

**NEARI  
Training Center**



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**A Contemporary Overview of  
Juvenile Sexual Risk Assessment**

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# A Definition of Risk Assessment

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- Risk assessment points to an individual's risk for re-engaging in harmful behavior under defined circumstances...  
.... and when environmental conditions allow the expression of such behavior.
- This means that risk assessments are based on:
  - i. the presence of risk factors that we believe are related to harmful behavior
  - ii. circumstances that drive harmful behaviors  
and
  - iii. conditions that allow harmful behavior to emerge



# Risk When?

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Essentially, we are assessing risk under circumstances where:

1. There is inadequate or no supervision  
and
2. There is access to victims



# Understanding Assessments of Risk

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- The assignment of risk may also be seen as a reflection of the potential for a sexual re-offense if the juvenile is not provided with an appropriate level of continuing care, supervision, and/or treatment.
- However, even an assessment of high risk does not necessarily mean that the youth will re-offend.



# Understanding Assessments of Risk

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- Accordingly, given the weaknesses of any model of risk assessment...
  - ... it may be more appropriate to understand the assessment of risk as a way of recognizing a preponderance or collection of risk factors...
  - .... and, in particular, factors that pertain to each individual youth and continue to represent risk for that individual.



# Understanding Assessments of Risk

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- From this perspective, an assigned risk level represents the number and type of risk factors most pertinent to each youth...  
... and the areas of risk that require continued treatment and supervision both during treatment and following discharge from treatment.



# Risk Assessments Point to Treatment Needs

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- From this same perspective, in a model of treatment and rehabilitation, and especially in the case of youthful offenders...

... we can understand the identification of risk factors as pointers to the form, targets, and intensity of treatment rather than a certain prediction that a sexual re-offense will or will not occur.

- As shown in multiple studies, most youths will not re-offend sexually following treatment for sexually abusive behavior.



# Conceptualizations of Risk

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## Internal Risk

It is reasonable to speculate that much risk is linked to the individual him or herself.

In this case, risk factors are intrinsic to and held within the individual, perhaps the product of either shaping developmental experiences or biology, or both.



# Conceptualizations of Risk

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## Internal Risk

Risk factors that reside within the individual may involve, for instance:

- ✓ Attitudes and beliefs
- ✓ Sexual interests
- ✓ Poor self-regulation
- ✓ Intellectual disability
- ✓ Lack of concern for others
- ✓ Arrested moral development



# Conceptualizations of Risk

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## External Risk

- It's also reasonable to consider that risk also resides in the environment outside and independently of the individual.
- Here, risk is found within the social environment in which the individual lives, functions, and interacts with others.



# Conceptualizations of Risk

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## External Risk

Within the environment, risk factors that exist independently of the individual involve:

- ✓ Social attitudes and messages
- ✓ Family dysfunction or instability
- ✓ Exposure to violence and criminality
- ✓ Economic hardship
- ✓ Peer pressure and antisocial peer group values
- ✓ Unstable or difficult living conditions.



# Risk Factors

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- Risk factors are anything that contribute to and flag the possibility or probability of risk, or increase the probability that a person will suffer harm.
- Risk factors are not necessarily causative, but nevertheless increase probability.
- Risk factors combine and interact with other risk factors to create situations that any single risk factor might not have sufficient energy to produce on its own.



# Risk Factors: Static and Dynamic

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- Historical behaviors and experiences are static risk factors because they have previously occurred and remain unaltered over time.
- Static factors, such as age and offense history, are immutable to outside influences.
- In absence of new information, static factors remain fixed.



# Risk Factors: Static and Dynamic

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- Dynamic risk factors are those associated with current behaviors, thoughts, feelings, attitudes, interactions, and relationships, and toward which treatment is generally directed.
- Dynamic risk factors can and often will change over time.
- An important characteristic of dynamic risk factors is that reductions in such factors are associated with reduced recidivism.
- Dynamic factors are the targets of treatment programs because treatment aims at changing these factors.



# Two Models of Risk Assessment: Actuarial Risk Assessment

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- An actuarial risk assessment is based on a statistical analysis of static risk factors and a resulting statistical projection of future behavioral trends.
- The model pays little attention to the relationship between internal risk factors and external variables.
- Accordingly actuarial assessment does not take into account environmental factors that may contribute to or produce risk.



