



## WYOMING LEGISLATIVE SERVICE OFFICE

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### *Research Memo*

05 RM 078R

**Date:** October 13, 2005

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**Re:** Electronic monitoring of sex offenders

#### QUESTION

1. What is the value (efficacy and cost) of electronic monitoring and house arrest for sex offenders?
2. What do statistics show about recidivism rates by sex offenders committing another sex offense in Wyoming?

#### ANSWER

1. According to Department of Corrections staff, electronic monitoring (as a component of an intensive supervision program) is less expensive than adult community corrections or incarceration in the Wyoming State Penitentiary, and is part of a more intensive supervision and treatment program for sex offenders.

According to the Department of Corrections (DOC) staff, there are many considerations to take into account regarding sex offenders and electronic monitoring (EM). Community supervision, of which an intensive supervision program (ISP) (which may include EM and house arrest) may be a component, is an alternative to incarceration, and often used with sex offenders. EM is not used by itself without supervision or treatment, but as a component of an intensive supervision and treatment program. Further, not all sex offenders have EM as a component of their ISP. Including EM in an ISP is dependent upon certain factors, such as the risk the offender poses, sex offender evaluations, and as a sanction for violations such as curfew, failing to report, etc.

Community supervision has been used by DOC for several years and includes more intensive sex offender specific treatment in conjunction with possible "tools" such as EM and house arrest or curfew. EM, as reported by DOC staff, is used as a "...temporary sanction and is a tool to assist with establishing structure," and may be most effective when used for short periods of time, or periodically as necessity dictates. Longer periods of use, according to DOC staff, may cause its usefulness as a tool to be diminished. EM also assists in establishing an offender's sense of accountability. A sense of accountability, or lack thereof, is reportedly a crucial component within a sex offender's personality, and plays an important role in whether or not a sex offender is appropriate for community supervision (ISP/EM alternative). If a sex offender admits culpability in the offense, according to DOC staff, then it is more likely that the offender is appropriate for community supervision, which may include EM. If the sex offender maintains denial of culpability, then the offender is not a good candidate for community supervision. DOC staff reported that in order for community supervision, including the use of EM, to be a

successful supervision consideration for sex offenders, the offenders' individual personalities may determine whether an offender does, or does not, recidivate.

DOC staff stated, "The philosophy of the agency is to place all offenders convicted of sex offenses, and ordered under supervision, on ISP, if at all possible. In most locations, not only do sex offenders start community supervision on ISP but they are also placed on electronic monitoring."

Below is a table listing the cost per day per offender of supervision of sex offenders:

Type of Supervision	Cost
Intensive Supervision program (including EM)	\$15-\$17
Traditional probation/parole supervision	\$3
Adult Community Corrections	\$35
Wyoming Penitentiary	\$67-\$115

**2. Generally, Wyoming recidivism rates for sex offenders re-offending with new sex offenses hovers around 4 percent to 5 percent.**

As stated in the answer to question #1 above, there are considerations to take into account when reviewing recidivism rates. DOC staff reported that, in general, nationally and in Wyoming, sex offenders have a lower recidivism rate than non-sex offenders. National recidivism rates tend to be in the 10 percent to 13 percent range for sex offenders and new sex offenses. This compares with a recidivism rate of 35 percent to 40 percent for non-sex offenders. In addition, sex offenders tend to recidivate with non-sex offenses. In Wyoming, recidivism rates for sex offenders committing new sex offenses hover around 4 percent to 5 percent. DOC staff reports these statistics are for the larger sex offender population under supervision in the community. According to DOC staff, recidivism rates for offenders in ISP with EM versus those in ISP without EM is not determinable with DOC's tracking system.

Please refer to the attached table for the number sex offenders who committed new sex offenses for the years 2000-2005 in Wyoming. DOC staff cautions that when looking at these numbers it is possible that some of these offenders could have been parolees initially sent to prison and released on parole, versus sex offenders placed straight into probation.

If you need further information, please do not hesitate to contact LSO Research at (307) 777-7881.

<b>SEX OFFENDER RE-OFFENSE INFORMATION</b>			
<b>YEAR</b>	<b># SEX OFFENDERS DISCHARGED FROM SUPERVISION</b>	<b># OF SEXOFFENDERS COMMITTING NEW OFFENSE WHILE SUPERVISEED</b>	<b>TYPE OF SEX OFFENSES COMMITTED</b>
2000	121	5 offenders or 4%	3 - 3rd Degree Sexual Assaults 1 – Public Indecency 1 – Indecent Liberties with a Minor
2001	85	4 offenders or 5%	1 – 2 <sup>nd</sup> Degree Sexual Assault 2 – Indecent Liberties with a Minor 1 – Molesting a Minor
2002	Statistics were not recorded in the strategic plan		
2003	112	4 offenders or 4.5%	1 – Internet Pornography 2 – Indecent Liberties with a Minor 1 – Indecent Exposure
2004	138	9 offenders or 7.5%	Information not readily available
2005	89	2 offenders or 2%	1 – 3 <sup>rd</sup> Degree Sexual Assault 1 – 2 <sup>nd</sup> Degree Sexual Assault

Source: Department of Corrections.