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Long-Term Comparison of Force and Rates of Recidivism BetweenChild Molesters and Rapists: A Methodological Analysis

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Abstract

The studies reported in this paper address the high variability in sex offender recidivism rates by examining several of the critical methodological differences that underly this variability. We used a dataset on 265 rapists and child molesters who were discharged over a 24 year period to examine changes in recidivism as a function of changes in dispositional definition of re-offense (e.g., arrest or conviction), changes in the domain of criminal offenses that are considered, and changes in the length of exposure time.

In the first study, we examined changes in rate of recidivism as a function of criminal offense category. For the rapists, there was a relatively close correspondence between percent of noncensored observations for all three categories of criminal charges, with sexual charges (26%) being the lowest and nonsexual, victim-involved and victimless being, on average, 8.5% higher. The overall rate approached 60%. Child molesters were more likely to reoffend sexually, a finding that was most evident when conviction or re-incarceration were considered. Although the charge rates for sexual and nonsexual, victimless offenses were almost the same, the conviction rates for both categories were 25% and 12%, respectively. The re-incarceration rate for nonsexual offenses was 5%, compared to 23% for sexual offenses.

The overall rate of recidivism and the change in rates across dispositional categories was quite similar for rapists and child molesters. With rapists, the overall rate of recidivism dropped by almost 30%, from 57% for charges to 31% for incarceration. With

child molesters, the overall rate of recidivism dropped by about 25%, from 54% for charges to 30% for incarceration.

In the final study, we examined the rates of recidivism for new charges using 9 time gates, broken down by charge, conviction, and prison. Among the rapists, there was a stable 2-3% recidivism rate for new sexual charges per year through the 5th year. The rate dropped to about 1% per year every year thereafter through the 24th year. Restricting the follow-up to 12 or 24 months would result in approximately 25% missed cases. The rate of recidivism using conviction or incarceration was one-half that of the rate using charge during the first 5 years. Among the child molesters, there was a steady increase in new offenses throughout the follow-up period, with the rate starting out at 14%, increasing to 37% at year 5 and 74% by the end of the study. The gap between the charge rate and the conviction rate increased steadily, from 6% in year 1 to 14% by year 5, 17% by year 10, and 18% throughout the remainder of the study. The gap between conviction and incarceration rates steadily increased, from 2% in year 1, to 5% at year 5 and 12% by the end of the study.

Long-Term Comparison of Force and Rates of Recidivism Between
Child Molesters and Rapists: A Methodological Analysis

More than any other group of criminals, sex offenders are the subject of discretionary decisions by the criminal justice system, and these decisions typically rest upon a presumption, however ill-founded or misinformed, about the individual's dangerousness. Although dangerousness may be conceptualized in different ways, the universal concern is re-offense risk. Thus, questions about whether to leave an offender in the community on probation, whether to parole and offender, whether to recommend compulsory treatment, level and duration of parole supervision, whether to require registration with the police, and, most recently, whether to notify the community, all are driven by underlying assumptions about re-offense risk. It would thus appear, at least from a forensic standpoint, that there is no question more central to the disposition of sex offenders than their putative dangerousness.

Given the apparent criticality of this issue, it would be reasonable to assume that there is a reliable corpus of empirically-derived data that inform and guide such decisions. Unfortunately, this is far from the case. Indeed, it appears that there is relatively little that we can conclude, primarily because of the methodological variability of existing studies (Furby, Weinrott, and Blackshaw, 1989).

In one of the largest recidivism studies with sex offenders, Christiansen, Elers-Nielsen, Le Maire, & Sturup (1965) followed-up a heterogeneous sample of 2,934 rapists, child molesters and

exhibitionists for a period ranging from 12 to 24 years. Of the entire sample, 714 offenders (24.3%) received a sentence for some type of re-offense. Less than half (43.4%) of the 714 recidivists were sentenced for a sexual offense (10.6% of the entire sample). The highest subgroup re-offense rate was for exhibitionists, followed by rapists, opposite-sex child molesters and same-sex child molesters. Although half of the 714 recidivists re-offended within the first 60 months, there were about ten failures per year through the fifteenth year.

Soothill, Jack, & Gibbens (1976) reported on a 22-year follow-up of 119 offenders who had been charged with some form of sexual offense in 1951. Of the 119 men, 95 had been charged with rape or attempted rape, and of this group, 86 were convicted. Of that cohort of 86 convicted offenders, 13 were re-convicted of some type of sexual offense. In what must have been one of the earliest methodological "critiques" of a sex offender recidivism study, Soothill and Gibbens (1978) commented that, "While the Danish study (Christiansen et al., 1965) is most painstaking, there are some probable shortcomings which may well mean that it tends to underestimate the recidivism of sexual offenders over a long period," (pp. 268). The criticism of Soothill and Gibbens is that the "at risk" times (i.e., exposure times) were improperly calculated in the Christiansen et al. study. The sample in the Christiansen et al. study was gathered from a ten-year period (1929-1939) but all cases were follow-up in the early 1950's, yielding a "differential period at risk." Soothill and Gibbens (1978) observed that their

own study (Soothill et al., 1976) was vulnerable to the same criticism, and sought a new strategy for addressing it. Soothill and Gibbens appears to have been the first study of its kind to adopt "life-table methodology." The life table developed by Soothill and Gibbens revealed a reconviction rate of 48% by the end of the observation period (22nd year), compared with an equivalent figure of 38.5% using the conventional procedure of calculating the percent failures each year. Using their life table, Soothill and Gibbens recalculated the sexual recidivism rate at the end of the observation period, noting an increase from 18.4% to 23%. Perhaps the most important consequence of their readjusted figures was the observation that only half of the reconvictions for a violent offense (sexual or nonsexual) occurred within the first 5 years.

One of the earliest reviews of methodological issues in research on re-offense rates among sex offenders targeted three core concerns: (1) the study population, (b) the criterion for recidivism, and (c) the follow-up period (Tracy, Donnelly, Morgenbesser, & McDonald, 1983). Tracy et al. (1983) emphasized the importance of defining precisely the study population, noting the utilization of a comparison or control group, clearly stating the criterion for recidivism as well as the criminal behavior domain under consideration (e.g., only sexual offenses, all violent offenses, any offense, etc.), and providing a rationale for the length of the follow-up period.

A cursory review of more recent recidivism studies on sex offenders reveals little methodological uniformity. In the study by

Romero and Meyer Williams (1985), 231 sex offenders, divided into three groups (21% exhibitionists, 17% child molesters with victims aged 10 or younger and 62% sexual assaulters with female victims aged 13 or older), were followed for 10 years. The dispositional definition of recidivism was arrest, coded for a sex offense and for a nonsex offense. The source of the re-offense data was the probation records. In the study by Hall and Proctor (1987), the sample consisted of 342 nonpsychotic sex offenders who had been committed to a state hospital. Most of the sex offenders in this sample (about 85%) were child molesters. Exposure time in this study was 5 years. The definition of recidivism was arrest. Arrests were classified into four categories: sexual offenses against adults and against children, nonsexual, victim-involved offenses and nonsexual, victimless offenses. The source of the re-offense data was Federal Bureau of Investigation records. The study by Rice, Harris, and Quinsey (1990) followed-up 54 rapists over almost 4 years (46 months). The sample was obtained from a maximum-security psychiatric hospital. The definition of re-offense was conviction, and offenses were classified into one of 3 categories (sexual only, violent (which included all sexual offenses), and any criminal offense). This study employed multiple sources for obtaining re-offense data, including the Lieutenant Governor's Board of Review, the Royal Canadian Mounted Police, the National Parole Service of Canada and the institutional files from the hospital. A subsequent study by Rice, Quinsey, and Harris (1991) followed-up 136 extrafamilial child molesters for an average period

of 6.3 years. The sample was obtained from the same facility as the sample in the Rice et al. (1990) study. Similarly, the definition of re-offense and the sources of re-offenses data were the same. The study by Hanson, Steffy, and Gauthier (1993) followed-up 197 child molesters for a period ranging from 15 to 31 years. The definition of re-offense was conviction, and the source of the re-offense data was the Royal Canadian Mounted Police records. As is apparent, these studies vary considerably with respect to the length of exposure time, the sources used to obtain outcome data, the criminal behavior domain that is targeted, and the dispositional definition of recidivism that is employed.

The series of studies reported in this paper sought to address the high variability in sex offender recidivism rates by examining several of the critical methodological differences that underly this variability. We used a dataset on 265 rapists and child molesters who were discharged over a 24 year period to examine changes in recidivism as a function of changes in dispositional definition of re-offense (e.g., arrest or conviction), changes in the domain of criminal offenses that are considered, and changes in the length of exposure time.

Method

Subjects

The subjects in this study were 265 male sexual offenders who had been committed to the Massachusetts Treatment Center for Sexually Dangerous Persons (M.T.C.) in Bridgewater, Mass. The Center was established in 1959 under special legislation for the

purpose of evaluating and treating individuals convicted of repetitive and/or aggressive sexual offenses. The legislation provides for a civil, day-to-life commitment by the court. Release is contingent on being found no longer "sexually dangerous."

This sample was divided into two groups - rapists and child molesters. Those men whose sexual offenses were on victims who were sixteen years of age or older were classified as rapists (N=111), and those men whose victims were under the age of sixteen were classified as child molesters (N=129). A sexual offense was defined as any sexually-motivated assault involving physical contact with the victim. In all cases where victim selection appeared to be indiscriminate (i.e., men whose victims were both under and over the age of sixteen with no primary target age), or there was insufficient information available, the subject could not be classified and hence was excluded from analyses. There were a total of 25 such cases out of the entire sample that could not be classified and were omitted.

