

THE NEED OF TREATMENT PROGRAMS AND COMMUNITY SUPPORT FOR THE REHABILITATION AND SOCIAL CONTROL OF SEX OFFENDERS

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1. Introduction: sex crimes and prevention

Abuse and sexual assault are criminal behaviors commonly performed by men, with the most frequent victims being girls, boys, or adult women (Echiburúa & Redondo, 2010). From retrospective interview studies and victimization surveys, it has been estimated that over 20% of women experience at least one (usually mild) episode of sexual abuse or assault at some point in their life. From an official legal perspective, which usually covers only the most serious cases, nearly 9,000 sexual offenses are reported each year in, including more than 2,000 cases of sexual abuse and nearly 3,000 sexual assaults. This leads to an estimated number of about 4,000 men imprisoned for sexual crimes.

Given the prevalence and seriousness of sexual offenses, as much as their complex and multifactorial etiology, the prevention and control of these crimes clearly require interventions at different levels and in distinct contexts (Echiburúa & Redondo, 2010): in general terms, it is referred to sexual and emotional education with young people (called primary prevention); interventions targeting youths of special risk, as long as they have already shown some problematic sexual behaviors (secondary prevention); applications with convicted sex offenders (tertiary prevention, or treatment); and, finally, at a community level, the necessary monitoring and social support of released ex-convicts, in order to promote their social reintegration and the reduction of the recidivism risk.

2. Public alarm and its harmful effects

Of all the aforementioned levels of prevention, the post-release standard is probably the most unpopular and difficult for practice, mainly due to the frequent alarm, opposition and rejection by public opinion. Periodically, it comes to great public concern in diverse European countries, in relation to the release of individuals who committed serious sexual offenses in the past. It is common for the public to attribute a high risk of sexual reconviction to these cases. In Spain, one of the most alarming situations in this regard took place at the end of 2013, on the

occasion of revision and setting aside of the called the Parot Doctrine, by the European Court of Human Rights (ECtHR). Under Parot jurisprudence, the effective time of prison conviction for certain serious and multiple crimes was substantially increased. This ECtHR decision involved the almost immediate release of several people that had been convicted of terrorist offenses, or murder or rape years ago, leading to huge media and public alarm.

In fact, the release of individuals who committed very serious, spectacular and media crimes in the past, including some sexual abusers and rapists, but who served their sentences, often causes great public fear and alarm.

This alarm and the fear citizens feel tend to be directly related to a repetitive and morbid attention to such past cases by various media (TV, radio, magazines, newspapers), constantly needy and greedy, because of the market laws, of larger audiences and readers/buyers. Thus, broad social impact media, such as televisions and others, devote substantial programming to information, reports, discussions, etc., related to morbid criminal cases, and to crime in general, often from an alarmist, populist and unscientific perspective.

Furthermore, real persecution and harassment of individuals who have recently been released from prison is not uncommon for most tabloid television networks, using their cameras and microphones, even harassing their families, such as their parents, children, siblings, etc. This can be compared to what is done to famous people like singers, film actors, or football players.

All this may involve various harmful effects to the social community, among which the following can be highlighted:

- In relation to society and population as a whole, the promotion of artificial and exaggerated alarm and fear about a hypothetical high risk of suffering crimes in citizens. Contrary to this superficial and alarmist perspective, many European countries including Spain actually show, in comparison to most other countries, lower crime rates in both property offences and violent and sexual crimes. On the other hand, people who have served long prison sentences for serious crimes, such as rape and murder, often committed when they were very young, generally present a low risk of committing new felonies. This is commonly due to the favorable evolution of diverse life circumstances, meaning the following: positive behavioral changes in

terms of a more prosocial perspective resulting from the accumulated experiences and older age; internal adjustments for having received psychological treatment/ therapy; the increase of their family and social ties as well as compromises; greater fear and respect for the consequences of their crimes (damage to the victims, penal punishment), etc.

- This positive acquirement of knowledge, confirmed by multiple scientific studies, is largely ignored in the media information about crime, which tends to erroneously assume and claim the opposite, that is, an individual's general high risk recidivism.
- In regards to the victims of crime and their families, via a repeated, spectacular and morbid media information on those serious crimes who they suffered years ago, victims are forced to inexorably relive the traumatic experiences and suffering they then experiences, and that generally they would want and need to forget. That is, the repeated and unhealthy information and the harassment often experienced by victims about their past victimization suffering, can grow to true processes of a new or secondary victimization.
- In relation to the released convicts, one of the clearly pernicious effects being harassed by the media, is to make their necessary return to the community and their social reintegration more difficult, if not impossible. Such media harassment, and the public fear and rejection hat it generates, hinders that some released convicts, after serving their sentences, can go back to a certain normalcy: going back to their home environments, having a stable and known residence, finding and developing a normal job, establishing and maintaining certain family and interpersonal relationships, traveling using public transport, walking down the street anonymously, etc. All of this is preventing these individuals from properly being integrated into society, and denying them the right of rebuilding their lives again, as free citizens, away from committing new crimes.
- Finally, in the light of the morbid media shows about crime that are often prevalent, public authorities and justice are often overwhelmed and helpless when it comes to appropriately responding to inflated public alarm situations, while needing to respect and comply with the laws and court rulings on cases (including both the implementation of penalties, and the subsequent peaceful and fair release of those subjects who have legally extinguished their sentences).

