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## Psychosexual Evaluations for CP Offenders

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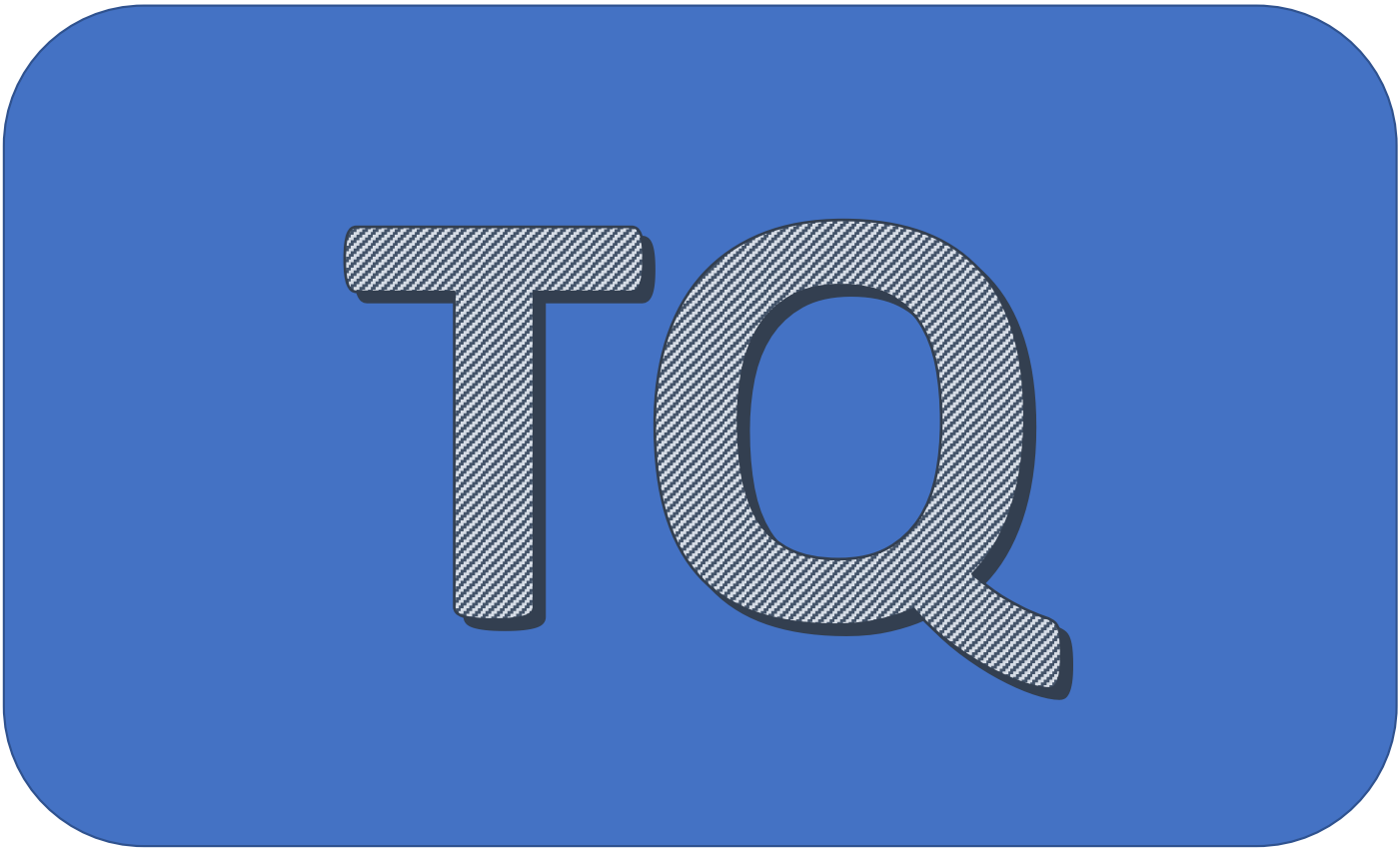
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**1. Online sexual offenses are different. Your experts should understand technology and the research related to online sexual offenders.**







# Expert Basics

- Michael Seto (many articles, books, CPORT, CASIC, SSPI, etc.)
- Other Names: Babchishin, McPhail, Quayle, Hanson, Henshaw, Andrews, Bonta,
- Psychology of Technology
  - Digital World (Suler, Rimer, Quayle, Delmonico & Griffin, Aboujaoude, etc.)
- 2021 U.S. Sentencing Commission Report on Child Pornography
- Appropriate Risk Assessment Tools for Child Pornography Offenders
- Research on Pedophilia
  - Assessments of Sexual Interest (Abel, The Look, PPG, Polygraph, etc.)
- Association for the Treatment of Sexual Abusers (ATSA)

