

**THE IOWA SEX OFFENDER REGISTRY AND
RECIDIVISM**

Iowa Department of Human Rights
Division of Criminal and Juvenile Justice Planning and
Statistical Analysis Center

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Researchers

Geneva Adkins
David Huff, Ph.D
Paul Stageberg, Ph.D

Technical Support

Lettie Prell
Scott Musel

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THE IOWA SEX OFFENDER REGISTRY AND RECIDIVISM

The Iowa Division of Criminal and Juvenile Justice Planning (CJJP) received funding through the Bureau of Justice Statistics' (BJS) State Justice Statistics (SJS) Program for the purpose of collection and analysis of data related to implementation of the Iowa Sex Offender Registry. The research had two specific goals:

- To enhance understanding of the State's Sex Offender Registry through collection and analysis of data on sex offenders before and after the Registry's implementation.
- To develop and validate a unique Iowa Sex Offender Risk Assessment tool to assist in identifying those offenders who constitute the highest risk to re-offend.

Few studies have addressed the impact of a Sex Offender Registry program on recidivism rates or other variables. It was the purpose of this first study to examine and compare two groups of individuals to determine what effect, if any, the requirement to register as a sex offender had on recidivism rates over a 3-4 year period.

Background

Congress passed the Jacob Wetterling Act in 1994 requiring states to create registries of sex offenders convicted of sexually violent offenses or crimes against children. Megan's Law, amending the Act in May 1996, placed sex offender information in the public arena by requiring states to disclose information to the general public under specific guidelines. In response to increased public interest, researchers are beginning to address the issue of recidivism in this offender population, as well as questions concerning offender and victim characteristics.

Much of the current work being done in sex offender research is focused on the possibility of reoffense, including predictors of recidivism and the effects of various treatment programs. Research results vary considerably depending on the definition of recidivism used, length of time for follow-up, and sample selection.

In an attempt to consolidate some of the current research findings on recidivism, Hanson (1996) conducted a meta-analysis of approximately 61 studies, using a 4-5 year follow-up period. He found an overall average recidivism rate of 13.4 percent for sex offenses, 12.2 percent for violent crimes and 36.6 percent for general recidivism. In the reviews, recidivism was defined in several ways, including reconviction, arrests, self-reports, and parole violations.

How many recidivists commit new sex crimes is of utmost importance not only to researchers but also to the general public, who may face the prospect of living near a convicted sex offender.

It appears that sex offense recidivism is relatively low when compared to other reoffenses. Several studies report recidivism rates for sex offenders as high as 45 percent but report recidivism for new sex crimes between three to seven percent (Arizona Department of Corrections, 1999, Eisenberg, 1997, Motiuk & Brown, 1996, Ohio Department of Rehabilitation and Correction, 1996). The majority of reoffenses included other violent crimes, property offenses and/or probation or parole violations. Most of the studies reviewed used a time frame of 3-5 years for follow-up.

What follow-up period is adequate is not easily determined, as most recidivism research fails to go beyond three to five years. However, the Arizona Department of Corrections in 1999 published a fact sheet that outlined the rate of recidivism for new sex offenses by year after release using one to seven years. They found that the majority (79 percent) of recidivists committing new sex offenses did so within the first three years after release. On the other hand, Hanson (1992), in his long-term follow-up study of child molesters, found the greatest risk of recidivism to be between five and ten years from the convicted offense. The Hanson report also stated that 23 percent of the recidivists were reconvicted more than ten years after they were released. Clearly, time to recidivate will be one of the issues to be addressed in future research.

METHODOLOGY

Sample

To be included in this study, an individual had to have been convicted of a sex offense as defined by the Division of Criminal Investigation, Sex Offender Registry Program (see Appendix I).

Two groups of sex offenders were identified for comparison purposes. Group 1 (Registry sample) consisted of 233 individuals who were placed on the Sex Offender Registry its first year, July 1, 1995 to June 30, 1996. The registry sample included individuals released from prison or placed on probation, parole, or work release on or after July 1, 1995. Information was obtained from the Iowa Division of Criminal Investigation, which is responsible for maintaining the registry.

Group II (Pre-registry sample) consisted of 201 individuals who had been convicted of a sex offense for which they would have been required to register had the registry law been in effect at the time. This comparison group was obtained from the state's prison and community corrections databases. This group included individuals who had been convicted of a sex offense and either released from prison or discharged from probation during the 1995 state fiscal year (FY95).¹ For the purpose of this report, subgroups were identified as either parolees or probationers. Parolees

¹ The Iowa State fiscal year was from July 1, 1994 through June 30, 1995.

may include individuals who had previously been in prison but were not under parole supervision at the time of the study.

Data Sources

Data were collected on all 434 individuals using the following databases:

- Criminal rap sheets were used to capture arrest, conviction, disposition and correctional data for crimes more serious than simple misdemeanors. The Iowa Division of Criminal Investigation maintains this database.²
- Out-of-state records containing arrest, conviction, disposition and correctional data were obtained through the Interstate Identification Index (III) and/or the Automated Identification System (AIS). Both databases are maintained by the Federal Bureau of Investigation (FBI) and contain records on individuals with a year of birth of 1956 or later, or on individuals arrested for the first time and reported to the FBI since July 1974, regardless of year of birth.
- Information regarding prison admissions and releases from prison within the state of Iowa was obtained through The Adult Corrections Data System (ACIS), which is maintained by the Iowa Department of Corrections (DOC).
- Information regarding probationers, pre-trial and parolees within the state of Iowa was obtained through the Iowa Community Based Corrections database (ICBC), which is also maintained by The Iowa Department of Corrections.

A database was created that, for each offender, included all known offenses from simple misdemeanors to class “A” felonies. Variables included date of arrest, arrest code, offense classification, conviction date, conviction code and sentence imposed. Notations were made of any court ordered treatment, evaluation, community service, restitution or other requirement.

For the purpose of this study, sex offenses committed by juveniles resulting in juvenile adjudication were included if they resulted in a requirement to register as a sex offender. Sex offenses for juveniles charged as adults were also included. With these exceptions, this study used only adult data.

