AN EXAMINATION OF THE RISK MANAGEMENT OF HIGH-RISK SEX OFFENDERS UNDER A SECTION 810.1 OR 810.2 ORDER IN BRITISH COLUMBIA, CANADA

by

Melissa Dahabieh
Bachelor of Arts, Simon Fraser University, 2005

THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

In the
School
of
Criminology

© Melissa Dahabieh 2008

SIMON FRASER UNIVERSITY

Summer 2008

All rights reserved. This work may not be reproduced in whole or in part, by photocopy or other means, without permission of the author.
Name: Melissa Dahabieh
Degree: Master of Arts
Title of Thesis: An examination of the risk management of high-risk sex offenders under a section 810.1 or 810.2 order in British Columbia, Canada

Examinerin Committee:
Chair: Neil Boyd, LL.M.
Professor, School of Criminology

Patrick Lussier, Ph.D.
Senior Supervisor
Assistant Professor, School of Criminology

Eric Beauregard, Ph.D.
Supervisor
Assistant Professor, School of Criminology

Simon Verdun-Jones, J.S.D.
Supervisor
Professor, School of Criminology

Jean-Pierre Guay, Ph.D.
External Examiner
Assistant Professor, École de Criminologie de l’Université de Montréal

Date Defended/Approved: May 9, 2008
Declaration of Partial Copyright Licence

The author, whose copyright is declared on the title page of this work, has granted to Simon Fraser University the right to lend this thesis, project or extended essay to users of the Simon Fraser University Library, and to make partial or single copies only for such users or in response to a request from the library of any other university, or other educational institution, on its own behalf or for one of its users.

The author has further granted permission to Simon Fraser University to keep or make a digital copy for use in its circulating collection (currently available to the public at the "Institutional Repository" link of the SFU Library website at: <http://ir.lib.sfu.ca> at: <http://ir.lib.sfu.ca/handle/1892/112>) and, without changing the content, to translate the thesis/project or extended essays, if technically possible, to any medium or format for the purpose of preservation of the digital work.

The author has further agreed that permission for multiple copying of this work for scholarly purposes may be granted by either the author or the Dean of Graduate Studies.

It is understood that copying or publication of this work for financial gain shall not be allowed without the author's written permission.

Permission for public performance, or limited permission for private scholarly use, of any multimedia materials forming part of this work, may have been granted by the author. This information may be found on the separately catalogued multimedia material and in the signed Partial Copyright Licence.

While licensing SFU to permit the above uses, the author retains copyright in the thesis, project or extended essays, including the right to change the work for subsequent purposes, including editing and publishing the work in whole or in part, and licensing other parties, as the author may desire.

The original Partial Copyright Licence attesting to these terms, and signed by this author, may be found in the original bound copy of this work, retained in the Simon Fraser University Archive.

Simon Fraser University Library
Burnaby, BC, Canada

Revised: Fall 2007
ABSTRACT

Recognizance orders obtained under Sections 810.1 (sexual offences against children) and 810.2 (serious personal injury offence) of the Criminal Code have been increasingly used to supervise warrant-expiry sex offenders in the community. However, the challenges of supervising these offenders remain virtually un canvassed in the literature. This study seeks to address that gap by examining the challenges associated with the risk management of sex offenders under 810 orders in British Columbia. Qualitative data from seventeen interviews with criminal justice practitioners involved in the case management of these offenders were analyzed. Content analysis revealed that sex offenders under 810 orders are multi-risk, multi-needs, and require multi-interventions, which are often inadequately resourced or inaccessible in the community. The general unavailability of resources to address their multi-needs creates constraints on case management and reintegration. A difficult reintegration process may destabilize their risk factors, creating high-risk situations to reoffend. Implications of these findings are discussed.

Keywords: sex offender; high-risk offender; risk management; recidivism; community notification; section 810 recognizance order

Subject Terms: Sex offenders; Criminal behaviour, Prediction of; Sex offenders – Risk assessment; Restraining orders – Canada; Probation – British Columbia; Community-based corrections – British Columbia
ACKNOWLEDGEMENTS

Many people have been instrumental in the successful completion of my thesis. My deepest gratitude is owed to my thesis supervisor, Patrick Lussier, for his mentorship, support, and patience throughout this process—merci beaucoup! I would also like to thank my supervisory committee, Dr. Eric Beauregard and Dr. Simon Verdun-Jones, for their guidance and valuable feedback. Thanks are owed to Sheri Fabian for her help in formatting my thesis. To Jacqueline Faubert, thank you for your guidance and support throughout my degree—your passion for teaching is truly inspirational.

I am extremely grateful to my parents, Sam and Andrée, and my brother, Michael, for their endless love and encouragement. Dad, from an early age you instilled in me a commitment to strive for excellence. My achievements are just as much yours as they are mine. Equally important, you have been a tremendous source of financial support for my education, and for that, I am truly grateful—“I’ll pay you back some day, I promise.” Thanks are owed to my friends who have always been so proud of my accomplishments.

Last, but certainly not the least, to Ernesto, I am very grateful for your love, understanding, support, and invaluable advice. You were always there when I needed you the most, even when we were thousands of miles apart—te adoro.
# TABLE OF CONTENTS

Approval ........................................................................................................... ii  
Abstract ........................................................................................................... iii  
Acknowledgements ........................................................................................... iv  
Table of Contents ............................................................................................... v  
List of Figures and Tables ................................................................................... vii  
Glossary ............................................................................................................... viii  

**Introduction** ..................................................................................................... 1  

**Sex Offenders: Understanding the Risk** .......................................................... 3  
Risk of Reoffending .............................................................................................. 3  
  Methodological Limitations of Recidivism Studies ............................................. 3  
  Recidivism Rates .............................................................................................. 5  
Specialization in Sexual Crimes ......................................................................... 6  
Heterogeneity of Risk of Reoffending .................................................................. 8  
The Prediction of Sexual Reoffending ................................................................. 9  
Risk Assessment of Sexual Recidivism ............................................................... 14  
Limitations of Risk Assessment Tools ............................................................... 16  
Implications for Risk Management .................................................................... 17  
Legal Dispositions for Persistent Sex Offenders ................................................. 18  
  The Clinical Model .......................................................................................... 19  
  The Legal Model ............................................................................................ 19  
  The Community Protection Model in the United States ................................ 20  
  The Community Protection Model in Canada ................................................. 22  
Community Notification ...................................................................................... 26  
Section 810 Recognizance Orders (Peace Bonds) ............................................. 32  
Implications for Risk Management .................................................................... 34  
Summary ............................................................................................................. 35  
Goal of the Study ................................................................................................. 36  

**Methodology** ................................................................................................... 38  
Sample ............................................................................................................... 38  
  Procedures ....................................................................................................... 41  
Measures ............................................................................................................. 42  
Analytical Strategy .............................................................................................. 43  

**Results** ............................................................................................................ 45  
Perceptions of Significant Risk Factors ............................................................. 45  
  Strategies Used to Stabilize the Risk Factors in the Community ...................... 49  
Summary of Risk Factors and Strategies ............................................................ 54  

v
Difficulties in Facilitating Community Reintegration .................................................. 54
Strategies for Facilitating Community Reintegration .................................................. 59
Summary of the Challenges of Facilitating Community Reintegration and
Strategies .................................................................................................................. 61
Impact of Community Notification ............................................................................. 61
Constraints on Case Management .............................................................................. 64

Discussion .................................................................................................................. 66
The Risk Management of Multi-Risk Sex Offenders .................................................. 68
Multi-Risk Sex Offenders ............................................................................................ 69
Managing Multi-Risk Sex Offenders in the Community ............................................ 76
Summary and Implications for Community Risk Management .............................. 78
The Community Reintegration of High-Risk Sex Offenders ..................................... 80
Multi-Needs Sex Offenders ....................................................................................... 82
Multi-Needs as Dynamic Risk Factors ..................................................................... 83
Reintegration Difficulties ............................................................................................. 83
The Impact of Community Notification and Case Management Constraints on
Reintegration ............................................................................................................... 85
Strategies for Facilitating Reintegration: Collaboration and Advocacy .................. 91
Summary and Implications for Community Risk Management ............................ 93

Conclusion ................................................................................................................ 96
Methodological Issues/ Limitations of the Study ...................................................... 98
Directions for Future Research ................................................................................ 100

References ............................................................................................................... 102

Appendix .................................................................................................................. 110
LIST OF FIGURES AND TABLES

Figure 1. Criteria for Finding of DO in Section 753.1(1) CCC ......................................................... 23
Figure 2. Descriptive Model of the Risk Management of Sex Offenders Under an 810 Recognizance Order .......................................................... 67

Table 1. Predictors of Sexual Recidivism ..................................................................................12
Table 2. Comparison of Risk Factors of Sexual Reoffending Included in Risk Assessment Tools ................................................................. 13
Table 3. Comparison of the Descriptive Profiles of DOs and LTOs from Trevethan et al.'s (2002) Study ................................................................. 25
Table 4. Dynamic Risk Factors of Sex Offenders Under an 810 Recognizance Order .... 34
Table 5. Characteristics of the Study Sample ........................................................................... 41
Table 6. Significant Risk Factors ............................................................................................. 46
Table 7. Strategies Used to Stabilize the Risk Factors in the Community and Their Perceived Effectiveness ................................................................. 50
Table 8. Difficulties in Facilitating Reintegration .................................................................... 57
Table 9. Strategies Used to Deal With the Difficulties in Facilitating Community Reintegration and Their Perceived Effectiveness ................................................................. 58
Table 10. Impact of Community Notification ........................................................................ 62
Table 11. Constraints on Case Management .......................................................................... 65
## GLOSSARY

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCC</td>
<td><em>Criminal Code of Canada</em></td>
</tr>
<tr>
<td>DO</td>
<td>Dangerous Offender</td>
</tr>
<tr>
<td>LTO</td>
<td>Long-term Offender</td>
</tr>
<tr>
<td>LTSO</td>
<td>Long-term Supervision Order</td>
</tr>
<tr>
<td>RRASOR</td>
<td>Rapid Risk Assessment of Sex Offender Recidivism</td>
</tr>
<tr>
<td>SONAR</td>
<td>Sex Offender Need Assessment Rating</td>
</tr>
<tr>
<td>SORAG</td>
<td>Sex Offender Risk Appraisal Guide</td>
</tr>
<tr>
<td>VRAG</td>
<td>Violence Risk Appraisal Guide</td>
</tr>
</tbody>
</table>
INTRODUCTION

Sex offenders have been regarded as a unique category of offender requiring specialized intervention (Simon, 1997, 2000). Historically, more than any other offender, sex offenders have been subject to specific legal measures to manage their risk of reoffending (Lieb, Quinsey, & Berliner, 1998). One of the main assumptions underlying these laws is that all sex offenders are equally dangerous and will inevitably sexually reoffend (Simon, 2000). However, the empirical evidence suggests most sex offenders do not recidivate and, if they do, most commit nonsexual crimes. Nonetheless, a small subgroup of sex offenders persists in sexual crimes. Persistent sex offenders appear to possess certain characteristics that increase their risk of reoffending. Several empirical studies have attempted to identify the characteristics of persistent sex offenders. From these empirically derived factors, risk assessment tools were created to make predictions of risk of sexual recidivism (Andrews & Bonta, 2003). Current legal dispositions for sex offenders are based on the assumption that we can accurately identify persistent sex offenders and manage their risk of reoffending in the community (Prentky, 1996). Specifically, sections 810.1 and 810.2 of the CCC allow the court to restrict the freedom of individuals identified as high-risk to commit a violent and/or sexual crime by imposing a set of conditions, often beyond their warrant-expiry date (Solicitor General Canada, 2001).

To date, there has been virtually no research on the risk assessment of sex offenders under an 810 recognizance order. Furthermore, there is a paucity of research on the risk management of this group of offenders in the community. Indeed, criminal justice
practitioners receive training to supervise these offenders as well as provide assistance and support in order to minimize their risk of reoffending. Yet, no study has looked at the challenges and constraints on case management and the challenges faced by criminal justice practitioners involved in the risk management of sex offenders under an 810 recognizance order. The literature on sex offender risk, predictors of sexual recidivism, and legal dispositions for high-risk sex offenders, in particular section 810 recognizance orders, will be explored to contextualize the evolution of risk management as the favoured method for dealing with high-risk sex offenders.
SEX OFFENDERS: UNDERSTANDING THE RISK

Risk of Reoffending

One of the most critical aspects of criminal justice policies for sex offenders is the impact of recidivism rates. It has been assumed that conventional criminal justice policies have had no impact on sex offenders' recidivism rates, highlighting the need to develop and implement new measures specifically for sex offenders. Criminal justice policies targeting sex offenders have been based on three related assumptions about their criminal activity: (1) the risk of committing another sexual crime is high; (2) sex offenders tend to repeat the same type of crime, and; (3) having committed a sexual crime is indicative of dangerousness; therefore, all sex offenders pose a high-risk to reoffend. Over the years, several empirical studies have attempted to demystify recidivism rates of sex offenders in order to accurately inform criminal justice policies. Those studies have provided substantial empirical insight into three important aspects of criminal justice policies targeting sex offenders: (1) sex offenders' rate of reoffending; (2) level of specialization in sexual crimes, and; (3) heterogeneity of risk of reoffending. It is appropriate here to review the findings from the recidivism studies, beginning with a discussion of the methodological limitations of recidivism studies in general.

Methodological Limitations of Recidivism Studies

Definition and Measurement of Recidivism. Across the studies, sexual recidivism has been defined in several ways, including new arrest, charge, conviction, etc. Most studies rely on official reports to measure recidivism because of the accessibility of that information
(Proulx, Tardif, Lamoureux, & Lussier, 2000). However, official reports are not without their limitations. It is widely recognized that sexual offences are particularly vulnerable to the dark figure of crime—most sexual offences never come to the attention of the criminal justice system. Furthermore, the sexual element can be removed from the offence as a result of insufficient evidence or through the plea bargaining process (Quinsey, Harris, Rice, & Cormier, 2006). Consequently, researchers have relied on different measures of recidivism, including general (any crime), violent (including sexual and non-sexual violent crime only), and sexual (any sexual crime only).

Base Rate. The recidivism base rate can be understood as “the proportion of a group of sexual offenders who will reoffend after a period of time (i.e., the follow-up period)” (Hanson, Morton, & Harris, 2003, pp. 154-155). Base rates are easily influenced by the composition of the sample (e.g., risk level, type of sex offender). Low base rates can make drawing statistically significant relationships between the predictors and the outcome difficult (Doren, 2006). Most sex offender recidivism studies have base rates around 20%. Again, since most sexual offences go unreported, recidivism rates should be interpreted with caution, considering they are an underestimate of the actual rate of reoffending.

Follow-Up Period and Time at Risk. Different follow-up periods, will produce different recidivism rates. Specifically, as follow-up time increases, it can be expected that the number of recidivists will also increase (Harris & Hanson, 2004). Nonetheless, even with longer follow-up periods (up to 30 years), sex offender recidivism rates rarely exceed 40% (Hanson, 1998). Furthermore, time at risk is an important consideration when interpreting recidivism rates. In order to determine precise time at risk for reoffence, researchers should be aware of periods where the offender did not have the opportunity to
reoffend in the community (e.g., time spent incarcerated) and subtract these from the follow-up period (Marshall & Barbaree, 1988).

Recidivism Rates

Over the years, several empirical studies have examined the sexual recidivism risk of sex offenders. While sexual recidivism rates have been the subject of much debate in the scientific literature (e.g., Webster, Gartner, & Doob, 2006; Harris & Rice, 2006), the general conclusion of these studies is that most sex offenders do not sexually recidivate. For example, Hanson and Bussière’s (1998) meta-analysis of sexual recidivism studies reported a sexual recidivism rate of 13.4% ($n = 23,393$) over a three to four year follow-up period. An updated meta-analysis conducted by Hanson and Morton-Bourgon (2005) validated these results, reporting a sexual recidivism rate of 13.7% ($n = 19,267$) during an average follow-up time of five to six years. Very few studies have directly compared recidivism rates between sex offenders and non-sex offenders. In a large study comparing the recidivism rates of sex offenders ($n = 9,681$) and non-sex offenders ($n = 262,420$) three years following their release, Langan, Schmitt, and Durose (2003) reported that 5.3% of sex offenders were rearrested for a new sexual crime compared to 1.3% of non-sex offenders. However, upon closer examination of the results, it was discovered that non-sex offenders committed a significantly higher proportion of sexual crimes (87%) than sex offenders (13%). Sample and Bray (2003) examined recidivism rates for offenders ($n = 146,918$) during a five year follow-up period and found that 6% of sex offenders sexually recidivated compared to 0% to 3% of non-sex offenders. Substantial variation from previous studies was observed in Hanson, Scott, and Steffy’s (1995) examination of the long-term recidivism rates among child molesters ($n = 191$) and non-sex offenders ($n = 137$) over a ten to fifteen year period.
They found that non-sex offenders had significantly lower sexual recidivism rates (1%) compared to child molesters (35%). Overall, studies on recidivism rates draw three broad conclusions: (1) the general level of offending for sex offenders is somewhat lower than that of non-sex offenders; (2) sex offenders' rate of sexual recidivism is higher than that of non-sex offenders, and; (3) as a group, sex offenders are responsible for only a small portion of sexual crimes committed by recidivists. Other studies have looked at sex offenders' level of specialization in sexual crimes.

**Specialization in Sexual Crimes**

The specialization hypothesis supports the notion that “sexual offenders are a special case of offender, having a specific propensity to commit sexual crimes” (Lussier, 2005, p. 270). Specialization can be understood as the likelihood an offender will commit the same type of crime upon the next arrest (Blumstein, Cohen, Roth, & Visher, 1986). This has been contrasted with the generality hypothesis, which does not view sex offenders as a special case of offender; rather, it appreciates the versatility of their criminal careers and recognizes that they do not commit to one specific type of crime (Lussier, 2005). Mainly influenced by the clinical literature, the assumption underlying most legal measures for sex offenders is that sex offenders specialize in sexual crimes (Simon, 1997, 2000). Criminologists have challenged this assumption arguing that offenders, even those that persist in sexual crimes, do not limit themselves to sexual crimes; instead, their offending patterns are characterized by much generality (Simon, 2000; Lussier, LeBlanc, & Proulx, 2005; Smallbone & Wortley, 2004).

Several studies have looked at the level of specialization in sexual crimes among sex offenders. In Sample and Bray's (2003) study of arrestees (n = 146,918) in Illinois they
found that re-arrest for the same type of crime over five years was lowest for sexual offences (6.5%), followed by robbery (17.9%), burglary (23.1%), and public disorder crimes (21.4%). Similar results were reported in Miethe, Olson, and Mitchell's (2006) study of national data on over 38,000 offenders released in 1994. Their data suggests that only one fourth of sex offenders committed another sexual crime in their next crime cycle, whereas one third of violent offenders and more than half of property/public disorder offenders repeated their offences in their next crime cycle. Taken together, these results support the notion that sex offenders are not increasingly specialized than any other group of offender.

Other studies have looked at the level of specialization in sexual crimes across subgroups of sex offenders. Simon's (2000) study compared the offending patterns of child molesters (n = 142), rapists (n = 51), and violent offenders (n = 290). The results suggest that, while all three groups committed a variety of offences, child molesters were characterized by the least versatility and rapists were similar to violent offenders. The results from Meithe at al.'s (2006) study also support the idea that child molesters are more specialized than rapists. Lussier et al.'s (2005) study found that rapists had versatile offending patterns, whereas child molesters had a tendency towards specialization. Smallbone and Wortley (2004) found considerable diversity in the offence history of child molesters. Their results revealed that most child molesters (86%) had convictions for previous nonsexual offences and 92% of recidivists had at least one conviction for a nonsexual offence. This provides evidence of heterogeneity in the versatile offending patterns between child molesters and rapists, with rapists exhibiting greater versatility than child molesters do.

Overall, the studies suggest that sex offenders do not have a tendency to specialize in sexual crimes, even when compared to other offenders (Simon, 2000; Lussier et al. 2005;
Smallbone & Wortley, 2004; Miethe et al., 2006; Sample & Bray, 2003) and the level of specialization varies across type of offender, with child molesters exhibiting greater specialization than rapists (Lussier, 2005). Taken together, the empirical evidence seems to suggest that the criminal behaviour of sex offenders is perhaps best characterized by “a certain tendency to specialize in sexual crimes over time against the backdrop of much versatility” (Lussier, 2005, p. 288). These findings have significant implications for criminal justice policies, which rely on past sexual offending to predict future dangerousness. Since only a small group of convicted sex offenders is at-risk of specializing in sexual crimes, criminal justice policies should focus on those offenders in order to have a meaningful impact on sexual violence. This would require criminal justice policies to demonstrate an ability to effectively screen and identify those individuals at-risk of specializing in sexual crimes over their criminal career. Criminal justice policies must also be sensitive to the heterogeneity of risk within and between groups of sex offenders.