# Two Models of Risk Assessment: Actuarial Risk Assessment

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- In assessing risk, actuarial assessment considers only attributes related directly to the individual...  
... treating these as static and unchanging things from which future behavior can be statistically predicted.
- The actuarial assessment model is unable to give meaning to the behavior that is being assessed or understand the individual engaging in the behavior.



# Two Models of Risk Assessment: Clinical Risk Assessment

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- Clinical risk assessment can be defined as one in which risk estimates are based on observation rather than statistical analysis.
- Risk estimates are based on the development of an understanding about the individual, and risk factors within the individual and in the individual's environment.



# Two Models of Risk Assessment: Clinical Risk Assessment

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- Developing out of a more dynamic model in which risk exists within individuals and within their environment....  
... and indeed within the interactions that link individuals to their environments...  
... clinical risk assessment includes both static and dynamic, or changeable and changing, risk factors.



# Clinical Risk Assessment

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- Only clinical assessments can gather the widest possible range of information from which to draw conclusions...  
... including a wealth of information about the individual child or adolescent.
- This is particularly important given the developmental contexts in which juvenile offenses occur.



# The Presence and Interaction of Multiple Risk Factors

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- Neither model of risk or risk assessment assumes that any single risk factor, no matter where it may reside or how potent, is powerful enough to cause criminal behavior, including sexually abusive behavior.
- In the case of both models, regardless of how risk factors are defined, harmful behavior is contingent upon an interplay between risk factors and elements present in or absent from the environment.
- It is thus the presence and combination of multiple risk factors that ultimately allows antisocial behavior to emerge from risk.



# Measuring Risk: Risk for Re-Offending Versus Risk for Offending

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- Risk assessment is always based upon a history of prior harmful behavior.
- It is therefore always an assessment for recidivism and not first time behavior.
- The process of risk assessment always draws on the past in order to highlight possible future behavior.
- This is the static element of risk assessment.



# Measuring Risk: Risk for Re-Offending Versus Risk for Offending

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- Further, understanding an individual's past behaviors and experiences can lend itself to projections about future behavior...  
... based on understanding why (and under what circumstances) the prior behavior occurred.
- Recognizing and understanding the presence of past and current experiences and behaviors allows us to project a trend into the future which, if uninterrupted, may lead to a recurrence of the same behavior.



# Juvenile Risk Assessment is A Dynamic Process

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- Most juvenile risk assessment instruments are clinical and dynamic in design.
- They are structured and built around risk factors identified in the literature as relevant to juvenile sexual recidivism.
- In addition to attempting to help predict risk, they are increasingly used as case management and treatment planning tools.
- This process is dynamic, recognizes the potential for change, and avoids the potential that risk assessment instruments will simply be “passive predictions of limited practical use.”

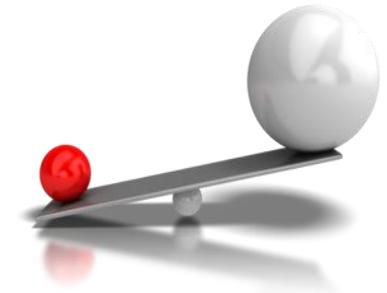
- Boer et al., 1997



# Juvenile Risk Assessment is Developmental and Contextual

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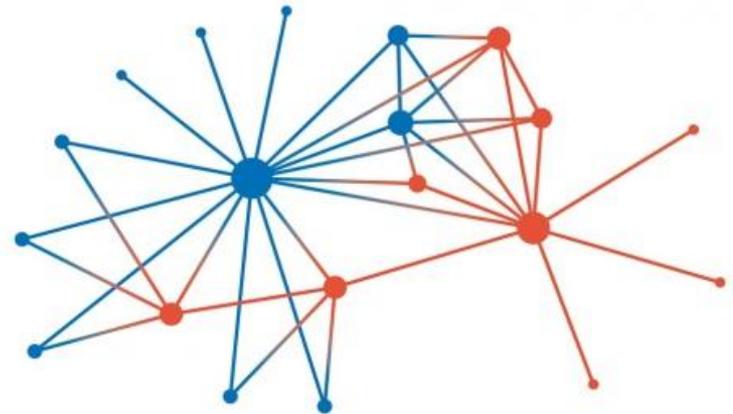
- Juvenile assessment takes into consideration many elements that are involved in child and adolescent behavior, but not likely to be relevant in the assessment of adults.
- Assessments of juveniles take into account the still developing nature of the child/adolescent and concepts that place behavior in the context of the social environment...  
... as well as the context of child and adolescent development.



