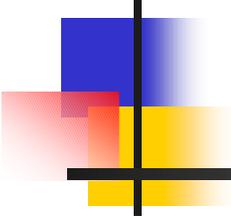


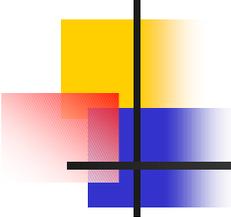
Implication of Sexual Predator Legislation



Bradley A. Hedges, Ph.D.

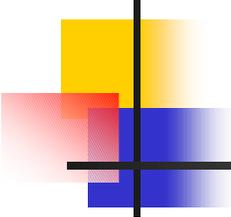
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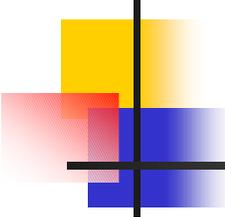
Where Did the Sexual Predator Law Come From?

- v Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (1994 Clinton Crime Bill)
 - v Effective registration systems for convicted child molesters and sexually violent offenders
 - v Stringent registration for “sexually violent predators”
 - v Can release information concerning offenders
- v Federally mandated for States or lose Byrne Memorial Funds



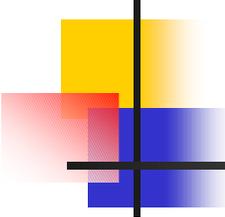
Where Did the Sexual Predator Law Come From? (Cont)

- v Megan's Law (May, 1996)
 - v Mandatory community notification
- v Pam Lychner Sexual Offender Tracking and Identification Act (1996)
 - v Mandated national database at FBI
 - v FBI handle registration in states lacking "minimally sufficient sex offender registration program"
 - v More stringent registration requirements, including life long registration



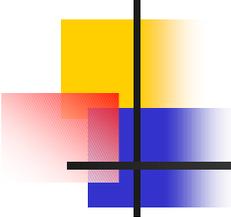
Stated Purpose of Ohio's Law

“If the public is provided adequate notice and information about sexual predators, habitual sex offenders, and certain other offenders, who commit sexually oriented offenses, members of the public and communities can develop constructive plans to prepare themselves and their children for the sexual predator's, habitual sex offender's or other offender's release from imprisonment, a prison term, or other confinement. This allows members of the public and communities to meet with members of law enforcement agencies to prepare and obtain information about the rights and responsibilities of the public and the communities and to provide education and counseling to their children.”



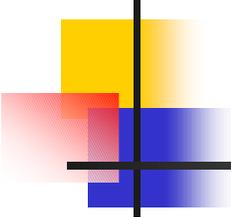
Stated Purpose of Ohio's Law

- “Sexual predators and habitual sex offenders pose a high risk of engaging in further offenses even after being released from imprisonment, a prison term, or other confinement and that protection of members of the public from sexual predators and habitual sex offenders is a paramount governmental interest.”
- This is stated purpose in spite of *Five Year Recidivism Follow-Up of Sex Offender Releases* study (ODRC, 1996) indicating 28.3% recidivism and a 7% sexual recidivism.



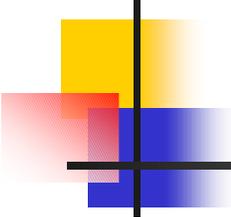
Ohio's Current Law

- v Clear and convincing evidence
- v Predator is defined as: "... a person who has been convicted of, or pleaded guilty to, committing a sexually oriented offense and is likely to engage in the future in one or more sexually oriented offenses"



Pros of Law

- √ 234,000 adult sex offenders in US, 60% under conditional supervision in the community (1996)
- √ Reduce fear of recidivism--know who offenders are
- √ Assist in investigation
- √ Deterring sex offenders
- √ Aid in protecting community



Cons of Law

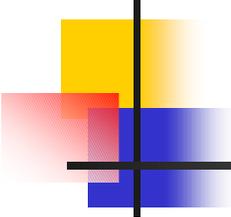
- v False sense of security
- v Vigilantism/harassment
- v Impact on offender treatment
- v No data on effectiveness
- v Migration to locations with less severe laws
- v Alienation of victims of incest

Understanding the Impact of Error in Risk Prediction

		Truth	
		Do not do it again	Do it again 7% actually do
Your Opinion	Will do it again	Wrong You say they will and they don't (False Positive) (Type I Error)	Correct Does re-offend (True Positive)
	Will not do it again (null hypothesis)	Correct Does not re-offend (True Negative)	Wrong You say they won't and they do (False Negative) (Type II Error)

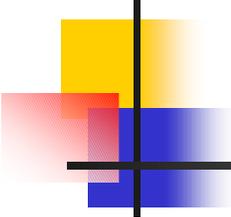
-----Risk----->

-----Risk----->



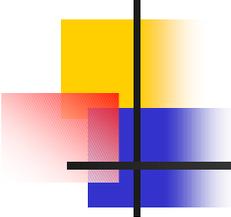
Type I Error (False Positive)

- √ Creates public fear
 - √ Overestimate the danger to the public (people assume most offenders will recommit)
 - √ Colorado example—eliminate access to treatment
- √ Increases risk for specific offender
- √ Cost
 - √ Incarceration (\$211,000,000 in Ohio in 1996)
 - √ Public notification



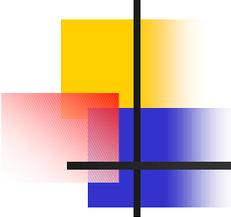
Type II Error (False Negative)

- v Increased public risk
 - v Jason Wagner case—he was out there but we didn't know
- v Process leads to public assumption that they know all of the risks
 - v Lancaster paper notifies that fewer sexual offenders in county than previous year



Factors That Increase Error

- v Utilizing assessment techniques developed for other populations (what was the norm group?)
- v Not understanding the risk assessment techniques well
- v Over estimating risk factors relative to other factors
- v Imposing clinical judgment on actuarial techniques



Juveniles and Predator Law

- v Only mandated by Federal law if convicted in adult court.
- v Currently being asked to do evaluations on juveniles who have been bound over, but we have no real risk prediction tools for this population.
- v Proposed SB 3 extending existing law to juveniles.