

Webinar Transcript: Adult Sex Offender Management and Juvenile Registration

Bethany Broida: Hello, welcome everyone. My name is Bethany Broida and I am the director of communications at the National Criminal Justice Association. It is my pleasure to welcome you to what do we know about sexual offending and sex offender management and treatment. Today's webinar will focus on adult sex offender management and juvenile registration and notification. This webinar is the eighth in a nine part series that is designed to provide policy makers and practitioners with trustworthy up to date information that they can use to identify, implement and influence what works to combat sexual offending and prevent sexual victimization.

Registration is currently open for the final webinar in this series which will focus on the effectiveness of treatment for adult sex offenders and will take place on November 19th. Also if you missed the prior webinars in this series, the webcast and the slides from all of those sessions are available on the NCJA website. Before I go any further I would like to thank our wonderful partners at the SMART Office in the department of justice, office of justice programs for making this webinar possible. Before we begin let me quickly cover a few logistical items.

First, we are recording today's session for future playback. The recording and the slides from this session will be posted on the NCJA website at www.ncja.org/webinars. We'll also be emailing this to everybody who has registered for this session. Today's webinar is being audio cast through the speakers on your computer. If you prefer to call in by phone please use the number contained in your registration email or under the event info tab which is located on the top left hand side of your screen. If you encounter issues with the audio during the webinar, please feel free to go ahead and call in by phone.

Due to the number of people joining us today, we have muted all participants to reduce background noise. If you have questions for the presenters we encourage you to submit them using the chat feature on the right hand side of your screen. Please select host and presenter from the drop down menu next to the text box. We've also included time for question and answer period at the end of the presentation. However, you may submit your questions at any time. Also unfortunately due to a technical glitch with the WebEx system we were not able to view any of the questions that were pre-submitted during the registration process. We apologize for this and we encourage you to submit your question again during the webinar itself using the chat feature.

If you would like to communicate with NCJA staff during the webinar, please submit your comment using the chat feature to Bethany Broida or to host. If you have technical difficulties or get disconnected you can reconnect to the session using the same link that you used to join the session initially. In the last five minutes of the webinar we will ask you to complete a short survey. The information you provide will help us to plan and improve future webinars. At this time I would like to briefly introduce today's speakers. In November 2014 Luis deBaca was appointed by President Barack Obama as the director of the Justice Department's Office of sex

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offenders sentencing, monitoring, apprehending, registering and tracking, aka the SMART office.

Mr deBaca previously coordinated US government activities in the global fight against contemporary forms of slavery as ambassador at large for the State Department's Office to Monitor and Combat Trafficking in Persons and served as counsel to the House Committee on the judiciary where his portfolio for Chairman John Conyers Jr. included national security, intelligence, immigration, civil rights and modern slavery issues. At the Justice Department from 1993 to 2006 he led the investigation and prosecution of cases involving human trafficking, official misconduct and hate crimes as well as money laundering, organized crime and alien smuggling.

He is the recipient of the secretary of state's distinguished honorable award, the Attorney General's Distinguished Service Award, the attorney general's John Marshall award and the Director's Award from the Executive Office of the United States Attorneys. He has also received the leading honor given by the National Human Trafficking Victim service provider the Freedom Network's Paul and Sheila Wellstone Award and has been named the Michigan law school's distinguished Latino alumnus. Chris Lobanov-Rostovsky has worked for the Division of Criminal Justice within the Colorado Department of Public Safety as the program manager for the Colorado sex offender management board since 2006.

In his capacity he is responsible for overseeing the development of standards for the treatment and management of sexual offenders, approving treatment providers and providing legislative and policy input. Prior to his current position Mr Lobanov-Rostovsky worked as a clinician and evaluator of adult sex offenders and juveniles who have commit sex offenses. He also worked as a private consultant for a variety of federal, state, tribal and private agencies in developing and enhancing sex offender management and treatment programming. He's been a project manager, contributing author and editor for the SMart Office sex offender management literature review initiative which this webinar series is based upon since the project's inception in 2010. It is now my pleasure to turn the presentation over to director deBaca.

Luis deBaca: Is a lot of [inaudible 00:05:48] for work. That is Scott Matson from our office. I want to thank Scott for all of the work that he's done on the SOMAPI project and on these webinars. As Bethany said this is the eighth of nine in a series and we hope that this has been a helpful way for all of you to consume and get your head around what we've been trying to do on the SOMAPI project. I want to start today just by very briefly setting forth what we're trying to do today in the webinar. What we're really wrestling with here in the SMART Office and across the government is this idea of evidence based practice. How can we actually look at our common goals? How can we take the policies that we want to put into place or that the policies that have been passed by Congress and then develop and use evidence so that we can actually get the resources to where we need to have them.

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There is I think a lot of attention that's been paid over the years to sexual offending, to victimization, to the sex offenders themselves, what to do with them. A lot of fear that's been out there as parents and communities wrestle with the prospect of what could happen to my loved ones, myself, my children especially in the wake of high profile crimes and often end up moving policy. What we've seen is that everything needs to really be based on this notion of evidence. What works? Programs are more likely to be effective when based on scientific evidence so it's not just good practice it's actually good policy as well. Here in the SMART Office and just to very briefly to tell you what it is that we do.

The SMART Office is the first office that it cared solely to sex offender management related activities. It comes out of the Adam Walsh Act which is coming up on its 10th year. What the Adam Walsh Act really looked to do was to try to take the development over the previous decade of laws around the issues of sex offenders, a hodgepodge, a patchwork you might call it that had been placed across the country often because it was in response to a particular crime. You saw things that were responding to the perceived need of the day and the Adam Walsh Act very much tried to come in and set up not only this office but set up the structures so that it wasn't a patchwork quilt anymore. It was a understood set of standards and understood set of approaches in this area.

One of the things that we realized is that as you're looking at the entire range of work under the sex offender registration and notification act, when you're looking at what in many ways is a reentry problem for the sex offenders for the communities that they're going to be returning to or going to for their movement among and within communities that we needed to understand much better what those sex offender management activities were. What are the things that worked, what didn't. What were the gaps? What were the needs that we had out there and really get that out in a way that could be disseminated. You're part of that experiment by being on the webinar today but at the same time we really hope that what we've come to call SOMAPI gives us the beginning of the structure that we can start hanging these solutions on.

SOMAPI is very much that's an acronym for the Sex Offender Management Assessment and Planning Initiative. The goal of SOMAPI is to identify the programs that are actually supported by research and how to figure out how to scale those. If selfishly it's very important for me because it informs the funding decisions that I make and that others here had have to suggest these programs can make whether that's in the Office of Juvenile Justice and Delinquency programs or through our Justice Assistance et cetera on sex offender programming and research. We're really looking at the main goal which is to do a snapshot. What is the state of play as far as both research and applied research, the actual practice, the hands on work that's being done out there on sex offender management.

