



## Crime profiles and conditional release performance of psychopathic and non-psychopathic sexual offenders

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**Purpose.** This study investigated the influence of psychopathy and sex offender subtype on criminal history, probability of being granted conditional release, and performance while on conditional release in a diverse group of violent offenders. We predicted that psychopathic sexual offenders would be associated with relatively prolific violent and sexual offending, a high probability of successful conditional release applications despite their past behaviour (resulting from ‘putting on a good show’ in a parole hearing), and poor performance in the community.

**Methods.** Information was gathered via a correctional file review of 310 Canadian male federal offenders. Offenders were categorized into groups based on their sexual offence history (non-sex offender, rapist, child molester, or mixed rapist/molester) and Psychopathy Checklist – Revised (PCL-R; Hare, 2003) ratings. Their offences (sexual, violent, or non-violent) and their complete conditional release histories were coded.

**Results.** Psychopathy was associated with more violent and non-violent, but not sexual, offences. A significant interaction between psychopathy and offender subtype revealed that psychopathy was associated with a greater number of sex offences within child molesters. High-psychopathy offenders (both sexual and non-sexual offenders) were about 2.5 times more likely to be granted conditional release than non-psychopathic offenders.

**Conclusions.** Psychopathy is associated with more prolific sexual offending among child molesters and – despite their extensive criminal histories and high recidivism rate – a great proficiency in persuading parole boards to release them into the community. Specialized education and training in dealing with psychopathic offenders is urgently needed.

Psychopathy is one of the most powerful predictors of both violent and non-violent criminal recidivism (see Douglas, Vincent, & Edens, 2006; Hare & Neumann, 2008, for reviews). Offenders with psychopathic features commit more crimes, commit a greater variety of crimes, and are more violent during the commission of their crimes (e.g.

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Porter, Birt, & Boer, 2001; Porter, Woodworth, Earle, Drugge, & Boer, 2003). Given the well-defined relationship between psychopathy and extreme violence (see Porter & Woodworth, 2007), it might be predicted that psychopathy would be associated with a propensity for committing sexual violence. Previous research has linked psychopathy with particular types of sexual violence (e.g. Porter *et al.*, 2000), greater levels of violence during the commission of sexual offences (e.g. Gretton, McBride, Hare, O'Shaughnessy, & Kumka, 2001), and with sexual aggression in non-offender samples (e.g. Kosson, Kelly, & White, 1997). Porter *et al.* (2000) examined the base-rates of psychopathy across different types of sex offenders and found that while child molesters generally had a low prevalence of psychopathy (< 10%), mixed molester/rapists had one of the highest base-rates of psychopathy (64%) of any offender group studied to date. The pattern of results indicated that high-psychopathy offenders generally did not focus on a specific type of victim but, rather, were more prone to sexually assault victims opportunistically, or to change victim preferences over time in accordance with a thrill-seeking motivation (or simply getting 'bored'). This notion was highlighted in a recent media piece Brown (2007) in which one psychopathic sexual offender stated, 'I've asked myself if I'm a pedophile . . . I don't think I am . . . It could easily have been an adult woman. It was just that she (the 11-year-old girl) was available'. To date, relatively little research has explored in detail the criminal histories of sexual and non-sexual offenders, or the likelihood of re-offending, as a function of psychopathy and sexual offender typological status. Olver and Wong (2006) demonstrated that while psychopathy status predicted non-sexual recidivism, its relation with sexual offence recidivism varied as a function of sexual deviance. While sexual deviance was a significant predictor of sexual recidivism, the combination of such deviance and psychopathy increased the likelihood of its occurrence.