# Juvenile Risk Assessment is Developmental and Contextual

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- Factors in the juvenile's social context play a more important role than they do among adult offenders.
- Peer groups, family dynamics, involvement in prosocial activities, and community factors should all be carefully considered in juvenile risk assessment.



# Time Limits on Juvenile Risk Assessments



- Caldwell & Dickinson, 2009

“All risk assessment with juvenile offenders should be considered reliable (only) over a relatively short time horizon.”

- Because juvenile risk assessment processes include a focus on development and social context...

... unlike adult risk assessment instruments, the most current and widely used juvenile risk assessment instruments define time limitations, or expiration dates, for the assessment of risk.



# Time Limits on Juvenile Risk Assessments



- Fanniff and Letourneau (2012) recommend that evaluators focus on short-term risk, recognizing:
  - ✓ The fluid nature of both risk and sexuality among juveniles
  - ✓ The low base rate of juvenile sexual recidivism
  - ✓ Positive responses to treatment noted in the literature.



# Understanding Protective Factors

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- “It seems obvious that attention must be paid to the possibility of factors that protect against antisocial behavior as well as to those that predispose to it.”

-Rutter, 2003

- Jessor and colleagues (1995, 2014) note that risk and protection are often described as opposite ends of the same variables, and thus highly correlated...

... but this makes it difficult to fully understand the role of protection.



# Understanding Protective Factors

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- Protection, then, has meaning only in the presence of risk, and not simply as its polar opposite.
  - For these reasons, it is difficult to estimate the role of protective factors in the assessment of risk...
- ... even though the process of risk assessment must take into account the absence or presence of protective factors.



# Protective Factors

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- The actuarial model of risk assessment focuses on elements of risk only, and particularly static risk.
- The clinical model of risk recognizes a greater interaction between risk elements and other elements or conditions that serve to advance or inhibit the transformation of risk into actual harm.
- Among these other elements are protective factors, largely conceptualized only in relation to risk factors.
- Protective factors are anything that decrease the potential harmful effect of a risk factor.
- Like risk factors, protective factors can be found to reside within the individual and the external environment.



# Comprehensive Risk Assessment

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- The use of a risk assessment instrument alone itself is, at best, a screening.
- A more complex and meaningful assessment requires that the risk assessment instrument be embedded within a larger comprehensive assessment.



# Comprehensive Risk Assessment

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- Comprehensive risk assessment is aimed at estimating and defining the likelihood of a sexual re-offense, based on an understanding of:
  - ✓ The juvenile's prior sexually abusive behavior
  - ✓ The circumstances and context under which such behavior developed and occurred  
and
  - ✓ The presence of current risk and protective factors that may contribute to or diminish the possibility of sexual re-offense.



# The Purpose of Comprehensive Risk Assessment

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- With respect to the particular goal of estimating risk...
  - ... the comprehensive assessment provides a formulation about the circumstances of the sexually abusive behavior, its natural history, and its likely prognosis if things remain unchanged...
  - ... as well as recommendations for treatment and management.



# The Purpose of Comprehensive Risk Assessment

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- It provides the evaluator with maximum information upon which to draw with respect to risk for future sexually abusive behavior...  
... and the capacity to make informed decisions and recommendations about treatment needs and interventions.



# Empirically Based Tools for Structured Professional Judgment

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- An assessment “instrument” is a tool designed to avoid or reduce the possibility of poorly conducted and ill-informed risk assessment...  
... intended to provide structure, definition, and consistency to the risk evaluation process.
- An actuarial assessment is always guided by such an instrument, following a clear set of questions and rules, and this is one its strengths.
- Similarly, the use of a formal clinical assessment tool provides organization, structure, and definition, and ensures consistency to the clinical process.



# The Choice of Risk Assessment Instrument

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To be considered well developed, well organized, and well informed, a clinical risk assessment instrument should meet at least these 14 criteria.

