

West Virginia Sex Offender Study

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The opinions, findings, conclusions, and recommendations expressed in this report are those of the authors and may not necessarily reflect those of the U.S. Department of Justice or the State of West Virginia.

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The Sex Offender Management Committee in conjunction with James H. Phillips, Director of Research for the Division of Corrections (DOC), conducted the survey of sex offenders in criminal justice custody or supervision. Correctional employees in DOC prisons, correctional employees in DOC parole services, and county probation staff completed and submitted the survey of sex offenders. Mary Ann Myers of the Division of Corrections completed the data entry. Brad Douglas, Research Analyst with the Division of Corrections, analyzed and provided the data for this section of the report.

The Division of Criminal Justice Services, Criminal Justice Statistical Analysis Center, collaborated with the George Washington University, Institute for Crime, Justice and Corrections to prepare the Correctional Population Forecast: 2000-2010. The section on admissions to and releases from corrections was generated from this collaboration. The Correctional Population Forecast 2000-2010 report is available on the DCJS web site.

Information on treatment providers was obtained from multiple sources. Names of treatment providers were initially obtained from probation and parole offices. The Board of Examiners of Psychologists and the Board of Examiners in Counseling maintain licensing information on psychologists and counselors respectively. The West Virginia University Office of Health Services Research maintains licensing information for medical doctors. The West Virginia Polygraph Association provided information on its membership.

On-Line Availability

This report and other statistical reports can be viewed and printed from the DCJS web site at www.wvdcjs.com.

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Executive Summary

Over the next ten years, an estimated 147 sex offenders will be released from West Virginia's state prisons each year, over 1 inmate every 3 days. Although paroled sexual offenders can receive psychological treatment and be monitored and assisted by parole officers, the percent of sex offenders released on parole has been lower than any other offender group.¹ As a result of increased maximum sentences for incest and sexual assault that took effect July 1, 1991, more sex offenders are expected to be paroled rather than discharged. Previously, the sentences were 5-10 years for incest, 15-25 for 1st degree sexual assault, and 10-20 for 2nd degree sexual assault.² Under these sentences, inmates could be eligible for discharge before parole eligibility.³ Given that released sex offenders lose little of their good time⁴, sex offenders sentenced before these changes occurred are likely to discharge their sentence, rather than be released on parole. One sex offense, when a parent, guardian, or custodian allows sexual abuse to be inflicted upon a child who is less than 16 years of age (§61-8D-5a), retains a 10-20 year sentence. Those sentenced for this crime could be eligible for discharge prior to parole eligibility.

Nearly 40% of sex offenders currently on probation, on parole, or in prison admitted that they had previously committed a felony sex offense as an adult and reported that they had no relationship to the criminal justice system at the time of their current sex offense. This suggests that more can be done to prevent re-offending by known felony sex offenders. Additional research that tracks a cohort of released sex offenders should be conducted to determine the recidivism rate of released sex offenders.

This report summarizes sex offenses reported to law enforcement, sex offenders in criminal justice custody or supervision, admissions to and releases from correctional facilities, registered sex offenders, and sex offender treatment providers.

Sex Offenses Reported to Law Enforcement

Over 1,000 sex offenses were reported to law enforcement in 2000; only 12 of these involved a firearm. The majority of offenses were forcible fondling or forcible rape. Most occurred at a residence or home. The majority of offenders were adult males and the majority of victims were juvenile females related to or otherwise known to the offender.

More sex offenders were reported to law enforcement in suburban counties rather than in rural counties. Because more people live in rural rather than suburban counties, this was not expected.

Sex Offenders in Criminal Justice Custody or Supervision

In late 2000, 920 sex offenders were housed in correctional facilities, supervised by parole services, or supervised by county probation. The majority of these offenders were housed in the Division of Corrections' facilities, primarily in Mt. Olive, the state's maximum security facility for male offenders.

¹ Only 37% of sex offenders released in 1999 were released by parole.

² Senate Bill 304, sponsored by Senator Burdette, Mr. President, and Senator Boley, increased the maximum sentences to 15 years for incest, 35 for 1st degree sexual assault, and 25 for 2nd degree sexual assault.

³ Inmates can earn one day of good time for each day they are incarcerated, but are not eligible for parole until they serve their minimum sentence. Thus, an inmate serving a 15-25 sentence could be eligible for discharge in 12.5 years, 2.5 years before eligible for parole.

⁴ Sex offenders released in 1999 only lost an average of 57.5 good time days, or 1.9 months. WVDCJS' Correctional Population Forecast, 2000-2010.

Executive Summary

Admissions to and Releases from Corrections

The correctional population forecast estimates that 152 sex offenders will be admitted and 147 will be released on average per year between 2000 and 2010. The number of confined sex offenders is expected to average 620 each December between 2000 and 2010.

Discharge, without parole, was the most common method of releasing sex offenders in 1999 at a rate of 54.8% of released sex offenders. This is expected to decrease to 30.6% of released sex offenders during the next ten years. During this time period, 60% of sex offenders are expected to be released by parole.

Registered Sex Offenders

In 2001, there were 1,468 registered sex offenders in West Virginia, one-quarter of whom were convicted in another state. Since first registering, 60% of the registrants reported only one address.

More registered sex offenders were convicted in and currently reside in rural counties rather than in suburban counties. Although more people live in rural rather than suburban counties, the percent of sex offenders convicted in and currently residing in rural counties was even greater than expected.

Sex Offender Treatment Providers

A total of 66 counselors, psychologists, and psychiatrists provide treatment to sex offenders in West Virginia. Although 58.2% of the psychologists and counselors reported that their treatment program was required by the criminal justice system and 34.6% provide their services in a criminal justice facility, only 29.8% were named by parole and probation offices as possible treatment providers. This suggests that the use of available treatment providers has been limited.

Treatment methods provided by survey respondents include counseling, cognitive behavioral therapy, psychotherapy, medication management, medical castration, arousal management, anger management, empathy induction, education, and self-esteem improvement. Some of these providers use the Abel Assessment for sexual interest and other risk assessments to assist with treatment or to assist the courts.

Of the 24 members of the West Virginia Polygraph Association, 15 work for law enforcement agencies and 10 attended a recent training on post-conviction sex offender testing. Membership is not required for practicing polygraph examiners and only those who administer tests to employees or prospective employees are required to be licensed with the Commissioner of Labor.

Sex Offenses Reported to Law Enforcement

A preliminary year 2000 data file obtained in April 2001 from the West Virginia State Police Incident Based Reporting System (WVIBRS) revealed 1,016 incidents involving at least one sex offense. Although other offenses were reported in these incidents, murder and non-negligent manslaughter were not reported for these incidents.

The sex offenses included in this section are forcible rape, forcible sodomy, sexual assault with an object, forcible fondling, incest, and statutory rape.

Offenses

There were a total of 1,021 sex offenses reported for these incidents. Of the offenses, forcible fondling was reported most frequently (37.7%) (Graph 1). 30.6% of the offenses were, however, forcible rape. Statutory rape accounted for 12.3% of the offenses followed by sexual assault with an object (9.7%), forcible sodomy (7.3%), and incest (2.4%).

Most (66.5%) sex offenses were reported to have occurred at a residence or home. Of the remaining 33.5%, some of the more frequently reported locations included highways, roads, or alleys (6.7%); a field or woods (3.6%); parking lots or garages (3.2%); and schools or colleges (2.8%).

Sex Offenders and Victims

- The average age of the victim was 17.5. The most frequently reported age was 14. 65.0% of the victims were juveniles.
- The majority of victims were female (85.9%) and related to or otherwise known to the offender (88.5%).
- The majority of offenders were male (94.0%) and adult (84.2%).
- Approximately 5% of the incidents involved multiple offenders. Approximately the same percent of incidents involved multiple victims.

Law enforcement agencies in all 55 counties reported sex offenses during 2000 (see map on page 11). The greatest number of offenses per county were reported in Kanawha County (163). The county with the second highest number of offenses was Cabell (93), followed by Wood (76), Berkeley (54), Putnam (52), Monongalia (51), and Ohio (50).

Personal weapons (421), such as the offender's hands or fists, were used during sex offenses more than other weapons. Only 12 offenses involved a firearm. Knives (8), drugs (3), and other weapons (27) were also reported.

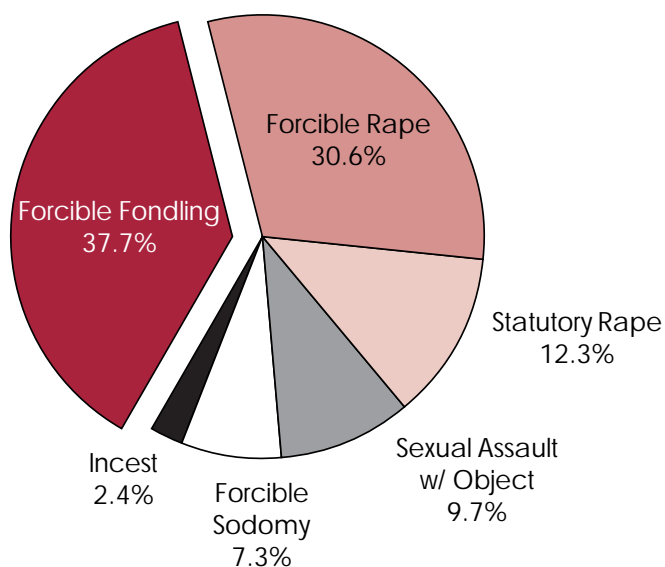
Offenders

1,058 offenders were reported to have committed sex offenses during 2000.

94.0% of the offenders were males, while 3.0% were females. Gender was not reported for the remaining 3.0%.

The majority of the offenders were white (80.3%). 11.8% were black, 0.4% were Asian/Pacific Islander, and 0.1% were Indian/Alaska Native. Race was not reported for the remaining 7.4%.

Graph 1
Reported Sex Offenses



Sex Offenses Reported to Law Enforcement

More sex offenders were reported per capita in suburban counties.

	WV Population	Reported Sex Offenders	
		#	%
Suburban Counties	42.3%	584	55.2%
Rural Counties	57.7%	474	44.8%

Suburban counties include: Berkeley, Brooke, Cabell, Hancock, Jefferson, Kanawha, Marshall, Mineral, Ohio, Putnam, Wayne, and Wood. All others are rural. Distribution is based on the standard used by the FBI for Uniform Crime Report purposes. Counties located in an MSA (Metropolitan Statistical Area) are designated suburban. An MSA includes a county with a central city or urbanized area of at least 50,000 people and contiguous counties having economic and social ties to it. $X^2 = 71.6$, $df = 1$, $p = .005$.

The average age of the sex offenders at the time of offense was 32. The most frequently reported age was 20. Juveniles accounted for 15.8% of sex offenders in 2000.

