

Investigation, Prosecution, and Disposition

► Overview

Few other types of crimes are the focus of as much attention and scrutiny as sex offenses, particularly with respect to the prosecution and ultimate disposition of these cases. Increasingly over the past several years – and largely as a function of heightened media attention – the public, victims and their families, and other key stakeholders are demanding increased accountability measures for sex offenders as a means of promoting public safety. Included among these expectations are longer sentences, harsher punishments, tighter supervision restrictions and, perhaps to a lesser degree, rehabilitative services for the individuals who commit these crimes.

Unfortunately, the handling of adult- and juvenile-perpetrated sex offense cases is not always informed by current research and accurate information, whether about victims, offenders, or effective management strategies. Because misinformation, myths, and biases can impact the ways in which sex offense cases progress through the system, specialized education is critical for all stakeholders involved in offender management efforts to ensure that policies and practices throughout the system are well-informed (English, Pullen, Jones, & Krauth, 1996; Holmgren, 1999). This is particularly salient during the early phases of the criminal justice process, during which practitioners are responsible for addressing multiple objectives, including the following:

- Delivering supportive and other necessary services to victims of sex offenses, beginning at the point of disclosure and continuing through subsequent court proceedings;
- Collecting critical forensic evidence, some of which is unique to crimes of a sexual nature;
- Ensuring due process for defendants;
- Resolving cases swiftly, fairly, and effectively; and
- Making informed disposition decisions that hold adult and juvenile sex offenders accountable, facilitate successful outcomes for victims and offenders, and promote community safety.

Of the multiple facets of a comprehensive and integrated approach to sex offender management, the investigation, prosecution, and disposition components are the most under-represented in the professional literature. As such, practices vary considerably both within and across jurisdictions. This limits the ability of the system to meet the aforementioned objectives and establish a solid framework for initial and ongoing management efforts.

Therefore, as jurisdictions examine the ways in which these types of cases proceed from the point of investigation and through the prosecution and disposition phases, close attention must be paid to the degree to which well-informed and consistent policies and practices are in place. This provides an important opportunity to enhance the quality and integrity of the process overall.