

Static-99 Self Quiz Part II: Item-Specific Coding Scenarios

This part of the quiz is intended to introduce complex scoring issues. The coder completing the quiz should refer the *Static-99 Coding Rules Revised – 2003* (Harris, Phenix, Hanson and Thornton, 2003) and *Scoring the Static-99 with New York State Statutes 2008* (Amsler and Krueger, 2008). In completing the quiz, please consider why or why not an answer is correct. Try not to read into any of the answers or make assumptions, all of the information available to you for each coding scenario is contained within the box.

| Does the offense in this scenario count as an Index Offense? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes | No | Scenario |
| A | <input type="checkbox"/> | <input type="checkbox"/> | Two months into parole for a drug conviction, an offender was accused of placing his hand into the pants of his twelve-year old niece. At his parole revocation hearing when confronted with the current allegations, the offender stipulated to the violation. Had he not, he would have been charged with forcible touching (NY PL § 130.52, A misdemeanor) and assault in the third degree (NY PL § 120.00, A misdemeanor). He is subsequently violated and returned to prison on the drug conviction. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender was adjudicated as a Youthful Offender at age 18 after being convicted of NY PL § 130.45(1) criminal sexual act 2 nd degree (D felony) and is being sentenced to probation. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | An offender was arrested for failure to register as a sex offender. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender's parole was revoked for violating the condition that he have no unsupervised contact with minors after a surprise visit from his parole officer revealed that he was caring for his girlfriend's pre-teen children after they returned home from school and their mother was at work. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | An offender is being screened for civil management by a forensic psychologist. She discovers a sealed case that shows up on a prior rap sheet as an Adjournment in Contemplation of Dismissal (ACOD) that occurred while the offender was under probation supervision. Investigation reveals that the ACOD was in relation to sexually-based charges that although were subsequently dismissed and sealed, resulted in a violation of probation being filed on the offender. The violation was substantiated, the offender's probation supervision was revoked, and he was resentenced to incarceration. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | An offender was caught while peeping through a window and startling a couple amid a sexual encounter. The boyfriend was able to catch and restrain the offender until police arrived. During the offender's arrest, women's underwear were found in his pockets, and one pair was identified as belonging to the female upon which the offender was spying. He is charged with NY PL § 140.05 trespassing (a violation) and NY PL § 165.40 possession of stolen property in the fifth degree (A misdemeanor). |
| G | <input type="checkbox"/> | <input type="checkbox"/> | An offender is being sentenced for multiple counts of NY PL § 230.06 Patronizing a prostitute in the first degree involving an 11 year old prostitute. |

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| Does the offense in this scenario count as an Index Offense? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes | No | Scenario |
| H | <input type="checkbox"/> | <input type="checkbox"/> | An offender was arrested for possession of images of a prepubescent male and female engaging in sexual behavior. The offender does not know the children, nor was he involved in the creation of the images. He has no prior sex offenses. |
| I | <input type="checkbox"/> | <input type="checkbox"/> | An ex-husband was arrested for making harassing phone calls to his ex-wife in which he called her nasty names but made no threats. |
| J | <input type="checkbox"/> | <input type="checkbox"/> | A father arrested and charged with endangering the welfare of a child for hiring a stripper at his teen son's party. |
| K | <input type="checkbox"/> | <input type="checkbox"/> | Two inmates receive an administrative sanction for having consensual sexual relations in a closet to avoid being seen. |
| L | <input type="checkbox"/> | <input type="checkbox"/> | Two inmates receive an administrative sanction for having consensual sexual relations in the prison recreation room in full view of other inmates |

| Is this a Category A or Category B offense? | | | |
|--|--------------------------|--------------------------|--|
| No. | A | B | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | Public urination. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | Soliciting a prostitute who is obviously under the age of consent. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | Creating child pornography with a live victim. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | Creating child pornography by manipulating existing images. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | Mentally ill offender bathes in a fountain. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | Attempted hands-on sexual offenses. |
| G | <input type="checkbox"/> | <input type="checkbox"/> | Voyeurism and exhibitionism. |
| H | <input type="checkbox"/> | <input type="checkbox"/> | An offender has altered electronic images of a nude adult by pasting the head of a male child known to him on the photo. |
| I | <input type="checkbox"/> | <input type="checkbox"/> | Sexual activity with animals. |
| J | <input type="checkbox"/> | <input type="checkbox"/> | Sexual activity with human corpses. |

| Which examples can be considered Index Clusters or Pseudorecivism? | | | |
|---|--------------------------|--------------------------|---|
| No. | Yes | No | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | A family practice physician in a large city has been convicted of one count of NY PL §130.75(1)(a) course of sexual conduct against a child in the 1 st degree (B felony) for molesting his pre-pubescent daughter. When word spread through the media that a physician had been indicted for molesting his daughter, victims came forward. The investigation revealed credible cases in which seven other children had been abused, he was convicted on all seven counts of NY PL § 130.65 sexual abuse 1 st degree, as well as to the charges involving his daughter. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender was arrested and charged for a series of rapes occurring over the last five years. |

