

# CALIFORNIA SEX OFFENDER MANAGEMENT BOARD Year End Report | 2022



In accordance with Penal Code Section 9001, subdivision (b), the membership of the board consist of:

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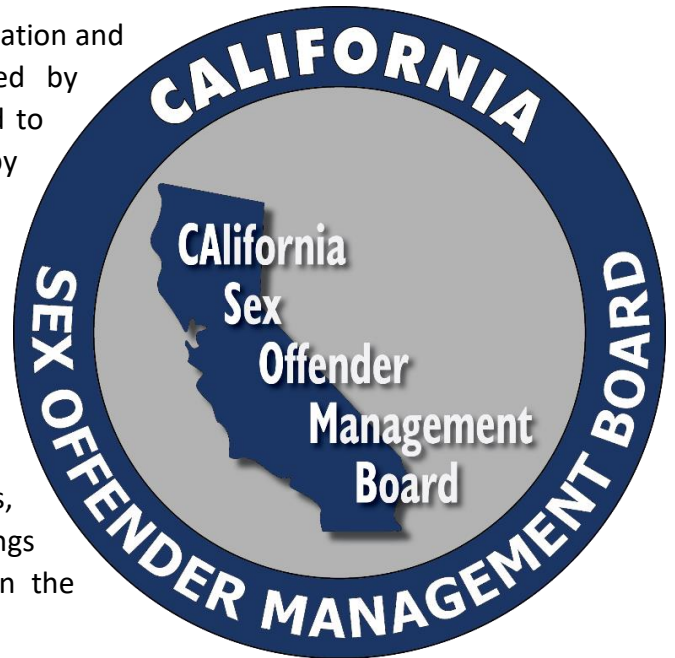
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## Executive Summary

The vision of CASOMB is to decrease sexual victimization and increase community safety. This is accomplished by addressing issues, concerns and challenges related to the management of adult sex offenders and by developing data driven recommendations to improve policies and practices. Over the last sixteen years, CASOMB has identified ways to provide stronger safeguards and support individuals convicted of sex offenses to re-enter our communities successfully.

The CASOMB Year End Report contains initiatives, projects and updates that were the focus of meetings in 2022. The recommendations are highlighted in the summary.



In 2021, the CASOM Board was expanded to include a treatment provider with expertise in working with youth who have offended sexually and the director of the Office of Youth and Community Restoration. In November 2022, CASOMB released Guidelines for Youth who have Offended Sexually, in which the following are recommended.

- **CASOMB supports a change in language to expand certification requirements to include those who also provide services to youth, who have been referred to treatment for a sexual offense, by the courts or probation.**
- **Minor statutory changes will allow SARATSO to resume its role of selecting risk instruments for youth who have committed a sexual offense.**

Other areas of focus in this report include the following:

- An update on the implementation of the tiered registration in California.
- A review of the impact of Assembly Bill (AB) 1950 on individuals who have committed a sexual offense. **The Board recommends that AB 1950 be amended to consider treatment completion for individuals who have committed a sexual offense as a condition for termination of probation, as stated in 1203.067 PC.**
- Highlights an implemented revision to Treatment Provider certification requirements.
- Introduces a paper that will expand on the placement barriers and housing problems faced by Sexually Violent Predators Conditional Release Program (SVP CONREP).
- The goal of identifying and encouraging the expansion or creation of programs that will serve the re-entry needs of individuals convicted for a sexual offense.

- Updates on post-conviction sex offender treatment polygraph examiners experience and qualifications.
- Research project involving the utility of the STABLE-2007 to measure treatment progress.
- Recommendations for the supervision of human sex traffickers and purchasers.

Included with the Year End Report of the CASOMB is the Year End Report of the State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) Committee. The SARATSO Committee is a separate state committee that is integrally related to and aligned with CASOMB. Nevertheless, each have separate roles and statutory mandates. The SARATSO report includes the following:

- Review of the trainings completed by SARATSO certified trainers.
- Implementation of a pilot program for the Child Pornography Offender Risk Tool (CPORT).
- Annual update on score submission to Department of Justice for the SARATSO selected risk instruments: Static-99R, STABLE-2007 and Level of Services Case Management Inventory (LS/CMI). The transition of scorers to a new software platform for score submission.
- Update on two research projects: the interrater-reliability of the STABLE-2007 and the validity of the Juvenile Sexual Offense Recidivism Risk Assessment Tool-II (JSORRAT-II).

## CASOMB Year End Report

### Guidelines for Youth who have Offended Sexually

Assembly Bill 145 was signed in June 2021. The bill expanded the CASOMB to include two new members: an expert in treatment of juveniles who have sexually offended, and the Director of the newly established Office of Youth and Community Restoration. The addition of these Board members was acknowledgement from the legislators that CASOMB's expertise should be utilized in creating policy for youth who have offended sexually. Based on this CASOMB created Guidelines for Youth who have Offended Sexually. At this time, CASOMB lacks the jurisdiction to implement certification requirements and oversight for treatment providers who serve this population. Penal Code Section 9000 defines a "sex offender" to mean any person who is required to register under Penal Code Section 290. Most youth are not required to register pursuant to Penal Code Section 290. ***CASOMB supports a change in language to expand certification requirements to include those who also provide services to youth, who have been referred to treatment for a sexual offense, by the courts or probation.*** The executive summary for the Youth Guidelines is below, the full document can be found on the CASOMB website.



Youth, ages 13-17, are significantly different from adults in virtually all aspects of life. For this reason, society restricts their right to drive a car, vote, purchase tobacco, alcohol or marijuana, consent to medical treatment, and serve in the military. Youth are in a developmental stage of life in which rapid changes and maturation processes are affected by many forces, including biological, familial, educational and social. Youth who have offended sexually have a low likelihood of committing a new sexual offense, with estimates as low as 2.75 percent.<sup>1</sup> Common methods of supervision and treatment used with adult sexual offenders are, for the most part, inappropriate and potentially harmful with youth. The Board strongly recommends that youth who have offended sexually should have services specialized for their needs.<sup>2</sup>

Historically, the majority of services have been provided at the county level. With the closure of the Division of Juvenile Justice and the Senate Bill (SB) 823 statewide realignment, all adjudicated youth will be retained at the county level for commitment and supervision. Resources and access to treatment services vary by county. Even when treatment is available, there is no statewide standard of care for youth who have offended sexually. Agencies, organizations and individuals

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<sup>1</sup> Caldwell, M. F. (2016). Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*, 22(4), 414–426. <https://doi.org/10.1037/law0000094>

<sup>2</sup> CASOMB 2019 Juvenile Recommendations

who provide services to this population need standards based on what research shows to be the best approach to assure quality and consistency of services during intake, treatment, residential changes, treatment completion, and family reunification. ***The Board has developed evidence-based standards and guidelines for a collaborative model of treatment and supervision of youth, supported by the principles of Risk-Need-Responsivity (RNR).*** These guidelines should apply for youth adjudicated for committing a sexual offense, and referred to attend sex offense specific treatment by the court. The intensity of services will be defined by individualized assessments of risk and treatment needs and managed by a case management team.

