Civil Commitment for Sex Offenders

Sexual predator civil commitment: A comparison of selected and released offenders.
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Abstract:
This study compared two groups of sex offenders who were considered/or civil commitment under Florida's Jimmy Ryce Act: Two hundred twenty-nine sex offenders who were recommended by forensic evaluators to be civilly committed and 221 sex offenders who were recommended for release. It was hypothesized that selected offenders would be more likely to display risk factors for sex offense recidivism than those who did not meet criteria. Data analyses revealed that selected offenders, as a group, scored significantly higher on actuarial risk assessment instruments. There were also significant differences between the groups on other risk factors that have been empirically correlated with sexual recidivism. Selected offenders had higher frequencies of paraphilia diagnoses and antisocial personality. These findings supported the hypotheses and suggested that evaluators are correctly selecting for civil commitment those sex offenders who have a mental abnormality predisposing them to sexual violence and who are at higher risk for reoffense.

Reliability of Sexually Violent Predator Civil Commitment Criteria in Florida.
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The present study investigated the reliability of Sexually Violent Predator (SVP) civil commitment criteria under Florida's Jimmy Ryce Act. The purpose of the study was to determine if, independently, 2 evaluators would reach the same conclusions about the same client (n=295). According to civil commitment criteria outlined by the United States Supreme Court (Kansas v. Hendricks, 1997), SVPs must display a mental abnormality predisposing them to sexual violence and a likelihood of future sexual violence. The interrater reliability of 8 DSM-IV diagnoses applied by evaluators to determine whether a client has a "mental abnormality that predisposes him to sexual violence" was found to be poor to fair (kappa=.23 to .70). The interrater reliability of risk assessment instruments used to determine "likelihood of reoffense" was good (ICC=.77 to .85). The recommendations made by evaluators regarding whether or not to refer a client for civil commitment demonstrated poor reliability (kappa=.54). Implications for practice and policy are explored.

Factors predicting recommendations for civil commitment of sexually violent predators under Florida's Jimmy Ryce Act.
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Abstract: This study investigated the factors considered by forensic examiners when evaluating sexually violent predators (SVP) for civil commitment under Florida's "Jimmy Ryce Act." The project
was funded by a pre-doctoral research grant awarded by the Association for the Treatment of Sexual Abusers (ATSA). This study proposed two specific research questions. First, what is the direct relationship between actuarial risk assessment scores and recommendations for sex offender civil commitment? Second, which other variables are likely to influence SVP commitment decisions, and to what degree? The purpose of the study was to determine if risk assessment practices are evidence-based, and whether offenders selected for commitment meet statutory criteria. The purposive sample of 450 SVPs was drawn from the population of sex offenders evaluated for civil commitment in Florida between July 1, 2000 and June 30, 2001. Data were extracted from SVP evaluations provided by the Florida Department of Children and Families. Using multivariate logistic regression, this correlational research design examined the relationship between the dependent variable, commitment decision, and several sets of independent variables. The independent variables were derived from a review of the literature, and were grouped conceptually according to their degree of correlation with sex offense recidivism. Independent variables included diagnoses, actuarial risk assessment scores, empirically validated static and dynamic risk factors, consensus based risk factors, evaluator characteristics, and demographics. This study investigated the degree to which the identified variables predicted civil commitment decisions. Logistic regression results revealed that the statistically significant predictors of recommendations for sex offender civil commitment were actuarial risk assessment scores, diagnoses of Pedophilia and Paraphilia NOS, psychopathy, younger age of victim, and non-minority race. Discriminant function analysis confirmed that these variables correctly predicted commitment decisions in 90% of cases. It appears that civil commitment evaluators in Florida used empirically-based assessment procedures, and did not make decisions that were heavily influenced by extraneous factors. SVPs recommended for commitment consistently met the criteria set forth by the U.S. Supreme Court in Hendricks v. Kansas (1997): they suffered from a mental abnormality predisposing them to sexual violence, and risk assessment determined that they were likely to reoffend.

Policy interventions designed to combat sexual violence: Community notification and civil commitment.
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Much attention has been given to the problem of sexual predators and the struggles of the legal-justice system to contain them. In response to public outcry over high-profile sex crimes, federal and state legislators have responded in the past decade with innovative but controversial public policy initiatives, called "sexually violent predator statutes." In 1996 President Clinton signed "Megan's Law," mandating all 50 states to develop requirements for convicted sex offenders to register with local law enforcement agencies and to notify communities when a sex offender lives in close proximity. Less publicized have been the civil commitment statutes introduced by 16 states which allow convicted sex offenders to be evaluated for involuntary and indefinite confinement in a psychiatric hospital following their release from prison. This article will review the literature regarding community notification and civil commitment as interventions designed to combat sexual violence. The history and context of each policy will be discussed, as will a review of available research evaluating the impact of each policy. Implications for future research and social policy will be examined.