
COMMUNITY NOTIFICATION:

A Study of Offender Characteristics and Recidivism

Prepared for the:

Washington State Institute for Public Policy

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EXECUTIVE SUMMARY

The Community Protection Act was implemented in Washington State in March 1990. One of the provisions of the Act, known as the community notification law, authorizes local law enforcement agencies to disseminate information to the public regarding convicted sex offenders who reside in the community. The community notification law was viewed by its proponents as having two objectives. The first was crime prevention, through the enhanced awareness of potential victims, their families and community agencies regarding the existence of known sex offenders in their neighborhoods. The second objective was to enhance the ability of law enforcement agencies to investigate crime by providing them with information regarding convicted sex offenders residing in their jurisdictions.

Washington State's community notification law was the first of its kind in the nation. Several other states have now enacted similar laws. This report provides the first examination of how the community notification law has been implemented in Washington State, who has been affected by it, and its impact on recidivism among sex offenders who were subjects of the law.

This study provides a descriptive portrait of the offenders who were subjects of the highest level (Level III) of community notification during the first three years after the implementation of the law. It also provides a comparison of the recidivism patterns of adult sex offenders who were subjects of Level III notification with those of similar sex offenders who were released prior to the implementation of the law, and who therefore, were not subject to notification. The two groups were matched on the basis of the number of sex offense convictions and type of victim (adult or child).

The study found:

- Law enforcement officials were selective in their use of Level III community notification. The adult sex offenders targeted for notification usually had extensive sexual or violent offense histories. Most had two or more prior convictions for offenses that typically involved the molestation or rape of female children who were known to the offender. Most of the offenders also had prior convictions for nonsexual offenses.
- In addition, law enforcement officials were remarkably accurate in their identification of high risk juvenile offenders for community notification. All of the 14 juveniles targeted for Level III notification were convicted of felony sex crimes against children, and most had histories of nonsexual offenses as well.

- Most of the juveniles reoffended during the follow-up period—79% were arrested for new offenses of any kind (including sex crimes) and 43% were arrested for new sex offenses.
- Of the 125 adult offenders who were subjects of the highest level of notification, 52 (42%) were arrested for new offenses of any kind (including sex). Eighteen offenders (14%) were arrested for new sex offenses.
- Most of the new sex offense arrests for the adult offenders (63%) occurred in the same jurisdictions where the notifications took place.
- Adult offenders who recidivated sexually were twice as likely (72% compared to 36%) to have injured their victims during the commission of a prior sex offense than those who did not recidivate sexually.

When the offense behavior during a follow-up period of adult sex offenders who were subjects of Level III notification was compared to that of a group of similar sex offenders who were not subjects of notification, the study found:

- At the conclusion of 54 months “at risk” in the community, 57% of the notification group and 47% of the comparison group were expected to be arrested for some kind of new criminal behavior. This difference was not found to be statistically significant.
- At the end of 54 months at risk, the notification group had a slightly lower estimated rate of sexual recidivism (19%) than the comparison group (22%). This difference was not found to be statistically significant.
- Although there were no significant differences in the overall levels of general recidivism, the timing of reoffending was different for the notification and comparison groups. Offenders who were subjects of community notification were arrested for new crimes much more quickly than comparable offenders who were released without notification.

In conclusion, this preliminary assessment found that law enforcement officials were judicious in their use of Level III community notification. Unfortunately, the findings suggest that community notification had little effect on recidivism as measured by new arrests for sex offenses or other types of criminal behavior. However, it may have had an impact on the timing of new arrests. A more definitive assessment of the impact of community notification in Washington State must await more subjects (especially juveniles), a longer follow-up period, and a qualitative study of changes in law enforcement and community behavior as a result of the law.

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INTRODUCTION

The Community Protection Act was implemented in Washington State in March 1990. One of the provisions of the Community Protection Act, known as the community notification law, authorizes local law enforcement agencies to disseminate information to the public regarding convicted sex offenders who reside in the community. The community notification law was viewed by its proponents as having two objectives. The first was crime prevention, through the enhanced awareness of potential victims, their families and community agencies regarding the existence of known sex offenders in their neighborhoods. The second objective was to enhance the ability of law enforcement agencies to investigate crime by providing them with information regarding convicted sex offenders residing in their jurisdictions.

Local law enforcement officials are granted the discretion to determine which offenders should receive community notification, what types of information to release, and who should be notified. The Washington State Patrol provides a list to the sheriffs in each county of those sex offenders who are believed to reside in that county and who have or have not registered. This list is updated on a monthly basis.

In addition, an End-of-Sentence Review Committee housed within the Department of Corrections conducts risk assessments of all sex offenders about to be released from state facilities, and issues "Special Bulletins" on those offenders thought to pose the greatest risk to the public. Often the receipt of the Special Bulletin provides the impetus for local law enforcement agencies to consider the possibility of notifying the community about an individual.

The End-of-Sentence Review Committee reviews the cases of juvenile sex offenders only if they meet the statutory criteria for a sexually violent predator as defined by the Community Protection Act. The Juvenile Rehabilitation Administration has the responsibility for notifying local law enforcement agencies regarding the release of dangerous juvenile sex offenders.

Most jurisdictions in the state follow the guidelines developed by the Washington Association of Sheriffs and Police Chiefs (WASPC) to determine what actions to take regarding community notification. These guidelines establish three levels of notification based on the individual's perceived risk to reoffend:

- Level I (low risk): Information (including a photograph) may be shared with other law enforcement agencies.
- Level II (moderate risk): Includes the activities of Level I, but in addition, schools, neighbors and community groups may be notified of an offender's release.

- Level III (high risk): The most serious offenders are considered to be candidates for a Level III notification, in which press releases may be issued in addition to the actions within Level I and Level II.

