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## RECIDIVISM RATES AND OFFENSE SPECIALIZATION IN THE CASE OF SEXUAL OFFENDERS

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### *Abstract*

*Recidivism refers to the act of reoffending by any person who has been arrested, convicted and incarcerated for a criminal activity. Recidivism may be general (a criminal activity of any kind) or sexual (a criminal activity of sexual nature). The literature contains a number of controversies regarding sexual offenders, some authors sustain that these delinquents are specialized in this type of crime while others affirm that most criminal acts committed by these perpetrators are of non sexual nature. In the present paper we present in a unitary manner the conclusions of a series of studies regarding the rate of recidivism of sexual offenses. These studies were identified by using as keywords "sexual offenders" and "recidivism" in the Ebsco and Proquest databases.*

Keywords: sexual offenders, recidivism, crime, meta-analysis

Zgoba & Simon (2005) consider that the social value of any treatment program is determined by a single result; that is the level of recidivism of the offender. Recidivism refers to the act of reoffending by any person who has been arrested, convicted and incarcerated for a criminal activity. Recidivism may be general (a criminal activity of any kind) or sexual (a criminal activity of sexual nature). The above authors draw attention to the fact that there are great

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differences between the results of studies regarding the ratio of recidivism for sexual offenses, the ratio varying from 0% to 50%. The explanation for these discrepancies lies in the differences in the methodology used by the researchers.

Studies in which recidivists were considered to be those offenders that have only been arrested but not convicted have reported a higher percentage of recidivism because not all cases of arrests are finalized with convictions. In addition, in several studies the researchers reported general rates of recidivism for all categories of offenders in spite of the fact that this is not a homogeneous group. Thirdly, differences in the follow-up period may also explain the different results obtained by researchers. The longer the follow-up period that was taken into account by the study the higher the chance of reoffending in a same manner. In most studies, a period of 5 to 30 years was used as a follow-up period.

In a review of the literature in this domain offered by Craig, Browne, & Striger (2003) the authors draw attention to the importance of the ratio of recidivism over a long period of time. Thus it was observed that recidivism over a follow up period of 10 years was three times greater than that of a period of two years and twice as high than that of a period of four years. The above mentioned authors consider that the risk period for committing a new offense of sexual nature is six years after release from prison. Hanson (2001, *apud* Looman, Dickie, & Abracen, 2005) sustains that the risk period for rapists is between 18 and 24 years and for pedophiles is between 25 and 35 years, for this last group a slight decline is observed in recidivism only after 50 years. Referring to the recidivism of rapists Pithers, Kashima, Cumming, Beal, & Buell, (1988) affirm that the first nine month after the release from prison is the period of highest risk.

The literature contains a number of controversies regarding sexual offenders, some authors sustain that these delinquents are specialized in this type of crime while others affirm that most criminal acts committed by these perpetrators are of non sexual nature. It would seem that sexual offenders present both general and distinct developmental traits, an antisocial personality (other crimes, a history of infractions with violent tendencies, parole violations, and personality disorders) and also deviant sexuality (other sexual crimes, early onset of criminal activity, male sexual victims, sexual polymorphism, and deviant sexual preferences) which are considered risk factors for recidivism. Thus, the question that is frequently asked is whether sexual offenders are of

the specific or general type of criminal, is sexual abuse just another form of crime from a broader range of criminal activity? In addition, these offenders may specialize in infractions or in a certain subtype of infraction of sexual nature. Research has shown that certain particularities exist in the criminal behavior of sexual offenders and several characteristics regarding the mode of operation of these perpetrators has been established.

In a research by Soothill, Francisc, Sanderson, & Ackerley (2000) over a period of 32 years (1963-1994) a sample of 7442 sexual offenders was used, 3070 of whom were convicted for rape against women, 763 for rape against men, 1529 for indecent behavior between men and 763 for sexual activity with minors under the of 16 years. The authors obtained results in four different areas: criminality, heterogeneity, degree of danger and specialization.

