Reporting Static-99 Scores with New Recidivism Norms: A Template

Mr. XXX was scored on Static-99,[1] which is an actuarial measure of risk for sexual offence recidivism. This instrument has been shown to be a moderate predictor of sexual reoffence potential. As the table below illustrates, Mr. XXX received a total score of XXX, which places him in the Low, Moderate-Low, Moderate-High, High Risk Category for being charged or convicted of another sexual offence. In data from 18 samples (total $N = 6,774$) XXXX% of the sex offenders had a score as high or higher than Mr. XXX. [Or, could report: In data from 18 samples (total $N = 6,774$) XXXX% of the sex offenders had a score lower than Mr. XXX.

Static-99 Score Summary

	Risk Factor Yes = 1, No = 0	Scores
1	Under age 25 at release?	X
2	Single (no two year relationship)?	X
3	Index non-sexual violence, any conviction?	X
4	Prior non-sexual violence, any convictions?	X
5	Prior sex offenses? (Score range is 0-3)	X
6	Prior sentencing dates (excluding index)?	X
7	Convictions for non-contact sex offenses?	X
8	Any unrelated victims?	X
9	Any stranger victims?	X
10	Any male victims?	X
	TOTAL SCORE =	X
	RISK CATEGORY =	XXXXXXX

There have been a large number of studies examining the sexual recidivism rates associated with Static-99 scores. Harris, Helmus, Hanson, & Thornton (2008)[2] summarized the results of 18 samples of sexual offenders ($N = 6,774$)[3] drawn from different countries including Canada, the United States, New Zealand, United Kingdom and western Europe. In these samples, recidivism was defined as charges in about half of the cases and as convictions in the other half.[4]

These recent studies found that the ability of Static-99 to rank offenders according to relative risk is reasonably consistent across samples and settings, but the observed recidivism rates vary across samples. Specifically, the average recidivism rates associated with each score are lower in contemporary samples (1990s and more recent) than in the original developmental samples, who were primarily released during the 1970s and 1980s. Consequently, the developers of Static-99 recommend that the original norms be replaced by new norms based on samples that are more recent, more representative, and larger than the original samples.

Research has also found that there is meaningful variation in the sexual recidivism rates based on factors not measured by Static-99. Samples that were preselected to be high risk (5 samples) show the highest recidivism rates, and routine samples from the Correctional Service of Canada (CSC; 5 samples) show recidivism rates substantially lower than the original developmental samples. Consequently, in order to evaluate the recidivism risk of Mr. XXX, we need to consider the extent to which he resembles the typical member of the preselected high risk samples or the typical member of the CSC samples. The exact differences between the preselected high risk and CSC samples are not fully known; nevertheless, the following features are worth considering.

The CSC Samples

The Correctional Service of Canada administers sentences of two years or more. The typical member of the CSC samples would have graduated from both specialized sexual offender treatment programs as well as programs addressing other criminogenic needs. During the 1990s, when the offenders in the CSC samples were incarcerated, CSC treatment programs were based on principles that are known to be effective in reducing criminal recidivism (Risk/Need/Responsivity; Andrews & Bonta, 2006[5]). As well, the typical member of the CSC samples would have been supported through a gradual re-integration into the community by parole supervision and human service programming.

The Preselected High Risk Samples

In contrast, most members of the preselected high risk samples included offenders who had been judged by a court or administrative tribunal to be of sufficiently high recidivism risk to warrant exceptional measures (e.g., preventive or indefinite detention, treatment orders, denial of statutory release). The factors considered in making these determinations are not fully known and would vary across samples; however, it would be expected that factors external to Static-99 were considered (e.g., recent antisocial behaviour, self reported sexual deviancy, resistance to treatment, dynamic risk factors) along with factors already included in Static-99 (e.g., number of prior sexual offence convictions).

For violent (including sexual) recidivism, recent research has found meaningful variation across sample types (routine CSC and preselected high risk samples) as well as variation across offender types (rapists and child molesters). As such, the developers of Static-99 recommend that offender type also be considered when evaluating the risk of violent recidivism.

The literature lacks a clear consensus on how to define rapists and child molesters, but the developers of Static-99 recommend the following guidelines: Child molesters offend against victims 13 years old and younger. Rapists offend against victims 18 years old and older. For offenders with victims between the ages of 14-17, they are considered child molesters if they are related to their victims, and rapists if their victims are unrelated. If offenders have victims in multiple categories, the evaluator would classify them based on their predominant victim choice.

