

[Home](#)

## Sex Offenders on Federal Community Supervision: Factors that Influence Revocation

[Endnotes](#)

*James L. Johnson*

*Administrative Office of the U.S. Courts  
Office of Probation and Pretrial Services*

[Demographics](#)

[Risk Assessment Indicators](#)

[Conclusion](#)

**SEX OFFENDERS ARE** often considered an enigma in our society as very few people can truly understand what motivates them to commit the crimes that they commit. For many people, the mere mention of the word “sex offender” invokes images of some type of psychotic child molester or out of control rapist. Currently, there is no known literature to support the belief that most sex offenders are psychotic, at least not in the traditional sense of the word. When it comes to defining sex offenders, it is not uncommon for treatment providers, researchers, and law enforcement professionals to use a variety of definitions to identify this special population of offenders. However, for the purposes of this article, sex offenders are defined as “individuals who have a history of criminal sexually deviant behavior” <sup>1</sup> that may or may not include their instant offense.

Many sex offenders have stable employment, a social support system of family and friends, and no previous criminal history. Some are even prominent members of their community. <sup>2</sup> In the past several years, the prevalence of sex offenders in the criminal justice system has increased. State legislators and Congress have instituted legislation that mandates sex offender registration and public notification, longer prison sentences for certain sexual crimes, and stricter enforcement of existing laws. <sup>3</sup> Despite changes in legislative and sentencing practices, most offenders convicted of a sex crime will eventually be supervised in the community—either immediately following adjudication or shortly after completing a jail or prison sentence. <sup>4</sup>

In the Federal Probation and Pretrial Services System (FPPSS), the probation office in each of the 94 judicial districts is responsible for tracking offenders in their jurisdiction. This tracking is conducted through the Probation and Pretrial Services Automated Case Tracking System (PACTS). At the end of each month, districts submit their case data into a national repository housed in the Administrative Office of the U.S. Courts (AO), Office of Probation and Pretrial Services. Since PACTS was not implemented until 1998, the data analyzed for this article begins in 1999 and concludes in 2005. Sex offenders were identified through sex offender project codes, <sup>5</sup> problem codes and/or treatment condition types, as well as through statutory registration requirements available in PACTS. As a result, PACTS recognized 7,617 sex offenders <sup>6</sup> under post-conviction supervision from 1999 to 2005.

The purpose of this article is to explore the general demographics of sex offenders and factors

that may contribute to their success or failure on federal post-conviction supervision. Primary factors analyzed in this study include employment status at the beginning and/or end of supervision, treatment conditions mandated by the courts, and risk factors such as whether the offender had a prior criminal offense and risk prediction scores. In addition, comparisons were made between and within sex offender case groups. Between-group comparisons included all sex offender cases in the federal system (all cases), cases that were active on the date when the data was retrieved (active cases), and cases that were closed either successfully or as a result of a revocation (closed cases). Within-group comparisons were only made with closed cases.

[back to top](#)

## Demographics

The demographic and social backgrounds of those who commit sexual offenses are so diverse that it is difficult to develop a profile that accurately depicts the “typical” sex offender. <sup>7</sup> Sex offenders come in an assortment of age groups, races, religious backgrounds, and criminal histories. Likewise, not every sex offender poses the same level of risk to the community or requires the same type of supervision or treatment regiment. For instance, a male offender convicted of exposing himself to an adult female poses less of a threat to society than a convicted child molester or rapist. <sup>8</sup>

Since males have historically dominated the sex offender population, <sup>9</sup> the following demographic information will focus primarily on male offenders, even though the attached appendices capture both male and female offenders. As [Appendix A](#) shows, the majority of sex offenders in the FPPSS are male (95.5 percent), non-Hispanic (90.3 percent), U.S. citizens (96.4 percent), and white (64.3 percent). From 1999 to 2005, PACTS data indicated that white males accounted for a little more than 64 percent of the FPPSS sex offender population and were on average 41 years old. Black males constituted slightly more than 16 percent of all sex offenders and were 37.5 years of age. American Indian and Alaska Native <sup>10</sup> men made up 17 percent of the sex offender population and had an average age of 35.5 years. When comparing these figures to those presented in [Appendix A](#), it is plain to see that males clearly are responsible for an overwhelming percentage of federal sex offenses. During the seven-year period analyzed, the average overall age of the 7,617 sex offenders was 39.2 years.

### *Education*

Studies have shown that education is correlated with reduced criminal behavior and improves the chances of obtaining employment after release from prison. <sup>11</sup> Generally, individuals who enter the criminal justice system do not possess much education beyond the high school level. According to the Bureau of Justice Statistics (BJS), <sup>12</sup> fewer than 48 percent of the 75,859 offenders convicted of a federal crime during the fiscal year 2003 <sup>13</sup> had obtained a high school diploma or equivalent and slightly less than 30 percent actually finished high school.

In general, sex offenders tend to be a little more educated than other offenders. Roughly 23 percent of the sex offenders identified in PACTS reportedly had less than a high school education and more than 34 percent had either a high school diploma, or GED, or graduated from vocational school (see [Appendix B](#)). In addition, nearly 10 percent of the sex offenders had obtained an undergraduate degree, compared to fewer than 6 percent of the general offender population reported on by BJS.

Although sex offenders are in general more educated than other offenders, their education alone does not prevent them from engaging in criminal sexually deviant behavior or, in some cases, having their supervision revoked. However, according to the cross-tabulation of sex offenders’ revocation status (revoked or not revoked) based on their education level presented in [Appendix C](#), the more educated a sex offender is, the less likely he or she is to have his or her supervision revoked. Interestingly, even though a GED (General Equivalency Diploma) is considered to be equivalent to a high school diploma, the two are not equal in terms of revocation rates. Sex offenders who received a GED had a revocation rate nearly 16 percentage points higher than

those who actually graduated from high school (53.4 percent to 37.7 percent respectively). Nearly 63 percent of the sex offenders who did not complete high school had their supervision end with a revocation, while less than 38 percent of those who did finish high school received the same result. Moreover, the revocation rate decreased by more than half when sex offenders obtained a college degree (reduced from 38 percent to 17 percent). However, when sex offenders attended college, but did not finish, they had their supervision revoked 32.5 percent of the time. In comparison, when they completed college, sex offenders had their rate of revocation drop to 17 percent.

### *Employment*

One of the most important factors associated with a successful transition from prison back to the community is the ability of offenders to obtain stable employment. A lack of stable employment has been identified as one of the primary factors associated with a return to criminal behavior. <sup>14</sup> Having a legitimate job paying a living wage lessens the chances of re-offending following a release from prison. <sup>15</sup> Several studies have reported that a criminal record significantly impairs a person's ability to find stable and legal employment, as well as to develop earnings potential. <sup>16</sup> Crime and employment, therefore, appear to have formed an inverse relationship: as employment increases criminal involvement decreases. In other words, individuals who are stably employed and earning a living wage are less likely to engage in criminal activity.

Attaining employment can be a formidable task for sex offenders, as many employers are reluctant to hire them due to the stigma associated with a sex offense, and most sex offenders are restricted by special conditions attached to their supervision (for example, avoiding places frequented by children). <sup>17</sup> A survey of employers in five major cities across the United States revealed that two-thirds of them would not knowingly hire any ex-offender and at least one-third checked the criminal histories of their most recently hired employees. <sup>18</sup> Not only do returning offenders encounter reluctant employers, but they are also excluded from working in certain fields, such as law, real estate, medicine, nursing, physical therapy, and education. <sup>19</sup> The prohibited fields of employment are even greater for sex offenders, as many have special conditions—such as restricted computer and Internet usage or no contact with minors—that can severely reduce employment options.

Time out of the labor market is another factor that hinders an ex-offender's ability to obtain stable employment and reduces potential earnings. During the time they spend in prison, many individuals may lose work skills, be unable to gain valuable work experience, and sever interpersonal connections and social contacts that could lead to legal employment opportunities upon release. <sup>20</sup> This is especially true for those who, for whatever reason, do not participate in vocational/employment or educational programs during their period of incarceration. Several studies looking at the impact of incarceration on future employment have concluded that as time spent in prison increases (net other background factors), the likelihood of participating in the legal economy afterward decreases. <sup>21</sup> If the ex-prisoner experiences difficulty in securing even menial forms of legitimate employment, further crime may likely become an increasingly attractive alternative. Although time served in prison is an important factor when assessing the impact of incarceration on employment opportunities for all offenders, this variable was not available in the data analyzed for this study.

One of the limitations of the PACTS data analyzed is that it only captured employment status at two stages of an offender's supervision—start and end. This failed to account for changes in employment status during supervision, length of each employment, and the type of employment (full or part-time). Since most offenders receive, on average, between three and five years of supervision, it is highly probable that many offenders have had periods of employment that were not recorded in PACTS. Not all offenders who start their supervision employed will end it that way, nor will those who start their supervision without a job necessarily be unemployed at the end of their supervision term. In an effort to account for those offenders who were either employed or unemployed at both stages of their supervision (start and end), a new variable was created for the purposes of this study. Although employment changes during supervision still

could not be addressed, this new variable provided the ability to analyze changes at the start and end of a sex offender's supervision.

Many of the sex offenders in this study entered the federal probation system following a period of incarceration. Hence, they were more likely to start their supervision without stable employment. Although most, if not all, offenders under some form of community supervision are required to obtain and maintain employment, it is unrealistic to expect that all newly released offenders will start their supervision with employment. So, theoretically, more offenders should be unemployed at the beginning of their supervision than at the end of it. As established earlier in this article, education can substantially improve an individual's chances of obtaining employment. [Appendix D](#) displays a cross-tabulation of sex offenders' employment status based on their education level at the start of their supervision. As expected, sex offenders who had low levels of education (less than high school) had higher percentages of unemployment, both at the beginning and at the end of their supervision, than sex offenders with higher levels of education (some college or more). At least 59 percent of the less educated sex offenders began and ended their supervision without any reported employment, compared to slightly more than 35 percent of the more highly educated sex offenders. Sex offenders who completed college tended to fare the best in terms of securing employment, as nearly 36 percent were employed by the end of their supervision and more than 29 percent had jobs both at the start and end of their supervision.

