

Key Roles of Law Enforcement in Sex Offender Management

December 2008

Introduction

Law enforcement officials have always played a pivotal role in promoting community safety through crime response, public education, and crime prevention activities. Currently, safety concerns are particularly high with respect to the presence of sex offenders in local communities. Highly publicized violent sex crimes, generally involving child victims, draw this issue to the forefront and further heighten public fears.

In some instances, citizens have mobilized themselves in attempts to drive sex offenders from communities, and some recent laws (i.e., residency bans) have had the same overall effect. Experts indicate that this can actually decrease public safety, in part because law enforcement officers and others responsible for sex offender management will not be able to track offenders' whereabouts or provide effective supervision and monitoring, which is certainly not in the public interest.¹

Law enforcement agencies have long recognized that fear can be just as paralyzing to a community as the actual perpetration of a crime. It matters little whether the incidence of sex crimes is low; the public reacts to the danger they perceive. As Paul Grabosky (1995), from the Australian Institute of Criminology, said: "While the fear of crime expressed by some citizens is well-founded, other individuals are at less personal risk than they might believe. Their fear, however, is no less real."

Therefore, the key question is not how to keep sex offenders out of communities; rather, it is how to best manage sex offenders who are in the community and still ensure public safety.

Citizens generally turn first to law enforcement for these and other answers. And undoubtedly, law

¹ In addition to the impact on supervision and monitoring efforts, research suggests that these types of exclusionary strategies can lead to housing and employment instability, loss of positive supports, social isolation, and hostility, which are linked to reoffending among sex offenders (see Levenson & D'Amora, 2007 for a review).

enforcement officials are an integral part of the broader systemic response.

The purpose of this brief is to provide an overview of the multiple roles that law enforcement can play in increasing public safety and reducing sexual victimization through sex offender management efforts.

Sex Offenders are a Diverse Population

Because sex offenders are often cast in a single light, community members, lawmakers, and others tend to assume that they should all be managed in the same way. In reality, the individuals who commit sex offenses are nearly as diverse as the general public. They differ in terms of their demographics, the crimes they commit, the individuals whom they victimize, their reasons for engaging in sexually abusive behavior, and the extent to which they can be safely managed in the community.

Indeed, the level of risk that sex offenders pose to communities is one of the important ways in which sex offenders differ from one another. Some have a high likelihood of reoffending, whereas others are at relatively low risk to recidivate. This has implications for a number of decisions that are made throughout the system. Research indicates that increasing public safety by reducing the risk of recidivism is more likely to be successful when the intensity of correctional interventions matches offenders' levels of risk (see Andrews & Bonta, 2006). This means that intensive supervision, monitoring, and treatment are best reserved for higher-risk sex offenders, and lower-intensity strategies are more effective for lower-risk sex offenders.

Specialized assessment tools can help differentiate higher- from lower-risk offenders and ensure that stakeholders throughout the system – including judges, law enforcement agents, community supervision officers, and treatment professionals – routinely use this information to inform decisions.

Sex Offender Management Requires a Comprehensive Strategy

The problem of sexual offending is complex and multifaceted and, as such, addressing this issue requires a multifaceted and comprehensive strategy. A comprehensive approach takes into account various responses and activities throughout the criminal justice system, including the following (see, e.g., Carter, Bumby, & Talbot, 2004):

- Investigations of sex crimes;
- Prosecution and sentencing decisions;
- Assessment practices to inform decisions pre- and post-sentencing;
- Prison-based and community-based interventions;
- Supervision, tracking, and monitoring strategies; and
- Public education and prevention efforts.

Given these components, it is clear that the responsibility for sex offender management cannot rest solely on a single agency or discipline. Collaborative partnerships across multiple agencies and disciplines are necessary. Law enforcement officials are among the key stakeholders that play a significant role in these efforts.

Community Policing Provides a Complementary Model

Prior to the 1980s, the primary role of law enforcement was to respond to law violations; the focus of their efforts was on the investigation and apprehension processes. This reactive approach often resulted in officers responding to the same locations to deal with the same or similar concerns time and time again. Reactive strategies proved to be a significant drain on resources and did not result in significant reductions in crime.

