift from a 1992 report on an earlier intake sample of male adult victim sex offenders when the majority was Caucasian (65 percent) (Pribe 1992).
Sixty-five percent of adult victim sex offenders were identified as never married, whereas 52 percent of the child victim sex offenders had been either married or divorced at the time of offense. Sex offenders also have a similar educational level as the general prison population. According to the 2000 Intake Study, 48 percent of males in the general prison population had a high school or higher education, whereas 50 percent of male sex offenders have a high school or higher education. The data show that sex offenders were more likely to have employment at the time of the offense. The 2000 Intake Study showed that 39.3 percent of males in the general prison population had stable employment, whereas 48 percent of the male sex offender population in 1999 had stable employment before prison. Another major difference was with regard to substance abuse. The 2000 Intake Study showed that 81.6 percent of the general male inmate population indicated a history of drug abuse and 64.4 percent indicated a history of alcohol abuse. In contrast, only 30 percent of the 1999 sex offender population indicated a history of substance abuse (alcohol or drugs). Of all sex offenders, adult victim offenders showed the highest history of substance abuse at 45 percent.

Sex offenders do not have long criminal histories. The following table indicates the number of prior sex-related convictions and prior violent offense convictions.

<table>
<thead>
<tr>
<th>Offender Characteristics</th>
<th>1999 Sex Offenders at SORRC</th>
<th>2000 Intake Study All Males</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Child Victims</td>
<td>Teen Victims</td>
</tr>
<tr>
<td><strong>Average Age</strong></td>
<td>37.8</td>
<td>32.3</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>79%</td>
<td>65%</td>
</tr>
<tr>
<td>Black</td>
<td>21%</td>
<td>35%</td>
</tr>
<tr>
<td><strong>Marital Status</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Never Married</td>
<td>34%</td>
<td>50%</td>
</tr>
<tr>
<td>Married</td>
<td>26%</td>
<td>19%</td>
</tr>
<tr>
<td>Separated</td>
<td>5%</td>
<td>4%</td>
</tr>
<tr>
<td>Divorced</td>
<td>26%</td>
<td>22%</td>
</tr>
<tr>
<td>Common Law</td>
<td>7%</td>
<td>3%</td>
</tr>
<tr>
<td>Widowed</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Education</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than High School</td>
<td>50%</td>
<td>48%</td>
</tr>
<tr>
<td>High School/GED</td>
<td>41%</td>
<td>38%</td>
</tr>
<tr>
<td>Some Post-High School</td>
<td>10%</td>
<td>14%</td>
</tr>
<tr>
<td><strong>Employment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stable, 1 year or Longer</td>
<td>56%</td>
<td>53%</td>
</tr>
<tr>
<td>Retired, Disabled</td>
<td>13%</td>
<td>7%</td>
</tr>
<tr>
<td>Unstable, Seasonal</td>
<td>30%</td>
<td>40%</td>
</tr>
</tbody>
</table>

*Source: Ohio Department of Rehabilitation and Correction, Profile of ODRC Sex Offenders Assessed at the Sex Offender Risk Reduction Center and 2000 Intake Study*
Criminal History for Offenders in Sample

<table>
<thead>
<tr>
<th>Prior Sex Offense Conviction</th>
<th>Child Victim</th>
<th>Teen Victim</th>
<th>Adult Victim</th>
<th>Multiple Victims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>183  93%</td>
<td>91  92%</td>
<td>76  84%</td>
<td>13  32%</td>
<td>363   85%</td>
</tr>
<tr>
<td>1</td>
<td>11   6%</td>
<td>4  4%</td>
<td>11  12%</td>
<td>24  59%</td>
<td>50    12%</td>
</tr>
<tr>
<td>2 or More</td>
<td>2    1%</td>
<td>4  4%</td>
<td>4  4%</td>
<td>4  10%</td>
<td>14    3%</td>
</tr>
</tbody>
</table>

Prior Violent Offense Conviction

| None                        | 146  75%     | 61  62%     | 45  50%      | 25  61%         | 277   65% |
| 1                           | 31   16%     | 21  21%     | 29  32%      | 8   20%         | 89    21% |
| 2 or More                    | 19   10%     | 17  17%     | 17  17%      | 8   20%         | 61    14% |

Source: Ohio Department of Rehabilitation and Correction, Profile of ODRC Sex Offenders Assessed at the Sex Offender Risk Reduction Center

Eighty-five percent of the sex offenders in 1999 did not have any prior sex offense conviction so would not have been listed on the sex offender registry. Most of the offenders committed to the SORRC had no judicial designation\(^5\) (52 percent) as a sex offender so would not be required to comply with registration and notification laws. The actual judicial designation for 427 offenders for whom data is available in the 1999 study is as follows:

<table>
<thead>
<tr>
<th>Judicial Designation</th>
<th>Child Victim</th>
<th>Teen Victim</th>
<th>Adult Victim</th>
<th>Multiple Victims</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexually Oriented Offender</td>
<td>56  27%</td>
<td>15  17%</td>
<td>4  10%</td>
<td>100  23%</td>
<td></td>
</tr>
<tr>
<td>Sexual Predator</td>
<td>50  26%</td>
<td>20  22%</td>
<td>14  34%</td>
<td>94   22%</td>
<td></td>
</tr>
<tr>
<td>Habitual Sexual Offender</td>
<td>2   1%</td>
<td>3   3%</td>
<td>6  15%</td>
<td>12   3%</td>
<td></td>
</tr>
<tr>
<td>No Designation</td>
<td>88  45%</td>
<td>53  58%</td>
<td>17  42%</td>
<td>221  52%</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>196  46%</td>
<td>91  21%</td>
<td>41  10%</td>
<td>427  100%</td>
<td></td>
</tr>
</tbody>
</table>

Source: Ohio Department of Rehabilitation and Correction, Profile of ODRC Sex Offenders Assessed at the Sex Offender Risk Reduction Center

Since this report was completed, the law on sex offender registry was changed effective July 1, 2003. The Ohio Department of Rehabilitation and Correction examined the inmates incarcerated on July 1, 2005 to determine the current designations.

