

Danielle Arlanda
Harris

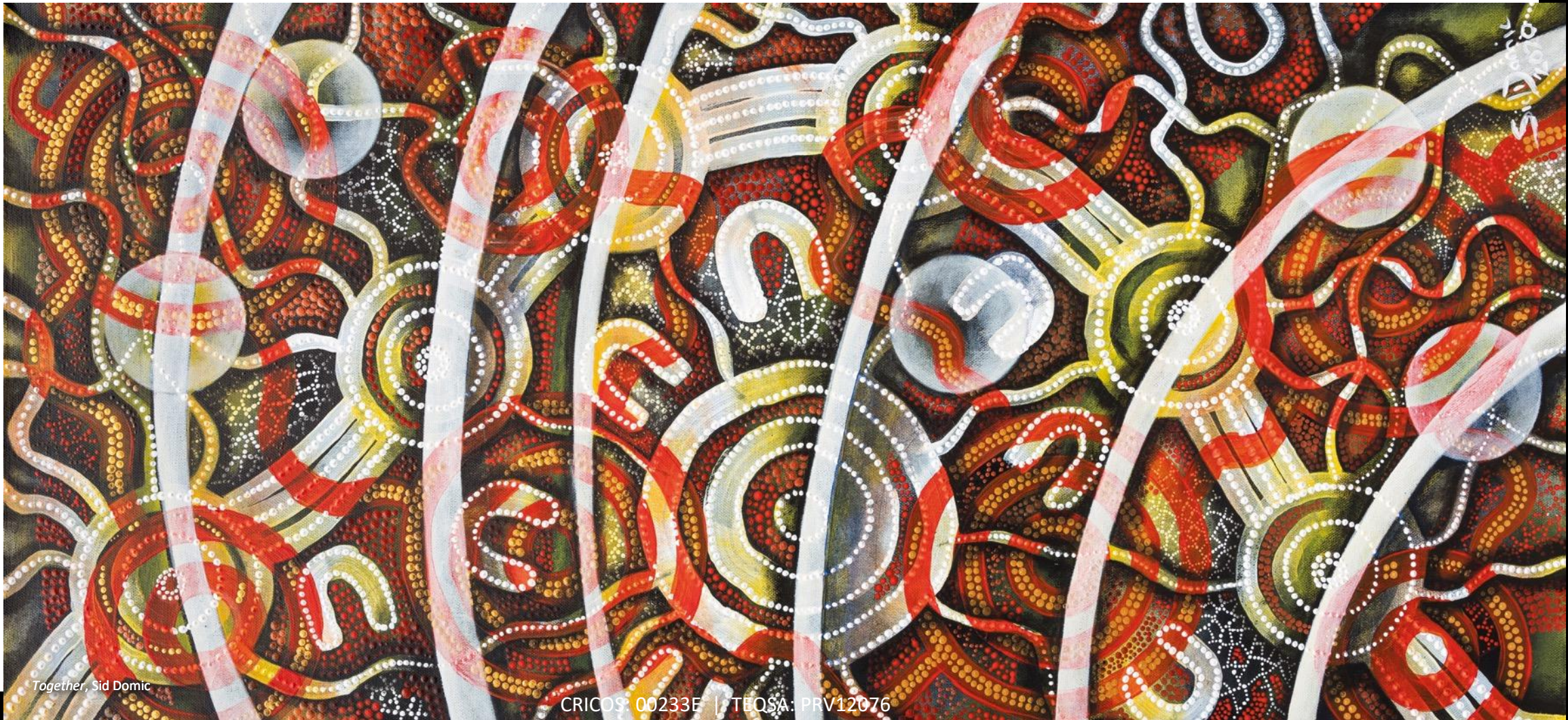
Associate Professor
Griffith University

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Australian Research Council

Understanding and preventing the collateral consequences of dangerous sex offender (DSO) legislation

ACKNOWLEDGEMENT OF COUNTRY

Griffith University acknowledges the people who are the Traditional Custodians of the land. We pay respect to the Elders, past and present, and extend that respect to all Aboriginal and Torres Strait Islander peoples.



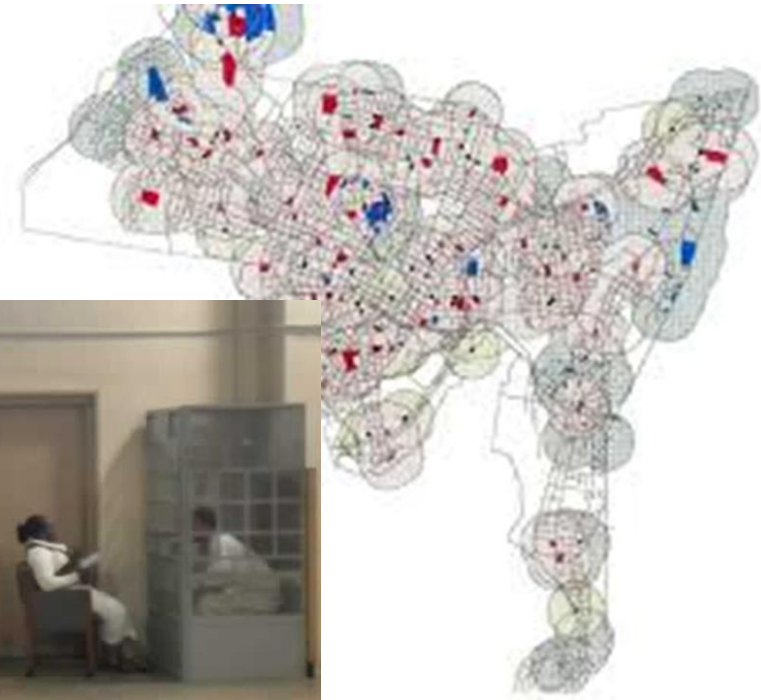
Introduction & assumptions
Previous research
Current focus
Next steps

