

#### Credentials and Credibility

- Everything you do in and out of the courtroom will affect your credibility
- Be consistent-reports, testimony, writing and publications, presentations
- Be balanced and objective in opinions
- Handling skeletons in the closet
- Dress appropriately

#### Preparation

- Testimony/deposition agreement for fees, subpoena and scheduling
- Trial ready file / Timeline
- Know the report and documents coldidentify significant testimony issues
- Consult with counsel to develop direct
- You may be asked to comment on opposing experts report
- Motions to Exclude Evidence

#### Order of Documents Trial Binder

- Your report
- Other evaluators reports and Updates
- Criminal Legal records for each case
- Depositions (yours or others)
- Psych records (CSH or ASH)
- DOC
- Rap
- Medical
- Misc (release plan, etc.)

# Knowledge Base for Testimony All relevant literature for diagnosis and risk assessment Understanding of study methodology Statistics used and why May be asked to provide articles relied upon Narrow to what is directly relevant Footnote relevant articles in your report

#### Statistics to be Familiar With

- Correlation "r"
- "d" statistic
- Receiver Operator Characteristic Curve (AUC)
- Meta-analysis results
- Logistic regression (probabilities of reoffense for Static-99R and Static-2002R)
- Confidence Intervals

### What to Take to Depositions or on the Stand

- Opposing council can ask for anything you have, copy it and read it to the jury
- Binder
- Timeline
- VO
- Pertinent articles
- Interview Notes (you will probably have turned these over to opposing council)
- > Any subpoenaed materials

#### Depositions

- Nature and Purpose of Deposition
  - Expert's Role
  - · Opposing Attorney's Role
  - Your Attorney's Role

#### Deposition Subpoenas and Fees

- Need a subpoena
- Subpoena may request materials, notes, articles, draft copies evaluation, e-mails, finances, board complaints, prior depositions, prior trial transcripts, etc.
- Only need to turn over what exists-do not need to create materials (trial list)
- If you are in private practice request payment at deposition

### To Provide a Good deposition, you need to:

- Be as prepared for the deposition as you will be for the trial
- Remain a calm and active listener;
- Testify in a style that is personally comfortable to you, i.e., be yourself
- Do not yield to attempts by the examiner to recast your opinion;
- Provide information consistent with your report
- Limit teaching

### Direct Examination

- Conducted by attorney who called you as a witness or retained you
- Carefully crafted questions to elicit information favorable to his client.



#### **Direct Examination**

- Don't hedge "could, may, I suspect, it seems." Use confident language "yes, absolutely, I strongly disagree or agree."
- Use visual aids (illustrative exhibits) and move from the witness stand if you can (i.e. scoring Static-99R)
- Look at the jury and the Judge if it is a court trial.

#### **Direct Examination**

- Use numbered lists
- There are three important considerations in making this diagnosis, first his history, second his admissions (sexual fantasies) and third physiological testing).
- Use analogies (i.e. actuarial instruments)
- > Sit forward and focus

# Practice Direct Examination • EXAMPLE #1: Direct examination on the use of the Static-99

# Cross-Examination Opposing attorney asks questions Goals: To lessen the impact of testimony you gave on direct exam by discrediting/impeaching you Will use you to support her client's position Will directly attack you, your opinion and methodology you used to make your opinion

#### Handling Cross-Examination

- Listen carefully
- Clarify if you do not understand
- Admit if you do not know the answer
- Stay in your area of expertise
- Never be defensive, argumentative or arrogant
- You may be asked your fees, what you made in the last year, 3 years, unless work for state

#### **Cross-Examination Will**

- > Attack credentials of the expert
- Show bias-"whore" for the state/defense
- Impeach you with prior inconsistent statements or opinions (deposition)

### Tactics for Dealing with Opposing Counsel

- Avoid becoming defensive or losing your cool
- Remain in your area of expertise
- > Review documents carefully before answering (refresh your memory).
- Ask if you do not understand.



