

C e n t e r f o r S e x O f f e n d e r M a n a g e m e n t

A Project of the U.S. Department of Justice, Office of Justice Programs

Managing the Challenges of Sex Offender Reentry

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Introduction

The release of individuals from prisons to communities is a practice that has long been fraught with systemic challenges and one which evokes considerable public concern. As a result, in recent years, prisoner reentry has become the focus of a number of problem-solving initiatives at the national, state, and local levels, and a body of promising research and professional literature to inform reentry efforts has begun to accumulate. Thus far, however, these strategies have primarily targeted general criminal offenders.

Facilitating successful reentry is always a challenging endeavor, but with sex offenders specifically, several unique dynamics and barriers make the transition even more difficult. For example, myths about sex offenders and victims, inflated recidivism rates, claims that sex offender treatment is ineffective, and highly publicized cases involving predatory offenders fuel negative public sentiment and exacerbate concerns by policymakers and the public alike about the return of sex offenders to local communities. Furthermore, the proliferation of legislation that specifically targets the sex offender population – including longer minimum mandatory sentences for certain sex crimes, expanded registration and community notification policies, and the creation of “sex offender free” zones that restrict residency, employment, or travel within prescribed areas in many communities – can inadvertently but significantly hamper reintegration efforts.

This policy and practice brief is designed to inform the efforts of correctional administrators and staff, parole boards and other releasing authorities, community supervision officials, treatment providers, and non-criminal justice partners as they work collaboratively to support the successful transition of sex offenders from prison to the community while ensuring victim and community safety. Consistent with the research and

professional literature on effective reentry efforts with general criminal offenders, and drawing upon the available research from the field of sex offender management, this document emphasizes a balanced and rehabilitation-oriented framework for facilitating the transition and reintegration of sex offenders.

Incarceration, Release, and Reincarceration Trends with Sex Offenders

Of the roughly 1.5 million individuals incarcerated in state and federal prisons throughout the United States, it is estimated that approximately 150,000 are imprisoned for a sex offense conviction – 40% for rape, and 60% for other sexual assaults such as lewd acts with children, fondling, molestation, statutory rape, indecent practices, and other related offenses (Harrison & Beck, 2006). Recognizing the variations from state to state, convicted sex offenders represent between 10 and 30 percent of prison populations (see, e.g., Bynum, Huebner, & Burgess-Proctor, 2002; Greenfeld, 1997; Harrison & Beck, 2006).

These incarceration figures represent a marked increase in the proportion of imprisoned sex offenders relative to other types of offenders. Indeed, between 1980 and 1994, the number of convicted sex offenders in prisons increased more than 300%, largely a function of incarcerations for the broad category of sex crimes involving children and other offenses outside of forcible rape (Greenfeld, 1997). The dramatic growth of this specific subset of imprisoned sex offenders far outpaced the expansion of the general prison population (Greenfeld, 1997).

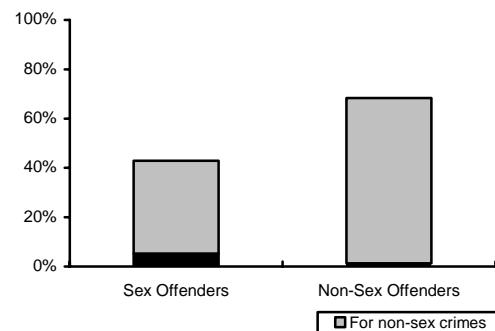
Given what is known about general incarceration and release trends (Harrison & Beck, 2006; Hughes & Wilson, 2003), between 10,000 and 20,000 sex offenders are likely to exit prisons and return to

Established in June 1997, CSOM's goal is to enhance public safety by preventing further victimization through improving the management of adult and juvenile sex offenders who are in the community. A collaborative effort of the Office of Justice Programs, the National Institute of Corrections, the State Justice Institute, and the American Probation and Parole Association, CSOM is administered by the Center for Effective Public Policy.

communities annually. At the time of their release, individuals convicted of rape have served an average of five years in prison, and those with convictions for other sex offenses and sex crimes involving children have served roughly three years on the average (Greenfeld, 1997; Langan, Schmitt, & Durose, 2003). It should be noted that compared to all persons released from prisons, those with sex offense convictions tend to serve nearly twice as much time prior to release (Greenfeld, 1997; Langan & Levin, 2002), which has the potential to exacerbate reentry challenges with this population.

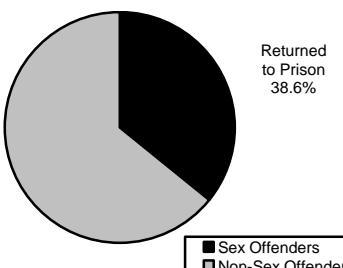
In terms of "staying out," a recent national study revealed that nearly half of released sex offenders (43%) were rearrested for at least one new crime – and well over one-third were returned to prison – within three years (Langan et al., 2003).

Re-Arrests of Sex Offenders and Non-Sex Offenders by Type of Crime: 3 Years Post-Release



(Adapted from Langan et al., 2003)

Reincarceration of Sex Offenders: 3 Years Post-Release



(Adapted from Langan et al., 2003)

Returns to prisons were generally not, however, because of new sex crimes. In fact, only 5.1% of the released sex offenders were rearrested for another sex offense during that period of time, and only 3.5% were reconvicted of another sex crime. The clear majority of sex offenders (71%) were returned to prison for technical violations of release conditions or were rearrested, and the remaining

reincarcerations (23.9%) were the result of new sentences for additional crimes.

Specifically relevant to the transition of sex offenders from prisons to the community, the study revealed that over one third of the new arrests for any new crimes took place within the first six months of release, and that by the end of that first year, well over half of all of the arrests recorded during the entire three year follow-up period had already occurred. Most of the remaining arrests were accounted for within year two. This clearly indicates that the months and years immediately following release from prison are a critical adjustment period for sex offenders. Such a pattern holds true to an even greater extent for non-sex offenders, who are rearrested at up to twice the rate of sex offenders at the same post-release intervals (Langan & Levin, 2002; Langan et al., 2003).

Although these data suggest that additional sex crimes may not be a significant contributing factor to the proverbial "revolving door" phenomenon, it is important to remember that the low rate of sexual recidivism identified in this study and others represents only re-offending that is *known* to the authorities. Because of the unique nature and dynamics of sex offending and its impact on disclosure and detection, the ability to accurately and fully understand outcomes with released sex offenders is limited. This, in combination with the aforementioned barriers specific to this population (e.g., negative public sentiment, sex offense-specific legislation, increasing numbers of imprisoned and released sex offenders, comparatively longer periods of confinement, housing and employment challenges), highlights the need to consider a specific strategy to enhance reentry efforts with sex offenders (Bumby, Talbot, & Carter, in press; Spencer, 1999).

Key Elements of a Sex Offender Reentry Strategy

With the recent focus on enhancing prisoner reentry nationwide, criminal justice experts have emphasized a number of elements necessary for successful community reintegration, guided by an ever-growing body of correctional research with "general" criminal offenders (see, e.g., Petersilia, 2003; Reentry Policy Council, 2003; Travis, 2005).

It is proposed that a tailored approach to reentry for sex offenders can be built upon the foundation of this broader correctional literature – while taking into account additional factors that are uniquely relevant to this population – as outlined within the following framework (Bumby et al., in press):

- Collaborate to Achieve an “In to Out” Approach
- Manage Sex Offenders in Prison with an Eye Toward Release
- Recognize the Value of Discretionary Release Decisionmaking
- “Reach Out” During the Transition and Release Process
- Ensure Victim-Centeredness in the Reentry Process
- Adopt a Success-Oriented Approach to Post-Release Supervision

Collaborate to Achieve an “In to Out” Approach

Although many of the elements critical to successful reentry tend to cluster around either institutional or community domains, policymakers and practitioners should be mindful of the pitfalls of considering these two domains as mutually exclusive. In other words, when stakeholders only view themselves as being responsible for working with sex offenders either “in” or “out” of the prison, transition and reentry efforts are less likely to be effective because of the potential for fragmented and incompatible policies and practices. To maximize sex offender reentry efforts, operating within an “in to out” framework is important, whereby all professionals – regardless of the locations of their offices – share ownership for promoting successful outcomes as sex offenders exit prisons and enter communities (Bumby et al., in press; Spencer, 1999; Steele, 1995).

As will be highlighted throughout this brief, this is dependent upon an ongoing commitment to multidisciplinary and multiagency collaboration, both internal and external. Internal collaboration is required among the various professionals within the prison setting and among key individuals and organizations within the community; and external collaboration is required to bridge the institutional and community dimensions. Some forms of collaboration exist already in certain jurisdictions throughout the country, but in many instances, implementing an effective sex offender reentry strategy will require the forging of new alliances. At a minimum, it requires meaningful partnerships between correctional, community supervision, law enforcement, mental health, social services, victim advocacy, educational and vocational, employment, and housing entities, as well as the community at large.

