

Lifetime Supervision of Sex Offenders

By Lyn Schollett

Testimony presented by Lyn Schollett at statewide hearings regarding lifetime supervision of sex offenders sponsored by Attorney General Lisa Madigan.

The impact of sexual assault on the lives of its victims is devastating and lifelong.

Judith Lewis Herman, professor at Harvard Medical School and groundbreaking researcher in the area of trauma, has observed: "Psychological trauma is an affliction of the powerless. At the moment of trauma, the victim is rendered helpless by overwhelming force. When the force is that of nature, we speak of disasters. When the force is that of other human beings, we speak of atrocities. Traumatic events overwhelm the ordinary systems of care that give people a sense of control, connection, and meaning."¹

The amazing thing is that victims of trauma, such as rape, do cope and survive. They cope with persistent fears; depression; sleep problems and disruptions in their relationships; grief; loss of friends, family and possibly employment; and a myriad of other repercussions. Nearly a third of all rape victims develop rape-related Post Traumatic Stress Disorder.² Rape victims are 13 times more likely than non-crime victims to attempt suicide.³

Still, survivors cope. They cope better if they have a broad range of support systems wrapped around them. Within this broad system of support, in which the criminal justice system plays an important role, there must be safety. Safety includes the assurance that there is no way the person who hurt you will ever hurt you or anyone else again.

Every person in Illinois seeks safety for themselves and their families. In particular, survivors of sex crimes seek protection, healing and reassurance. In FY02, 13, 650 people sought help from Illinois' rape crisis centers. In some way, each of their lives had been touched by the horror of rape, and each sought desperately to prevent it from happening again, to them or to anyone else.

Recidivism Rates

The reality is that once a sex offender has raped one person, he very often goes on to brutalize another woman or child. For many sex offenders, sexual assault and sexual abuse are part of a lifelong, chronic pattern of abusive behavior. The only way to stop rape is to stop rapists.

The Illinois Department of Corrections estimates that nearly half of the currently incarcerated sex offenders will be released over the next five years.⁴ These same statistics show that 44% of sex offenders released from DOC will return to the prison system within three years for committing a subsequent crime.⁵ Sex offenders who rape adults have an average of seven victims; sex offenders who abuse children have an average of 116 victims.⁶

The incontrovertible conclusion reached from these and many other studies is that released sex offenders are very likely to rape again and again.

Protecting Illinois Communities

So, we know these two things. The impact of sexual victimization is devastating. And the chance that a convicted sex offender will inflict the same agony on other victims in the future is high. How do we protect Illinois citizens from becoming victims? We must prevent future rapes. The best way to do that is to start with those persons already identified with the propensity to commit sex offenses – convicted sex offenders – and to protect our communities from them.

Some people suggest that providing specialized treatment to sex offenders will prevent the offender from raping again. Yet only a small number of sex offenders receive treatment while incarcerated and only a small number receive treatment once they are released. Depending on the individual offender and the quality of the services he receives, this treatment *may* reduce the likelihood of him reoffending. But the vast majority of sex offenders do not receive counseling related to their offenses, and for many who do, it is ineffective in stopping the abusive behavior. We must find other means of preventing repeat sex offenses.

The best option for preventing sex offenders from reoffending is stop the behavior that so often precedes a sex offense.

What can the State of Illinois do to stop this behavior? We can monitor the conduct of released sex offenders. We can ensure that a child sex offender does not engage in behavior to attract children. We can talk with the offenders' friends to ensure that they are age appropriate. We can make sure that the offender really lives where he says he lives and works where he says he works – and is registered there. We can find out whether his leisure activities are appropriate and legal. We can ban pornography from his home. We can assess the offender's understanding that his behavior was both wrong and his fault. We can confirm that the offender has a plan to prevent reoffending and is following it. All of these are affordable and effective means of monitoring sex offenders.

So how do we accomplish this? With more personnel to monitor more sex offenders more intensively for a longer period of time, sex offenders will have less opportunity to re-offend. With their behavior closely watched, and their communities well informed, the adult and juvenile offenders will be less able to isolate a woman, to cajole or coerce a child, to stalk or groom a vulnerable teen.