Washington State's community notification law was the first of its kind in the nation. Several other states have now enacted similar laws. This report provides the first examination of how the community notification law has been implemented in Washington State, who has been affected by it, and its impact on recidivism among sex offenders who were subjects of the law. It focuses on the most serious offenders, those subject to a Level III notification.

METHOD

The primary purposes of this study are: a) to provide a descriptive portrait of the offenders who were subjects of the highest level (Level III) of community notification during the first three years after the implementation of the Community Protection Act; and b) to compare the recidivism patterns of these offenders to the patterns of a comparable group of sex offenders who were not subjects of notification. The following is a description of the methods used in this study.

SAMPLE

The population for the study included all sex offenders released from Washington State prisons between March 1, 1990 and December 31, 1993 who received the highest level of community notification. There is no statewide registry that identifies the offenders who have been selected by local jurisdictions for notification. Thus, in order to identify the subjects of this study, law enforcement agencies in each jurisdiction were contacted. Sheriff's offices in all 39 counties were surveyed, as well as police departments in 18 of the largest cities within the state. The sheriffs or police chiefs for each county or city were contacted by letter and by telephone to obtain the names of the offenders in their jurisdiction who were subjects of their highest level of notification during the time period noted above. Thirty-six counties and 14 cities responded to the request for information, for a total response rate of 88 percent.

The sheriffs and police chiefs who responded to the request for information reported that they had conducted a total of 196 Level III (or highest level—some jurisdictions do not use the term "Level III") notifications from March 1, 1990 to December 31, 1993. The jurisdictions contacted and the number of notifications in each jurisdiction are presented in Appendix A. Eighteen duplicate names were eliminated from the list, leaving a total of 172 individuals who were identified as subjects of the highest level of community notification.

Nine of these offenders were actually parolees or probationers from other states, and an additional 14 offenders had been released prior to 1990. In order to limit the study to Washington State offenders who were released into the community subsequent to the implementation of the law, these 23 offenders were removed from consideration. Records were unavailable for another 10 offenders, leaving 139 individuals as subjects for the study. Fourteen of the 139 subjects (10%) were juvenile offenders, while the remaining 125 were adult offenders. The adult and juvenile offenders will be discussed separately throughout this report.

A comparison group of 90 individuals was selected from a sample of approximately 350 adults convicted of felony sex offenses in Washington State after July 1, 1986, and who were released prior to the implementation of the community notification law. This sample was developed for a study previously conducted by the Institute of the recidivism patterns of adult sex offenders.

DATA SOURCES AND PROCEDURES

The focus of this study is the reoffense behavior of offenders who were subjects of the highest level of community notification. Recidivism was measured by tracking the members of the sample throughout a follow-up period and recording all new arrests and convictions both within and outside of the State of Washington. The follow-up period was defined as the date of release from incarceration to July 31, 1994. The sources of data on criminal histories, as well as new arrests and convictions, included Washington State Patrol reports, the Offender Based Tracking System maintained by the Department of Corrections, and National Crime Information Center Interstate Identification Index reports.

Because no other systematic study of sex offenders who were subjects of community notification has been conducted, it was important to collect additional descriptive information on these offenders. The primary source of this information was Department of Corrections' case files. The files for individuals reviewed by the End-of Sentence Review Committee were located in the Department of Corrections central office in Olympia. Other files were maintained at the institutions where the offenders were housed if they had been recommitted, or at Department of Corrections' field offices if the offenders were still under supervision. These files often included pre-sentence reports, clinical assessments, victim reports, and police reports. Data were collected on offender characteristics, and on the characteristics of the sex offenses committed, including types of victims selected. These data provided a descriptive portrait of the offenders who received community notification during the first three years after the implementation of the law.

DATA ANALYSIS

Descriptive statistics were used to summarize the data on the characteristics of the sample. Several methods were used to analyze the recidivism data. The number and percentage of offenders who were arrested for new offenses were calculated by type of crime (sex, violent felony, nonviolent felony, or misdemeanor). Next, the association of offender characteristics with recidivism was evaluated by means of chi-square analyses and t-tests.

In order to assess the impact of the community notification law on new criminal behavior, the recidivism patterns of the sample were compared to those of a group of sex offenders who were released from incarceration prior to the implementation of the law, and who shared characteristics with the study sample. A comparison group of offenders was matched to a subset of the community notification group on the basis of two variables that are believed to be related to sexual recidivism. The first variable on which the groups were matched was "multiple sex offenses" that is, whether or not an offender had been convicted of more than one sexual offense. The second variable was "victim type". Offenders who selected children as their victims were classified as child molesters, while offenders who selected adults as their victims were classified as rapists. Those offenders who targeted both children and adults as victims were classified as mixed offenders. Information on the matching variables for the two groups is presented in Appendix B. As shown in the appendix, the two groups were also comparable in terms of age and race.

It was necessary to use a subset of the community notification group in order to ensure that the groups were comparable. The sample of adult sex offenders from which the comparison group was selected did not include any offenders who were convicted of Rape 1, nor did it include offenders whose sex crimes were prior offenses. Thus, the offenders who had been convicted of Rape 1 (n = 17), or whose sex crimes were prior offenses (n = 8), were removed from the community notification group for these analyses. Additionally, offenders who received the Special Sex Offender Sentencing Alternative (n = 10) were removed from the community notification group so as to focus the recidivism comparison on offenders released from Department of Corrections facilities. No offenders with SSOSA sentences were selected to be members of the comparison group. The result was that the notification group and the comparison group were composed of adult convicted sex offenders with similar sex offense histories, and who were also comparable on the important demographic variables of age and race.

The recidivism patterns for the community notification and comparison groups were analyzed using survival analysis. Survival analysis provides estimates of how long subjects “survive” before an event, such as a new offense, occurs, as well as estimates of the rate at which the event occurs. Survival analysis is particularly well-suited to the treatment of recidivism data because it takes into account differential periods at risk, and also accounts for “censored” cases, or those subjects who do not reoffend during an observation period.

