

The Comprehensive Approach to Adult and Juvenile Sex Offender Management: An Overview

► Introduction

Sexual victimization remains a significant and pervasive problem throughout the United States. It is estimated that one in every five girls and one in every seven boys are sexually abused by the time they reach adulthood (Finkelhor, 1994). Moreover, one in six adult women and one in every 33 adult men experience an attempted or completed sexual assault in their lifetimes (Tjaden & Thoennes, 2006).

While it is commonly believed that sexual assaults are committed by strangers, in actuality, the overwhelming majority of sexually abusive individuals victimize children, adolescents, and adults who are known to them (Catalano, 2005; Kilpatrick, Edmunds, & Seymour, 1992; Snyder & Sickmund, 2006; Tjaden & Thoennes, 2006).

Because of the intensely personal nature of sexual victimization and the unique dynamics involved in these cases, these crimes tend to remain underreported and largely undetected. Victims report rape, sexual assaults, and other types of sexual abuse to authorities at an exceptionally low rate (Catalano, 2005; Kilpatrick et al., 1992; Tjaden & Thoennes, 2006). Additionally, victimization studies reflect that in the rare event that a victim who knows his or her perpetrator does report their victimization, they are significantly less likely to report subsequent victimizations (Kilpatrick et al., 1992). Thus, it cannot be assumed that the absence of new allegations translates into the

absence of additional sexually abusive behavior. Taken together, these reporting trends serve as an important reminder to stakeholders involved in sex offender management efforts: the adult and juvenile sex offenders who come to the attention of authorities represent only a fraction of all sexually abusive individuals.

A commonly held myth by members of the public, some policymakers, and even some practitioners in the field is that there is a finite set of characteristics that can identify “the sex offender.” In reality, however, experts in the field have long argued that this is not the case, and that no such profile exists (see, e.g., Becker & Murphy, 1998; Marshall, 1996; Hunter, 2006). Rather, adult and juvenile sex offenders are heterogeneous groups; they can be male or female, adult or juvenile. Their crimes range from “hands off” offenses (e.g., exhibitionism, voyeurism) to “hands on” offenses (e.g., fondling, forcible rape). Moreover, their pathways to offending, intervention needs, and level of risk are varied. Just as the individuals who commit sex offenses

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are diverse, so are the victims they target. Beyond their varied demographics, victims differ in terms of the impact that victimization has on them, their needs for intervention, and their desires to participate in the justice process.

At this point, a clear understanding of the etiology of adult and juvenile sex offending behaviors

remains lacking. Researchers and theorists agree that no single factor or simple combination of factors can fully explain the initiation or continuation of sex offending among juveniles or adults. Contemporary theories suggest that it is a complex and multifaceted issue (see, e.g., Barbaree & Marshall, 2006; Ward, Polaschek & Beech, 2006). As such, efforts to prevent sexual victimization and ensure community safety must be multifaceted – a “one size fits all” strategy will be both inefficient and ineffective.

► *Contemporary Sex Offender Management Strategies*

Acknowledging that that no single agency or entity can adequately address the complexities of managing adult and juvenile sex offenders, experts have long emphasized the critical need to develop coordinated, integrated, and multi-disciplinary responses (see, e.g., ATSA, 2005; English, Pullen, & Jones, 1996; NAPN, 1993; Ryan & Lane, 1997). Most recently, two key models have emerged in the field: The Containment Approach (English et al., 1996) and the Comprehensive Approach to Adult and Juvenile Sex Offender Management (see Carter, Bumby, & Talbot, 2004).

The Containment Approach

The Containment Approach is a widely recognized and influential model for the specialization of sex offender management. Addressing both philosophy and practice, the model pro-

poses five key elements as central to the effective management of sex offenders in the community. These include emphases on an overall philosophy and goal of community and victim safety, sex offender-specific containment strategies, interagency and interdisciplinary collaboration, consistent public policies, and quality control (English et al., 1996.) The Containment Approach postulates that by working together as a cohesive team, treatment providers, supervision officers, and polygraph examiners can effectively “contain” sex offenders as a means of promoting offender accountability and ensuring victim safety.