The demographic characteristics of the two samples are provided in Table 1. As may be observed, both samples are very similar with respect to all demographic variables that were examined. The samples are predominantly Caucasian, of average intelligence, with an 8th grade education and a semi-skilled level of employment.

Place Table 1 about here

Sources for Data Acquisition

Recognizing the problematic nature of the collection of information on the post-release criminal behavior of ex-offenders (Jenkins et al., 1972; Jenkins et al., 1975), we considered it essential for data enrichment and cross-validation purposes to include as many official data sources as were available. Thus, we initially selected six criminal record sources: the Massachusetts Board of Probation records, the Massachusetts Parole Board records, the Massachusetts Department of Public Safety, Bureau of Identification (State Police) records, the Department of Correction Research Department records, the Massachusetts Treatment Center Authorized Absence Program records, and the Federal Bureau of Investigation (F.B.I.) records. The Department of Public Safety was subsequently dropped as a data collection source after it became apparent that the available information was identical to that found in both the F.B.I. records and the Department of Correction records. Of the remaining five sources, four were highly reliable (Probation, Parole, M.T.C. files, and F.B.I.). Each of these four sources kept records on all of the offenders in our sample. Although these five sources provided redundant information, they cast as inclusive a net as possible and allowed for cross-checking of information. The major limitation of these data was that they only identified subjects who came into contact with the criminal justice system. Thus, if an offender did not commit any new offenses or was not apprehended for ones he did commit, no information about him appeared in the records.

Massachusetts Board of Probation. The central office of the Massachusetts Board of Probation (Office of Commissioner of Probation) keeps a continuing record on every individual processed through the judicial system. The information available consisted of all charges and the consequent dispositions. This source was reliable for both misdemeanor and felony charges for offenses committed within the State of Massachusetts.

In addition to the central office records, each superior and district court keeps its own records. Each court keeps records on every person to whom it has given a probated sentence. If an individual is on probation by more than one court, each probating court keeps records. The amount of information in these records varies from the minimum of a record of contact dates with the probationer and a duplicate of the criminal record sheet kept in the central office to a much more comprehensive file with contact notes, evaluations, and social service summaries.

Massachusetts Parole Board. The Massachusetts Parole Board keeps records on all individuals incarcerated in correctional facilities and released on parole. The parole board provided information on most, but not all, of the sample. The board does not keep records on (a) inmates who have served their total sentences, (b) inmates at the Treatment Center who have been found not to be sexually dangerous and released from their indeterminate commitments via court order after having resided at the Treatment Center for a period of time equal to or exceeding their original prison sentences, or (c) inmates who have been placed on court--

ordered release programs regardless of any unserved sentenced time.

During the time that the inmate is incarcerated the Parole Board's Central Office keeps information on him in their files. Each Department of Correction agency is responsible for updating these Central Office files by sending on any new additional data. The information available in these files includes administrative chronologies, evaluations, social service summaries, and housing and work reports. When an offender is paroled an additional file is kept at one of seven regional offices. These files are the Running Records kept on each individual on parole. Running Records consist of entries on every contact between the Parole Office and the parolee or the Parole Office and any individual with information concerning the parolee.

Massachusetts Treatment Center Authorized Absence Program records. Release from the Treatment Center may be outright, under Section 9 of Chapter 123A, if an individual is declared no longer sexually dangerous and has resided at the Treatment Center for a period of time equal to or exceeding his prison sentence. When an individual is declared no longer sexually dangerous, and still has prison time left unserved, he may (a) be returned to his home institution, or (b) be paroled, if eligible.

An individual may also be "gradually released" from the Treatment Center through the Authorized Absence Program. If an individual is placed on a Program, the Treatment Center keeps the individual's file open. There are monthly status reports reviewing the inmate's program, and case managers submit notes on his

activities and community adjustment. Massachusetts Treatment Center records were helpful in filling in information on released subjects, but only on those who had follow-up contact or who were re-committed to the Treatment Center.

Federal Bureau of Investigation. The F.B.I. keeps an ongoing record of all individuals convicted of felonies. Their records contain charges and dispositions for offenses committed throughout the nation. Felony charges are reported routinely, but misdemeanor charges are reported less consistently. Although the F.B.I. records were less reliable than the Massachusetts Board of Probation records, they provided a cross-check of information in Massachusetts sources and included information on charges for offenses committed outside of Massachusetts, which were not available in the Massachusetts records.

Description of Outcome Measures

As a measure of outcome a dichotomous recidivist/non-recidivist categorization does not distinguish between relatively minor noncriminal parole violations and felonious offenses. It is not surprising, therefore, that more discriminating continua that assess both severity and frequency of offenses have provided more successful measures of outcome (Jenkins et al., 1972). Consequently, we used a rational approach to the classification of criminal offenses by generating a list of all possible criminal charges using a Commission of Probation handbook and an F.B.I. handbook. In addition, coders added to the original list when they encountered charges that had not been included

initially. The final list included a total of 172 criminal charges, of which a total of 78 different charges were coded (67 different charges for the rapists and 57 different charges for the child molesters).

With the exception of those analyses that compared charge rates with conviction and imprisonment rates, all other analyses rely on charge as the index of re-offense. It was our intention to define re-offense as broadly as possible. Within the Commonwealth of Massachusetts, charge is a more inclusive category than arrest (i.e., you may be charged without being arrested).

A date of discharge to the street was determined for each subject in the sample. If an offender was discharged from his "sexually dangerous person" status, but went back to prison to complete his criminal sentence, the discharge date was the date that he was released from prison to the street. In all other cases the date of discharge from MTC was used. Those offenders who were residents at MTC but were previously discharged, reoffended and were recommitted were included in our sample. All post-release charges against subjects in our sample were encoded in chronological order for each individual (i.e., the first charge after release was #1, etc.) up to the most recent charge. Although the follow-up formally ended on January 1, 1985, the last charge was posted in October, 1984. For each charge that was encoded, the date, description of the charge, the disposition, and the state it occurred in were specified. In addition, a 3-digit code was applied to each charge. The code specified whether the charge was

sexual or nonsexual, victim-involved or victimless, and the degree of violence (low, moderate, high).

A list of 59 possible dispositions was assembled. Thirty different dispositions were coded, 27 for the rapists and 24 for the child molesters. Two dispositional categories were created for conviction and prison. Conviction was defined by 12 dispositions, including Fined, Guilty, Admit to a Finding, Probation, Surrender, Release on Recognizance, Suspended Fine, and Suspended Sentence). Prison was defined by five dispositions (Common Jail, House of Correction, State Prison (Massachusetts Correctional Institutions and prisons outside of Massachusetts), MCI-Bridgewater Addiction Center, MCI-Bridgewater-State Hospital).

In addition, a subset of charges was used to create the following four general offense categories: (a) serious sexual offenses, which consisted of 15 charges that involved physical contact with the victim (e.g., carnal abuse, accosting, unnatural acts, indecent assault, assault with intent to rape, rape, sodomy, statutory rape and incest), (b) nonsexual victim-involved offenses, which included 13 charges that required physical contact with the victim (e.g., assault, assault and battery, assault with intent to kill, assault with intent to rob, robbery, armed robbery, murder, manslaughter), (c) nonsexual, victimless offenses, which consisted of 22 charges that did not involve physical contact with a victim (e.g., larceny, trespassing, disorderly conduct, forgery, breaking and entering, drunkenness, malicious destruction of property, conspiracy, possession of a dangerous weapon), and (d) a composite

of all charges except for traffic/motor vehicle violations.

Data Analysis

The data were analyzed using survival analysis. This collection of methods for analyzing time-to-reoffense outcomes was chosen because it takes into account not only whether members of each group commit subsequent crimes, but also the length of time between release and criminal activity, or rate of reoffending. Moreover, it allows one to include in a single analysis all subjects, both those who were followed until they reoffended, and those who were followed for the duration of the study without reoffending. Those who were not observed to have re-offended by the end of the study period were called "censored" observations. Thus, these data analytic procedures yield a statistical summary of all cases regardless of the length of time each was followed and whether or not they reoffended during the study period.

Recidivism was operationalized as a hazard rate, or "force of recidivism." We have adopted the term "force of recidivism" as a more precise equivalent of the language "force of mortality" used in actuarial and demographic science. The force of recidivism is determined by the instantaneous conditional probability of failure at time t given that no offense has occurred up to time t . We also examined the rate of recidivism, which simply refers to the failure rate, or the proportion of cases that fail.

Three studies were conducted to examine changes in failure rates. In **Study 1**, we examined differences in failure rate between three discrete criminal offense categories (sexual, nonsexual,

victim-involved, and nonsexual, victimless). In Study 2, we examined the disposition of the criminal offense. Although recidivism is typically conceptualized as a "failure rate" or re-offense rate over time, the definition of failure varies considerably, from parole violation and arrest to conviction and re-incarceration. Each will yield different failure rates, with studies using arrests or parole violations providing the most "conservative" (i.e., highest) estimates of recidivism and those using conviction or incarceration providing the most "liberal" (lowest) estimates of recidivism. In Study 2, we examined the differences in failure rates between three criminal offense dispositions (charge, conviction, and incarceration). In Study 3, we examined a third critical factor, the "window" or exposure time. In principle, the longer one spends on the street, the more time and opportunity there is to fail. In a comprehensive survey of recidivism research in the United States and Canada, however, Miller (1984) found that 55 out of 68 (81%) reports of recidivism rates were based on a period of 12 months or less. Maltz (1984) confirmed that 1 year is the most common observation period. In Study 3 we examined the increase in failure rates as a function of 9 time gates: 1 yr., 2 yrs., 3 yrs., 4 yrs., 5 yrs., 10 yrs., 15 yrs., 20 yrs., and 25 yrs.