The specific procedure used was that of a life table. The life table method is a non-parametric technique which has the advantage of not making any assumptions about the shape of the survival curve. The basic purpose of a life table is to calculate the probability of an event occurring in a certain time interval. For each time interval, all subjects who have been observed (or are at risk) at least that long, are used to calculate the probability of an event, such as a new arrest, occurring in that interval. Successive probabilities (the probability of failing during the first time interval and the probability of failure during the second time interval, given that a subject has not failed during the first, and so on) can then be used to estimate the cumulative probability of an event occurring by the end of a longer time period.

FINDINGS

THE COMMUNITY NOTIFICATION PROCESS

The process by which the public is notified regarding sex offenders in the community involves actions by a number of different players at both the state and local levels. The End-of-Sentence Review Committee, composed of representatives from the Department of Corrections and the Department of Social and Health Services, reviews the records of all convicted sex offenders about to be released from state facilities. The purpose of the review is to determine whether or not an offender meets the statutory guidelines for civil commitment under the Community Protection Act. The committee submits its recommendations to the prosecutor in the county in which the offender plans to reside upon release. Prosecutors are not bound by the committee's recommendations, and have the authority to make the final decision to initiate civil commitment proceedings.

The End-of-Sentence Review Committee also issues Special Bulletins to law enforcement agencies regarding sex offenders who are assumed to pose the greatest risk of reoffense upon release. According to a recent report by the Institute, Special Bulletins were issued on one fifth of the sex offenders released from Washington State correctional facilities between March 1990 and March 1993.¹

A Special Bulletin commonly contains a photograph of the offender, a description of the current sex offense, and details regarding his criminal history. Release information, such as the expected date of release, expected address, and any special conditions, are also included. Finally, the Special Bulletin provides commentary on the offender's experience with sexual deviancy treatment, and any problems he may have with alcohol and/or drugs.

Sheriffs and police chiefs are informed by the Department of Corrections several months in advance regarding the release to their jurisdiction of any convicted sex offender from a state facility. In addition, these officials are provided with in-depth information on offenders who are considered by the End-of-Sentence Review Committee to pose the greatest risk of reoffense while in the community. Generally, the Special Bulletin encourages law enforcement officials to consider community notification for an offender. However, the decision whether or not to notify the public is left to the local law enforcement agencies.

As noted in the introductory section of this report, most of the law enforcement agencies in the state utilize the notification guidelines developed by the Washington State Association of Sheriffs and Police Chiefs. The focus of this study is on the Level III, or highest level notifications. The method of dissemination at this level can vary from letters to close neighbors to general press releases. The information that is most often distributed includes a photograph, physical description, and the address of the offender. Frequently criminal history information, including the offender's method of approaching victims, is also circulated. Other information that has been released to the public includes place of employment, vehicle description, supervision conditions, and whether or not the offender completed sexual deviancy treatment.

The law does not specify which branch of law enforcement is responsible for handling community notifications. In rural districts, the county sheriff usually performs this function. Sheriffs and police chiefs in counties with urban areas have had to determine how to divide the responsibility for community notifications. Some counties, such as Kitsap, do all of the notifications for individuals who reside within the county. Most of the larger cities, however, have formed committees to handle notifications for the offenders who reside within city limits. Sometimes the police department coordinates its efforts with the county sheriff's office, otherwise the two agencies act independently.

Whatever the method, the process of implementing the community notification law has required the efforts of both state correctional and local law enforcement agencies. These agencies have responded in hopes of preventing recidivism and of increasing detection of sex offending.

DESCRIPTION OF THE JUVENILE SAMPLE

The juvenile sample consisted of 14 convicted sex offenders who were released from juvenile correctional facilities between March 1990 and December 1993, and who were subjects of Level III community notifications. Because these offenders were under the jurisdiction of the Juvenile Rehabilitation Administration, case file data were not obtainable from the Department of Corrections. Thus, only basic descriptive and follow-up information was available on these offenders.

Most of the juveniles (79%) were Caucasian youth. More than one half of the offenders (57%) had histories of nonsexual, as well as sexual, offenses. The most common nonsexual offenses committed by the juvenile sample were nonviolent felonies (43%) and misdemeanors (43%). Only two youth (14%) had prior convictions for nonsexual violent felony offenses.

The age at which the juveniles committed the first sex offense for which they were convicted ranged from 11 to 17 years. The average age was 14 years. The sexual offense history for a majority of the youth (57%) consisted of a single sex conviction. All of the offenders were convicted of sex offenses that involved children as victims.

The age at the time of release and subsequent notification ranged from 13 to 21 years. One half of the offenders were 18 years or older at the time of their release into the community. The average age was 16.9 years.

In summary, the juveniles who were subjects of the community notification law were primarily Caucasian youth with histories of nonsexual, as well as sexual, offenses. They commonly had a single sex conviction for an offense involving a child victim. The youth were likely to have committed the first sex offense for which they were convicted by age 14, and were approximately 17 years old at the time that the public was notified regarding their release from a correctional facility.

DESCRIPTION OF THE ADULT SAMPLE

The adult sample consisted of 125 convicted sex offenders about whom information was released to the public by local law enforcement officials. Offenders' Department of Corrections files were searched to gather information regarding a number of historical variables. These files were not available for 14 members of the sample (11%). In some cases, even when the files were available, they did not contain information on the variables in question. The "unknown" categories ranged from 11% to 38%. Table 1 presents descriptive information for the members of the sample for whom data were available.

The offenders were generally white and in their mid-thirties at the time of their release into the community. Note that only approximately one half of the offenders were known to have completed high school or received a GED. Forty percent of the offenders had been arrested for some type of offense before age 16. One quarter of the group were known to have been physically abused, and one third were known to have been sexually abused. The offenders were likely to be abusers of alcohol and/or drugs. The majority of the offenders were unemployed at the time of the index sex offense. About one third lived alone at the time of the offense, and less than one half of the offenders had ever been married.