Manage Sex Offenders in Prison with an Eye Toward Release

Although preparing offenders for a successful return to the community should begin early during the period of incarceration, this has not been a primary emphasis within prisons in recent decades, largely because of the perception that “nothing works” to rehabilitate offenders. Instead, in many correctional departments, the prevailing charge has been to assume the care, custody, and control of the offenders remanded to them, rather than invest in rehabilitative programming.

More recently, a mounting body of evidence in the general correctional field has demonstrated that purely custodial or punishment-driven approaches are not effective in ensuring that offenders will return to communities as law-abiding and productive citizens – but that well-designed treatment, education, and other programs and services can have the desired effect of promoting positive outcomes for offenders and reducing recidivism (see, e.g., Andrews & Bonta, 2003; Aos, Phipps, Barnoski, & Lieb, 2006; Cullen & Gendreau, 2000; Gaes, Flanagan, Motiuk, & Stewart, 1999). As a result, experts have argued for a reaffirmation of rehabilitative ideals within corrections and supervision agencies (see, e.g., Petersilia, 2003; Travis, 2005). By taking full advantage of the evidence-based opportunities that exist within prisons specifically, reentry efforts are more likely to be successful. It is suggested that this, too, can apply to the way in which sex offenders are managed (Bumby et al., in press).

Just as prison administrators and staff must embrace the key role they play in facilitating community safety through reentry efforts with other offenders, they must also recognize the critical ways in which they can support the successful transition and reintegration of sex offenders from within the prison (Bumby et al., in press; Spencer, 1999). This can be realized in part through the use of specialized assessments to guide case management plans beginning at the point of entry into the correctional setting, providing prison-based programs and services that “work” to reduce recidivism with sex offenders, creating a prison environment that supports a rehabilitative philosophy and that establishes parallel expectations for sex offenders in the community, and engaging in release planning with offenders to assure individuals are released with the structures and tools to support a crime-free life, such as appropriate housing, employment, and community resources and supports.

Conduct Specialized and Comprehensive Assessments to Inform Case Management

An ideal time to begin to consider sex offender reentry is during the intake, reception, and classification phase, as it provides the opportunity to identify critical intervention needs, unique risk factors, and potential barriers to reentry, and to begin formulating individually-tailored and comprehensive case management plans to address them. Certainly, when anticipated barriers to successful reentry are identified early, the prospects are better for addressing them well in advance of release. For example, this is an ideal time to consider which individuals are either eligible for or required to participate in specialized sex offender treatment services within the prison. In part, these determinations can be guided by specialized assessments.

Specialized assessments are important because although some of the potential targets of intervention associated with recidivism for sex offenders parallel risk factors for non-sex offenders, there are several additional factors unique to this population (see, e.g., Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2004). As such, traditional risk and needs assessment instruments commonly used within correctional settings provide only part of the picture. Examples of validated risk assessment tools commonly used with sex offenders include the Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR; Hanson, 1997), STATIC-99 (Hanson & Thornton, 1999), Sex Offender Risk Appraisal Guide (SORAG; Quinsey et al., 1998), Minnesota Sex Offender Screening Tool-Revised (MnSOST-R; Epperson, Kaul, & Hesselton, 2000), and the Vermont Assessment of Sex Offender Risk (VASOR; McGrath & Hoke, 2002).

These and other research-supported assessment measures designed specifically for sex offenders are critical for ensuring the collection of more comprehensive and accurate information, thus better informing the intensity and types of interventions that will be most effective in reducing recidivism and enhancing reentry outcomes. Beyond their role in informing programming for sex offenders, specialized and comprehensive assessments early in the period of incarceration provide critical baseline data about each offender. Changes and progress can be objectively measured against that baseline data, both prior to and following release to the community. And when institutional and community-based partners agree to rely on the same kinds of assessment instruments to assess risk and needs, they offer a common and consistent language by which stakeholders can communicate about case management decisions

during the period of incarceration, through the transition process, and upon return to the community.

Provide Evidence-Based Interventions

Without question, an effective reentry strategy relies upon the use of evidence-based interventions, and there is a considerable amount of guiding literature about "what works" in the corrections arena (see, e.g., Andrews & Bonta, 2003; Aos et al., 2006; Gaes et al., 1999). Although the evidence is more limited within the sex offender management field, there is nonetheless a growing body of research about effective interventions with sex offenders (see, e.g., Aos et al., 2006; Hanson, 2006; Hanson, Gordon, Harris, Marques, Murphy, Quinsey, & Seto, 2002). Specifically, the current available evidence suggests that cognitive-behavioral sex offender treatment programs can reduce recidivism by 15 to 30 percent (Aos et al., 2006; Hanson et al., 2002; Losel & Schmucker, 2005).

Moreover, researchers have demonstrated that the tangible and intangible costs associated with sex offender recidivism (i.e., the considerable impact on victims and the financial ramifications for courts, criminal justice agencies, and taxpayers) far exceed the costs associated with providing treatment (Aos, Phipps, Barnoski, & Lieb, 2001; Donato & Shanahan, 2001; Prentky & Burgess, 1990; Shanahan & Donato, 2001). Thus, the question becomes not "if" sex offender treatment should be available within the prison as a means of facilitating successful reentry, but "how" to ensure that services are provided in the most beneficial manner to the greatest number of offenders.

- *Prioritize higher risk sex offenders.* Prison-based sex offender treatment is available in many states (McGrath, Cumming, & Burchard, 2003; Wenger, 2000), but program capacity is insufficient to serve the increasing number of sex offenders housed in the nation's prisons. Research suggests that limited and costly in-prison treatment programming can be maximized and better outcomes attained by triaging offenders into programs and services based on risk level: higher risk offenders benefit more from higher intensity services than do lower risk offenders (Andrews & Bonta, 2003). The same appears to hold true for sex offenders (Hanson, 2006). This translates into the need for a range of sex offense-specific programming within the prison setting, including intensive treatment for higher risk sex offenders, and shorter-term services such as psychoeducational groups for those sex offenders at the lower end of the

spectrum (Gordon & Hover, 1998; Marshall, Anderson, & Fernandez, 1999).

- Consider the timing of prison-based sex offender treatment. When prioritizing offenders' entrance into institutional sex offender programming, sentence length can be a useful guide. It has been suggested that treatment should be offered later in an offender's sentence – and as close as possible to the anticipated release date – such that newly developed skills and competencies can be more easily transferred to the community upon release (Mann & Thornton, 1998; Marshall et al., 1999; Spencer, 1999). If sex offenders complete prison-based treatment well in advance of release, maintenance interventions should be offered in order to ensure that treatment gains are not lost (Green, 1995; Mann & Thornton, 1998; Marques, Nelson, Alarcon, & Day, 2000; Marshall et al., 1999; Spencer, 1999).
- Recognize that sex offenders are not simply "sex offenders." Individuals who commit sex offenses, like other persons within the criminal justice system, have a range of needs (e.g., education, substance abuse, interpersonal skills) that warrant attention in order for community reintegration to be maximally successful. And as highlighted previously, most returns of sex offenders to prisons are not for new sex crimes; rather, non-compliance with treatment or supervision expectations or engaging in other non-sex offending criminal behavior is much more common for released sex offenders (Langan et al., 2003). An effective reentry strategy for sex offenders, therefore, considers them holistically and ensures that – beyond sex-offense specific treatment – other psychosocial needs are addressed during the period of incarceration. The evidence-based literature in the general correctional field highlights numerous prison-based interventions that can promote wellness and stability for offenders while also reducing recidivism (see, e.g., Aos et al., 2006; Gaes et al., 1999; Petersilia, 2003; Seiter & Kadela, 2003).

Create a Safe Prison Environment that Supports Rehabilitation and Reentry

Even when rehabilitative programs and services are in place within prisons, the negative influences and the impact of extended incarceration have the potential to undermine the positive effects of these efforts (see, e.g., Petersilia, 2003; Travis, 2005).

As such, reentry efforts can be enhanced by creating a culture within the prison that complements and supports existing treatment and educational interventions, and that parallels some of the expectations that offenders will have upon returning to the community, including employment and treatment requirements (Petersilia, 2003). This is, of course, no simple task, and it is dependent upon leadership, policies and operating procedures, and staff buy-in to promote such a culture. With sex offenders in particular, a complementary environment requires consideration of the following issues (see, e.g., Bumby et al., in press; Spencer, 1999):

- **Specialized training for personnel.** Depending upon their role in the institutions, varied levels of training for personnel can be beneficial in promoting sex offender reentry. Training for correctional officers on what is known about sex offenders can counter myths and misperceptions about these offenders (Weekes, Pelletier, & Beaudette, 1995). It can also be used as an opportunity to clarify their roles in the therapeutic milieu and in reentry efforts overall. Because of their ongoing contact with offenders, correctional officers can assist them with practicing new skills learned in treatment. Without the investment of these key prison staff, treatment efforts may be undermined or, at the very least, may fail to be reinforced appropriately (Fernandez & Marshall, 2000; Gordon & Hover, 1998; Spencer, 1999). Ongoing continuing education for treatment professionals, on the other hand, is important for refining their clinical skills and ensuring that they stay abreast of current research and professional literature in an ever-evolving field. For example, relatively new research demonstrates that the overly confrontational style used within many sex offender programs is associated with poorer outcomes with sex offenders, in contrast to an approach that creates a more therapeutic atmosphere (see, e.g., Fernandez, 2006; Marshall, Ward, Mann, Moulden, Fernandez, Serran, & Marshall, 2005). Finally, specialized training tailored specifically for prison administrators can be used as a means of highlighting the benefits of prison-based sex offense-specific treatment and other evidence-based rehabilitative programs and services, and for ensuring that internal policies and procedures support reentry in general (see, e.g., Bumby et al., in press; Gordon & Hover, 1998; Mann & Thornton, 1998; Spencer, 1999).

