

Static Risk Variable Definitions

Static risk variables are variables that have been identified through empirical research to increase risk to re-offend. These variables are not changeable through treatment.

Offender's Age Under 35

When an offender's age is under 35 they are considered to be at increased risk to re-offend.

History of Paraphilia(s)

When an offender has a history of a paraphilia or paraphilias, they are considered at increased risk to re-offend. A paraphilia is a deviant sexual interest or preference, which commonly includes sexual attraction to minors, voyeurism, exhibitionism, sadomasochistic sexual behaviors (interest in pain, suffering, or bondage and sexual interactions), and numerous other forms of sexual deviancy. Having a "history" of a paraphilia or paraphilias would be evidence that the offender had a paraphilia or paraphilias identified at least one year prior to their psychosexual evaluation. It should also be noted, the offender is not required to have the paraphilia or paraphilias present at the time of the psychosexual evaluation to qualify for this static risk variable.

History of Impulsiveness -or- Recklessness

When an offender has a history of impulsiveness or recklessness, they are considered to be at increased risk to re-offend. Impulsive behavior includes a propensity to not consider the consequences of one's actions, and to act without thinking. Reckless behavior includes a willingness to engage in behavior that is dangerous and has the potential to harm themselves or others. Having a "history" of impulsiveness or recklessness would be evidence that the offender was prone towards impulsive and reckless behavior at least one year prior to their psychosexual evaluation. It should also be noted, the offender is not required to have impulsive or reckless behavior present at the time of the psychosexual evaluation to qualify for this static risk variable.

History of Major Mental Illness (Including Mood Disorder -or- Personality Disorder -or- Psychotic Disorder)

When an offender has a history of major mental illness, a mood disorder, a personality disorder, or a psychotic disorder, they are considered to be at increased risk to re-offend. The applicable psychological conditions typically include tendencies to be emotionally unstable, irrational, and unpredictable. Having a "history" of major mental illness, a mood disorder, a personality disorder, or a psychotic disorder would be evidence that the offender had major mental illness, a mood disorder, a personality disorder, or a psychotic disorder one year prior to their psychosexual evaluation. It should also be noted, the offender is not required to have major mental illness, a mood disorder, a personality disorder, or a psychotic disorder present at the time of the psychosexual evaluation to qualify for this static risk variable.

History of Substance Abuse or Dependency as an Adolescent

When an offender has a history of substance abuse or dependency as an adolescent, they are considered to be at increased risk to re-offend. Substance abuse includes abusive use of drugs or alcohol that has negative impacts on life functioning, and could also include tolerance, withdrawal, and loss of control. Substance dependency occurs when an individual becomes dependent on a substance, and consequently, their life tends to revolve around the use of the substance in addition to typically leading to life functioning issues, loss of control, tolerance, and also potentially withdrawal. It should also be noted, the offender is not required to have major substance abuse or dependency present at the time of the psychosexual evaluation to qualify for this static risk variable.

This static risk variable is often considered in conjunction with the offender having a history of substance abuse or dependency as an adult. An offender who has substance abuse or dependency issues as an adolescent, but not as an adult, would only receive one static risk variable. An offender who has substance abuse or dependency issues as both an adolescent and adult would receive two separate static risk variables.

History of Substance Abuse or Dependency as an Adult

When an offender has a history of substance abuse or dependency as an adult, they are considered to be at increased risk to re-offend. Substance abuse includes abusive use of drugs or alcohol that has negative impacts on life functioning, and could also include tolerance, withdrawal, and loss of control. Substance dependency occurs when an individual becomes dependent on a substance, and consequently, their life tends to revolve around the use of the substance in addition to typically leading to life functioning issues, loss of control, tolerance, and also potentially withdrawal. It should also be noted, the offender is not required to have major substance abuse or dependency present at the time of the psychosexual evaluation to qualify for this static risk variable.

This static risk variable is often considered in conjunction with the offender having a history of substance abuse or dependency as an adolescent. An offender who has substance abuse or dependency issues as an adult, but not as an adolescent, would only receive one static risk variable. An offender who has substance abuse or dependency issues as both an adolescent and adult would receive two separate static risk variables.

Having Ever had a Sexual Victim that was Not Related

When an offender has a history of having had a sexual victim that was not related at the time of the sexual offense, they are considered to be at an increased risk to re-offend. To be "not related" is considered to be outside the offender's bloodline or family at the time of the sexual offense. "Related" individuals would include siblings, mother, father, aunt, uncle, nieces, nephews, grandparents, step-relatives, or in-laws. Related individuals would also include children of a live-in girlfriend or boyfriend who have resided with the offender for two years or longer prior to the sexual offense. However, step-relations that are less than two years, or boyfriend's or girlfriend's children who have not resided with the offender for two years or longer at the time of the sexual offense would be considered "not related." Also, more distant relatives such as a nephew's wife, second cousins, or wife's aunt would be considered "not related."