TABLE 1

Characteristics of the Adult Community Notification Group

CHARACTERISTIC	MEAN/PERCENT
Average age at time of release	36.6 years
Caucasian	85%
Completed high school/GED	53%
Arrested under age 16	40%
Physical abuse history	25%
Sexual abuse history	32%
History of alcohol abuse	69%
History of drug abuse	57%
Unemployed at time of index offense	56%
Lived alone at time of index offense	32%
Ever married	43%

Nonsexual criminal history information for the sample is presented in Table 2. As shown in the table, the offenders in this study were heavily involved in crimes other than sexual offenses. Nearly one third of the offenders also had prior convictions for violent felony offenses, while 41% had convictions for nonviolent felony offenses. Approximately one half had prior misdemeanor convictions. Only one third of the sample (31%) had exclusively been convicted of sex offenses and had no prior convictions for nonsexual offenses. Thus, more than two thirds of the group were involved in nonsexual, as well as sexual, offense behavior.

TABLE 2

***Criminal History of Adult Community Notification Group:
Nonsexual Offenses***

TYPE OF CONVICTIONS	PERCENT
Violent felony offenses	30%
Nonviolent felony offenses	41%
Misdemeanor offenses	49%
No prior nonsexual offenses	31%

Table 3 presents information on the sexual offense histories, including the current or referral crime(s), of the offenders. The typical offender who was a subject of Level III (or highest level) community notification was in his late twenties when he committed the first sex offense for which he was convicted. The majority of the offenders had more than one sex offense conviction, and averaged two sex offense convictions. About two thirds of the sample were child molesters whose victims were young girls who were known or related to them. Most of the offenders were alleged to have committed other sex offenses for which they were never convicted. More than one half of the offenders were known to be under the influence of alcohol or drugs when they committed a sex offense. One third of the offenders used or threatened to use a weapon during the commission of a sex offense. Forty percent of the offenders were known to have physically harmed a victim.

TABLE 3

***Criminal History of Adult Community Notification Group:
Sexual Offenses***

CHARACTERISTIC	MEAN/PERCENT
Average age at time of first sex offense resulting in conviction	28.0 years
Multiple sex offense convictions	0.62
Average number of sex offense convictions	2.2
Average number of victims (conviction offenses)	1.9
Offender Type: Rapist Child molester Mixed	23% 66% 11%
Victim type: Female only Male only Both male and female	71% 16% 14%
Relationship of victim(s) to offender: Known or related Stranger Mixed	58% 30% 12%
Alleged to have committed other sex offenses	79%
Ever under the influence of alcohol or drugs at time of sex offense	52%
Ever use or threaten with weapon during commission of sex offense	33%
Victim injury	40%

At the time of their release from prison or jail and the subsequent notification of the community by law enforcement, it appears that few of the offenders had engaged in treatment for their sexual offense behavior. Only one quarter of the sample had participated in the Sex Offender Treatment Program offered by the Department of Corrections at the Twin Rivers Corrections Center. Ten percent of the sample presumably participated in outpatient sex offender treatment as a condition of the Special Sex Offender Sentencing Alternative (SSOSA).

Most of the adult sex offenders included in this study (75%) were the subjects of Special Bulletins issued by the End-of-Sentence Review Committee. The remaining offenders, although not subjects of Special Bulletins, were considered to be high risk offenders by local law enforcement officials, and subsequently were the subjects of Level III notifications.

Approximately one in thirteen of the offenders (8%) was arrested and charged with the offense of Failure to Register as a Sex Offender. Once arrested, all of these offenders eventually complied with the registration requirement.

Twenty-two percent of the offenders registered in more than one county, and thus were known by law enforcement to have changed residences. Thirteen offenders (10%) were the subjects of Level III community notifications by multiple jurisdictions.

In summary, the adult sex offender who was a subject of the highest level of community notification during the first three years after the implementation of the law was generally a white male in his mid-thirties with a history of alcohol or drug abuse. He had never been married and was unemployed. He was likely to have a history of nonsexual as well as sexual offenses. The typical offender was a child molester with two convictions for sexual offenses. His victims were young females who were known or related to him. He may have been under the influence of alcohol or drugs at the time of the sex offenses. He was highly likely to have committed other sex offenses for which he had never been convicted.

RECIDIVISM AMONG THE JUVENILE SAMPLE

Types of New Arrests During the Follow-up Period

Most of the 14 juvenile offenders who were subjects of the highest level of community notification reoffended during the follow-up period. Eleven of the youth (79%) were arrested for new offenses of any kind. Six of the youth (43%) committed new sex offenses. In addition, two youth (14%) were arrested for new nonviolent offenses, three youth (21%) were arrested for nonviolent felony offenses, and three youth (21%) were arrested for misdemeanor offenses.

Types of New Sex Offense Arrests and Convictions During the Follow-up Period

Six youth were arrested for new sex offenses during the follow-up period. Table 4 presents the types of new sex offense arrests and the types of resulting convictions. Note that all of the arrests resulted in one or more convictions for sex crimes — usually some form of child molestation.

Thus, it appears that a high proportion of the juveniles who were subjects of Level III community notification continued to sexually offend against children.

