ASSESSING THE IMPACT OF THE CONTINUUM OF CARE WITHIN THE CONTEXT OF
SEX OFFENDER COMMUNITY SUPERVISION IN WASHINGTON STATE: A FOCAL
CONCERNS PERSPECTIVE

By
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A dissertation submitted in partial fulfillment of
the requirements for the degree of

DOCTOR OF PHILOSOPHY

WASHINGTON STATE UNIVERSITY
Department of Criminal Justice and Criminology

MAY 2015

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To the Faculty of Washington State University:

The members of the Committee appointed to examine the dissertation of ROGER LEWIS SCHAEFER find it satisfactory and recommend that it be accepted.

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ACKNOWLEDGEMENTS

This dissertation is the symbolic completion of a monumental struggle — an amazing journey that has been cultivated by many people. I would like to take this opportunity to thank those people who made this dissertation possible, many of whom may not realize the profound impact they had on my ability to overcome insurmountable odds.

I would like to thank my parents, Richard and Crystal Schaefer for teaching me the values of hard work and dedication. When the challenges throughout this journey seemed to be impossible to overcome, the values instilled in me by my parents gave me the strength to move forward. Thank you for always encouraging me to work towards my goals, especially when the odds were against me.

I am truly thankful for the love, support, and comfort I’ve received from my best friend, and wife, Jennifer. When the stress of this processed was too much, your tenderness always gave me peace. I’ll never be able to thank you enough for your hours of proof reading, your unconditional understanding, and empowering love. I would not have accomplished this amazing goal without you. Thank you and I love you.

Working with Dr. Faith Lutze over the past few years has been an incredible experience. Through her guidance I have been encouraged to strive for excellence. As a mentor and role model, Dr. Lutze has empowered me to demand justice, seek equality, and challenge the status quo. Thank you for everything you have done to help me achieve this goal.

The members of my dissertation committee have been great to work with throughout this process. As the chair of my dissertation committee Dr. Lutze has selflessly prioritized my success. I would like to thank Dr. Melanie Neuilly for the many cups of coffee and hours she
spent helping me prepare for preliminary exams, jobs talks, and the dissertation process. I would also like to thank Dr. Zachary Hamilton for always being available to help with little or no notice. Thank you all.

Over the past 8 years I have worked closely with Dr. David Polizzi. I started out as his graduate assistant at Indiana State University, and since then our relationship has evolved into a supportive friendship that I truly cherish. After leaving Indiana State University in 2008 with a Master’s Degree, Dr. Polizzi encouraged me to pursue a Ph.D. providing guidance, support, and friendship along the way. I’ll never be able to thank him enough for everything he has done for me over the years.

I would also like to thank Dr. Gayle Rhineberger-Dunn, Dr. Joe Gorton, and Dr. Clemens Bartollas who offered mentoring and support both during and after my time at the University of Northern Iowa. Thank you all for the extra office hours and emails of support you provided during my undergraduate studies, and the quick encouraging phone calls or notes on papers during graduate school. You all gave me the foundation I needed to pursue the advanced degrees I have earned.

I would like to offer a very special thanks to all those who never gave up on me — those who never dismissed me a special education child who wouldn’t make it past high school. Those who believed in me: Jane Frost, Dee Barry, Sister Marie, Dan Kuchera, Charlie Schnieders (late), and Father Paul Lipstock, thank you.

Thank you to all of my colleagues who helped along the way. I would like to thank Doug Routh for all the help with formatting and proofreading. Thank you to Michael Campagna for his
help with the data, and Christopher Campbell for his help navigating the Washington State Department of Corrections data request protocols.

This project would not have been possible without the great research staff at the Washington State Department of Corrections. I would like to specifically thank Teri Herold-Prayer and Susan Koenig for helping me access the necessary data. I would also like to thank Caterina Richardson from the Spokane Community Justice Center for allowing me to spend hours reading chronos in her office.

To Tyson and the crew at Café Moro, thanks for the great brews! This dissertation is made of blood, sweat, tears, and delicious caramel lattes!
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CONCERNS PERSPECTIVE

Abstract

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Chair: Faith E. Lutze

The process of transitioning from prison to the community poses unique challenges for
those who have been convicted of sexually-based offenses. Due to the realities associated with
the unique challenges facing these individuals, the community supervision process fluctuates
along the correctional care continuum. The five focal concerns – Social Reintegration,
Community Reentry, Status Maintenance, Statutory Compliance, and Risk Management –
identified and subsequently studied by the current study represent checkpoints along the
correctional care continuum. By examining the chronological field notes (chronos) composed by
CCOs, the current study shows that community corrections officers most frequently note issues
related to those focal concerns at the control end of the correctional care continuum — Risk
Management and Status Maintenance. The qualitative findings suggest that CCOs routinely note
the concrete aspects of the supervision process such as housing or condition enforcement, while
abstract realities such as relationships or social anxiety are noted less frequently. The frequency
at which CCOs note or record these issues in the chronos is significantly related to correctional
outcomes — technical violations and new convictions. Specifically, increases in the number of
chrono entries addressing Community Reentry, Status Maintenance, and Risk Management are significantly linked to increases in technical violations, while increases in the number of chrono entries related to Status Maintenance is significantly related to an increased likelihood of recidivism. Overall, the current study shows that all five focal concerns are included in some way in the community supervision process, that control-oriented focal concerns are prioritized, and that prioritizing, or more frequently noting, specific focal concerns is significantly linked to correctional outcomes.
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DEDICATION

For Nick Weber

September 29, 1994 – June 25, 2010

I wonder why

I wonder why bad people make nice people cry

I wonder why important people lie

I wonder why sometimes people have to say goodbye

I wonder why people have to go off to fight in wars hoping not to die

I wonder with all the bad things in the world there still remains one thing — happiness

But still I wonder why

Nick Weber 2007
CHAPTER ONE

COMMUNITY CORRECTIONS WITH SEX OFFENDERS: A CAREER ON A CONTINUUM

Perhaps one of the most contentious debates in the criminal justice system is perpetual argument between opposing correctional paradigms. At one end of the paradigmatic continuum we find support for rehabilitation, programming, and eventual Social Reintegration. At the opposing end of the continuum we see an emphasis on control, incapacitation, and Risk Management. Consequently, those individuals who are tasked with overseeing correctional discourse, both inside the prison and within the community, find themselves faced with the unique challenge of finding the most advantageous balance between these polarized perspectives.

The degree to which an individual supports correctional practices aligned with either end of the continuum is influenced by a variety of different social structures or forces. Examples of such structure or forces include: religious affiliation, educational attainment, political perspective, or social location —the intersection of class, race, gender, and age. However, for criminal justice practitioners, alignment along the correctional continuum is more complex and subsequently more consequential – particularly for community corrections officers (CCOs).

Community corrections officers are those individuals who are tasked with one of the most volatile and socially daunting aspects of the criminal justice system —overseeing the transition of the offender from prison to the community.1 Of the roughly seven and a half million people who are under the supervision of the criminal justice system, two-thirds or approximately five million are being supervised by community corrections officers (The Pew Center on the States, 2009). Despite the fact that community corrections officers work with the largest portion

1 It is important to note that these five million individuals included those sentenced to probation and those granted parole or some form of supervised release.
of the criminal justice population, relatively few studies have examined CCOs as the unit of analysis (Lutze, 2014).

However, the limited research on CCO has highlighted some crucial realities of this unique profession. In one of the most contemporary examination of the CCOs, Lutze (2014) found that one of the most strenuous aspects of the profession is finding the right balance between rehabilitation and Risk Management. While this reality is not unique to the current correctional atmosphere, the on-going transition from the crisis era of correctional discourse to the emerging evidence-based era will likely ignite a renewed focus on rehabilitative approaches (Lutze & Schaefer, 2014). Although the adoption and utilization of evidence-based correctional modalities seems to be an obvious answer, the reality is that social, structural, and practical barriers hinder the implementation of such modalities or general approaches. Furthermore, the degree to which these barriers hinder the adoption of a rehabilitative focus is influenced by the criminality of those being supervised — different types of offenders require different types of supervision (Barton-Bellessa & Hanser, 2012).

One particular group of offenders whose criminality influences the degree to which social, structural, and practical barriers influence CCOs’ ability to implement rehabilitative-oriented modalities is sex offenders (see Schaefer, 2014). Social barriers to the utilization of rehabilitative-oriented correctional modalities with sex offenders are rooted in socially constructed moral panics that assume homogeneity amongst all of those who carry the sex offender label (Eher, Neuwirth, Fruehwald, & Fronttier, 2003; Sample & Evans, 2009; Woessner, 2010). These moral panics become formalized through legislative actions such as Megan’s Law or Washington’s Community Protection Act of 1990 and, thus, the correctional discourse and interactional dynamics are altered. The codification of these moral panics into
statutory mandates alter correctional discourse and dynamics by restricting CCO discretion — leading CCOs to adopt control/Risk Management focuses rather than rehabilitative reiterative ones.

Since the implementation of the various “child-named” sex offender laws, a considerable amount of academic attention has been afforded to assessing the utility of such mandates. Collectively, the contemporary research suggests that these laws are not effective (Farkas & Stichman, 2002; Maguire & Kaufman Singer, 2010). Despite overwhelming scientific evidence that these laws fail to reduce sexual offending, political and public support persists, and criminal justice practitioners are required to enforce, and be bridled by these laws (Farkas & Stichman, 2002). While these laws have created a social, legal, and correctional context in which CCOs are pressured towards the control/Risk Management end of the continuum, the reality is that CCO discretion has been restricted, not abolished. This reality provides the foundation for the current study, which aims to assess how CCO’s paradigmatic location along the correctional continuum impacts correctional outcomes.

For the purposes of the current study, CCOs’ paradigmatic location along the correctional continuum can be understood through a focal concern perspective. The term focal concerns first appeared in the social science literature when Miller (1958) defined focal concerns as “areas of issues which command widespread and persistent attention and a high degree of emotional involvement” (p. 6). In recent courts literatures, the term focal concerns has been used as a way to bifurcate legal and extra-legal factors (Huebner & Bynum, 2006). However, in the context of the proposed study, the term focal concerns refer to the practice-realities of sex offender community supervision. A thorough discussion of the focal concern perspective is provided in the following chapter. In general, the process of supervising sex offenders through
the transition from prison the community involves five elements or focal concerns. Starting at the rehabilitative end of the continuum the five focal concerns are: Social Reintegration, Community Reentry, Status Maintenance, Statutory compliance, and Risk Management. Each of these focal concerns represents a checkpoint along the correctional continuum. Using the chronological field notes composed by CCOs, the current study is able to identify CCOs’ paradigmatic location by examining which focal concerns CCOs prioritize. For example, if a majority of the CCO’s field notes discuss issues related to the sex offender registration, the primary focal concern is Statutory Compliance and his or her paradigmatic location along the correctional continuum is closer to the control/Risk Management approach. Identifying which focal concern(s) CCOs prioritizes will allow an assessment of the relationship between the paradigmatic location of the CCO and correctional outcomes.

Within the context of the current study, correctional outcomes refer to both technical violations and new convictions. Technical violations have been bifurcated into two categories, violations of DOC imposed condition and violations of statutory mandates. The inclusion of a new conviction as an outcome increases the validity of the measure as a finding of fact by the court has validated the offenders’ actions, or recidivistic behaviors.

The notion of a paradigmatic correctional continuum is a well-established concept for both practitioners and researchers, yet it is mostly understood dichotomously. In one of the earliest discussion of the crime control continuum, Packer (1968) polarized crime control and due process. Once this concept was adopted by penologists, the current correctional continuum emerged. This polarized the penologists and subsequently limited our understanding of the ideologies comprising the middle of the continuum. The focal concerns provided by the current
study attempt to provide some structure for the area on the continuum not provided by the
dichotomous understanding.

Challenging the dichotomous understanding of the paradigmatic correctional continuum
is practically important within the context of community based corrections — a context that
demands the establishment and maintenance of correctional balance (Lutze, 2014). The need for
appropriate correctional balance is especially important when working with sex offenders, who
face many unique challenges due in part by the social stigma their conviction carries and the
excessive statutory mandates placed upon them. The current study contributes to both the
research and practice of community correction with sex offenders by providing a new
perspective on the correctional continuum, and demonstrates how focal concern prioritization
impacts correctional outcomes. Furthermore, by avoiding the ambiguous notion of recidivism,
the current study allows for a more-precise understanding of impacts of the focal concern
approach.

The current study answers the following research questions:

1) Is there empirical evidence supporting of the existence of the focal concerns – Social
   Reintegration, community reentry, Status Maintenance, statutory compliance, and Risk
   Management – in the process of community supervision with sex offenders?

2) Which focal concerns do community corrections officers focus on most extensively when
   working with sex offenders?

3) How do the focal concerns relate to correctional outcomes when working with sex
   offenders?

The remaining chapters proceed as follows. Chapter two provides a thorough review of the
contemporary literature on the realities of the prison-to-community transitions for sex offenders
as well as challenges to community supervision faced during that transition. Chapters three and four present the methodology used and result obtained to answer the research questions. Chapter five provides a discussion contextualizing the current research within the contemporary literature, highlighting the consistencies and incongruences between the current study and prior research. Finally, chapter six provides a conclusion oriented around the three critical findings highlighting the need for a humanistic approach to sex offender community supervision.
CHAPTER TWO
COMMUNITY SUPERVISION OF THOSE WHO HAVE BEEN CONVICTED OF
SEXUALLY-BASED OFFENSES: A FOCAL CONCERNS PROSPECTIVE

The analogy of the pendulum, swinging from one extreme to the other, has become the most accurate depiction of correctional philosophy and practices of American correctional discourse over the past half century. The transformative social, political, and legal atmosphere of the 1970s cultivated a new correctional paradigm which became the foundation for overtly punitive criminal justice and subsequent correctional practices (Christianson, 1998; Lutze & Schaefer, 2014, Rothman, 2002). Consequently, punitive criminal justice policies and practices resulted in a correctional environment known as the crisis era (Clear, 1994). One particular byproduct of the crisis era is the emergence of mass incarceration, which significantly impacted correctional discourse. The exceedingly high social and financial costs of mass incarceration led many to question the utility of overtly punitive criminal justice and correctional approaches (Austin & Irwin, 2012; Clear, 1994; Mauer, 2006). Critical examinations of the punitive policies and practices that led to the crisis era, initiated a new perspective — the evidence-based movement.

As a relatively new approach towards corrections, the evidence-based movement has had a considerable impact on correctional discourse, inviting both practitioners and scholars to seek effective correctional practices (Cullen & Gendreau, 2001). One particular change in correctional discourse has been the emergence and growth of decarceration and the systematic reduction of prison populations (Stoehr, Jonson, & Cullen, 2014). As the overcrowded prisons of the crisis era begin to reduce their massive populations, community corrections as an institution, has and will
continue to absorb that burden (Lutze & Schaefer, 2014; Petersillia, 2003). The growing utilization of and academic attention given to community corrections must include a critical examination of community correctional dynamics — failure to do so will only ensure that the crisis once confined to the prison diffuses throughout the community.

**The Continuum of Care**

One of the most important contemporary critiques of community corrections stems from the ambiguity that emerges due to a lack of a definitive purpose or correctional paradigm. As the evidence-based movement has gained momentum, the ideological pendulum has swung in favor of rehabilitation, however a paradigmatic paradox persists. At the core of this paradox is the reality that community corrections as an institution, exists on a continuum that polarizes rehabilitation and control. The tensions between the opposing ends of the continuum represent a unique challenge for community corrections officers (CCOs) known as role confusion (Bartollas, 2002; Harris, Clear, & Baird, 1992; Murphy & Lutze, 2009; Drapela & Lutze, 2009). In essence, role confusion occurs when a CCO is unable to identify him or herself as either an agent of change whose primary objective is to foster the rehabilitation of the offender, or as an agent of social control whose primary objective is to manage the risk that the offender poses to society (Ross, 2008). However, most progressively-oriented correctional scholars argue that the most effective approach is a unique combination of rehabilitation and offender control (Lutze, 2014).

In general, the purpose of any correctional process has been discussed in relation to the social ideology regarding the ontology of criminality — or the inherent nature of criminality and the development of intervention modalities to address such forces (Arrigo, 2006; Polizzi & Schaefer, forthcoming). Consequently, as social beliefs regarding the causes or etiology of criminality change so too does social support for correctional practices (Pisciotta, 1994). The
notion that the criminal justice system and subsequently those who study it are beholden to the ideological instability of the American public represents a fundamental barrier to the development and implementation of an overarching purpose of correctional discourse. Given the reality that public support, or opposition, toward rehabilitation is emotionally driven, it is not surprising the social and political support and rhetoric reflect the polarization of this issue (Currie, 1985; Currie 1998). Consequently, the continuum of care is understood solely by its margins.

Along with the emotionally-driven polarization of rehabilitation and control is the reality that polar locations or margins establish tangible points of reference and therefore provide a much more parsimonious understanding of a complex reality. However, a critical review of the literature regarding community corrections has produced a set of focal concerns that can serve as checkpoints along the correctional continuum, allowing for a better understanding of the area on the continuum between the margins. While these focal concerns can be found along the correctional continuum, it is important to note that they are categorically defined and are not indicative of numeric delineation along the continuum. While the diagram below suggest an interval separation between each focal concern, it is crucial to note that at this point, the distances between each can only be articulated theoretically.

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The continuum of care, and the focal concerns which represent check points along it, is important for all who experience the transition from prison to the community — both the offenders and the CCOs who supervise them. Studies have illustrated the importance of each
focal concern throughout the transitional process (Griffin & Stitt, 2010; Meloy, Miller & Curtis, 2008; Woessner, 2010). While this process is complex and strenuous for all those who experience it, the social and legal realities faced by sex offenders exacerbates the challenges and importance of the continuum of care in general and each focal concern in particular (Schaefer, 2014).

**Community Corrections with Sex Offenders**

The transition from prison to the community is a complex and strenuous process for all offenders; however this process is especially difficult for those who have been convicted of sexually based offenses (Schaefer, 2014). Although reentry poses challenges such as finding a place to live or sustainable employment (Hattery & Smith, 2010), the process of community reintegration is possibly even more challenging (Levenson & Cotter, 2005a). The realities of the transitional process coupled with the increasing number of offenders who will face these challenges illustrate the need for a critical discussion regarding the various aspects of community-based correction.

Over the past few decades a considerable amount of academic attention has been given to issues related to sex offenders. The catalyst for the increased attention given to these issues can be traced to the development and implementation of a variety of child-named laws regarding sex offender registries, residence restrictions, and community notifications. Considered by many scholars to be emotionally-driven knee-jerk responses to infrequent, yet highly publicized heinous victimization of children (see Griffin & Stitt, 2010), these laws became targets of academic scrutiny almost immediately following their implementation. Despite a plethora of studies illustrating the ineffectiveness and detrimental impacts of these laws (see Levenson & Cotter 2005a & 2005b; Nobles, Levenson, & Youstin, 2012, Tewksbury, 2005, Tewksbury and
Lees, 2006) policy makers continue to support these failed policies (Meloy, Curtis & Boatwright, 2013).

Unfortunately, the policy makers who stand by these failed policies rarely address the negative consequences they produce. The detrimental impact of these policies on offender reentry and reintegration has been well documented within the social science literature (see Burchfield & Mingus, 2008; Levenson & Cotter, 2005a; Tewksbury, 2005). However, little academic attention has been afforded to the criminal justice practitioners whose workloads/caseloads are affected by the current social-legal climate, particularly the daily operations of community corrections officers (Omori & Turner, 2012; Payne & DeMichele, 2010).

Managing sex offenders within the context of community-based corrections has undergone a significant transformation since the emergence of the current social-legal climate. Along with the traditional duties of risk and need management, today’s community corrections officer is tasked with ensuring that the offender complies with the various statutory requirements outlined in the child-named policies while simultaneously aiding in the nearly impossible task of Social Reintegration. Securing suitable and sustainable housing and employment for offenders transitioning from prison is daunting task for the CCO regardless of the offender’s classification, however the strenuousness of these tasks are multiplied when working with sex offenders. Residency restrictions, which mandate that sex offenders live outside of arbitrarily defined radiuses from schools, bus stops, parks, and other child-frequented locations, create professional hardships for CCOs as they attempt to both manage needs and supervise risks. Furthermore, registry and notification laws accelerate the stigma application process which constructs barriers
to social networking, community support, or other positive forms of reintegration. Consequently, the CCO becomes the primary conduit for Social Reintegration.

The reality that the CCO, either by his or her professional obligation or by social default, becomes the focal point for social/community reintegration further complicates an already complex social dynamic. Within the current social context, the CCO maintains his or her role along the crime control/helping professional continuum, while also adopting the role of reintegration conduit (Schaefer, 2014). Community corrections officers assuming an active role in the social/community reintegration process has been a common practice throughout the history of parole/reentry. When the notion of community corrections first emerged, the task of supervising and reintegrating offenders was a burden absorbed by the offenders’ friends and family (Barton-Bellessa & Hanser, 2012). While this process would later become formalized, social networks comprised of supportive friends and family are crucial to both reentry and reintegration (Hattery & Smith, 2010). However, due to the realities related to sexual offending, particularly child-victim offenses, the majority of which are intrafamilial, sex offenders are often legally or social isolated from such support networks.

**Focal Concern 1: Social Reintegration**

To illustrate the detrimental impacts of the recent sex offender laws, particularly those related to community notification, Levenson and her colleagues published two separate papers in which they discuss how the requirements outlined in Megan’s Law impact both reentry and reintegration. In the first study, Levenson and Cottor (2005a) examine the impact of Megan’s Law on sex offender reintegration. In the second study, Levenson, D’Amora and Hern (2007) critiques Megan’s Law by identifying its detrimental impact on sex offender reentry. While the findings of these studies have important policy implications suggesting that Megan’s Law does
more harm than good, the scientific aspects, particularly the operationalization of both reentry and reintegration, are crucial to the current discussion.

Levenson and Cottor (2005a) address the issue of sex offender reintegration by exploring how classification as a sex offender impacts Social Reintegration. For Levenson and Cottor (2005a) Social Reintegration is broadly conceptualized as a social process that allows the offender to establish or maintain social networks, supportive relationships, and otherwise experience normative social solidarity. Although Social Reintegration has been operationalized a variety of different ways, Levenson and Cottor’s (2005a) operationalization captures the essence of this complex social process. In their study, Levenson and Cottor (2005a) identify six general themes that are indicative threats to Social Reintegration: social anxiety, feelings of isolation, loss of relationships, feelings of shame, personal and/or familial embarrassment, and an overwhelming sense of helplessness. In general, these themes are in line with the commonly recognized understanding of Social Reintegration as a social process that places the offender back into a social reality in which he or she can function, access resources and preserve social capital (Hattery & Smith, 2010).

As a focal concern for community corrections officers, the notion of Social Reintegration poses many unique challenges. Creating a supervision or transitional plan that is responsive to the unique barriers to reintegration experienced by sex offenders is particularly daunting, and crucial to successful Social Reintegration. As a barrier to Social Reintegration, social stress or anxiety has been studied extensively throughout the social science arena. While contemporary analyses of the complex relationship between anxiety/stress and successful reintegration highlight the damaging effects of the sex offender label (see Levenson & Tewksbury, 2009),
earlier studies suggest that the sex offender classification, even absent of the registration component, impeded reintegration (Sutherland, 1950).

The predecessors to the contemporary sex offender laws were known as the sexual psychopath laws. Many parallels can be drawn between the sexual psychopath laws of the 1930s and the current sex offender laws. Sutherland’s (1950) critique of the sexual psychopath laws suggests that those laws were rooted in moral panics which focus exclusively on rare yet highly publicized incidences of victimization mirrors the critiques of contemporary statutes. Sutherland (1950) characterized the sexual psychopath laws as “dangerous and futile” arguing that they would certainly impede any attempts made by the offender to fully reintegrate back into society (p. 142). Due to the moral panic and hysteria from which these laws emerged, those who were classified as sexual psychopaths were targeted and victims of vigilantism — both causing and exacerbating feelings of social stress and anxiety.

Social stress/Anxiety. Sutherland’s (1950) critique of the sexual psychopath laws provides two important contributions to the current discussion. First, Sutherland (1950) shows the detrimental impact of formalized stigma application, particularly those rooted in moral panics. Second, Sutherland (1950) demonstrates the rigidity of fear-based social solidarity and the high degrees of stress and anxiety emerging when attempting to overcome such barriers. Overall, Sutherland (1950) warns of the harsh realities faced by those attempting to rebuild their social existences and support networks necessary to accomplish successful reintegration which require a certain degree of community/social engagement and interaction.

Contemporary social science provides a considerable amount of empirical support for the notion that social stress and anxiety impede successful reintegration for those who have been convicted of sexually-based offenses. Through a series of semi-structured interviews, Tewksbury
and Lees (2006) found that registered sex offenders experience high rates of social turmoil, particularly feelings of fear and vulnerability or social anxiety. Those who reported such feelings maintained that the overwhelming stigma associated with their status as a registered sex offender was to blame. Tewksbury and Lee’s (2006) findings are consistent with Tewksbury’s (2005) survey-based study of registered sex offenders in Kentucky which found that the feelings of social anxiety or fear are well supported. Of the 121 offenders who were surveyed, nearly forty percent (39.3%) experienced public harassment, nearly fifty percent (47%) experienced personal harassment or threats, and, most appalling, just over sixteen percent (16.2%) of the offenders in this study were physically assaulted. Essentially, the social stigma associated with the registered sex offender label ensures that the individual remains socially isolated or experiences a type of social death (Polizzi, Draper & Anderson, 2014).

Social Isolation. Feelings of social isolation are critical for all offenders experiencing the transition from prison to the community. Cullen’s (1994) discussion of Social Support Theory is perhaps the most thorough articulation of the damaging impact of social isolation, or lack of social support. Cullen (1994) provides a series of criminogenic postulations which suggest specific contexts in which the likelihood of criminality increases, three of which are particularly important for sex offenders. Postulates three and four respectively suggests that a lack of familial support or a lack of general social support will increase the likelihood of criminality (Cullen, 1994).

A lack of familial and general social support amongst those individuals who have been convicted of sexually oriented crimes has been well documented throughout the social science literature. The moral panics and stigma-driven social outcry following the highly publicize “Black Swan” cases of child victimization fostered a social atmosphere that is void of any social
support for those who carry the sex offender label (Goode & Ben-Yehuda, 2009; Griffin & Stitt, 2010; Jenkins, 1998; Neuilly & Zgoba, 2006). Griffin and Stitt’s (2010) discussion of “Black Swan” cases, those cases that are rare yet extremely heinous and attention grabbing, is important to the spread of the stigma and force isolation of sex offenders. This is particularly problematic with a social climate that either refuses to or is incapable of differentiating between the various sexually oriented crimes leading to a widespread assumption of criminogenic homogeneity (Sample & Bray, 2006). Through a series of qualitative interviews with twenty-three registered sex offenders, Burchfield and Mingus (2008) found that social isolation and denial to social networks and capital was a prevalent theme within the narratives of the offenders. Their study provides support for Levenson and Cotter’s (2005a) quantitative analysis which found that approximately two-thirds (64%) of the offenders in their study experienced frequent feelings of loneliness or social isolation. Overall, addressing the experiences of isolation among sex offender is crucial as these feelings have been linked to triggers of sexually deviant behavior (Pryor, 1996; Terry, 2006). Therefore it is important for CCOs to be aware of, and concerned with, the offenders development and maintenance of personal, social and familial relationships.