1. Comprehensive in depth and breadth of included content
2. Rationally and logically organized
3. Clear explanation of design, intent, and limitations
4. Clear instructions for use
5. Inclusion of static and dynamic risk factors supported by professional literature
6. Sufficient range of dynamic risk factors
7. Clear definition of each risk factor



# The Choice of Risk Assessment Instrument

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8. Covers multiple aspects of risk in multiple life domains
9. Rational and clearly defined scoring system
10. Allows weighting of different risk factors
11. Allows consolidation of data
12. Yields transparent results, obvious to the reader
13. Clearly oriented towards specific population for whom intended
14. Allows re-evaluation of risk based upon dynamic risk factors



# Validation of Juvenile Risk Assessment Instruments

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- In terms of validation, the literature is scattered and inconsistent and does not offer a great deal of statistical support for any of the risk assessment instruments.
- On the whole, the clinical and research literature provides mixed, inconsistent, and often contradictory results regarding juvenile risk assessment instruments and evaluation of their empirical validity.
- It instead largely describes risk assessment instruments as failing to show high, consistent, or universal levels of reliability or predictive validity.



# Weak Empirical Support

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- In general, the bulk of the independent literature suggests that juvenile assessment instruments are far from empirically validated...  
... raising concerns about their capacity to reliably and accurately predict the risk of juvenile sexual recidivism or inform public policy and debate, as well as juvenile court decisions.



# Cautions in Application

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- Current instruments as important developmental milestones in further refining the risk assessment process and method, but far from complete.

-Vitacco, Viljoen, & Petrila, 2009

- At this time, research does not support the use of any of the juvenile risk assessment instruments...

... no single instrument or combination of instruments has demonstrated adequate predictive power for reliably or accurately predicting risk for juvenile sexual recidivism.

-Viljoen, Elkovitch, Scalora, & Ullman, 2009



# Cautions in Application

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“Until existing or new instruments are better validated, evaluations in this context will remain a complex balancing act between the need to provide the courts and other stakeholders with useful information sexual risk...  
... and the serious limitations in empirically based knowledge about sexual risk”

-Fanniff & Letourneau, 2012



# Risk Assessment and Risk Management

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- Despite weaknesses, Viljoen, Mordell, and Beneteau (2012) report that risk assessment instruments offer clear benefits over unstructured clinical judgments.
- Of special note, they write that despite the research focus on the prediction of sexual recidivism...  
... these instruments are also intended to help manage risk and plan treatment to prevent re-offense.



# Risk Assessment and Risk Management

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- Viljoen et al. note that increased attention to the utility of tools for these purposes will enable us to move beyond simply the prediction of sexual re-offense...  
... and toward the prevention of sexual re-offense.
- Similarly, Prentky, Li, Righthand, and colleagues (2010) write that despite concerns regarding predictive validity...  
... the J-SOAP-II may be useful for making short-term case management decisions and “especially useful for guiding effective treatment interventions.”



# Risk Assessment and Risk Management

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- Even the strongest risk assessment measures are less than perfect predictors, unable to predict with any certainty on an individual level.
  - Limitations on their diagnostic precision and predictive utility at the level of the individual case... create a challenge for forensic practice (Cooke & Michie, 2010).
  - Such instruments may accurately identify youth at the highest risk to re-offend and accurately point to necessary group level interventions...  
... but their ability to make accurate predictions about the risk of an individual to re-offend is far more difficult.
- Cooke & Michie, 2010; Schmidt, Campbell, & Houlding, 2011