In the 1980s, the concept of community policing emerged as a philosophy and practice for law enforcement agencies. The basic principles of community policing dictate that police agencies work with communities in innovative ways to address crime and *the conditions that lead to it*, reduce the fear of crime within the community, and enhance the overall quality of life of citizens (Trojanowicz & Bucqueroux, 1990, 1994).

The result has been a shift to a much more proactive approach to law enforcement that promotes problem solving, collaboration with community partners, public

education, and prevention. Presently, well over half of the police departments nationwide have adopted elements of community policing, most often through the use of problem-solving partnerships and community education efforts (Hickman & Reaves, 2006).

These particular community policing approaches complement the various components of a comprehensive sex offender management model. For example, while law enforcement officers take the lead role in responding to and investigating sex crimes, they remain actively involved in partnerships throughout other aspects of the system as a means of ongoing management and prevention efforts. Key partners for law enforcement officials include, but are not limited to, the following:

- Victim advocates, who provide assistance and support to those who are affected by sexual victimization, and who help to ensure that law enforcement agencies are responsive to the rights, needs, and interests of victims throughout the investigative process;
- Prosecutors, who make charging decisions based in large part on the investigations conducted by law enforcement;
- Community supervision officers (i.e., probation and parole officers), who are responsible for implementing strategies for reducing and otherwise managing sex offenders' risk to reoffend and for ensuring that sex offenders abide by the conditions of their supervision; and
- Community agencies and organizations, which provide or coordinate programs, services, and other resources for victims and offenders.

Collaborative partnerships for community policing and sex offender management are based on the recognition that public safety benefits can be maximized by respecting different perspectives, exchanging information, coordinating limited resources, and appreciating the complementary roles and responsibilities that exist within and across agencies and disciplines.

The Traditional Role of Law Enforcement: Investigating Sex Crimes

The responsibilities of law enforcement officers begin the moment a sex crime is reported. Indeed, uniformed officers are often the first to have contact with identified victims. It is important to note, however, that a large percentage of individuals who have been sexually victimized do not report these crimes to the police or other public safety officials (Hazelwood & Burgess, 2008; Tjaden & Thoennes, 2006; Woods, 2008).

Community Policing Defined

"Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime."

Source: Office of Community Oriented Policing Services, U.S. Department of Justice, <http://www.cops.usdoj.gov>

Under-reporting occurs for many reasons, including the following:

- The extremely private and personal nature of sexual victimization;
- Anxiety about their identity being made public;
- Fears that they will not be believed or may even be blamed for the crime;
- Self-doubt and self-blame;
- Emotional ties to, financial dependence on, and/or concerns about the prosecution of the perpetrator; and
- Fears about retaliation.

When victims of sex crimes do come forward, it is generally because they hope to prevent victimization from happening again to themselves or to others (Tjaden & Thoennes, 2006). But even then, they may later recant some or all of the allegations or express hesitance around participating in the investigation and subsequent court proceedings, for the same reasons noted above.

As such, the nature of the interactions between the investigating officer and the victim become a paramount consideration. Law enforcement personnel must demonstrate respect, sensitivity, and support and take great care to minimize the potential for inadvertently re-traumatizing victims during the course of the investigation (Woods, 2008). Immediately engaging victim advocates, providing referrals and linkages to resources that are available to victims and their families, and offering information about the investigation and subsequent court processes are among the strategies that patrol officers can routinely employ (Woods, 2008).

Challenges Associated with Investigating Sex Crimes

In addition to under-reporting challenges, multiple other factors complicate the investigation of sex crimes, including the following (see, e.g., Hazelwood & Burgess, 2008; Woods, 2008):

- The often-familiar nature of the relationship between the identified victim and suspect (e.g., commonly family members or acquaintances);

- Limited physical evidence, particularly for cases in which reporting was delayed, victims bathed or showered prior to reporting, or overt acts of physical aggression were absent;
- Obtaining reliable information from child victims because of memory, suggestibility, or limited verbal abilities;
- "Date rape" substances that affect a victim's awareness and/or memory of the event which can lead to delayed reporting and, in turn, impact toxicology evidence; and
- Computer-based sex crimes, such as those involving sexual solicitations or other inappropriate on-line conversations in the absence of physical contact.