[Table 1](#) outlines the employment status of post-conviction sex offenders in FPPSS who had their cases closed, either successfully or due to a revocation, during 1999 to 2005. [22](#) (It should be noted that cases considered to be active at the end of the study period were not included in the employment analysis.) Consistent with offender employment statistics, the majority of the federal sex offenders began their supervision with no employment. In fact, 73 percent of the sex offenders were unemployed at the start of their supervision term. Nearly 48 percent of the sex offenders reported no form of employment at the start and end of their supervision. Of that 48 percent, more than 63 percent had their supervision end as the result of a revocation. However, sex offenders employed at the end of their supervision had success rates between 83 and 88 percent.

Among sex offenders who began their supervision without a job, more than 25 percent ended their supervision with some form of employment. An interesting note is that nearly three times as many sex offenders started and ended their period of supervision unemployed as the number of sex offenders who were employed at both of those stages of their supervision (1,688 to 624 respectively).

Nearly 88 percent of the 624 sex offenders who were employed both at the start and at the end of their supervision successfully complied with the terms and conditions of their supervision (see [Table 1](#)). In comparison, less than 37 percent of those unemployed at both stages of their supervision completed their supervision term. [Table 1](#) reveals an interesting trend regarding employment status and revocations: Sex offenders who were employed only at the start of their supervision had revocation rates very similar to those who were unemployed at both the beginning and the end (63.4 percent and 61.9 percent revoked respectively). These findings suggest that although employment in general is important, having employment at the end of one's supervision term is significantly more associated with sex offender's success than merely having a job at the beginning of that term. This should encourage probation officers to work diligently to assist sex offenders with meeting their employment needs.

The most compelling finding regarding employment status is that nearly 57 percent of the post-conviction sex offenders whose cases were closed (successfully or revoked) during the study period ended their supervision without employment. What makes this finding even more alarming is the fact that 66 percent of these individuals had at least a GED and more than 32 percent had some college education (see [Appendix B](#)). Even 54 percent of those who started and ended their supervision unemployed had, at minimum, a GED, which suggests that they were capable of obtaining at least some form of employment. Another interesting dynamic is that less than 9 percent of the sex offenders in this study were released from the Federal Bureau of Prisons from 1999 to 2005 after sentencing. This means that the bulk of the sex offenders who

came into FPPSS between 1999 and 2005 entered either after completing a jail term (less than one year) or straight from the community. Either way, they had greater chances of starting their supervision term with some form of employment.

### *Treatment Conditions*

Many traditional methods of supervision, such as home visits, collateral contacts, and drug and alcohol testing, have been utilized by the courts to monitor and supervise sex offenders. Unfortunately, these methods often prove inadequate to supervise the sex offender population, nor are they designed to address sex offense histories or individual patterns of offending. Hence, special conditions of supervision are becoming more prevalent for sex offenders. These special conditions of supervision can be used to serve at least two general purposes: 1) to provide additional protection to the community, and 2) to assist in helping the offender address deviant behaviors. Sex offense-specific conditions, in particular, have emerged as one of the key tools in managing this particular population of offenders. [23](#)

[Table 2](#) displays a cross-tabulation of the percentage of sex offenders revoked as a result of violating treatment conditions mandated to them by the courts. At first glance, it appears that sex offenders who were not mandated to receive any form of treatment fared better than those who were required to get treatment. In fact, the “no treatment conditions” mandated group did extremely well in terms of completing their supervision, especially when compared to those who received all three forms of treatment: sex offender (SO), mental health (MH), and substance abuse (SA) treatment (79 percent to 35 percent not revoked respectively). On the surface this seems like the reverse of what should make sense, but when looked at from a judicial standpoint it makes perfect sense. Presumably, individuals who are considered the least likely to re-offend and who exhibit some ability to control themselves are less likely to have treatment conditions attached to their supervision. But individuals who are deemed most likely to re-engage in criminally deviant behavior and who demonstrate an inability to control themselves tend to have more treatment conditions attached to their supervision. Hence, it would be reasonable to expect sex offenders who have been given multiple treatment conditions to have the highest rates of revocation. As a result of having more treatment conditions attached to their supervision, these individuals also have more opportunities to be in noncompliance, particularly for “technical” reasons.

The group of sex offenders that received “no treatment condition” mandates differed significantly from the group of offenders who were ordered to receive some form of treatment. For example, it had the largest percentage of females (11.7 percent). One reason for this may be that women, who are generally considered to be less violent than their male counterparts, have traditionally received less severe sentences than men in the criminal justice system. [24](#) Another characteristic of this “no treatment conditions” mandated group, as shown in [Appendix E](#), is that although it had the fifth highest average RPI score (2.6), these sex offenders spent the third longest amount of time on supervision (26.2 months)—almost three months longer than the fourth longest group (23.5 months) and 0.4 months shorter than the second group (26.6 months).

It is important to remember that even though the group under study was identified as sex offenders, they were placed in this category simply because they had a history of criminal sexually deviant behavior and not necessarily because their instant offense was a sex offense. With that in mind, 49 percent of those in the no treatment conditions mandated group had prior criminal convictions, and almost 22 percent of this group was on community supervision directly as the result of a sex offense. This was second only to the group of offenders who received only substance abuse treatment (13.2 percent).

When treatment conditions were mandated by the courts, the sex offenders analyzed were most often ordered to receive some form of mental health treatment—either mental health treatment alone, or a combination of mental health and sex offender treatment or mental health and substance abuse treatment. This also held true for sex offenders whose current offense was a sex offense. Sex offenders court-ordered to receive sex offense-specific and substance abuse treatment comprised, on average, the youngest sex offenders (34.9 years) of the eight groups

instructed by the courts to receive some form of treatment (see [Appendix E](#)). This group also took the least amount of time to have their supervision revoked: 18.3 months. In comparison, sex offenders mandated to receive only mental health treatment had, on average, the oldest sex offenders (41.1 years) and they had the second highest average months to closure (26.6).

Earlier in this article, employment was shown to have a significant impact on the success or failure rate of federal sex offenders. Some have argued that treatment is the most important factor that influences a sex offender's success rate. While that may be a valid contention, the data in this study do not necessarily support that argument. [Appendix F](#) is a cross-tabulation of revocation by treatment conditions mandated, controlling for employment status. In defense of mandated treatment conditions, the data does not show the frequency of treatment (i.e., number of hours attended per week), the offender's level of participation, nor the quality of treatment services rendered. Regardless of the number or types of treatment conditions mandated, a sex offender's employment status significantly influenced his or her revocation rate (see [Table 2](#) and [Appendix F](#) for a comparison). As [Table 2](#) illustrates, 30 percent of the sex offenders who only received sex offense-specific treatment had their supervision revoked. In comparison, less than 6 percent of this same group of offenders who had employment both at the start and end of their supervision were revoked (see [Appendix F](#)). Furthermore, sex offenders mandated to receive sex offense-specific treatment only but lacking any known form of employment both at the start and end of their supervision, had their revocation rate increase 19 percentage points from 30.3 percent to 49.3 percent.

The most telling finding regarding the impact of employment on revocation rates is revealed in the comparison among sex offenders court-ordered to receive all three forms of treatment (sex offense-specific, mental health, and substance abuse). This group of sex offenders conceivably pose the most danger to society and, as evidenced in [Table 2](#), are the most likely to get their supervision revoked. However, when sex offenders in this group are employed both at the start and at the end of their supervision, their threat to society is seemingly greatly diminished. Without employment, this group has a revocation rate of 65 percent, but when they are employed at the start and end of their supervision, that rate decreases to a little more than 37 percent; this percentage is roughly the same as that of sex offenders identified by their RPI score as medium-risk (see [Figure 1](#)).

For treatment to work, the offender must actively participate in identifying his or her risky behaviors and in developing coping strategies to address them. Although treatment providers do provide assistance, offenders are solely responsible for controlling their sexually deviant impulses. If they choose to remain in denial or refuse to engage in treatment to help reduce their deviant interests, they become a greater risk for re-engaging in sexually deviant behaviors. [25](#) As most treatment providers and probation officers can attest, not all sex offenders are amenable to treatment; however, with the appropriate form of treatment (i.e., sex offense-specific) and willingness, many can learn to manage and control their sexually deviant behaviors. For those who are amenable to community-based treatment, sex offense-specific treatment conditions can help reduce future victimization and minimize risk to the community. [26](#)

[back to top](#)

## **Risk Assessment Indicators**

### *Risk Prediction Index*

The Risk Prediction Index (RPI) is an eight-question prediction instrument used by federal probation officers to estimate or predict the likelihood of an offender recidivating during his or her period of supervision. RPI scores range from 0 to 9; with low scores representing a low risk of recidivating and high scores associated with a higher risk of recidivism. For the purposes of the RPI, recidivism is "any revocation of probation, parole, mandatory release, or supervised release; any arrest under federal, state, or local jurisdiction during the period of supervision; or any absconding from supervision." [27](#) The term recidivism typically implies a return to criminal activity; however, based on the definition used for the RPI, recidivism may also include non-

criminal behavior such as a technical violation of supervision. Therefore, the term revocation will be used instead of recidivism when describing behaviors (criminal or non-criminal) that led directly to a sex offender's supervision being revoked.