<table>
<thead>
<tr>
<th>Sex Offender Designations July 1, 2005</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Sex Offenders</td>
<td>8,996</td>
<td></td>
</tr>
<tr>
<td>Habitual Sex Offender</td>
<td>492</td>
<td>5%</td>
</tr>
<tr>
<td>Sexual Predator</td>
<td>3,328</td>
<td>37%</td>
</tr>
<tr>
<td>Sexually Violent Predator</td>
<td>80</td>
<td>1%</td>
</tr>
<tr>
<td>Sexually Oriented Offender</td>
<td>5,096</td>
<td>57%</td>
</tr>
<tr>
<td>Child Victim Offender</td>
<td>134</td>
<td>1%</td>
</tr>
<tr>
<td>Habitual Child Victim Offender</td>
<td>1</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Child Victim Predator</td>
<td>18</td>
<td>&lt;1%</td>
</tr>
</tbody>
</table>

Source: Ohio Department of Rehabilitation and Correction

\(^5\) The sex offender registration category is made by judicial designation as part of the trial and sentencing process. The data presented here are from 1999, prior to the passage of Senate Bill 5 which changed the categories.

\(^6\) Offenders can have more than one designation, so the numbers will not add to the total. For example, an offender can be both a habitual offender and a sexual predator which means the offender has been convicted of more than one sex offense and is likely to engage in future sexually oriented offenses.
There has been an ongoing question of how many sex offenses an offender commits prior to being caught for the first time for a sex offense. The research has varied over time as new investigative techniques have been developed. Generally, all the studies indicate sex offenders admitting to having committed multiple offenses prior to being arrested, but the data is inconsistent with respect to the number of offenses committed. The use of a polygraph as a community management tool has added information based on statements made by the offender. The following is a listing of the studies:

- A 1982 study of male sex offenders from Florida and Connecticut in a therapeutic setting asked about unreported offenses. The researchers excluded nine offenders from their calculations of unreported offending who reported more than 50 offenses so as not to bias the overall estimations. The average number of undiscovered rapes was 5.2 and child sexual assault was 4.7. If the offender was convicted of more than one sex offense, the average rose to 51 for rapists and 26 for child molesters (Groth, Longo, & McFadin 1982).

- A 1990 study by Marshall and Barbaree found that the actual number of prior victims was usually 2.4 times greater than officially reported (CSOM 2001).

- A 1998 study of sex offenders polygraphed in an Oregon treatment program showed that adult offenders admitted to an average of 1.5 victims prior to polygraph and 9 victims when polygraphed. In a follow up 1999 study of polygraphed offenders, the number of victims rose to 11.6 before they were caught. In addition, the number of adult offenders claiming they had been abused sexually as a child dropped dramatically after polygraphing, from 67 percent to 29 percent for adult offenders (Hindman and Peters 2001).

- The same 1998 Oregon study also polygraphed juvenile sex offenders. The authors concluded that juvenile offenders are less likely to lie in treatment than adults. Juvenile sex offenders admitted to an average of 2.1 victims before being caught prior to polygraph and 4.3 while being polygraphed. Juvenile offenders were less likely to lie about past abuse except if the abuser was a female authority figure (Hindman and Peters 2001).

- A polygraph study in Colorado found that a sample of offenders with fewer than two known offenses may have had an average of 110 victims and 318 offenses prior to being caught (CSOM 2001).

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7 A critical part of the study was the local district attorney giving the offenders immunity for any information provided during the polygraph if the offender completed the treatment program. The authors hypothesize this increased the offenders willingness to admit to prior victims.
SENTENCING

The average sentence length for all sex offenders committed during calendar year 2004 to the Ohio Department of Rehabilitation and Correction with only one Felony 1 rape conviction with a life sentence was 11.3 years, and 6.9 years for only one Felony 1 rape sentence excluding life sentences. The average sentence length for all Felony 1 rape offenders committed during calendar year 2004 was 17.8 years until a parole board hearing for offenders with a life term, and 11.4 years for offenders with a Felony 1 rape conviction.

Offenders convicted of Felony 1 rape (excluding life sentences) in the 2003 intake sample received, on average, longer sentences than other Felony 1 offenders. Fifty-eight (58) percent of the Felony 1 rape offenders received sentences of six years or longer in comparison to 38 percent of other Felony 1 offenders. A higher proportion of sex offenders received sentences of more than five years compared to all other Felony 1 offenders.

A sample of 25 Felony 1 rape offenders with presentence investigations were examined from the pool of offenders who received sentences of three, four, or five years. Nine offenders received three year sentences, seven received four year sentences, and nine received five year sentences. In 92 percent of the cases the victim was known to the offender. Ninety-two percent of the cases the offender had no prior felony convictions and in only one case did the offender have a prior sexual offense. Eighty-four percent of the offenders had no prior prison commitments. Nineteen (76 percent) of the offenders were under no criminal justice supervision at the time of arrest, two were on bond, three were on probation, and one had an outstanding warrant for a property offense. Seventeen (68 percent) of the victims were under age 12, three were teenagers, and five were adults. Thirty-six percent of the cases involved the father, stepfather, or boyfriend of the mother as the offender. In 28 percent of the cases the offender was a family friend or a friend of the victim. Twelve percent of the cases involved a boyfriend of the victim and eight percent involved the spouse or significant other of the victim.