We were able to bring people together with the NCJA and others to dive in for a

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literature review to convene a discussion forum. What we came up with was that first of all as a organizing principle that there's a difference between adults and juveniles. The difference is both developmental and legal as far as different systems that are dealing with those children who might offend but at the same time we recognise that whether you're looking at them for purposes of treatment, management, probation et cetera that there are some very big differences. We're looking at that and you see the list here of the adult topics and the juvenile topics that were examined by the SOMAPI group as it came together.

We've been able to cover a lot of these things at the seminars, at the webinars have going on over the last few months and I hope that some of the insights especially into the typologies, recidivism and how those are different between adults and juveniles are certainly influencing our thought and we hope your thought in practice as well. The SOMAPI itself you can find it online on our website. That's www.smart.gov. A lot of exciting things on our newly designed website and I want to give a shout out to Yayo folks from our office who's been putting a lot of extra time in on the website in addition to helping the jurisdictions to which he's assigned.

The SOMAPI website which is a specific part of our stand alone sets forth the findings, the policy implications, the research briefs. We're really wanting it to be a living website and a living document not just one report that can serve as a paper weight or something for you guys to set a flat screen TV on but instead something that can be kind of a living document or a living set of presentations, webinars, research briefs et cetera. One of the things I think that has been important for people to realize about the SOMAPI is that it really was and is today a review of what exists out there.

I think as we've been trying to present that back to you through the seminars you've seen a lot of that but hopefully you've also been able to have a chance to think about what research needs to be done next. What are the studies that we not only have been able to look at and we've been able to analyze but from that hopefully comes that notion of what other studies that need to be funded. What other studies that are suggested? The questions that are demanded of us as we go through this. In today's work on sex offender management strategies on the one hand and then also on juvenile registration and notification I think are two areas that to me are very exciting because not only is the snapshot of what's happening very interesting but to me the future map that it provides to us as far as action is something that's very intriguing.

I'm going to turn it over to my co-presenter Chris Lobanov-Rostovsky who's been wrestling with some of these issues in the real world out in Colorado but he's also been such a great partner for us in doing the literature review and in doing the thinking that's gone into the SOMAPI effort. I'm going to wrap my portion of this up and turn it over to Chris as soon as I can figure out how to hit this new button. Thanks everybody.

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Chris Lobanov: Thank you director. I appreciate your comments very much and your introduction to the SOMAPI project. I think it's very helpful in terms of giving that broad overview of what this project has looked like from the beginning up until now and I think really foreshadowing hopefully this project as it will continue to move forward with the goal of keeping this information as current and contemporary as possible. A lot of times the research that we do in this field can become stagnant in that you've done a review such as this and then years pass and new research comes in and this is such a quickly evolving field that I think it's really important to keep these things updated. The SOMAPI chapters and I keep telling staff that and we need a new acronym. SOMAPI is not the most elegant of acronyms but it's what we have.

The SOMAPI chapters have been updated once already from their first initial draft through the editing that was done at the direction of OJP staff as well as the discussion forum participants and then a redraft was done adding in more contemporary literature. We're looking forward to an opportunity to do another update of these here in the near future so that this information will be as current and contemporary for you as possible. I'm very appreciative of the work of the SMART Office director deBaca, Scott Matson, the other staff at the SMART Office as well as the National Criminal Justice Association for this product and what this has done for our field.

I know I have some bias in saying that given I've been a part of it but I do believe that this information is a great source for some nation of what the literature and research says in a very user friendly readable format. It's all of our ideals to keep up with all of the various journal articles and things that are going on out in the field and sometimes that can become a challenge as we're doing our work but hopefully this project has given a good summation of this information that shows sort of what the evidence is saying and what the evidence is not saying as the case may be. I have been very excited about this project and the various chapters and work that has been done.

As director deBaca also noted there is a variety of different things on the SOMAPI link to the SMART Office website. One of them is that recently research briefs were added. While I would refer you to the overall chapters for the thorough and extensive information that these webinars are only able to touch the surface on there's also research briefs that are shorter. Maybe four to six pages long versus the chapters that can go upwards of 25 or 30 pages.

Those research briefs we find are very helpful particularly for policymakers, legislators, those types of things, those types of people just because they tend to want the more brief version, the 20,000 foot view if you will and then the chapters can serve as a backdrop for that in terms of providing more detailed information for those people who want them. Refer you to the briefs, refer you to the chapters, refer you to using those yourself as well as passing those on to the policymakers,

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practitioners, legislators that you work with.

In terms of this particular webinar eight of the nine part series, this one is a combination of two chapters. We've done that along the way where we've combined some of these chapters into two parts of one webinar. This one is going to be focused both on adult and juvenile issues whereas most of them have separated the adult and juvenile but I will make a clear delineation between the two. The reason that they were put together is that they are focused on the same subject matter and that is in looking at the broader sex offender management strategies which in particular includes a look at the research and the literature related to registration and notification.

What I will note and I'll note it now is that in the adult chapter we were able to do a much more thorough review of a variety of different sex offender management strategies. It's really a hodgepodge and a potpourri of different types of strategies and the research related to that which I will touch on pretty briefly here today. That will include registration as one of those strategies. On the juvenile side there wasn't the same existence of research and literature in those areas on the juvenile side other than the registration and notification piece. The adult paper that I'm going to start with here is a bit broader covering more extensive types of sex offender management strategies. The juvenile paper that I will cover secondly then is sort of a drill down version looking at specifically the registration component but not others.

I do believe that there may be some applicability on some of the adult related literature on sex offender management strategies for juveniles but as director deBaca noted there are significant differences between adults and juveniles and I would be very cautious and hesitant around drawing any large scale conclusions based on adult literature for juveniles. We have enough juvenile specific literature now that we can draw those conclusions based on juvenile literature and where there's absences or gaps in the research I would strongly suggest that the SMART Office, the Office of Justice Programs et cetera, those folks in a position to either fund initiatives or to direct policy initiatives encourage them to really try to fill some of those gaps in terms of the literature.

Let me go ahead and without further ado talk a little bit about the adult sex offender management strategies. As I indicated a second ago I'm going to kind of just go through the different levels of strategies here and talk briefly about some of the research and I would refer you to the chapter for greater detail than what I'm able to do here today. In terms of looking at community based supervision, ISP intensive supervision is the acronym there. There is some literature and research out there that talks about the effectiveness or the lack of effectiveness of supervising general criminal offenders. This research here is general. It's not specific to sex offenders although I will drill down in just a second and talk about sex offenders.

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This work is based on the work of the Washington State Institute for Public Policy and I would highly recommend them as a great source of evidence based information related to criminal and sexual offenders. I think they are one of the leading groups in the country in terms of their work and really feel like they've added a great deal to our work. In terms of this literature, the findings were that in just looking at supervision in the absence of any type of rehabilitation component say some type of treatment, that it did not seem to make a difference in terms of recidivism outcomes for criminal offender populations.

