



END OF SENTENCE REVIEW COMMITTEE DECISIONS

Name _____ DOC number _____ Date of Birth _____

Projected Release Date _____ Earned Release Date _____ Maximum Expiration date _____ DSHS number _____

Agency _____

STATIC-99R Score: Not applicable

Static-99R Score
Up to and including 3
4 - 5
6 and above

Risk Level
Level I
Level II
Level III

Aggravation/Mitigation from: Not applicable to: Not applicable

Justification(s): Not applicable
Add
Add

Notes:

Recommended Risk Level: Add

Additional referral recommendations:

- Deferred decision
- Law Enforcement Alert
- Child Protective Services
- Developmental Disabilities Administration
- Adult Protective Services
- Offender Re-entry Community Safety Program referral
- Victim Services screening
- RCW 71.05 assessment
- Refer to Sexually Violent Predator (SVP) Subcommittee, County: _____
- Referred for SVP Forensic Psychological Evaluation on _____
- Not referred for SVP Forensic Psychological Evaluation on _____
- Other: _____

ESRC Chair/designee Signature Date

ESRC Chair/designee Signature Date

Sex offenders required to register will be placed in one of three classifications. The goal of classification and the notification statute is to provide the proper amount of information about a releasing sex offender to individuals within the community. **The risk level and resulting notification should be rationally related to the risk s/he poses to the community at large:**

- Level 1 – Low risk of sexual re-offense (i.e., arrest/conviction for a new sexual crime) within the community at large. Law enforcement officials share information with other law enforcement agencies and may disclose information to the public upon request.
- Level 2 – Moderate risk of sexual re-offense within the community at large. Law enforcement officials may share information with schools, child care centers, family day care providers, public libraries, businesses, neighbors and community groups near the offender's expected residence or places where they are regularly found.
- Level 3 – High risk of sexual re-offense within the community at large. In addition to the type of disclosures made for Level 2 sex offenders, law enforcement can provide information to the public at large.

In order to establish a baseline level of the risk that an individual will commit another sex offense, the ESRC scores the Static-99R, which is an actuarial measure of risk for sexual offense recidivism. This instrument has shown to be a moderate predictor of sexual re-offense and is used by researchers, parole and probation officers, psychologists, sex offender treatment providers, and police personnel involved in treatment and risk assessment activities. Actuarial instruments give different estimates for sexual re-offense, which can be explained by what each scale is measuring.

The Static-99R reveals the long-term probability that an adult male sexual offender will be convicted of a new sexual offense; however, it underestimates the probability that a new sexual offense will be committed. Many sexual offenses go unreported and detected. Therefore, the probability that an individual will commit a new sexual offense is somewhat higher than the probability that the person will be detected, arrested, prosecuted, and convicted for a new sexual crime.

However, the committee may elect to depart from the initial risk level score if special circumstances warrant. Objective risk instruments include a number of factors relevant to re-offending, but do not consider unique circumstances or unusual characteristics of offenders. The instruments are not appropriate for all populations (e.g., juveniles, females) and are not designed for the purpose of assigning community notification levels. Although the instrument helps to inform us about the probability of an individual being like, or unlike, other offenders who, when released, were detected for having committed new sex offenses, they cannot tell us about the method used to re-offend, the degree of violence that might occur in a re-offense, or whether the offender will be most likely to offend against a stranger, a family member, or someone with whom s/he has established a relationship primarily in order to commit a sexual offense. Departures gives the ESRC the ability to incorporate a breadth of information about the individual under review and exercise its judgment and expertise in order to better inform the community about an offender's risk to the community at large. If a departure in either direction is recommended, the reasons for the departure will be justified in writing and have the support of the majority and/or Chair.

The following are examples of aggravating and mitigating factors not otherwise captured by the actuarial risk instruments, which may increase/decrease the risk the offender poses to the community at large:

Aggravating factors:

- Statements of intent/threat to sexually re-offend
- Past interventions and/or treatment have not deterred sexually deviant behavior
- Pattern of behavior that increases risk for sexual re-offense, including:
 - Inability to control impulses
 - Repeated pattern of placing self in high risk situations and/or locations in order to gain access to individuals of similar age/circumstance as prior sex offense victims
 - Deviant sexual preoccupation/acting out during incarceration
- Documented information that increases risk for sexual re-offense
- Relationship with sex offense victim(s) was established or promoted for the primary purpose of victimization
- Sex offense victim(s) were of casual acquaintance with whom no substantial personal relationship exists
- Used a position of community trust (e.g., coach, teacher, group leader, clergy, police officer) to gain access to sex offense victim(s)

Mitigating factors:

- Familial or known sex offense victim(s)
- Current offense is not sexual in nature
- Previously released or classified as Risk Level I
- 24-hour supervised placement
- Disability or terminal illness that decreases ability to sexually re-offend
- Non-contact sex offense (e.g., possession of pornographic depictions)
- Sexual offending appears opportunistic in nature
- Documented information that may decrease risk for sexual re-offense

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

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