

May 7, 2012

Missouri State Senator Jack Goodman  
Chairman, Judiciary and Civil and Criminal Jurisprudence Committee  
201 W Capitol Avenue, Room 331A  
Jefferson City, Missouri 65101  
FAX: (573) 526-9808



Dear Senator Goodman,

Thank you for this opportunity to write to you to encourage your support for the passage of Missouri HB 1700 – Sexual Offender Registration and Classification. I am the Executive Director of the Association for the Treatment of Sexual Abusers (ATSA). ATSA is an international, multi-disciplinary organization that utilizes research, education, public policy analysis and advocacy, and community-based strategies to prevent sexual violence. Through the promotion of effective assessment, treatment and management of individuals who have sexually abused or are at risk to abuse, ATSA strives to enhance community safety, reduce sexual recidivism, protect victims and vulnerable populations, and transforms the lives of everyone affected by sexual violence.

As an international organization, ATSA serves as a meeting point for numerous professional disciplines that work to prevent sexual violence. Professionals in the fields of criminal justice and criminology, mental health, law enforcement, public health, juvenile justice, child welfare and protection, restorative justice, corrections and probation and parole, and victim advocacy seek out ATSA's opinions and positions on research, best practices, and policy regarding sex offender treatment and management.

We support the initiatives of states to create a mechanism for sex offenders, under certain conditions, to request release from registration requirements, or at least to be exempt from associated regulations such as community notification and residence restrictions. For example, sex offenders should be permitted to request exemption from registration and/or notification and residence restrictions if they meet certain criteria such as: (1) they are assessed to pose a low risk to the community based on empirically derived risk assessment procedures, (2) they have successfully completed a sex offender treatment program, and (3) they have been living in the community offense free for at least five years. Such a policy would create evidence-based incentives for law-abiding behavior and would expand opportunities for positive psychosocial adjustment and community re-entry.

The recent trend of trying to ensure community safety by implementing lifetime registration for all sex offenders is not supported by empirical evidence. The result of this movement is a growing number of sex offender registrants requiring increased fiscal and personnel resources to update technology, enforce registration rules, and incarcerate violators who may not pose the greatest risk of re-offense. Research indicates that risk for sexual reoffending is reduced by half once the offender has spent 5-10 years offense-free in the community, and that risk continues to decline as time offense-free in the community lengthens (Harris, Phenix, Hanson, & Thornton, 2003). Furthermore, risk for sexual recidivism declines with advancing age, so that the aging sex offender population is likely to pose less of a threat to public safety. The emphasis on registrant compliance over 25 years to life may be both inefficient and unnecessary (Levenson, 2009). Empirically derived risk assessment models based on factors known to correlate with recidivism should be used to identify those who pose the greatest threat to public safety. In this way, the public would be better informed about offenders likely to commit new sex offenses. At the same time, collateral consequences could be minimized for lower risk offenders re-entering communities and attempting to become productive, law abiding citizens.

**Association for the Treatment of Sexual Abusers**

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It has been noted that the practical, legal, and social consequences of crime are more severe for sex offenders than for other criminals (Lees & Tewksbury, 2006; Uggen, Manza, & Thompson, 2006). Hardships related to housing and employment, social stigma, and relationship problems should be recognized as factors that can lead to an increased risk of an individual reoffending (Lees & Tewksbury, 2006; Levenson & Cotter, 2005a, 2005b). Conversely, employment, social bonds, and housing stability increase the likelihood of successful reintegration for criminal offenders into our communities (Kruttschnitt, Uggen, & Shelton, 2000; Petersilia, 2003; Uggen, 2002; Uggen, Manza, & Behrens, 2004; Willis & Grace, 2009). Therefore, social policies which ostracize and disrupt the stability of sex offenders are unlikely to be in the best interest of public safety. Given the dearth of evidence indicating that public notification protects children, prevents recidivism, or improves public safety, lawmakers should consider the unintended consequences of these laws.

Recent research studies indicate that registered sex offenders represent a range of risk, with about 14% of offenders nationwide designated as especially sexually dangerous (Ackerman, Harris, Levenson, & Zgoba, 2011). Some sexual offenders are going to reoffend, of course, and steps should be taken to prevent that from happening. According to the U.S. Department of Justice, 5.3% of sex offenders released from prison were rearrested for a new sex crime within three years (Bureau of Justice Statistics, 2003). Over four to six years, about 14% of over 20,000 sex offenders in an international sample were rearrested for a new sex offense (Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005). A 24% recidivism rate was observed over 15 years (Harris & Hanson, 2004) and 27% were re-arrested over 20 years (Hanson, Morton, & Harris, 2003).

The vast majority of new sexual assaults are not committed by registered sex offenders (Bureau of Justice Statistics, 2003; Sandler, Freeman, & Socia, 2008). In fact, in New York, 95% of all arrests for sexual offenses are of offenders without a prior sexual offense conviction (i.e., offenders not on the registry at the time of their arrests) (Sandler, et al., 2008). Arrest data naturally underestimate true reoffense rates, because some crimes are never detected or reported to authorities. The available research suggests, however, that after two decades the majority of convicted sex offenders have not reoffended.

Without doubt, some individuals who sexually offend are likely to pose a threat to public safety. Reoffense rates differ, however, according to the presence of certain risk factors. For instance, a more extensive criminal history places an offender at increased risk for reoffense, as does younger age, a preference for male child victims, and a history of victimizing strangers (Hanson & Bussiere, 1998; Harris & Hanson, 2004; Harris, et al., 2003). Overall however, sex offenders are more likely to commit subsequent non-sexual crimes than to reoffend sexually (Bureau of Justice Statistics, 2003; Hanson & Bussiere, 1998; Sample & Bray, 2003, 2006). Moreover, the vast majority of new sexual assaults are not committed by registered sex offenders, but by first-time sex offenders (Bureau of Justice Statistics, 2003). Sexually motivated homicides have inspired most of our modern sex crime policies, but sex offenders are among the least likely criminals to murder their victims (Sample, 2006).

I thank you for your consideration of the material in this letter supporting the passage of Missouri HB 1700. Please do not hesitate to contact me if I can supply you with further information.

Sincerely,

Maia Christopher  
Executive Director

Cc: Missouri State Representative Rodney Schad  
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