In order to capture data on sex offenders moving interstate, all criminal histories occurring outside the State of Iowa were included whenever possible. Several individuals included in the study had been required to register because of sex offense convictions in other states.

² Each record contains arrest and conviction data wherein the individual has been convicted of the charge(s) listed in the record, adjudicated delinquent on the basis of the charges shown in the record, or the charges shown are still pending before the court (i.e., dismissals are not included in the record).

Recidivism defined

The key issue in studies of recidivism is the rate at which offenders continue behavior that placed them in the criminal justice system in the first place. Recidivism among sex offenders is perceived as a critical issue because of the possible consequences to the general public. It should not be assumed that all offenses committed by sex offenders are sex crimes. In a separate study of prison release recidivism,³ records indicated that of the 136 sex offenders released from prison in the state fiscal year 1996, slightly over two percent were convicted of sex crimes during a 3.83 year follow-up period. All of the sex offenders included in this study would have been required to register on the Sex Offender Registry.

The present study was designed to compare and contrast pre- and post-Sex Offender Registry samples and to identify differences that may be related to the development of the Registry. In order to capture a clearer picture of the behavior of sex offenders following the qualifying offense, multiple definitions of recidivism were included.

For the purpose of this study, recidivism was defined as:

- Reconviction for any sex crime
- Reconviction for any non-sex crime
- Revocation of parole or probation

SAMPLE CHARACTERISTICS

Qualifying Offense

To be included in the present study, individuals had to have been convicted of a sex offense that could be classified as a felony or a misdemeanor according to the Iowa Code. Classifications of the qualifying sex offenses for the two groups are presented in Table 1. The groups differed somewhat in distribution, with the registry sample including 70.3 percent felony convictions and 29.7 percent misdemeanor convictions, and the pre-registry sample with 53.7 percent felony convictions and 46.3 percent misdemeanor convictions.

³ FY99 Annual Report of the Iowa Board of Parole

The registry felony convictions also tended to be more serious than the pre-registry felony convictions. Statistical analyses⁴ showed that the two samples were significantly different on this variable, but only when the level of convictions was taken into consideration (e.g., B felony, C felony, etc.).

Table 1: Level of qualifying sex offenses by group and subgroup

Sex Offenders	N	Felony Convictions ¹					Misdemeanor Convictions ²				
		BF	CF	DF	Total		AG	SE	SI	Total	
		n	n	n	N	%	n	n	n	N	%
Registry	232³	19	80	64	163	70.3%	51	17	1	69	29.7%
Parolees	98	15	56	18	89	90.8%	9	0	0	9	9.2%
Probationers	134	4	24	46	74	55.2%	42	17	1	60	44.8%
Pre-registry	201	6	50	52	108	53.7%	69	24	0	93	46.3%
Parolees	103	5	44	26	75	72.8%	26	2	0	28	27.2%
Probationers	98	1	6	26	33	33.7%	43	22	0	65	66.3%
Total	433	25	130	116	271	62.6%	120	41	1	162	37.4%

¹ Felony convictions were identified as BF=Class B, CF=Class C, and DF=Class D.

² Misdemeanor convictions were identified as AG=Aggravated, SE=Serious, and SI=Simple.

³ One case classified as “habitual offender” was not included.

Gender and Race

The majority of sex offenders in this study were Caucasian males, which is consistent with national data that suggests Caucasian males are the primary perpetrators of sex crimes. Table 2 presents a comparison of sex offenders in the current study with all Iowa prison and community based correction offenders during the state fiscal year 1996. Males represented 97 percent of offenders in the current study but represented only 83 percent of all criminal offenders in the state in 1996. Similarly, 88 percent of the study sample was Caucasian, compared to 80 percent of the entire offender population.

⁴ Statistical significance, as presented in several places in this report, was assessed through the application of a two-tailed t test at the .05 level. (The t statistic is expressed as the deviation of a sample mean from a population mean, known or hypothesized, in terms of standard error of the mean.)

Table 2: A percent comparison of the study sex offender population and the Iowa offender population, by gender and race

	Sex Offender Study¹	Iowa Offenders²	Difference³	U.S. Census estimate 1996⁴
Gender				
Male (%)	97	83	+14	49
Female (%)	3	17	-14	51
Race				
Caucasian (%)	88	80	+8	95
African American (%)	9	14	-5	2
Other (%)	3	6	-3	3

¹ All sex offenders included in the present study

² Iowa prison inmates and community based corrections clients for 1996 (from the 1996 E1 and Community based Correction Reports, Iowa Department of Corrections)

³ Represents the percent which study offenders were found to be different (more/less) than all Iowa offenders.

⁴ Population estimates for state of Iowa

The two study groups were similar in regard to gender and race. The registry sample included 97 percent males and 3 percent females. The pre-registry sample included 96 percent males and 4 percent females. Race varied slightly with 86.7 percent Caucasians in the registry sample and 88.6 percent Caucasians in the pre-registry sample. African-Americans represented 8.6 percent of the offenders in the registry group and 9.4 percent of the offenders in the pre-registry group. Offenders in other racial/ethnicity classifications were similar for both groups with the exception of Hispanics/Latinos, who were represented only in the registry sample (3.4%). Race and gender for each group are presented in Table A, Appendix II.

Age

The age of sex offenders in the present study was identified at three specific periods of time and for three different evaluation purposes.

- Offender age at the time of the qualifying offense was used as the “target” time from which to determine criminal history and recidivism information. Ages varied from juveniles to over 60 years of age.
- Offender age at first conviction of any offense was used in the evaluation of criminal history. Of interest was the age at which sex offenders began criminal behavior. For much of the time period for which data was collected for this study, criminal history records contained very little juvenile arrest data. Since these records were not readily available, limited juvenile information has been included.

- Age at placement on the Sex Offender Registry was used for the registry sample and age upon release to the community was used for the pre-registry sample when determining recidivism rates.