*Relationships.* Cullen’s (1994) seventh postulate suggests that even the anticipation of the loss of social support can be criminogenic. The reality of losing, or in some cases never having, an outlet for social support is especially problematic for those who have been convicted of sexually oriented crimes. The loss of relationships among sex offenders has also been studied extensively within the realm of social science. Similar to the research on social isolation and anxiety, experiences of relationship turmoil for sex offenders has been established through both methodological paradigms. Qualitatively, Tewksbury and Lees (2006) and Burchfield and Mingus (2008) found that the overwhelming social strain associated with the sex offender
registration requirements lead to the destruction of previously held supportive relationships. Quantitatively, this phenomenon has been supported by self-report surveys conducted in two different states. Tewksbury, (2005) found that just over half (54.7%) of the 121 respondents in Kentucky reported losing a close friend after being assigned the sex offender label. Levenson and Cotter’s (2005a) study of 183 registered sex offenders in Florida found that roughly half (52%) of their respondents reported losing a relationship.

However, the most detrimental impact of the sex offender stigma has been its impact on the families of the offenders further exacerbating the familial-relational devastation. In a national survey of 584 families of registered sex offenders, Levenson and Tewksbury (2009) found that the feelings of fear, anxiety and social vulnerability were also experienced by the family members of offenders. One particularly devastating finding is that the children of registered sex offenders experienced varying degrees of bullying from their peers and differential treatment from teachers. This hidden reality uncovered by Levenson and Tewksbury (2009) is consistent with Goffman’s (1963) discussion of social discourse in the presence of stigma.

According to Goffman (1963) the social disgust and subsequent critical assessment is not reserved solely for the stigmatized individual. Close friends and family of the stigmatized individual find themselves absorbing the stigma by proxy (Goffman, 1963). Contemporary examples of how the stigma is absorbed by those close to the stigmatized individual are illustrated by the tarnishing of Penn State University or the Catholic Church due to the unspeakable crimes of Gerald Sandusky and many clergymen respectively. Both the primary stigma holder and those who have absorbed the stigma via proxy experience a socialization process that impacts their self-concept and their social identity (Goffman, 1963). Consequently,
this social discourse creates an atmosphere of resentment within the family towards the offenders, making supportive engagement unlikely while personal and familial shame ensues.

Shame. Supporters of the various sex offender laws that have emerged over the last twenty years embrace shame or the process of shaming as a legitimate correctional discourse (Griffin & Stitt, 2010). The legitimizing of shame as a correctional discourse is theoretically grounded in Braithwaite’s (1995) articulation of re-integrative shaming. Essentially, supporters of these laws suggest that by shaming individuals who have engaged in sex crimes, those individuals will be less likely to continue with such criminality. However, numerous studies have suggested that this is not the case — most studies have found these laws to be overwhelmingly ineffective (Terry, 2006). Fortunately, Braithwaite’s (1995) theory provides an explanation through dis-integrative or stigma-driven shaming. According to Braithwaite (1995), dis-integrative or stigma-driven shaming acts as a criminogenic trigger and leads to increases in criminality.

Contemporary research has produced empirical evidence of the stigma-driven social shaming of sex offenders. Levenson and Cotter’s (2005a) study found that the emotional hardships that resulted from the internalization of shame are experience at high frequencies for registered sex offenders; nearly three-fourths (72%) reported feelings of shame-driven hopelessness. Burchfield and Mingus (2008) found themes of internalizing shame among the narratives of the offenders they interviewed, causing offenders to adopt negative self-views. While these offenders should not be praised for the crimes they have committed, the reality is that the current stigma-driven shaming processes are more problematic than helpful. The consequences of the current approach are weakened community ties, strained reintegration, and
the creation and maintenance of a correctional dynamic that impedes the CCO from holistic or humanistic interactions with the offenders (see Schaefer, 2014).

As a focal concern of sex offender community supervision, Social Reintegration presents unique challenges for CCOs. As Elliot (1993) argues, many sexually oriented crimes are committed within some type of relationship (i.e. parent-child) therefore it is likely that the offender’s pre-incarceration relationships are severely stained or non-existent. Assisting offenders with rebuilding broken relationships while providing them with the support needed to overcome feelings of shame, isolation, and social anxiety impacts the CCO’s daily operations. Essentially, the CCO becomes the one of the few social support outlets for the offender\(^2\) and must serve as a conduit to social viability (see Schaefer, 2014).

**Focal Concern 2: Community Reentry**

If Social Reintegration can be understood as the process through which an individual rebuilds his or her social viability, Community Reentry must be understood as the physical act of the individual establishing him or herself outside of the prison’s confines. From this perspective, reentry is concerned with issues regarding housing, employment, personal safety, and community sustainability (Levenson, D’Amora, & Hern, 2007). While the reentry process is difficult for all offenders, the social atmosphere and legal context have made the reentry process for sex offenders particularly volatile (Schaefer, 2014). Much like the ongoing social hysteria that has ignited panics impeding Social Reintegration, the overwhelming reality of the sex offender stigma has emerged as a barrier to Community Reentry (Jenkins, 1998; Neuilly & Zgoba, 2006; Tewksbury & Less, 2006). Furthermore, statutorily mandated residency restrictions

\(^2\)This is not to say that sex offenders have no other social connections, but that due to their social stigma and the reality of the strain that stigma places on the offenders’ relationships, the CCO can be the only prosocial relationship the offender is able to maintain.
have exacerbated the inherently difficult task of finding and maintaining suitable and sustainable housing (Socia, 2014). Vigilantism and outward aggression towards sex offenders have resulted in violent victimizations perpetrated upon the offenders, and acts of vandalism upon their property and homes thus making housing issues even more critical (Tewksbury & Lees, 2006).

As a focal concern for CCOs, the various aspects of Community Reentry are crucial to their ability to their jobs. According to Barton-Bellessa and Hanser (2012) one of the most commonly mandated conditions of supervision is to maintain legitimate employment, however research has shown that acquiring or maintaining employment can be difficult for sex offenders (Tewksbury, 2005). Another commonly imposed condition of supervision is to maintain suitable and sustainable housing while not associating with other felons (Barton-Bellessa & Hanser, 2012). Enforcing these conditions with sex offenders is a major concern for CCOs working with that population. As a result of recent legislation (i.e. Jessica’s Law, see Levenson, 2009), housing options for sex offenders are becoming more and more limited, causing many of these individuals to live in quasi-communities, in the few areas where they are allowed to live, essentially creating a pocket of highly concentrated sex offenders (Socia, 2014). While having a high concentration of known felon sex offenders living in one place is not ideal, the reality is that incidences of violence and vandalism have created a social reality that makes living in groups a safety necessity (Tewksbury & Lees, 2006).

Employment. Social fixation on the criminality of the other has been well documented throughout the social science literature. Pager’s (2003) study illustrates the damaging effects of such fixations. Utilizing an audit-based experimental design, Pager (2003) provides empirical support for the negative impacts of the criminal stigma, particularly with regard to employment. While the sigma of a criminal record is surely a daunting reality for those who carry it, the public
disgust and outrage towards sex offenders exacerbates the social barriers to successful reentry including employment.

Research has identified a wide range of employment hardships experienced by sex offenders. The most extreme hardship has been the loss of a job. Three studies specifically examined the impact of the sex offender status on employment termination. Of the 183 registered sex offenders who completed Levenson and Cotter’s (2005) survey, just over one-quarter (27%) reported that they lost their job due to their status as registered sex offender. Tewksbury’s (2005) study found much higher rates of job loss among registered sex offenders, with just fewer than half (42.7%) of his sample finding themselves unemployed due to their registration status. However, Levenson, D’Amora and Hern’s (2007) findings were closer to Levenson and Cotter’s (2005a) findings, and effectively half that of Tewksbury’s, (2005) with twenty-one percent of their sample losing a job after their status was made known to their employers.

While job loss is certainly an important issue, especially considering the positive criminogenic impact of employment (Uggen, Wakefield & Western, 2005), research has also indicated that sex offenders experience a variety of less threatening employment hardships. Nearly one-quarter (23.1%) of the 121 offenders in Tewksbury’s study reported that they were denied promotions or career advancements because they were registered sex offenders. Other employment hardships faced by registered sex offenders include an inability to obtain employment (Burchfield & Mingus, 2008) and being limited to unstable low-wage jobs (Tewksbury & Lees, 2006). Unlike other convicted felons whose status is highlighted only on the job application or the initial employment background check, registered sex offenders’ statuses are always available, not just to the employer, but to fellow employees as well.
Housing. One the most persistent issues in the realm of offender reentry is the issue of obtaining suitable and sustainable housing. A great deal of academic research has been afforded to highlighting the complexities of post incarceration housing acquisition (Clear, 2007; Clear, Ross, & Ryder, 2001). Similar to other issues related to Social Reintegration and community reentry, many of the issues related to housing are rooted in the overwhelming social stigma and subsequent moral panics that marginalize those who carry the sex offender label. However, other barriers to housing security are rooted in statutorily mandated policies (Levenson, D’Amora & Hern, 2007).

Stigma-driven community outrage and social trepidation regarding sex offender housing have materialized into two different phenomena, criminal vigilantism and legislative discourse. Many sex offenders found themselves forced out of their homes by neighbors’ complaints, or simply by landlords’ unwilling to allow them to remain. Tewksbury (2005) found that nearly half (45.3%) of the sex offenders in his sample either lost or were denied housing due to their status as registered sex offenders. Levenson and Cotter (2005a) found that twenty percent of their respondents were required to find new housing due to neighbor complaints or hostility, while ten percent were essentially evicted due to their sex offender status. Home and property damage likely exacerbated the offenders’ housing instability, as twenty-one percent of Levenson and Cotter’s (2005a) sample reported incidences of home or property damage. A link between home or property damage and housing issues was also found in Levenson, D’Amora and Hern’s (2007) study which examined the impact of registration and notification policies on reentry. They report that thirty percent of the 239 registered sex offenders in their sample lost their homes due to landlords or neighbor complaints, with three percent of them being forced to leave a home they owned, while sixteen percent reported experiences of home or property damage.
Research also suggests that housing sustainability is equally as problematic as housing security. Burchfield & Mingus (2008) found that a major issue facing sex offender is finding safe and affordable housing. Socia, Levenson, Ackerman, and Harris (2014) also report similar findings that the cost of housing or rent significantly predicted an offender’s likelihood of becoming transient or homeless. To complicate this issue even further, Tewksbury and Copes (2012) found that sex offenders have even been rejected from halfway houses that was considered as a fail-safe alternative. Oftentimes offenders do not have the option of returning home due to estranged relationships with family, familial victims, or because their pre-incarceration home is located in a restricted area (Terry, 2006; Tewksbury & Copes, 2012).

The notion of the restricted area stems from the legislative discourse that communities can be protected through the creation of numerous housing restrictions that dictate where sex offenders can legally live. The detrimental effects of these policies, on the reentry process, has been thoroughly discussed within the realm of social science. In a recent quasi-experimental study, Rydberg, Grommon, Huebner, and Bynum (2014) found that offenders who were released with housing restrictions encountered many more housing problems than those who were not released with residency restrictions, finding that residency restricted offenders were forced to change housing between three to five more times than those without such requirements. Thus, many researchers argue that such restrictions only create personal and social hardships or barriers for the offender while having little impact, if any, on the crimes these laws are intended to prevent (Bratina, 2013; Huebner, Kras, Rydberg, Bynum, Grommon, & Plesserkuhl, 2014; Meloy, Miller & Curtis, 2008; Tekle-Johnson, 2009).

The failure of residency restrictions to sustainably prevent sex crimes, particularly child-victim sex crimes, is rooted in the faulty theoretical foundation of such policies (Bratina, 2013).
The theoretical assumption of residency restriction laws is that offenders will seek-out child victims where children tend to congregate (i.e. bus stops, parks, schools or daycares) however; research has routinely shown that such practices are the exception, not the norm. Rather children are most likely to be victimized by a parent or other adult with whom they have a relationship (Maguire & Singer, 2011; Pryor, 1996; Rich, 2006; Tekle-Johnson, 2009; Terry, 2006). In their study of one hundred sixty repeat offenders, Maguire and Singer (2011) found that just fewer than ninety percent (87.2%) of the offenders were either related to or had an existing relationship with their victims which is consistent with contemporary research (Fedoroff & Moran, 1997). Despite the fact that such laws ineffectually target small portions of the offender population, public support for such legislations persists (Anderson, Sample, & Cain, 2013). Consequently, legislative actions informed by such research is not prioritized by policy makers because, both policy makers and the public appear to be content with marginalizing all sex offenders through polices that address only a small portion of such criminality, creating a unique and complex challenge for both the offenders and the CCOs who work with them (Meloy, Curtis, & Boatwright, 2013; Tekle-Johnson, 2009).

**Threats, Harassment and Violence.** While housing, employment, and legislative discourse have created substantial barriers to community reentry, research has also highlighted the fact that many sex offenders face threats, harassment and in some cases violent victimization. In Levenson and Cotter’s (2005a) study, they found that one-third of the sex offenders in their study experienced some type of threatening or harassing confrontations in their community, while five percent reported being physically assaulted. That same year, Tewksbury (2005) found that nearly half (47%) of the offenders he surveyed experienced harassment, while just over sixteen percent (16.2%) reported being physically assaulted due to their status as a sex offender. Another
survey of registered sex offenders in Connecticut and Indiana conducted by Levenson, D’Amora and Hern (2007) found that just over one-fifth (21%) of those who responded reported experiences of harassment, while ten percent reported sustaining injuries due to physical assaults. The findings of these surveys provide statistical support for the qualitative findings of Tewksbury and Lees (2006) who found that threats of physical violence and verbal harassment are dominant themes in the narratives provided by the offenders they interviewed. Collectively, these studies demonstrate the devastating impact and seemingly insurmountable barriers to Community Reentry faced by those who carry such a damaging social stigma.

As illustrated above, community reentry, as a social process, presents both the offenders and the CCOs with many important challenges. Consequently, the post Megan’s Law social-legal climate has exacerbated those challenges for those who have been convicted of sexually-based offenses, as the widespread dissemination of stigma-driven labels has systematically dehumanized these offenders (Schaefer, 2014). While these strenuous challenges make Community Reentry difficult for the offenders, they also pose unique difficulties for the CCOs who work with such offenders. When returning offenders are unable to sustain housing, secure employment, or peacefully exist in the community, many of the other tasks assumed by or assigned to the CCO become nearly unattainable. If offenders are driven from their home by vigilantism, denied employment due to stigma-driven social apprehension, or face continued threats and harassment due to their status as a sex offender, many of the other goals of supervision, such as psycho-therapeutic treatment, become exceedingly more difficult. The reality of community corrections or community-based supervision is that the offender must be able to establish him or herself in the community in order for the transformative process, or correctional discourse to materialize.
In the previous sections, the bifurcation of two commonly, and colloquially unified concepts, Social Reintegration and community reentry, was addressed. The following sections provide a unique deconstruction of another common correctional element — technical violations. In a general sense, technical violations with sex offenders can be understood as either violations of Department of Corrections (DOC) imposed conditions or violations of statutorily imposed sanctions. Consequently, two general focal concerns emerge — Status Maintenance and statutory compliance.

**Focal Concern 3: Status Maintenance**

For many offenders, the transitional period immediately following release from incarceration is known as parole or supervised release, depending on the state. While the terminology for this transitional period can differ from state-to-state, many realities of these offender release programs are universal. Perhaps the most universal reality is the fact that the offenders experiencing this transition do so within the rigid confines of correctional discourse, meaning that their release is conditional and therefore is predicated upon the offender’s adherence to a variety of DOC imposed conditions. While the intentions of such sanctions are debatable, the reality is that failure to adhere to such requirements has been a contributing factor to the high rates of re-incarceration and society’s general misunderstanding of aggregate-level recidivism statistics (Hamilton & Campbell, 2013).

One particular group of offenders whose recidivistic tendencies are overwhelmingly misunderstood are sex offenders. This general misunderstanding stems from two important social phenomenon; the assumption of homogeneity within the sex offender population, and the other being the dichotomous understanding of recidivism which fails to distinguish between technical violations and the commission of new crimes (Hamilton & Campbell, 2013; Sample & Bray,
2006). While an examination of sex offender recidivism is beyond the scope of this discussion, the reality of its misconceptions illustrates the importance of Status Maintenance process.

As a focal concern for CCOs the notion of Status Maintenance can be understood as a process that provides the routine, structure, and boundaries believed to be necessary to interrupt or avoid criminogenic trajectories, while simultaneously providing a punishment-driven reinforcement apparatus. The conditions imposed upon offenders while they are under community supervision vary by state, DOC, offense, and, in many cases, by offender. Due to the fact that supervision conditions are subject to such degrees of variation, the following discussion addresses common approaches towards sex offender Status Maintenance.

Along with the standard conditions of supervision (e.g. maintaining employment, obeying travel restrictions, or not associating with known criminals) sex offenders are often subject to a variety of unique supervision conditions. According to Terry (2006), the Center for Sex Offender Management (CSOM) has identified the following supervision condition as best practices: disclosure, treatment, victim restitution, no contact with children, travel restrictions, residency approval, social and sexual behavior limitations, employment requirements, alcohol restrictions, psychological testing (sexual preference assessments), technology restrictions on things such as internet or digital cameras, and frequent visits with CCOs. While the supervision conditions identified by CSOM provide the foundation for a well-structured supervision modality, many of the conditions they have suggested are not exclusive to sex offenders. Barton-Bellessa and Hanser (2012) identified the following as general supervision conditions: victim restitution, travel restrictions, residency approval, employment requirements, alcohol restrictions, and frequent visits with CCOs. Consequently, the following discussion will explore the current

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3 Residency approval in this context is referring to the CCO’s general approval of the offender’s housing arrangements, not the residency restrictions that are statutorily imposed.
literature regarding those conditions that are exclusively oriented toward sex offender supervision.

**Disclosure.** As a condition of supervision, disclosure is intended to allow for interagency collaboration related to the treatment, supervision and management of the offender while he or she is under community supervision (Terry, 2006). While many jurisdictions utilize CCOs as therapeutic treatment providers or group counseling facilitators, others partner with outside agencies, non-profit social work practitioners or local outpatient psychology clinics to provide necessary services for offenders (McGrath, Cummings, & Holt, 2002). Under the supervision condition of disclosure, sex offenders must allow for their information to be shared with all individuals and agencies that will be utilized while the offender is under community supervision (Terry, 2006).

Contemporary research exploring the sex offender management-treatment-supervision vortex has highlighted the importance of disclosure as a means through which multiple approaches can be synthesized into a robust correctional modality (Baker, Skolnick, Doucette, Levitt, & O’Connor, 2005; Carter, Bumby, & Talbot, 2004). As Baker and colleagues (2005) highlight, the establishment a collaborative correctional modality that includes a variety of different service providers is a delicate process, and the offender must understand that certain information about his or her progress cannot be kept secret — especially if or when the offender becomes threatening. The degree of disclosure between treatment providers and CCOs can push some clinical-ethical boundaries. Blackburn (2002) maintains that blurred line between therapeutic treatment and crime control can allow for the violation of the ethical code of benevolence. However, McGrath, Cummings, and Holt (2002) found that of the 201 collaborative programs in their study, nearly every program (93.7%) required offenders to sign
disclosure releases. The fact that McGrath, Cummings, and Holt’s (2002) national survey found such high frequencies of disclosure and subsequent collaborative modalities supports the general argument that disclosure is concerned with balancing offender rehabilitation with community safety (Baker, et al., 2005; Carter, Bumby, & Talbot, 2004; Center for Sex Offender Management, 2000; Wilson, Stewart, Stirpe, Barrett, & Cripps; 2000).

*No contact with children.* Another common condition of supervision imposed upon sex offenders is the restriction from contact or interaction with children (Terry, 2006). In a general sense, restricting sex offenders from contacting or interacting with children is intended to protect children from becoming victims of sexually oriented crimes, or in some cases being re-victimized (Spencer, 1999). While this condition of supervision is widely utilized, its intentions may be misplaced. As Sample and Brary (2006) has pointed out, the assumption of criminogenic homogeneity amongst those who carry the sex offender label is detrimentally inaccurate. According to Sample and Brary (2006), the consequence of such erroneous assumptions is the development and implementation of policies and practices that fail to distinguish between the various crimes and criminogenic trajectories of sex offenders (i.e. offense-specific recidivism patterns). Despite research highlighting the logical inconsistencies of such practices the supervision condition restricting contact and interaction with children remains as common correctional practice (Maguire & Singer, 2010; Terry, 2006).

Since the implementation of the various “child-named” sex offender laws, research addressing the contact and interactions between sex offender and children has focused on the impacts made by statutory mandates, not supervision conditions. Collectively, current research has shown such laws to be ineffective (Wright, 2009). A thorough discussion of the statutorily imposed sanctions placed upon sex offenders will be addressed in the following sections,
however it is important to note that restricted contact and interaction between sex offenders and children is a common supervision condition imposed upon such offenders. Furthermore, despite the logical inconsistencies of such practices, CCOs are required to both enforce this condition and address the problematic consequences this condition produces.

*Social and sexual behavior limitations.* Sample and Brary’s (2006) discussion regarding the heterogeneity of the sex offender population cautions against making broad generalizations regarding this group of offenders. However, one thing that can be generalized about sex offenders is that each person who carries that label has engaged in some type of sexual behavior that society has deemed to be inappropriate and therefore in need of regulation or limitation.

Within the context of community supervision, the condition of social and sexual behavioral limitation is intended to provide a dynamic that empowers the CCO to ensure that the offender is observing social and legal boundaries (Terry, 2006). While each state has specific requirements on this particular condition, generally offenders are expected to inform their CCO if and when they develop new friendships and if and when they enter into new sexual relationships (Baker et al., 2005).

The notion of restricting the development of social relationships can certainly be seen as contradictory to the goal of Social Reintegration. However, as discussed by Baker and colleagues (2005) and Terry (2006), the purpose of this restriction is not to hinder Social Reintegration, rather to promote the development of mutually beneficial and supportive relationships — which Johnson (2002) has highlighted as one of three necessary components of mature coping. By imposing consequence-driven parameters for social discourse, the CCO is able to provide the offender with clearly defined boundaries. The intended utility of such boundaries is to empower the offender to maintain a trajectory toward rehabilitation by keeping him or her away from
detrimental social relationships, such as those with potential victims and other known sex offenders or criminals.

Due to the reality that sex offenders have engaged in sexually-oriented crimes, it is logical that supervision conditions restricting the sexual behaviors of these individuals be enforced. In general, conditions restricting sexual behaviors require the offender to inform the CCO about his or her new sexual relationship, and that the offender inform his or her new sexual partner of his or her status as a sex offender (Baker, et al., 2005). Similar to the restrictions on social relationships, the restrictions on sexual behaviors are intended to provide the offender with clearly defined boundaries, the violation of which will result in status revocation. It is important to note that each state has its distinction of these conditions, as Travis and Stacey (2010) have identified, some jurisdictions even place restrictions on marriage, such as Alaska where sex offenders are prohibited from getting married.

**Sexual Preference Assessments.** The inclusion of psychological testing or sexual preference assessments as a condition of community supervision stems from an overarching acceptance of the psychological etiology of such criminality. The conditions outlined by the Center for Sex Offender Management call for frequent polygraph and plethysmograph testing, allowing CCOs to adapt to the offender’s changes. While polygraph and penile plethysmograph testing are among the most commonly utilized sexual preference assessments, the Abel Screen or the Abel Assessment has emerged as another viable assessment instrument (Fischer, 2000). Although each of these assessments is intended to determine offenders’ paraphilic tendencies, each test has its own unique approach.

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4 It is important to note that psychological testing and sexual preference assessments are not risk assessments. Risk assessments will be discussed in focal concern 5 — Risk Management.
Perhaps the most invasive, and consequently the most openly scrutinized sexual preference examination is the penile plethysmograph, or phallometric test. The invasive nature of the phallometric test is due to its bodily application, which allows it to measure penile arousal through erectile blood flow while the offender is viewing various sexually-oriented materials (Konopasky & Konopasky, 2000). Some scholars have questioned the utility and validity of the phallometric test, arguing that it is too invasive (Gordon & Grubin, 2004; Laws & Gress, 2004) and that its lack of standardization is problematic (Gordon & Grubin, 2004; Grossman, Martis, & Fichtner, 1999; Lanyon, 2001; Launay, 1999; Laws & Gress, 2004). Consequently, The Abel Test or Abel Assessment emerged as a less invasive and more standardized alternative to the phallometric test (Fischer, 2000).

Due mostly to its novelty, the Abel Assessment has been subject to scrutiny with regards to reliability and validity. Fischer and Smith (1999) provide an overview of the Abel Assessment approach in which they caution the reader of the lack of empirical testing which provides reliability and validity. Along with the project discussed above, Able, Jordan, Rouleau, Emerick, Barboza-Whitehead, and Osborn (2004) answer the critics by providing empirical support for the Abel Assessment. In their study, Abel and colleagues (2004) examined the viewing times of 1,704 males ages 11-17, 1,170 of which has sexually abused children, finding longer viewing times for those with child victims.

Unlike the phallometric tests or the Abel Assessment which rely on stimulus-response measures to substantiate offenders’ claims, polygraph relies on bodily responses to determine deception and truthfulness (Gordon & Grubin, 2004). With regard to sex offender supervision, polygraph testing is used to clarify offenders’ claims on sexual preference (Lanyon, 2001), verify the offenders’ disclosure of offense history (Meijer, Verschuere, Merckelbach, & Crombez,
2008), and offenders’ adherence to supervision conditions (Terry, 2006). Meijer and colleagues (2008) along with Branaman and Gallagher (2005) critique the polygraph test on the bases of unacceptable frequencies of both type one and type two errors. However, Kokish, Levenson, and Blasingame (2005) are less critical of the polygraph finding type one errors occurring at lower rates.

