

Long-Term Recidivism of Washington Sex Offenders



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Executive Summary

Many recidivism studies in criminal justice use three- or five-year follow-up periods to assess the rate at which past offenders return to the system. A recent study by the Bureau of Justice Statistics called into question whether this time period was sufficient to capture the full scope of recidivism, showing long-term arrest trends continuing into the ninth year post-release from prison. This question is further supported by criminal justice studies stretching back over a decade. In this report, the Washington Statistical Analysis Center applies this question to sex offenders, using data from the Washington State Patrol's Criminal History Records to analyze arrests in a cohort of sex offenders over fifteen years.

Sex offenders who registered between the years 2000 and 2003 were re-arrested at a rate of over 50% by the end of the fifth year and 61% by the end of the fifteenth year. Less than a quarter of this cohort was responsible for nearly 80% of the arrests that occurred over the study period. Younger sex offenders and those with a higher risk level were re-arrested at higher rates (77% for each group), and those with the highest risk level maintained higher arrest rates through the ninth year post-registration. While cumulative re-arrest rates continued to climb through the fifteenth year of the study, the relative risk of arrest for the sex offender cohort dropped below the public average risk (2.68% chance of arrest) by the ninth year. It is thus possible to observe continued trends in re-arrest beyond the fifth year, but the additional risk to public safety appears to vanish around the tenth.

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Background

The field of criminal justice relies heavily on recidivism statistics or, new criminal offenses occurring after a release from formal supervision as a metric for the success of various programs and initiatives. Whether out of necessity or, by habit, researchers often limit follow-up periods in their studies to three to five years post-release. While this may be a sufficient length of time to draw conclusions in comparative studies, these shorter observation periods do not serve to define longer trends in recidivism that may exist beyond the five-year mark. Public safety is often a primary concern when considering the release of convicted persons to the community, but the precise risks posed in the long-term are understudied and not fully quantified.

A recent study from the Bureau of Justice Statistics (BJS) suggests that trends in recidivism do persist beyond the five year mark. Statistics from a sample of 67,966 federal prisoners released in the year 2005 indicated that 83% of these individuals were rearrested within nine years (Alper, Durose, & Markman, 2018). While the rate of rearrests was shown to taper off over time, the observed increase between the eighth and ninth years raises the question of how much further the trend continues. The BJS study included specific data for violent, property, and drug offenders, but did not provide specific recidivism statistics for sex offenders. Nevertheless, several other studies offer an indication that sex offender recidivism rates do persist over the long-term, but at markedly lower levels (Hargreaves & Francis, 2013; Konicek, 2001; Valentine et al., 2006). Sex offenders are a group that receive higher levels of scrutiny for repeat offenses both in the media and through formal sanctions, and thus are a vital group to study when considering long-term recidivism.

The Washington Statistical Analysis Center (SAC) applied for and received the 2018 State Justice Statistics Grant from BJS. Among other projects, the SAC sought the grant to conduct a study of the long-term recidivism rates of sex offenders in the state of Washington. This report details the findings of that study and how those might be interpreted with regard to public safety and the relative risk posed by sex offenders in the community.

Data

The SAC study utilizes data from the Washington State Patrol's (WSP) Criminal History Records Information (CHRI) database from the years 2000 to 2018. These records contain information linking individuals to specific arrest records and charges, along with basic demographic information and an identification number to link records together. The SAC also received recorded activities from Washington's Sex Offender Registry over the same time span. This allowed for the SAC to mark specifically when an offender registered in the community and to identify when an offender moved out of state. Using these two factors, this study follows all 7,683 sex offenders registering between the years 2000 to 2003 and documents rearrests occurring through the 15 years post-release.

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The variables used to calculate recidivism¹ are the date of first sex offender registration, and the date of any arrests linked to the same personal identifier. Additional pieces of demographic information such as an assigned risk score and age at registration are used to categorize the study cohort, and variables marking arrests for sex offenses are used to categorize recidivism. Offenders who moved out of state during the study period were not included, in order to avoid artificially lowering recidivism rates. Those with an age calculated to be below 18 at the time of registration were also excluded to retain a focus on adult sex offenders. Finally, offenses pertaining to sex offender registration were not counted towards arrest totals, as those offenses are only possible due to a person’s status as a sex offender. Details on the calculation of recidivism are included in Appendix B. Additional information on the cohort and these variables is available in [Figure 1](#) and [Figure 2](#).

Figure 1: Descriptive Statistics for Sex Offenders Registered Between 2000-2003

Age	Count	Percent	Cumulative Total	Cumulative Percent
18-27	2,560	33.32%	2,560	33.32%
28-40	2,539	33.05%	5,099	66.37%
41+	2,584	33.63%	7,683	100.00%
Risk Level				
Level 1	4,081	53.12%	4,081	53.12%
Level 2	1,077	14.02%	5,158	67.14%
Level 3	604	7.86%	5,762	75.00%
Unknown/Other	1,921	25.00%	7,683	100.00%
Re-arrest Crime Type				
At Least One Sex Crime	972	12.65%	972	12.65%
No Sex Crimes	3,710	48.29%	4,682	60.94%
No Rearrests	3,001	39.06%	7,683	100.00%

¹ For the purpose of this study, recidivism is defined as all arrests occurring during the fifteen years following an initial registration. Importantly, this includes both sex offenses and non-sex offenses as well as felonies and misdemeanors. Because this is a broad definition, recidivism statistics may be higher than measures utilizing convictions or imprisonment.