Age varied from a minimum of 13.3 years old at first conviction to a maximum of 79.2 years old at prison release. The median age for the entire study sample was 24.7 at time of first conviction, 31.1 at time of conviction of qualifying offense and 33.6 at release and/or when placed on the Sex Offender Registry. More than 50 percent of the registry sample and more than 60 percent of the pre-registry sample were first convicted of an offense prior to the age of 25. Only 35 percent of the entire sample had been convicted of a sex offense prior to the age of 25. Excluding the fact that sex offenses may be under-reported, it would appear that offenders commit sex offenses at a slightly older age than other crimes (i.e., offenders in the study samples tended to have been convicted of non-sex crimes before their first conviction for a sex crime). A breakdown of age variables is presented in Table B, Appendix II.

Criminal History

The criminal history records included convictions prior to the qualifying sex offense, including out-of-state convictions as obtained from FBI files and state-by-state criminal records when applicable. In the registry sample, 57.9 percent had been convicted of some crime prior to the one that placed them on the Sex Offender Registry. For the pre-registry sample, 65.7 percent had been convicted of some crime prior to the qualifying offense. The difference was not found to be statistically significant.

As expected, the proportion of individuals convicted of previous crimes classified as sex offenses was less than non-sex offenses. In the registry sample, 24.9 percent of offenders had previous sex offenses. For the pre-registry sample, 28.9 percent of offenders had prior sex offenses. Table 3 shows the number of sex offenders with prior convictions by group and subgroup.

Table 3: Number of sex offenders with prior convictions by group and subgroup

Sex Offenders		Prior Convictions							
		Yes		No		Sex crimes ¹		Non-sex related	
		N	n	%	n	%	n	%	n
Registry	233	135	57.9%	98	42.1%	58	24.9%	77	33.0%
Parolees	99	64	64.6%	35	35.4%	31	31.3%	33	33.3%
Probationers	134	71	53.0%	63	47.0%	27	20.1%	44	32.8%
Pre-registry	201	132	65.7%	69	34.3%	58	28.9%	74	36.8%
Parolees	103	84	81.6%	19	18.4%	33	32.0%	51	49.5%
Probationers	98	48	49.0%	50	51.0%	25	25.5%	23	23.5%

¹ Number of offenders and percent of offenders with prior sex related convictions

A breakdown of sex offenders who had prior criminal records shows that the majority of crimes, between 69 percent and 75 percent, were classified as misdemeanor convictions. The remainder, between 25 percent and 31 percent, were classified as felonies. The two groups included in the study differed slightly in prior felony and misdemeanor records, with a larger proportion of felony convictions in the registry sample than in the pre-registry sample. In both samples, parolees had a larger percent of felony convictions as compared to the probationers.

More than 80 percent of prior convictions were non-sex offenses. Prior sex offense convictions, which could include either felonies or misdemeanors, were similar for both groups, with slightly less than 20 percent of the total convictions classified as sex offenses. The average number of sex offense convictions per offender was the same (1.3) for each group. Prior convictions by classification are presented in Table C, Appendix II.

Statistical Risk of Sex Offenders

The latest intake risk assessment scores for each offender, available in the Iowa community-based corrections database, were used to determine the probability of recidivism. The risk assessments used in community-based programming were typically conducted on convicted offenders in Iowa as a predictor of future involvement in the justice system and as an aid in determining proper levels of supervision. The community-based assessment is **not** a sex offender risk assessment instrument; it is used for assessment of all offenders, with the highest

score indicating the highest probability of recidivism. Most offenders in the present study (90%) had undergone such an intake assessment.

Based on the total risk scores, offenders in the registry sample appeared somewhat less likely than offenders in the pre-registry sample to recidivate. This would appear consistent with the criminal history data, which indicated a lower rate of prior convictions for the registry group than for the pre-registry group. Statistical analysis indicated no significant difference between the registry and pre-registry groups. The breakdown of risk assessment scores for all groups is presented in Table D, Appendix II.

RESEARCH FINDINGS

Recidivism - Timeframe

The follow-up time for recidivism varied depending on the individuals and sample examined. Data were collected through December 31, 1999. The date an individual was placed on the Sex Offender Registry through December 31, 1999 was used as the follow-up period for the registry sample, which averaged 1,561 days (4.3 years).

In order to contrast and compare the two sample groups, the non-registry sample was followed for the same period of time (4.3 years).⁵ Date of release to 1,561 days was used as the follow-up period for the pre-registry sample. New arrest dates prior to 1,561 days were used to calculate recidivism for the pre-registry sample provided that the charges resulted in conviction.

Actual time at risk varied by individual due not only to the date of release or date placed on the Sex Offender Registry, but also because of possible imprisonment. The actual time at risk was determined by calculating time at risk, less any time for incarceration (jail or prison). The average actual time at risk was similar for both samples (1,468 days).

The average time at risk prior to a new offense was also similar for both sample groups, with 1.8 years for the registry sample and 1.7 years for the pre-registry group.

⁵ Recidivism data was obtained for individuals in the pre-registry sample for an additional 0.7 years for parolees and 2.8 years for probationers. Results of that data were not included in the present report

Recidivism – Reconvictions

New Crimes

Recidivism, as described in the present research project, included reconviction of any new crime, including sex offenses. Since the data sources accessed did not contain all arrests that did not result in a conviction, new convictions were used as the primary source of recidivism data in the study.⁶

Sex-offense recidivism was low at 3.0 percent for the registry sample and 3.5 percent for the pre-registry sample. The recidivism rate, including both sex-offense and non-sex-offense convictions, was 24.5 percent for the entire registry sample and 33.3 percent for the entire pre-registry sample. The differences in recidivism were not found to be statistically significant. Table 4 shows the number of sex offenders with recidivism convictions by group and subgroup.