While phallometric testing, Abel Assessments, and polygraph testing are among the most commonly utilized and conditionally mandated offender screening tools, it is important to note that screening tools will differ by state or jurisdiction. Furthermore, Grossman, Martis, & Fichtner (1999) caution that certain assessments are only useful for specific offense types. Despite criticism from scholars such as Branaman and Gallagher (2005) who argue that too much credence is given to these screenings with regard to the development of supervision modalities, the conditional mandates for such practices continues. Furthermore, the inclusion of such supervision conditions are supported by the National Center for Sex Offender Management, and advocated for by the Civic Research Institute (Schwartz, 2005; Terry, 2006). Despite the CCO’s paradigmatic orientation, the use of sexual preference screening tools or psychological sexual arousal scales have been shown to be a key part of sex offender supervision. However, the degree to which CCOs utilize or focus on this particular aspect of Status Maintenance is unknown. However, as Launay (1999) argues, practitioners and administrators must be considerate of the inherent limitations associated with these tests.

*Technology restrictions.* In the 1990s, American culture saw the rise of two transformative social phenomena, the internet and sex offender registries – which are accessible to the public via the internet. While the overlap between sex offenders and the internet has its
genesis in legislative mandates of Megan’s Law,\(^5\) the growth of internet access and capabilities since its implementation in 1996 and has created a new medium for sexual criminality — particularly the sexual harassment and solicitation of children.

Recent studies explored the role of social media in the victimization of children. Ybarra and Mitchell (2008) found that social media websites provide a setting for offenders to approach children. Of the 1588 children surveyed by Ybarra and Mitchell (2008) fifteen percent reported being sexually solicited online, while one-third (33\%) reported being sexually harassed. However, the majority (55\%) of the harassment, and just under half (43\%) of the solicitations occurred via instant messaging, not the social media sites specifically. While Ybarra and Mitchell’s (2008) study suggests that the social media sites are not necessarily identified as the scene of the crime, Mitchell, Finkelhor, Jones, and Wolak (2010) found that such websites play a significant role in the sexual exploitation of children. Mitchell and colleagues (2010) found that social media websites played a role in approximately 2,300 arrests for sexual exploitation of children. The specific role played by social media websites included: offender establishing contact and developing a relationship with the victim, communicating with the victim and his or her friends, and accessing information about the victim (Mitchell et al., 2010). Along with social media, blogging (web-logging) has also been shown to increase a child’s likelihood of online sexual harassment (Mitchell, Wolak, & Finkelhor, 2008).

The dangers of harassment and socialization grow exponentially when online communication leads to physical contact between victims and offenders. Wolak, Finkelhor, and Mitchell (2004) found that online communication frequently lead to sexual activities between the victim and the offender. Using data from 129 cases identified in the National Youth Online

\(^5\) Focal Concern 5 “Statutory Compliance” provides a thorough discussion of Megan’s Law.
Victimization Survey, Wolak and colleagues (2004) found that online communications were indicative of victim grooming and deception. Consequently, victims reported feelings of affection towards their victimizers. In an effort to suppress such activities and interrupt the online communications that lead to such grooming practices, many law enforcement agencies have turned to online patrolling. Mitchell, Wolak, and Finkelhor (2005) found that online patrolling or “proactive investigations” accounted for one-quarter of the arrests for child-based sex crimes.

While the studies discussed above do not provide a comprehensive review of the literature on the topic, they do illustrate the reality that the internet provides a unique medium for sexually deviant behavior. The frequency of online sexually deviant behaviors coupled with the reality that such behavior is difficult to police (Gillett, 2011) demonstrates the necessity for technology restriction as a condition of community supervision for sex offenders, especially those who have targeted children.

As a focal concern of sex offender community supervision, Status Maintenance represents a general case management approach for CCOs. As the center of the correctional continuum, Status Maintenance requires a delicate balance between rehabilitation and control. Knowing when to afford the offender leniency in an effort to sustain transformative progress requires the CCO to utilize discretion regularly. However, ensuring offender accountability and community safety must be a priority. Knowing which supervision conditions are particularly criminogenic for each offender allows the CCO to establish offender-specific boundaries. Considering the number of supervision condition imposed on sex offenders, and the extensive case/work load placed on CCOs, establishing the balance necessary for Status Maintenance is a perpetual concern for CCOs.
Focal Concern 4: Statutory Compliance

Over the past two and half decades the community management or supervision of sex offenders has changed substantially. While changes in ideological perspectives and technological advancements have played important roles in recent correctional transformations, the most rigid antecedent of correctional discourse has been the implementation of numerous sex offender laws. I argue elsewhere (see Schaefer, 2014) that the statutory mandates imposed by the various sex offender laws impede CCOs’ ability to develop client centered supervision modalities, while simultaneously forcing CCOs to focus on mandated requirements rather than offender change. Consequently, Statutory Compliance has become a significant element of community supervision for sex offenders and those who work with them.

Contemporary sex offender laws\(^6\) can be classified into three general themes: offender registration, community notification, and residency restrictions. Each of these thematic categories contain specific pieces of legislation (e.g. Megan’s Law) which are intended to reduce subsequent sexual criminality. However, as the following discussion will illustrate, the correctional utility of such legislative mandates is questionable.

Offender Registration. Similar to the other child-name sex offender laws, statutorily mandated registration has its origins in a tragic, yet rare instance of heinous child victimization, or what Griffin and Stitt (2010) would call a black swan case. While Megan’s Law is colloquially referenced as the statutory foundation of sex offender registration, the Jacob Wetterling Act was the first law to federally mandate sex offender registration (Leon & Kilmer, 2014). The distinction of the Jacob Wetterling Act as the first law to federally mandate sex

\(^6\) Contemporary sex offender laws are those that have been implemented in the past 25 years. This distinction excludes the equally controversial sexual psychopath laws of the 1930s.
offender registration is important because the Child Sex Offender Registration Act of 1986 in Illinois and the Community Protection Act\(^7\) of 1990 in Washington State outlined a state-specific registration mandates (Sample & Evans, 2009; Scheingold, Olson, & Pershing, 1994). Consequently, the emergence of sex offender registration policies generated a revolutionary approach towards sex offender management that continues to evolve.

According to the Office of Justice Programs, the Jacob Wetterling Act was implemented along with other crime mandates as part of the 1994 Omnibus Crime Bill. Specifically, the provisions of the Jacob Wetterling Act were designed to aid law enforcement with tracking the location of such sex offenders (http://ojp.gov/smart/sorna.htm). While the intention of the Jacob Wetterling Act and other similar laws is to protect children, such laws have been subjected to continuous scrutiny from both social science and legal scholars.

Critics of sex offender registration polices highlight a variety of social, legal, and philosophical problems that are either created or exacerbated by such laws. Research has illustrated the detrimental effects of registration policies on offender reentry or reintegration, and the emergence of vigilantism against those who are required to register (Levenson & Cotter, 2005a; Tewksbury & Lees, 2006). Legal scholars have raised issues of privacy, arguing the offenders’ abilities to socially rehabilitate are impeded by public knowledge of their past criminality (Cater, Bumby & Talbot, 2004; Douard, 2008/09). Concentrated in the nexus between the social and legal critiques of such policies are the philosophical queries regarding the social construction of stigma, the de-humanization of offenders, and the purpose of shamming (Jenkins, 1998). The frequency and intensity of such scholastic criticisms increased substantially following the 1996 amendment of the Jacob Wetterling Act to include Megan’s Law which

\(^7\) The Community Protection Act of 1990 will be discussed further in the following chapter.
mandates that registration information be made available to the general public (Sample & Evans, 2009).

*Community Notification.* Public access to the sex offender registration information maintained under the provisions of Megan’s Law has further-complicated both social and correctional discourse. Studies (see Levenson & Cotter, 2005a; Tewksbury & Lees, 2006) have demonstrated the damaging impacts of these policies — particularly with regard to offender targeting and vigilantism. Despite the reality of collateral victimizations endured by those whose personal information is made public, mandates outlined in Megan’s Law require some offenders’ information be actively distributed to community members (Goodman, 1996; Presser & Gunnison, 1999).

The degree or process by which communities are notified of an offender’s status is determined by the perceived risk that offender poses (see Terry, 2006). In recognition of the reality that different offenders pose different threats to community safety, provisions in Megan’s Law as well as the Adam Walsh Act, provides a unique tier system for classification and subsequent notification procedures. The tier system classifies offender into one of three categories or levels, with level one being the least likely to reoffend and level three being the most likely (see Sample & Evans, 2009). According to Lewis (1996), low risk offenders are classified as level one and are “subject only to registration” or what Presser and Gunnison (1999) call “passive notification” (p. 10). However, information on level two offenders is actively shared with community organizations such as schools or day care centers, while information on level three offenders is actively shared with all members of the community (Lewis, 1996; Presser & Gunnison, 1999).

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8 A thorough discussion of actuarial risk assessment with sex offenders will be provided in the following section on Focal Concern 5 — Risk Assessment.
Research on community notification focuses primarily on the negative experiences of the offenders and is consistent with the literature discussed in focal concerns regarding Social Reintegration and Community Reentry—particularly the impact of social stigma (Edwards & Hensley, 2001). Furthermore, the research highlights the enormous social and cultural forces challenging both the offenders and the CCOs. A series of articles published by Zevitz and Farkas (2000a, 2000b, & 2000c) illustrate the complex social realities that such laws create. In an attempt to address the issue quantitatively, Zevitz and Farkas (2000c) surveyed seventy-seven parole and probation officers in Wisconsin who work specifically with sex offenders. The officers in the study reported that working with offenders who are required to actively notify community members put extensive strain on their caseloads as the officers were tasked with assisting offenders securing housing (66%) or dealing with hostile media (40%). Furthermore, officers reported that notification cases were strenuous because they were required to spend one-third of their on-duty time working with victims. Zevitz and Farkas (2000b) provide qualitative support to their quantitative findings, by interviewing thirty convicted sex offenders who are required to actively notify, finding that housing issues affected a majority (83%) of the offenders. Along with substantial housing issues, the offenders in this study reported facing high frequencies of social marginalization (77%), personal threats (77%), and emotional harm endured by family members (67%). Similar to the quantitative study discussed above, Zevitz and Farkas (2000b) found that notification mandates accounted for increased pressure or strain on CCOs, as over one-third (37%) of offenders reported that their notification status impacted their CCO. Consistent with their critical appraisal of notification requirements, Zevitz and Farkas (2000a) question the utility of such laws due to the negative collateral consequence they provoke. By administering questionnaires to attendees at twenty-two community notification
meetings, Zevitz and Farkas (2000a) were able to show that such meetings did more to exacerbate panic than they did to ease concerns; and that roughly two-thirds (67%) of those who left the meeting feeling more anxious reported that they had attended the meeting for vindictive reasons. Collectively, the three studies produce by Zevitz and Farkas demonstrate the negative social, correctional, and personal impacts of these laws, leading some scholars to question the utility of notification statutes.

Roughly ten years after the implementation of Megan’s Law, two important studies emerged, both questioning the utility of notification mandates. Anderson and Sample (2008) questioned the premise of passive notification, or registration-only notification, by surveying Nebraska residents regarding their usage of online sex offender registration information. Roughly one-third (34.8%) of their 1,821 respondent accessed the online registries and just less than two-thirds (62.4%) of those individuals took any action. Zevitz (2006) challenged the utility of notification laws by comparing recidivism rates between those offenders with extensive notification requirements (n = 47) and those with limited notification requirements (n = 166). The results of a survival analysis, which accounts for time-to-failure, showed no significant difference in recidivism between the two groups. These two studies show that the two primary purposes of notification laws, informing the public and reducing recidivism are inconsequential. Considering these findings illustrating the negative consequences of such policies, it is not surprising that recent attempts at national standardization (SORNA) have been problematic.

As part of the Adam Walsh Act of 2006, the Sex Offender Registration and Notification Act (SORNA) provides the statutory foundation for the national standardization of sex offender registration and notification policies (see Sample & Evans, 2009). Inconsistencies regarding offender classifications and subsequent registration and notification requirements generated a
call for standardization, however according to the Office of Justice Programs, few jurisdictions have sufficiently adopted the standards set forth by SORNA (http://ojp.gov/smart/sorna.htm).

Research on the SORNA mandate has highlighted the various reasons for the social resistance. Harris, Lobanov-Rostovsky, and Levenson (2010) found that the mandated transition from actuarial-based risk assessment classification procedures to offense-oriented classifications posed substantial complication for the two states included in their study, Ohio and Oklahoma. The findings of Harris and colleagues (2010) study support the findings of Harris and Lobanov-Rostovsky’s (2009) survey of state officials which found that classification inconsistencies between state practices and SORNA mandates posed barriers to implementation. Along with inconsistencies in classification procedures, Harris and Lobanov-Rostovsky’s (2009) survey identifies operational and legal barriers such as retroactive application and the inclusion of juvenile offenders to be problematic. While the legal and operational barriers are difficult for states to overcome, the pragmatic barriers such as financial strains on state budgets and workload increases for criminal justice practitioners, both law enforcement and CCOs, are even more challenging to overcome (Harris & Lobanov-Rostovsky, 2009). While the intention of SORNA legislation is to provide uniformity across states, it emerged at a time when many states were developing their own sex offender policies, including Washington State’s Community Protection Act of 1990 (Levenson, 2009; Mustaine, 2014). One particularly rigid set of sex offender policies that materialized at the same time as registration and notification requirements are the various restrictions on where sex offenders can live — residency restriction laws.

*Residency Restrictions.* The challenge of acquiring suitable and sustainable housing is one that all offenders face when transitioning from prison to the community (Hattery & Smith, 2010). For those who have been convicted of sex related offenses, the struggle to find a place to
live is even more problematic. As discussed above, the social and community response to sex offenders initiated by registration and notification practices is a substantial barrier. When the reality of negative or hostile community responses is coupled with the residency restrictions laws, the issue of housing becomes even more challenging — both for the offenders and those who work with them (Barton-Bellessa & Hanser, 2012; Hatter & Smith, 2010).

Research on the detrimental impacts of residency restriction laws has illustrated the hardships for the offenders and the challenges endured by those who work with the offenders (Mustaine, 2014; Socia, 2014). The damaging impacts of residency restriction mirrors those associated with registration and notification — housing, financial, and social. Using geographical information system analyses, Zandbergen and Hart (2006) illustrate the hardships of Florida’s one thousand foot restriction, showing that less than five percent of the housing options in Orange County existed outside of the restricted zone. The number of available housing options in Orange County was cut in half when many jurisdictions in Florida increased their one thousand foot restriction to a twenty-five hundred foot restriction (Nobles, et al., 2012; Zandbergen & Hart, 2006). While the decreased availability of housing created by such laws has had a negative impact on offenders’ housing, the financial and social burdens imposed by these laws are also problematic (Levenson & Hern, 2007). An analysis of survey responses from one hundred forty-eight sex offenders found that the financial hardships with regard to housing impacted more than one-third (38%) of the sample (Levenson & Hern, 2007). Many of the offenders in Levenson and Hern’s (2007) study stated that they were unable to live with family members (37 %) or return to their own homes (26%) due the restrictions. Being unable to live with supportive family members or live near social service providers creates extensive challenges for these offenders — both financial and social (Levenson & Cotter, 2005b; Levenson & Hern, 2007).
Recent outcome studies on residency restriction suggest that such policies fail to reduce recidivism. In one of the most recent examination of residency restriction policies, Huebner, Kras, Rydeberg, Bynum, Grommon, and Pleggenkuhle (2014) assessed the impact of residency restriction on recidivism. Analyzing data from Michigan and Missouri and employing a quasi-experimental design, Huebner and colleagues (2014) argue that no significant difference in recidivism exist between restricted and non-restricted groups. The findings of Huebner and colleagues (2014) supports a previous quasi-experimental study conducted by Nobles, Levenson, and Youstin (2012) who found that increasing residency restriction did not significantly reduce recidivism. Along with an overall inability to reduce recidivism, it has also been argued that the strains imposed by such laws can serve as triggers to sexually deviant behavior (Levenson & Cotter, 2005b, Mustaine, 2014; Proyer, 1996).

For the CCOs who work with sex offenders, the strenuous realities imposed by registration, notification, and residency restriction laws can be overwhelming. The increased time spent ensuring that offenders are in compliance with these laws, while assisting them with the various social, financial and environmental challenges substantially impacts their workloads (Zevitz & Farkas, 2000b; Zevitz & Farkas, 2000c). Considering that the personal strains experienced by the offenders due to these policies can serve as triggers of subsequent sexually deviant behaviors, it can be argued that such policies are contradictory to the community safety and actually work in opposition to the efforts of CCOs.

**Focal Concern 5: Risk Management**

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9 For the purpose of this study, the authors operationalized recidivism as technical violations, revocations or new arrests.
10 The policies cause strains which can lead to subsequent offending. (see Pryor, 1996)
The final check point or focal concern along the correctional continuum is Risk Management. As a focal concern, Risk Management is oriented towards the crime/offender control end of the continuum as it constructs the offender as a set of risks that need to be managed (Schaefer, 2014). For CCOs the practice or employment of the Risk Management focal concern encompasses two related aspects of community corrections: risk assessment and offender surveillance (i.e. electronic monitoring, office check-ins, or home visits). Essentially, Risk Management is a process that aims to reduce or prevent criminality by determining an offender’s propensity to reoffender and the utilization of varying degrees of surveillance based on that propensity.

Risk Assessment. The utilization of risk-driven correctional modalities has grown substantially since Andrews, Bonta, and Hodge (1990) first introduce the Risk Needs Responsivity approach. Contemporary research has both chronicled and fostered the evolution of risk assessment theory and instrumentation — partially with regard to sex offenders. While early risk assessments relied on the clinical expertise of practitioners, contemporary assessments employ actuarial methods to discern risk (Schwalbe, Fraser, Day, Arnold, 2004). According to Grubin (2004) there are four main sex offender risk assessment instruments utilized in the United States — Minnesota Sex Offender Screening Tool-Revised (MnSOST-R), Rapid Risk Assessment for Sexual Offence Recidivism (RRASOR), Sex Offender Risk Appraisal Guide (SORAG), and Static 99. Each of these instruments has unique properties with varying degrees of utility. Consequently, many states including Washington use combinations of these assessments to fully gauge an offender’s risk level (Klima, 2008). While combining instruments can provide a more thorough assessment of the offender’s risk, research on the various instruments listed above has demonstrated the contributions of each instrument.
Research on sex offender risk assessment has primarily focused on comparative analyses. Bartosh, Garby, Lewis, and Gray (2003) compared the four commonly used instruments listed above, finding that certain instruments performed better for specific types of offenders. Using a sample of 186 male offenders, Bartosh and colleagues (2003) found that the Static 99 instrument is the most predictive of sexual recidivism regardless of offense type, and was the strongest in predicting sexual recidivism for incestuous and rape offenders. However, sexual recidivism for extra-familial offenders was most strongly predicted by the SORAG, while the MnSOST-R most strongly predicted sexual recidivism among non-assaultive or hands-off offenders. In a similar comparison study, Barbaree, Seto, Langton, and Peacock (2001) found that the Static 99 and the SORAG both significantly predicted recidivism. When comparing predictive strengths regarding sexual recidivism, the RRASOR was stronger than both the Static 99 and the SORAG. However, in a comparison between the Structured Anchored Clinical Judgment (SACJ), the RRASOR and the Static 99, Hanson and Thornton (2000) found that the Static 99 produced a higher level of predictive accuracy related to sexual recidivism.

Of the four commonly utilized sex offender risk assessment instruments, the Static 99 is most commonly utilized in the criminal justice system (Grubin, 2004). While comparative analyses provide support for the use of the Static 99 risk assessment, a direct comparison between the SORAG and Static 99 conducted by Nunes, Firestone, Bradford, Greenber, and Broom (2002) found no significant differences in predictive accuracy between the two instruments. Based on these findings, criminal justice practitioners can moderately predict an offender’s risk of continued criminality by using either instrument.

Collectively, research supports the use of risk assessment instruments to guide the development and implementation of correctional modalities. Hanson and Morton-Bourgon’s
(2009) meta-analysis found that actuarial assessments predict recidivism more accurately than clinical judgments. While the clinical judgment of criminal justice practitioners, such as CCOs, is important, the information provided by risk assessments provides CCOs with a foundation for structuring various aspects of their supervision practices, especially with regard to surveillance.

**Surveillance.** As an aspect of the Risk Management focal concern, the concept of surveillance can be understood as the pro-active, interaction-oriented practices used by CCOs to prevent offenders under their supervision from recidivistic behavior. In a general sense, surveillance practices employ varying degrees of containment as a way to control behavior. Specifically, offender surveillance includes face-to-face interactions between offenders and CCOs – both in the office and in the field, electronic monitoring such as global positioning system (GPS) tracking, or automated kiosk check-ins at community corrections centers. These surveillance practices are aimed at reducing the risk the offender poses to the community by routinely (office/kiosk check-ins), sporadically (unannounced home visits) or continuously (GPS monitoring) controlling the offender.

The frequency with which offenders and CCOs routinely interact is determined by the intensity of the supervision modality. Intensive supervision practices, commonly referred to as containment approaches, are supervision modalities designed to increase interaction between offenders and CCOs, or other Risk Management professionals as a way of reduced subsequent criminality (English, 2009; Maguire & Kemshall, 2004; Wood & Kemshall, 2010). English (2009) argues that the key to the containment approach is the utilization of multi-agency collaboration which allows for the inclusion of specialized professionals (i.e. psychotherapists or social workers) and improved supervision through increased offender contact. Contemporary literature supports the inclusion of specialized professionals in sex offender management,
partially specialized CCOs who must be able to manage the increased workload (i.e. collaboration, increased offender contacts, treatment referrals) such modalities create (Baker et al., 2005).

The empirical research on the use of the containment approach toward sex offender management has focused on both implementation and outcomes (Wood & Kemshall, 2010). Through a comprehensive mixed methods study, English, Pullen, and Jones (1996) found that surveillance-oriented case management helps CCOs identify and disrupt patterns of sexual deviance by providing continuous pressure to adhere to the condition of supervision. An evaluation of a containment-oriented approach toward sex offender management conducted by Wilson, Stewart, Srippe, Barrett, and Cripps (2000) found that less than four percent (3.7%) of the 107 offenders subjected to containment supervision sexually recidivated. While the findings from Wilson and colleagues’ (2001) study support the use of such modalities, Kemshall and Maguire (2001) highlight the logistical challenges these approaches present. Through a series of 117 interviews with various treatment and supervision practitioners, Kemshall and Maguire (2001) found that poor collaboration-cohesion impacted implementation. Implementation issues further exacerbating the CCOs workloads which are particularly burdensome due to the necessity of sporadic surveillance — home visits.

The use of home visits as a means of surveillance provides CCOs with the unique opportunity to assess the offenders’ behaviors and adherence to supervision conditions in a natural setting (Edson, Lundell & Robinson, 2007). As suggested by English, Pullen, and Jones (1996) the ambiguity of unannounced home visits serves as pressure to comply with supervision conditions. The current literature regarding the use of home visits as a means of surveillance focuses primarily on the implementation of such practices. In the most recent discussion of home
visits as a community corrections staple, Lutze (2014) contextualizes home visits as a *boundary spanning* practice that empowers CCOs to engage with offenders in many different ways.

Essentially, the home visit is an opportunity for the various treatment or supervision professionals (i.e. law enforcement officers, social workers, child protective services, and CCOs) to work collaboratively, representing a multi-faceted or “boundary spanning” approach (Lutze, 2014; Murphy & Lutze, 2009). Despite the inherent benefits of home visits, unannounced or scheduled, the threat posed by interrupted offender surveillance remains a reality of community supervision (Drapela & Lutze, 2009). While multi-agency collaboration provides an opportunity to reduce this risk, advancements in technology have provided CCOs with the means to engage in continuous surveillance.

Continuous surveillance is a relatively new approach to community corrections. Advances in technology (electronic monitoring/GPS tracking) have allowed CCOs to know the whereabouts of the offenders under their supervision at all times (see Terry, 2006). A statutory analysis of all fifty state conducted by Button, DeMichele, and Payne (2009) found that all but three states have statutorily mandated GPS monitoring practices, twenty-nine of which have sex offender specific statutes. Thematic analysis of each state’s GPS monitoring statues found a lack of uniformity across states. Examples of between states differences are such as, 17 states include GPS monitoring decisions in the sentencing phase of the trial, 19 states use risk assessments to determine monitoring intensity, and 29 states require offenders to cover the increased cost of such technology. Perhaps most surprisingly, only five states statutorily mandate that data be collected on the effectiveness of these practices (Button et al., 2009). The fact that Button and colleagues (2009) found that only five states require that outcome data be collected is consistent
with contemporary critiques, which argue that such practices are not empirically supported (Payne & DeMichele, 2011)

While the inclusion of technologically advanced surveillance in community supervision seems to be advantageous, recent research has highlighted many problematic aspects of such practices. Along with many implementation problems, (i.e. technical difficulties, data management issues, workload burdens) electronic monitoring and GPS tracking have been shown to be inconsequential as a means for behavior modification (Armstrong & Freeman, 2011; Omori & Turner, 2012). Over a three year period, 154 sex offenders generated 5,625 data points (alarms), nearly one-third (37.14%) of which were due to technical difficulties, not offender misbehavior (Armstrong & Freeman, 2011). Payne and DeMichele (2011) argue that the massive amounts of data produced by GPS monitoring poses unique challenges to CCOs who likely do not have the data management skills needed to isolate crucial information. Overall, the inclusion of GPS monitoring has been shown to substantially increase the workload burdens placed on CCOs, requiring CCOs to spend more hours on data management and equipment issues and less time on offender engagement or administrative tasks (Payne & DeMichele, 2010). The relative novelty of GPS monitoring provides reasonable optimism for evolutionary improvement in the area of implementation, however the lack of empirical support for its effectiveness is troubling. Through a quasi-experimental study, Omori and Turner (2012) found that differences in recidivism, new crimes and technical violations, between GPS and non-GPS sex offender were not statically significant. Given the many challenges associated with GPS monitoring, such practices must be used in conjunction with face-to-face methods of surveillance, including home visits and office check-ins (Omori & Turner, 2012).
As Lutze (2014) states “sex offenders can pose unique challenges to assessing risk and designing effective supervision strategies” (p.165). Stigma-driven moral panics coupled with rare, yet highly publicized sex crimes have led to public demands for extensive Risk Management practices (Goode & Ben-Yehuda, 2009; Griffin & Stitt, 2010; Jenkins, 1998). Consequently, the extensive increase in sex offender polices over the past two decades has substantially impacted the CCOs who work with sex offenders.

As the focal concern most closely associated with offender control, Risk Management represents a punitive approach towards supervision. Consequently, the CCO’s ability to practice discretion in favor of rehabilitation is limited. Supervision modalities and surveillance practices are dictated by risk assessment scores, thus weakening the CCO’s ability to implement strategies based on nuanced, offender-specific information (Polizzi, 2014). Furthermore, Risk Management aspect of community supervision – offender containment and surveillance – transforms the CCO from service provider to service coordinator (containment) and law enforcement agent (surveillance). The demand placed on CCOs as Risk Management practitioners are important to community safety and aim to provide the offender with guided boundaries to desistance.