Heterogeneity of Risk of Reoffending

Contrary to popular belief, not all sex offenders are at similar risk to reoffend. In fact, several studies have observed within-group differences in recidivism rates over time. It should be noted that long-term recidivism studies observed higher recidivism rates compared to studies with shorter follow-up periods, with certain subgroups of sex offenders exhibiting higher rates over time. For example, Prentky, Lee, Knight, and Cerce (1997), in a twenty-five year follow-up study, found that, in a sample of serious sex offenders, 32% of child molesters sexually recidivated at the end of the period compared to 26% of rapists. Similar results were reported for child molesters in Hanson, Steffy, and Gauthier’s (1993) study examining the long-term recidivism rates of child molesters during a ten to thirty-one
year period. Their results revealed that child molesters were most likely to recidivate within the first five years following release; however, a considerable number of offenders sexually reoffended after ten years. Furthermore, they found that homosexual extra familial child molesters, as a group, displayed higher levels of risk over time, while incestuous child molesters displayed the lowest rates of sexual recidivism in the sex offending population. On the other hand, studies with shorter follow-up periods, like Hanson and Bussière’s (1998) review, reported lower recidivism rates, specifically, 19% for rapists and 13% for child molesters at the end of the four to five year period. In another study, Quinsey, Lalumière, Rice, and Harris (1995) reported a weighted average of sexual recidivism of 35% for homosexual child molesters, 23% for sexual aggressors against women, 18% for heterosexual child molesters, and 8% for incest offenders when several studies were analyzed. These results suggest that a subgroup of sex offenders remains at high-risk to reoffend over time. However, we know little about the characteristics of this group.

The Prediction of Sexual Reoffending

Some sex offenders are more likely to sexually reoffend than others are. Persistent sex offenders consist of a small sub-group of the sex offending population who appear to present certain characteristics that increase their risk of reoffending. Several studies have examined the risk factors empirically linked to sexual reoffending with a focus on the identification of two general types of risk factors or predictors of recidivism: static and dynamic risk factors. Static predictors, such as criminal history, are unchangeable and may only be useful for predicting long-term recidivism risk. Accordingly, they cannot be modified through intervention or treatment. Dynamic factors, on the other hand, are very useful for criminal justice practitioners involved in risk management of sex offenders in the
community as they inform about the risk of reoffending, may be useful intervention or treatment targets, and are instrumental in assessing changes in risk over time (Hanson & Harris, 1998). The results of these studies have been summarized in Hanson and Bussière (1998) and Hanson and Morton-Bourgon's (2005) quantitative reviews (meta-analyses) of the sex offender recidivism literature. Table 1 summarizes the main predictors of sexual recidivism from the two meta-analyses.

**Static and Dynamic Predictors of Sexual Recidivism**

Hanson and Bussière (1998) examined 61 follow-up studies, including 28,972 sex offenders. Overall, their results suggest that the single best predictor of sexual recidivism is sexual deviancy measured by phallometric assessment.\(^1\) Sexual criminal history (e.g., prior sex offences, stranger victims, early onset of sex offending) were modest predictors of sexual recidivism as were general criminological factors (e.g., antisocial personality disorder, total number of prior offences). In addition, failure to complete treatment and negative relationship with mother were found to be moderate predictors of risk to sexually reoffend. The demographic variables of age (young) and marital status (single) were found to be related to sexual recidivism, although the effect sizes were small.

Their study also identified characteristics that were not associated with sexual recidivism. Clinical presentation variables such as denial, low victim empathy, and lack of motivation for treatment were found to be unrelated to sexual recidivism. These findings are interesting since these variables are typically assessed in clinical and correctional interviews. Also, psychological maladjustment variables, including anxiety and depression

---

\(^1\) Phallometric assessment or penile plethysmograph is an instrument used to measure sexual arousal by changes in penis size while auditory or visual stimuli are presented to participants in a controlled environment (Harris, Rice, & Quinsey, 1998).
were not found to be related to sexual recidivism. While negative emotional states have
been shown to be precursors to sexual offending according to relapse prevention, one
possible explanation for the results is that negative emotional states are transitory and,
therefore, could not be expected to predict sexual recidivism risk over time (Proulx et al.,
2000). Overall, the results portray the prototypic persistent sex offender as a sexual deviant
with a history of sexual and nonsexual offences, having commenced sexual offending at an
eyear age, or targets boys, strangers, or unrelated victims.

Hanson and Morton-Bourgon’s (2005) meta-analysis built on Hanson and Bussière’s
(1998) previous study by examining 82 recidivism studies, including 29,450 sex offenders.
The focus of their review was on the identification of dynamic risk factors. Their study
confirmed that sexual deviancy (e.g., any deviant sexual interest, sexual interest in children,
paraphilic interests) and antisocial orientation (e.g., self-regulation problems, employment
instability) were significant predictors of sexual recidivism. The single strongest predictors
of sexual recidivism were related to rule violation, specifically, non-compliance with
supervision and violation of conditional release. Phallometric assessments measuring sexual
interest in children and any deviant sexual interest strongly predicted sexual recidivism,
although the effect size was smaller than the previous study. The review also identified a
number of potentially dynamic risk factors that were strongly related to sexual recidivism,
including sexual preoccupations (paraphilic or non-paraphilic), conflicts in intimate
relationships, emotional identification with children, hostility, and attitudes supportive of
sexual offending. The results describe persistent sex offenders as antisocial sexual deviants
who are preoccupied with sexual thoughts and behaviours, demonstrate poor self-regulation
and intimacy deficits, and have attitudes supportive of sexual offending. As Andrews and
Bonta (2003) point out, one of the practical benefits of meta-analyses is that they allow for
the construction of empirically-based actuarial risk scales.

Table 1. Predictors of Sexual Recidivism

<table>
<thead>
<tr>
<th>Predictors</th>
<th>Predictive accuracy</th>
<th>k</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Hanson and Bussière (1998)</strong></td>
<td>Weighted average $r$</td>
<td></td>
</tr>
<tr>
<td>Sexual interest in children—phallometric assessment</td>
<td>.32</td>
<td>7 (4,853)</td>
</tr>
<tr>
<td>MMPI-5: Masculinity-Femininity</td>
<td>.27</td>
<td>3 (239)</td>
</tr>
<tr>
<td>Any deviant sexual preference</td>
<td>.22</td>
<td>5 (570)</td>
</tr>
<tr>
<td>Prior sexual offences</td>
<td>.19</td>
<td>29 (11,294)</td>
</tr>
<tr>
<td>Failure to complete treatment</td>
<td>.17</td>
<td>6 (806)</td>
</tr>
<tr>
<td>Negative relationship with mother</td>
<td>.16</td>
<td>3 (378)</td>
</tr>
<tr>
<td>Stranger victim</td>
<td>.15</td>
<td>4 (465)</td>
</tr>
<tr>
<td>Antisocial personality disorder</td>
<td>.14</td>
<td>6 (811)</td>
</tr>
<tr>
<td>Prior offences (any/non-sexual)</td>
<td>.13</td>
<td>20 (8,683)</td>
</tr>
<tr>
<td>Age (young)</td>
<td>-.13</td>
<td>21 (6,969)</td>
</tr>
<tr>
<td>Early onset of sexual offending</td>
<td>.12</td>
<td>4 (919)</td>
</tr>
<tr>
<td>Male child victim</td>
<td>.11</td>
<td>19 (10,294)</td>
</tr>
<tr>
<td>Single (never married)</td>
<td>.11</td>
<td>8 (2,850)</td>
</tr>
<tr>
<td>Any unrelated victims</td>
<td>.11</td>
<td>21 (6,889)</td>
</tr>
<tr>
<td>Diverse sexual offences</td>
<td>.10</td>
<td>5 (6,011)</td>
</tr>
<tr>
<td>MMPI-4: Psychopathic deviate</td>
<td>.10</td>
<td>4 (393)</td>
</tr>
<tr>
<td><strong>Hanson and Morton-Bourgon (2005)</strong></td>
<td>Cohen's $d$</td>
<td></td>
</tr>
<tr>
<td>Non-compliance with supervision</td>
<td>.62</td>
<td>3 (2,159)</td>
</tr>
<tr>
<td>Violation of conditional release</td>
<td>.50</td>
<td>4 (2,151)</td>
</tr>
<tr>
<td>Emotional identification with children</td>
<td>.42</td>
<td>3 (419)</td>
</tr>
<tr>
<td>Sexual preoccupations (paraphilic or non-paraphilic)</td>
<td>.39</td>
<td>6 (1,119)</td>
</tr>
<tr>
<td>General self-regulation problems</td>
<td>.37</td>
<td>15 (2,411)</td>
</tr>
<tr>
<td>Conflicts in intimate relationships</td>
<td>.36</td>
<td>4 (298)</td>
</tr>
<tr>
<td>Sexual interest in children</td>
<td>.33</td>
<td>4 (438)</td>
</tr>
<tr>
<td>Any prior criminal history</td>
<td>.32</td>
<td>31 (14,800)</td>
</tr>
<tr>
<td>Sexual interest in children—phallometric assessment</td>
<td>.32</td>
<td>10 (1,278)</td>
</tr>
<tr>
<td>Any deviant sexual interest</td>
<td>.31</td>
<td>16 (2,769)</td>
</tr>
<tr>
<td>Psychopathy as measured by PCL-R</td>
<td>.29</td>
<td>13 (2,783)</td>
</tr>
<tr>
<td>Impulsivity, recklessness</td>
<td>.25</td>
<td>6 (775)</td>
</tr>
<tr>
<td>Any deviant sexual preference—phallometric assessment</td>
<td>.24</td>
<td>13 (2,180)</td>
</tr>
<tr>
<td>Attitudes supportive of sexual offending</td>
<td>.22</td>
<td>9 (1,617)</td>
</tr>
<tr>
<td>Employment instability</td>
<td>.22</td>
<td>15 (5,357)</td>
</tr>
<tr>
<td>Antisocial personality disorder</td>
<td>.21</td>
<td>12 (3,267)</td>
</tr>
<tr>
<td>Paraphilic interests</td>
<td>.21</td>
<td>4 (477)</td>
</tr>
<tr>
<td>Hostility</td>
<td>.17</td>
<td>9 (1,960)</td>
</tr>
</tbody>
</table>

Source: Hanson and Bussière (1998); Hanson and Morton-Bourgon (2005)
Note: k is the number of studies; values in parentheses represent number of offenders.
<table>
<thead>
<tr>
<th>Variables</th>
<th>RRASOR (Hanson, 1997)</th>
<th>SORAG (Quinsey et al., '98)</th>
<th>Static-99 (Hanson &amp; Thornton, 2000)</th>
<th>SONAR (Hanson &amp; Harris, 2001)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-demographic/economic factors</td>
<td>Less than 25 years old</td>
<td>Less than 27 years old; never been married</td>
<td>Less than 25 years old; never been married</td>
<td>None</td>
</tr>
<tr>
<td>Familial/environmental factors</td>
<td>None</td>
<td>Not lived with parents to age 16</td>
<td>None</td>
<td>Negative social influences</td>
</tr>
<tr>
<td>Behavioural factors</td>
<td>None</td>
<td>Behavioural problems at school</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Attitudes/personality traits/mental disorders</td>
<td>None</td>
<td>Deviant sexual preferences Psychopathy Personality disorder History of alcohol abuse Schizophrenia</td>
<td>None</td>
<td>Intimacy deficits Attitudes supportive of rape/child molestation Poorly controlled expressions of sexual impulses Ability to self-monitor/conform to community supervision</td>
</tr>
<tr>
<td>Situational/contextual factors</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Substance abuse problems Anger/hostility Negative moods Victim access</td>
</tr>
<tr>
<td>Criminal activity factors</td>
<td>Prior sexual crimes Male victim Extrafamilial victim</td>
<td>Number of convictions for sexual crimes History of property crimes History of violent crimes Sexual crimes against young girls (less than 14 years old)</td>
<td>Prior sexual crimes Male victim Extrafamilial victim Stranger victim Sexual crime without contact Number of prior non-sex crimes Number of prior violent crimes</td>
<td>None</td>
</tr>
<tr>
<td>Other factors</td>
<td>None</td>
<td>Failure of conditional release</td>
<td>Number of sentences</td>
<td>None</td>
</tr>
</tbody>
</table>
Risk Assessment of Sexual Recidivism

The multidimensional nature of sexual recidivism risk has been acknowledged in the development of several risk assessment tools based on variables that are empirically relevant to the prediction of sexual recidivism. Most risk decisions require considerations of two different concepts: (1) stable propensities to reoffend and (2) dynamic factors that indicate the onset of new offences (Hanson, 2001). The instruments commonly used in the risk assessment of sex offenders are the RRASOR (Hanson, 1997), SORAG (Quinsey, Harris, Rice, & Cormier, 1998), Static-99 (Hanson & Thornton, 2000), and SONAR (Hanson & Harris, 2001). Table 2 highlights the various risk factors measured in these risk assessment tools.

RRASOR

Developed by Hanson (1997), the RRASOR is a basic actuarial tool designed to measure four static risk factors relevant to the prediction of sexual recidivism. These variables cover the dimensions of socio-demographic characteristics, offence history, and victim characteristics. The RRASOR is typically used for screening offenders into preliminary risk categories. The main strengths of the RRASOR are its brevity and ease of administration because of its reliance on accessible file data. The main limitations are an emphasis on static factors, with no focus on deviant sexual preferences, which has been shown to be a strong dynamic predictor of sexual recidivism. The original validation study has shown it to be a strong predictor of sexual recidivism (AUC = .73). Several cross validation studies have reported similar results (Hanson & Thornton, 2003; Barbaree, Seto, Langton, & Peacock, 2001; Sjöstedt & Långström, 2002; Hanson & Harris, 2000; Langton, Barbaree, Seto, Peacock, Harkins, & Hansen, 2007).
SORAG

The SORAG was developed by Quinsey et al. (1998) as an enhanced version of the VRAG for sex offenders. It considers variables empirically and theoretically related to violent and sexual recidivism. The 14-item scale was developed using a sample of sex offenders assessed at a maximum-security forensic mental health institution. It consists of static and dynamic variables relating to sociodemographic data, childhood problems, adult adjustment, characteristics of the index offence, and psychological assessment variables. In the original validation study it was shown to be a moderate predictor of sexual recidivism (AUC = .75). Since then, several studies have empirically validated these results (Hanson & Thornton, 2003; Barbaree et al., 2001; Nunes, Firestone, Bradford, Greenberg, & Broom, 2002; Rice & Harris, 2002; Langton et al., 2007).

Static-99

Hanson and Thornton (2000) introduced the Static-99 as a tool to assess the long-term potential for sexual and violent recidivism. It was constructed by consolidating the RRASOR with an unpublished non-actuarial tool, and is frequently used in the identification of persistent sex offenders. It considers ten static risk factors empirically related to sexual recidivism. The ten risk factors measure five risk dimensions: (1) sexual deviance; (2) range of available victims; (3) persistence; (4) antisociality, and; (5) age (young). Its main limitation is an emphasis on static variables. Given the absence of dynamic factors, the Static-99 is not useful in predicting treatment targets, measuring changes in risk levels, evaluating treatment benefits, and predicting situations where sex offenders are at greatest risk to reoffend. The scale was tested on four samples of sex offenders and has shown to be a moderate predictor of sexual recidivism (AUC = .71). It has received empirical validation in several studies.
(Hanson & Thornton, 2003; Barbaree et al., 2001; Harris, Rice, Quinsey, Lalumière, Boer, & Lang, 2003; Looman, 2006; Nunes et al., 2002; Langton et al., 2007).

**SONAR**

Created by Hanson and Harris (2001), the SONAR, like the Static-99 is a tool commonly used to screen for persistent sex offenders. It combines two risk assessment tools, the Stable and the Acute. It is useful for the risk management of sex offenders because of its ability to evaluate changes in risk and identify supervision targets. The scale is composed of five dynamic stable factors (intimacy deficits, negative social influences, attitudes tolerant of sexual offending, sexual self-regulation, and general self-regulation) and four dynamic acute factors (substance abuse, negative mood, anger, and victim access).\(^2\) Overall, the scale was a moderate predictor of sexual recidivism (AUC = .74).

**Limitations of Risk Assessment Tools**

Actuarial risk assessments have been increasingly used to identify persistent sex offenders for specific legal measures (Hanson, 1998). This seems to be influenced by the notion that clinical judgments are no better than chance at predicting sexual recidivism (Hanson & Bussière, 1998). However, opinions remain divided on the usefulness and predictive accuracy of actuarial tools. Hanson (1998) argues that the predictive accuracy of actuarial tools is as good or even outperforms guided clinical assessments. Others have contended that actuarial risk assessments may only be useful for identifying group risk, but not specific risk for individuals in that group (La Fond, 2005). Furthermore, Hart, Michie,

---

\(^2\) Hanson (2001) defines stable dynamic risk factors as those that predict recidivism risk over weeks and months (e.g., alcoholism, mood disorder) and acute dynamic risk factors as those that predict recidivism risk in terms of moments and days (e.g., drunkenness, mood).
and Cooke's (2007) recent study cited poor precision in risk estimates at both individual and group levels in the VRAG and Static-99. In fact, the accuracy was so poor at the individual level that the results were essentially insignificant. The problem of low base rates of sexual recidivism has also had an adverse affect on predictive accuracy (Quinsey et al., 2006).

With the exception of the SONAR, which was designed to assess changes in risk of reoffending, most risk assessment scales for sex offenders focus on static, historical factors. Since there is little empirical knowledge about the characteristics of high-risk sex offenders, there are no tools assess their risk or even the risk of specific types of sex offenders. For sex offenders legally designated as high-risk to reoffend, it becomes impossible to determine changes in risk levels in the community. Even more compelling is the lack of evidence supporting the effectiveness of the current risk assessment instruments in predicting the risk of sexual recidivism in high-risk offenders. Since most risk assessments are based on predictors related to sexual recidivists, but not high-risk offenders, their ability to generalize to high-risk sex offender populations is uncertain. Even in light of these limitations, the same risk assessment tools are used to assess the risk of high-risk sex offenders. These limitations have implications for risk management.

Implications for Risk Management

The available data suggest that most sex offenders do not recidivate, and if they do, most commit nonsexual crimes. This complicates the risk management of convicted sex offenders in the community, since the index offence is not necessarily a reliable predictor of future criminal behaviour for all sex offenders. However, there exists a small sub-group of sex offenders who sexually recidivate at a higher rate than the general offending population. The literature on sexual recidivism is extensive and has allowed for specific conclusions to be
drawn on characteristics of sexual recidivists. Based on the available data, the typical profile of a sexual recidivist is one of an impulsive, antisocial, sexual deviant, who has a diverse criminal history, possesses attitudes tolerant of sexual offending, exhibits intimacy deficits, is preoccupied with sexual thoughts and behaviours, and has a poor record of complying with supervision. Nonetheless, future research needs to focus on identifying the characteristics specific to persistent sex offenders so that effective strategies can be developed for managing their risk in the community. The research has identified mainly static factors, with some attention to the dynamic risk factors that are of concern for criminal justice practitioners charged with the community supervision of high-risk sex offenders. However, at this point, it is unclear whether those characteristics are considered by criminal justice practitioners working with high-risk sex offenders in the community. Even more importantly, we are unsure whether criminal justice policies are based on the current empirical knowledge on persistent sex offenders. In other words, it is difficult to determine whether criminal justice policies and legal dispositions are targeting sex offenders that pose an elevated risk of sexual offending.

**Legal Dispositions for Persistent Sex Offenders**

An historical overview of sex offender legislation reveals an ongoing debate of whether sex offenders should be handled by the mental health or criminal justice system (La Fond, 2005). Researchers have generally recognized three important periods in the evolution of interventions for sex offenders: the clinical model, the legal model, and the community protection model (Lieb et al., 1998).
The Clinical Model

The clinical model has focused on the medical aspect of sexual deviance, the importance of a specific therapeutic intervention, and the ability of clinicians to predict reoffending. Most notably, this period witnessed the emergence of sexual psychopath statutes. In the 1930s as psychiatry gained acceptance and popularized, the United States became the first country to experiment with sexual psychopath statutes (Sutherland, 1950). These laws allowed for the involuntary indeterminate civil commitment of sex offenders considered dangerous and mentally disordered (La Fond, 2005). The rationale for these laws was that some sex offenders were particularly dangerous to the public and their behaviour was the result of a clinically diagnosable and treatable mental or personality disorder (Petrunik, 2002). However, by the 1960s concerns over the accuracy of psychiatric determinations of dangerousness and treatment efficacy, and a renewed interest in offender due process served as the impetus for the dissolution of these laws and the surfacing of the legal model (ibid.).