Table 4: Number of sex offenders with recidivism convictions by group and subgroup

Sex Offenders		Recidivism - New Convictions							
		Yes		No		Sex crimes ¹		Non-sex crimes	
	N	n	%	n	%	n	%	n	%
Registry	233	57	24.5%	176	75.5%	7	3.0%	50	21.5%
Parolees	99	29	29.3%	70	70.7%	6	6.1%	23	23.2%
Probationers	134	28	20.9%	106	79.1%	1	0.7%	27	20.1%
Pre-registry	201	67	33.3%	134	66.7%	7	3.5%	60	29.8%
Parolees	103	46	44.7%	57	55.3%	3	2.9%	43	41.7%
Probationers	98	21	21.4%	77	78.6%	4	4.1%	17	17.3%

¹ Number of offenders and percent of the total offenders in each group with new sex crimes convictions

Using the community-based risk assessment as a controlling factor, the differences found between the study groups were consistent with the probability of recidivism identified by the assessment scores. The registry group had lower recidivism rates than the pre-registry group for scores in the 3-16 range, which corresponds to the average risk score of 7.1 in the registry group

⁶ Twelve pending charges were found for nine of the sample offenders. Three of the charges were arrests for out-of-state offenses.

and 8.4 in the pre-registry group (Table D, Appendix II). The registry parolees had lower recidivism rates than the pre-registry parolees in all scoring categories. Mixed results were found for probationers. Table 5 shows the number of recidivist sex offenders by risk assessment scores, group and subgroup.

Table 5: Number of recidivist sex offenders by risk assessment scores, group and subgroup

Sex Offenders	Offenders Assessed	Recidivism by Risk Score											
		Score: 0-2			Score: 3-6			Score: 7-16			Score: >16		
		A ¹	R ²	%	A ¹	R ²	%	A ¹	R ²	%	A ¹	R ²	%
Registry	216	57	6	10.5%	49	4	8.2%	99	34	34.3%	11	7	63.6%
Parolees	86	17	1	5.9%	20	2	10.0%	44	17	38.6%	5	3	60.0%
Probationers	130	40	5	12.5%	29	2	6.9%	55	17	30.9%	6	4	66.7%
Pre-registry	175	42	4	9.5%	36	7	19.4%	69	29	42.0%	28	17	60.7%
Parolees	79	10	3	30.0%	11	2	18.2%	36	16	44.4%	22	15	68.2%
Probationers	96	32	1	3.1%	25	5	20.0%	33	13	39.4%	6	2	33.3%
Total	391	99	10	10.1%	85	11	12.9%	168	63	37.5%	39	24	61.5%

¹ Number of sex offenders assessed

² Number of sex offenders with new convictions

Additional differences between the two groups were identified by controlling for offender status (parole or probation) and for the type of offense that warranted inclusion on the Sex Offender Registry (misdemeanor or felony).

When comparing parolees and probationers for recidivism based on any offense, a noticeable difference was found between the registry and pre-registry groups (Table 4, page 10). Recidivism rates for the entire study sample were higher for parolees than for probationers. As a group, the registry parolees recorded a lower recidivism rate (29.3%) than the pre-registry parolees (44.7%). Recidivism for registry probationers was only slightly lower (20.9%) than for the pre-registry probationers (21.4%). While not statistically significant, this result suggests that the Sex Offender Registry may be having more of an impact on the recidivism of parolees than it does on the recidivism of probationers.

A noticeable difference was also found between the two groups when comparing felons vs. misdemeanants. Recidivism rates for the entire study sample were lower for felons than for misdemeanants. As a group, registry felons had lower recidivism rates (22.0%) than the pre-registry felons (32.4%). Recidivism for registry misdemeanants was only slightly lower (30.4%)

than for pre-registry misdemeanants (34.4%). While not statistically significant, this finding suggests that the Sex Offender Registry may be having more of an impact on the recidivism of felons than it does on the recidivism of misdemeanants.

Taking both offender status and type of offense into account, parolee felons had fewer convictions in the registry group (25.6%) than in the pre-registry group (41.3%). The opposite was true for misdemeanor parolees, with the registry parolees recording a larger percentage of reconstructions (66.7%) than the pre-registry parolees (53.6%). Table 6 shows the comparison of qualifying offenses and recidivism by type of offense (felony or misdemeanor).

The differences found by offender status and type of offense did not prove to be statistically significant. It could be argued, however, that the differences are marked and, should the trend continue, a larger sample might alter the statistical significance of such a difference.

Table 6: A comparison of qualifying offenses and recidivism by offender status and type of offense

Sex Offenders	FELONS					MISDEMEANANTS				
	Qualifying Offense	Recidivism				Qualifying Offense	Recidivism			
		Yes	%	No	%		Yes	%	No	%
Registry	164	36	22.0%	128	78.0%	69	21	30.4%	48	69.6%
Parolees	90	23	25.6%	67	74.4%	9	6	66.7%	3	33.3%
Probationers	74	13	17.6%	61	82.4%	60	15	25.0%	45	75.0%
Pre-Registry	108	35	32.4%	73	67.6%	93	32	34.4%	61	65.6%
Parolees	75	31	41.3%	44	58.7%	28	15	53.6%	13	46.4%
Probationers	33	4	12.1%	29	87.9%	65	17	26.2%	48	73.8%
Total	272	71	26.1%	201	73.9%	162	53	32.7%	109	67.3%