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Figure 2: Re-arrest Statistics for Sex Offenders Registered Between 2000-2003

Years Since Registration	Cumulative First Re-arrest	Percent Re-arrested	Total Re-arrested Per Year	Total Offenses Per Year	Risk of First Re-arrest	Risk Compared to Average
1	2,109	27.45%	2,109	3,562	27.45%	+24.77%
2	2,939	38.25%	1,828	3,198	14.89%	+12.21%
3	3,390	44.12%	1,615	2,759	9.51%	+6.82%
4	3,693	48.07%	1,436	2,483	7.06%	+4.37%
5	3,879	50.49%	1,327	2,313	4.66%	+1.98%
6	4,048	52.69%	1,264	2,106	4.44%	+1.76%
7	4,192	54.56%	1,215	2,039	3.96%	+1.28%
8	4,298	55.94%	1,041	1,789	3.04%	+0.35%
9	4,369	56.87%	948	1,652	2.10%	-0.59%
10	4,446	57.87%	954	1,646	2.32%	-0.36%
11	4,523	58.87%	877	1,567	2.38%	-0.31%
12	4,575	59.55%	832	1,586	1.65%	-1.04%
13	4,622	60.16%	783	1,462	1.51%	-1.17%
14	4,651	60.54%	688	1,225	0.95%	-1.74%
15	4,682	60.94%	640	1,151	1.02%	-1.66%

Findings

The 7,683 sex offenders registered in Washington between 2000 and 2003 were re-arrested a collective total of 30,538 times in the fifteen years following their registration. These re-arrests were both concentrated among a fraction of the offenders in the study cohort and concentrated towards the first years immediately following registration. Slightly less than 40% of the sex offenders in the study cohort were not arrested in the 15 years following registration, and a further 14% were only re-arrested once. [Figure 3](#) shows that nearly 78% of the re-arrests attributed to the sex offenders in the study cohort during this period can be attributed to less than a quarter of the observed offenders. For those who are re-arrested, [Figure 5](#) shows that nearly two-thirds have their first re-arrest within two years of registration. The total number of sex offenders re-arrested at least once crested 50% by the end of the fifth year, and neared 61% by the end of the fifteenth year.

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Figure 3: Distribution of Re-arrests among Sex Offenders

Re-Arrests	Total Offenders	Percent of Offenders	Total Offenses	Percent of Offenses
0	3,001	39.06%	0	0.00%
1	1,084	14.11%	1,084	3.55%
2-3	1,149	14.96%	2,762	9.04%
4-5	655	8.53%	2,894	9.48%
6+	1,794	23.35%	23,798	77.93%

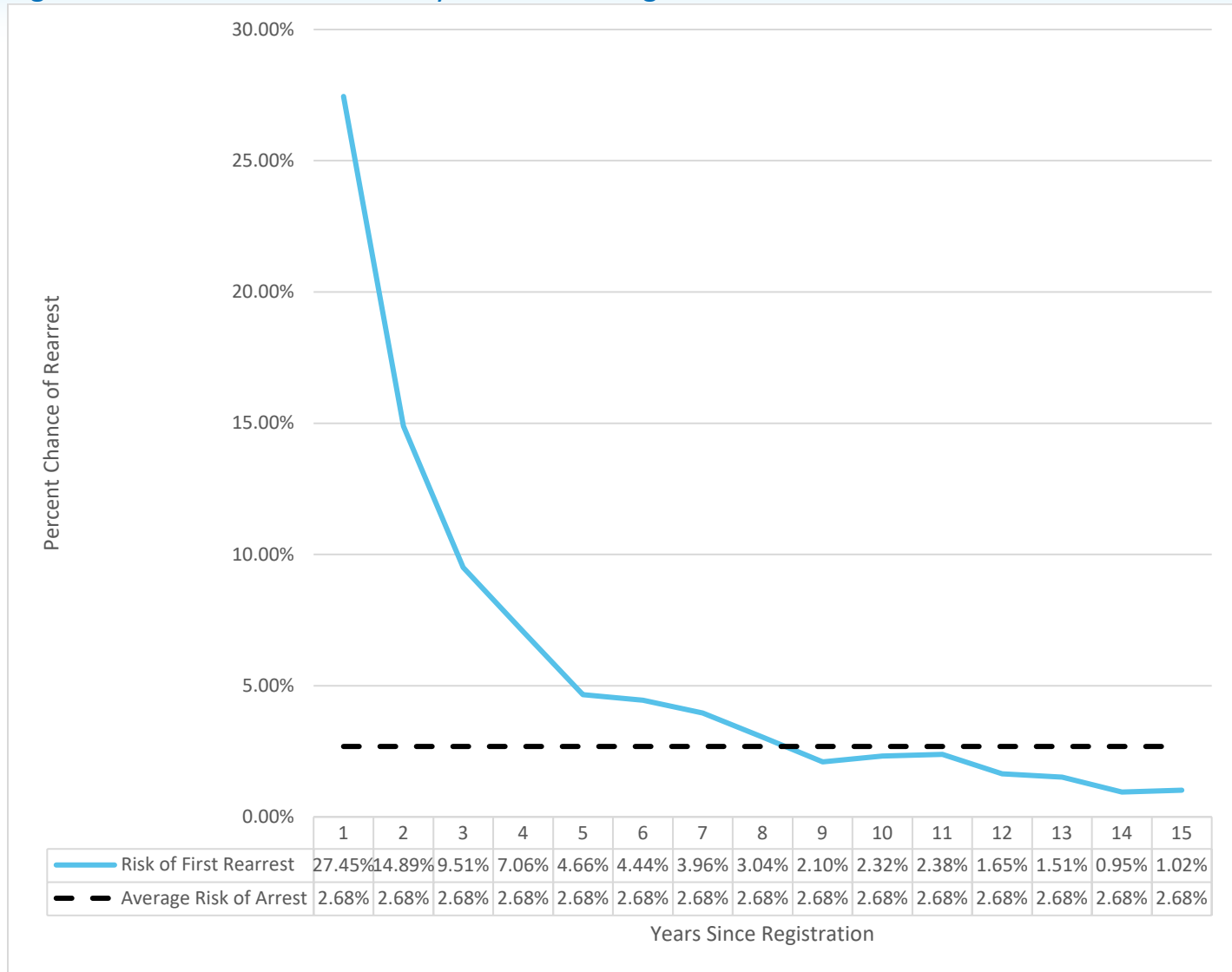
Some sex offenders had multiple re-arrests, sometimes within the same year following registration. As shown in [Figure 6](#), these totals decrease with each subsequent year following initial registration but remain substantial through the fifteenth year with over 1,000 re-arrests of sex offenders in the study cohort. Because this study includes data on all arrests ranging from small misdemeanors to more serious felonies, [Figure 7](#) shows the proportion of re-arrests that included at least one crime coded as a sex offense. Of the sex offenders re-arrested in the study cohort, 20.76% had at least one re-arrest for a new sex offense. By extension, this means that 12.65% of the sex offenders in the study were re-arrested for a new sex offense in the 15 years following registration. Of the 30,538 re-arrests observed, 4.68% were for new sex offenses.