**2. Background and History should be related to research on risk and contributing factors.**



# Background and History (Andrews & Bonta)

- Areas Related to Risk & Contributing Factors
  - Relationships (Family, Friends, Sexual/Romantic)
  - School/Employment
  - Leisure/Recreation
  - Mental Health/Significant Physical Health
    - Mood Disorders, Post Traumatic Stress Disorder, Schizophrenia Spectrum Disorder, Autism Spectrum Disorder, Intellectual Disabilities, ADHD, Hypersexuality, OCD
  - Antisocial Lifestyle (History, Personality Patterns, Cognitions, Associates)
  - Offense Behavior/Attitude/Accountability
  - Collateral Interviews

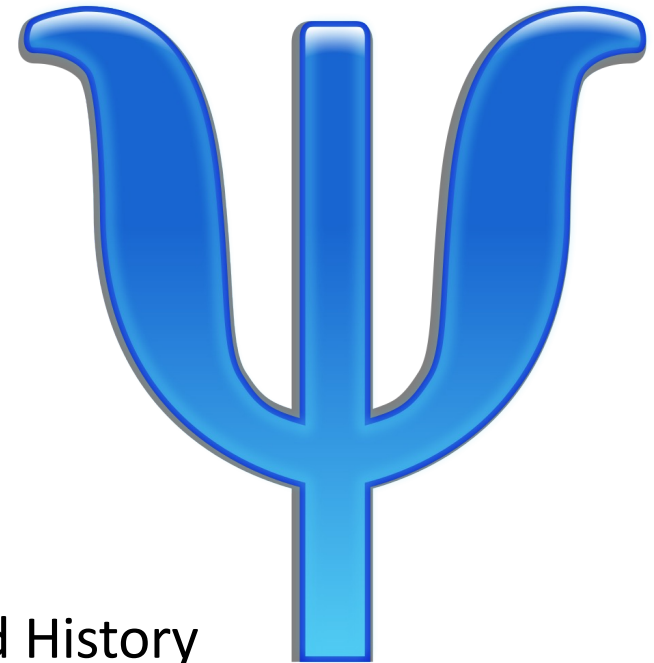


**3. Your expert should understand that selecting relevant testing and assessments is critical.**



# Testing and Assessments

- Psychological Testing
  - MMPI – Minnesota Multiphasic Personality Inventory
  - MCMI – Millon Clinical Multiaxial Inventory
  - PAI – Personality Assessment Inventory
- Assessments/Screening
  - Hypersexuality Behavior Index
  - Internet Sex Screening Test
  - Trauma Symptom Inventory
  - Adverse Childhood Experiences (ACE)
  - Autism Spectrum Assessments (RAADS, AQ-10)
  - Wechsler Adult Intelligence Scale (IQ)
- Objective Information to Support Background and History
  - Leads towards Contributing Factors and Risk



# Terminology

- Pedophilia (Pedophilic Disorder)
  - Prepubescent
- Hebephilia
  - Pubescent/Just beginning sexual maturity
  - Tween
  - **NOT** an official Diagnosis
- Teleiophilia
  - Sexual Mature Body (Adult & Adolescent)



# Testing and Assessments

- Pedophilic Disorder
  - Diagnosis
    - Prepubescent Children (Physical Development vs. Age – Tanner Scale)
    - Typically Considered a Life-Long Diagnosis with Early Onset
    - Exclusive vs Non-Exclusive
  - In 2023 More Complicated Diagnosis
    - Some CP clients clearly do not have persistent sexual interest in prepubescent children
    - May meet criteria at one time and not later

# Testing and Assessments

- Research

- 50% Pedophilic / 50% Non-Pedophilic

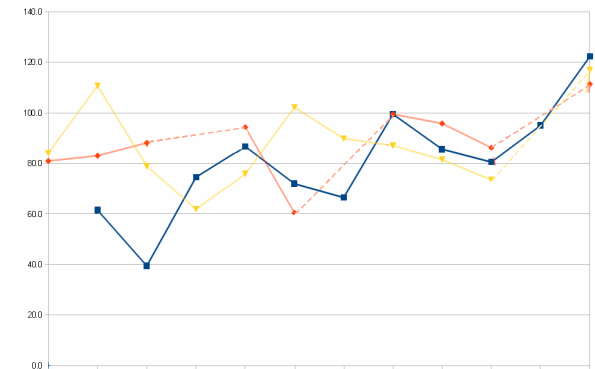
- Girls vs Boys

- Non-Exclusive vs Exclusive

- Latest Research
- Non-Exclusive Individuals with Pedophilic Interest (Interest in Children & Adults)
  - Low rates of sexual recidivism (Exclusive 5X that of Non-Exclusive)
  - Significant lower rates of contact sexual offenses