#### Paraphilias

- Recurrent, intense sexually arousing fantasies, sexual urges or behaviors generally involving:
   1) Non-human objects,
   2) The suffering or humiliation of oneself or one's partner.
  - or one's partner, or 3) Children or other non-consenting persons
- 6 months

#### Pedophilic Disorder

- Recurrent, intense sexually arousing fantasies, sexual urges or behaviors involving sexual activity with a prepubescent child or children (generally age 13 or younger) lasting 6 months or longer.
- Challenge to development of victim (i.e. 13 years but developmentally mature)

#### Other Specified Paraphilic Disorder

- The old Paraphilia NOS (DSM-IV)
- Used in situations in which the clinician chooses to communicate the specific reason that they presentation does not meet the criteria for any specific paraphilic disorder.

#### Other Specified Paraphilic Disorder

- The most controversial diagnosis-historical exclusion since the DSM III-R Rapists could claim insanity not punishment
- Rape paraphilias have no specific category in DSM-IV-TR

#### Support for PCD Dx.

- Mr. Perfect in DSM Case book
- Treatment experience, self report of rape urges and fantasies.
- General acceptance
- Dennis Doren's book (List characteristics) Ejaculation or other sign of sexual arousal while raping
- Repetitive patterns or scripts
- All criminal behavior is sexual Raping if victim was willing to have sex
- Short period after consequence for raping Raping with high likelihood of being caught Having appropriate available sexual partners
- Victims of various ages

#### First and Frances and the DSM Language in definition of a paraphilia in the DSM has been misinterpreted by SVP/SDP evaluators

- Children and non-consenting persons NEVER meant rape behavior.
- There is no diagnosis for rape paraphilias
- It is inappropriately used to civilly commit sex offenders
- A sex offender can have hundreds of victims and not be paraphilic

Consider the American Psychiatric Association Task Force Report "blistering" critique of SVP



#### **Common Additional Diagnoses in SDP** Proceedings

- Substance Abuse/Dependence
- Personality Disorders-cluster B Antisocial Personality Disorder
- Mood disorders
- Psychotic Disorders (less common)

# What Diagnoses are Mental Abnormalities?

- Definition of a mental illness, mental abnormality or mental disorder is not statutorily defined.
- Use DSM-IV-TR, to describe the diagnosed mental disorder.
- Do not use V Codes, they are not contained in the sixteen major diagnostic categories in the DSM-IV-TR and only represent conditions that may be a focus of clinical attention or treatment, the use of V Codes for diagnostic purposes in SVP evaluations is inappropriate (see p. 731 in DSM-IV-TR).

#### "Serious Difficulty"

- "The person's mental condition causes an impairment in his decision-making ability where those decisions are directly related to the actions he chooses." (Doren, 2002)
- Your perspective not the offenders

#### Measures of "Serious Difficulty"

- Pattern and duration of sexual deviant behavior
  - How quickly the offender engages in high risk situation or reoffends (behavioral impulsivity)
     Frequency of offending
- Statements of problem controlling behavior
   Can not control behavior
- Needs treatment to control behavior
- Something wrong with me
- Examine cognitive distortions that have not changed

#### Measures of "Serious Difficulty"

- Reoffending after detection and sanction
- Risky behavior in M.O. where they are easily detected (e.g., snatch a stranger off the street in their neighborhood as a registered sex offender)
- Repeatedly places self in high risk situations (e.g., CM moves in with women with children, serial rapist going to bars and engaging in one night stands).
- Ignoring victim response and continuing to remain aroused (protests, fear, screaming, crying)-something that would ordinarily stop a person from harming another person.

#### Criterion "B" testimony issues

#### Direct examination strategy

- Start with asking what mental abnormalities the expert diagnoses. Expert says I diagnosed 3 (holding up fingers) mental abnormalities
- · What are they-expert lists them
- Counsel asks if illustrative exhibits would assist in explaining them to jury. Expert says yes.
- Counsel already knows the data points that anchor the diagnosis to prompt if any omissions by expert

#### Testimony on Mental Abnormality

- Diagnosis of Paraphilia NOS-based on five criteria clearly indicate a Paraphilia NOS (data points
- The development of his paraphilic interests (two unadjudicated date rapes in high school after dances)
- His admissions: fantasies, urges, he has a problem, it started when I watched a film showing control and rape
- The pattern and duration of his behavior
- The course of the disorder
- The reports from law enforcement surveillance team about his stalking women, roaming the neighborhood in the early morning hours, exposing himself to two females.