These unique challenges underscore the need for specialized training for law enforcement officers who have investigative authority or may be otherwise intervening in sex crimes cases. Ideally, officer training includes forensic interviewing techniques, responding to victims of sex crimes, collecting and preserving sex crime-specific evidence, and utilizing or accessing specialized technologies and tools (e.g., computer search software, sex offender registry databases, fingerprint analysis systems, DNA analyses) that can be useful for investigations in these types of cases.

At a more fundamental level, law enforcement personnel can benefit from introductory training and information that is designed to enhance officers' awareness and understanding of sex offenders and sexual victimization trends. As is true with all who have a role in sex offender management, attitudes and beliefs about this population impact the ways in which they carry out their duties and the messages that they convey to their agency partners and the public. Indeed, introductory training for officers can dispel common myths, assumptions, or biases that may unduly influence officers' interpretations and responses during the investigative process.²

² For example, research indicates that police officers investigating rape allegations are more likely to close cases as unfounded when suspects are acquaintances as opposed to strangers, despite the consistent findings from victimization research indicating that sexual assaults are much more likely committed by individuals known to the victims (see, e.g., Simon, 2003).

Examples of Formalized Law Enforcement Partnerships for Investigating Sex Crimes

Sexual Assault Response Teams: These multidisciplinary teams are established to ensure that identified victims receive a range of needed services (e.g., medical care, legal assistance, counseling) and to increase the potential for sex crimes to be prosecuted successfully. Team members typically include a forensic examiner, victim advocate, prosecuting attorney, and law enforcement officer. Formal protocols outline the roles and responsibilities for these investigative teams.

Child Advocacy Centers: These programs/facilities are designed to provide a child-focused, comprehensive, multidisciplinary response to the investigation, prosecution, and treatment of child sexual abuse, including sexual victimization. Services commonly include forensic interviews, medical evaluations, educational and treatment services, and support to victims and their families. The teams are often comprised of law enforcement, prosecutors, medical and mental health professionals, child protection services personnel, and victim advocates.

Internet Crimes Against Children Task Forces: This is a federally supported initiative designed to address the problem of sexual exploitation of children via the Internet. The program encourages state and local law enforcement agencies to establish multi-agency, cross-jurisdictional responses to these crimes. Representatives of these task forces include federal, state, and local law enforcement officials, federal and local prosecutors, local educators, and other practitioners such as treatment providers.

Enhancing Investigations through Collaboration

Investigating sex crimes requires a coordinated team of partners, each of whom brings distinct expertise and a commitment to collaboration. In addition to a law enforcement investigator, the team composition typically includes a victim advocate, medical professional, and prosecutor. The structure varies depending upon the scope or type of investigation (e.g., child sexual abuse, forcible rape, computer-based child exploitation). In many states, formal policies and protocols define the required team members and operating procedures for these types of teams.

Strategic partnerships for investigating sex crimes allow law enforcement agencies to minimize duplication of investigative efforts, enhance the collection of reliable evidence, and limit the potential for the investigation process to negatively impact victims and their families. Ultimately, this ensures integrity of the investigation process, increases clearance rates, and results in greater potential for successful prosecution.

The Expanded Role: Supporting Ongoing Sex Offender Management Efforts

Beyond their initial investigation and apprehension functions, law enforcement officers play a significant part within the broader system of sex offender management long after suspects are convicted and sentenced, and even after sex offenders have been discharged from the authority of corrections and supervision agencies. Some of the responsibilities have been added or expanded in recent years as a direct result of changes to state and federal sex offender-specific laws, whereas others build upon already established community policing strategies within and outside of the field of sex offender management.

Implementing Sex Offender Registration Laws

When federal legislation required states to establish sex offender registries in the mid to late 1990s, an important role was defined for law enforcement agencies nationwide: to enhance ongoing investigation and tracking efforts. Sex offender registration creates a mechanism for “keeping track” of convicted sex offenders and provides authorities with a natural starting point when investigating sex crimes.