- Pedophilic Disorder is not “the kiss of death”

- More concerning if pedophilic and antisocial

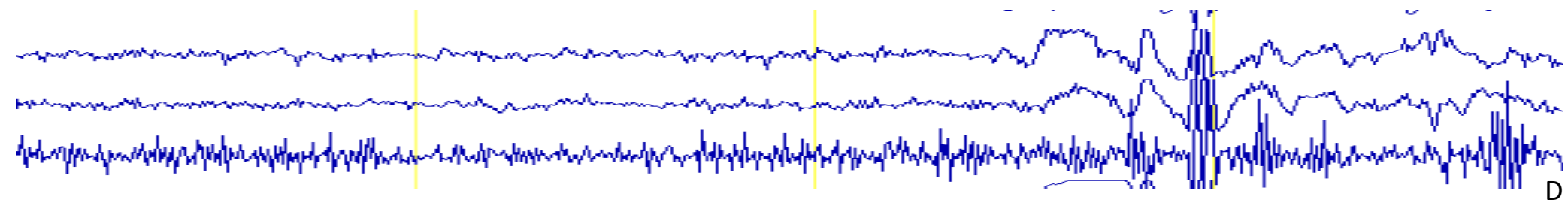


# Testing and Assessment

- Pedophilic Disorder
  - Possession of CP alone is not sufficient for diagnosis
- Sexual Interest Testing (Abel/Affinity/Look)
  - Deceptive Measures and Expert Scored
- Penile Plethysmograph (PPG)
- Correlates of Sexual Interest in Children (CASIC)
  - Never Married or 2 year co-habitation
  - Child Pornography Videos
  - Child Pornography more than 2 years
  - Volunteering in role with high access to children
  - Engaging in Online Sexual Communication with a minor
- Screening Scale for Pedophilic Interest - 2
- Self-Report

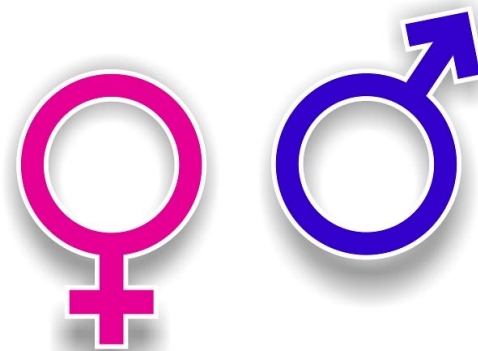
# Testing and Assessments

- Lie Detection
  - Polygraph
  - EyeDetect
    - Latest technology on truth verification
    - Eye Dilation, Eye Movement, Other Eye Behaviors
- Conduct outside of formal psychosexual evaluation process
- Can add to report if court would perceive a concern, if no concerns....