#### **Testimony on Mental Abnormality**

- Proving up serious difficulty
- How does his mental abnormality cause him serious difficulty in refraining from sexually violent behavior or CM?
- Expert offers organized data points-there are three ways...
- Clarify which of the diagnosed mental disorders from DSM are mental abnormalities.
- How do the mental abnormalities work together to cause him serious difficulty
- What if any diagnoses are NOT mental abnormalities for the purpose of the law.



#### Court issues in Risk Assessment

- > What instruments to use (static and dynamic)
- Validations of instruments
- Predictive Accuracy of instruments especially for special populations
- How to consider additional factors external to the instruments (SRA-FV, Stable-2007 versus empirically guided method)
- The use of multiple actuarial instruments
- Your training in risk assessment

# What instruments to use for Static Risk Assessment

- Static-99R
- Static-2002R
- VRAG-R
- VRS-SO Static Scale if using VRS-SO to measure dynamic needs
- Not MnSOST-R or MnSOST-III

# Development of Static-99 Originally developed on 677 Canadian offenders from 3 separate samples Validated on 531 UK offenders- a completely different sample

# Static-99 SampleMillbrook, Ontario<br/>(CM)N=191<br/>FU=23 yrInstitute Philippe PinelN=344<br/>FU=4 yrOak Ridge (Penetang)N=142<br/>FU=10yrValidation Sample:<br/>Majesty Prison Service<br/>(UK)N=531<br/>FU=16yr







Sample	State	Setting	N
Bartosh	Arizona	Corrections	186
Epperson	North Dakota	Corrections Probation	178
Johansen	Washington	Corrections Treatment	273
Knight & Thornton	Massachutes	Mixed	466
Saum	North Dakota	Corrections	175
Swinburne et al	Minnesota	Corrections	681

#### Static-99

- Re-norming project, 23 samples, n=8931
- Annotated bibliography 64 replications (Helmus, 2009) at static99.org
- > 64 validation on over 20,000 sex offenders
  - International samples
     Corrections, parole, probation, pre-trial forensic evaluations/psychiatric, prison and out-patient treatment programs, civil commitment, designated dangerous offenders

# CA. Field Validation Static-99R, 2013

- N=475 randomly selected adult males released in 2006 and 2007
- 5 year follow-up
- ▶ AUC = .80
- Acceptable fit between expected and observed recidivism rates.

Hanson, Lunetta, Phenix, Neeley & Epperson J. Threat Assessment & Management (accepted pending minor revisions)

#### Texas Field Validation of Static-99R (2009)

- N = 1983 males released from prison between 1999 & 2004
- Follow-up 2.25 to 7.5 years
- AUC's .55 to .57
- Much lower recidivism rates than expected especially for higher scores.

Psychology, Public Policy and the Law



#### Static-2002R

- Validated on 8 samples
- From Canada, US and UK
- ▶ N=2,605
- Moderate predictor of sexual recidivism (AUC for both Static-99R and Static-2002R .70)



#### Effect of Age on Recidivism

- For Static-99R 23 samples the rate ratio for Age at Release was .98
- This means for each year increase in age there is 98% the recidivism rate of the previous (younger) age.

# Difference between the Static-99 and Static-99R

- ▶ New age item (Score can be -3 to 12)
- New norms
- Contemporary reoffense rates have decreased
   Depending on the sample, base rates vary significantly based on factors outside the Static-99R

# The Age Item Static-99R fully accounts for age Probabilities will still be reduced for very advanced age For an older offender consider how recently they offended.