3. Application of penalties and treatment

European countries' criminal justice systems are generally, and this is also the case in Spain, well equipped and organized concerning the execution of prison and other sentences. This includes the application of prison treatments. In this respect, the European country that probably has developed the most is the UK, where there are different treatment programs for sexual offenders (higher and lower intensity, in prison and the community, initial treatment and relapse prevention, etc.) (Hollin & Palmer, 2006). Some interventions with sex offenders are also applied in the Nordic and Central European countries (Norway, Sweden, Finland, Denmark, Germany, Netherlands, Belgium, Switzerland, France and Austria; Redondo & Frerich, 2013). In Spain, the specific analysis of sex offenders and the application of treatments began in 1996 in prisons in Barcelona (Garrido & Beneyto, 1997), and subsequently in multiple other Spanish prisons.

The most applied and effective programs with sex offenders (and in general with offenders) are cognitive-behavioral interventions (Brandes & Cheung, 2009; Lipsey & Landerberger, 2006; Prentky & Schwartz, 2006; Tong & Farrington, 2006). The treatment model applied by the Canadian researcher William Marshall and his team has been the basis for most of the later programs in this field (Brown, 2005; Marshall, 2001). This intervention typically operates in a group format, in which one or two therapists work with a group of 8 to 10 subjects. The main components of this intervention are (Hunter & Figueredo, 1999; Redondo, 2008): sex education, confrontation and restructuring of cognitive distortions and crime justifications, improving the empathy capacity, clarification and development of values and attitudes about what sexual behaviors may or may not be correct and lawful, impulse control and anger management, social skills training, and relapse prevention.

In general, the average official recidivism of convicted sex offenders is low (Lösel & Schmucker, 2005), about 20%, substantially less than that shown by other criminal categories (violent crimes against property, drug trafficking, etc.), which may range between 20% and 60% (Caldwell, 2010; Vess & Skelton, 2010). Even sex offenders themselves may offend more in non-sex offenses than in sexual crimes (Caldwell, 2010; Redondo & Garrido, 2008; Waite et al., 2005). In addition, sexual recidivism rates can be substantially reduced via the application of intense and well-funded treatments.

In this regard, Schmucker & Lösel (2008) conducted a systematic review on the effectiveness of the treatments applied with sex offenders. For that, 80 prior evaluation studies, where more than twenty-three thousand offenders had been assessed, were collected and integrated. They found that treatment applications produced a substantial reduction in recidivism rates, in contrast with the higher recidivism of not treated groups. For example, a specific assessment of sexual recidivism in Spain, from a sample of 49 adult offenders treated in prisons in Catalonia, after a follow up period of four years, shows that 4.1% of treated sex offenders relapsed in crime, compared to a recidivism rate of 18.2% observed in the control/untreated groups (Redondo & Garrido, 2008).

4. Criminological community services and social reintegration of ex-convicts

Despite the positive referred achievements obtained in the European countries using treatment applications in prison and other correctional facilities, there is a general lack of community specialized services, which are specifically aimed at facilitating and promoting the social integration of ex-convicts.

This is the case even though there is a solid amount of knowledge available in Criminology that suggest the following (Bernard et al., 2010; Redondo & Frerich, 2014):

- Diverse criminological research and theories show that the best way for preventing crime and recidivism is to promote the emotional and practical attachments of individuals with different social contexts and routines, which are the typical and necessary for all humans (Tibbets, 2012): family, school and other educational and training facilities, job, and various informal groups (recreational, cultural, sports, etc.). All these contexts, in conjunction, offer citizens support and opportunities for personal development, satisfaction and affective ties, material assistance and housing, security and trust; at the same time these contexts and relationships are the most powerful sources of social control of an individual's behavior. All the above is applicable to both the law-abiding citizens, as well to those who have committed crimes in the past.
- The processes of harassment and labeling people, including those who committed crimes in the past, have as primary results the individuals' stigmatization and their social exclusion, which are often associated, not with an integrated and law-abiding life, but with the opposite: a

higher risk of illegitimate and antisocial behavior (Maruna et al., 2004).

- Contrary to the above, the best way of reducing the recidivism risk of ex-convicts who committed crimes in the past is not to encourage their social exclusion after release, but to promote their relationships with various alluded family, as well as social contexts and routines.

Given the current difficulties and shortcomings that exist in many European countries when it comes to this issue, the creation and provision of Criminological Services of Supervision and Reintegration of ex-convicts in the Community are proposed here. Their main task would be to specifically meet and work with individuals who previously committed serious crimes and have recently been released after serving their sentences. The principal objective of these criminological services would be to encourage the family and community insertion of the released convicts, in order to facilitate their social reintegration and reduce their risk of committing more crimes.

Some examples of the intervention activities that these criminological services could develop are the following: strengthening links the ex-convicts have with prosocial friends, connecting individuals with support and attention services in relation to basic needs (daily feeding, housing and residence, hygiene and health...), helping with the search and maintenance of a job, life skills and routine training (shopping, cooking, DIY, money management, use of public transport, etc.), organization of prosocial leisure, assistance to the needs of the family (particularly wife and children), etc.

Here, it is considered that the provision of these services and community developmental activities, as suggested, could contribute substantially to the social integration of ex-offenders, reducing their risk of future offences, and, also, decreasing the current amplified and irrational citizens' fear and alarm in this regard.

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