The Comprehensive Approach to Adult and Juvenile Sex Offender Management

Building upon the seminal work of English and her colleagues, the “Comprehensive Approach” – the framework for this systemwide assessment protocol – was developed in an effort to expand current thinking about how to most effectively manage this challenging offender population. Like the Containment Approach, the Comprehensive Approach recognizes the complex nature of adult and juvenile sex offending and the need for key system stakeholders to facilitate accountability, rehabilitation, and victim and community safety throughout all phases of the justice system. However, the Comprehensive Approach reaches beyond the primary focus on the treatment-supervision-polygraph triad, and expands to include a strategy that includes a broader sphere of influence.

THE COMPREHENSIVE APPROACH RECOGNIZES THE COMPLEX NATURE OF ADULT AND JUVENILE SEX OFFENDING AND THE NEED FOR KEY SYSTEM COMPONENTS TO FACILITATE ACCOUNTABILITY, REHABILITATION, AND VICTIM AND COMMUNITY SAFETY THROUGHOUT ALL PHASES OF THE JUSTICE SYSTEM.

Specifically, the Comprehensive Approach highlights the critical importance of six core components:

- Investigation, Prosecution, and Disposition;
- Assessment;
- Supervision;
- Treatment;
- Reentry; and
- Registration and Community Notification.

However, none of these components – in and of themselves – is sufficient in scope to address the magnitude and complexity of the problem. Nor are they considered as linear or unidirectional process; rather, the core components are highly interrelated and interdependent, each having implications for one another and the system as a whole. The Comprehensive Approach is, therefore, designed to represent the synergy created by the activities of a wide

range of stakeholders, all of whom share the common goal of reducing sexual victimization.

In addition, the Comprehensive Approach is grounded by five fundamental principles (victim-centeredness, specialized knowledge/training, public education, monitoring and evaluation, and collaboration) that reflect both a driving philosophy and a method of practice. When woven throughout each of the components, the model becomes a seamless whole.

Overall, the Comprehensive Approach addresses three critical questions:

- What should be done to manage sex offenders effectively?
- Who should be involved in sex offender management?
- How should we approach this work?



The first two questions are addressed by the core components; the final question is answered by the fundamental principles.

► *Fundamental Principles of the Comprehensive Approach*

Victim-Centeredness

In more traditional approaches, professionals responsible for the management of adult and juvenile sex offenders were offender-focused, with primary emphases on the development of treatment and supervision strategies to address the identified risk and needs of offenders in order to reduce the potential for reoffense. While the recognition of victims was generally implicit, there tended to be little evidence of explicit consideration and responsiveness to the needs and interests of the victims throughout the various aspects of the sex offender management process. Increasingly, however, professionals involved in sex offender management have made dedicated efforts toward addressing the risk and needs of offenders while concurrently prioritizing the needs and interests of victims (CSOM, 2000b; D'Amora & Burns-Smith, 1999; English et al., 1996). Referred to as victim-centeredness, adherence to this principle ensures that sex offender management strategies do not overlook the needs of victims, re-traumatize or otherwise negatively impact victims, or inadvertently jeopardize the safety of victims or other community members.

Criminal and juvenile justice systems that value a victim-centered approach are responsive to victims' needs, provide requested information to victims and families, promote healing, ensure victim input in critical decisionmaking at all

phases of the management process, and strive to ensure that the impact is neither minimized nor exacerbated by policies or practices within the system. Toward that end, justice agencies and treatment providers in jurisdictions across the country have begun to join with victim advocacy programs and victim service organizations to promote a victim-centered approach to the management of sex offenders (CSOM, 2000b, 2002; D'Amora & Burns-Smith, 1999; English et al., 1996).

Specialized Knowledge

The sex offender management field is ever-evolving. Indeed, within the past several years alone, significant advances relative to research, theory, and practice have increased professionals' understanding of critical issues for both adult sex offenders (see, e.g., Hanson & Harris, 2000; Hanson & Morton-Bourgon, 2005; Ward et al., 2006) and juveniles who have committed sex offenses (see, e.g., Barbaree & Marshall, 2006; Hunter, Figueredo, Malamuth, & Becker, 2003, 2004; Longo & Prescott, 2006). Without a doubt, sex offender management has emerged as a highly specialized area within the criminal and juvenile justice fields. As such, all professionals who have a role in the process must possess specialized knowledge about sex offenders, victims, and effective interventions, and should make ongoing efforts to remain abreast of emerging research and promising practice in the field of sex offender management. Such knowledge is critical to facilitate informed and responsible decisionmaking by all parties, at all levels, and throughout all aspects of the offender management process.

