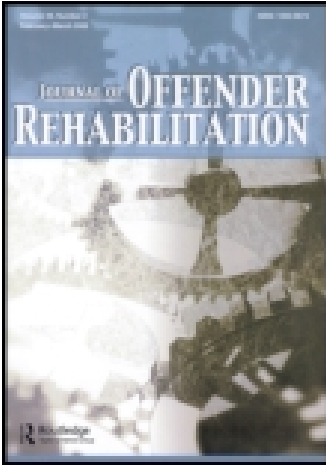


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Publisher: Routledge

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Journal of Offender Rehabilitation

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/wjor20>

The Experiences of Registered Sex Offenders With Internet Offender Registries in Three States

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Published online: 28 Jan 2013.

To cite this article: Alissa R. Ackerman, Meghan Sacks & Lindsay N. Osier (2013) The Experiences of Registered Sex Offenders With Internet Offender Registries in Three States, *Journal of Offender Rehabilitation*, 52:1, 29-45, DOI: [10.1080/10509674.2012.720959](https://doi.org/10.1080/10509674.2012.720959)

To link to this article: <http://dx.doi.org/10.1080/10509674.2012.720959>

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The Experiences of Registered Sex Offenders With Internet Offender Registries in Three States

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For over two decades, U.S. state and federal governments have enacted broad legislation in an effort to keep communities aware about and safe from sex offenders living nearby. The current study qualitatively analyzes unsolicited responses from sex offenders regarding their feelings, attitudes, and experiences living under the auspices of such legislation. A total of 60 survey responses from offenders in three states were reviewed. Several key themes emerged, including legal issues, hopelessness and despair, collateral consequences, and lack of effectiveness of registration and notification. Policy and research implications are discussed.

KEYWORDS *Megan's Law, registration, sex offender*

INTRODUCTION

For the last 20 years, the United States has been witness to the proliferation of laws aimed at managing and tracking sexual offenders. The original legislation, passed in the early 1990s, was intended to inform members of the

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public about high-risk and dangerous offenders. Several public cases, such as the rape and murder of Megan Kanka by a repeat sex offender living across the street, were the type of cases community notification statutes sought to deter. Over time, the number of individuals subject to sex offender registration and community notification (SORN) grew, and to date there are approximately 740,000 registered sex offenders (RSOs) in the United States and its territories (National Center for Missing and Exploited Children, 2011). Policies regarding SORN mandate the collection and dissemination of various forms of data, including address locations, vehicle descriptions and identification, physical descriptions, DNA samples, and photographs (Tewskbury & Higgins, 2005) and the number of individuals sanctioned under SORN continues to grow. As the number of individuals subject to SORN increases, it is important to shed light on the experiences and thoughts that RSOs have about SORN, after inclusion on state registries, particularly given the suggestion that SORN may be counterproductive and might lead to increased recidivism. The current study aims to do so by analyzing unsolicited qualitative responses to a mailed survey sent to RSOs in three states in early 2009.

Intended Purpose

The burgeoning popularity of SORN began in the early 1990s. The original intent of the laws, at both the federal and state level, was to keep repeat and dangerous sex offenders away from children. Community notification statutes would, hypothetically, warn parents of an apparent risk nearby and they would be able to protect their children from such threats. Over time, the number of offenses and offenders who could legally be sanctioned under SORN grew. In 2006, the federal government enacted the Adam Walsh Sex Offender Registration and Notification Act (AWA) which, among other things, expanded the number of individuals subject to public community notification, widened the net of individuals labeled as sex offenders, and increased registration periods.

While these types of policies seem well-intentioned and designed to keep our children safe, the research on the efficacy of the legislation is lacking. Cases where strangers abduct children are extremely rare, but broad public policies tend to be based on such cases (Levenson, 2007; Levenson & D'Amora, 2007; Zgoba, 2004). While both politicians and members of the public often believe that all sex offenders will inevitably reoffend (Katz, Levenson, & Ackerman, 2008; Levenson, Brannon, Fortney, & Baker, 2007), research suggests that sex offenders actually have a low level of reported recidivism that ranges from 5.3% to 24% (Bureau of Justice Statistics, 2003; Hanson & Bussierre, 1998; Hanson & Morton-Bourgon, 2005; Harris & Hanson, 2004; Patrick & Marsh, 2009). Similarly, though the misconception about sex crimes is that strangers will abduct our children, the vast majority

of sexual offenses are committed by someone known to the victim (Berliner, Schram, Miller, & Milloy, 1995).