<table>
<thead>
<tr>
<th>Years</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent</td>
<td>0%</td>
<td>20%</td>
<td>40%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: 2003 Intake Sample Data, Ohio Department of Rehabilitation and Correction.

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8 Not all offenders with a life sentence at commitment were included in the calculation. There were eight offenders in calendar year 2004 committed for Felony 1 rape with a life sentence without parole. These offenders were not included in the calculation since they will not be released.

9 Other Felony 1 offenders included convictions for aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, aggravated vehicular homicide, felonious assault, kidnapping, aggravated arson, aggravated robbery, robbery, aggravated burglary, corrupt activities, trafficking, illegal manufacturing of drugs, and possession of drugs. Forty-four percent of the group was convicted of aggravated robbery and twenty three percent were convicted of murder, manslaughter, or felonious assault.
Data from the Ohio Department of Rehabilitation and Correction show that the majority of Felony 1 rape offenders being released from prison from 2000 to 2004 were convicted of rape offenses prior to July 1, 1996\(^{10}\) and consequently were released on parole. Only those offenders who received shorter sentences are being released on post release control. The following table provides information on the number of offenders released and time served\(^{11}\) during the past five years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Offenders</th>
<th>Average Time Served</th>
<th>Number of Offenders</th>
<th>Average Time Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>426</td>
<td>15.90</td>
<td>144</td>
<td>4.67</td>
</tr>
<tr>
<td>2003</td>
<td>231</td>
<td>16.09</td>
<td>117</td>
<td>4.71</td>
</tr>
<tr>
<td>2002</td>
<td>244</td>
<td>15.56</td>
<td>102</td>
<td>3.92</td>
</tr>
<tr>
<td>2001</td>
<td>192</td>
<td>15.43</td>
<td>43</td>
<td>3.32</td>
</tr>
<tr>
<td>2000</td>
<td>137</td>
<td>13.90</td>
<td>37</td>
<td>2.86</td>
</tr>
</tbody>
</table>

Source: Ohio Department of Rehabilitation and Correction

\(^{10}\) The felony sentencing code was revised effective July 1, 1996. Rape offenders who committed offenses prior to this date are sentenced under the old law for indeterminate periods of time and released on parole following a parole board hearing prior to completion of their maximum sentence. Rape offenders who committed their crime on that date or after are sentenced to determinate sentences and released at the end of their sentence on post release control.

\(^{11}\) The time served does not include any jail time. Most violent offenders serve time in jail while awaiting trial and prior to sentencing. Offenders receive credit for time served in jail prior to incarceration which needs to be added to the time served to determine sentence.

\(^{12}\) As can be seen from the data the average time served has increased over the past five years. The time served for offenders on post release control will continue to increase as more offenders convicted under the 1996 felony code reach their determinate sentence length.
**ASSESSMENT, TREATMENT AND RECIDIVISM**

**OVERVIEW**

In order to determine how to sentence sex offenders; policy makers and practitioners must first understand if it is possible to identify, treat, and reduce the commission of new sexual offenses by these offenders. Research in the area of sex offender assessment, treatment, and recidivism has increased in the past 15 years. Research has indicated that different sex offenders have different likelihoods of recidivating. The majority of the research has been conducted by Canadian and British researchers who have been trying to identify the characteristics of what has come to be called the “sexual predator,” or the sex offender who is violent and causes the most harm to society.

**ASSESSMENT**

A key to managing sex offenders is to accurately assess the offender’s likelihood of re-offending. Research on assessment has provided professionals with a means of determining appropriate treatment. Accurate assessment of sex offenders involves the administration of several technical tests that require qualified mental health professionals.

If the level of risk is known, decisions about the most appropriate treatment, release, and potential recidivism can be more accurate. Sex offenders vary greatly in personal histories and offenses, so it has been extremely difficult to assess likelihood of recidivism. Research has shown that the most intensive treatment is most effective with high-risk high-need offenders in reducing recidivism. Further intensive treatment with low-risk low-need offenders increases those offenders’ likelihood of recidivating (Andrews, et. al. 1999). As a result, assessments need to be completed at each of the following steps of the correctional process in order to assure the most appropriate treatment is being delivered to each offender: upon admission to a program, during treatment, at the completion of treatment, and prior to release from the system (Blanchette 1996). The assessment process is even more critical for sex offenders because of the harm they cause to their victims and the extent of their variation in risk and need.

During the 1990s, several schemas were developed that appear to be very successful at assessing a sex offender’s risk level. Quinsey and Rice developed an actuarial assessment system based on 219 male sex offenders committed to the Oak Ridge maximum-security psychiatric facility. This schema combines criminal history, phallometric assessment, the Hare Psychopathy Checklist, record of sexual offenses, and marital status of those offending. These static factors, in combination, can assist in determining high-, medium-, and low-risk offenders (Quinsey and Rice 1995). The authors indicate the schema needs to be further enhanced by research-based identification and evaluation of dynamic predictors such as situational predictors (gaining or losing employment), changes in attitude or mood, and treatment-induced changes.

Grubin expanded on the factors identified by Quinsey and Rice to include clinical assessment as a critical part of the risk assessment process (Grubin 1999). Grubin’s review of research on sex offenders indicated that the link between fantasy and behavior is what makes the predictor. Offenders who believe they cannot control events in the real world and fantasize are more likely to be sadistic sex offenders. Grubin also notes that an offender’s degree of social and emotional isolation are factors that can differentiate rapists who kill their victims from those who do not kill their victims.