Having Ever had a Sexual Victim that was a Stranger (Known less than 24 Hours)

When an offender has a sexual victim that was a stranger at the time of the sexual offense, they are considered to be at increased risk to re-offend. To be a "stranger," the victim would have known the offender for 24 hours or less prior to the sexual offense. To "know" the offender, requires some form of interaction, most typically speaking.

Having Ever had a Sexual Victim that was a Male

When an offender has a sexual victim that was a male, they are considered to be at increased risk to re-offend.

Having One Prior Conviction for a Sexual Offense -or- One to Two Prior Charges for Sexual Offenses with No Convictions

When an offender has prior sexual offense convictions, or prior charges without convictions, they are considered to be at increased risk to re-offend. As the number of prior convictions increases, or as the number of prior charges increase, the offender is considered to be at greater risk to re-offend. A sexual offense would be any criminal offense that includes sexual behavior. For example, an offender could be convicted of injury to a child, battery, or kidnapping where the charge itself doesn't suggest sexual behavior, but the behaviors that lead to the charge were sexual behaviors.

It should be noted that every count for which an offender is either charged or convicted of a sexual crime is considered as a separate charge or conviction. For example, if an offender was previously convicted of two counts of a particular sexual offense, they would be considered to have two prior convictions. Or, if they were charged with five prior counts of a particular sexual offense, four were dropped, and one they were convicted of, they would be considered to have had five prior charges (4 dropped counts plus 1 conviction equals five prior charges).

In regards to this static risk variable, if the examinee has one prior conviction for a sexual offense, or 1 to 2 prior charges for sexual offenses with no convictions, they are considered an increase risk to re-offend.

Having Two to Three Prior Convictions for Sexual Offenses -or- Three to Five Prior Charges for Sexual Offenses with No Convictions

When an offender has prior sexual offense convictions, or prior charges without convictions, they are considered to be at increased risk to re-offend. As the number of prior convictions increases, or the number of prior charges increase, the offender is considered to be at greater risk to re-offend. A sexual offense would be any criminal offense that includes sexual behavior. For example, an offender could be convicted of injury to a child, battery, or kidnapping where the charge itself doesn't suggest sexual behavior, but the behaviors that lead to the charge were sexual behaviors.

This static risk variable is considered in conjunction with the one preceding static risk variable that is associated with greater numbers of prior convictions, or greater number of prior charges without convictions, in addition to being considered in conjunction with the prior static risk variable associated with a lower number of convictions.

It should be noted that every count for which an offender is either charged or convicted of a sexual crime is considered as a separate charge or conviction. For example, if an offender was previously convicted of two counts of a particular sexual offense, they would be considered to have two prior convictions. Or, if they were charged with five prior counts of a particular sexual offense, four were dropped, and one they were convicted of, they would be considered to have had five prior charges (4 dropped counts plus 1 conviction equals five prior charges).

In regards to this static risk variable, if the examinee has 2 to 3 prior convictions for sexual offenses, or 3 to 5 prior charges for sexual offenses with no convictions, they are considered to be at increased risk to re-offend. They would receive this risk variable, and also the risk variable prior to this one, associated with one prior conviction for a sexual offense, or 1 to 2 prior charges for sexual offenses with no convictions.

Having Four or More Prior Convictions for Sexual Offenses -or- Six or More Prior Charges for Sexual Offenses with No Convictions

When an offender has prior sexual offense convictions, or prior charges without convictions, they are considered to be at increased risk to re-offend. As the number of prior convictions increases, or the number of prior charges increase, the offender is considered a greater risk to re-offend. A sexual offense would be any criminal offense that includes sexual behavior. For example, an offender could be convicted of injury to a child, battery, or kidnapping where the charge itself doesn't suggest sexual behavior, but the behaviors that lead to the charge were sexual behaviors.

This static risk variable is considered in conjunction with the two prior static risk variables associated with a lower number of convictions.

It should be noted that every count for which an offender is either charged or convicted of a sexual crime is considered as a separate charge or conviction. For example, if an offender was previously convicted of two counts of a particular sexual offense, they would be considered to have two prior convictions. Or, if they were charged with five prior counts of a particular sexual offense, four were dropped, and one they were convicted of, they would be considered to have had five prior charges (4 dropped counts plus 1 conviction equals five prior charges).