However, when you add it in a treatment or rehabilitation component into the overall intensive supervision approach, that did seem to lead to reductions in recidivism, affective cost benefit ratios which is what the Washington State Institute looks at a lot of the time. The conclusion from this sort of general criminal literature is that if you're just looking at the idea of supervising someone without trying to rehabilitate them, that doesn't seem to give us the same impact in terms of change in offender behavior as looking at some type of treatment or rehabilitation. I know a lot of times with sex offenders we end up focusing more on external management strategies, giving short shift if you will to the treatment component.

I think this is a really strong piece of evidence that suggests that that's maybe shortsighted in some ways and that an effective approach to dealing with criminal offenders including sex offenders really needs to take into account both external risk management as well as assisting offenders with the development of internal risk management strategies. Drilling down, one specific approach that was actually developed here in Colorado. I will as a disclaimer note that I have a bias in this. I didn't develop this approach but certainly we use it here in Colorado is an approach called the containment approach.

The containment approach was developed by Kim English and her colleagues in the mid 1990's. Developed maybe even isn't the right word. Is actually something that she went out and observed in others. Kim English went through a process where they looked at what was working in sex offender management and treatment and they went to different jurisdictions and identified what those key components were in the management and treatment strategies. What they noted was at this collaborative approach between supervision officers, treatment providers and were used polygraph examiners seem to show the greatest impact in terms of successful management of the offender and reductions in recidivism.

They coined the term the containment approach. It's been something that's been used in many, many jurisdictions across the country for 20 odd years. It's evolving and changing and incorporating some of the new research that's coming out in terms of risk need responsivity but overall the research that has been done on the containment approach, there's been several studies that have looked at the efficacy of this model that it does lead to reductions in recidivism. However I can't conclusively say that this is the way, it is a way, it has some research in support of

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it.

There's some other research out there that may be contra indicates that but in terms of sitting with the Washington State Institute for Public Policy research and then looking at this combination of external risk management and internal development within the offender of internal strategies to deal with offending tendencies, this containment approach seems to have some research behind it and something that certainly is worth looking for and worth looking at in your jurisdiction.

I'm now going to move on to a program that may be used as part of an external management approach. It can be used as part of supervision but actually when it was first developed the circles of support and accountability model was developed as something following supervision, post supervision. In Canada where it was first developed and in other European countries this is a model of reintegration. Director deBaca referred to this as really a challenge of helping offenders to reintegrate back into the community.

For those of you who know about the circles of support and accountability model know that it really was a challenge for that Canadian community where an offender was coming back into the community and the community was very upset about this, didn't know what to do about it, how can we get rid of this offender and they actually channeled it into something that is extremely constructive and positive in terms of a community interaction with the offender, providing reintegration support resources et cetera for the offender as the offender comes back to the community but still emphasizing an accountability in a community safety component as well.

It's really a restorative justice type of approach in many ways and really looks at how the offender has responsibilities to the community and to keep themselves from re-offending on behalf of and for the benefit of the community. This circles of support model is something that has been used increasingly around the world. We've seen it being used more and more in the United States. We've used it here in Colorado and are using it here in Colorado and a number of other jurisdictions are using it. I think that it is what I would characterize really as a promising practice in our field.

It's actually something that the SMART Office has put some of their funding behind too both in terms of looking at the evidence for the model as well as to help provide training, technical assistance and support in the development of programs around the country. I think this is an example in some ways of that research leading to then directions for policy and practice which is really what I think we want to be seeing from government. I'm again very excited about this process. In terms of the research for the circles of support and accountability there's a number of different studies out there that have been done. Dr Robin Wilson is one of the chief principals in this work and so he has a website. Would certainly recommend you to

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go to his website but the chapter on Sex Offender Management Strategies also summarizes this as well.

There's been two Canadian studies in two different jurisdictions both of which have shown significant reductions in sexual recidivism for comparably matched offenders, high risk offenders and it's really is a model that has been developed truly for the high risk offenders under the notion that we need to be putting our resources behind initiatives for high risk offenders more so than low risk offenders. That's what this model was developed for. Both of these Canadian studies showed successful reductions in recidivism for this initiative working with two cohorts of very high risk sex offenders. Some really good beginning evidence.

We also have evidence now coming out of Minnesota and the United Kingdom as well showing from Minnesota reductions in any rearrest. A lot of times it's difficult to show significant reductions in sexual recidivism given the fact that the base rate for sexual recidivism is relatively low. As a result you really need very large sample size to tease out those what can be fairly small reductions but if you have a large enough sample you can really get a sense from those small reductions as to whether they're significant or not. This Minnesota study showed that there was reductions in any rearrest which is a good thing as well. I mean, we don't want to just prevent sexual recidivism here. We want to stop any law breaking behavior and to get the sex offenders that they're reintegrating back into our communities to be law abiding members of the community in all aspects not just related to their sexual behavior.

Then finally the UK study that's referenced in the chapter just talks about outcomes for a group that has gone through the COSA program. There was not a comparison group at least in this study. There is a more current study that will be incorporated into the next round of this chapter that shows a comparison group but for this one again favorable outcomes seem to be heard in terms of this COSA initiative in the UK. It does seem as if COSA is a promising practice here that has been utilized in a variety of different jurisdictions. There seems to be some generalizability or application of this model to different geographic and population groups. It's something that the chapter emphasizes that ... Well again I'm not concluding it's an evidence based practice at this point. More research is certainly needed. Certainly the research is trending in the right direction in terms of this.

Moving on and talking about what is the probably ... Well I think COSA can be a controversial topic in terms of talking about citizen participation and offender management but polygraph also seems to be somewhat of a lightning rod issue in our field. The containment approach emphasized the use of polygraph 20 years ago. A number of stakeholders have begun to question the use of the polygraph more recently in talking with state officials around the country. Seems like the vast majority of state officials are reporting that polygraph is still used fairly commonly in the United States. It's used less so in other countries. Canada does not use the polygraph. The United Kingdom it's sort of at this point starting a polygraph

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initiative and is weighing out how best to use the polygraph and is using it in some limited capacity.

In terms of the research for the polygraph it's fairly limited and so I will share with you what the research does tell us. It seems pretty clear that the polygraph literature as constructed to date does show an impact on the amount of information disclosed by offenders. We're seeing additional disclosures of the numbers of victims. The types of victims. The types of offenses. As a result of that we can get better information about when offending first started. How long the offending is going on. How frequently the offender has offended. All of this I think is very significant information from a treatment and management perspective in terms of assessing the overall risk for the offender and knowing what high risk scenarios need to be managed.

Many people view that additional disclosure information is very valuable in terms of sex offender management and seeing the polygraph in that way. However the research itself in terms of the impact on sexual recidivism for the polygraph has been somewhat mixed to date. Again, the containment literature suggests that using the polygraph is one component of an overall sex offender management strategy. She seems to show benefit in terms of reductions and recidivism. You can say by extension the polygraph seems to be a beneficial part but it's hard to tease that out in terms of how much of a role does the polygraph play versus the other components of the containment approach.

