

## **JUVENILE RISK ASSESSMENT SCALE** **(JRAS)**

The following is a list of the criteria in the Juvenile Risk Assessment Scale (JRAS), along with an explanation of how each is used. "Low risk", "moderate risk" and "high risk" examples are also provided by way of illustration. These examples are in no way intended to be exclusive. Although there are no meta-analyses regarding sexual recidivism for adolescent sexual offenders (comparable to the widely cited Hanson and Bussiere, 1998 meta-analysis for adults), there is extensive literature related to general (i.e., nonsexual) recidivism with adolescents (e.g., Farrington, 1989; Loeber, 1990; Moffitt, 1993). Common risk factors for general recidivism among adolescents include antisocial personality, previous criminal involvement, negative self-image, economic disadvantage, parental rejection, negative parent-child relationships, interpersonal aggression, and poor social relationships. With regard to child molestation by juvenile offenders, a recent study found that sexual interest in children was found to be a significant predictor of subsequent sexual recidivism (Worling & Curren, 2000), whereas antisocial personality characteristics and history are more highly associated with forcible sexual assaults against older victims. As with adults, what literature for juveniles that does exist indicates three broad areas as associated with future offending—deviant sexual interest and antisocial behavior, with environmental support acting as a protective or moderating factor.

Consequently, the JRAS is divided into three broad areas, consistent with the literature on juvenile sex offending:

1. Sex offense history: The first broad area found among some more persistent juvenile offenders is a high level of sexual deviance. The JRAS captures this area by noting the chronicity and severity of sex offending. In particular, higher levels of deviant sexual pathology have been found among juvenile offenders who molest younger children. To keep this scale in line with others used in other jurisdictions in the U.S., real victims are required to score criteria involving victim characteristics, such as number or gender of victim. Child pornography possession or distribution offenses do not count with regard to victim characteristics, unless the juvenile actually created child pornography with a real victim, or was present when child pornography was created and therefore charged. Although a juvenile can be scored as having an offense for an act involving either child pornography or a fictitious victim, such as corresponding electronically with a detective posing as a child, the additional points for victim characteristics would not be scored.

2. Antisocial behavior: The second broad area found to be associated with increased risk is general antisocial personality and behavior. Studies have found juvenile sex offenders to be high in antisocial behavior, in particular those juvenile offenders whose offenses involve force against older victims.

3. Environmental characteristics: These can act as moderators of risk. A juvenile who is in a stable, supportive environment, all else equal, can be more effectively managed. Research has found that involvement in, and in particular successful completion of, sex offender specific treatment can also act as a risk moderator.

This scale should be used as a tool by prosecutors to tier juvenile sex offenders who are eighteen (18) or under at the time of tiering. Prosecutors should continue to use the Registrant Risk Assessment Scale for all offenders over 18, regardless of the age when the offense was committed. Every case is decided on a case by case basis. There may be some fact sensitive issues which affect the level of risk. For example, a consensual relationship which leads to charges due to age or other strict liability factor, or an offender who becomes ill or disabled, may pose less of a risk of re-offense. Such cases may fall outside the “heartland” of cases, and the Prosecutor may opt to utilize other tools in determining the proper tier and notification requirements for those particular offenders.

## 1. SEX OFFENSE HISTORY

1. **Degree of force** is related to the seriousness of the potential harm to the community if reoffense occurs. Force requires the absence of affirmative and freely given permission (consent) and that which is necessary to perpetrate the assault or contact. Force in excess of what is needed to penetrate or otherwise commit the act is not required.

**Low risk example:** intra- or extra-familial child sexual abuse in which the offender obtains or attempts to obtain sexual gratification through use of candy, pets or other nonviolent methods; offender exposes self to child; offender fondles adult victim without use of force.

**Moderate risk example:** offender threatens physical harm or offender applies physical force that coerces but does no physical harm. For example, holding the victim down or using verbal coercion by threatening force against a victim’s relatives if the victim does not cooperate. If the victim is seriously cognitively impaired, such as mental retardation, the degree of force will be considered at least moderate, given the implicit coercion involved.