TABLE 4

***Types of New Sex Offense Arrests and Convictions
For the Juvenile Sample***

ARREST CHARGE	CONVICTION CHARGE
1. Attempted Rape 2	1. Indecent Liberties
2. Child Molestation 1	2. Child Molestation 1 x 2 charges
3. Child Molestation 1	3. Child Molestation 1
4. Child Molestation 3	4. Child Molestation 3
5. Attempted Indecent Liberties	5. Attempted Indecent Liberties
6. Communication with a Minor	6. Communication with a Minor
TOTAL ARRESTS = 6	TOTAL CONVICTIONS = 7

RECIDIVISM AMONG THE ADULT SAMPLE

Types of New Arrests During the Follow-up Period

The follow-up period and, thus, the potential opportunity to reoffend for the offenders in this study, ranged from 7 to 54 months. Of the 125 adult offenders who were subjects of the highest level of community notification, 52 (42%) were arrested for new offenses of any kind (including sex). Eighteen offenders (14%) were arrested for new sex offenses. In addition, seven offenders (6%) were arrested for violent felony offenses and 16 offenders (13%) had new arrests for nonviolent felony offenses. Twenty-four (19%) of the offenders were arrested for misdemeanor offenses. ***Thus, almost one half of the group recidivated in some manner, but most of the new arrests were for nonsexual crimes.***

Types of New Sex Offense Arrests and Convictions During the Follow-up Period

Table 5 presents the types of new sex offense arrests and convictions during the follow-up period for the community notification group. Note that there were 19 arrests during this period involving 18 offenders. One offender was arrested twice for new sex offenses.

Approximately one third (32%) of the new arrests were for rape, while an additional 5 (26%) of the arrests were for indecent liberties, a kind of “catch-all” category encompassing a wide range of hands-on sexual misconduct involving child or adult victims. Two offenders were arrested for the offense of Communication with a Minor for Immoral Purposes, which often involves behavior that is preliminary to child molestation. One of the arrests was for the offense of Sexual Exploitation, a crime that involves the production of pornographic materials whose subject is a minor. Finally, 5 (26%) of the arrests were for the sexual misdemeanor offenses of Lewd Conduct and Indecent Exposure. Thus, the majority (58%) of the new sex offense arrests were for contact crimes, such

as rape and indecent liberties. Most of the remaining arrests were for offenses that could be considered precursors to child molestation, or consisted of less serious forms of sexual offense behavior.

TABLE 5

***Types of New Sex Offense Arrests and Convictions
For the Adult Sample***

ARREST CHARGE	CONVICTION CHARGE
1. Rape 1	1. Rape 1
2. Rape 1	2. Rape 1 x 2 charges
3. Rape 1	3. No conviction
4. Rape 1	4. Assault 2 w/Sexual Motivation
5. Attempted Rape 1	5. Assault 2 w/Sexual Motivation
6. Rape 2	6. Rape 2
7. Indecent Liberties	7. Indecent Liberties
8. Indecent Liberties	8. No conviction*
9. Indecent Liberties	9. No conviction*
10. Indecent Liberties	10. No conviction
11. Attempted Indecent Liberties	11. Attempted Indecent Liberties
12. Communication with a Minor	12. Communication with a Minor
13. Communication with a Minor	13. Communication with a Minor
14. Sexual Exploitation	14. Sexual Exploitation
15. Indecent Exposure	15. No conviction*
16. Indecent Exposure	16. No conviction
17. Indecent Exposure	17. No conviction
18. Lewd Conduct	18. No conviction*
19. Lewd Conduct	19. No conviction
TOTAL ARRESTS = 19	TOTAL CONVICTIONS = 11

*Unknown conviction: arrest occurred within six months of end of follow-up period.

The notifying law enforcement agencies were responsible for most of the arrests for new sex offenses. Sixty-three percent of the sex offense arrests occurred in the same jurisdictions where the Level III notifications took place. The remaining arrests occurred in other Washington jurisdictions (19%) or in other states (19%).

Table 5 also presents information on the types of new sex offense arrests and the types of conviction outcomes. Approximately one half (53%) of the sex offense arrests resulted in one or more convictions. Note that one of the arrests for Rape 1 resulted in two convictions. In addition, four arrests occurred within six months of the end of the follow-up period, and it is unknown whether or not these arrests resulted in convictions.

Characteristics of Recidivists

The characteristics of offenders subject to Level III notification who were arrested for new sex offenses (sexual recidivists) were compared to the characteristics of offenders who were not arrested for new sex offenses (non-recidivists) and who were not subject to Level III notification. On the basis of these comparisons, sexual recidivists were differentiated from non-recidivists on only one characteristic — ***victim injury***. Offenders who recidivated sexually were twice as likely (72% compared to 36%) to have injured their victims during the commission of a prior sex offense than those offenders who did not recidivate sexually. There were no significant differences between the sexual recidivists and non-recidivists on the basis of any other variable, including sex offense-related variables such as: prior multiple sex offense convictions; offender type (rapist or child molester); victim type (male or female); or relationship to victim. See Appendix C for the full results of these comparisons.

The characteristics of offenders who were arrested for new offenses of any kind (general recidivists) were compared with the characteristics of offenders who remained arrest-free (non-recidivists). The general recidivists were significantly differentiated from non-recidivists by ***race, marital history, history of nonviolent felonies, relationship to victim, and use of alcohol and/or drugs during the commission of a sex offense***. More recidivists than non-recidivists were non-white (25% vs. 8%), unmarried (73% vs. 46%), and had prior convictions for nonviolent felony offenses (54% vs. 32%). More recidivists sexually offended against strangers (41% vs. 22%), and were under the influence of alcohol and/or drugs during the commission of their sexual offenses (65% vs. 43%). The full results of these comparisons are presented in Appendix D.

Comparison of Recidivism Patterns

One of the crucial questions of this study is whether or not community notification has had an impact on the recidivism of offenders who were subjects of the law. Up to this point, this report has discussed the reoffense behavior of the offenders who were subjects of the highest level of community notification during the first three years after implementation of the law. While this information is important, it does not provide an indication of how different the results would be if there were no community notification law in effect. For example, it is difficult to interpret the 14% sexual recidivism rate among the adult community notification sample without knowing whether this is higher or lower than what would be expected of a group of comparable sex offenders who were released without notification.