In the absence of specialized knowledge, none of the components of the Comprehensive Approach can be implemented effectively or responsibly. Law enforcement agents and other

investigators require specialized knowledge about offenders and victims to ensure that – from the point of victims’ disclosures – the investigative process is conducted in a manner that reflects victim sensitivity, promotes the thorough collection of evidence, and facilitates the successful prosecution of cases. Prosecutors, defense attorneys, and judges need specialized knowledge to make informed decisions relative to the prosecution, adjudication, and sentencing/disposition phases in order to understand the impact of sex offenses on victims and to provide support for the interventions necessary for offender accountability, rehabilitation, and community safety. Supervision officers and mental health professionals require specialized knowledge to conduct appropriate and comprehensive assessments of offenders and to ensure that the strategies and interventions utilized will maximize the likelihood of reducing recidivism and ensuring safe communities. Community support networks, victim advocates, and other professionals must be specially trained about adult and juvenile sex offender risk factors and management strategies in order to ensure more effective and responsive participation in the offender management process. Policymakers and key decisionmakers need specialized knowledge in order to effectuate consistent and well-informed laws and policies that will afford practitioners the ability to balance offender accountability, rehabilitation, and victim needs and interests to promote public safety.

Public Education

Historically, sex offending has been considered the exclusive problem and responsibility of the criminal or juvenile justice systems with the general public remaining largely absent from a comprehensive approach to offender management. However, sex offending is perhaps best

viewed as a community problem; indeed, the notion of viewing sex offending by adults and juveniles as a public health problem (see, e.g., Berlin, 2000; Laws, 2003; McMahon & Puett, 1999). Just as efforts directed toward reduction of smoking, alcohol and drug abuse, automotive safety, and safe sexual practices have been more successful when addressed using a public health model, the strategy of addressing sexual assault from a public health perspective may enhance prevention efforts as well (Berlin, 2000; Laws, 2003; McMahon, 2000; McMahon & Puett, 1999; Wurtele, 1999). When considered as a public health issue, sex offending becomes a broad societal concern that requires active involvement and attention from the public at large.

Before the public can be engaged fully, they must receive accurate information. Presently, a variety of myths and misperceptions about adult and juvenile sex offenders and victims are widespread in communities throughout the nation. In part, this misinformation has fueled considerable negative sentiment, demands for increasingly punitive strategies, and a proliferation of restrictive sex offender-specific legislation – many of which have created additional challenges for those responsible for management efforts. As evidenced by these trends, in the absence of accurate information, public opinion and negative public sentiment can exacerbate existing barriers. Therefore, the key stakeholders who represent the core components of the Comprehensive Approach must take active steps to dispel myths about sex offenders and educate the public about the nature of sexual victimization, who is most likely to be targeted and by whom, and how effective management strategies can increase community safety and prevent further victimization.

Educating and partnering with the public increases community capacity in new and

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important ways. Through their ability to inform, guide, and influence community leaders and policymakers, an educated public can have a profound impact on effective sex offender management (CSOM, 2000c). Moreover, from a public health perspective, an educated public can expand traditional offender management efforts through an emphasis on primary prevention in the community.

Monitoring and Evaluation

The goals of effective sex offender management efforts are to reduce recidivism and promote positive outcomes for victims and offenders. If successful, the result will be safer communities. If unsuccessful, community safety may be compromised, which in turn can translate into additional victims. The critical nature of this work, therefore, demands the incorporation of formalized monitoring and evaluative processes to ensure the integrity, quality, and efficacy of current interventions and strategies (English et al., 1996, 2003). Program monitoring and evaluation are perhaps best accomplished through the utilization of process and outcome examinations. Process reviews focus on the integrity of the service delivery system by examining the types of interventions and strategies delivered, population(s) served, and manner in which services are provided, including adherence to philosophies, policies, and procedures. Outcome evaluations provide important information about the efficacy of the programming, thus guiding potentially necessary program modifications. Put simply, process evalu-

ations examine what is delivered, how it is delivered, and how well it is implemented, whereas outcome evaluations assess whether and how much the services impact the overall program goals (e.g., enhanced functioning, reduced recidivism).