In countries with a parole system, the conditional release of sexual offenders is contentious (see Brown, 2007). How do parole boards decide whether to release particular sexual offenders? Almost no research has focused on the role that psychopathy might play in such conditional release decisions. Intuitively, one might predict that the potent 'psychopath' diagnosis/label and its association with extensive criminal histories and high recidivism rates would almost always lead to a negative outcome following a conditional release application (e.g. Hart, Kropp, & Hare, 1988). Alternatively, as we predict, high-psychopathy individuals could manipulate their words and actions to impress/deceive parole decision makers with superficial charm and false emotional displays (e.g. remorse) to fool prison staff (e.g. Porter & Woodworth, 2007). Many offenders diagnosed with psychopathy have demonstrated long criminal careers of conning, defrauding, and scamming others; some even become cult leaders, corrupt politicians, or successful corporate leaders (e.g. Babiak, 2000; Hare, 2003). Seto and Barbaree (1999) found that the sex offenders who participated in a treatment programme and received the most positive evaluations by the facilitators also had the highest PCL-R (Hare, 2003) scores and the highest re-offence rates. It was possible that these high-psychopathy sex offenders were able to play a convincing role of a motivated, remorseful, rehabilitated inmate during the programme. Further, in an examination of a forensic mental health institution population, psychopathy was one of the most important factors in determining whether offenders found not guilty by reason of insanity would be released. In this sample, offenders diagnosed with psychopathy were less likely to be released than non-psychopathic offenders (Manguno-Mire, Thompson, Bertman-Pate, Burnett, & Thompson, 2007). However, there appears to be no existing research addressing the

role of psychopathy and sexual offending on the likelihood of successful conditional release applications among the federal offender population. The present study seeks to explore the relationship between psychopathy, sexual offending, criminal history, probability of release, and success on conditional release in a large sample of federal offenders.

## Method

### Sample

The participants were 310 male offenders residing in a Canadian medium security federal prison between the years of 1995 and 1997 (in Canada, a sentence of at least 2 years requires federal prison time). This institution houses a diverse sample of serious offenders, accounting for approximately 10% of all federally incarcerated sex offenders in Canada at the time of data collection. Of these offenders, 211 had at least one sex offence conviction and 99 were non-sex offenders. The sample had a mean age of 43.4 years ( $SD = 11.5$ ) and comprised 70.9% Caucasians, 23.3% North American Aboriginals, 2.3% African Canadians, and 3.5% other or unknown ethnicities.

The sexual offence history of these offenders was examined from their official police (Fingerprint Sheet (FPS)) and correctional (Criminal Profile Report (CPRs)) documents that list and describe each charge and conviction in the offender's adult criminal history. Based on their offence history, offenders were coded as being a *child molester* (at least one sexual offence victim under the age of 14 years and no victims over 14), *rapist* (at least one sexual offence victim at least 14 years of age and no victims under 14), *mixed rapist/molester* (at least one sexual offence victim under and over the age of 14), or a *non-sexual offender* (see Porter *et al.*, 2000, for a more detailed description). Originally, Porter *et al.* (2000) has split child molesters into a multitude of subtypes (i.e. intra-familial, extra-familial, and mixed intra/extra-familial molesters). In this study, subtypes of child molesters were collapsed together during statistical analyses, as high-psychopathy child molesters were rare (see Porter *et al.*, 2000).

### Materials

The PCL-R (Hare, 1991) is a 20-item clinical and research tool used to assess psychopathy in prison and forensic psychiatric populations. Psychopathy is characterized by affective and interpersonal traits such as glibness/superficial charm, pathological lying, lack of remorse, and shallow affect (Factor 1) as well as a chronically impulsive, antisocial, and unstable life-style (Factor 2). The measure is completed on the basis of a semi-structured interview with the offender and a comprehensive file review (e.g. Hare, 1998). The total score, ranging from 0 to 40, and the psychometric and predictive qualities of the instrument are high. The reliability of items, as well as inter-rater reliability are high ( $\alpha = .87$  and  $.91$ , respectively) (Hare & Neumann, 2006). Further, there is extensive evidence for the validity of the PCL-R, as reflected in its predictive qualities (e.g. Fulero, 1995). PCL-R scores (total and factor scores) were obtained from each offender's institutional psychology file (item scores were not available). Although the PCL-R provides a dimensional score, a cut-off of 30 is recommended for diagnostic purposes (Hare, 1991, 2003). However, there is some

debate over whether psychopathy represents a discrete or a continuous variable (e.g. Edens, Marcus, Lilienfeld, & Poythress, 2006). As such, there have been two main ways to measure the relationship between psychopathy and crime for research purposes: by subdividing offenders into groups based on PCL-R scores and by examining their continuous scores. Both approaches were considered in the analyses below.