There has been at least one study that's been done by McGrath and colleagues in 2007 that shows that there was not significant differences for those offenders who were polygraphed versus those who weren't but were getting treatment and supervision. In the one study that tried to isolate polygraph as an independent variable the results were not as strong in terms of the reductions in recidivism. However this is one limited study at this point. Certainly it need a replication. I think again looking at the overall use of the polygraph in terms of its impact on disclosed information as well as being a component of the containment approach, I think that those things certainly had shown some benefits.

The other types of information that we have from polygraph or about polygraph are surveys of end users. We have surveys from treatment providers and supervision officers who by and large are supportive of the use of the polygraph. Indicate that the information is helpful for them, feel like it's beneficial not only in the sexual history disclosure component but also in terms of maintenance polygraph which is another type of polygraph and instant offense polygraphs which kind of confront initial denial of an offense. That those types of polygraphs can be beneficial in sex offender management and treatment. As an adjunct treatment providers and supervision officers generally are supportive of polygraph as a tool in their overall repertoire of dealing with sex offenders.

Surprisingly maybe that sex offenders and at least one study also reported that the

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polygraph was beneficial. Maybe not quite in a such overwhelming numbers but many reported that number one that there was an accountability aspect, a deterrence aspect knowing that they were going to be taking polygraphs and also that for somebody who's doing well and doing things the right way that a polygraph is a confirmation of that. Gives them corroboration as well. I think again polygraph survey information talks about the benefits of the polygraph but again this is survey data. There was no follow up in terms of corroboration of what these folks were saying or what the end results actually were. Just another limited piece of information in terms of the polygraph.

Another sex offender management strategy is the use of electronic monitoring or what we know as global positioning GPS. This is something that's become definitely in say over the last decade or so as many states have gone to passing some legislation related to this. We've moved from the old style where devices were connected to phones and would alert a supervising entity if the person was not in range in the house during those hours to actually being able to do through real time location tracking of where the offender is moving within the community. That has provided that somebody is actually watching that which is one of the challenges. There is this perhaps misguided notion that GPS does the monitoring. Well GPS just transmits the information. Somebody else has to be watching and interpreting that information in order for it to be an effective strategy.

We're seeing this movement to this active GPS and we've seen a number of states that have passed lifetime requirements for use of electronic monitoring with sex offenders including situations where those are supposed to be used post supervision as a component of say registration or things like that but that brings with it a whole host of other problems in terms of who's going to monitor, who's going to pay for it. Those types of things. Unfortunately some of those policies have not tease those out as well as they could have. What electronic monitoring can do is it can set up areas that are restricted areas, say around the victim's residence or certain high risk situation and where an offender can enter those areas and alert can be provided to the supervision officer alerting them to the fact that the offender is there.

We've seen this being used more and more across the country. I think people view it in some ways as a good cost or cost benefit alternative to supervision and yet I think that that may be editorializing here for a second. That may be somewhat misguided in that this is not a replacement for good community supervision. It's an adjunct tool for community supervision. In terms of the research and what we've said or what we've found here in terms of electronic monitoring again I think the research is relatively mixed. It's not overwhelmingly supportive of GPS and electronic monitoring as showing significant reductions in recidivism although some studies have shown that, others have not shown that.

I think we can conclude at this point that the efficacy of electronic monitoring both with general criminal offenders because some of the research has been done on

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them as well as sex offenders specifically at this point, the research, the jury is still out on that in terms of whether they truly lead to a reduction recidivism, whether they deter offender behavior or whether it's not more that. What these things do is they are used for investigation purposes to place someone at a scene of a crime post criminal activity. I think that those are the quandaries that we're still seeing in terms of the use of GPS is how best do we use it plus the technology itself continues to be a challenge for many jurisdictions.

There's a number of pieces of literature out there that talk about some of the challenges in using the technology and some of the problems with that. I think that as I said the jury at this point is still relatively mixed. There's nothing to suggest that use of GPS certainly in and of itself is an effective strategy. Certainly as part of an adjunct strategy for higher risk offenders with good treatment and supervision it may be a helpful tool but that's where we are at this point related to the research. Then the final point there is it talks about in many of these research studies look at the overall impact on the rate of crime within a jurisdiction pre and post a policy.

There is a study that says that once GPS was implemented we didn't see an overall reduction in the rate of sex crimes in that jurisdiction. Again, we're questioning the efficacy of this tool both based on the effect for offender recidivism as well as the overall change or lack of a change in this case of sex offender, rates of sex crimes in the jurisdiction. Again I would encourage you to look at the chapter and to look at this information in more detail to get some greater information related to GPS Especially if you're looking at your jurisdiction in terms of implementing a GPS policy. You want to make sure that you are at least aware of what that literature says.

Could be the most controversial one that I'll be talking about today. I don't know if I would have said that six months or so ago. I might have said that it was registration or polygraph but I think certainly the sex offender civil commitment issue has become an extremely hot button topic issue. There's been a number of court cases that have been going on. You may be aware of what just happened up in Minnesota and in Missouri just recently questioning the constitutionality of this overall tool despite the fact that the US Supreme Court has declared civil commitment to be constitutional. Several state Supreme Courts have questioned the way in which their states have implemented civil commitment and raised constitutionality questions related to that.

That by way of introduction we still have civil commitment. It's here. It's around the country. Almost half of the states have it. The District of Columbia has it and there's a component of it allowing for it within SORNA as well and so certainly this is something that states have embraced as a strategy. For those of you who are not familiar with sex offender civil commitment what this does is refers an offender post supervision to a civil commitment proceedings and allows them to be civilly committed to a mental health facility based on some type of mental abnormality in addition to having a significant risk for recidivism.

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It is a way of if you will extending the supervision of an offender beyond the length of a determinant sentence and requiring additional supervision in perhaps in most cases a locked facility and requiring treatment and rehabilitation for an offender to be restored to a point where they can have and be returned to the community. A very interesting process that's employed by a number of jurisdictions and flat out what I will say is that there is just not much research out there at all that would tell us whether this is an effective strategy or not. The problem with the sex offender civil commitment programs in terms of research is that people need to be released and monitored over a period of time and their outcomes identified in order to determine whether this is doing anything or not.

You could certainly say, "Well, these offenders who are in these civil commitment programs are not committing offenses in the community while they're locked up but what we don't know is a stint in a civil commitment program." Does that lead to a reduction in sexual recidivism as compared to those who don't receive such an intervention. We don't really have that at this point given the small numbers of offenders who have been released. What we do know is there's been several studies that have looked at what are called the near SVP. SVP is sexually violent predators. Many jurisdictions refer to this civil commitment detainees as sexually violent predators.

We have some studies that look at these near civil commitment or near sexually violent predators. We've looked at their sexual recidivism rates which tend to be on the very high end. Certainly the suggestion is that we're dealing with a very at risk population, a population very likely to sexually recidivate but if there is again not a lot of research at this point to suggest that the program or the process is leading to a change in individual offender behavior. Sex offender registration and notification research. You'll find me I'm now saying this quite a few times. Again the research to date on the efficacy of registry and notification is mixed.