With regard to criminality, sexual offenders differ in the probability of being convicted of a new crime. 58% of all groups are convicted for a different offense, 37% of which belong to the group that was accused of indecency towards other men (the lowest rate) and 76% of which who were accused of a crime where the victim was a minor (the highest rate). The groups with a non consensual victim had close recidivism rates (61% for rape against women and 63% for rape against men).

In the case of heterogeneity, sexual offenders differ in terms of general criminal behavior. Those who commit crimes towards members of the opposite sex (rape against women or sexual activities with minors) are more likely to be convicted for other violent offenses than for crimes of sexual nature. On the other hand, those who commit crimes towards members of the same sex tend to be convicted less often for other types of violent crimes then sexual offenses.

In terms of level of danger, a small number of offenders are convicted for other dangerous crimes that are oriented towards persons. In terms of specialization, sexual offenders have been shown to be more specialized in a specific type of infraction that expected. An exception is the group of rapists that have men as victims who around middle age become less selective with regard to the gender or age of the victim, thus committing a wide range of sexual crimes.

Miranda & Corcoran (2000) have investigated the characteristics of adolescent and adult sexual offenders comparing 16 adolescents with 19 adults. Their results showed that juvenile sexual offenders commit more crimes within the family and that these acts are more likely to be caused by sexual curiosities

which are part of development and not by pedophilia. On the other hand, adult sexual offenders commit sexual crimes which imply penetration, the period of their abuse is longer and the number of victims is larger.

Longo & Groth (1983) investigated 231 sexual offenders (138 pedophiles and 103 rapists) with the intention to show that sexual crimes have a progressive nature. They hypothesized that these acts begin with infractions that do not imply touching (voyeurism, exhibitionism) and end with rape or sexual aggression against minors. Their results show that 32% of aggressors were compulsive masturbators, 24% were exhibitionists and 54% were voyeurs in their juvenile period. Thus, their hypothesis seems to be sustained.

Lussier, Leclerc, Cale, & Proulx (2007) present a distinction between infraction stability (the continuous manifestation of a certain type of behavior over time) and heterotypic continuity (the continuous manifestation of conceptually related behaviors over time in different contexts). Deviant behaviors have been most often conceptualized as being a moving target, characterized by quantitative and qualitative changes over one's lifetime. These changes have a specific hierarchy and order from a general non-specific state to a distinct pattern as the person gets older. The continuity in the deviant behavior was explained by two processes: on the one hand, a fundamental predisposition that lays on a continuum on which individuals differ (this predisposition has an early onset and is relatively stable over time; it is responsible for deviant behaviors in childhood, adolescence and early adulthood); on the other hand, a process of accumulated consequences through which the early deficits will influence the next developmental stage and thus will impede the acquisition of new skills and behaviors.

Van Vijk, Mali, Bullens, & Vermeiren (2007) publish a study on the infraction profiles of 4430 juvenile delinquents. Starting from grouping the sexual offenders into generalists and specialists the authors aim to establish the particularities of the two categories of aggressors. Their results show that the "sexual-plus" delinquents (those who do not commit only sexual crimes) have the tendency to start their criminal career earlier and to persist in this type of behavior longer than exclusively sexual offenders "sex-only", thus having more crimes on record. The latter group of offenders tends to diminish after the first criminal activity which indicates the fact that they do not reoffend on a large scale. Among these 40% start their career with sexual abuse, 24.9% with indecent behavior and 28.5% with rape. After the first offense the group of

those who have committed sexual assaults has diminished and the rate of those who committed rape or indecent behavior has remained the same until the fifth offense (only 27 individuals from the entire sample have committed five criminal acts). However from the “sex-plus” delinquents group 45.9% start their criminal career with an infraction of sexual nature, 27.1% with infractions against property and 13.1% with violent infractions. After the first offense, the percentage of sexual crimes drops to 32.4% for the second offense and to 11% after the 11<sup>th</sup> offense of any kind. On the other hand, the percentage of infractions against property rises after the first offense from 33.4% to 50% after the 10<sup>th</sup>. Thus it seems that infractions against property become part of the criminal career of most such offenders.