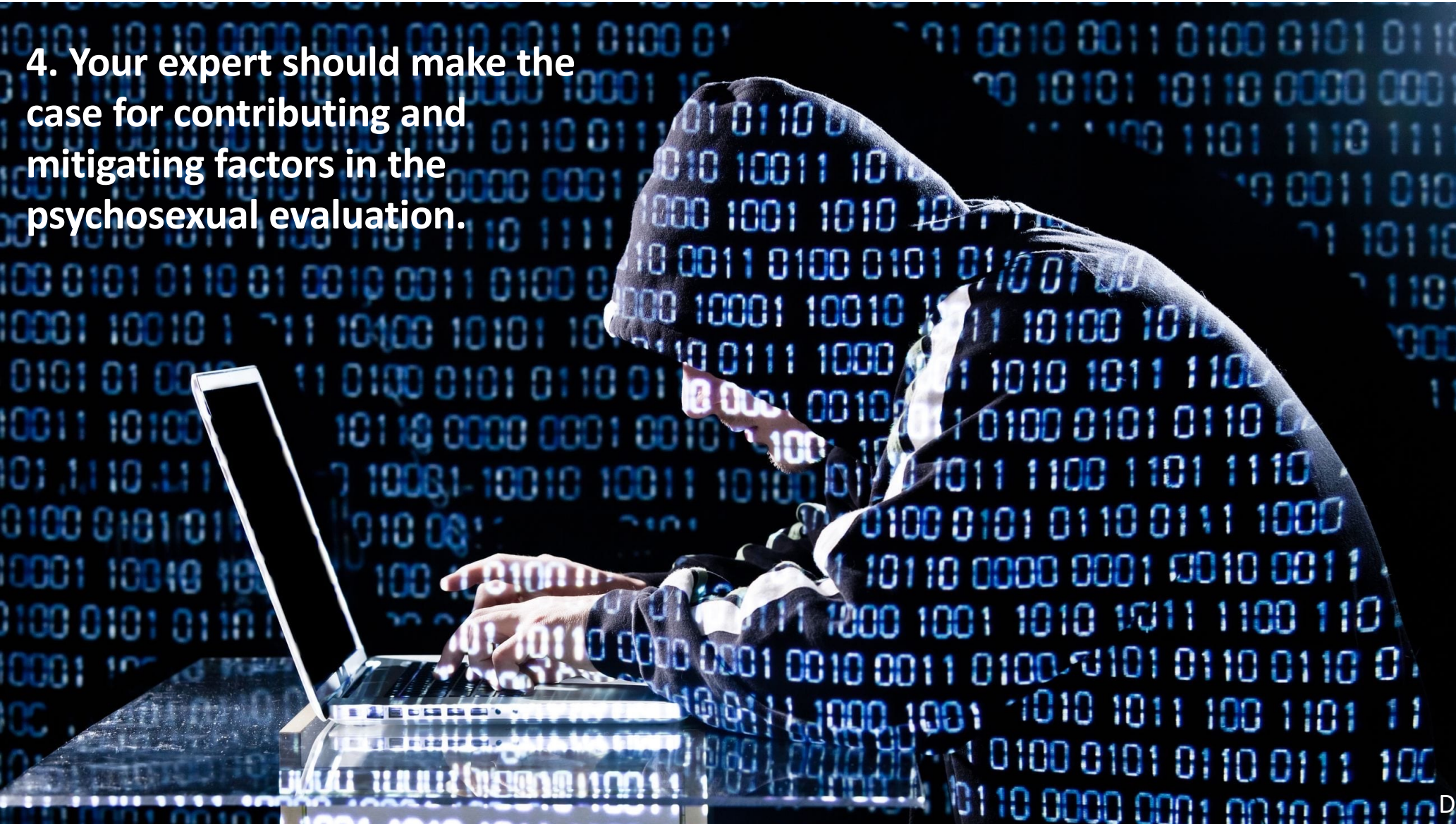


# Testing and Assessments

- Forensic Evidence
  - Complete Forensic Exam - Typically Helpful
  - Child Abuse Material Inventory (CAMI) (Parsons, Honyara, Delmonico, & Griffin 2013)
- Developed Based on Research
  - Boys versus Girls
  - Smaller age range versus larger age range
  - Talking with minors
  - AP vs CP