Static or unchanging characteristics of an offender are the factors primarily addressed on the RPI calculation worksheet. Some of those static characteristics include employment at the start of supervision, history of illegal drug use, number of prior arrests, and whether a weapon was used in the commission of the current offense. A couple of these static issues, specifically employment and prior conviction, will be addressed independently of the RPI. Some of the limitations of the RPI are most profound in employment, at least in terms of this particular study. <sup>28</sup> One of the drawbacks associated with the RPI is that it only measures employment at the beginning of an offender's supervision term. Because the RPI fails to account for any changes in employment, it treats employment as a static rather than a dynamic variable. In addition, the RPI fails to ascertain whether the offender's current employment is stable or sufficient enough to meet his or her basic needs or is able to satisfy their current debt obligations. <sup>29</sup> In terms of prior convictions, RPI does take into account up to 15 prior arrests. <sup>30</sup> For the purposes of this study, prior conviction was treated as a dichotomous variable and was analyzed independent of RPI in order to measure the potential association between it and post-conviction supervision revocations.

In [Figure 1](#), RPI scores were collapsed into three risk categories—low, medium, and high—based on the corresponding RPI score. The low-risk category includes RPI scores of 0 to 2, while scores between 3 and 5 make up the medium-risk category, and scores above 6 represent the high-risk category. Traditionally, sex offenders have relatively low RPI scores in relation to their perceived threat to society. Part of their low RPI scores can be attributed to their demographic make up. Sex offenders tend to be older, more educated, employed, and tend to have fewer prior convictions than non-sex offenders.

As displayed in [Figure 1](#), there was little difference in risk levels between all sex offender cases and those active at the time of this study. However, there were significant differences between cases that were closed due to adequate compliance and those that ended in a revocation. Nearly 6 out of 10 sex offenders who successfully completed their period of supervision were considered low risk in terms of recidivating while approximately 1 in 5 who were revoked were classified as low risk. Moreover, 40 percent of the offenders who had their supervision revoked were categorized as high-risk offenders. In comparison, only 13 percent of the cases closed successfully were considered to be high risk. Additionally, 38 percent of revoked cases were medium risk while 29 percent of successful cases were identified as medium risk.

One issue of concern for FPPSS, as well as for society in general, is whether the sex offenders we are dealing with today are posing a "higher risk" of re-offending than their historical counterparts. [Figure 2](#) outlines the average RPI score for each of the four categories during the seven-year period under review. With the exception of active cases, the average RPI score for sex offenders increased from 1999 to 2005. Even cases that were terminated successfully experienced periods of increase in average RPI scores over the years, particularly from 1999 to 2002. Coincidentally, the greatest average RPI score for both all and successful cases occurred in 2002. Active cases had their average RPI score peak in 2000, which preceded the year of its lowest average score of 3.0. As to be expected, revoked cases experienced the greatest increase in average RPI scores over the seven-year period and reached an average high of 5.0 in 2005.

Despite the best efforts of probation officers, some offenders will not or cannot obtain gainful employment and some will eventually violate the conditions of their supervision and have community supervision revoked. Even though we tend to place these individuals into one homogeneous group, there are some important differences in the level of risk that should be addressed. Sex offenders who had employment at both the start and end of their supervision had Risk Prediction Index scores significantly lower than offenders who were unemployed at the beginning and end of their supervision (see [Table 3](#)). This also held true for sex offenders who were employed only at the start of their supervision or only at the time of revocation. Furthermore, the increased estimated risk of offenders (RPI) also coincided with a shorter

average time to revocation. With the exception of sex offenders employed at the end of their supervision, the average time it took for these offenders to violate the conditions of their supervision tended to decrease as their RPI scores increased. Sex offenders who had no employment at the start or end of their supervision were revoked, on average, 5.2 months sooner than sex offenders employed at the start of their supervision and at the time of their revocation.

Although the RPI has been shown to be a reliable predictor of recidivism for federal offenders generally, [31](#) employment appears to be, at least for sex offenders, an equally important predictor of revocation. [Table 3](#) reveals a striking aspect about RPI score and employment: Even though this group of identified sex offenders had RPI scores that were nearly identical for two revoked groups (employed start only and employed end only), those who were employed only at the start of their supervision had revocation rates 3.6 times higher than those who were employed only at the end of their supervision (61.9 percent to 17.4 percent respectively). Even more revealing was the fact that sex offenders who were employed at the end of their supervision and not revoked had a higher average RPI score (3.0) than those employed only at the start of their supervision (2.3). According to the logic of the RPI, individuals with higher RPI scores should recidivate, or in this case, be revoked, at a higher rate than those who have lower score. As [Table 3](#) clearly shows, although sex offenders who were employed only at the end of their supervision had an average RPI score 0.7 points higher than sex offenders employed only at the start of their supervision, they were more than twice as likely not to get their supervision revoked (82.6 percent to 38.1 percent respectively). Granted, RPI uses an aspect of employment (start of supervision only) as a means of calculating an offender's risk, but employment is not a static variable; therefore, the risk level of at least two groups of sex offenders—those employed either at the start or end of supervision—may have changed during their period of supervision. However, these results still beg the question: what is the more influential factor when predicting a sex offender's likelihood of revocation, RPI score or employment status?

Findings illustrated in [Table 4](#) support the argument that employment and, more specifically, time of employment, have a more significant impact on the success or failure rate of sex offenders than RPI score. [Table 4](#) clearly shows the influence time of employment has on the result of a case, especially when you contrast the revocation rates of high-risk sex offenders against those sex offenders considered to be low risk. Almost 33 percent of the sex offenders who were high risk and employed at both the start and end of their supervision failed to successfully complete their supervision. In comparison, 38 percent of the low-risk sex offenders who were unemployed at both stages of their supervision had their supervision revoked. Even when you compare sex offenders who had some form of employment either at the start or at the end of their supervision, the influence of employment is undeniable. Sex offenders who were high risk but employed at the end of their supervision had a revocation rate of 31 percent while sex offenders who were classified as low risk and employed only at the start of their supervision were revoked nearly 44 percent of the time. Employment certainly appears to offset the risks of recidivating predicted by RPI.

### *Prior Conviction*

The assumption that an offender who has a prior conviction is more likely to commit another offense is a logical one. It is no accident that the federal sentencing guidelines capitalize on this very assumption by providing that an offender's prior criminal history can significantly influence the length of federal sentence imposed. In [Figure 3](#), it is clear to see that sex offenders who had their supervision revoked were more likely than other sex offenders to have been convicted of committing at least one prior criminal offense. In fact, three out of four revoked sex offenders had a prior conviction. In comparison, less than half of the offenders who successfully completed the terms and conditions of their supervision had a prior conviction.

[Appendix G](#) displays a cross-tabulation of a case's closed status (successful or revoked) by the level of prior conviction. Not surprisingly, the highest percentage of sex offenders had both prior misdemeanor and felony convictions, regardless of their closed status. Of course, those with misdemeanor and felony prior convictions were also most likely to have their supervision revoked: 61 percent compared to 39 percent who successfully completed their supervision. An

interesting finding among sex offenders with prior convictions was that more offenders with only a prior misdemeanor conviction were revoked than those who had a prior felony conviction (48 percent to 39 percent respectively). Although surprising on the surface, these percentages are nearly identical to the overall population of sex offenders in this study who had a prior misdemeanor conviction (48.4 percent) and those who had a prior felony conviction (39.3 percent).

[Table 5](#) is a cross-tab of employment status by revocation, controlling for prior conviction. This table builds on [Table 1](#) by taking into account sex offenders who did or did not have a prior conviction. As shown in [Table 5](#), when sex offenders had a prior conviction, their revocation rates increased for each employment category, with the biggest increase occurring in the employed at the start of supervision only group (11.3 percentage points).

Prior conviction, although influential, appears to have more of a moderating or conditioning effect on revocation rates, rather than a direct effect. In other words, prior conviction influences the strength of the association between employment status and revocation rather than directly affecting revocations. This last point is made evident by the fact that (when not controlling for prior conviction) the revocation rate for sex offenders in this study was 42.6 percent (see [Table 1](#)); taking into account prior conviction, the revocation rate increased only to 53.6 percent (see [Appendix H](#)). (For a look at how prior conviction influences the revocation rate for treatment conditions mandated see [Appendix I](#).)

### *Revocations*

Recidivism studies vary in terms of how they define or determine recidivism rates. According to Harris and Hanson, [32](#) some studies define recidivism as a revocation for a sex offense and others include all offenders who are merely charged with a new sex offense, regardless of conviction. Unfortunately, the data used in this study did not differentiate between revocations due to a new arrest or due to a new conviction, nor did it specify how many “violations” an offender received before actually getting his or her supervision revoked. The literature cautions against grouping various types of offenders and offenses into an ostensibly homogenous category of “sex offenders,” as this tends to mask distinctions in the factors related to recidivism causing differential results in re-offense patterns. [33](#) For instance, offenders who molest children of the same sex have different characteristics associated with their patterns of re-offending than incest offenders with opposite-sex victims. [34](#)

Also, it is important to differentiate between a new sex offense and a new non-sex offense when determining recidivism rates.

PACTS data describe three types of violations that can cause an offender’s supervision to get revoked—technical, major, and minor. A technical violation typically occurs when an offender fails to complete one or more conditions of his or her supervision that were mandated by the courts, either at sentencing or during the course of supervision. Technical violations (e.g., failure to attend group counseling sessions or failure to report contact with a minor) are not in themselves criminal offenses and therefore do not tend to result in a new arrest. An offender may receive a major violation if he or she commits a new felony offense while under supervision, such as robbery or rape. Minor violations usually involve misdemeanor offenses like simple assault or petty theft.