Assessment schemas have been used to classify sex offenders into typologies that assist in determining treatment (Blanchette 1996). For example, a male sex offender schema developed by Knight and Prentky classifies child molesters into sub-types by social competence, amount of contact with children, and high- or low-injury. Rapists are sub-typed into classifications based on inferred motivation (opportunistic, pervasively angry, vindictive, or sexual), social competence, and sadism. However, research conducted by the authors based on a 25-year study indicated only the child molester typology had explanatory and predictive power for recidivism.
The current perception of sex offenders is that they make the choice to offend and it is not a result of a defined mental illness in the DSM IV. Only a small group of sex offenders can be diagnosed as having an active mental illness. Researchers argue for a mental health evaluation as part of the assessment process (Sahota and Chesterman 1998), but not to treat all sex offenders as mentally ill.

The most recent research in 2004 by Harris and Hanson is a review of all the studies on predicting recidivism (Harris and Hanson 2004). There was clear evidence the following factors are predictive of future sexual offending:

- Prior sexual offense conviction (most predictive)
- Sexual deviancy (paraphilic interests: e.g., exhibitionism, voyeurism, cross-dressing)
- Antisocial orientation (unstable lifestyles, impulsivity, lack of employment, substance abuse, intoxicated during offense, and hostility)
- History of rule violations (non-compliance with supervision, violation of conditional release)
- Sexual attitudes (attitudes tolerant of sexual crime)
- Emotional identification with children (having children as friends, child-oriented lifestyle)
- Conflicts with intimate partners or lack of intimate partner
- Sexual preoccupations (high rates of sexual interest and activities)

The following appear to have no impact or very little impact on sexual re-offending:

- Adverse child environment (particularly child abuse)
- General psychological problems
- Using phallometric measures
- Social skill deficits or loneliness
- Clinical presentations (denial, low victim empathy, low motivation for treatment)
- Degree of sexual intrusiveness of the instant offense (non-contact offenses\textsuperscript{13} had higher recidivism than contact)

The following appear to be predictors of sexual offenders re-offending by committing a non-sexual violent crime:

- Antisocial orientation
- History of violent crime
- General self regulation problems
- Employment instability
- Substance abuse
- History of non-sexual crimes
- Degree of force used in the index sexual offense

The authors then went on to examine the effectiveness of several assessment instruments including the VRAG, SORAG, Static-99, RRASOR, MnSOST-R and SVR. All of these instruments are seen as

\textsuperscript{13} Non-contact offenses include offense like voyeurism, exhibitionism, and possession of pornography.
effective. The Static-99 was developed by Harris and Hanson incorporating the factors found to predict sexual reoffending. Ohio uses the Static-99 at SORRC for evaluation of offenders committed to prison. However, there is a caution. Use of these instruments is very technical and requires a trained professional to administer. The codebook for the one page Static-99 assessment is 90 pages long for a one-page assessment.

**RESEARCH ON THE EFFECTIVENESS OF TREATMENT**

What to do with sex offenders has long been a controversial issue. The “sexual predator,” the most serious and high-risk sex offender, is sentenced to prison unless found not guilty by reason of insanity. Treatment of this group of offenders is more difficult because they deny their offense, culpability, and refuse treatment. However, this does not mean there is no effective treatment for sex offenders (Seto and Barbaree 1999).

Research on treatment for violent offenders in general has shown that programs that combine treatment for risk, need, and general responsivity are the most effective in reducing recidivism (Dowden and Andrews 2000). Treatment based on risk means that the services provided should be geared toward the level of risk. The higher the risk the more services to address the needs that should be provided. Needs treatment is based on targeting the criminogenic needs (antisocial attitudes, antisocial feelings, and chemical dependency) and non-criminogenic needs (level of self-esteem, personal problems and anti-social peer groups) of the offender. The needs are dynamic and can be changed through appropriate treatment. Dowden and Andrews found that behavioral/social learning programs had a larger treatment effect than non-behavioral programs. This is supported by the body of research on what works in corrections (Andrews, et. al. 1990).

Very little research exists on the outcome of sex offender treatment. A review of 21 prison and non-prison sex offender treatment programs was conducted using the University of Maryland’s method of evaluating the methodological soundness of the studies (Polizzi, MacKenzie, and Hickman 1999). Eight of the studies were not included as methodologically unsound. The review found that cognitive-behavioral treatment paradigms in prisons produced encouraging results in reducing subsequent sex offending. Cognitive-behavioral treatment combined with relapse prevention showed successful sex offense recidivism reduction in community programs. The researchers could not tie treatment modalities to particular types of sex offenders, however.

Colorado started an intensive therapeutic community in prison for sex offenders. The evaluation of the program found that offenders who did not participate in the therapeutic community program had a recidivism rate three times higher than those that did. The amount of treatment time in the program also influenced the community success of the offender. For each month the offender participated, the recidivism went down one percent. Success was also greater for those released with supervision than those with no supervision (Lowden, Hetz, et.al. 2003).

Behavior in treatment is not an indicator of successful rehabilitation (Seto and Barbaree 1999). Research has shown that higher-risk offenders who have scored higher on the Hare Psychopathy Scale respond well to treatment but are more likely to commit a new offense. These offenders may learn to improve their manipulative skills during the treatment process. The use of a comprehensive assessment following treatment is critical to determining the impact of the treatment.

