



## Virginia State Crime Commission's Sex Offender Task Force

# Formation of Virginia's Sex Offender Task Force

---

- Heinous crimes against children committed by sex offenders in other states have been well publicized
  - Jessica Lunsford and Sarah Lunde in Florida
  - Shasta Groene in Idaho
- In March 2005, Delegate Robert McDonnell called for the creation of a special task force in Virginia



# Formation of Virginia's Sex Offender Task Force

---

- Chairman of the Virginia State Crime Commission, Senator Ken Stolle, formed the Sex Offender Task Force
  - Delegate McDonnell and Delegate David Albo were tapped as co-chairs
  - Task Force will submit recommendations to the Crime Commission



# Purpose of the Sex Offender Task Force

---

- To review the effectiveness of current provisions and make recommendations to improve policies related to the management, supervision and treatment of sex offenders in Virginia
  - Particular focus on:
    - ⊃ Sex Offender and Crimes Against Minors Registry
    - ⊃ Civil commitment of sex offenders



# Technical Support for Task Force

---

- The Crime Commission chairman requested technical assistance from the Sentencing Commission
  - Research and analysis
  - Assessment of potential fiscal impact of recommendations



# Sex Offender Task Force Members

---

- Co-chairmen

- Delegate David B. Albo
- Delegate Robert F. McDonnell

- Legislators

- Delegate Robert B. Bell
- Delegate H. Morgan Griffith
- Delegate Phillip A. Hamilton
- Senator Janet D. Howell
- Delegate Terry G. Kilgore
- Senator Kenneth W. Stolle
- Delegate Beverly J. Sherwood



# Sex Offender Task Force Members

---

- Executive branch representatives
  - Colonel W. Steven Flaherty, State Police
  - Mr. Gene M. Johnson, DOC
  - The Honorable John W. Marshall, Public Safety
  - Mr. Bobby Mathieson, DCJS
  - Dr. James Reinhard, DMHMRSAS
  
- Attorney General representative
  - Mr. Richard L. Savage
  
- Law enforcement representatives
  - Sheriff Mike Brown, Bedford County
  - Deputy Chief Greg Mullin, Virginia Beach



# Sex Offender Task Force Members

---

- Commonwealth's Attorneys representative
  - The Honorable Richard E. Trodden
  
- Victims representatives
  - Mr. Paul Martin Andrews
  - Ms. Wendy S. McClellan,  
Va. Network for Victims of Crime
  
- Clinical psychologist
  - William J. Stejskal, Ph.D.
  
- Other
  - Mr. Glenn R. Croshaw
  - Colonel W. Gerald Massengill





# Sex Offender Task Force Organization

---

- The Task Force has divided into two subcommittees:
  - Sex Offender and Crimes Against Minors Registry subcommittee
  - Civil commitment subcommittee



# Sex Offender Task Force Meetings

---

- The Task Force held its first full meeting on June 7, 2005
  - Members received an overview of current policies, provisions and procedures relating to sex offenders
- Remaining meetings are scheduled as follows:
  - September 22
  - October 25
  - November 30