**Focal Concerns linked to outcomes**

Collectively, research on the transitions from prison to the community for sex offenders highlights many unique challenges for those involved in the process. As illustrated by the above discussion, the challenges facing both the offenders and the CCOs who work with them can be understood within the context of each of the five focal concerns. Furthermore, the research shows that these challenges impact the offender’s ability to successfully transition from prison to the community, while also impacting the CCOs’ ability to accomplish the various tasks required of them. A deconstruction of the literature illuminates the reality that each focal concern and the
challenges within them are linked to correctional outcomes including new convictions and violation of DOC imposed condition, or technical violations of statutorily imposed requirements. The link between the focal concerns and correctional outcomes further emphasizes the importance of prioritization within CCOs’ approach to supervision. However, it is important to note that regardless of whether or not the various practices outlined in the focal concerns are effective, CCOs are required to utilize them.

As a focal concern, Social Reintegration encompasses issues related to social viability, particularly social stress/anxiety, stigma-driven social isolation, and the loss of supportive relationships. Recent studies linking social viability to recidivism demonstrate the importance of Social Reintegration as a focal concern for CCOs. Hochstetler, DeLisi, and Pratt (2010) surveyed 203 offenders under community supervision, finding that social support (i.e. relationships and networks) is a crucial aspect of successful transition from prison to the community, supporting Cullen’s (1994) argument on support and criminogenic strain. Willis and Grace (2008 & 2009) explore the impact of social viability and Social Reintegration with sex offenders in general and child molesters in particular. By comparing various social viability measures between recidivist and non-recidivist child molesters, Willis and Grace (2008) found that supervision modalities that consider social viability issues (i.e. social support networks) are more successful than those that do not. By conducting a survival analysis on data from 141 sex offenders, Willis and Grace (2009) provide further empirical support for the inclusion of social viability consideration when developing supervision modalities. Along with social viability concerns, Willis and Grace (2008 & 2009) suggest that issues related to Community Reentry such as housing and employment are linked to recidivism.
As discussed above, the concept of Community Reentry focuses on issues related to suitable housing, sustainable employment, and personal safety. As the research shows, these issues are especially problematic for sex offenders who face evictions, job terminations and threats to their personal safety. While these hardships impact the quality of life for these individuals, they also impact their likelihood of successful transition. As Levenson and Cottor (2005b) suggest, sex offenders face increased homelessness and transiency which leads to decreased job security and access to community support. Furthermore, Mercado, Alvarez, and Levenson (2008) and Schulenberg (2007) argue that reentry issues like housing and employment instability impact recidivism — both technical violations and new crimes. These issues are further complicated by the reality that maintaining employment and secure housing are often conditions of supervision, violations of which can be considered as technical violations or recidivism.

Focal concerns three and four are critical to the community supervision of sex offenders. While all offenders are subject to supervision conditions and legal boundaries, sex offenders are subjected to specific supervision conditions aimed at inhibiting the sexual components of the offender’s criminality. Furthermore, the statutory requirements placed upon sex offenders (i.e. registration, notification, residency restrictions) are intended to limit offenders’ access to victims, although there is little evidence such laws reduce victimization (Griffin & Stitt, 2010). In general, focal concerns three and four are concerned with a certain type of recidivism — technical violations. However, as the research discussed above has demonstrated, technical violations for sex offenders can be bifurcated into two sub-categories, violations of supervision conditions and violations of statutorily imposed requirements. Each type of technical violation demands different management and enforcement strategies. While CCOs might be able to afford
the offender some leniency on minor violations of supervision conditions, statutory requirements must be strictly enforced. Additionally, sanctions imposed for violating supervision conditions often differ from those imposed for statutory requirements such as failure to register (Levenson, Letourneau, Armstrong & Zgoba, 2010).

The final focal concern on the continuum, Risk Management, encompasses the proactive and concrete strategies used by CCOs to reduce or prevent continued criminality by the offender. In a general sense, reduction or prevention of recidivism is achieved through risk assessment and offender surveillance. While the use of actuarial risk assessments is highly supported with empirical research, surveillance practices such as increased contact with CCOs or other professionals, and electronic monitoring garner less scientific support in the area of recidivism reduction or prevention. According to Hamilton and Campbell (2013) increased surveillance of offenders can actually increase recidivism measures due to increased chances of identifying technical violations.

Gaps

The review of the contemporary literature on the community supervision of sex offenders has provided the foundation for the development of the five focal concerns outlined above, however, three important gaps have been identified. First, the literature provides a theoretical foundation for the existence of the focal concerns. While various studies have been synthesized to define the parameters of each focal concern, their existence has not been empirically established. Second, the research suggests considering the aspects of the focal concerns is important, however there is no empirical measurement or determination of which of the five focal concerns CCOs prioritize, nor is there any evidence of how CCOs differentially prioritize (rank order) each focal concern. Finally, no empirical research exists that demonstrates how the
differential prioritization of the focal concerns relates to correctional outcomes. The proposed study will attempt to fill these gaps by employing the methodological techniques outlined in the following chapter.

Summary

In summary, the literature review above has supported the existence of the five focal concerns and demonstrated their impact on correctional outcomes. It has been made evident that community supervision of sex offenders presents many unique challenges to the CCOs managing such caseloads. The research shows that CCOs must contend with each of the five focal concerns at some point while supervising sex offenders. Furthermore, failure to consider the aspects of each focal concern in the development of supervision modalities or correctional discourse can impact supervision outcomes and ultimately the offender’s progress towards desistance.
CHAPTER THREE

RESEARCH METHODS: A BLENDED APPROACH

Contemporary research on community corrections with sex offenders has highlighted the existence of a correctional continuum which polarizes rehabilitation and Risk Management. Despite social misconception about the rigidity of this polarization, research suggests that criminal justice practitioners, particularly community corrections officers, fluctuate between crime control and rehabilitation (Lutze, 2014). The previous chapter, which provides a thematically-organized review of the contemporary literature, illustrates the existence of five focal concerns which represent checkpoints along the paradigmatic or correctional care continuum. These five focal concerns are: Social Reintegration, community reentry, Status Maintenance, Statutory Compliance and Risk Management\(^{11}\). While the literature provides a theoretical foundation for these focal concerns, important empirical gaps remain.

The first of three gaps is a lack of empirical evidence for the existence of the focal concerns in the practice of sex offender community supervision. While the parameters of each focal concern have been defined through the synthesis of contemporary literature, the existence of these focal concerns has not been empirically tested. In order to answer the research questions posed by the current study and fill the remaining gaps in the literature, the existence of these focal concerns must be empirically established. Manifest coding procedures (see Kraska & Neuman, 2012) in the early stages of this study establish the existence of these focal concerns, allowing for further analysis to address the remaining gaps.

\(^{11}\) Status maintenance refers to adherence to condition of supervision imposed by the department of corrections. Statutory compliance refers to adherence to condition defined by statute and imposed by the court.
The second gap in the existing literature is the lack of empirical measurement regarding the differential prioritization (rank ordering) of focal concerns. While the research suggests that the components of each focal concern are important to daily operations of CCOs, there is no evidence regarding which focal concern CCOs prioritize, nor is there evidence of how CCOs rank the importance of each. Upon the completion of manifest coding, focal concern specific frequency comparison illustrates which focal concerns are noted most frequently by CCOs in the chronos, both raw data scores and percentage-based are used to. Once the frequency of each focal concern has been determined for each case, bivariate regression analyses allow the third and final gap to be filled.

The third and final gap in the existing literature is an empirical demonstration of the relationship between differential prioritization of focal concerns and corrections outcomes. Through the use negative binomial and Cox regression analyses, the current study numerically defines the strength of each focal concern’s relationship with each of the correctional outcomes examined in the study. Furthermore, multi-variate regression analyses shows the effect sizes and predictive strengths of each focal concern regarding outcomes.

The current study examines how these focal concerns impact correctional outcomes. Within the context of the current study, recidivism as a correctional outcome is defined as any new conviction. As discussed in the previous chapter, focusing on correctional outcomes eliminates the ambiguity associated with the term recidivism. While all non-successful correctional outcomes could be classified as recidivism, the term fails to differentiate between new criminality and technical violation. The current study operationalizes recidivism as a new conviction post incarceration. It is important to note that technical violations are subject to classification, meaning that there are different types of technical violations. For the current study,
technical violations are bifurcated between violations of DOC imposed conditions of supervision and violations of statutorily imposed requirements (i.e. failure to register).

**Research Questions**

1) Is there empirical evidence supporting the existence of the focal concerns – Social Reintegration, community reentry, Status Maintenance, statutory compliance, and Risk Management – in the process of community supervision with sex offenders?

2) Which focal concerns do community corrections officers focus on most extensively when working with sex offenders?

3) How do the focal concerns relate to correctional outcomes when working with sex offenders?

**Study Setting**

In 1990, Washington State codified the nation’s first sex offender statues since the sexual psychopath laws of the 1930s (Terry, 2006). The Community Protection Act of 1990, which was developed during the legislative session of 1989, changed the trajectory of sex offender policies in Washington State while providing a template for national legislative discourse. The Community Protection Act reflects the punitive social ideology of the late 1980s and early 1990s, by mandating the implementation of punitive criminal justice practices for those who have been convicted of sexually-based offenses. Scheingold, Olson, and Pershing (1994) outline three specific punitive practices that the Community Protections Act mandated: 1) increased sentence length for sexually-based offenses, 2) registration and notification requirements for sex offenders, and 3) civil commitment of sexually violent predators. Twenty-five years after the ratification of the Community Protection Act, Washington State continues to be on the forefront of progressive criminal justice and correctional practices — now embracing many research-
driven policies and practices (see Lehman, 2001). Two particularly progressive methods through which Washington has addressed the issue of sex offender supervision and treatment are through the Special Sex Offender Sentencing Alternative (SSOSA) and the Sex Offender Treatment Program (SOTP).

**Special Sex Offender Sentencing Alternative.** The Special Sex Offender Sentencing Alternative is a treatment-oriented sentencing approach that allows eligible offenders to remain in the community, while simultaneously receiving treatment. According to the Revised Code of Washington (RCW 9.94A.670) to be eligible to participate in SSOSA offenders must meet the following requirements: 1) enter a guilty plea, 2) be charged with a non-violent offense, 3) have no prior sex offense convictions, 4) have had a non-criminogenic relationship with the victim, 5) have committed an offense that did not result in bodily harm, and 6) be sentenced less than 11 years for the offense. Along with meeting the above listed eligibility requirements, offenders must be willing to engage in mandatory therapeutic treatment with a treatment provider who will work closely with the CCO assigned to their case (DOC 390.570, 2011).

The community corrections officers who are assigned to SSOSA cases are tasked with unique workloads. Due to the fact that the SSOSA program is founded on the containment approached to sex offender management (Edson et al., 2007), CCOs are required to work collaboratively with treatment providers, court administrators, law enforcement, and other community partnerships (DOC 390.570, 2011). In order to ensure that all collaborating parties are aware of the offender’s progress, CCOs are required to submit reports related to offender adjustment, housing issues, employment status, treatment progress, and overall attitude towards supervision (DOC 390.570, 2011). In the event that the offender’s treatment progress suggests that a continuation of treatment is necessary, CCOs can recommend treatment extensions in two
year increments up to the point at which the offender’s supervision time expires. The SSOSA program is an innovative approach to sex offender supervision, however the eligibility requirements excludes many offenders, particularly those who were incarcerated or committed more serious offenses. As far as the current study is concerned with the challenges related to the transition from prison to the community, SSOSA participants are not included in the sampling frame of the proposed study. While only certain offender are afforded the opportunity to participate in the SSOSA program, the less restrictive participation requirements for the Sex Offender Treatment Program provide more offenders an opportunity for treatment (Barnoski, 2006).

*Sex Offender Treatment Program.* The Sex Offender Treatment Program has been a part of the Washington State Department of Corrections since 1988, and provides a variety of treatment approaches to participating offenders (see Barnoski, 2006). The SOTP originated at Twin Rivers Correctional Center as an in-prison program designed to enhance safety and accountability through cognitive-behavioral therapy, individual and group counseling, and a unique family support development seminar. Family support seminars provide families with the tools and resources necessary to provide a supportive environment for the offender’s continued progress upon release. The SOTP has the capacity to provide treatment to 200 offenders in prison and another 200 under community supervision (see Aylward, 2005). Offenders who engage in the treatment program while incarcerated are expected to continue treatment while under community supervision, which can be provided for up to three years following release (Aylward, 2005). However, it is important to note that not all offenders are required to participate in the SOTP, as participation is voluntary — less than twenty percent of offenders continue with
treatment under community supervision

While programs such as SSOSA and the SOTP provide opportunities for constructive work with sex offenders in the community, the majority of sex offenders in Washington are not included in those programs. According to the rules put forth by the Washington Department of Corrections and Policy Directive 380.200, the tasks associated with sex offender supervision encompass all five of the focal concerns outlined in the previous chapter. While supervising sex offenders, CCOs serve as initial support outlets, assist with and approve of housing, enforce supervision conditions, ensure compliance with registration/notification and residency restriction policies, and develop risk assessment-based surveillance strategies (DOC 380.200, 2013; doc.wa.gov/community/sexoffenders.rulesincommunity.asp, 2014). Consequently, the comprehensive approach to sex offender supervision utilized by the Washington Department of Corrections provides a unique opportunity to answer the proposed research questions and fill the empirical gaps in the existing literature.

**Research Design**

The current study utilizes a longitudinal research design by examining the chronological field notes (Chronos) composed by CCOs for offenders whose community supervision occurred between August 1, 2008 and December 31, 2011. The Chronos provide a series of entries that record the CCOs’ efforts and the offenders’ progress during supervision. The chronos are used to identify the focal concerns, which are measured qualitatively as themes and quantitatively as frequencies and proportions. Follow up or recidivism data regarding the offenders continuous criminal behavior is used to link the focal concerns to correctional outcomes. The current study can be classified as exploratory for two specific reasons, it attempts to provide empirical
evidence of a scientifically new phenomenon, and it utilizes a relatively unused data source — chronos. The use of a longitudinal research design strengthens the theoretical component of the current study by demonstrating the predictive utility of the focal concerns perspective with regards to correctional outcomes especially new convictions.

Washington State Department of Corrections Policy Directive 280.500 outlines the specific definitions and implementation requirements for offender documentation for community supervision. According to Policy Directive 280.500, the chronos are to be electronically maintained and housed in the Department of Corrections information management system known as the Offender Management Network Information (OMNI). The information entered into the Chronos provides a summary of the interactions with or regarding the supervised offender, and must be recorded within one day of such engagements (DOC 280.500, 2013). The information contained in the chronos include aspects of each focal concern — treatment referrals, surveillance notes, Risk Management strategies, offender well-being and social viability descriptions, housing issues and resolutions, supervision condition adherence, and registration/notification requirement. Furthermore, demographic information along with risk and need assessment data will be gathered from the OMNI system and the WA-DOC Offender Needs Assessment.

Along with the information maintained in the OMNI system (i.e. chronos and legal face sheets), the current utilizes record data maintained by the Washington State Administrative Office of the Court (AOC) to track offender recidivism post incarceration. While technical violations of both DOC and statutorily imposed conditions are recorded in the DOC record data,

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12 The WA DOC imposed general supervision condition for all sex offenders. However, some offenders are required to have additional conditions imposed up on them. Offender specific supervision conditions are listed on the Legal Face Sheet which is linked to each offender’s chrono (DOC 350.500, 2009).
court data is maintained by the AOC. In order to link the focal concerns with new convictions, the proposed study will use the DOC identification number to track new conviction records throughout the follow-up period.

Providing an adequate follow up period is crucial to any recidivism study. In order to provide an adequate, post-incarceration follow up period, the current study examines a sample of cases from those offenders who were supervised in the community between 2008 and 2011. New conviction data from AOC ranged from January 1, 2008 to February 1, 2015, therefore the specific follow up period is based on when the offender in the sampled case was released from prison. Survival analysis and time off-set negative binomial models account for the exposure time differences.

Data Acquisition. The data for the current study has been acquired from the Washington Department of Corrections and the Washington Administrative Office of the Court. Data from the DOC includes the chronological field notes composed by CCOs and the legal face sheets which outline the offender specific supervision condition for each case. The risk and needs data for each offender also have been acquired. The Washington DOC uses specific instruments to assess risks and needs of sex offenders — the Static 99 and the Washington State Sex Offender Risk Classification for risk and the WA-DOC Offender Needs Assessment for needs. Data from these assessments are maintained by the WA-DOC and will be made available along with other OMNI data. Data from the AOC will consist of conviction data for the offenders identified in the cases included in the final sample. The chronos are made available through a secure server file exchange, per Washington DOC protocol. Research staff at DOC compiled the record data (Chronos and legal face sheets) for the offenders who meet the sampling frame discussed below.

13 See wa.gov/community/sexoffenders/- endofsentence.asp
Recidivism, or correctional outcome data, has been made available through data requests protocols outlined by Washington AOC and/or the Washington State Institute for Public Policy (WSIPP).

*Mixed/Blended Methods.* The current study utilizes a mixed or blended methodological approach, combining quantitative analyses of manifest-coded variables. Manifest coding procedures identify the existence of the focal concerns that have been defined through the literature review and operationalized in the variable measurement discussion below. This blended approach provides a thorough examination of the chronos narratives and a rigorous measuring of the frequencies of each focal concern as well as the chronos documentation of technical violation. Along with the quantified narrative data, the current study uses quantitative count-based data to fully measure all possible correctional outcomes including both technical violations and new convictions. The measurement specifications and variable operationalizations are discussed in the measurement section of this proposal.

**Sampling**

The current study is concerned with unique challenges facing CCOs who are tasked with supervising sex offenders as they transition from incarceration back into the community. As discussed in the previous chapter, the transition from incarceration to the community poses unique challenges for sex offenders. In order to fully capture and accurately measure all five of the focal concerns associated with the supervision of this transition, the following sampling procedures must be employed.

*Target population and Sampling frame.* The units of analysis for the current study are individual cases of sex offender supervision. Although the study examines how the supervision practices (i.e. focal concern prioritization) of CCOs relate to correctional outcomes, the CCOs
themselves are not specifically analyzed. Furthermore, while each case is represented by an offender, only the offender’s recidivistic behaviors are analyzed. Consequently, the target population for the current study is comprised of sex offender cases, post-incarceration community supervision in Washington State. According to the Washington State DOC, roughly twenty percent of Washington’s prison population is made up of sex offenders, ninety-five percent of which will return to the community (doc.wa.gov/community/sexoffenders/communitytreatment.asp, 2014).

Due to the extensive number of cases within the target population, only the cases that met within the sample frame were included in the pool from which the final sample was drawn. Cases that met the following criteria were included in the sampling pool. The offenders in the case were convicted of a sexually-based offense in adult court. While there are many different types of sexually-based offenses, research suggests that the stigma-driven challenges associated with the sex offender label are not offense specific (Sample & Bray, 2006). Therefore, it can be argued that all five focal concerns are applicable to all sex offense cases, regardless of crime specification. Only cases in which the offender was incarcerated were included in the sampling pool. The requirement of incarceration is critical to the proposed study as it focuses on the challenges of the transition to the community associated with community supervision (i.e. establishing social viability, acquiring housing, maintaining employment). Also, offenders were under the institutional and community supervision of the Washington Department of Corrections. This sampling frame specification might seem to be redundant given the study setting outlined above, however given the reality of lifetime or long-term registration and notification requirements, there is a distinct possibility that some sex offender living in Washington State committed their crime in another jurisdiction. For example, Spokane is one of Washington’s
larger cities; however its geographic location along the Washington-Idaho boarder increases the likely jurisdictional transience. Furthermore, the correctional discourse requirements outlined by the various policy directives of the Washington State DOC suggest that each focal concern should be addressed in each supervision case. The final requirement of the sampling frame is that only those cases in which the offender completed DOC community supervision in the 2011 were included. There are two specific reasons for the completion year of 2011 inclusion criterion: 1) it allows of an adequately sized follow up period for recidivism, and 2) it eliminates an important threat to internal validity of the study — historical effects. In June of 2012, the Washington State DOC implemented a new bill that has the potential to impact the validity of technical violations as an outcome measure.

Washington State Senate Bill 6204, colloquially known as “swift and certain” was implemented on June 1, 2012 (doc.wa.gov/community/implementationofSB6204.asp, 2014). Under the provisions of Senate Bill 6204, CCOs have the authority to incarcerate offenders for low-risk technical violations for up to three days without a court hearing. These one-to-three day incarcerations impact the transitional progress associated with focal concerns one and two (Social Reintegration & community reentry), while directly impacting the enforcement practices associated with focal concerns three and four (Status Maintenance & statutory compliance), and exacerbates the iatrogenic effects of increased surveillance — as the number of interactions between the CCO and offender increase so do the opportunities for the CCO to technically violate the offender. Along with the negative impacts that swift and certain has on the measurement of each focal concern, it also impacts the outcome measures of the current study. By requiring CCOs to technically violate offenders and place them in short term incarceration, swift and certain practices substantially inflate recidivism counts. In order to avoid the historical
effects related to the implementation of swift and certain, the final sample was drawn from cases in which the offenders completed community supervision prior to the implementation of swift and certain.

The inclusion of cases subject to the provision of the swift and certain policy would reduce the ability of the findings of the current study to be generalized beyond Washington. The swift and certain approach to community supervision is a unique, Washington Specific program, making the supervision process incomparable between states. Therefore, in order allow findings to be generalized, the historical threat to validity has been eliminated.

Sampling Procedure. The Washington DOC estimates that more than 1,200 cases meet the target population and sampling frame criteria outlined above. From the sampling pool or 1,200 plus cases, a final sample of 200 cases has been identified. The final sample size of 200 was determined by using the formula 50+8(K) in which K is the number of predictor variables in a multivariate regression model (Green, 1991). In the proposed study, each focal concern represents a predictor variable therefore the sample size formula becomes n=50+8(5) for a minimum sample size of 90. However, when attempting to establish the significance of individual predictors, as is the case in the proposed study, Green (1991) suggest that one case be added for each predictor thus making the minimum sample size required for the proposed study 95 cases. The minimum number of cases was doubled to 190 and rounded up to 200 to provide enough power for further analyses. The findings from Green’s (1991) equations was cross-referenced with Cohen’s (1992) power printer, which suggested that a sample of 93 would be sufficient, ensuring that the final sample size of 200 provides adequate statistical power.

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14 This estimate was obtained from personal communications with research staff at WA DOC.
In order to eliminate the impact of systematic bias, the current study utilizes simple random sampling to identify the 200 cases to be included in the analysis. According to Kraska and Neuman (2012), simple random sampling is the most scientifically rigorous sampling procedure as it ensures that all cases in the sampling frame has a chance of being included. Research staff at the Washington State DOC used computer generated random sampling identification to isolate the sample from the sampling pool. The practice of random sampling ensures that cases are not excluded based on offender risk or classification level, offender sex, victim status, or any other systematic characteristics. Such sampling practices allow for the unique impacts of the predictor variables to be measured.

**Measures**

The literature review provides a strong foundation for the operationalization of the variables being measured in the current study. Each of the five focal concerns has unique attributes that can be identified in the chronos narratives. Using the operational definitions discussed below coupled with manifest coding procedures, each focal concern is identified throughout the narratives. The frequency at each focal concern is identified in the narratives has been recorded and used in quantitative analyses.

<table>
<thead>
<tr>
<th>Focal Concern</th>
<th>Variable Attributes: Coding Words/Phrases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1: Social Reintegration</td>
<td>Relationships</td>
</tr>
<tr>
<td></td>
<td>○ Friends, Family, Community</td>
</tr>
<tr>
<td></td>
<td>Social Networks</td>
</tr>
<tr>
<td></td>
<td>○ Groups, Churches, Organizations</td>
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<tr>
<td></td>
<td>Social Engagement</td>
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<tr>
<td></td>
<td>○ Pro Social Community or Neighborhood Interaction</td>
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<tr>
<td></td>
<td>Stress Anxiety</td>
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<tr>
<td></td>
<td>○ Fear of Physical or Verbal Attacks</td>
</tr>
<tr>
<td></td>
<td>Stigma/Shame</td>
</tr>
<tr>
<td></td>
<td>○ Embarrassment</td>
</tr>
</tbody>
</table>
- Social Isolation
  - Self-imposed Social Removal, Societal Rejections or Forced Exclusion

- 2: Community Reentry
  - Housing Security and Stability
    - Property Damage, Denial of Housing, Forced to Move (not related to zone restrictions)
  - Employment
    - Job Loss, Denial of Promotion, Denial of Employment
  - Personal Safety
    - Vigilantism, Personal Energy, Harassment

- 3: Status Maintenance
  - Location/Geographical Boundary Restrictions
  - Fulfill and Maintain Statutory Compliance
  - Approval of Living Arrangement
  - Treatment
  - Substance Use Restrictions
  - Restricted Contact with Victim/Potential Victims
  - Sexual Relationship Approval
  - Collaborative Disclosure
  - Online Restrictions
  - Adult Entertainment Restrictions
  - Firearm Restrictions
  - Financial Obligations
    - Restitution, Child Support, Court Fees, etc.

- 4: Statutory Compliance
  - Offender Registration
  - Community Notification
  - Residency Restrictions (Statutorily Imposed, NOT Stigma Related)

- 5: Risk Management
  - Containment Appointments
    - Mandatory Meetings with Required Professionals (Therapists, Social Workers)
  - Office Check-ins
  - Home Visits
  - Risk Assessment
    - Risk Score Based Interactions
  - GSP/Electronic Monitoring

Note: The supervision condition outlined under focal concern 3 – Status Maintenance – are Washington Specific.

Table 3.1 outlines the coding scheme for each of the five focal concerns. The unique attributes of each focal concern listed in table 3.1 guides the quantitative content analysis, which
identifies the existence and frequency of each focal concern. Consistent with the manifest coding procedures discussed by Kraksa and Neuman (2012), the above variable attributes list represents the “list of words, phrases, or symbols” to be located in the data narrative (p. 213). Therefore, any chronos entry that discusses relationships, social networking, social engagement, stress or anxiety, shame or stigma, or social isolation are coded as a Social Reintegration entry. Although Social Reintegration and Community Reentry are often colloquially equated, for the purposes of the current study, the terms have been bifurcated and unique attributes have been assigned to each. Consequently, chronos entries that address issues regarding housing security and stability (not related to zone restrictions), employment, or personal safety are coded as Community Reentry entries. As a focal concern, Status Maintenance is somewhat dynamic, as the supervision conditions imposed upon an offender are generally offender-specific. In order to identify Status Maintenance chronos entries, a combination of the attributes outlined in table 3.1 and the offender specific condition defined by the offenders legal face sheets – a list of offender specific attributes, condition, and legal requirement are used. In contrast to the highly specific Status Maintenance variables attributes, Statutory Compliance attributes are more universally applied to all sex offender cases, making identification less arduous. Any entries that address registration, notification or residency restrictions are coded as Statutory Compliance chronos entries. Finally, any Chronos entry that addresses containment appointments, office check-in frequencies, home visits, actuarially risk assessment or GPS/electronic monitoring are coded as a Risk Management entry.