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14 The sex offender therapeutic community is a graduated phase program that includes cognitive behavioral elements. Offenders must admit to their crime and work on their problems. Inmates become responsible for their own behavior and their “brothers” behavior as part of living in a community. The concept is the same as therapeutic communities for drug abuse and addiction.
The release of offenders back into the community elicits strong public response. Currently there is some information regarding the success of community treatment that combines relapse prevention and intensive supervision (Wilson, et. al. 2000). Relapse prevention is similar to the treatment used for substance abusers. Sex offenders are taught ways to recognize triggers and high-risk situations, to develop methods of avoiding them, and how to cope if unexpectedly found in a high-risk situation. The relapse prevention is then paired with a high level of supervision by correctional authorities to protect public safety. A Canadian program that was designed for high-risk offenders that included intensive counseling, cognitive behavioral treatment, and supervision was successful in limiting sexual re-offending to 3.7 percent of the offenders during a seven-year follow-up period.

The containment approach model to community supervision, which combines five components — an overall philosophy and goal of community and victim safety, sex offender specific containment strategies, interagency and interdisciplinary collaboration, consistent public policies, and quality control — is the recommended approach to offenders released to the community (English, Pullen, and Jones 1997). The model is based on a team approach that includes collaboration between non-traditional agencies. The goal is to ensure victim safety through the involvement of victim agencies. The containment of the sex offender requires individualized case management systems, offender specific conditions related to the offenders history, ongoing treatment in the community, close supervision of the offender in the community, teaching the offender self-management techniques, and use of polygraph to verify the conditions of community placement are being met. This involves the collaboration of the probation or parole agency, the treatment provider, and the polygrapher. The use of a team approach ensures that all relevant agencies are informed of the progress of the offender and concerns of relapse. The model is used in Colorado and several other states.

**Recidivism**

The measurement of recidivism has been an issue for researchers of criminal behavior and it is an especially contentious issue with sex offenders. First, very few methodologically sound evaluations exist to indicate the correlation between treatment and recidivism. The few studies that do show a positive correlation between effective sex offender treatment and reduced recidivism have methodological issues since they did not use an experimental design. Second, many sex offenders in prison and community settings do not receive specialized treatments designed to reduce re-offending. Finally, some researchers believe the rates are misleading because not all sex offenders are caught, and if they are caught, through plea-bargaining the actual conviction offense may not be a sex offense (Groth, Longo, & McFadin 1982).

It is a common misperception that sex offenders have a high recidivism rate. Research has shown that sex offenders recidivate at a lower rate than other offenders. A review of 61 recidivism research studies involving 24,000 sex offenders found that only 13.4 percent committed a new sex offense (Hanson and Morton-Burgon 2004). It further shows that when sex offenders do recidivate, they are more likely to commit a non-sex offense. Rapists, when they do commit a new sex offense, will recidivate within a shorter time following release than other sex offenders. Extra familial male child molesters will recidivate after a longer period in the community than rapists, but at a lower rate. Incest offenders are the least likely to recidivate and have an extremely low recidivism rate. The strongest predictors of committing a new sex offense are factors related to sexual deviance: deviant sexual practices, early onset of sex offending, history of prior sex offenses, and committing diverse sexual crimes, such as both rape and child molesting (Hanson and Morton-Burgon 2004).

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15 A recent Ohio Department of Rehabilitation and Correction study of the recommitment of offenders sentenced to a life term who had been released in 1999 and 2000 found that 19.4 percent returned to prison. The three-year follow up of all offenders released in 2001 found a recommitment rate of 38.8 percent. Sex offender overall recommitment rates for a ten year follow up of a 1989 cohort found a 22.3 percent recommitment rate.
The Ohio Department of Rehabilitation and Correction has completed a five- and 10-year follow-up of sex offenders released in Ohio during 1989. The following table summarizes the results after 10 years:

<table>
<thead>
<tr>
<th>Ten Year Recidivism Rates of 1989 Cohort of Sex Offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommitted for a New Crime</td>
</tr>
<tr>
<td>Sex Offense</td>
</tr>
<tr>
<td>Non-Sex Offense</td>
</tr>
<tr>
<td>Recommitted for a Technical Violation</td>
</tr>
<tr>
<td>Sex Offense</td>
</tr>
<tr>
<td>Sex Lapse</td>
</tr>
<tr>
<td>Other non-sex related</td>
</tr>
</tbody>
</table>

The total sex-related recidivism rate for the group was 11 percent. However, the recidivism rate differed dramatically between different types of sex offenders. The table below summarizes the rates:

<table>
<thead>
<tr>
<th>Sex Offender Type</th>
<th>Recidivism Any Crime</th>
<th>Sex Recidivism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rapists (adult victims)</td>
<td>56.6%</td>
<td>17.5%</td>
</tr>
<tr>
<td>Child Molester – extrafamilial</td>
<td>29.2%</td>
<td>8.7%</td>
</tr>
<tr>
<td>Child Molester – incest</td>
<td>13.2%</td>
<td>7.4%</td>
</tr>
</tbody>
</table>

Of all the offenders who came back to an Ohio prison for a new sex offense, one-half did so within two years, and two-thirds within three years. The longer the offender was out of prison, the higher the likelihood he or she would not re-offend. Paroled sex offenders who completed basic sex offender programming while incarcerated appeared to have a lower recidivism rate than offenders who did not complete the treatment (33.9 percent compared to 55.3 percent for all recidivism, and 7.1 percent compared to 16.5 percent for sexual recidivism.)