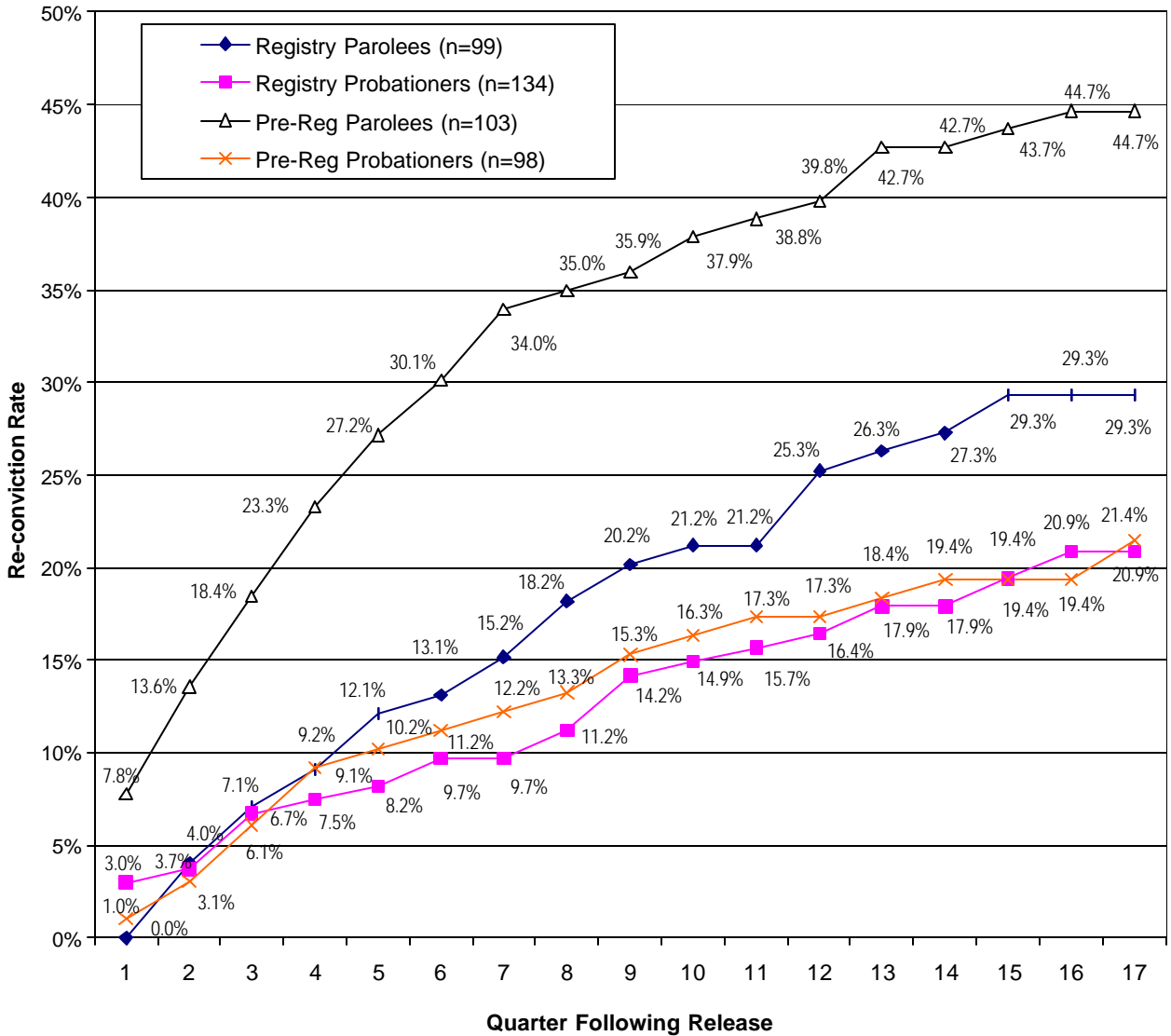
Cumulative First Arrests

Sex offenders were tracked from date of placement on the Sex Offender Registry (registry sample) or date of release from parole or probation (pre-registry sample) to the first arrest date resulting in a conviction. Each first offense was recorded and added in a cumulative fashion.

Parolees, as a rule, showed higher rates of recidivism than probationers. Parolees in the registry group recorded approximately 50 percent of first arrests during the first 21 months, while the

pre-registry parole group recorded over 75 percent of first arrests during the same time period. Little difference between groups was noted for probationers, with approximately 50 percent of first arrests for all probationers occurring during the first 21 months. Figure 1 illustrates the cumulative recidivism of sex offenders, by quarter.

Figure 1: Cumulative recidivism of sex offenders by quarter



In addition to cumulative recidivism, an examination of the average number of days to recidivism was conducted. Of interest was the average length of time for recidivism to occur for all offenses as compared to sex offenses. Results indicated that the average time to re-arrest for

general recidivism (553 days) was shorter than for sex recidivism (747 days). The difference of 194 days did not prove to be statistically significant.

Most of the recidivism convictions were in the State of Iowa; however, a portion of convictions occurred out of the state, with 20.8 percent of the registry sample convictions and 15.9 percent of the pre-registry sample convictions being out of the state.⁷

Sex-offense convictions out of state occurred only for parolees in the registry sample, which recorded three out-of-state sexual offenses. The sex-offense convictions were in Kansas and Nebraska. Probationers in the pre-registry group had no out-of-state recidivism convictions. A comparison of recidivism convictions in Iowa and out of state is presented in Table 7.

Table 7: A comparison of recidivism convictions in Iowa and out of state

Sex Offenders	Total New Convictions	New Convictions in Iowa = 242		New Convictions Out of State = 53		% Out of State
		Sex offense	Non Sex offense	Sex offense	Non Sex offense	
Registry	125	5	94	3	23	20.8%
Parolees	72	4	53	3	12	20.8%
Probationers	53	1	41	0	11	20.8%
Pre-Registry	170	10	133	0	27	15.9%
Parolees	131	5	99	0	27	20.6%
Probationers	39	5	34	0	0	0.0%

Most Serious New Crimes

Research findings indicated new crimes varied from habitual offenders to simple misdemeanors, with similar conviction rates for both groups in the study. Which group committed the more serious crimes was determined by use of a simple 1-2-3 weighting system to put a seriousness score on new crimes. The most serious crime was determined for each individual and a value placed on that crime based on a 1-7 scale.

⁷ Other states involved including number of convictions were: Arkansas=1, Florida=1, Georgia=7, Kansas=2, Kentucky=2, Minnesota=3, Michigan=1, Nebraska=5, Ohio=13, Oregon=3, South Dakota=13, and Texas=2.

Results showed that the new convictions of the registry sample were slightly less serious than the pre-registry sample. Parolees committed more serious new crimes than probationers. Those with the most serious new crimes, on average, were parolees in the pre-registry group. Most serious recidivism results are presented in Table 8.