The sex offender cohort was broken into three age groups of relatively equal size which were then compared for cumulative re-arrests as shown in [Figure 8](#). The youngest of these groups, those who were 18-27, represent a subset who are less likely to have the controlling social factors of career or family stability. Over 66% of sex offenders who were between 18-27 years old at registration were re-arrested within five years, and nearly 77% had been re-arrested by the end of the fifteenth year. This contrasts with 52% by the fifth year and 64% by the fifteenth for those between 28-40, and 33% by the fifth year and 42% by the fifteenth for those 41 years and older.

[Figure 4](#) shows the calculated risk of re-arrest for sex offenders in the study cohort by the number of years following their initial registration. This is compared to the overall average risk of arrest, which was calculated by dividing the yearly arrests of all non-cohort members by the census estimate of Washington citizens over the age of 18 in 2010, or approximately 5,238,416. This number was used due to its availability as a temporal midpoint between 2000 and 2018, and places the calculated overall average risk of arrest at 2.68%. By the ninth year following registration, the risk for first time re-arrest drops below this average. Those offenders who have not been re-arrested by their fifteenth year are less than half as likely to be arrested as a Washington citizen chosen at random.

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Figure 4: Risk of First Re-arrest by Years since Registration



For those sex offenders whose risk level was known, [Figure 9](#) shows a comparison of the calculated risk of re-arrest compared to the overall average risk of arrest. Level 1 and Level 2 sex offenders both near the average risk level around the eighth year post-registration, but Level 3 sex offenders do not reach average risk until the eleventh year. A much higher proportion of Level 3 sex offenders are arrested, with nearly 77% re-arrested by the end of the fifteenth year compared to 61% for Level 2 and 55% for Level 1.

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Discussion

The findings of this study come with a caveat inherent to the nature of the data. As with any criminal justice work that relies wholly on official data sources, this work risks undercounting offenses that were not detected by law enforcement or where an arrest was not made for any reason. Sex offenses in particular represent a chronically underreported crime, and thus it may be fallacious to consider the reported recidivism rate as fact when considering public safety. This study also makes use of arrest data as the definition of a re-offense, which casts a broader net than many similar studies. The re-arrests discussed above can range from misdemeanors to more serious felonies, and only exclude crimes relating to sex offender registration. Not all arrests lead to convictions, and it is possible that some offenses charged will be changed or subject to plea deals in court. Thus, the number of arrests that occur may overestimate the legal judgement of recidivism made later in the criminal justice system. Additionally while this study was able to account for sex offenders moving out of state, it does not include data on deaths occurring during the study period and thus may report an artificially lower recidivism rate.