# Sentencing Commission Assistance

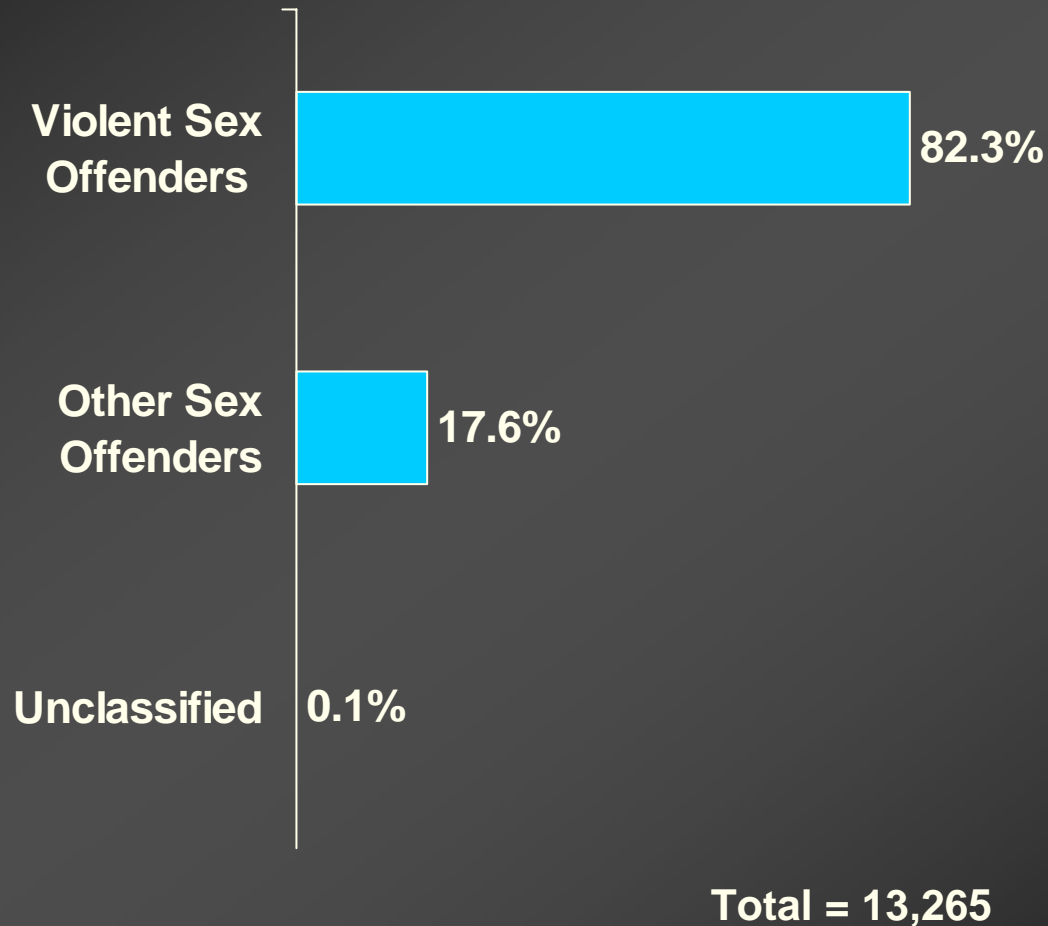
---

- For the June 7 meeting, Commission staff received and analyzed the Sex Offender and Crimes Against Minors Registry database
  - Maintained by the State Police