The greatest percentage of offenders were between the ages of 18 and 25 (32.5%). Offenders in this age group committed the majority (44.7%) of the forcible rape offenses.

More offenders were reported to law enforcement in suburban areas than were expected based on population. Conversely, fewer offenders than expected were reported to the police in rural counties. While 474 offenders were reported to the police in rural counties, 610 offenders were expected based on the population distribution in the state.

A complete breakdown of the number of offenders by county and the percentage of the population they represent is provided in Table 18 on pages 30-31.

Victims

There were 1,069 victims of reported sex offenses in 2000.

85.9% of the victims were females, while 13.5% were males. The gender of the victim was not reported for the remaining 0.7%.

The victim's race was most often white (93.1%). 4.7% of the victims were black and 0.1% were American Indian/Alaska Native. Race was not reported for 2.2% of the victims.

The average age of the victim was 17.5. The most frequently reported age was 14. 65.0% of the victims were juveniles.

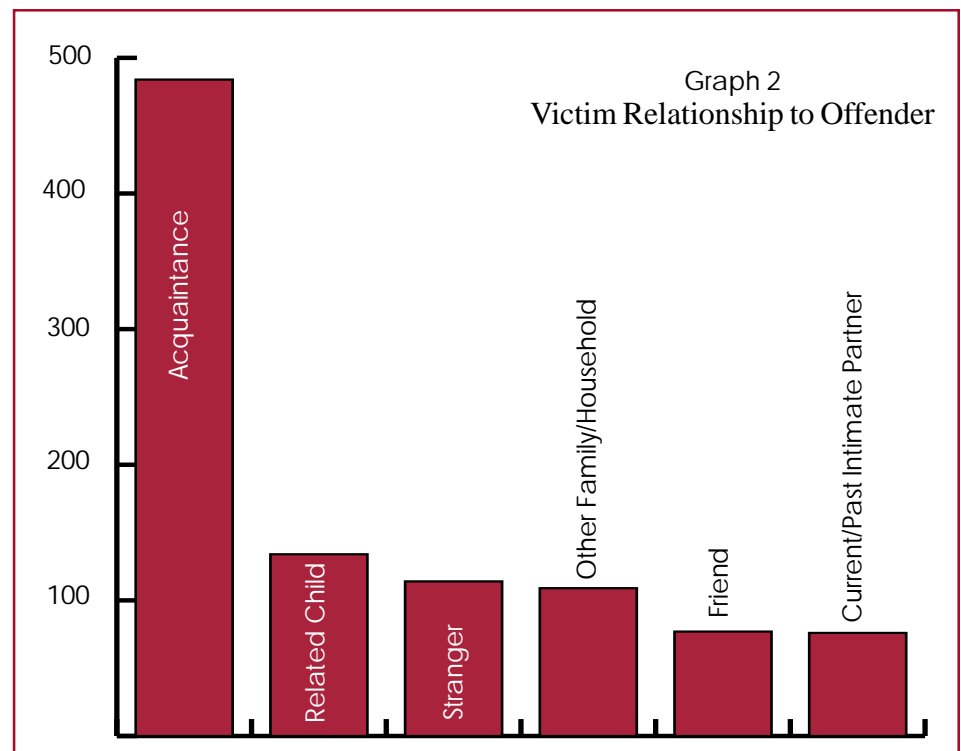
43.9% of the juvenile victims suffered forcible fondling offenses. The majority of the adult victims (51.6%), however, were subject to forcible rape.

Other crimes reported against victims of sex offenses included kidnapping/abduction (18), aggravated assault (3), burglary/breaking and entering (3), motor vehicle theft (2), robbery (1), and other larceny (1).

The relationship of each victim to each offender is also described in the WVIBRS data. There were 994 known relationship data elements for the incidents involving sex offenses during 2000 (Graph 2).

The majority (88.5%) of victims were related to or otherwise known to the offender. 48.7% were acquaintances and 13.5% were children related to their offenders. Other reported relationships were other family or household members (11.0%), friends (7.7%), and current or past intimate partners (7.6%).

11.5% of the victims were strangers to the offender. In these cases, 40.7% of the victim's offenses were forcible rape.



West Virginia State Police Incident-Based Reporting System Sex Offense Definitions

Forcible Sex Offenses

Forcible Rape

The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling

The touching of the private body part of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Nonforcible Sex Offenses

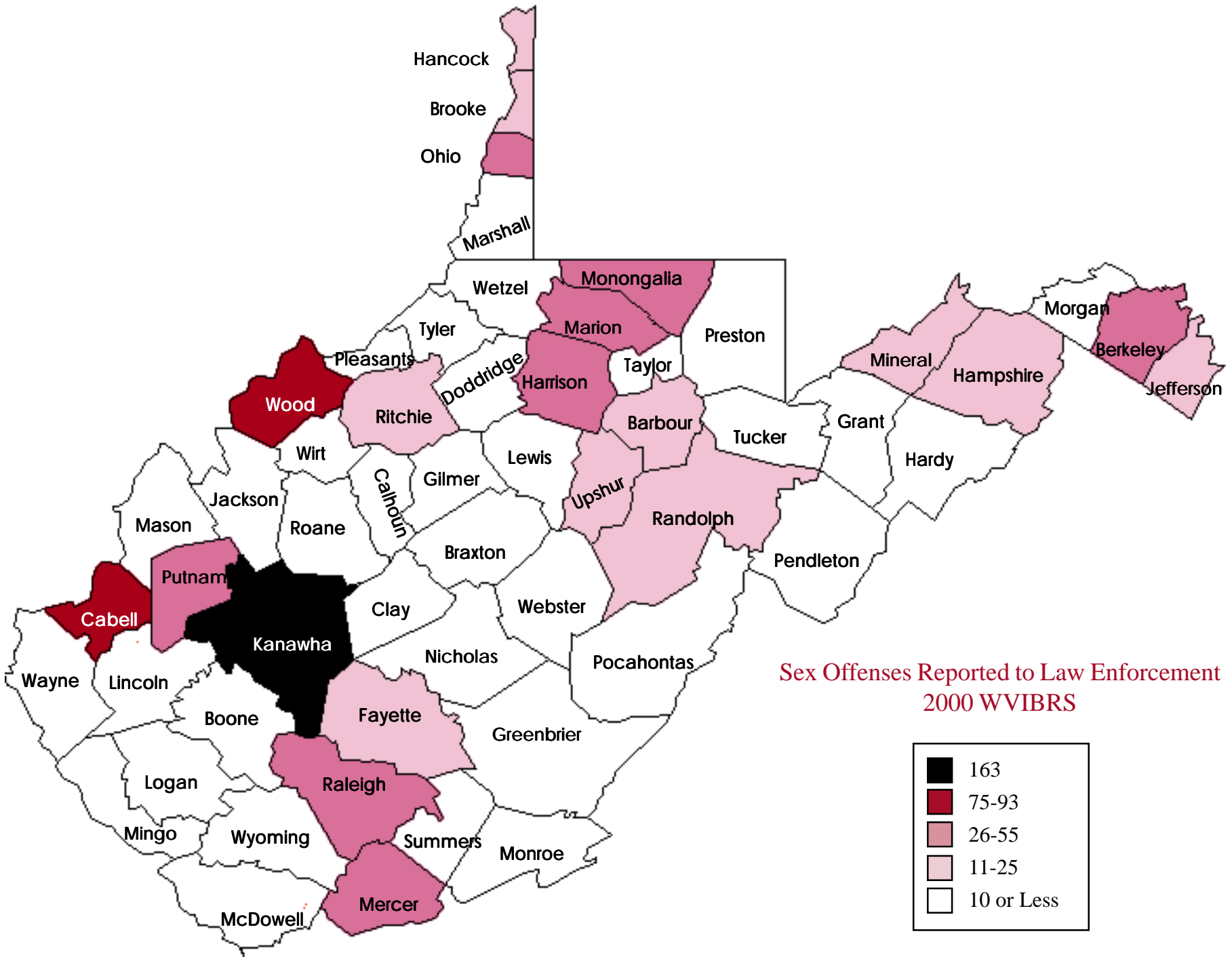
Incest

Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Definitions from Uniform Crime Reporting, National Incident-Based Reporting System Volume 1 Data Collection Guidelines (September 1996) U.S. Department of Justice, Federal Bureau of Investigation.



Sex Offenders in Criminal Justice Custody or Supervision

In late 2000 the WV Sex Offender Management Committee in conjunction with the Division of Corrections, Office of Research surveyed the state's juvenile, prison, parole, and probation systems. Staff were asked to complete a survey for each sex offender in their care, custody, or supervision. The definition of a sex offender is broader in this section than in the remainder of the report. It includes persons convicted of a sex crime, persons convicted of any crime determined by the judge to be sexually motivated, and persons admitting to committing sexually-related crimes but convicted of other offense(s) due to plea-bargaining or other reasons.

As of March 2001, the Office of Research had collected 920 surveys for sex offenders housed in DOC prison facilities, housed in Division of Juvenile Services facilities, supervised by DOC Parole Services, or supervised by county probation.

Those sex offenders housed in regional or county jails and those who have successfully discharged their prison, parole, or probation status were not surveyed.

Current Location

The majority (73.2%) of sex offenders were housed in DOC facilities (Graph 3). County probation supervised 17.7%, parole services supervised 8.4%, and juvenile services housed 0.8%.

Of those sex offenders housed in DOC facilities, the majority (47.4%) were housed at Mt. Olive, the state's maximum security facility for male offenders. 8 separate DOC facilities housed sex offenders (Table 1).