### **Data on crime and conditional release profiles**

The official criminal records were obtained from institutional files and the entire adult offence history of every offender, up to and including current offence(s) and release, was coded. All documented charges and convictions were coded using the classification scheme suggested in the PCL-R manual as a guide (see Hare, 1991, 2003). Charges and convictions from the official criminal history were coded as *violent* (robbery, assault, murder, possession of weapon, kidnapping, arson), *non-violent* (theft, drug offences, major driving offences, fraud, escape, obstruction of justice, miscellaneous), or *sexual* (see Hare, 2003). Further, all applications and decisions concerning all types of conditional release (e.g. full parole, day parole, statutory release) and the successful duration of releases across each offenders' criminal career were recorded. Two complete rounds of coding were conducted to ensure accurate data classification and entry.

## **Results**

### **Sample descriptives**

Of the 310 offenders in the sample, 90 were rated as being psychopathic (minimum score of 30 on the PCL-R). Considering offender type, there were 99 rapists (36 diagnosed), 88 child molesters (7 diagnosed), 24 mixed rapist/molesters (15 diagnosed), and 99 non-sex offenders (32 diagnosed).

### **Psychopathy and sexual violence**

A multivariate analysis of variance (MANOVA) indicated that there were significant differences in the mean PCL-R and factor scores in subgroups of sex offenders,  $F(9, 918) = 11.0, p < .001$ . First, PCL-R total scores differed significantly between groups,  $F(3, 306) = 15.01, p < .001$ . Follow-up Bonferroni comparisons indicated that rapists ( $M = 26.06, SD = 5.79$ ), mixed rapist/molesters ( $M = 28.95, SD = 6.62$ ), and non-sex offenders ( $M = 25.67, SD = 6.98$ ) all had higher total scores than child molesters ( $M = 21.10, SD = 6.37; ps < .05$ ).

There were also significant differences between groups in terms of their Factor 2 scores,  $F(3, 306) = 28.22, p < .001$ . On Factor 2, rapists ( $M = 12.01, SD = 3.28$ ), mixed rapist/molesters ( $M = 12.19, SD = 3.00$ ), and non-sex offenders ( $M = 12.42, SD = 3.7$ ) all scored significantly higher than child molesters ( $M = 7.96, SD = 4.23$ ). Overall, there were marginally significant differences in Factor 1 scores,  $F(3, 306) = 2.55, p = .056$ , with mixed rapist/molesters ( $M = 11.92, SD = 4.28$ ) scoring significantly higher than child molesters ( $M = 9.77, SD = 3.32$ ).

### **Criminal histories**

To examine possible differences in the criminal histories of the offender groups, a 2 (psychopathy)  $\times$  4 (offender type) MANOVA was conducted with number of non-violent offences, non-sexual violent offences, and sexual offences serving as dependent

variables. This analysis revealed main effects of offender type,  $F(9, 903) = 11.26$ ,  $p < .001$ , and psychopathy,  $F(3, 299) = 4.89$ ,  $p < .01$ , as well as a significant interaction between the two,  $F(9, 903) = 2.40$ ,  $p < .05$ , on the number of criminal offences.

Univariate analyses revealed that offender type was related to both the number of sex offences,  $F(3, 301) = 29.39$ ,  $p < .001$ , and violent offences,  $F(3, 301) = 8.98$ ,  $p < .001$ , committed. Follow-up Bonferroni tests indicated that child molesters ( $M = 8.40$ ,  $SD = 9.83$ ) perpetrated the most sexual offences, followed by mixed offenders ( $M = 3.87$ ,  $SD = 3.48$ ), rapists ( $M = 2.86$ ,  $SD = 2.97$ ), and non-sex offenders ( $M = 0.36$ ,  $SD = 1.16$ ), with all groups being significantly different from one another ( $ps < .05$ ). Additionally, molesters ( $M = 2.31$ ,  $SD = 4.16$ ) and rapists ( $M = 4.71$ ,  $SD = 5.70$ ) were found to perpetrate significantly fewer violent offences than non-sexual offenders ( $M = 8.47$ ,  $SD = 9.30$ ;  $p < .05$ ).