There is some research out there that suggests that the use of the registry can reduce recidivism, sexual recidivism for those who are registered as compared to those who aren't. There are others that do not show reductions. At this point again I think that this research on the sex offender registry is fairly mixed. There's also been studies that have looked again in that sort of pre post idea that I described before looking at what were the rates of sex crimes before the registry was introduced and then after. By and large in those studies they have not found significant changes in the level of sex crime rates within a jurisdiction. However I think that in terms of the registry it's sort of what is the purpose of the registry and are we really studying what the purpose of the registry is?

As you will recall with the onset of the registry it was really a law enforcement tool to help law enforcement to be able to track and monitor known offenders for investigation purposes as well as for some deterrent value. I don't know if by extension the original notion of a registry was meant to affect pre offender

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behavior. For example offenders who are considering offending, oh I don't want to be a registrant therefore I won't offend. I think that how we're looking at the registry in terms of the research thus far may or may not be consistent with what the purpose of the registry is. Again, I think at this point in time the recent research to date is not showing a significant change in either offender behavior or in the rate of such crimes within a jurisdiction based on the use of the registry.

Again we're very early in the research process and certainly more research is needed to detect whether there truly is any significance to this intervention in terms of impact on offender behavior. What we also know I think we thought for a long time that perhaps those offenders who are non-compliant with registry that those may be particularly high risk offenders and we may need to address their behavior more directly because that they may present a higher risk for recidivism but in the few limited studies that have been done thus far there doesn't seem to be a connection with failure to register and the rate of future recidivism.

What we do know is that sex offender registry is a pretty popular intervention strategy. We know from the public that the public views this information as beneficial to have. However, other studies have looked at how the public uses it and it's not as clear. Despite the fact that the public thinks it's a good thing, it's not as clear how the public is using it and whether it's translating it into safety taking behaviors on the part of the public as well as on behalf of their families and children. The public by and large is very supportive of the notion of the sex offender registry.

On the other hand we've also gotten surveys from offenders and these are non-corroborated surveys but certainly offender self report saying that being on the registry has led to a number of significant negative outcomes in terms of loss of housing. Meaning they perhaps being going homeless, being subject. We've certainly seen a couple cases where registered offenders were attacked even killed in situations and so certainly there is some impact on offenders identified by offenders and perhaps through corroborated through some actual events that we're aware of that suggests that there is a negative effect on offenders in terms of the registry.

It's constantly just finding that balance between what do we need to do for offender accountability while still giving offenders a chance to reintegrate back into the community. The public is certainly wanting this information and how do we ensure that that information is provided to them in a way that maintains that balance. It's quite a significant challenge I think that we face here in the United States related to this. Moving on. Residence restrictions. Residence restrictions are restrictions on where an offender can live. Based on being a registered offender as I was just describing some registrants end up being homeless. Sometimes it's because residence restrictions are connected to registry and there is no mandate within SORNA related to residence restrictions.

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This is something that many, many states and local jurisdictions have done in terms of attaching limits on where offenders can live. Not living within a 1,000 feet of a school, park, playground, et cetera. It's something that's become very popular on the notion that if we keep offenders away from places where they're likely to offend that will somehow have an impact on their ability to offend and reduce their likelihood to offend. Unfortunately that logic which may seem logical on the surface has not been borne out by the research. I think by and large all of the research on residence restrictions and this is probably one of the strongest findings in terms of the literature on sex offender management strategies. All of the literature and the research here seems to suggest that there is very little impact on changes in offender behavior, decreased levels of sexual recidivism.

It doesn't seem to be a deterrence and it doesn't seem to be looking at those jurisdictions before and after the implementation of the policy. There doesn't seem to be any change in the rate of sex crimes within those jurisdictions. I think that jurisdictions in states that are looking for a way of keeping their citizens safe by keeping the offenders segregated away from certain areas may be providing what is more of a false promise of security than something that is actually borne out by the research. As we all know, most offenders who know the victim in advance of the offense and so that the risk from strangers is much less than those from that are known and that most offending tends to take place not in public places but in private residences. Either the offender's home or in the victim's home.

The other pieces of information that we have again is survey information from offenders reporting the impact of these strategies and reporting having to move, loss of housing, not being able to find housing, homelessness, being unable to access family support because the family member lives near one of these things and overall impact to the family as a result. Again, these things are not corroborated. Most of them are self report surveys but that certainly seems to be the direction of the information that we have in terms of the impact of these strategies on offenders.

In terms of what are the limitations of the research that I've just really quickly summarized for you. There's a very small number of studies on any of these strategies. I don't think there's enough research in any of these areas to establish the presence or absence of an evidence based although I think the residence restriction one there's certainly a lot of research in that direction. There's a small number of studies. Certainly we need more studies. The follow up periods tend to be relatively short. A lot of these policies are relatively contemporary and so we haven't tracked them over long periods of time to see are there significant shifts so we may be getting an effect that lasts for a year or two but not longer than that. That's something that we need to know.

The sample sizes tend to be very small in most of these studies and so the ability to make significant research inferences is challenging as a result. Many of these studies have different outcome measures and so it's like comparing apples to

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oranges in terms of trying to do cross comparison. Meta-analysis which is the study of studies and pulling studies together wrestles with those things and tries to drive commonalities across studies but with a variety of different studies with different outcome measures certainly is a challenge. The inability to isolate independent variables is definitely an issue. As I talked about with the polygraph, are we sure that the polygraph is playing a role or not? If you're not isolating polygraph independently of all the other strategies then it's hard to know what parts of what you're doing are making differences.

Lack of generalizability. Just because something works in one jurisdiction doesn't necessarily mean it works in another and we have to be cautious about that. Then a lot of these studies really lack significant scientific rigor in terms of having good quasi experimental design et cetera. I'm not a researcher. This is not my area of expertise. However in looking at the studies and in the analysis of the studies I think we need more high quality research. The limitations of surveys. They tend to have small response rates. If you send out a 100 surveys you get 10 back and there's a self selection bias that goes with that.

The 10 people that respond may have significant personal experiences with whatever is being asked of them so they're likely to respond and the other 90 people who didn't have a significant personal experience don't respond because they don't have the time or the wherewithal to want to do it. These small response rate and the self selection bias certainly make you need to take a survey information with a grain of salt. Then finally the lack of corroboration of offender self reports. Not everybody self report in a survey. It is a significant issue as well too. In terms of the needs we need more certainly scientifically rigorous studies. We need comparison studies. Not just what happened with a group of people but what happened to groups of people as compared to another group that didn't have whatever was being studied going on.