Table 8: Most serious recidivism offenses by group and subgroup

Offenders	Most Serious Recidivism Offense									
	Felony Convictions				Misdemeanor Convictions			Seriousness Scores		
	OF ¹	BF	CF	DF	AG	SE	SI	Total ²	n	Mean ³
Registry	0	2	3	11	16	19	6	163	57	2.86
Parolees	0	1	3	5	10	6	4	87	29	3.00
Probationers	0	1	0	6	6	13	2	76	28	2.71
Pre-registry	3	0	3	19	10	26	6	200	67	2.99
Parolees	3	0	2	15	4	20	2	145	46	3.15
Probationers	0	0	1	4	6	6	4	55	21	2.62
Value	7	6	5	4	3	2	1			

¹ Felony convictions classified as “habitual offender”

² Total = sum of (number of crimes x seriousness score in each category)

³ Average value of each new conviction

The two sample groups differed only slightly in convictions by classification, with the majority of recidivism convictions, nearly 80 percent, classified as misdemeanors. Sex offense convictions were 6.4 percent for the registry sample and 5.9 percent for the pre-registry sample. The registry group had a higher rate of misdemeanor convictions and a lower rate of felony convictions than did the pre-registry group. Table 9 outlines the number of recidivism convictions by classification and group.

Included in Table 9 are the maximum and the average number of convictions per offender. Calculations were based on the number of convictions in each category divided by the number of offenders as described in Table 4, page 10. Sex offense convictions were low overall (18) with the registry group convicted of an average of 1.1 per offender as compared to the pre-registry group with 1.4 per offender. Statistical analysis of these data did not find the difference to be significant.

Table 9: Number of recidivism convictions by classification and group

Sex Offenders		Felony Convictions =64				Misdemeanor Convictions =231				Total Convictions =295				Sex-related Convictions ² =18			
		Total ¹		Per Offender		Total ¹		Per Offender		Total ¹		Per Offender		Total ¹		Per Offender	
	N	n	%	max	avg	n	%	max	avg	n	%	max	avg	n	%	max	avg
Registry	233	26	20.8%	6	1.6	99	79.2%	8	2.0	125	100%	9	2.2	8	6.4%	2	1.1
Parolees	99	17	23.6%	6	1.9	55	76.4%	7	2.1	72	100%	9	2.5	7	9.7%	2	1.2
Probationers	134	9	17.0%	3	1.3	44	83.0%	8	1.8	53	100%	8	1.9	1	1.9%	1	1.0
Pre-registry	201	38	22.4%	5	1.5	132	77.6%	12	2.3	170	100%	13	2.5	10	5.9%	2	1.4
Parolees	103	29	22.1%	3	1.5	102	77.9%	12	2.6	131	100%	13	2.8	5	3.8%	2	1.7
Probationers	98	9	23.1%	5	1.8	30	76.9%	4	1.6	39	100%	6	1.9	5	12.8%	2	1.3

¹ Totals are based on number of convictions; the percent recorded represents the percentage of total convictions for each group.

² Sex-related convictions include felonies and misdemeanors.

Recidivism - Revocations

Parole and probation violations without new offenses, but which resulted in time served, were identified as a recidivist act for the purpose of the present study. Violations that resulted in other consequences, such as extended probation time, evaluation or required program participation were not included.

For all offenders studied, revocation appeared low, with 13.7 percent revocations in the registry sample and 12.9 percent revocations in the pre-registry sample. Overall, parolees were slightly less likely to be revoked to jail or prison than were probationers.

Six percent fewer revocations were found for parolees in the present study than were found for all parolees during fiscal years 1989 through 1998. This finding may suggest that sex offenders meeting the criteria for entry onto the Sex Offender Registry tend to have low rates of return to prison while on parole. Comparable data for probationers were unavailable. The number of recidivism revocations to jail or prison by group and subgroup is presented in Table 10.

Table 10: Number of recidivism revocations to jail or prison by group and subgroup

Sex Offenders	N	Recidivism – New Revocations			Offenders	
		Revoked to Jail	Revoked to Prison	Total	Number of Offenders	% of Offenders
<u>Registry</u>	233	14	22	36¹	32	13.7%
Parolees	99	4	9	13	12	12.1%
Probationers	134	10	13	23	20	14.9%
<u>Pre-registry</u>	201	15	16	31	26	12.9%
Parolees	103	7	10	17	13	12.6%
Probationers	98	8	6	14	13	13.3%

¹ It is possible that a few of the revocations recorded were related to new charges of “failure to register as a sex offender”.

Failure to Register

One of the significant impacts of the Sex Offender Registry was the creation of a new charge of “failure to register as a sex offender” which could be classified as a misdemeanor or felony.⁸ Since the pre-registry sample was not subjected to the possibility of this charge, all convictions for failure to register were eliminated from the recidivism conviction data. It is possible that some “failure to register” cases are included in the revocation data.

For informational purposes it should be noted that a total of 16 convictions were made for “failure to register as a sex offender” during the follow-up period. Eleven individuals in the registry sample were charged *only* with “failure to register as a sex offender” and had no additional convictions.

⁸ A willful failure to register as required under Iowa Code 692A.7 is an aggravated misdemeanor for a first offense and a felony for a second or subsequent offense.

CONCLUSIONS

- The Iowa Sex Offender Registry appeared to have mixed effects on recidivism rates, at least over a period of 4.3 years. Sex-offense recidivism was low at 3.0 percent for the registry sample and 3.5 percent for the pre-registry sample. Of those who were convicted of sex offenses, the registry sample had a lower volume of recidivism per person than the pre-registry sample. Recidivism, including both sex-offense and non-sex-offense convictions, was 24.5 percent for the entire registry sample and 33.3 percent for the entire pre-registry sample. These differences in recidivism were not found to be statistically significant.
- When comparing parolees and probationers for recidivism involving any offense, a noticeable difference was found between the registry and pre-registry groups. Recidivism rates for the entire study sample were higher for parolees than for probationers. The registry parolees recorded a lower recidivism rate (29.3%) than the pre-registry parolees (44.7%), while recidivism for registry probationers was only slightly lower (20.9%) than for the pre-registry probationers (21.4%). While the difference between offender statuses was not statistically significant -- it might have resulted simply by chance -- it does suggest that the Sex Offender Registry may be having more of an impact on the recidivism of parolees than it does on the recidivism of probationers.
- A noticeable difference also was found between the two groups when comparing felons vs. misdemeanants. Recidivism rates for the entire study sample were lower for felons than for misdemeanants. Registry felons had lower recidivism rates (22.0%) than the pre-registry felons (32.4%), while recidivism for registry misdemeanants was only slightly lower (30.4%) than for pre-registry misdemeanants (34.4%). While the difference between types of offenses was not statistically significant -- it might have resulted simply by chance -- it does suggest that the Sex Offender Registry may be having more of an impact on the recidivism of felons than it does on the recidivism of misdemeanants.
- Taking both offender status and type of offense into account, parolee felons had fewer convictions in the registry group (25.6%) than in the pre-registry group (41.3%). The opposite was true for misdemeanor parolees, with the registry parolees recording a larger percentage of reconvictions (66.7%) than the pre-registry parolees (53.6%).
- The proportion of Caucasian males was higher in the sex offender population than in Iowa's prison and community-based corrections offender population. Eighty-five percent of the current samples were Caucasian males, which is above the level found for all Iowa prison inmates and community-based corrections offenders at mid-year 1996.