Table 2 shows the number of sex offenders (by home county) supervised by county probation and the number of probation officers for each circuit. Harrison (14), Kanawha (13), and Monongalia (13) County circuits reported the greatest number of sex offenders supervised by county

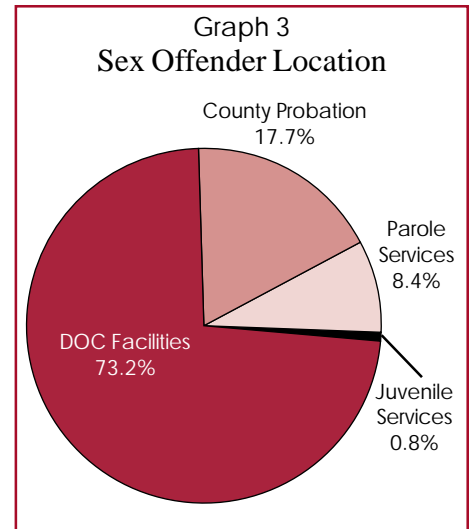


Table 1
Offenders in DOC Facilities

Mt. Olive	319
Huttonsville	126
Northern	78
St. Marys	75
Denmar	58
Anthony	9
Ohio County	4
Pruntytown	4
Total	673

Table 2 Sex Offenders Under County Probation Supervision

Circuit/Counties	# Probationers	# Probation Officers	Circuit/Counties	# Probationers	# Probation Officers
1 Brooke, Hancock, Ohio	0	8	17 Monongalia	13	6
2 Marshall, Tyler, Wetzel	12	5	18 Preston	2	2
3 Doddridge, Pleasants, Ritchie	0	2	19 Barbour, Taylor	5	3
4 Wirt, Wood	12	10	20 Randolph	6	2
5 Calhoun, Jackson, Mason, Roane	3	5	21 Grant, Mineral, Tucker	11	5
6 Cabell	11	11	22 Hampshire, Hardy, Pendleton	11	4
7 Logan	1	4	23 Berkeley, Jefferson, Morgan	10	12
8 McDowell	0	3	24 Wayne	3	3
9 Mercer	0	7	25 Boone, Lincoln	4	4
10 Raleigh	4	7	26 Lewis, Upshur	0	4
11 Greenbrier, Pocahontas	0	4	27 Wyoming	3	2
12 Fayette	1	5	28 Nicholas	0	2
13 Kanawha	13	20	29 Putnam	8	4
14 Braxton, Clay, Gilmer, Webster	7	5	30 Mingo	0	2
15 Harrison	14	7	31 Summers, Monroe	2	2
16 Marion	7	6			
			Total	163	166

Sex Offenders in Criminal Justice Custody or Supervision

Table 3 Sex Offenders Under Parole Services Supervision

Parole Region	# Parolees	# Parole Officers
North Western	17	5
North Central	14	5
North Eastern	18	6
South Western	1	5
South Central	22	7
South Eastern	5	5
Total	77	33

North Western: Brooke, Calhoun, Hancock, Jackson, Marshall, Ohio, Pleasants, Ritchie, Roane, Tyler, Wetzel, Wirt, Wood

North Central: Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker, Upshur, Webster

North Eastern: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton

South Western: Boone, Cabell, Lincoln, Logan, Mason, Mingo, Putnam, Wayne

South Central: Clay, Fayette, Kanawha, Nicholas, Raleigh

South Eastern: Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Summers, Wyoming

probation. Eight circuits reported no sex offenders under county probation supervision.

The number of reported parolees (by home county) under supervision in each parole service region is shown in Table 3. The counties included and the number of parole officers in each region are also provided. The South Central region, which includes Clay, Fayette, Kanawha, Nicholas, and Raleigh counties, reported the greatest number of parolees under supervision (22).

The remainder of this section includes some self-reported information about the offenders and their victims.

There were inconsistencies in how sex offenders answered questions about their living situation. For example, 152 offenders answered one question that they lived alone and answered another question that they lived with the victim at the time of the offense. Due to these inconsistencies, the offenders' living situation was not included and readers should be aware that the accuracy of this information is dependent upon honest answers from convicted sex offenders.

History

The sentencing county for all sex offenders in criminal justice custody or supervision is shown in Table 5. Kanawha (69), Wood (61), Cabell (50), and Monongalia (50) counties convicted the majority of these offenders. Some offenders may have been sentenced from

Table 5 Offenders' Sentencing County

County	Custody/Supervised
Barbour	8
Berkeley	22
Boone	14
Braxton	4
Brooke	2
Cabell	50
Calhoun	11
Clay	2
Doddridge	1
Fayette	24
Gilmer	2
Grant	3
Greenbrier	10
Hampshire	11
Hancock	10
Hardy	4
Harrison	31
Jackson	17
Jefferson	13
Kanawha	69
Lewis	7
Lincoln	11
Logan	8
Marion	24
Marshall	11
Mason	4
McDowell	13
Mercer	29
Mineral	17
Mingo	18
Monongalia	50
Monroe	2
Morgan	20
Nicholas	11
Ohio	0
Pendleton	13
Pleasants	4
Pocahontas	1
Preston	19
Putnam	16
Raleigh	30
Randolph	17
Ritchie	1
Roane	12
Summers	6
Taylor	9
Tucker	3
Tyler	13
Upshur	16
Wayne	15
Webster	3
Wetzel	14
Wirt	10
Wood	61
Wyoming	10
Total	920

Table 4

Legal Status at Time of Offense

No Relationship	733
On Probation	51
In Prison or Jail	41
On Parole	22
On Bail/Bond	20
Home Confinement	2
Work Release	1
Unknown	50
Total	920

Table 6
Prior Criminal History of Sex Offenders
 (Number and Percentage of Offenders by Type of Prior Offense As Reported by the Offenders)

	Sex	Personal	Property	Drug	Other
Adult Felony	457 (49.7%)	125 (13.6%)	126 (13.7%)	26 (2.8%)	39 (4.2%)
Adult Misdemeanor	54 (5.9%)	156 (17.0%)	133 (14.5%)	92 (10.0%)	167 (18.2%)
Juvenile Felony	17 (1.8%)	10 (1.1%)	12 (1.3%)	3 (0.3%)	3 (0.3%)
Juvenile Misdemeanor	8 (0.9%)	7 (0.8%)	13 (1.4%)	7 (0.8%)	13 (1.4%)

multiple counties for their current sentence. These offenders have been shown by the county which sentenced their most serious crime.

98.2% of the offenders were both arrested and convicted of felony level charges for their current crime.

Prison sentences alone (75.3%) were the most common sentence imposed on these sex offenders (Graph 4). Some (10.9%) sex offenders were sentenced to probation alone and fewer (6.1%) were sentenced to both prison and probation. Inmates sentenced strictly to jail terms are not included in this report.

At least 20% of those sentenced to prison alone will be released without parole. These offenders may or may not be required to register with the state police, depending on their crime.

49.7% of the sex offenders committed a prior felony sex offense as an adult. Sex offenders also reported personal, property, drug, and other felony and misdemeanor offenses in their criminal history (Table 6).

Of the 920 sex offenders, at least 38.0% (350) reported a prior adult felony sex offense and had no relationship to the criminal justice system at the time of their current offense.

Offenders

The vast majority of those surveyed were white males (90.7%), followed by black males (6.5%).

Sex offenders reported their current age, not their age at time of offense(s). The age category with the highest percent of sex offenders was 30-39 (30.4%), followed by 40-49 (26.9%). 18.9% were 20-29, 14.5% were 50-59, 6.7% were sixty or over and 2.1% were under twenty years old. Age was unknown for 4 offenders (0.4%).

36.5% were married at the time of their offense. 35.7% were single (never married) at the time of their offense. 25.1% were separated or divorced at the time of their offense.

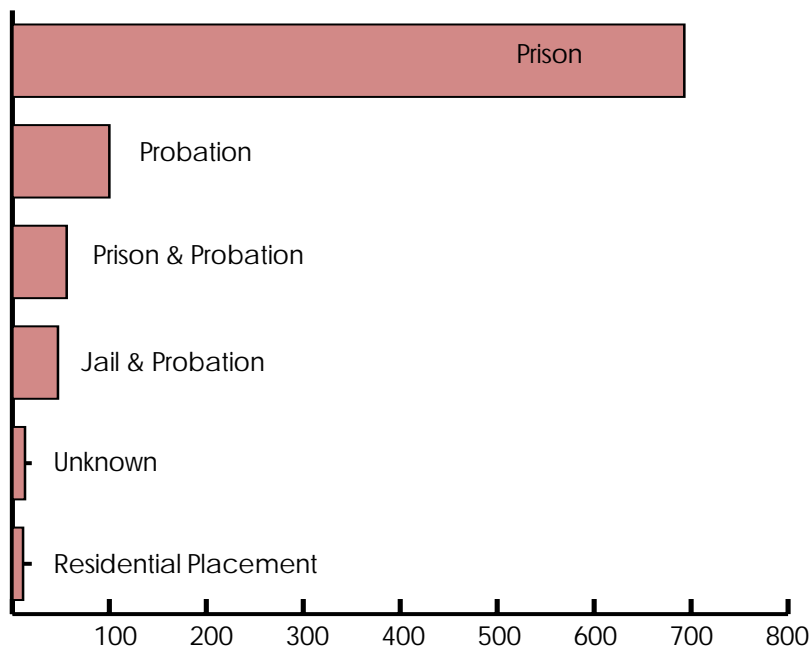
During the two years prior to their arrest, 36.1% sex offenders reported that they had changed residence at least once. The majority (51.2%) had continual residence during those two years.

48.2% of the sex offenders had a high school diploma or GED. 40.4% did not graduate high school (Table 7).

52.5% of these sex offenders were employed at their time of their offense. 39.7% were unemployed.

58.9% of the sex offenders reported no change in employment in the last year. 31.3% reported a change in employment.

Graph 4 Sentence Type



Sex Offenders in Criminal Justice Custody or Supervision

The majority (52.9%) of sex offenders reported their achieved skill level to be “unskilled, labor/service.” 28.2% were semi-skilled.

There was a history of substance abuse (other than alcohol abuse) by at least 339 (36.8%) of the sex offenders. Of those, 78 (23.0%) reported

participation in some form of treatment program for substance abuse. The average length of treatment for these offenders was 3.4 years.

The majority, 466 (50.6%) of the sex offenders abused alcohol. Of those, 134 (28.8%) reported participation in a treatment program. The average length of treatment was 2.5 years.

82 (8.9%) had been sexually abused at least once in their lifetime. The average age of their first sexual victimization was 7.6 years old. Table 8 shows the offenders’ relationship with their sexual abuser.

94 (10.2%) had been physically abused at least once in their lifetime. The average age of their first physical victimization was 5.6 years old. Table 8 shows the offenders’ relationship with their physical abuser. The majority (74.5%) of those victimized physically reported that their abuser was a parent.