For the purpose of comparing failure rates we adopted the Weibull model as the distribution for the time to failure random variable. The Weibull model has wide application in survival analyses in biostatistics (Schmidt and Witte, 1988) and has been

used with recidivism data for over seventeen years (Harris and Moitra, 1978). Harris, Kaylan and Maltz (1981) compared the fit of the Weibull model with 3 different exponential distributions using recidivism data and found that the Weibull model fit the data better than any of the exponential models.

The density of the Weibull distribution can be described by 2 parameters: scale (α) and shape (γ). With different values of the shape parameter, the Weibull distribution can represent an increasing ($\gamma > 1$), decreasing ($\gamma < 1$) or constant ($\gamma = 1$) force of recidivism. After α and γ are estimated, one can calculate the force of recidivism by the following formula: $\lambda_t = \alpha \gamma t^{\gamma-1}$. The corresponding survival function is: $S_{(t)} = \exp(-\alpha t^\gamma)$, where "exp" stands for the exponential function. The cumulative rate of recidivism is then: $F_t = 1 - S_{(t)}$.

Results

Study 1

In Study 1, we examined changes in rate of recidivism as a function of criminal offense category. Criminal offense charges were classified into one of three groups (sexual, victim-involved; nonsexual, victim-involved; nonsexual, victimless). Percent of noncensored observations, as well as corresponding Weibull parameters, for each offense domain and the aggregate or composite are presented in Tables 2a and 2b. The survival curves for each of the three categories of offenses are presented in Figures 1 and 2.

For the rapists, there was a relatively close correspondence between percent of noncensored observations for all three

categories of criminal charges, with sexual charges (26%) being the lowest and nonsexual, victim-involved and victimless (33% and 36%, respectively) being, on average, 8.5% higher. The overall rate, however, was almost 60% (59.6%). The pattern was the same for convictions, with rates for both categories of nonsexual offenses being quite similar (20% and 22% for nonsexual victim-involved and victimless, respectively) and both being, on average, 6% higher than the rate for sexual offenses. When incarceration rates were examined, the pattern changed, with the gap between sexual and nonsexual, victim- involved rates dropping to 2% (13% and 15%, respectively). Although not surprising, it is clear that the rapists were more likely to be re-incarcerated for new sexual offenses (i.e., the drop in rate of recidivism from charges (26%) to prison (13%) was 13%, compared with a corresponding drop of 18% and 29% for new nonsexual, victim-involved and nonsexual, victimless offenses, respectively).

Places Figures 1 & 2 about here

The pattern for child molesters was quite different, though again not unexpected. Although rapists are as likely, if not more likely, to commit a nonsexual, victim-involved offense than a sexual offense, child molesters are more likely to reoffend sexually, a finding that is most evident when conviction or re-incarceration are considered. Although the recidivism rates for sexual and nonsexual, victimless charges were almost the same (32%

and 30%, respectively), the conviction rates for both categories were 25% and 12%, respectively. The re-incarceration rates for both categories of nonsexual offenses were 4% and 6% for victim-involved and victimless offenses, compared to 23% for sexual offenses.

The overall rate of recidivism and the change in rates across dispositional categories was quite similar for rapists and child molesters. With rapists, the overall rate of recidivism dropped by almost 30%, from 57% for charges to 31% for incarceration. With child molesters, the overall rate of recidivism dropped by about 25%, from 54% for charges to 30% for incarceration. The most evident group differences were in the types of offenses committed. Rapists were over twice as likely to be charged with a nonsexual, victim-involved offense (33% vs. 14%) and over three times as likely to be convicted or imprisoned for such an offense. Child molesters, on-the-other-hand, were more likely to be charged with a sexual offense (32% vs. 26%). This group difference of 6% increased to 10% when conviction or incarceration were considered. Although both groups had similar charge rates for nonsexual, victimless offenses (36% for rapists and 30% for child molesters), rapists were almost twice as likely to be convicted (22% vs. 12%). Rapists were not, however, anymore likely to be incarcerated for such offenses (7% vs. 6%).

Places Tables 2a & 2b about here

Study 2

In Study 2, we examined changes in rate of recidivism as a function of disposition. Tables 2a and 2b present the percent of noncensored observations for each disposition (charge, conviction, prison) and the Weibull parameters for the rapists and child molesters, respectively. The survival curves for each disposition using new sexual offenses, new nonsexual, victim-involved offenses, and new nonsexual, victimless offenses are represented in Figures 5 - 12.

Place Figures 3 & 4 about here

The overall rate of recidivism for the rapists, defined as percent of noncensored cases, was 57% when charges were used, 45% when conviction was used, and 31% when prison was used. Thus, the overall "loss" in new cases when we shifted from charge to conviction was 12%, and 14% when we used prison as the criterion. The recidivism rate for sexual offenses was 26% when charges were used, 15% when conviction was used, and 13% when prison was used. Thus, there is an 11% loss in new cases when the criterion is shifted from charge to conviction. There is, not surprisingly, little difference (2%) between conviction and prison in this "hard core" sample (i.e., almost everyone who was convicted of a new sexual offense was re-incarcerated). The breakdown for rapists is presented in the chart (Figure 3).

The results were very similar for nonsexual, victim-involved and nonsexual, victimless offenses. The recidivism rate was 33% for charges, 20% for conviction and 15% for prison when victim-involved offenses were considered, and 36% for charges, 22% for conviction and 7% for prison when victimless offenses were considered.

Place Figures 5 - 8 about here

The overall rate of recidivism for the child molesters was 54% when charges were used, 39% when conviction was used, and 30% when prison was used. The overall loss in new cases when we shifted from charge to conviction was 15%, and 9% when we used prison as the criterion. The recidivism rate for sexual offenses was 32% when charges were used, 25% when conviction was used, and 23% when prison was used. The loss rate in new cases when the criterion is shifted from charge to conviction (7%) is somewhat lower for child molesters than for rapists. Once again, there is very little difference (2%) between conviction and prison for the child molesters. The breakdown for child molesters is presented in the chart (Figure 4).

The recidivism rates for nonsexual, victim-involved offenses were 14%, 6%, and 4% for charges, conviction, and prison, respectively. The recidivism rates for nonsexual, victimless offenses were 30%, 12%, and 6% for charges, conviction, and prison, respectively.

Place Figures 9 - 12 about here

Study 3

In Study 3, we examined the rates of recidivism for new charges using 9 time gates, broken down by charge, conviction, and prison (cf. Tables 3a & 3b). Among the rapists, there is a stable 2-3% recidivism rate for new sexual charges per year through the 5th year. The rate drops to about 1% per year every year thereafter through the 24th year (end of the study period). If we restricted our follow-up to the conventional exposure period of 12 or 24 months, we would err by approximately 30% or 25%, respectively. If we extended our follow-up to 60-months, we would still miss approximately 20% of the new charges. The rate of recidivism using conviction or incarceration was one-half that of the rate using charge during the first 5 years and slightly less than one-half thereafter. By the end of the study period, the conviction and incarceration rates were 24% and 19%, respectively, compared to the charge rate of 38%.

Among the child molesters, the cumulative rate of recidivism for new sexual charges is 4% per year through the 3rd year, dropping to 3% in the 4th year and 2% in the 5th year. After year 5, the charge rate continues to increase at noteworthy increments, 11% between year 5 and year 10, 9% between year 10 and year 15, 7% between year 15 and year 20, and 5% between year 20 and year 24.

Place Tables 3a & 3b about here

If we restricted our follow-up to the conventional exposure period of 12 or 24 months, we would err by approximately 45% or 40%, respectively. If we extended our follow-up to 60-months, we would still miss approximately 30% of the new charges. The rate of recidivism using conviction or incarceration was two-thirds that of the rate using charge throughout the study period. By the end of the study period, the conviction and incarceration rates were 41% and 37%, respectively, compared to the charge rate of 51%.

The cumulative recidivism rates for any new offense are provided in Table 3b. Among the rapists, there was a steady increase throughout the follow-up period. Although the new charge rate was 42% by the end of the 5th year, the rate continued to climb after year 5, reaching 72% by the end of the study period. The gap between the charge rate and the conviction rate was consistently between 11% and 13% throughout the study. The rate for incarceration declined throughout the study, with the gap between conviction and incarceration starting out at 5% in year 1 and steadily increasing to 9% after year 5 and 18% by the end of the study.

Among the child molesters, there was a steady increase in new offenses throughout the follow-up period, with the rate starting out at 14%, increasing to 37% at year 5 and 74% by the end of the study. The gap between the charge rate and the conviction rate

increased steadily, from 6% in year 1 to 14% by year 5, 17% by year 10, and 18% throughout the remainder of the study. The gap between conviction and incarceration rates steadily increased, from 2% in year 1, to 5% at year 5 and 12% by the end of the study.

Place Tables 4 & 5 about here

Sample Comparisons on Force of Recidivism

Table 4 provides a comparison of force of recidivism for child molesters and rapists at 9 time gates. At year 5, the instantaneous conditional probability of sexual re-offense was 50% greater for child molesters. By year 15, the force of recidivism was about 90% greater for child molesters and by year 24 the force of recidivism for child molesters was 100% greater than the rapists.