- Consider the relative risk for older offenders which remains stable
- Continue to consider physical condition and mobility outside the actuarial instrument

#### Static-99 Development

- Absolute recidivism rates for the original Static-99 were tested 3 different samples
- No significant variability was observed
- So all samples were combined into one larger sample and resulted in only one recidivism rate table

#### Norms and More Norms

- Updated norms in 2008 (Harris et al., ATSA presentation) and 2009 (Helmus MS thesis)
- Significant variability was found
- The differences in recidivism rates across samples was large enough to matter (60% lower in contemporary samples)
- Published in meta-analysis by Helmus, Hanson, Thornton, Babchishin and Harris in Criminal Justice and Behavior (2012)

#### Why is there variability?

- Is it random?
- Depends on jurisdiction?
- Different definitions of recidivism?
- The result of pre-selection effects on risk relevant variables?

# Helmus Thesis Examined This Moderator Variables Recidivism criteria

- Number of recidivism sources
- Used national criminal records
- Street time (deducts time spent in prison for nonsexual offenses from the follow-up time used for sexual recidivism)

# Moderator Variables Examined in Helmus Thesis

- Citing the Coding rules (proxy for assessment quality)
- Provincial vs. federal jurisdiction
- Offender Type (rape/CM)
- Country
- Age at release
- Year of release



#### 3 Moderator Variables Contributed to Prediction of Recidivism and were Further

- Age at Release
- Sample Type (pre-selection)
- Country (In 10 years not found to predict after controlling for age and sample type)

#### Moderator Variables Retained for Use Static-99R and Static-2002R Country was excluded, no difference after

- controlling for age and sample type.
- Age was included in the instrument
- Sample types were examined for preselection
- Routine
- Pre-selected Treatment
- High Risk Need



#### Static-99R Norms 2009-**Determining Absolute Risk**

- Of the 23 samples used to develop the Static-99R the base rate of reoffense variedsometimes widely and the base rates were lower than the original base rates
- Made it inappropriate to use an average of the recidivism rates for all samples (can't identify the high risk offender who will get lost in the average).



# Inter-Rater Reliability of Preselection

- No formal inter-rater reliability study (Daubert/Frye issues)
- Wide variation in evaluators choice of norms
- Explanations for choosing norms do not often match pre-selection criteria (referred for an SVP evaluation)

# Court Ruling Hillsborough County, NH.

- Admitted total score of Static-99R
- Admitted use of percentiles for the score
- > Excluded use of any norms but routine



#### Sample Types that Explain Base Rate Variability

- Routine Norms- "relatively random and unselected sample from correctional system
- Pre-selected for Treatment Norms-Through some formal or informal process, offenders were judged as requiring treatment intervention
- High Risk Need Norms-Considered for "rare, infrequent measure/intervention, sanction (warrant expiry, indefinite sentence, psychiatric commitments)

#### Do External Risk Factors Explain Base Rate Varibility?

- Routine Norms-not subject to any special selection/no evidence of unusually high levels of external factors (dynamic)
- Treatment Need Norms-have been subject to special process thought to select for higher levels of external risk factors.
- High Risk/Need Norms-have been subject to special process thought to select for highest levels of external risk factors (need exceptional measures to manage)

# Selecting the Correct Norms for the Static's

 Moving from considering pre-selection processes (Hanson, Helmus, Phenix, 2011 ATSA) to assessing the observable levels of external risk factors.



- Empirical justification for selection of norms based on eternal risk factors
- 3 studies

#### Study 1

- Using 20 of the samples for Static-99R renorming project
- Not pre-selected for Static-99R scores
- Controlling for Static-99 scores, sample types (no pre-selection, some pre-selection and pre-selected HRN) meaningful differences on sexual recidivism rates



- Examined 3 measures of dynamic risk (only needed the mean and SD of studies)
- Provide incremental validity over Static-99R and Static-2002R
  - VRS-SO
  - SRA-FV
  - Stable-2007

#### Study 2:

- > 19 samples, N=3,976
- > 8 studies Canada, 7 from US
- Sample types
- Routine (N=1198, 2 studies)
- $^{\circ}$  Pre-selected Treatment (N=1566, 12 studies)
- $^{\circ}$  High Risk Need (N=1212, 5 studies)

#### Consistent Differences in External Risk Factors Based on Sample Type

- Routine Samples least risk relevant lowest needs (1 SD below Preselect for Treatment)
- Pre-selected for Treatment Samples had "some" needs
- High Risk Needs samples had the highest risk relevant needs (1 SD above Preselect for Treatment).