Presentation
Overview

Assumed Pathway



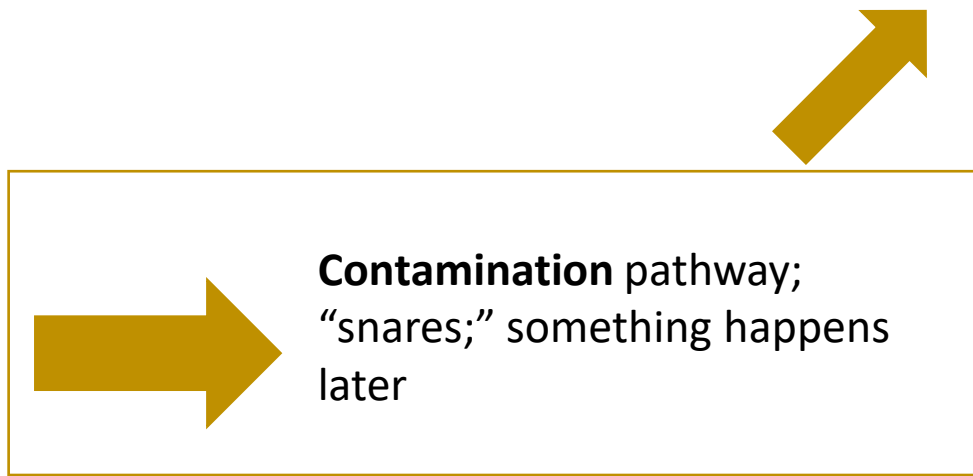
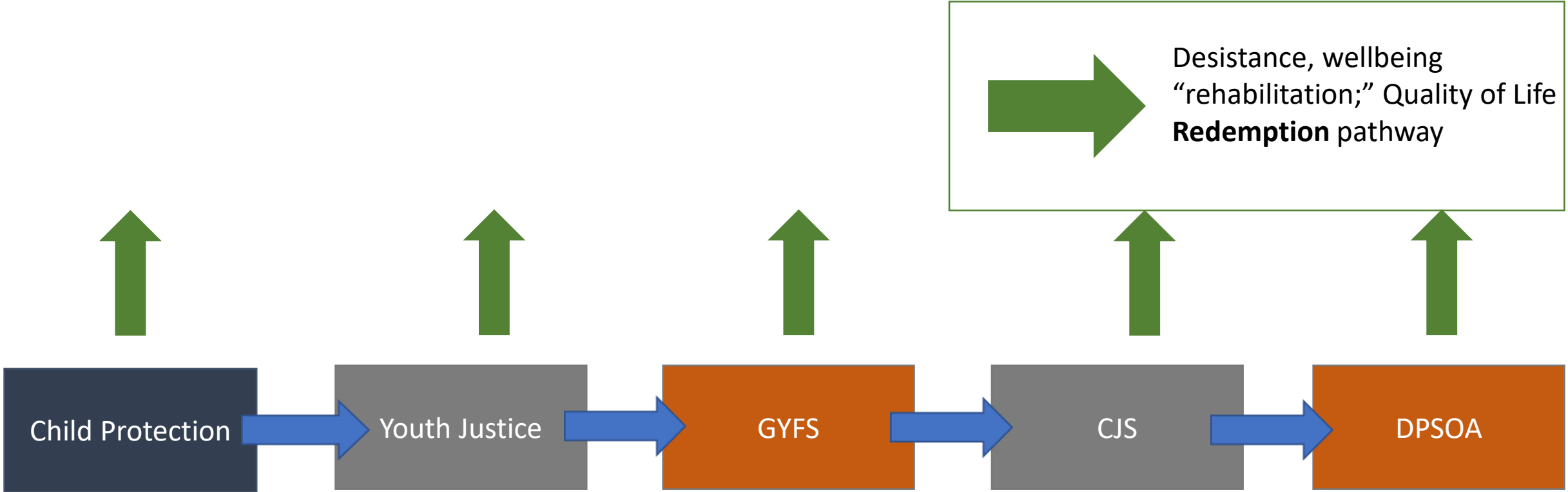
Condemnation pathway (recidivism, assumed, chronic system involved)



Assumed Pathway



Condemnation pathway (recidivism, assumed, chronic system involved)