Table 5 provides a within-sample comparison of the force of recidivism for sexual and nonsexual, victim-involved offenses at 5 time gates. For rapists, the force of recidivism for nonsexual, victim-involved offenses was about 30% greater than the force of recidivism for sexual offenses. As may be observed in Table 5, this finding was stable throughout the follow-up period. For child molesters, the opposite was true. In year 1, the force of recidivism for a sexual offense was 100% greater than the force of recidivism for a nonsexual, victim-involved offense. By year 5, the likelihood of a sexual offense, compared to a nonsexual, victim-involved offense, was 170% greater, by year 10 it was 200% greater and by year 20 it was 250% greater. Thus, from the outset,

child molesters were much more likely to commit a sexual offense than a nonsexual offense and this force of sexual recidivism increased throughout the follow-up period.

Discussion

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Table 1

Demographic Characteristics of the Sample

		<u>Rapists</u>	<u>Child Molesters</u>
N		136	115
Race	Caucasian	88.3%	93.7%
I.Q.	Mean	101.51	96.84
	SD	15.23	15.40
	Range	69-138	57-131
Education ^a	Mean	8.90	8.02
	SD	2.10	2.30
	Range	3-13	2-16
Employment ^b	Mean	1.29	1.10
	SD	1.27	1.23
	Range	0-4	0-4
Marriage	Never		

^a highest grade level achieved

^b highest skill level achieved as measured on a 7-point scale,
(0 = unskilled & 6 = professional)

Table 2a

First Occurrence of each Disposition for each Category of Criminal Activity

(Rapists, n = 136)

<u>Classification</u> <u>by Disposition</u>		<u>Classification of Criminal Activity</u>			
		<u>Composite</u>	<u>Sexual</u> <u>(victim)</u>	<u>Non-Sexual</u> <u>(victim)</u>	<u>Non-Sexual</u> <u>(victimless)</u>
<u>Charge</u>	NC:	76	35	45	48
	C:	58	101	91	86
	%NC:	57%	26%	33%	36%
	α / γ	.224/.554	.091/.528	.113/.552	.124/.574
	M / σ	2.70/1.81	4.55/1.90	3.95/1.81	3.64/1.74
	<u>Conviction</u>	NC:	60	21	27
	C:	74	115	109	104
	%NC:	45%	15%	20%	22%
	α / γ	.139/.597	.042/.608	.065/.542	.061/.636
	M / σ	3.31/1.68	5.20/1.64	5.05/1.85	4.39/1.57
<u>Prison</u>	NC:	42	18	20	10
	C:	94	118	116	126
	%NC:	31%	13%	15%	07%
	α / γ	.097/.545	.042/.540	.047/.533	.028/.465
	M / σ	4.28/1.83	5.87/1.85	5.72/1.88	7.70/2.15

* Conviction includes those who went to prison. Prison is a subset, and includes those who were convicted and imprisoned.

C: Number of censored observations; NC: Number of noncensored observations

α : Weibull scale parameter; γ : Weibull shape parameter

M: Mean number of years; σ : Standard Deviation

Table 2b

First Occurrence of each Disposition for each Category of Criminal Activity
(Child Molesters, n = 115)

<u>Classification</u> <u>by Disposition</u>		<u>Classification of Criminal Activity</u>			
		<u>Composite</u>	<u>Sexual</u> <u>(victim)</u>	<u>Non-Sexual</u> <u>(victim)</u>	<u>Non-Sexual</u> <u>(victimless)</u>
<u>Charge</u>	NC:	62	37	16	34
	C:	52	78	99	80
	%NC:	54%	32%	14%	30%
	α / γ	.150/.688	.063/.758	.042/.569	.089/.620
	M / σ	2.75/1.45	3.64/1.32	5.58/1.76	3.90/1.61
<u>Conviction</u>	NC:	44	29	07	14
	C:	70	86	108	100
	%NC:	39%	25%	06%	12%
	α / γ	.081/.729	.043/.791	.017/.576	.029/.671
	M / σ	3.45/1.37	3.98/1.27	7.05/1.74	5.28/1.49
<u>Prison</u>	NC:	35	26	05	07
	C:	80	89	110	108
	%NC:	30%	23%	04%	06%
	α / γ	.063/.707	.039/.776	.015/.496	.016/.613
	M / σ	3.92/1.42	4.17/1.29	8.50/2.02	6.78/1.63

* Conviction includes those who went to prison. Prison is a subset, and includes those who were convicted and imprisoned.

C: Number of censored observations; NC: Number of noncensored observations

α : Weibull scale parameter; γ : Weibull shape parameter

M: Mean number of years; σ : Standard Deviation

Table 3a

Cumulative Failure Rates for Sexual Offenses within 9 Time Gates

<u>Disposition</u>	<u>Time Gates (Years)</u>								
	1	2	3	4	5	10	15	20	24

Rapists

<u>Charge</u>	.09	.12	.15	.17	.19	.26	.31	.36	.38
<u>Conviction</u>	.04	.06	.08	.09	.11	.16	.20	.23	.24
<u>Prison</u>	.04	.06	.07	.08	.10	.14	.17	.19	.19

Child Molesters

<u>Charge</u>	.06	.10	.14	.17	.19	.30	.39	.46	.51
<u>Conviction</u>	.04	.07	.10	.12	.14	.23	.31	.37	.41
<u>Prison</u>	.04	.07	.09	.11	.13	.21	.28	.33	.37

Table 3b

Cumulative Failure Rates for all new Offenses within 9 Time Gates

<u>Disposition</u>	<u>Time Gates (Years)</u>								
	1	2	3	4	5	10	15	20	24
<u>Rapists</u>									
<u>Charge</u>	.20	.28	.34	.38	.42	.55	.63	.69	.72
<u>Conviction</u>	.13	.19	.23	.27	.30	.42	.50	.56	.60
<u>Prison</u>	.08	.13	.16	.19	.21	.29	.35	.39	.42
<u>Child Molesters</u>									
<u>Charge</u>	.14	.22	.27	.32	.37	.52	.62	.69	.74
<u>Conviction</u>	.08	.13	.16	.20	.23	.35	.44	.51	.56
<u>Prison</u>	.06	.10	.13	.15	.18	.27	.35	.41	.44

Table 4

Comparison in Force of Recidivism for Sexual Offense Charges Between Rapists
and Child Molesters

	<u>Time Gates (Years)</u>									
	1	2	3	4	5	10	15	20	24	
<u>Rapist's FR*</u>	.048	.035	.029	.025	.022	.016	.013	.012	.011	
<u>Child Molester's FR</u>	.048	.040	.037	.034	.032	.027	.025	.023	.022	
<u>CM/Rapist**</u>	.99	1.14	1.28	1.36	1.45	1.69	1.92	1.92	2.00	

* FR: Force of recidivism

** Ratio of force of recidivism of child molesters over rapists

Table 5

Within-Group Comparisons of Force of Recidivism for Sexual and Nonsexual,
Victim-Involved Offenses

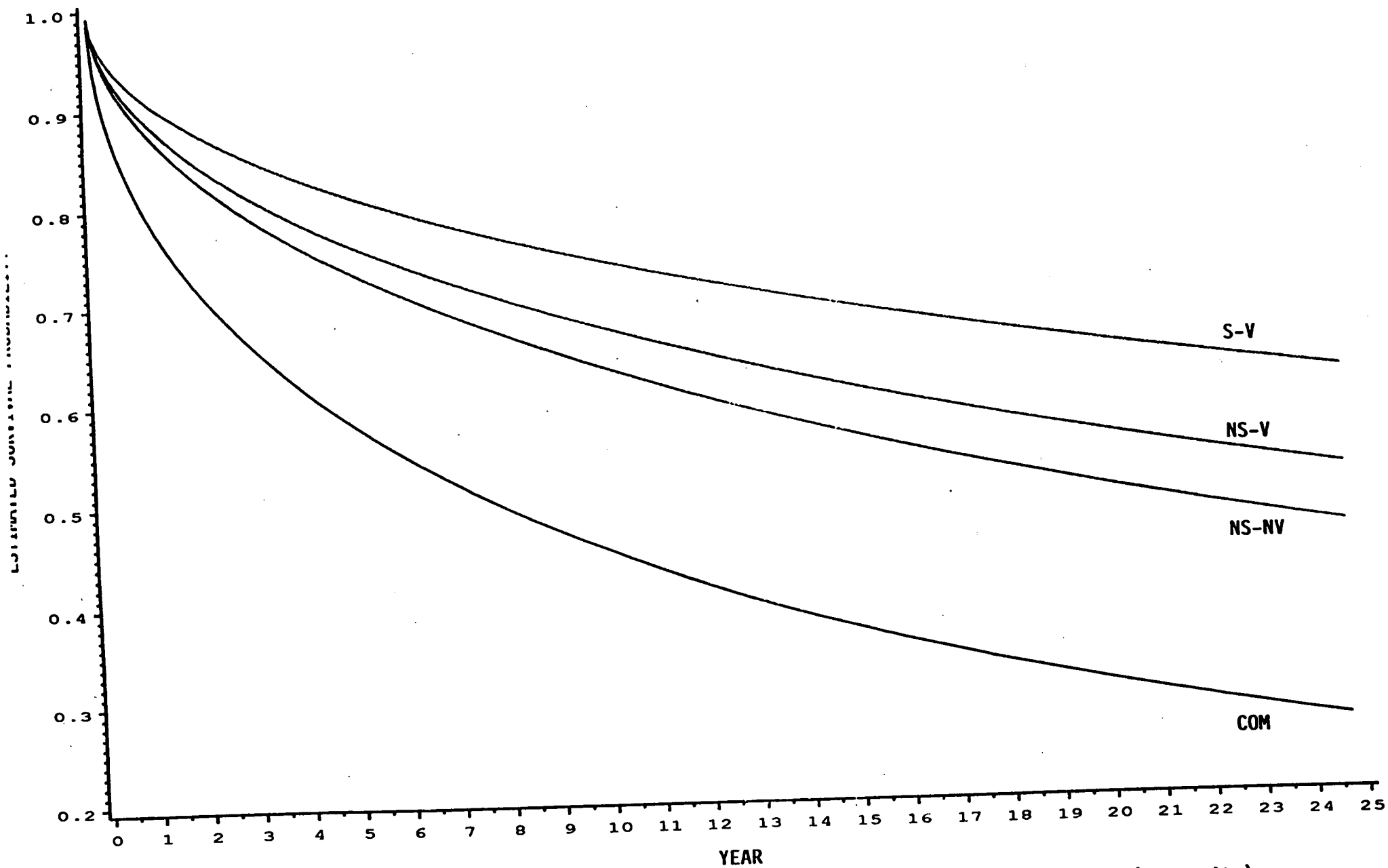
	<u>Time Gates (years)</u>				
	1	2	5	10	20
Rapists [NS/S]*	1.30	1.32	1.35	1.37	1.39
Child Molesters [S/NS]*	2.00	2.28	2.71	3.09	3.50

* Ratio of FR for nonsexual, victim-involved offenses/sexual offenses for rapists and sexual offenses/nonsexual, victim-involved offenses for child molesters.