The Legal Model

Following the demise of sexual psychopath statutes and the rehabilitative ideal in the 1970s and 80s, the legal model emerged and the criminal justice system assumed the lead role in dealing with sex offenders (Petrunik, 2002; Simon, 1998). Lawmakers addressed the inability of clinicians to determine dangerousness and the ineffectiveness of coercive treatment, and legislated voluntary treatment and determinate sentences (La Fond, 2005). These legal reforms were based on the assumption that sex offenders were not mentally disordered; instead, there were considered as individuals making rational choices, carefully weighing the costs and benefits of their actions. As such, sexual crimes were considered the
result of a rational decision made by the offender to use coercion in a sexual context. In Canada, this period was characterized by the re-definition of sexual offences, moving away from the definition of rape to that of sexual assault where the level of violence became the primary concern (Lieb et al., 1998). However, the emergence of the community protection model pulled the law’s focus away from the offender and towards the community.

**The Community Protection Model in the United States**

In the late 1980s victim, children, and women’s rights groups began to voice their concerns over the criminal justice system’s lenient approach to sex offenders and the lack of attention to public safety (Petrunik, 2003). They lobbied for sentences proportionate to the psychological harm endured by victims and improved public safety through “right-to-know” campaigns (Petrunik, 2002). As a result, there was a shift towards a community protection model. In this model, offender rights are secondary to the rights of victims. The primary focus becomes the identification and management of high-risk offenders (Petrunik, 2003). The evolution of the community protection model can be further contextualized in the ideological shift of the penal system away from rehabilitating offenders and towards the new penology (Feeley & Simon, 1992; Simon, 1998). The new penology encompasses a risk-focused approach to sex offending and crime in general. It is concerned with the identification, classification, and management of different categories of offenders (Feeley & Simon, 1992).

Risk management is the primary method for dealing with sex offenders in the community protection model, reflective of the paradigm shift from dangerousness to risk (Winick, 1998). In light of concerns over poor accuracy of clinical judgments and the popularization of actuarial risk assessments, the traditional prediction model—characterized
by a dichotomous, static prediction of risk, was replaced by the risk management model (ibid.). Essentially, risk management encompasses a dynamic concept of risk and considers risk-relevant information over time as well as behaviour modification in response to treatment (Ward & Marshall, 2004). It provides legal decision makers with information about treatment progress, offender deficits, and changes in risk levels (Heilbrun, Nezu, Keeney, Chung, & Wasserman, 1998). Therefore, the focus is on the management and reduction of recidivism risk through various treatment and intervention strategies (Winick, 1998; Heilbrun, 1997). Risk management can also be understood from a public health perspective in that it takes a harm-reduction approach, striving to eliminate or reduce the harm caused by deviant behaviour and promote client advocacy and self-efficacy (Laws, 2003a). The risk management model presents many benefits, including providing feedback to offenders for behaviour modification and incentive to change their risk status (Winick, 1998). Risk management processes have been said to dominate our current legal and policy responses to sex offenders (Hebenton & Thomas, 1996).

The Community Protection Act, 1990 was first introduced in Washington State in response to the sexual murder of a male youth. It allowed for the civil commitment of those deemed sexually violent predators, and the development of the sex offender registry and community notification (Petrunik, 2003). Shortly after, federal laws including the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, 1994 and Megan’s Law, 1996 were introduced. Under these laws, states were compelled to establish sex offender registries and community notification protocols or face funding cuts to law enforcement (Petrunik, 2002; Lieb et al., 1998). Even though Canada has been more cautious in their approach than the United States (Petrunik, 2003), the influences of the new
penology and the community protection model are evident in contemporary Canadian sex offender laws.

The Community Protection Model in Canada

In response to highly publicized sexual victimizations in the 1990s, Canadian lawmakers hastily passed a set of legal provisions targeting a sub-group of sex offenders (Petrunik, 2003). Specifically, DO legislation, the LTO provisions, community notification, and section 810 recognizance orders have evolved as the most significant legal mechanisms for dealing with high-risk sex offenders in Canada today. In the following sections, the current state of knowledge regarding those criminal justice policies and legislation, and their application will be reviewed.

DO and LTO Legislation

Canadian legislation dealing with DOs is possibly Canada’s most controversial preventive legal mechanisms for offenders considered at risk for future violence and/or sexual violence. DO legislation is not a recent phenomenon in Canada. Since its inception in 1947, several amendments to the law have attempted to increase the scope of its application, one of those being the creation of the LTO category. In 1947, the federal government introduced habitual offender legislation, which targeted individuals with extensive criminal records, effectively removing them from society for an indeterminate period (Lieb et al., 1998). One year later in 1948, the Criminal Code Amendment Act legislated criminal sexual psychopath provisions that required clinicians to identify and treat dangerous sex offenders (Petrunik, 1994). In an attempt to resolve the vagueness of the term “criminal sexual psychopath,” An Act to Amend the Criminal Code, 1960-61 changed the designation of “criminal sexual psychopath” to “dangerous sexual offender” (Lieb et al., 1998). Finally in
1977, the CCC was amended, resulting in the removal of habitual offender and dangerous sexual offender provisions in favour of a section named “Dangerous Offenders” in Part XXIV CCC (Solicitor General Canada, 2001). The new provisions in Part XXIV CCC required that an individual must be convicted of a serious personal injury offence. In these cases, judges were awarded the discretion to proceed with either an indeterminate or determinate sentence (Solicitor General Canada, 2001). In 1997, Bill C-55 amended the CCC, mandating an indeterminate sentence for all DO findings and creating the new designation of LTO.

Figure 1. Criteria for Finding of DO in Section 753.1(1) CCC

An application is successful when the court is satisfied the accused constitutes a threat to the life, liberty and security of other persons on the basis that the accused has:

(i) demonstrated a pattern of repetitive behaviour causing death or injury, and that this behaviour is likely to occur in the future;
(ii) shown a pattern of persistent aggressive behaviour irrespective of the foreseeable negative consequences to other persons;
(iii) committed offences of such a brutal nature that it is unlikely that future behaviour will be inhibited by normal behavioural restraints, and;
(iv) shown a history of failure to control sexual impulses.

The purpose of the current DO legislation is “to provide a mechanism that allows dangerous convicted offenders to be removed from society for an indeterminate period” (Solicitor General Canada, 2001, p. 70). Typically, the Crown applies for a DO designation following a conviction of a serious personal injury offence and prior to sentencing. The Crown can then apply for a behavioural assessment under section 752.1(1) CCC. If the

---

3 A serious personal injury offence is defined in section 752 CCC. Some examples of offences include: aggravated sexual assault, kidnapping, manslaughter, conspiracy to commit murder, and invitation to sexual touching.

4 Other amendments to DO legislation include: (i) increasing the efficiency of the DO hearing process; (ii) providing Crown with a six month window period post sentencing to make a DO application, and; (iii) requiring a first parole review after seven years instead of three (Trevethan, Crutcher, & Moore, 2002).
court is satisfied that there are reasonable grounds for a finding of DO, the court can remand the individual for a period of two months to conduct an expert-led assessment (Solicitor General Canada, 2001). Figure 1 outlines the four criteria for a finding of DO in Section 753.1(1) CCC. Once a finding for DO has been satisfied, the court may impose an indeterminate sentence. However, if the offender fails to meet the above criteria, but still represents a substantial risk\textsuperscript{5} to reoffend, the court may find the offender an LTO (Solicitor General Canada, 2001).

The LTO designation typically targets warrant-expiry sex offenders who pose a substantial risk of committing future sexual offences, but do not meet the criteria for a DO (Solicitor General Canada, 2001). The purpose of this legislation is to provide sex offenders who present a substantial but manageable risk with intensive supervision and treatment in the community (ibid.). While LTOs are usually the product of failed DO applications, they can be brought as stand-alone applications, and therefore, require similar assessment procedures as DO applications (Solicitor General Canada, 2001). Upon a successful finding of LTO, the court is required to impose a minimum sentence of two years for the convicted index offence followed by a supervisory period in the community under a LTSO not exceeding ten years (Canadian Criminal Justice Association, 2007). LTOs in the community must abide by release conditions, which typically include keeping the peace, not possessing firearms, participating in treatment, etc. (Solicitor General Canada, 2001). According to the CCC, failure to comply with these conditions is an indictable offence and carries a penalty of imprisonment not exceeding ten years.

\textsuperscript{5} Substantial risk is defined in section 753.1(2) CCC. An offender is considered to pose a substantial risk if he/she has been convicted of serious sexual conduct and has shown a pattern of repetitive behaviour that is likely to cause death or harm to other persons in the future.
Descriptive Profile of Canada’s DOs and LTOs

Few empirical studies have attempted to provide a descriptive profile of Canada’s DOs and LTOs. A recent study by Trevethan et al. (2002) examined the characteristics of DOs and LTOs in Canada. Overall, little differences between DOs and LTOs were observed on a number of variables. Their study reported jurisdictional differences in the distribution of DOs and LTOs. Most DOs resided in Ontario and British Columbia, whereas the largest portions of LTOs were in Quebec and the Prairie Provinces. A summary of the main findings is illustrated in Table 3.

Table 3. Comparison of the Descriptive Profiles of DOs and LTOs from Trevethan et al.’s (2002) Study

<table>
<thead>
<tr>
<th>Variables</th>
<th>Key Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sociodemographics</td>
<td>DOs and LTOs are generally similar in their socio-demographics</td>
</tr>
<tr>
<td></td>
<td>They tend to be single, Aboriginal males, approximately 40 years of age, have</td>
</tr>
<tr>
<td></td>
<td>grade nine education or less, and were unemployed at the time of arrest⁶</td>
</tr>
<tr>
<td>Criminal history</td>
<td>Criminal history was more extensive for DOs than LTOs</td>
</tr>
<tr>
<td></td>
<td>The majority of DOs (80%) and LTOs (75%) had three or more previous victims</td>
</tr>
<tr>
<td></td>
<td>DOs were more likely to victimize strangers, specifically adult females</td>
</tr>
<tr>
<td></td>
<td>LTOs tended to victimize children of both sexes</td>
</tr>
<tr>
<td>Injury</td>
<td>DOs caused greater physical and psychological harm to their victims than</td>
</tr>
<tr>
<td></td>
<td>LTOs</td>
</tr>
<tr>
<td>Risk/ Needs</td>
<td>Nearly all DOs and LTOs were classified as high-risk to reoffend and high</td>
</tr>
<tr>
<td></td>
<td>needs</td>
</tr>
<tr>
<td></td>
<td>No differences between the groups existed in terms of level of risk, but DOs</td>
</tr>
<tr>
<td></td>
<td>were rated slightly higher needs than LTOs</td>
</tr>
</tbody>
</table>

Their results suggest DO provisions seemed to be targeting older offenders who are in the later stages of their offending careers. Since the purpose of the DO designation is to target offenders with a proclivity for repetitive, violent criminal acts who are at substantially high-risk to reoffend, there should be observable difference between the two groups.

⁶ The results indicate that more LTOs than DOs were employed at the time of their arrest. The study’s authors hypothesize this may be reflective of a trend in sentencing where the presence of financial support is treated as a mitigating factor.
However, the results show similar criminal histories and levels of projected risk. Therefore, the LTO designation is not necessarily reflective of a more manageable offender than DOs; instead, it represents a provision to control potentially DOs, particularly sex offenders who are at an earlier stage of their criminal career. Another risk management protocol aimed at controlling sex offenders is community notification.

**Community Notification**

Originally conceived as a preventive strategy against predatory sexual aggression against children (Levenson & Cotter, 2005), community notification has received growing support in the last two decades based on the assumption that convicted sex offenders specialize in sexual crimes. Even though studies have shown sexual offender recidivism is lower than other offending populations (Hanson & Bussière, 1998; Hanson & Morton-Bourgon, 2005; etc.), community notification has expanded to become inclusive of all sex offenders. Its purpose is to promote community awareness of sex offenders and deter offenders by limiting their opportunities to access victims (Tewksbury, 2005). However, the common dilemma experienced has been achieving a delicate equilibrium between the public's right to know and the need to reintegrate offenders into the community (Zevitz & Farkas, 2000b).

In Canada, the Correctional Service of Canada (CSC) is responsible for releasing all information pertinent to decision making on the release, supervision, and surveillance of sex offenders to bodies charged with the task of supervising sex offenders, including parole boards, law enforcement, and probation (Lieb et al., 1998). Unlike the United States, Canadian provinces are not compelled by law to notify the community of convicted sex offenders. However, most provinces have adopted notification protocols for sex offenders.
Notifications are typically issued by law enforcement agencies via media releases and flyers in the community (Lieb et al., 1998). For example, in Manitoba, the Community Notification Advisory Committee composed of criminal justice representatives from all levels of government makes decisions about community notification based on whether the offender poses a continuing risk to reoffend (ibid.). Similarly, in British Columbia, the High-Risk Recognizance Advisory Committee (HRRAC) composed of law enforcement, probation, psychiatrists, and psychologists typically reserves community notification for convicted sex offenders, many of whom are subject to section 810 recognizance orders and have been designated as posing risk or harm to the public. The evidence seems to suggest that this balance has been difficult to achieve, insofar as the unintended or untherapeutic consequences of community notification have received increased attention in the criminological literature over the years. Negative psychosocial effects on offenders, reintegration difficulties, safety issues, increased workload for practitioners, and insignificant differences in sexual recidivism rates are frequently cited collateral consequences of community notification.

Psychosocial Effects on Offenders

An emerging area of research has investigated the psychosocial impact of community notification on sex offenders attempting to reintegrate into the community. Levenson, D'Amora, and Hern's (2007) survey of 239 registered sex offenders in Connecticut and Indiana found that the majority of sex offenders reported feeling psychosocial distress, including feelings of isolation, shame, embarrassment, hopelessness, and problems in social and family relationships because of public disclosure of their sex offender status. Levenson and Cotter (2005) reported similar results of negative effects such as stress, feelings of fear
of assault, and loss of relationships. The majority of the sample of sex offenders in Zevitz and Farkas' (2000a) study also reported being the frequent targets of threats and harassment by neighbours and strangers as well as feeling humiliated and ostracized by their community. Some studies have found that community notification has had an impact on offenders’ compliance with supervision.

**Compliance With Supervision**

The research was somewhat divided on the impact of notification on offender compliance with supervision. Zevitz and Farkas' (2000b) study found that community notification put stress on the supervisory relationship with their parole/probation officers. Offenders were generally resentful for being subjected to what they perceived were unnecessary constraints and conditions. Other studies reported positive effects. The majority of the sex offenders in Levenson et al.'s (2007) sample felt notification inspired motivation to prevent reoffending and one third agreed that they were more willing to manage their risk factors because of community notification. Similar findings were observed in Levenson and Cotter's (2005) study in which sex offenders endorsed notification for encouraging honesty with peers and family and motivation to remain offence free in the community because of community surveillance. The criminological literature has also examined the effect of community notification on finding and maintaining residence and employment.

**Residence and Employment**

The research suggests that community notification has had a significant impact on securing residence and employment for sex offenders. For many sex offenders, housing and employment were significant impediments to reintegration. In Zevitz and Farkas' (2000a)
study, loss of employment and exclusion of residence were frequently reported negative consequences of notification. Several participants in Levenson et al.'s (2007) study communicated difficulties with securing and maintaining employment and housing because of their publicized sex offender status. Furthermore, in Levenson and Cotter's (2005) study, serious negative consequences such as loss of employment or home were reported by less than one third of the sample. Others studies have focused on the consequences of community notification for those who work with sex offenders.

**Impact on Practitioners' Work With Sex Offenders**

Few studies have explored the impact of community notification on practitioners involved in the case management of sex offenders. The main conclusion to be drawn from these studies is that community notification presents several operational issues for practitioners. Zevitz and Farkas (2000b) looked at the impact of community notification on probation and parole in Wisconsin, based on surveys of 205 probation and parole agents from units with sex offender caseloads as well as field observations at the unit and regional levels. Overall, they found that community notification created high costs for corrections in terms of personnel, time, and budgetary resources. Agents devoted much of their time to finding residence and transportation for offenders, often resulting in less time for other offenders on their caseload. Sex offenders subject to community notification required frequent supervision contacts and other labour-intensive supervision strategies, such as electronic monitoring. Many respondents also reported undue increased supervisory pressure, attributed to a lack of understanding from management of the effort sex offender cases demand. Solutions to these difficulties were offered, including increased collaboration with law enforcement and corrections and training for all parties involved in sex offender
management and supervision. Other studies have looked at the implications of community notification for law enforcement.

Matson and Lieb's (1996) small survey of police chiefs, police detectives, and sheriffs in Washington State's sixteen largest cities offers insight into the effects of community notification from a law enforcement perspective. Community notification created extra work for law enforcement. Police also felt that jurisdictions did not have adequate funding or resources to support community notification. They also reported problems with obtaining information from other law enforcement agencies and the court, due in part to sluggish returns on information requests and a lack of uniformity in notification protocols across jurisdictions. Another interesting area of research has been the effect of community notification on sexual recidivism rates.

**Effect on Sexual Recidivism Rates**

Community notification is based on the assumption that convicted sex offenders specialize in sexual crimes. Therefore, warning potential victims of a sex offender living in their area may prevent future victimization. Few studies have measured the effectiveness of community notification by comparing recidivism rates for sex offenders subject to community notification to those that are not. Most studies have found that community notification has had little or no impact on reductions in recidivism rates. For example, Schram and Milloy (1995) compared recidivism rates\(^7\) of 90 adult high-risk sex offenders subject to the highest level of community notification in Washington State to a sample of 90 sex offenders from a previous study sharing similar characteristics, but not subject to

---

\(^7\) Schram and Molloy (1995) defined recidivism as "all new arrests and convictions both within and outside of the State of Washington" (p. 6).
notification. At the end of the four and a half year follow-up period, the extensive notification group sexually recidivated at a slightly lower rate (19%) than the comparison group (22%). These differences were not found to be statistically significant. Similarly, no statistical differences were found in Zevitz's (2006) study of recidivism patterns of 47 high-risk sex offenders subject to high-level notification and 166 high-risk sex offenders not subject to community notification. However, slightly higher sexual recidivism rates were observed in the notification group (19%) at the end of the four and half year follow-up than the comparison group (12%).

The available evidence seems to suggest that community notification has created primarily negative consequences for offenders and practitioners in practical and psychosocial domains. For offenders, community notification can have a “critical impact on the minimum essentials” (Zevitz & Farkas, 2000a) required for their successful reintegration in the community. These difficulties may prove difficult in the risk management of sex offenders as they may aggravate risk factors for recidivism and initiate the offending cycle. Furthermore, there is some evidence to suggest that community notification is not fulfilling its policy intent of preventing sexual victimization, supported by the insignificant differences in recidivism rates between sex offenders subject to community notification and those that are not.

---

8 Recidivism was defined in this study as “any resentencing of offenders to prison for new crimes committed, or any prison returns due to having violated a condition of their release” (Zevitz, 2006, p. 196).
Section 810 Recognizance Orders (Peace Bonds)

History

Like DO provisions, section 810 recognizance orders or peace bonds are not a new legal phenomenon. In fact, peace bonds have existed in the CCC since 1892 (Solicitor General Canada, 2001). These orders function as a legal tool for the supervision and management of high-risk offenders in the community. They are intended for individuals who pose a significant foreseeable risk of committing future violent or sexual offences.

During the 1990s, the federal government tabled legislation allowing for the introduction of sections 810.1 and 810.2 provisions. Section 810.1 targets individuals who are feared to commit a sexual offence against a child under the age of fourteen. Section 810.2 is intended for individuals feared of committing a serious personal injury offence, including sexual offences. Sections 810.1 and 810.2 orders differ from DO and LTO designations because individuals need not commit a crime to be eligible for them (Solicitor General Canada, 2001).