This is accomplished by collecting identifying information about convicted sex offenders (e.g., name, address, photograph, fingerprints, DNA sample) and entering this information into databases that are accessible to law enforcement agencies nationwide. The extensive information that is maintained in these databases can help investigators quickly rule in or rule out specific sex offenders as suspects.

Because the value of these registries is dependent upon their accuracy, most law enforcement agencies are also responsible for verifying the data through in-person contacts with registered sex offenders. National guidelines prescribe the minimum intervals for these verifications, which range from three months to one year, depending upon the tier to which an offender is assigned,³ although some states actually conduct verifications monthly. Several jurisdictions throughout the country have dedicated specific officer positions, or created teams that include combinations of police officers, sheriff's deputies, and civilian employees, to conduct monthly address verifications (see IACP, 2007).

Conducting in-person address verifications can have significant workload and resource implications for law enforcement agencies, but some agency officials believe that the accountability and monitoring benefits far outweigh the costs (IACP, 2007). Examples of the benefits include identifying any changes in offenders' physical appearance or condition, updating other

³ These national guidelines were established through the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006.

important information such as employment status or registered vehicles, and sending a clear message to offenders about being held accountable.

The value becomes even greater when patrol officers use address verifications for more than just satisfying a policy requirement and instead take the opportunity to use them as purposeful contacts (IACP, 2007). For example, capitalizing on the address verification contact allows officers to:

- Assess important risk-related changes in offenders' circumstances;
- Establish and maintain rapport with offenders;
- Become more familiar with other members of offenders' households; and
- Serve as a visible resource to others in the neighborhood or community.

This highlights a few examples of the manner in which community policing strategies can be applied to sex offender management.

Conducting Community Notifications

In addition to ensuring that sex offender registries are accurate and up to date, law enforcement agencies are also charged with releasing information to the public about registered sex offenders who are residing in their communities (i.e., community notification).

The federal and state statutes that require community notification are designed to raise public awareness about these sex offenders, which ideally empowers citizens to assume a role in promoting safety for themselves, their families, and their communities.

The broadest community notification strategy occurs through the posting of registered sex offenders on registry websites that are generally maintained by local and state law enforcement agencies.

Additionally, many law enforcement officers actively reach out to citizens to inform them about specific sex offenders living nearby. For example, patrol officers may make door-to-door contacts in certain neighborhoods, contact at-risk entities on a "need to know" basis (e.g., schools or daycare centers), or issue special bulletins or alerts through the media.

Community notifications are also conducted through community meetings. This approach differs from the other strategies in that community meetings are a collaborative effort between law enforcement and a team of partners such as community supervision officers, prosecutors, victim advocates, and treatment providers. It further differs because the public receives information that extends far beyond a description of a given sex offender. Rather, team members provide information about their respective roles and responsibilities in sex offender management efforts, review myths and facts about sex offenders and victims, address community involvement and reaction, and discuss prevention measures.

From a community policing perspective, notification meetings are designed as proactive opportunities to engage and educate the public in a constructive, problem-solving dialogue. Citizens are afforded the opportunity to ask questions, clarify the issues, voice their concerns, and explore potential ways in which they can prevent sexual victimization in their homes and communities. This approach is also more likely to achieve the intended goals of community notification and minimize the potential for unanticipated effects (e.g., increased fear among citizens, hostility directed toward offenders) that can occur when notification is conducted in the absence of a well-coordinated, deliberate, and thoughtful strategy.

Tracking with Technology

Over the past several years, law enforcement agencies have begun to increasingly use technologies to enhance their routine patrol activities. For example, over half of the police departments nationwide now

What Law Enforcement Officials – and the Public They Protect – Should Know about Sex Offenders

- Sex offenders are a diverse group with different motivators, patterns, risk factors, types of offenses, backgrounds, social histories, and socioeconomic backgrounds.
- Juveniles are responsible for a significant proportion of arrests for sex offenses; although they share some common characteristics with adult sex offenders, developmental and other differences have significant management implications.
- Most sex offenders victimize family members or acquaintances, not strangers.
- Sex crimes often occur in the homes of the victims or offenders, or other private settings; victims are much less likely to be taken from or victimized in public settings.
- Risk for reoffending varies from sex offender to sex offender; some pose a high risk, others pose a lower risk.
- Reoffense risk for a given sex offender can change over time depending upon specific risk factors, either as a result of changing circumstances or interventions.
- Sex offenders are more apt to recidivate with a non-sex crime than with a new sex offense.

use in-field computers (i.e., either laptops or vehicle-mounted) to access criminal records or vehicle registration records, identify outstanding warrants or current protection orders, or produce field reports (Hickman & Reaves, 2006). As applied to sex offender management, officers can use in-field computers for mapping registered sex offenders in a given location, accessing sex offender registry information when questions or concerns arise during routine patrols, conducting address verifications, and quickly sharing information with community supervision officers as needed.