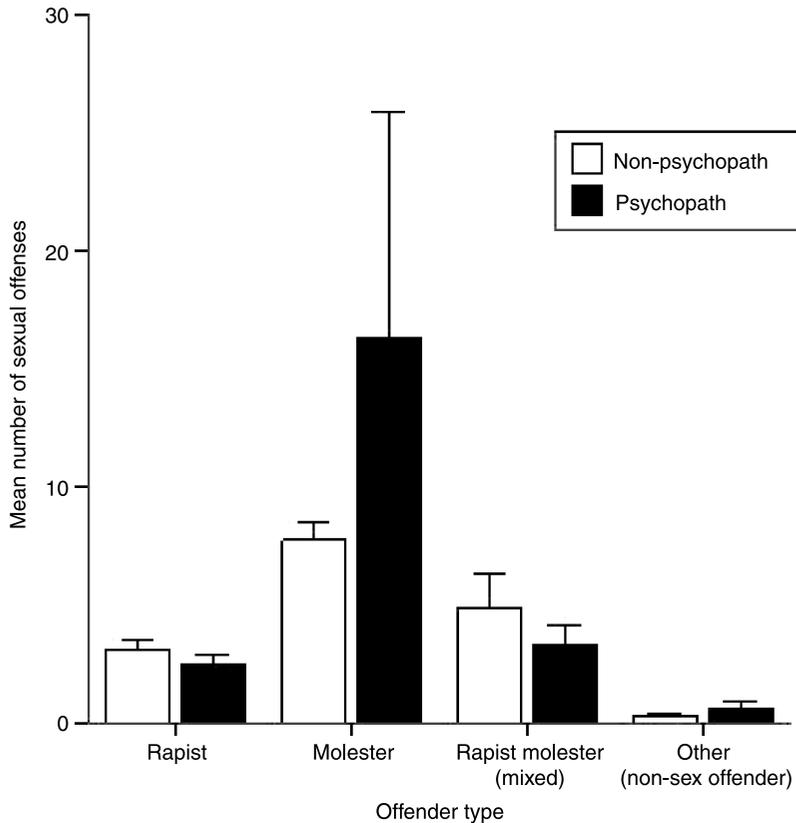
The effect of psychopathy was significant for the number of violent crimes committed ( $F(1, 301) = 3.86$ ,  $p < .05$ ), such that offenders diagnosed with psychopathy ( $M = 7.29$ ,  $SD = 9.90$ ) committed significantly more violent offences than low-psychopathy offenders ( $M = 4.47$ ,  $SD = 5.62$ ). Similarly, diagnosed offenders ( $M = 26.17$ ,  $SD = 25.98$ ) committed more non-violent crimes than non-diagnosed offenders ( $M = 14.70$ ,  $SD = 25.79$ ),  $F(1, 301) = 8.32$ ,  $p < .01$ . There was no effect of psychopathy on the number of previous sexual offences.

A significant offender type by psychopathy interaction was found with regards to the number of sexual offences committed,  $F(3, 301) = 5.07$ ,  $p < .01$ . Specifically, while the presence of psychopathy did not affect the number of sex offences committed by either rapists, mixed rapist/molesters or non-sexual offenders, child molesters diagnosed with psychopathy ( $M = 16.29$ ,  $SD = 25.28$ ) showed significantly more sex offence charges/convictions than low-psychopathy molesters ( $M = 7.72$ ,  $SD = 7.16$ ;  $p < .01$ ) (Figure 1).

### **Probability of release**

A chi-squared analysis was conducted to examine the roles of both offender type and psychopathy in determining an offender's probability of release. Because too few of some specific subtypes of offenders (e.g. psychopathy-diagnosed child molesters) were present to allow for analyses of the subdivided sex offender subtypes, offenders were classified globally as either sex offenders ( $N = 211$ ) or non-sex offenders ( $N = 99$ ). Thus, two chi-squared analyses were conducted to examine the effects of offender type (sex offender/non-sex offender) and psychopathy (psychopathy-diagnosed/psychopathy not diagnosed) on probability of release (released/not released). The chi-squared test for offender type was significant ( $\chi^2(1, N = 303) = 9.07$ ,  $p < .01$ ), indicating that non-sex offenders (49.5%) were significantly more likely to be released than sex offenders (31.6%). Examining the odds ratio (OR) for this test reveals that sex offenders were 2.13 times more likely to be denied release than non-sex offenders. The chi-squared for psychopathy was also significant ( $\chi^2(1, N = 303) = 13.77$ ,  $p < .001$ ), indicating that offenders diagnosed with psychopathy (53.4%) were released significantly more often than those not similarly diagnosed (30.7%). Specifically, release applicants diagnosed with psychopathy were released 2.5 times more often than their undiagnosed counterparts.