Provisions

While any individual can apply to the court for a recognizance order, the Crown or police typically apply for them. An application is usually initiated prior to the release of warrant-expiry offenders, mainly untreated sex offenders (Solicitor General Canada, 2001). An application is successful if the individual bringing forth the order can demonstrate to the court that there is reason to believe the subject of the order is at risk of violently or sexually victimizing a named person or group of persons. In BC, the HRRAC is primarily responsible for initiating section 810 recognizance applications, usually following the referral of the offender’s file from the Correctional Service of Canada’s Warrant Expiry Date.
Coordinator (Rankin, Maedel, & Logan, 2007). Once granted, the recognizance order is enforceable for a period of one year; however, Crown or police often reapply for renewals. Attached to this order are a number of conditions, which may include the requirement to report to police on a scheduled basis, participation in counselling or treatment, firearm restrictions, and “no go” conditions, etc.9

Lussier, Deslauriers-Varin, and Râtel (2007) are the only researchers to date, to offer a descriptive profile of this subpopulation of sex offenders. Their sample included all offenders (n = 45) issued a section 810.1 or 810.2 recognizance order between April 1st 2006 and March 31st 2007 in the province of British Columbia, Canada. Most of the offenders in the sample were sex offenders (69%; n = 31). They analyzed secondary data from correctional files, including socio-demographic characteristics, scores on the risk assessment tools (Static-99 and Stable) and criminal history. Their initial findings suggest that sex offenders under a section 810 order are typically Caucasian males in their forties. Half of the sex offenders (50%) were sexual recidivists, having two or more convictions for sexual crimes. Child molesters (68%) constituted a large proportion of offenders. As a group, the vast majority of sex offenders (86.7%) scored medium to high risk on the Static-99. The results indicate that sex offenders under an 810 recognizance order were slightly higher risk than those reported in the literature. The majority of sex offenders (90.4%) had scores ranging in the medium and high-risk range for the Stable (see Table 4). However, the group appeared to be heterogeneous in risk. When considering both the Static-99 and the Stable, they found that 30% of sex offenders were assessed at medium risk to reoffend, while 10% were assessed at low risk. The authors attribute this observed heterogeneity in risk to the

9A list of conditions that have been used on section 810.1 orders is offered in the Appendix.
court’s consideration of risk factors pertinent to decision making that are not necessarily reflected in the risk assessments tools (e.g., psychopathy). They reported a general recidivism rate of 25.8% after one year; 19.4% were for a breach of conditions; 6.5% were categorized as non-sexual, non-violent; and 9.7% were non-sexual violent offences. No new sexual offences were reported. For general recidivism, dynamic risk factors such as antisociality and non-compliance with supervision were shown to be promising predictors.

Table 4. Dynamic Risk Factors of Sex Offenders Under an 810 Recognizance Order

<table>
<thead>
<tr>
<th>Stable Items (Hanson &amp; Harris, 2001)</th>
<th>Entire Sample (n=59)</th>
<th>810.1 order (n=40)</th>
<th>810.2 order (n=19)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1: Negative social influences</td>
<td>Low: 45.8%</td>
<td>52.5%</td>
<td>31.6%</td>
</tr>
<tr>
<td></td>
<td>Medium: 32.2%</td>
<td>30.0%</td>
<td>36.8%</td>
</tr>
<tr>
<td></td>
<td>High: 22.0%</td>
<td>17.5%</td>
<td>31.6%</td>
</tr>
<tr>
<td>Item 2: Intimacy deficits</td>
<td>Low: 2.0%</td>
<td>0.0%</td>
<td>5.6%</td>
</tr>
<tr>
<td></td>
<td>Medium: 2.0%</td>
<td>0.0%</td>
<td>5.6%</td>
</tr>
<tr>
<td></td>
<td>High: 96.0%</td>
<td>100.0%</td>
<td>88.9%</td>
</tr>
<tr>
<td>Item 3: Sexual self-regulation</td>
<td>Low: 13.7%</td>
<td>18.2%</td>
<td>5.6%</td>
</tr>
<tr>
<td></td>
<td>Medium: 37.3%</td>
<td>33.3%</td>
<td>44.4%</td>
</tr>
<tr>
<td></td>
<td>High: 49.0%</td>
<td>48.5%</td>
<td>50.0%</td>
</tr>
<tr>
<td>Item 4: Attitudes supportive of sexual assault</td>
<td>Low: 13.7%</td>
<td>21.2%</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Medium: 49.0%</td>
<td>48.5%</td>
<td>50.0%</td>
</tr>
<tr>
<td></td>
<td>High: 37.3%</td>
<td>30.3%</td>
<td>50.0%</td>
</tr>
<tr>
<td>Item 5: Lack of cooperation with supervision</td>
<td>Low: 37.3%</td>
<td>42.4%</td>
<td>27.8%</td>
</tr>
<tr>
<td></td>
<td>Medium: 41.2%</td>
<td>36.4%</td>
<td>50.0%</td>
</tr>
<tr>
<td></td>
<td>High: 21.6%</td>
<td>21.2%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Item 6: General self-regulation deficits</td>
<td>Low: 17.6%</td>
<td>18.2%</td>
<td>16.7%</td>
</tr>
<tr>
<td></td>
<td>Medium: 33.3%</td>
<td>39.4%</td>
<td>22.2%</td>
</tr>
<tr>
<td></td>
<td>High: 49.0%</td>
<td>42.4%</td>
<td>61.1%</td>
</tr>
</tbody>
</table>

Total score on the Stable

<table>
<thead>
<tr>
<th>X:7.14</th>
<th>6.70</th>
<th>8.11</th>
</tr>
</thead>
<tbody>
<tr>
<td>SD: 2.56</td>
<td>2.45</td>
<td>2.59</td>
</tr>
<tr>
<td>Range: 1-11</td>
<td>1-11</td>
<td>2-11</td>
</tr>
</tbody>
</table>

Risk status based on the Stable

| Low: 16.9% | 20.0% | 10.5% |
| Medium: 44.1% | 52.5% | 26.3% |
| High: 39.0% | 27.5% | 63.2% |

Source: Lussier, Dahabieh, & Deslauriers-Varin, 2008

Implications for Risk Management

The results suggest that 810 recognizance orders are not targeting persistent sex offenders, as illustrated by the heterogeneity of risk levels in the 810 population in British
Columbia. At best, this legislation has identified an at-risk population of sex offenders, albeit a population at risk of committing mainly nonsexual offences. This may complicate the case management duties of criminal justice practitioners, especially probation officers and outreach workers whose role it is to stabilize the risk factors of 810 offenders in the community and facilitate community re-entry. As supported in the literature, risk management can be further complicated by community notification, which can create reintegration difficulties for offenders and aggravate pre-existing risk factors. Ultimately, effective risk management is contingent on the proper identification of the salient risk factors for this population of sex offenders, an understanding of the impact of the reintegration process on risk to reoffend, and recognition of society’s responsibility to facilitate the re-entry of sex offenders into the community.

Summary

The available evidence suggests that the risk of sexual recidivism for sex offenders is low. However, there is a sub-group of sex offenders that exhibit a tendency to persist in sexual crimes. Several studies have attempted to identify characteristics of persistent sex offenders. Based on the meta-analyses it can be concluded that persistent sex offenders are antisocial sexual deviants who are preoccupied with sexual thoughts and behaviours, exhibit poor self-regulation and intimacy deficits, and have attitudes supportive of sexual offending. Based on these characteristics, risk assessments were constructed to screen for sexual recidivists. However, risk assessments cannot predict sexual recidivism with 100% certainty; in fact, many studies have shown that predictive accuracy is fair, at best. This has significant implications for the application of the community protection model in criminal justice policies aimed at preventing sexual victimization and achieving public safety through the
identification of individuals at high-risk to sexually reoffend. Section 810 orders, in particular, involve intensive community supervision, including both formal and informal social control mechanisms. Members of the case management team—probation, police and outreach workers are key players in the risk management of sex offenders under these orders. However, not much research has been devoted to understanding their perceptions of the issues and challenges associated with the risk management of sex offenders subject to 810 orders.

**Goal of the Study**

There have been several studies conducted with offenders in the United States examining the impact of community notification and sex offender registries on their ability to reintegrate into the community. What is lacking, however, are voices from the field—that is, the perspectives of criminal justice practitioners who are charged with the task of supervising these offenders in the community and assisting with reintegration. While few studies have attempted to highlight some of the issues experienced by criminal justice practitioners, they have been limited to the impact of community notification. This study will attempt a more thorough examination and explore other areas relevant to the risk management of sex offenders identified as high-risk to re-offend, such as their risk, needs, and the challenges associated with their supervision in the community. This research is critical to the development of effective strategies for supervising and intervening with the most at-risk cases. To the extent that there has been no research on the risk factors and reintegration needs of sex offenders under an 810 order, and the constraints on case management, these aspects of the study are exploratory in nature. The goal of the study is to describe the issues criminal justice practitioners face when managing high-risk sex offenders.
subject to section 810.1 and 810.2 orders. In doing so, the study will attempt to address the following research questions:

1. What are the significant risk factors for sex offenders under an 810 order?
   i. What are the strategies for stabilizing these risk factors in the community?
   ii. How effective are the strategies?

2. What difficulties and challenges are associated with facilitating the community reintegration of these offenders?
   i. What are the strategies for dealing with these difficulties and challenges?
   ii. How effective are the strategies?

3. How does community notification affect case management and the reintegration of these offenders?

4. What are the constraints on case management?
METHODOLOGY

Sample

The sample for the study includes seventeen criminal justice practitioners involved in the community-based risk management of sex offenders under an 810 order in several rural and urban jurisdictions in British Columbia. These individuals were interviewed as part of an evaluation study of the Coordinated High-Risk Offender Management Team (CHROMe) pilot project in British Columbia, but the sample is not limited to practitioners involved in this project. CHROMe was implemented in April 2006 by the Corrections Branch of the Ministry of Public Safety and Solicitor General to provide improved supervision and services to individuals subject to 810 recognizance orders through collaborative case management, involving police services, Corrections, outreach workers, and various community stakeholders. The sample for the present study was guided by a criterion-based or purposive sampling strategy. The sampling approach can be best described as critical case sampling—in which participants are chosen based on their importance to the delivery of a process or operation; it is helpful for emphasizing particular aspects of a process and can enhance the impact of research (Patton, 2002). The sample consists of three groups of practitioners: British Columbia community corrections officers (n= 9); outreach workers (n= 4); and police investigators (n= 4).

British Columbia Community Corrections Officers (n= 9). British Columbia Corrections plays an important role in supervising 810 orders. One of the most frequent conditions of an 810 order is for offenders to regularly report to a probation officer.
Between 2006 and 2007, twenty-five community corrections officers were involved in the community supervision of these offenders across the province. Of those twenty-five, nine individuals were selected for the study based on the criterion of supervising at least three sex offenders under an 810 order up until April 30th 2007, the end of the sampling period. Three of the nine individuals were actively involved in the CHROMe project, while the other six individuals were not. Data from the interviews from both groups of community corrections officers were included in the study.

**Outreach workers (n= 4).** Data from interviews with four past and present outreach workers involved in CHROMe were included in the study. Outreach workers are vital to CHROMe in that they help facilitate the offender’s re-entry into the community and mitigate risk of reoffending by addressing immediate needs, including food, clothing and housing, and providing transportation to appointments.

**Police investigators (n= 4).** Data from interviews with four police investigators working in special units in British Columbia dealing directly with high-risk offenders, including sex offenders under an 810 recognizance order were also included in the study. Police investigators included in the sample were involved in CHROMe.

In total, twenty individuals were contacted to participate in the study. Three individuals were excluded from the study for two main reasons: (1) they did not respond to the interview request or (2) they did not meet the criteria for inclusion in the study. After these considerations, the final sample for the study consisted of seventeen criminal justice practitioners: BC community corrections staff (n= 9; participation rate= 82%), outreach workers (n= 4; participation rate= 80%); police investigators (n= 4; participation rate= 100%).
The characteristics of the sample are presented in Table 5. The mean age of the sample at the time of the interviews was 40.9 (range = 27, $SD = 7.5$) years. The majority (58%) of the sample was male, while 41% was female. Given the small sample size, data on ethnicity were re-coded into two categories: Caucasian and non-Caucasian. Slightly over half (59%) of the sample was Caucasian and 41% was non-Caucasian. For the most part, the sample was highly educated, with 59% holding Bachelor degrees, 29% with graduate degrees and 12% with some post secondary education. On average, respondents had 9.3 years (range = 26.8, $SD = 7.1$) of experience working in their respective positions. The sample reported an average of 5.6 years (range = 19.8, $SD = 5.7$) of experience working with sex offenders. Close to half of the respondents ($n = 8$) were asked how many years of experience they had working with sex offenders in the community. They reported an average of 3.3 years (range = 12, $SD = 3.9$). Some respondents ($n = 8$) were asked whether they received training for their respective positions. Half (50%) received training, while the other half (50%) did not. Lastly, some respondents ($n = 8$) were asked to report the number of years experience they had using risk assessment tools with sex offenders. The average number of years reported was 3.4 (range = 7.7, $SD = 2.7$).
Table 5. Characteristics of the Study Sample

<table>
<thead>
<tr>
<th>Variable</th>
<th>N</th>
<th>% or mean (range, SD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>17</td>
<td>40.9 (27, 7.5)</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>10</td>
<td>59%</td>
</tr>
<tr>
<td>Female</td>
<td>7</td>
<td>41%</td>
</tr>
<tr>
<td>Ethnicity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caucasian</td>
<td>10</td>
<td>59%</td>
</tr>
<tr>
<td>Non-Caucasian</td>
<td>7</td>
<td>41%</td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post-secondary</td>
<td>2</td>
<td>12%</td>
</tr>
<tr>
<td>Bachelor degree</td>
<td>10</td>
<td>59%</td>
</tr>
<tr>
<td>Graduate degree</td>
<td>5</td>
<td>29%</td>
</tr>
<tr>
<td>Years of experience in general area of work</td>
<td>17</td>
<td>9.3 (26.8, 7.1)</td>
</tr>
<tr>
<td>Years of experience working with sex offenders</td>
<td>8</td>
<td>5.6 (19.8, 5.7)</td>
</tr>
<tr>
<td>Years of experience working with sex offenders in the community</td>
<td>8</td>
<td>3.3 (12, 3.9)</td>
</tr>
<tr>
<td>Training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>4</td>
<td>---</td>
</tr>
<tr>
<td>No</td>
<td>4</td>
<td>---</td>
</tr>
<tr>
<td>Years of experience using risk assessment tools with sex offenders</td>
<td>8</td>
<td>3.4 (7.7, 2.7)</td>
</tr>
</tbody>
</table>

Procedures

The study was conducted with the permission of the Simon Fraser University Research Ethics Board. Prior to the interviews, informed consent to participate in the study was obtained from all research participants. Research participants were informed that the aim of the study was to examine their perceptions of the risk management of sex offenders serving 810 orders in the community. Participants were ensured that the purpose of the research was not to evaluate their job performance. They were also informed of the risks and benefits of the research, their right to withdraw from the study at any point without penalty, the confidentiality of their responses, and their anonymity. No incentives were given for participation in the study. The interviews were conducted by trained research assistants (n = 3), all criminology graduate students. Nine interviews were conducted in-person and eight were conducted on the telephone. Some interviews were administered on
the telephone because of the geographical distance between the interviewer and the interviewee. The interviews were completed between May and November 2007 and generally lasted sixty to ninety minutes.

Measures

The risk management of high-risk sex offenders in the community has been an area that has not received much attention in the research literature. Accordingly, research tools measuring this phenomenon are lacking. Recently, Lussier (2006) attempted to address this gap by developing a semi-structured questionnaire to measure relevant aspects of the community risk management of sex offenders subject to 810 orders. The main goal of the questionnaire was to gather data on perceptions of the pertinent risk management issues criminal justice practitioners typically face when supervising and managing the risk of sex offenders subject to 810 orders. The semi-structured questionnaire primarily consisted of open-ended questions to facilitate in-depth interviewing, while still achieving a balance of structure and flexibility (Legard, Keegan, & Ward, 2003). The questionnaire was modified for each group of participants, but there was much overlap between the questionnaires. Six main aspects of case management were explored in the questionnaire. First, interviewees were invited to reflect on their role in the risk management of sex offenders under an 810 order. Second, questions relating to the level of collaboration between parties involved in the case management of sex offenders in terms of sharing information about risk management were examined. Third, interviewees were asked to recall the risk assessment tools in their current practice with sex offenders and assess their effectiveness in identifying relevant risk factors for this subpopulation of sex offenders. Fourth, interviewers raised questions relating to the risk management of sex offenders under an 810 order. In
particular, the interviewees were invited to offer their perceptions of the risk factors characterizing this population of sex offenders and the strategies they have used to stabilize the risk factors and their effectiveness. Interviewees were also asked to brainstorm recommendations to improve the stabilization of risk factors in the community. Fifth, interviewees were invited to comment on aspects of the community reintegration process. In particular, the interviewer probed the interviewee to identify the most significant issues they experienced in facilitating the reintegration of offenders into the community and the strategies they have used to overcome challenges to reintegration and their effectiveness. In addition, they offered recommendations to facilitate the community reintegration process. The interviewees were asked to evaluate the strategies based on their perceived effectiveness using a Likert-type scale: Very successful = 0, somewhat successful = 1, somewhat unsuccessful = 3, and very unsuccessful = 3. Finally, the last section of the questionnaire addressed the significant safety issues encountered by practitioners while managing the risk of sex offenders under an 810 recognizance order.

Analytical Strategy

The goal of the analysis was to provide preliminary data about the risk management of sex offenders under an 810 order. In keeping with the purpose of the study, only interview data relevant to the risk management and community reintegration of sex offenders under an 810 recognizance order were analyzed. The analysis focused on the following four areas of interest: (i) perceptions of the risk factors characterizing sex offenders under an 810 recognizance order; (ii) perceptions of the risk management of sex offenders, including the strategies used to stabilize risk; (iii) perceptions of the issues and challenges experienced during the community reintegration process, including the strategies
used to deal with the challenges and difficulties, and; (iv) perceptions of the constraints on case management.

This study is a phenomenological inquiry into the risk management of sex offenders under an 810 recognizance order. Phenomenological inquiries strive to uncover meanings of specific phenomenon contained within conversation or text (Snape & Spencer, 2003). Prior to analysis, data from the interview transcripts were compressed into spreadsheets to facilitate coding and analysis. Content analysis was used to analyze the narratives of the criminal justice practitioners. Content analysis is a data analysis approach commonly used to make meaning of documentary materials (Noaks & Wincup, 2004). For each of the three topics, the researcher employed qualitative and quantitative content analysis to identify and quantify themes or conceptual categories in the narratives. In light of the exploratory nature of the study, an inductive approach to the analysis was favoured to allow the themes to emerge from the data. A preliminary analysis of the data identified several main categories or themes. In order to achieve logically categorized data and mutually exclusive themes, the researcher employed a rigorous analysis. This included many stages of data analysis and re-analysis and several consultations with colleagues to ensure the reliability and validity of the results. Where appropriate, subthemes were identified within the main themes. The prevalence of the main themes and subthemes were quantified and reported. Given the small sample size, no statistical analyses were conducted and the results were not compared across groups.
RESULTS

The themes resulting from the analysis of the interviews are discussed in order of prevalence. Interviewees were also asked to rank some issues in terms of their importance. Results on the proportions of interviewees who deemed these issues “the most important” will also be discussed. Within each of these themes, where appropriate, various subthemes are examined. The strategies offered by criminal justice practitioners for stabilizing risk factors and facilitating community reintegration, including their perceived effectiveness also will be discussed.

Perceptions of Significant Risk Factors

Analysis of the data revealed eight main themes, or eight significant set of risk factors: (1) Drug and alcohol issues; (2) Inadequate social network; (3) Antisociality; (4) Residence difficulties; (5) Sexual deviance; (6) Crime opportunities; (7) Employment difficulties; and (8) Psychological maladjustment. The themes, subthemes, and their prevalence are shown in Table 6.
Table 6. Significant Risk Factors

<table>
<thead>
<tr>
<th>Main Themes</th>
<th>Prevalence % (n)</th>
<th>Ranked as Most Important % (n)</th>
<th>Subthemes and Prevalence % (n)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug and Alcohol Issues</td>
<td>71% (12)</td>
<td>35% (6)</td>
<td>Use 53% (9)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Abuse 18% (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Addiction 6% (1)</td>
</tr>
<tr>
<td>Inadequate Social Network</td>
<td>41% (7)</td>
<td>12% (2)</td>
<td>Negative social influences 24% (4)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Intimacy/interpersonal problems 12% (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lack of social network 12% (2)</td>
</tr>
<tr>
<td>Antisociality</td>
<td>35% (6)</td>
<td>12% (2)</td>
<td>Criminal activity/attitudes supportive of criminality 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Authority conflict 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Aggression/violence 12% (2)</td>
</tr>
<tr>
<td>Crime Opportunities</td>
<td>35% (6)</td>
<td>18% (3)</td>
<td>Victim access 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lifestyle 12% (2)</td>
</tr>
<tr>
<td>Residence Difficulties</td>
<td>35% (6)</td>
<td>6% (1)</td>
<td>N/A</td>
</tr>
<tr>
<td>Sexual Deviance</td>
<td>29% (5)</td>
<td>6% (1)</td>
<td>Negative sexual beliefs/attitudes 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Poor sexual self-regulation 18% (3)</td>
</tr>
<tr>
<td>Employment Difficulties</td>
<td>18% (3)</td>
<td>18% (3)</td>
<td>Lack of employment 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lack of skills 6% (1)</td>
</tr>
<tr>
<td>Psychological Maladjustment</td>
<td>18% (3)</td>
<td>0 (0%)</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note: Interviewees = 17

Most Prevalent Risk Factors

Drugs and Alcohol Issues. The most prevalent risk factor was drug and alcohol issues, with the majority of the sample (71%) reporting it as a significant risk factor for this population of sex offenders. It was also ranked by 35% of the sample as the most important risk factor. Drugs and alcohol were included in one theme because they were often reported together as a risk factor. Interviewees did not specify whether one had prevalence over the other, so it was not possible to compare the two. However, respondents did differentiate drugs and alcohol on a spectrum of use, which invited the creation of the following subthemes: use, abuse, and addiction. Drug use was the most prevalent subtheme (53%) followed by abuse (18%) and addiction (6%).
**Inadequate Social Network.** The second most prevalent risk factor was inadequate social network (41%). It was ranked as the most important risk factor by 6% of the sample. Inadequate social network was further categorized into three subthemes: negative social influences (24%); intimacy/interpersonal problems (12%); and lack of social network (12%). Negative social influences included negative associates and negative peer influences/groups. Intimacy and interpersonal problems were characterized by the formation of inappropriate relationships with children, the use of women as sexual objects, and the use of manipulation in relationships. Lack of social network, included isolation, loneliness, and lack of social support.