These standards will form the basis for specialized training for supervising officers and specialized certification standards for treatment providers working with the youth population. The standards and potential certification requirements for providers, who work with youth, must be distinct and separate from the Board's existing certification requirements for treatment professionals who work with adults. Given the necessary resources and jurisdiction CASOMB will certify and monitor programs and treatment providers to assure delivery of services that are sensitive to the youth's needs and provided in a culturally sensitive and trauma informed manner. ***Minor statutory changes will allow SARATSO to resume its role of selecting risk instruments for youth who have committed a sexual offense.***

Listed below are some of the recommendations included in the guidelines.

- The Collaboration Team includes the probation officer, youth's treatment provider, the youth, the youth's family or guardian and other key stakeholders in the youth's life.
- Risk assessment should be completed pre-adjudication.
- Due to youth's low sexual recidivism rates, transfers to adult court should be extremely rare.
- Placement of youth in residential settings should consider impact on the victim, and the youth's environment. The youth's placement should promote community safety, while placing them in the least restrictive environment possible.
- An individualized assessment should inform if the youth should receive individual only services or individual and group treatment services.
- Polygraph should not be administered to anyone age 15 or younger. For youth age, 16 or 17, use of the polygraph should be limited to rare situations in which there is an imminent concern for community safety.

To educate the public about adolescent development and youth risk for sexual re-offense a video script has been created and is in the process of being produced for the CASOMB website.

## **Tiered Registration Update**

As a result of Senate Bill (SB) 384, sex offender registration has now transitioned from a lifetime registration system to a tiered registration system. Since July 1, 2021, eligible registrants may file a petition for termination from the duty to register as sex offenders with the court in their jurisdiction of residence. The California Department of Justice (DOJ) has worked diligently to ensure that the California Sex Offender Registry (CSOR) is sufficiently staffed to process the SB 384 petitions being granted. In 2022, the DOJ had twenty-four positions to assist with terminations.

The DOJ reports SB 384 statistics at the CASOMB meetings, including: the number of petitions in progress, the number of granted petitions, and the number of petitions that have been dismissed or denied by the court. For a copy of the statistics, please contact CASOMB at [CASOMB@cdcr.ca.gov](mailto:CASOMB@cdcr.ca.gov).

As of January 1, 2022, the Megan's Law website reflects changes pursuant to SB 384. These changes include the elimination of certain exclusion criteria under Penal Code Section 290.46(d), as amended by SB 384. DOJ attempted to notify registrants who no longer met the exclusion criteria prior to re-posting their information on the Megan's Law website. Tier designations are not posted on the Megan's Law website.

CASOMB sent a survey out through the District Attorney's Association requesting information on the petitions filed in their county. CASOMB received responses from 18 counties. The survey included information from the start of tiered registration through October 31, 2022. The following data is based on the counties who provided responses including; Alameda, Calaveras, Contra Costa, Fresno, Inyo, Monterey, Napa, Orange, Sacramento, San Diego, Santa Barbara, Santa Cruz, Sonoma, Stanislaus, Tuolumne, Ventura, Yolo, and Yuba. A total of 1,921 petitions were received by the courts, with the majority of the petitions received from those in tier 2. Of those received, 1,026 petitions have been granted which represents approximately 56 percent of the petitions. Approximately 5 percent of the petitions were summarily denied, because they did not meet the criteria to petition. Approximately 3 percent were denied due to other reasons. Approximately 40 percent of the petitions were still in process. Respondents were able to complete an open-ended question about the barriers they face in implementing petitions associated with termination of registration requirements. The responses varied from: no barriers to: lack of clarity in the law regarding individuals residing outside of California; lack of clarity in process and timing of providing Law enforcement notice; variance in judges responses; difficulty in notifying victims, especially for older crimes; inability to access needed documents, especially if the conviction was in a different county from the petition; and offender's tiered status is TBD. Even though responses were not received from all counties, the surveys could be considered representative of most counties.

## **Assembly Bill 1950**

The Board has been examining the impact Assembly Bill (AB) 1950 has had on the supervision of individuals convicted for a sexual offense. AB 1950, effective January 1, 2021, reduced felony probation terms to two years, and misdemeanor probation terms to one year. AB 1950 does not apply to any offense that includes a specific probation term in the statute, or to violent felonies pursuant to Penal Code Section 667.5(b).

Pursuant to Penal Code Section 1203.067(b), individuals convicted of a registrable offense under the Sex Offender Registration Act (Penal Code, §§290-290.023) are required to participate in sex offender therapy for a minimum of one year. AB 1950 does not exclude many other registrable sex offenses, both felonies and misdemeanors. It also does not take into consideration the offenders' risk level or treatment completion status.

The unintended consequence to the passage of AB 1950 was the early termination of many individuals convicted of sexual offense who had not satisfactorily completed treatment prior to the termination of their grant. Treatment completion is critical to reducing recidivism. Probation has reported that it is sometimes difficult for individuals to engage in and complete treatment within the truncated timeframe. There are many factors that impact the ability to participate in and complete treatment, such as the length of custody time served (which may impact length of time left on the probation term), ability to pay for treatment, therapist availability, failure to engage in treatment early enough to complete treatment, and other related issues. Successful completion of treatment is a protective factor that positively impacts community safety.

The Board surveyed the probation departments across the state and found that 90 percent of respondents indicate that the new probation limitations do not allow enough time for individuals to enroll in and complete treatment. The lack of treatment completion, coupled with the termination of supervision, puts the individual at risk to reoffend.