In regards to this static risk variable, if the examinee has 4 or more prior convictions for sexual offenses, or 6 or more prior charges for sexual offenses with no convictions, they are considered to be at increased risk to re-offend. They would receive this risk variable, and also the 2 risk variables prior to this one, associated with: one prior conviction for a sexual offense, or 1 to 2 prior charges for sexual offenses with no convictions; and 2 to 3 prior convictions for sexual offenses, or 3 to 5 prior charges for sexual offenses with no convictions.

History of High Density of Sexual Offending

When an offender has a history of high density of sexual offending, they are considered to be at increased risk to re-offend. "High density of sexual offending" can be understood as the examinee having engaged in multiple acts of inappropriate sexual behavior within a relatively short period of time, such as weeks or months. Typically, the potential to behave in

inappropriate sexual ways is higher when an individual resides in the community rather than in a structured environment, such as prison.

History of Conviction for a Non-Contact Sexual Offense

When an offender has a non-contact sexual offense, they are considered to be at increased risk to re-offend. A "non-contact sexual offense" is a sexual offense that does not involve physical touching. This typically includes voyeurism, exhibitionism, making obscene phone calls, sexual-harassment, or possession of child pornography. Non-contact sexual offenses are considered to increase the risk to re-offend, because the offender usually has more opportunity to engage in these offenses than sexual offenses against physical victims.

History of Multiple Sexual Offense Behaviors and Types

When an offender has a history of multiple sexual offense behaviors, they are considered to be at increased risk to re-offend. An offender that has engaged in numerous different types of inappropriate sexual behaviors is considered to have a greater probability to re-offend, in that they are capable of committing sexual offenses in many different ways. Also, having engaged in multiple types of sexual offense behaviors can suggest a greater level of sexual deviancy.

History of Grooming a Sexual Victim

When an offender has a history of grooming their victim(s), they are considered to be at increased risk to re-offend. This suggests a more predatory disposition. The grooming behavior may include the victim as well as other individuals in the victim's environment to gain access to potential victims, overcome resistance, reduce the probability of being reported or reduce the likelihood of the victim being believed about the assault. The behavior may also vary in frequency, intensity and duration across assault types.

History of Childhood Aggression or Violence Problems Prior to Age of 15

When an offender has a history of childhood aggression or violence problems prior to the age of 15, they are considered to be at increased risk to re-offend. Early aggression and violent behavior indicate a greater likelihood to act in violent and aggressive ways in the future.

This risk variable is considered in conjunction with the risk variable: "History of Aggression or Violence At and/or After Age 15 (Including Adulthood)." The offender can receive a score for both "History of Childhood Aggression or Violence Problems Prior to Age of 15" and "History of Aggression or Violence At and/or After Age 15 (Including Adulthood)," if both apply.

History of Aggression or Violence At and/or After Age 15 (Including Adulthood)

When an offender has a history of aggression or violence problems after age of 15, they are considered to be at increased risk to re-offend. Aggression and violent behavior in adolescence or adulthood indicate a greater likelihood to act in violent and aggressive ways in the future.

This risk variable is considered in conjunction with the risk variable: "History of Childhood Aggression or Violence Problems Prior to Age of 15." The offender can receive a score for both "History of Childhood Aggression or Violence Problems Prior to Age of 15" and "History of Aggression or Violence At and/or After Age 15 (Including Adulthood)," if both apply.

Victim being Physically Injured in the Course of the Sexual Offense being Committed

When an offender has a history of physically injuring their victim during the course of committing a sexual offense they are considered to be at increased risk to re-offend.

Use of a Weapon or Threat of Death Occurring During the Sexual Offense

When an offender has a history of using a weapon or threatening to kill their victim during the course of committing a sexual offense they are considered to be at increased risk to re-offend.

History of Family of Origin Instability Associated with the Offender Not Living with Parents until Age 16

When an offender has not lived with both of their biological parents until age 16, this creates instability in their family of origin, and consequently, they are considered to be at increased risk to re-offend.

When an offender is raised in a home where family members have mental illness or substance abuse issues, this creates instability in their family of origin, and consequently, they are considered to be at increased risk to re-offend. This would include being raised with a mother, father, siblings, uncles, aunts, nephews, nieces, cousins, grandparents, or other family members from the family of origin who have mental illness or substance abuse issues. The closer the offender is to the family member with mental illness or substance abuse issues, the greater the likelihood for a negative influence that would increase risk to re-offend.