Alternative Pathways

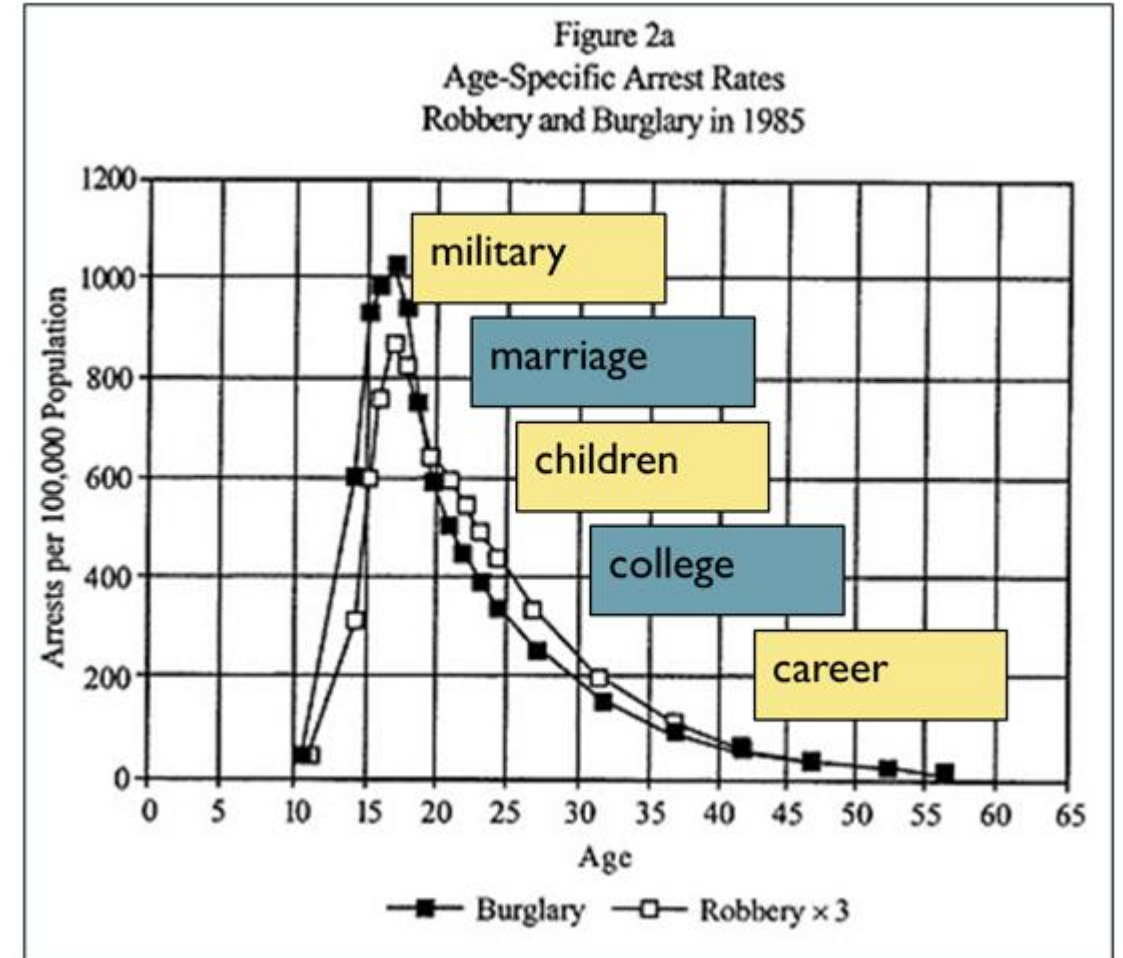


What works?



Understanding Desistance

- Desistance is the slowing down or stopping of offending
- It is a natural human process (most people who offend, stop doing so)
- Observed across time and space (200+ years of international criminology)
- SOTx industry

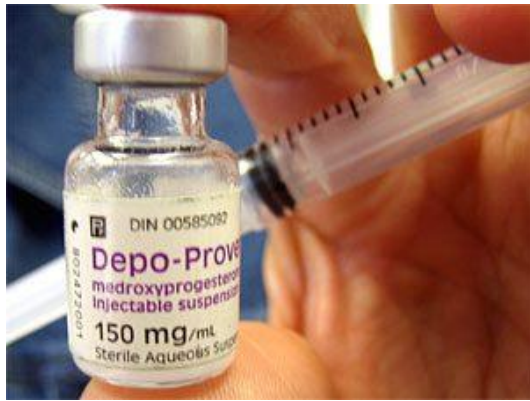


Sex Offender Treatment Industry

Assumes escalation, specialisation, and recidivism

Emphasises risk and containment

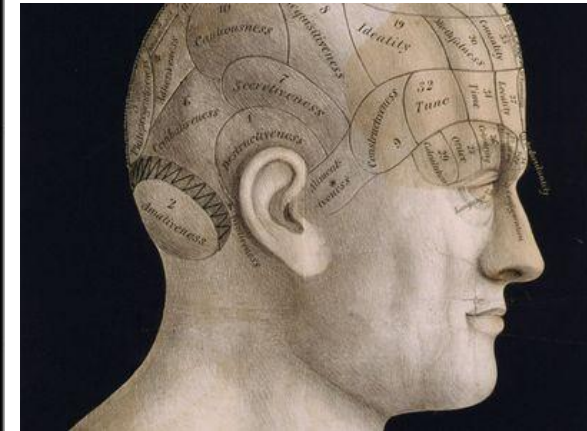
Reinforces fear mongering; stranger danger trope