***The Board recommends that AB 1950 be amended to consider treatment completion for individuals who have committed a sexual offense as a condition for termination of probation, as stated in 1203.067 PC.***

## **Certification and Complaints**

CASOMB's 2020 Year End Report included a trend analysis of treatment provider certification, a review of problems identified during compliance reviews, and review of complaints received by CASOMB. In response to this analysis, CASOMB revised its Treatment Provider Certification Requirements during 2021. The revised requirements were posted to the CASOMB website and

Provider Agencies were notified of the changes, December 21, 2021. The revised Certification Requirement's went into effect on July 1, 2022.

Prior to the revision of the requirements, treatment providers were placed in one of three treatment provider levels, Apprentice, Associate, or Independent. The new standards maintain three levels, but have been re-named to Student, Associate, and Independent. The Student level restricts certification for students to one year, which is consistent with graduate school training requirements. The new organization of levels places more emphasis on supervision and oversight of students and associates, and various levels of mentoring through co-facilitation. A higher experience standard for reaching Independent status was also implemented. A minimum of 1,000 hours face-to-face (or telehealth) providing sex offense specific treatment or evaluation must be completed before an individual meets the qualification for Independent status.

The original certification requirements allowed someone who is licensed, and has as little as three months of specialized experience working with individuals who have committed a sexual offense, to supervise providers who are new to the field. The new standards increase the level of experience requirement, so that it will take closer to a year, before a licensed individual may qualify for Independent status. Only Independent Providers can provide clinical supervision. This ensures that the individual is not practicing outside their scope of expertise when supervising others and serving as directors for a sex offense treatment program.

All individuals at the Apprentice level were notified of the upcoming changes in letters that were sent out on March 1, 2022. All licensed Associates and Apprentice level clinicians were notified of the requirements for reaching Independent status and were encouraged to matriculate to a higher status if they qualified. This led to the matriculation of 11 individuals to the Independent level. Apprentice level clinicians were automatically assigned to either the Associate level or Student level based on their education status. During this process, students who were no longer providing services at a CASOMB-certified agency were identified and their certification was designated as inactive. Letters and new certificates were issued on June 30, 2022.

Provider level prior to June 30, 2022, after July 1, 2022, and as of December 31, 2022

Prior to Transition		After Transition		As of December 31	
Level	Number	Level	Number	Level	Number
Independent	178	Independent	191	Independent	215
Associate	80	Associate	169	Associate	204
Apprentice	131	Student	26	Student	63

In addition to the certified treatment providers, as of December 31, 2022 CASOMB identified a total of 78 certified Provider Agencies. Certified agencies are listed by county on the CASOMB website. Currently 19 counties do not have any certified agencies. If driving to a nearby county for treatment is a hardship, it is recommended that telehealth treatment with a provider in another county be initiated.

Agencies have until January 1, 2023 to come into full compliance with all the revised requirements. Due to the changes to treatment provider levels, compliance reviews of providers were restricted to only those at the Independent level after July 1, 2022. Thirty-three compliance reviews of providers were completed in 2022. A limited number of agency compliance reviews were completed in 2022, due to the changes to certification requirements. The Agency Certification Requirements will be revised to incorporate changes made to the Treatment Provider Certification Requirements.

### *Complaints*

CASOMB had one unresolved complaint from the previous year related to supervisors exceeding the number of individuals they can supervise. CASOMB received three additional complaints during 2022, alleging a general lack of compliance with CASOMB certification requirements. All complaints are currently either being investigated, referred for investigation, or seeking additional information.

## **Sexually Violent Predator Conditional Release Program Placement and Housing Barriers**

As of October 2022, across the State hospital system there are more than 5,000 individuals in the five psychiatric hospitals, including more than 900 individuals pursuant to the Sexually Violent Predator (SVP) law. There are currently 21 SVP committed individuals in the Conditional Release Program (CONREP), a program that comprises 3 percent of all CONREP placements in the state, meaning that most individuals placed in CONREP are not SVP committed individuals. There are 14 additional individuals ordered to SVP CONREP pending placement. The current SVP CONREP census has grown by more than 30 percent since last year. Since the SVP law was enacted, 54 individuals have been placed in SVP CONREP, a third of whom have completed CONREP programming and are fully discharged and reintegrated into the community.

CASOMB has published two papers outlining areas of interest and recommendation in the SVP program, [SVP Project: Introduction and Duration of SVP Detainee Status](#). Since CASOMB published its report, *The Duration of SVP Detainee Status*, the high number and long duration of detainee status has improved modestly. Currently the percentage of detainees pursuant to the SVP law is

43 percent whereas just a few years ago it was more than 50 percent. The number of fully committed individuals represent 57 percent of the population at the Department of State Hospitals (DSH) pursuant to the SVP law. CASOMB encourages stakeholders in California to review the Detainee paper and engage in collaborative efforts to reduce the duration that individuals are held at the state hospital while undergoing SVP proceedings. Shortening the duration of detainee status will increase the treatment completion rate, the quality of treatment engagement and the therapeutic milieu, and more expediently release those that do not meet SVP criteria.

CASOMB is currently progressing toward completion of the paper on SVP CONREP Housing and Community Placement issues. Since the SVP law was enacted in 1996, there have been 1,000 individuals committed as SVP, but only 54 have been granted CONREP and only 19 SVP CONREP participants have been unconditionally released to date. CONREP is the final step in the DSH Sex Offense Specific Treatment Program (SOTP) and involves mandated terms and conditions of release, supervision, behavioral monitoring, and treatment in the community. Those released back to the community from SVP CONREP have much lower recidivism rates than those released without having participated in CONREP.

SVP CONREP is vastly underutilized. There are formidable barriers to establishing suitable housing and placing SVP individuals in CONREP. The California SVP law requires community notification and public comment prior to the judicial approval for SVP CONREP placement. There are residency restrictions for those with child victims and placement constraints to the county of domicile unless extraordinary circumstances are found. Completion of the inpatient treatment program is not required for SVP CONREP placement. Further, the state does not own CONREP housing, and housing must be found on a case-by-case basis. Judicial allowance of open courtrooms, community notice, and public comment provisions triggers extraordinarily high levels of media attention and negative community reactance that has resulted in threats and acts of violence against the SVP individuals, judges, attorneys, landlords, and CONREP program staff. Further, the CONREP approval, housing, and placement process is unduly lengthy. Due to these factors and the reality that there is no mandated supervision or treatment, community notice, or public comment provision for unconditional releases, there are low levels of interest in SVP CONREP by SVP individuals. Readers are referred to CASOMB's soon to be released paper on SVP CONREP Housing and Community Placement Issues for an analysis and recommendations guided by the Risk, Needs, Responsivity empirical best practice principles.