**High risk example:** offender causes lasting or substantial physical damage to victim, or offender uses or is armed with a weapon. The offender must commit the violence on an actual victim. Possession of violent videos (computer generated or otherwise) does not count for scoring this criterion.

2. **Degree of contact** is related to the seriousness of the potential harm to the community if reoffense occurs.

**Low risk example:** fondles child victim over clothes; approaches adult victim on street and presses body against buttocks over clothing; exhibitionism or showing pornography to a child.

**Moderate risk example:** fondles under clothing.

**High risk example:** penetrates orifice with object, tongue, finger, or penis. Again, the offender must commit this on an actual victim or cause an actual victim to commit these acts on himself or herself (for example, through telephone or internet instruction).

3. **Age of victim** is related to seriousness of the potential offense. In the present juvenile scale (as opposed to the adult scale), this criterion does not mirror statutory age levels because the juvenile himself/herself is younger than 18 years. The youngest victim for any offense known is scored. Offense need not have led to conviction if credible evidence exists in the records. For juveniles, at least a four year age difference between the offender and the victim is needed to score this criterion.

4. **Victim selection** is related to likelihood of reoffense (with intrafamilial offenders having the lowest baserate of reoffense) as well as risk to the community at large.

**Low risk example:** sexually abuses younger sibling, household member, biological child, stepchild, or common law spouse's child; offender sexually abuses family member who does not live in the household.

**Moderate risk example:** "acquaintance" implies a degree of social/business interaction beyond that of a single contact and includes an offender who sexually abuses a neighbor's child, a child for whom he or she is babysitting, or a child for whom he or she is coach or teacher; offender performs coercive sexual acts with date ("date rape"). If a relationship has developed by electronic means, such as the Internet, the victim shall be considered an acquaintance, rather than a stranger.

**High risk example:** sexually abuses child or adult stranger accosted on street, in park, or in schoolyard; offender lures stranger (either adult or child) into coercive sexual activity; offender meets victim for first time in school and assaults later that day. Use of the word "stranger" does not automatically preclude fact situations in which the victim knows the identity of the offender; for example, the

offender and victim may have had an exchange of words in a school or other social setting.

**5. Number of offenses/victims** is related to the likelihood of reoffense. A conviction is not necessary if the rater finds credible evidence of multiple sexual offenses/victims. Multiple incidents with a given victim are addressed in criterion six, rather than in this criterion. Possession of child pornography may count as one offense, but each individual image does not count as a new victim. Victims portrayed in child pornography are not scored as victims for the purpose of the JRAS. They do not count as non-familial, stranger, nor male victims. Only real, live, human victims count. If the offender is a child pornography maker and a real live child was used to create pornography by the offender or the offender was present when pornography was created with a real live child, this child is a victim and should be scored as such.

**Low risk example:** intrafamilial sexual abuse of one child (even if multiple incidents with the one child); sexual assault of one adult stranger.

**Moderate risk example:** two separate victims (even if only one incident with each victim or one incident involving both victims).

**High risk example:** three separate victims.

**6. Duration of offensive behavior** is related to both the likelihood of reoffense as well as the seriousness of the behavior itself. A conviction is not necessary if the rater finds credible evidence to support a specific duration of offensive behavior. This item has been changed from the adult scale, given the limited duration during which a juvenile can commit offenses before becoming an adult (and thereby being scored on the adult scale). Cases involving incest often have a longer duration for the offensive behavior, and the applicability of the incest exception should be considered.

**7. Length of time since last offense (while at risk)** is related to likelihood of reoffense. The time counted in this criterion is only time at risk--that is, when the offender is in a situation in which he or she has ready, unsupervised access to potential victims. Time incarcerated, hospitalized, or in residential treatment does not count, given that most offenders do not commit offenses under those circumstances. If, however, evidence exists (such as documented institutional disciplinary charge) that the offender did commit a sexual offense while incarcerated or institutionalized, then this offense should be included in the time calculation. For juveniles, time spent in residential placement without furloughs should be treated similarly to incarceration for adults. This criterion has been changed from the adult

scale due to the limited time during which a juvenile can commit a new offense before being scored on the adult scale.