[Figure 4](#) shows the type of revocations sex offenders have commonly received over the past seven years. Technical violations represent the largest percentage of revocation violations (69 percent) followed by major violations (25 percent) and minor violations (6 percent) respectively. In the PACTS database, technical violations are broken down into four categories: general violations, nonpayment of financial penalties, absconding, and use of drugs. General violations can range from testing positive for drug use to failure to report for scheduled office visits.

Of the 1,042 violations reported during the study period, 62 percent were due to general violations (see [Appendix J](#)). Another 21 percent were the result of sex offenders using illegal

drugs and 16 percent were for absconding. In regards to the top offense for each category, new sex offenses accounted for close to 33 percent of the major violations and nearly 39 percent of the minor violations were caused by “other” minor violation offenses. Even though society in general considers sex offenders to be high risk for re-offending, the majority have their supervision revoked due to non-criminal offenses (technical violations) rather than for committing new felony offenses, particularly new sex offenses. In fact, as [Figure 4](#) shows, only 1 out of 4 sex offenders under federal post-conviction supervision committed a crime considered to be a major violation of the conditions of their supervision and less than 4 percent of the violators were revoked due to a new sex offense.

### *Revocation for a Sex Offense*

Offenders who fail to complete their term of supervision are often considered to be different from those who are able to satisfy the conditions of their supervision. This assumption is no different for sex offenders who violate their supervision due to committing a new sex offense or for those who violate as the result of a new non-sex offense. If this assumption is correct, then a different set of factors should be associated with the revocation of sex offenders who commit new sex offenses than for those who do not. Furthermore, if sex offenders commit a wide variety of offenses, responses from both a public policy and treatment perspective should be no different than is appropriate for the general criminal population. [35](#) However, a more specialized response is warranted if sex offenders tend to primarily commit sex offenses. [36](#)

Throughout this article, the focus has been on sex offenders in general and factors associated with their revocation rates. In this section, the focus will shift to within-group comparisons of sex offenders who had their supervision revoked, either as the result of committing a new sex offense or for a new non-sex offense. During 1999–2005, there were 7,617 sex offenders on federal post-conviction supervision, of which 1,507 had their supervision privileges revoked. Of those who were revoked, only 129 sex offenders were revoked due to committing a new sex offense, which means that the remaining 1,379 were revoked as the result of a non-sex offense or for a technical violation. Stated another way, less than 9 percent of the sex offenders in this study who had their supervision revoked violated their supervision by committing a new sex offense. This also means that approximately 91 percent of the sex offenders who were revoked had non-sex offense violations.

PACTS data shows some demographic differences between sex offenders revoked due to a sex crime and those revoked for non-sex crimes. Since this section deals exclusively with two groups of sex offenders—those revoked for committing a new sex offense and those revoked for a non-sex offense—the two groups will be referred to as “sex offense group” and “non-sex offense group,” respectively. The sex offense group was predominately white (70.5 percent) and the entire group comprised males who were, on average, 38.2 years of age. Almost 73 percent of this group had at least a high school diploma or GED, of which 42 percent received some college education. The non-sex offense group was 44 percent white, roughly 96 percent male, and were generally 35.2 years old. In terms of education, the greatest disparity between the two groups occurred after high school, as far fewer non-sex offense violators attended college than the sex offense group (18.5 percent to 41.9 percent respectively).

Sex offenses are considered to be major violations; thus all 129 sex offenders who violated as a result of a new sex offense received a major violation. Approximately 25 percent of the non-sex offense violators were revoked due to a major violation. Nearly 63 percent of the 129 offenders in the sex offense group had committed at least one other known criminal offense prior to their current offense. Of those with a prior record, slightly more than 49 percent had committed both a misdemeanor and a felony offense. Roughly 40 percent of the sex offenders were misdemeanants and 11 percent were felons. In comparison, just about 78 percent of the non-sex offense group had a prior criminal record. Out of this group, 61 percent had a misdemeanor and a felony on their record and only 9 percent were felons. In terms of the criminal behavior that placed these individuals in the criminal justice system, 76 percent of the violators for a new sex crime began their supervision as the result of a sex crime, while only 49 percent of the violators for a non-sex offense did so. Although these offenders had a history of criminal sexual behavior and some had

prior criminal convictions, only one of the sex offenders was identified as a career offender. A career offender is any defendant who is at least 18 years of age with at least two prior felony convictions for either a crime of violence or for a controlled substance. <sup>37</sup> A glaring deficiency regarding this definition of a career offender is that it fails to capture sex offenders convicted multiple times for either possession or distribution of child pornography, both of which are non-violent offenses.

As displayed in [Table 6](#), the majority of sex offenders who had their supervision revoked due to committing a sex offense were unemployed both at the start and at the end of their supervision (59.7 percent). Less than 8 percent had jobs at the start and end of their supervision. Similar to sex offenders in general who were revoked (see [Table 1](#)), 79 percent of the sex offense group were unemployed at the time of their revocation. In comparison, 85 percent of the revoked for non-sex offense offenders were unemployed either at the beginning or at the end of their supervision, while only 5 percent began and ended their supervision with a job.

A surprising finding is that the sex offense revocation group had a lower average RPI score than the non-sex offense revocation group—3.2 to 4.8 respectively (see [Appendix K](#)). Another unexpected result was the average months to revocation. On average, offenders who violated their supervision with a new sex offense took 6.8 months longer to get revoked than those who violated due to a non-sex offense. Although the comparison is within a sex offender population, these findings support Bonta and Hanson’s finding that many persistent sex offenders receive low risk scores on instruments designed to predict recidivism among the general offender population. <sup>38</sup>

[Appendix L](#) shows logistic regression results of revocation and the significant factors associated with it. Logistic regression calculates the probability of an event occurring or not occurring and presents the results in the form of an odds ratio (Exp(B)). The odds ratio in [Appendix L](#) is the number by which you multiply the odds of getting revoked for each one-unit increase in the independent variable (i.e., a variable in the equation). An odds ratio greater than 1 indicates that the odds of getting revoked increase when the independent variable increases; an odds ratio less than 1 indicates that the odds of getting revoked decrease when the independent variable increases. <sup>39</sup> Consistent with findings from other analyses within this study, employment status, specifically employment at both the start and end of supervision or simply employment at the end of supervision, played a significant role in the odds of a sex offender getting his or her supervision revoked. Sex offenders employed at both the start and end of their supervision had lower odds (0.108) of getting their supervision revoked than sex offenders not employed at those stages of their supervision. Stated another way, sex offenders employed at both the start and end of their supervision were 89 percent less likely to have their supervision revoked than sex offenders not employed at the start and end of their supervision. With the exception of RPI scores less than or equal to 2, RPI scores were statistically significant in the logistic regression model and the odds ratio steadily increased as the RPI score increased. In other words, as a sex offender’s RPI score increased, so too did his or her odds of getting revoked. As suspected, prior convictions increased the odds of a sex offender getting his or her community supervision privileges revoked. In fact, according to the logistic regression results, sex offenders with a prior conviction are 1.7 times more likely to have their supervision end with a revocation than those sex offenders who have no prior convictions.

[back to top](#)

## Conclusion

In this study, factors associated with the ability of sex offenders to successfully complete the terms and conditions of their supervision were examined. By no means was this an exhaustive study of sex offenders in the Federal Probation and Pretrial Services System. Like all non-experimental research projects, this study was unable to control for all variables that may have had a significant impact on the results. Part of this was due to the limitations of the data captured in PACTS and part was due to the immeasurability of other variables. For instance, age of first offense, victim’s age or sex, prison time served, an offender’s motivation to not re-

offend, the quality of treatment received by the offender, the quality of an offender's relationship with his or her probation officer, the strength of an offender's support group, and opportunities to re-offend are only a few of the limitations of the data. Despite these limitations, this study did reveal some interesting findings that may be relevant to FPPSS.

Employment has been shown to have a stabilizing influence on offenders by involving them in pro-social activities, improving their self-esteem, assisting with meeting financial obligations, and structuring their time, and thus reducing opportunities to commit crimes. <sup>40</sup> A good job paying a living wage can deter illegal behavior by limiting opportunities for deviant behavior and by providing social incentives for crime-free behavior. <sup>41</sup> The vast majority of offenders returning to the community need to support themselves and their families financially, making it impossible for them to succeed without securing employment. Although employment can play a significant role in the success or failure of an offender's supervised release, this study found that employment at the beginning of a sex offender's supervision was generally not as important a predictor of success as employment at the end of their supervision. Regardless of whether their current offense was a sex offense, sex offenders employed at both the start and end of their supervision term were significantly less likely to violate the terms and conditions of their supervision by committing a new sex offense or for a general violation than sex offenders unemployed at both stages or those employed only at the start of their supervision. This gives credence to the argument that when an offender is employed is just as important as whether they are employed.

Even though these findings are revealing, they must be taken with a word of caution. This study was unable to account for spurious or unknown relationships between employment and revocation or for treatment conditions mandated and revocation. Individual sex offenders who were unable to secure or maintain employment by the end of their supervision period may have had some preexisting characteristics that were not amenable to obtaining steady legal employment. For instance, some sex offenders may have had poor interpersonal skills, behavioral problems, unstable or volatile family relationships, or unreported drug and/or alcohol problems, all of which are not conducive to holding meaningful employment.