- *Institutional visits and other contacts.* Because of the nature of their crimes, sex offenders' attempts to have contact with victims and other vulnerable individuals must be taken into account during the period of incarceration (Spencer, 1999). Corrections officials may need to work closely with institutional sex offense-specific treatment providers, community supervision agencies, and victim and family therapists to review no-contact orders, assess the appropriateness of visitors' lists, determine special monitoring needs or restrictions on certain visits,¹ and ensure that adequate safeguards are in place to protect visitors who may be vulnerable. However, this is also an opportunity to facilitate therapeutic contacts and visits with persons who can serve as members of community support networks (see, e.g., Bumby et al., in press; Cumming & McGrath, 2005; Spencer, 1999). During the transition and release phase, in-prison visitation provides an ideal forum to foster or reestablish these important relationships, to begin to identify and address any barriers or other needs that may impact reintegration at the family level, and to coordinate family interventions occurring either in the institution or in the community.
- *Restricting potential access to sexually exploitative materials.* An area of some controversy with sex offenders within the prison setting involves accessing materials that objectify or exploit individuals, such as some forms of sexually explicit or pornographic magazines, and Internet Web sites or chat rooms (Bumby et al., in press; Spencer, 1999). Potentially, this can undermine the treatment process by exacerbating attitudes supportive of victimization and fueling deviant fantasies and sexual preoccupations for some offenders. Minimizing pro-offending attitudes and sexual preoccupations – while promoting sexual self-regulation skills – can reduce recidivism potential, as they are among the changeable risk factors identified for sex offenders (Hanson & Harris, 2000; Hanson & Morton-Bourgon, 2004). Therefore, it may be beneficial for prison administrators to

collaborate with treatment and education personnel to develop policies and operating procedures that limit the potential for sex offenders to access these sources within the prison.² Moreover, because specialized conditions of supervision and community-based treatment for many released sex offenders often restrict the use of pornography and limit Internet access, these restrictions within the prison setting can complement post-release expectations and outcomes.

- *Recognizing the risk of prison violence targeting sex offenders.* Within prisons, it is commonly recognized that sex offenders are stigmatized and ostracized by other inmates and are at increased risk for sexual and other violent victimization (Austin, Fabelo, Gunter & McGinnis, 2006; Human Rights Watch, 2001; Owen & Wells, 2006; Struckman-Johnson, Struckman-Johnson, Rucker, Bumby, & Donaldson, 1996). Indeed, researchers have found that persons convicted of sex crimes against children in particular are sexually assaulted by other inmates at a higher proportion than other types of offenders (Austin et al., 2006; Human Rights Watch, 2001; Struckman-Johnson et al., 1996). Prison officials must, therefore, take into account the potential safety concerns for these and other potentially vulnerable individuals while still affording them the necessary opportunities to participate in prison-based programs and services. Like other victims of violence, individuals who are sexually assaulted or otherwise victimized while incarcerated can experience a range of short and long term negative aftereffects which, if unaddressed, can impact adjustment and stability, and may ultimately have a negative impact on reentry.

Recognize the Value of Discretionary Release Decisionmaking

Beyond the emphasis on prison-based programs and environment, an effective reentry strategy must also take into account the processes by which release decisions are made (see, e.g., Petersilia, 2003; Travis, 2005). Although release decisionmaking approaches vary widely throughout the country, they can be broadly categorized based on whether releases are mandatory or

¹ Generally speaking, correctional agencies have been afforded considerable latitude by the courts when establishing policies or restrictions relative to visitation privileges, provided that there exists a rational basis for these policies. To withstand challenges, it is often incumbent upon the correctional agency to demonstrate that any restrictions promote a legitimate penological interest (e.g., the protection of vulnerable parties), and that these policies are sufficiently clear and limited in scope such that the legitimate interest can be achieved without being overly broad.

² Again, the correctional agency is often required to demonstrate that there exists a rational basis for the established restrictions and that these restrictions are specific and support a legitimate penological interest (e.g., certain materials may undermine the treatment process).

discretionary. Within mandatory release structures, release dates are primarily dictated by prescribed amounts of time to be served on prison sentences, after which the offenders are “automatically” released. Releases within discretionary release frameworks, on the other hand, can be influenced by a range of factors, such as recidivism risk, participation in recommended interventions, and presumed “readiness” for release.

The key differences between these two types of release practices highlight the potential negative implications within a mandatory release structure with respect to sex offender reentry, in that:

- Sex offenders have little incentive to participate in specialized treatment or other risk-reducing programs and services while incarcerated;
- Releases of sex offenders occur regardless of risk level; and
- Some minimum mandatory sentences with sex offenders result in inadequate periods of post-release supervision or monitoring and aftercare treatment.

In contrast, the leverage of a discretionary release system provides paroling authorities the opportunity to facilitate successful sex offender reentry by encouraging or requiring offenders to participate in specialized services in order to be considered for early release (Bumby et al., in press). This is a particularly valuable tool because the evidence indicates that sex offenders who receive well-designed and appropriate prison-based treatment recidivate at lower rates than those who do not receive treatment (see, e.g., Aos et al., 2006; Hanson et al., 2002), as do sex offenders who, once released from prison, participate in specialized community-based sex offender treatment while under supervision (McGrath, Cumming, Livingston, & Hoke, 2003; Wilson, Stewart, Stirpe, Barrett, & Cripps, 2000).

Discretionary release practices can also be used to require sex offenders to develop comprehensive and realistic release plans – including relapse prevention plans – in order to be considered for parole. And if a release is granted, it can be made conditional upon adherence to special conditions (e.g., participation in community-based treatment).

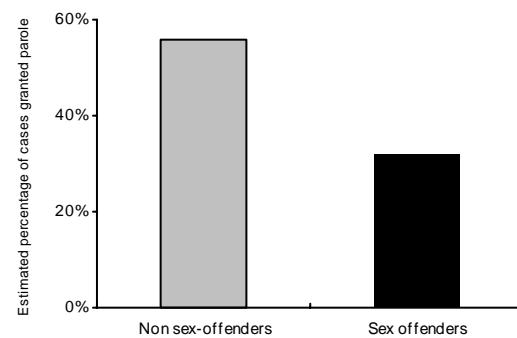
- Within the discretionary framework, paroling authorities also have the added benefit of incorporating the results of validated sex offender risk assessment tools (e.g., Static-99, RRASOR, MnSOST-R) into their decisionmaking processes. As noted

previously, these instruments provide better estimates of recidivism potential for sex offenders than do general risk assessment tools commonly used within corrections, as they consider various factors that are uniquely associated with reoffending among this population (see, e.g., Hanson & Bussiere, 1998, Hanson & Morton-Bourgon, 2004). Ultimately, this can reduce the considerable concerns experienced by paroling authorities – and can increase their confidence in making release decisions – when they review parole-eligible sex offenses (Bumby, 2005). This is particularly important because when sex offenders are not released by paroling officials, they are more likely to serve out their entire sentences and may be discharged to the community without the added interventions and safeguards provided by supervision and aftercare treatment that could have been provided.

Taken together, these factors highlight the benefits of a discretionary release structure for promoting sex offender reentry, which can assure more controlled, informed, and objective releases of individuals who are more likely to be successful upon return to the community.

To Parole or Not To Parole Sex Offenders?

At the 2005 Conference of the Association of Paroling Authorities International, 80 parole board members responded to an informal survey regarding release decisionmaking with parole-eligible sex offenders. The overwhelming majority of the respondents indicated that they experience more difficulty weighing the various elements and release considerations with sex offenders than with other criminal offenders, and that they experience both personal/emotional impact and public scrutiny to a greater degree with sex offense cases than other criminal offenses. Lastly, as depicted below, when asked to estimate the percentage of sex offenders for whom they have granted release in comparison to other criminal offenders, the paroling officials self-reported a decreased likelihood of granting parole for sex offenders (Bumby, 2005).



“Reach Out” During the Transition and Release Process

Once a release decision has been made or a release date has been set, formal transition and release plans become the “roadmap for reintegration” for sex offenders. Ideally, the process is co-facilitated by a reentry case manager or caseworker within the prison and the designated supervision officer in the community, when they are able to be assigned prior to the sex offender’s release. Because of their critical role in post-release management and their familiarity with the receiving community, supervision officers are uniquely positioned to assist the facility case manager with ensuring that all relevant stakeholders are included, special conditions of release are understood, sex offender registration requirements are fulfilled, appropriate housing and employment options are explored, and linkages to community resources are established.

As such, the transition and release process requires outreach to community partners who can provide needed programs, services, and resources in the community to which the individual will return, including:

- Sex offender treatment;
- Healthcare;
- Mental health services;
- Substance abuse treatment;
- Educational services;
- Vocational training;

- Employment assistance; and
- Housing assistance.