- A number of recidivism convictions were found out of the state of Iowa. While none were found for the pre-registry probationers, slightly more than 20 percent of the new convictions for the registry group and the pre-registry parolees occurred out of state. Three sex offenses for the registry parolees occurred out of state.
- Most new convictions were classified as misdemeanors. Parolees committed more serious new offenses than did probationers. Those with the most serious offenses, on average, were the pre-registry parolees.
- New sex-offense convictions represented just over six percent of total conviction recidivism. Eighteen out of a total of 295 new convictions were sex offenses, which were committed by a total of 14 offenders (average offenses = 1.3 per offender).
- Revocation to jail or prison was relatively low for both samples. Less than one in seven parolees or probationers was revoked to jail or prison.
- When looking at cumulative re-arrests of sex offenders, recidivism appears to have occurred more rapidly for parolees than for probationers. Parolees in the registry group recorded approximately 50 percent of first arrests during the first twenty-one months, while the pre-registry parole group recorded over 75 percent of first reconvictions during the same time period. Average length of time to sex-related recidivism was found to be slightly longer than for general recidivism.

RECOMMENDATIONS

- While approximately 27 percent of the sample studied had a history of sex-offense convictions, only 3.2 percent were subsequently convicted of new sex offenses. Possible explanations for this finding may include the fact that all offenders had some involvement in the justice system and many were required to attend sex offender treatment, one or both of which may have served to reduce the likelihood of re-involvement. Or, the offender may have been arrested on a sex-offense charge but pled guilty to a non-sex-offense charge. It is also possible that a number of sex offender previous convictions were situational, in that the offender found himself/herself in a situation unlikely to recur that prompted the offense. Also, some offenders may have continued illicit sexual behavior without being apprehended; sex offenses are notoriously under-reported. It could also be argued that 4.3 years is not enough follow-up time to capture the true picture of recidivism for sex crimes. Another look at this research sample in two to five years is recommended.

- The creation of a new charge of “failure to register as a sex offender” accompanied the establishment of the Sex Offender Registry. What the impact of this new charge has on sex offender behavior has yet to be determined. This may be a fruitful avenue for future research.

- As a part of sentencing, sex offenders were often required to attend sex offender treatment programs. Analysis of treatment effects was not within the scope of the present research, but given the cost of incarcerating and treating sex offenders such an analysis is recommended.

- Eighteen percent of new convictions in this study were found to be out of the state of Iowa. It is recommended that future recidivism research include out-of-state criminal records whenever possible.

- The results found in this study suggest that the registry had mixed effects on recidivism, but the findings were not statistically significant and could have occurred by chance. The study was limited by the definition of recidivism and by the length of the follow-up period and should be used cautiously for evaluation purposes. Factors other than recidivism should be taken into account when evaluating the Sex Offender Registry.

APPENDIX I:

IOWA SEX OFFENDER REGISTRY

QUALIFYING OFFENSES – CODE OF IOWA CITATIONS

IOWA SEX OFFENDER REGISTRY
Qualifying Offenses – <u>Code of Iowa</u> Citations as Guidelines

NOTE: This list should serve as a guide. There may be additional cases that would be covered due to the specific circumstances of the case. Elements that should be red flags include in the victim was a minor or if there was a sexual component. Convictions that require registration include: federal laws, other state laws, and Iowa convictions that pre-date the 1996 Code of Iowa. Please call the Sex Offender Registry Program at the Division of Criminal Investigation at (515) 281-4976 if you have any questions.

Criminal Offenses Against a Minor:

708.11(3)(b)(3)	Stalking a Minor
709.2	Sexual Abuse First Degree (of a Minor)
709.3	Sexual Abuse Second Degree (of a Minor)
709.3(2)	Sexual Abuse Second Degree of a Child Under 12
709.4	Sexual Abuse Third Degree (of a Minor)
709.4(2)(b)	Sexual Abuse Third Degree of a Child 12 or 13
709.4(2)(c)	Sexual Abuse Third Degree of a Child
709.7	Detention in a Brothel (of a Minor)
709.8(1)-(2)	Lascivious Acts With a Child
709.8(3)	Lascivious Acts With a Child (Solicit Sex Act)
709.8(4)	Lascivious Acts With a Child (Inflict Pain or Discomfort)
709.11	Assault With Intent to Commit Sexual Abuse
709.12	Indecent Contact With a Child
709.14	Lascivious Conduct With Minor
709.15(1)(f)-(1)-(2)-(3)	Sexual Exploitation (of a Minor) By a Counselor or Therapist
709.16	Sexual Misconduct With Offenders (Who are Minors)
709A.6	Using a Juvenile To Commit Certain Offenses (i.e., Prostitution)
710.2	Kidnapping First Degree (of a Minor)
710.3	Kidnapping Second Degree (of a Minor)
710.4	Kidnapping Third Degree (of a Minor, If Committed by Someone Other Than a Parent)
710.7	False Imprisonment (of a Minor, If Committed by Someone Other Than a Parent)
710.10(1)-(2)	Enticing Away a Child or Attempt, With Intent to Commit an Illegal Act Upon Child
725.3(2)	Pandering (Involving Minors)
726.2	Incest Committed Against a Minor
728.2	Dissemination and Exhibition of Obscene Materials to Minors
728.3	Admitting Minors to Premises Where Obscene Material is Exhibited
728.12(1)-(2)-(3)	Sexual Exploitation of a Minor
**	A criminal offense committed in another jurisdiction that would constitute an indictable offense if committed in this state.