**Low risk example:** three or more years at risk since last offense.

**Moderate risk example:** between one and three years at risk since last offense.

**High risk example:** one year or less at risk since last offense.

**8. Victim Gender** is related to risk of reoffense. Statistically, those offenders with only female child victims reoffend at lower rates than those offenders with male child victims. The research literature shows that those offenders with male child victims tend to have higher numbers of victims as well. At highest risk are those offenders who indiscriminately offend against both male and female children. (Given that charged sex offenses against adult males are rare, this criterion assumes a child victim.) In order to appropriately address this concern, it is important to only count this criteria if there is a four year age difference between the victim and perpetrator.

**Low risk example:** female victim(s) only

**Moderate risk example:** male victim(s) only

**High risk example:** both female and male victim(s)

## **2. ANTISOCIAL BEHAVIOR**

**9. History of antisocial acts** is related to a general propensity to offend, sexually and otherwise. Higher levels of general delinquency are associated with higher risk to commit a range of delinquent behaviors, including but not limited to sexual offenses. The more extensive the antisocial history, the worse the prognosis for the offender. Antisocial acts include crimes against persons, crimes against property, and status offenses (for juveniles). Acts that are not the subject of criminal charges but that are credibly represented in the available records may be counted. Sexual deviancy not the subject of criminal prosecution should be counted in Criterion 5 (rather than on Criterion 9) above to avoid "double-counting." Criterion 9 should be reserved for non-sexual antisocial acts. Available documentation which can be considered may include evidence of truancy, behavioral problems in school or in a work situation, school suspensions, work suspensions, prior diagnoses of conduct disorder or oppositional defiant disorder. Acts perpetrated while incarcerated or committed may be included. Some judgment is required in

determining how to score the degrees of antisocial behavior, as is evident in the examples below.

**Low risk example:** no history of antisocial acts other than the charged sex offense or only a few instances of relatively minor antisocial acts. For example, a juvenile with one school suspension or one appearance before a juvenile conference committee for a minor offense would be scored as low risk.

**Moderate risk example:** limited history of antisocial behavior. A juvenile with three to five documented occurrences of prior antisocial behavior, which may be demonstrated by consequences such as prior arrests, loss of job, school suspensions, or other disciplinary actions.

**High risk example:** more than three documented occurrences of prior antisocial behavior; history of antisocial behavior that led to more than three prior arrests, school suspensions, job losses; prior diagnosis of oppositional defiant disorder or conduct disorder may qualify an offender automatically for high risk.

**10. Substance abuse** can act as a disinhibitor of impulses, causing an offender to act on urges he or she might otherwise be able to control. Additionally, substance abuse can be an indicator of either a broader antisocial lifestyle or a low level of social competence. Finally, substance abuse can act as a disorganizing factor in an otherwise socially competent individual. This category should be treated separately from "History of Anti-Social Acts." If substance abuse, or the lack of such a problem, is weighted here, it should not also be included as an "Anti-Social Act" for purpose of Criterion #9. In this way, any "double-counting" will be avoided.

**Low risk example:** no history of substance use that impaired social or occupational functioning. Historical occasional use that did not impair functioning is acceptable.

**Moderate risk example:** historical substance abuse, but presently in remission; present functioning not impaired; current episodic use.

**High risk example:** current substance abuse or dependence; present functioning impaired.

### **3. ENVIRONMENTAL CHARACTERISTICS**

**11. Response to sex offender treatment** is related to likelihood of reoffense. All else equal, a good response to treatment (and in particular, completion of a sex offender treatment program) indicates less risk of reoffense. A therapist's report is

necessary to rate this criterion.

**Low risk example:** good progress; therapist indicates good progress in sex offender specific treatment; no offenses during treatment.

**Moderate risk example:** limited progress; therapist indicates some progress but significant treatment difficulties; no offenses during treatment.