Promote Continuity of Care

Research clearly indicates that the effectiveness of prison-based programs and reentry efforts are maximized – both for general criminal offenders and sex offenders – when they are linked to parallel services in the community (Andrews & Bonta, 2003; McGrath et al., 2003; Petersilia, 2003; Wilson et al., 2000). Therefore, a primary goal of community outreach during the transition planning phase is to ensure that ongoing needs will be adequately and seamlessly met following release through appropriate programs and services in the community.

For those who received prison-based sex offender treatment, a seamless transition into community-based sex offender treatment should allow released individuals to build upon progress made, rather than requiring them to “start over.” This is contingent upon the use of a common, evidence-based model (i.e., cognitive-behavioral treatment), a commitment to collaboration and information-sharing, and the use of assessments of risk and needs to guide ongoing treatment planning (Association for the Treatment of Sexual Abusers [ATSA], 2005; Bumby et al., in press; Cumming & McGrath, 2000, 2005; Spencer, 1999). And recognizing that sex offenders are a diverse population with a wide range of potential needs, the notion of continuity of care extends far beyond the provision of sex offense-specific treatment in the community.

Snapshot: Sex Offender Reentry in Vermont

The Vermont Treatment Program for Sexual Abusers (VTPSA) program is often cited as the first to formalize a collaborative and integrated system of in-prison and community-based treatment and supervision for sex offenders.

- Treatment services within the prison include an intensive program for higher risk offenders, moderate intensity program for moderate risk offenders, and a short term program for those who are assessed to be at low risk. In the community, 11 sites throughout the state provide varied levels of treatment for sex offenders released from prison. To ensure consistency and quality, the prison- and community-based programs share a common philosophy and approach and fall under a single, coordinated program.
- Upon admission to prison, validated assessment tools – the Vermont Assessment of Sex Offender Risk (VASOR), Rapid Risk Assessment of Sex Offender Recidivism (RRASOR), Static-99, Sex Offender Treatment Needs and Progress Scale (TPS), and Level of Service Inventory-Revised (LSI-R) – are used to identify risk and needs and to triage offenders into programming levels. Although treatment for incarcerated sex offenders is not mandatory, parole decisions are contingent upon program participation.
- At least 90 days prior to release from prison, sex offenders are assigned to a parole officer who meets with the institutional treatment team and offender to begin transition and release planning. They address issues such as housing, employment, and community support networks, and identify a community treatment provider prior to release. If the offender has no post-release support, correctional and treatment staff work to develop a team on the offender’s behalf, composed of trained volunteers who are recruited and trained explicitly for this purpose.
- With respect to community supervision, specially trained officers balance surveillance and monitoring functions with strategies designed to assist offenders with developing a positive, goal-directed lifestyle.

Collaboration between treatment providers, supervision officers, polygraph examiners, and community support networks is the key to the program’s ongoing success – multidisciplinary teams meet monthly to coordinate management of these cases.

Snapshot: Using the Circles of Accountability and Support Model to Support Sex Offender Reentry in Colorado

The Circles of Accountability and Support volunteer program is a restorative justice initiative designed to safely reintegrate sex offenders into the community. The Circles program serves as an integral component of a coordinated interagency team and utilizes the Colorado Sex Offender Management Board (SOMB) model for supervising and monitoring sex offenders, and is a partnership with the Colorado Department of Corrections Sex Offender Treatment and Monitoring Program (SOTMP) and local communities. It was inspired by and has been adapted from the Circles of Support and Accountability Program in Ontario, Canada by the Mennonite Central Committee.

Volunteers for the Circles program undergo a thorough application process, including a criminal background check and training with the Department of Corrections. They receive professional training focused on restorative justice principles, the dynamics of sex offending, and specialized treatment concepts, and are educated and supervised about creating and maintaining appropriate boundaries while providing support to sex offenders. After completing the training, they are matched with other volunteers and a participating sex offender – known as a Core Member – to create a Circle of Accountability and Support, which is comprised of five to seven volunteers and is supported by professional staff.

The Core Members have made a commitment to change their offending behaviors and are recommended to the Circles program by their treatment providers after they have made significant progress in treatment. They are identified because they lack appropriate supports in the community who can assist them during their transition and reintegration following release from incarceration – the Circle provides that much needed support. Core Members are carefully screened to reduce risk to the community and the Circle volunteers. Volunteers are fully informed of the Core Member's pattern of thinking errors and offending behaviors that could lead to committing another offense. By using specific guidelines, Circle Volunteers seek to hold the Core Member accountable in an effort to prevent re-offense. The volunteers commit to one year of service for a few hours each month.

Establish Community Support Networks

During the transition and release planning process, outreach efforts should also include a focus on non-offending partners, family members, and other persons who can serve as part of a community support network (ATSA, 2005; Bumby et al., in press; Cumming & McGrath, 2000, 2005; Spencer, 1999). For example, family members, AA/NA sponsors, employers, and members of the faith community can provide the assistance and support necessary to overcome some of the identified barriers to reentry, monitor risk factors and intervene if necessary, communicate candidly with supervision officers and other professionals when concerns arise, and foster positive lifestyle changes.

Along this vein, a promising approach with reentering sex offenders involves recruiting and training volunteers to develop community support networks (Wilson & Picheca, 2005). This model, known as Circles of Support and Accountability (COSA), is particularly unique in that it is designed to target high risk sex offenders who are being released from prison following the expiration of their full sentence and who do not have existing natural supports or accountability structures in the communities to which they are returning. The COSA model uses both professional and citizen volunteers to work closely with sex offenders following release to the community, matching them to needed supports and resources, and holding them accountable for their behaviors (Correctional Service Canada, 2002). Outcomes are very positive, with program participants reoffending at lower rates than a matched group of sex offenders who did not participate in the program (Wilson & Picheca, 2005). Because of its success, the model

has been instituted in all of the Canadian provinces, and similar programs based on the Canadian model are being implemented in the United States and other countries.

Appreciate the Unique Needs of Families

Beyond involving them as members of community support networks, offenders' partners and other family members must be considered during the transition and release planning phase because of the impact that the offender's departure from home and ultimate return can have on them (see, e.g., Solomon, Waul, Van Ness, & Travis, 2004; Travis, Concotta, & Solomon, 2003). Having an incarcerated partner or parent is challenging in and of itself, but the additional emotional, psychological, and social impact can be exceedingly difficult for the families of sex offenders. These issues can be worsened by some community notification practices, by placing undue public scrutiny and stigma upon the family, and by sex offender residency restrictions, especially when the impending return of the sex offender forces a family to relocate from an established home.

To minimize some of these potential negative effects, it is essential that families are linked to supportive resources as early as possible, and particularly during the transition and release planning phase (Solomon et al., 2004; Travis et al., 2003). For example, healthy intimate relationships are an important protective factor that decreases the likelihood of recidivism for sex offenders (Hanson & Morton-Bourgon, 2004). Therefore, during the course of incarceration, and following an offender's return to the community, couples or family therapy offers an important opportunity to

cultivate positive intimate relationships and address any interpersonal concerns and conflicts.

Approach Family Reunification Carefully

For cases in which a child within the family was victimized, sex offender reentry strategies must also take into account the appropriateness of reunification (see, e.g., ATSA, 2005; Center for Sex Offender Management [CSOM], 2005; Cumming & McGrath, 2005; Spencer, 1999). This is an extremely complex issue that, despite its potential benefits, also raises a number of concerns, such as:

- Interfering with the victim's healing;
- Negatively impacting other family members in the home;
- Disrupting the stability and security of the family;
- Inadvertently minimizing the seriousness or impact of the offender's behavior or shifting responsibility from the offender;
- Creating confusion about roles within the family; and
- Distracting the non-offending partner from providing necessary protection and support for victims and other vulnerable family members.

Because of these and other potential risks involved, family reunification cannot be entered into lightly. It is an incremental process that demands careful consideration of multiple factors, and only through thorough assessments by qualified professionals – in terms of the victim, offender, non-offending parent, and other family members – can a determination be made about whether an offender's return to a home is appropriate or advisable (CSOM, 2005). Such a determination requires dedicated outreach to victim advocates, family therapists, and child welfare personnel during the transition and release phase to ensure that reunification plans are well-informed, well-timed, and well-planned.

Anticipate the Increased Potential for Housing and Employment Challenges

The inability of offenders to secure affordable and adequate housing and employment is among the most significant barriers to effective reentry, and this challenge becomes even more pronounced when sex offenders are involved (Bumby et al., in press; Petersilia, 2003; Spencer, 1999). As transition and reentry plans are developed for sex offenders, reaching out to community stakeholders

becomes a critical step in addressing these challenges.