# Registered Sex Offenders (May 20, 2005)

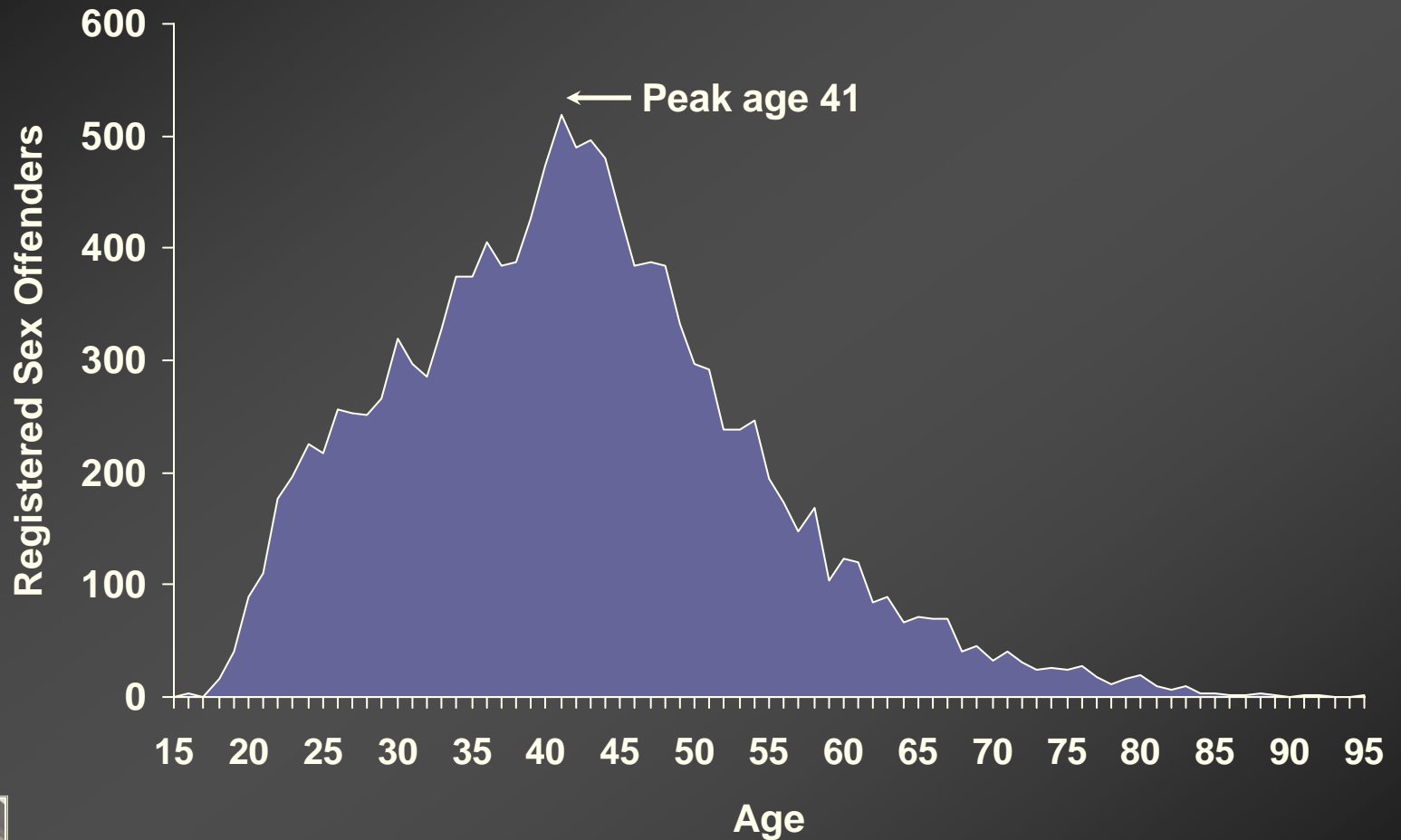
---



---