We need to be able to drill it down a little bit in terms of, "Okay that's fine." Treatment does this or supervision does this but what kind of supervision. A lot of times these studies don't get into the weeds in terms of what that is and so it's hard to know what exactly is having that impact. In terms of what we think we know to date certainly that treatment oriented specialized supervision appears to be effective across both general offender and sex offender populations. Again we didn't call it an evidence based practice but certainly is a promising practice and as research support COSA also seems to be a promising practice but more research is needed.

The polygraph research is mixed and if it's going to be used it appears that it would be most effective as part of a comprehensive treatment and supervision strategy. Certainly more research is needed on the sex offender registry information. Sex offender registry and notification system excuse me. Residence restrictions do not appear to be effective and there's no recommendation at this point for their use. What I think is also important is that a lot of times when we implement these

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policies we implement them on a one size fits all model and where from the risk need responsivity literature what we get is that policies that really emphasize the needs of higher and moderate high offenders you're more likely to get an impact than with low risk offenders.

One of the ways in which policy should be looked at from the perspective of this chapter is that it should not be a one size fits all model and instead should be really focused on identifying certain populations of offender where a strategy may be effective and that policies really should be evidence based where possible. We certainly want to allow for new innovative strategies but there should be the requirement truly to study those and make sure that what we're doing is effective rather than just allowing something to become institutionalized without bothering to see if it's effective or not. That completes the first part here.

What we have here are the notes for the presentation. If you're interested in going back and looking at the specific studies, these are the reference studies by footnote number. The next slide has those and they're embedded in the slide so that when you get a copy of the slides you'll have them. Then here if I can get there is the references. You can cross reference the footnote to the reference and you can go look at this information. All of these references are also contained in the chapter as well. I'm just going to brief through that and I'm going to move into a discussion about juvenile registration and notification.

As I indicated earlier that when we looked at whether we could do a sex offender management strategies chapter for juveniles there just wasn't enough literature other than in the sex offender registration and notification area. Other than a sex offender registration and notification area to do a literature summation. I'm going to hit the summation here in terms of the registration and notification impact for juveniles. In terms of the background and the history, the Wetterling Act which was the first federal registration statute in 1994 did not have a mandate that juveniles be registered and notified upon. With the early federal legislation it was an adult only registration scheme.

However with the way in which the federal registry schemes work is that they are considered a floor not a ceiling and so therefore states were free to go ahead and implement registry for juveniles despite the fact that it was not a requirement to do so. As you see many states implemented registry for juveniles despite not having the federal mandate to do so and then many states also provided that information to the public. When we're talking about registry and notification, registry is the part where the juvenile has to go down and register with law enforcement. Notification maybe passive notification which is the juveniles name is on a list that is accessible by the public or active notification where there's actually some kind of proactive notification to the community.

When I'm talking about notification here I'm talking about the public accessibility of this information. As you see, the majority of states went ahead and began

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registering juveniles and many states also did notification on juveniles as well. That stayed that way up until the Adam Walsh Act. The Adam Walsh Act in 06 was actually the first federal mandate that required jurisdictions states, territories and for the first time tribes to implement registry and notification. At least initially there was a requirement for notification. That has since been it is no longer required by policy of the SMART Office but there is the requirement that juveniles and it's only a certain subset of juveniles in this. Unfortunately in this webinar I don't have time to go into all the details about that but a limited requirement of registry for some segment of the juveniles to be registered.

That's what happened over the past 10 years that there is that requirement now for juveniles to register as well. I think some of where that comes from is the way in which we view juveniles. I think director deBaca talked about the significant differences between juveniles and adults and yet I think for policymakers and legislators and even for us earlier in the field I think we did a lot of equating between adults and juveniles. Seeing that juveniles that their rates of recidivism are equal to adults. That they're very high. That their risk for recidivism is high. That today's juvenile is going to be tomorrow's adult sex offender.

The juveniles and adults are the same in terms of their dynamics of offending who they are and that sort of that they're all the same in some ways. That there's not these differences that we really do see across the juvenile population. The typological work that we've seen on juveniles that were discussed by Tom Levenson in the previous webinars, so in refer you to that for more details about the differences across the juvenile population. I think we had these assumptions about juveniles policymakers and legislators. I think we had these assumptions and as a result we've applied a lot of the policies fairly consistently across both adult and juvenile segments.

When I talk about we don't have the literature that doesn't mean that we haven't applied civil commitment or GPS or residence restrictions to juveniles. There's just that something that hasn't been studied but I think many of these policies are being applied equally to juveniles as well which I think is of great concern to people in the juvenile community because again are these things really leading to changes in juvenile behavior or are they aggravating in some cases. Creating an iatrogenic effect that actually makes the situation worse for juveniles. As I said here in the slide that's something that is being looked at is what are the effects on the juveniles and their families in the community of some of these policies including registry and notification.

In this situation, as in many of the situations involving these policies a lot of times these policies as director deBaca indicated are developed based on some kind of a serious victimization that occurs. I mean they're all named after significant cases of horrendous child sexual assault and in often cases murder situations. There's a desire to do something and so policies are implemented that may or may not have found research support for them. That research is not there and so I think it's really

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incumbent upon us to then go back and study these things. Although we know that it's really difficult to undo policies.

There's been a number of jurisdictions that have tried for example to undo residents' restrictions laws in their jurisdictions and it's been very ineffective because reducing a requirement on sex offenders is not something that is as easy to hang your legislative hat on as getting tough on sex offenders. I think John Devochnick who is a fellow at the SMART office always talks about not just getting tough on offenders but getting smart on offenders. No pun intended but I think we need to do things that make sense and work and we need to help provide our legislatures and policymakers with that legislative cover of saying, "This doesn't work and but this does, so put your energies here."

In terms of the findings for the use of registry with juveniles and again this is a relatively new phenomenon in terms of the requirement. It's only a 10 year old requirement in terms of the federal law although many states have been doing it for a while. One study by Holmes done in 09 talked and looked at the impact on again sex crimes rates in those jurisdictions pre and post implementation of the policy. Found no statistical significant difference or decrease in the rate of sex crimes in those jurisdictions post implementation of juvenile registry and notification. The assumption again is that as a result it doesn't have an impact on people. It's not deterring people from committing a first time sex crime.

Several studies have looked at then the recidivism rates of juveniles who are registering as compared to those who aren't. Typically those are pre and post. Looking at before the policy the juveniles and then post policy the juveniles and they found no ... In this case this is a Letourneau and colleagues found no significant differences in sexual recidivism based on the implementation of registry. However they did find an increase in the rate of non-sexual and non-assaultive. Basically general recidivism what one would consider would may be low level recidivism rates for those juveniles who are subject to registry and notification which the authors attribute possibly to a surveillance attack. The fact that they're on registry they're being monitored more closely therefore their behavior comes under greater scrutiny.

Again the authors in that situation didn't see any significant benefit in terms of sexual recidivism for that population. Washington State also did a study of juveniles as well and looked at those who are under level one which is the lower level of registry and notification status in Washington versus the level three. They compared the level ones and the level two to the level three. With the level three people being that registry and notification group and found what is not a statistically significant difference in the recidivism rates even though there is a 3% overall difference in the rates there that you see it's not statistically significant.

