

Overview of the Static-99R

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Reference

- Unless otherwise noted, information for this presentation is derived from Static-99R coding rules(Harris, Phenix, Hanson, and Thornton, 2003), subsequent coding revisions, and references publicly accessible at www.Static99.org

The Purpose of the Static-99R

- Static-99R is a 10-item actuarial scale that assesses recidivism risk of adult male sexual offenders who have committed a sexually motivated offense against an identifiable victim.
- Static-99R contains items assessing age at release, sexual criminality, and general criminality.
- Provides a baseline estimate of risk and identifies sex offenders in greatest need of management/supervision.

Hanson, Babchishin, Helmus, Thornton, and Phenix (2016)

- The STATIC risk scales are the most researched, best validated, and most commonly used tools in the world to assess the recidivism risk posed by sexual offenders.
- Rater reliability is typically in the .80s or higher for both field validity and research studies. In practice, rater reliabilities in the .80s corresponds to exact agreement on Static-99R scores half time, and disagreement by no more than one point nine times out of 10.

Lee, Restrepo, Satariano, and Hanson (2016)

- In a study of 1,198 California parolees and 428 probationers released in 2009-2010 and followed for five years found:
- Lower base rate of sexual violence in this sample (4.8%) compared to the Static-99R normative sample (8.2%).
- Static-99R discriminated recidivists from non-recidivists for all ethnic groups (White, Black, and Hispanic).
- Predictive validity for parolees was large (AUC = .779).

What Does the Static-99R Assess and What Does it Not Assess?

- **Assessed:** Static or relatively unchangeable characteristics actuarially derived from 17 samples of over 6,000 sex offenders (2008).
- **Not Assessed:** Dynamic or changeable characteristics that potentially mitigate or elevate an offender's current risk.

Static-99R Coding Form				
Question Number	Risk Factor	Codes		Score
1	Age at release	Aged 18 to 34.9		1
		Aged 35 to 39.9		0
		Aged 40 to 59.9		-1
2	Ever Lived With	Aged 60 or older		-3
		Ever lived with lover for at least two years?		
		Yes		0
3	Index non-sexual violence - Any Convictions	No		0
		Yes		1
4	Prior non-sexual violence - Any Convictions	No		0
		Yes		1
5	Prior Sex Offences	Charges	Convictions	
		0	0	0
		1,2	1	1
		3-5	2,3	2
		6+	4+	3
6	Prior sentencing dates (excluding index)	3 or less		0
		4 or more		1
7	Any convictions for non-contact sex offences	No		0
		Yes		1
8	Any Unrelated Victims	No		0
		Yes		1
9	Any Stranger Victims	No		0
		Yes		1
10	Any Male Victims	No		0
		Yes		1
Total Score		Add up scores from individual risk factors		

Translating Static-99R scores into risk categories

Score	Label for Risk Category
-3 through 1	= Low
2, 3	= Low-Moderate
4, 5	= Moderate-High
6 plus	= High

The Static-99R total score ranges from -3 to 12 and the midpoint of the scale roughly corresponds with a score of 3 or 4. Coding across ten items is based largely on characteristics of the “index sex offense” statistically most predictive of sex offense reconviction. The index sex offense is usually the most recent sex offense and it may involve an arrest, conviction, and in some cases an institutional rules violation. Scores of -3 to 1 are categorized Low risk. Scores of 2-3 are Low-Moderate. Scores of 4-5 are Moderate-High. And scores of 6 and higher are High.

Sex offenders in the normative sample were not equally represented across the range of total scores. Instead, they were disproportionately represented across the lower end of the range. A total score of 4, for example, roughly represents the midpoint of the range but it does not correspond with a percentile of fifty. Instead, 80% of sex offenders in the normative sample obtained this score or lower. At the highest end of the range of total scores, fewer than 1% of sex offenders in the normative sample obtained scores of 8 to 12. It is for this reason that seemingly high percentiles are associated with lower risk categorical ratings (i.e., An inmate who obtains a percentile rank of 65 is rated low/moderate).

Authors of the Static-99R advise that changes to item coding and corresponding risk categories are forthcoming. The Board has made arrangements with Amy Phenix, co-author of the Static-99 and expert retained by SARATSO (the State Authorized Risk Assessment Tool for Sex Offenders), to provide psychologists additional training.

