



# Memorandum

**To:** Sex Offenses & Sex Offender Registration Task Force Members  
**From:** ICJIA Staff  
**Date:** 06-09-2017  
**Re:** Policy Discussion at Task Force Meeting 06-14-2017

This memo outlines the policies the Sex Offense and Sex Offender Registration Task Force will discuss, refine, and vote on at the June 14<sup>th</sup> meeting. These policies directly come from the Task Force’s previous meetings with national experts and are grounded in research. (Please find attached to this memo, the power point slides from the Task Force’s May meeting which provides citations and research support for the policies.) As noted in the agenda, only members who are physically present in Chicago, Springfield, or Carbondale’s meeting locations may vote.

## Policies for Discussion

The numbers on the policies below are for the purpose of guiding discussion and do not suggest any order of importance.

### A. Utilize Risk-Assessments Post Conviction for Treatment and Management Purposes

- 1) Illinois should use validated, structured risk assessments to identify risk to sexually reoffend as well as general offending risk.
  - a. The risk assessments should be used to place an offender into a category or tier:

I Very Low Risk	Unlikely to reoffend	
II Below Average	Minor concerns	
III Average	Typical problems for individuals in trouble with the law	
IVa Above Average	History of rule violations, Problems with sexual self-regulation, Few Strengths	Chronic rule violation, few strengths
IVb Well Above		Virtually certain to reoffend; Increase in number and severity

- b. The state should standardize the risk assessment process to promote consistency across those conducting the assessments. This includes specifying which validated, structured risk assessments are most appropriate. One possible method involves combining usage of the Static-99R (for static factors) with the STABLE-2007 (for quality of psychological and community adjustment) to assess persons and place them into risk categories/tiers.



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- 2) Risk assessments should be administered after conviction by state certified treatment providers, and re-administered ideally once a year, but minimally every two years.
- 3) Risk assessments should be used to guide management and treatment plans, not just identify risk.
- 4) Treatment should be informed by risk-assessments.
- 5) Variations from the validated, structured risk assessment scores should be documented and explained. The risk assessment results should be one factor considered by treatment providers or those supervising sex offenders in the community.

**B. Reform Current Registry**

- 1) Use a registry tier system that reflects actual risk of sexual re-offending (informed by the risk-assessment conducted post-conviction).
  - a. The different tiers should differentiate lengths of time on the public registry:

<b>Risk Tier</b>	<b>Registry Duration</b>
<b>I Very Low Risk</b>	<b>5 years</b>
<b>II Below Average</b>	<b>10 years</b>
<b>III Average</b>	<b>15 years</b>
<b>IVa Above Average</b>	<b>Lifetime</b>
<b>IVb Well Above</b>	<b>Lifetime</b>

- b. In addition to the lower levels automatically coming off the public registry after their set duration (i.e. 5 years, 10 years, etc.), registrants should be allowed the potential to be removed from the public registry (i.e. petition to be removed if they meet certain criteria).
- 2) Improve the accuracy of the terminology currently used for lifetime registrants by referring to them as “Lifetime Registrant” instead of “Sexual Predator.”
- 3) The public registry should only contain persons convicted of a sex offense.
  - a. Remove persons convicted of murder from the sex offender registry act.
  - b. Remove statutory requirements that stipulate any new felony (not for a sex offense) triggers retroactive registration for certain individuals



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**C. Lessen Current Restrictions**

- 1) Limit residence restrictions for persons convicted of a sex offense to only while they are on the public registry.
  - a. Tailor restrictions to the different tiers, with the highest risk tiers having the most restrictions.
  
- 2) Revise the time on Mandatory Supervised Release (MSR) for persons convicted of sex offenses.
  - a. Those individuals determined to be not the highest risk (i.e., Tiers 1-3), as determined by a validated, structured risk assessment, should have maximum MSR sentences of 3 years.
  - b. Only the highest risk individuals (e.g., Tier IVa and IVb), as determined by a validated, structured risk assessment, should have MSR sentences beyond 3 years.

<b>Risk Tier</b>	<b>Parole Duration</b>
<b>I Very Low Risk</b>	<b>3 years</b>
<b>II Below Average</b>	<b>3 years</b>
<b>III Average</b>	<b>3 years</b>
<b>IVa Above Average</b>	<b>≥ 3 years</b>
<b>IVb Well Above</b>	<b>≥ 3 years</b>

- 3) Implement sanctions for those who take information from the registry, do not keep it updated or current, and share it with others.

**D. Infrastructure Concerns:**

- 1) Restructure and Strengthen SOMB
  - a. Establish SOMB as an independent agency that is staffed and directed by an expert with a clinical background specializing in sex offender assessment and treatment.
  - b. Add training around the registry (including judicial training) as a function of SOMB.
  
- 2) Research and Evaluation
  - a. Use research to inform the creation of policy as well as to evaluate how policies are implemented and their impact.