

## **Child Pornography Offender Characteristics and Risk to Reoffend**

**Michael C. Seto, Ph.D., C.Psych.  
Royal Ottawa Health Care Group**

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### **Introduction**

There is increasing concern about the number of online sexual offending cases seen in the criminal justice system, with an exponential increase over the past decade in the United States (Motivans & Kyckelhan, 2007; Wolak et al., 2011). The number of arrests nationally tripled from 2001 to 2009. Though the absolute number of cases is still only a fraction of the total number of conventional sexual abuse and exploitation cases that are seen, the number of online cases is expected to continue to rise, with implications for law enforcement, the courts, prisons, and probation/parole. The large majority of such cases involve child pornography offending, though an increasing number involve so-called luring or solicitation offenses, where the internet or related communication technologies are used to sexually solicit minors.

Research conducted in the past five years provides information about the characteristics of online child pornography offenders and the risk they pose to commit contact sexual offenses or to commit online offenses again. This research has been summarized in two recent systematic reviews, both published in the past year: Babchishin, Hanson and Hermann (2011) and Seto, Hanson and Babchishin (2011). There are also a growing number of studies on the factors that can predict recidivism among online offenders (Eke et al., 2011; Seto & Eke, 2005; Faust et al., 2009; Wakeling et al., 2011).

I review each of these areas briefly in the following sections. I draw upon research that my colleagues and I have conducted over the past seven years, as well as research from teams in Canada, the United States, and the United Kingdom.

### **Offender Characteristics**

Comparison studies have confirmed that online sexual offenders differ from conventional sexual offenders in meaningful ways, including differences in average age, education, prior criminal history, and the psychological risk factors of sexual deviance, sexual preoccupation, and sexual self-regulation (Babchishin et al., 2011; Seto, Wood et al., in press). Online offenders are younger, on average, better educated, and have less prior criminal history than contact offenders. Online offenders scored higher on sex-related psychological risk factors, but score lower on criminal risk factors such as criminal history and antisocial personality traits, suggesting that online offenders may pose a lower risk to reoffend overall than contact offenders.

Other research has explored the motivations of child pornography offenders. The intuitive idea that child pornography offenders are sexually attracted to children is partially supported (e.g., Seto, Reeves, & Jung, 2010). A significant proportion of child pornography offenders interviewed by police investigators or by clinicians admit to being sexually interested in children and/or child pornography when asked to explain their crimes. Moreover, almost two-thirds of child pornography offenders showed equal or greater sexual arousal to children than to adults when assessed in the laboratory (Seto, Cantor & Blanchard, 2006). These research findings are consistent with self-report surveys that show a strong association between pedophilia or hebephilia and child pornography use (e.g., Neutze et al., 2011; Riegel, 2004). The association is sufficiently strong that persistent child pornography use is now being considered as part of the diagnosis of pedophilia (see Seto, 2010).<sup>1</sup>

The association between pedophilia and child pornography offending is not one-to-one, however. Some child pornography offenders are not pedophilic or hebephilic. Instead, they may be showing evidence of compulsive sexual behavior, whereby their viewing of child pornography is just one part of a pattern of risky behavior, including sexual chat, use of other online pornography, webcam exposure to teens or adults, etc. Other explanations that have been proffered include pornography “addiction” and curiosity (Seto et al., 2010).

### Contact Offending History

Seto et al. (2011) identified 21 studies, representing a total of 4,464 online offenders, that reported on contact sexual offending history. Approximately 1 in 8 (12%) of the online offenders (most in trouble for child pornography offenses) had an official record for sexual offending, but approximately 1 in 2 (55%) admitted having committed a contact sexual offense in the subset of six studies that had self-report data (totaling 523 online offenders). The self-report result is more tentative because of the smaller number of studies and smaller sample size, but it does contradict the idea that most online offenders have already committed contact sexual offenses, even if some of those who denied any prior sexual contacts were lying.

A study by Bourke and Hernandez (2009) examining the sexual offense histories of a sample of federally incarcerated child pornography offenders at the Butner Correctional Institution is frequently cited. This study was a statistical outlier in our meta-analysis. Bourke and Hernandez found that approximately a quarter (24%) of their sample of 155 child pornography offenders had an official record of contact sexual offending, but most (85%) of their sample had a history of contact offending after participating in treatment and, in about half of the cases, undergoing polygraph examinations. Different explanations have been proposed for this unusual finding, including the composition of

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<sup>1</sup> Pedophilia is defined here as a persistent and recurrent sexual interest in *prepubescent* children, consistent with the standard clinical diagnosis (American Psychiatric Association, 2000). Hebephilia is defined here as a persistent and recurrent sexual interest in *pubescent* children, that is, children who are showing some signs of sexual development (unlike prepubescent children) but who are not yet sexually mature as older adolescents and adults are.

the sample and allegations that there was an incentive for treatment participants to disclose previously undetected offenses. Nonetheless, the key point – that some child pornography offenders have committed officially undetected contact offenses – is not controversial.

### **Risk to Reoffend**

In the same systematic review, Seto et al. (2011) reported on the results of nine samples of online (mostly child pornography) offenders, followed for an average of three and a half years. The recidivism rates were relatively low compared to the average recidivism rates found for contact sexual offenders (e.g., Hanson & Morton-Bourgon, 2005): Approximately 5% of the child pornography offenders were caught for a new sexual offense of any kind, with 3.4% being rearrested, recharged or reconvicted for a new CP offense and 2.1% for a new contact sexual offense. Not all new offenses are detected and the observed recidivism will increase with time. Nevertheless, these data belie the idea that online child pornography offenders are very high risk to reoffend. There is heterogeneity, as in other offender populations, and risk assessment is necessary to identify those who are of greatest concern.

### **Risk Factors**

Across online offender follow-up studies, online offender risk to reoffend is predicted by many of the same factors that predict recidivism among conventional sexual offenders, or even among offenders in general. These factors include age, criminal history, substance use problems, and single/unmarried status. However, there is also research support for some unique risk factors, including self-admitted sexual interest in young adolescents and the ratio of child pornography content depicting boys relative to content depicting girls (Eke et al., 2011; Seto & Eke, 2005; Faust et al., 2009; Wakeling et al., 2011). I and my colleagues are currently working on the development of a child pornography offender risk checklist that would combine risk factors in a single tool suitable for prioritization.

### **Summary**

The research evidence is beginning to provide a clearer picture of online offending in terms of offender characteristics and risk to reoffend. The typical online offender is male, Caucasian, and in his 20s or 30s (Babchishin et al., 2011; Wolak, 2011). Unlike the typical contact offender, he is unlikely to have any prior criminal record, and is less likely to show evidence of antisocial or unstable behavior in the past, in terms of substance misuse, sporadic employment even though able, or undetected criminal activity. Though online offenders are more likely to exhibit signs of pedophilia than contact offenders with child victims, on average, online offenders appear to pose a lower risk of contact sexual offending because they score lower on antisocial tendencies. In other words, online offenders are likely to have a strong motivation to sexually offend against children, because of their sexual interest in children, but have more inhibitions against acting on these kinds of motivations.

Follow-up research suggests there are meaningful distinctions to make among child pornography offenders. In particular, first-time child pornography possession only offenders appear to be very low risk of sexual recidivism, in contrast to those with any prior or concurrent criminal convictions or those who engage in other sexual offending (e.g., attempted or actual contacts with a child, production of child pornography). Research is advancing at a pace that it is likely that a modified or new risk measure will be become available specifically for online offenders in the next few years.

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