# Risk Assessment and Risk Management

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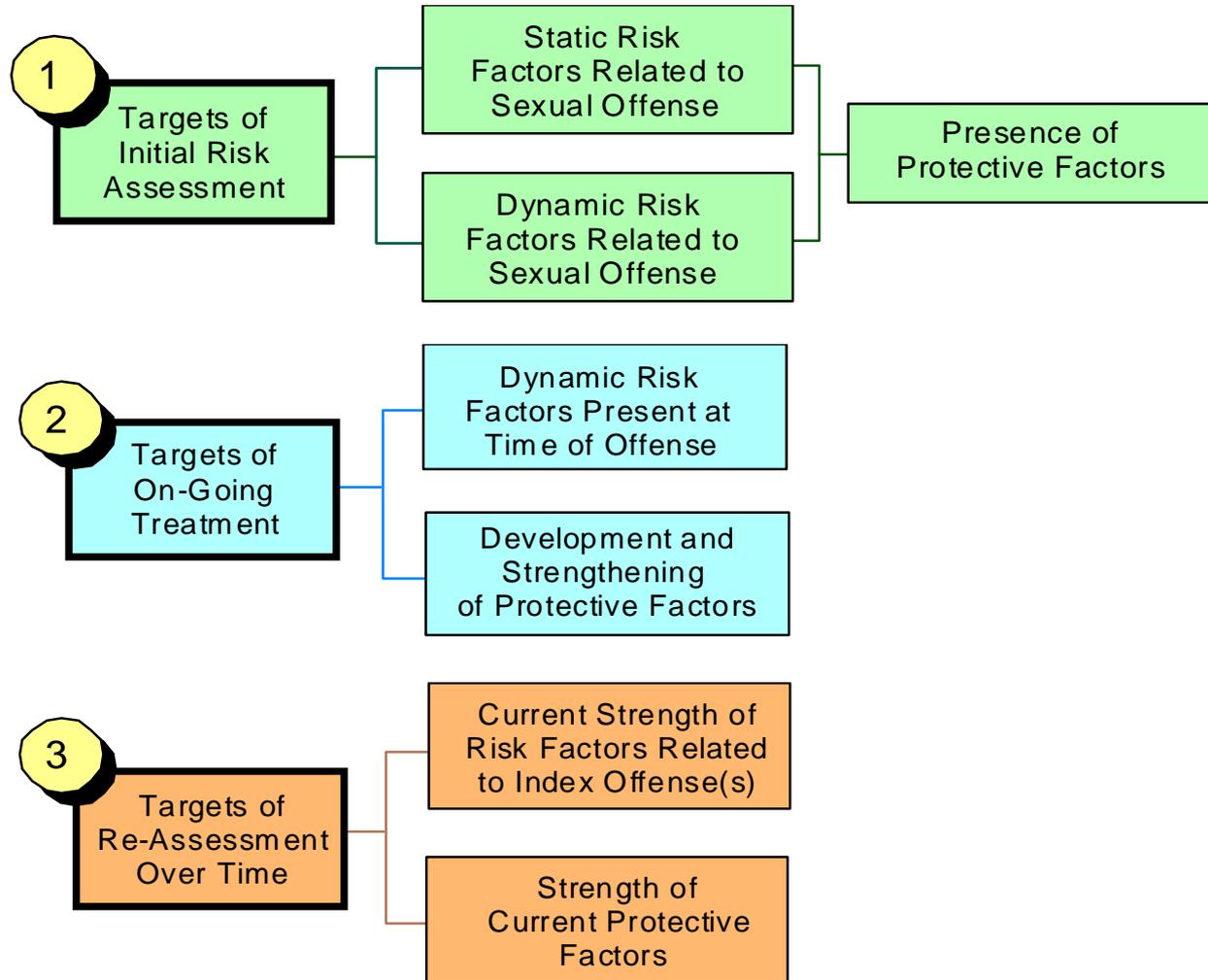
"Thus, these risk tools are best used in a preventative fashion to guide intervention and to encourage youth toward more prosocial developmental trajectories...

... and to allocate limited resources to those youth who are in most need."

-Schmidt, Campbell, & Houlding, 2011



# Risk and Protection as Targets of Treatment



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# Wrapping Up



# Conclusions: Exercising Caution and Sensitivity in Juvenile Assessment

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- It is clear that for sexually abusive youth, assessment is not just aimed at defining a level of risk...  
... but aimed more at developing a deep understanding of the youth upon which to build and develop realistic, appropriate, and meaningful treatment interventions.
- We are therefore not only concerned with estimating risk for a sexual re-offense...  
... but also, and perhaps more, concerned with preventing sexual recidivism.



# Risk Assessment is Complex

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-Bengis, Prescott, & Tabachnick, 2012