### Average Scores on External Risk Factors based on Degree of Preselection

		Weighted Mean		N
	VRS-SO	SRA-FV	Stable- 2007	
Routine			7.06	1,198
Preselect TX	20.74	2.22	10.99	1,566
Preselect HRN	27.4	3.26	14.70	1,212

Study 3: Can Individual Differences on External Risk Factors Estimate Sample Type Recidivism Rates Norms?

#### 4 Data Sets That Included Static-99R and 3 Dynamic Instruments

SAMPLE	COUNTRY	MEASURE	N
Eher et al. (2012) Hanson et	Germany	Stable-2007	259
al. (2012	Canada		262
Thornton	US	SRA-FV	418
Olver et al.	Canada and NZ	VRS-SO	538



#### Findings

 The ST-99R sample type recidivism rates closely matched the recidivism rates expected for offenders who have different levels of dynamic needs

#### **General Conclusions**

- There are strong preselection effects on risk relevant variables across samples
- The Static-99R norms can be interpreted as corresponding to groups that are 1 SD above (HRN) or 1 SD below (Routine) the needs found in preselected for Treatment samples
- Several different instruments can be used to assess needs.

#### Use of Non-Routine Sample for Static-99R and Static-2002R Combination of High-Risk Need Norms (n=1,313 and Pre-Selected for Treatment Norms for Static-99R (N=1,782)

 Combination of HRN Norms (N=931) and a very small sample of Preselected for Treatment Need Norms for Static-2002R (n=198)

### Use of Non-Routine Sample for Static-99R and Static-2002R

- For both instruments additional error is introduced by averaging two distinctly different norms
- For Static-2002R the Non-Routine Sample is almost all HRN norms so the base rate will be inflated

# If Offender is in Treatment Need Norms

- Use Treatment Need Norms on Static-99R
- No Treatment Need Norms on Static-2002R
- Some Use Non-Routine Norms for Static-2002R but the base rates will be inflated
- I do not use Static-2002R if offender is in Treatment Need Norms

#### Reporting Risk on Static-99R

- Percentiles
- Relative Risk Ratio
- Risk Level (low, med., high)
- Norms (probability of sexual re-arrest for the study sample at each cut off score for 5 and 10 years)

#### **Relative Risk Measures**

- Most stable measure
- Helps to compare the offender to a "typical offender"
- > Tells us what "high" looks like
- Pertinent to determining levels of community supervision
- Informative in civil commitment proceedings in CA.

#### Static-99R & Static-2002R Item Analysis (Helmus & Thornton ATSA 2012)

- Do all the static items significantly predict sexual recidivism?
- Do the items predict consistently across samples?

# Should We Expect Stability? Validation studies differ on a variety of factors Charging practices Criminal record info available Depth of info (offence name v details, victim info) Sample pre-selection Type of offender



#### Results

- In the past some items not predictive in single samples
- In this meta-analytic approach all but Static-99R item "index non-sexual violence" predicted sexual recidivism
- > All predicted significantly for Static-2002R
- One reason it was eliminated in the Static-2002R



- The following items had significant variability across samples
- Index non-sexual violence (99R)
- Prior sex offences (99R)
- Noncontact sexual conviction (99R/02R)
- Any stranger victim (99R/02R)
- Any male victim (99R/02R)
- High rate of sex offending (02R)

#### What Does This Mean?

- For Static-99R 5 items predicted differently across samples
- For Static-2002R items predicted differently across samples.
- Does not mean did not work, just predicted differently (moderate to very strong) in different samples





#### Static-99R Publication

 Helmus, Thornton, Hanson & Babchishin (2011), Improving the Predictive Accuracy of Static-99 and Static-2002R With Older Sex Offenders: Revised Age Weights. Sexual Abuse

#### Static-2002R

- Developed on samples from Canada, US and UK (n=2169)
- Validated on 8 samples from Canada, US, UK, Denmark (n=2605)
- Designed to predict theoretically meaningful characteristics presumed to be the cause of recidivism risk
- Like Static-99R can be used by mental heath professionals, law enforcement, etc.

