Care of Sexual Offenders in the Primary Care Clinic

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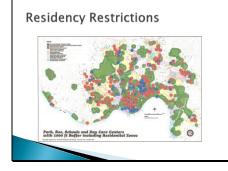
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"The area of a circle is pi times the square of its radius. Which means: if you're required to reside 2,500 feet away from any place where children regularly gather—a school or a playground, for instance, or a video arcade—you have to live outside a closed circle of 9.25 million feet. Since every school, playground, or video arcade lies at the center of such a circle and nearly all of the circles partially overlap and often extend well beyond the others, when you step clear of one 9.25-millionsquare-foot forbidden zone, you immediately step into a part of another.

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Thus, if you're a sex offender tried and convicted in Calusa County and are required by the terms of your parole to stay in Calusa County, as is almost always the case, there are only three places where you can legally reside: under the Causeway that connects the mainland with the Barrier Isles, in Terminal G out at the International Airport; or in the eastern end of the Great Panzacola Swamp."

Russell Banks, *Lost Memory of Skin*, describing the fate of a sex-offender in the fictional Calusa County, Florida. Banks got the idea for this novel after reading newspaper accounts of sex offenders living under the Julia Tuttle Causeway



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Why are we talking about Sex Offenders (SO)?

- Our patients include sex offenders
- We should know something about our patients' illnesses and treatments, even if we aren't providing the treatment (think of methadone)

We wanted to improve our understanding of:

- Who, and what exactly is, a Sex Offender?
- What are the legal, social and behavioral issues surrounding the care of sex offenders?
- What can we do in HCH, to provide care that enhances the safety of our patients, ourselves and our community?

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What we asked ourselves:

- Do all sex offenders molest children?
- Why would non-pedophiles molest children?
- What are the main differences between pedophilic and non-pedophilic sex offenders?
- How likely are sex offenders to re-offend?

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- What we asked ourselves: How does the "system" deal with sex offenders?
- What does the "system" do well/not well?
- What barriers do sex offenders face after incarceration?
- What do we need to know in Primary Care and HCH programs to keep everyone safe?



What we found: The data is unclear

- Understanding who sex offenders are is challenging
- Differing definitions The clinical vs. the criminal justice picture
- Studies come from clinical and/or prison samples (not full breadth of disease)
- The legal issues are interpreted very differently State by State, Community by Community

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What we found: The Criminal Justice System:

- "System": a criminal justice answer to a complex, clinical problem
- Not very good at accurately assessing risk of re-offense (it's really bad) Often ignores recommendations of treatment providers
- Takes a wide variety of sex offenders and tries to apply a one-size-fits-all treatment

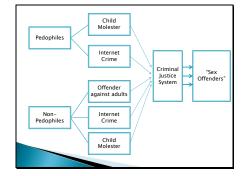
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The Criminal Justice System Criminal Justice system tries to make us safer through:

- Risk Assessment Treatment of sex offenders
- Residency restrictions Reporting laws

- Reporting laws
 Due to the "broad brush" approach:
 Treatment resources wasted on low risk offenders while high risk offenders do not get enough treatment
 Laws designed to makes us safer are not effective
 Offenders, after release, face huge social barriers to employment and housing

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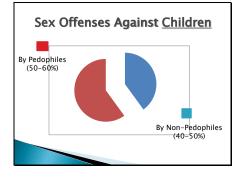




Why would non-pedophiles molest children?

- > 40%-50% of sex offenders arrested with child victims are not pedophilic
- Put another way.... almost half of offenses against children are committed by nonpedophilic offenders

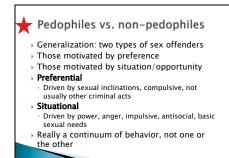
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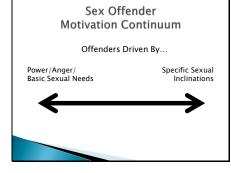


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- Pedophiles vs. non-pedophiles
- Pedophile-sexually attracted to children
- Non-pedophiles-not attracted to children







Situational/Opportunistic

• Non-pedophile Sex Offenders against

Crimes of opportunity/lack of more appropriate partner

Drugs, Etoh, mental health issues
 Involvement with criminal activity and past arrests for criminal behavior
 These are the 40%–50% of offenders against children who are not pedophilic