**Antisociality.** The next significant set of risk factors for sex offenders under an 810 order were perceived to be related to antisociality (35%). It was rated by 12% of the interviewees as the most important risk factor. The analysis identified antisociality as a broad domain including several cognitive and behavioural variables. These variables were categorized into three subthemes: criminal activity/attitudes supportive of criminality (18%), authority conflict (18%), and aggression/violence (12%). Authority conflict included lack of compliance with supervision and a historical animosity towards authority. Risk factors related to aggression and violence, included hostility and anger.

**Other Significant Risk Factors**

**Crime Opportunities.** The fourth most frequently occurring risk factor was crime opportunities, with 35% of practitioners observing its prevalence. A small portion of practitioners (18%) perceived it as the most significant risk factor for sex offenders under an 810 order. Crime opportunities were categorized into two subthemes: victim access and lifestyle. Risk factors relating to victim access (18%), such as living arrangements near
schools and playgrounds were more prevalent than those relating to lifestyle (12%). Lifestyle can be understood as decisions and behaviours made by the offender that have the potential to create high-risk situations or environmental/situational factors, including access to destabilizers (e.g., victim types, drugs and alcohol).

**Residence Difficulties.** The next most prevalent risk factor was residence difficulties, which was reported by 35% of the sample. Only a handful of interviewees (6%) considered it the most important risk factor. Residence difficulties included lack of appropriate residence, unstable housing, or problems with access to housing.

**Sexual Deviance.** The relatively low prevalence of sexual deviance as perceived by 29% of the sample was a surprising finding in the study. As illustrated earlier in the meta-analyses of sexual recidivism studies, variables related to deviant sexual interests were among the best predictors of sexual recidivism. However, those results were not validated in the present study. Sexual deviance included the subthemes of negative sexual beliefs/attitudes (18%) and poor sexual self-regulation (18%). Negative sexual beliefs/attitudes, included risk factors, such as attitudes supportive of sexual offending (cognitive distortions) and deviant sexual desire. Poor sexual self-regulation was indicated by risk factors, such as sexual preoccupations and sexual impulses.

**Employment Difficulties.** Some interviewees (18%) perceived employment difficulties as a risk factor for reoffending. The same results were found for the proportion of interviewees who rated these risk factors as the most important (18%). Employment difficulties stemmed from issues relating to lack of job training, inaccessible employment, or lack of employment.
Psychological Maladjustment. According to 18% of the interviewees, psychological maladjustment, including mental health issues or more transient states like emotional instability were significant risk factors for this population of sex offenders. Of the sample, no one (0%) perceived psychological maladjustment to be the most important risk factor for this population of sex offenders.

Strategies Used to Stabilize the Risk Factors in the Community

Interviewees were asked to report and discuss the strategies they have used to deal with the risk factors and rate their effectiveness. The strategies were rated on a Likert-type scale: “very successful;” “somewhat successful;” “somewhat unsuccessful;” and “very unsuccessful.” In “Preventing crime: What works, what doesn’t, what’s promising,” Sherman, Gottfredson, MacKenzie, Eck, Reuter, and Bushway (1997) conducted an evaluation of government-funded state and local crime prevention programs. Their study reported the level of success of programs and strategies in preventing crime. For the purpose of this study, the results from the scale will be reported in similar categories used in Sherman et al.'s (1997) study. These include: “what works” (very successful), “what is promising” (somewhat successful), “what does not work” (somewhat unsuccessful/ very unsuccessful), “what we are unsure about” (includes strategies that were given mixed success ratings) and “what is unknown” (includes strategies that were not given a success rating and therefore have unknown effects). Table 7 outlines the strategies for addressing the risk factors and their perceived effectiveness.
Table 7. Strategies Used to Stabilize the Risk Factors in the Community and Their Perceived Effectiveness

<table>
<thead>
<tr>
<th>Risk Factors</th>
<th>What Works</th>
<th>What is Promising</th>
<th>What We are Unsure About</th>
<th>What Does Not Work</th>
<th>What is Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug and Alcohol Issues</td>
<td>Supervise offender's finances</td>
<td>Police resources for intensive supervision</td>
<td>Motivational interviewing</td>
<td></td>
<td>Harm-reduction strategies</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Collaborate with COSA</td>
<td>Referrals to community corrections programs or counselor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inadequate Social Network</td>
<td></td>
<td>Encourage involvement with ORW</td>
<td>Talk to offender</td>
<td>Offer offender support and encouragement</td>
<td>Motivate offender to avoid peer group</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Encourage programming (AA, NA, SOMP)</td>
<td></td>
<td>Brainstorm activities in group setting</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Encourage offenders to introduce peers to probation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antisociality</td>
<td></td>
<td>Monitor response to direction and supervision</td>
<td></td>
<td></td>
<td>Recommend treatment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Encourage offender to establish good support with PO/ORW</td>
<td></td>
<td></td>
<td>Try to identify high-risk situations and crime patterns</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Monitor and address ways to cope with anger and frustration</td>
<td></td>
<td></td>
<td>Surveillance to ensure condition compliance</td>
</tr>
<tr>
<td>Crime Opportunities</td>
<td>PO contact with victim</td>
<td>Discuss offender's leisure time, employment, and circumstances that can facilitate contact with victims</td>
<td></td>
<td></td>
<td>Motivate offender to avoid peer group</td>
</tr>
<tr>
<td>Residence Difficulties</td>
<td></td>
<td>Steer offender away from negative sexual thoughts</td>
<td></td>
<td></td>
<td>Be familiar with the case file, know offence history</td>
</tr>
<tr>
<td>Sexual Deviance</td>
<td>Motivational interviewing</td>
<td>Discuss normal and deviant sexual patterns</td>
<td>SOMP</td>
<td>Refer to a psychologist</td>
<td>Pay attention to relevant cues during home visits</td>
</tr>
<tr>
<td></td>
<td>Steer offender away from negative sexual thoughts</td>
<td>Discuss how deviant sexual fantasies are handled</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Difficulties</td>
<td>Refer to Table 9. Strategies used to deal with the difficulties of community reintegration and their perceived effectiveness</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Psychological Maladjustment</td>
<td>?</td>
<td>Canvass offender for departure from baseline emotional states</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note: Interviewees = 17. COSA = Circles of Support and Accountability. AA = Alchoholic Anonymous; NA = Narcotics Anonymous; SOMP = Sex Offender Maintenance Program; JHS = John Howard Society.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Strategies Used to Stabilize the Most Prevalent Risk Factors

The most prevalent risk factors for sex offenders under an 810 order are drug and alcohol issues, inadequate social network, and antisociality. Practitioners offered several strategies with varying levels of success to stabilize the most prevalent risk factors. For the most part, there are limited strategies for what works in stabilizing the most prevalent risk factors. External control mechanisms, such as supervising the offender’s finances, were perceived by practitioners as an effective strategy for dealing with drug and alcohol issues. It is important to note that there were no strategies reported as successful in dealing with negative social influences and antisociality of offenders. The strategies that were perceived as the most promising highlighted the need of CHROME and other agencies to engage in collaborative efforts, including (i) utilizing police resources for intensive supervision; (ii) encouraging offenders to work with the ORW and establish good rapport with the ORW and PO; (iii) collaboration with Circles of Support and Accountability (COSA),\textsuperscript{10} and; (iv) use of programming such as AA, NA, and SOMP. Other hopeful strategies included: (i) monitoring responses to direction and supervision; (ii) encouraging offenders to introduce peers to probation officers, and; (iii) monitoring and addressing the ways that offenders cope with frustration and anger.

Other strategies were reported for which the effectiveness was perceived by practitioners as mixed (both positive and negative results were reported), ineffective or unknown. For example, methods for intervening on issues with drugs and alcohol like

---
\textsuperscript{10} Circles of Support and Accountability (COSA) was originally formed as a pilot project for the community reintegration of institutionalized offenders in conjunction with the Ontario Mennonite Central Committee of Toronto and the Correctional Service of Canada. Volunteers from the community form a circle of social support for the offender, assisting the offender with reintegration and holding the offender accountable to the community. The pilot project has grown to include over 35 circles operating in six cities in Canada (Solicitor General Canada, 2001).
Motivational interviewing and referrals to community corrections programs or counsellors experienced mixed perceptions of success by practitioners. Simply talking with the offender was not a particularly helpful strategy for practitioners attempting to help offenders develop adequate pro-social networks. Offering the offender support and encouragement and brainstorming activities in a group setting were not perceived as effective in stabilizing the most prevalent risk factors, in particular for offenders with inadequate social networks. Furthermore, the effectiveness of: (i) harm reduction strategies; (ii) motivating offender to avoid peer group; (iii) recommending treatment; (iv) identifying high-risk situations and crime patterns, (v) surveillance to ensure condition compliance, and; (vi) motivating the offenders to avoid their peer group remained unknown for the most prevalent risk factors.

Strategies Used to Stabilize the Other Significant Risk Factors

Other significant risk factors characterizing sex offenders under an 810 order include crime opportunities, sexual deviance, residence difficulties, employment difficulties, and psychological maladjustment. Residence and employment difficulties overlapped with issues with community reintegration and will be discussed in subsequent sections (as indicated in Table 7). The focus of this discussion will be on the strategies used to stabilize crime opportunities, sexual deviance, and psychological maladjustment, and their perceived effectiveness.

All strategies reported by practitioners to deal with crime opportunities were perceived as either effective or promising. Consistent with the relapse prevention model, most of the strategies involve practitioners helping offenders avoid situations that might lead

---

11 Motivational interviewing is a client-focused intervention for eliciting behaviour change. It involves “a therapeutic relationship, [relying] upon client articulation of goals and motives for present or potential problems, and emphasizes freedom of choice” (Birgden, Owen, & Raymond, 2003, p. 323).
to high-risk situations to reoffend. These include: (i) monitoring the offender's whereabouts; (ii) discussing leisure time and employment circumstances that might facilitate access to victims; (iii) ensuring the offender is busy and is not overwhelmed by negative thoughts or moods, and; (iv) communicating with former victim(s) to ensure the offender has not attempted or made contact. In one case, the practitioner addressed crime opportunities by taking a more authoritative approach and threatened to breach the offender. The strategies utilized by practitioners to address sexual deviancy were perceived as having varying levels of success. For the most part, the strategies focused on helping offenders to manage sexually deviant thoughts and behaviours rather than changing them. Strategies for managing sexual deviancy perceived as effective included: (i) motivational interviewing and (ii) emphasizing the avoidance of sexual thoughts. Discussing deviant and non-deviant sexual patterns and how they are managed were perceived as promising strategies for stabilizing sexual deviancy. SOMP and psychological interventions received mixed success ratings. Other strategies for which practitioners did not indicate effectiveness included: (i) familiarization with the case file, especially offence history and (ii) paying attention during home visits to details indicative of sexual activity (e.g., pornographic material, presence of condom, etc.). It is interesting to note that the ways in which practitioners were monitoring sexual deviance in the community (i.e., indicators of high-risk situations leading to a sexual crime) were not revealed in the narratives. This information is important to sexual deviance and its manifestations (e.g., deviant sexual fantasizing) are not as explicit as other risk factors. Lastly, strategies for addressing psychological maladjustment including canvassing the offender for departure from baseline emotional states and referring
to Forensic Psychiatric Services (FPS)\textsuperscript{12} were perceived as promising by practitioners.

**Summary of Risk Factors and Strategies**

The findings suggest that sex offenders under an 810 order have significant drug and alcohol issues, antisocial tendencies, and poor social networks. To a lesser extent, they are sexual deviants, confronted by opportunities to reoffend. They experience residence and employment difficulties, and are psychologically maladjusted. The strategies used by practitioners to stabilize these risk factors in the community were characterized by varying levels of success, including promising approaches emphasizing collaborative efforts, such as CHROMe and other, less effective strategies, aimed at offering offenders support and encouragement.

**Difficulties in Facilitating Community Reintegration\textsuperscript{13}**

**Most Prevalent Difficulties**

*Inadequate or Unsuitable Residence.* Inadequate or unsuitable residence was the most prevalent theme, with the majority of the practitioners (53\%) perceiving it as a challenge to reintegration. It was also reported by 29\% of the sample as the most important issue. Inadequate residence meant that there simply were not enough housing and shelters to place offenders. Unsuitable residence, on the other hand, referred to unaffordable residence or housing in violation of the offender’s conditions. One interviewee observed that clients resided in “third world-like conditions with faeces, vomit, and rats” (05230507).

\textsuperscript{12} Forensics Psychiatric Services (FPS) is a mental health service provided by British Columbia. Mental Health and Addiction Services (BCMHAS), an agency of the Provincial Health Services Authority (PHSA). The mandate of FPS is to provide court related psychiatric assessment, treatment, and community case management for mentally ill adults in conflict with the law (BC Mental Health & Addiction Services, 2008).

\textsuperscript{13} See Table 8.
Restrictions on the Offender’s Freedoms. Restrictions on the offender’s freedoms was perceived as the second most prevalent challenge to facilitating reintegration by 41% of the practitioners. This was perceived as the most important issue by 35% of the sample. These restrictions were categorized into two subthemes: (1) community notification and (2) conditions of the order (peace bond). It was observed by 24% of the interviewees that community notification restricted the offender’s freedoms. Some interviewees reported that community notification created situations where sex offenders were denied community services (e.g., sexual abuse counselling and medical services) at places where support staff were primarily female or simply because they were known sex offenders. Others reported that community notification encouraged zero tolerance for sex offenders living in communities. The same percentage of the sample (24%) reported that the restrictions created by the peace bond proved difficult in finding offenders housing away from victim types (e.g., minors and women).

Inadequate Treatment Support. Inadequate treatment support was the third most significant issue with reintegrating offenders reported by 35% of the sample, with 12% of the practitioners perceiving it as the single most important challenge. Inaccessible treatment (29%) and, to a lesser extent, unavailable treatment (18%) were observed as challenges to reintegration. Access to treatment programs was a significant issue for offenders residing in rural areas in British Columbia, as expensive modes of transportation were required for offenders to attend treatment programs offered in outside communities.

Other Significant Difficulties

Socio-Economic Status of the Offender. The socio-economic status of the offender was perceived by 29% of the interviewees as the fourth most prevalent issue relating to the
reintegration of sex offenders under an 810 order. Of the sample, 6% considered it to be the most important issue facing sex offenders attempting to reintegrate into the community. Three subthemes emerged from this theme: lack of employment/occupation of time (24%); limited education/skills (18%), and; income (18%). Some attributed lack of employment to a limited job market and slow economy. Others noted that sex offenders had limited skills and education, and low literacy levels. This may also be attributed to low employment among sex offenders. Difficulties with securing sufficient income may also be linked to lack of employment.

**Substance and Health Problems.** Substance and health problems were reported as the fifth most prevalent challenge to reintegration by 18% of the interviewees, with 6% of the sample perceiving it as the most important issue. Problems with drugs and alcohol and a general lack of health among sex offenders (e.g., infectious diseases, physical and mental health) were perceived by some practitioners to affect this population of sex offenders, resulting in difficulties with reintegration.

**Unmotivated or Resistant Offender.** An unmotivated or resistant offender was perceived by 18% of the interviewees as a reintegration challenge. Of the sample, 12% ranked this theme as the most important challenge to reintegration. Fear of failure, antisociality, and deviant thinking patterns, and the effects of prolonged institutionalization were offered as possible explanations by interviewees for lack of motivation and resistance.

**Absent Social Support Network.** An absent social support network for offenders was perceived as a significant challenge to reintegration by 18% of the practitioners. None of the interviewees (0%) rated this as the most important challenge to reintegration.
Difficulties re-establishing family networks and a lack of social support were attributes of this theme.

Table 8. Difficulties in Facilitating Reintegration

<table>
<thead>
<tr>
<th>Main Themes</th>
<th>Prevalence (%) n</th>
<th>Ranked as Most Important (%) n</th>
<th>Subthemes and Prevalence (%) n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate or Unsuitable Residence</td>
<td>53% (9)</td>
<td>29% (5)</td>
<td>N/A</td>
</tr>
<tr>
<td>Restrictions on the Offender's Freedoms</td>
<td>41% (7)</td>
<td>35% (6)</td>
<td>Conditions of the order 4 (24%)</td>
</tr>
<tr>
<td>Inadequate Treatment Support</td>
<td>35% (6)</td>
<td>12% (2)</td>
<td>Access 29% (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Availability 18% (3)</td>
</tr>
<tr>
<td>Socio-Economic Status of the Offender</td>
<td>29% (5)</td>
<td>6% (1)</td>
<td>Employment/ occupation of time 24% (4)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Education/ skills 18% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Income 18% (3)</td>
</tr>
<tr>
<td>Substance and Health Problems</td>
<td>18% (3)</td>
<td>6% (1)</td>
<td>N/A</td>
</tr>
<tr>
<td>Unmotivated or Resistant Offender</td>
<td>18% (3)</td>
<td>12% (2)</td>
<td>N/A</td>
</tr>
<tr>
<td>Absent Social Support Network</td>
<td>18% (3)</td>
<td>0% (0)</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note: Interviewees = 17
Table 9. Strategies Used to Deal With the Difficulties in Facilitating Community Reintegration and Their Perceived Effectiveness

<table>
<thead>
<tr>
<th>Difficulties in Facilitating Reintegration</th>
<th>What Works</th>
<th>What is Promising</th>
<th>What We are Unsure About</th>
<th>What Does Not Work</th>
<th>What is Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate or Unsuitable Residence</td>
<td>COSA</td>
<td>Consult list of shelter for sex offenders</td>
<td>Meet with offenders at time of release to facilitate housing</td>
<td>?</td>
<td>Make sure offender is not in a risky environment</td>
</tr>
<tr>
<td></td>
<td>Salvation Army</td>
<td>Maintain rapport with building managers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Place offender in shelter temporarily</td>
<td>Accompany offenders to residence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Use resources from other cities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bring offenders to socially disorganized areas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Utilize online referrals and phone contacts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restrictions on the Offender's Freedoms</td>
<td>Threaten clinic with public action when offender was denied services</td>
<td>Act as an advocate for client and promote Chrome</td>
<td>Try to find housing away from victim types</td>
<td>?</td>
<td>?</td>
</tr>
<tr>
<td></td>
<td>ORW deliver groceries to client</td>
<td>Phone recovery homes and other contacts</td>
<td>Put offender in hotel</td>
<td>?</td>
<td>?</td>
</tr>
<tr>
<td></td>
<td>Encourage client to divulge criminal history to associates and prospective employers</td>
<td>Be prepared to move offender to different residences</td>
<td></td>
<td>?</td>
<td>?</td>
</tr>
<tr>
<td>Inadequate Treatment Support</td>
<td>?</td>
<td>Refer to mental health facility</td>
<td>?</td>
<td>Rural areas—Refer client to psychologist 800 km away</td>
<td>?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assist offender in attaining appropriate medication</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Collaborate with BC Male Survivors of Sexual Abuse</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refer to drug and alcohol programming</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SES of Offender</td>
<td>?</td>
<td>Assist with EI application</td>
<td>?</td>
<td>Meet with offender at time of release to facilitate income</td>
<td>?</td>
</tr>
<tr>
<td>Substance and Health Problems</td>
<td>?</td>
<td>Job placement programs</td>
<td>?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unmotivated or Resistant Offender</td>
<td>?</td>
<td>ORW and PO work together to make referral to drug and alcohol programming</td>
<td>?</td>
<td></td>
<td>?</td>
</tr>
<tr>
<td>Absent Social Support Network</td>
<td>?</td>
<td>Help offender understand ability to reintegrate into the community</td>
<td>?</td>
<td></td>
<td>?</td>
</tr>
</tbody>
</table>

Note: Interviewees = 17. MEIA = Ministry of Employment and Income Assistance. SES = Socio-economic status.
Strategies for Facilitating Community Reintegration

Strategies Used to Deal With the Most Prevalent Community Reintegration Issues

In addition to offering strategies for stabilizing risk factors in the community, practitioners were also asked to discuss the strategies they have used to tackle the issues faced when facilitating the reintegration of sex offenders under an 810 order (see Table 9). Different strategies with varying levels of success were reported by practitioners to deal with the most significant issues and challenges: inadequate or unsuitable residence, restrictions on the offender’s freedoms, and inadequate treatment support. Practitioners perceived the majority of the strategies as somewhat successful or promising. For example, in order to find adequate residence, practitioners (i) consulted lists of shelters for temporary residence needs; (ii) collaborated with MEIA; (iii) maintained rapport with building managers and accompanied offenders to prospective residences, and; (iv) utilized online referrals and phone contacts. Others adopted more extreme strategies, including attempting to find housing in other jurisdictions that were often socially disorganized. Furthermore, promising strategies to deal constructively with the restrictions on the offender’s freedoms included: (i) client advocacy and promotion of CHROMe, especially when searching for housing; (ii) phoning recovery homes and other suitable contacts for housing needs, and; (iii) preparing to move offender to different residences. Lastly, promising strategies for dealing with inadequate treatment support included: (i) referring offender to a mental health facility; (ii) assisting the offender in obtaining the appropriate medication; (iii) collaborating with BC Male Survivors of Sexual Abuse, and; (iv) referring to drug and alcohol programming.