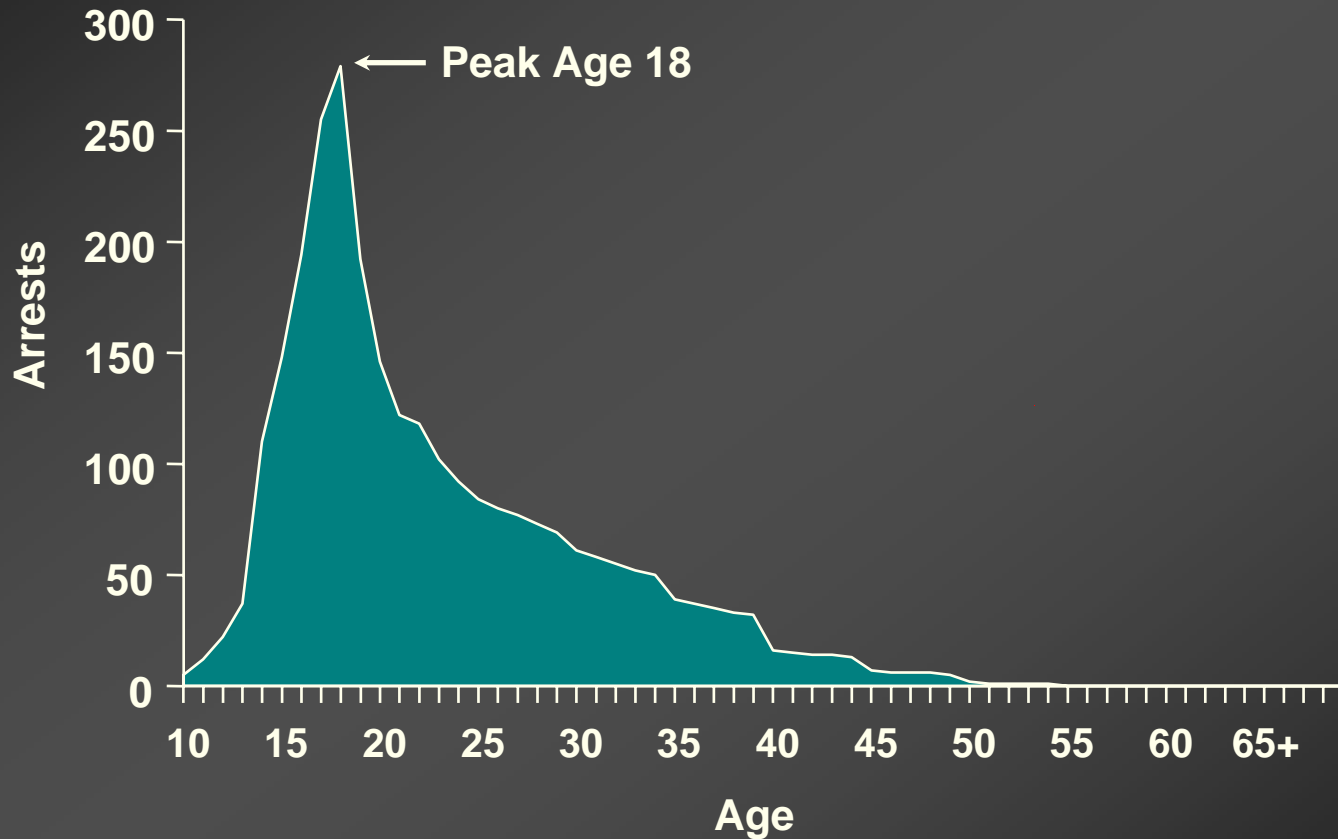
Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders by Age