To assess the effect(s) of community notification on recidivism, a sample of 90 sex offenders from a previous study was matched with 90 sex offenders from the notification group. Post-incarceration follow-up information on new offense behavior was obtained on the members of each group. Because there were large differences in the number of months at risk in the community among the offenders, survival analysis was used to estimate the recidivism rates for each group.

Figure 1 presents the estimated cumulative percentage of offenders arrested for **new sex offenses** in the notification and comparison groups over a period of 54 months “at risk” in the community. Note that the estimated rates of arrests for sex offenses are remarkably similar for each group throughout the follow-up period. At the end of 54 months (4.5 years “at risk”), the notification group had a slightly lower estimated rate of sexual recidivism (19%) than the comparison group (22%). However, an inferential test comparing the rates failed to find a statistically significant difference in the levels of sexual recidivism ($\chi^2 = .219$; $p > .05$). ***This finding suggests that community notification had little effect on sexual recidivism as measured by official reports of new arrests.***

Figure 1

ESTIMATED CUMULATIVE PERCENTAGE ARRESTED

FOR NEW SEX OFFENSES BY MONTHS AT RISK

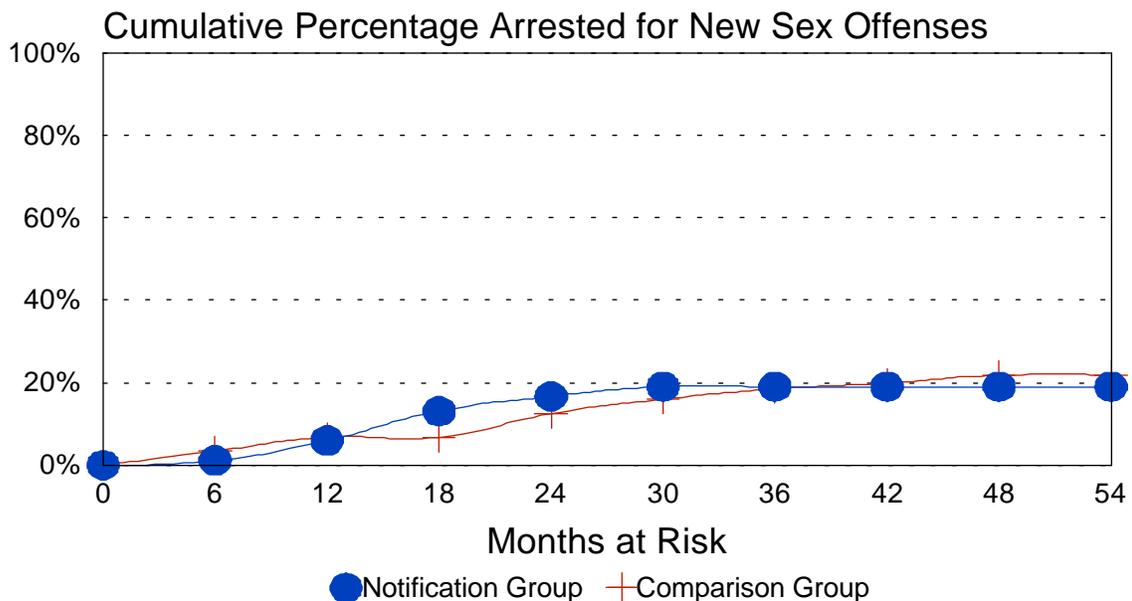
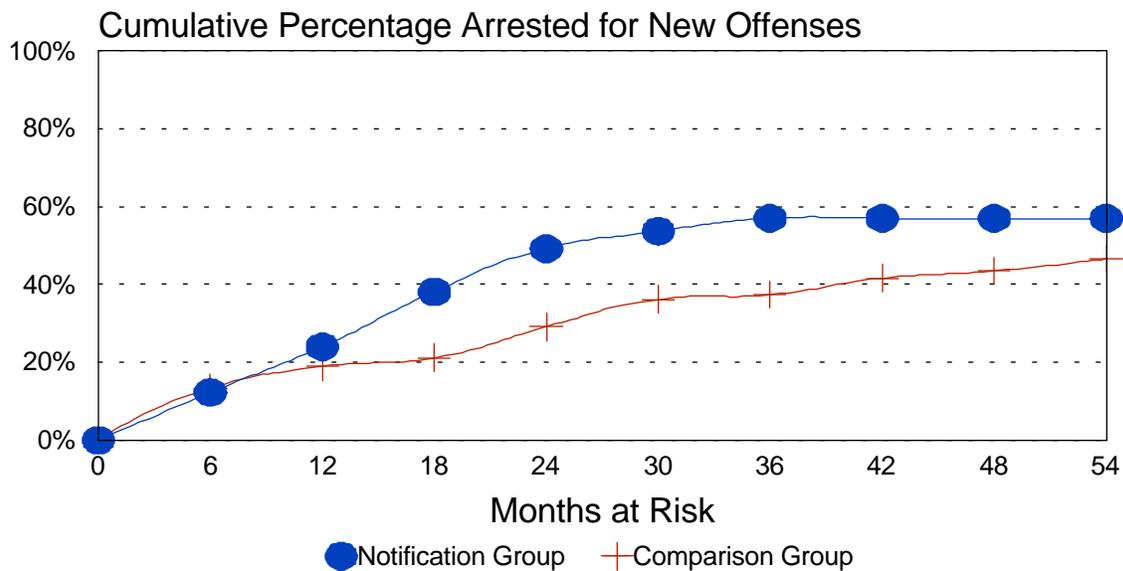


Figure 2 presents the estimated cumulative proportion of offenders in each group who were arrested for **new offenses of any kind** (including sex crimes) during the 54 month follow-up period. Note the differences in the shapes of the failure curves for the notification and comparison groups. The estimated arrest rates were similar (approximately 12%) during the first six months at risk in the community. However, by 12 months at risk and beyond, the estimated proportion of those arrested in the notification group consistently exceeded the estimated proportion of arrests in the comparison group. The difference in the rearrest rates for the two groups appears to have peaked at 24 months, or two years at risk in the community.