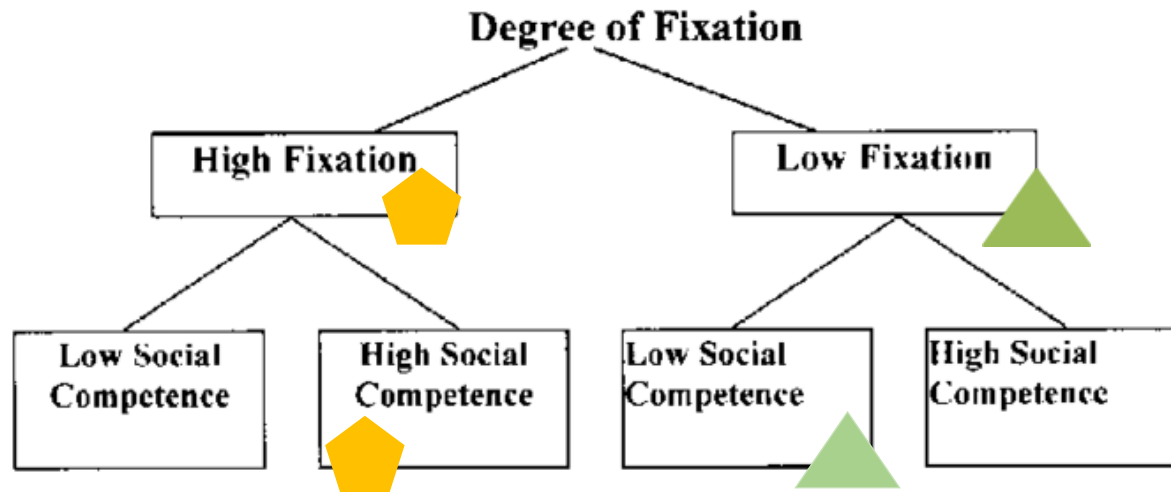
Features of Six Axis II Subtypes of Child Molesters in Massachusetts Treatment Center Child Molester Typology (MTC: CM3)

Adapted from Prentky & Burgess (2000). *Forensic management of sexual offenders*. New York: Kluwer/Plenum, p. 51.

TYPE 1: <i>Interpersonal</i>	<ul style="list-style-type: none"> • High contact with children • Non-genital sexual acts (caressing, fondling, frottage) • Known victim • Long term contact with victim • Offenses high degree planning
TYPE 2: <i>Narcissistic</i>	<ul style="list-style-type: none"> • High contact with children • Primary motive self-centered sexual gratification • Phallic sexual acts (victim used as masturbatory object) • Stranger victim • Single encounter with many victims • Offenses spontaneous low degree of planning
TYPE 3: <i>Exploitative</i>	<ul style="list-style-type: none"> • Low contact with children • Relatively little physical injury to victims with only enough force necessary to gain compliance • Phallic sexual acts (sex gratification primary aim) • No evidence of eroticized or sexualized aggression
TYPE 4: <i>Muted Sadistic</i>	<ul style="list-style-type: none"> • Low contact with children • Relatively little physical injury to victims • Evidence of eroticized aggression (e.g., bondage, bizarre, ritualized acts, sadistic fantasy) • Stranger victim • Offenses reflect moderate degree of planning
TYPE 5: <i>Aggressive</i>	<ul style="list-style-type: none"> • Low contact with children • High degree of physical injury to victims • Phallic sexual acts with no evidence of sadism or eroticized aggression • Stranger victim • Offenses reflect low degree of planning
TYPE 6: <i>Overt Sadistic</i>	<ul style="list-style-type: none"> • Low contact with children • High degree of physical injury to victims • Offender aroused by subjecting victim to pain - evidence of force or threat of force to increase offender sexual arousal • Evidence of eroticized aggression (e.g., bondage, bizarre, ritualized acts, sadistic fantasy) • Stranger victim • Offenses reflect high degree of planning



