

SEX OFFENDERS IN PRISON

Introduction

This report examines two subpopulations of sex offenders incarcerated in Minnesota correctional facilities as of July 1, 2010. The first subpopulation consists of inmates whose governing offense is a felony-level, criminal sexual conduct (CSC). This group is referred to as Governing Sex Offenders or GSOs. The second subpopulation includes inmates whose governing offense is a crime other than CSC, but who previously have been convicted of a felony-level sex crime (in Minnesota or elsewhere) or are required to register as a predatory offender. These offenders are referred to as Other Sex Offenders or OSOs.

As of July 1, 2010, there were 9,650 inmates incarcerated in Minnesota correctional facilities. A total of 2,949 (31%) of these offenders met the sex offender definitions used in this report. The majority (55%) of the 2,949 sex offenders were classified as a GSO. OSOs accounted for the remaining 45 percent.

GSO Size, Growth

Historical information on the size of the GSO subpopulation is presented in Figure 1. Over the last 20 years, the GSO population has grown by 140

percent, at an average rate of growth of five percent each year. Very little of this growth is due to an increase in sex offenders admitted as new court commitments. Since 1991, the average annual growth rate for sex offender new commitments has been less than one percent (0.5%).

Much of the growth in the GSO population is due to longer sentence lengths as well as a sharp rise in admissions of supervised release violators. For example, from fiscal year (FY) 1991 to 2010, the average sentence length for GSOs admitted as new commitments increased from 63 months to 81 months. Offenders returning to prison as release violators also increased considerably during

this time period. In FY10, supervised release violators accounted for 51 percent of GSO admissions compared to just 11 percent in FY91. Overall, the number of supervised release violators has increased by 442 percent since FY91.

Demographic and Offense Characteristics

As shown in Table 1, the incarcerated sex offender population is overwhelmingly male. The average age is 37 years, with 66 percent of the total population falling between the ages of 26 and 49. Over half (56%) of the OSO population were committed by a county in the metropolitan area compared to just under half (47%) of the GSO population.