Adults <u>and</u> Children • Sociopathic traits

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Preferential

- Pedophilic Sex Offender Driven by sexual inclinations

- Compulsive Scripted, ritualized behaviors Grooming Usually more intelligent, higher socioeconomic class

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Preferential

- Pedophilia: "a persistent sexual interest in prepubescent children, as reflected by one's sexual fantasies, urges, thoughts, arousal or behavior"

Traits of Pedophilia

- Prevalence
 Very hard to know
 Probably 5 5%
 Males >> females (probably many more females the studies indicate)

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Traits of Pedophilia

- Most of those diagnosed with pedophilia will have another major psychiatric disorder

 - 60%-80%-Affective Disorders 50%-60%-Anxiety Disorders 70%-80%-Co-occurring Personality Disorder 50%-60%-Substance Abuse or Dependence



Traits of Pedophilia

- Pedophilia likely not an impulsive-aggressive personality trait...
- More likely a compulsive-aggressive personality trait (behaviors planned to relieve internal pressures)
- Mostly male (though there are females w/pedophilia)
- > 50%-70% have a second paraphilia (frotteurism, exhibitionism, voyeurism, sadism)
 > Typically do not engage in intercourse; most often touching

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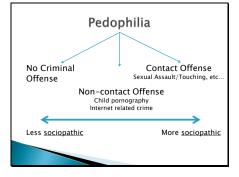
Traits of Pedophilia

- Gaining access to children Child knows offender 60%-70% of the time (exceptions: violent offenses)
 - e.g. neighbor, relative, family friend or local individual with authority
 - Often intentionally place themselves where they can meet children
 - Access children by gaining trust-Grooming

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Do all those with pedophilia commit * "contact" offenses (molest children)?

- No, but many think otherwise, based on false assumption:
- Anyone who is sexually interested in children would act upon that interest when an opportunity becomes available



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Seto 2008 study suggests:

"Pedophiles who...pose the greatest risk of <u>acting</u> upon their sexual interest in children, are (those) more likely to engage in antisocial or criminal behavior of any kind-which include individuals who are impulsive, callous, and willing to take risks; individuals who become disinhibited as a result of substance misuse; and individuals who endorse antisocial attitudes and beliefs such a disregard for social norms or the laws...."

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Seto 2008 study suggests:

"In contrast, one would predict that pedophiles who are reflective, sensitive to the feelings of others, averse to risk, abstain from alcohol or drug use, and endorse attitudes and beliefs supportive of norms and the laws would be unlikely to <u>commit contact</u> sexual offenses against children"



Traits of Non-Pedophilic SO

- Opportunistic/situational sex offenders
- Less intelligent, lower socioeconomic class
 Not pedophilic, though may offend against
- children More likely violent, antisocial traits
- More likely to commit/have committed other crimes
- Impulsive, makes sloppy mistakes

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Traits of Situational Offender

Regressed type

- Low self-esteem, poor coping skills
 May turn to children as a substitute for
- preferred peer sex partner
- Main victim criteria is availability

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Traits of Situational Offender

- Morally Indiscriminant type
- Antisocial, psychopathic
- Sexual victimization of children part of general pattern of abuse in his life
- Lies, cheats, steals-whatever he can get away with
- Main victim criteria-vulnerability, opportunity



Traits of Situational Offender

- Inadequate Type
- Hardest to define
- Psychosis, eccentric personality d/o's, mental retardation, senility
- Social misfit"
- > Offends against children out of curiosity or insecurity
- Children seen as non-threatening
- Usually lack interpersonal skills necessary for grooming or coercion

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Treatment of Sex Offenders

- Need to differentiate and tailor treatment to different types of SO (pedophilic vs non-pedophilic, situational vs preferential) • Approximately 80% those in SOTP are non-pedophilic offenders -
- No treatment effective unless offender is willing to engage in treatment

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Treatment of Pedophilia

- Assumption: pedophilia needs to be thought of as a fixed trait, not something that can be changed (Axis II
- Goals of treatment:
 decrease arousal

 - manage urges refrain from <u>acting</u>
- retrain from <u>accurs</u>
 Does not work
 No good studies showing a statistically significant benefit to any form of treatment



Treatment of Pedophilia Behavioral Treatment • Aversive conditioning • Cognitive Behavioral Therapy (CBT) Pharmacologic SRI's-may help OCD-type sx's, co-occurring d/o's Hormones-chemical castration • Possibly helpful in certain cases