*Additional variables.* In order to ensure that the final analyses accurately measure the relationships between the primary independent or predictor variables and the various correctional outcomes, the following variables have been included. All available demographic information
will be collected in each case including the age at release, sex, and race of the offenders in the sampled cases. The offender classification level for each case has also be recorded. The offender classification level is designed to numerically define the offender’s likelihood of reoffending, therefore it could likely be predictive of the case outcome and therefore has been included as a control variable. Furthermore, as a grouping variable, classification level can also be used to determine if different focal concerns are prioritized between each level. A second grouping variable that will allow for comparison analyses is the offense type (i.e. child molestation, rape, indecent exposure etc.). Other important variables to be included are age at release from incarceration, sentence length, length of follow time, and sex. The data on these variables has been obtained from the legal face sheets of each offender in each case. Data have been recorded in its raw form, and categorical data will be recoded into numeric data once all data have been recorded. Length of supervision and length of follow up period are included to account for exposure time post incarceration. In order to be included in multivariate regression analyses, the controls variable on risks and needs are recorded in raw form, but are collapsed into grouping variables for means comparison analyses.

Control Variables. As highlighted by the Risk Management discussion in the previous chapter, statistical instruments such as risk or needs assessments are used to aid in the development of supervision modalities. While various social-legal-cultural forces impact supervision approaches, the risk and needs assessments also impact the structure of supervision modalities. In an effort to isolate the impact of the focal concerns on supervision outcomes, the information provided by these assessment instruments must be considered. Therefore, the risk and needs scores are used as control variables in the regression analyses.
The risk and needs data from the current study include offender specific information gathered from the Static 99 risk assessment, the Washington State Sex Offender Risk Classification, and the Washington Department of Corrections Offender Needs Assessment\textsuperscript{15}. The Static 99 assesses uses ten factors to assess risk including age, living arrangement, criminal history – both sexual and non-sexual, gender, and victim-offender relationships. The factors included in the Static 99 are measured categorically — nine dichotomous and one ordinal (static99.org/pdfdocs/static-99-coding-rules_e71.pef, 2014). The overall risk score and a categorical breakdown are used in final analyses. Data from the Washington State Sex Offender Risk Classification (WSSORC) instrument is also included in the current Study. The WSSORC instrument uses an amalgamation of various instruments including the RRASOR and measures consistent with the Static 99. Score on the WSSORC that are below 46 are considered to be low risk, while scores above 46 are moderate to high risk depending on notification requirements.

Data gather by the WA-DOC Offender Needs Assessment include demographics, prior criminal history, risk levels, education, employment, peers, housing, family, substance abuse/use, mental health, aggression, attitudes/behaviors, and coping skills. Needs score are calculated as indexes based on answers to a series of questions with categorically defined responses. Each needs area have a domain score which will be included in the dataset.

\textit{Dependent Variables/Correctional Outcomes}. Four correctional outcomes have measured as dependent variables in the current study. Because the sample has been drawn from a pool of offenders who completed community supervision in 2011, the possibility exists that the offenders could have earned multiple technical violations or have been reconvicted multiple times. Therefore, all technical violations and all new convictions are measured in specific ways.

\textsuperscript{15}While the needs scores produced by the ONA are useful in the development of supervision modalities, it is important to note that these measures have not been validated. WA-DOC is in the process of validating this measure.
Technical violations data which was obtained through the DOC record data allows for them to be classified as either violation of DOC imposed condition or statutorily imposed requirements. New conviction data has been obtained from record data obtained from the AOC. Raw count data for the technical violations is used in bivariate and multivariate analyses, while due to data limitations; recidivism has been dichotomized based on new convictions.

**Analyses**

The current utilizes both qualitative and quantitative analyses\(^\text{16}\). Each research questions requires a different type of analysis. The success of the current study is dependent upon a unique blend of both epistemological orientations. Both qualitative and quantitative content analyses are used in the early analytical phases, while a series of statistical analyses are used to measure relations between variables and cases. Collectively, the analyses outlined below provide empirical answers to the important research questions that have been raised and the knowledge gaps identified.

**Research Questions 1: Is there empirical evidence supporting the existence the focal concerns – Social Reintegration, community reentry, Status Maintenance, statutory compliance, and Risk Management – in the process of community supervision with sex offenders?**

To answer this question, and provide the foundation for the subsequent analyses, a two phase content analysis has been performed. Phase one analysis employed a comprehensive thematic content analysis which will identify each focal concern through the manifest coding procedure outlined above. Phase two of this analysis employed a quantitative content analysis which allowed for the recoding of the frequency of each focal concern. The frequency at which

\(^{16}\) It is important to note the analysis plan presented here is based on the assumed quality of the data. In the event that the data are not suitable, all necessary changes will be made.
each focal concern was observed in each case has been recorded as the variable measure of each focal concern. Therefore the measure of each focal concern for the subsequent analyses is a interval level continuous variable which allow for the quantitative analyses needed to answer the remaining research questions.

*Research Questions 2: Which focal concerns do community corrections officers focus on most extensively when working with sex offenders?*

Two specific quantitative analyses will be used to answer this research question. At the sample level frequency distributions and descriptive statistics will illustrate which focal concerns are most frequently addressed. Furthermore, descriptive statistics will provide sample level measure of central tendency (mean), providing an overall summary of the use of each focal concern. Along with providing the raw count data, the analysis provides the overall percentage of each focal concern. For example, the average number of chrono entries addressing Social Reintegration might be 74. Using percentages to account for the total number of chrono entries, it could be found that Social Reintegration accounts for, on average ten percent of the chrono entries.

*Research Questions 3: How do the focal concerns relate to correctional outcomes when working with sex offenders?*

A series of regression models are used to numerically define the relationships between the focal concerns and the various correctional outcomes included in the current study. Due to the number of technical violations committed by each of the offenders in the sampled cases clustering around zero, negative binomial regression modes are used to assess the relationship between the focal concerns and technical violation. Similarly, the number of new convictions of the offenders in the sampled cases was zero-inflated leading to the variable needing to be
dichotomized. A Cox Regression or survival analysis is used to account for exposure time and the use of a dichotomous outcome measure.

In an effort to isolate the predictive relationship between the focal concerns and the various outcomes, specific control variables are utilized. The included control variables are related to risks and needs and are included in the regression modes. The raw scores from the WSSORC instrument as well as the domain score from the ONA, specifically housing, employment, peer, and family needs are used as control variables.

Additional data collected is used to study differential prioritization of each focal concern based on offender classification (I, II, III) and offense type (adult assault, child assault, non-contact). The continuous level of measurement of each focal concern and the trichotomous categorical nature of offender classification and offense type provides the opportunity for ANOVA testing. Through ANOVA testing, the proposed study will show average differences in focal concern measures between groups. In the event that data for the grouping variables are dichotomous (need or no need) independent sample T-tests will be used to compare the average differences.

The inclusion of risk and needs data allows for bivariate analyses. For example, if an offender has a high (6 or higher) risk score on the Static 99 is the average number of chrono entries addressing Risk Management consistent? The inclusion of risk and need scores as controls in multivariate regression analyses will highlight the unique impact of the focal concerns on correctional outcomes. Furthermore, risk and needs scores are also collapsed into ordinal-level grouping variables allowing from ANOVA and T-tests to compare means of focal concern scores.
Methodological Limitation

A common methodological limitation associated with exploratory research is a lack of criterion validity. According to Kraska and Neuman (2012), criterion validity uses an independent measure of the variables in the study to ensure that accuracy of the measures employed. The proposed study is vulnerable to this limitation because the constructed measures in the study are being defined and operationalized for the first. Again, future research will provide opportunities to establish such validity.

Summary

The mixed methods approach outlined above provides the necessary scientific procedures to answer the research questions of the proposed study. Qualitative thematic analysis of the Chronos narratives establishes the existence of the focal concerns, while quantitative manifest coding procedures produce numerical data for statistical analyses. The conceptual and operational definitions of the variables included in the proposed study allow for robust statistical analyses which build the foundation for future empirical research on the focal concerns. Furthermore, the unobtrusive nature of record data analysis lessens the impact of threats to external validity, allowing the finding of the proposed study to be generalized to the overall target population of sex offender supervision cases in Washington State.

Measuring the number of times each focal concern appears in each case illustrates which focal concern is prioritized. By linking focal concern prioritization with unambiguous correction outcomes, the proposed study has important implication for correctional policy and practice. As the correctional pendulum swings toward the evidence-based paradigm, the scientific rigor of the proposed study will provide CCOs with a research driven approach to the development of sex offender supervision modalities.
CHAPTER FOUR

RESULTS: ESTABLISHING THE EXISTENCE, UTILIZATION, AND IMPACT OF THE FOCAL CONCERNS FOR SEX OFFENDER COMMUNITY SUPERVISION

A mixed methodological approach was employed to determine if the focal concerns identified in the sex offender literature are relevant to community corrections officers when supervising sex offenders. Qualitative analysis of the supervision narratives found in the chronos was used to measure the existence of the focal concerns, while quantitative analyses of DOC and AOC record data were used to determine whether CCOs focusing on specific focal concerns relates to correctional outcomes. The results of each analytical approach are presented as they related to the three research questioned posed by the current study.

Sample Descriptive Statistics

A total of 200 cases were randomly selected for analysis from a total population of 285 cases that met the parameters of the sampling frame. The qualitative examination of the supervision narratives found in the chrono revealed that thirty of the offenders in the randomly selected cases were deported to their home country, while another four offenders were transferred out of state for supervision. Consequently, the total number of cases included in the final analyses is 166 cases, all of which represented offenders who were supervised by the Washington State Department of Corrections following release from incarceration. Table 4.1 provides the descriptive statistics
<table>
<thead>
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<th>Variable</th>
<th>Frequency/Mean</th>
<th>Percentage/S.D.</th>
<th>Percent Missing</th>
</tr>
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<tr>
<td>Adult Sexual Assault</td>
<td>15.00</td>
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<tr>
<td>Child Sexual Assault</td>
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<td>76.50</td>
<td>--</td>
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<tr>
<td>Non-Assault</td>
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<td>--</td>
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<td>Score</td>
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<tr>
<td>Mental Health</td>
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<td>5.4</td>
</tr>
<tr>
<td>Aggression</td>
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<td>3.38</td>
<td>5.4</td>
</tr>
<tr>
<td>Attitudes</td>
<td>6.01</td>
<td>3.62</td>
<td>5.4</td>
</tr>
<tr>
<td>Coping</td>
<td>1.37</td>
<td>1.77</td>
<td>5.4</td>
</tr>
<tr>
<td>Static 99 Risk Score</td>
<td>2.92</td>
<td>2.00</td>
<td>78.3</td>
</tr>
<tr>
<td>*WSSORC Score</td>
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<td>12.45</td>
<td>7.2</td>
</tr>
<tr>
<td>Recidivism Risk (Any)</td>
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<td>--</td>
</tr>
<tr>
<td>High Non-Violent</td>
<td>18.00</td>
<td>(10.8)</td>
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</tr>
<tr>
<td>High Violent</td>
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</tr>
<tr>
<td>Moderate</td>
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<tr>
<td>Classification Level</td>
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<td>15.7</td>
</tr>
<tr>
<td>Level 1</td>
<td>78.00</td>
<td>55.70</td>
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</tbody>
</table>
The majority of the offenders in study are males (96.4%), white (77.7%), with an average age of forty years old. The majority of the offenses in the sampled cases included some degree of assault-based victimization of children (76.5%) while adult victimization occurred in fewer than ten percent (9%) of the sampled cases. Non-assault sexual offenses such as failure to register, selling or possessing child pornography, or exposure crimes accounted for just over fourteen percent (14.5%) of the cases. Over half (55.7%) of the offenders were classified as level one or low risk based on their crimes, while sex offense specific actuarial-based risk assessments classified the majority of the offenders as low to moderate risk. Furthermore, with regard to general risk of recidivating, non-sex offense specific assessments classify nearly half (48.8%) of the offenders as low risk. Actuarial-based needs assessments show that the offenders in the sampled cases, on average, score high in the areas of employment ($\bar{x}=7.2$), aggression ($\bar{x}=3.39$), and criminogenic attitude ($\bar{x}=6.01$). The univariate statistics illustrate low frequencies of negative correctional outcomes, with the average number of technical violations being fewer than six ($\bar{x}=5.81$) and just more than one-quarter (27.7%) of the offenders being convicted of new crimes post-incarceration.

**Research Question 1: Is there empirical evidence supporting the existence of the focal concerns?**

The qualitative analysis provides strong support for the existence of the five focal concerns in the community supervision process. Not only are each of the five focal concerns represented throughout the supervision narratives (chrono). Table 4.2 summarizes the manifest

<table>
<thead>
<tr>
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<th>Level II</th>
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<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
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<td>27.90</td>
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<td></td>
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<tr>
<td></td>
<td>5.00</td>
<td>3.60</td>
<td>--</td>
</tr>
</tbody>
</table>

NOTE: *Washington State Sex Offender Risk Classification. Valid Percentages Reported*
coding scheme and includes the average percentages of each of the five focal concerns. The qualitative findings of the CCOs’ chronicling of is each of the focal concerns is presented in order of the continuum, beginning with Social Reintegration and ending with Risk Management.

<table>
<thead>
<tr>
<th>Table 4.2 Focal Concern By Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Focal Concern</td>
</tr>
<tr>
<td>1: Social Reintegration</td>
</tr>
<tr>
<td>2: Community Reentry</td>
</tr>
<tr>
<td>3: Status Maintenance</td>
</tr>
<tr>
<td>4: Statutory Compliance</td>
</tr>
<tr>
<td>5: Risk Management</td>
</tr>
<tr>
<td>Note: Only those aspects discussed in the qualitative analyses are listed</td>
</tr>
</tbody>
</table>

Social Reintegration

The dominant thematic aspects of the Social Reintegration focal concern those related to repairing or establishing supportive, pro-social relationships such as familial or spousal. When these aspects of Social Reintegration emerged, the CCOs noted substantial problems. Findings show that the harm caused by the offenders and the stigma those crimes carry impacted the offender’s Social Reintegration. Case number 130 illustrates this reality:

“[ex-wife] stated that her entire family has been devastated by [offender’s] actions and does not want him to be anywhere in their vicinity”

“[offender] is emotional about wanting to see his father {sick in hospital} but the rest of the family wanting nothing to do with him and not wanting this contact […] “distraught, his father has been given 2 months to a year to live and he can’t see him”

When family relationships are strained or non-existent, offenders seek out relationships in the community. However, due to the stigma associated with the sex offender label, establishing supportive, pro-social relationships is difficult. Consequently, offenders seek out relationships with other offenders or members of their counseling groups.
“[offender presented a safety plan to attend a group member’s home for a BBQ/potluck for CSOTP group members…[offender] will be giving a ride to one of his group members” (Case 91)

The CCOs of the offenders who participated in this community sex offender treatment program group gathering showed support of such pro-social engagements. However, in some cases the reality of offender-peer relationships can be problematic, particularly when offenders have supervision conditions restricting them from associating with convicted felons. Case 198 illustrates this challenge:

“I [CCO] would speak to [Offender] today regarding his GF, informed [Offender] that he can no longer have contact with her as she is a convicted felon”

The complex challenges associated with sex offender community reintegration impact the supervision process and demand that the CCOs who are working with these offenders be proactive in addressing them.

Many of the CCOs in the current study utilized proactive approaches to aiding the offender with the challenge of Social Reintegration, particularly with regards to social networking and engagement. Nearly all of the CCOs in the current study encouraged structured community involvement including community resources such as churches, centers or organizations.

“Advised [Offender] to seek a support group/social club through Columbia River Mental Health” (case 198)

“[CCO] spoke with [Offender’s] wife this date. She requested information on how [Offender] could begin attending Church with her. Told her […] he needs to be with an approved chaperone” (case 190).

“[Offender] tells me he joined the senior center we had encouraged” (case 75)

Along with requiring offenders to disclose their crimes and supervision conditions to church leaders, outreach facilitators, or organizations, CCOs utilize a chaperone system which allows
offenders to engage within the community and attempt to build pro-social support networks.

Chaperones are generally close friends or family members who routinely provide support for the offender — church pastors, parents, and siblings being the most common.

“[Pastor] requested that he, his wife, and his son be allowed to be chaperones” (case 75)

“[Offender] brought his fiancé in to meet me […] brought in chaperone paper work as he thought we could fill it out while he was here” (case 90)

While the chaperone system is beneficial for those offenders who are working towards establishing pro-social support networks, it is predicated upon the offenders having or being able to establish relationships. Throughout the supervision narratives, CCOs routinely note offenders’ existing, developing, and problematic relationships. Most frequently, such relationships are noted at times of face-to-face encounters.

“This date at [Offender’s] residence and met with [Offender] and his mother [Offender’s] brother and his friend were also in the residence” (case 158)

“[Offender’s] wife, father, and pastor came into the office” (case 59)

Collectively, the qualitative data suggests that the relationships, social networking, and social engagement aspects of the Social Reintegration focal concern are indeed part of the community supervision process. While the focal concern of Social Reintegration only accounts for roughly ten percent of the chrono entries, the degree of their impacts need to be examined further.

Although less frequently addressed in the supervision narratives, abstract social realities experienced by the offenders such as social anxiety, shame/stigma, and isolationism, compared to more concrete challenges (i.e. marriage). The social anxiety that is most often noted is related to an offender’s fear of vigilante-violence — being targeted due to their status as sex offenders.

“[Offender] called this a.m. very upset stating that he wants to go back to prison. He said he is tired of being a victim in the community” (case 70)
“[Offender] called this date to report harassment by his ex-wife […] told by police that there is nothing he can do to keep his ex-wife from harassing him” (case 174)

“He informed me that housemate was making death threats to him […] waving a butcher knife around” (case 183)

Along with experiencing harassment and threats of violence, CCOs note that offenders experience isolation and shame which in some cases were linked with suicidal thoughts.

“[Offender] is apparently not wanting any contact with anyone […] was very emotional today, crying and stating that he just realized he has nobody in the world” (case 70)

“[Offender] was having thoughts of suicide and hurting himself” (case 85)

“[Offender] called from hospital last night, psych-ward with assistance from attendant. Said he was taken into the hospital after suicidal thoughts” (case 86).

While these challenges to Social Reintegration are not as thematically dominant, the impacts of these challenges are important as they suggest instability that may lead to supervision failure.

**Community Reentry**

A thorough examination of the supervision narratives found that reentry issues are routinely addressed by CCOs. Reentry concerns encompass more concrete elements related to establishing life in community such as housing, employment, safety, and where an offender can live. The housing and employment aspects of the Community Reentry focal concern emerged as dominant themes. CCOs routinely note concrete observations such as unemployment or homelessness. Consequently, when such challenges were brought to the attention of CCOs, she or he thoroughly noted them.

Qualitative findings support the assertion that sex offenders face daunting barriers to housing stability, while many experience extended periods of homelessness.

“Said he slept under a railroad bridge last night in down town, doesn’t know where he will sleep tonight” (case 198)
“[Offender] needs a light jacket, his tent is leaking from light rain” (case 86)

“[Offender] reported that he is homeless and spending nights on the street […] directed him to stay at a shelter this evening, provided addresses of BOL and UGM if not availability” (case 103)

The dominance of the homelessness theme among the chronos can be attributed to poverty, which is exacerbated by the offenders’ inability to secure employment, and housing rejections.

The offenders’ inabilities to secure, or maintain employment is noted throughout the supervision narratives. In general, CCOs report that when offenders experience issues with employment they are either denied jobs or fired from existing jobs due to their sex offender status. All sex offenders are required to disclose their offense to current or potential employers, however this practice seems to be impeding offenders’ ability to secure employment.

[Offender] shared that he did not get the job he applied for due to his offense” (case 95)

[Offender] applied for work through express and was basically told that they do not hire felons […] he said he did not pass an employment screening” (case 102)

In some cases, offenders were not required to disclose their offenses prior to being hired, however once their offenses were made known they lost their jobs. In cases where employers do not perform background checks or offenders are not able to disclose before being hired, the eventual disclosure results in termination, while others report that co-workers or community members disclose to employers once they are made aware.

[Offender] is working temp construction at the mall, using break room for employees and disclosed to employer today […] said he was terminated from his new job at the end of shift” (case 139)

“reports being fired from his job that I assisted him in obtaining […] a lady recognized him from the sex offender website and reported it to the plant manager” (case 143)

The immediate consequences of employment instability among the offenders in the cases sampled ranges from continued job searching to homelessness. Although many offenders in the
sampled cases are dependent upon their jobs in order to pay rent, poverty is not the only threat to housing stability.

Although offenders might be able to afford housing, or in some cases be able to secure long-term placements in homeless shelters, their status as sex offenders threatens their longevity and housing stability. CCOs reported that offenders under their supervision experience housing instability due to three primary reasons: housing denial due to sex offender status, evictions, and being forced to relocate due to threats of violence or harassment. It is important to note that these housing denials are based on considerations other than zoning restrictions imposed by statutes (see Focal Concern 4).

“Called [Offender] to let him know that I was notified that housing was denied due to the apartment manager not wanting a registered sex offender at the address and [Offender] was not allowed to lease” (case 90)

“[Offender] has been looking for a new place for them to live, said most landlords don’t have a problem with the sex crime, it’s the kidnap 1 that they have issues with”

Other barriers to housing stability stem from social or community reactions to sex offenders residing in specific locations. While some social and community resistance to sex offender housing is manifested through systemic pathways (i.e. filing complaints or evictions), other responses are intimidation-oriented and threatening.

“[landlord] of the place they are living came over to the residence and gave [Offender’s] wife a very bad time about [Offender’s] offense and said they are not welcome in the park gave them eviction paperwork” (case 93)

“[Offender] provided his new address. He moved because of threats to his former trailer park manager and himself” (case 174)

“[Offender] states he’s not showering at the shelter as three men approached him last time he was there and told him they would beat him up if they saw him there again. (case 198)
Consequently, an offender’s inability to maintain stable housing impacts various aspects of the community corrections process (i.e. home visits, community engagement). The realities of homelessness or housing instability coupled with threats to the personal safety of the offenders create a complex supervision process which demands the attention of the CCOs involved. However, based on the average percentage (12.4%) of chrono entries addressing Community Reentry it does not seem as though such issues are prioritized in the supervision of sex offenders in the community.

**Status Maintenance**

The Status Maintenance focal concern emphasizes whether offenders are avoiding contact with minors or victims, accurately disclosing their offenses when necessary, and adhering to all DOC imposed condition of community supervision. Findings suggest that sex offender specific supervision conditions are intended to disrupt behavioral patterns that are linked to sexual misconduct (i.e. pornography restrictions, phallometric testing, or relationship restrictions). Qualitative findings show that CCOs make thorough records of the steps they take to impose the DOC conditions of supervision. This was found to be particularly true when imposing conditions could lead to further actions (i.e. negotiated sanctions or stipulated agreements). Consequently, CCOs make multiple entries related to scheduling, administering, and reviewing of polygraph and plethysmograph testing. Furthermore, as housing is a major issue for sex offenders, CCO notes suggest that living arrangement approvals consume a lot of their time.

Two particularly unique sex offender specific conditions are the requirement to participate in polygraph and plethysmograph testing. Findings suggest that each of these tests serve specific functions. Throughout the supervision narratives, polygraph testing was used to
determine if offenders were adhering to the other conditions of supervision (i.e. no contact with minors, not consuming alcohol, or viewing pornography).

“[Offender] completed a polygraph exam submitted by examiner and result: deceptive on alcohol question” (case 24)

“Received polygraph report from examiner this date. Poly shows no deception when asked about contact with minor females” (case 55)

Along with illustrating how the polygraph testing was used as a supervision tool, the narratives suggest that polygraph testing is a major part of the process. A single polygraph test could account for multiple chrono entries — outlining notification timelines, testing locations, results discussions, and in some cases negotiated sanctions when needed.

Phallometric testing or plethysmograph testing is a sexual preference and arousal. As a condition of supervision these tests were discussed less frequently throughout the supervision narratives. Such tests were used primarily with offenders who had sexually victimized children.

“[Offender] did complete a plethysmograph recently, showed arousal to children” (case 191)

While such testing appeared in fewer cases than did polygraph testing, the procedure regarding multiple chrono entries is consistent, particularly with regards to scheduling.

The approval of living arrangements and sexual partnerships are both aspects of the Status Maintenance focal concern that routinely appears in the supervision narratives. Such conditions are intended to ensure that offenders are not putting themselves at risk by living with or around criminogenic triggers, and to ensure that the sexual relationships in which they engage are legal and consensual. These conditions are enforced in two ways: CCOs inspection of living arrangements and face-to-face disclosure meetings with the offender, their intended sexual partner and the CCO.
“Reminded [Offender] that [CCO] would need to have access so he should consider locations that allow him access and not be near locations likely to put him in contact with minors” (case 95)

“[Offender] said there are no drugs, alcohol, or firearms in the house and (name omitted) is the only other person living in the house. […] I told him I would approve of the place and I would be coming by” (case 123)

“[Offender] has requested a discloser meeting with his friend (name omitted). He wants to be in a romantic relationship with her” (case 153)

“[CCO] reviewed [Offender’s] conditions and it only says he can’t have a relationship with a woman who has minor children without permission […] [CCO] would work with SOTP to determine when he and (name omitted) can have sexual relations” (case 90)

While enforcing the conditions of approved housing and relationships does not account for as many chrono entries as a single polygraph and plethysmograph examination, these aspects of the Status Maintenance focal concern do account for a substantial amount of time.

The remaining aspects of the Status Maintenance focal concern such as firearm or adult entertainment restrictions, legal financial obligations, and travel permit requirements are also present throughout the supervision narratives, but they do not account for as many chrono entries or take up as much of the CCO’s time. Many of the offenders sampled struggle with substance or pornography addiction, while nearly all of the offenders struggled to meet their legal financial obligations (LFOs) while on supervision. Consequently, CCOs appear to use every opportunity to address these issues with offenders and note such concerns in the chronos.

**Statutory Compliance**

Statutory Compliance includes offender registration, notification, and residency restrictions. When these state and federal mandatory requirements do emerge, registration requirements are noted most regularly. On average, Statutory Compliance is only mentioned by CCOs in two percent of chrono entries, however, when it is noted it seems to be noted with other
concerns. Qualitatively, thematic trends in the chrono narrative suggest that the address requirement part of registration is important as many offenders in the sampled cases experienced homelessness.

“[COC] reminded [Offender] to register at the sheriff’s office once he has secured an apartment” (case 100)

Furthermore, when offenders are homeless, they are required to register on a weekly basis. CCOs make sure to note when they remind offender to do so.

“[Offender] is heading to county to register which will be weekly as long as he is homeless” (case 86)

Consequently, the majority of chrono entries addressing the issue of sex offender registration are found in the cases in which the offender experiences long periods of homelessness.