Again the conclusion was that the requirements for registry and notification in Washington for that group of juveniles did not seem to significantly change the

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impacts in terms of sexual recidivism. One interesting set of studies that looked at another impact because I think a lot of times we're looking at sexual recidivism as like the barometer for everything that occurs here. There's other things that we can be studying in terms of these types of policies. For treatment we can certainly be studying the impact of treatment on the client versus just their impact on their recidivistic behavior. I think that's what we're looking for in terms of community safety. We want to see that end result.

In this situation on several studies this one in South Carolina again by Letourneau and colleagues and the next one which was done in Michigan by Kylie both looked at the issue of, was the presence of a registry. Did that change prosecutorial decision making? In the South Carolina study as well as in the Michigan study both studies found that as a result of implementing registry requirements, prosecutors began pleading out cases to non registry offenses. We often see this where policies are passed that the criminal justice or the juvenile justice system can make adjustments and develop sort of workarounds if you will to prevent things from happening. In this situation in South Carolina some of these kids who were younger and had fewer priors prosecutors were pleading those to non-registry offenses.

In the Letourneau study they compared that to changes in decision making for robbery cases and did not find the same reduction or changes or pleading out that was going on. The implication of that study is that it wasn't that prosecutors were just pleading everything out, it was something specific to sex offender registry crimes that led these prosecutors to not want to prosecute the kids for registry eligible offenses. The Michigan study what that did was also then to take kids out of the opportunity to benefit from treatment because treatment was predicated upon being adjudicated for a sex crime which made the kid eligible for specialized treatment services and so in a sort of a cutting off your nose despite your face kind of a moment we're pleading kids out of sex crime, sex registry eligible crimes and as a result of that cutting them off from needed treatment services as well.

This literature seems to suggest that the impact of juvenile registry has been to change prosecutorial decision making in a couple of very limited studies. Again I'm not ready to conclude that definitively. You'll say that that is generalizable but certainly there's a couple. In terms of looking at and we did talk in this chapter about the differences between adult and juvenile recidivism rates as a whole. Again this is not a statistical analysis. This is just a snapshot to show that the idea that juveniles and adults recidivate at the same levels may not be accurate. That there does seem to be fundamental differences between juveniles and adults in terms of character, makeup and recidivism likelihood. I include that just as by way of comparison.

The final piece of research that I'm going to talk about in terms of this juvenile registry notion is there has been several studies and this is one of them but there are several studies that are included in the chapter that talk about the differences between the recidivism rates for juveniles who have been adjudicated for a sex

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crime and juveniles who have been adjudicated for some other type of crime. The idea in these studies is, is there something different about having committed a juvenile sex crime that makes you more likely to commit another sex crime versus if you are someone who has committed a general delinquent act, what is your likely to commit a future sex crime?

In this case, this is Michael Caldwell study. There's a number of them out there. There's Zimring, a bunch of others that looked at really what was not a significant difference in the rates of future sex crimes for juveniles in the juvenile justice system for a sex crime versus something else. Zimring in fact concludes that there may be other factors that may lead to a greater likelihood of future sex crime convictions including the number of times you get in trouble. The number of arrests you have. Juveniles who have a greater disposition towards lawbreaking behaviors and are more conduct disorder, pushing towards that sort of anti-social personality disorder that those are the ones that we may need to be as concerned about as anyone.

This is offered up to say, are today's juveniles who commit sexual offenses tomorrow's adult sex offenders or not? Is this population more likely to re-offend and therefore it justifies the notion of long term registration for them or not. What do we need in terms of research? We need certainly more research, more scientifically rigorous. Same kinds of things that we saw in the adult sex offender management strategies. We need larger sample sizes. What we may have it's just such small samples that we're not able to detect the significant differences in terms of the rates of sexual recidivism for example. With having larger sample sizes we may be able to truly identify whether there is any kind of an effect of these policies and in this case particularly the registration and notification policy for juveniles. Again what we're hearing from the juveniles and their families is that impact of this policy.

In terms of the conclusions from this one that this is the law of the land. I mean this is the law of Adam Walsh. It's the law in many states. The recommendation of the chapter is that any further expansion of registry requirements for juvenile should be predicated upon the development or identification of some research that supports this. Not saying at this point whether juvenile registration should go away or not, I think the research is still out on that but certainly the idea that until we have a better sense for what this means and what the impacts of this are the idea of registering larger groups of juveniles for longer periods of time and in more public ways that we should probably be cautious in terms of doing that.

That whatever we do especially with juveniles the goal really is about rehabilitating the juvenile. That was the whole purpose behind the juvenile justice system in the juvenile court is the notion that we're trying to help these juveniles. We're sort of taking on a parental role if you will with the juveniles and trying to help them get their lives back together. That needs to be the purpose and the focus of what we do. Soap box moment here. This is me not not anybody else but the idea that

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whatever we do continues to support that notion of rehabilitation for juveniles while still supporting community safety.

It's again striking that balance and I think that's all of what we're trying to do here in the sex offender management field is to strike that balance between public safety, public's right to keep themselves safe, providing safe guards and safety nets from our population and yet hopefully having an opportunity for our population to develop strategies, to reintegrate successfully into our society in a way that is keeping the community safe and free from recidivism. Again, here are the notes for this section in terms of what I just went over. Then the specific references you'll see there are much less of them in this section than in the other. I at this point I'm now going to turn it back over to Bethany in terms of the question and answer period.

Bethany Broida: Chris thank you so much. Before we dig into the questions I just wanted to remind everyone that you can submit your questions using the chat feature as the slide is showing right now. Please send them to us if you have them and also just to remind everyone that unfortunately if you submitted a question earlier when you registered unfortunately we don't have access to those questions right now. If Chris did not already answer it please feel free to go ahead and submit it again. We've gotten a couple of questions. Chris the first one we got has to do with whether there's any research on the effectiveness of sex addicts anonymous type programs.

Chris Lobanov: That's more of a treatment approach than a management strategy. In the next webinar we're going to be talking about treatment and what is effective in treatment. I know as a prior practitioner we debated on the merits of using such an approach as an adjunct. I've certainly seen some groups where people are very much holding themselves and others accountable can be a great adjunct support system for offenders. I wouldn't recommend it as a primary intervention for offenders.

I think it's something that could be useful for offenders maybe who are well advanced in treatment and are just looking for that ongoing support. It can be great maybe aftercare type of support but as far as I'm aware there's not any research to suggest that the use of any kind of a sex addict or SAA type model can lead to changes in recidivistic behavior for example. I think you want to be cautious in terms of supporting it and recommending it and use it as an appropriate adjunct rather than as a primary focus of an intervention.

Bethany Broida: Okay, wonderful. Thank you. Next question is, is there any research out there related to the utility of sex offender registries for law enforcement?