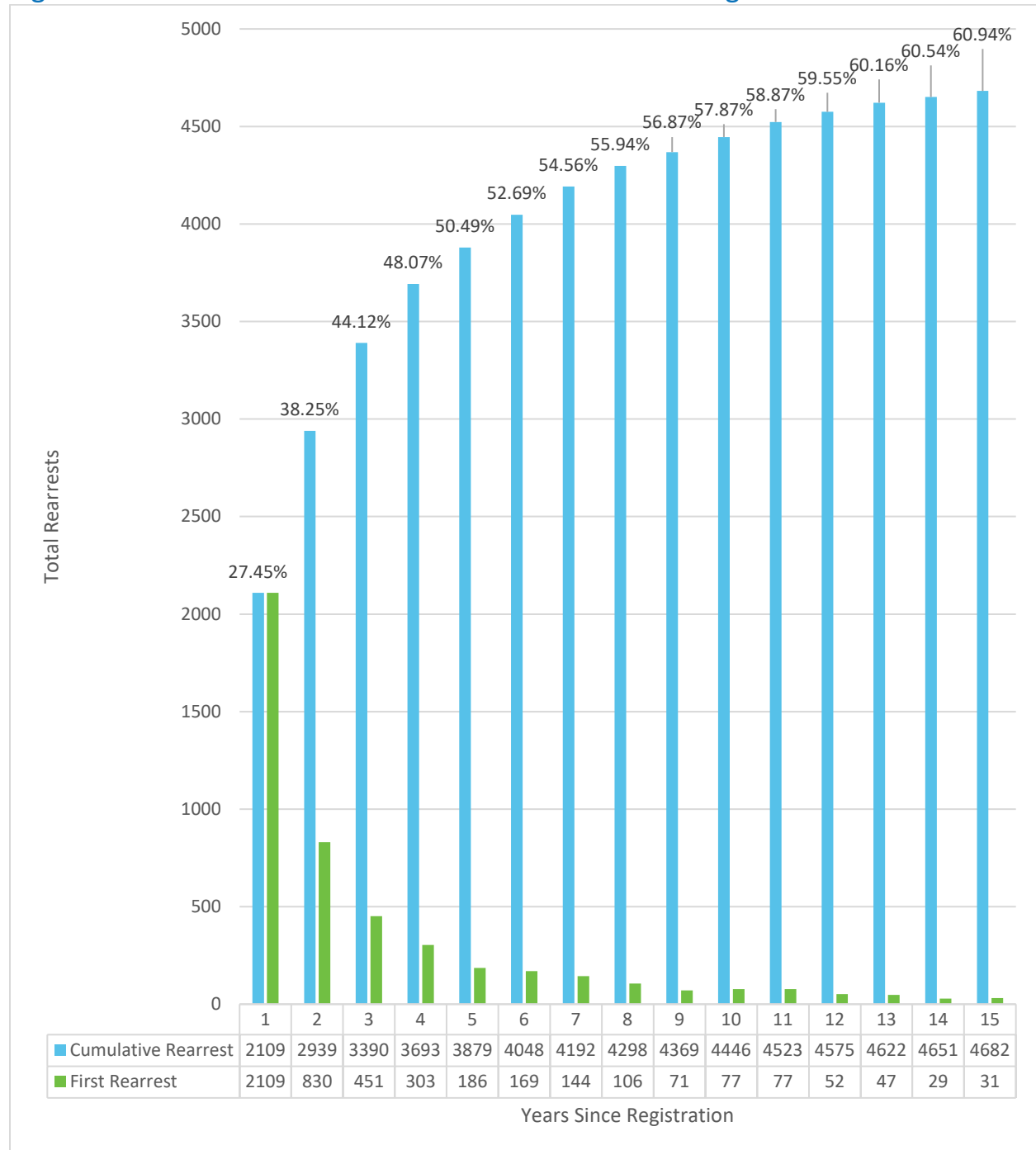
Despite the limitations intrinsic in official data sources, these findings do provide a direct picture of the impact these recidivism rates have on the time and resources of law enforcement. While a significant number of the sex offenders in the study cohort did not get re-arrested, just under 60% were re-arrested at some point in the 15 years following registration. Furthermore, less than a quarter of the cohort was responsible for 23,798 re-arrests over the study period. These figures reinforce what much of the literature and a wealth of learned law enforcement experience holds to be true- a relatively small subset of individuals account for a majority of law enforcement interactions. While the incidence of these re-arrests decreases over time, this is likely due in part to a combination of the cohort aging and some degree of attrition as offenders are sentenced to prison for more serious crimes.

Overall, this study's findings support the overall trend identified by the Bureau of Justice Statistics (Alper, Durose, & Markman, 2018). While overall rates of re-arrest appear to be lower for sex offenders, they do continue to increase beyond the five-year mark. However, this study also offers a caveat for consideration- while re-arrest rates do continue to increase each year, the relative risk for a sex offender to be re-arrested dips below the risk for a random citizen to be arrested following the ninth year post-registration. Although it is possible to observe increases in the re-arrest rate for sex offenders well beyond the traditional five-year cutoff for recidivism studies, they are unlikely to pose a greater risk for arrest than the statewide average. The findings presented in this study offer a clear picture of the long term risk of re-arrest for sex offenders, but it is also important to keep in perspective the point at which this risk becomes relatively average.