**4. Your expert should make the case for contributing and mitigating factors in the psychosexual evaluation.**

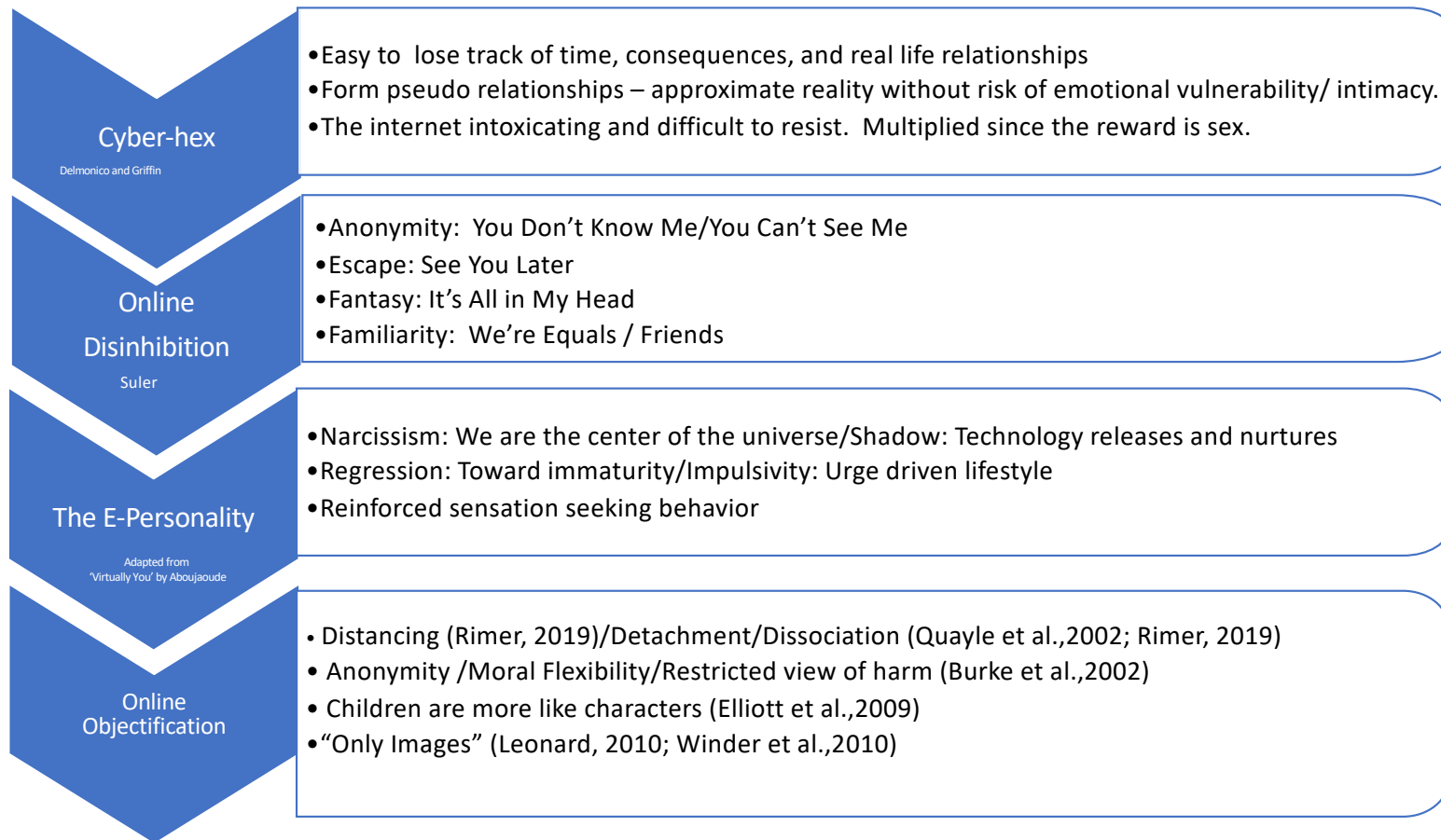


# Psychology of Technology

- It is recognized that these features of technology **cannot be ignored** as a factor in sexual offense behavior in the online world. (Quayle et al., 2010; Rimer, 2019)
- Function of the Internet is a crucial aspect of some types of online sexual offending (Meridian et al. 2016; Sheldon and Howe, 2007; Surjadi, 2010)
- Internet can facilitate sexual offending through the Triple A Engine (Seto 2013)



# Psychology of Technology



# Contributing and Mitigating Factors

- Adolescent Brain Development (up to 27/28 years old)
- Early Exposure to CP/Sexualization/Sexual Abuse
- Significant Mental Health Issues
  - Mood Disorders (Anxiety, Depression, Bi-Polar)
  - Substance Use Disorders
  - Post Traumatic Stress Disorder
  - Schizophrenia Spectrum Disorder
  - Neurodevelopment Disorder
    - Autism Spectrum Disorder/Intellectual Disabilities/ADHD
  - OCD
  - Hypersexuality
  - Pedophilic Disorder



# Psychology of Technology + Contributing Factors = Perfect Storm

Helps Contextualize Why Individuals with:

- No significant criminal history
- No history of contact offending
- No sexual interest in children (many)

...are viewing child pornography

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**5. A comprehensive risk assessment and attention to sentencing considerations are critical.**



# Risk and Sentencing Considerations

- Risk Assessments
  - Cannot use Static 99R. Can only use....
  - Child Pornography Risk Tool (CPORT) (Seto, 2015)
    - Age
    - Past Criminal History/Failure on Conditional Release
    - Contact Sexual Offending with Formal Response
    - Pedophilic or Hebephilic Sexual Interest
    - More Boy CP/More Boy Other Material
  - Risk Matrix 2000
    - Age
    - Past Sexual Offense Convictions/Past Criminal History
    - More Male CP
    - No Cohabitation for 2 or More Years

# Risk and Sentencing Considerations

- U.S. Sentencing Commission Report (2012, 2021)
  - The content of an offender's child pornography collection and the nature of an offender's collecting behavior (**in terms of volume, the types of sexual conduct depicted in the images, the age of the victims depicted**, males, and the extent to which an offender has organized, maintained, and protected his collection over time, including through the use of sophisticated technologies)
  - The degree of an offender's involvement with other offenders — in particular, in an Internet "community" devoted to child pornography and child sexual exploitation; **(Maybe)**
  - Whether an offender has a history of engaging in sexually abusive, exploitative, or predatory conduct in addition to his child pornography offense.