Table 7
Offender Education & Employment

Education Level

Did not Graduate	372
GED	213
High School Degree	230
Some post High School	81
Unknown	24
Total	920

Employment Status

Full Time Employment	372
Part Time Employment	111
Unemployed	364
Unemployed Student	1
Unknown	72
Total	920

Employment Stability

Changed emp. last 6 mths	186
Changed emp. last year	102
No change this year	542
Unknown	90
Total	920

Achieved Skill Level

Unskilled, labor/service	487
Semi-skilled	259
Skilled	81
Supervisor/Manager	53
High Level Professional	6
Unknown	34
Total	920

Table 8
Abusers of Current Sex Offenders

Relationship to Sexual Abuser

Other Relation	23
Acquaintance	16
Sibling	15
Child of Victimizer	11
Stranger	9
Unknown	8
Total	82

Relationship to Physical Abuser

Child of Victimizer	70
Acquaintance	8
Other Relation	4
Sibling	3
Stranger	1
Unknown	8
Total	94

Sex Offenders in Criminal Justice Custody or Supervision

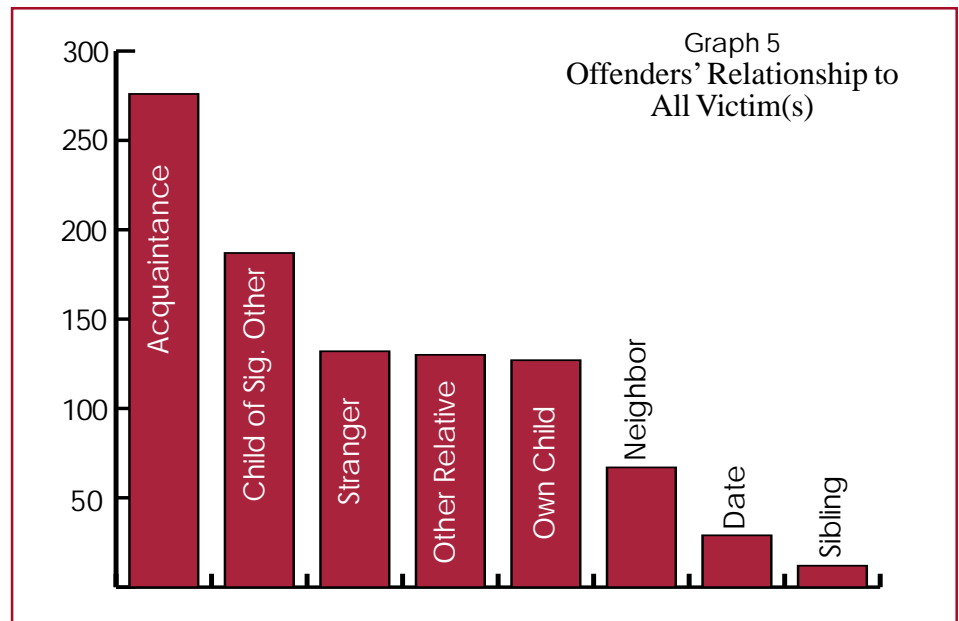
Victims

Females make up the majority (84.5%) of those victimized.

The average age of the victims was 13.6. 87.8% of the reported victims were juveniles.

Graph 5 shows the sex offenders' relationship to their victims. Some offenders had multiple victims. For this reason, the number of victims does not total to 920.

14.3% of the sex offenders reported no prior relationship with at least one of their victims. 29.2% of the sex offenders reported that they victimized at least one direct relative (other relative, own child, and sibling).



Behavior	Percent of Sex Offenders
Penile Vaginal Penetration of Victim	48.4%
Touching Victim's Breasts	31.1%
Verbal Coercion/Manipulation	24.3%
Alcohol Use	24.3%
Physical Force	23.4%
Digital Vaginal Penetration of Victim	22.9%
Fellatio by Victim	20.8%
Verbal Threats of Violence	17.4%
Cunnilingus on Victim	17.1%
Frottage/Rubbing Against Another Person	14.3%
Masturbation of Victim	13.5%
Sodomizing of Victim	13.3%
Illegal Drug Use	12.7%
Fellatio on Victim	12.3%
Exhibiting	10.9%
Masturbation by Victim	10.1%
Weapons Possession	7.7%
Weapons Use	7.0%
Digital Anal Penetration of Victim	4.9%
Penetration by Victim	3.4%
Object Penetration of Vagina of Victim	3.2%
Cunnilingus by Victim	3.2%
Object Penetration of Anus of Victim	3.0%
Peeping	1.1%
Stealing Underwear	1.0%
Bestiality	0.5%
Rape and Subsequent Murder of Victim	0.3%
Obscene Calls	0.2%
Murder and Subsequent Rape of Victim's Body	0.0%

A little over half of the sex offenders did not identify a location where they procured their victim(s). 24.6% of offenders, however, indicated that they obtained their victims in bars. 9.1% identified children's activities as the location where they procured victims. Multiple locations were reported by 2.4% of the offenders. The "Other" category includes sex offenders whose procurement locations did not fit into a specific category, such as stores, friends' homes, and parties (Table 10).

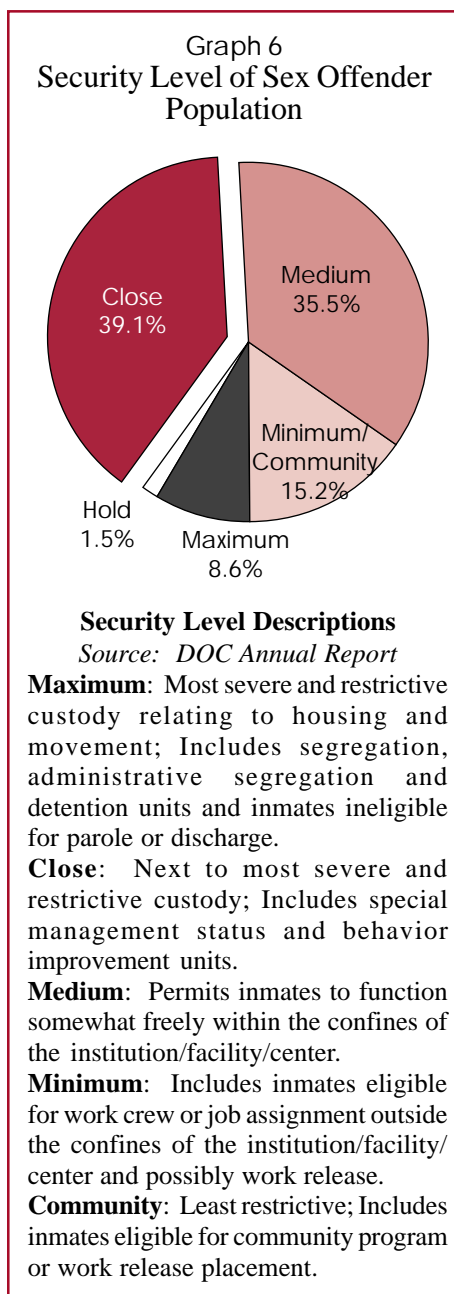
Offenders were also asked about the specific behavior(s) performed during their principal crime. These are reported in Table 9 by order of frequency.

Bars	226
Children's Activities	84
Neighborhood	10
Schools	7
Family Home	2
Other	72

Admissions to and Releases from Corrections

As of 1999, there were 591 sex offenders in West Virginia's correctional facilities, excluding Anthony Center. Of these, 10 were serving life sentences for sex crimes. Sex offenders represented 20.1%, or 1 out of 5, of the state's confined prison population.

Graph 6 shows the distribution of the confined sex offender population by security level. Most (39.1%) are held under close supervision, the second most restrictive security level.



Based on the "Correctional Population Forecast 2000-2010" conducted by DCJS and The George Washington University, an average of 152 sex offenders are expected to be admitted to West Virginia prisons each year from 2000 to 2010. Releases are projected to average 147 offenders per year during this period.

As long as the number of admissions per year exceed the number of releases, the sex offenders confined in prison will continue to increase. The number of confined sex offenders is expected to average 620 at year-end between 2000 and 2010.

In 1999, 99.1% of sex offenders admitted were males. 94.8% of admitted sex offenders were white. The average sex offender age at admission was 37.

Sex offenders admitted in 1999 had earned an average of 8.5 months of pre-trial jail time. This excludes the time spent awaiting transfer from jail to a DOC prison.

Sexual assault was the most severe offense committed by the majority (96.5%) of sex offenders admitted in 1999. Males admitted in 1999 were sentenced to an average of 229.8 months. Very few females are admitted for sex offenses.

Corrections Forecast 2000-2010 Average Annual Sex Offenders

Admitted 152

Released 147

The average sentence length for sex offenders released in 1999 was 160.5 months for males and 140.0 months for females.

Sex offenders lost an average of 57.5 days of good time. Males served an average of 42.7 months in DOC custody, while females served an average of 57.8 months upon release.

54.8% of sex offenders released from prison during 1999 discharged their sentence and thus were released with no supervision. Only 37.0% of sex offenders were released to parole in 1999, less than any other offender group.

Table 11 shows the average number of releases expected from 2000 to 2010 by type of release. The forecast indicates that the percentage of sex offenders discharging their sentence is expected to decrease to an average of 30.6% per year. An average of 59.6% of sex offenders released each year are expected to be released to parole from 2000 to 2010.

**Table 11
Corrections Forecast 2000-2010
Average Annual Sex Offenders Released**

	Number	Percent
By Parole	87.4	59.6%
By Discharge	44.9	30.6%
By Court Order	14.5	9.8%

West Virginia Code: Summary of Offenses Requiring Sex Offender Registration

Cite	Offense	Type of Offense
§61-2-14	(a) Abduction of person; (b) kidnapping or concealing child	(a) Felony (b) Felony
§61-8-6	Detention of person in place of prostitution	Felony if victim is a minor
§61-8-7	Procuring for house of prostitution	Felony if victim is a minor
§61-8-12, 13	Incest	Felony
§61-8B-3	1st degree sexual assault	Felony
§61-8B-4	2nd degree sexual assault	Felony
§61-8B-5	3rd degree sexual assault	Felony
§61-8B-6	Sexual assault of a spouse	
§61-8B-7	1st degree sexual abuse	Felony
§61-8B-8	2nd degree sexual abuse	Misdemeanor
§61-8B-9	3rd degree sexual abuse	Misdemeanor
§61-8C-2	Use of minors in filming sexually explicit conduct	Felony
§61-8C-3	Distribution and exhibiting of material depicting minors engaged in sexually explicit conduct	Felony
§61-8D-5	Sexual abuse by parent, guardian, or custodian (a); parent, guardian, or custodian allowing sexual abuse to be inflicted upon a child who is less than 16 years of age (b), over 16 years of age (c)	(a) Felony (b) Felony (c) Felony
§61-8D-6	Sending, distributing, exhibiting, possessing, displaying or transporting material by a parent, guardian, or custodian, depicting a child engaged in sexually explicit conduct	Felony

Penalty

(a) 3-10 years penitentiary

(b) 1-10 years penitentiary

1st offense: 6 months-1 year county jail and \$100-\$500 fine; Subsequent offenses: 1-3 years penitentiary
When victim is a minor: 2-5 years penitentiary or up to \$5,000 fine or both

1st offense: 6 months-1 year county jail and \$100-\$500 fine; Subsequent offenses: 1-5 years penitentiary
When victim is a minor: 2-5 years penitentiary or up to \$5,000 fine or both

5-15 years penitentiary or \$500-\$5,000 fine and 5-15 years penitentiary

15-35 years state correctional facility or \$1,000-\$10,000 fine and 15-35 years state correctional facility

10-25 years penitentiary or \$1,000-\$10,000 fine and 10-25 years penitentiary

1-5 years state correctional facility or up to \$10,000 fine and 1-5 years state correctional facility

Repealed 2000

1-5 years penitentiary or up to \$10,000 fine and 1-5 penitentiary

up to 1 year in county jail or up to \$500 fine and up to 1 year in county jail

up to 90 days in county jail or up to \$500 fine and up to 90 days in county jail

up to \$10,000 fine or up to 10 years penitentiary or both

up to 2 years penitentiary and up to \$2,000 fine

(a) 10-20 years penitentiary or \$500-\$5,000 fine and 10-20 years penitentiary

(b) 5-15 years penitentiary or \$1,000-\$10,000 fine and 5-15 years penitentiary

(c) 1-5 years penitentiary

up to 2 years penitentiary and \$400-\$4,000 fine

Registered Sex Offenders

The Sex Offender Registry (SOR) maintained by the West Virginia State Police contained 1,468 sex offender records as of May 2001. Data in the Registry are, however, constantly changing. Variation in the number of offenders and their current location is to be expected. Sex offenders included in this section were registered between 1989 and 2001. The majority of these offenders (71.2%) registered from 1997 to 2000.