The Bureau of Justice Statistics looked at a 1994 cohort and found similar results. They also tested sentence length and its impact on recidivism. The Bureau of Justice Statistics study found no clear link between length of sentence and recidivism (Langan, Schmitt, & Durose 2003).

Colorado studied the impact of therapeutic polygraphs on sex offending behavior before and after conviction (English, Jones, et. al., 2000). They found that sex-offending behavior is seriously under-reported. Of the 147 offenders in the study, 14 percent reported sexually abusing victims while under community supervision, most of who were never arrested. Maintenance polygraphs for 122 offenders indicated that 44 percent disclosed high-risk behavior that trigger re-offending through the polygraph.

Sexual assault and rape are very often not reported to the police. The National Crime Victimization Survey indicates that in 2004, only 36 percent of victims over age 12 reported rape or sexual assault to the police (Catalano 2005). A 2005 study of family violence completed by the Bureau of Justice Statistics found that between 1998 and 2002, fewer than four in 10 incidents of sexual assault or rape among family

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16 Ohio measures recidivism through recommitment rates to state prison.

17 Jurisdictions that use therapeutic polygraphing may give the offenders limited or full immunity from prosecution for unreported crimes. The polygraphs were completed based on the understanding between the justice system and the offender that admissions obtained through the polygraph could not be used to arrest or convict on a new offense. Under these conditions, offenders may be more likely to confess to additional sex offenses or offending behaviors that lead to relapse.
members was reported to the police (Durose, et. al. 2005). Violent crimes were less likely to be reported if the victim was under 18 (32 percent). The most common reason the crimes were not reported was because it was a “private and personal” matter (22.8 percent), and 12 percent did not report the offense to protect the offender. In a national random sample study of 4,009 adult women, 341 women indicated they had been victims of one or more incidents of childhood rape. Eighty three (83) percent of the women never reported the childhood assaults to the police. A significantly greater proportion of the reported childhood rapes were perpetrated by a stranger (Hanson, et. al. 1999).

The Center for Sex Offender Management (CSOM) in their analysis of recidivism states that recidivism rates may be misleading. In a 1992 Rape in America study, they found that only 16 percent of the victims in the study reported their rapes. The studies of under-reporting of sex offenses and polygraph results of known sex offenders indicate recidivism of this population may be under-reported.
SEX OFFENDER REGISTRATION AND NOTIFICATION

SORN STATUTES

The oldest registration law in the country was passed in California in 1947. The process of community notification began 1989 when a police chief in Washington, fearing the repeat of a particularly vicious sex offense by a repeat offender, started informing the community when a sex offender was being released back to the community. The state of Washington passed the first “modern” notification law in 1990. The federal government, as part of the reauthorization of the Edward Byrne Memorial program, passed Megan’s Law in May 1996, which required states to pass sex offender notification and registration laws in order to continue to receive federal funding. All 50 states passed some form of registration and notification laws.

When passing the Ohio SORN 1997, the over-arching concern of the Ohio General Assembly was public safety and the expectation that the registration and notification provisions would increase public safety. At that time, the General Assembly had the following findings:

♦ “If the public is provided adequate notice and information about offenders and delinquent children who commit sexually oriented offenses that are not registration-exempt sexually oriented offenses or who commit child-victim oriented offenses, members of the public and communities can develop constructive plans to prepare themselves and their children for the offender’s or delinquent child’s release from imprisonment, a prison term, or other confinement or detention. This allows members of the public and communities to meet with members of law enforcement agencies to prepare and obtain information about the rights and responsibilities of the public and the communities and to provide education and counseling to their children.

♦ Sex offenders and offenders who commit child-victim oriented offenses pose a risk of engaging in further sexually abusive behavior even after being released from imprisonment, a prison term, or other confinement or detention, and protection of members of the public from sex offenders and offenders who commit child-victim oriented offenses is a paramount governmental interest.

♦ The penal, juvenile, and mental health components of the justice system of this state are largely hidden from public view, and a lack of information from any component may result in the failure of the system to satisfy this paramount governmental interest of public safety described in division (A)(2) of this section.

♦ Overly restrictive confidentiality and liability laws governing the release of information about sex offenders and offenders who commit child-victim oriented offenses have reduced the willingness to release information that could be appropriately released under the public disclosure laws and have increased risks of public safety.

♦ A person who is found to be a sex offender or to have committed a child-victim oriented offense has a reduced expectation of privacy because of the public’s interest in public safety and in the effective operation of government.

♦ The release of information about sex offenders and offenders who commit child-victim oriented offenses to public agencies and the general public will further the governmental interests of public safety and public scrutiny of the criminal, juvenile, and mental health systems as long as the information released is rationally related to the furtherance of those goals.” (O.R.C. § 2950.02)

Community notification laws fall into three categories: broad community notification, victim notification upon request, and passive notification. States created sex offender registries in response to a federal mandate, and they are slowly being made available through the Internet. Currently, 43 states (including Ohio) and one territory are part of the National Sex Offender Registry. However, the data provided for each is different based on the requirements of the individual state laws.
EVALUATION OF THE EFFECTIVENESS OF SORN LEGISLATION

Only a few studies have examined whether the implementation of SORN legislation increased public safety. None of the studies was able to find statistically significant reduction in recidivism, but one found that SORN registration resulted in less time to arrest for subsequent offenses.

The Washington State Policy Institute evaluated the Washington SORN law in 1995 to determine the effectiveness of the law (Schram & Millroy 1995). The study looked at the offenders released from prison with the highest notification level following passage of SORN and compared them to offenders who would have been on the registry but were released prior to the effective date of SORN. The percent of recidivism was similar for each group, 19 percent and 22 percent, respectively. The difference was not statistically significant. However, they were able to find an 84 percent compliance rate for registration. The notification offenders had their first arrest much more quickly than the non-registry group.