## **Community Reintegration**

One of CASOMB's goals is the safe and supportive reintegration of individuals who have committed sexual offense into the community. To that end, CASOMB is in the process of reviewing existing reentry programs and safeguards. The committee's goal is to make recommendations to the Board about existing programs that are underutilized, expansion to

allow individuals convicted of a sexual offense to access services, or the creation of programs where few or none exist.

Reduced recidivism is everyone's business. Research shows that recidivism is reduced when reentry includes community support.<sup>3</sup> Individuals who have positive pro-social support in the community are less likely to reoffend. Community support means opportunities for housing, education, treatment and jobs.

All 290's are faced with resource challenges when released to the community. Individuals who are monitored by Probation or Parole Departments should be receiving individualized assessment and support. However not all those reintegrating in the community will be released to probation or parole. Individuals released from state hospitals with designations as mentally disordered sex offenders, or those detained or committed under the sexually violent predator act, may be discharged unconditionally with no access to support. Even those who are monitored by probation or parole eventually will find that support at an end. It is important to bridge these individuals with community resources that can be maintained once they are discharged from state hospitals, parole or probation.

There is a physical and mental toll for those incarcerated; they are often released with negative health effects. The reality of limited resources is a risk to community safety and the successful reintegration of the individual. Formerly incarcerated people are nearly 10 times more likely to experience homelessness than the general population.<sup>4</sup> Individuals with a sex offense conviction are often barred from community resources, based on their conviction or registration status.

The stability of housing and assistance in gaining Supplemental Security Income, Veterans benefits and jobs are just some of the essentials that improve successful community reintegration. Lifestyle stability is a protective factor against recidivism.

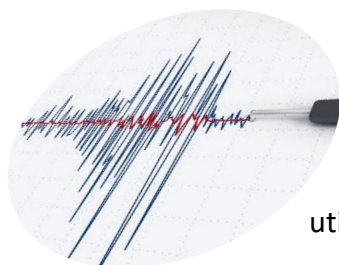
The value in reentry programs is simple, by supporting and assisting these individuals, we support and assist the community. Legislative support for grant programs that assist individuals convicted for a sexual offense in receiving treatment, housing, education and job opportunities, would be a major step toward achieving more successful community reintegration.

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<sup>3</sup> Putting the "Community" Back in Community Risk Management of Persons who have sexually abused" Robin Wilson & Andrew McWhinnie; 2013

<sup>4</sup> 2018 Study by the Prison Policy Institute

## **Polygraph**



The utilization of polygraph examinations is a part of the Containment Model. Polygraph testing is considered a treatment tool. The CASOMB Polygraph Committee meets quarterly to discuss updates regarding the suitability of the polygraph and to revisit guidelines about its utilization for those persons who fall within the containment model.

During 2022, the Polygraph Committee developed standards for those polygraph examiners new to the field of Post-Conviction Sex Offender Testing (PCSOT). The Board agreed that examiners new to the field should have 25 tests supervised under a PCSOT expert/specialist.

With the addition of guidelines for PCSOT interns, two forms were developed to assist with compliance regarding the utilization of polygraph examinations; both were posted to the CASOMB website in September 2022. The first form is entitled *PCSOT Trained Polygraph Examiner Form*. The form is an attestation by the examiner that they are in compliance with CASOMB's Post-Conviction Sex Offender Polygraph Standards. It is recommended that this form be submitted to each certified treatment provider agency, as treatment providers agencies may be audited on this area of compliance with the Provider Agency Certification Requirements. The second form is entitled *CASOMB PCSOT Intern Form* and is an intern log to track supervised tests, Treatment Providers or CASOMB staff may request this form to ensure compliance with CASOMB's standards.

## **Research**

CASOMB promotes empirically supported interventions and educates its stakeholders on current and relevant research about what works in managing and preventing sexual re-offense. That is, "What can CASOMB stakeholders do to maximally reduce the likelihood of sexual re-offense among California individuals convicted of a sexual offense?"



CASOMB has two exciting research projects underway. The first is a joint project with SARATSO evaluating the Inter-rater Reliability of the STABLE-2007. The second project is entitled *Utility of the STABLE-2007 as a Measure of Criminogenic Needs and Treatment Progress in Male Sexual Offending Individuals*.

California requires treatment providers to use the STABLE-2007 to identify sexual offending individual's criminogenic needs and, in combination with the Static-99R, risk for sexual re-

offense. The Static-99R and the STABLE-2007 are commonly used for these purposes nationally and internationally.

To assure user competency, as part of CASOMB and SARATSO mandates, users of the STABLE-2007 undergo an initial two-day certification training plus recertification trainings every two years. This training method is designed to yield reliable ratings. However, the degree to which different raters arrive at the same scores for the same case is not yet known. The first study in this project will shed light on this by assessing the inter-rater reliability of SARATSO certified STABLE-2007 scorers. The results of the STABLE-2007 inter-rater reliability study will provide valuable information that will guide improved training of raters. This ultimately results in improved services to the individuals served and enhanced community safety.

The second study examines the efficacy of CASOMB certified treatment programs in facilitating change in the risk factors of sexual offending individuals. It does this by examining the usefulness of the STABLE-2007 at detecting change in sexual offenders treated in CASOMB certified programs. After identifying each individual's treatment needs through an initial STABLE-2007 assessment, treatment programs target the criminogenic needs through the treatment process. The individual's improvement is expected to result in lower ratings later in treatment than at the initial rating. The results of this study will provide practical information on the degree that those treated change, as measured by the STABLE-2007, and inform service delivery improvements.

The results of these studies will provide invaluable practical information that can be used by CASOMB and SARATSO leaders to further refine the standards and training for professionals that work with sexual offenders in California. They will further contribute to the body of research that involves sexual offender interventions, thereby enhancing outcomes and reducing the prevalence of sexual re-offense.