Special treatment conditions assigned to sex offenders by the courts, although beyond treatment conditions provide a foundation for the development of a comprehensive case management plan, probation officers should tailor the specific supervision conditions in each sex offender's case plan to address individual risks and needs. <sup>42</sup> the initial control of probation officers, can also contribute to the success or failure of sex offenders. Depending on the issues identified in the pre-sentence investigation report, sex offenders may or may not receive court orders to participate in some formal treatment program (e.g., sex offender or mental health treatment). More intensive community supervision practices ensure that external controls are imposed upon sex offenders and can, in some instances, interrupt an offender's sex offending cycle. While these special

Although the Risk Prediction Index is used extensively in FPPSS to predict the likelihood of an offender re-offending during his or her period of supervision, it is not the most appropriate measure for sex offenders. The RPI is not designed for sex offenders, which may reduce its ability to accurately predict the likelihood of a sex offender reengaging in criminal sexual behavior. Sex offenders tend to score lower on the RPI in relation to their perceived or actual risk to society. Two possible factors that may contribute to sex offenders scoring lower on the RPI than their actual risk to society are their age and employment status. Even with these limitations, the RPI score was able to predict that sex offenders with higher RPI scores were more likely to get their supervision revoked than sex offenders with lower RPI scores, who, incidentally, were less likely to get revoked during 1999-2005. However, in order to more accurately predict the risk of re-offending for sex offenders, FPPSS should consider utilizing risk prediction tools designed specifically for this population of offenders.

As this study illustrated, although many sex offenders continue to engage in a variety of criminal offenses (see [Appendix J](#)), most sex offenders in FPPSS are not revoked due to committing a new sex offense. Revocations tend to be significantly higher for technical violations than for new

sexual offenses for individuals classified as sexual offenders in FPPSS. This finding contradicts the unfounded widespread belief that sex offenders are more likely to reoffend with a sex offense than with a non-sex offense.

Due to the limitations of the data, sex offenders identified in this study were grouped into one homogeneous group. As a result, no distinctions were made regarding the factors that influence revocation rates between the various types of sex offenders in the federal probation and pretrial system. In the future, FPPSS could benefit from developing a way to differentiate between the various types of offenders (e.g., child molesters and rapists) as they have varying rates of re-offending. The variation in recidivism rates suggests that not all sex offenders should be treated the same. Research has even suggested that offenders may actually be made worse by the imposition of higher levels of treatment and supervision than is warranted given their risk level. <sup>43</sup> Consequently, district offices that treat all sex offenders as “high risk” run the risk of over-supervising lower-risk offenders, which diverts resources (human and financial) away from the truly high-risk offenders who could benefit the most from increased supervision and treatment. <sup>44</sup>

[back to top](#)

## [Endnotes](#)

---

The articles and reviews that appear in *Federal Probation* express the points of view of the persons who wrote them and not necessarily the points of view of the agencies and organizations with which these persons are affiliated. Moreover, *Federal Probation's* publication of the articles and review is not to be taken as an endorsement of the material by the editors, the Administrative Office of the U.S. Courts, or the Federal Probation and Pretrial Services System.

Published by the Administrative Office of the United States Courts [www.uscourts.gov](http://www.uscourts.gov)  
[Publishing Information](#)

# Appendix A. Sex Offender Demographics by Case Status, 1999-2005

Demographics	All[1] Cases		Active[2] Cases		Closed Cases			
	Total	%	Total	%	Successful[3]		Revoked[4]	
					Total	%	Total	%
<b>Age (years)</b>								
Mean	39.2		40.3		39.5		35.4	
Median	38.0		39.0		38.0		34.0	
<b>Type of Citizen</b>								
U.S. Citizen	7,339	96.4	3,902	95.8	1,481	98.2	1,956	96.1
Legal Alien	98	1.3	62	1.5	5	0.3	31	1.5
Illegal Alien	73	1.0	51	1.3	4	0.3	18	0.9
Unknown	107	1.4	58	1.4	18	1.2	31	1.5
<b>Race[5]</b>								
Asian	137	1.7	80	2.0	12	0.8	35	1.7
Black	1,252	16.4	751	18.4	272	18.0	229	11.2
Native Indian/ Alaska Native	1,270	16.7	445	10.9	512	34.0	313	15.4
White	4,900	64.3	2,754	67.6	703	46.6	1,443	70.9
<b>Hispanic</b>								
Hispanic	632	8.3	374	9.2	99	6.6	159	7.8
Non-Hispanic	6,881	90.3	3,625	89.0	1,394	92.4	1,862	91.5
Unknown	104	1.4	74	1.8	15	1.0	15	0.7
<b>Gender</b>								
Male	7,269	95.5	3,880	95.3	1,459	96.8	1,930	94.8
Female	346	4.5	193	4.7	49	3.2	104	5.1

[1] N= 7,617 Does not include the 687 cases that were either transferred out or closed due to death or "other" reasons.

[2] N= 4,073

[3] N= 2,036

[4] N= 1,508

[5] Does not include Other, Corporation, or Unknown, which together totaled less than 1 percent.

## Appendix B. Education Level by Case Status, 1999-2005

Grade Level	All Cases		Active Cases		Closed Cases			
					Successful		Revoked	
	Total	%	Total	%	Total	%	Total	%
No Level	63	0.8	33	0.8	14	0.7	16	1.1
Elem. thru 8th	28	3.7	146	3.6	60	2.9	78	5.2
Some HS	1,430	18.8	680	16.7	278	13.7	472	31.3
GED	1,002	13.2	521	12.8	224	11	257	17
HS diploma	1,539	20.2	829	20.4	442	21.7	268	17.8
Vocational Graduate	65	0.9	39	1	17	0.8	9	0.6
Some college	1,669	21.9	919	22.6	506	24.9	244	16.2
College grad	746	9.8	425	10.4	266	13.1	55	3.6
Post-graduate	191	2.5	111	2.7	69	3.4	11	0.7
Unknown	627	8.2	370	9.1	159	7.8	98	6.5

## Appendix C. Revocation by Education Level at Beginning of Supervision, 1999-2005

Education Level at Beginning of Supervision	Revocation				Total
	Not revoked		Revoked		
	N	%	N	%	N
No level	14	46.7	16	53.3	30
Elementary thru 8th Grade	60	43.5	78	56.5	138
Some high school	278	37.1	472	62.9	750
GED	224	46.6	257	53.4	481
High school diploma	442	62.3	268	37.7	710
Vocational school graduate	17	65.4	9	34.6	26
Some college	506	67.5	244	32.5	750
College graduate	266	82.9	55	17.1	321
Post graduate	69	86.3	11	13.75	80

Pearson Chi-square = 312.500; df = 8; p<.001

## Appendix D. Education Level Beginning of Supervision by Employment Status, 1999-2005

Education Level Beginning of Supervision	Employment Status (Percents)				Total
	Unemployed Start & End	Employed Start Only	Employed End Only	Employed Start & End	N
No level	83.3	3.3	6.7	6.7	30
Elementary thru 8th Grade	59.4	8.7	18.8	13.0	138
Some high school	63.3	8.1	19.6	8.9	750
GED	50.5	12.1	24.1	13.3	481
High school diploma	41.1	11.0	27.6	20.3	710
Vocational school graduate	38.5	7.7	26.9	26.9	26
Some college	35.5	9.7	29.3	25.5	750
College graduate	27.2	7.8	35.6	29.4	320
Post graduate	25.0	6.3	43.8	25.0	80

Pearson Chi-square = 267.246; df = 24; p<.001

**Table 1: Sex Offender Employment Status for Cases Closed, 1999-2005**

Employment Status	All Closed Cases		Successful Cases*		Revoked Cases*	
	N	%	N	%	N	%
Unemployed Start & End of Supervision	1,688	47.6	617	36.6	1,071	63.4
Employed Start of Supervision Only	328	9.3	125	38.1	203	61.9
Employed End of Supervision Only	903	25.5	746	82.6	157	17.4
Employed Start & End of Supervision	624	17.6	547	87.7	77	12.3
<b>Total[1]</b>	<b>3,543</b>	<b>100</b>	<b>2,035</b>	<b>57.4</b>	<b>1,508</b>	<b>42.6</b>

\* Pearson Chi-square = 818.572; df = 3; p<.001

[1] Totals do not include cases closed due to a transfer, death, or "other" reasons.

**Table 2: Revocation Status by Treatment Conditions Mandated, 1999-2005**

Treatment Conditions Mandated	Revocation				
	Not revoked[2]		Revoked		Total
	N	Percent	N	Percent	N
No treatment mandated	236	79.2	62	20.8	<b>298</b>
Sex offender treatment only	122	69.7	53	30.3	<b>175</b>
Mental health treatment only	504	78.0	142	22.0	<b>646</b>
Sex offender & Mental health	305	70.1	130	29.9	<b>435</b>
Substance abuse treatment only	184	53.8	158	46.2	<b>342</b>
Sex offender & Substance abuse	71	44.1	90	55.9	<b>161</b>
Mental health & Substance abuse	361	47.3	403	52.7	<b>764</b>
All Three (SO, MH, and SA)	253	35.0	470	65.0	<b>723</b>
<b>Total</b>	<b>2,036</b>	<b>57.4</b>	<b>1,508</b>	<b>42.6</b>	<b>3,544</b>

Pearson Chi-Square = 404.022; df = 7; p<.001

[2] Does not include transfers, deaths, or “other” cases that were closed.

