

**A STATEMENT FROM THE
CALIFORNIA SEX OFFENDER MANAGEMENT BOARD (CASOMB)
REGARDING THE TWO PAPERS:**

“Recidivism of paroled Sex Offenders – a Five (5) Year Study”
and
“Recidivism of paroled Sex Offenders – a Ten (10) Year Study

It has come to the attention of CASOMB that there has been some controversy about the dissemination, use and possible misuse of some draft papers about recidivism which had been distributed and discussed at Board meetings and which had been posted on the CASOMB website for a time. This statement is an attempt to clarify the matter and preclude any misuse of these two papers.

CASOMB wishes to state clearly that the papers in question have never been officially approved, sanctioned or published as finished statements by the Board. In fact, precisely because they are regarded by the Board as being misleading and easily subject to misinterpretation, they should not be seen as anything but provisional drafts reflecting the Board’s work process – a process which is not now and which may never be completed - due largely to the elusiveness of the data which would allow the Board to produce a complete and acceptable statement.

Although copies of these papers were distributed to and reviewed by the Board and so need to remain available as public documents, the Board explicitly directs that they be considered as what they are - uncompleted drafts, and that they or the information contained in them not be cited or otherwise held forth as reliable, clear or in any way authorized by the California Sex Offender Management Board, or approved for any outside use.

BACKGROUND: THE HISTORY OF THE REPORT

A review of some history regarding these materials is in order. CASOMB is interested in obtaining solid information about California sex offenders and sex offender management and seeks verified data upon which to ground its assessments and recommendations. In response to a 2008 request from CASOMB staff, the CDCR Research Division provided some information about the outcomes for a cohort of sex offenders who had been released from prison to parole in 2002 and for a similar group who had been released in 1997. This data was organized into two one-page papers and presented to the Board for discussion about the proper interpretation and presentation of the figures. In its meeting in June of 2008, the Board concluded that the information was quite difficult to interpret as presented and that further analysis should be done and further explanation provided.

To oversimplify, there have emerged two primary concerns regarding the data sets.

The first is that they appeared under the titles “A Five Year Study” and “A Ten Year Study” when a more accurate title would have been “2007 Data for a Cohort Released in 2002 - Five Years Previously” and “2007 Data for a Cohort Released in 1997 - Ten Years Previously.” At first glance such a distinction might seem minor but, to anyone seeking to correctly understand the findings, the implications are quite significant.

The second concern is that the data sets themselves could easily be misinterpreted as representing the tracking of outcomes, for five or for ten years, of all the individuals in the respective cohorts. This is not the case. The only information available and provided is for those who were still in some way under the authority of CDCR parole during the period – a number which decreased considerably as each year passed. Thus, in reality, these data sets do not actually reveal much about the overall outcomes for these cohorts since each year a substantially increasing number was no longer under CDCR authority and hence no longer being tracked.

Appreciating these and other problems, the Board recommended an effort to reorganize the presentation in a way that would not lead to misinterpretation.

A revision was presented at the October 2008 Board meeting. Board discussion raised concerns about the complexity of the guidelines for interpretation which had been added and the real possibility that, despite all of these cautionary comments, the data was still likely to be misunderstood and misused. The Board recommended making efforts to tap other sources of information in an effort to actually provide the information that the paper might seem to offer but did not: how many released sex offenders actually committed a new sex offense. It has not proved possible, at least to date, to obtain the needed information and so the paper has not progressed.

Unfortunately, in hindsight, the first sets of data were posted on the CASOMB website in an effort to observe the requirements of the Bagley-Keene “open government” law. The minutes of the meeting reflect that the data sets as presented were not acceptable to the Board and were not to be issued as a publication under the Board’s name. Also unfortunately, in retrospect, the draft presentation was not clearly labeled on each page as a DRAFT and as a working paper awaiting further Board discussion and possible future approval and publication.