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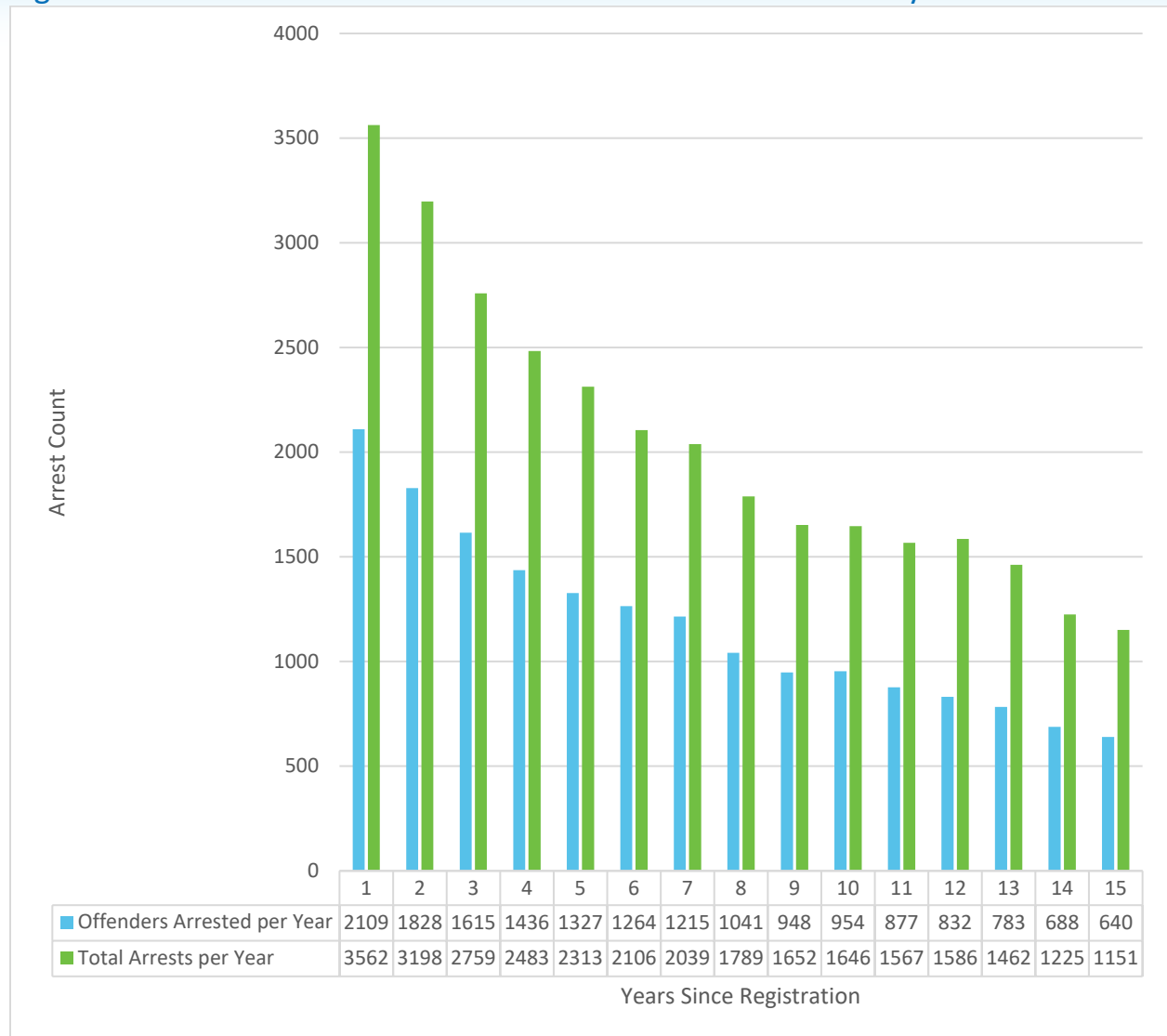
Appendix A