Chris Lobanov: I think this is something that I am very excited about that there is currently several research studies that are going on right now looking at the utility of registries for law enforcement. As I indicated earlier it seem like much of the research thus far has been focused on the impact of registries on offenders either in terms of their future sexual recidivism or in terms of the negative iatrogenic affects of registry.

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The original intent behind the Wetterling Act and the early registry laws was as a tool for law enforcement. There's been several funded studies that have been done by the National Institute for Justice as well as the SMART Office that are talking about or looking at the impact of SORNA, the impact of registries on law enforcement particularly related to information sharing and the use of this information for investigations and crime prevention purposes.

I'm very excited about the results of those two studies and by way of disclaimer I am involved in those studies so I have a bias in terms of being excited about that but I'm very excited about those studies in terms of what they might tell us about the impact of registry and of SORNA in terms of the impact on law enforcement where I think the original initiatives related to registries were being targeted in the first place.

Bethany Broida: Another question just came in and it says where is the research heading on polygraphs and juveniles? They use teams questionable at times especially when not used as a treatment tool. I'll let you respond to that.

Chris Lobanov: Yeah I think that ... I mentioned about the very much the limited research on the utility of polygraph for adults. I'm aware of very little to no research on the utility for juveniles, so what is the impact? I've seen a couple of studies that talk about that we're seeing the same kinds of increase disclosure from juveniles. Use of the treatment adjuncts or a supervisory adjunct as the questioner suggests maybe you get additional information in terms that it might benefit you from a treatment and supervisory perspective but there's not any research out there at this point that talks about the impact on future offending behavior or those types of things.

I think there's also somewhat limited research in terms of the validity of the polygraph on juveniles. We have a much larger body of evidence on the utility of and the validity of polygraph with adults but juveniles given their gradually changing or maybe their dramatically changing psychological and cognitive states and everything that's going on within them, I think you have to be cautious about the use of polygraph with juveniles particularly younger juveniles.

If you had juveniles who were presenting with other types of concurrent issues, attention deficit disorder, those types of things, you need to be careful about what the polygraph is reading for you in that situation. I think at this point many in the field are questioning the use of the polygraph in general. Many are questioning even more specifically with juveniles. I don't think anybody is suggesting that it is a tool that should be used as a stand alone and if it's going to be used it should be used judiciously perhaps with higher risk, higher need, older adolescents as an adjunct to treatment and supervision.

Bethany Broida: Another question about the current research on computer monitoring for adult sex offenders.

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Chris Lobanov: This is not my area of expertise. I know that there are folks out there and I know there are software programs out there that monitor programs. I don't feel like I have enough background in the literature if there is any to find what are the findings related to the use of computer monitoring. I know that in our state we are recommending that as an adjunct tool to supervision and that many of our supervisory departments are using that tool to allow offenders to have access to the internet while still providing some kind of monitoring. How effective that is or what types of products are more effective than others I'm just not sophisticated in and really can't comment on.

Bethany Broida: Okay, we appreciate that. We have time for one or two more questions before I get to those there. Hoping I'll be open up the poll and we're just hoping in those of you in the audience will take a couple of minutes to answer a couple of questions for us just so we can use this for as I had said improving future webinars. The next question is you mentioned a number of sex offender management policies that were implemented prior to research being available. What would be the best ways to implement policies and practices that are consistent with research?

Chris Lobanov: I think as I was saying, thank you Bethany. I think as I was saying at the end there I don't want, I'm not suggesting that we stifle innovation and creativity or that we wait until the evidence is conclusive before we implement things. That's just not a way to I think go about doing business. If we have something that seems promising we may need to implement it. I'm suggesting though that whatever we do as a policy be evidence generating. In that we collect the data and maybe we do it on a more small scale, a pilot level scale and see whether it's effective or not and then look at maybe more broad based implementation or set something up and say, "We're going to implement this over a period of time with a mandatory review period that's going to occur after the research is available."

I would note that SORNA did come with that requirement. SORNA's requirement was for an evaluation of the efficacy of registry and notification. I think that's the idea of what I'm talking about. That if we go ahead and implement something in the absence of research that we all have an obligation to collect that evidence, to collect that research and to make determinations about what's effective or not and hopefully get that buy in from the policymakers up front that we all agree that if we do something and it doesn't work that it will go away at some point.

Bethany Broida: Okay, I think we've got time for may be one more question. What are some of the challenges to implementing circles of support and accountability in the United States?

Chris Lobanov: The use of COSA and I think I might have briefly referred to this too in terms of the United. Probably I didn't refer to this. I think in terms of the United States that the public response to sex offenders we tend to have a fairly strong public response that's going on. One might even describe it as somewhat of a backlash in some ways that we see within the public. Maybe that's true in Canada, in other countries

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as well but it seems particularly pronounced here in the United States. What we've seen in terms of implementing COSA is it really takes a paradigm shift for the public to move them from that place of how do we get rid of the offenders? How do we get them out of our communities?

We don't want them. We want to keep them in prison or civil commitment facilities forever to, okay, we're going to be a part of a way of them coming back to our community and we might even interact with them on a personal basis. I think some of the challenges in that recruiting volunteers to be willing to do that and then getting the systems buy in it seems like and Robin Wilson has referred to this that in the United States the public has deferred a lot of the criminal justice matters to the government and there's not really that idea that somehow that the community and the public has some responsibility in that or involvement in that.

Then obviously they become frustrated with the government when the government doesn't do or that the outcomes aren't what they want. It's somehow redefining this as more of a collaboration where we need to show the public that they are part of this and that we all need to work together and that the idea ... I have of my good friend Bob Shelling a police officer from Seattle often used to talk about and he could say this because he's a police officer and I will only quote him and saying it, "That the idea of pushing offenders out of our jurisdiction where they may go offend in another jurisdiction." That that's not the right thing to do.

We all have to deal with the offenders within our own jurisdictions and so developing ways to have and to tolerate offenders in our communities through things like circles of support where we're actually providing some resources to offenders so they can reintegrate in an appropriate way. I think that those things are real challenges and it goes against what we've been doing in this country for the last number of years. One more thing I want to say before I'm going to stop Bethany too is I think I referred earlier to the idea of civil commitment as being a part of the Adam Walsh Act.

I didn't in any way want to imply that that was part of SORNA or the registry component or the part that the SMART Office has jurisdiction. There's no connection between sex offender registry and SORNA and civil commitment but there is mention of civil commitment in the overall Adam Walsh Act. I did want to go back and just make sure that I was clear about what was is in the purview of SORNA and what's not. With that Bethany I don't have anything else to say unless any of the questions you have.

Bethany Broida: No, we don't have any. I would just like to say thank you to you and thank you to director deBaca and thank you to everyone in the audience for joining us today. We hope everyone plans to join us for the final webinar in this series which will be on adult sex offender treatment. It will take place on November 19th and registration is currently open for that webinar. You can register for that on the NCJA website at ncja.org/webinars. Thank you all and we will see you next month.

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