# Risk and Sentencing Considerations

- Factors that Positively Impact Risk for **Recidivism**
  - Age/Age/Age
- Protective Factors (de Vries, Mann, Maruna, and Thornton, 2015)
  - Healthy Sexual Interests
  - Capacity for Emotional Intimacy
  - Constructive Social/Professional Support
  - Goal Directed Living/Good Problem Solving
  - Engaged in Employment/Constructive Leisure
  - Sobriety
  - Hopeful, Optimistic, and Motivated Attitude to Desistance
- Treatment
  - 5% to 8% Impact on Recidivism
  - CP Offenders
    - Significantly less likely to miss treatment appointments and or drop out of treatment
    - Significantly less likely to fail in the community



# Risk and Sentencing Considerations

- Large groups of CP Internet offenders pose a low risk
  - A small subgroup does appear to move on to a....
    - A contact sex offense – 2% (Seto & Eke, 2010)
    - A new CP Charge - 5% (Seto & Eke, 2010)
    - A contact sex offense 2.7% after 13 years (Elliott et al., 2019)
    - Any sexual offense 5.7% (Faust et al, 2009) (US Federal BOP)
- 1,093 Non-Production CP Offenders (2021 U.S. Sentencing Commission)
  - 27.6% Recidivism Rate
    - 16.0% General Criminal Recidivism - No Sexual Offense
    - **4.3 % Sexual Recidivism**
    - 7.3 % Failing to Register as a Sex Offender



# Risk and Sentencing Considerations

- Myths

- All sex offenders are the same and all are high risk for sexual recidivism
  - Not any research in the last 30 years to support this statement

- High Risk Sex Offenders

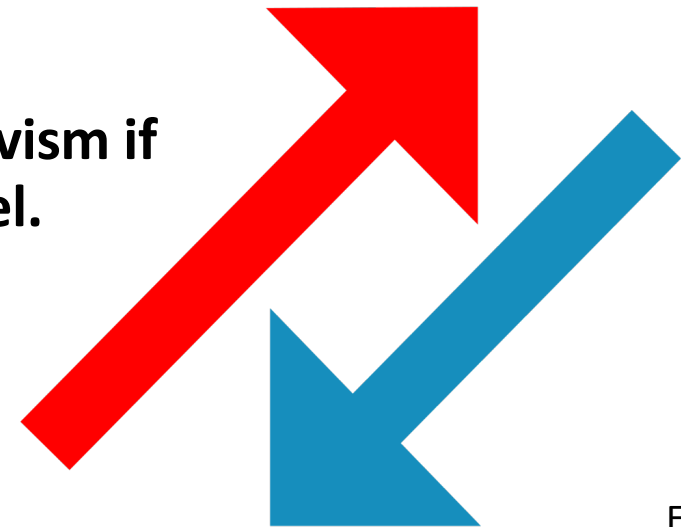
- Pedophilia/Antisociality
- Violent
- Individuals with known past contact sexual offense behavior

- Low Risk Individuals

- Typically do not have the combination of pedophilia/antisociality
- Are significantly impacted by system interventions
  - Especially prosocial individuals
  - Jail/Prison Time/Accountability of Probation
  - Treatment

# Risk and Sentencing Considerations

- The Risk Principle
  - High Risk = High Intensity Consequences/Treatment
  - Low Risk = Low Intensity Consequences/Treatment
- Research Indicates that...
  - **The system creates a higher risk for sexual recidivism if consequences/treatment doesn't match risk level.**



# Online Sex Offender Evaluations

## ~ The Top Five Key Points ~

1. Online sexual offenses are different. Your experts should know technology and the research related to online sexual offenders.
2. Background and History should be related to research on risk & contributing factors.
3. It is important your expert uses relevant testing and assessments.
4. The foundation for contributing and mitigating factors should be made in Background and History/Testing and Assessment sections.
5. A comprehensive risk assessment (risk factors/protective factors) and attention to sentencing considerations are critical.

Questions?



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