Figure 5: Sex Offenders Re-arrested within 15 Years of Registration



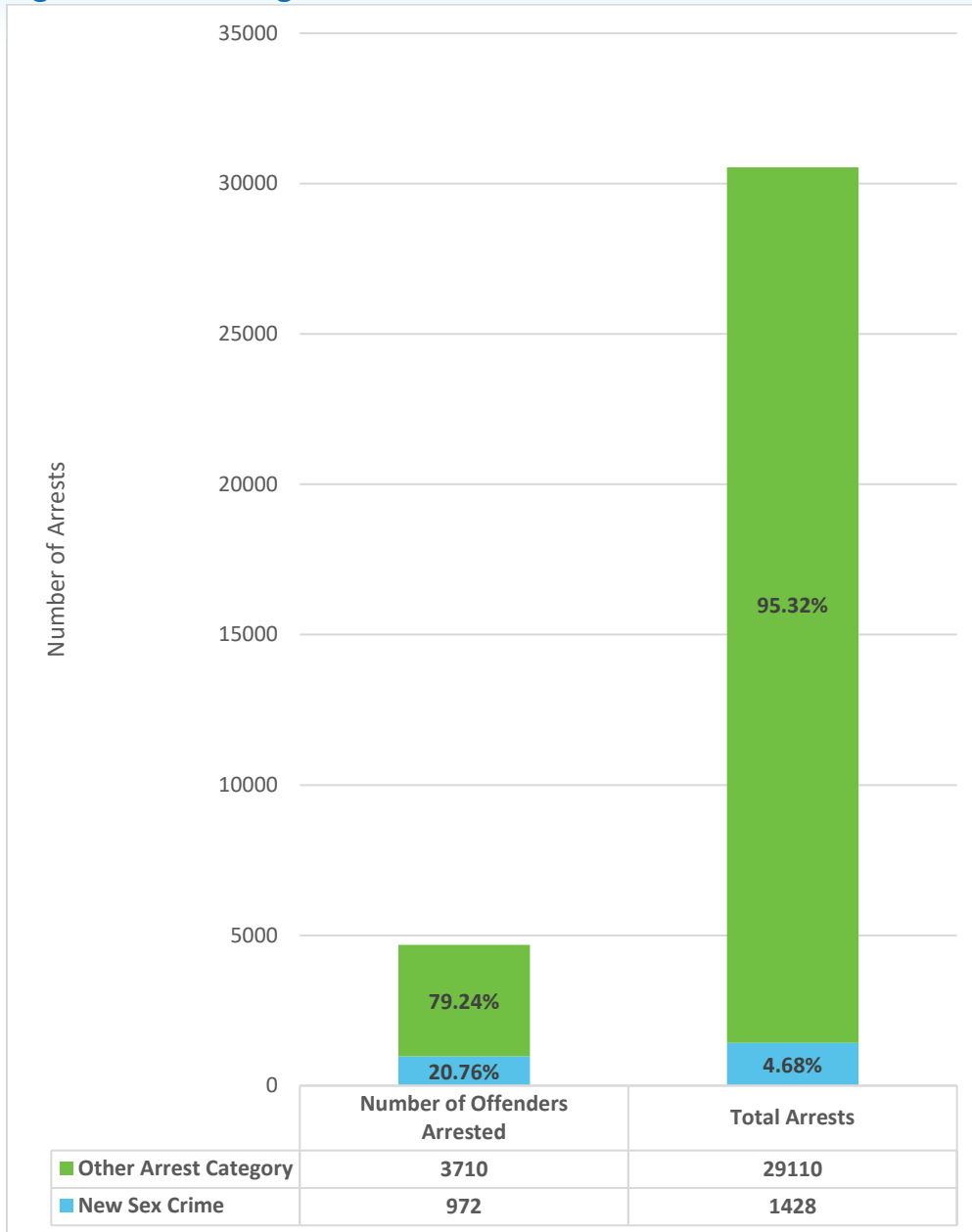
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Figure 6: Totals of Individuals Re-arrested and total Re-arrests by Year



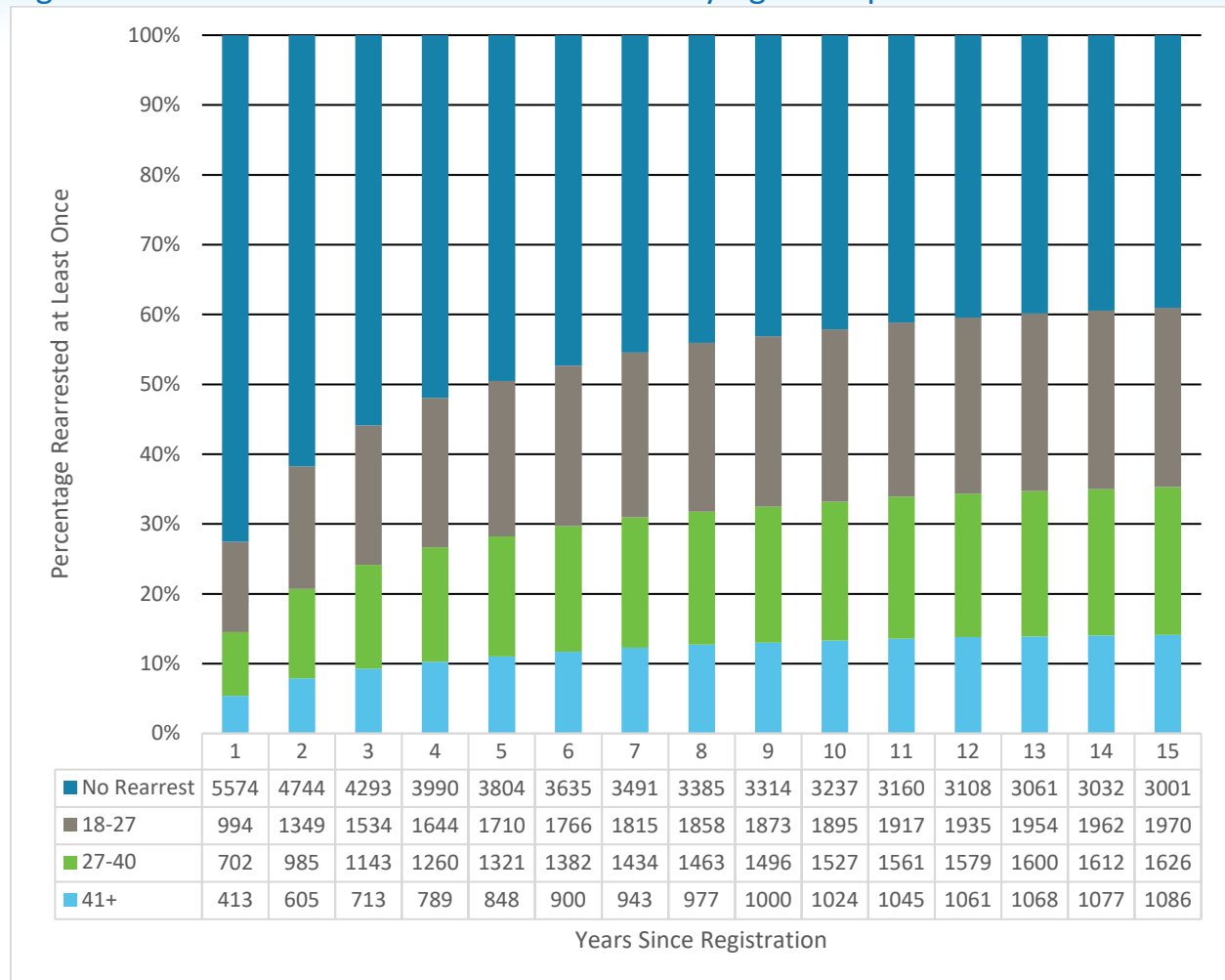
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Figure 7: Percentages of Sex Offenders Re-Arrested for a Sex Crime