Sex offenders residing in other states who work, go to school, or visit in West Virginia for more than 15 continuous days are also required to register here. These offenders are included in the following analysis as if they were residents of the county where they registered.

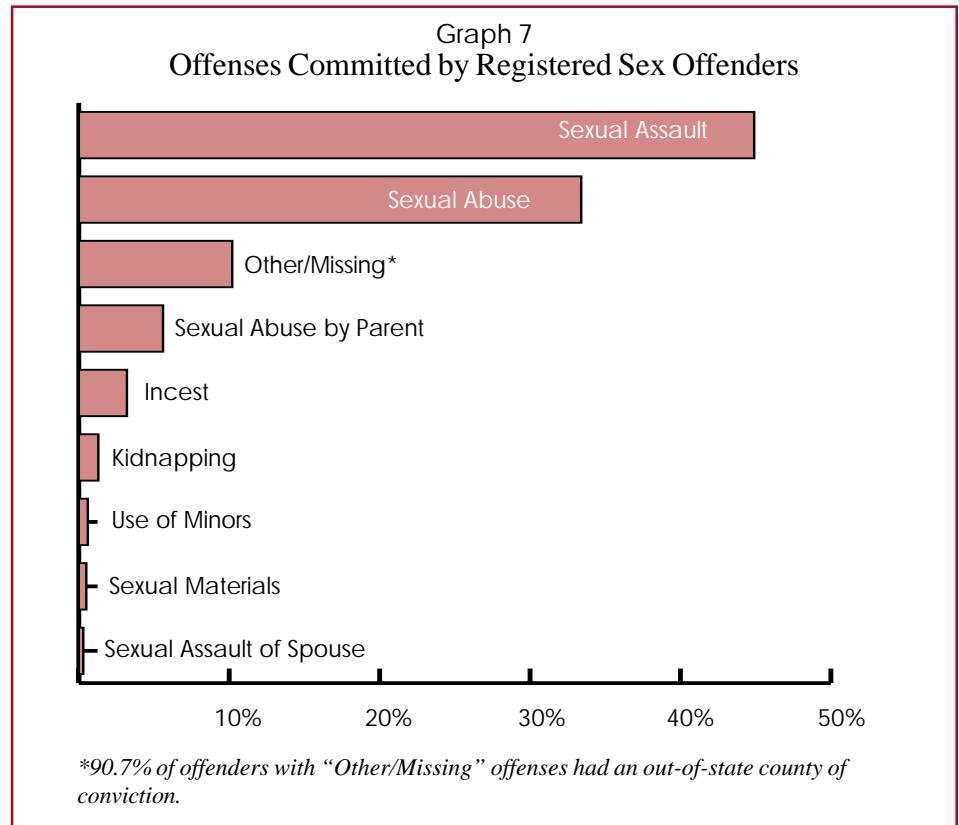
Offenders

96.7% of the registered sex offenders were males while 3.3% were females.

The majority of those registered were white (94.8%). 5.2% were black.

The average age at conviction for registered sex offenders was 34. At the time of registration, the average age of these offenders was 38.

One-fourth of the registered offenders had an out-of-state county of



conviction. Table 18 shows a complete breakdown of offenders by county of conviction.

Offenses

44.9% of the offenses committed by registrants were sexual assault (Graph 7). Sexual abuse accounted for 33.4% of the offenses. 5.6% of all offenses were sexual abuse by a parent, guardian, or custodian.

Movement

After initial registration, sex offenders must notify the State Police each time they change their address. The new address and effective date are added to the Registry database. This is of course limited to movement within, into, and out of West Virginia. The offenders included in this analysis reported an average of 1.7 addresses. 59.9% of registrants reported only one address.

The greatest number of addresses reported for an offender was 12. It was noted in this case, as well as others having multiple addresses, that the offender seemed to be returning to the same residence after brief moves.

Over half of the offenders who registered each year from 1997 to 2000 reported only one address (Table 12). 13.4% of offenders registering in 1998 reported 4 or more addresses.

Table 12
Percent of Registered Sex Offenders
by Registration Year and Number of Addresses

		Registration Year			
		1997	1998	1999	2000
Number of Addresses	1	51.0	50.9	60.0	67.8
	2	28.9	25.1	23.2	22.4
	3	10.3	10.7	8.8	5.4
	4+	9.8	13.4	8.0	4.4
Total		100.0	100.0	100.0	100.0
		204	291	250	295

Registered Sex Offenders

Fewer registered sex offenders per capita were convicted in and currently reside in suburban counties.

	WV Population	Registered Sex Offenders			
		County of Conviction		County of Current Residence	
		#	%	#	%
Suburban Counties	42.3%	395	36.3%	548	39.5%
Rural Counties	57.7%	693	63.7%	841	60.5%

Suburban counties include: Berkeley, Brooke, Cabell, Hancock, Jefferson, Kanawha, Marshall, Mineral, Ohio, Putnam, Wayne, and Wood. All others are rural.

Distribution is based on the standard used by the FBI for Uniform Crime Report purposes. Counties located in an MSA (Metropolitan Statistical Area) are designated suburban. An MSA includes a county with a central city or urbanized area of at least 50,000 people and contiguous counties having economic and social ties to it.

Conviction County: $X^2 = 16.4$, $df = 1$, $p = .005$; Residence County: $X^2 = 4.72$, $df = 1$, $p = .05$.

Current Address

The greatest number of offenders reported a current address located in Kanawha County (171). Cabell County was second with 89 offenders currently residing there. 79 registered offenders reported an out-of-state address as their current place of residence.

Clay County, however, had the greatest percentage of resident offenders compared to its total population (0.18% or 1 registered sex offender per 544 residents). Including Clay, the top 20 counties were rural when all counties were ranked by percentage of offenders compared to total county population (Table 18).

In fact, when the counties were divided into rural versus suburban areas, the number of offenders residing in rural areas was about 5% greater than expected based on the overall population of West Virginia. 57.7% of West Virginia's population is in rural areas, while 42.3% is suburban.

The highest ranking suburban county was Cabell with 1 resident offender per 1,087 residents (0.09%). Sex offenders represented 0.09% of the population in Kanawha County (1 per 1,170 residents).

71.3% of registered sex offenders were convicted in and are currently living in West Virginia (Table 13). 342 sex offenders convicted in other states are also currently living in West Virginia.

Time at Address

The average number of years (as of May 1, 2001) at the most current address for all registered offenders was 1.7. It should be noted that the number of years at the address exceeded the number of years registered in some cases. This occurred when a sex offender had lived at their current address for some time prior to registering.

Of all sex offenders included in this study, 38.8% had been at their most recently reported address less than one year (Table 14). 20.9% have lived in the same place for at least 1 but less than 2 years. 14.3% of offenders reported living at the same address for 4 or more years.

Table 14
Time at Current Address

Less than 1 year	567	38.8%
1 to <2 years	306	20.9%
2 to <3 years	214	14.6%
3 to <4 years	165	11.3%
4 or more years	209	14.3%

Note: Time calculated as of 5/1/01. Address effective date was missing for 7 offenders.

Table 13
Conviction Location compared to
Current Location

		County of Conviction		
		WV	Out-of-State	Total
Current Address	WV	1,047 71.3%	342 23.3%	1,389 94.6%
	Out-of-State	41 2.8%	38 2.6%	79 5.4%
	Total	1,088 74.1%	380 25.9%	1,468 Registered Offenders

West Virginia Code
Chapter 15. Public Safety
Article 12. Sex Offender Registration Act

§15-12-1 Short title

§15-12-1a. Intent and findings

§15-12-2. Registration (*see below*)

§15-12-2a. Court determination of sexually violent predator

§15-12-2b. Creation of sex offender registration advisory board

§15-12-3. Change in registry information

§15-12-4. Duration

§15-12-5. Distribution and disclosure; community information programs by prosecuting attorney and state police; petition to circuit court

§15-12-6. Duties of institution officials

§15-12-7. Information shall be released when person moves out of state.

§15-12-8. Failure to register or provide notice of registration changes; penalty

§15-12-9. Registration of out-of-state offenders

§15-12-10. Address verification

§15-12-2. Registration.

(a) The provisions of this article apply both retroactively and prospectively.

(b) Any person who has been convicted of an offense or an attempted offense or has been found not guilty by reason of mental illness, mental retardation or addiction of an offense under any of the following provisions of chapter sixty-one of this code or under a similar provision in another state, federal or military jurisdiction shall register as set forth in subsection (d) of this section and according to the internal management rules promulgated by the superintendent under authority of section twenty-five, article two, chapter fifteen of this code:

(1) Article eight-b;

(2) Article eight-c;

(3) Sections five and six, article eight-d;

(4) Section fourteen, article two; or

(5) Sections six, seven, twelve and thirteen, article eight.

(c) Any person who has been convicted of a criminal offense, which at the time of sentencing was found by the sentencing judge to have been sexually motivated, shall also register as set forth in this article.

(d) Persons required to register under the provisions of this article shall provide or cooperate in providing, at a minimum, the following when registering:

(1) The full name of the registrant, including any aliases, nicknames or other names used by the registrant;

(2) The address where the registrant intends to reside or resides at the time of registration, the name and address of the registrant's employer or place of occupation at the time of registration, the names and addresses of any anticipated future employers or places of occupation, the name and address of any school or training facility the registrant is attending at the time of registration and the names and addresses of any schools or training facilities the registrant expects to attend;

-
- (3) The registrant's social security number;
 - (4) A full face photograph of the registrant at the time of registration;
 - (5) A brief description of the crime(s) for which the registrant was convicted; and
 - (6) Fingerprints.