Funding decisions, resource deployment, legislative and policy decisions, offender success, public support, and community safety are all reliant on sound programming and services – and the data which demonstrates that they “work.” In the absence of monitoring and evaluation processes, incorrect assumptions are often made about the integrity and efficacy of interventions, which may ultimately have an unintended detrimental impact on victims, offenders, and community safety. Therefore, as the field evolves, the stakeholders responsible for the core components of the Comprehensive Approach must ensure that policies and practices are informed by, measured against, and adjusted in accordance with the contemporary research and practice literature.

Collaboration

For decades, criminal and juvenile justice systems and community agencies worked independently – and sometimes at odds with each other – in their efforts to manage sex offenders and protect victims. Not surprisingly, these fragmented efforts have been largely inadequate (CSOM, 2000a, 2000d, 2002; D’Amora & Burns-Smith, 1999; English et al., 1996). To ensure a more comprehensive, consistent, efficient, and effective approach to adult and juvenile sex offender management, collaboration is vital (ATSA, 2005; Berlin, 2000; CSOM, 2000a, 2000d, 2002; D’Amora & Burns-Smith, 1999; English et al., 1996, 2003; McGrath et al., 2003; NAPN, 1993). Collaboration requires agencies and individuals to recognize the importance of

diverse perspectives, share resources, and make a commitment to work together to enhance capacity toward attainment of a common goal.

While collaboration among supervision officers and treatment providers is essential to managing sex offenders, the Comprehensive Approach recognizes that a host of other justice system and community agencies and organizations must be included. In order to build successful collaboratives, it is critical to identify and include those individuals and agencies that affect or are affected by sexually abusive individuals, in order to ensure that their unique roles and perspectives can be considered within the context of a broader system. For effective sex offender management, collaboration is necessary on both policy and case management levels. At the policy level, key decisionmakers oversee the development of consistent policies and procedures, secure and deploy necessary resources, and provide critical support to individuals at the case management level. Collaboration on the case management level promotes effective day-to-day offender management through consistent information-sharing and the utilization of comprehensive data to inform decisionmaking. Moreover, collaboration fosters mutual understanding and support for the various components of the sex offender management process and creates an expanded network of informed and dedicated individuals to assist offenders and victims. Ultimately, collaboration results in more successful outcomes, as professionals involved in the management of these offenders can accomplish more together than when working independently.

COLLABORATION IS NECESSARY ON BOTH POLICY AND CASE MANAGEMENT LEVELS.

► *Key Components of the Comprehensive Approach*

As covered extensively in the individual sections that comprise this protocol, the key components provide the “substantive” foundation of the Comprehensive Approach, as highlighted below.

Investigation, Prosecution, and Disposition

The investigation, prosecution, and disposition of sex crimes is a key phase in the process because it sets the stage for the remainder of offenders’ contact with the criminal or juvenile justice system. As such, law enforcement and child welfare investigators require specialized knowledge about these types of cases and must collaborate with other key professionals involved in the investigative process; this will ensure that prosecutors have a well-informed basis for charging decisions and can more effectively bring these cases to resolution (see, e.g., APRI, 2003; Holmgren, 1999). Throughout the process, prosecutors must be committed to assuring victim-centeredness, considering carefully the potential implications of plea negotiations, and promoting accountability – all while balancing due process issues for defendants (see, e.g., Holmgren, 1999, Strate, Jones, Pullen, & English, 1999). Finally, when presiding over these challenging cases, judges can benefit from understanding the contemporary literature that has specific relevance to their day-to-day decisionmaking (see, e.g., Bumby & Maddox, 1999; English et al., 1996). In addition, by receiving specialized assessment information about individual offenders, judges are better positioned to make informed disposition

decisions that can enhance the system's overall ability to effectively manage adult and juvenile sex offenders (Holmgren, 1999).