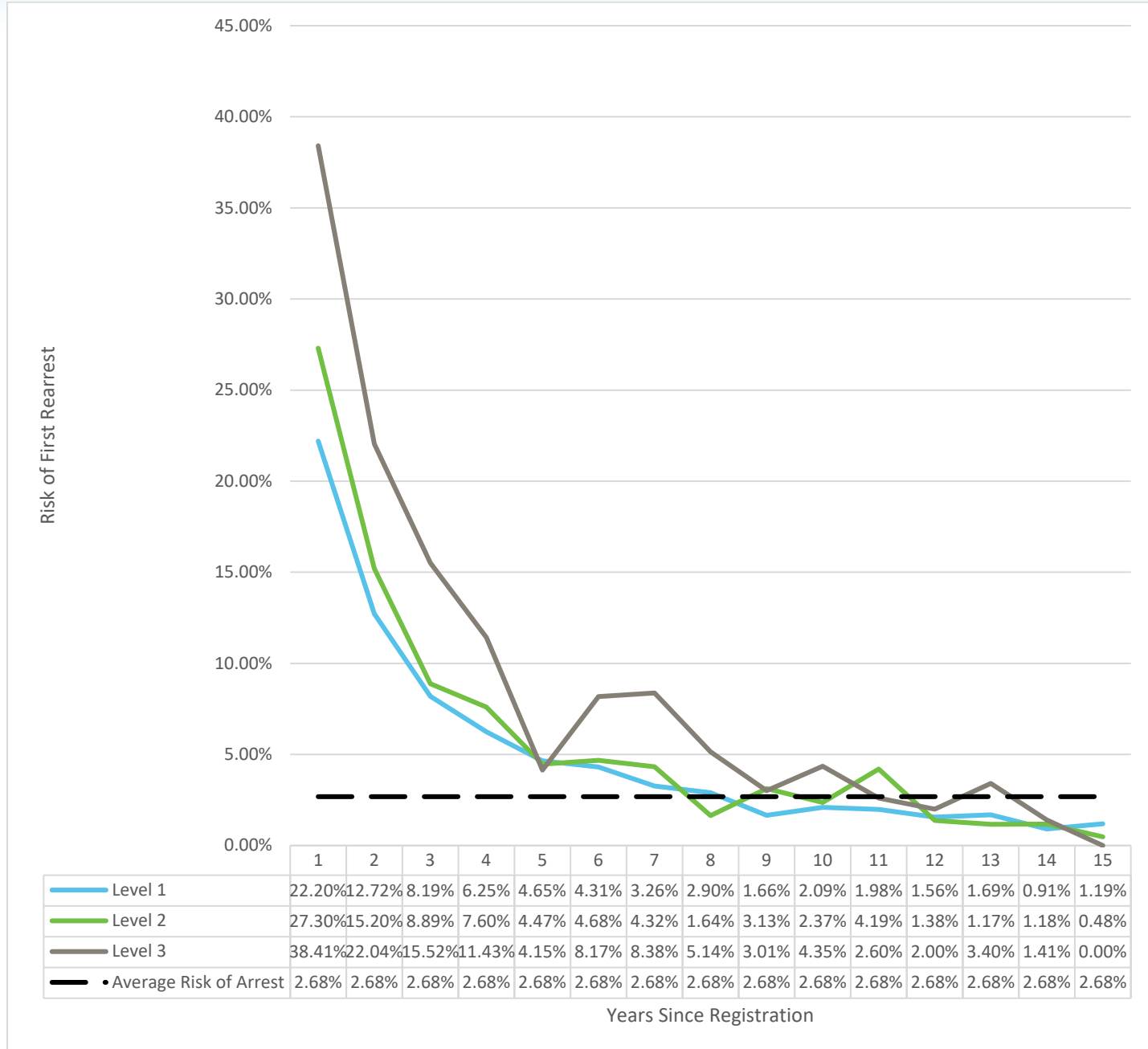
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Figure 8: Cumulative Sex Offender Re-arrests by Age Group



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Figure 9: Risk of First Re-arrest by Sex Offender Level