The second aspect of the Statutory Compliance focal concern is community notification. The data suggests that notification requirements are noted by CCOs in three specific ways: CCOs attending notification meetings to inform the public of the offender’s conditions and restrictions, assisting county law enforcement with posting flier notifications where necessary, and working with the offender to address the collateral consequences and community responses evoked by the notifications.

“[COC] left message with Det. requesting contact regarding [Offender’s] SO registration fliers that were placed in the neighborhood mailboxes last week’ (case 2)

“[COC] told [Offender] I would be back by tomorrow to assist Det. (name omitted) with flyering the neighborhood” (case 198)

“[COC] Attended the community notification meeting at (town omitted) school district administration building. (case 165)

“[COC] told [Offender] that DOC and the Court do not prevent him from defending himself. However, he is unable to defend himself with a deadly weapon. That right has been taken away. He said he just wanted to know because he was concerned that he would be attacked after the fliers went out” (case 197)
Along with ensuring that offenders are in compliance with, and adjusting to registration and notification requirements, CCOs must confirm that offenders are obtaining housing outside of restricted zones. Restricted zones are those areas in the community that are within a specific distance from parks, schools, playgrounds, and daycare centers. The supervision narratives illustrate how these zoning restrictions exacerbate the problematic task of securing stable housing, as CCOs will be required to reject or approve an offender’s proposed address due to its location.

“[Offender] would have been living in a community protection zone if [Offender] moved in the house. I called [Offender] back to let him know that could not live at the proposed address” (case 100)

“[CCO] drove by the address and that it is a four plex with each apartment having it’s own address. There are no schools, parks, playgrounds, or daycares in the area (sic)” (case 154)

“[CCO] did initial internet search found address to be too close to a daycare. Called back spoke with sister, assisted her in getting a couple more RV park addresses that were not too close to schools, parks, or daycares” (case 151)

As a focal concern for community supervision with sex offenders, Statutory Compliance does not appear in the supervision narratives as frequently as the others. However, the rigidity of the statutes allows for no flexibility. While CCOs may be able to grant leniency if an offender violates a DOC imposed condition of supervision (i.e. consumes alcohol, views pornography) CCOs have no ability to practice discretion with regard to statutorily imposed conditions.

**Risk Management**

The fifth and final focal concern along the continuum of care is Risk Management, which encompasses those aspects of community supervision that aim specifically to inhibit the offender’s ability to engage in subsequent criminality. The dominate themes with regards to Risk
Management are surveillance and incapacitation. CCOs routinely note surveillance practices as multiple contacts and schedule reporting, while narratives suggest that varying degrees of incapacitation occurs through GPS or home visits. Chrono entries addressing surveillance and incapacitation practices dominated the Risk Management entries, while risk assessment or other instrumentation received less attention.

As discussed in chapter two, containment utilizes a multiple-contact approach to essentially quasi-incapacitate the offender through indirect control. By recording every contact between the offender and the CCO, treatment staff, law enforcement, or electronic kiosk, CCOs demonstrate the containment aspect of the Risk Management focal concern. In many of the sample cases, multiple and consecutive chrono entries are containment, Risk Management oriented.

“[Offender] reported as directed […] provided a signed copy from therapist as proof of treatment […] making good progress in IOP TX […] reported as directed […] reported as directed” (case 62)

As demonstrated in the up-coming section, Risk Management is the most frequently utilized and most highly prioritized of the five focal concerns — due considerably to the routine use of containment.

Other incapacitation-oriented aspects of the Risk Management focal concern are home visits and electronic monitoring (GPS). The supervision narratives suggest that both home visits and GPS monitoring serve the role of restricting the offender’s mobility — both routinely and momentarily. The data suggest that the constant surveillance from the GSP monitoring evokes fear, anxiety, and stress leading offenders to be confused about their approved locations.

“[Offender] reported today […] asked for a trip permit to see a family member in the hospital, and said that the GPS was not functioning correctly” (case 131)
“Met with [Offender] this a.m. and seems anxious upon his arrival. He states that on Thanksgiving his GPS device started flashing all lights green rapidly [...] called me and reportedly left a message, followed by a call to 911” (case 196)

“2 TC’s from [Offender] this date reporting he was getting a zone violation on his GPS and didn’t understand why” (case 24)

The incapacitating effects of home visits recorded in the chrono suggest a momentary restriction on the offender’s mobility. This momentary restriction of the offender’s mobility generally takes one of two forms — the CCO is present in the offender’s home and therefore the offender must engage with them, or the offender being instructed when to be home so that a home visit can be conducted.

“[CCO] conducted home visit. [Offender] was there as well as father who didn’t have much to say [...] I did not go inside as the home was-is still filthy. [Offender] came to the door but has been ill with serve bronchitis” (case 68)

“[CCO] Conducted unannounced home visit this date. Met [Offender] and [Offender’s] GF at his residence. Looked inside of the house and checked [Offender’s] room visually. GF was mad at CCOs visit” (case 186)

“Spoke to [Offender’s] mother [...] she was told I will try to do my home verification on 7/23/08” (case 39)

While the home visit does momentarily and indirectly incapacitate the offender, it also serves as an additional contact between the CCO and the offender which can be understood as part of the containment aspect. Regardless of the degree of incapacitation, immobilization or containment, the intention is to reduce the risk the offender presents to the community.

The final aspect of the Risk Management focal concern is risk assessment, which allows CCOs to fully gauge an offender’s risk to community safety. There are many different risk assessment instruments being utilized by various Departments of Corrections. The supervision

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17 The degree to which these risk instruments actually influence the development of supervision modalities will be addressed in the complementary analyses section.
narratives discuss the utilization of specific risk assessment instruments, which are intended to guide the development of supervision modalities. The supervision narratives suggest that risk assessment instrumentation is a routine part of the community supervision process.

“No change. Static 99 score1, low; Stable 12 high; Acute 2/4 high/high. Overall DRA supervision priority mod-high” (case 29)


“Dynamic Risk Assessment completed via file review: Static 99 = 0 (Low Risk); Stable = 9/24 (Moderate Risk) and Acute = 2-Sex/Violence Risk (High Risk) and 4-general Recidivism (High Risk) Combine Scores place [Offender] at a Moderate Priority” (case 160)

The qualitative data demonstrates that the risk assessment, as defined by the focal concerns approach, is a key part to the Risk Management focal concern.

Collectively, the data supervision narratives contained in the chronological field notes composed by CCOs provide support for the existence of the five focal concerns outlined by the current study. Furthermore, the qualitative examination of the chonos has contextualized the various aspects of the focal concerns, illustrating both the presence and purpose of each. Along with providing evidence of the empirical existence of the focal concerns in the supervision process, this qualitative examination has provided a unique opportunity to use a thematic coding approach to identify and contextualize concerns about sex offenders often discussed in the literature without evidence of their importance to CCOs who are responsible for implementing the law, policies, and practices of sex offender community supervision.

Research Question 2: Which Focal Concerns are Mentioned the most?

Both the qualitative and quantitative analyses performed in the current study show that the focal concern of Risk Management is focused on most extensively by CCO when working
with sex offenders. The supervision narratives sampled for the current study accounted for a total of 4,861 pages of text and produced a total of 73,460 individual mentions of the five focal concerns. As the previous section illustrates, the discussion mentions each of the focal concerns aligned with the various aspects of each individual focal concern. The individual measure of each focal concern shows how each concern was prioritized in each case (see appendix A). Table 4.3 shows how the focal concerns are prioritized at the aggregate level.

Table 4.3 Focal Concerns Prioritization: Sample Averages
(n = 166)

<table>
<thead>
<tr>
<th>Focal Concern</th>
<th>Raw Average</th>
<th>Percentage Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Reintegration</td>
<td>45.8</td>
<td>10.1</td>
</tr>
<tr>
<td>Community Reentry</td>
<td>57.7</td>
<td>12.4</td>
</tr>
<tr>
<td>Status Maintenance</td>
<td>129.0</td>
<td>29.2</td>
</tr>
<tr>
<td>Statutory Compliance</td>
<td>7.6</td>
<td>2.0</td>
</tr>
<tr>
<td>Risk Management</td>
<td>204.6</td>
<td>46.3</td>
</tr>
</tbody>
</table>

NOTE: The Focal Concerns are listed in order along the correctional care continuum.

Table 4.3 shows that on average, nearly half (46.3%) of chrono entries discuss or address some aspect of Risk Management. The second most frequently utilized and/or prioritized focal concern for the sampled cases is Status Maintenance. On average, roughly one-third (29.2%) of the chrono discussions focused on issues related to regulating DOC imposed supervision conditions. Issues related to Community Reentry (i.e. housing, employment, or personal safety) are the third most frequently addressed in the sampled cases. On average, just more than twelve percent (12.4%) of chrono entries focus on Community Reentry. The two least frequently addressed of the five focal concerns are Social Reintegration and Statutory Compliance. On average, roughly one-tenth (10.1%) of the chrono entries addressed issues related to Social Reintegration, while only two percent of chrono entries addressed Statutory Compliance. These findings suggest that when working with sex offenders, CCOs prioritize and focus most
extensively on the focal concerns that are closest to the control end of the correctional care continuum.

While the average percentages illustrate the rank-ordering of the five focal concerns, the raw (count) frequencies allow for the utilization of means-comparison analyses (independent sample t-test or ANOVA). Such analyses provide an opportunity to determine if the average number of chrono entries for each focal concern differs significantly based on technical violations, recidivism, or offense type. Independent sample t-tests are used to compare the average number of each focal concern between those who committed technical violations and those who did not as well as those who recidivated and those who did not. As offense type has been operationalized as a trichotomous categorical variable an ANOVA is used to compare the means between each focal concern based on offense type.

Table 4.4 contains the outcomes of two independent sample t-tests comparing the average number of each focal concern based on two different grouping variables. The first t-test shows that the focal concern of Statutory Compliance does not differ significantly based on technical violations. Those cases in which offenders did commit at least one technical violation, CCOs on average made more entries addressing Social Reintegration ($\bar{x} = 51.1$, SE = 4.1) compared to those cases in which the offender did not commit any technical violations ($\bar{x} = 37.58$, SE = 4.54). The difference in these means was found to be significant ($t (164) = -2.02$, $p = 0.41$) and the effect size indicates a very weak relationship ($r = .15$). Those cases where offenders did commit at least one technical violation, on average had more entries addressing Community Reentry ($\bar{x} = 68.82$, SE = 5.51) compared to those cases in which the offender did not commit any technical violations ($\bar{x} = 40.51$, SE = 3.86). The difference in these means was found to be significant ($t (164) = -3.75$, $p < .001$) and the effect size indicates a weak relationship ($r = .15$). Those cases
where offenders did commit at least one technical violation, on average CCOs made more entries addressing Status Maintenance ($\bar{x} = 154.14, SE = 9.7$) compared to those cases in which the offender did not commit any technical violations ($\bar{x} = 90.08, SE = 6.25$). The difference in these means was found to be significant ($t (164) = -7.88, p = <.001$) and the effect size indicates a moderate relationship ($r = .35$). Those cases where offenders did commit at least one technical violation, on average had more entries addressing Risk Management ($\bar{x} = 243.54, SE = 18.75$) compared to those cases in which the offender did not commit any technical violations ($\bar{x} = 144.31, SE = 8.95$). The difference in these means was found to be significant ($t (164) = -4.05, p < .001$) and the effect size indicates a moderate relationship ($r = .30$). The t-test presented in Table 4.4 suggests that the differences in the average number of four of the five focal concerns can be linked to offenders committing at least one technical violation. However, the second t-test presented in Table 4.4 indicates that there were no significant differences between the mean number of each focal concern for offenders who recidivated and those who did not. These bivariate findings suggest that CCOs tend to emphasize some focal concerns more than others when technical violations are warranted. It appears however, that emphasis placed on focal concerns, whether support or control oriented, have little relationship to recidivism.

**Table 4.4 Independent Sample t-tests: Means Comparisons of Focal Concerns for Technical Violations and Recidivism (n = 166)**

<table>
<thead>
<tr>
<th>Focal Concern</th>
<th>Technical Violations</th>
<th>Recidivism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Reintegration</td>
<td>F 2.431</td>
<td>F 2.800</td>
</tr>
<tr>
<td>Community Reentry Status Maintenance</td>
<td>T(df) -2.02 (164)</td>
<td>T(df) .370 (164)</td>
</tr>
<tr>
<td>Statutory Compliance</td>
<td>T(df) -3.75 (164)</td>
<td>&lt;.001</td>
</tr>
<tr>
<td>Risk</td>
<td>T(df) -4.88 (164)</td>
<td>&lt;.001</td>
</tr>
<tr>
<td>Statutory Control Compliance</td>
<td>T(df) .013</td>
<td>T(df) 3.230</td>
</tr>
<tr>
<td>Risk</td>
<td>T(df) -4.054 (164)</td>
<td>&lt;.001</td>
</tr>
</tbody>
</table>
Table 4.5 shows the ANOVA comparing the average number of each focal concern present in the chronos between cases in which offenders committed assault-based crimes against adults, assault-based crimes against children, and those who committed non-assault-based crimes. The differences in the average number of chrono entries addressing Social Reintegration, Status Maintenance, and Risk Management were significant. The differences in the average number of chrono entries address Social Reintegration ($F = 3.29$, $df = 165$, $p = .04$, $\eta^2 = .2$), Community Reentry ($F = 5.03$, $df = 165$, $p = .08$, $\eta^2 = .14$), and Risk Management ($F = 4.99$, $df = 165$, $p = .008$, $\eta^2 = .24$) were found to be significant, however the effect sizes suggest weak relationships. Although weak relationships were identified, the results show that CCOs are significantly more likely to chronicle Social Reintegration and Status Maintenance when supervising offender who victimized children, and Risk Management when supervising offenders who victimized adults. These findings suggest that CCOs give greater emphasis on social viability and rehabilitation when children are involved.

### Table 4.5 ANOVA: Means Comparison of Focal Concerns by offense type (n = 166)

<table>
<thead>
<tr>
<th>Variable</th>
<th>Social Reintegration</th>
<th>Community Reentry</th>
<th>Status Maintenance</th>
<th>Statutory Compliance</th>
<th>Risk Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>F(df)</td>
<td>3.29 (165)*</td>
<td>1.66 (165)</td>
<td>5.03 (165)*</td>
<td>2.77 (165)</td>
<td>4.99 (165)*</td>
</tr>
<tr>
<td>Offense Type</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult Assault</td>
<td>43.8</td>
<td>63.87</td>
<td>132.00</td>
<td>13.13</td>
<td>304.67</td>
</tr>
<tr>
<td>Child Assault</td>
<td>49.72</td>
<td>60.17</td>
<td>138.39</td>
<td>7.18</td>
<td>204.89</td>
</tr>
<tr>
<td>Non Assault</td>
<td>26.33</td>
<td>41.00</td>
<td>77.79</td>
<td>6.75</td>
<td>141.13</td>
</tr>
</tbody>
</table>

**NOTE:** *Significant at the .05 Level*
The following analyses explain the utilization of each of the focal concerns based on offenders needs or risks. Offender needs are measured by the Washington State Offender Needs Assessment, while offender risks have been measured by the Static 99 Risk Assessment as well as the Washington State Sex Offender Risk Classification instrument. Along with actuarially-based risk and needs scores, the following analyses examine the relationship between the offense-based risk classification (Levels I, II, & III) and the supervision process.

Four of the specific domains measured by the Washington State Offender Needs Assessment are directly related to the focal concerns Social Reintegration and Community Reentry—employment, housing, family, and peers. For the purpose of this analysis, the scores for need of employment have been collapsed into a trichotomous categorical variable showing the need as being high, moderate, or low. An ANOVA is presented in Table 4.6 to determine if the measure of the focal concern Community Reentry, which is concerned with employment, differs based on the offender’s need. Due to data distributions, the needs of housing, family and peers have been dichotomized, and therefore t-tests are presented in Table 4.7 to assess the significance of mean differences based these needs.

An ANOVA comparing the average number of focal concern entries addressing Community Reentry between cases in which the Offender Needs Assessment (ONA) suggests a high, moderate, or low need for employment shows that, on average, CCO note Community Reentry issues in the chrono at rates consistent with ONA employment scores. The differences between these groups was found to be significant ($f = 3.939$, $df = 164$, $p = .01$). The effect size suggests a weak relationship ($\eta^2 = .27$). However, the ANOVA does show that as the offender’s
needs with regard to employment increases, so too does the average number of chrono entries addressing the focal concern of Community Reentry.

Table 4.6 ANOVA Means Comparison of the Community Reentry Focal Concern by Employment Need (n = 166)

<table>
<thead>
<tr>
<th>Variable</th>
<th>Community Reentry Mean</th>
<th>F(df)</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Need</td>
<td>--</td>
<td>3.939 (165)</td>
<td>.01</td>
</tr>
<tr>
<td>Low</td>
<td>48.89</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Moderate</td>
<td>70.93</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>High</td>
<td>83.17</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

Table 4.7 contains the independent sample t-test examining the differences in the average number of chrono entries addressing the focal concerns Social Reintegration and Community Reentry based on offender needs. On average, CCO record Social Reintegration and Community Reentry concerns at rates consistent with the ONA domain scores for peer and housing needs. The differences in the average number of chrono entries addressing Social Reintegration between the cases in which offenders had family needs and cases in which offenders did not have family needs was found to be insignificant. However, those cases in which the offenders did have peer needs, on average had fewer chrono entries addressing Social Reintegration ($\bar{x} = 37.22$, SE = 3.7) compared to those who did not have peer needs ($\bar{x} = 55.72$, SE = 5.45). The difference in these averages was found to be significant ($t (133.363) = 2.863$, p = .005). The effect size suggest a moderate relationship ($r = .24$). When considering the average number of chrono entries addressing the issues related to Community Reentry, specifically housing needs, those cases in which the offenders did not have housing needs ($\bar{x} = 42.86$, SE = 4.617) had fewer entries than those with housing needs ($\bar{x} = 70.24$, SE = 5.704). The differences between the averages of these two groups of offenders was found to be significant ($t (154.81) = -3.501$, p = .001) and the effect size suggest a moderate relationship ($r = .27$). These finding suggest that the
offender’s needs, with regards to housing and peers, due impact the community supervision process with sex offenders. The presence of these needs is significantly linked to the number of chrono entries addressing Social Reintegration and Community Reentry.

Table 4.7 Independent Sample t-tests: Means Comparison of the Focal Concerns Social Reintegration & Community Reentry by Housing, Family, and Peer Needs (n = 157)

<table>
<thead>
<tr>
<th>Focal Concern</th>
<th>Housing Needs</th>
<th>Family Needs</th>
<th>Peer Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>F</td>
<td>t(df)</td>
<td>F</td>
</tr>
<tr>
<td>Social Reintegration</td>
<td>--</td>
<td>--</td>
<td>.134</td>
</tr>
<tr>
<td>Community Reentry</td>
<td>5.251**</td>
<td>-3.501 (154.81)</td>
<td>--</td>
</tr>
</tbody>
</table>

NOTE: Sample size decreased to 157 due to missing data. Significance based on two tail test. *Significant at the .05 Level, **Significant at the .001 Level

Table 4.8 shows the differences in the average number of chrono entries addressing Risk Management between groups based on risk assessment scores. The findings show that the risk scores, be it actuarially-based such as the Static 99 or offense-based such as the classification level, does not significantly impact the degree to which CCOs utilized the focal concern of Risk Management. Accordingly, it shows that the risk assessment scores from these instruments have no significant relationship to the supervision process with regard to emphasizing Risk Management. However, the findings regarding Static 99 should be interpreted with caution as the analysis was performed on a low number of cases. These findings suggest that CCOs pay less attention to Static 99 and classification levels, and more attention the Washington State specific sex offender risk assessment instrument.
Table 4.8 ANOVA: Means Comparison of the Focal Concern Risk Management by Risk Score and Classification

<table>
<thead>
<tr>
<th>Variable</th>
<th>Risk Management Mean</th>
<th>F(df)</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Static 99 (n = 36)</td>
<td>--</td>
<td>.369 (35)</td>
<td>.776</td>
</tr>
<tr>
<td>Low</td>
<td>207.60</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Moderate</td>
<td>227.60</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Moderate-High</td>
<td>204.57</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>High</td>
<td>285.00</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Classification (n = 140)</td>
<td>--</td>
<td>1.069 (139)</td>
<td>.375</td>
</tr>
<tr>
<td>Level I</td>
<td>200.31</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Level II</td>
<td>194.26</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Level III</td>
<td>264.35</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

NOTE: Static 99 n = 36; Classification n = 140

Table 4.9 contains an independent sample t-test comparing the average number of chrono entries addressing Risk Management based on the offender’s risk score according to the Washington State Sex Offender Risk Classification (WSSORC) instrument. The findings suggest that the data from the WSSORC is linked to the frequency with which CCOs note Risk Management in the chronos. Due to data limitation, the scores from the WSSORC were collapsed into a dichotomous variable. In accordance with the cut points identified by the instrument, cases with the scores below 46 (n = 138) were coded as 1 (low risk), while cases with score above 46 (n = 16) were coded as 2 (moderate to high risk). Those cases in which offenders scored in the moderate to high risk classification, on average had more chrono entries addressing Risk Management (\( \bar{x} = 293.06, \ SE = 55.74 \)) compared to those cases in which the offender scored low on risk classification (\( \bar{x} = 198.01, \ SE = 13.25 \)). The difference in the average number of chrono entries addressing Risk Management were found to be significant (t (152) = -2.2, p = .029) however, the effect size suggests a weak relationship (r = .17). The WSSORC does seem to impact the degree to which CCOs utilize the Risk Management focal concern. The findings show
that, to a small degree, the WSSORC risk assessment instrument does assist in the execution of community supervision with sex offenders.

**Table 4.9 Independent Sample t-test: Means Comparison of the Focal Concern Risk Management by Washington State Sex Offender Risk Classification (n = 144)**

<table>
<thead>
<tr>
<th>Focal Concern</th>
<th>F</th>
<th>t(df)</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Management</td>
<td>5.846</td>
<td>-2.2 (152)</td>
<td>.029</td>
</tr>
</tbody>
</table>

NOTE: Significance based on two tailed test

Collectively, the analyses show that CCOs focus most extensively on the focal concerns which are oriented toward the control end of the correctional care continuum. Overall, Risk Management accounts for the most frequent and the highest proportion of the chrono entries. The fact that Status Maintenance is focused second to Risk Management suggests that CCO are primarily concerned with controlling the offenders they supervise, be it through enforcing DOC imposed conditions or various forms of indirect incapacitation. The bivariate analyses suggest that the degree to which the focal concerns of Social Reintegration, Status Maintenance, and Risk Management are prioritized differs significantly based on offense type. Social Reintegration and Status Maintenance are prioritized for child victim crimes, while Risk Management is prioritized for adult victim crimes. Furthermore, with the exception of Statutory Compliance, bivariate analyses suggest that the differences in the average number of chrono entries are linked to both technical violations and recidivism. Overall, the data support contemporary claims that CCOs view sex offenders as risks that must be managed through rigid enforcement of DOC imposed conditions.

**Research Question 3: How do the focal concerns relate to correctional outcomes?**

The current study finds that there are both correlational and predictive relationships between the focal concerns and correctional outcomes. Negative binomial regression analyses
show that the number of chrono entries discussing certain focal concerns is predictive of increases or decreases in technical violations. Furthermore, a survival analysis shows that the number of chrono entries addressing Status Maintenance is predictive of new convictions.

In an effort to answer this research question, two types of relations are explained — correlational and predictive. The correlation matrix below illustrates directional (through positive or negative correlations) relationships between the focal concerns and the correctional outcomes, while the two prediction models demonstrate the predictive relationship between the focal concerns and the outcomes. Due to the nature of the data and the necessity of accounting for exposure-time (offense opportunity) a negative binomial model is used for technical violations, while an event history or survival analysis is used for recidivism.