A second study looked at a sample of 136 criminal sexual psychopaths in Massachusetts (Petrosino and Petrosino 1999). The sample was clinically diagnosed as habitual or compulsive offenders and 89 percent of the offenses were against children. The case histories of the offenders were examined to determine if they would have fallen under the state’s SORN law and if it could have prevented the offense from occurring. Only 27 percent of the offenders would have been subject to SORN registration. Two-thirds of the group’s victims were known to the offender and one-third were stranger predatory offenses. Only four of the 12 stranger victims might have received SORN notifications since the offender went out of the notification area to commit the offense. The conclusion was that only six of the 136 offenses might have been prevented by SORN.

A final study in Iowa compared offenders subject to SORN to a comparison group prior to the registry (Adkins, Huff, and Stageberg 2000). The study found no statistical difference in the recidivism of the two groups for either new sex crimes or any new crime. The registry offenders had a shorter time in the community before being arrested for a general crime other than a sex offense.

The SORN laws do have some positive impacts on the public (Zevitz and Farkas 2000). In Wisconsin, 704 participants were surveyed after community notification meetings. In general, the meetings fulfilled a function of educating the public on how sex offenders are managed in the community. Eighty percent of the attendees expected to collect information to protect them and did receive such information. However, the meetings were not as successful in making the public more comfortable with sex offenders in their communities. A nearly equal percentage of meeting attendees left the meeting feeling more concerned (38 percent) as those who felt less concerned (35 percent).

Most of the studies examined the impact of SORN laws on adult offender recidivism. There is some controversy on the impact the legislation has on juvenile sex offenders. Juvenile offenders have a lower recidivism rate, ranging from 8 to 12 percent, as compared to the adult recidivism rates of 20 to 40 percent. The researchers expressed concern that because of childhood developmental issues it is unclear what is defined as normal adolescent behavior. The authors indicate there is a need for more research in this area (Trivits and Reppucci 2002).

The research is mixed on whether sex offenders believe SORN would impact their likelihood of committing a new crime. Seventy-two percent of a sample of 40 offenders in Nebraska who agreed to participate in a study told their therapist they thought SORN was a strong incentive not to commit a new crime (Elbogen, Patry, and Scalora 2003). The result has been criticized since the interviews were in a therapeutic setting and the offenders may have been telling the therapist what they thought they wanted to hear. The Wisconsin interviews of 30 offenders who were the subject of SORN community meetings found that only a couple thought it might prevent reoffending (Zevitz & Farkas 2000). One offender stated the following:
“If you’re going to reoffend, it doesn’t matter if you’re on TV, in the newspaper, whatever, you’re going to reoffend. It’s a choice you make…The only person than can stop it is the sex offender himself.”

A recent Colorado study looked at the relationship between the sex offender’s residence location and new offending behavior. The study found that sex offenders who commit criminal offenses while under supervision are randomly scattered and there does not appear to be a greater number of these offenders living within proximity to schools and childcare centers (Colorado Department of Public Safety 2004).

**UNINTENDED CONSEQUENCES OF SORN**

In evaluating the effectiveness of SORN, various researchers have pointed to unintended consequences of the legislation that may have an impact on the public policy purpose of the legislation. Registries have been very useful to law enforcement as an investigative tool. The registry provides a ready pool of potential offenders to review when there is an unsolved sex offense. Across the country the registry is being used for this purpose. Some of the unintended consequences include:

- **Misleading the public** – One of the purposes of SORN is to provide the public with information about dangerous sex offenders who may be living in their community. It is estimated that between 75 and 80 percent of the perpetrators of violent sex crimes against children are committed by relatives and friends of the victim. Researchers hypothesized SORN can give a false sense of security for the public, when the real threat may be from a family member or friend (Avrahamian, 1998 and Freeman-Longo 2000).

- **Negatively impacting family members** – Many of the notification requirements include notifying the community where the sex offender is currently living, which in many cases is the same community where the offender’s family resides. Since many of the victims of these sex offenders are family members and neighbors, the notification information provides victim information that was not made public during the trial. The data is mostly anecdotal but includes incidents like an elementary student who went to school and found a note on her locker about her having sex with her father (Edwards and Hensley 2001; Elbogen, Patry and Scalora 2003; Zevitz and Farkas 2000; and CSOM, 2001).

- **Hindering offender reentry** – Research is showing that offenders are having difficulty returning to the community since the passage of SORN. Offenders are unable to find residences, are serially fired from employment, and are unable to establish healthy relationships (Elbogen, Patry, and Scalora 2003; Zevitz and Farkas 2000; Blair 2004; and CSOM 2001).

- **Potentially impacting likelihood of relapse** – Research has shown that two factors that play an important part in relapse for sex offenders are isolation and stress. Researchers have hypothesized the SORN laws are increasing sex offenders’ stress and isolation (Edwards and Hensley 2001 and Elbogen, Patry, and Scalora 2003).

- **Increasing displacement** – As sex offenders subject to SORN become frustrated with the inability to find housing or employment, they will end up moving to other areas of the community under a different name. The community they relocate to will not know they are there and will not be able to protect themselves (Edwards and Hensley 2001).

- **Increasing vandalism and retribution** – Most of the research indicates this is not as widespread as originally hypothesized. Most of the data is anecdotal in nature such as a sex offender’s home in Washington being burned down when the community learned the offender was returning to the community, or an innocent person being assaulted or harassed due to an incorrect address on the notification. The percent of offenders reporting harassment...
by state ranges from 4 percent to 23 percent (Edwards and Hensley 2001; Zevitz and Farkas 2000; Schram and Millroy 1995, and CSOM 2001).