Figure Caption

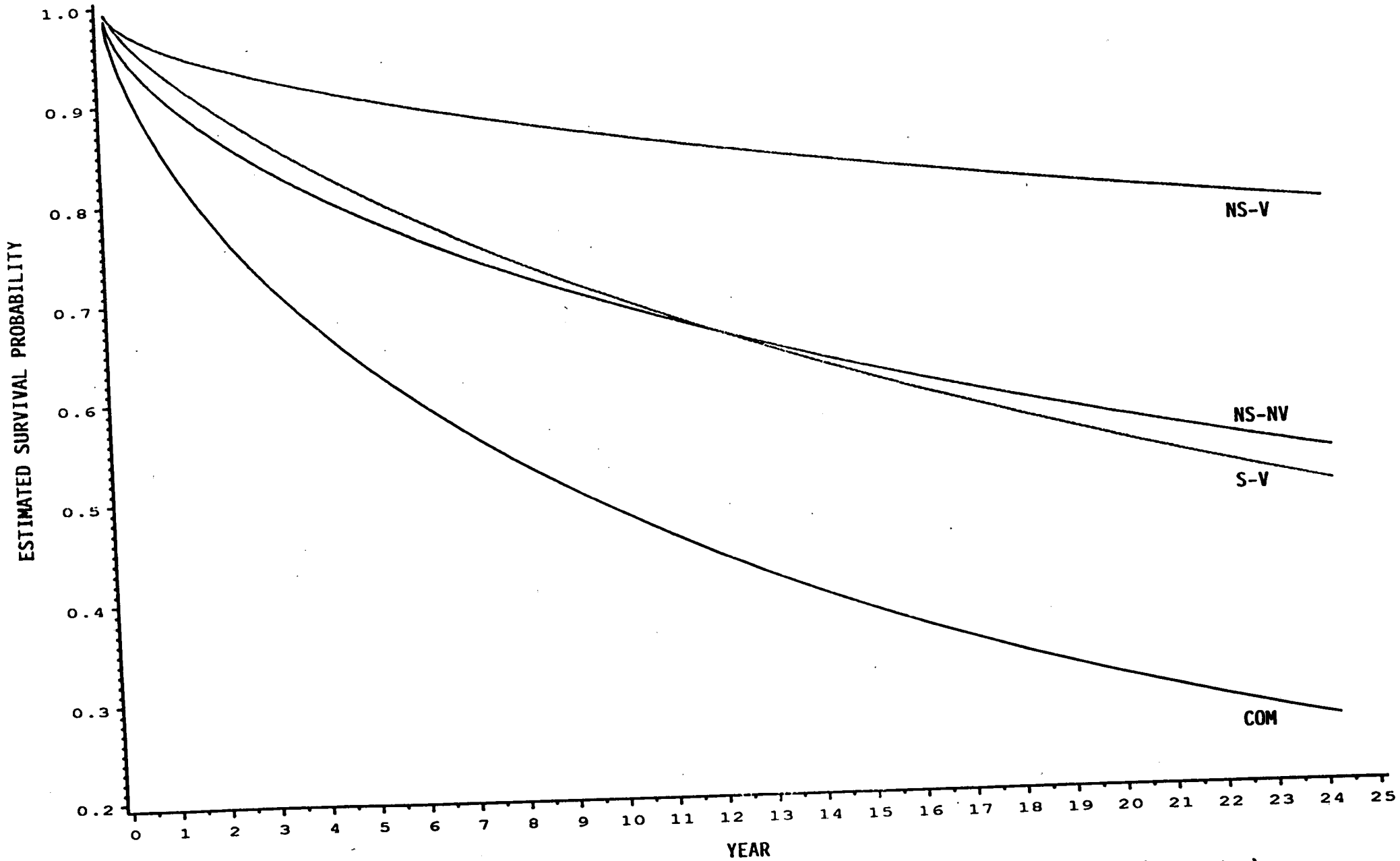
- Figure 1. Survival curves for different categories of criminal offenses for rapists.
- Figure 2. Survival curves for different categories of criminal offenses for child molesters.
- Figure 3. Proportion of rapists who were charged with a new sexual offense, convicted and imprisoned.
- Figure 4. Proportion of child molesters who were charged with a new sexual offense, convicted and imprisoned.
- Figure 5. Survival curves for different dispositions of sexual charges for rapists.
- Figure 6. Survival curves for different dispositions of nonsexual, victim-involved charges for rapists.
- Figure 7. Survival curves for different dispositions of nonsexual, victimless charges for rapists.
- Figure 8. Survival curves for different dispositions of any new charge for rapists.
- Figure 9. Survival curves for different dispositions of sexual charges for child molesters.
- Figure 10. Survival curves for different dispositions of nonsexual, victim-involved charges for child molesters.
- Figure 11. Survival curves for different dispositions of nonsexual, victimless charges for child molesters.
- Figure 12. Survival curves for different dispositions of any new charge for child molesters.

SURVIVAL CURVES FOR DIFFERENT CATEGORIES OF CRIMINAL OFFENSES
(RAPISTS)



NS-V (nonsexual, victim); NS-NV (nonsexual, victimless); S-V (sexual, victim); COM (composite)

SURVIVAL CURVES FOR DIFFERENT CATEGORIES OF CRIMINAL OFFENSES
(CHILD MOLESTERS)



NS-V (nonsexual, victim); NS-NV (nonsexual, victimless); S-V (sexual, victim); COM (composite)

Rapists

(New Sexual Offense)
N=136

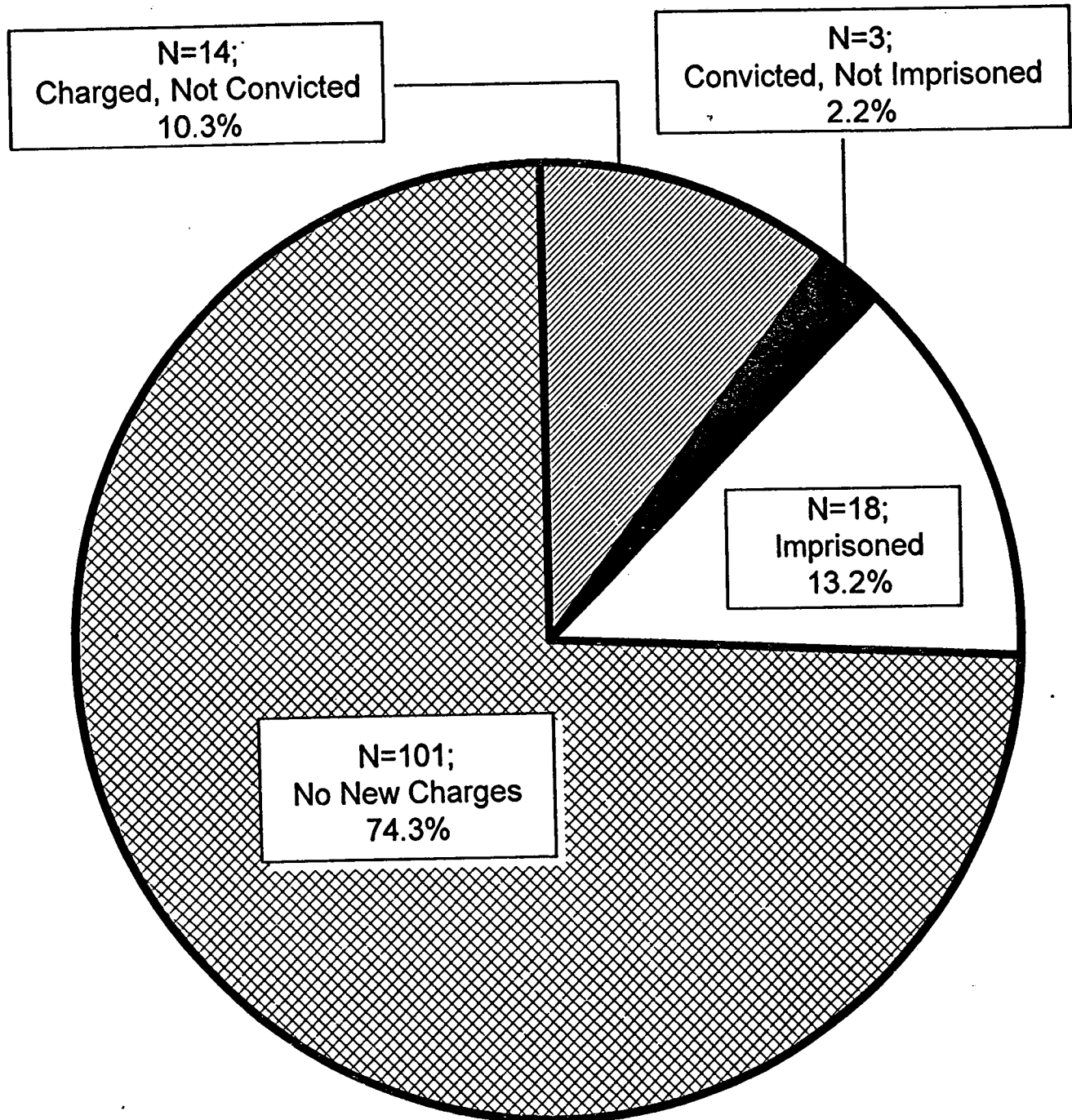


Fig. 3

Child Molesters

(New Sexual Offense)