To determine whether this effect of psychopathy on likelihood of being conditionally released was present for both sex offenders and non-sex offenders, follow-up

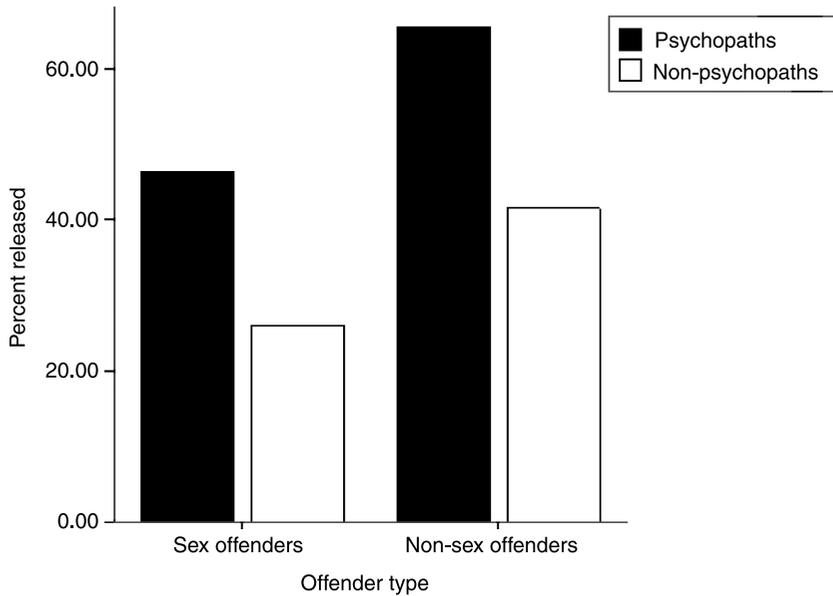


**Figure 1.** Mean number of previous sexual offence charges and convictions by offender type and psychopathy. Error bars represent standard error.

chi-squared analyses were conducted with psychopathy and probability of release as the main variables, and offender type as the layering variable. Within non-sex offenders the chi-squared test was significant ( $\chi^2(1, N = 97) = 4.98, p < .05$ ), indicating that psychopathy-diagnosed offenders (65.6%) were more likely to be released than offenders with low levels of psychopathy (41.5%). Psychopathic non-sex offenders were 2.79 (OR) times more likely to be released than non-psychopathic non-sex offenders. Similarly, the chi-squared test for the sex offenders was also significant ( $\chi^2(1, N = 206) = 7.98, p = .005$ ), indicating that psychopathic sex offenders (46.4%) were proportionately more likely to be released than non-psychopathic sex offenders (26%). Psychopathic sex offenders were 2.43 (OR) times more likely to be released than non-psychopathic sex offenders (see Figure 2).

### **Analysis of conditional release performance**

The performance of the various offender groups and the influence of psychopathy following release into the community across multiple releases were also examined. A total of 113 offenders had been placed on some form of conditional release; however, only 107 were included in the following analysis as only six mixed rapist/molesters were released and thus, this group was excluded. A 3 (offender group)  $\times$  2 (psychopathy)



**Figure 2.** Probability of release as a function of psychopathy and offender type.

ANOVA was conducted with the average number of days spent on conditional release across multiple releases for each offender serving as the dependent variable. Only the effect of psychopathy was significant,  $F(1, 101) = 4.19, p < .05, \eta_p^2 = .04$ , such that offenders without a diagnosis of psychopathy ( $M = 728.53, SD = 897.93$ ) spent, on average, more (approximately twice as many) successful days on release than those diagnosed with psychopathy ( $M = 387.85, SD = 403.14$ ).

## Discussion

This study investigated the relationships among psychopathy, violent offending, non-violent offending, and sexual criminal offending in a large group of Canadian offenders. The findings clearly demonstrated that psychopathy was strongly related to the perpetration of both violent and non-violent crimes. Consistent with the findings of Olver and Wong (2006), offenders diagnosed with psychopathy had a larger number of previous violent and non-violent offences, but were not different from those not receiving the psychopathy diagnosis in regards to their number of previous sexual offences. In addition, similar to previous research demonstrating a link between psychopathy criminal recidivism (e.g. Serin, 1996), the current findings suggest that high-psychopathy offenders perform more poorly than low-psychopathy inmates while on conditional release, resulting in fewer successful days spent in the community before a revocation.