- Reporting offenses – There is some preliminary indication that SORN is affecting whether offenses are reported. Victims of domestic assault whose children are also being sexually assaulted by a significant other are reluctant to report the offense when they determine the offender will need to register. The researchers indicated the incidence of these situations appears to be increasing (Edwards and Hensley 2001).

- Altering the nature of reoffending – In instances of pedophilia, the offender exhibits a pattern of gaining the confidence of the victim, who he/she usually knows. The hypothesis is that if the offender is cut off from victims who can be “groomed,” the nature of the new offense will be more violent. There is no statistical evidence of this currently (Edwards and Hensley, 2001).

- Complying with registration – Compliance with registration is a problem in every state. The Wisconsin evaluation surveyed law enforcement in the state regarding the implementation of the program. Law enforcement did not have problems with implementing the program but are having difficulty with maintaining accuracy and completeness of the data. It requires additional resources to validate the whereabouts of sex offenders who are on the registry (Zevitz and Farkas 2000). Estimates on completeness and accuracy of the state SORN systems range from 25 percent to 75 percent (Avrahamian 1998 and CSOM 2001).

**Ohio SORN**

The Ohio SORN Registry was started following the passage of legislation in 1997. The electronic registry accessible to the public was started late in 2003 by the Ohio Attorney General. There are currently more than 13,500 entries in the database. The database is connected to the National Sex Offender Registry. Ohio’s system has not been evaluated for effectiveness. However, the number of offenders being prosecuted for failure to register and update information has been steadily increasing over the past five years.

**SORN Commitments**

<table>
<thead>
<tr>
<th>Offense</th>
<th>Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2000</td>
</tr>
<tr>
<td>Duty to Register</td>
<td>9</td>
</tr>
<tr>
<td>Failure to Register</td>
<td>8</td>
</tr>
<tr>
<td>Failure to Verify Registration</td>
<td>24</td>
</tr>
<tr>
<td>Total SORN Commitments</td>
<td>41</td>
</tr>
</tbody>
</table>

There is one reported instance of where the registry in Ohio was used by a victim to identify a sex offender in Clark County. The offender was successfully apprehended with the information in the registry (Attorney General 2005).

There is currently no statistical information on the impact of the registry; however, there is some anecdotal evidence from probation and parole agents that SORN has had a negative impact on the offenders. In many of the communities in Ohio it is difficult to find housing for sex offenders. As a result of the changes in the law regarding where offenders can reside, families of sex offenders are being required to move out of homes they have owned for 20 years or more. Without an independent study of the system it is difficult to determine if these are isolated instances.
CONCLUSION

The purpose of this report is to provide policymakers in Ohio with information regarding sex offenders nationally and in Ohio in conjunction with research about managing sex offenders. During the past 15 years, researchers have learned more about sex offenders and their treatment. Sophisticated assessment procedures, cognitive-based treatment, relapse prevention in prisons, and a community containment approach have the potential of reducing the likelihood that a sex offender will commit a new sex crime.

The largest group of sex offenders in Ohio’s prisons based on the 1999 Sex Offender Risk Reduction Center (SORRC) report is those who victimize children age 0 to 12. These offenders tend to be white; married or divorced; have more than a high school education; and have had stable employment. The sex offender population that targets adult victims is less than half the size of the child victim population. Sex offenders who target adult victims tend to be black; never married; have less than a high school education; and have not had stable employment. Eighty five (85) percent of the sex offenders in 1999 at SORRC had no prior sex offense and 65 percent had no prior violent offense. Child victim offenders have even less criminal history, with 93 percent having no prior sex offense and 75 percent having no prior violent offense.

Statistics on sex offenders committed during the 2003 calendar year indicates that sex offenders tend to have longer sentences than other Felony 1 offenders. The average time served was 13.2 years, with parole offenders having an average time served of 15.9 years. Since the revised sentences under Senate Bill 2 did not take effect until 1996, it is too soon to determine the average time served for offenders with longer sentences or multiple sentences that are consecutive.

Assessment instruments are available that allow qualified professionals to determine the risk of sex offenders committing new crimes. Several treatment programs both in prisons and the community have shown success in reducing the likelihood the sex offender will re-offend. Finally, it appears with a comprehensive containment approach, the safety of the community can be managed after the release of sex offenders from institutions.

Research, including a 10-year follow-up study of a cohort of Ohio sex offenders, has shown that sex offenders have a low recidivism rate compared to other offenders which is true in the research completed on a 1989 cohort of sex offenders in Ohio. There is controversy in the research community about the validity of the recidivism rates, however. The use of polygraph and therapeutic discussion indicates that a lot of sex offenses are not known to the police.

The national victimization studies show that rape and sexual assault rates are decreasing from 2.5 per thousand people in 1993 to 0.8 per thousand in 2003, a 68 percent reduction (Catalano 2004). The decrease mirrors the decrease in violent crime found across the United States.

There is little research on the impact of sex offender registration and notification laws. The studies that have been completed indicate that the laws have no statistically significant impact on whether sex offenders commit another crime. They do assist the police in locating known sex offenders and may make the public more informed. Further research on the effectiveness of SORN laws is needed.

[18] Victimization surveys are designed to determine actual crime events — not just crime events reported to law enforcement. The 2003 study was a random calling methodology that contacted 83,660 households (149,040 individual interviews). The interviewee was asked about any crime incidents during the past year.
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