Housing. A significant factor that influences housing challenges for reentering sex offenders is negative public sentiment. In some instances, neighborhood groups – fueled in part by certain community notification practices – have mobilized to both block sex offenders from moving into particular neighborhoods or to drive them from existing residences. Other jurisdictions, fearing that sex offenders living together will pose greater risks to the community, have enacted local ordinances that prevent more than one sex offender from residing in a single dwelling, including halfway houses, group homes, and community shelters. Furthermore, some public housing entities and homeless shelters have established exclusionary rules pertaining specifically to sex offenders, thus eliminating these options for returning offenders. Lastly, a significant barrier involves the unprecedented level of activity by state legislatures and local governing bodies to create "sex offender free" zones that prohibit sex offenders from residing within a prescribed distance of schools, parks, daycare centers, or other areas where children may be present.

Unintended Consequences Associated with Community Notification and Residency Restrictions

- Inability to find suitable housing
- Inability to return to an established residence post-release
- Forced relocation of residence and family
- Difficulty finding employment/loss of employment
- Loss of positive social supports
- Excessive negative community sentiment
- Harassment, vigilantism
- Increased fear and concern among citizens

(Levenson & Cotter, 2005a, 2005b; Phillips, 1998; Tewksbury, 2005; Zevitz & Farkas, 2000)

Although the fears and concerns of local citizens are often understandable, and the enactment of these types of restrictions is well intended, some of the effects can actually compromise public safety – rather than increase it – by exacerbating known risk factors for sex offenders (e.g., housing and employment instability, loss of community supports, and increased hostility and resentment). In reality, shared residency options for sex offenders and the proximity of sex offenders' residences to schools and parks do not appear to be linked to incidents of new sex crimes in communities (see, e.g., Colorado Department of Public Safety, 2004; Minnesota

Department of Corrections, 2003). Furthermore, sex offenders who are unable to find housing may be more likely to report false addresses on sex offender registries or they may be driven "underground," thus making supervision and monitoring efforts futile. Significant concerns about these and other collateral consequences have already been reported by supervision officers, treatment professionals, law enforcement officials, community members, and sex offenders themselves (Levenson & Cotter, 2005b; Malesky & Keim, 2001; Phillips, 1998; Tewksbury, 2005; Zevitz & Farkas, 2000).

To begin to address barriers to housing, community outreach is vital (see, e.g., Cowan, Gilroy, & Pantazis, 1999; Cowan, Gilroy, Pantazis, & Bevan, 1999; Scottish Executive, 2001). For example, when housing representatives are invited to participate as members of multidisciplinary sex offender management teams, the benefits are numerous, including (Cowan et al., 1999b):

- Housing officials are more willing to make housing available to reentering sex offenders;
- Specific attempts are made to minimize negative sentiment and unnecessary fear among local tenants because of the presence of sex offenders;
- Supervision agencies and law enforcement officials make commitments to provide ongoing support and increased monitoring in those areas where sex offenders are housed; and
- Greater confidence is instilled with respect to the sex offender management practices in place within the community.

Other promising approaches include the investment of state agencies' resources to expand the range of housing options for sex offenders during the transition and reentry process, including rent subsidies, transitional placements, and shared housing for sex offenders (Bumby et al., in press).

Employment. Because employment instability is a risk factor that predicts both sexual and violent recidivism among sex offenders (Hanson & Morton-Bourgon, 2004), it is important for professionals managing the reentry process to be mindful of this early in the offender's incarceration, and especially during the transition and release phase. For general offenders with identified needs in this area, educational and vocational services within the prison are among the evidence-based interventions that reduce recidivism and can enhance job readiness following release (Aos et al., 2006; Gaes

et al., 1999; Lawrence, Mears, Dubin, & Travis, 2002; Seiter & Kadela, 2003). Also found to be promising for general criminal offenders are job linkage and placement services designed to match the specific skills of offenders with complementary job opportunities in the community (Aos et al., 2006; Solomon et al., 2004).

Unfortunately, identifying suitable employment can be more of a significant challenge for released sex offenders than for other offenders. In part, this is because of the need to minimize access to victims and exposure to other potential risk factors that may not be an issue for non-sex offenders. Additionally, some of the same barriers to housing for sex offenders (e.g., negative public sentiment, sex offender-specific legislation such as community notification that alerts community to the identity of sex offenders, and "sex offender free" zones) can exacerbate employment barriers for sex offenders (Levenson & Cotter, 2005a; Phillips, 1998; Tewksbury, 2005).

Collaboration with key community partners offers the potential to creatively build employment capacity for reentering sex offenders (Bumby et al., in press). For example, supervision officers, workforce development boards, and employment agencies in local communities can collaborate to establish networks of employers who are willing to hire released sex offenders. Alternatively, through interagency agreements, corrections, parole, and employment agencies can pool resources to "sponsor" or subsidize an offender's placement with a specific employer for a prescribed period of time. This initially limits the financial risk for employers, as a portion of the wages and benefits are covered temporarily by these interagency funds. When the agreed upon probationary period is completed successfully, the employer – now confident in the investment – agrees to fully maintain the offender.

As has been suggested with general offenders (Solomon et al., 2004), ongoing case management with released sex offenders can ensure that they receive continued support and assistance with the resolution of common employment challenges, such as transportation difficulties and scheduling conflicts that may arise as a result of post-release supervision conditions. Specialized supervision officers are well positioned to adopt this type of case management approach to support sex offender reentry and to ensure that the type of employment does not expose the offender or others unnecessarily to high risk situations (CSOM, 2002).

Ensure Victim-Centeredness in the Reentry Process

Thus far, this brief has emphasized the needs and challenges faced by sex offenders during their transition from prison to the community, as well as strategies designed to assist professionals responsible for maximizing reentry efforts. However, an effective sex offender reentry strategy – consistent with a broader approach to sex offender management – also values the needs and interests of victims (see, e.g., Carter, Bumby, & Talbot, 2004; D'Amora & Burns-Smith, 1999; English, Pullen, & Jones, 1996; Spencer, 1999). Indeed, perhaps more than during any other phase in the criminal justice process, concerns about personal safety are likely to be heightened for victims when sex offenders are released from prison.

The victims of sex offenses must, therefore, be recognized as key stakeholders with an important role in reentry efforts and whose needs and interests must be considered (ATSA, 2005; Office for Victims of Crime, 2004; Petersilia, 2003; Seymour, 2001). This involves ensuring that appropriate safety plans, services, and supports are in place for victims, that they understand the various management strategies that are designed to protect them, and that they are provided opportunities to be involved in the processes pertaining to sex offender management and reentry, if they are interested.

Increase Awareness of Victim Rights

An important step toward assuring that victims are not overlooked within sex offender reentry efforts is to increase awareness of victims' rights. Indeed, a range of rights are afforded to victims of sex offenses and other crimes that are in effect once an offense occurs, continue through the period of incarceration, and remain during the release process. These rights are typically detailed in each state's victim rights statute and pertain to issues such as victim compensation and restitution, public information about offenders, notification prior to the release of offenders, information when offenders are released, and notice of parole or conditional release violations, including revocation hearing dates and decisions. Unfortunately, victim notification of these various rights does not always occur in a timely manner, if at all (Seymour, 2001).

Therefore, promoting awareness of and education about the rights of victims and points of notification is vital for the various professionals involved in reentry. This can ensure that victims understand their rights fully, and that victim considerations can

be taken into account when developing and adjusting sex offender management strategies – both in the prison and in the community. For example, with respect to post-release supervision planning, information from involved victims can be particularly useful for providing a unique perspective on the offense patterns, modus operandi, and warning signs of individual sex offenders.

Allow Victims to be Heard during Release Decisionmaking Processes

Victim-centeredness is also important when sex offenders are being considered for release. Although most states have established policies and procedures for soliciting victim impact statements at release hearings and notifying victims of offenders' releases, not all jurisdictions are steadfast in their attempts to obtain victim impact statements; for this and other reasons, the actual involvement of victims in these proceedings remains low (Fine, 2000; Petersilia, 2003; Seymour, 1997). For example, the times and locations of the proceedings may not be conducive to victim attendance, for travel, time, and financial reasons. In addition, few alternatives are available for victims to present information unless they attend the proceedings in person, although videoconferencing has become a relatively new option in some instances. Furthermore, reliving the victimization experience and facing the assailant may be traumatic for victims, and concerns about retaliation may exist. It should also be noted that the elimination of discretionary release or parole options removes the opportunity for victims to provide input about their crimes at parole hearings, and to ensure that victim impact is considered in the establishment of special release conditions (Fine, 2000; Office for Victims of Crime, 2004; Petersilia, 2003; Seymour, 1997, 2001).

Regardless of whether individual victims opt to participate actively during the release decisionmaking process, it is important that paroling authorities receive relevant information about the specific impact of the offense committed by the individual under release consideration. And once release decisions have been made, it is essential that interested victims receive timely notification about whether and when an offender will be released.

Adopt a Success-Oriented Approach to Post-Release Supervision

Following release, community supervision is critical to the reentry process. Specialized supervision has been a mainstay of sex offender management, based on the recognition that sex offenders pose

and encounter unique risks (see, e.g., ATSA, 2005; CSOM, 2000; Cumming & McGrath, 2000, 2005; English et al., 1996). Because of the differences between sex offenders and more general criminal offenders, the supervision of sex offenders commonly emphasizes the following:

- Specialized training and knowledge about sex offenders and victims;
- The establishment of specialized caseloads or units;
- Application of specialized supervision conditions and restrictions;
- The use of technology such as electronic monitoring, global positioning systems (GPS), and the polygraph; and
- Close monitoring of risk factors unique to sex offenders.

