

SECTION 9

OFFENDERS

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INTRODUCTION

The term sex offender is used to describe the diverse group of people who commit acts of sexual violence to gain or maintain power and control. More specific terms, such as pedophile (defined below) for example, are sometimes used for sex offenders who commit specific types of sexual violence. Just as acts of sexual violence exist on a continuum, so do the people who commit them. However, there are some general truths about offenders:

- Approximately 96% percent of sex offenders are male (Robinson, 2009).
- Female offenders account for approximately 10% of sex crimes reported to police (Federal Bureau of Investigation [FBI], 2005).
- The majority of female and male victims know the offender (Black et al., 2011).

People are often shocked to learn that a person has committed sexual violence, especially when the person appears to be a respected individual in the community. There is no “profile” of a typical sex offender, and there are no reliable tests or assessments that can predict if a person has offended or will sexually offend.

It can be alarming to learn that there is no “cure” for people who commit acts of sexual violence, particularly those who sexually abuse children. However, their unhealthy thoughts and actions can sometimes be controlled by accountability through individual and group therapy (Aos, Miller & Drake, 2006).

“Sexual offenders can be so skilled at manipulating [survivors] that the [survivors] may not comprehend that they have been victimized” (Salter, 1995). Sex offenders rarely tell the truth about their offenses. Being caught and prosecuted for a sexual offense is usually the only entry point to offenders taking responsibility for their offenses. As part of the current release process in Maine, successful completion of sexual offender counseling, which includes polygraph accountability, is often mandated. Though polygraph information is never adequate on its own, several studies have shown that, in conjunction with other treatment techniques, offenders often disclose many more survivors in the polygraph process than they had previously confessed (App, 2009). In most cases, sex offenders minimize their sexually abusive behaviors, make excuses for behaviors, and deny any wrongdoing. Regardless, an actual sex offense is...the weed that appears above the surface; it is supported by a vast network of roots – thinking errors, deviant arousal patterns, seemingly unimportant decisions, planning and grooming activities, target selection, techniques for maintaining secrecy – all of which assure that other weeds will pop up, regardless, in other places” (Salter, 1995).

MYTHS AND FACTS ABOUT SEX OFFENDERS

Myth: Sex offenders commit sexual crimes because they are under the influence of drugs and/or alcohol.

Fact: Drinking alcohol and/or taking drugs does not cause someone to commit sexual violence.



Considerations for Advocates

An advocate’s role is to provide support and information to survivors of sexual violence and to others concerned about survivors.

Advocates are not expected to be experts about sex offenders. The information in this section is provided for insight into who commits sexual violence, to create a greater understanding of the issue, and to build a better foundation for advocates to support survivors.

Considerations for Advocates

If an advocate receives a call from an offender who is looking for guidance regarding their behaviors or risk factors, it is important to follow individual center protocol. The caller can be directed to the state's social services information line (in Maine the number is 211) and referrals to resources may be provided from the center's resource manual, if appropriate.

When a survivor calls the crisis and support line to discuss their own victimization and reveals at some point in the call that they have sexually abused or assaulted another person, it is the advocate's role to respectfully address this disclosure. The advocate can let the caller know that although they deserve support for what has happened to them, and deserve treatment for their actions against others, the crisis and support line is not the place where this can happen. The advocate must follow center policy and make appropriate referrals prior to ending the call.

Offenders may use alcohol or drugs, or provide them to survivors to increase their vulnerability, thereby making sexual assault easier to commit. However, the need for power and control, not substance use, is the primary cause of sexual violence.

Myth: The majority of sexual offenders are caught, convicted, and in prison.

Fact: Only a small fraction of those who commit sexual violence are apprehended and convicted for their crimes. Most convicted sex offenders eventually are released to the community under probation or parole supervision (Center for Sex Offender Management (CSOM, 2010a).

Myth: Children who are sexually assaulted will sexually assault others when they grow up.

Fact: Most sex offenders were not sexually assaulted as children, and most children who are sexually assaulted do not sexually assault others (CSOM, 2010a).

JUVENILES WHO COMMIT SEX OFFENSES

Though the impact on survivors should not be minimized, it's important that advocates understand that juveniles who commit sex offenses are very different than adult offenders, both in terms of their offenses, and their responses to treatment and rates of recidivism.