Presented to the Sex Offender Task Force on June 7, 2005

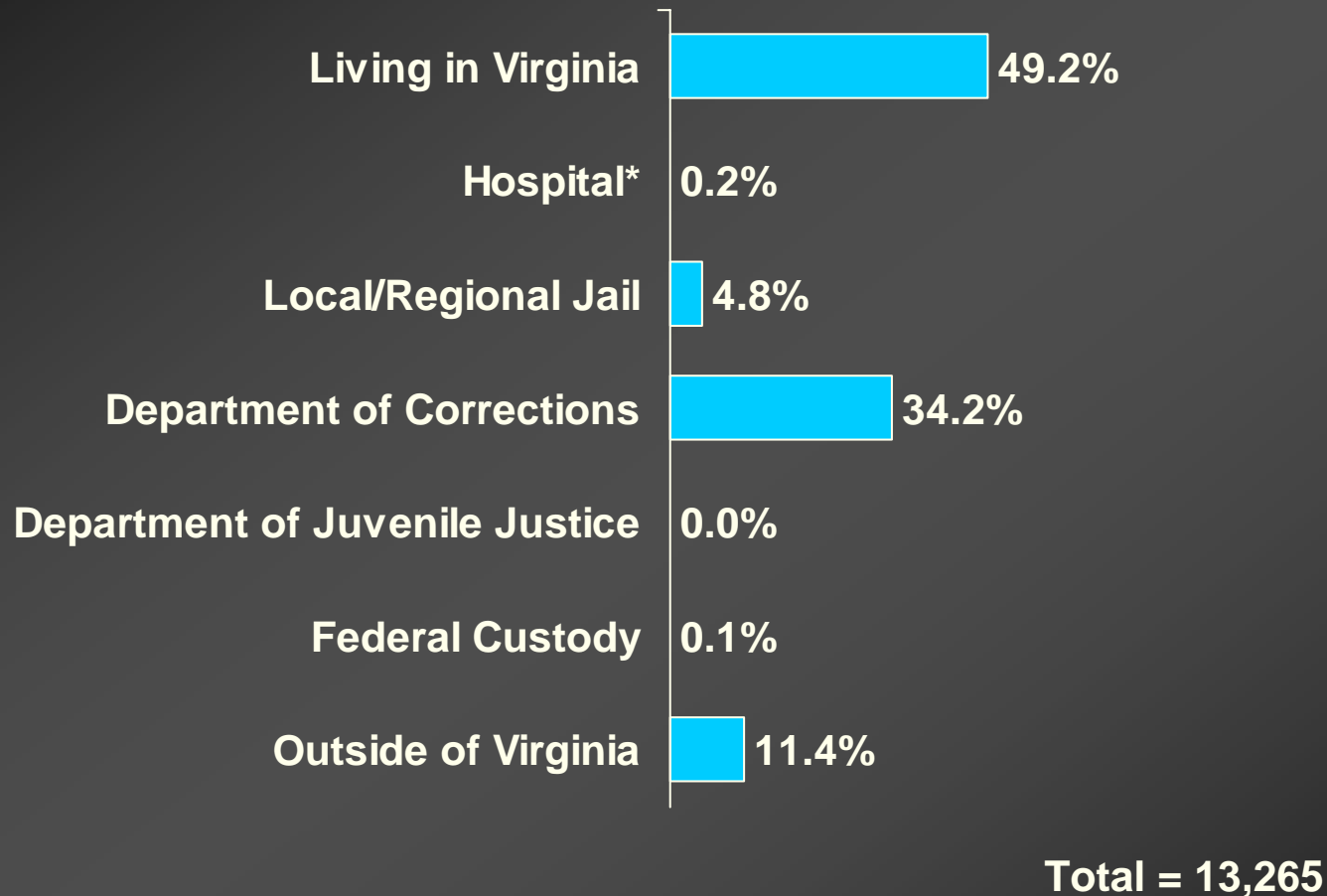
# Age Distribution for Robbery Arrests in Virginia



Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders by Location

---



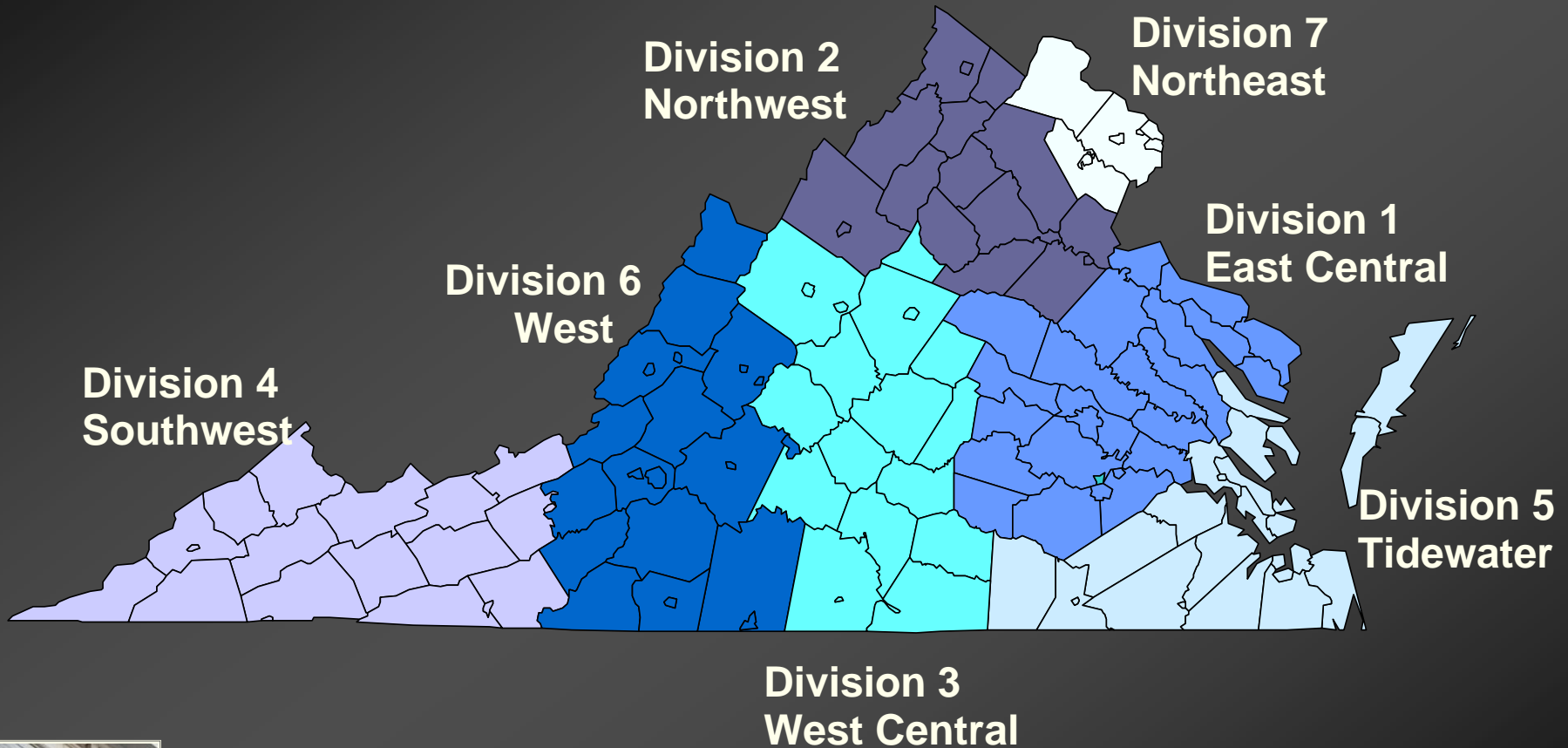
\* Hospital also includes mental health facilities, civilly committed sex offenders, and nursing homes.  
Note: Location is based on address recorded on the Registry.

---

Presented to the Sex Offender Task Force on June 7, 2005

# Virginia State Police Divisions

---



---

Presented to the Sex Offender Task Force on June 7, 2005



# Registered Sex Offenders Living in Virginia (Not Confined)

State Police Division	Number	Percent
Division 1: East Central	1,063	16.3%
Division 2: Northwest	669	10.3%
Division 3: West Central	681	10.4%
Division 4: Southwest	528	8.1%
Division 5: Tidewater	2,023	31.0%
Division 6: West	771	11.8%
Division 7: Northeast	790	12.1%
<b>TOTAL</b>	<b>6,525</b>	<b>100.0%</b>

Note: Data do not include offenders registered as residing in a hospital, jail, prison or juvenile correctional center. Offenders in federal custody or living out of state are also excluded.



Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders in Violation of Requirements as of May 20, 2005

---

- According to Registry data, a total 567 registered offenders were not in compliance with registration requirements as of May 20, 2005, because the re-registration cards had not been mailed back by the due date.