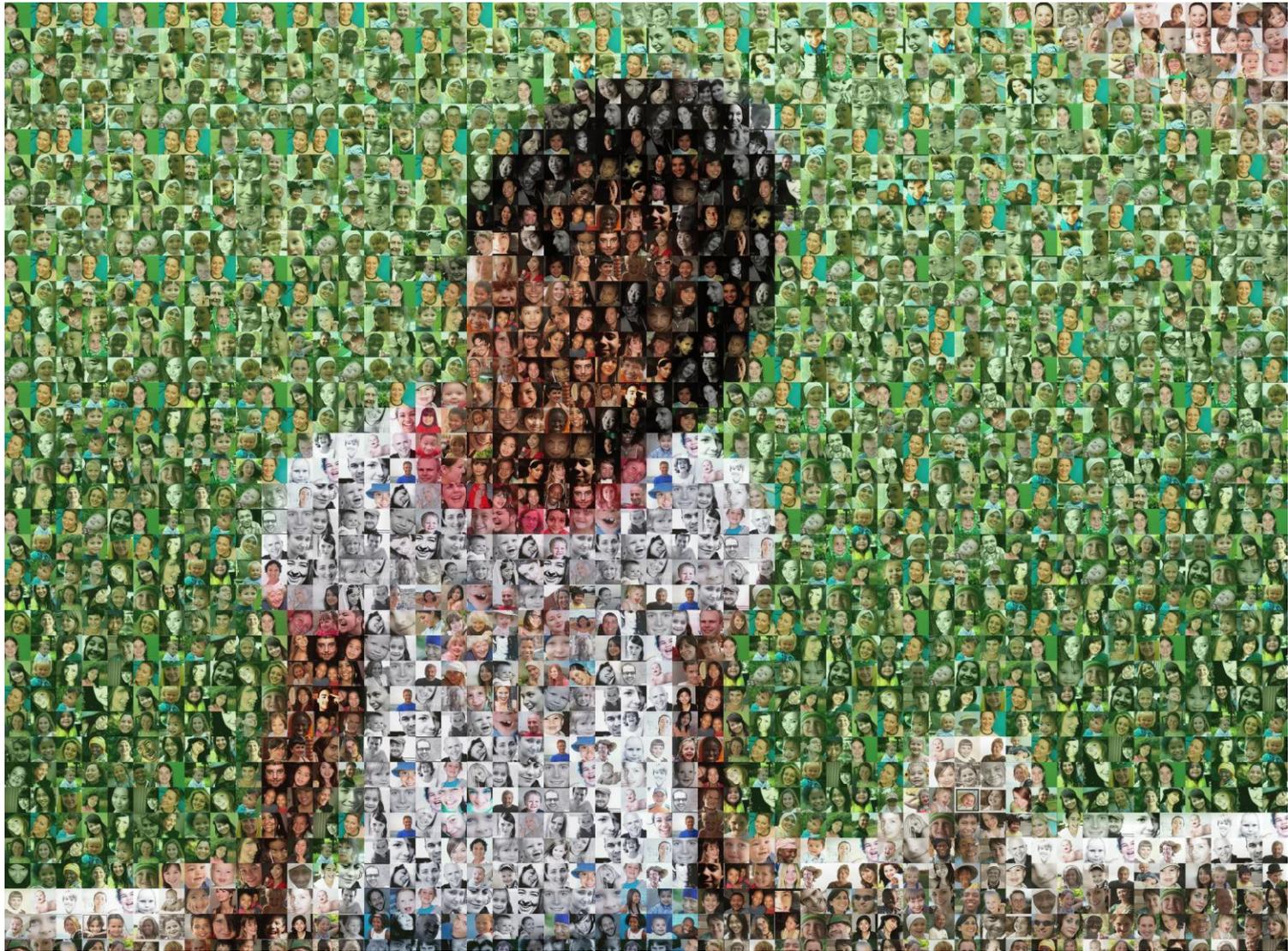
“Assessment remains complicated. Current measures help, but are not stand-alone instruments...”

“Professionals need to be extremely careful about assessing re-offense risk for an individual client, and take the time to obtain specialized knowledge in this area...”

“Given the low base rates of sexual re-offense, the use of measures to guide safety, risk management, and treatment plans might be a better way to proceed...  
... than simply making statements about risk.”



# Risk Assessment is Complex



# Remaining Well-Informed

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- There is a “covenant” between the developers of risk assessment instruments and the user of such instruments...

... highlighting the requirement both for well-designed and meaningful tools and the need for the evaluator to acquire the training and supervised experience necessary for well-informed professional practice.



# Remaining Well-Informed

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- “Professionals need to be extremely careful about assessing re-offense risk for an individual client, and take the time to obtain specialized knowledge in this area.”  
-Bengis, Prescott, & Tabachnick, 2012
- Further highlighting the responsibility of the instrument end user...



# Remaining Well-Informed

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“Practitioners have obligations to always use such measures appropriately, ensure they are trained in their administration...

... and most importantly, make sure that the assessment process culminates in an etiological formulation that is based around the individual’s features alongside those they share with other offenders”

-Ward, Gannon, & Birgden, 2007



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# 3-Session Webinar: Overview of Juvenile Risk Assessment

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May 10, 17, and 24, 2016

- **Session 1.** An Introduction to Juvenile Sexual Risk Assessment: The Models and the Instruments
- **Session 2.** Comprehensive Juvenile Sexual Risk Assessment and the Assessment Report
- **Session 3.** Juvenile sexual risk assessment instruments in application



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