Indeed, researchers have found that several specific risk factors are associated with recidivism for sex offenders, and that through close supervision and monitoring, supervision officers and others will be better equipped to intervene effectively and prevent the occurrence of new sex offenses (see, e.g., Hanson & Harris, 2000; Hanson & Morton-Bourgon, 2004).

Examples of Dynamic Risk Factors Relevant to Post-Release Supervision and Treatment of Sex Offenders

- Non-compliance with treatment or supervision
- Sexual preoccupation
- Emotional identification with children
- Intimacy deficits, conflicts in intimate relationships
- Substance abuse
- Pervasive anger, hostility
- Antisocial values, pro-offending attitudes
- Negative social influences
- Self-regulation deficits, impulsivity
- Employment instability

An effective reentry strategy cannot, however, rely solely upon the use of risk management strategies, such as surveillance and intensive supervision, as the sole means of reducing recidivism (see, e.g., Petersilia, 2003; Travis, 2005). In fact, research with general criminal offenders reveals that such an approach may actually have the opposite of the desired effect (Aos et al., 2006). To illustrate, traditional surveillance and punishment-oriented approaches to supervision are often based on the underlying expectation that sex offenders and other criminals will recidivate and that surveillance will

help to lower recidivism. Consequently, multiple restrictions and conditions are imposed, and the role of supervision officers is to closely monitor offenders and sanction them when they violate these conditions.

Research consistently reveals, however, that this approach has little to no impact on reducing recidivism – at least with general criminal offenders (see, e.g., Aos et al., 2006; Cullen & Gendreau, 2000; Smith, Goggin, & Gendreau, 2002). When intensive supervision occurs within a treatment-oriented or rehabilitation-focused framework, however – in which a key goal is to ensure that offenders develop the necessary skills and competencies to become prosocial and successful individuals – recidivism rates are reduced considerably (see, e.g., Aos et al., 2006). There is preliminary evidence that the same holds true for sex offenders – lower recidivism rates have been found among sex offenders when supervision is paired with specialized treatment, in contrast to using supervision alone (McGrath et al., 2003).

These findings have clear implications for the post-release supervision of sex offenders, particularly in light of the increasingly punitive and restrictive trends toward sex offenders that have emerged within the criminal justice arena, some of which have occurred at the expense of treatment (see, e.g., Pratt, 2000; Winick & LaFond, 2003). For example, despite the absence of data to support their independent effectiveness in reducing recidivism, the use of electronic surveillance, global positioning system (GPS) tracking, and polygraph examinations to monitor sex offenders in the community have become an emphasis of many supervision and reentry strategies. The research does indicate, however, that strategies involving intensive supervision, surveillance, and monitoring, combined with rehabilitative programs, results in the most significant recidivism reduction impact (see, e.g., Aos et al., 2001, 2006).

Also required is an explicit philosophy that public safety can be enhanced by promoting successful outcomes for sex offenders (Bumby et al., in press). A success-oriented approach to supervision parallels a similar movement within the treatment field, in which there has been an emphasis on balancing risk management techniques with positive approach goals as a means of maximizing successful outcomes and reducing recidivism with sex offenders (see, e.g., Mann, 2000; Mann, Webster, Schofield, & Marshall, 2004; Ward & Stewart, 2003). Supervision officers can incorporate a success-oriented approach into their practices, and thereby promote reentry, in the following ways (see, e.g., Bumby et al., in press;

Cumming & McGrath, 2000, 2005; Spencer, 1999; Wilson et al., 2000):

- Become active partners in the transition and release planning process;
- Identify community resources and link sex offenders and their families with these resources pre- and post-release;
- Assist with efforts to identify suitable housing during the transition and release phase;
- Assist with employment searches, and work closely with offenders and employers to foster on-the-job success;
- Collaborate with community-based sex offender treatment providers to support offenders' participation in these services and practice and reinforce the skills they are learning in treatment;
- Communicate routinely with members of community support networks;
- Convene multidisciplinary case management staffings to ensure that all involved parties remain abreast of progress, identify any changes or needs, and modify case management plans accordingly; and
- Use incentives and rewards to promote and reinforce positive changes, including reductions in supervision intensity or contacts.

For some supervision officers and agencies, these and other practices are already in place, but for others, it may require a more significant shift in philosophy and practice. Regardless of where supervision agencies currently stand on this type of approach, it is unlikely that agencies differ in terms of the ultimate goal: public safety. And the current available research evidence provides clear direction for the most effective ways to achieve that goal.

Respond Wisely to Violations

Inevitably, and despite the best efforts of professionals, some released sex offenders will demonstrate problems with non-compliance relative to release conditions, such as having unsupervised contact with minors, failing to attend treatment, being terminated from employment, or using alcohol or drugs. As noted previously, some of these problems are among the dynamic risk factors that are associated with sexual recidivism by sex offenders under supervision (see, e.g., Hanson & Harris, 2000). Effective responses to violations and non-compliance are, therefore, critical considerations for successful post-release supervision and overall reentry strategies.

Snapshot: Sex Offender Reentry in Texas

In recent years, the Texas Department of Criminal Justice (TDCJ) and the Texas Board of Pardons and Paroles have taken great strides toward developing and implementing a number of promising practices with respect to sex offender reentry, including the following:

- The Rehabilitation and Reentry Programs Division of TDCJ oversees specialized sex offender treatment programming within the prison system. Separate program tracks are in place: a longer-term and more intensive treatment program for higher risk sex offenders, and a short-term psychoeducational program for lower risk sex offenders. Entrance is prioritized based on assessed level of risk using the Static-99 and anticipated release date. Consistent with contemporary models of treatment, the institutional treatment program is based on a cognitive-behavioral and relapse prevention framework. The final phase of treatment emphasizes community reintegration, including the establishment of community supports and understanding of post-release supervision expectations.
- With respect to release decisionmaking, the Texas Board of Pardons and Paroles has adopted a research-based set of parole guidelines that take into account offense severity and risk assessment data. Included are both static factors (e.g., prior criminal history), dynamic factors (e.g., completion of prison-based rehabilitative programs and services), and the results of sex offender-specific risk scores from the Static-99. In addition, the release decisionmaking process takes into account victim impact statements. For those sex offenders who are paroled, the Board can impose a number of specialized conditions, including community-based sex offender treatment requirements, employment and travel restrictions, prohibitions involving sexually explicit materials, polygraph examination requirements, and allowances for parole officers to conduct computer searches, to name a few.
- The Parole Division of TDCJ is responsible for the critical post-release supervision and monitoring component. Specialized caseloads with reduced offender to officer ratios have been implemented, and all parole officers are specially trained to understand the unique dynamics, risk factors, and supervision approaches for this population. Risk levels as assessed by the Static-99 are used as the baseline for establishing the level and intensity of parole supervision, informing scheduled and unscheduled field contacts, and determining the use of electronic monitoring or GPS. Over time, supervision approaches are modified based on stability, adjustment and progress – or lack thereof – in the community. Close collaboration between the parole officers, treatment providers, and polygraph examiners have become a mainstay of the post-release management of sex offenders.

Not all violations require revocation of conditional release and subsequent return to incarceration. Some may be addressed through increased structure, intermediate sanctions, and/or various treatment interventions. The following considerations can be useful for determining the most appropriate level of response (Cumming & McGrath, 2000, 2005):

- Nature and seriousness of the behavior;
- Impact on victims or communities;
- Degree to which community safety was compromised;
- Relationship of the behavior to sex offending;
- Risk level of the offender;
- Ability to develop and follow a realistic plan to address the behavior; and
- Presence of assets or services that may assist the offender in maintaining compliance.

Furthermore, as is the case with decisionmaking throughout the sex offender management and reentry process, well-informed responses to violation behaviors are most likely to be identified when supervision officers, treatment providers, and other community supports work together to consider potential interventions within the context of community safety and offender needs.

Inform and Engage the Public

Given the number and nature of barriers to sex offender reentry, engaging community members and developing community partnerships are essential to successful reintegration strategies. As noted above, negative public sentiment can fuel resistance to sex offender reentry, particularly with respect to housing options and employment opportunities for sex offenders. And although designed as a means of increasing awareness within the public, sex offender registration and community notification practices have the unintended potential to heighten fears, resentment, and hostility – as well as increase the potential for vigilantism – within local communities (Levenson & Cotter, 2005a; Malesky & Keim, 2001; Phillips, 1998; Tewksbury, 2005; Zevitz & Farkas, 2000). Public education, however, can allay some of these concerns. For example, including accurate information about sex offenders and contemporary sex offender management strategies as part of community notification meetings can enhance citizens' perceptions of their safety, ameliorate or minimize negative reactions to sex offenders, and enhance community surveillance (Matson & Lieb,

1997; Phillips, 1998; Zevitz & Farkas, 2000; CSOM, 2001).