#### Static-2002R Categories

Age

- Persistence of sexual offending
- Deviant sexual interests
- Relationship to victims
- General Criminality

### Reporting the Results of Static-2002R

- Percentiles
- Relative Risk Ratio
- Risk Level (low, med., high)
- Norms (probability of sexual rearrest for the study sample at each cut off score for 5 and 10 years)

#### Strengths of Static-2002R

- Provides incremental validity to Static-99R
- Identifies the source of risk
- Fully accounts for age
- Widely used and accepted in courts
- Easy to score from records
- Published and peer reviewed article

# Choosing an Actuarial Instrument in 2014....

#### Considerations in the Use of Multiple Actuarial Instruments

- Using logistic regression no combination of instruments showed advantage over predictive accuracy of the *single best* actuarial instrument (Seto, 2005)
- Chose the highest risk (or lowest)
- Interpret the results one scale at a time (no integration)

#### **Predictive Accuracy**

 The likelihood that a randomly selected recidivist would have a higher score on Static-99R than a randomly selected nonrecidivist



Actuarial Instrument	d
Static-99R	.67
Static-2002	.70
MnSOST-R	.76
SACJ-Min	.42

Meta-analysis of Prediction AUC Areas for Static-99R and Static-2002R (Babchishin, Hanson, & Helmus, 2012)

Static-99R	.684		
Static-2002R	.686		
	661		
Static-99R	.694		
RRASOR	.650		
Static-2002R	.686		

#### Static-99R & Static-2002R AUC

- Previously Static-2002 had higher predictive accuracy than Static-99.
- No more- likely due to increase in predictive accuracy of Static-99R with addition of age item because Static-2002 already had the age item



#### Early Evidence of Incremental Validity with 3 Actuarial Instruments (Epperson, 2004)

- North Dakota data indicated that RRASOR scores did not add incremental validity beyond the MnSOST-R or Static-99
- MnSOST-R and the Static-99 added incremental validity to each other.

#### Incremental Validity for the Statics (Babchishin, Hanson, Helmus 2011)

- RRASOR, Static-99R and The Static-2002R all add incrementally to the Prediction of Recidivism among Sex Offenders
- ▶ N=7491, K=20
- Static-99R and Static-2002R outperformed RRASOR
- Averaging best estimate of absolute probability

# Clinical Application of the Use of Static-99R and Static-2002R

Instrument	Score	Risk Category	Percentile	5 year % risk	10 year % risk
Static-99R	5	Moderate -High	88.7	25.2%	35.5%
Static- 2002R	5	Moderate	78	19.4%	28.4%
Averaged Reconv. Rates				22.3%	32.0%

#### Inter-Rater Reliability

- CA. State Authorized Risk Assessment Tool for Sex Offenders (SARATSO)
- Legislated evidence-based sex offender risk assessment in 2006
- Chose Static-99 and now Static-99R as actuarial instrument

#### SARATSO Uses Static-99R For:

- Judge considers the score for sentencing sex offender
- Local Law enforcement used for community notification
- Placement on high risk case load on Parole or Probation
- On Probation must wear GPS of score 4 or above
- Treatment provider uses Static-99R for level and frequency of treatment

#### SARATSO Inter-Rater Reliability Study

- 55 SARATSO trained Probation and Parole Officers
- > 14 "real" cases redacted
- 8 hour day supervised by me
- No talking or conversation
- Naturalistic, large-scale study to assess reliability and predictive validity of Static-99R

#### Results

- ICC=.78 (95% CI: .64 to .90)
- Coders scored > 25 cases ICC=.81 versus ICC=.71
- Parole Officers better IRR due to requirement of supervision of 25 cases
- We recommend supervision of 25 cases
- Biggest error was wrong Index Sex Offense

#### Conclusions on Use of Multiple Actuarial Instruments

- Provides converging evidence of overall risk (or not)
- Covers examination of increased number of risk factors
- Provides incremental validity





#### Identification of Dynamic Risk Factors

- > Changeable risk factors that are the target of treatment
- Also called "psychological risk factors" or "long-term vulnerabilities" or "criminogenic" factors

# Mann, Hanson & Thornton (2010)

- Identified "Psychological Meaningful" risk factors for sexual reoffense
- Defined as individual propensities which may or may not manifest during any particular time period.