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| Which examples can be considered Index Clusters or Pseudorecidivism? | | | |
|--|--------------------------|--------------------------|--|
| No. | Yes | No | Issue |
| C | <input type="checkbox"/> | <input type="checkbox"/> | An offender is arrested for rape, while out on bail, he commits and is charged for a second rape. He is convicted of both offenses on the same date. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | A convicted sexual offender is arrested on new sexual charges, but the charges are withdrawn by the prosecutor. |

| Identify the Index Offense | |
|----------------------------|---|
| | Example |
| A | <p>An offender was arrested shortly after he broke into the apartment of a random female and sexually assaulted her in July of 1994 (the same month as the crime was committed). He was convicted of NY PL § 130.35 Rape 1st, and sentenced to prison. While under parole release in 2000, a new law was passed requiring a DNA sample from certain convicted offenders. Upon submission of his DNA, a hit was received on a rape that occurred in March of 1994 that was similar in nature to the July 1994 rape. The offender was subsequently convicted of NY PL § 130.30 Rape 2nd in that case, and sentenced to prison.</p> <p>While on parole release in 2005, Anthony was again charged with rape, the victim later recanted and the charges were dropped. Meanwhile, Anthony's parole was revoked in early 2006 for technical violations relating to being in the presence of minors, consumption of alcohol, failed drug tests and failure to report to his parole officer as directed. He stipulated to the violations at the hearing and was revoked.</p> <p> <input type="checkbox"/> The March 1994 rape <input type="checkbox"/> The July 1994 rape <input type="checkbox"/> The 2005 rape charge <input type="checkbox"/> The 2006 parole revocation <input type="checkbox"/> Index Cluster </p> |
| B | <i>Need more examples: parole revocation, institutional discipline,</i> |
| C | <p>An offender was previously convicted of endangering the welfare of a child (EWOC). He was recently arrested for Public Lewdness and Exposure of a Person, both of which were dismissed.</p> <p> <input type="checkbox"/> The EWOC conviction <input type="checkbox"/> The public lewdness and exposure of a person arrest </p> |
| D | <p>An offender is convicted of failure to register in 2008. His registration offense was a rape for which he was convicted in 2005.</p> <p> <input type="checkbox"/> The failure to register conviction <input type="checkbox"/> The conviction for rape in 2005 </p> |

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| Question #1: Age: Can this offender be Scored? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes | No | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | An offender, currently age 17, was convicted in adult court of sexual abuse in the third degree (NY PL § 130.55, B misdemeanor) and will be age 18 by the time he is sentenced in six weeks. This assessment is being done as part of a pre-sentence investigation. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender was under the age of 15 when he committed his most current sexual offense. He was eventually committed to the custody of the Office of Children and Family Services for three years. This assessment is being done as part of his aftercare plan, and he will be released in 8 weeks at age eighteen. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | A probation department has just implemented the Static-99. Officer Smith has been scoring only new cases as they come into probation. But there is a case he's been supervising for four years of a ten year sentence, and even though the offender has completed treatment, he's curious to see how the offender would score. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender was recently convicted of aggravated sexual assault and has been admitted to a secure youth detention facility at age 16, where he will be held until he reaches age eighteen. As part of the intake evaluation and treatment plan, case managers would like to use the Static-99 to gauge the risk he poses when released in two years. |

| Question #2 Ever Lived With: How would you code the following scenarios? | | | |
|---|--------------------------|--------------------------|---|
| No. | Yes (0) | No (1) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | The offender is a 42 year old male who was paroled two months ago after serving three years of a 1 ¼ to 4 year sentence. Just prior to his incarceration, he married his recent girlfriend of six months, with whom he was living while on parole. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | The offender being assessed returned to his home town three years ago after finishing a college degree in another state, and moved into a rented house with several good friends from high school. He has lived there since. One of the women in the house was a former girlfriend from high school, but they never consummated the relationship. They still share a physical attraction so they have sex occasionally, usually after a night of clubbing, but they also date and are intimate with other people. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | A man and wife, age 26 and 24 respectively have lived together with the wife's parents for the last year, after their new home of 18 months went into foreclosure. |