## Human Sex Traffickers and Buyers



CASOMB's 2020 report "Sex Traffickers and Buyers of Commercially Sexually Exploited Children" reviewed the scope of human sex trafficking in California and provided treatment recommendations for human sex traffickers who are mandated to register as sexual offenders. Human sex trafficking involves individuals who traffic others, purchase others, and those who are exploited.

In May and June of 2021 CASOMB sent out a survey to California probation departments to respond to a survey regarding their supervision practices for individuals who have engaged in human sex trafficking. Not all California counties

participated in the survey, but responses represented rural, urban and rural/urban mixed counties. Review of the responses noted that different jurisdictions follow different policies. For those counties who responded, they reported that the number of individuals with a human sex trafficking offense they supervised varied from 0 to over 1,500. Less than 10 percent of the respondents reported they had a policy for supervision of this specific population. Many respondents indicated that those who are required to register as a sex offender are placed on specialized caseloads and given Terms and Conditions that match that of sexually motivated offenders. If not required to register as a sex offender they are often placed on a generalist caseload, or in some counties a gang caseload. Slightly less than half the respondents, 42 percent, indicated they were provided with specialized training for supervising individuals with human sex trafficking offenses. Barriers identified by several of the respondents included;

- Lack of specialized treatment services.
- Traffickers providing false addresses and Global Position Systems (GPS) is not a standard condition.
- Greater criminal sophistication, as they often have more gang ties and criminal history.
- Need for training, including the signs of ongoing trafficking, the terminology that is used in trafficking, and understanding of issues related to juveniles who have engaged in trafficking.
- Lack of access to social sites, per department policy, and lack of collaboration with law enforcement to monitor current criminal behavior.

### Human Sex Traffickers

The human sex trafficker is the individual who through persuasion, force, fraud, or coercion recruits, harbors, transports, advertises or arranges for the commercial sexual exploitation of another individual. Many supervision responses to human sex trafficking have focused on working with the victims of sex trafficking that have been prosecuted for various offenses. While recidivism estimates for traffickers is unknown, the literature on victims implies that the trafficker will continue to exploit the victims even after they are arrested.

Many individuals convicted for human sex trafficking receive prison time and are placed on parole, however, this is not always the case. For example, Los Angeles County has begun to review individuals on probation in their county who engaged in sex trafficking behavior. Their research highlighted that some individuals who have committed sex trafficking offenses are convicted of lesser crimes that can range from domestic violence to burglary or assault. The research conducted in Los Angeles County, led to a recognition for the need of a policy for supervising this population.

CASOMB recognizes the need for supervision policies for those individual who are involved in human sex trafficking. Limited research and evidenced-based practices have emerged on this population. Several recommendations to promote community safety emerge when considering current practices in California.

- Training and education on the population is crucial and should encompass sex trafficking research, an understanding of the trafficking industry, terminology, and signs of continued trafficking.
- How to evaluate the likelihood of involvement and ongoing involvement in human sex trafficking.
- Training should include how to identify victims and connect them with victim services and resources.
- Identifying individuals who have engaged in sex trafficking, and responding accordingly, even if convictions have been plead down to lesser charges.
- Identifying ways that traffickers stay in contact with former victims, and how they may recruit new victims.
- Understanding and monitoring the various routes by which a person can be sexually exploited, recruited, and/or trafficked.
- Collaborating with departments that monitor technology use, looking for key phrases, use of social media, or an online presence that may indicate ongoing participation in trafficking.
- Determining if the individual engaging in trafficking is motivated by financial gain, sexual gratification or both, as evidenced by a history of contact sexual offenses.
- Consider use of electronic monitoring for enhanced supervision.
- Conduct research on recidivism and criminal history, including, how many have committed sex offenses, beyond trafficking, or domestic violence.
- Encourage probation and courts to consider registration for those offenses that do not require registration, but the behavior was clearly sex trafficking related. Participation in treatment to address sex trafficking behavior and related factors such as psychopathy, domestic violence or sexual abuse.
- Development or identification of a risk instrument for human sex trafficking offenses.

### Youth Male Traffickers

Some research indicates that as many as 1/3 of the adult sex traffickers, began trafficking when they were between the ages of 14-17. Additional consideration should be given to male youth who engage in trafficking.

- They should be evaluated to determine if they were ever victims of sex trafficking.
- Similarly, their history of adverse childhood experiences should be evaluated and treated.
- Family involvement and cultural or gang involvement impacting the youth's decision to engage in sex trafficking should be evaluated.
- The youth should be held accountable for their behavior and should be referred for treatment for offending behaviors.

## Female Sex Traffickers

- They should be evaluated to differentiate those convicted of trafficking, who were initially sexually exploited and later coerced into trafficking and recruiting, versus those who were not.
- Consideration should be given to females to determine if they are currently being trafficked.
- Physical and sexual abuse related issues should be evaluated and treated.
- Supervision should be delivered in a trauma informed and gender responsive manner.

## Transgender Individuals

Though a small percentage, transgender individuals may be involved in trafficking others and/or may be sexually exploited. Trauma informed and individualized evaluation and care should be utilized to accommodate the needs of this population.

## Buyers or Purchasers

As noted in CASOMB's 2020 report, the number of sex buyers convicted for this offense is a significant under representation of the number of actual buyers. The victims often times are unable to identify the buyer. When the buyer is identified approximately only 10 percent are convicted.

Individuals convicted for purchasing minors are often required to register as sexual offenders, placed on specialized caseloads for supervision, and required to participate in treatment. The same is not true for individuals who are convicted for purchasing adults.