Table 4.6 shows the correlation matrix illustrating the correlational relationships between the five focal concerns and the different correctional outcomes. The findings show that both of the focal concerns Statutory Compliance and Risk Management respectively, are significantly correlated with the overall number of technical violations. Only Statutory Compliance is significantly correlated with condition-based technical violations, while all but one of the focal concerns, Social Reintegration, are significantly correlated with statute-based technical violations. Overall, the correlations are small, but do reach the level of statistical significance.
## Table 4.10 Bivariate Correlation Matrix: Correlations Between Focal Concerns and Correctional Outcomes (n = 166)

<table>
<thead>
<tr>
<th></th>
<th>Reintegration</th>
<th>Reentry</th>
<th>Maintenance</th>
<th>Compliance</th>
<th>Management</th>
<th>Technical Violations</th>
<th>Technical Violations Conditions</th>
<th>Technical Violations Statutes</th>
<th>Recidivism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reintegration</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Reentry</td>
<td>.432**</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Maintenance</td>
<td>.635**</td>
<td>.635**</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Compliance</td>
<td>.101</td>
<td>.212**</td>
<td>.168*</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Risk</td>
<td>.264**</td>
<td>.672**</td>
<td>.631*</td>
<td>.044</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Technical Violations</td>
<td>-.021</td>
<td>.083</td>
<td>.07</td>
<td>.188*</td>
<td>.147*</td>
<td>1</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Technical Violations Conditions</td>
<td>-.038</td>
<td>.039</td>
<td>.025</td>
<td>.17*</td>
<td>.166</td>
<td>.944**</td>
<td>1</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Technical Violations Statutes</td>
<td>.019</td>
<td>.14*</td>
<td>.133*</td>
<td>.158*</td>
<td>.157*</td>
<td>.762**</td>
<td>.506**</td>
<td>1</td>
<td>--</td>
</tr>
<tr>
<td>Recidivism</td>
<td>-.029</td>
<td>.035</td>
<td>.102</td>
<td>.128</td>
<td>.108</td>
<td>.318**</td>
<td>.305**</td>
<td>.234**</td>
<td>1</td>
</tr>
</tbody>
</table>

NOTE: *Significant at the .05 Level **Significant at the .01 Level
Table 4.11 provides the negative binomial regression models that demonstrate the predictive relationships between the focal concerns and the three types of technical violations examined in the current study — all technical violations, technical violations of DOC imposed conditions, and technical violations of statutorily imposed conditions. For all three models the parameter estimates were fixed at one. Estimating the parameter estimates did not significantly improve the model. Therefore, the fixed parameter estimate models were selected as they produced the strongest model fit.
Table 4.11 Negative Binomial Models: Focal Concerns Predicting Technical Violations (n = 166)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Reintegration</td>
<td>-0.003 (.003)</td>
<td>.679</td>
<td></td>
<td>-0.002 (.0033)</td>
<td>0.318</td>
<td></td>
<td>-0.005 (.0041)</td>
<td>1.719</td>
<td></td>
</tr>
<tr>
<td>Community Reentry</td>
<td>-0.006 (.0029)</td>
<td>3.981*</td>
<td>.679</td>
<td>-0.008 (.0031)</td>
<td>5.746*</td>
<td>.41</td>
<td>-0.001 (.0033)</td>
<td>.154</td>
<td></td>
</tr>
<tr>
<td>Status Maintenance</td>
<td>.002 (.0025)</td>
<td>.896</td>
<td></td>
<td>.001 (.0026)</td>
<td>.41</td>
<td></td>
<td>.006 (.0029)</td>
<td>4.550*</td>
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<td>Statutory Compliance</td>
<td>.023 (.0167)</td>
<td>1.954</td>
<td></td>
<td>0.15 (.0175)</td>
<td>.729</td>
<td></td>
<td>.032 (.0185)</td>
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<td>5.589*</td>
<td></td>
<td>.003 (.0012)</td>
<td>6.799</td>
<td></td>
<td>.001 (.0011)</td>
<td>1.092*</td>
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<td>Washington State Sex Offender Risk Score</td>
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<td>5.071*</td>
<td></td>
<td>.031 (.0105)</td>
<td>8.816*</td>
<td></td>
<td>-0.003 (.0103)</td>
<td>.060</td>
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<td>Employment Needs Score</td>
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<td>4.279*</td>
<td></td>
<td>.053 (.0252)</td>
<td>4.419*</td>
<td></td>
<td>.027 (.0279)</td>
<td>.910</td>
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<td>Housing Needs Score</td>
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<td>13.221**</td>
<td></td>
<td>.187 (.0447)</td>
<td>17.451**</td>
<td></td>
<td>.076 (.0490)</td>
<td>2.213</td>
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<td>Peer Needs Score</td>
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<td>.156</td>
<td></td>
<td>-.047 (.0757)</td>
<td>.385</td>
<td></td>
<td>-.013 (.0948)</td>
<td>.018</td>
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<td>Family Needs Score</td>
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<td></td>
<td>-.048 (.1068)</td>
<td>.201</td>
<td></td>
<td>-.319 (.1535)</td>
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<td></td>
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<td>1</td>
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<td>-2 Log Likelihood</td>
<td>-365.467**</td>
<td></td>
<td></td>
<td>-322.642**</td>
<td></td>
<td></td>
<td>-216.035**</td>
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</table>

NOTE: *Significant at the .05 Level ** Significant at the .01 Level
Technical Violations (All) $X^2=88.138$ Sig<.001
Technical Violations Conditions $X^2=98.579$ Sig<.001
Technical Violations Statutes $X^2=47.287$ Sig<.001
The parameters in Model 1 explain a significant amount of the variance in the number of technical violations committed ($X^2=88.138 \ p<.0001$). Findings show that the frequency at which CCO note certain focal concerns predicts the number of technical violations an offender receives. Controlling for risks and needs, the frequency with which CCOs address the focal concerns of Community Reentry and Risk Management is found to be significant ($X^2=3.981, \ p = .046; \ X^2=5.589, \ p = .018$) in model one. For every additional mention of the Community Reentry focal concern identified in the supervision narrative, there is an expected .006 log count decrease in the number of technical violations an offender commits. For every additional mention of the Community Reentry focal concern identified in the supervision narrative, there is an expected .008 log count decrease in the number of technical violations an offender commits. For every additional mention of the Risk Management focal concern identified in the supervision narrative, there is an expected .003 log count increase in the number of technical violations an offender commits. Model one suggests that the more CCOs note the focal concerns closest to the control end of the correctional care continuum (Risk Management), there is an increase the offender’s likelihood of being violated for any technical violations. Furthermore, the analysis suggests that Community Reentry issues, while noted less frequently than Risk Management are important for successful transitioning.

The parameters in Model 2 explain a significant amount of the variance in the number of condition-based technical violations committed ($X^2=95.597 \ p<.001$). Controlling for risks and needs scores, the frequency with which CCOs address the issues related to the focal concerns of Community Reentry and Risk Management is found to be significant ($X^2=5.746, \ p = .017; \ X^2=6.799, \ p = .009$). For every additional mention of the Community Reentry focal concern identified in the supervision narrative, there is an expected .008 log count decrease in the number
of condition-based technical violations an offender commits. For every additional mention of the Risk Management focal concern identified in the supervision narrative, there is an expected .003 log count increase in the number of condition-based technical violations an offender commits. Despite the fact that addressing and enforcing DOC imposed conditions is the second most frequently recorded focal concern, the findings in model two suggest that the more often CCOs address or note Risk, the more likely an offender is to be violated for a condition-based technical violation. Yet, noting issues related to Community Reentry is linked to a decreased likelihood in offenders being violated for a condition-based technical violation.

The parameters in model three explain a significant amount of the variance in the number of statute-based technical violations an offender commits ($X^2=47.287 \ p<.001$). Controlling for risk and needs scores, model three shows that the number of times a CCO notes issues related to Status Maintenance, the more likely offenders are to commit statute-based technical violations ($X^2=4.55, \ p = .033$). For every additional mention of the Status Maintenance focal concern identified in the supervision narrative, there is an expected .006 log count increase in the number of statute-based technical violations an offender commits. Model three suggests that noting the process of imposing DOC imposed condition is linked to technical violations of statutorily imposed conditions. Status Maintenance chrono entries are usually linked with a face-to-face encounter between the CCO and the offender, the increased contacts appears to provide CCO with opportunities to identify statutory-based violations.

The Cox Regression Model presented in Table 4.12 illustrates the predictive relationship between the five focal concerns and recidivism. The Cox Regression Model accounts for exposure time, or time in the community post incarceration. Accounting for the exposure time is
important when studying recidivism as the more exposure an offender has to the community, the more opportunism the offender has to be convicted of new crime.

The predictors in the Cox Regression model presented in Table 4.12 measuring the influence of the focal concerns on recidivism shows a significant portion of the variance in new convictions ($X^2 = 19.649, p = .033$). The findings show that number of chrono entries addressing Status Maintenance is related to increased likelihood of recidivating. Controlling for risks and needs scores, and holding all other measures constant, for every additional mention of the Status Maintenance focal concern, the propensity of an offender being convicted of a new crime increased by .007 percent (HR 1.007, $p = .048$).

<table>
<thead>
<tr>
<th>Predictor</th>
<th>B(SE)</th>
<th>Wald</th>
<th>Hazard Ratio</th>
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</thead>
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<tr>
<td>Social Reintegration</td>
<td>-.009 (.006)</td>
<td>2.381</td>
<td>.991</td>
</tr>
<tr>
<td>Community Reentry</td>
<td>-.006 (.005)</td>
<td>1.309</td>
<td>.994</td>
</tr>
<tr>
<td>Status Maintenance</td>
<td>.007 (.004)</td>
<td>3.926*</td>
<td>1.007</td>
</tr>
<tr>
<td>Statutory Compliance</td>
<td>.001 (.015)</td>
<td>.001</td>
<td>.999</td>
</tr>
<tr>
<td>Risk Management</td>
<td>.0001 (.002)</td>
<td>.008</td>
<td>1.000</td>
</tr>
<tr>
<td>Washington State Sex Offender Risk Score</td>
<td>.031 (.013)</td>
<td>5.743*</td>
<td>1.031</td>
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<tr>
<td>Employment Needs Score</td>
<td>.011 (.38)</td>
<td>.083</td>
<td>1.011</td>
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<tr>
<td>Housing Needs Score</td>
<td>.100 (.081)</td>
<td>1.528</td>
<td>1.105</td>
</tr>
<tr>
<td>Peer Needs Score</td>
<td>-.092 (.129)</td>
<td>.507</td>
<td>.912</td>
</tr>
<tr>
<td>Family Needs Score</td>
<td>-.014 (.190)</td>
<td>.005</td>
<td>.987</td>
</tr>
</tbody>
</table>

-2 Log Likelihood-M: 376.262
-2 Log Likelihood-N: 393.521
Generalized $R^2$: .896
$X^2$: 19.649*

NOTE: *Significant at .05 Level, **Significant at .05 Level, ***Moderately Significant
M = Model; N = Null
Overall, the analyses in this section illustrate that the relationship between the focal concerns and correctional outcomes is both correlational and predictive. Although the correlations suggest weak relationships, the statistically significant correlation between the focal concern and the different types of correctional outcomes are consistent with the bivariate findings in this study—suggesting that CCOs focus mostly on the control end of the correctional continuum. Collectively, the two prediction models show that increases in CCOs noting some focal concerns is predictive of technical violations and new convictions. Furthermore, the prediction models show that more frequent chrono entries related to offender control are predictive of negative correctional outcomes. However, the increased frequency of Community Reentry chrono entries is predictive of decreases in negative correctional outcomes.

**Summary**

The findings presented in this chapter provide answers to the research questions concerning the existence and utility of the focal concerns regarding sex offender community supervision. The qualitative analysis shows that the focal concerns as identified by the literature exist within the context of community supervision. The challenges faced by the offenders who are transitioning from prison to the community are part of the overall supervision process. The CCOs who work with sex offenders during this time of transition must be aware of, and account for these realities in the supervision process. These findings show that CCOs focus most exclusively on the focal concerns related to offender control, and that the degree to which CCOs focus on each of the focal concerns is linked to offenders’ violating the conditions of supervision. Furthermore, the findings show that offense type is also linked to the degree to which CCOs utilize specific focal concerns. In general, the findings show that focal concern

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18 When offense type was included as a control variable, it was found to be insignificant. The overall model significance was not changed by excluding offense type, nor were the significance of the focal concerns as predictors.
prioritization does matter to the process and the outcomes of community supervision. The findings show that focusing on those focal concerns at the control end of the correctional care continuum predicts technical violations, suggesting that by not prioritizing the rehabilitation focal concerns, CCOs create a discourse with a trajectory towards failure. Finally, the complementary analyses highlight the importance of needs-based correctional discourse, while challenging the utility of risk assessment and classification with sex offenders. Collectively, the findings presented in this chapter have important implications for both prior and future and have critical policy implications for sex offender community supervision.
CHAPTER FIVE: DISCUSSION

THE FOCAL CONCERNS SUPPORTING AND CHALLENGING PRIOR RESEARCH

The analysis of the supervision narratives provides a unique lens through which to examine contemporary perspectives on the prison-to-society transition, community supervision, and the continuum of care for sex offenders. The current study illustrates how the realities faced by those making the arduous transition from prison to the community while branded with the sex offender label impacts the community supervision process. When transitioning offenders experience difficulties with relationships, housing, employment, or adhering to conditions and statutes, CCOs must address these issues. However, the current study suggests that CCOs generally guide the supervision process away from addressing the social and community challenges, choosing instead to focus on prioritizing the control aspects of the process.

This control-oriented approach to the process of supervision is linked to negative correctional outcomes — specifically technical violations. Furthermore, the contemporary research on the prison-to-community transition and community supervision with sex offenders suggests that by focusing on or prioritizing those focal concerns at the control end of the correctional continuum is problematic. The consequence of a control-oriented supervision approach is that it ignores the realities facing the offenders related to Social Reintegration and Community Reentry. The qualitative findings presented in chapter four illustrate the reality that all five of the focal concerns articulated in the current study are part of the community supervision process. Nevertheless, subsequent quantitative analyses show that the distribution of the focal concerns within the supervision narrative is skewed towards control. While an equal balance of the five focal concerns is unlikely, the current research suggests that a more balanced approach would more thoroughly address the realities facing the offenders.
An appropriate balance of the five focal concerns is important as it allows for CCOs and the community supervision process to address the multiple challenges facing offenders. Each of the five focal concerns represents challenges to the offender and opportunity to the CCO working with that offender. By prioritizing control over rehabilitation, CCOs are missing opportunities to address social criminogenic triggers (see Pryor, 1996) or assist in the development of mature coping skills (Johnson, 2002) thus empowering the offender to desist from offending. The ensuing discussion highlights the importance of each of the five focal concerns by contextualizing the findings of the current study within the discourse of contemporary literature.

**Social Reintegration**

Oriented on the rehabilitation end of the correctional care continuum, the focal concern of Social Reintegration is concerned with the social viability aspects of the transitional and supervision process. The current study finds that, Social Reintegration is one of the least addressed focal concerns, accounting for only ten percent (10.1%) of chrono entries throughout the supervision narrative. This particular finding suggests that the supervision process is incongruent with contemporary research showing that issues of Social Reintegration, such as relationships, social networking, social engagement, stigma/shame, social isolation are routinely problematic among sex offenders and are relevant to their success in the community (see Levenson & Cotter, 2005a, Tewksbury & Lees, 2006).

*Relationships.* Consistent with Cullen’s (1994) discussion on the importance of social support to desistance, findings show that social support outlets are important to sex offenders during this transitional period. Cullen (1994) suggests that the loss, or even the perception of a loss of supportive relationships can be criminogenic. The loss of supportive prosocial relationships have been identified as a social reality regularly faced by sex offenders, and are
particularly linked to the stigma associated with the registered sex offender label (Burchfield & Mingus, 2008; Leveson & Cotter, 2005a; Tewksbury & Lees, 2006; Tewksbury, 2005). The qualitative findings of the current study are consistent with contemporary research, showing that when the focal concern Social Reintegration is addressed, it is most often used in the context of the CCOs either recording an offender’s on-going relationships, or addressing relationships that are struggling. Research shows that familial relationships are often the most strained by the commission or conviction of a sexually oriented crime — which is often times the only social network an offender has. Strengthening or supporting relationships maybe too challenging given the realities facing CCOs (see Lutze, 2014), but these are important for desistence (Cullen, 1994, Laub & Sampson, 2003, Maruna, 2008).

Similar to the stigma-driven relationship struggles, research shows that offenders face social rejection when attempting to rebuild or establish social networks. Tewksbury (2005) as well as Tewksbury and Lees (2006) suggest that these struggles are driven by social fear or moral panics (see Jenkins, 1998) regarding sex offenders. The current study finds that in the rare instances in which CCOs address these realities, they guide offenders towards social support networks that are designed specially to include sex offenders — outreach groups, treatment-oriented networks, and shelter centers. While directing offenders to specific social networking opportunities helps offenders seek out new supports, CCOs are avoiding the existing problems facing the offenders in their current support structures, which can lead to isolation, and has been shown to be problematic with sex offenders (Pryor, 1996; Terry, 2006).

*Isolationism.* Research suggests that isolationism can be problematic in two ways; it prevents offenders from engaging in socially normative behaviors, and can be a criminogenic trigger of sexual offending (see Pryor 1996, Terry, 2006). The qualitative analysis shows that
fear of being a victim of vigilante violence led offenders to self-isolate. Qualitative analysis also found, that among the offenders in the sample, self-isolation was linked with suicidal thoughts and in some cases hospitalization. Although these issues are addressed less frequently by CCOs than others, the consequences are very impactful, particularly if an offender is trigged to reoffend or carries out suicidal thoughts.

The quantitative findings of the current study are somewhat incongruent with the previous research. Tewksbury’s (2005) survey-based study found high rates of Social Reintegration challenges, including nearly half (47%) of his sample reporting personal threats or harassment. Similarly, Levenson and Cotter’s (2005a) study of 183 sex offenders found that just over half (52%) of the sex offenders in their study reported issues with relationships. However, the current study finds that these issues are being addressed by CCOs far less frequently. Contemporary research suggests that these issues are real and are regularly being faced by offenders; however, the current study shows that CCOs are not directly addressing them in the community supervision process at the same rate at which the challenges are likely occurring. The current study shows that the Social Reintegration focal concern is significantly correlated with three other focal concerns, Community Reentry, Status Maintenance, and Risk Management, which suggests that these issues might be addressed indirectly through other focal concerns.

Failing to address the issues related to Social Reintegration is an increase in technical violations. The negative binomial regression analysis shows that failure to address these issues in order to focus on control aspects of supervision is significantly related to increases in the number of technical violations – both conditional and statutory – an offender will commit. Interestingly, the frequency at which a CCO addresses Social Reintegration throughout the supervision process does not significantly predict new convictions.
Collectively, the social viability challenges faced by sex offenders who are transitioning from prison to the community represent unique challenges to the community supervision process. The Social Reintegration focal concern bridges the gap between research and practice, as it both solidifies and operationalizes the abstract notion of reintegration. The solidification and operationalization of reintegration allows CCOs to recognize opportunities for utility, while also allowing researches to empirically study a complex concept. Lutze (2014) suggest that the CCOs are more inclined to note concrete issues such as housing, while abstract or conceptual issues, which are less tangible are prioritized less. Lutze’s (2014) articulation offers an explanation to the inconsistences between prior research and the current study, as prior research examines the offenders’ realities, while the current study examines the CCOs’ record of the supervision process. While the abstract and conceptual realities are easily expressed by the offenders, such experiences are likely less apparent to the CCOs and more difficult to address with limited time and resources. As discussed in the next section, a focus on tangible realities (i.e. housing, employment, or safety) is preferred by CCOs.

Community Reentry

The focal concern of Community Reentry is concerned with those aspects of the prison-to-community transition related to the offender’s ability to exist in the community. Community Reentry is concerned with issues such as employment security, housing stability, and personal safety. Prior research has identified as being challenging for all offender but especially for sex offenders. The current study shows that CCOs focus mostly on the housing and employment aspects, particularly when offenders are homeless or unemployed.

Housing. The current study shows the housing instability aspect of the Community Reentry focal concern is one of the most frequently addressed challenges to the reentry process.
Finding that housing issues are the most commonly addressed aspect of Community Reentry in the supervision narratives is consistent with prior research. Like other aspects of both Social Reintegration and Community Reentry, the stigma of the sex offender label is part of the housing security challenge. Levenson, D’Amora and Hern (2007) found that thirty percent of sex offenders in their study were forced to leave their homes due to stigma-driven community opposition. Furthermore, Burchfield and Mingus (2008) found that the resulting housing instability is worsened by a lack of safe affordable housing. These realities were also faced by the offenders in the current study as many of them lived in unsafe housing due to neighborhood violence, dilapidated buildings, or insect infestations. Similar to prior research many of the offenders in the current study faced housing challenges, particularly housing costs, and homelessness (Socia, Levenson, Ackerman, and Harris 2014).

The focal concern of Community Reentry is the third most prioritized focal concern in the community supervision process. When included as a parameter in a negative binomial model, the frequency with which CCOs address issues of Community Reentry was found to significantly predict a decrease in all condition-based technical violations. Emphasizing Community Reentry was the only focal concern to be significantly related to decreases in technical violations. Therefore, it can be concluded that Community Reentry is an important aspect of the community supervision process, and by addressing these issues regularly, CCOs can reduce the likelihood of offenders violating the DOC imposed conditions.

Employment. Prior research on sex offender, post-incarceration employment challenges, focuses primarily on the relationship between social stigma and employment rejection or termination. Research suggests that job loss rates due to sex offender status effects vary anywhere from one-quarter to one-half of sex offenders living in the community (Levenson &
The qualitative findings of the current study are consistent with prior research, showing that both job denials and job loss are linked to sex offender status. The sex offender status-based employment denial or rejections are made apparent when offenders are fired or denied employment following the disclosure of their offense to potential or current employers. One offender in the sampled cases was fired from his job due to a citizen recognizing him from the sex offender registry and reporting his status to his employer. In some cases, sex offenders were denied employment due to an increased likelihood of contact with children; however most of the challenging employment decisions made by employers were based on considerations other than conditional violations, such as stigma-driven moral panics (see Jenkins, 1998).

*Threats, Harassment, and Violence.* Interestingly, issues regarding the offenders’ personal safety were noted less frequently by the CCO’s. In the few chrono entries addressing such issues, the CCOs noted the threat or instance of violence; however the notes did not indicate that any further actions or discussion ensued. The findings suggest that the offenders’ personal safety was not prioritized compared to housing and employment.

The quantitative findings regarding Community Reentry are incongruent with prior research that shows approximately thirty to forty-five percent of sex offender experience difficulties in gaining and maintaining employment (Levenson & Cotter, 2005a, Tewksbury, 2005) The current study shows that CCOs address Community Reentry issues in just more than twelve percent (12.4%) of the chrono entries. This research suggests that these issues are occurring at higher rates than CCOs are addressing them. The qualitative analysis of the supervision narratives suggests that failure to address employment issues can lead to other Community Reentry challenges such as homelessness or threats to personal safety.
Contemporary research suggests that threats to the personal safety of sex offenders in the community, is a reality faced less frequently than employment issues or housing instability. Levenson and colleagues (2007) study as well as Tewksbury’s (2005) found that instances of threats, or acts of violent victimization are endured by between fifteen and twenty percent of offenders. The current study found that treats or actions of violence towards offenders sampled ranged from being threatened with assault if the offender returned to a homeless shelter, to being confronted with a knife. The findings of the current study are consistent with the prior research suggesting that threats and acts of physical violence are part of the Community Reentry challenges faced by sex offenders and should therefore be part of the focal concerns addressed by the CCOs who supervise these individuals.

**Status Maintenance**

The current study operationalizes Status Maintenance as the process through which the DOC imposed conditions of supervision are enforced and adhered to. Prior research by Fischer (2000) and Branan and Gallagher (2005) identifies unique conditions that are imposed only on sex offenders — polygraph and plethysmograph testing, technology restrictions, sexual relationship approval, living arrangement approval, and disclosure. The practice of imposing these unique conditions has been part of the community supervision of sex offenders in some capacity throughout the United States. The imposition of these unique conditions upon the offenders in the sampled cases is consistent with the practices discussed in prior research.

As a focal concern, Status Maintenance was the second most prioritized of the five focal concerns, on average accounting for nearly thirty percent (29.2%) of chrono entries. In model three of the three negative binomial regression analyses the number of chrono entries regarding Status Maintenance was linked to an expected increase in technical violations. By controlling for
risk and needs, the current study shows that the Status Maintenance is significantly related to statute-based technical violations. Furthermore, when controlling for risk and needs in a Cox Regression models, the number of chrono entries addressing Status Maintenance was found to significantly predict increases in recidivism. Regression findings are consistent with two independent sample t-tests show that the average number of chrono entries addressing Status Maintenance were significantly different between those with a statute-based technical violation and those without, as well as between those who recidivated and those who did not. The findings of the two t-tests suggest that the operationalization of the Status Maintenance focal concern seems to have captured the process of imposing and adhering to DOC conditions of supervision. Consequently, future research can utilize the variable, as it is articulated in the current study, to further examine the supervision process with regards to the impact of imposed conditions with sex offenders. Furthermore, the quantitative analyses suggest that Status Maintenance is a substantial part of the supervision process.

Disclosure. The previous research identifies the condition of disclosure as part of the collaborative approach to sex offender community supervision (Baker et al., 2005, Carter et al., 2004). As many jurisdictions utilize the containment approach to sex offender supervision, sex offenders are required to meet and work with a variety of treatment providers, therefore disclosure is required. McGrath and colleagues found that the overwhelming majority of the supervision programs they studied required offenders to agree to disclosure for collaborative purposes. The qualitative findings of the current study are consistent with the prior research as CCOs routinely noted and ensured that offenders were disclosing their crimes and sex offender status to required individuals or organizations — including churches and schools they attend.
**Polygraph and Plethysmograph Testing.** While few of the offenders in the sampled cases were required to undergo penile plethysmograph testing, every offender was required to submit to polygraph testing. However, when this condition was imposed upon offenders in the sampled cases, the practice was consistent with prior research. As Konopasky and Konopasky (2000) argue, the invasive testing of penile blood flow is intended to determine if the offender has a sexual preference towards children. In the few cases in the current study in which the plethysmograph test was utilized, it was used to assess an offender’s sexual attraction towards children. The qualitative analysis suggests that the scheduling and administering of these exams disrupts the supervision process by requiring the CCO to transfer his or her focus away from other aspects of the process. This disruption is also noted in the polygraph testing, which also requires a great deal of energy, scheduling and administering. However, unlike the plethysmograph test which tests for sexual preference, the polygraph testing utilized by the CCOs in this study was a means to check an offender’s compliance with other supervision conditions.

**Technology Restrictions.** When CCOs enforced technology restrictions it was generally done for two reasons: preventing them from viewing pornography or preventing them from seeking out additional victims online. The practice of imposing technology restrictions by the CCOs in the current study for those reasons is consistent with prior research. In some cases, technology restrictions were imposed after CCOs learned that offenders were using social media websites. Restricting social media websites specifically, is consistent with prior research by Ybarra and Mithchell (2008) who found offenders sought out child victims using such technologies. Also consistent with prior research by Gillett (2011), which states that online sexually oriented crimes are difficult to police, many times CCOs would not find out about an
offender’s uses of technology until after they have been using it for a while. This finding is important as it illustrates a gap in CCOs ability to enforce safety-oriented supervision conditions.

**Approval.** The condition requiring the approval of living arrangements and sexual partners often occurred simultaneously in supervision narratives analyzed in the current study. In many cases, offenders would seek the CCO’s approval to live with and engage in sexual activity with a new romantic partner. Consistent with previous research, the purpose of requiring offenders to have their living arrangements approved by their CCO is to ensure that the offender is not at risk of harming future victims, or be in violation of other imposed conditions. Also consistent with prior research (see Baker et al., 2005) the imposition of the sexual relationship approval condition is to guide offenders towards supportive, pro-social relationships. Due to the many different challenges facing sex offenders during this transitional period, the offenders in the sampled cases oftentimes found themselves seeking out living arrangements that were problematic, or engaging in relationships that concerned their CCOs. However, when these issues arose in the supervision process CCOs routinely addressed the issues and offered the offender guidance toward resolving such challenges, however, the utility of the guidance offered is questionable as it often meant the offender would be temporarily homeless or without support.

**Statutory Compliance**

The focal concern of Statutory Compliance, which deals with the enforcement and adherence to statutorily imposed conditions such as registration requirements, community notification, and residential zoning restrictions, is the least frequently addressed of the five focal concerns, accounting for only two percent of chrono entries, on average. While all 166 of the offenders in the sampled cases were required to register and observe residential zoning restrictions, not all of the offenders were required to engage in active community notification
(i.e. posting flyers or holding community notification meetings). The qualitative findings suggest that the experience of those who were required to engage in active community notification differed from those who did not.

The quantitative analyses offer mixed results with regard to the focal concern Statutory Compliance. When comparing the average difference in the number of chrono entries addressing Statutory Compliance between offenders with and offenders without technical violations, as well as between offenders who did and offenders who did not recidivate, the averages were found to be statistically insignificant, as did an ANOVA comparing offenders based on offense type. However, negative binomial prediction models found that addressing Statutory Compliance in the chrono narratives was insignificant for all forms of technical violations — an outcomes measure not examined in the prior research. Consistent with prior research (See Huebner et al., 2014; Nobles et al., 2012; Zevitz et al., 2006), addressing Statutory Compliance issues throughout the community supervision process does not predict recidivism.