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| Question #2 Ever Lived With: How would you code the following scenarios? | | | |
|---|--------------------------|--------------------------|---|
| No. | Yes (0) | No (1) | Issue |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender and his girlfriend have lived together for the past 25 months but broke up six months ago. They still share a large apartment at reasonable rent in a desirable neighborhood, and they have been able to get over their intermittent differences and co-exist to keep their apartment. Rent and utilities are split between the two, and each has their own bedroom. There were several periods of them not speaking to each other that lasted two months or more. During those periods, they were able to get along by an agreement to ignore each other and time share the living room without the other one present. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | A couple has been living together for five years, since the woman was fifteen years old. The male is ten years older than the female, and the legal age of consent is sixteen. |

| Question #3: Index Non-Sexual Violence: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|--|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | In the course of being arrested for a sexual assault, an offender is also charged with disorderly conduct after cursing at arresting officers and running into traffic in an attempt to evade arrest. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender is charged with one count of sexual assault with a weapon. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | April: commits a physical assault May: arrested for an unrelated sexual assault August: arrested for the April physical assault September: pleads to the May sexual assault October: pleads to the physical assault. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender is charged with assault for hitting a bouncer who intervened in a sexual assault occurring in a club's rest room. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | Arrested at the scene, a weapon is found in the glove box of the car in which a rape was occurring in the back seat. The offender was charged with possession of a weapon. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of extortion for threatening to place sexual videos of the victim on the Internet. |

| Question #4: Prior Non-Sexual Violence: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|---|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | An offender is charged with NY PL § 265.01 Criminal use of a weapon in the second degree but pleads to NY PL § 265.03 Criminal possession of a weapon in the second degree. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of NY PL § 150.05 Arson in the fourth degree. |

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| Question #4: Prior Non-Sexual Violence: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|---|
| No. | Yes (1) | No (0) | Issue |
| C | <input type="checkbox"/> | <input type="checkbox"/> | Charged with NY PL § 120.08 assaulting a police officer but plead to resisting arrest NY PL § 205.30. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | Arrested for assault, pleads to a non-assaultive offense. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | An offender has a prior conviction for cruelty to animals. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | Assault conviction turned over on appeal |

| Question #5 Prior Sex Offenses: Do the following scenarios qualify as prior sex offenses? | | | |
|--|--------------------------|--------------------------|---|
| No. | Yes | No | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | A PINS petition was filed at age 14 that resulted in no placement or supervision; it is unknown what the PINS petition was in relation to. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | A review of a prior conviction for NY PL § 260.10 Endangering the Welfare of a Child with Child Protective Services reveals that a report was filed indicating that a small group of mixed-gender pre-teens were served alcohol and shown pornography by the offender at his home. None of the children stated that sexual activity occurred. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | Two men engaged in consensual homosexual activity in a locked closet within a prison are discovered by a guard. They were both disciplined for the incident. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | In a prior offense an offender is charged and convicted of assault after beating a woman outside of a bar after they went to his car to smoke marijuana and he tried to forcibly remove her clothing. Patrons came to her aid and she was not sexually assaulted. |

| Question #6 Prior Sentencing Dates: Would the following scenarios count as prior sentencing dates? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes | No | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | Interim supervision (NY) |
| B | <input type="checkbox"/> | <input type="checkbox"/> | Youthful Offender (NY) |
| C | <input type="checkbox"/> | <input type="checkbox"/> | Failure to register |
| D | <input type="checkbox"/> | <input type="checkbox"/> | Post-adjudication placement in a juvenile detention facility |
| E | <input type="checkbox"/> | <input type="checkbox"/> | Conviction overturned on appeal |
| F | <input type="checkbox"/> | <input type="checkbox"/> | Nolo contendere |
| G | <input type="checkbox"/> | <input type="checkbox"/> | Not guilty by mental disease or defect |
| H | <input type="checkbox"/> | <input type="checkbox"/> | Incompetent to stand trial |