Appendix B

Recidivism measures in this study are designed to be comparable to those used in BJS' study on the long-term recidivism of federal prisoners released in 2005 (Alper, Durose, & Markman, 2018). As in all criminal justice literature, recidivism is comprised of three primary components: an initial date of release, a time period following the date of release that is observed for potential failures, and a defined condition of failure. In the case of this study, recidivism is measured in the following way:

- The initial registration date of a sex offender between 2000 and 2003
- A follow-up period of 15 years after the initial sex offender registration
- Any re-arrest during the follow up period is counted towards recidivism

The recidivism observed in this study is collected into five outcome measures. Four of these match similar studies conducted previously by BJS. These measures are defined in the following way:

- Cumulative arrest percentage is the rolling percentage of sex offenders who have been arrested at least once since their initial registration date.
- Annual percentage of first arrests is the percentage of sex offenders being arrested for the first time following their initial registration.
- Annual arrest percentage is the total percentage of the study's sex offenders being arrested in a given year.
- Annual volume of arrests is the raw total of arrests of the study's sex offenders in a given year, as some individuals may be arrested multiple times within a year.
- Annual comparative risk of re-arrest calculates a ratio of the annual percentage of first arrests against the percentage of Washington citizens who are arrested during the same year.

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Appendix C

Charges Defined as Sex Offenses

CHILD MOLESTATION
CHILD MOLESTATION-1
CHILD MOLESTATION-2
CHILD MOLESTATION-3
CHILD PORNOGRAPHY
COMMERCIAL SEX ABUSE MINOR-PERMIT
COMMERCIAL SEX ABUSE MINOR-PROMOTE
COMMERCIAL SEX ABUSE MINOR-PROMOTE TRAVEL
COMMERCIAL SEX ABUSE OF A MINOR
COMMERCIAL SEX ABUSE OF A MINOR-PROMOTE
COMMUNICATE W/MINOR FOR IMMORAL PURPOSES
COMMUNICATE W/MINOR-IMMORAL PURP
CRIMINAL TRESPASS AGAINST CHILDREN
CUSTODIAL SEXUAL MISCONDUCT
CUSTODIAL SEXUAL MISCONDUCT-1
CUSTODIAL SEXUAL MISCONDUCT-2
DEAL IN DEPICTIONS OF A MINOR
DEAL IN DEPICTIONS OF A MINOR 1
DEAL IN DEPICTIONS OF A MINOR 2
DEAL IN DEPICTIONS OF A MINOR-2
DEAL IN DEPICTIONS OF MINOR
DEAL IN DEPICTIONS OF MINOR ENGAGED IN SEX EXPLICIT COND
INDECENT EXPOSURE
INDECENT EXPOSURE-PERSON <14
INDECENT EXPOSURE-PREV CONV
INDECENT LIBERTIES
INDECENT LIBERTIES-USING FORCE
KIDNAPPING
KIDNAPPING-1
KIDNAPPING-2
KIDNAPPING-2 SEXUAL MOTIVATION
PATRONIZE JUVENILE PROSTITUTE
POSS DEPICTION OF MINOR ENGAGED IN SEX EXPLICIT COND
POSSESS DEPICTION OF MINOR
POSSESS DEPICTION OF MINOR ENGAGED IN SEXUALLY EXPLICIT COND

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POSSESS DEPICTION OF MINOR-ENGAGED IN SEXUALLY EXPLICIT COND
POSSESS DEPICTIONS OF A MINOR
POSSESS DEPICTIONS OF A MINOR 1
POSSESS DEPICTIONS OF A MINOR 2
POSSESS DEPICTIONS OF A MINOR-2
RAPE
RAPE OF A CHILD
RAPE OF A CHILD-1
RAPE OF A CHILD-2
RAPE OF A CHILD-3
RAPE-1
RAPE-2
RAPE-3
SEND BRING IN ST DEPICTIONS OF MINOR ENGAGED IN SEXUAL COND
SEND/BRING IN STATE DEPICITIONS OF A MINOR 2
SEND/BRING IN STATE DEPICTION OF MINOR
SEND/BRING IN STATE DEPICTIONS OF A MINOR
SEND/BRING IN STATE DEPICTIONS OF A MINOR 1
SEND/BRING IN STATE DEPICTIONS OF A MINOR 2
SEND/BRING IN STATE DEPICTIONS OF A MINOR-2
SEXUAL EXPLOITATION OF A MINOR
SEXUAL MISCONDUCT W/A MINOR
SEXUAL MISCONDUCT W/A MINOR-1
SEXUAL MISCONDUCT W/A MINOR-2
SEXUAL MISCONDUCT WITH A MINOR
SEXUAL MISCONDUCT WITH A MINOR-1
SEXUAL MISCONDUCT WITH A MINOR-2
SEXUALLY EXPLICIT MATERIAL
SEXUALLY VIOLATE HUMAN REMAINS
SEXUALLY VIOLATING HUMAN REMAINS
VIEW DEPICTIONS OF A MINOR ENGAGED IN SEXUALLY EXPLICIT COND
VIEW DEPICTIONS OF MINOR ENGAGED IN SEXUALLY EXPLICIT COND 1
VIEW DEPICTIONS OF MINOR ENGAGED IN SEXUALLY EXPLICIT COND 2
VOYEURISM
VOYEURISM-1
VOYEURISM-2

Appendix D

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