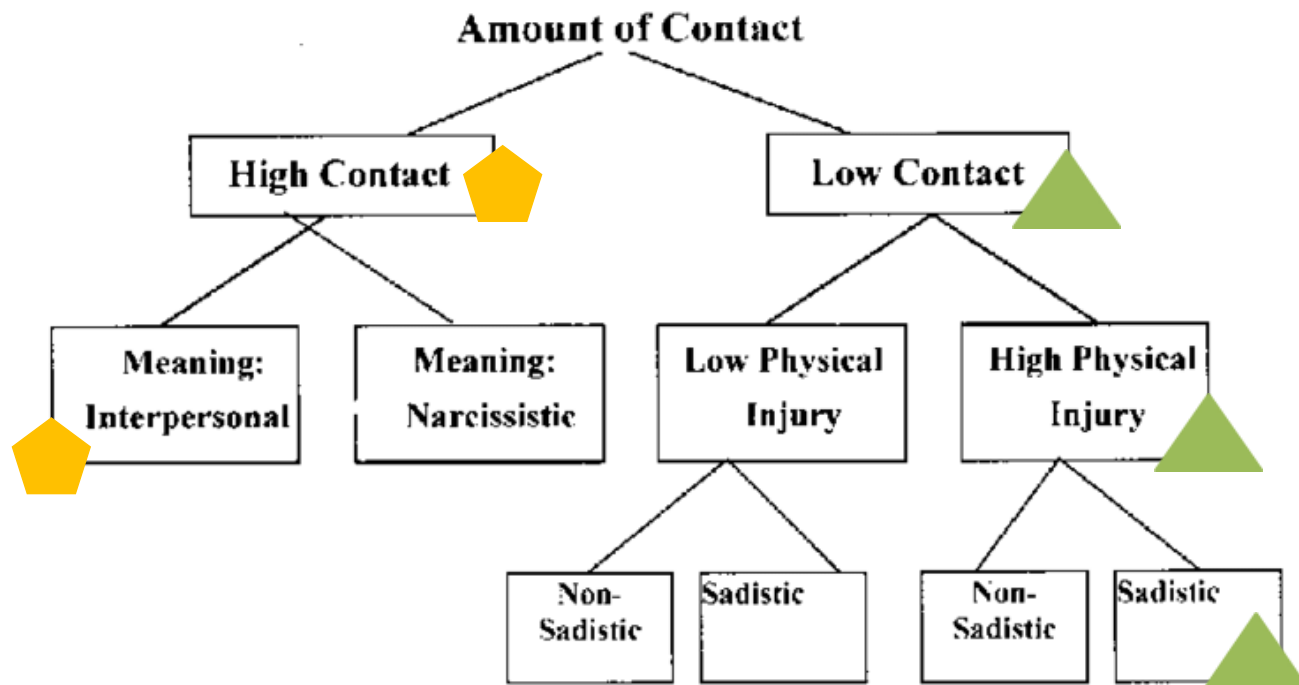
Axis I



 Tas case

 Qld case

Axis II





Previous research

PALGRAVE STUDIES IN
RISK, CRIME
& SOCIETY

DESISTANCE FROM SEXUAL OFFENDING

NARRATIVES OF RETIREMENT,
REGULATION AND RECOVERY

Danielle Arlanda Harris



Understanding Desistance

Finally, Ross nicely articulates another one of the main arguments of this book:

This cabal of legislatures, law enforcement, and media who perpetuate the myth of, you know, that the mainstream sex offender is actually that 1% guy: the Chester Molester guy that's hiding out in the public restroom or sneaking around the bushes. And I think that they perpetuate that myth that that's who sex offenders are. Because guess what? if you know who they really are, then you know that they're your brothers, they're your fathers, they're your cousins, they're your priests, they're your pastors, they're your policemen, they're your teachers, they're your scoutmasters, they're your best friends, they're people that you love, they're people that you care about. And if you had to know that that's who these monsters are then guess what? You'd have to find a way to treat them compassionately, wouldn't you? (Ross)

Now, after everything he's been through, and at the end of our conversation, Ross asks, "so how can I make my life productive?" He pauses and then answers his own question: "one of the ways I can is by being willing to share my story."

Strategies of desistance

retire

regulate

recover

resign

rebuild

restrict

recluse

resist

rehearse

rehabilitate

resilient

Deconstructing Desistance



RECIDIVISTS



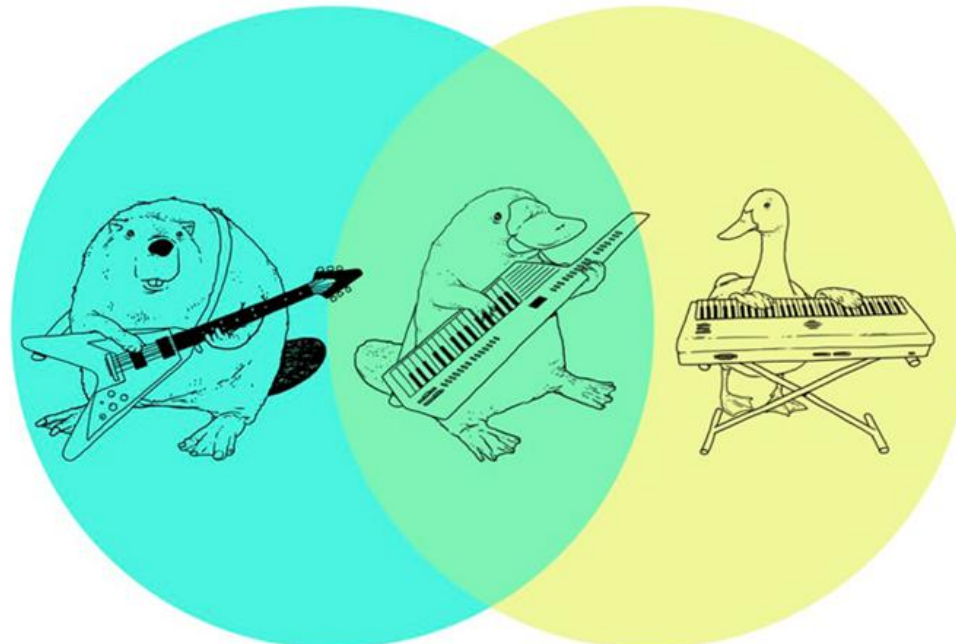
DESISTERS

Recidivating desisters? Desisting recidivists?

Ross: living in the community for 9 years, offence free, targeted, groomed, and abused 35+ children, served one sentence (but chronic, persistent, and prolific)

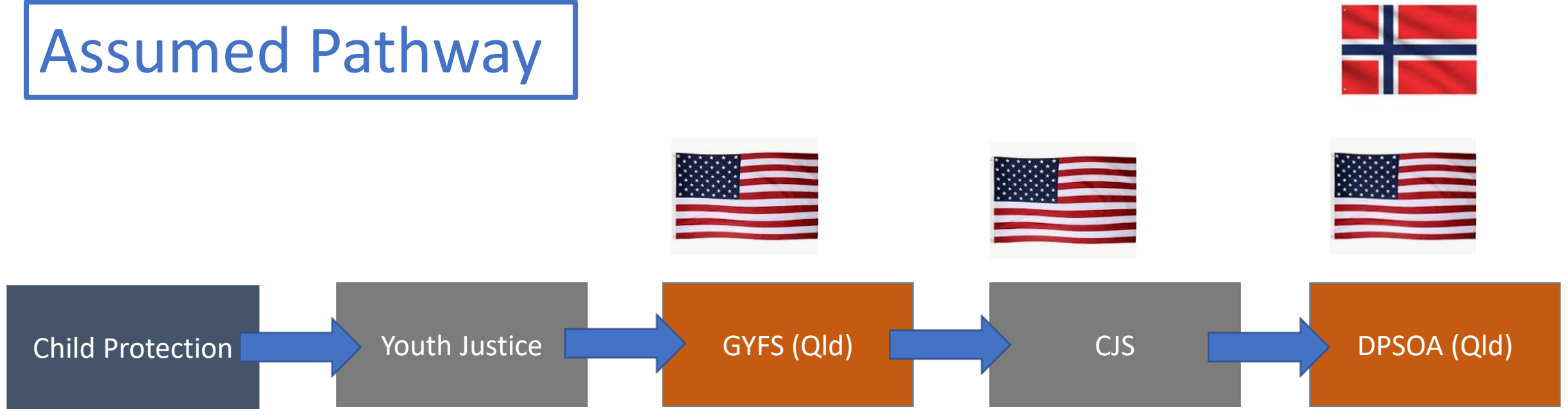
Marshall: reoffended in 1991 (homicide) currently serving his 7th sentence (25 year term). No disciplinary reports in 15 years, mentors other men in group shares redemptive narrative of desistance