In an attempt to sustain adequate housing for sex offenders, practitioners successfully resorted to the services of COSA and Salvation Army shelters, albeit on a
temporary basis. Furthermore, effective strategies to deal with the restrictions on offender's freedoms included: (i) threatening the clinic with public action when the offender was denied services; (ii) delivering groceries to the offender, and; (iii) encouraging the offender to be honest with associates and prospective employers about his criminal history. Finding housing away from victim types, especially children, proved to be an unsuccessful strategy for establishing suitable residence for these offenders. Some practitioners were unsure about the effectiveness of meeting with offenders at the time of their release to facilitate housing. Furthermore, it was unknown whether avoiding risky, criminogenic environments was a successful residence strategy. Practitioners also expressed concerns about treatment access, especially for those offenders living in rural areas who had no access to CHROMe's services.

**Strategies Used to Deal With the Other Significant Community Reintegration Issues**

Practitioners also provided strategies for dealing with the other significant community reintegration issues, including socio-economic circumstances of the offender, substance/health problems, unmotivated or resistant offender, and absent social support. There were no effective strategies offered by practitioners to address socio-economic circumstances and substance and health problems. Instead, practitioners perceived the strategies as promising or having mixed success. These strategies included: (i) contacting job placement agencies; (ii) assisting clients in applying for income assistance; (iii) assisting offenders in using vocational resources, (although they were limited in availability), and; (iv) referring offenders to appropriate drug and alcohol programming. Practitioners did not comment on the effectiveness of meeting with the offender at time of release to facilitate income and encouraging offenders with health problems to seek medical attention. Strategies for addressing lack of motivation in offenders and resistance as well as the absence
of an adequate social support were limited to building self-efficacy and motivation to reintegrate. Developing effective strategies for motivating offenders to cooperate with community reintegration and helping them to form pro-social support networks may mean the difference between success and failure during the reintegration process.

Summary of the Challenges of Facilitating Community Reintegration and Strategies

Practitioners attempting to facilitate the reintegration of sex offenders under an 810 order faced numerous challenges. The most prevalent of those challenges included: inadequate or unsuitable residence, restrictions on the offender’s freedoms because of community notification and the conditions of the peace bond, and inadequate treatment support for the offender’s multi-needs. To a lesser extent, the socio-economic circumstances of the offender, substance and health problems, lack of motivation and resistance, and an absent social support network were perceived as impediments to reintegration. For the most part, strategies for addressing these challenges focused on inter-agency collaboration and finding temporary, alternative residences for offenders. These strategies met with moderate success.

Impact of Community Notification

Consistent with previous research, the results seem to suggest that community notification had a negative impact on practitioners’ work with sex offenders and the successful reintegration of offenders into the community. The results from the analysis are found in Table 10. Five main themes were identified: (1) Reintegration difficulties; (2) Offender self-regulation; (3) Safety issues; (4) Work issues, and; (5) Offender compliance with supervision.
Table 10. Impact of Community Notification

<table>
<thead>
<tr>
<th>Main Themes</th>
<th>Prevalence % (n)</th>
<th>Subthemes and Prevalence % (n)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reintegration Difficulties</td>
<td>54% (7)</td>
<td>Residence difficulties 23% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unwelcoming community 23% (3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment difficulties 15% (2)</td>
</tr>
<tr>
<td>Offender Self-Regulation</td>
<td>46% (6)</td>
<td>Emotional reaction 38% (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cognitive reaction 15% (2)</td>
</tr>
<tr>
<td>Safety Issues</td>
<td>46% (6)</td>
<td>Offender safety 38% (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Personal/public safety 31% (4)</td>
</tr>
<tr>
<td>Work Issues</td>
<td>38% (5)</td>
<td>Increased work load/support 38% (5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Self-image 8% (1)</td>
</tr>
<tr>
<td>Compliance With Supervision</td>
<td>31% (4)</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note: Interviewees = 13

Reintegration Difficulties. Most practitioners (54%) felt that community notification created reintegration difficulties. Three subthemes of difficulties were identified, including: (i) Residence difficulties; (ii) Unwelcoming community, and; (ii) Employment difficulties. Residence difficulties and an unwelcoming community were identified by 23% of the sample as obstacles to offender reintegration. In some cases, landlords would evict clients shortly after community notification was issued, mainly in response to public pressure. According to some practitioners, offenders felt ostracized because people would stare at them. One practitioner mentioned that community notification created a situation where people would report all client activity, even if it were law-abiding. Employment difficulties experienced because of community notification were cited as a negative impact of community notification by 15% of practitioners.

Offender Self-Regulation. Most practitioners (46%) felt that community notification had a positive and negative impact on offender self-regulation. Self-regulation theory assumes that there are internal and external processes that influence an individual’s involvement in goal-oriented behaviour (Karoly, 1993; Ward & Hudson, 1998). Self-
regulation involves a cognitive appraisal of a situation, an emotional reaction to the situation, and the planning of behaviour to act and react to the emotional states. Poor appraisal of situations may lead to negative emotional reactions and an inadequate response. In 38% of practitioners, community notification was perceived to generate a negative emotional reactions in offenders, including resentment, anxiety, and anger. Negative emotional states may cause the offender to resort to negative coping mechanisms and exhibit impulsive behaviours, putting them in high-risk situations to reoffend. On the other hand, it was perceived by 15% of practitioners that, community notification encouraged a positive cognitive reaction in offenders, helping them to accept the reality of their life as a sex offender and cooperate with supervision.

**Safety Issues.** Community notification created safety issues as reported by 46% of the sample. The subtheme of offender safety was more prevalent (38%) than personal/public safety (31%). Practitioners noted that offenders feared for their safety because of the threat of community vigilantism. Other practitioners were concerned about their safety or the safety of the community. They pointed out that community notification had the potential to create negative emotional states in offenders, which may put them in high-risk situations to reoffend sexually or act out violently.

**Work Issues.** Community notification created work issues for 38% of the practitioners. Specifically, these work issues were related to the subthemes of increased workload/support (38%) and practitioner self-image (18%). Practitioners mentioned that community notification made residence stability almost impossible and required increased contact with collaterals. Since many offenders experienced increased needs and contacted practitioners more often because of community notification, practitioners had to offer more emotional support and advocacy. Interestingly, others expressed concerns about the impact
of working with known sex offenders on self-image and reputation. For example, one practitioner speculated, "What will people think of me when I am walking down the street with a client?" (05230507).

**Compliance with Supervision.** In accordance with the literature, community notification was found to have an effect on offender compliance with supervision by 31% of practitioners. While some practitioners observed that community notification created client resistance to supervision, others viewed it as a motivational tool for offenders to comply with the conditions. In fact, one practitioner would motivate offenders by insisting that they "do something about this so the poster doesn't go up next time" (08200607). Furthermore, one practitioner mentioned that community notification did not change the supervisory relationship.

**Constraints on Case Management**

Table 11 outlines nine main constraints on case management, their prevalence, and the proportion of interviewees who ranked each constraint as "the most important." The most prevalent constraint on risk management as perceived by criminal justice practitioners was the overall lack of resources (69%) to deal with the risk factors of reoffending characterizing sex offenders under an 810 order. In fact, 46% of the sample rated it as the most important constraint. Of importance, was the perceived lack of adequate treatment programs to help decrease the risk of reoffending. The next most prevalent constraint on risk management was inadequate housing (38%). A demanding caseload (31%) and legal restrictions (31%) were the next most important issues raised by practitioners, followed by lack of collaboration with service providers (23%), difficulties with collaterals (23%), and need for specialized intervention (23%). Others perceived employment / employability problems (15%) and offender
resistance (8%) towards the supervision process to be significant constraints on case management.

Table 11. Constraints on Case Management

<table>
<thead>
<tr>
<th>Main Themes</th>
<th>Prevalence % (n)</th>
<th>Ranked as Most Important % (n)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of Resources</td>
<td>69% (9)</td>
<td>46% (6)</td>
</tr>
<tr>
<td>Inadequate Housing</td>
<td>38% (5)</td>
<td>23% (3)</td>
</tr>
<tr>
<td>Demanding Caseload</td>
<td>31% (4)</td>
<td>8% (1)</td>
</tr>
<tr>
<td>Legal Restrictions</td>
<td>31% (4)</td>
<td>23% (3)</td>
</tr>
<tr>
<td>Lack of Collaboration with Service Providers</td>
<td>23% (3)</td>
<td>0% (0)</td>
</tr>
<tr>
<td>Difficulties With Collaterals</td>
<td>23% (3)</td>
<td>0% (0)</td>
</tr>
<tr>
<td>Need for Specialized Intervention</td>
<td>23% (3)</td>
<td>0% (0)</td>
</tr>
<tr>
<td>Employment/ Employability Problems</td>
<td>15% (2)</td>
<td>0% (0)</td>
</tr>
<tr>
<td>Offender Resistance</td>
<td>8% (1)</td>
<td>0% (0)</td>
</tr>
</tbody>
</table>

Note: Interviewees = 13
DISCUSSION

The objective of this study was to describe the risk management of sex offenders under an 810 order as perceived by criminal justice practitioners tasked with supervising and supporting these offenders in the community. Specifically, the goal was to explore criminal justice practitioners’ perceptions of: (i) the significant risk factors for sex offenders under an 810 recognizance order, including the strategies used to stabilize the risk factors and their effectiveness; (ii) the difficulties and challenges faced when facilitating the reintegration of offenders into the community, including the strategies used to deal with these difficulties and challenges and their effectiveness; (iii) the effect of community notification on case management and reintegration, and; (d) the constraints on case management. Overall, the results suggest that sex offenders subject to 810 orders in British Columbia are multi-risk, multi-needs, and require multi-interventions. In other words, they are characterized by a diversity of risk factors and needs that warrant various types of interventions to mitigate their risk of reoffending. Figure 2 provides a framework for the discussion of the risk management of sex offenders under an 810 order. In subsequent sections, the main findings relating to the significant risk factors, reintegration process, and constraints on case management will be discussed. For each of these aspects, risk management will discussed with respect to the offender’s risk and needs, the community, re-entry support, and supervision strategies.
Figure 2. Descriptive Model of the Risk Management of Sex Offenders Under an 810 Recognizance Order

- **Offender**
  - Multi-risk sex offenders
  - Sex offenders with inadequate social networks
  - Emphasis on dynamic risk factors leading to high-risk situations
  - Risk management rather than risk prediction
    - Focus on antisocial behaviour and drug and alcohol problems

- **Community**
  - Multi-needs sex offenders
  - Community notification displaces offenders to criminogenic neighbourhoods
  - Inadequate/unsuitable residence

- **Re-entry Support**
  - Inadequate resource and treatment support
  - Reintegration difficulties can destabilize risk factors

- **Supervision**
  - Multi-interventions required
  - Unsuitable housing conditions and location
  - Lack of resources and collaboration with service providers
  - Conditions of the 810 order
  - Time and resource constraints
  - Difficulties with collaterals
  - Resistant offender
The Risk Management of Multi-Risk Sex Offenders

The findings suggest that criminal justice practitioners observed that sex offenders subject to a section 810.1 or 810.2 recognizance order are a distinct group of sex offender. Criminal justice practitioners described sex offenders under an 810 order as presenting a multitude of risk factors, many of which have been shown to be empirically related to reoffending. These risk factors are not specific to sexual deviance and include drug and alcohol problems, antisocial tendencies, and an inadequate social network. The analysis highlighted four main findings. First, criminal justice practitioners considerably overlooked static risk factors, despite the extensive literature suggesting their importance. Second, criminal justice practitioners were primarily concerned with dynamic, changeable risk factors—a finding consistent with the community risk management model. In terms of dynamic risk factors, research has shown that sexual recidivists tend to have inadequate social supports, attitudes tolerant of sexual offending, poor sexual and general self-regulation, and are uncooperative with supervision (Hanson & Harris, 2001). Many of these risk factors are similar to those perceived by practitioners to be important risk factors for sex offenders under an 810 recognizance order, including inadequate social network, negative sexual beliefs and attitudes, and conflicts with authority. Third, several similarities and differences were observed between the dynamic risk factors that were perceived as important by practitioners and those identified in the research as reliable predictors of sexual recidivism. Also, there appears to be both agreement and disagreement between practitioners’ perceptions of the significant risk factors and those measured in risk assessment tools for sex offenders. Fourth, the most promising strategies used to address the risk factors emphasized a collaborative approach, which focused on monitoring problem...
behaviours rather than modifying them. The findings and their implications for community risk management will be discussed.

**Multi-Risk Sex Offenders**

A main assumption of the risk management model is that “certain cognitive, behavioural, affective, interpersonal, and situational risk factors are reliably associated with re-offending” and when targeted through interventions or treatment, can result in reductions in recidivism (Ward & Marshall, 2004, p. 154). The study revealed that criminal justice practitioners relied more on dynamic risk factors than static risk factors to guide the risk management of sex offenders under an 810 order in the community. In fact, static risk factors were not cited as important by practitioners, despite the research suggesting static risk factors such as age, number of prior sexual offences, and male child, unrelated, and stranger victims are relevant predictors for persistence in sexual offending (Hanson & Bussière, 1998; Hanson & Morton-Bourgon, 2005). For example, research has examined the association between age and recidivism rates. In general, the studies reveal an inverse relationship between age-at-release and sexual recidivism (Thornton, 2006). Specifically, studies have demonstrated that the risk of reoffending decreases with age (Hanson & Bussière, 1998; Hanson, 2002), a finding that is not reflected in the present study. This is of importance as studies of section 810 offenders have shown that the recognizance order is targeting offenders in their forties (Lussier et al., 2007). This leads us to question whether community risk management, specifically the degree of surveillance and supervision, is customized to the offender’s age and offending history. Indeed, risk management involves a practical interpretation of the risk factors into individualized strategies (Craissati, 2004). Perhaps practitioners are finding it difficult to translate the usefulness of static risk factors
into practical risk management strategies in the community. After all, static risk factors usually inform initial categorizations of risk, rather than risk management interventions in the community. This is not the case, however, for static risk factors associated with sexual offending history. For example, a history of sexual aggression against a child is a static risk factor identified in Hanson and Bussière's (1998) study, yet it was not mentioned by practitioners as a significant risk factor. Information relating to victim preference can inform strategies for supervision and surveillance (i.e., ensuring offender does not have opportunity to visit playgrounds, schools, etc.) and is often a condition of the 810 order (see Appendix). A similar argument could be made for those offenders who have a history of offending against stranger victims. The results suggest practitioners are primarily targeting dynamic risk factors, mainly drug and alcohol problems and antisocial behaviour that can be modified through intervention or treatment.

The dynamic risk factors identified by criminal justice practitioners have some similarities and differences with those that have been shown to be good predictors of sexual recidivism in the research literature. Most of the dynamic risk factors identified by practitioners as significant for sex offenders received similar support in the research literature. Criminal justice practitioners reported a spectrum of use, abuse, and addiction, with use being the most prevalent in the narratives. Practitioners identified the subtheme of drug and alcohol abuse as a significant risk factor for sex offenders under an 810 recognizance order. Studies have shown that, among the general prison population, substance abuse is one of the most important predictors of general recidivism (see Gendreau, Little, & Goggin's, 1996 meta-analytic review). However, in Hanson and Bussière's (1998) meta-analytic review, a history of drug and alcohol problems was not significantly related to sexual recidivism. In a more recent study of sex offenders on
probation, drug and alcohol abuse as monitored by probation officers can distinguish sexual recidivists from those who do not reoffend (Hanson & Harris, 2001). In other studies, substance use, abuse, and addiction were commonly associated with participation in sexual offences (Abracen, Looman, & Anderson, 2000; Seto & Barbaree, 1995). In some respects, these results might not be as contradictory as they appear. In the present study, criminal justice practitioners highlighted the importance of offenders’ on-going substance use while in the community. Hence, it is not so much the history of abuse, but on-going use that may be more relevant in predicting when sex offenders are most likely to reoffend. The latter finding is also consistent with the perception of practitioners that drug use was more prevalent than drug abuse for sex offenders under an 810 order. Drug use and intoxication as an acute dynamic risk factor, may serve as a useful indicator for when sex offenders might enter a high-risk situation to reoffend (Hanson & Harris, 2001).

Two of the salient dynamic risk factors reported by practitioners—negative social influences (e.g., antisocial peers), and antisocial behaviour and criminal activity/attitudes supportive of criminality, reflected characteristics typically associated with an antisocial tendency. While criminologists have recognized the importance of these two sets of risk factors (Gendreau et al., 1996; Andrews & Bonta, 2003), it is surprising that they have not received the same attention in the research literature on the community risk management of sex offenders. Empirical studies have shown that sex offenders with life-course persistent antisocial behaviours commit a higher number of sexual crimes (Lussier, Leclerc, Cale, & Proulx, 2007). Also, Hanson and Bussière’s (1998) meta-analysis has shown that antisociality, including criminal history, antisocial personality, and psychopathy was one of the best domains predicting sexual reoffending. While recidivism studies have recognized antisociality as an important static risk factor by taking into account elements of offenders’
criminal history into risk assessment tools (see Static-99), the same cannot be said about risk assessment tools measuring dynamic risk factors (with the exception of the SONAR). In fact, empirical studies looking at dynamic risk factors have not put much emphasis on this aspect of high-risk sex offenders in the community. Hanson and Harris (2001) found that for sex offenders on probation, negative social influences, was one of the best factors distinguishing recidivists from non-recidivists. This result led them to include this factor as one of the main items of the SONAR, a risk assessment tool for the risk management of sex offenders in the community. The SONAR, however, makes no specific reference to the antisocial tendency of sex offenders in the community. Antisocial tendencies can manifest themselves in cognitions, relationships, and behaviours, yet the SONAR is incomplete in measuring this multi-faceted domain. The extensive criminal background of sex offenders under an 810 order has been illustrated in a previous study (Lussier et al., 2007), in which two-thirds of offenders had four or more sentencing dates, and half of the sample had a prior record for violent crime. This raises concerns about the reliance on a risk assessment tools, such as the SONAR, for the risk management of a population of high-risk, antisocial sex offenders.