Surgical-castration

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Treatment of Pedophilia

- > What is the treatment of choice?
- Relapse Prevention Model
- A form of CBT
- Most widely used treatment
 Considered the only one that may be helpful (still no good studies)

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- **Treatment of Pedophilia**
- Relapse Prevention Model

 - 1. Identify/Avoid triggers
 2. Identify/Avoid relapses
 3. Develop Strategies to avoid high-risk situations 4. Develop coping strategies to use if high-risk situations cannot be avoided
- 5. Responding effectively to relapses
- But...based on admitting one has a problem Lots of reasons to deny
 Lots of reasons to fabricate
 Catch-22

Treatment of Pedophilia

- Best practice is probably a combination of CBT (relapse prevention model) and meds
- Worth repeating: No treatment effective unless offender is willing to engage in treatment

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Treatment of Non-Pedophilic SO

Situational Offenders May have offended against children but

- usually not pedophilic
- Those with SO against children need additional barriers to unsupervised contact with minors.

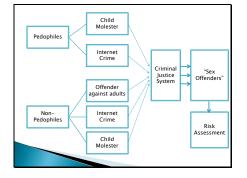
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Treatment of Non-Pedophilic SO Best served with certain CBT treatments that target specific antisocial behaviors:

- Victim Impact Courses
- Communications skills
- Anger Management
- Substance use treatment







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Risk Assessment

- Tools used by the Criminal Justice System to identify who has highest risk to commit another sexual crime
- They are preformed prior to release from incarceration, by clinicians for the Criminal Justice system
- Actuarial Table vs. Psychological Assessment Motivation or typology
 Engagement in Treatment
 Community Plans

Risk Assessment

- Clinical Social Service perspective vs. Criminal Justice perspective
- Written by former FBI agent (situational vs preferential descriptions)
- "The purpose of this descriptive typology is <u>not</u> to gain insight or understanding about why child molesters have sex with children <u>in order to help or treat them</u>, but to recognize and evaluate how child molesters have sex with <u>children in order to</u> <u>identify</u>, <u>arrest</u>, <u>and convict them</u>."

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Risk Assessment

<u>Static</u> factors can <u>never</u> change on static risk assessment tool

- Substance use history Age at time of offense Non sexual criminal history
- Dynamic factors do change and are not considered Presence or absence of support network Substance use treatment
- Improvements in antisocial attitudes, intimacy deficits, and self-regulation through therapy

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Situational Sex Offender

 1. A highly antisocial, but sexually non-deviant offender who requires interventions focusing on antisocial attitudes and beliefs, lifestyle instability, association with criminal peers, self-regulation, problem solving, substance use, etc...

Preferential Sex Offender

 2. A relatively pro-social, but sexually deviant offender (pedophilia) who might derive less benefit from interventions aimed at antisocial behaviors, but could benefit greatly from treatments to increase their voluntary control over sexual arousal, sexual self-regulation, and strategies to avoid risky situations

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Static Risk Assessment

- Do the risk assessments used offer real
- insight into who will offend again?
- > Do they allow for focus on true highest risk offenders?
- What is the social cost?
- Treatment- SOTP
- Registry, Reporting and Residency Restrictions-SORN

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Sex Offender Treatment Programs (SOTP) > Programs most effective in reducing

- recidivism follow these principles:
- <u>More accurately</u> identify risk by focusing on dynamic factors in addition to static ones
 Provide bridges from incarceration to
- community
- Allow for focus on higher risk offenders rather than "one size fits all"



> What are the theoretical pros and cons?

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What are the SORN Laws?

Adam Walsh Act (AWA): This law directs the Criminal Justice System to categorize SO as level 1, 2 or 3, based on that risk assessment. Sets guidelines for community registration

 <u>Megan's Law-</u> allows communities to publish/report SO living in neighborhoods

 Jacob Wetterling Law: residency restrictions that prohibit sex offenders from living within a certain distance of schools, churches, daycare centers, or "places where children may congregate"

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🛨 SORN Laws

- Are they effective?
 Do they decrease recidivism and prevent future sexual offenses?
- The data suggest: some restrictions that prevent opportunity to re-offend, and provide support, may decrease repeat sexual offenses
- But conversely, restrictions and their burdens that create a sense of "what have I got to lose" may actually increase re-offense

Prescott, 2011

"The effectiveness of these laws will depend on how they are structured and applied.