(e) On the date that any person convicted or found not guilty by reason of mental illness, mental retardation or addiction of any of the crimes listed herein, including those persons who are continuing under some post conviction supervisory status, are released, granted probation or a suspended sentence, released on parole, probation, home detention, work release, conditional release or any other release from confinement, the commissioner of corrections, regional jail administrator, city or sheriff operating a jail, or secretary of the department of health and human services which releases the person, and any parole or probation officer who releases the person or supervises the person following the release, shall obtain all information required by subsection (d) of this section prior to the release of the person, inform the person of his or her duty to register, and send written notice of the release of the person to the state police within three days of receiving the information. The notice shall include the information required by subsection (d) of this section.

(f) For any person determined to be a sexually violent predator, the notice required by subsection (d) of this section shall also include:

- (1) Identifying factors, including physical characteristics;
- (2) History of the offense; and
- (3) Documentation of any treatment received for the mental abnormality or personality disorder.

(g) At the time the person is convicted or found not guilty by reason of mental illness, mental retardation or addiction in a court of this state of the crimes set forth in subsection (b) of this section, the person shall sign in open court, a statement acknowledging that he or she understands the requirements imposed by this article. The court shall inform the person so convicted of the requirements to register imposed by this article and shall further satisfy itself by interrogation of the defendant or his or her counsel that the defendant has received notice of the provisions of this article and that the defendant understands the provisions. The statement, when signed and witnessed, shall constitute prima facie evidence that the person had knowledge of the requirements of this article. Persons who have not signed a statement under the provisions of this subsection and who are subject to the registration requirements of this article shall be informed of such requirement by the state police whenever the state police obtain information that the person is subject to registration requirements.

(h) The state police shall maintain a central registry of all persons who register under this article and shall release information only as provided in this article. The information required to be made public by the state police by subdivision (2), subsection (b), section five of this article shall be accessible through the internet.

(i) For the purpose of this article, "sexually violent offense" means:

- (1) Sexual assault in the first degree as set forth in section three, article eight-b, chapter sixty-one of this code, or of a similar provision in another state, federal or military jurisdiction;
- (2) Sexual assault in the second degree as set forth in section four, article eight-b, chapter sixty-one of this code, or of a similar provision in another state, federal or military jurisdiction;
- (3) Sexual assault of a spouse as set forth in section six, article eight-b, chapter sixty-one of this code, or of a similar provision in another state, federal or military jurisdiction;
- (4) Sexual abuse in the first degree as set forth in section seven, article eight-b, chapter sixty-one of this code, or of a similar provision in another state, federal or military jurisdiction.

(j) For purposes of this article, the term "sexually motivated" means that one of the purposes for which a person committed the crime was for any person's sexual gratification.

(k) For purposes of this article, the term "sexually violent predator" means a person who has been convicted or found not guilty by reason of mental illness, mental retardation or addiction of a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

(l) For purposes of this article, the term "mental abnormality" means a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

(m) For purposes of this article, the term "predatory act" means an act directed at a stranger or at a person with whom a relationship has been established or promoted for the primary purpose of victimization.

Sex Offender Treatment Providers

Counselors, psychologists, and psychiatrists provide treatment to sex offenders in West Virginia. Although these groups are licensed by various boards, West Virginia does not have or require a certification or licensing process for those who treat sex offenders.

To determine the availability or treatment programs for sex offenders, probation and parole offices were asked to provide the names of known treatment providers. State licensing boards were also contacted to provide lists of all counselors, psychologists, and psychiatrists in West Virginia.

These providers were surveyed concerning their training, the type of programs they provide, and the clients they serve. The survey was sent to all 974 counselors and 361 psychologists licensed in West Virginia. 22.0% (294) of all counselors and psychologists responded to the survey.

A condensed version of the survey was sent to the 175 licensed, active psychiatrists in West Virginia. 26.3% (46) of psychiatrists responded to the

Typical Sex Offender Treatment Program for Psychologists and Counselors

One hour sessions (56.6%)
 Once a week (79.2%)
 For a minimum of 6 months (45.3%)
 At an average cost of \$76.76 per hour

Based on this typical treatment program, the estimated minimum cost of treatment for one sex offender is \$1,842.24.

survey. Table 18 shows the number of licensed providers by type and county.

Psychologists & Counselors

A total of 57 psychologists and counselors indicated that they provide some type of treatment services for sex offenders. Only 29.8% (17) of these providers were identified by the probation and parole offices.

A Masters Degree (72.2%) was the most frequently reported education level for these providers. Major fields of study included psychology, counseling, social work, rehabilitation, and family therapy. 9 providers hold PhDs, while 3 hold

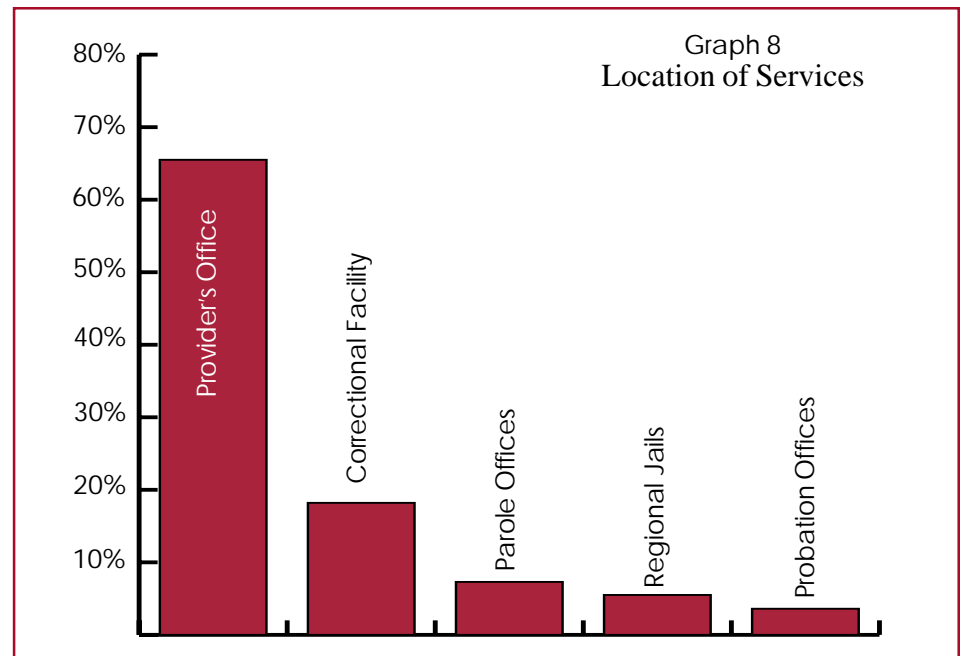
EdDs. 3 providers hold a BA in psychology.

Most providers reported meeting with the client once a week (56.6%). Sessions were most often reported to last for one hour (79.2%). Most treatment programs were reported to last more than 6 months (45.3%).

65.5% of providers reported that services were provided in their office (Graph 8). 18.2% indicated that services were provided in a correctional facility. Providers also reported parole offices (7.3%), regional jails (5.5%), and probation offices (3.6%) as service locations.

Training Programs Requested by Psychologists & Counselors

- Programs specifically focused on sexual offender treatment issues
- Outpatient treatment models
- New psychological assessments for offender assessment and relapse
- Directions in Rehabilitation Counseling
- Dealing with Recidivism
- Risk Assessment (RRASOR, etc.)
- SAR-Sexual Attitudes Readjustment
- Abel Assessment for sexual interest
- Polygraph tests
- Plethysmograph training



Sex Offender Treatment Providers

Table 16 provides a complete list of the brief program titles/descriptions reported by the psychologists and counselors.

Respondents were also asked to provide information about the offenders targeted by their treatment program. Probationers were most often included in the target population for a treatment program. Programs were generally not specific to a particular gender. Offenders who committed incest were mentioned slightly more than other sex offenses. Programs seemed to be more targeted toward offenders whose victims were juveniles. Complete results from these survey questions are presented in Table 15. Please note that respondents were instructed to select all offender groups applicable for their program. Thus, calculating table totals and percentages would be misleading.

58.2% of providers reported that the treatment program was required by the criminal justice system. Of those, 45.2% reported that the treatment was a requirement of probation or parole (Graph 9). 35.5% said that it was required by the courts. 19.4% indicated that the treatment program was recommended by a correctional facility.

The average cost of treatment was \$76.76 per hour. However, reported treatment costs ranged from \$22.50 to \$200.00 per hour. Based upon the average cost, the total cost of treating a sex offender for one hour once a week for 6 months would be \$1,842.24. Nearly all survey respondents indicated that the client was responsible for payment either with insurance or out-of-pocket. Some providers did report using a sliding scale based on ability to pay and/or flexible payments.

Graph 9
Agency Requiring Treatment

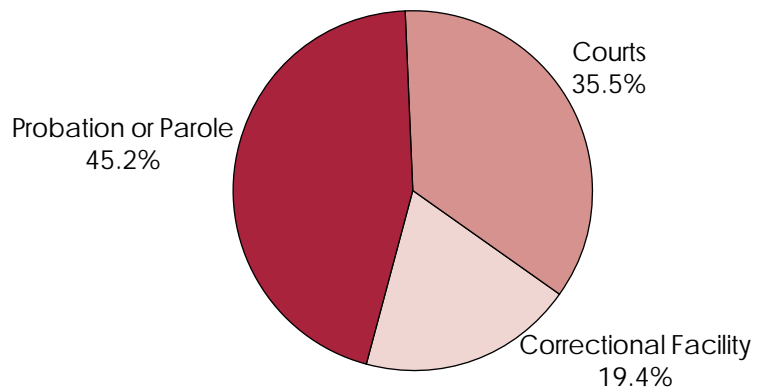


Table 15
Treatment Program Characteristics

Treatment Program Serves:

Probationers	33
Parolees	25
Other*	13
Prison Inmates	8
Jail Inmates	4

**Other includes: offenders prior to sentencing, non-adjudicated offenders, offenders who are court-ordered to treatment, juvenile detainees, older teen victims and perpetrators, offenders who want to return to work, hospital patients, and mentally retarded or developmentally disabled offenders.*

Gender Targeted by Treatment Program:

Both males and females	32
Males only	15
Females only	1

Treatment Program Targets Offenders whose Victims were:

Age 0-3	34
Age 4-7	39
Age 8-11	40
Age 12-15	37
Age 16-17	32
Age 18-59	27
Age 60 and up	23

Treatment Program Targets Offenders whose Offense was:

Incest	40
Forcible Fondling	33
Statutory Rape	33
Sodomy	28
Forcible Rape	26
Sexual Assault w/ Object	23
Other*	16

**Other includes: exhibitionism, voyeurism, pornography addiction, sexual addictions, sexually reactive behavior, and nonconsensual sex acts against children.*

Table 16 Treatment Programs Provided by Psychologists and Counselors

Counseling

- General mental health *counseling* on a referral basis.
- Individual *counseling*-anger management, self control, improvement of self image.
 - General outpatient *counseling*-court ordered.
 - Individual *counseling* in a school setting-behavior modification and future goals.
 - Individual *counseling* to address the issue of sexual abuse and addictive behavior.
- Sex offender *counseling* to increase empathy and gain insight into anger and power issues.
 - Individual *counseling*-sex education and prevention of sexual abuse.
- Outpatient individual *counseling*-develop treatment and connect to community resources.
 - Sex offender treatment or crime related treatment-*counseling* and education.