Figure 2

ESTIMATED CUMULATIVE PERCENTAGE ARRESTED
FOR NEW OFFENSES OF ANY KIND BY MONTHS AT RISK



The offenders who were subjects of community notification appear to have been arrested for new crimes much more quickly than comparable offenders who were released without notification. The median failure time for the notification group was 25.1 months. The median failure time is the time period at which one half of the group is expected to fail, defined in this case as a new arrest. In contrast, the median failure time for the comparison group was estimated at 61.7 months. Hence, one half of the notification group was expected to recidivate within approximately two years, compared to five years for offenders who were not subjects of community notification. Although the timing of reoffending was different between the two offender groups, the overall levels of recidivism at the end of 4.5 years as risk were similar. At the conclusion of 54 months at risk, 57% of the notification group and 47% of the comparison group were expected to be arrested for some

kind of new criminal behavior. This difference was not found to be statistically significant ($c^2 = 1.958$; $p > .05$). ***Thus, it appears that community notification had little effect on overall recidivism as measured by new arrests, but may have had an effect on the timing of new arrests.***

CONCLUSIONS

Law enforcement agencies were selective in their use of Level III community notification. A review of legal file information confirmed that adult sex offenders targeted for notification usually had extensive sexual or violent offense histories. Most had two or more prior convictions for offenses that typically involved the molestation or rape of female children who were known to the offender. Most were also alleged to have committed other sex offenses for which they had not been convicted, and most of the offenders had prior convictions for nonsexual offenses. This information suggests that the adult offenders in the notification group were at high risk to reoffend and that they were appropriate subjects of Level III notification.

In addition, law enforcement officials were remarkably accurate in their identification of high risk juvenile offenders for community notification. All of the 14 juveniles targeted for Level III notification were convicted of felony sex crimes against children, and most had histories of nonsexual offenses as well.

Despite the fact that law enforcement appeared to target appropriate high risk offenders, the study found no evidence that community notification prevented recidivism among juvenile offenders. Forty-three percent of the juveniles were arrested for new sex crimes during the follow-up period. Most of the juveniles (79%) were arrested for new offenses of some kind. Although no data were available on a comparison group of juvenile offenders, the recidivism rates appear to be disappointingly high, and indicate that community notification did not produce the desired effect.

Similarly, the study found little evidence that community notification prevented recidivism among adult sex offenders. Offenders who were subjects of Level III notification had high rates of general recidivism. More than one half of these offenders were arrested for new crimes — a rate of recidivism somewhat higher than the rate for a comparable group of sex offenders who were released from incarceration without notification.

Offenders in the notification group were just as likely to be arrested for new sex offenses as the offenders in the comparison group. Indeed, the rates of sexual recidivism were relatively low for both groups (approximately 20% over 4.5 years) — a finding consistent with other studies of adult sex offenders.

Although there were no significant differences in the overall levels of general recidivism, the timing of reoffending was different for the notification and comparison groups. Offenders who were subjects of community notification were arrested for new crimes much more quickly than comparable offenders who were released without notification. This finding is difficult to interpret without a qualitative examination of changes in law enforcement and community behavior as a result of the community notification law. Such an examination might ask if sex offenders who are subjects of Level III notifications are watched more closely after the law, and whether this increased attention results in earlier detection of criminal behavior.

In conclusion, this preliminary assessment found that law enforcement officials were judicious in

their use of Level III community notification. Unfortunately, the findings suggest that community notification had little effect on recidivism as measured by new arrests for sex offenses or other types of criminal behavior. However, it may have had an impact on the timing of new arrests. A more definitive assessment of the impact of the community notification law in Washington State must await more subjects (especially juveniles), a longer follow-up period, and a qualitative study of changes in law enforcement and community behavior as a result of the law.

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APPENDIX A:

**JURISDICTIONS CONTACTED AND THE NUMBER OF LEVEL III
(OR HIGHEST LEVEL) NOTIFICATIONS IN EACH JURISDICTION
MARCH 1990 - DECEMBER 1993**

**JURISDICTIONS CONTACTED AND THE NUMBER OF LEVEL III
(OR HIGHEST LEVEL) NOTIFICATIONS IN EACH JURISDICTION
MARCH 1990 - DECEMBER 1993**

JURISDICTION	NUMBER OF NOTIFICATIONS
Adams County	1
Asotin County	4
Benton County	2
Chelan County	1
Clallam County	3
Clark County	20
Columbia County	0
Cowlitz County	11
Douglas County	0
Ferry County	0
Franklin County	0
Garfield County	2
Grant County	3
Grays Harbor County	2
Island County	3
Jefferson County	Unknown
King County	4
Kitsap County	4
Kittitas County	0
Klickitat County	0
Lewis County	0
Lincoln County	1
Mason County	2
Okanogan County	Unknown
Pacific County	0
Pend Oreille County	1
Pierce County	7
San Juan County	0
Skagit County	2
Skamania County	0
Snohomish County	25
Spokane County	2

Stevens County	0
Thurston County	2
Wahkiakum County	0
Walla Walla County	1
Whatcom County	6
Whitman County	Unknown
Yakima County	3
Aberdeen	2
Auburn	Unknown
Bellevue	Unknown
Bellingham	8
Bremerton	0
Everett	17
Kennewick	Unknown
Lynnwood	Unknown
Mill Creek	2
Mountlake Terrace	4
Olympia	1
Renton	0
Richland	2
Seattle	20*
Spokane	8
Tacoma	9
Vancouver	6
Yakima	5
TOTAL	196

APPENDIX B:

CHARACTERISTICS OF NOTIFICATION

AND COMPARISON GROUPS

CHARACTERISTICS OF NOTIFICATION AND COMPARISON GROUPS

A. AGE AT TIME OF REFERRAL SEX OFFENSE

Average age at time of referral sex offense:

NOTIFICATION = 32.9 years COMPARISON = 32.2 years

B. RACE/ETHNICITY

	NOTIFICATION	COMPARISON	TOTAL	X ²
White	81	75	156	1.731 (n.s.)
Minority	9	15	24	
TOTAL	90	90	180	

C. MULTIPLE SEX CONVICTIONS

	NOTIFICATION	COMPARISON	TOTAL	X ²
Single sex conviction	27	32	59	2.526 (n.s.)
Single sentencing, multiple sex convictions	20	12	32	
Multiple sentencings for sex offenses	43	46	89	
TOTAL	90	90	180	

D. VICTIM TYPE

	NOTIFICATION	COMPARISON	TOTAL	X ²
Adult	16	26	42	3.462 (n.s.)
Child	64	53	117	
Mixed	10	11	21	
TOTAL	90	90	180	

APPENDIX C:

OFFENDER CHARACTERISTICS AND THEIR RELATIONSHIP

TO SEXUAL RECIDIVISM

OFFENDER CHARACTERISTICS AND THEIR RELATIONSHIP TO SEXUAL RECIDIVISM

VARIABLE (n = 107)	SEXUAL RECIDIVISTS (n = 18) c ² or (t)		NON- RECIDIVISTS
Average age at time of release	35.1 (10.5)	36.8 (12.0)	(.580)
Caucasian	88.9%	84.1%	.273
Completed high school/GED	57.1%	52.6%	.752
Arrested under age 16	53.3%	37.9%	1.263
Physical abuse history	25.0%	25.4%	.001
Sexual abuse history	33.3%	31.8%	.011
History of alcohol abuse	66.7%	69.8%	.058
History of drug abuse	50.0%	58.8%	.373
Unemployed at time of index offense	53.8%	56.0%	.020
Lived alone at time of offense	42.9%	30.1%	.894
Ever married	35.3%	44.7%	.517
Violent felony convictions	27.8%	30.8%	.068
Nonviolent felony convictions	44.4%	40.2%	.116
Misdemeanor convictions	38.9%	50.5%	.827
Sexual offense convictions only	38.9%	29.9%	.447
Average age at time of first sex offense (of which convicted)	26.2 (11.1)	28.3 (11.6)	(.710)
Multiple sex convictions	72.2%	60.7%	.865
Offender type:			
Rapist	33.3%	21.5%	1.254
Child molester	55.6%	67.3%	
Mixed	11.1%	11.2%	
Victim type:			
Female only	66.7%	71.4%	1.413
Male only	11.1%	16.3%	
Both male and female	22.2%	12.2%	
Relationship of victim(s) to offender:			
Known	47.1%	60.6%	2.848
Stranger	29.4%	29.8%	
Mixed	23.5%	9.6%	
Alleged to have committed other sex offenses	81.3%	79.2%	.036
Ever under the influence of alcohol or drugs at time of sex offense	53.3%	52.1%	.008
Ever use or threaten with weapon during sex offense	22.2%	35.2%	1.138
Victim injury	71.4%	36.1%	6.155**

**p < .01

“Non-recidivists” are those offenders who were not rearrested for a sexual offense during the follow-up period. They may have been rearrested for other types of offenses.

APPENDIX D:

OFFENDER CHARACTERISTICS AND THEIR RELATIONSHIP

TO GENERAL RECIDIVISM

OFFENDER CHARACTERISTICS AND THEIR RELATIONSHIP TO GENERAL RECIDIVISM

VARIABLE (n = 73)	GENERAL RECIDIVISTS (n = 52)		NON- RECIDIVISTS
	c²or (t)		
Average age at time of release	34.2 (10.6)	38.2 (12.3)	(1.880)
Caucasian	75.0%	91.8%	6.634**
Completed high school/GED	54.5%	52.5%	.853
Arrested under age 16	46.5%	35.6%	1.233
Physical abuse history	29.0%	22.9%	.373
Sexual abuse history	31.3%	32.6%	.016
History of alcohol abuse	75.6%	65.0%	1.289
History of drug abuse	61.1%	55.2%	.320
Unemployed at time of index offense	67.6%	48.3%	3.431
Lived alone at time of offense	36.8%	28.8%	.685
Ever married	27.3%	53.7%	7.575**
Violent felony convictions	30.8%	30.1%	.006
Nonviolent felony convictions	53.8%	31.5%	6.274**
Misdemeanor convictions	51.9%	46.6%	.348
Sexual offense convictions only	26.9%	34.2%	.384
Average age at time of first sex offense (of which convicted)	25.9 (9.9)	29.6 (12.4)	(1.790)
Multiple sex convictions	57.7%	65.8%	.841
Offender type:			
Rapist	32.7%	16.4%	5.740
Child molester	53.8%	74.0%	
Mixed	13.5%	9.6%	
Victim type:			
Female only	78.0%	65.2%	3.867
Male only	8.0%	21.2%	
Both male and female	14.0%	13.6%	
Relationship of victim(s) to offender:			
Known	41.3%	70.8%	9.700**
Stranger	41.3%	21.5%	
Mixed	17.4%	7.7%	
Alleged to have committed other sex offenses	73.9%	83.3%	1.474
Ever under the influence of alcohol or drugs at time of sex offense	64.9%	43.1%	4.058*
Ever use or threaten with weapon during sex offense	27.3%	36.9%	1.105
Victim injury	51.3%	34.5%	2.716

*p < .05 **p < .01

¹ 30 Donnelly, Sheila and Lieb, Roxanne. (1993) Community Notification: A Survey of Law Enforcement. Olympia, WA: Washington State Institute for Public Policy.