Eric: incarcerated for abusing stepchildren, returned to his family, reincarcerated for offences against the same children, total of 38 years behind bars. He is now 78 and lives in a shelter



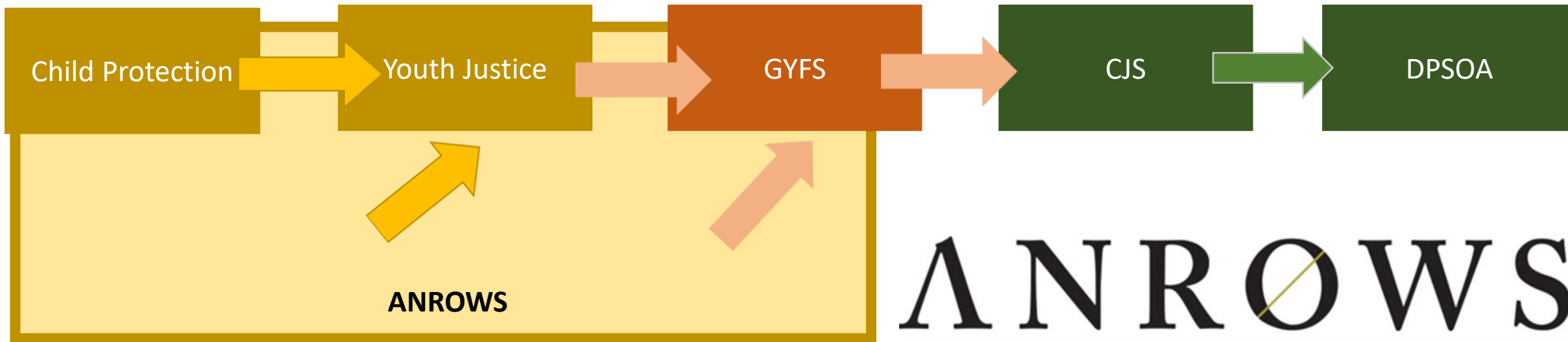
Recall:

Assumed Pathway



H F G

HARRY FRANK
GUGGENHEIM
FOUNDATION

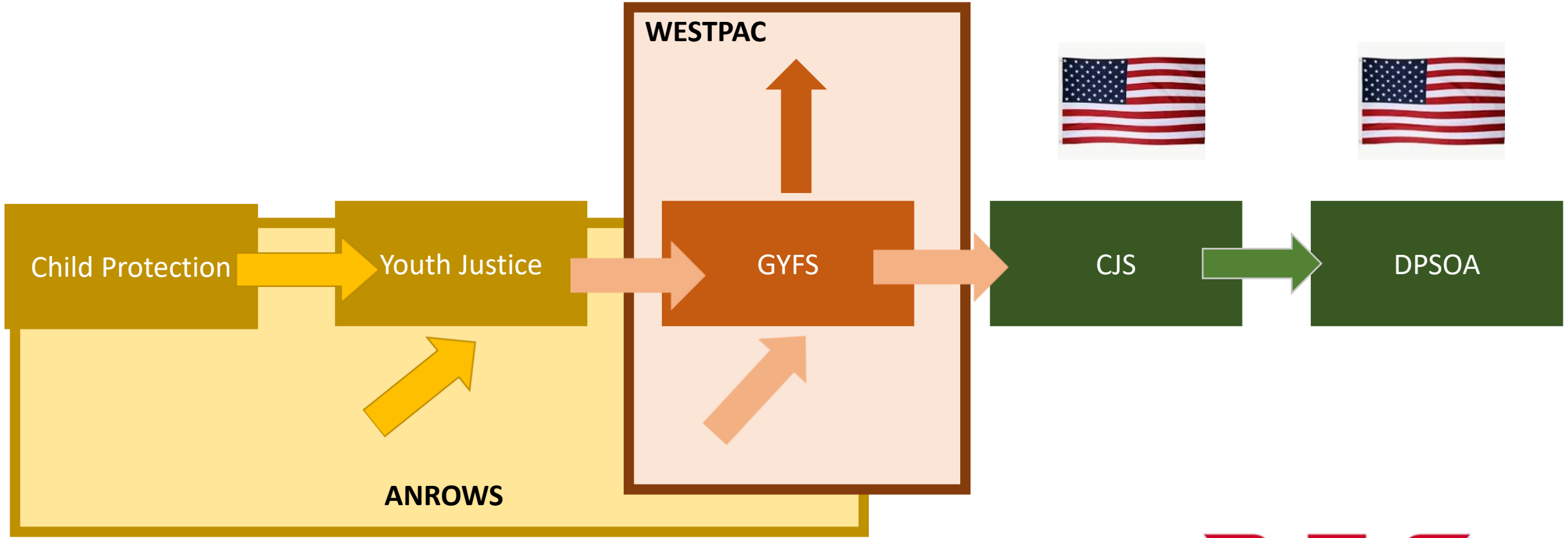


ANROWS

AUSTRALIA'S NATIONAL RESEARCH ORGANISATION FOR WOMEN'S SAFETY

to Reduce Violence against Women & their Children

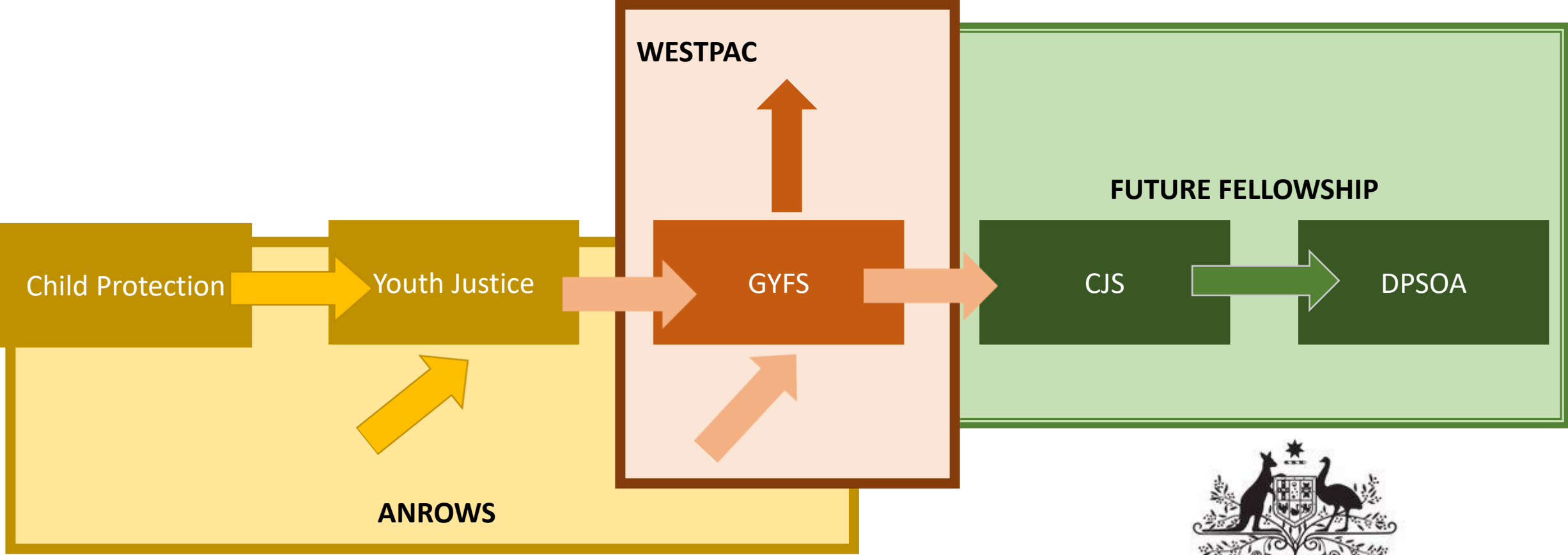
Adverse childhood experiences in adolescents adjudicated for sexual and nonsexual offending



Understanding desistance and wellbeing in young people treated for sexual offending



Understanding and Preventing the collateral consequences of Dangerous Sex Offender Legislation



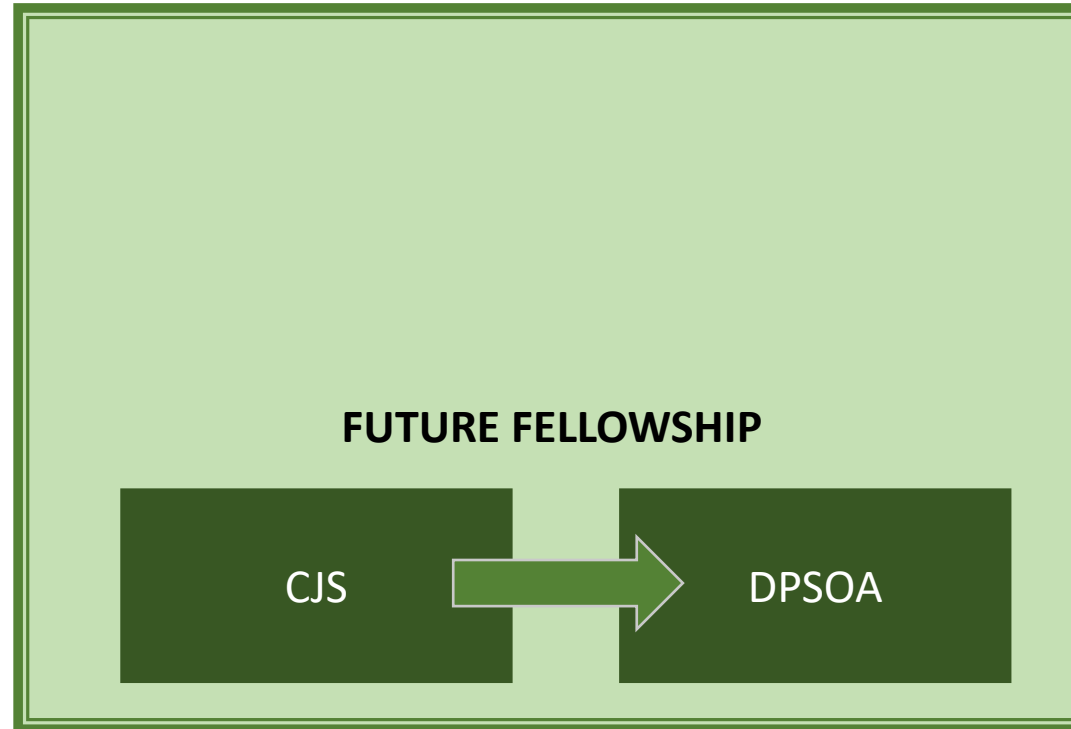
Australian Government
Australian Research Council