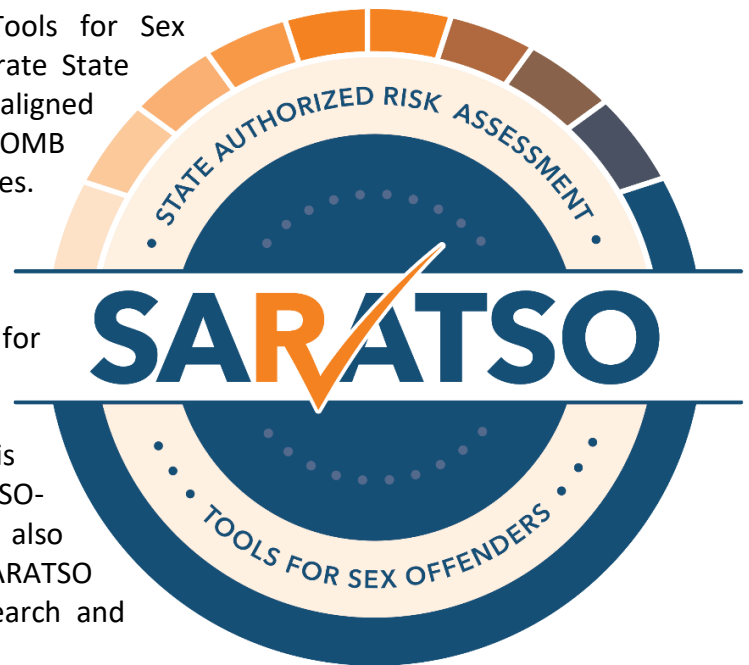
Individuals who have purchased adults may receive informal probation or fines, may not be required to register and receive no treatment or are sent to "John Schools." This type of intervention has not been shown to be an effective deterrent for the behavior. The focus of the schools tends to be to shame the offender for their behavior. Some individuals convicted for this offense, believe that stronger consequences such as jail time would be a greater deterrent. Jail time would decrease secret keeping around this behavior and have a real impact on their financial situation. For some with less financial resources this may be a significant hardship. It is recommended that supervising agents for all purchasers:

- Monitor internet activity and applications, social media, and online presence for ongoing solicitation.
- Have the offender evaluated to identify underlying dynamics for sexual solicitation related convictions and need for treatment.

## State Authorized Risk Assessment Tools for Sex Offenders

The State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) Committee is a separate State Committee that is integral, related to and aligned with CASOMB. However, SARATSO and CASOMB do have different statutory roles and mandates.

In 2006, the SARATSO Committee was tasked with selecting reliable instruments for determining the risk of sexually reoffending for persons convicted of sexual offenses. The Committee retains experts at the top of the field of sex offender risk assessment, and is tasked with providing training to SARATSO-certified California trainers. The experts also provide advice and develop curriculum. SARATSO continues to advocate for funding for research and training tools.



### Training

The SARATSO Review Committee selected the Static-99R for adult males to predict risk of sexual re-offense; the STABLE-2007/ACUTE-2007 to assess dynamic risk factors related to sexual re-offense for adult males; and the Level of Services/Case Management Inventory (LS/CMI) for assessing violence potential. All scorers and trainers must pass an initial training and then be recertified every two years on the instrument(s) they use. Many departments and agencies rotate staff through different positions or hire new staff, which requires ongoing training. In addition to providing training on how to score the instruments, SARATSO also certifies trainers.

In 2022, SARATSO returned to in-person trainings, and hosted both in-person and virtual trainings. SARATSO certified trainers conducted 50 agency-hosted trainings in 2022 and SARTSO hosted 24 trainings, for a total of 74 trainings.

SARATSO also hosts Containment Model Trainings, which provide an overview of applying the containment model to sexual offender management and treatment. During 2022, SARATO hosted one live training to supervising probation officers and parole agents. The trainings accommodated nearly 40 individuals. This training guides implementation of the containment model and the evidenced-based practice of the Risks-Needs-Responsivity principals.

## **Child Pornography Offender Risk Tool Pilot Program**

SARATSO is tasked with identifying actuarial risk assessment for individuals in California who have committed a sexual offense. The Static-99R cannot be used with all sexual offense populations. Specifically it cannot be used for females, individuals whose only sexual offense was committed prior to age 17, sex traffickers, or those individuals who have been convicted for possession of child pornography offenses. The Child Pornography Offender Risk Tool (CPORT) was to provide recidivism probabilities for individuals who have committed offenses that involve child pornography.

In the past year, new research was published providing a cross-validation of the CPORT. The CPORT has seven items that are scored as yes, present or no, not present. While the first 5 items, should be fairly straight forward in the scoring, it is currently unclear if scorers will have access to the information needed to score items 5-7, which involve indications of pedophilic or hebephiliac interests, and ratios of boy to girl content collected by the offender. In order to ascertain if the full instrument can be scored in a consistent and reliable manner, a pilot program will be implemented in at least two counties.

## **Risk Assessment Score Submission**

The SARATSO risk instrument scores must be submitted to the Department of Justice (DOJ). DOJ shares the submission rates with the SARATSO Review Committee annually. In 2021, the score submission rate for the Static-99R was 96 percent for county probation departments. Through an effort of ongoing communication, training and accountability, probation departments' awareness and compliance with this mandate has consistently been high over the past few years.