#### What Constitutes a Psychologically Meaningful Risk Factor for Sexual Recidivism?

- A cause of sexual recidivism
- Can target it in treatment to reduce risk
- Empirical evidence that it predicts sexual reoffense
- At least 3 studies (meta-analyses) show it predicts
- $^{\circ}$  More than trivial (d >.15)

#### The Use of Psychologically Meaningful Risk Factors

- None of these factors have a strong relationship with sexual reoffence
- Do not weigh any single factor to strongly
   A comprehensive assessment of these
- factors will have the most predictive power
  Mechanical combinations of these factors will out perform human judgment

Instruments Containing Psychologically Meaningful Risk Factors

- Stable-2007 (Hanson & Harris)
- Structured Risk Assessment-Forensic Version (SRA-FV) (Thornton)
- Violence Risk Assessment-Sex Offender (VRS-SO)

#### Dynamic Supervision Project (Hanson & Harris)

- Item are Stable Dynamic Factors-recent focus
- Recidivism new sex offense under supervision in Canada, Iowa and Alaska
- Follow-up 41 months, n=997
- Data collected from interviews with supervising officers and case notes
- Stable-2007 AUC=.77 all officers
- Static-99 & Stable-2007 AUC=.83
- Added incremental validity over Static-99

# Validation of Stable-2007, Ehrs (2010)

- N=263 German sex offenders released from prison
- Followed 6.4 years
- Stable-2007 AUC=.67 to .71
- Stable did not add incrementally to predictive accuracy of Static-99 (added new information) but approached significance
- In press article with n=370 did show incremental validity

#### Strengths STABLE-2007

- User-friendly
- Well designed for communitysupervision
- 2 validation studies
- Can use as general guideline to choose norms for Static-99R







#### Limitations of VRS-SO

- Complex to score
- Only tested with treatment participants
- Developed and initially validated on a high risk sample







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#### Scoring SRA-FV

- Can use Light Version if you do not administer the PCL-R
- Do not need an interview
- Clear operational definitions of each item
- LONI cutoffs for choosing norms Static-99R
- Scoring manual

# From Score Can Select Static-99R and Static-2002R Norms

Below 1.5	Below Routine Norms
▶ 1.5-1.7	Routine Norms
▶ 1.8-2.3	Above Routine & Below Tx Need
2.4-2.6	Tx Need Norms
> 2.7-3.2	Above Tx Need & Below HRN
▶ 3.3-3.5	HRN Norms
3.6 and above	Above HRN Norms

#### Strengths

- Largest validation sample of dynamic instruments
- Highly significant incremental predictive validity
- Shown to predict short & long-term recidivism
- Works under adversarial conditions
- Can use to pick sample type for Static-99R norms

#### Limitations

- Only one validation sample
- Sample from an earlier era and validated on the same sample (Bridgewater)
- Only tested in pre-selected sample
- Poor inter-rater reliability in one study, no subsequent study
- Does not include the Distorted Attitudes domain

Frye/Daubert Criteria Psychological						
Factors		STABLE				
<ul> <li>Whether the technique has been or can be tested</li> </ul>						
<ul> <li>Whether it has been subjected to peer review and publication</li> </ul>						
<ul> <li>Whether it has been generally accepted by the scientific community</li> </ul>						
<ul> <li>The known or potential error rate</li> </ul>						

#### **Current Practice**

- Switch to the revised versions of the Static-99 and Static-2002
- Consider one or more static actuarial instruments.
- Use both static and dynamic risk instruments that best represent the individual you are evaluating
- Do not over-ride risk levels with risk factors not predictive of sexual reoffense