**High risk example:** prior unsuccessful treatment or therapist indicates no current progress; one or more offenses committed while in treatment.

**12. Sex offender specific therapy** provides both a means of monitoring and treating the offender, both of which reduce the likelihood of offenses. The extreme categories of "current/continued involvement" and "no involvement" are self-evident. Intermittent can be scored if the individual is currently in treatment but has had a gap between prior and current treatment or attends treatment inconsistently. The offender should be scored as low risk if there is documented, bona fide effort to obtain treatment, for example, being on a waiting list. Moreover, if the offender has successfully completed a course of credible sex offender specific treatment, or successfully completed a course of other treatment when specifically referred to such treatment by the sex offender therapist, he is scored as low risk as well.

**13. Residential support** is a measure of social stability and competence, both of which reduce the likelihood of relapse. The elements in rating this criterion are the appropriateness of the residence (does not place offender in situation similar to that in which prior offense occurred, such as unsupervised contact with children or ready access to potential victims) and level of support and supervision (such as family or friends). The rater can also consider supervision provided by probation or parole.

**Low risk example:** living with family or non-deviant friends in location that does not provide ready access to victims; living in foster home with skilled foster parents and no access to potential victims; reports regularly to parole or probation officer.

**Moderate risk example:** living in setting with no access to potential victims, but little or no social support, such as living alone in apartment complex or rooming house, or living with family or friends who provide no support or may enable deviant behavior. Reports only intermittently to parole or probation officer.

**High risk example:** living alone or frequent relocation as part of an unsupervised transient lifestyle; homeless; fails to report on regular basis to parole or probation officer.

**14. Employment/educational stability** is a measure of both social competence and social (particularly economic) support. For juveniles, educational stability is scored based on attendance. For younger juveniles, school is of more importance; for some older juveniles, work stability may be of more importance.

**Low risk example:** employed steadily in job; attends school regularly without disciplinary problems. May be disabled physically or developmentally and therefore not employed or in school.

**Moderate risk example:** employed in job, but period(s) of unemployment or numerous job changes; inconsistent school attendance (truancy, suspensions, etc.).

**High risk example:** currently unemployed; school drop-out.

## JUVENILE RISK ASSESSMENT SCALE

Criteria	Low Risk	0	Moderate Risk	1	High Risk	2	Comments	Total
<b>Sex Offense History</b>								
1. Degree of Force	no physical force; no threats		threats; minor physical force		violent; use of weapon; significant victim harm			
2. Degree of Contact	no contact; fondling over clothing		fondling under clothing		penetration			
3. Age of Victim (4 or More Year Age Difference)	16 or over		11 - 15		under 11			
4. Victim Selection	household/ family member		acquaintance		stranger			
5. Number of Offenses/Victims	first known offense/victim		two known offenses/victims		three or more offenses/victims			
6. Duration of Offensive Behavior	less than 1 year		1 to 2 years		over 2 years			
7. Length of Time Since Last Offense	4 or more years		1 to 3 years		1 year or less			
8. Victim Gender (4 or More Year Age Difference)	Female		Male		Male and Female			
<b>Subtotal:</b>								
<b>Antisocial Behavior</b>								
9. History of Anti-Social Acts	no history or very limited history		limited history		extensive history			
10. Substance Abuse	no history		in remission		not in remission			
<b>Subtotal:</b>								
<b>Environment Characteristics</b>								
11. Response to Sex Offender Treatment	good progress		limited progress		prior unsuccessful treatment or no progress in current treatment			
12. Sex Offender Specific Therapy	current/continued involvement in therapy		intermittent		no involvement			
13. Residential Support	supportive/supervised setting/appropriate location		stable and appropriate location but no external support system		problematic location and/or unstable; isolated			
14. Employment/Educational Stability	stable and appropriate		intermittent and appropriate		inappropriate or none			
<b>Subtotal:</b>								
<b>Total:</b>								

Scoring:

Highest possible total score = 28

Low range: 0-9

Moderate Range: 10-19

High Range: 20-28