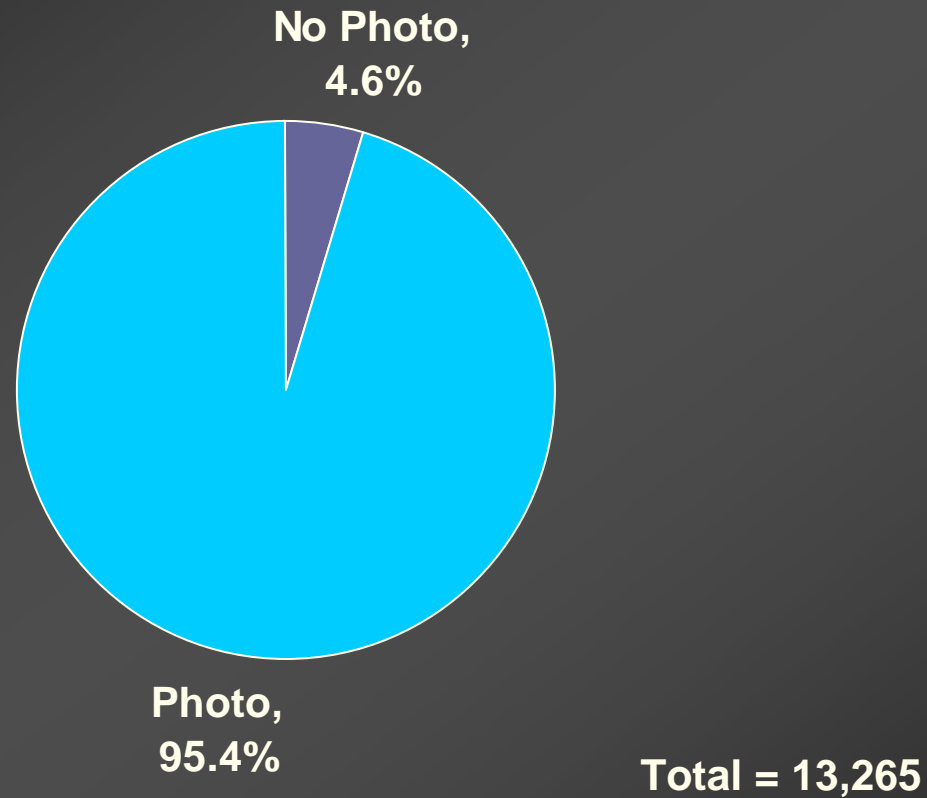
Status	Number	Percent
Not in Violation	12,698	95.7%
In Violation		
Sexually Violent Offenders	377	2.9%
Other Sex Offenders	190	1.4%
<b>TOTAL</b>	<b>13,265</b>	<b>100.0%</b>



Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders - Photo on Registry

---



---

Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders Living in Virginia (Not Confined) with Photo

---

Age of Photo	Number of Offenders
2 years or less	4,511 (78.6%)
More than 2 years	1,231 (21.4%)
<b>TOTAL</b>	<b>5,742</b>

**Note:** Data do not include offenders reported to be in violation of registration requirement or those offenders registered as residing in a hospital, jail, prison or juvenile correctional center. Offenders in federal custody or living out of state are also excluded.



---

Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders Living in Virginia (Not Confined) with Work Addresses Reported

---

Work Address	Number of Offenders
Reported*	1,339 (22.2%)
Not Reported	4,684 (77.8%)
<b>TOTAL</b>	<b>6,023</b>

**Note:** Data do not include offenders reported to be in violation of registration requirement or those offenders registered as residing in a hospital, jail, prison or juvenile correctional center. Offenders in federal custody or living out of state are also excluded.

\* For 85 of these offenders, the offender reported being “self-employed” or the work address matches the offender’s home address.



---

Presented to the Sex Offender Task Force on June 7, 2005

# Registered Sex Offenders Living in Virginia (Not Confined) with Address Issues

---

- 43 registered sex offenders reported to be in compliance with the Registry had "Last Known Address" recorded in the address field (34 of these are sexually violent offenders).
- 3 offenders were recorded as "homeless."
- 27 offenders in compliance reported living in a hotel or motel.