History of Family of Origin Instability Associated with Family Members having Antisocial or Criminal Issues

When an offender is raised in a home where family members have antisocial or criminal issues, this creates instability in their family of origin, and consequently, they are considered to be at increased risk to re-offend. This would include being raised with a mother, father, siblings, uncles, aunts, nephews, nieces, cousins, grandparents, or other family members from the family of origin who have antisocial or criminal issues. The closer the offender is to the family member with antisocial or criminal issues, the greater the likelihood for a negative influence that would increase risk to re-offend. Antisocial or criminal issues would include gang affiliations, organized crime affiliations, or criminal histories.

History of Family of Origin Instability Associated with the Offender Witnessing Abuse of Other Family Members

When an offender is raised in a home where they witness physical, emotional, or sexual abuse of other family members, this creates instability in their family of origin, and consequently, they are considered to be at increased risk to re-offend.

History of the Offender Experiencing Abuse (Physical, Emotional, or Sexual)

When an offender has a history of any form of abuse, either physical, emotional, or sexual, they are considered to be at increased risk to re-offend.

Offender having No History of a Long Term Relationship (Never Living with Lover/Romantic Partner for Two Years or Longer)

When an offender has not lived with a romantic or sexual partner for 2 years or longer, they are considered to be increased risk to re-offend.

History of Antisocial Influences or Affiliations

When an offender has a history of association with antisocial influences or affiliations, they are considered to be at increased risk to re-offend. Antisocial influences or affiliations would include gang affiliations, organized crime affiliations, people with criminal histories, or people who would support criminal thinking or behavior.

History of Problems with School Performance

When an offender has a history of poor school performance, they are considered to be at increased risk to re-offend. This can include problems maintaining passing grades, inability to function in classrooms, or significant attention and concentration problems.

History of Employment Issues

When an offender has a history of problems maintaining or securing employment, they are considered to be at increased risk to re-offend.

History of Discipline Issues in Elementary and/or Middle School (1st through 8th Grade)

When an offender has a history of discipline issues during 1st through 8th Grade, they are considered to be at increased risk to re-offend. If they have displayed a history of discipline issues during 1st through 8th Grade, and a history of discipline issues during 9th through 12th Grade, they will be scored on both items. This would include behavior that resulted in a singular serious consequence, or a pattern of disruptive behavior.

History of Discipline Issues in High School (9th through 12th Grade)

When an offender has a history of discipline issues during 9th through 12th Grade, they are considered to be at increased risk to re-offend. If they have displayed a history of discipline issues during 1st through 8th Grade, and a history of discipline issues during 9th through 12th Grade, they will be scored on both items.

Displaying Antisocial Behavior Prior to the Age of 15

When an offender displays antisocial behavior (including criminal activity, violating the rights of others, disregarding rules, defiance of authority, etc.) prior to the age of 15, they are considered to be at increased risk to re-offend. This static risk variable is scored in conjunction with the static risk variable: "Displaying Antisocial Behavior At and/or After Age 15 (Including Adulthood)." If they have displayed antisocial behavior both before age 15, and at or after age 15, they will be scored on both items.

Displaying Antisocial Behavior At and/or After Age 15 (Including Adulthood)

When an offender displays antisocial behavior (including criminal activity, violating the rights of others, disregarding rules, defiance of authority, etc.) at or after the age of 15, they are

considered to be at increased risk to re-offend. This static risk variable is scored in conjunction with the static risk variable: "Displaying Antisocial Behavior Prior to Age 15." If they have displayed antisocial behavior both before age 15, and at or after age 15, they will be scored on both items.

Having a Prior Arrest History that Includes Four or More Convictions

When an offender has a history of four or more sentencing dates for any crimes that either did or could have resulted in jail or prison time, prior to their most recent sexual offense, they are considered to be at increased risk to re-offend. Typically traffic violations do not count, unless they could result in jail or prison time.

History of Discipline Issues While Incarcerated

When an offender has discipline issues for behavior that includes sexual conduct, aggression or violence which results in a restrictive housing sanction while in the controlled and structured environment of incarceration, they are considered to be at increased risk to re-offend.

Psychopathy

When an offender has previously been concluded by a trained mental health professional to have psychopathy as indicated by a measure or collateral information, they are considered to be at increased risk to re-offend. Offenders with psychopathy are more likely to continue to engage in criminal behavior.

History of Treatment Failure

When an offender has failed at treatment, they are considered to be at increased risk to re-offend. Failure could include being removed from treatment for attitude issues, resistance, failing a polygraph, poor participation, breaking rules, or committing another crime.

History of Supervision Failure

When an offender has failed at supervision in the community, they are considered to be at increased risk to re-offend. This typically consists of the examinee failing probation or parole by not following the rules and requirements of probation or parole.