

## **Pathways to Sexual Offending: Implications for the Criminal Justice System**

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In the last few years, the original concept of a crime cycle has evolved into a more complex theory of the sexual offending patterns of offenders. These patterns reflect life events, thoughts, feelings and behaviours that are present prior to a sexual offence. These patterns are now often referred to as a behavioural progression. Traditionally, these patterns are identified during the course of treatment in order to develop treatment targets and to aid in the development of relevant self-management strategies. In addition, identifying these patterns helps community parole officers to manage risk for re-offence. An understanding of an offender's behavioural progression has long been of help to parole officers. However, its' utility has also recently been acknowledged by police agencies that are increasingly in the forefront of managing the risk of high risk offenders who have been released to the community. This brief article will discuss how a behavioural progression is developed and how police in British Columbia are using behavioural progressions to help keep our communities safer.

### **The Development of a Behavioural Progression**

As noted above, a behavioural progression includes the thoughts, feelings, behaviours and situations that an offender experiences prior to committing a sexual offence. Notably, the development of a behavioural progression is based on an examination of past behaviour. It is assumed that any possible future offence will follow past patterns of behaviour. Of course, such assumptions are not always valid. An offender's behavioural progression to offending may change over time. Nevertheless, as it is often said, the best predictor of future behaviour is past behaviour. In addition, clinical experience confirms that when offenders re-offend they often follow a very similar behavioural progression.

The identification of an offender's behavioural progression involves both an idiographic and nomothetic approach. In order to develop a behavioural progression that is useful and accurate it is necessary to obtain information that is specific to the offender. As such, it is useful to review all relevant documentation, examine collateral sources of information and interview the

offender. These sources can be used to identify details about daily life activities, hobbies, schedules and the specific events that led up to an offence or series of offences. Direct observation of the individual, their behaviour and common reactions to various situations can also help inform the development of an accurate behavioural progression.

Recent research has also helped to identify dynamic risk factors that have been empirically shown to be related to risk for reoffence. Such research can help those developing a behavioural progression to focus on topics and issues which have been empirically shown to be relevant to risk for reoffence.

For sexual offenders, dynamic factors that are empirically derived and that have been shown to be related to the behavioural progression include: (a) intimacy deficits (defined as being the absence of lovers or intimate partners, emotional identification with children, hostility towards women, social rejection/loneliness and a lack of concern for others), (b) negative social influences, (c) attitudes supportive of sexual assault (defined as sexual entitlement, rape attitudes and child molester attitudes), (d) poor sexual self-regulation (defined by sex drive/preoccupations, sex as coping and deviant sexual interests), (e) poor cooperation with supervision, and finally, (f) poor general self-regulation (defined as being impulsive, having poor cognitive problem solving skills, and negative emotionality/hostility) (Hanson & Harris, 1998).

Factors that may be present immediately prior to a sexual re-offense include: emotional collapse, collapse of social supports, sexual preoccupations, rejection of supervision, substance abuse, negative mood, anger/hostility and victim access (Hanson & Harris, 1998).

Notably, the development of a behavioral progression does not assume that negative life events or emotions are necessary precursors to offending. Researchers Ward and Hudson (2000) have played an important role in furthering our understanding of this point specifically and behavioural progressions in general. One of the elements of their model is to determine the goals of the offender. According to this model, offenders have goals that can be avoidant goals or approach goals. The offender who hopes not to re-offend but who makes choices that could or does lead to another re-offense has avoidant goals. The offender who seeks another re-offense and creates situations to assist him in re-offending is considered to have approach goals. This is a very helpful distinction in understanding differing offender behavior. It allows for the existence of sexual offenders who don't have life skill deficits and yet continue to re-offend. Furthermore, by making this distinction, it is also recognized that the offender may feel positive emotions and may be experiencing positive life events prior to offending and that they do not always want to avoid re-offending as previously assumed (Yates, 2000).

The understanding that there are different pathways to reoffence has direct implications for the construction of the behavioural progression. In some cases there will be an emphasis on negative emotional states and indicators of

poor or misguided attempts to cope. Examples might include the presence of sadness or anger or loneliness and attempts to cope by using drugs and alcohol and/or sexual fantasy. However, in some cases such precursors may be notably absent and, given the understanding that the offender continues to see offending as a desired goal, there will need to be more of an emphasis on situational factors that would indicate that the man is setting up the conditions for an offence to occur. For example, the third author (A.S.) was providing community based maintenance treatment to a recidivist pedophile who continued to view his offences in a positive light. In this case the behavioural progression included and emphasized the presence of attitudes that continued to be supportive of sexual offending and, based on his past pattern of offending, any indication that the offender was attempting to access vulnerable youths. The offender was subsequently observed developing a conversation with a male street youth and this led to his parole suspension. Notably, the conversation that was observed would likely have appeared innocuous to most observers but an understanding of the offender's behavioural progression highlighted its' likely significance.