Assessment

The diversity of adult and juvenile sex offenders requires that management decisions throughout the system and across agencies are informed by comprehensive assessment information. Using specialized and empirically-supported tools to identify risk levels and dynamic risk factors, and through collaboration and sharing of critical information, stakeholders are able to make assessment-driven decisions at specific points in time and on an ongoing basis that will enhance sex offender management efforts. Put simply, assessment is the key to informed decisionmaking.

Supervision

Specialized sex offender supervision is a hallmark of effective adult and juvenile sex offender management. The key tenets of specialized supervision include specialized knowledge and training to facilitate the management of specialized caseloads; assessment-driven case management plans with individually-tailored conditions of supervision to enhance offender accountability, victim protection, and community safety; and sex offender-specific supervision strategies (e.g., surveillance, use of external supports, polygraph) that are implemented based on level of risk (see, e.g., Cumming & McGrath, 2005; English et al., 1996; NAPN, 1993). Furthermore, the supervision of sexually abusive individuals requires collaboration among criminal justice system stakeholders, treatment providers, victim advocacy professionals, and others to ensure that decisions at all levels are informed by multiple sources of

information and a broader set of perspectives (see, e.g., Cumming & McGrath, 2005; English et al., 1996; NAPN, 1993).

Treatment

Because current research reveals that adult and juvenile sex offenders who receive treatment recidivate at lower rates than those who do not (see, e.g., Hanson, et al., 2002; Lösel & Schmucker, 2005; Reitzel & Carbonell, 2006), treatment plays an important role in promoting the success of these individuals and enhancing public safety. To be most effective, the nature, intensity, and targets of treatment should be assessment-driven, developmentally appropriate, and guided by the research about "what works" for adults and juveniles. Further, treatment cannot occur in isolation; providers must collaborate with other stakeholders to make sure that interventions are informed by a more complete "picture" of the individuals who are involved in the treatment process (see, e.g., Carter et al., 2004; Cumming & McGrath, 2005; English et al., 1996; NAPN, 1993).

Reentry

For the adult and juvenile sex offenders who are placed in correctional facilities or residential programs, planning for release should begin at the point of entry (see, e.g., Bumby, Talbot, & Carter, in press; CSOM, 2007; Spencer, 1999). This ensures that strategies to address any assessed needs and identified barriers to effective community reintegration can be developed well in advance of release. Collaboration between the key stakeholders involved within facilities and those in the community provides critical opportunities to promote continuity of interventions and a seamless and effective transition to the community.

Registration and Community Notification

Sex offender registries are, in large part, designed to offer law enforcement and community supervision officers a means of monitoring sex offenders and as an additional tool for investigating sex crimes. This is contingent upon maintaining thorough, accurate, and current information about the individuals on these registries (see, e.g., Matson & Lieb, 1996). The primary goal of community notification is to provide a mechanism through which citizens can become more aware of the sex offenders who are residing in their communities. Jurisdictions are encouraged to consider different levels of notification based on level of risk, and to incorporate multi-disciplinary public education efforts into notification practices in an effort to reduce unintended consequences (see, e.g., ATSA, 2005; Carter et al., 2004; CSOM, 2001). And for both registration and community notification, it is particularly important to consider how these laws are applied to juveniles, given what is known about the differences between adult and juvenile sex offenders, the low recidivism rates of these youth, and the potential for collateral consequences (see, e.g., Letourneau & Miner, 2005; Letourneau, 2006; Zimring, 2004).

► Conclusion

The problems of sexual victimization and sex offending are multifaceted and cross a wide range of disciplines and agencies. As such, strategies to address these issues must include the key agencies, organizations, entities, and individuals who have a stake and role in adult and juvenile sex offender management. The Comprehensive Approach addresses a wide spectrum of critical issues, in terms of principles, policies, and practices. Moving beyond more traditional and sometimes fragmented and inconsistent responses, it connects each of the essential components of a multi-disciplinary, collaborative, and systemic model. The Comprehensive Approach offers a promising and well-grounded framework upon which jurisdictions can consider the informed integration of policies and practices to promote the shared goal of ensuring victim and community safety.

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