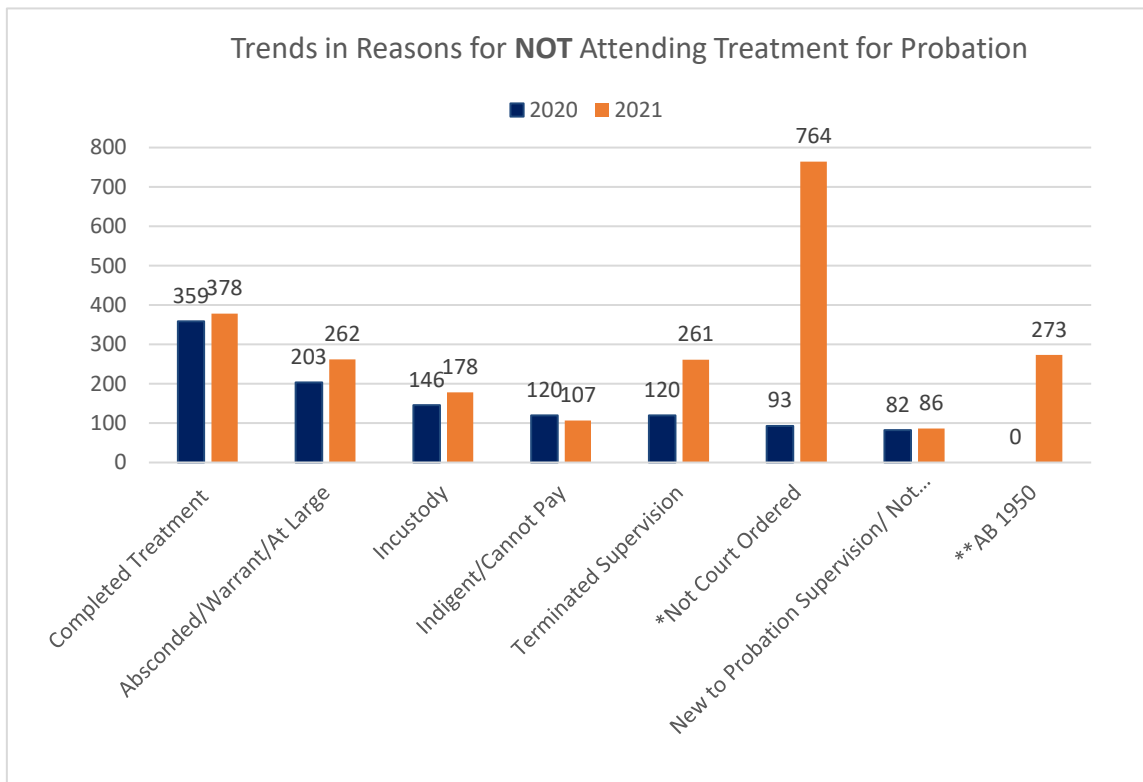
Score submission for the dynamic (STABLE-2007) and violence (LS/CMI) risk instruments are more difficult to track due to the constantly fluctuating numbers of offenders participating in sex offender treatment in the community. SARATSO requests data from county probation and state parole to help track the number of dynamic and violence risk assessments that should be completed annually. SARATSO received data from 55 county probation departments and parole for the 2021 year. SARATSO requested the total number of registered sex offenders on probation or parole at any time during the 2021-year, and a point in time count of the total number of registered sex offenders in treatment as of December 31, 2021.

From the annual tracking form responses, SARATSO was able to identify trends across counties that speaks to why probationers are not attending treatment (*Figure. 1*). According to the data for 2020 and 2021, the top five reasons offenders are not attending treatment include: (1) Completion of Treatment, (2) Absconded/Warrant/At Large, (3) Terminated Supervision, (4) In Custody and (5) Indigent/Cannot Pay. While there were many other reasons why offenders

were not attending treatment, there are two reasons listed in the top five that significantly increased in 2021.

The first is Not Court Ordered; this reason was particularly high in the 2021 reporting period due to a larger county reporting that approximately 700 offenders in their county were not court ordered to attend treatment. The second reason is AB 1950. AB 1950 went into effect on July 1, 2021; therefore, there is no comparison available for the 2020 reporting period. AB 1950 is, however, a significant event as it reduced the time offenders were required to remain on probation supervision.

Figure. 1

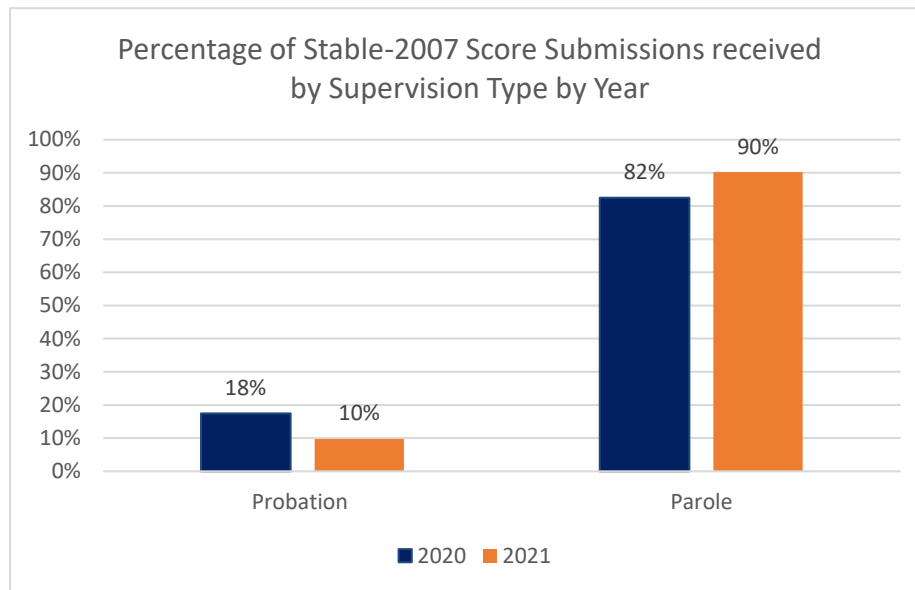


\*Significantly increased due to one large county reporting ~700 offenders fit into this category.

\*\*AB 1950- Implemented on July 1, 2021, which reduced the amount of time offenders were on probation supervision.

Regarding general score submission data, there were a few trends identified over the reporting period (Figure 2 - 3). The Department of Justice and SARATSO identified a continued downward trend for the already low submission rate for probation STABLE-2007 scores (decrease of 8 percent), while parole submissions slightly increased (Figure. 2). The percentage of score submissions is determined by the expected number of individuals enrolled in treatment for each year. SARATSO hopes to see an upward trend in STABLE-2007 score submissions for the 2022 reporting period due to the implementation of the GEARS platform.

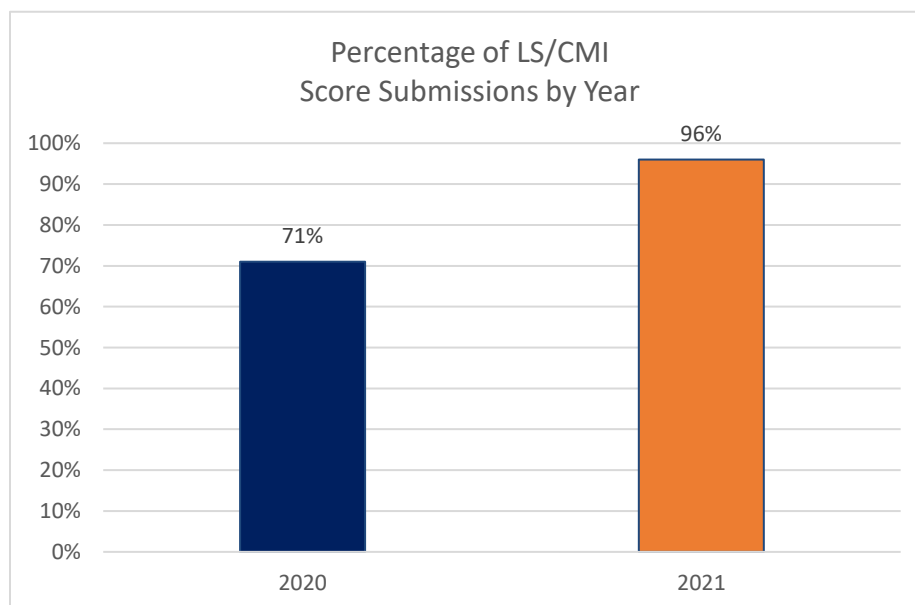
Figure. 2



\*Expected numbers for the STABLE-2007 are based on the number of individuals enrolled in treatment