As illustrated above, the nature of the behavioural progression may need to be modified if the purpose is to facilitate treatment and self-management or if the purpose is to solely or primarily serve as a supervision tool. Although these functions are not mutually exclusive there may be a need to modify the behavioural progression in some cases. For example, thoughts and feelings are internal events that are ultimately known only by the person having them. It is perfectly reasonable to include thoughts and feelings in the behavioural progression of an offender who is interested in self-management and who is willing to share these aspects of their behavioural progression with others. But, if the offender wants to reoffend and is non-disclosive, then there needs to be a greater emphasis on observable behaviours that indicate risk is increasing. The example of the pedophile noted above is illustrative. In his case, it was necessary to have a clear understanding of which observable behaviours could help inform the supervisory team that he was nearing reoffence.

Ultimately, the development of an accurate and useful behavioural progression necessarily combines an understanding of the dynamics of the specific offender, an understanding of the relevant risk factors for sexual offenders as a group and a clear understanding of the purpose for which the behavioural progression is to be utilized. The construction of a useful behavioural progression also weaves together the art of interviewing, a careful overview of offence documentation and a critically minded integration of the information as a whole.

## How Behavioural Progressions can help Police

Traditionally, behavioural progressions have been used to help treatment providers and offenders to identify treatment targets and relevant self-

management strategies. For example, if it is clear that problems with anger in general and hostility toward women in particular are part of an offender's behavioural progression then it is possible for treatment providers and the offender to begin developing improved anger management skills and developing more positive attitudes and beliefs regarding women. A parole officer's understanding of an offender's behavioural progression also allows the officer to monitor relevant aspects of the offender's functioning and, if necessary, intervene prior to a new offence. Recently, the utility of knowing an offender's behavioural progression has led police to use the behavioural progression when monitoring offenders in the community.

Due to concerns regarding the release of high risk sexual offenders to the community, police in British Columbia initiated a project designed to identify, monitor and arrest high risk sexual offenders who were engaged in their behavioural progression and considered to be at increased risk for reoffence. The project was entitled the Integrated Sexual Predator Intelligence Network (ISPIN). The officers involved in this project used empirically based measures and information to identify sexual offenders who posed a particularly high risk for reoffence. The highest risk offenders were identified and information was gathered regarding details of their offending behaviour, victim preferences, behavioural progressions and release conditions. The project also included provisions for surveillance of these offenders upon their release to the community. The Integrated Sexual Predator Observation Team (ISPOT) comprises a full-time unit of 10 police officers who are trained in surveillance techniques as well as in understanding sexual offenders and their specific behavioural progressions. Investigators are briefed on the individual's behavioural progression and the importance of observing breaches of court imposed conditions and intervening if there is evidence of a behavioural progression toward another sexual offense. Due to cooperation between the Correctional Service of Canada and police, the offender's behavioural progression is often known to the police. However, in some cases the investigator must piece together the elements that indicate that there is an increased risk of reoffence. The communication between Corrections and police is vital. The police observation team reports supervision concerns to the parole and probation officers. Except in cases where immediate action is required, the decision to breach an offender is made in full consultation between police and Corrections.

In one case, police observed a man with a history of substance abuse and sexual assaults of stranger women. During the course of the observation the man was seen buying crack cocaine, picking up a prostitute and then getting a hotel room. Given the nature of his past offences and the understanding of the man's behavioural progression it was clear to the officers that the man was not only breaching the conditions of his release but was at significantly increased risk for a sexual offence. As a result, they intervened and arrested the man. In some cases the relevance of the observed behaviour is less obvious. For example, in another case the offender being observed was seen breaching a

release condition related to being in the presence of children. Knowledge of the offender's behavioural progression helped the officer's determine that these breaches represented reason for significant concern. As a result, the officers conducted further investigation and determined that a sexual offence had already transpired. Based on the further investigation the officers arrested the man and charged him with sexual assault. Although the officers were not able to intervene prior to the offence their understanding of the man's behavioural progression alerted them and helped ensure further investigation and likely helped prevent additional victims.

The relevance of behavioural progressions is not only limited to police who are surveiling high risk offenders but also to judges who are in a position to consider the cases of men who have breached conditions. By being informed regarding an offender's behavioural progression judges are in a better position to determine the significance of observed behaviours and to then apply appropriate remedies. More education is needed in this area and the above authors have been providing training to the Courts in order to help ensure that concepts such as the behavioural progression are understood by all members of the criminal justice team who are involved in the management of high risk sexual offenders.

It is clear to all members of the criminal justice system and the public that it is essential to intervene in the progression to sexual re-offence. A clear understanding of an offender's behavioural progression allows treatment providers, parole officers, the police and the courts to do their jobs more effectively. The usefulness of knowing an offender's behavioural progression has been a mainstay for those treating sex offenders and for parole officers. Nevertheless, its use by the police represents a step forward in cooperation between criminal justice partners and illustrates how different arms of the criminal justice system can work together to ensure safer communities.

### References

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