Most notable from a technology perspective is the use of Global Positioning Systems (GPS) for tracking sex offenders in the community. Indeed, using this specific form of electronic monitoring for sex offenders has become a widespread practice throughout the country (see IACP, 2008). To date, it has been primarily employed by community supervision or community corrections agencies as a surveillance tool for sex offenders under probation or parole supervision. However, with the increasing applicability of some sex offender-specific laws to persons who are no longer under community supervision (e.g., lifetime GPS, residency restrictions, and other “buffer” zones), the use of GPS by law enforcement agencies will likely increase in the years to come (IACP, 2008).

Joining Local Collaborative Teams

Consistent with a community policing orientation and within a comprehensive sex offender management model, law enforcement officers can play significant roles in ongoing sex offender management by participating in multidisciplinary teams. These collaborative teams serve one or more functions, such as developing local policies, enhancing case management practices, and/or providing community education and outreach services.

Developing local policies

Local policy teams are designed to assess the various policies that guide how the system manages sex offenders, from the investigation of sex crimes to the supervision of offenders post-conviction. These teams benefit from the involvement of officials who represent every aspect of the system, including law enforcement, prosecution, defense attorneys, the judiciary, corrections, supervision agencies, treatment providers, victim advocates, child protective services, and other

service providers. They also address information-sharing and other system barriers, and identify opportunities for additional collaborative partnerships, in order to enhance sex offender management efforts at the local level.

Factors That Law Enforcement Officers Should Assess During Field Contacts with Sex Offenders

- Evidence of substance abuse?
- Socially isolated or withdrawn?
- Increased hostility?
- Change in appearance, hygiene, or grooming?
- Less compliant, disengaged?
- Antisocial attitudes and social influences?
- Failing to avoid high-risk situations?
- Impulsive?
- Unstable employment?
- Conflicts with coworkers, friends, family, partner?

(see, e.g., Hanson & Harris, 2000)

Enhancing case management practices

In a collaborative case management model, law enforcement works closely with community supervision officers, treatment providers, and others to enhance community management capacity. Members of these teams meet routinely to discuss individual cases, including their risk ratings, specialized supervision conditions, overall progress in treatment, employment status, and other information that is necessary for effectively monitoring the offenders.

Through daily patrolling activities and their familiarity with these cases – and with specialized training about the specific type of changeable risk factors associated with recidivism among sex offenders⁴ – law enforcement officers can provide an extra set of “eyes and ears” to local case management teams. For

⁴ Researchers studying sex offenders under supervision have identified a number of changeable risk factors that are associated with increased potential for reoffending and have developed tools for reviewing these factors during routine field contacts (see Hanson & Harris, 2000; Hanson, Harris, Scott, & Helmus, 2007).

State of Rhode Island Probation/Parole: Law Enforcement Partnerships

In recent years, the Rhode Island Department of Corrections has formed partnerships with both city and town police departments. The partnerships focus on coordination and collaboration between police and probation/parole in the areas of information sharing, specialized enforcement, and enhanced supervision. Enhanced supervision, a partnership between police and probation/parole staff, results in joint supervision of selected offenders who are under community supervision.

Source: <http://www.doc.ri.gov/probation/collaborative.php>

example, they may detect questionable behavior or violations of supervision conditions (e.g., absence from work, entering prohibited areas) or identify changeable factors that may signal a greater risk to reoffend (e.g., sudden change in appearance or hygiene, impulsive behavior, affiliating with antisocial peers). Alternatively, their observations can confirm offenders' compliance with supervision conditions and other prosocial behaviors.