Sexually-Violent Offenses:

709.1	Sexual Abuse
709.11	Assault With Intent To Commit Sexual Abuse
709.16	Sexual Misconduct With Offenders
*	Murder, Attempted Murder, Manslaughter, Kidnapping, False Imprisonment, or Burglary Involving (Convicted of) Sexual Abuse or Attempted Sexual Abuse
**	A criminal offense committed in another jurisdiction that would constitute an indictable offense if committed in this state.

Sexual Exploitation:

709.15	Sexual Exploitation by a Counselor or Therapist
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Other Relevant Offenses:

709.9	Indecent Exposure
728.4	Rental or Sale of Hard-Core Pornography
728.15	Telephone Dissemination of Obscene Material to Minors
**	A criminal offense committed in another jurisdiction that would constitute an indictable offense if committed in this state.

***Murder: 707.2, 707.3; Attempted Murder: 707.11; Manslaughter: 707.4, 707.5; Kidnapping: 710.1, 710.2, 710.3, 710.4; False Imprisonment: 710.7; Burglary: 713.1, 713.3, 713.5, 713.6A. These cases need to be considered on a case-by-case basis. Please contact the Sex Offender Registry Program for Assistance.**
July 1, 1999

APPENDIX II:

IOWA SEX OFFENDER REGISTRY

TABLES – SAMPLE CHARACTERISTICS

Table A: A comparison of registry and pre-registry samples, by gender and race

Race/Ethnicity	Registry ¹						Pre-registry ²					
	Male-97%		Female-3%		Total		Male-96%		Female-4%		Total	
	n	%	n	%	n	%	n	%	n	%	n	%
Caucasian	196	86.3%	6	100%	202	86.7%	171	88.6%	7	87.5%	178	88.6%
African-American	20	8.8%	0	0.0%	20	8.6%	18	9.3%	1	12.5%	19	9.4%
Hispanic/Latino	8	3.5%	0	0.0%	8	3.4%	0	0.0%	0	0.0%	0	0.0%
Native American	2	0.9%	0	0.0%	2	0.9%	1	0.5%	0	0.0%	1	0.5%
Asian/Pacific Islander	1	0.4%	0	0.0%	1	0.4%	3	1.6%	0	0.0%	3	1.5%
Total	227	100%	6	100%	233	100%	193	100%	8	100%	201	100%

¹ Sex offender registrants -FY96

² Prison & community-based releases -FY95

Table B: Age variable by age and offenses

Age	Registry Sample (n=233)			Pre-registry Sample (n=201)		
	Qualify ¹	1 st Convict ²	Registration ³	Qualify ¹	1 st Convict ²	Release ³
<18	6	10	5	3	17	3
18-20	21	57	7	25	56	10
21-25	42	52	39	41	51	40
26-30	40	24	40	39	24	32
31-35	29	25	35	29	14	47
36-40	31	24	24	24	12	20
41-50	39	25	51	24	14	32
51-60	15	8	18	6	5	7
61-70	9	8	11	6	4	6
70+	1	0	3	4	4	4
Total	233	233	233	201	201	201
Max.	74.6	69.4	75.7	76.9	76.9	79.2
Min.	13.3	13.3	14.9	17.5	14.7	17.5
Avg.	34.6	30.1	37.0	32.9	28.2	34.7
Median	32.1	25.9	34.8	30.7	23.7	32.7

¹ Offense that qualified sex offender for inclusion in study

² First conviction recorded in criminal history data

³ Sex offender registration or release date used for recidivism data

Table C: Number of prior convictions by classification and group

Sex Offenders		Felony Convictions				Misdemeanor Convictions				Total Convictions				Sex-related Convictions			
		Total ¹		Per Offender		Total ¹		Per Offender		Total ¹		Per Offender		Total ¹		Per Offender	
	N	n	%	max	avg	n	%	max	avg	n	%	max	avg	n	%	max	avg
<u>Registry</u>	233	117	30.9%	7	1.6	262	69.1%	15	2.6	379	100%	15	2.8	73	19.3%	5	1.3
Parolees	99	78	41.3%	7	1.8	111	58.7%	15	2.6	189	100%	15	2.9	40	21.2%	5	1.3
Probationers	134	39	20.5%	4	1.3	151	79.5%	8	2.6	190	100%	12	2.7	33	17.4%	3	1.2
<u>Pre-registry</u>	201	113	25.3%	6	1.7	334	74.7%	14	3.0	447	100%	16	3.4	74	16.6%	3	1.3
Parolees	103	89	28.9%	4	1.6	219	71.1%	14	3.2	308	100%	16	3.7	44	14.3%	3	1.3
Probationers	98	24	17.3%	6	1.8	115	82.7%	13	2.7	139	100%	13	2.9	30	21.6%	3	1.2

¹Totals based on number of convictions; the percent recorded represents the percentage of total convictions for each group

Table D: Percent of sex offenders by community-based risk assessment score

Sex Offenders	n	Risk Assessment Score ¹				Avg Score
		Score: 0-2	Score: 3-6	Score: 7-16	Score: >16	
Registry	216	26.4%	22.7%	45.8%	5.1%	7.1
Parolees	86	19.8%	23.3%	51.2%	5.8%	7.9
Probationers	130	30.8%	22.3%	42.3%	4.6%	6.6
Pre-registry	175	24.0%	20.6%	39.4%	16.0%	8.4
Parolees	79	12.7%	13.9%	45.6%	27.8%	11.4
Probationers	96	33.3%	26.0%	34.4%	6.3%	5.9
Total	391	25.3%	21.7%	43.0%	10.0%	7.7

¹ Risk scores were not available for 17 of the registry sample and 26 of the pre-registry sample.

APPENDIX III:

IOWA SEX OFFENDER REGISTRY

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