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| Question #7 Any Convictions for Non-Contact Sex Offenses: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|---|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | An offender is charged with a contact offense and pleads guilty to a non-contact offense after being caught having oral sex with a minor. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | In the current (index) offense, the offender is both charged and convicted of NY PL § 245.00 public lewdness |
| C | <input type="checkbox"/> | <input type="checkbox"/> | The offender has previously been charged but not convicted of a non-contact sex offense. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of making lewd harassing phone calls to strangers. |

| Question # 8 Unrelated Victim: How would you code the following scenarios? | | | |
|---|--------------------------|--------------------------|---|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | Step-siblings (with no common biological parent) of several years engage in incest. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An ex-husband molests his former wife's niece. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | A father is arrested for sexual abuse within a year of marriage. The couple married and then moved in together. The husband immediately legally adopted the children. The molestation started shortly after they moved in together, one year ago. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of molesting the son of his girlfriend, with whom he has lived for five years. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | A man is convicted of raping an elderly woman in his neighborhood who turns out to be his former foster mother who cared for him from birth until age 5, when he was placed back with his biological mother. |

| Question #9 Stranger Victim: How would you code the following scenarios? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | An offender was convicted of NY PL § 130.25(2) rape in the 3 rd degree. The victim was a 15 year old girl whom he met at a party consisting of mostly high school students where copious amounts of alcohol were consumed. Although they met at the party for the first time, she had seen the offender around and previously told her friends that she wanted to hook up with him. The offender admitted to police that he recognized the victim, but had never spoken to her before the party that night. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An adult male sought out minors to chat with online. After a couple days of chatting, he invited his new friend to meet that evening. The youth snuck out of her house after her parents went to sleep, and was subsequently sexually assaulted. |

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| Question #9 Stranger Victim: How would you code the following scenarios? | | | |
|---|--------------------------|--------------------------|--|
| No. | Yes (1) | No (0) | Issue |
| C | <input type="checkbox"/> | <input type="checkbox"/> | A stalker rapes his victim who was aware she was being stalked but not by whom. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | A woman is raped by a service provider who came into her home on Tuesday, and returns over the next weekend when he knows her husband will be away. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | At a 30 year high school reunion, a woman is victimized by someone she went to grade school with but did not recognize. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | A 21 year old male is convicted of having an ongoing sexual relationship with a 15 year old girl. They had sexual relations the first night they met, and were still dating at the time of the arrest. |
| G | <input type="checkbox"/> | <input type="checkbox"/> | An offender is acquitted after a contentious trial of raping a woman he just met after an all night drinking spree. |

| Question #10 Male Victim: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|--|
| No. | Yes (1) | No (0) | Issue |
| A | <input type="checkbox"/> | <input type="checkbox"/> | An offender was charged with two counts of NY PL § 245.00 public lewdness at age 16. The prior offense involved masturbating in public while hiding in the woods at a park. He was caught by a male park superintendent. There had been no previous reports of a person masturbating in the park. He pleaded guilty. |
| B | <input type="checkbox"/> | <input type="checkbox"/> | An offender is arrested after a small group of mixed-gender teens (three girls, one boy) were served alcohol and shown pornography by the 21 year old offender at his home. |
| C | <input type="checkbox"/> | <input type="checkbox"/> | An offender is caught exposing himself to a group of mixed gender children. He admits that there is a group of boys who regularly play soccer at the park that he'd been watching for some time. On the day he was caught masturbating in the woods, some girls had come along to play cheerleader for their games. |
| D | <input type="checkbox"/> | <input type="checkbox"/> | An offender came home from work after drinking for hours at a local strip club. His girlfriend refused his advances so he forced her to have sex with him by pulling a gun and telling her he would kill her son if she did not comply. The noise woke the 7 year old boy, who after seeing the assault locked himself in the bathroom and called 911. |
| E | <input type="checkbox"/> | <input type="checkbox"/> | An offender is charged with having sex with a male corpse. |
| F | <input type="checkbox"/> | <input type="checkbox"/> | An offender has altered electronic images of a nude adult by pasting the head of a male child known to him on the photo. |
| G | <input type="checkbox"/> | <input type="checkbox"/> | An offender assaults a transgendered male who has the appearance of a female. |
| H | <input type="checkbox"/> | <input type="checkbox"/> | During the course of treatment, an offender admits to having male victims during a polygraph examination. Heretofore, all of his established victims had been female, and there is no way to corroborate the offense because no assaults were ever reported. |

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| Question #10 Male Victim: How would you code the following scenarios? | | | |
|--|--------------------------|--------------------------|--|
| No. | Yes (1) | No (0) | Issue |
| I | <input type="checkbox"/> | <input type="checkbox"/> | Adam likes to meet women online and masturbate in front of them using a web cam. One particular day, the viewer on the other end just so happened to be a male police officer. |
| J | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of sexual intercourse with a male dog. |
| K | <input type="checkbox"/> | <input type="checkbox"/> | An offender is convicted of manufacturing pornography depicting both male and female children he victimized through his wife's daycare business. |