In a new comparison of the two categories of offenders “sex-plus” and “sex-only” the authors reveal that the 46.4% of those from the “sex-plus” category start their criminal career with a sexual offense and that most of them are acts of abuse and also that one out of four cases are cases of rape (26.3%); the rate of rape crimes remains constant while the rate of other abuse types drops. Thus, results indicate that juvenile delinquents have a criminal career that is not limited to sex, infractions of sexual nature being only a small part of a diverse pattern of criminal behavior. This newly acquired information does not overlap with earlier profiles of the specialized sexual offender who begins his career early and continues throughout his lifetime to commit such infractions. Also, regarding “sex-only” offenders the authors suppose that most probably these individuals limit themselves to only one offense. Thus, sexual abuse seems to play a more important role in the criminal career of “sex-plus” offenders. These results sustain the hypothesis of the generalist offender and not the specialized one. It is an interesting finding that most of these generalist offenders start their criminal career with a sexual abuse.

Van Wijk, Mali, & Bullens (2007) in a longitudinal study over a seven year period investigated the criminal careers of juvenile sexual (226) and non-sexual (4130) offenders who have committed their first crime in 1996. The authors this time aimed at revealing whether sexual offenders were similar to non-sexual offenders since earlier results were inconclusive. The mean period of time of the criminal career was 2.5 years for each group. Only a small number of sexual offenders commit another infraction in the same manner after the first one, they are younger when they are first arrested in comparison with other offenders which indicate an earlier criminal debut. On the other hand,

both categories commit a very serious first offense thus the hypothesis of progressive advance from lighter crimes to more serious ones is not sustained. In addition, a third of both groups will orient their attention towards infractions against property after their first offense. Most sexual crimes are committed in groups and the victim is usually the same age as the aggressors. The authors reach the conclusion that it is improper to use the term specialized sexual offender due to the fact that most of these perpetrators do not commit this type of crime a second time and rather continue with crimes against property. However there is a small portion of specialized sexual offenders, which are deviants from a sexual and violent point of view which will continue their career with sexual offenses.

Guay & Proulx (2004) investigated the penal trajectory of 2938 sexual offenders and revealed that it is more likely for older individuals and pedophiles to end up in penitentiaries while younger offenders end up in treatment centers. Also, it is more likely for those who committed the crime using weapons to be incarcerated.

In the following table (table 1) we present in a unitary manner the conclusions of a series of studies regarding the rate of recidivism of sexual offenses. These studies were identified by using as keywords “sexual offenders” and “recidivism” in the *Ebsco* and *Proquest* databases.

Table 1. Qualitative meta-analysis of studies regarding the recidivism rate of sexual abusers

Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
Hanson & Bussiere (1998)	61 studies, 28.972 participants	4.5 years	Sexual recidivism: 13.4% for rapists and 12.7% for pedophiles; violent recidivism: 9.9% for pedophiles and 22.1% for rapists; general recidivism: 36.9%	Significantly more pedophiles (60%) would commit a new offense of sexual nature. The mean time for recidivism to occur was 58.8 month; this was significantly shorter in the case of rapists (48 months) in comparison with pedophiles (68 months).

Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
			pedophiles and 46.22% rapists.	
Zgoba & Simon (2005)	718 sexual offenders	7 years	Sexual recidivism: 14%  general recidivism: 24%	Younger offenders, both sexual and general, have nine times higher chance of recidivism, committing sexual crimes. The lowest number of new convictions was recorded for pedophiles with the age over 50 years. The chance for committing a new sexual offense increases with time while the chance of committing a new general offense decreases.
Hagan & Cho (1996)	100 High risk sexual offenders - 50 rapists - 50 pedophiles	2 years	Sexual recidivism: 10% rapists, 8% pedophiles.  general recidivism: 54% rapists, 38% pedophiles.	No significant differences were found in the rate of general and sexual recidivism of rapists and pedophiles. There were no differences in the type of sentence of the two compared groups.
Hood, Shute, Feilzer, & Wilcox (2002)	162 sexual offenders	4 years	Sexual recidivism: 4.3% violent recidivism: 4.9% general recidivism: 23.5%	Over 50% of the offenders against adults had strangers as victims. 42% of offenders were previously convicted for a sexual crime. Offenders against adults had a reconviction rate of 7.6% for sexual crimes and of 15% for violent crimes. It seems that rapists are more likely to be convicted for general offenses.
	94 sexual offenders	6 years	Sexual recidivism: 8.5% violent recidivism: 12.8% general recidivism: 30.9%	

Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
Bonta, Ruge, & Dauvergne (2003)	7207 offenders released in 1994-1995	2 years	Violent and sexual recidivism: 13.8%, 13.1%, 13%	Most reconviations have occurred after the offender was no longer supervised in the community.
	3505 offenders 1995- 1996	2 years	General recidivism: 44%, 42.8%, 40.6%	
	3497 released during 1996-1997	2 years	non-violent recidivism: 13.8%, 29.8%, 27.6%	
Willson (2000; <i>apud</i> Hussain, 2005)	107 rapist	3.5 years	Sexual recidivism: 3.7% violent recidivism: 10.3% general recidivism: 21%	Sexual offenses represent only a third of all violent crimes.
Broadhurst & Maller (1992)	560 sexual offenders	12 years	sexual recidivism: 21% general recidivism: 35%	Sexual offenders are more likely to be generalists then specialists. Risk factors for recidivism are criminal record, age and race.
Langstrom & Grann (2000)	46 sexual offenders with ages between 15 and 20 years	5 years	Sexual recidivism: 20% general recidivism: 65%	The authors identify the following predictors of sexual recidivism: early debut of abusive sexual behavior, male victim, more than one victim, and poor social skills. Predictors for general recidivism were identified as: a history of criminal activity, psychopathic personality, early onset of behavioral disturbances, the use of deadly threats and the use of weapons in criminal activities.
Motiuk & Brown (1996)	570 sexual offenders	3.5 years	Sexual recidivism: 10%	Between 1990 and 1995 the number of sexual crimes in Canada has risen by 50%



Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
			violent recidivism: 25% general recidivism: 33%	sexual aggressors accounting for 20% of all inmates. Rapists are more likely to be generalist offenders while pedophiles are more likely to be specialized ones.
Rice, Harris, & Quinsey (1990)	54 sexual aggressors, rapists	4 years	Sexual recidivism: 28% violent recidivism: 43% general recidivism: 59%	Sexual and violent recidivism may be predicted on the basis of deviant sexual preferences and psychopathic personality. The offenders in this study were released from a maximum security psychiatric facility. The recidivism rate is specific for this category of offenders.
Langan, Schmitt, & Durose (2003)	9691 offenders whose victims were adults (rapists and other type of sexual aggressors)	3 years	Sexual recidivism: 5% rapist, 5.5% other type of sexual aggressors whose victims were adults general recidivism: 24%	40% of all offenses took place in the first year after release. Rapists had a sexual recidivism rate of 1.3% after six months, 2% after one year, 3.7% after two years and 5% after three years. 83.1% of rapists were re-offenders.
	4295 pedophiles and statutory rapists (20 years older than the victim)		Sexual recidivism: 3.5% pedophiles general recidivism: 20.4%	60% of pedophiles had a victim under the age of 13 years, and 50% of them were 20 years older than their victim. Compared to non-sexual offenders who abuse a child in the follow-up period, the recidivism rate of previously convicted pedophiles is three times greater. The total recidivism rate of all sexual aggressors is 43%. This is significantly lower than of all other non-sexual offenders, which is 68%.

Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
Meloy (2005)	917 sexual aggressors	3 years	Sexual recidivism: 4.5% general recidivism: 11.7%	Most offenses were most likely to occur during the first 18 months after release. The total rate of recidivism established by the author was 16%
Freeman (2007)	5331 sexual aggressors, 631 rapists and 4700 pedophiles.	3 years	Sexual recidivism: 5.5% general recidivism: 30.7%	Rapists were more frequently arrested for committing new crimes of general nature (the general recidivism rate was 35% compared with that of pedophiles which was 30%). On the other hand, pedophiles tended to be more frequently arrested for committing new crimes of sexual nature (the sexual recidivism rate for pedophiles was 5.7% and for rapists 4%).
Craig, Browne, & Striger (2006)	85 sexual aggressors 46 violent offenders	10 years	Sexual recidivism of sexual offenders: 10% sexual recidivism for violent offenders: 2% general recidivism sexual aggressors: 36% general recidivism violent offenders: 74%	Sexual aggressors have a recidivism rate that is five times higher than that of violent offenders. On the other hand, violent offenders have a general recidivism rate that is twice that of sexual aggressors. 7% of sexual recidivists commit their first crime within the first eight years after their release and 12% within the first nine years.