# Sex Offender Task Force - Research Agenda

---

- Trial information
  - Bond and pre-trial release decisions
  - Patterns of charge bargaining
  - Jury trial rate



# Sex Offender Task Force - Research Agenda

---

- Sentencing information
  - Probation, jail, prison dispositions and median sentence lengths
  - Sentencing guidelines compliance and departure patterns
  - Sentencing Commission risk assessment scores
  - Changes in sentencing patterns since the Commission implemented its risk tool





# Sex Offender Task Force - Research Agenda

---

- Releases from prison and jail (and those released directly into the community)
  - Offenses requiring registration
  - Offenses requiring review for civil commitment offenses



# Sex Offender Task Force - Research Agenda

---

- Additional Registry analysis
  - Adult versus child victims
  - Patterns in non-compliance with photo requirement
  - Frequency of offenders with mental health problems



# Sex Offender Task Force - Research Agenda

---

- Recidivism patterns across sex offenses
  - Request of Senator Stolle at June 7 meeting



# Sex Offender Recidivism Analysis - Methodology

---

- All FY1998, FY1999 and FY2000 releases from prison and jail, as well as those given probation without active incarceration, were identified
  - Minimum of 5-year follow-up for all releases
- Criminal history reports (rap sheets) were requested from State Police
  - Virginia
  - FBI
  - Other states



# Sex Offender Recidivism Analysis - Methodology

---

- Recidivism activity for each offender was recorded
  - Arrest
  - Conviction
  - Specific offense information
- Recidivism information is being automated and edited



# Sex Offender Recidivism Analysis - Methodology

---

- FY1998, FY1999 and FY2000 releases will be matched to the Registry to assess compliance with registration requirements



# Sex Offender Task Force - Research Agenda

---

- Projection of civil commitment population
  - Request of Delegate Albo at June 7 meeting



# Sex Offender Task Force – Civil Commitment Process

---

- The Task Force will consider which risk assessment tool is most appropriate for identifying offenders for civil commitment review
  - Current *Code* specifies that offenders must score a 4 or more on the Rapid Risk Assessment for Sex Offense Recidivism (RRASOR) scale
  - Other risk tools could be utilized
    - ≡ STATIC-99
    - ≡ MnSost-R
    - ≡ Sentencing Commission's risk assessment tool





# Rapid Risk Assessment for Sex Offense Recidivism (RRASOR)

## 1. Prior Sex Offenses (arrests and convictions)

<u>Score</u>	<u>Prior convictions</u>	<u>Prior charges (arrests)</u>
0	0	0
1	1	1 or 2
2	2 or 3	3, 4, or 5
3	4 or more	6 or more

## 2. Age at Release

<u>Score</u>	<u>Age</u>
1	18 to 24.99 years
0	25 or more years

## 3. Victim Information

<u>Score</u>	<u>Victim gender</u>
1	ever any male victim(s)
0	only female victim(s)

## 4. Relationship to Victim

<u>Score</u>	<u>Relationship</u>
1	any unrelated victim(s)
0	only related victim(s)



# Rapid Risk Assessment for Sex Offense Recidivism (RRASOR)

<u>Score</u>	<u>Estimated recidivism (re-arrest) rates</u>	
	5-year follow-up	10-year follow-up
0	4.4%	6.5%
1	7.6%	11.2%
2	14.2%	21.1%
3	24.8%	36.9%
4	32.7%	48.6%
5	49.8%	73.1%



# Civil Commitment of Sex Offenders (April 2003 – April 2005)

---

- 927 DOC inmates released for predicate sex offenses
- 56 DOC inmates scored 4 or more on RRASOR (6% of eligible offenders)
- 14 Offenders committed
  - 4 Released under community supervision model
  - 11 In appeals process
  - 1 Pending probable cause hearing
  - 14 Awaiting commitment hearing
  - 1 Not committed (returned to prison for non-sex crime)
  - 1 Not committed (Court of Appeals case)
  - 10 Attorney General did not pursue civil commitment



# Application of Sentencing Commission's Sex Offender Risk Assessment – FY2004