## Appendix E. Average Age at Start of Supervision, RPI Score, and Months to Case Closing for Treatment Conditions Mandated, 1999-2005

Treatment Conditions Mandated	Age at Start	RPI Score	Months to Close
No treatment mandated	37.62	2.6	26.2
Sex offender treatment only	40.10	2.0	23.5
Mental health treatment only	41.12	2.2	26.6
Sex offender & Mental health	40.36	2.1	26.7
Substance abuse treatment only	35.03	4.4	21.3
Sex offender & Substance abuse	34.93	4.5	18.3
Mental health & Substance abuse	37.55	4.4	20.5
All Three (SO, MH, and SA)	34.95	4.9	19.5

## Appendix F. Revocation by Treatment Conditions Mandated by Employment Status, 1999-2005

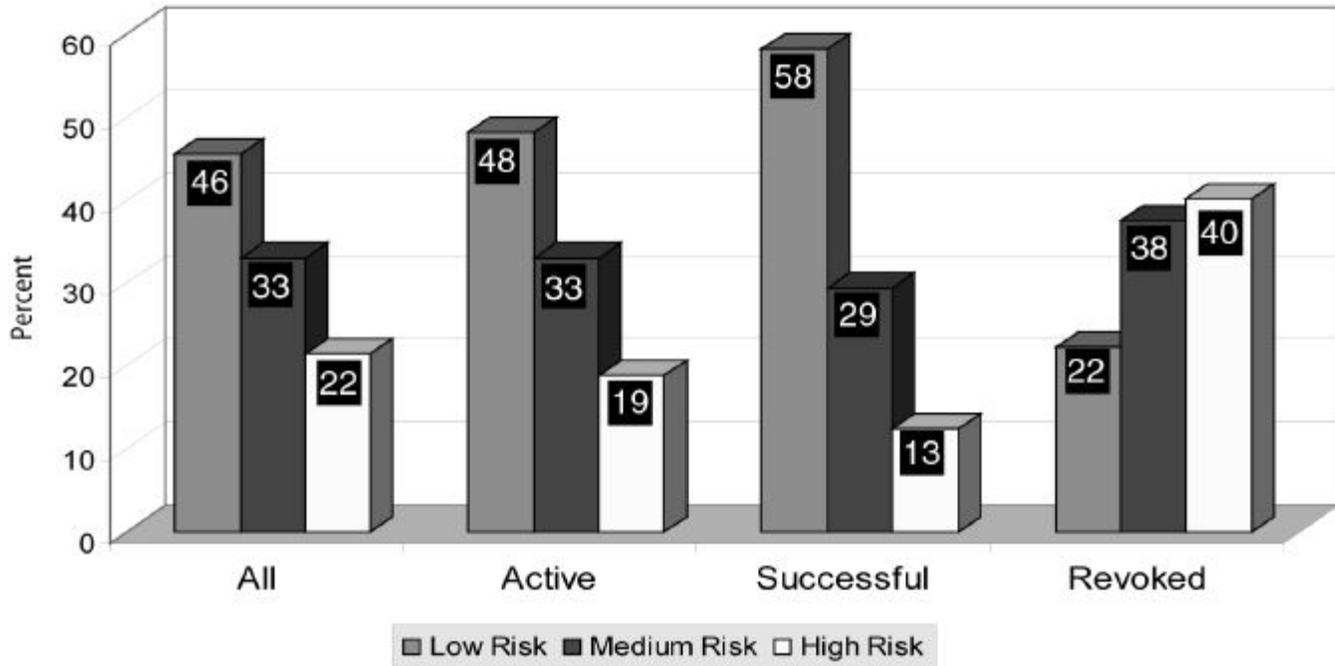
Treatment Conditions Mandated	Revocation*	Employment Status			
		Unemployed Start & End	Employed Start Only	Employed End Only	Employed Start & End
No treatment	Not revoked	57.6	74.2	90.9	91.7
	Revoked	42.4	25.8	9.1	8.3
Sex offense-specific	Not revoked	50.7	46.7	86.3	94.4
	Revoked	49.3	53.3	13.7	5.6
Mental health	Not revoked	61.4	51.1	91.9	92.3
	Revoked	38.6	48.9	8.1	7.7
Sex offense-specific and Mental health	Not revoked	50.6	56.7	85.2	90.6
	Revoked	49.4	43.3	14.8	9.4
Substance abuse	Not revoked	31.7	44.4	74.3	93.6
	Revoked	68.3	55.6	25.7	6.5
Sex offense-specific and Substance abuse	Not revoked	28.6	16.7	82.1	78.6
	Revoked	71.4	83.3	18.0	21.4
Mental health and Substance abuse	Not revoked	29.5	22.1	80.2	79.6
	Revoked	70.5	77.9	19.8	20.4
All three (SO, MH, and SA)	Not revoked	21.5	22.0	70.8	62.8
	Revoked	78.5	78.0	29.2	37.2

p>.001

\* Does not include transfers, deaths, or "other" cases that were closed

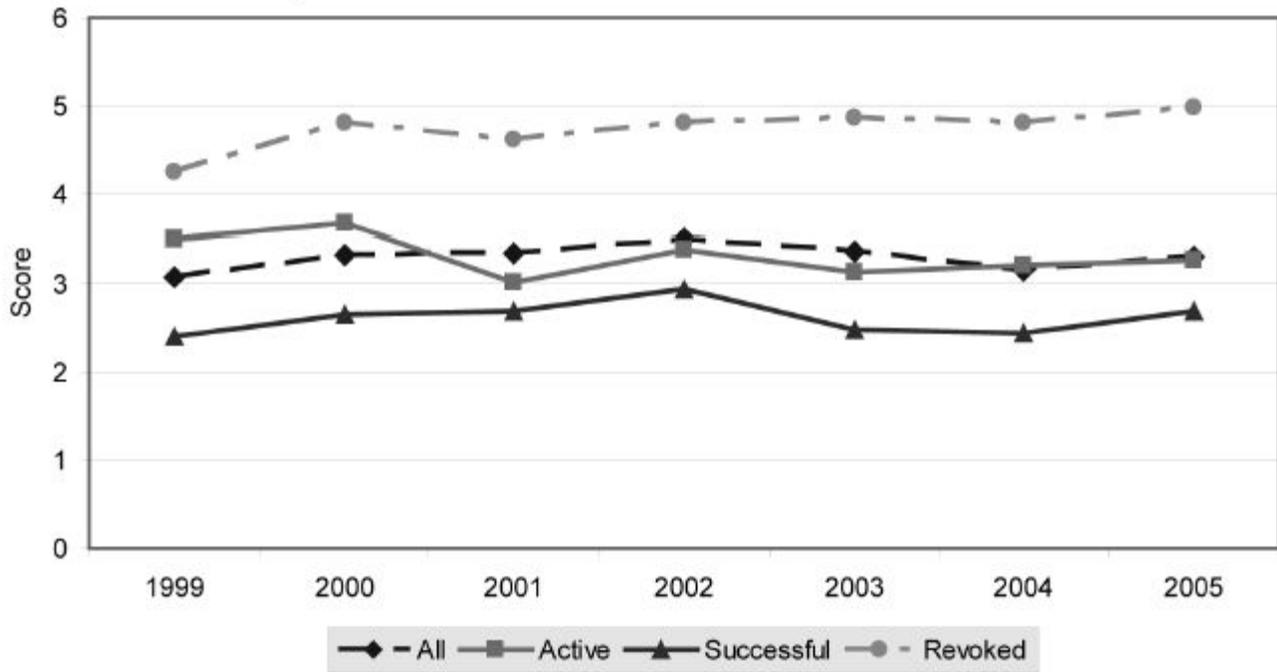
**FIGURE 1.**

*RPI Risk Level by Case Status, 1999-2005*



**FIGURE 2.**

*Average RPI Score by Case Status for Years 1999-2005*



**Table 3: Average RPI Score and Percent of Sex Offenders Revoked and Not Revoked by Employment Status, 1999-2005**

<b>Employment Status</b>	<b>Avg. RPI All</b>	<b>Avg. RPI R</b>	<b>% R</b>	<b>Avg. RPI NR</b>	<b>% NR</b>
Unemployed Start & End of Supervision	4.2	5.0	63.4	2.8	36.6
Employed Start of Supervision Only	3.4	4.1	61.9	2.3	38.1
Employed End of Supervision Only	3.2	4.3	17.4	3.0	82.6
Employed Start & End of Supervision	2.4	3.6	12.3	2.2	87.7

R = Revoked; NR = Not Revoked

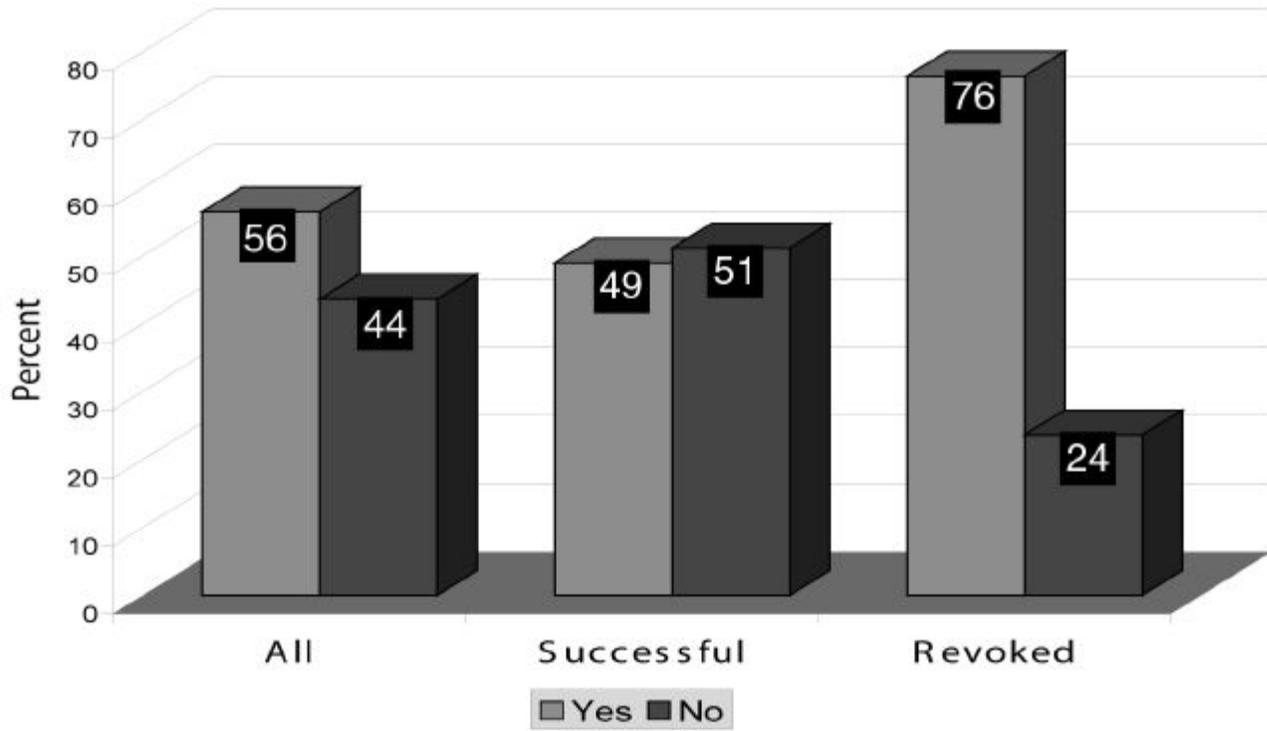
**Table 4: Closed Status by RPI Risk Level Controlling for Employment Status, 1999-2005**