Current focus

AIMS

1. Describe the narratives of recidivism and desistance in Australian men convicted for sexual offences.
1. Explore how sex offender legislation impacts those convicted of sexual offences and their families.
1. Compare and contrast the narratives (Aim 1) and the impact of legislation (Aim 2) in an Australian sample with two international jurisdictions (North America and Norway).

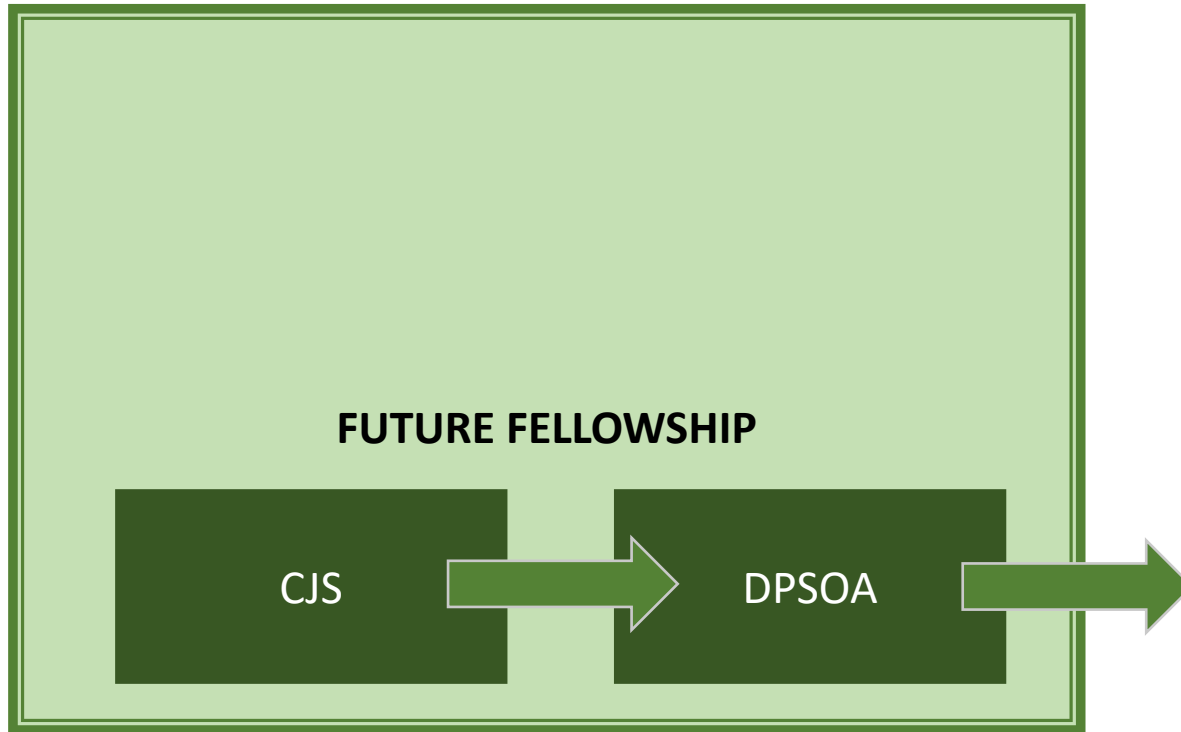


Understanding and Preventing the collateral consequences of Dangerous Sex Offender Legislation



RESEARCH QUESTIONS

1. How do participants experience, express, and account for their offending, recidivism, and desistance?
2. How does sex offender legislation impact participants upon release from custody?
3. How are men and their families impacted by sex offender legislation?
4. What role do families play in the men's recidivism or desistance?
5. To what extent do families witness condemnation, redemption, or contamination scripts in their loved ones who have been convicted of sexual offences?
6. How do the narratives of recidivism and desistance compare across three jurisdictions?
7. How do offenders' experiences of sex offender legislation differ across jurisdictions?
8. Are redemption, condemnation, and contamination scripts more likely in some countries compared with others?
9. Is relational desistance more available to men in some jurisdictions compared with others?

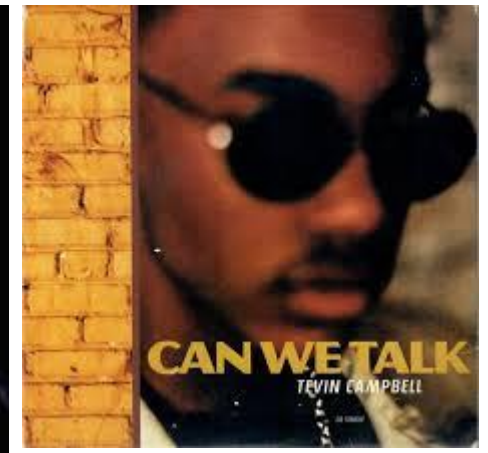


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Next Steps

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