In this way, law enforcement provides an important enhancement to the community supervision process, expanding the amount and number of contacts with offenders that would otherwise be possible. Moreover, when sex offenders are no longer under the active supervision of probation or parole agencies, these experiences and interactions will be useful for the law enforcement officials who may continue to have contact with these offenders.

Providing community education and outreach services

Law enforcement officers can provide a great deal of leadership and support to multidisciplinary teams with respect to community education and outreach. Crime prevention education is a key underpinning of community policing, and it is among the key responsibilities reported by law enforcement agencies nationwide (Hickman & Reaves, 2006).

As noted previously, law enforcement officers have taken a lead role in coordinating multidisciplinary team approaches to community notification meetings, with a primary focus on public education and prevention. Outside of the community notification context, similar partnerships have been established between law enforcement agencies, victim advocacy organizations, probation and parole agencies, prosecutor offices, and sex offender treatment providers to engage in a wide range of educational and outreach activities (see IACP, 2007). Key examples include the following:

- Developing a formal community education curriculum;

- Meeting with community or civic groups to discuss sex offenders, victims, and/or sexual abuse prevention;
- Facilitating broad community meetings – not specific to community notification – designed to educate citizens about sexual victimization and prevention efforts;
- Participating as speakers at multidisciplinary training events; and
- Creating public awareness websites pertaining to sex offender management, through which citizens can submit crime tips, express concerns, or pose questions to law enforcement officers.

Finally, law enforcement can play a significant partnership role in providing information to legislators and other policymakers as a means of promoting informed public policies. Indeed, lawmakers may be particularly interested in the perspectives of the persons responsible for implementing and enforcing the laws that they have enacted. Law enforcement officers can also provide policymakers with invaluable and unique insights about the types of laws, policies, and strategies that can enhance sex offender management comprehensively, from both a crime-response and crime-prevention perspective.

Conclusion

Responding to victims of sex crimes, investigating those crimes, and managing the individuals who commit them requires collaboration among multiple agencies and organizations, not the least of which is law enforcement. Their role in investigating sex crimes and apprehending suspects has been long recognized. And as law enforcement officials have begun to shift from reactive to more proactive strategies, their roles in ongoing sex offender management are expanding. Familiarity with current research about sex offenders,

Seattle Washington Police Department and Washington Department of Corrections: Collaborative Sex Offender Projects

In Washington State, partnerships between police and community supervision officers are commonplace. For example, in King County, community corrections officers share office space with the Seattle Police Department Sex and Kidnapping Offender detectives. Since they share responsibility for some of the same sex offenders, information (such as living conditions, treatment concerns, and employment information) is exchanged daily. Together, police and supervision officers monitor offenders' compliance with court-ordered conditions and conduct risk assessments.

In addition, officers from both agencies jointly:

- receive training in scoring actuarial risk assessment tools (i.e., Static-99) and participate in other training programs; Establish and maintain rapport with offenders;
- act as referral agents in the event offenders require additional services; and
- provide education to the community on sex offender management issues and enforce a "no tolerance" policy for harassment and intimidation by the public.

In another example of collaborative partnerships, police conduct a Community Transition Class for sex offenders who are within four months of release from prison. The registry compliance rate for offenders who complete this class is 94%.

victims, and promising management strategies is critical to ensuring that the responses to victims, offenders, and communities are well-informed. Equally important is the development of partnerships with other agencies involved in sex offender management, including probation and parole officers, victim advocates, prosecutors, and treatment providers. By building upon key community policing principles and applying those principles to a comprehensive approach to sex offender management, law enforcement officials will be well-positioned to contribute not only to investigation and management efforts, but also to the prevention of sexual victimization.

Acknowledgements

This document was developed by Gary Kempker (former Chief of Police, Jefferson City, Missouri and former Director of Public Safety, State of Missouri) and Dr. Kurt Bumby of the Center for Sex Offender Management (CSOM) and edited by Madeline Carter, CSOM Project Director, and Debbie Smith of First Folio Resource Group, Inc. CSOM would like to express its gratitude to Chief Scott Cunningham, Detective Robert Shilling, and Commander Steven Stahl for their thoughtful insights and review of this document.

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