- "Adolescent sex offenders are defined as adolescents from ages 13 to 17 who commit illegal sexual acts as defined by the sex crime statutes of their jurisdictions" (Chaffin, Bonner & Pierce, 2003).
- "Adolescents do not typically commit sex offenses against adults, although the risk of offending against adults increases slightly after an adolescent reaches age 16" (Chaffin, Bonner & Pierce, 2003).
- "Approximately one-third of sexual offenses against children are committed by teenagers. Sexual offenses against young children are typically committed by boys between the ages of 12 and 15" (Snyder & Sickmund, as cited in Chaffin, Bonner & Pierce, 2003).
- Across a number of treatment research studies, the overall rate that adolescents re-offend is low, generally under 11%. Adolescent offenders against children tend to have slightly lower rates of re-offending than adolescents who commit sexual assault against other teens (Alexander, as cited in Chaffin, Bonner & Pierce, 2003).
- Adolescent offender rates for sexual re-offending (5-14%) are substantially lower than their rates of re-offending for other criminal behavior (8-58%) (Worling & Curwin, as cited in Chaffin, Bonner & Pierce, 2003).

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Adolescent offenders are significantly different from adult offenders in several ways. They:

- “[A]re considered to be more responsive to treatment than adult offenders and do not appear to continue re-offending into adulthood, especially when provided with appropriate treatment” (Association for the Treatment of Sexual Abusers, as cited in Chaffin, Bonner & Pierce, 2003).
- “[H]ave fewer numbers of victims than adult offenders and, on average, engage in less serious and aggressive behaviors” (Miranda & Corcoran, as cited in Chaffin, Bonner & Pierce, 2003).
- “Most[ly] do not have the deviant (abnormal) sexual arousal and/or deviant sexual fantasies that many adult sex offenders exhibit” (Hunter, Goodwin & Becker, as cited in Chaffin, Bonner & Pierce, 2003).
- “Most[ly] are not sexual predators nor do they meet the accepted criteria for pedophilia” (American Psychological Association, as cited in Chaffin, Bonner & Pierce, 2003).
- “[Rarely] appear to have the same long-term tendencies to commit sexual offenses as some adult offenders” (Chaffin, Bonner & Pierce, 2003).
- “[C]ommit a wide range of illegal sexual behaviors, ranging from limited exploratory behaviors enacted largely out of curiosity to repetitive aggressive assaults” (Chaffin, Bonner & Pierce, 2003).

The characteristics of adolescent offenders are also very diverse:

- “Some are otherwise well-functioning youth with limited behavioral or psychological problems.
- Some are youth with multiple non-sexual behavior problems or prior non-sexual juvenile offenses.
- Some are youth with major psychiatric disorders.
- Some come from well-functioning families;

others come from highly chaotic or abusive backgrounds.”

(Chaffin, Letourneau & Silovsky, as cited in Chaffin, Bonner & Pierce, 2003)

ADULT OFFENDERS

For decades, researchers have found that some sex offenders have interests in, or are aroused by, things that are considered to be outside the realm of healthy or appropriate sexual interests or behavior, including, but not limited to, the following:

- Having sexual contact with others against their will or without their consent;
- Inflicting pain or humiliation on others;
- Participating in, or watching acts of, physical aggression or violence;
- Exposing oneself in a public setting; and/or
- Secretly watching others who are undressing, unclothed, or engaging in sexual activities.

(CSOM, 2010b)

Another cluster of characteristics among adult sex offenders involves problems in the social or interpersonal realm, with issues such as ineffective communication skills, social isolation, general social skills deficits, or problems in intimate relationships. Some experts believe that these characteristics have some role in the development of sexually abusive behavior. A few of these issues, such as problems establishing and maintaining intimate relationships, are also associated with an increased risk for sexual recidivism (repeating the same crime) (CSOM, 2010b).

PEDOPHILES

Pedophile is a term used to describe a person with persistent feelings of attraction towards pre-pubescent (at the age before puberty) children. As stated above, there is no typical description and no defined method of detecting a person who commits sexual violence against children. Often, a sex offender is someone who seems unlikely to be accused of being a sex offender, and appears



Considerations for Advocates

Advocates may receive a call from a person associated with an offender who works in a respectful occupation and is highly respected in the town in which they live. The survivor may be feeling particularly vulnerable to negative judgment and harassment if they decide to make a report to law enforcement. As with any call, the advocate would begin with basic advocacy skills in validating the caller's feelings, dispelling any myths, and if the caller is receptive, offer resources such as accompanying them to the law enforcement agency to make a report, or providing contact information to counselors to further explore their feelings.

normal and harmless.

Pedophiles may have a job in the community that provides them access to children, such as teaching, coaching, or as a childcare provider, for example. They may become volunteers in groups or organizations where children need their supervision or guidance.

FEMALE OFFENDERS

Most people, including many psychologists, view the sexual assault of men by women as somewhat unlikely. Because people are socialized to believe that women are sexually passive and men are sexual initiators, it is difficult to imagine even a dominant woman coercing an unwilling man into a sexual situation, or to imagine a man being unwilling if the opportunity for sex occurred (Denov & Cortoni, 2004). Most offenders of rape and other forms of sexual violence committed against females are male. The majority of male rape victims experience rape committed by other males, however:

For male victims, the sex of the perpetrator varied by the type of sexual violence experienced. The majority of male rape victims (93.3%) reported only male perpetrators. For three of the other forms of sexual violence [researched in this survey, a majority of male victims reported only female perpetrators: being made to penetrate (79.2%), sexual coercion (83.6%), and unwanted sexual contact (53.1%). For non-contact unwanted sexual experiences, approximately half of male victims (49.0%) reported only male perpetrators and more than one-third (37.7%) reported only female perpetrators.