Assuming that the general public is solely interested in punishment and incapacitation is inaccurate; rather, there is evidence of growing support for more balanced approaches to offender management that include rehabilitation and treatment, alternatives to mandatory sentences, and strategies to support successful community reintegration (see, e.g., Peter D. Hart Research Associates, Inc., 2002; Petersilia, 2003). Without dedicated attempts to educate local citizens and other stakeholders in the community, as well as policymakers at the state and national levels, myths and misperceptions about sex offenders and their management may create further impediments to effective sex offender reentry and management efforts.

Beyond the use of community meetings as a means of public education, multidisciplinary reentry initiatives can dedicate resources toward developing educational materials that can be accessed through a variety of venues (e.g., Web sites, public service announcements, newspapers, and television). In so doing, public education has the potential to foster effective offender management efforts through the ability to inform, guide, and influence community leaders and policymakers (Office for Victims of Crime, 2004; Petersilia, 2003; Travis, 2005; Travis et al., 2003).

Conclusion

Each year, large numbers of sex offenders are released from prisons and will return to local communities, and this transition is uniquely challenging. Not only does sex offender reentry pose difficulties for the offenders themselves, but it can also be a challenge for victims, communities, and professionals who have a role and stake in the process. Nonetheless, building upon promising approaches to reentry within the general correctional field, and considering research and literature with sex offenders specifically, effective strategies can be implemented. Such strategies are contingent upon enhancing traditional partnerships within the criminal justice system and forging new alliances both within and outside of the criminal justice system. By collaborating with all stakeholders who have the ability to impact – or are impacted by – sex offender management and reentry, complementary policies and practices can be developed, limited resources can be maximized, successful outcomes for sex offenders can be supported, and ultimately, public safety can be enhanced.

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References

- Andrews, D. A., & Bonta, J. (2003). *The psychology of criminal conduct* (3rd ed.). Cincinnati, OH: Anderson.
- Aos, S., Phipps, P., Barnoski, R., & Lieb, R. (2001). *The comparative costs and benefits of programs to reduce crime*. Document No. 01-05-1201. Olympia, WA: Washington State Institute for Public Policy.
- Aos, S., Phipps, P., Barnoski, R., & Lieb, R. (2006). *Evidence-based adult corrections programs: What works and what does not*. Document number 06-01-1201. Olympia, WA: Washington State Institute for Public Policy.
- Association for the Treatment of Sexual Abusers. (2005). *Practice standards and guidelines for the evaluation, treatment, and management of adult male sexual abusers*. Beaverton, OR: Author.
- Austin, J., Fabelo, T., Gunter, A., & McGinnis, K. (2006). *Sexual violence in the Texas prison system*. Washington, D.C.: JFA Institute.
- Bumby, K. M. (2005). [Decisionmaking challenges faced by paroling authorities when sex offenders are considered for parole]. Unpublished raw data.
- Bumby, K. M., Talbot, T. B., & Carter, M. M. (in press). Sex offender reentry: Facilitating public safety through successful transition and community reintegration. *Criminal Justice and Behavior*.
- Bynum, T. S., Huebner, B., & Burgess-Proctor, A. (2002). *Sex offenders incarcerated in the state of Michigan*. Lansing, MI: Michigan Department of Corrections.
- Carter, M., Bumby, K., & Talbot, T. (2004). Promoting offender accountability and community safety through the Comprehensive Approach to Sex Offender Management. *Seton Hall Law Review*, 34, 1273-1297.
- Center for Sex Offender Management. (2000). *Community supervision of the sex offender: An overview of current and promising practices*. Silver Spring, MD: Author.
- Center for Sex Offender Management. (2001). *Community notification and education*. Silver Spring, MD: Author.
- Center for Sex Offender Management. (2002). *Time to work: Managing the employment of sex offenders under community supervision*. Silver Spring, MD: Author.
- Center for Sex Offender Management. (2005). *Key considerations for reunifying adult sex offenders and their families*. Silver Spring, MD: Author.
- Colorado Department of Public Safety. (2004). *Report on safety issues raised by living arrangements for and location of sex offenders in the community*. Denver, CO: Sex Offender Management Board.
- Correctional Service Canada. (2002). *Circles of support and accountability: A guide to training potential volunteers. Training manual 2002*. Ottawa, Ontario: Author.
- Cowan, D., Gilroy, R., & Pantazis, C. (1999a). Risking housing need. *Journal of Law and Society*, 26, 403-426.
- Cowan, D., Gilroy, R., Pantazis, C., & Bevan, M. (1999b). *Allocating social housing to sex offenders: An examination of current practice*. Coventry, UK: Chartered Institute of Housing.
- Cullen, F. T., & Gendreau, P. (2000). Assessing correctional rehabilitation: Policy, practice, and prospects. In *Criminal justice 2000: Policies, processes, and decisions of the criminal justice system* (pp. 109-176). Washington, D.C.: U.S. Department of Justice.

- Cumming, G. F., & McGrath, R. J. (2000). External supervision: How can it increase the effectiveness of relapse prevention? In D. R. Laws, S. M. Hudson, & T. Ward (Eds.), *Remaking relapse prevention with sex offenders* (pp. 236-253). Newbury Park, CA: Sage.
- Cumming, G. F., & McGrath, R. J. (2005). *Supervision of the sex offender: Community management, risk assessment, and treatment*. Brandon, VT: Safer Society Press.
- D'Amora, D., & Burns-Smith, G. (1999). Partnering in response to sexual violence: How offender treatment and victim advocacy can work together in response to sexual violence. *Sexual Abuse: A Journal of Research and Treatment*, 11, 293-304.
- Donato, R., & Shanahan, M. P. (2001). Counting the cost. Estimating the economic benefit of paedophile treatment programs. *Child Abuse and Neglect*, 25, 541-555.
- English, K., Pullen, S., & Jones, L. (1996). *Managing adult sex offenders: A containment approach*. Lexington, KY: American Probation and Parole Association.
- Epperson, D. L., Kaul, J. D., & Hesselton, D. (2000). *Minnesota Sex Offender Screening Tool-Revised (MnSOST-R): Development, performance, and recommended risk level cut scores*. St. Paul, MN: Department of Corrections.
- Fernandez, Y. M. (2006). Focusing on the positive and avoiding negativity in sexual offender treatment. In W. L., Marshall, Y. M. Fernandez, L. E. Marshall, & G. A. Serran (Eds.), *Sexual offender treatment: Controversial issues* (pp. 187-197). West Sussex, England: John Wiley and Sons, Ltd.
- Fernandez, Y. M., & Marshall, W. L. (2000). Contextual issues in relapse prevention treatment. In D. R. Laws, S. M. Hudson, & T. Ward (Eds.), *Remaking relapse prevention with sex offenders: A sourcebook* (pp. 225-235). Thousand Oaks, CA: Sage.
- Fine, J. (2000). *Victim issues for parole boards*. Washington, D.C.: U.S. Department of Justice, Office for Victims of Crime.
- Gaes, G. G., Flanagan, T. J., Motiuk, L. L., & Stewart, L. (1999). Adult correctional treatment. In M. Tonry, & J. Petersilia (Eds.), *Prisons: Crime and justice: A review of research* (pp. 361-426). Chicago, IL: University of Chicago Press.
- Gordon, A., & Hover, G. (1998). The Twin Rivers sex offender treatment program. In W. L. Marshall, Y. M. Fernandez, S. M. Hudson, & T. Ward (Eds.), *Sourcebook of treatment programs for sexual offenders* (pp. 3-15). New York: Plenum.
- Green, R. (1995). Community management of sex offenders. In B. K. Schwartz & H. R. Cellini (Eds.), *The sex offender: Corrections, treatment, and legal practice* (pp. 21.1-21.8). Kingston, NJ: Civic Research Institute.
- Greenfeld, L. (1997). *Sex offenses and offenders: An analysis of data on rape and sexual assault*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Hanson, R. K. (1997). *The development of a brief actuarial scale for sexual offense recidivism* (User report 97-04). Ottawa: Department of the Solicitor General of Canada.
- Hanson, R. K. (2006). *What works: The principles of effective interventions with offenders*. Presentation at the 25th Annual Conference of the Association for Treatment of Sexual Abusers. Chicago, IL.
- Hanson, R. K., & Bussiere, M. T. (1998). Predicting relapse: A meta-analysis of sexual offender recidivism studies. *Journal of Consulting and Clinical Psychology*, 66, 348-362.
- Hanson, R. K., Gordon, A., Harris, A. J. R., Marques, J. K., Murphy, W., Quinsey, V. L., & Seto, M. C. (2002). First report of the collaborative outcome data project on the effectiveness of psychological treatment for sex offenders. *Sexual abuse: A journal of research and treatment*, 14, 169-194.
- Hanson, R. K., & Harris, A. J. R. (2000). Where should we intervene? Dynamic predictors of sexual offense recidivism. *Criminal Justice and Behavior*, 27, 6-35.
- Hanson, R. K., & Morton-Bourgon, K. (2004). *Predictors of sexual recidivism: An updated meta-analysis*. Ottawa: Public Safety and Emergency Preparedness Canada.
- Hanson, R. K., & Thornton, D. (1999). *Static-99: Improving actuarial risk assessments for sex offenders, 1999-02*. Ottawa, Ontario, Canada: Department of the Solicitor General of Canada.

