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Six-Year Follow-Up of Released Sex Offenders Recommended for Commitment Under Washington's Sexually Violent Predator Law, Where No Petition Was Filed

EXECUTIVE SUMMARY

Washington was the first state to pass a civil commitment law for violent sex offenders; the law was included in the state's omnibus legislative package, the 1990 Community Protection Act.¹ The Sexually Violent Predator statute² permits the indefinite involuntary civil commitment of persons found in civil court to be sexually violent predators. This study examines the recidivism of 89 released sex offenders referred by the Department of Corrections as meeting the filing standards for civil commitment petitions, but for whom no petitions were filed. These individuals were released into the community from prison during the first six years after this law's passage (between July 1990 and July 1996).

In this study, recidivism is defined to include all new convictions, both within and outside Washington State, from the date of release from prison to the end of a follow-up period. A uniform follow-up period of six years is used, with December 31, 2002, as the cut-off date.

Key Findings

- A majority (57 percent) of the subjects were convicted of new felony offenses.
- A high percentage (40 percent) was convicted of a new felony against-person offense, including sex offenses.
- Almost one-third (29 percent) committed a new felony sex offense.
- Sixteen percent failed to register as sex offenders.

New sex offenses were committed throughout the follow-up period. The likelihood of members of the group committing a felony sex offense ranged from 24 to 45 percent during the six years following release from prison.

Almost one-half (44 percent) of the group were incarcerated at the end of the follow-up period. Six individuals had received new sentences of life without parole, all within Washington State. Another two were awaiting trial on a sexually violent predator petition, and one person had been civilly committed.

This study reveals that the group of individuals referred for possible commitment as sexually violent predators, but for whom no petitions were filed, have a high pattern of recidivism.

¹ Roxanne Lieb, "State Policy Perspectives on Sexual Predator Laws," ed. B.J. Winick and J.Q. LaFond (eds.) *Protecting Society from Sexually Dangerous Offenders* (Washington, D.C.: American Psychological Association, 2003).

² RCW 71.09.020