If notification and its associated burdens make it more difficult for a registered sex offender to find victims, while at the same time not aggravating the risk factors known to lead to recidivism and not reducing a registered offender's desire to avoid prison, then recidivism rates should drop.

But if these laws impose significant burdens on a large share of former offenders, and if only a limited number of potential victims benefit from knowing who and where sex offenders are, then we should not be surprised to observe more recidivism under notification."

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Reporting, Registry and Residence Restriction

- SORN are designed to do two things:
- Reduce recidivism
- Reduce sexual offenses against children (keep us safer)
- > They largely fail at both of these



Sex Offenders in HCH settings

- SORN create barriers to
- Housing Employment
- Nursing Home and Long Term Care Placements
 Community Integration
- SO status may create need for specific evaluations and referrals

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What can we do in HCH?

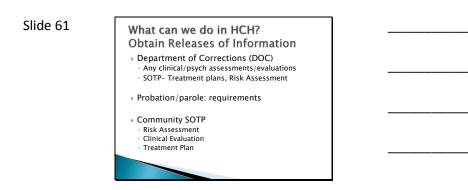
- Learn about caring for clients with SO status.
 Know the SOTP resources in your community (Just like you know the AA meetings or needle exchange locations)
 Consider a Case Management approach
 Consider Primary Care treatment in an Integrated setting if available
 Establish boundaries for staff and patients
 Be trauma informed

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What can we do in HCH? Know the realities of SO clients

- Ask the questions:
 - What is your level/status?
 - Are you registered? How often do you have to see probation/parole officer? Are you required to be in sex-offender treatment (SOTP)?

 - Even if you are not required- do you need to be in SOTP?



What can we do in HCH? Clinical considerations

- Screen for Axis I and Axis II disorders
 Treat any co-morbidities you *can* address: Depression, Anxiety, PTSD, OCD, Axis II
- Refer to Substance Use Treatment
- Refer to Counseling, Anger Management etc,...

Recommend Psychiatric Evaluation-the Risk Assessment is <u>not</u> a psych eval

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What can we do in HCH?

- Advocate on a community level for laws and policies that correctly identify risk.
- When SO are engaged in SOTP, Psych and SUD treatment and Primary Care, you will be in a stronger position to advocate for housing and other services.



SO Reporting Laws-Level I

- The individual is charged with a sexual offense that does not meet the Level II or III category
- This is always an individual with no prior criminal record

- Employment and housing barriers
 Annual registration for 15 years
 Level I crimes include statutory rape between adolescents of differing ages

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SO Reporting Laws-Level II

- Minimum of one year incarceration, often for a crime that was <u>identical to those of a Level 1</u> <u>defendant</u>, but this individual has
- a prior criminal record or is a probation violator
 charges related to pornography distribution (many no contact SO are level II)
 Registration every 6 months for 25 years
 Unable to apply for public or disabled housing
- Legally required to tell any future employer (for the next 25 years) that he/she is a registered offender

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SO Reporting Laws-Level III

- Any repeat Level II offender. Abuse of a minor less than thirteen
- . Distribution of pornography of any minor less than
- thirteen
- Lifelong registry every 90 days, for life Lifelong probation in 30 states. No public or disabled housing
- Often unable to receive long term care for illness, as they will be banned from any public, skilled nursing facility

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Situational Sex Offender: (>More Likely)	Preferential Sex Offender: (>More Likely)
ess Intelligent	More Intelligent
ower Socioeconomic Status	Higher Socioeconomic Status
Personality Disorders Such As	Paraphilias Such As
 Antisocial/Psychopathy 	 Pedophilia
Narcissistic	 Voyeurism
 Schizoid 	 Sadism
Varied Criminal Behavior	Focused Criminal Behavior
/iolent Pornography	Theme Pornography
mpulsive	Compulsive
Considers Risk	Considers Need
Sloppy Mistakes	Needy Mistakes
'hought-Driven	Fantasy-Driven
Spontaneous or Planned	Scripted
 Availability 	 Audition
 Opportunity 	 Rehearsal
 Tools 	 Props
Learning	 Critique
Method of Operation (MO) Patterns of Behavior	Ritual Patterns of Behavior
 Works 	 Need
Dynamic	 Static

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