Figure 1: Governing Sex Offender and Overall Prison Population, 1991 – 2010

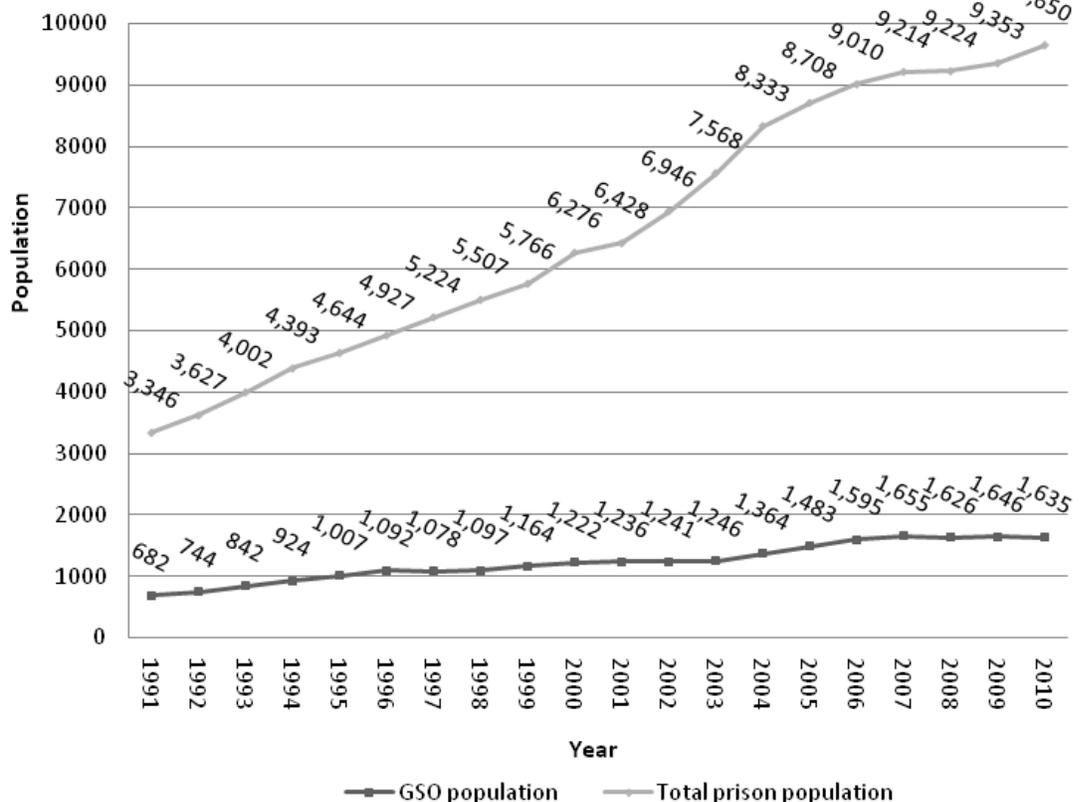


Table 1: Profile of the Sex Offender Inmate Population

	<i>Governing Sex Offenders</i>	<i>Other Sex Offenders</i>	<i>All Sex Offenders</i>
Percent	55.4	44.6	100.0
Number	1,635	1,314	2,949
Percent male	98.9	98.5	98.7
Average age	38.1	36.0	37.1
Metro-area county of commitment (percent)	46.8	55.6	50.7
Average number of felony convictions ^{1,2}	1.5	3.7	2.5
Percent with prior felony conviction ²	51.1	84.1	66.8
Average number of prior incarcerations ¹	0.4	1.1	0.7
Percent previously incarcerated ³	26.3	54.9	39.0

¹ Excludes current conviction/incarceration.

² Based on data collected by Minnesota correctional facility caseworkers and entered into the DOC database at the time an offender is admitted to prison.

³ Includes only incarcerations in an adult Minnesota correctional facility.

Nearly half (48%) of the GSOs are incarcerated for first-degree CSC. Approximately one-fourth (24%) are incarcerated for third-degree CSC, and 20 percent are incarcerated for second-degree CSC. Just less than eight percent of the GSOs are incarcerated for fourth-degree CSC. Third- and fourth-degree CSC offenders are more likely than first- and second-degree offenders to be under the age of 25. First-degree CSC offenders are most likely to have been committed by a county in the metropolitan area (55%) followed by third-degree CSC offenders (43%).

Felony Conviction Histories

The 2,949 sex offenders have a total of 7,261 prior felony convictions, an average of 2.5 per offender. One-third (33%) did not have a previous felony conviction, whereas the remaining two-thirds had at least one prior conviction. OSOs are more likely than GSOs to have one or more previous felony convictions (84% versus 53%).

Recidivist sex offenders are older than those without a prior sex offense conviction. Offenders with a prior sex offense conviction are, on average, 41.7 years old compared to 37.0 years old. All of the recidivist sex offenders are males.

Incarceration Histories

The 2,949 sex offenders have a total of 2,089 previous incarcerations in Minnesota, an average of 0.7 per offender. Approximately three-fifths (61%) are experiencing their first commitment to prison in Minnesota.

OSOs are more likely to have been previously incarcerated when compared to GSOs (55% versus 26%). Similarly, the OSO subpopulation has a greater number of previous incarcerations than the GSO subpopulation. Specifically, each OSO has been incarcerated, on average, once before, while the average for GSOs is 0.4.

Additional analysis, not shown in Table 1, shows that many of the sex offenders have been returned to a Minnesota prison as a release violator as well. The 2,949 sex offenders have been admitted as release violators a total of 2,555 times, which averages to just under once (0.9) per offender. On average, the OSOs were admitted as a release violator once before while the average for GSOs was 0.75.

Victim Characteristics

Typically, GSOs victimized people they knew. For example, 33 percent victimized family members while another 54 percent victimized acquaintances or others with whom they

had an existing relationship. Strangers were the victims for 11 percent of GSOs. GSOs convicted of either third- or fourth-degree CSC were more likely to have victimized an acquaintance than a family member; the percentage of both whose victim was an acquaintance was 77 percent compared to 44 percent of those convicted of first-degree CSC and 43 percent of those convicted of second-degree CSC. The vast majority of victims, regardless of the perpetrator's conviction offense, were females (87%).

Most of the victims were children or adolescents. Forty-three percent of victims were children under 13, and 37 percent were adolescents between the ages of 13 and 17. Nineteen percent of victims were adults; one percent were of unknown age. Overall, 65 percent were females under the age of 16.

Sentencing Characteristics

The average sentence length for the 2,949 sex offender inmates is 98 months, just over eight years. Just over one-fourth (27%) have a sentence greater than 10 years while just less than one-fourth (24%) have a sentence less than three years. Notably, these calculations exclude 115 inmates who are serving a life-sentence, as these sentences are indeterminate, and 30 others who have been sentenced to life without the possibility of parole.

Additional analysis of the sentencing data available shows that GSOs are serving significantly longer sentences than OSOs. The average sentence for the GSO subpopulation is 115 months while the average sentence for the OSO subpopulation is 76 months.

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