N=115

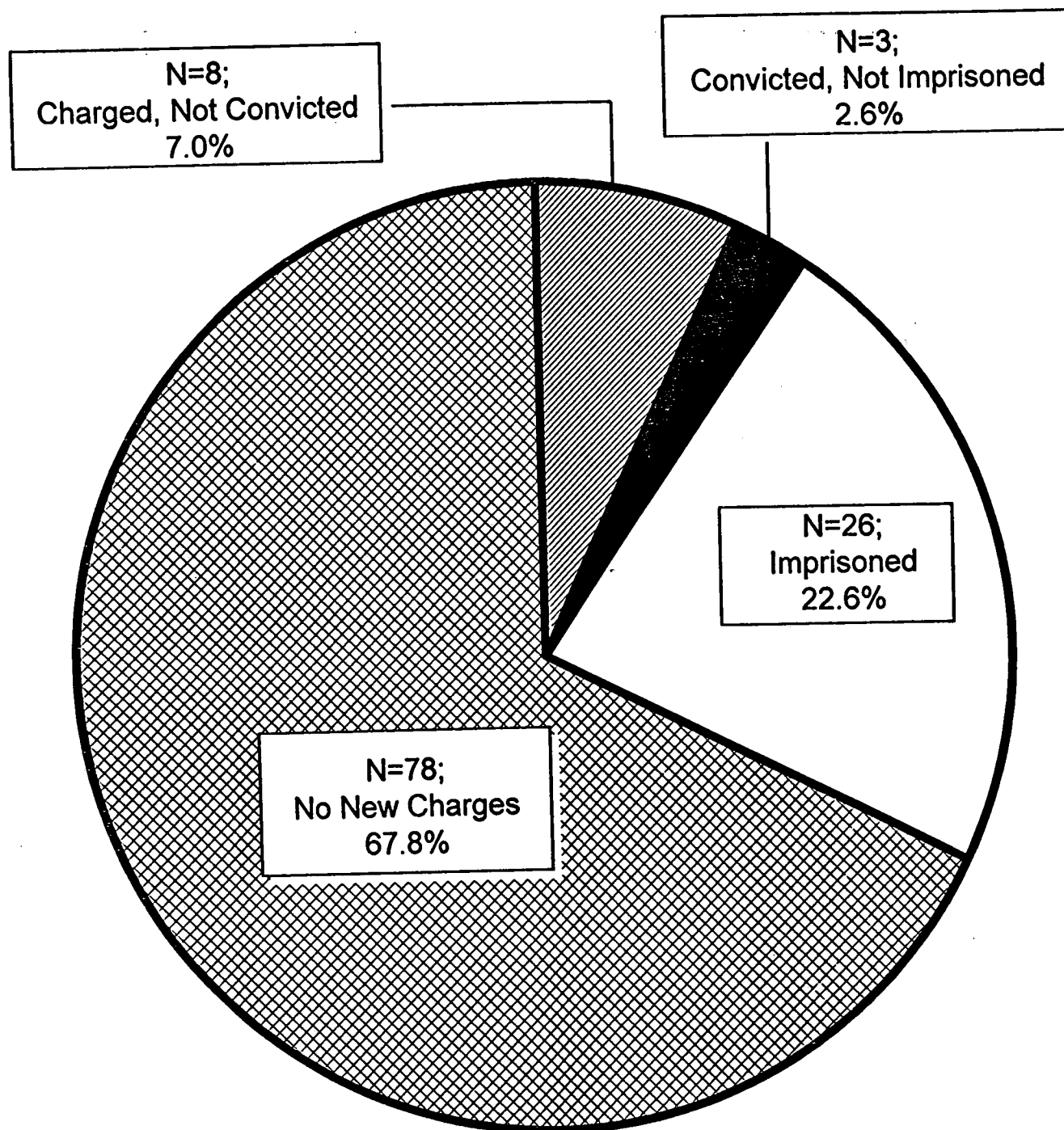
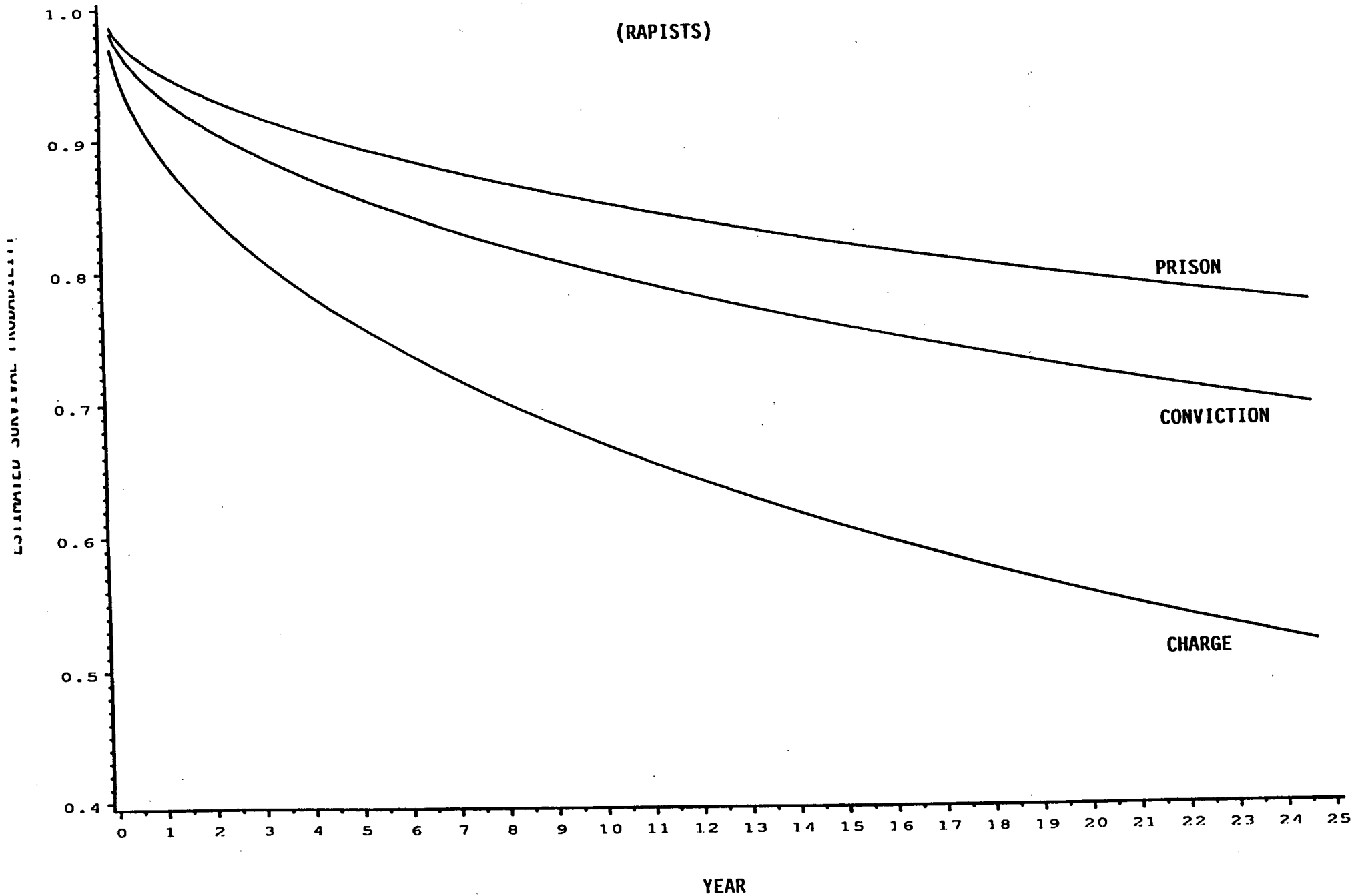