(Black et al., 2011)

SEX OFFENDER BEHAVIORS

Possible Red Flag Offender Behaviors

- Attitudes of ownership and entitlement
- Engaging in anti-social behavior
- Engaging in other criminal, possibly non-sexual crimes
- Isolating others, particularly women
- Failure to consider injury to others

(Salter, 1995)

Possible Red Flag Offender Behaviors Toward Children

- "Too" charming or helpful.
- Having age-inappropriate relationships with children, such as turning to children for emotional or physical comfort.

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- Not displaying appropriate/clear boundaries with children, either physical or emotional, and refusing to let children set their own boundaries.
- Wanting to take a child on special outings too frequently or planning activities that would include being alone with a child, or sharing private secrets, frequent text messages, phone calls, or other private contact with children
(CSOM, 2010a).
- Centering all of their time and relationships on children.
- Not seeming to have many relationships with people from their own peer group.
- Using professional or volunteer opportunities as well as using adult relationships to gain access to children.
(Salter, 1995)

Grooming Behaviors

Grooming involves the process of attempting to set up or stage individuals for sexual abuse by using a variety of methods to promote trust. Offenders who are strangers to the survivor as well as offenders who are family or known to the survivor will use grooming behaviors. Grooming will often build trust between offenders and other people (the survivor, caretakers of the survivor, etc.), break down defenses, and give offenders easier access to others. Grooming is generally discussed when talking about child sexual abuse, although anyone who experiences sexual violence can be, and often is, groomed prior to the assault or abuse. Offenders will often target children and adults with vulnerabilities such as people who are

isolated, individuals with disabilities, older adults, and children and adolescents with family problems or who receive minimal supervision. Sex offenders have a wide range of grooming behaviors they use and individuals of all gender-identities and ages may become the targets of grooming.

Examples of grooming methods include:

- Displaying appropriate affection that leads into inappropriate affection
- Using a pet/animal to draw a person in
- Acting as an authority figure
- Bribing through gifts or presents
- Misrepresenting themselves as a scout or agent, and attracting a person with the lure of fame
- Manipulating through threats and/or weapons
- Using sexualized physical contact including games such as wrestling or tickling, that leads into inappropriate touching
- “Accidentally” exposing self
(CSOM, 2010a)

SEX OFFENDER TREATMENT

It is a commonly believed myth that treatment for sex offenders is ineffective. However, treatment programs can contribute to community safety, because those who attend and cooperate with program conditions are less likely to re-offend than those who reject intervention (Aos, Miller & Drake, 2006).



Considerations for Advocates

If a caller is confused about how to recognize offender behavior and is calling to make decisions regarding their child’s or their own safety, erring on the side of caution is recommended. Trusting their gut feelings versus their brain’s rationalizations can be helpful until they are able to assuredly confirm or deny their suspicions. Advocates need to follow the mandated reporting guidelines at the center.

For many years, studies of the effectiveness of sex offender treatment were inconclusive, or even stated that nothing worked. A more recent review of the literature shows that current treatment methods show real promise. One major study found that there is a significant difference between “treated” and “untreated” offenders and that “treated” offenders have better outcomes and re-offend less often. This is particularly true when treatment programs use current best-practices (CSOM, 2006).

Modern, effective sex offender treatment follows what are called the “Principles of Effective Intervention with Offenders,” developed by Paul Gendreau, a researcher who looked at hundreds of programs and determined that the ones that work share common features. They all:

- Target “criminogenic” needs – factors relating to the offending such as anti-social beliefs and attitudes;
- Conduct assessments of risk and need, and target high-risk offenders;
- Are based on evidence-based models. Models that don’t work include psychotherapy and electronic monitoring;
- Use cognitive-behavioral approaches – they change offenders’ attitudes, beliefs, and behaviors;
- Disrupt the “delinquency network” and foster new, healthy friends and hobbies;
- Provide intensive services – at least 3-9 months, occupying 40-70% of the offender’s time;
- Match personality and learning style with appropriate program setting and approaches;
- Include a relapse prevention component, such as “booster sessions”;
- Integrate with effective community-based programs; and
- Reinforce the integrity of the services through ongoing evaluation.