Employment Status	Closed Status	RPI Risk Level		
		% Low	% Med.	% High
Unemployed Start & End of Supervision	Successful	61.9	30.1	16.7
	Revoked	38.1	69.9	83.3
Employed Start of Supervision Only	Successful	56.2	31.1	10.8
	Revoked	43.8	68.9	89.2
Employed End of Supervision Only	Successful	90.5	78.4	68.9
	Revoked	9.5	21.6	31.1
Employed Start & End of Supervision	Successful	92.8	82.4	67.3
	Revoked	7.2	17.6	32.7

p<.001

**FIGURE 3.**

*Sex Offenders with a Prior Conviction, 1999-2005*



## Appendix G. Closed Case Status by Level of Prior Conviction, 1999-2005

Level of Prior Conviction	Closed Case Status					
	Successful		Revoked		Total	
	N	%	N	%	N	%
Misdemeanor Only	375	51.9	348	48.1	<b>723</b>	<b>100</b>
Felony Only	173	61.3	109	38.7	<b>282</b>	<b>100</b>
Misdemeanor & Felony	448	39.2	695	60.8	<b>1,143</b>	<b>100</b>

Pearson Chi-square = 57.885; df = 2; p < .001

**Table 5: Revocations by Employment Status by Prior Conviction, 1999-2005**

Employment Status at Start and End of Supervision	Prior Conviction			
	No*		Yes**	
	Not Revoked	Revoked	Not Revoked	Revoked
Unemployed Start and End	56.3	43.7	26.8	73.2
Employed at Start Only	59.1	40.9	26.8	73.2
Employed at End Only	89.1	10.9	77.6	22.4
Employed at Start and End	93.3	6.7	81.5	18.5

\* Pearson Chi-square = 216.839, df = 3, p< .001

\*\* Pearson Chi-square = 552.659, df = 3, p< .001

## Appendix H. Closed Case Status by Prior Conviction, 1999-2005

Revocation	Prior Conviction			
	No		Yes	
	N	Percent	N	Percent
Not revoked	1,040	74.5	996	46.4
Revoked	356	25.5	1,152	53.6
<b>Total</b>	<b>1,396</b>	<b>100</b>	<b>2,148</b>	<b>100</b>

Pearson Chi-square = 273.886; df = 1; p<.001

# Appendix I. Revocations by Treatment Conditions Mandated by Prior Conviction, 1999-2005

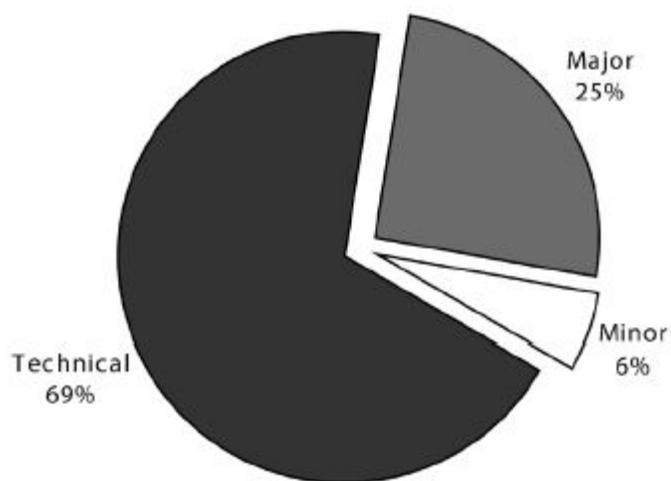
Treatment Conditions Mandated	Prior Conviction							
	No*				Yes**			
	Not Revoked		Revoked		Not Revoked		Revoked	
	N	%	N	%	N	%	N	%
No treatment mandated	141	93.4	10	6.6	95	64.6	52	35.4
Sex offender treatment only	86	78.9	23	21.1	36	54.5	30	45.5
Mental health treatment only	312	85.0	55	15.0	192	68.8	87	31.2
Sex offender & Mental health	205	78.2	57	21.8	100	57.8	73	42.2
Substance abuse treatment only	44	69.8	19	30.2	140	50.2	139	49.8
Sex offender & Substance abuse	31	64.6	17	35.4	40	35.4	73	64.6
Mental health & Substance abuse	135	63.7	77	36.3	226	40.9	326	59.1
All Three (SO, MH, and SA)	86	46.7	98	53.3	167	31.0	372	69.0

\* Pearson Chi-square = 143.631, df = 7, p < .001

\*\* Pearson Chi-square = 152.051, df = 7, p < .001

**FIGURE 4.**

*Types of Revocation Violations,  
1999-2005*



## Appendix J. Type of Revocation Offense, 1999-2005

Revocation Offense	Count	Percent
<b>Technical (N=1,042)</b>		
General violation	648	62.2
Use of drugs	220	21.1
Absconded	170	16.3
Non-payment of financial penalties	4	0.4
<b>Major* (N=382)</b>		
Sex offense	125	32.7
Misc. offense	59	15.5
Assault	40	10.5
Cocaine	32	8.4
Fraud	22	5.8
<b>Minor (N=83)</b>		
Other minor violation offense	32	38.6
Drunkenness, Disorderly conduct	22	26.5
Traffic violation	17	20.5
Petty theft	6	7.2
Simple assault	6	7.2

\* These violations only represent the top five major revocation offenses. The remaining 16 major revocation offenses range from a high of 5.24 percent (marijuana) to a low of 0.26 percent (escape).

**Table 6: Employment Status of Sex Offenders Revoked for a New Sex Offense and for a Non-Sex Offense, 1999-2005**

Employment Status	Sex Offense		Non-Sex Offense	
	N	Percent	N	Percent
Unemployed Start and End	77	59.7	994	72.1
Employed Start Only	25	19.4	178	12.9
Employed End Only	17	13.2	140	10.2
Employed Start and End	10	7.8	67	4.9
<b>Total</b>	<b>129</b>	<b>100</b>	<b>1,379</b>	<b>100</b>

# Appendix K. RPI Score and Months to Revocation for Sex Offenders Revoked For a New Sex Offense and for a Non-Sex Offense, 1999-2005

	Sex Offense		Non-Sex Offense	
	<b>RPI</b>	<b>Months to revocation</b>	<b>RPI</b>	<b>Months to revocation</b>
Mean	3.2	21.4	4.8	14.6
Median	3.0	18.0	5.0	12.0
Minimum	0.0	0.0	0.0	0.0
Maximum	9.0	59.0	9.0	68.0

## Appendix L. Logistic Regression of Revocations on Significant Factors

Variables in the Equation	B	S.E.	Wald	df	Sig.	Exp(B)
Employed Start of Supervision Only	0.149	0.138	1.159	1	0.282	1.160
Employed End of Supervision Only	-2.104	0.110	368.665	1	0.000	0.122
Employed Start and End of Supervision	-2.221	0.141	248.133	1	0.000	0.108
RPI = 1	-0.019	0.183	0.010	1	0.919	0.982
RPI = 2	0.222	0.168	1.754	1	0.185	1.248
RPI = 3	1.026	0.171	35.830	1	0.000	2.790
RPI = 4	1.040	0.175	35.262	1	0.000	2.830
RPI = 5	1.409	0.191	54.523	1	0.000	4.093
RPI = 6	1.640	0.208	62.279	1	0.000	5.154
RPI = 7	1.621	0.207	61.482	1	0.000	5.059
RPI = 8	1.924	0.221	75.656	1	0.000	6.850
RPI = 9	1.984	0.253	61.709	1	0.000	7.274
Prior Conviction (Yes)	0.533	0.099	28.966	1	0.000	1.704
Sex Offense (Yes)	0.040	0.088	0.204	1	0.651	1.041
Constant	-0.724	0.146	24.625	1	0.000	0.485

<sup>3</sup> Center for Sex Offender Management (2000) “Myths and Facts About Sex Offenders.” Silver Spring, MD.

<sup>4</sup> Orlando, Dennise. *Special Needs of Offenders Bulletin: Sex Offenders*. Washington , D.C. : Federal Judicial Center (September 1998).

<sup>5</sup> There are 562 federally recognized Indian Tribes in the United States and approximately 297 Indian Reservations.

<sup>6</sup> Office of Probation and Pretrial Services (2005). “The Supervision of Federal Offenders, Monograph 109.” Washington, D.C.: Administrative Office of the U.S. Courts.