Most of the dynamic risk factors identified in this study overlap, to some extent, with known dynamic risk factors of reoffending measured in risk assessment tools for sex offenders. Three of the dynamic risk factors identified by practitioners—negative social influences, negative beliefs/attitudes, and poor sexual self-regulation overlapped, to some extent, with three items of the Stable, included in the SONAR (Hanson & Harris, 2001)—negative social influences, attitudes, and sexual self-regulation. Among the general offending population, criminal associates is a good predictor of recidivism (Gendreau et al., 1996). With respect to sexual recidivism, Harris and Hanson (2001) included it in the Stable based
on the hypothesis that negative social influences may have an indirect impact on sexual recidivism through the promotion of poor coping strategies and behavioural control, drug and alcohol abuse, and antisocial attitudes. Another item of the Stable—attitudes tolerant of sexual offending (e.g., rape myths)—has been shown to be empirically linked to sexual offending (Hanson & Harris, 2001). Sexual self-regulation, as measured in the Stable, also was identified as a significant dynamic risk factor by practitioners. In fact, sexual self-regulation is one of the most distinct dynamic risk factors characterizing sex offenders (Hanson & Harris, 2001). Sex offenders are characterized by sexual self-regulation problems, which manifest themselves in impulsive sexual urges and the use of sex to cope with stress and pursue happiness (Hanson & Harris, 2001). These characteristics are considered to be important indicators of future sexual crimes (Thornton, 2002; Hanson & Harris, 2001). Furthermore, sexual deviance and antisociality were also identified in Hanson and Morton-Bourgon’s (2005) study as significant predictors of sexual recidivism. Practitioners also identified crime opportunities as a significant risk factor. Crime opportunities, in particular, opportunities to access victims, has been shown to be significantly related to sexual recidivism (Hanson & Harris, 2000), influencing its inclusion in the SONAR (Hanson & Harris, 2001). This may suggest that sexual deviance, antisocial influences, and crime opportunities are important correlates for an offender’s success or failure on community supervision. Therefore, they may represent important dynamic risk factors to the risk management of sex offenders under an 810 recognizance order. These comparisons suggest that practitioners’ identification of suitable intervention targets is somewhat empirically guided. In other words, practitioners are relying on risk factors that have been identified in the scientific literature as appropriate intervention targets for reducing sexual recidivism risk (Hart, Laws, & Kropp, 2003). This is an important finding as
unstructured clinical judgment has shown to be inaccurate in predicting recidivism risk (Hanson et al., 2003).

There were some notable discrepancies between practitioners’ perceptions of important risk factors and those shown to be reliable predictors of sexual recidivism in the research literature. In the present study, non-compliance with supervision was not reported as a significant risk factor for sex offenders under an 810 order, although it was shown to be the single strongest predictor of sexual recidivism (Hanson & Morton-Bourgon, 2005). Hence, those offenders who are more prone to be resistant to the supervision process or to the conditions of supervision while on parole or probation, are more likely to reoffend. Furthermore, Lussier et al. (2007) observed that, for a small sample of 810 offenders, lack of collaboration from offenders was one of the key risk factors of general recidivism. In the present study, non-collaboration was reported by probation officers, who were involved in the decision-making process of breaching an offender under supervision. Therefore, this finding might reflect probation officers’ decision to breach an offender for not respecting the conditions of the 810 order. This might explain the fact that the perceived lack of collaboration may be understood by criminal justice practitioners as the offender’s unwillingness to comply with the conditions of the 810 order—a breach of recognizance, which is a criminal offence. Moreover, offender resistance to supervision was also reported from practitioners as a constraint on case management. Therefore, from a criminal justice perspective, it might be tautological to argue lack of collaboration as a risk factor. In other words, it would be invalid to assume that the outcome criterion (recidivism) is also the predictor of the outcome. This is of importance since a breach of the conditions of the 810 recognizance order was the main reason these offenders were rearrested while under supervision (Lussier et al., 2007).
The results revealed some disparity between perceptions of risk factors among criminal justice practitioners and those emphasized in the literature on predictors of sexual recidivism. Discovered in this study were inconsistencies between practitioners’ perceptions of significant risk factors and empirically-based items in the risk assessment scales, specifically the Stable. The overwhelming majority of Lussier’s et al.’s (2008) population of sex offenders scored high on intimacy deficits (96%), yet only a small proportion of practitioners reported intimacy/interpersonal problems as a significant risk factor for sex offenders under an 810 recognizance order. It is possible that criminal justice practitioners may not see the immediate relevance of intimacy deficits to risk management in the community, as they seem to be concerned with intervening in tangible situations (i.e. drug use) that can lead to high-risk situations to reoffend. Perhaps, practitioners view intimacy deficits as a long-term treatment need as opposed to a risk factor that can be managed in the community. The majority of sex offenders also scored high on sexual self-regulation deficits (49%); however, only a small proportion of practitioners recognized this as a salient risk factor. Sex offenders with poor sexual self-regulation, including deviant sexual preferences, exhibit a tendency to engage in deviant sexual fantasizing and use sex as a way to cope with stressful situations (Hanson & Harris, 2001). The research literature has established that sexual deviancy combined with opportunities to commit a sexual crime is a critical precursor to sexual reoffending (Beech & Ward, 2004; Hanson & Harris, 2001; Laws, 2003b). However, these factors were not among the significant risk factors identified by criminal justice practitioners, despite the literature linking them to sexual reoffending. This discrepancy might be explained, at least in part, by the difficulties associated with screening for sexual self-regulation, since “sex offenders are generally not forthcoming about the scope and frequency of their deviant sexual activity” (English, 1998, p. 222). Taken together, the
results seem to suggest that criminal justice practitioners are focusing on precursors to high-risk situations, rather than high-risk situations for a sexual reoffence. In addressing these precursors or dynamic risk factors, criminal justice practitioners have attempted several strategies with an emphasis on monitoring behaviour through team and inter-agency collaboration.

Managing Multi-Risk Sex Offenders in the Community

Effective risk management for sex offenders relies on intervening and treating risk factors relevant to sexual recidivism (Stalans, 2004). Dynamic risk factors provide useful information for risk management as they guide intervention and supervision strategies, and enable the assessment of changes in risk levels (Dempster & Hart, 2002; Hanson & Harris, 2001). Thornton (2002) identified four dynamic risk domains that are reliable predictors of sexual offending, which are included in the SONAR: (i) deviant sexual interests; (ii) distorted attitudes; (iii) socio-affective functioning, and; (iv) poor self-management. In another study, Dempster and Hart (2002) confirmed the predictive validity of variables related to sexual deviance and antisocial lifestyle for sexual recidivism in sex offenders. These variables result in an array of problems found in sex offenders, problems that are often the focus of intervention or treatment (Marshall, 1999). A limitation of risk assessment, however, is that it does not provide information on how to intervene on these risk factors. This study has attempted to shed light on this issue by describing the supervision and intervention strategies criminal justice practitioners use for sex offenders under an 810 recognizance order, including the effectiveness of those strategies.

The narratives of the criminal justice practitioners revealed that the most promising strategies reflected the role of the criminal justice system as a formal mechanism of social
control. Criminal justice practitioners highlighted various promising strategies to stabilize risk factors in the community. The study revealed that team and inter-agency collaboration, community support, and behaviour monitoring were the most promising strategies used by practitioners to stabilize risk factors in the community. Therefore, partnerships between agencies and practitioners as well as ongoing surveillance of behaviour were the two main themes that emerged from the criminal justice practitioners' perceptions of the promising strategies for the community risk management of high-risk offenders. These strategies are in line with the external component of the relapse prevention philosophy of providing external means of control to avoid committing another sexual offence. This philosophy is based on the assumption that offenders will reoffend if the risk factors and the crime cycle are not properly identified, monitored, and controlled (Laws, 2003b). Practitioners were primarily concerned with monitoring problematic behaviour, while only some strategies promoted behavioural modification, with limited success at that. These former strategies were largely inconsistent with the interventions typically used to address dynamic risk factors in sexual offenders. Treatment programs or interventions for sexual offenders are problem-oriented or deficit-based, in that their goal is to eliminate or reduce behavioural and psychological problems (e.g., intimacy deficits, cognitive distortions, managing psychological distress) associated with sexual crimes (Ward & Marshall, 2004). Furthermore, the most promising interventions for sex offenders are based on cognitive-behavioural strategies (Stalans, 2004). However, practitioners in the present study did not commonly use cognitive-behavioural strategies, and if they did, the strategies were perceived as unsuccessful.

Strategies aimed at attempting to change risk status were perceived as being the least successful. Strategies perceived to be the least effective were typically associated with behaviour modification strategies for drug and alcohol problems, antisociality, and sexual
deviance. The ineffectiveness of behaviour modification strategies to deal with these important issues might reflect: (i) the life-course persistent pattern of deviance in these individuals; (ii) the reluctance of those individuals to change their patterns of behaviour, and; (iii) the lack of resources and training for criminal justice practitioners working with high-risk sex offenders in the community. Offender motivation to change behaviour, although practitioners did not report it as significant risk factor, has been cited as an important factor influencing an offender’s success or failure in a treatment program (Stalans, 2004). One of the key factors considered by HRRAC in the identification of 810 candidates is a history of non-compliance with treatment programs while incarcerated (Rankin, Maedel, & Logan, 2007). Therefore, this same persistent pattern of deviance may also manifest itself while the offender is on community supervision. It is also important to note that the same commitment to treatment goals and motivation to change cannot be expected for individuals voluntarily attending treatment as those whose participation is compelled by law. This is especially relevant for sex offenders under an 810 recognizance order who may be legally required to obtain counselling, therapy or treatment for the duration of the order (see Appendix).

Summary and Implications for Community Risk Management

Four main conclusions can be drawn from this discussion. First, criminal justice practitioners involved in the risk management of sex offenders in the community are concerned with risk management as opposed to risk prediction. This finding is consistent with the paradigm shift in the prediction of violence from risk prediction to risk management (Winick, 1998). In applying the community risk management model, practitioners primarily identified dynamic risk factors because of their utility in predicting
timing of reoffending and informing intervention and treatment strategies. Second, this study has revealed that practitioners are identifying some of the important dynamic risk factors, such as those related to drug and alcohol problems, and antisocial lifestyles. For some of the dynamic risk factors identified as important by practitioners, it was not possible to determine whether they were present prior to the application of the order, their onset was the result of the conditions of the order and community notification, or a combination of the two. For example, dynamic factors such as drug and alcohol problems, inadequate social network, and residence and employment difficulties may reflect pre-existing characteristics of the offenders (e.g., antisocial networks, limited financial resources, professional skills). On the other hand, they could have emerged because of the conditions of the 810 order and community notification (e.g., restrictions on the location of residence, displacement to disorganized communities, discriminatory employers and building managers).

Third, practitioners are targeting dynamic risk factors that are precursors to high-risk situations, rather than actual high-risk situations. In light of the preventive nature of 810 recognizance orders, it is possible that practitioners are focusing on factors leading to high-risk situations, such as drug and alcohol use and negative peer influences to prevent offenders from entering high-risk situations (e.g., fantasizing about children, having sexually aggressive fantasies about women). Practitioners have identified risk factors, including residence and employment difficulties not previously considered as important predictors of recidivism in the literature. This raises the issue about the ability of risk assessments to address the environmental and social factors that can play a role in reoffending. Fourth, in addressing these risk factors, practitioners favoured behaviour monitoring rather than modification. Indeed, “surveillance is the vehicle of risk management” (Hebenton & Thomas, 1996, p. 431). However, risk management also requires practitioners to apply their
knowledge about an offender’s problem areas to inform interventions and treatment strategies related to an offender’s offence risk (Borum, 2003). The latter aspect was not reflected in the results. Furthermore, risk management strategies aim to reserve the most intensive interventions for the highest risk offenders (Borum, 2003). The strategies provided by practitioners did not indicate whether supervision and interventions were tailored to risk level. Another important component of this model is reassessment of the offender’s needs, risk, and the impact of specific interventions (Borum, 2003). This also includes providing offenders with “feedback loops” (Steadman & Morrissey, 1981) to afford them the opportunity to change their behaviour and ultimately their risk. Improvements in the offender’s behaviour and risk are important considerations for renewals of 810 recognizance orders. However, reassessment of risk did not surface in the risk management strategies of criminal justice practitioners. If practitioners, in fact, are offering little or no opportunity for offenders to modify their behaviour while they are on the order, the law may be rendered excessively punitive rather than preventive.

The Community Reintegration of High-Risk Sex Offenders

In British Columbia, the HRRAC typically acquires section 810 recognizance orders against sex offenders who are approaching their warrant-expiry date. Therefore, the reintegration process for these individuals must be understood in light of several issues: (i) offenders targeted by these orders have a long criminal history and substantial incarceration periods; (ii) offenders have not taken advantage of the Correctional Service of Canada’s programming and are, therefore, less prepared to return to the community, and; (iii) many of these offenders are returning to a society where they have no established social support or community contacts. As a result, these offenders have multi-needs that need to be
addressed in the community. Criminal justice practitioners played a critical role in facilitating offenders' reintegration by providing support to address their multi-needs. This was a remarkable finding given that the recognizance order does not require British Columbia Corrections to assist offenders with their reintegration into the community. Nonetheless, communities are recognizing that offenders, especially those with substance and health problems and other special circumstances, require assistance when they return to the community.  

Six key findings were identified in the analysis. First, sex offenders under an 810 recognizance order have multi-needs, including substance and health problems, inadequate support networks, and employment and residence. Second, these needs have a tendency to overlap with the dynamic risk factors identified by practitioners in the study and those shown to be reliable predictors of general recidivism. Third, in attempting to address these needs and facilitate community reintegration, criminal justice practitioners faced a number of significant obstacles, including residence difficulties, restrictions on the offender's freedoms, and inadequate treatment support. Fourth, some of the negative consequences of community notification were consistent with the difficulties in facilitating community reintegration, suggesting that many of these reintegration difficulties may be attributed to the unintended consequences of community notification. Fifth, in addition to the unintended consequences of community reintegration, case management constraints, also created difficulties in facilitating reintegration. Sixth, the strategies to overcome these constraints and facilitate reintegration, for the most part, were short-term interventions focused on

14 In particular, the development of CHROMe recognized that offenders under an 810 order require support to address their multi-needs in the community. In areas where CHROMe support was not available, POs took on the additional task of facilitating reintegration, despite their mainly supervisory role.
inter-agency collaboration and offender advocacy. These findings and their implications for the community risk management model will be discussed.

**Multi-Needs Sex Offenders**

Sex offenders under an 810 recognizance order have multi-needs that require multi-interventions in the community. The development of the needs can be attributed to many factors, including the timing of the recognizance order, refusal of prison programming, and the impact of legal constraints, such as the recognizance order and community notification. Many of these needs were indicative of low social capital—that is, the absence of networks of relationship among people that facilitate common actions (Coleman, 1988) and, by extension, low informal social control (Laub & Sampson, 2003). These needs included residence, employment, skills training, social support networks, and drug and alcohol interventions. Furthermore, these needs are in line with those characterizing persistent offenders in Laub and Sampson’s (2003) study identifying factors associated with life-course persistence in crime. Their interviews with offenders revealed that persistent offenders were characterized by residence, employment, marital instability, and long periods of incarceration. They also described persistent offenders as “social nomads,” without a fixed address, full-time employment, or family support. The high-risk sex offenders under an 810 recognizance order show considerable resemblance to Laub and Sampson’s (2003) persistent offenders. Therefore, it is not surprising to find that the results also revealed an identifiable overlap between the difficulties associated with community reintegration and the significant risk factors identified in the present study.
Multi-Needs as Dynamic Risk Factors

The results showed that many needs identified by practitioners overlapped with the dynamic risk factors that have been shown to be related to general reoffending. Recidivism studies have shown that substance use problems, absence of social network, and low socio-economic status of the offender have been linked to general reoffending (Gendreau et al., 1996). Inadequate or unsuitable residence was reported as the most prevalent issue in the reintegration process of sex offenders under an 810 recognizance order. However, these same needs and risk factors have not been consistently linked to sexual reoffending (Hanson & Bussière, 1998; Hanson & Harris, 2001). This is of concern as the intent of the order is to prevent sexual crimes, not general reoffending. Therefore, the resources needed to address those needs are not linked to the crime the order is trying prevent. Studies have shown that general recidivists were most likely to experience housing difficulties in the months prior to reoffending (Zamble & Quinsey, 1997). However, to date, no study has established an empirical link between residence difficulties and sexual reoffending. This may be reflective of a tendency of recidivism research to examine mainly individual factors, while neglecting to consider the impact of community and social factors on risk of sexual recidivism. Those factors, however, are not specific to sexual reoffending; rather, they are characteristic of a general criminal lifestyle and low social capital.

Reintegration Difficulties

In attempting to address these needs and facilitate reintegration, criminal justice practitioners faced a number of pressing challenges and difficulties. To date, research has not afforded much attention to the challenges faced by practitioners in facilitating the reintegration of released sex offenders. This study attempted to shed some light on this
issue and, in doing so, identified several obstacles to facilitating reintegration. The main difficulties criminal justice practitioners experienced in facilitating reintegration of offenders were related to inadequate or unsuitable residence, restrictions on the offender’s freedoms, and inadequate treatment support. Some of the reintegration difficulties identified in this study—inadequate or unsuitable residence, inadequate treatment support, socio-economic status of the offender, and absent social support—were consistent with the reintegration barriers identified in research on the community re-entry of the general offending population. These barriers are in line with those identified in Graffam, Shinkfield, Lavelle, and McPherson’s study (2004): personal conditions (motivation, education, finances, physical/mental health), social network/environment (family contacts, community, social isolation), accommodation (availability, transitional housing, public housing), rehabilitation and counselling support (detox), and employment or training support (employment support services, work experience).

Interestingly, the results from the present study revealed an identifiable overlap between the difficulties associated with community reintegration and the significant risk factors. Four of the reintegration difficulties: (i) inadequate or unsuitable residence; (ii) substance and health problems; (iii) socio-economic circumstances of the offender (i.e., employment/education skills), and; (iv) absent social support network were also identified as risk factors for sex offenders under an 810 order. Substance problems was the only factor found to be empirically related to recidivism. Residence and socio-economic circumstances, while not empirically linked to reoffending, were perceived by practitioners as significant risk factors. This may be reflective of a tendency of recidivism research to examine mainly individual factors, while neglecting to consider the impact of community and social factors on recidivism risk. This also means that many of the risk factors that practitioners consider
important may also be an integral part of the community reintegration process. Many of the difficulties with facilitating reintegration were also related to the negative or unintended consequences of community notification.

The Impact of Community Notification and Case Management Constraints on Reintegration

The preventive nature of these orders makes intensive supervision and surveillance a key aspect of the risk management of these offenders in the community (Solicitor General Canada, 2001). Community notification is often used as a risk management strategy for supervising offenders in the community through citizen surveillance. Most of the criminological literature on community notification has examined its intended and unintended consequences on offenders, their families, and communities (see Levenson et al., 2007; Tewksbury, 2005; Levenson & Cotter, 2005; Zevitz & Farkas, 2000a; Zevitz, 2006; Schram & Milloy, 1995). Research has afforded little attention to the impact of community notification on criminal justice practitioners. This study attempted to address that gap by examining the impact community notification had on criminal justice practitioners involved in the case management of sex offenders subject to 810 orders. The results revealed that community notification, for the most part, had a negative impact on the case management of sex offenders under an 810 order. The analysis revealed that most of the unintended consequences of community notification were also reflected in the difficulties in the reintegration process, suggesting that many of these reintegration difficulties can be attributed to the unintended consequences of community notification. In fact, community notification was cited as an impediment to reintegration to the extent that it placed restrictions on the offender's freedoms. Community notification also impeded reintegration by creating residence and employment difficulties, which often contributed to an increased
caseload, caused emotional distress for offenders, and safety issues for the offender and the community. Nonetheless, previous studies have made the assumption that community notification is the sole explanation for the difficulties experienced during the reintegration process. Those studies do not take into account the role of constraints on case management—lack of resource support, inadequate housing, demanding caseload, legal restrictions, lack of collaboration with service providers, difficulties with collaterals, need for specialized intervention, employment problems, and client resistance—in the reintegration process. Furthermore, many of the constraints on case management were related to the unintended consequences of community notification, illustrating that the constraints on case managements are attributed, at least in part, to the negative effects of community notification. The findings relating to the impact of community notification and case management constraints, as well as their effect on reintegration will be discussed.

Reintegration Difficulties and Increased Caseload. Similar to the findings in previous studies, community notification created reintegration difficulties, which often translated into increased workload for practitioners (see Zevitz & Farkas, 2000a, Zevitz & Farkas, 2000b; Matson & Lieb, 1996; Levenson et al.’s, 2007; Levenson & Cotter, 2005). A demanding caseload was cited as both a negative consequence of community reintegration and a constraint on case management. This suggests that the increased demands on practitioners imposed by community notification had an adverse effect on the practitioner’s ability to manage their caseloads. The reintegration difficulties imposed by community notification included finding and maintaining gainful employment and residence, and an unwelcoming community. Practitioners also identified residence and employment difficulties as significant impediments to facilitating reintegration. Similarly, inadequate housing and employment problems were also constraints on case management, suggesting that community
notification, at least in part, can be attributed to these case management constraints, which
can impede reintegration. Furthermore, many of these reintegration difficulties can be
explained by the legal restrictions imposed by community notification, which was identified
as a case management constraint among practitioners.