Notification. Consistent with prior research (see Goodman, 1996: Presser & Gunnison, 1999) CCOs supervising offenders, who were required to post notification flyers or have community notification meetings discussing their crimes and home locations, reported that offenders expressed fear of being the target of vigilante violence. While research by Levenson and Cotter (2005a) and Tewksbury and Lees (2006) illustrate the collateral impacts of public access to sex offender registration, the current study shows that fear of victimization evoked by active notification practices impacts the transition from prison to the community. In one case the offender’s fear of being victimized lead him to ask his CCO if he was allowed to use force to protect himself in the days following the posting and distributing of notification flyers. The findings that the notification requirements were noted by CCO as part of their job expectations of
the CCOs who are tasked with working with these offenders, supports Zevitz and Farkas’ (2000b) study which found that notification requirements directly impact the professional routines of the CCOs involved. The correlations presented in the previous chapter show that addressing the Statutory Compliance focal concern has a significant positive correlation with Community Reentry, which is consistent with the prior research on the collateral impact of current sex offender laws (see Terry, 2006).

Registration. While the overall percentage of chrono entries addressing the focal concern of Statutory Compliance is only two percent, the overwhelming majority of those entries specifically address the issue of registration. For many of the offenders in the sampled cases, the issue of registration was addressed only at the beginning of supervision and upon the completion of supervision. However, in a substantial number of cases, the issue of registration was addressed more regularly; these cases included high rates of housing instability and homelessness. These findings are consistent with the provision of the Jacob Wetterling Act (see Chapter 2), which mandates that the addresses of sex offenders must be reported to, and recorded by, local or county law enforcement. Therefore, when offenders are homeless they need to report their living arrangements regularly, even in cases where they are able to secure long-term shelter placement. In such cases it was common for CCOs to routinely verify the offender’s registration with law enforcement.

Residency Restriction. Recent research on the impact of residency restrictions demonstrates the challenges such restrictions create. Zandleergen and Hart’s (2006) study illustrated the reality that such restrictions drastically reduce housing opportunities for offenders. Similarly, Levenson and Hern’s (2007) study found that, in many cases, securing housing with family members or returning to a previously owned/leased home was not allowed due to the
zoning restrictions. The qualitative findings of the current study are consistent with the findings of prior research. In those cases in which zoning restrictions were addressed, offenders were not approved for housing due to the location of the house in relation to parks, schools, daycare centers or playgrounds. The consequences of these housing restrictions ranged from offenders experiencing homelessness to offenders having to move into secluded areas away from employment opportunities or other community resources.

**Risk Management**

The focal concern of Risk Management, which is located at the control end of the correctional care continuum accounts for the highest frequency and highest percentage of chrono entries in the sampled cases. The emphasis and extensive focus on Risk Management, as an overall correctional dynamic, is centered on control, while addressing issues related to rehabilitation are tangential. Risk Management accounts for nearly five-times as many chrono entries as Social Reintegration and roughly four-times as many chrono entries as Community Reentry. The most apparent aspect of the Risk Management focal concern, which accounts for the overwhelming majority of the Risk Management entries, is the multiple contacts associated with the containment aspect.

*Containment.* Throughout the chrono narratives, CCOs routinely recorded the multiple contacts made between the offender and various treatment or correctional staff. The qualitative analysis shows that these contacts took different forms including day reporting, kiosk check in, appointment verification, or face-to-face interactions both in the office and at the offender’s home. As discussed in the previous chapter, the containment aspect of the Risk Management focal concern is contextualized in the chrono narratives to be an attempt at indirect momentary incapacitation. The notion of indirect momentary incapacitation is consistent with English and
colleague’s (1996) discussion which argues that the purpose of the containment approach is to disrupt sexually criminogenic tendencies.

_Home Visits._ The dual role of home visits, as a means to achieve additional contacts while also attempting to ensure conditional compliance through ambiguity and deterrence was expressed in the supervision narratives. However, in many cases the ambiguity of unannounced home visits was problematic for CCOs as on many instances offenders were not home and no contact was made. Consequently, CCOs would have to schedule home visits, which is inconsistent with the discussion offered by Edson and colleagues (2007), who suggest that the utility of home visits is to assess the offender’s behaviors in their natural environment as the authenticity of the natural environment is compromised by the announcement of the impending visit. Due to a large gap in the contemporary research on home visits, the qualitative findings provide a strong starting point for future research on this practice.

While the chrono narratives contextualized home visits as momentary indirect incapacitation, the use of electronic monitoring through GPS devices is contextualized as continuous indirect incapacitation. The qualitative findings suggest the use of GPS monitoring, with the offenders, presented CCOs with problems consistent with prior research, specifically high rates of technical difficulties (see Armstrong & Freeman, 2011) and being overwhelmed by the data (see Payne & DeMichele, 2011). CCOs reported in the chrono narratives that offenders experienced confusion, anxiety, and in some cases, panic due to the technical difficulties with these devices. Not all offender were required to be surveilled by GPS monitoring, those who required continuous indirect incapacitation were identified as such by some type of risk classification, either actuarially-based or offense classification.
Risk Assessment. Each of the chrono narratives examined in the current study mentioned the administration of risk assessment instruments. In some cases, the Static 99 risk assessment was used, while in the majority the Washington State Sex Offender Risk Classification was used. The qualitative examination of the supervision narratives suggests that CCOs ensure the administration of such assessments, however the information gained does not seem to guide the supervision practice with regards to Risk Management.

The quantitative analyses regarding the utilization of the Risk Management focal concern, challenge contemporary research which argues that focusing on risk will reduce undesired correctional outcomes (see Hanson & Morton-Bourgon, 2009; English, 2009). Through the use of negative binomial regression modeling, the current study shows that an increased focus on Risk Management predicts increases in the total number of technical violations, condition-based technical violations, but not for statute-based technical violations. While prior research demands that the inclusion of risk assessments and varying degrees of surveillance and/or incapacitation reduce undesired outcomes, the current study shows that such practices are problematic with regards to technical violations. Furthermore, the current study finds that an extensive focus on Risk Management has a positive, yet statically insignificant, predictive relationship with new convictions. The insignificant findings also challenge contemporary literature, as they show that Risk Management is significantly related to increases in technical violations.

The focal concern of Risk Management consumes the majority of the community supervision process with sex offenders. However, as illustrated by the current study, this approach does not produce the desired outcomes — decreased technical violations or likelihood of new convictions. Consequently, the current study suggests that focusing less on Risk
Management and more on Social Reintegration and Community Reentry would be more beneficial, specially Community Reentry which was shown to be significantly related to expected decreases in technical violations.

**Limitations**

The current study has specific limitations which are related to the inherent realities associated with community supervision. The two predominate limitations of the current study include an inability to account for the nuanced differences between what is written in the chronos and the actions of the CCO, and the exclusion of CCOs as a control variable in multivariate analyses. Addressing each of these limitations requires specific methodological approaches and extensive access the CCOs, the offenders, and DOC record data.

The inability to account for the potential nuanced differences between what is written in the chronos and the action of the CCOs results from the methodological approach employed by the current study. Examining these nuanced differences would require direct observations through ethnographic field research coupled with an examination of the corresponding chronos entries. While the ethnographic approach allows for a thorough understanding of the observed phenomenon, the time and access required for this approach are beyond the scope of the current study. Furthermore, the inclusion of direct observations eliminates the unobtrusive nature of the current study and could potentially introduce threats to validity such as experimenter expectation, instrumentation or reactivity (See, Kraska & Neuman, 2012).

The exclusion of CCOs as a control variable in multivariate analyses stems from an overall focus on the supervision. The qualitative findings support this exclusion, showing consistency between CCOs/cases (i.e. extensive focus on Risk Management). Furthermore, in the
rare occurrences when offenders were assigned new CCOs, these changes were due to pragmatic reasons such as caseload reductions or offender relocations.

Overall, the limitation of the current study highlight opportunities for future research related to the focal concerns. The limitations discussed above are related to the scope of the currency study and the realities of correctional discourse. These limitations are minimal and do not impede the current study’s ability to answer the research questions or achieve its objectives.

Summary

The findings from the current study bridge a gap between the offender’s experience of the prison-to-community transition and the CCOs task of supervising that transition. The previous literature discussing the realities of community life for sex offenders has specifically highlighted the challenges and barriers faced by those individuals. Research suggests high rates of Social Reintegration and Community Reentry challenges among sex offenders, however, the current study shows that these issues are not frequently noted in the supervision narrative. Lutze (2014) argues that CCOs focus on issues that they can “control or influence” such as violating offenders or revoking their community supervision status more than issues that are under the offenders’ control such as relationships and proactively engaging in change (p. 30). For CCOs, focusing their energies on Risk Management is professionally and politically conscientious and create a safety net for the CCOs if the offenders they are supervising reoffends. Routinely noting Risk Management issues and practices in the chronos provides CCOs with evidence of their attempts to contain the offenders’ criminogenic behaviors. In the event an offender reoffends, the CCO will be held accountable for his or her actions related to Risk Management, not whether or not he or she sought opportunities to emphasize social support.
While prior research highlights the realities facing the offenders, the current study shows that CCOs focus on, or at least make note of, the supervision realities that are concrete and that they can influence. By identifying the priority of the focal concerns in the practice of community supervisor, the current study provides the opportunity to examine the nexus between the offenders’ and CCOs’ experiences of transition and supervision.
CHAPTER SIX: IMPLICATIONS AND CONCLUSION

PUTTING THE FOCAL CONCERNS TO WORK: CHALLENGING ASSUMPTIONS

The current study produced three critical findings that relate specifically to the dynamics of the correctional discourse between CCOs and sex offenders. Qualitative findings show that there is a considerable disconnect between the offenders’ experiences and the noted priorities of the CCOs. Quantitative findings suggest that CCOs prioritize control and condition enforcement, guiding the process towards technical violations, disrupting the offenders strained attempts at reintegration or reentry. The findings of the current study support the social construction-based argument put forth by Goode and Ben-Yehuda (2009) and Jenkins (2008) who maintain that sex offenders are socially constructed as less than human and therefore, any social responses to them will be punitive and further exacerbate their de-humanization. Unfortunately, it cannot be assumed that the duty-mandates placed upon CCOs will make them immune the social construction processes inherent to the communities in which they work and live. The findings of the current study suggests that while CCOs may not construct the offenders as monsters or folk devils (see Goode & Ben-Yehuda, 2009) they do construct them as risks that must be managed, which in any context is less than fully human

The Offender as a Risk

The Washington State Department of Corrections implements a variety of policy directives which are afforded legal authority by the Revised Code of Washington — the codified enforced laws (apps.leg.gov/crw). The findings of the current study have implications for specific DOC policy directives regarding the practices and structure of community supervision with sex offenders in Washington State. These specific policy directives include: Community Supervision of Offenders380.200, Imposed Conditions390.600, Field Work Protocols380.240,
Violations, Hearing and Appeals 460.130, and Sex Offender Treatment Program 570.000. The following discussion outlines how the findings of the current study related to these policies.

Washington State Department of Corrections Policy Directive 380.200 Community Supervision of Offenders outlines the general expectations of the community supervision process in Washington State. The first provision of 380.200 states “Community supervision will be performed in a manner that is in the best interest of community safety, based on offender’s risk level and supervision status” (p. 2). While Policy Directive 380.200 is concerned with all types of offenders, the first provision establishes community supervision as a Risk Management process — centered on community safety and risk. Thus it is not surprising that in the current study suggests that, when supervising sex offenders, safety and risk command the majority of the process. However, the findings that emphasizing Risk Management focal concern suggests that emphasizing control has no significant relationship with recidivism challenge the utility of this approach.

By focusing the community supervision process on Risk Management, CCOs create a correctional discourse that is linked to increased chances for the enforcement of technical violations. Furthermore, by emphasizing the Risk Management focal concern, CCOs fail to significantly reduce the likelihood of recidivism. By demanding that the process of community supervision, with sex offenders or otherwise, identify the community as the client, Policy Directive 380.200 impedes the process from being truly client centered (see Rogers, 1957). In order for the community supervision process to truly aid the offender with the challenges he or she will face during the transition from prison to the community, correctional policies must demand that the offender be fully identified as the client — meaning that the offender is the intended and primary recipient of the correctional discourse (see Blackburn, 2002), or at least an
offender centered approach that is balanced with a community centered approach (Lutze, 2014). Furthermore, the subsequent provisions of Policy Directive 380.200 regarding imposed conditions, field work, and violations practices, should add to a correctional discourse that more closely resembles the client centered approach embracing the conditions outlined by Rogers (1957), especially the notions or empathic engagement and unconditional positive regard.

The process of imposing conditions of supervision is outlined in Policy Directive 390.600 Imposed Conditions. While the purpose of Policy Directive 390.600 is to outline the process of imposing conditions for all offenders, subsection C-1 addresses the unique conditions for sex offenders. Subsection C-1 addresses the issue of housing restrictions regarding the presence of victim or victim-aged minors, stating “For sex offenders held until their maximum expiration date because the proposed release address was denied due to the presence of the victim(s) or victim-aged children, the CCO will impose the condition restricting the offender residing in any residence that was denied” (2011, p.2). While the imposition of this condition is intended to prevent subsequent victimization, the current study found that this particular condition negatively impacts the supervision process as it significantly related to technical violations.

Housing instability was found to be a substantial challenge to many of the offenders in the current study. The qualitative findings show that restricting offenders from securing housing with family or other support networks due to the presence of children impacts the offender’s ability to secure safe and stable housing — in some cases leading to homelessness. Furthermore, offenders subjected to this condition were removed from social support networks and in some cases the added strain caused by this condition led to the loss of previously-held prosocial relationships. While the purpose of provision C-1 of Policy Directive 390.600 is to reduce or eliminate the offender’s access to future victims, the current study finds that the collateral
consequences of this specific condition impact the supervision process. The conditions imposed based on this policy negatively impact the Social Reintegration and Community Reentry aspects of community supervision, yet are unable to absolutely ensure the offender will not reoffend. When the imposition of this condition leads to the offender being homeless, it creates problems for other areas of supervision such as registration and home visits.

Home visits as a community supervision practice and as an imposed condition of supervision are addressed in both Policy Directive 390.600 and 380.240. While Policy Directive 390.600 establishes home visits as a regular condition of supervision, Policy Directive 380.240 Field Work Protocols, outlines the procedure. Subsection C-3 of Policy Directive 390.600 states “The CCO may impose a home visit condition […] condition will read, ‘Must consent to allow Department home visits to monitor compliance with supervision conditions’ (2011, p.4). The current study shows that home visits were not exclusively used for the purpose of monitoring compliance with supervision conditions, but were also recorded by CCOs as part of the multiple contacts aspect of containment and surveillance — if and when contact is actually made.

Failure to make contact with the offender during an attempted home visit is a dominate theme in the supervision narrative. Policy Directive 280.240 provides the expected procedure for all field and home contacts between offenders and DOC employees. Subsection II C-1.b of this policy directive states that “residence visits will be conducted at reasonable times” in an effort to address supervision concerns (2014, p.3). The ambiguity in the notion of a reasonable time is likely linked to the high frequency of failed CCO-offender contacts in the current study. In many of the supervision narratives examined by the current study, offenders experienced high rates of job loss, employment irregularity, and night shift placements. The current study suggests that the reasonable time assumption inherent in the policy directive fails to account for the realities faced
by sex offenders during the CCO’s working hours, such as working, sleeping, running errands, or attending treatment.

Nearly all of the offenders in the sampled cases attended some type of treatment, including narcotics-anonymous or alcoholics-anonymous, sexual deviance counseling, or the community-based Sex Offender Treatment Program (SOTP). Policy Directive 570.000 outlines the provision and procedure of the SOTP both in prison and in the community. The qualitative findings suggest some inconsistencies between policy and practice. One particular inconsistency is related to the issue of volunteer participation. Provision II A.4 of Policy Directive 570.000 states “the offender must volunteer to attend SOTP and agree to follow the rules and expectations” however, CCOs regularly required offenders to show proof of attendance. Another inconsistency is related to offense acknowledgement. Provision II A.4 states that “offenders must acknowledge/recall having committed sex offense(s)” to be eligible to participate. While occurrences of an offender not acknowledging his or her offense were noted infrequently, those cases in which failure to acknowledge did occur were problematic. The failure to acknowledge cases resulted in multiple treatment terminations and subsequent violations resulting in stipulated agreements, negotiated sanctions, or even confinement.

Policy Directive 570.000 also addresses the necessity for the sex offender supervision condition of disclosure by outlining the collaborative aspects of the SOTP process. Provision IX-E of the policy directive states, “The SOTP community corrections specialist and transition teams will share information specific to the offender’s offense cycle and relapse prevention plan” (2010, p. 9). Within the context of the community SOTP discourse, the required condition of collaboration-driven disclosure is intended to serve as a means to reduce or disrupt continued criminality — consistent with the surveillance or containment aspects of Risk Management. The
reality that SOTP utilizes collaborative disclosure to increase surveillance and multiple contacts, suggests that the current study was correct to operationalize and measure SOTP attendance as part of the overall Risk Management focal concern.

Consistent with the overall findings of the current study, the policy directives that dictate the community supervision of sex offenders are heavily focused at the control end of the correctional continuum. Such policies do not account for previous research findings regarding the realities faced by sex offenders during the transitional time following incarceration. The current Risk-Needs approach to community supervision needs to be expanded to allow for a more comprehensive understanding of the offenders’ lived realities and experiences during this arduous time. Furthermore, CCOs must understand the limitations to the Risk-Needs approach with regards to implementing and designing supervision modalities that promote the strengths and isolate the limitations.

Risk and Needs: A Disconnect

Addressing community supervision within the context of criminal justice policy, Lutze and Schaefer (2014) argue that the Risk-Needs approach is considered essential to evidence-based practice, and therefore its use should be required as a focus of supervision (Andrews and Bonta, 2010; Latessa, Cullen, & Gendreau, 2002; Mackenzie, 2000). Washington State has embraced the evidence-based approach to correctional discourse and has required the inclusion of Risk-Needs assessments. Policy Directive 320.400 provision II states, “The department will use the assessment tools (i.e. offender criminal conviction record, offender static risk assessment, and offender needs assessment) to assess the offender risk level and supervision strategies, and identify targets for intervention” (2009, p. 2). The policy reflects the underlying assumption of
the Risk-Needs approach that the information gained by actuarial assessments translates into practices.

The underlying assumption of the Risk-Needs approach to community supervision is that, once assessed, the offender’s risks and needs will aid in the development of the supervision modality. Based on that underlying assumption, it would be expected that as offenders’ risk scores increase so too does the frequency at CCOs note the focal concern of Risk Management. Similarly, it would be expected that if an offender has a specific need, an increase in the focal concern addressing that need would increase. However, the current study found mixed results regarding the degree to which risks and needs scores influence the supervision process, which questions the ability of CCOs to translate risk and needs scores from instrument to action.

The focal concern of Social Reintegration is needs-oriented as it is concerned with addressing issues related to social viability. Specifically, needs aspects of the Social Reintegration focal concern are issues related to the need for supportive, prosocial relationships. Overall, the focal concern of Social Reintegration was addressed infrequently compared to the other focal concerns, suggesting that such needs are being measured, but not routinely noted in the supervision narrative. The current study finds that the average frequency at which the CCOs note Social Reintegration does not differ significantly between those offenders who have a family need and those who do not. However, a significant difference in the average frequency at which Social Reintegration was noted was observed based on peer needs.

The other needs-oriented focal concern is Community Reentry which addresses issues related to housing, employment, and safety. The current study shows that the average number of chrono entries addressing Community Reentry significantly differ based on the offenders’ assessed needs for housing and employment. Based on these findings, it can be argued that the
policy requiring needs assessments to guide the development and implementation of supervision modalities is being properly implemented. This finding is particularly important with sex offenders who face substantial barriers in the areas of employment security and housing stability.

The focal concern Risk Management is the risk-oriented focal concern. Logically, it is expected that differences in offenders’ risk scores or classification would be linked to significant differences in the average number of chrono entries addressing Risk Management. The current study found mixed results regarding the link between risk scores, or classifications, and the average frequency at which Risk Management is noted.

The most commonly utilized sex offender risk assessment instrument is the Static 99 Risk Assessment. The Static 99 instrument classifies offenders into four risk categories based on scores — low, moderate, moderate-high, and high. Based on the underlying assumptions and logical interpretation of these categorical classifications, it is expected that the average number of chrono entries addressing Risk Management would differ significantly between each group; however this is not the case. For those cases in which the Static 99 was administered, it does not appear as though the data was used to guide the supervision process with regard to the focal concern of Risk Management.

Unlike the Static 99 which is an actuarially-driven risk assessment, the tier-based risk classification required under the provisions of the Adam Walsh Act is an offense-type classification (see Sample & Evans, 2009). The three tiers are based on seriousness of offense and dictate the offenders’ registration and notification requirements; with level III being considered the most dangerous. The current study found that the average number of chrono entries addressing Risk Management, did not significantly differ based on the tier-based risk
classification. These findings challenge the correctional utility of such policies, especially those required by statutes rather than Washington State DOC policy.

The current study finds that differences in the Washington State Sex Offender Risk Classification, which is an actuarially-driven sex offender risk assessment, are linked to differences in the average number of Risk Management entries. The differences in the average number of chrono entries addressing Risk Management are consistent with the underlying assumptions. On average, cases in which offenders scored in the moderate to high risk category had higher frequencies of Risk Management chrono entries compared to those in the low risk category. These findings suggest that the policy requiring supervision modalities to be guided by risk assessment is being properly implemented. The lack of implementation integrality seems to stem from a focus on the Washington DOC instrument coupled with an apathetic dismissal of federal classifications or the Static 99 instrument.

Overall, the findings suggest disconnect between policy and practice with regard to the Risk-Needs approach to community supervision. While Community Reentry needs seem to guide practice, findings are inconclusive on Social Reintegration and Risk Management. The policies mandating the use of risk and needs assessments to guide supervision practices need to include a method to verify compliance. By using the focal concerns and their identified elements, the DOC can examine the chrono narratives to assess the degree to which the policy driven risk and needs assessments are being noted in the chrono narratives and the subsequent action in supervision practice.
Punitive Social Responses

The negative impacts of sex offender laws that emerged in the mid-1990s have been thoroughly discussed throughout the research literature. However, relatively little research has addressed the impact of such laws on the supervision process. The current study shows that enforcing these policies is rarely prioritized by CCOs. The frequency with which CCOs note issues related to Statutory Compliance did not significantly predict any of the correctional outcomes examined in the current study.

Of the three aspects of the Statutory Compliance focal concern, offender registration issues were a dominant theme. The high frequency at which offender registration was noted is linked to the fact that homeless offenders are required to register weekly and CCOs are tasked with ensuring that offenders comply. The qualitative findings that linked homelessness and increased attention to registration could suggest that the link between addressing Statutory Compliance and an increased likelihood of committing technical violations is due to homelessness. However, the prediction models controlled for Community Reentry, addressing homelessness, and Statutory Compliance maintained statistical insignificance. Furthermore, in the survival analysis predicting new convictions, Statutory Compliance was not significant. These federally imposed regulations appear to be trumped by state law (i.e. The Community Protection Act of 1990) and DOC policies. Thus, bring doubt to the need for such regulations in the supervision of sex offenders.

The third and final aspects of the Statutory Compliance focal concern is residency or zoning restrictions. Qualitatively, residency restrictions are linked to housing instability which is part of the Community Reentry focal concern. The correlation between the Community Reentry and the Statutory Compliance focal concerns was found to be significant — providing
quantitative support for the qualitative findings. These findings suggest that when these issues become noteworthy to the CCO, the zoning restriction policy exacerbates barriers to successful community transition. The qualitative findings do not support notification policies. The current study found that CCOs noted that offenders experienced fear and anxiety related to notification requirements. Controlling for Social Reintegration, which includes aspects of fear and anxiety, in multivariate models, Statutory Compliance was insignificant.

As criminal justice policies, laws requiring registration, notification, and zoning restriction for sex offenders have not been shown to reduce recidivism (see Wright, 2009). The current study shows that the degree to which CCOs note issues related to these laws is not significantly related to recidivism, or technical violations. The lack of scientific support for the effectiveness of these laws has lead scholars to question the correctional utility, especially when considering the negative impacts attributed to such laws (Griffin & Stitt, 2010; Harris et al., 2010; Levenson & Cotter, 2005a; Levenson & Tewksbury, 2009).

**Conclusion**

Schaefer (2014) argues that the dynamics associated with the dehumanizing correctional discourse constructs the offender as well as the CCO as less than fully human. Schaefer states “the relationship that exists between the offender and community corrections officer is no longer between two people, rather it is between an institution and a compilation of socially constructed meaning” (p. 296). In this context the CCO is defined by the institutionalized expectations placed on him or her by the DOC, particularly as CCOs lose discretionary power moving towards the control end of the correctional care continuum.

If the goal of correctional discourse with sex offenders is to guide them towards a life of self-actualized criminogenic desistance, the correctional dynamics must truly embrace the client-
centered approach articulated by Carle Rogers (Schaefer, 2014). According to Rogers (1957) for any interpersonal dynamics to support change towards self-actualization, that dynamic must be founded on unconditional positive regard. Unconditional positive regard cannot be achieved within the context of sex offender community supervision if the offender is continuously constructed as less than human.

Steps can be taken to transform the dynamic of community supervision with sex offenders towards a client-centered approach, which identifies the offender as the client. First, CCOs must be empowered to recognize and address the more abstract realities facing the offender such as relationships and social viability issues. Second, CCOs need to be properly trained in the six conditions of the Rogerian framework. Third, CCOs need to utilize the focal concerns perspective presented in the current study to gauge the balance of their supervision practice. By interrupting the systematic dehumanization of sex offenders, the CCOs can empower offenders to desist from criminality.

**Future Research**

The most important implication for future research provided by the current study is the methodological framework as guidance for replication. By replicating the current study, future research will further develop each of the focal concerns and the inherent aspects. Through the course of further development, replication will refine the operational definitions, provide more extensive examination of the constructs, and allow for the growth of the perspective to influence correctional practice. Continuous replication and the rigor of the scientific process could eventually elevate the focal concerns prospective of sex offender community supervision to a fully articulated criminal justice theory.


Community and Safety: *End of sentence review committee*. Washington State Department of Corrections. <doc.wa.gov/community/sexoffenders/endofsentence.asp>.

Community and Safety: *Rules for sex offenders in the community*. Washington State Department of Corrections. <doc.wa.gov/community/sexoffenders/rulesincommunity.asp>.

Community and Safety: *Treating sex offenders in the community*. Washington State Department of Corrections. <doc.wa.gov/community/sexoffenders/community/communitytreatment.asp>.


Washington State Department of Corrections. (2010). Sex offender treatment program. (WA-DOC 570.000) Olympia, WA.


### Appendix A

#### Appendix A: Case Level Focal Concern Counts and Percentages (n = 166)

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NOTE: FC 1 = Social Reintegration; FC 2 = Community Reentry; FC 3 = Status Maintenance; FC 4 = Statutory Compliance; FC 5 = Risk Management