<sup>7</sup> Office of Probation and Pretrial Services (2005). “Simplified Procurement Procedures for Treatment Services.” Washington, D.C.: Administrative Office of the U.S. Courts.

<sup>8</sup> Source: National Treatment Database (NTD); data retrieved 10/19/05.

<sup>9</sup> Project codes are billing codes used to track expenditures on specific types of services. Examples of sex offender project codes include polygraph examinations or sex offender specific evaluations and reports.

<sup>10</sup> Hindman, Jan & James M. Peters (2001). “Polygraph Testing Leads to Better Understanding Adult and Juvenile Sex Offenders.” *Federal Probation* , 65 (3): 8-15.

<sup>11</sup> Ibid.

<sup>12</sup> The average number of project codes used was 4.42.

<sup>13</sup> See Appendix 1 for more detailed information.

<sup>14</sup> Alabama Middle, Georgia Middle, Guam, Indiana Southern, Kentucky Western, Michigan Eastern, Northern Mariana Islands, Pennsylvania Middle, Puerto Rico, South Carolina, and West Virginia Southern.

[back to top](#)

## **Sex Offenders on Federal Community Supervision: Factors that Influence Revocation**

<sup>1</sup> Orlando, Dennise (1998). “Sex Offenders.” *Special Needs Offenders Bulletin* . Federal Judicial Center, No. 3, September.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Lane Council of Governments (2003). “Managing Sex Offenders in the Community: A National Overview.” U.S. Department of Justice, Office of Justice Programs.

<sup>5</sup> Project codes are billing codes used to track expenditures on specific types of services. Examples of sex offender project codes include polygraph examinations or sex offender specific evaluations and reports.

<sup>6</sup> Total does not include the 687 cases that were either transferred out or closed due to death or “other” reasons.

<sup>7</sup> Center for Sex Offender Management (2002). “An Overview of Sex Offender Management.” Washington, D.C.: Office of Justice Programs, U.S. Department of Justice. July.

<sup>8</sup> Orlando, Dennise (1998). “Sex Offenders.” *Special Needs Offenders Bulletin* . Federal

Judicial Center, No. 3, September.

<sup>9</sup> Langan, Patrick A., Erica L. Schmitt, & Matthew Patrick A., Schmitt, & R. Durose (2003). "Recidivism of Sex Offenders Released from Prison in 1994. *Bureau of Justice Statistics* . Washington, D.C.: Bureau of Justice Statistics, 2003."

<sup>10</sup> In PACTS, these groups are classified as Native Indian and Eskimo respectively.

<sup>11</sup> Steurer, Stephen J., Linda G. Smith & Alice Tracy (2001). "Education Reduces Crime: Three-State Recidivism Study." Lanham, MD: Office of Correctional Education U.S. Department of Education; "Standing Corrected: Education and the Rehabilitation of Criminal Offenders." New Jersey State Employment & Training Commission. August 1997.

<sup>12</sup> Bureau of Justice Statistics (2004). "Compendium of Federal Justice Statistics, 2003." Washington, D.C.: Bureau of Justice Statistics. September, NCJ 205368.

<sup>13</sup> The federal government's fiscal year begins on October 1 and ends on September 30.

<sup>14</sup> Gendreau, Paul, Tracy Little, & Claire Goggin (1996). "A Meta-Analysis of the Predictors of Adult Offender Recidivism: What Works!" *Criminology* , 34:575-607.

<sup>15</sup> Travis, Jeremy; Solomon, Amy L.; & Waul, Michelle. (2001). "From Prison to Home: The Dimensions and Consequences of Prisoner Reentry." Washington, D.C.: The Urban Institute.

<sup>16</sup> Boshier, Roger. (1974). "Does Conviction Affect Employment Opportunities?" *British Journal of Criminology* . 14: 264-68; Bushway, Shawn. (2000). "The Stigma of a Criminal History Record in the Labor Market." In J.P. May (Ed.). *Building Violence: How America's Rush to Incarcerate Creates More Violence* . Thousand Oaks: Sage. Cited in Jeremy Travis, Amy L. Solomon, & Michelle Waul (2001). "From Prison To Home: The Dimensions and Consequences of Prisoner Reentry." The Urban Institute; Pager, Devah. (2003). "The Mark of a Criminal Record." *American Journal of Sociology* . 108 (5), 937-975.

<sup>17</sup> Center for Sex Offender Management (2002). "Time to Work: Managing the Employment of Sex Offenders Under Community Supervision." Washington, D.C.: U.S. Department of Justice, January.

<sup>18</sup> Holzer, Harry J. (1996). *What Employers Want: Job Prospects for Less-Educated Workers* . New York: Russell Sage. Cited in Jeremy Travis, Amy L. Solomon, & Michelle Waul (2001). "From Prison to Home: The Dimensions and Consequences of Prisoner Reentry." Washington, D.C.: The Urban Institute.

<sup>19</sup> Travis, Jeremy; Solomon, Amy L.; & Waul, Michelle. (2001). "From Prison to Home: The Dimensions and Consequences of Prisoner Reentry." Washington, D.C.: The Urban Institute.

<sup>20</sup> Western, Bruce, Jeffrey Kling, and David Weiman (2001). The Labor Market Consequences of Incarceration. *Crime and Delinquency* (47) 410-27; Robert Sampson and John Laub. 1997. A Life-course Theory of Cumulative Disadvantage and the Stability of Delinquency.

<sup>21</sup> Hagan, John. & R. Dinovitzer. (1999). "Collateral Consequences of Imprisonment for Children, Communities and Prisoners." In Michael Tonry & Joan Petersilia (Eds.). *Prisons*. Chicago : University of Chicago Press.

<sup>22</sup> PACTS data does not distinguish between individuals who are unable or unavailable for work (i.e., students, those on disability, or homemakers) and those who are simply unwilling or unable to obtain work. Nor does PACTS account for individuals who are "underemployed."

<sup>23</sup> Lane Council of Governments (2003). "Managing Sex Offenders in the Community. A National Overview." U.S. Department of Justice, Office of Justice Programs.

<sup>24</sup> Nagel, Ilene H. & Barry L. Johnson (1994). "The Role of Gender in a Structured Sentencing

System: Equal Treatment, Policy Choices, and the Sentencing of Female Offenders under the U. S. Sentencing Guidelines.” *Journal of Criminal Law & Criminology*, 85(1): 181-216; Newton, Phyllis, Jill Glazer, & Kevin Blackwell (1995). “Gender, Individuality and the Federal Sentencing Guidelines.” *Federal Sentencing Reporter*, 8(3):1-48.

<sup>25</sup> Orlando, Dennise (1998). “Sex Offenders.” *Special Needs Offenders Bulletin* . Federal Judicial Center, No. 3, September.

<sup>26</sup> Ibid.

<sup>27</sup> Federal Judicial Center. (1997). “RPI Profiles: Descriptive Information about Sex Offenders Grouped by Their RPI Scores.” Federal Judicial Center: Washington, D.C.

<sup>28</sup> See “The Supervision of Federal Offenders, Monograph 109” for other RPI limitations.

<sup>29</sup> Office of Probation and Pretrial Services (2005). “The Supervision of Federal Offenders, Monograph 109.” Washington, D.C.: Administrative Office of the U.S. Courts.

<sup>30</sup> Federal Judicial Center. (1997). “RPI Profiles: Descriptive Information about Sex Offenders Grouped by Their RPI Scores.” Federal Judicial Center: Washington, D.C.

<sup>31</sup> Federal Judicial Center. (1997). RPI Profiles: Descriptive Information about Sex Offenders Grouped by Their RPI Scores. Federal Judicial Center: Washington, D.C.

<sup>32</sup> Harris, Andrew J.R. & R. Karl Hanson. (2004). “Sex Offender Recidivism: A Simple Question.” Public Safety and Emergency Preparedness Canada.

<sup>33</sup> Center for Sex Offender Management (2001). “Recidivism of Sex Offenders.” Washington, D.C.: Office of Justice Programs, U.S. Department of Justice.

<sup>34</sup> Ibid.

<sup>35</sup> Center for Sex Offender Management (2001). “Recidivism of Sex Offenders.” Washington, D.C.: Office of Justice Programs, U.S. Department of Justice.

<sup>36</sup> Ibid.

<sup>37</sup> PACTS Statistical Reporting Guide.

<sup>38</sup> Bonta, James & R. Karl Hanson (1995). “Violent recidivism of men released from prison.” Paper presented at the 103rd annual convention of the American Psychological Association: New York as cited in Center for Sex Offender Management (2001). “Recidivism of Sex Offenders.” Washington, D.C.: Office of Justice Programs, U.S. Department of Justice.

<sup>39</sup> Menard, Scott (2002). *Applied Logistic Regression Analysis* (2 nd Edition). Thousand Oaks: Sage Publications.

<sup>40</sup> Curtis, Russell L. & Sam Schulman (1984). “Exoffenders, Family Relations, and Economic Supports.” *Crime and Delinquency* , 30 (4), 507-528.

<sup>41</sup> Rakis, John. (2005). “Improving the Employment Rate of Ex-Prisoners.” *Federal Probation*, Washington , D.C.: Administrative Office of the U.S. Courts, 69 (1), 7-12.

<sup>42</sup> Ibid.

<sup>43</sup> Andrews, D. A., & James Bonta (2003). *The psychology of criminal conduct*, Third Edition. Cincinnati, Ohio: Anderson Publishing.

<sup>44</sup> Harris, Andrew J.R. & R. Karl Hanson. (2004). “Sex Offender Recidivism: A Simple Question.” Public Safety and Emergency Preparedness Canada.