Authors / year	Number of participants	Follow-up period	Recidivism rate	Results
Hanson & Morton – Bourgon (2004)	Meta-analysis of 95 studies, 31216 sexual offenders	5 years	Sexual recidivism: 13.7%	Predictors for sexual recidivism seem to be: deviant sexual preferences, general antisocial lifestyle, instability, conflict in intimate relationships, tolerance towards abuse and level of force used in committing the crime.
Rasmussne (1999)	170 sexual offenders with the mean age of 14 years	5 years	Sexual recidivism: 14.1%  general recidivism: 58.8%	50% of offenders commit a new crime in the first two years after their conditional release. 66% had a victim that was a child under the age of 8 years and 40% declared that they had also been the victims of sexual and/or physical abuse when they were about 8 years old.
Hanson (2002)	4673 sexual aggressors, 10 studies. -1133 rapists -1411 extra-familial pedophiles -1207 incestuous pedophiles	Mean period 9 years (2-23 years).	Sexual recidivism/ entire sample: 17.5%  sexual recidivism extra-familial pedophiles: 19.5%  sexual recidivism rapists: 17.1%  sexual recidivism incestuous pedophiles: 8.4%	The sexual recidivism rate of rapists decreases as age increases. Extra-familial pedophiles with the age between 25 and 35 years had the highest risk for recidivism. This group of criminals has a steady and high risk of recidivism until the age of 50 years when a small decline is observed. Incestuous pedophiles with the age between 18 and 24 years have higher risk of recidivism within their own subgroup. None of the rapists or pedophiles that were released after 60 years has been a recidivist.

Hanson (2006) sustains that it is difficult to estimate the long term recidivism rate on the basis of retrospective studies due to the fact that such a deviant sexual behavior is, on the one hand, withheld by the perpetrator and on the other hand, under-reported by the victim. The solution for researchers who

wish to establish the recidivism rates for the entire lifetime of offenders seems to be the implementation of prospective studies and a great amount of patience.

In an effort to reduce the prevalence of sexual and general crimes, a continued focus on prevention-based policy is needed. In this process it is important to establish procedures for determining the recidivism risk level (high, medium or low) and its type (sexual, general and violent) in order to decide for the most appropriate treatment program that the offenders should attend, taking into consideration the risk-need-responsivity principle.

Differences between sample characteristics, follow-up periods, definitions of recidivism risk and variations in age bands between studies make any direct comparison difficult. With these limits in mind however, consistency in some areas between studies is likely to further advance our understanding on recidivism. The current analysis suggests that first of all extensive treatment should be used in order to reduce or manage the general and violent recidivism risk in the case of sexual offenders followed by specific treatment programs designed to reduce the sexual recidivism risk. Also, in the case of extra-familial pedophiles it seems to be imperative to subject them to treatment opportunities that manage sexual recidivism risk. In these types of programs rapists and pedophiles should be integrated separately as the latter is more likely to be convicted for new sexual crimes. The age of the offender should also be considered as an important factor since an inverse relationship between age and sexual recidivism seems to exist. This relationship is different for child molesters and rapists. As the sexual recidivism rate declines with age for rapists due to the inverse relationship between age and arousal levels, for child molesters it tends to be higher in time, till the age of 50. This is another argument for different treatment groups for child molesters and rapists, with slightly different emphasis on the respective treatment components in the two groups.

The information presented in this paper, which includes research results of several important studies in the field of offender recidivism (general and sexual), is likely to be of interest for practitioners working in penitentiaries. Thus it will facilitate their treatment prioritization, decision concerning treatment depth, the participant's selection for the treatment programs/ groups and the targets of the programs.

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