Static-99R Administration

- In most cases, the Static-99R is administered when a male offender was convicted as an adult of sexual crimes involving children or nonconsenting adults.

Other Situations Justifying Static-99R Administration

- When an inmate committed a sexual offense as a sixteen or seventeen year-old and the offense appears “adult” in nature (preferential or targeted rape or sexual assault of children).

Original Static-99 samples contained few offenders who committed sexual offenses as juveniles and very few, if any, would have served long prison sentences. Such cases would have been so uncommon in the original Static-99 normative samples that authors instruct psychologists to “use more caution than usual” when interpreting their total scores and risk categories and to consider the developmental context in which juvenile sex offenses occurred.

Other Situations Justifying Static-99R Administration

- When an inmate was arrested but not convicted of a sexual offense “where there is reason to believe that a sexual offense occurred with an identifiable victim.”

Other Situations Justifying Static-99R Administration

- When an inmate committed an institutional rules violation judged “sufficiently intrusive that a charge for a sexual offense would be possible were the offender not already under legal sanction” and the psychologist is “sure that the sexual [offense] actually occurred and the institutional punishment was for the sexual behavior.”

Situations In Which the Static-99R Should *Not* Be Administered

- With female sex offenders.
- When there is insufficient reason to believe an inmate committed a sexual offense with an identifiable victim (even in the presence of an arrest or institutional rules violation).

Situations In Which the Static-99R Should *Not* Be Administered

- When an inmate's only sex offense involves consenting sexual activity with a similar age peer (i.e., statutory rape) or possession of child pornography.
- When an inmate is now an adult (18+ years old) and his last sexual offense occurred when he was 14 or 15.

A Word of Caution Regarding Sex Offense Reconviction Rates

- Sex offenders who make-up the Static-99R validation samples were younger when released (Average age = 40) than inmates coming before the board (Average age = 52) and they served much less time in prison (some were sentenced to probation). There were very few aging sex offenders in the validation sample and very little is known of sex offenders over the age of sixty.
- Released long term inmates who obtain scores and ratings comparable to sex offenders in the Static-99R validation sample would likely be convicted of new sex crimes with less frequency.

Although the Static-99R was subsequently cross validated across numerous settings and offender typologies, its percentile ranks and categorical ratings are based upon comparisons to the validation sample.

Lee, Restrepo, Satariano, and Hanson (2016)

Category	California Parolees	Sexual Recidivists
Low	441	6 (1.4%)
Low-Moderate	393	11 (2.8%)
Moderate-High	250	12 (4.8%)
High	114	23 (20.2%)
Total	1,198	52 (4.3)

The rate of sexual recidivism was slightly higher for the sample of California probationers [26 of 428 (6.1%)].

Age at Release

- Age on the Static-99R is defined as age at release from the index sex offense and not *current age* or *age at release from present commitment*. Depending upon the disposition of the index sex offense, these ages may be one in the same or they may be quite different. Two inmates who committed identical sex crimes prior to age 30 and who are now 60 years-old and who otherwise share similar risk characteristics may obtain significantly different total scores, percentiles, and risk categories

Age at Release

- Example A: An inmate who committed a sex offense at age 29 and was released from his sentence/disposition at age 34 and who subsequently committed his Life crime and is now 60 years-old will obtain a score of plus one on “Age at Release” (unfavorable).
- Example B: An inmate who committed a sex crime at age 29 in conjunction with his Life crime and is now 60 years-old will obtain a score of minus three on “Age at Release” (favorable).

Adjusting for Inmate Aging in Prison

- Psychologists are not permitted to adjust or override Static-99R total scores or risk categories.
- If an inmate was released from his index sex offense many years ago and he then committed a nonsexual offense that led to his current long-term incarceration (Example B), then the psychologist must consider the effect of aging on sexual recidivism *outside of Static-99R interpretation*.

Adjusting or overriding Static-99R ratings or risk categories due to aging or other risk considerations not captured in the actuary would distance Static-99R estimates (and normative references) from their empirical base and substantially reduce their predictive accuracy.

Considering Dynamic Risk and Other Risk Considerations Outside of Static-99R Interpretation

- Psychologists are encouraged to consider factors external to the Static-99R that may influence risk in either direction. If the psychologist believes the Static-99R risk category does not accurately reflect the inmate's present risk, she will indicate so.
- It is in part for this reason that Static-99R categories do not necessarily correspond with psychologists' overall opinions regarding risk of violence.