In terms of residence, the analysis revealed that community notification created a
displacement effect. Many offenders were forced to move to criminogenic communities that
did not offer adequate housing and resource support. Zevitz and Farkas (2000b) argue that,
adequate community resources in the areas of housing, employment, and treatment are
critical to the successful transition from prison life to communities. It is only recently that
the role of neighbourhoods in offender re-entry and success on probation has been
recognized in the research literature. Kubrin and Stewart (2006) suggest that neighbourhood
context plays a significant role in successful reintegration and law abidingness. In fact, they
found that individuals who returned to disadvantaged communities had higher recidivism
rates than those who returned to resource rich communities, even when controlling for
individual factors. While the tolerance of socially disorganized, disadvantaged communities
has afforded the placement of sex offenders, the presence of rampant drug addiction,
prostitution, and substandard living conditions are not conducive to reintegration.
Therefore, it is not surprising that lack of resources and need for specialized intervention
were cited as case management constraints. These legal restrictions may also prevent
offenders from receiving treatment at facilities staffed or attended by victim types. The
characteristics of the neighbourhood may also offer an explanation for the case management
constraint relating to difficulties with collaterals. It is possible that since offenders are living
in poor environments, it is more likely they will socialize with negative peers. These peers
also may be their collaterals and may lie on the offender's behalf or be non-collaborative. It
appears that this displacement effect has created a situation where offenders are living in communities that have inadequate treatment support—a difficulty identified in facilitating reintegration. This situation is further exacerbated by the lack of collaboration with service providers—a case management constraint. The result is that many of these offenders are living in the community with unaddressed needs, which may further destabilize their risk factors and place them at higher risk to reoffend.

Community notification also had a negative impact on finding and maintaining gainful employment for offenders, a reintegration difficulty cited by practitioners. Given the stigma attached to the label of convicted sex offender, most employers may hesitate to hire individuals with criminal records. Also, the conditions of the order may prevent offenders from working in certain areas or places (i.e., away from schools and playgrounds). Restrictions on employment and housing can be obstacles to law-abidingness (Petersilia, 2003), making reintegration difficult. Since most offenders lacked the necessary vocational skills and training, as identified in the reintegration difficulties, attaining a job was increasingly difficult. Research has shown that structured and full-time employment can be a stabilizing, prosocial activity for offenders because it promotes responsibility, constructive occupation of time, and positive social interaction (Graffam et al., 2004). This finding is further validated in studies showing that a history of unstable employment has been consistently linked with criminal behaviour (see Gendreau et al. 1996). Therefore, securing employment can be an important aspect of reintegration since sex offenders under an 810 recognizance order display antisocial characteristics and inadequate social networks. Furthermore, in adopting a life-course view on crime, the argument could be made that employment can act as an informal method of social control, leading offenders in a direction of desistance from criminal activity (Sampson & Laub, 2005b). The desistance process
might be disrupted, however, if the constraints have a negative influence on offender self-regulation.

**Offender Self-Regulation.** Some criminologists have critically examined community notification from a therapeutic jurisprudence perspective. Winick (1998) explains that therapeutic jurisprudence focuses on the “psychological effects of law, particularly those that relate to mental health and psychological functioning” (p. 507). The unintended or untherapeutic consequence of emotional distress experienced by offenders was consistent with findings in other studies examining the negative outcomes of community notification (see Levenson, D'Amora, & Hern, 2007; Levenson & Cotter, 2005; and Zevitz & Farkas, 2000a). Emotional reactions to appraisals of situations are important to self-regulation. Most practitioners perceived that sex offenders had a negative appraisal of community notification, which elicited negative emotional responses from offenders. Emotional distress can be an antecedent to high-risk situations. According to relapse prevention theory, a common trigger for sexual offending is negative mood or stress (Pithers, Beal, Armstrong, & Petty, 1989). Sex offenders often resort to deviant sexual fantasies to cope with stressful events provoked by negative moods or negative emotional states, such as depression, loneliness, and anger (Hanson, 2001). In fact, in Lussier et al.’s (2007) study, close to 50% of the sample of sex offenders under an 810 order were characterized by high levels of sexual self-regulation deficits or deviant sexual interests, in addition to a tendency to use sex to cope with negative emotional states. On the other hand, practitioners did not rate emotional distress or community notification among the most important risk factors. This concern should also be interpreted in light of the literature suggesting that community notification has had no differential impact on recidivism rates (Schram & Milloy, 1995; Zevitz, 2006; Zevitz & Farkas, 2000a). In other words, those subject to community notification have not
shown higher (nor lower) recidivism rates than those sex offenders not subject to it. This may indicate that community notification has an impact on the offender’s emotional states, but that the impact may be short-lived and, therefore, more difficult to assess.

**Safety Issues and Self-Image.** Community notification also affected practitioners’ perceptions of public and personal safety and self-image. Personal safety was a concern for practitioners who feared they might become victims of community vigilantism or an assault perpetrated by a psychologically distressed offender under their supervision. Practitioners’ concern for self-image was an interesting finding in this study. Lea, Auburn, and Kibblewhite (1999) suggest that individuals who work with sex offenders are susceptible to attracting a “courtesy stigma,” in which they may be viewed as sympathizing with sex offenders because of the tolerance and understanding they must demonstrate to work with this group of offenders. Considering that sex offenders have been historically stigmatized and ostracized by society, perhaps practitioners’ concerns about their self-image are not surprising. However, the same authors highlight the importance of the impact that negative attitudes and stereotypes of sex offenders can have on practitioners’ work with this group. They argue that practitioners with encouraging attitudes towards sex offenders may improve offenders’ perceptions of the supervision process, thus facilitating compliance and motivation to remain offence free in the community. This is important given that some practitioners perceived that an unmotivated or resistant offender was a significant difficulty in facilitating reintegration as well as a case management constraint. Several strategies were offered to overcome these constraints and facilitate reintegration.
Strategies for Facilitating Reintegration: Collaboration and Advocacy

Previous research has not looked at the strategies for addressing the reintegration needs of sex offenders. This study has contributed to the research by highlighting the strategies practitioners used in an effort to facilitate the reintegration of sex offenders, including the effectiveness of those strategies. The most successful strategies for dealing with the challenges of facilitating community reintegration focused on inter-agency collaboration and offender advocacy. For example, in order to facilitate housing and treatment support, practitioners found it effective to collaborate with COSA, MEIA, and BC Male Survivors of Sexual Abuse. Effective strategies for facilitating housing, and dealing with the restrictions on the offender's freedom and the socio-economic status of the offender also focused on offender advocacy, including accompanying offenders to prospective resource providers and residences, and assisting with applications for income assistance. However, many of these strategies, especially those dealing with inadequate or unsuitable residence and the restrictions on the offender’s freedoms were short-term interventions, including finding for offenders placements in shelters or recovery homes.

Criminal justice practitioners also recognized strategies that were less helpful in facilitating reintegration. For example, in dealing with the restrictions on the offender’s freedoms, practitioners found that strategies, such as finding housing away from victim types or placing the offender in hotels were ineffective. This appears to suggest that the conditions of the order can be a significant barrier for offenders to attain the minimum essentials. Studies have shown that obstacles relating to housing and employment can be associated with an increased risk of recidivism (Tewksbury, 2005). In order to deal with inadequate treatment support, practitioners found that referring offenders to a psychologist in another city was ineffective. This strategy was unique to practitioners working in rural
areas of British Columbia. Considering the possible financial and safety issues with transporting high-risk individuals to another city several hundred kilometres away, it is not surprising that practitioners perceived this strategy as ineffective.

The overlap between the risk factors and the community reintegration difficulties suggests that the goal of these interventions was to reduce the risk of reoffending and facilitate reintegration. These strategies can be interpreted as the criminal justice system assuming the role of a “turning point” for sex offenders subject to 810 recognizance orders. Turning points can be understood within the life-course paradigm (Elder, 1998) as “an alteration or deflection in a long-term pathway or trajectory that was initiated at an earlier point in time” (Sampson & Laub, 2005a, p. 16). According to Sampson & Laub (2005a), turning points such as school, work, residence change, and marriage are consistent with desistance from criminal activity. For the purpose of this discussion, a turning point will be conceptualized as an offender’s reintegration into the community. Essentially, desistance from crime relies on structural or institutional turning points that involve: “(i) new situations that ‘knife off’ the past from the present, (ii) new situations that provide both supervision and monitoring as well as new opportunities of social support and social growth, (iii) new situations that change and structure routine activities, and (4) new situations that provide the opportunity for identify transformation” (Sampson & Laub, 2005a, pp. 17-18).

Some of the most successful strategies that focused on inter-agency collaboration are consistent with Sampson and Laub’s (2005a) notion of offering offenders opportunities to invest in new social support networks and allowing for direct supervision of behaviour. However, this is not the case for the strategies for dealing with inadequate or unsuitable residence, the main obstacle to facilitating reintegration. Practitioners placed offenders in temporary accommodations, such as shelters or recovery homes, which were typically in
criminogenic neighbourhoods plagued by negative social influences and limited social support. These strategies are contradictory to the development of social support and new social networks. Furthermore, the use of ineffective strategies for facilitating reintegration also may prevent the criminal justice system from acting as a turning point for these individuals. For example, difficulties in facilitating treatment support, especially in rural communities is a challenge to providing offenders with new opportunities to change their criminal identities and behaviour. The ineffectiveness of strategies for finding housing away from victim types may result in a situation where practitioners must resort to placing offenders in unstable housing in crime-ridden areas. This can limit the impact of the criminal justice system in providing situations that provide new structure and activities. Community notification can also prevent offenders from creating new identities and letting go of the past because of the stigma attached to the label of high-risk sex offender. The unintended consequences of community notification have contributed to many of the difficulties criminal justice practitioners face in facilitating the reintegration of sex offenders under an 810 recognizance order.

Summary and Implications for Community Risk Management

Three main conclusions can be drawn from the discussion. First, many of the needs characterizing sex offenders under an 810 recognizance order are also characteristic of the general offending population. Furthermore, these needs tend to overlap with the risk factors identified by practitioners and those shown to be reliable predictors of general reoffending. The basic idea of risk management is that the most effective way to reduce recidivism rates is to intervene on and manage dynamic risk factors important to reoffending (Ward & Marshall, 2004). The purpose of section 810 recognizance orders is to minimize risk of
sexual reoffending. Since practitioners are focusing on risk factors and needs that are characteristic of the general offending population, it is unsure whether their interventions will have a meaningful impact on sexual reoffending.

Second, in addressing these needs, practitioners faced a number of difficulties in facilitating reintegration, primarily inadequate or unsuitable housing, restrictions on the offender's freedoms, and inadequate treatment support. Community notification as a risk management strategy was largely counterproductive to the goals of risk management. Not only can bad neighbourhoods be counterproductive to risk management by aggravating pre-existing risk factors, but they also raise concerns about the effectiveness of community notification. Most residents in low-income areas will have limited access to computer technologies that disseminate community notification (Levenson et al., 2007). Furthermore, residents of these areas, who are supposed to serve as external means of supervision, may not take an interest in this issue given the lack of social cohesion characterizing these communities. It is also possible that sexual crimes may go unnoticed or unreported because of the tolerance of criminality in these areas. This might explain why community notification has had no impact on reoffending (Schram & Milloy, 1995; Zevitz, 2006; Zevitz & Farkas, 2000a). The combination of the unintended consequences of community notification and the constraints on case management were offered as explanatory variables for the reintegration difficulties. It was found that the constraints on case management can be partly attributed to the unintended consequences of community notification. These constraints inhibited the ability of the criminal justice system to act as a turning point for these offenders. The constraints also created a situation where risk factors and needs were not adequately addressed in the community, ultimately placing offenders in high-risk situations to reoffend. Third, the strategies used to facilitate community reintegration, for
the most part, did not reflect turning points, in that they did not increase the social competency of these offenders and provided little opportunities for them to change their identity. Ultimately, the discussion revealed a struggle between practitioners' efforts to promote offenders' competency in the community and the constraints on reintegration, which may decrease the offender's ability to cope adequately with this life transition.
CONCLUSION

In the risk management literature, clinical researchers and criminologists have focused their attention on different aspects of the community risk management of high-risk offenders. Clinicians have historically been concerned with the appraisal of risk and assessment of dangerousness in offenders, while criminologists have focused on the effects of risk management protocols, such as community notification, on offenders and their families, and the community. However, little attention has been given to the interactions between risk, the effects of risk management protocols, and the impact of case management constraints on risk management. This study has shown that the risk management of sex offender under an 810 recognizance order involves a complex interplay between dynamic risk factors, community reintegration obstacles, and legal restrictions imposed by the conditions of the order and community notification. The study also revealed that there appears to be a significant gap between what we know about sex offender risk and the application of this knowledge in criminal justice policies for sex offenders. Risk management policies for sex offenders under an 810 order should be based on an understanding of the salient dynamic risk factors, the needs of the offenders, and the anticipated challenges offenders may face upon release into the community. For the most part, practitioners were concerned with intervening to reduce risk of recidivism, rather than predicting recidivism over time. In doing so, practitioners focused on acute dynamic risk factors, in particular drug use, which could immediately affect an offender’s decision to enter a high-risk situation; however, less attention was given to stable dynamic risk factors that can provide valuable insight into an offender’s crime cycle. Noticeably overlooked by
practitioners were static risk factors, which provide a complementary picture to sexual recidivism risk (Hanson, 2001). It is important to note that many of these risk factors and needs did not emphasize sexual deviancy variables, as would be expected. Instead, practitioners identified many needs and risk factors that were associated with the general offending population. This raises uncertainty about whether the law is indeed targeting high-risk offenders and can make a meaningful impact on sexual recidivism. This study has highlighted the need for comprehensive, ongoing training for criminal justice practitioners involved in the case management of sex offenders under an 810 recognizance order. This is important since “highly trained and knowledgeable professionals, who share an understanding of the thinking and patterned behaviour of various types of sex offenders, are a vital component of public safety” (Zevitz & Farkas, 2000b, p. 18).

The ability to evaluate change in risk is paramount to risk management. However, this was not evident in the strategies for stabilizing risk factors in the communities. Results from risk assessments completed at the beginning of the supervision process may be inaccurate after a few months, especially since community conditions and social support for sex offenders can change over time (Stalans, 2004). Therefore, practitioners should be making multiple assessments of risk and providing feedback to offenders so that they can modify their behaviour and change their risk of reoffending. It is unsure whether the nature of the recognizance order affords offenders to move within a spectrum of high-risk (e.g., low-high; medium-high; high-high) as the law’s intended target is high-risk sex offenders. These are important considerations otherwise legal decision makers may run the risk of perpetuating the label “once high-risk, always high-risk” with these orders.

Recent legislative trends for sex offenders have focused more on risk management through behaviour modification and less on treatment and rehabilitation. However, the
current risk management infrastructure does not appear to be adequately equipped to address the multi-risk and multi-needs of these offenders. Several challenges to reintegration were identified, emphasizing an interaction between the negative effects of community notification and case management constraints. This study revealed that many communities appear to be inadequately equipped to offer the treatment and general resource support (e.g., housing, employment, skills training) required for the supervision and reintegration of this population of sex offenders. This situation can be worsened by residence displacement created by community notification. Offenders are frequently displaced to criminogenic communities characterized by drug and alcohol use, prostitution, and negative social influences. In fact, current risk management strategies can destabilize their risk factors and create high-risk situations to reoffend. In order to promote risk management and minimize the constraints, community re-entry services and treatment programs need to be adequately funded and delivered fairly, non-discriminately, and in a timely, predictable manner across the province. Service delivery also should be prioritized to offenders who need the services the most. Community members should also be educated about their responsibility in facilitating the reintegration of sex offenders and the positive impact that their participation will have on public safety.

Methodological Issues/ Limitations of the Study

The findings of the research need to be viewed within the limitations of the study. First, the study is based on the perceptions of criminal justice practitioners. There may be some discrepancies between their perceptions and empirical reality. However, the study is a useful starting point to understanding the variety of issues and challenges faced by practitioners when managing the risk of sex offenders under an 810 recognizance order.
Second, while a sincere attempt was made to include most practitioners involved in the community supervision and risk management of sex offenders in British Columbia, the study is based on a small sample. Therefore, the generalizability of the results to other populations of practitioners is questionable. It is important to note, however, that despite the small sample, practitioners were recruited from several urban and rural jurisdictions in British Columbia. This opened the door to many challenges that were unique to specific areas (e.g., treatment resource deficits). This information may also be useful for informing future resource re-allocation. Third, the study did not explore sex offenders' perceptions of the community reintegration process. While this data would have provided an interesting complement to the perceptions of practitioners, the goal of the study was to investigate criminal justice practitioners' perspectives of risk management, an area neglected in previous research. Nonetheless, there were notable similarities between practitioners' perceptions of the impact of community notification and offenders' perceptions about the effect of community notification laws documented in American-based studies. Fourth, practitioners were not asked to make the distinction between risk factors for general, violent, or sexual recidivism. In light of the exploratory nature of the study and respecting the semi-structured format of the interview, asking interviewees to make these distinctions may have influenced their responses. Fifth, in light of time constraints and data availability, the study was based on interviews with practitioners and no other efforts were made to triangulate the data. Future research may want to consider conducting focus groups with case management personnel to explore further the case management issues raised in this study. Despite the caveats imposed by the methodology of this study, it has made a contribution to our understanding of the risk management of sex offenders subject to intensive supervision in
the community. It has also raised many areas of inquiry that warrant further examination in the research literature.

**Directions for Future Research**

This study has illuminated several avenues for future research. First, in light of the limited ability of current risk assessment tools to address the diversity of risk factors high-risk offenders present, future research may want to examine the empirical validity of the risk factors identified by the practitioners. Second, research has focused on the identification of dynamic predictors of recidivism, with little attention paid to the best interventions for these risk factors. Future research studies may want to consider “what works” in stabilizing these risk factors in the community. Third, the research is lacking on which components of supervision are the most effective at reducing recidivism. For example, increased surveillance, such as random home visits, has the potential to produce two opposing effects: (i) the detection of new offences and (ii) deterrence from committing new sexual crimes (Stalans, 2004). Stalans, Seng, and Yarnold (2002) hypothesize that these opposing effects may result in little impact on recidivism rates because higher detection produces the exactly opposite effect that deterrence would produce. Future research may want to test this hypothesized relationship. Fourth, future research may want to consider expanding the study to other provinces so that inter-provincial comparisons can be made. Fifth, in light of the limited knowledge we have on the characteristics of high-risk sex offenders, research may want to explore the characteristics differentiating sex offenders who are eligible for renewal on the recognizance orders and those that are not. This information may be valuable for screening for high-risk sex offenders. Sixth, several studies have looked at the characteristics of offenders prior to, but not during, the community re-entry process. A
longitudinal study of the potential dynamic risk factors experienced at several points in the reintegration process, and their relationship to recidivism and success on probation should be conducted. This research can identify the salient dynamic risk factors at various points of the reintegration process as well as suitable interventions. Lastly, there is no consensus in the research literature on "what works" for offender reintegration. This is due, in part, to the limited research evaluating the effectiveness of community re-entry services in promoting reintegration and reducing recidivism. Future studies may want to clarify the empirical link between the impact of reintegration strategies and risk management interventions on recidivism rates.
REFERENCES


**Statutes and Legislation Cited**


*An Act to Amend the Criminal Code,* S.C. 1960-61, c. 43, s. 32.

*Criminal Code Amendment Act,* S.C. 1947, c. 55, s. 18.


APPENDIX

Sample conditions for section 810.1 orders

- Offender must carry on his/her person at all times a copy of the conditions whenever he/she is away from the residence
- A ‘no go’ condition where the offender is prohibited from going to a certain geographical region
- Offender obtain counseling, therapy, or treatment as directed by a particular institution or doctor (i.e. Centre for Addiction and Mental Health)
- Offender enter a program of psychological detection of deception (polygraph examinations), for the purpose of periodic monitoring and management of sexual behaviour
- Offender reports to a certain police officer, or their designate, in person or by telephone
- Offender reside with a certain person or remain in the employ of a certain person and cannot change without the written permission of the police and/or probation officer
- If the offender used a weapon in his offences, the condition not to possess firearms, ammunition, explosive substances or knives
- Offender surrender any passport
- Offender not own any pets (if the offender used a dog or cat to lure children)
- Offender not wear shorts (for offenders who expose themselves while wearing shorts)
- Offender shall not be found in a nude, semi-nude or exposed condition within public view
- Offender must allow random checks of computer hard-drives and disks
- Offender not visit web sites dealing with child pornography
- Curfews may be appropriate depending on the types and timing of crime committed
- Offender not enter into any relationship until the person has been made aware of the offender’s crime and/or background

Source: Solicitor General Canada, 2001, p. 156.