

THE SEX OFFENDER REGISTRY AND RESIDENCY RESTRICTIONS

Are they doing more harm than good?

Ronda Disch and Brenda Frye



Goals of Offender Registry for Sex Offenders

- Originally enacted in response to fears about predatory pedophiles, however individuals convicted of any sexual offense are required to register.
- Law enforcement agencies can track, supervise, and monitor sex offenders.
- Citizens can inform themselves about those who may pose a threat to community safety.

Relevant Data

- Most child abusers are well known to the victims. According to the US Department of Justice, in 93% of sexual molestation cases, the child is abused by a relative or acquaintance (Levenson, 2016)
- 5.3% of sex offenders released from prison were rearrested for a new sex offense within 3 years (BJS, 2003).
- The greatest amount of recidivism occurs within the first few years, sex offenders are at large in the community and their risk declines significantly as they spend more time in the community offense free (Hanson et al., 2003; Harris, Phenix, Hanson & Thornton, 2003).

Protective Factors

- **Structured Assessment of Protective Factors for Violence Risk (SAPROF)** designed for the assessment of protective factors for sexual violence risk (de Vogel, de Ruiter, Bouman, & de Vries Robbe, 2009).
- **8 protective domains** have been found to aid in desistance of sexual offending and regression analyses demonstrated that the SAPROF has remained a significant predictor of violence and sexual violence.
 - *This provides back up for the assumption that the predictive accuracy of risk can be increased by adding protective factors to the risk equation.*

8 Protective Domains

Factor	Relevance
Healthy Sexual Interests	Ability to establish a healthy consenting relationship
Capacity for Emotional Intimacy	Ability to maintain close and satisfying relationships
Constructive Social and Professional Support	Network of positive social and emotional supports
Goal Directed Living	Setting goals and directing daily activities
Good Problem Solving	Ability to manage life's daily problems
Busy with Employment or Constructive Leisure Activities	Ability to live a constructive life
Sobriety	Abstention from chemicals
Hopeful, Optimistic, and Motivated Attitude to Desistance	Motivated cognitively to work with treatment and change negative patterns

Clinical Utility of Protective Factors

- In line with the Good Lives Model (Ward & Stewart, 2003).
 - *Focus on implementing offender's good life rather than managing risk*
 - *Provide necessary conditions (skills, values, opportunities, and social supports)*
 - *Assist offender in living a better life and thereby reducing risk*
 - *A crucial role is also the ecological variables*

Unintended Consequences of the Registry

- Although often thought of as simply listing one's address with law enforcement, registration brings with it a few enduring restrictions and collateral sanctions that substantially limit:
 - *employment*
 - *Educational opportunities*
 - *housing*
 - *public assistance*
 - *social services*
 - *social interactions*

(Levenson & Cotter, 2005; Levenson, D'Amora, & Hern, 2007; Mercado, Alvarez, & Levenson, 2007; Sample & Streveler, 2003; Tewksbury, 2005; Tewksbury & Lees, 2006; Zevitz & Farkas, 2000)

Unintended Consequences of the Registry

- The unique stigma of the “sex offender” label can profoundly obstruct community re-entry.
 - *Sex offenders in many states report employment difficulties, housing disruption, relationship loss, threats and harassment, and property damage, as well as psychosocial symptoms such as shame, isolation, anxiety, depression, and hopelessness*

(Levenson & Cotter, 2005; Levenson, D’Amora, & Hern, 2007; Mercado, Alvarez, & Levenson, 2007; Sample & Streveler, 2003; Tewksbury, 2005; Tewksbury & Lees, 2006; Zevitz & Farkas, 2000)

Effectiveness of Sex Offender Registry & Notification (SORN)

- Analysis of sexual assault cases from a victim advocacy center found that less than 4% of the offenders would have been discovered on the registry prior to the abusive incident (Craun, Simmons, & Reeves 2011).
- Few people actually search the registry on a regular basis or take preventative action after viewing it (Beck & Travis, 2004; Kernsmith, P., Comartin, Craun, & Kernsmith, R. (2009); Anderson & Sample, (2008).

Effectiveness of Sex Offender Registry & Notification (SORN)

- Registries seem to make people *feel* safer, however there is little empirical evidence indicating that registries are successful in protecting children or preventing new offense (Levenson, 2018).
- The vast majority of studies on the effectiveness of SORN to reduce recidivism have not been found (Letourneau & Levenson, 2010; Veysey, Zgoba, & Dalessandro, 2008; Levenson & Zgoba, 2015; Sandler & Freeman, 2008; Ackerman, Sacks, & Greenberg, 2012; Agan, 2011; Vasquez, Maddan, & Walker, 2008).

References