- Harrison, P. M., & Beck, A. J. (2006). *Prison and jail inmates at midyear 2005*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Hughes, T. A., & Wilson, D. J. (2003). *Reentry trends in the United States*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Human Rights Watch. (2001). *No escape: Male rape in U.S. prisons*. New York, NY: Author.
- Langan, P. A., & Levin, D. J. (2002). *Recidivism of prisoners released in 1994*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Langan, P. A., Schmitt, E. L., & Durose, M. R. (2003). *Recidivism of sex offenders released from prison in 1994*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Lawrence, S., Mears, D. P., Dubin, G., & Travis, J. (2002). *The practice and promise of prison programming*. Washington, D.C.: Urban Institute.
- Levenson, J. S., & Cotter, L. P. (2005a). The effect of Megan's Law on sex offender reintegration. *Journal of Contemporary Criminal Justice*, 21, 49-66.
- Levenson, J. S., & Cotter, L. P. (2005b). The impact of sex offender residence restrictions: 1,000 feet from danger or one step from absurd? *International Journal of Offender Therapy and Comparative Criminology*, 49, 168-178.
- Losel, F., & Schmucker, M. (2005). The effectiveness of treatment for sexual offenders: A comprehensive meta-analysis. *Journal of Experimental Criminology*, 1, 117-146.
- Malesky, A., & Keim, J. (2001). Mental health professionals' perspectives on sex offender registry web sites. *Sexual Abuse: A Journal of Research and Treatment*, 13, 53-63.
- Mann, R. (2000). Managing resistance and rebellion in relapse prevention intervention. In D. R. Laws, S. M. Hudson, & T. Ward (Eds.), *Remaking relapse prevention with sex offenders: A sourcebook* (pp. 187-200). Thousand Oaks, CA: Sage.
- Mann, R. E., & Thornton, D. (1998). The evolution of a multisite sexual offender treatment program. In W. L. Marshall, Y. M. Fernandez, S. M. Hudson, & T. Ward (Eds.), *Sourcebook of treatment programs for sexual offenders* (pp. 47-57). New York: Plenum.
- Mann, R. E., Webster, S. D., Schofield, C., & Marshall, W. L. (2004). Approach versus avoidance goals in relapse prevention with sexual offenders. *Sexual Abuse: A Journal of Research and Treatment*, 16, 65-75.
- Marques, J. K., Nelson, C., Alarcon, J. M., & Day, D. M. (2000). Preventing relapse in sex offenders: What we learned from SOTEP's experimental treatment program. In D. R. Laws, S. M. Hudson, & T. Ward (Eds.), *Remaking relapse prevention with sex offenders: A sourcebook* (pp. 321-340). Thousand Oaks, CA: Sage.
- Marshall, W. L., Anderson, D., & Fernandez, Y. (1999). *Cognitive behavioral treatment of sexual offenders*. London: Wiley.
- Marshall, W. L., Ward, T., Mann, R., Moulden, H., Fernandez, Y. M., Serran, G., & Marshall, L. E. (2005). Working positively with sexual offenders: Maximizing the effectiveness of treatment. *Journal of Interpersonal Violence*, 20, 1096-1114.
- Matson, S., & Lieb, R. (1997). *Megan's law: A review of state and federal legislation*. Olympia, WA: Washington State Institute for Public Policy.
- McGrath, R. J., Cumming, G. F., & Burchard, B. L. (2003). *Current practices and trends in sexual abuser management: The Safer Society 2002 nationwide survey*. Brandon, VT: Safer Society Press.
- McGrath, R. J., Cumming, G. F., Livingston, J. A., & Hoke, S. E. (2003). Outcome of a treatment program for adult sex offenders: From prison to community. *Journal of Interpersonal Violence*, 18, 3-17.
- McGrath, R. J., & Hoke, S. E. (2002). *Vermont Assessment of Sex Offender Risk Manual*. Middlebury, VT: Author.
- Minnesota Department of Corrections. (2003). *Level three sex offenders residential placement issues*. St. Paul: Author.

- Office for Victims of Crime. (2004). Creating a victim focus: A guide to working with victims during offender reentry. Washington, D.C.: U.S. Department of Justice, Office for Victims of Crime.
- Owen, B., and Wells, J. (2006). *Staff perspectives: Sexual violence in adult prisons and jails*. Washington, D.C.: U.S. Department of Justice, National Institute of Corrections.
- Peter D. Hart Research Associates, Inc. (2002). *Changing public attitudes toward the criminal justice system: Summary of findings*. New York, NY: Open Society Institute.
- Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. New York, NY: Oxford University Press, Inc.
- Phillips, D. M. (1998). *Community notification as viewed by Washington's citizens*. Olympia, WA: Washington State Institute for Public Policy.
- Pratt, J. (2000). Sex crimes and the new punitiveness. *Behavioral Sciences and the Law*, 18, 135-151.
- Prentky, R., & Burgess A. (1990). Rehabilitation of child molesters: a cost-benefit analysis. *American Journal of Orthopsychiatry*, 60, 108-117.
- Quinsey, V. L., Harris, G. T., Rice, M. E., & Cormier, C. A. (1998). *Violent offenders: Appraising and managing risk*. Washington, D.C.: American Psychological Association.
- Reentry Policy Council. (2003). *Report: Charting the safe and successful return of prisoners to the community*. A public/private partnership funded in part by the U.S. Department of Justice, U.S. Department of Labor, and the U.S. Department of Health and Human Services. Lexington, KY: Council of State Governments.
- Scottish Executive. (2001). *Reducing the risk – Improving the response to sex offending: The report of the expert panel on sex offending*. Edinburgh, Scotland: Author.
- Seiter, R. P., & Kadel, K. R. (2003). Prisoner reentry: What works, what does not, and what is promising. *Crime and Delinquency*, 49, 360-388.
- Seymour, A. (1997). *National victim services survey of adult and juvenile correctional agencies and paroling authorities, 1996*. Arlington, VA: National Victim Center.
- Seymour, A. (2001). *The victim's role in offender reentry: A community response manual*. Lexington, Kentucky: American Probation and Parole Association.
- Shanahan M. P., & Donato, R. (2001). The economics of child sex-offender rehabilitation programs: Beyond Prentky and Burgess. *American Journal of Orthopsychiatry*, 71, 131-139.
- Smith, P., Goggin, C., & Gendreau, P. (2002). *The effects of prison sentences and intermediate sanctions on recidivism: Age, gender and race*. Ottawa, Ontario: Solicitor General of Canada, Corrections Research Branch.
- Solomon, A. L., Waul, M., Van Ness, A., & Travis, J. (2004). Outside the walls: A national snapshot of community-based prisoner reentry programs. Washington, D.C.: Urban Institute.
- Spencer, A. P. (1999). *Working with sex offenders in prisons and through release to the community: A handbook*. London, England: Jessica Kingsley Publishers, Ltd.
- Steele, N. (1995). Aftercare treatment programs. In B. K. Schwartz & H. R. Cellini (Eds.), *The sex offender: Corrections, treatment, and legal practice* (pp. 19.1-19.9). Kingston, NJ: Civic Research Institute.
- Struckman-Johnson, C., Struckman-Johnson, D., Rucker, L., Bumby, K. M., & Donaldson, S. (1996). Sexual coercion reported by men and women in prison. *Journal of Sex Research*, 33, 67-76.
- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice*, 21, 67-81.
- Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, D.C.: Urban Institute.
- Travis, J., Concotta, E. M., & Solomon, A. L. (2003). *Families left behind: The hidden costs of incarceration and reentry*. Washington, D.C.: Urban Institute.
- Ward, T., & Stewart, C. A. (2003). Good lives and the rehabilitation of sex offenders. In T. Ward, D. R. Laws, & S. H. Hudson (Eds.), *Sexual deviance: Issues and controversies* (pp. 21-44). Thousand Oaks, CA: Sage.

Weekes, J. R., Pelletier, G., & Beaudette, D. (1995). Correctional officers: How do they perceive sex offenders? *International Journal of Offender Therapy and Comparative Criminology*, 39, 55-61.

Wenger, P. (2000). *State sex offender treatment programs: 50-state survey conducted by the Colorado Department of Corrections*. Longmont, CO: Colorado Department of Corrections.

Wilson, R. J., & Picheca, J. E. (2005). Circles of support and accountability: Engaging the community in sexual offender management. In B. K. Schwartz (Ed.), *The sex offender: Issues in assessment, treatment, and supervision of adult and juvenile populations* (pp. 13.1-13.21). Kingston, NJ: Civic Research Institute.

Wilson, R. J., Stewart, L., Stirpe, T., Barrett, M., & Cripps, J. E. (2000). Community-based sex offender management: Combining parole supervision and treatment to reduce recidivism. *Canadian Journal of Criminology*, 42, 177-188.

Winick, B. J., & LaFond, J. Q. (2003). *Protecting society from sexually dangerous offenders: Law, justice, and therapy*. Washington, D.C.: American Psychological Association.

Zevitz, R. G., & Farkas, M. A. (2000). Sex offender community notification: Examining the importance of neighborhood meetings. *Behavioral Sciences and the Law*, 18, 393-408.