The final risk assessment tool, the LS/CMI, saw a significant increase in score submissions for 2021 as compared to 2020. LS/CMI score submission cannot be separated by supervision type, probation or parole, therefore, the total reported is an overall number of score submissions. Assuming there were not duplicates, LS/CMI score submissions increased by 25 percent, meaning that the overall score submission rate for 2021 was 96 percent (*Figure. 3*).

Figure. 3



\*Expected numbers for the STABLE-2007 are based on the number of individuals enrolled in

The software used to enter LS/CMI scores was upgraded in June 2022. SARATSO staff has been working to transition treatment providers to a new software program for scoring the LS/CMI and

STABLE-2007. The transition took place on June 1, 2022. SARATSO hosted five live trainings, and approximately two hundred treatment providers attended. Additionally on demand video trainings and written instructions with screen captured images are available on the SARATSO website.

Use of the GEARS system allows treatment providers to directly enter risk assessment scores into the scorer system, which is directly transmitted to the Department of Justice. Additionally the change to the new system allowed for additional data categories to be added. The transition to the GEARS system will allow for a more accurate capture of the data submitted by treatment provider agencies by county and level of supervision. Since the transition took place in the middle of 2022, score submissions will not fully reflect this change until 2023.

## **Research**

### *Inter-rater Reliability of the STABLE-2007*

Risk assessment tools like the STABLE-2007 are useful in helping make predictions about the likelihood of sexual re-offense in a given individual. It provides a scientific method of estimating the likelihood of sexual re-offense. If the individuals who administer the tool do not use it correctly, the results will not be accurate. This study assesses the accuracy of STABLE-2007 tool scorers.

This study uses a unique inter-rater design, involving a video recording of a real individual convicted of sexual offending. This method better simulates field use than other rater reliability studies, which typically use written case vignettes. The results will be used to enhance our training of professionals that treat sexual offending individuals in California. To date, over 50 participants have rated the video case. The study concluded data collection in November 2022. The data is currently being analyzed to inform training practices.

### *Juvenile Recidivism Project*

A SARATSO-sponsored recidivism study is in progress on the JSORRAT-II. The JSORRAT-II, has been validated in Utah and Iowa, and was the actuarial tool selected by SARATSO to assess sex offense recidivism of juvenile males who have offended sexually. The study will analyze the validity of the JSORRAT-II on a California population. The study will determine recidivism rates of juvenile males released from CDCR's Department of Juvenile Justice over a 10 year-period. Over 700 files have been reviewed for inclusion in the study. Results of this research project should be available during the summer of 2023.

## Appendix A

### Data on Registered Sex Offenders in California

Sex Offender Registration In Community	Registered
December 2021	76,709
November 2022	79,315*

Sex Offenders In Custody	In State Prisons	In Civil Commitment (SVP)
December 2021	19,998	931
December 2022	20,009	952

Sex Offenders On Community Supervision	On State Parole	On Conditional Release (SVP)
December 2021	11,355	16
December 2022	11,225	21

Numbers reported as of January 1, 2023

\* Numbers reported as of December 1, 2022

Not all sex offenders who have committed a sexual offense have been detected

## Appendix B

### Data on Registered Sex Offenders by County

COUNTY	Estimated Population	Active Sex Offender Registrants in the Community	COUNTY	Estimated Population	Active Sex Offender Registrants in the Community
Alameda	1,651,979	2,208	Orange	3,162,245	2,915
Alpine	1,200	3	Placer	409,025	565
Amador	40,297	97	Plumas	18,942	62
Butte	201,608	774	Riverside	2,435,525	4,279
Calaveras	45,049	1141	Sacramento	1,576,618	4,076
Colusa	21,807	49	San Benito	65,479	125
Contra Costa	1,156,555	1, 325	San Bernardino	2,187,665	4,672
Del Norte	27,218	162	San Diego	3,287,306	4,020
El Dorado	190,465	375	San Francisco	842,754	1,063
Fresno	1,011,273	2,569	San Joaquin	784,298	1,891
Glenn	28,750	79	San Luis Obispo	280,721	445
Humboldt	135,168	417	San Mateo	744,662	711
Imperial	179,329	267	Santa Barbara	445,164	677

Inyo	18,978	42	Santa Clara	1,894,783	3,156
Kern	909,813	1,948	Santa Cruz	266,564	381
Kings	152,023	437	Shasta	180,531	806
Lake	67,407	291	Sierra	3,229	12
Lassen	30,274	108	Siskiyou	43,830	210
Los Angeles	9,861,224	14,549	Solano	447,241	981
Madera	157,396	429	Sonoma	482,404	743
Marin	257,135	152	Stanislaus	549,466	1,336
Mariposa	17,045	80	Sutter	99,145	284
Mendocino	89,999	250	Tehama	65,052	325
Merced	284,338	750	Trinity	16,023	62
Modoc	8,690	67	Tulare	475,014	1,195
Mono	13,379	18	Tuolumne	55,291	167
Monterey	433,716	716	Ventura	833,652	1,012
Napa	136,179	163	Yolo	221,165	363
Nevada	101,242	177	Yuba	82,275	328
			<b>Total:</b>	<b>39,185,605</b>	<b>65,475</b>

State of California, Department of Finance, E-1 Population Estimates for Cities, Counties, and the State with Annual percentage January 1, 2021 and 2022 Sacramento, California, May 2022

Active Sex Offender Registrants by County made available by the California Department of Justice as of December 1, 2022



[www.CASOMB.org](http://www.CASOMB.org)