(App, 2009)

The acronym RULE briefly describes the four basic stages of treatment used by the Counseling and Psychotherapy Center, a private program which manages sex-offender treatment programs across the country, including a 4-year residential sex offender treatment program in Maine, and which so far has excellent outcomes for participants:

- Responsibility: The impact the offenders’ behavior has on survivors, themselves, and others.
- Understanding: The experiences and decisions that have led them to this point.
- Learning: New patterns of appropriate behavior.
- Experience: The benefit of using new skills in relating to others and in managing strong, negative emotional states.

SEX OFFENDER REGISTRY

Maine’s sex offender registration refers to the obligation of a person who is convicted of specific sex offenses in Maine to register with the State Bureau of Identification. The registrations are compiled and entered into a database maintained by the Maine State Police and intended to provide the public with information concerning the location of registered sex offenders.

Registry Requirements for Sex Offenders

Qualifying convicted sex offenders are required to register with the Maine Sex Offender Registry (SOR)

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and must verify at certain time periods each place they reside, are employed, or go to school. Maine has two active registration laws: the Sex Offender and Notification Act (SORNA) of 1999 and the Sex Offender and Notification Act of 2013 which have slightly different time periods. Depending on when the person committed the qualifying sexual offense determines which Act controls.

Initial registration is completed when the offender is released from incarceration or when placed on probation. If an offender works in one city, lives in another, and is a student in yet another, the person must notify all three local law enforcement agencies and provide the three addresses to the SOR. Offenders are required to appear in person at the local police station or sheriff's office within 24 hours of changing residence, employment or student status. (Maine Revised Statutes, Title 34-A, Chapter 15, Subchapter 2, §§ 11222(5); Chapter 17, Subchapter 2, 11282(8)). The person also must update the information with the Sex Offender Registry (SOR) within either three or five days (Maine Revised Statutes, Title 34-A, Chapter 15, Subchapter 2, §§ 11222(5); Chapter 17, Subchapter 2, 11282(8)).

There are two levels of registration commitments under SORNA of 1999:

- Ten-year registrant is a person who is an

adult convicted and sentenced, or a juvenile convicted and sentenced as an adult, of a sex offense (Maine Revised Statutes, Title 34-A, Chapter 15, Subchapter 1, § 11203(5)). The person must register for ten years.

- Lifetime registrant is a person who is an adult convicted and sentenced, or a juvenile convicted and sentenced as an adult, of a sexually violent offense or a sex offense when the person has another conviction for, or an attempt to commit, an offense that includes the essential elements of a sex offense or sexually violent offense (Maine Revised Statutes, Title 34-A, Chapter 15, Subchapter 1, § 11203(8)). The person must register for lifetime.

There are three levels of registration commitments under SORNA of 2013:

- Tier I registrant is a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier I offense (Maine Revised Statutes, Title 34-A, Chapter 17, Subchapter 2, § 11273(17)). The person must register for ten years.
- Tier II registrant is a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier II offense (Maine Revised Statutes, Title 34-A, Chapter 17, Subchapter 2, § 11273(18)). The



Considerations for Advocates

While many individuals have strong opinions about what “should” happen to offenders, no act of violence justifies another. Comments about sexual violence being appropriate when committed against offenders are not appropriate. One inmate interviewed for the Human Rights Watch’s report on male rape in U.S. prisons stated, “Inmates confined for sexual offenses, especially those against juvenile [survivors], are at the bottom of the pecking order and consequentially most often victimized. Because of their crime, the general population justifies using their weakness by labeling [sexual assault] as ‘just punishment’ for their crime. Sexual offenders are the number one target group for prisoner [sexual assault]” (L.V. [survivor] as quoted in Human Rights Watch, 2001).

- person must register for twenty-five years.
- Tier III registrant is a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier III offense or a person with two or more Tier I or Tier II offenses (Maine Revised Statutes, Title 34-A, Chapter 17, Subchapter 2, §§ 11273(18); 11285(7)). The person must register for lifetime.

Failure to comply with the duties imposed in the SORNA laws is a crime. The first offense is a misdemeanor but subsequent convictions are a felony-level crime. If you have questions, you can reach the Sex Offender Registry at 624-7270.

Maine's sex offender registry is accessible online at <http://sor.informe.org/sor/>, and in addition to finding the names and addresses of registered sex offenders in any one geographic area, a person searching the registry can also learn the nature of the offenses and more specific data by following the prompts. The offender registry only identifies a small portion of sex offenders and cannot be relied on as a tool to distinguish between safe and unsafe communities and/or community members.

Sex Offender Community Notification and Awareness

Local law enforcement officials have the authority to notify the public of the presence of convicted sex offenders in the community (Maine Revised Statutes, Title 34-A, Chapter 15, Subchapter 3, §11255; Chapter 17, Subchapter 3, §11304). Some law enforcement agencies may involve the local sexual assault support center in their notification procedures. Notification policies and procedures vary widely among law enforcement agencies, and it is important to refer to agency specific guidelines to see what role a center may have in this process.

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