Fig. 4

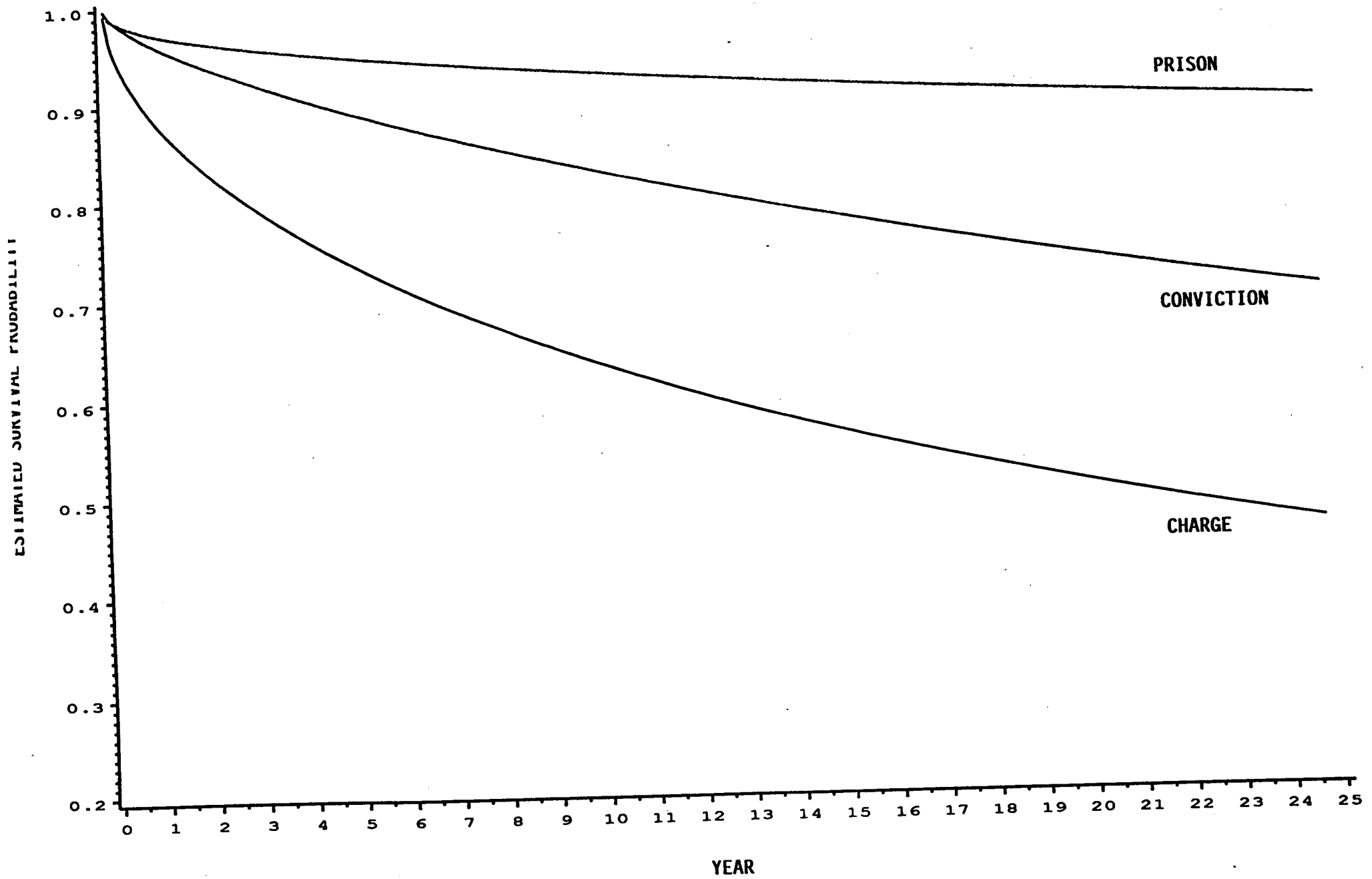
SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS

NONSEXUAL, VICTIM-INVOLVED

(RAPISTS)



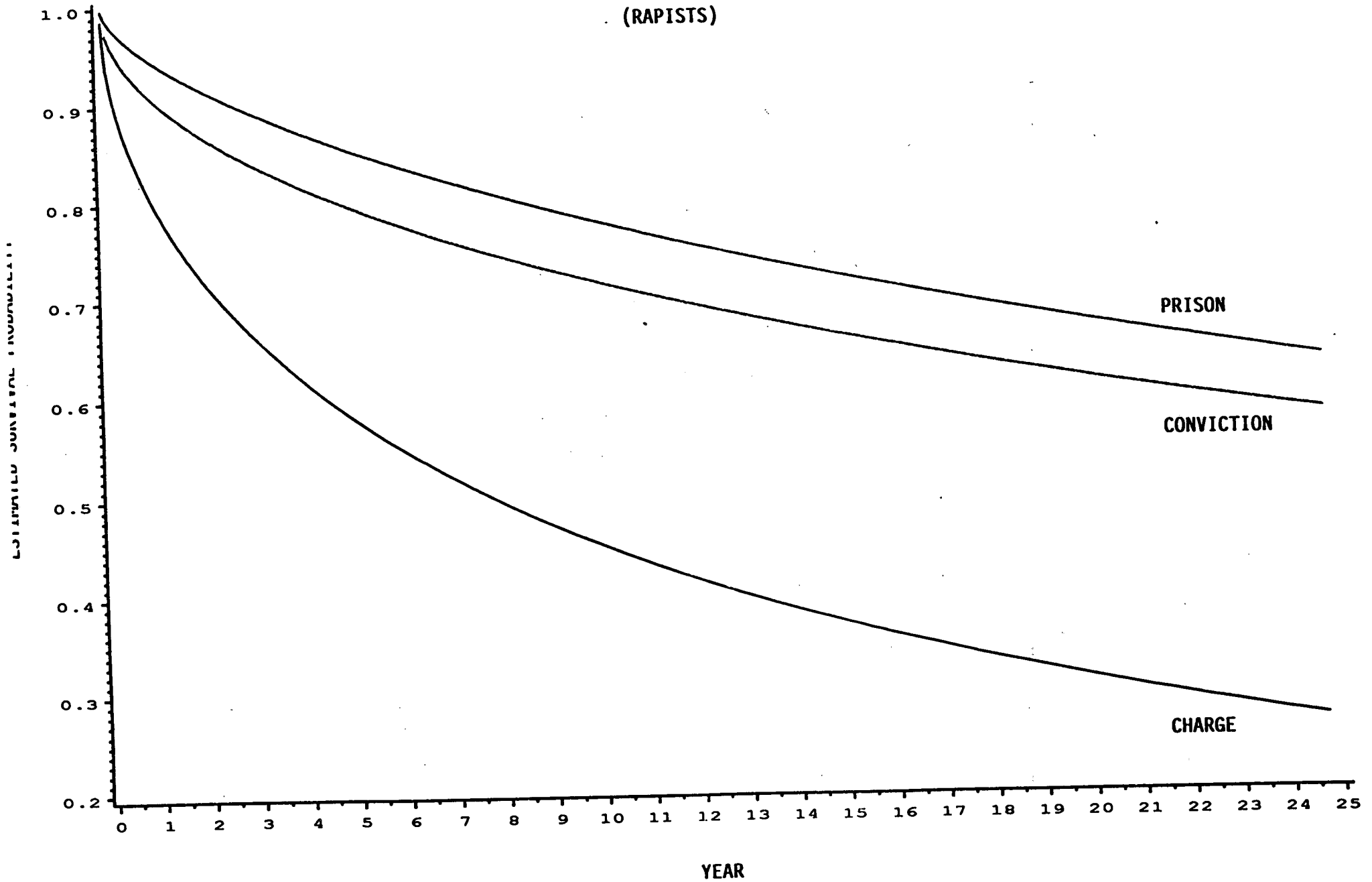
SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS
NONSEXUAL, VICTIMLESS
(RAPISTS)



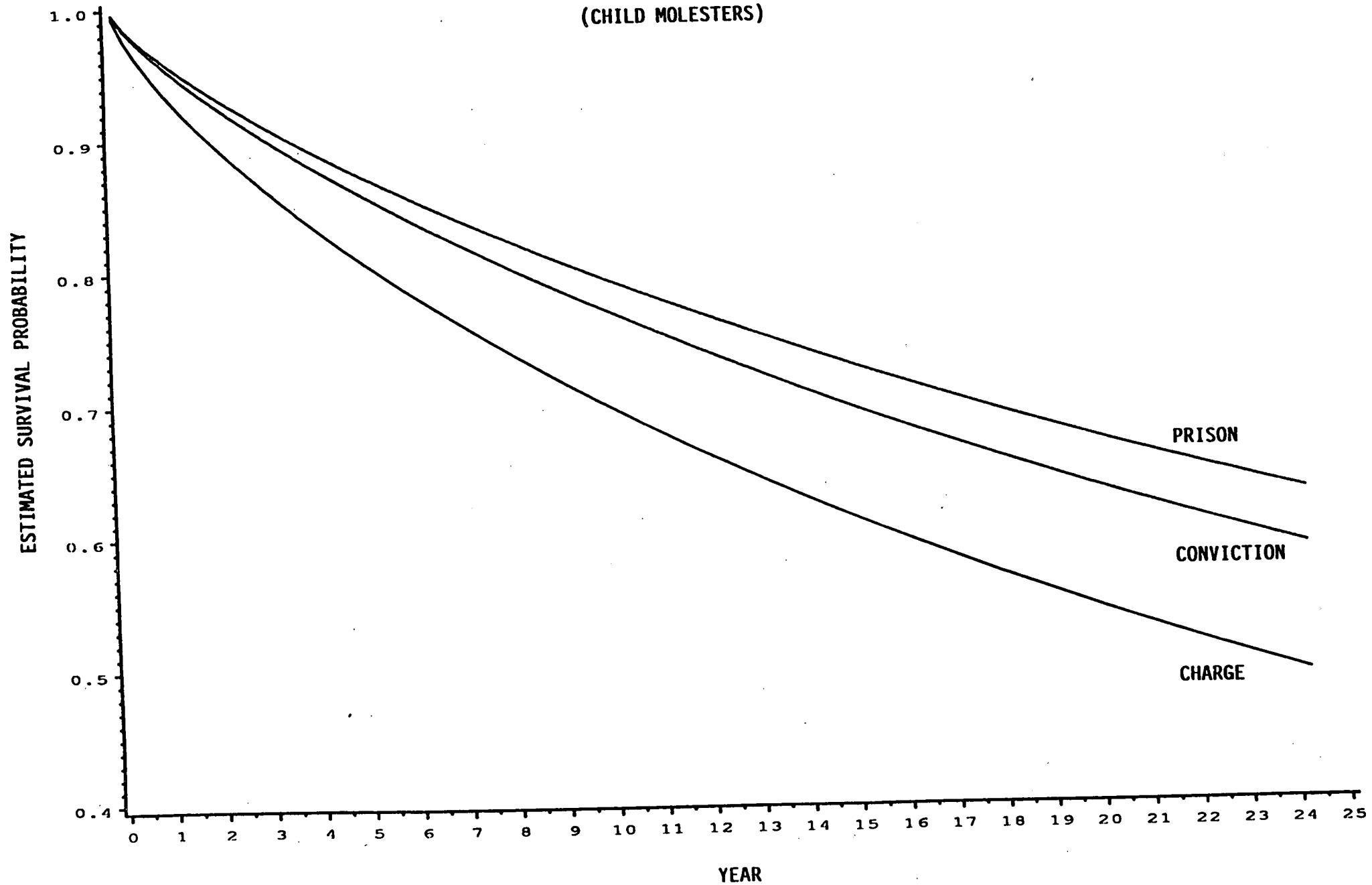
SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS

COMPOSITE

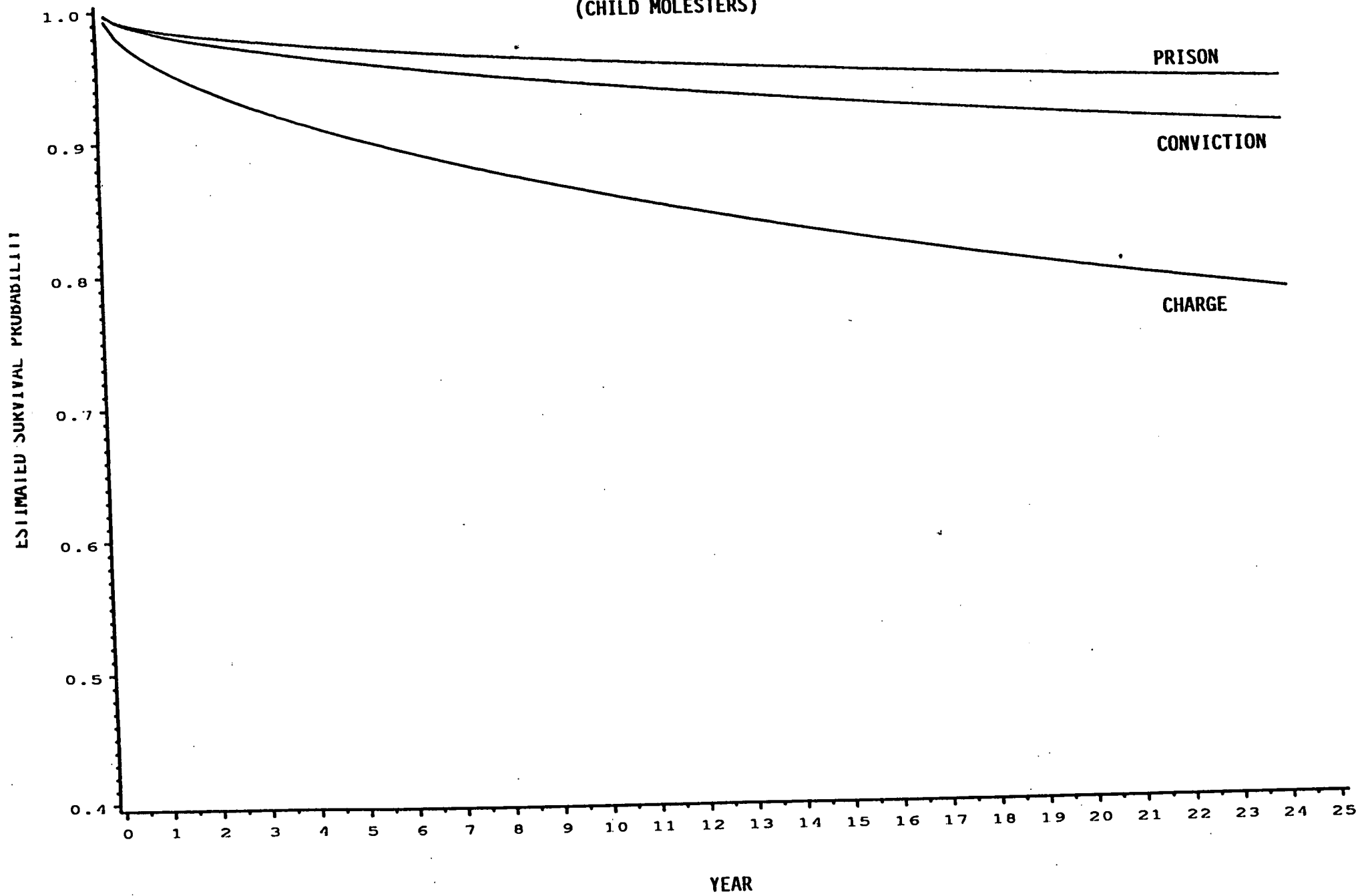
(RAPISTS)



SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS
SEXUAL, VICTIM-INVOLVED
(CHILD MOLESTERS)

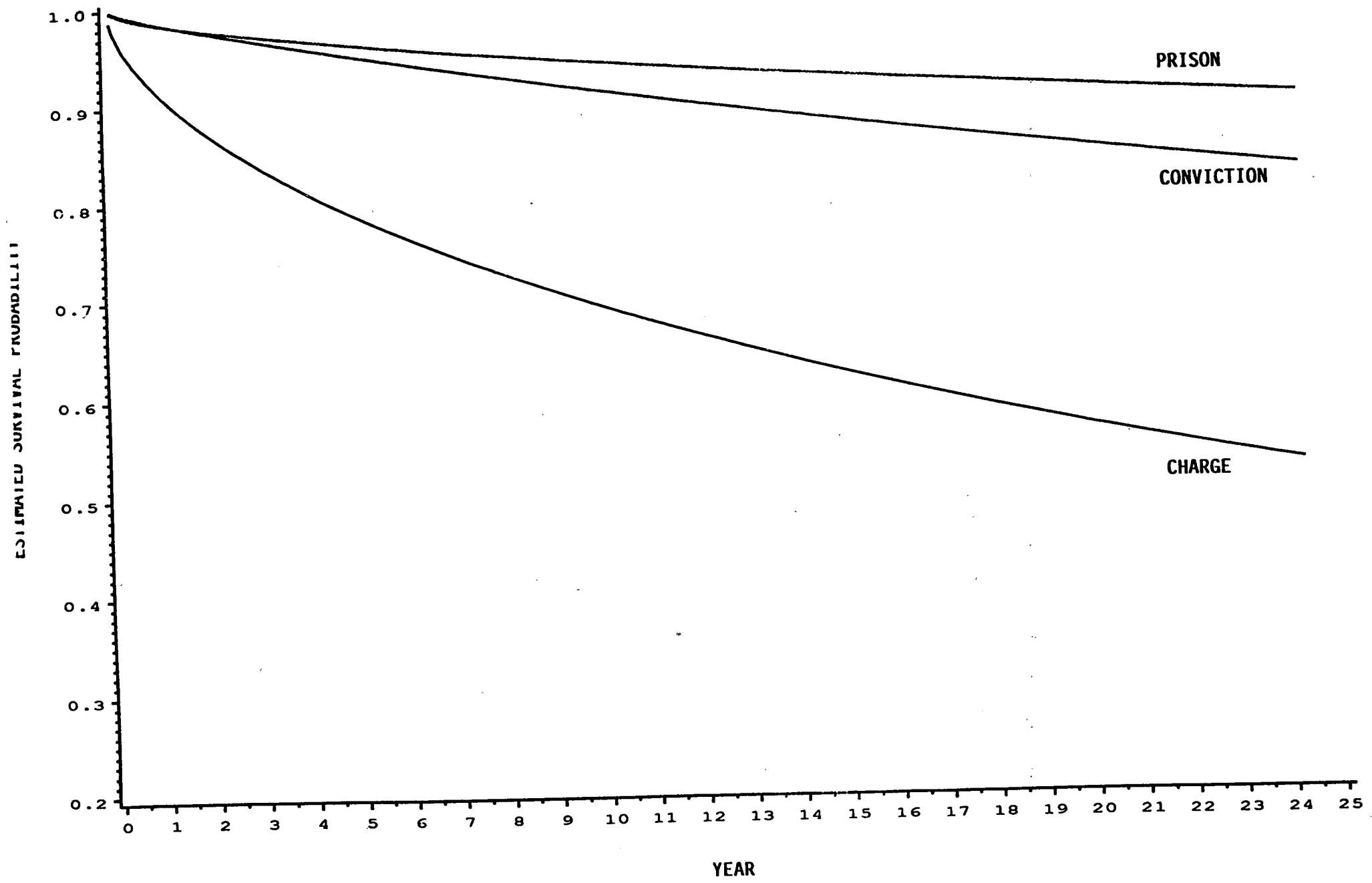


SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS
NONSEXUAL, VICTIM-INVOLVED
(CHILD MOLESTERS)



SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS
NONSEXUAL, VICTIMLESS
(CHILD MOLESTERS)

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SURVIVAL CURVES FOR DIFFERENT DISPOSITIONS

COMPOSITE

(CHILD MOLESTERS)