The 2008 update of the recidivism rate norms now apply to scores from 0 to 10+. The new risk estimates are determined by logistic regression. This is because logistic regression takes into account the recidivism rate associated with a single score in the context of the overall relationship between Static-99 and recidivism. This reduces the impact of unreliable, random variations in the observed recidivism rates that are due to fewer subjects within a given subgroup.

The logistic regression estimates of sexual recidivism are "bounded" by the lower rates of recidivism found in the CSC samples and the higher rates found in the preselected high risk samples.

Mr. XXXX scored a XXXX on Static-99. For sexual recidivism, the range of risk for this score on Static-99 is XXXX to XXXX in five years and XXXX to XXXX in ten years.

These recidivism rates, derived from the routine CSC and preselected high risk samples, are empirically based actuarial estimates. Given that the differences between samples are not fully known, evaluators need to use their professional judgment in order to make statements about where in this range the risk of a particular offender is situated.

This judgment should be based on a careful consideration of the features that Mr. XXXX shares with the routine CSC samples and the preselected high risk samples. Determining an offender's risk within the empirically derived ranges is a separate task from the explicit and empirically derived actuarial estimates presented above.

[Two examples follow].

Mr. XXX has some features similar to the preselected high risk samples and some features similar to the routine CSC samples. Mr. XXX has already been determined to meet the criteria for civil commitment, which means that at the time of the determination, if valid, he had more risk factors external to Static-99 than the typical sexual offender. On the other hand, he has participated well in a range of programs that are consistent with contemporary standards (i.e., likely to be effective), and there is no evidence of recent antisocial behavior. Consequently, I believe that Mr. XXX's recidivism risk at this time should be closer to the rates for the routine CSC samples than the preselected high risk samples.

Mr. XXX is currently serving a federal sentence in the Correctional Service of Canada. Consequently, I believe that Mr. XXX's recidivism risk at this time should be closer to the rates for the routine CSC samples than the preselected high risk samples. However, should Mr. XXX display sufficient negative behaviour in the institution (e.g., refusing or resisting treatment, antisocial or aggressive behaviour) or be deemed sufficiently high risk on other factors external to Static-99 (e.g., dynamic risk factors) that a Detention Order is pursued, then his recidivism risk may be closer to the rates of the preselected high risk samples than the routine CSC samples.

[Note: for violent recidivism, report the preselected high risk and the routine CSC estimates as the upper and lower bounds]

For violent (including sexual) recidivism, other offenders with the same Static-99 score as Mr. XXXX have reoffended at the rate of XXXX% to XXXX% in five years and XXXX% to XXXX% in ten years. These are the empirically derived actuarial estimates.

However, as with sexual recidivism, a separate professional judgment is useful in assessing where Mr. XXXX is more likely to be situated within this range.

Mr. XXXX was classified as a rapist / child molester based on his offending history. Considering both his offender type classification and the factors he shares with other offenders from the preselected high risk samples and the routine CSC samples (as described above), I believe that Mr. XXX's violent recidivism risk is closer to the higher / lower end of the range reported above.

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[1] Hanson, R. K. & Thornton, D. (2000). Static-99: Improving risk assessments for sex offenders: A comparison of three actuarial scales. *Law and Human Behavior, 24,* 119-136.

[2] Harris, A. J. R., Helmus, L., Hanson, R. K., & Thornton, D. (2008, October). *Are new norms needed for Static-99*? Paper presented at the 27th Annual Research and Treatment Conference of the Association for the Treatment of Sexual Abusers, Atlanta, GA.

[3] N = 6,774 is the total sample size from the 18 samples. However, only 17 samples (n = 6,406) had sexual recidivism information. The remaining sample (n = 368) had violent recidivism only.

[4] Convictions provide a conservative estimate of sexual offending as research has shown that most sexual crimes do not result in charges or convictions, and when protected from prosecution, sexual offenders report they have committed more sexual crimes than they have been caught for. Another important consideration is that risk for reoffence increases as the opportunity time to reoffend increases. Thus, although the new Static-99 norms provide rates for a maximum of a 10-year period, cumulative risk continues to increase after 10 years.

[5] Andrews, D. A., & Bonta, J. (2006). *The psychology of criminal conduct* (4th ed). Cincinnati, OH: NexisLexis.