General Psychotherapy

- Encouraging Words Counseling Center-individual and group *psychotherapy*.
 - Individual and group *psychotherapy*, voluntary-short term.
 - Individual *psychotherapy*.
 - Biofeedback assisted *psychotherapy*.
- Supportive *psychotherapy* for older teens who have been victims and perpetrators.
 - Individual *psychotherapy*, follow-up consultations, and reports.

Cognitive Behavioral Therapy

- Cognitive behavioral* treatment.
 - Individual *cognitive* psychotherapy-positive behavior change.
 - Cognitive behavioral* therapy-behavior management treatment.
 - Individual psychotherapy utilizing *cognitive behavioral* techniques.
- Individual counseling-*cognitive behavioral* therapy, usually court-ordered for sex offenders.
 - Outpatient psychotherapy-*cognitive behavioral*.
 - Relapse prevention model utilizing *cognitive behavioral* strategies.
 - Behavioral Studies Program-*cognitive* case conceptualization - residential.
 - Individual and family therapy-psychotherapy, *cognitive behavioral*.
 - Cognitive behavioral* relapse prevention.
- Outpatient sex offender treatment program-*cognitive behavioral* and relapse prevention.
- Psychoeducational unit designed for sex offenders-psychoeducational and *cognitive behavioral*.
 - Cognitive behavioral* model of relapse prevention.
 - Roundtable Program-*cognitive behavioral* therapy.
- Rational Emotive Therapy for sex offender treatment-*cognitive behavioral*.
 - Cognitive behavioral* model of relapse prevention.

Other

- Breaking The Cycle-eliminate behavior, improve self esteem, accept responsibility-relapse prevention.
- GET 1 and 2-Group Educational Therapy Program in Division of Corrections Facilities.
 - Project Right Track (IQs 50-69)-Residential.
 - Behavioral Studies Program for Girls-thought change system-residential.
- Pathways Psychological Center-assessment, testing, behavioral treatment, relapse plan.
 - Group and family outpatient therapy using Pathways workbook.
 - Self-selected sex offender treatment.
 - Comprehensive outpatient offender treatment.
 - Individual assessment and therapy-mostly voluntary.
 - Individual therapy and educational training.
- Individual rehabilitation services with behavioral and vocational goals.
 - Sex offender treatment with comorbidity.
 - Safety, empowerment, and skills acquisition.
- Adult outpatient individual and group therapy-risk evaluation.
 - Individual and group counseling-education and relapse prevention.
- Specialized sex offender treatment-psychoeducational group and relapse prevention follow-up.
- Outpatient individual and group therapy-risk assessment, arousal management, and relapse prevention.
 - Group and individual sex offender treatment-individualized safety program to prevent relapse.
 - General therapy to stop inappropriate thoughts and behaviors.
- Intensive individual and group treatment to learn behavior control-psychological evaluation.
 - Individual juvenile sex offender treatment in a detention facility.
- Private practice psychologist-uses Abel Assessment of Sexual Interest along with other psychological tests.

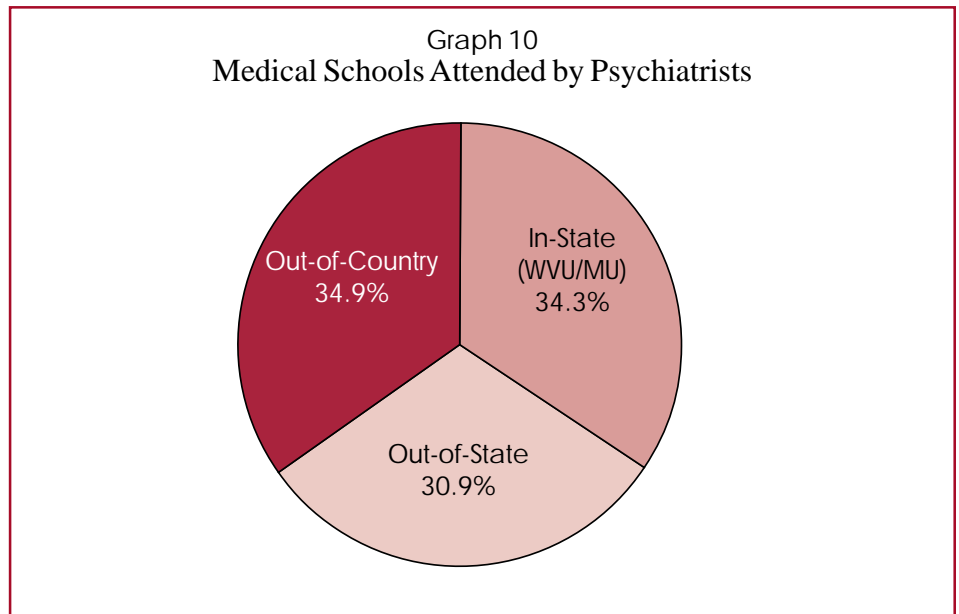
Psychiatrists

The Office of Health Services Research at West Virginia University provided a database containing licensing information for all active medical doctors (MDs) in the state whose primary and/or secondary specialty was psychiatry, child and adolescent psychiatry, or psychoanalysis.

Information in the database indicates that most of the 175 psychiatrists work for one or more non-governmental employers (133). This includes individual or group practitioners, group health plan facilities, hospitals, nursing homes, schools, and businesses. Services are most often provided in non-federal health facilities including hospitals (66), the practitioner’s office (62), and clinics (52). 42 psychiatrists provide services in schools.

The database indicates that active psychiatrists in West Virginia spend an average of 38.7 hours per week providing direct patient care.

34.3% of the psychiatrists attended medical school in West Virginia (WVU and MU). 30.9% attended out-of-state schools while 34.9% received their training in another country (Graph 10).



Each of the 175 psychiatrists in the database were surveyed regarding sex offender treatment programs (Table 18). Only 9 of the 46 doctors who responded indicated that they provided sex offender treatment. These providers are located in Cabell (3), Harrison (1), Kanawha (1), Lewis (1), and Monongalia (2) counties (address was unknown for 1).

One of the providers is certified in Abel screening and another has attended sex offender training for dealing with adolescents. One psychiatrist mentioned that further training on assessment tools would be helpful in treating sex offenders.

Of the 9 providers, 1 program was specifically for adjudicated adolescent males in DHHR custody and another was provided to veterans eligible for VA

care. Counseling and medication management were the main types of services provided by the other psychiatrists. One psychiatrist indicated that medical castration was used.

4 responses indicated that participation in treatment was required by the criminal justice system and 3 specified that their services were required by the courts. State law mandates a psychiatric evaluation for sex offenders to determine their eligibility for probation. (§62-12-2e).

Average costs for services ranged from \$95.00 to \$110.00 per hour. 4 responses indicated that services were paid for by the state or medicaid, while 2 others said the client was responsible for payment. One provider uses a sliding fee scale based on household income.

**Treatment Services
Provided by Psychiatrists**

- Residential Treatment Center for adjudicated adolescent males
- Veterans Program
- Counseling
- Medication Management
- Medical Castration

§62-12-2(e) Eligibility for Probation

Any person convicted of a sex offense (incest, sexual assault, sexual abuse, or pornography with children) is only “eligible for probation after undergoing a physical, mental and psychiatric study and diagnosis which shall include an on-going treatment plan requiring active participation in sexual abuse counseling at a mental health facility or through some other approved program.”

Sex Offender Treatment Providers

Polygraph Examiners

A developing model for treatment of sex offenders in some states involves the administration of random and scheduled polygraphs. This technology requires the use of trained examiners. Polygraphers team with treatment professionals and probation or parole supervisors to hold offenders accountable for their activities.

The West Virginia Polygraph Association provided information on the availability of these services and on licensing requirements.

Currently, West Virginia law (§21-5-5c) requires only those polygraph examiners who administer tests to employees or prospective employees to be licensed with the Commissioner of Labor. The Association is, however, working to change this.

There are 24 members of the West Virginia Polygraph Association. This includes 6 out-of-state examiners who work in West Virginia. There may be other examiners working in the state who do not belong to the Association. 15 members work for law enforcement agencies, while the remaining 9 are private.

The American Polygraph Association accredits certain schools who meet their standards and provide basic and continuing education in the field of polygraph. Those schools closest to West Virginia are located in Pennsylvania, Maryland, and Virginia. In addition, there are national trainers who are available to provide training on-site. The West Virginia Association recently sponsored such a training on post-conviction sex offender testing. 10

members of the Association are now certified through the American Polygraph Association to conduct this type of testing. Table 17 shows where these examiners are located and who they work for.

Table 17
WV Polygraph Association Members

	Law Enforcement		Private		Total
	Trained*	Other	Trained*	Other	
Boone	1	0	0	0	1
Brooke	1	0	0	0	1
Cabell	0	1	0	0	1
Jefferson	0	0	0	1	1
Kanawha	1	0	0	3	4
Lewis	1	1	0	0	2
Marion	0	1	0	0	1
Mingo	0	1	0	0	1
Monongalia	0	1	0	0	1
Putnam	0	1	0	0	1
Raleigh	3	0	0	0	3
Wood	0	0	0	1	1
Out-of-State	0	2	3	1	6
Total	7	8	3	6	24

*Examiners who recently received training in post-conviction sex offender testing.

Selected Polygraph Schools

Academy for Scientific Investigative Training

1704 Locust Street, 2nd Floor
Philadelphia, PA 19103
Director: Nathan J. Gordon
Phone: (215) 732-3349
Fax: (215) 545-1773

Harrisburg Area Community College

1 HACC Drive
Shumaker Public Services Hall
Harrisburg, PA 17110-2999
Director: Elmer Criswell
Phone: (717) 780-2513
Fax: (717) 236-0709

Maryland Institute of Criminal Justice

8424 Veterans Highway, Suite 3
Millersville, MD 21108-0458
Director: Billy H. Thompson
Phone: (410) 987-6665
Fax: (410) 987-4808

Virginia School of Polygraph

7909 Brookfield Road
Norfolk, VA 23518-3279
Director: Billy A. Franklin
Phone: (757) 583-1578
Fax: (757) 588-0305

*Additional APA accredited schools can be found online at:
www.polygraph.org*

§21-5-5c. License required for polygraph examiners; qualifications; promulgation of rules governing administration of polygraph tests.