The present study, in conjunction with other research (e.g. Olver & Wong, 2006), suggests that psychopathy and deviant sexual interests may differentially predict risk to recidivate when released. Specifically, Olver and Wong (2006) found that psychopathy predicted a higher rate of non-sexual offence recidivism, but not sexual recidivism. They also observed a negative association between deviant sexual interests and non-sexual offending. The present study indicated that child molesters hold a diverse criminal

history, but have an elevated level of sexual charges and convictions relative to other sexual offender types. This effect is particularly salient in examining the prolific criminal histories of psychopathic child molesters. Specifically, when individuals with psychopathy also have a specified target type (i.e. child molesters) they may be at a particularly high risk to recidivate given the combination of their callous nature, vulnerable target type, and long offence history, although our sample contained relatively few such offenders. A practical implication of this finding may be that, when assessing the risk of recidivism of such groups, specific assessment tools designed to target risk for sexual recidivism may be of more use than more generic risk assessment tools such as the PCL-R.

A second important finding was that offenders with psychopathy were 2.5 times more likely than non-psychopathic offenders to be successful in their applications for conditional release. This alarming trend existed across different offence types. Indeed, psychopathic sexual offenders, who one might expect to be received negatively by a parole board, were, in fact, far more likely to be released than were non-psychopathic sex offenders. One interpretation of this finding is that the deceptive nature of those diagnosed with psychopathy allows them to successfully fool those granting or rejecting conditional release (e.g. Porter & Woodworth, 2007; Seto & Barbaree, 1999). Indeed, this seems especially likely given the evidence that parole officers (like most other professional groups studied to date; see Vrij, 2008), who may provide essential information about the offender to the parole board, are poor at detecting deception (Porter, Woodworth, & Birt, 2000). As such, during the parole review process when board members assess criminal and social history, institutional behaviour, results of intervention and future release plans, offenders with psychopathic traits may give the wrongful impression that they can be successfully managed in the community when recidivism rates suggest otherwise. Not surprisingly, previous studies of parole decision making suggest that the perceived honesty of the offender is negatively related to the determined sentence, and information gathered in parole interviews with the offender (including demeanour) inform this decision. However, such perceptions of honesty may be a result of impression management strategies by the offenders as a study by Ruback and Hopper (1986) suggests that parole decisions regarding an inmate's future success upon parole actually become less accurate after interviewing the offender. Thus, although parole board members receive extensive training prior to making release conditions, these results might suggest that additional specialized training in dealing with offenders with psychopathy should be made available to those charged with managing and releasing them into the community. On the other hand, a critical consideration in interpreting these results is that parole decisions are influenced by a host of previous professional opinions concerning an offender's readiness for release. That is, it is likely that psychologists and other mental health staff had been impressed by the psychopathic offenders before they ever came before a parole board and the parole decisions would reflect such opinions. As such, we are not suggesting that the disproportionate number of psychopath releases are solely influenced by the offender's performance in the parole hearing.

An alternative explanation to the one offered above is that, as was seen in our data, sex offenders are less often granted release compared with non-sex offenders. Specifically, because some types of sex offenders are particularly unlikely to be diagnosed with psychopathy (e.g. child molesters; Porter *et al.*, 2000), it might be suggested that, almost by default, psychopaths appear to be released more often than other offenders. However, this seems unlikely, as both psychopathic sex offenders and

non-sex offenders were more likely than their non-psychopathic counterparts to be granted release. A further alternative might be that the offenders diagnosed with psychopathy make genuinely promising gains during treatment but are then unable to sustain their prosocial behaviours while on release. When interpreting the results presented above, it should be noted that we were not able to assess the reasons for release revocation, only the likelihood of release and duration without incident on average across all prior releases in the community. The addition of such information would have allowed analyses of different forms of recidivism (e.g. violent/non-violent, sexual/non-sexual). Also in support of an alternative explanation for the release patterns, Factor 1 scores on the PCL-R were only marginally different between subtypes of sex offenders. Given that this factor subsumes the callous and deceptive characteristics of psychopathy, it would seem more intuitive that Factor 1 scores would differ to a greater extent between groups at higher or lower probability of being granted release. Further research is required to better understand the re-offence patterns of various offender groups in order to increase the effectiveness of risk assessment in forensic populations.

Although psychopathy is a strong predictor of recidivism among non-sex offenders, its relationship with sexual recidivism is less clear. While psychopathic offenders are more likely to have a diverse victim types, psychopathic molesters engage in a particularly high rate of sexual offending, suggesting that risk assessment tools should be tailored to specific offender groups instead of 'violent' or 'sexual' offenders.

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