We live in a time of heightened awareness of safety concerns on a national and even international level. We apprehensively watch the color-coded indicator of our risk of terrorist attack. Ironically, we do not adequately address the more immediate, daily threat of attack in our towns and communities – a threat that is most likely to be inflicted by a familiar face down the street. For the average little girl in Illinois, the possibility of being bombed is remote compared to the one in three chance that she will be sexually abused in her lifetime.

Barriers

When we talk about lifetime supervision, detractors raise two primary barriers to increased monitoring of sex offenders.

It's Rocket Science

Some suggest that monitoring sex offenders is a complicated task requiring staff with advanced degrees and costly training. Certainly, training of monitors is

important, but that training should be distinguished from the credentials and training required of therapists doing intensive psychological work.

To effectively monitor sex offenders, the monitors must be aware of and understand the behavior of sex offenders. This information is well documented and easily available. Offenders can be cunning in attempting to attract potential victims, including the following real examples from around Illinois:

- The sex offender who holds a weekly yard sale, selling only children's toys; or
- The sex offender who has a full-time job (in compliance with his probation) – at the only convenience store near a school – which is the store that all the kids go to for candy on their way home from school;
- The sex offender who never registered, befriended a single mother and moved in with her to gain access to her prepubescent son.

Intercepting and stopping this behavior does not necessarily require a cadre of psychiatrists and psychologists. What it does require is monitors who are trained to identify and stop these insidious grooming patterns. With more frequent verification of residences and employment, more open communication among service providers, surveillance to prevent the offender from engaging with children and other steps of intensive monitoring, these behaviors can be stopped and the offenders' efforts to target new victims can be thwarted.

It's Expensive

A second concern raised about sex offender monitoring is that it is expensive. However, the reality is that supervising released sex offenders is far more economical than facing the cost of victimization.

The cost of victimization for each rape victim in the United States is estimated at \$110,000.⁷ This estimate takes into consideration short-term medical care, mental health services, lost productivity and pain and suffering. Not surprisingly, the vast majority of this cost is attributed to pain and suffering, a logical conclusion given that rape victims are far more likely to suffer severe psychological injuries than someone not similarly victimized. Rape costs a lot of money. Local, state and federal governments invest tremendous resources in cleaning up after rape. We need to invest in preventing rape to reduce the need for after care.

Yes, resources will be needed to increase monitoring of sex offenders. And the resources needed will increase each year as more convicted offenders are released into the community. Yet if we do not invest in the resources to prevent repeated offenses, we will instead be faced with an exponential increase in the number of victims and the cost of responding to their victimization. With a creative solution, perhaps some of the expense of increased monitoring can be borne by the sex offender, instead of by the victim or the taxpayers. With increased monitoring of convicted sex offenders will come increased safety for the women, children and families of Illinois. Illinois cannot afford not to supervise its released sex offenders.

Conclusion

In conclusion, the victim advocacy community welcomes this dialogue regarding the need for increased monitoring of sex offenders. For each sex offender

who is prevented from raping again, a woman or child in Illinois is spared the physical and emotional trauma of this heinous crime. And as a state, we move one step closer to reaching the ultimate goal of the anti-rape movement, the goal of no more victims.

¹ Herman, Judith. *Trauma and Recovery*, p 33, 1997.

² National Victims Center & Crime Victims Research and Treatment Center, *Rape in America: A Report to the Nation*, Arlington, VA, 1992.

³ Green, Arthur H., M.D. "Sexual Abuse: Immediate and Long-Term Effects and Intervention." *J. Am. Acad. Child Adolesc. Psychiatry*, 32:5, Sept., 1993.

⁴ Illinois Department of Corrections, *Overview of Sex Offenders*,

⁵ Illinois Department of Corrections, *Overview of Sex Offenders*,

⁶ Metzner, Jeffrey L. "The Adolescent Sex Offender: An Overview." *Interchange*, January, 1988 citing Abel, 1983.

⁷ Miller, Ted, Cohen, Mark & Wiersema, Brian. *Victim Costs and Consequences: A New Look*. Washington, D.C.: National Institute of Justice, U.S. Department of Justice, 1996.