(a) No person, firm or corporation shall administer a polygraph, lie detector or other such similar test utilizing mechanical measures of physiological reactions to evaluate truthfulness to an employee or prospective employee without holding a current valid license to do so as issued by the commissioner of labor. No test shall be administered by a licensed corporation except by an officer or employee thereof who is also licensed.

(b) A person is qualified to receive a license as an examiner if he:

(1) Is at least eighteen years of age;

(2) Is a citizen of the United States;

(3) Has not been convicted of a misdemeanor involving moral turpitude or a felony;

(4) Has not been released or discharged with other than honorable conditions from any of the armed services of the United States or that of any other nation;

(5) Has passed an examination conducted by the commissioner of labor or under his supervision, to determine his competency to obtain a license to practice as an examiner;

(6) Has satisfactorily completed not less than six months of internship training; and

(7) Has met any other qualifications of education or training established by the commissioner of labor in his sole discretion which qualifications are to be at least as stringent as those recommended by the American polygraph association.

(c) The commissioner of labor may design and by procedural rule designate and thereafter administer any test he deems appropriate to those persons applying for a license to administer polygraph, lie detector or such similar test to employees or prospective employees. The test designed by the commissioner of labor shall be so designed as to ensure that the applicant is thoroughly familiar with the code of ethics of the American polygraph association and has been trained in accordance with association rules. The test must also include a rigorous examination of the applicant's knowledge of and familiarity with all aspects of operating polygraph equipment.

(d) The license to give a polygraph, lie detector or similar test to employees or prospective employees shall be issued for a period of one year. It may be reissued from year to year.

(e) The commissioner of labor shall charge a fee of one hundred dollars for each issuance or reissuance of a license to give a polygraph, lie detector or similar test to employees or prospective employees. Such fee shall be deposited in the general revenue fund of the state. In addition to any other information required, an application for a license shall include the applicant's social security number.

(f) The commissioner of labor shall promulgate legislative rules pursuant to the provisions of chapter twenty-nine-a, article three, governing the administration of polygraph, lie detector or such similar test to employees. Such legislative rules shall include:

(1) The type and amount of training or schooling necessary for a person before which he may be licensed to give or interpret such polygraph, lie detector or similar test;

(2) Standards of accuracy which shall be met by machines or other devices to be used in polygraph, lie detector or similar tests; and

(3) The conditions under which a polygraph, lie detector or such similar test may be given.

County	IBR/Reported to LE			SOR/Conviction			SOR/Current Address		
	Offenders	% of Pop	Rank	Offenders	% of Pop	Rank	Offenders	% of Pop	Rank
Barbour	13	0.08%	10	16	0.10%	10	17	0.11%	13
Berkeley	57	0.08%	12	23	0.03%	49	59	0.08%	31
Boone	2	0.01%	53	19	0.07%	19	12	0.05%	48
Braxton	5	0.03%	37	5	0.03%	47	8	0.05%	43
Brooke	13	0.05%	22	13	0.05%	40	10	0.04%	52
Cabell	90	0.09%	5	66	0.07%	23	89	0.09%	21
Calhoun	2	0.03%	43	17	0.22%	1	11	0.15%	2
Clay	5	0.05%	25	7	0.07%	24	19	0.18%	1
Doddridge	2	0.03%	42	5	0.07%	26	7	0.09%	19
Fayette	16	0.03%	39	33	0.07%	22	34	0.07%	36
Gilmer	6	0.08%	9	2	0.03%	50	7	0.10%	18
Grant	7	0.06%	15	11	0.10%	11	12	0.11%	15
Greenbrier	7	0.02%	47	28	0.08%	17	31	0.09%	22
Hampshire	12	0.06%	17	13	0.06%	29	18	0.09%	23
Hancock	20	0.06%	16	18	0.06%	36	17	0.05%	46
Hardy	6	0.05%	27	9	0.07%	21	13	0.10%	17
Harrison	35	0.05%	23	33	0.05%	44	57	0.08%	27
Jackson	6	0.02%	45	33	0.12%	7	29	0.10%	16
Jefferson	15	0.04%	36	22	0.05%	38	32	0.08%	33
Kanawha	174	0.09%	7	103	0.05%	39	171	0.09%	25
Lewis	8	0.05%	28	3	0.02%	53	10	0.06%	41
Lincoln	10	0.05%	29	20	0.09%	14	31	0.14%	4
Logan	6	0.02%	51	15	0.04%	45	22	0.06%	42
Marion	33	0.06%	19	38	0.07%	27	45	0.08%	30
Marshall	7	0.02%	48	24	0.07%	25	26	0.07%	34
Mason	4	0.02%	52	4	0.02%	54	9	0.03%	54
McDowell	9	0.03%	40	20	0.07%	20	23	0.08%	26
Mercer	37	0.06%	18	34	0.05%	37	52	0.08%	28
Mineral	13	0.05%	26	17	0.06%	30	24	0.09%	24
Mingo	1	0.004%	55	14	0.05%	42	15	0.05%	45
Monongalia	52	0.06%	14	41	0.05%	41	41	0.05%	47
Monroe	3	0.02%	46	4	0.03%	51	6	0.04%	51
Morgan	8	0.05%	20	19	0.13%	6	20	0.13%	9
Nicholas	9	0.03%	38	28	0.11%	9	30	0.11%	12
Ohio	54	0.11%	2	12	0.03%	52	21	0.04%	49
Pendleton	4	0.05%	24	11	0.13%	5	11	0.13%	8
Pleasants	4	0.05%	21	5	0.07%	28	6	0.08%	29
Pocahontas	4	0.04%	30	7	0.08%	18	13	0.14%	3
Preston	9	0.03%	41	17	0.06%	33	19	0.06%	38
Putnam	52	0.10%	4	32	0.06%	31	28	0.05%	44
Raleigh	52	0.07%	13	25	0.03%	48	61	0.08%	32
Randolph	22	0.08%	11	25	0.09%	15	26	0.09%	20
Ritchie	14	0.14%	1	5	0.05%	43	7	0.07%	37
Roane	6	0.04%	34	24	0.16%	3	21	0.14%	6
Summers	5	0.04%	35	12	0.09%	13	16	0.12%	10
Taylor	1	0.01%	54	9	0.06%	34	10	0.06%	40
Tucker	3	0.04%	33	7	0.10%	12	8	0.11%	14
Tyler	4	0.04%	31	21	0.22%	2	13	0.14%	7
Upshur	24	0.10%	3	20	0.09%	16	17	0.07%	35
Wayne	8	0.02%	49	16	0.04%	46	16	0.04%	53
Webster	4	0.04%	32	6	0.06%	32	4	0.04%	50
Wetzel	3	0.02%	50	19	0.11%	8	20	0.11%	11
Wirt	5	0.09%	8	8	0.14%	4	8	0.14%	5
Wood	81	0.09%	6	49	0.06%	35	55	0.06%	39
Wyoming	6	0.02%	44	1	0.004%	55	2	0.01%	55
Total WV	1,058	0.06%		1,088	0.06%		1,389	0.08%	

Licensed Treatment Providers

County	Counselors	Psychologists	Psychiatrists	Total	Rate Off/Prov
Barbour	7	0	1	8	2.13
Berkeley	39	7	4	50	1.18
Boone	2	1	0	3	4.00
Braxton	11	3	0	14	0.57
Brooke	9	3	2	14	0.71
Cabell	82	38	31	151	0.59
Calhoun	0	2	0	2	5.50
Clay	1	0	0	1	19.00
Doddridge	1	0	0	1	7.00
Fayette	7	5	0	12	2.83
Gilmer	0	0	0	0	NA
Grant	4	0	2	6	2.00
Greenbrier	37	13	1	51	0.61
Hampshire	13	3	0	16	1.13
Hancock	10	2	3	15	1.13
Hardy	2	3	0	5	2.60
Harrison	39	13	8	60	0.95
Jackson	7	1	0	8	3.63
Jefferson	34	11	1	46	0.70
Kanawha	176	59	36	271	0.63
Lewis	7	1	8	16	0.63
Lincoln	3	1	0	4	7.75
Logan	11	5	2	18	1.22
Marion	33	8	5	46	0.98
Marshall	7	0	0	7	3.71
Mason	2	4	1	7	1.29
McDowell	4	1	1	6	3.83
Mercer	25	14	6	45	1.16
Mineral	9	4	0	13	1.85
Mingo	9	4	0	13	1.15
Monongalia	71	70	30	171	0.24
Monroe	0	0	0	0	NA
Morgan	4	1	0	5	4.00
Nicholas	3	0	0	3	10.00
Ohio	57	19	9	85	0.25
Pendleton	3	1	0	4	2.75
Pleasants	3	1	0	4	1.50
Pocahontas	5	0	1	6	2.17
Preston	10	3	0	13	1.46
Putnam	37	9	0	46	0.61
Raleigh	50	11	7	68	0.90
Randolph	30	9	2	41	0.63
Ritchie	4	1	0	5	1.40
Roane	3	1	0	4	5.25
Summers	8	0	0	8	2.00
Taylor	4	4	0	8	1.25
Tucker	4	1	0	5	1.60
Tyler	0	1	0	1	13.00
Upshur	11	2	1	14	1.21
Wayne	8	0	1	9	1.78
Webster	3	0	0	3	1.33
Wetzel	3	0	1	4	5.00
Wirt	2	1	0	3	2.67
Wood	55	18	11	84	0.65
Wyoming	5	2	0	7	0.29
Total WV	974	361	175	1,510	0.92

Table 18

Notes:

Percentage of population is based on West Virginia county populations for year 2000 from the U.S. Census Bureau.

Rank represents the order of the 55 counties by percentage of population from greatest to smallest (i.e. Ritchie County has the greatest percentage of offenders reported to law enforcement (IBR) based on its population and therefore is ranked 1).

Registered sex offenders with an out-of-state county of conviction (380) or out-of-state county of current address (79) are not included in the respective totals shown in this table.

The number of *licensed treatment providers* includes all those currently holding a license to practice in WV as indicated by their respective licensing boards. All may not currently be providing sex offender treatment programs.

Some counselors and psychologists may no longer be active in the state. The number of psychiatrists is, however, limited to only those actively practicing in the state.

Each treatment provider is counted for only one county. Services may be provided in other counties as well. Provider county was determined by the primary practice location or the address provided by the licensing board.

Rate Off/Prov represents the number of registered sex offenders residing in a particular county (based on current address) for each treatment provider available in the county. For example, Barbour County has 2.13 resident sex offenders for every 1 treatment provider available.

This rate is not calculated for Gilmer and Monroe counties since no treatment providers are indicated in those counties.