Integrating Static and Dynamic Risk

Favorable risk indicators	Unfavorable risk indicators
Offender is older (60+), incarcerated for many years (15+ years), and chronologically removed from sex offense.	Offender is younger (<35), earlier in incarceration (<10 years), and chronologically less removed from sex offense.
Incest only offender. Unlikely to have access to similar victims in future. Smaller potential victim pool.	Many types of victims (especially unrelated, male, and stranger victims). Traveled to find victims. Larger potential victim pool.
Absence of nonsexual violence accompanying sexual deviance.	Nonsexual violence accompanying sexual deviance.
No evidence of other victims.	Multiple victims. Evidence of recurring sexual deviancy (especially across developmental stages)
Absence of significant antisocial behavior and attitudes.	Generalized criminality and nonsexual violence. Psychopathic personality. Persistence of criminality. Offense supportive attitudes.
Maintains intimate relationships. Strong social support. Connected to social structures.	Absence of live-in intimate relationships. Few close bonds. Disconnected from social structures. Callousness. Grievance thinking. Hostility towards women.
No evidence of recurring sexual deviance.	Sexual persistence. Evidence of sexual deviance, stalking, and overfamiliarity while incarcerated. Emotional identification with children.
Emotional and behavioral stability. Medical incapacitation.	Recent evidence of impaired impulse control and expressions of anger. Resistance to rules. Noncompliance.

These risk indicators reflect an amalgamation of the Static-99R, Stable-2007, SVR-20, and SRA-FV and literature summarized in Mann, R., Hanson, R. K., Thornton, D. (2010). *Assessing Risk for Sexual Recidivism: Some Proposals on the Nature of Psychologically Meaningful Risk Factors*.

Factors That May or May Not Be Predictive of Sexual Violence (Mann, Hanson, and Thornton, 2010).

- Denial
- Low Self Esteem
- Major Mental Illness
- Feelings of Loneliness and Rejection

Mann et al. (2010) concluded, “the conditions under which denial contributes to recidivism risk for sexual offenders have not been clearly identified. It is likely that some aspects of denial are genuine protective, for by denying their offenses, some offenders can be advancing a ‘redemption script’ and distancing themselves from their prior misdeeds (Maruna and Mann, 2006). Denial can also be criminogenic when it is motivated by the crass desire to avoid punishment or by a failure to recognize their transgressions as sexual crimes. One hypothesis that follows from this view is that denial would be protective for offenders demonstrating positive behavioral change in other areas, but denial would increase the risk for sexual offenders who remain committed to deviant lifestyles or otherwise criminogenic influences.”

Homicidal Versus Non-Homicidal Sex Offenders (Chan and Beuregard, 2016)

- Homicidal sex offenders are more likely:
 - To report having had deviant sexual fantasies prior to their actual offense and to meet criteria for sexual sadism.
 - To select victims who meet their psychological, sexual, and/or social needs (i.e., victim demographics such as age and race).
 - To mutilate their victim during the offense. To use a weapon. To use physical restraint.
 - To demonstrate maladaptive personality characteristics. Grandiose sense of self-worth. Social and emotional isolation. Relationship instability. Incapacity for guilt or remorse.

Advisement to Parole Decision Makers

- Static-99R is one of many sources of information psychologists consider when conceptualizing risk. Although it is generally true that the more risk factors present the greater the risk, it is also true that aging sex offenders released from long-term incarceration are less likely to commit future sex crimes.

Advisement to Parole Decision Makers

- Risk indicators empirically linked to sexual violence reconviction should be considered within a comprehensive violence risk assessment framework. Emphasis should be placed on identifying inmates who clearly pose the greatest risk.

Advisement to Parole Decision Makers

- Static-99R assessed risk categories should be afforded less weight (or no weight) when the psychologist opines they do not accurately reflect the inmate's current risk due to dynamic risks that may influence risk in either direction.

Advisement to Parole Decision Makers

- A relatively high Static-99R percentile rank should not be interpreted in isolation to mean that the offender is likely to commit a sexual offense if paroled. In California (2016), for example, less than 5% of sex offenders rated moderate-high on the Static-99R (corresponding percentile rank of 79 to 88) were convicted of sex offenses within five years.