SORN is Here to Stay

Given that SORN will remain a part of our societal laws for many years to come, it is crucial that we understand two equally important facets of the legislation. We must analyze the effectiveness of SORN as public safety tools and we must examine more closely the collateral consequences associated with public notification, which may be inexorably linked to the safety of the public. Prior to 2006, states were given broad latitude in how SORN were implemented. In this sense, states could design policies that best fit the needs of their offenders and constituents. As such, the range of policy implementation and practice was vast. Some states opted for evidence-based policy and practice. For example, Minnesota only placed on the public registry those offenders who were deemed, utilizing evidence-based risk assessment tools, high risk. Colorado adopted a practice of conducting state level studies on policies prior to implementation. For example, in 2004, the state decided to forgo the use of residency restrictions because a study conducted by the Colorado Department of Public Safety found little evidence that such a program would work (Colorado Department of Public Safety, 2004). Other states are more liberal about who is placed on the public registry. New York State places all medium- and high-risk offenders on the state registry, but opts not to include low-level offenders. Several states follow this model. Finally, certain states, like Florida, place all sex offenders in their public database regardless of the risk posed to the community.

With the passage of the AWA states were required to change their policies to comply with the federal law. One of the biggest concerns with the implementation of the AWA was a move from risk-based classifications to offense-based classifications (Freeman & Sandler, 2009; Harris & Lobanov-Rostovsky, 2010.) Instead of individualized risk assessment, states would be required to list offenders as high risk despite evidence suggesting otherwise. This increased uncertainties about the “net-widening” effect of the federal policy, and research has supported this fear (Harris, Lobanov-Rostovsky, & Levenson, 2010). Though compliance with the AWA was required as of late 2011, only 15 states had substantially complied by late 2011.

The effectiveness of SORN at the federal or state level remains an elusive concept. While the results of current research are mixed, the majority of studies that have been conducted suggest that SORN are not effective in reducing recidivism, though a few suggest that they may have contributed to reduced sexual recidivism (Duwe & Donnay, 2008; Washington State Institute for Public Policy, 2005). The studies that do find positive effects have been conducted in states that utilize empirically derived risk assessments and are selective about inclusion on the public registry (Duwe & Donnay, 2008;

Letourneau, Levenson, Bandyopadhyay, Sinha, & Armstrong, 2010; Sandler, Freeman, & Socia, 2008; Vasquez, Maddan, & Walker, 2008; Zgoba, Witt, Dalessandro, & Veysey, 2009). In a study of 15 states, Prescott and Rockoff (2008) found that registration might have contributed to a reduction in sexual recidivism, but that community notification did not seem to have the same effect. However, in a national study of all 50 states, Ackerman, Sacks, and Greenberg (2012) found that Megan's Law did not decrease rates of rape in the United States. These findings are important to note given that the original intent of SORN legislation was community protection. However, findings from this area of research, in addition to the literature on the collateral consequences of SORN discussed next, suggest that SORN may not be adding protective mechanisms to communities and may, in fact be making communities less safe. Successful community reintegration is an important part of any offender reentry strategy, but, given the collateral consequences of SORN, it seems that registered sex offenders have a particularly difficult experience with the reintegration process.

The second avenue of literature assesses the collateral consequences of SORN on the offender and their family. Several studies have sought to understand the collateral consequences of and experiences with SORN. Tewksbury and Levenson (2009) defined collateral consequences as secondary consequences of criminal sanctions. In studies of sex offenders and their families, several confirm that RSOs experience such consequences, including the inability to secure housing or employment and the loss of interpersonal relationships (Beck & Travis, 2006; Burchfield & Mingus, 2008; Levenson & Cotter, 2005; Levenson & Cotter, 2005; Levenson & D'Amora, 2007; Mercado, Alvarez, & Levenson, 2008; Mustaine, Tewksbury, & Stengel, 2006; Tewksbury, 2004; Zevitz & Farkas, 2000). Studies have been conducted in a variety of states, with similar results. Levenson and Cotter (2005) surveyed sex offenders in Florida to better understand the consequences of community notification. Participants identified stress, fear, or shame, associated with notification and over one third of participants reported having dealt with negative events, such as the loss of a job or home, due to community notification. Zevitz and Farkas (2000) found that sex offenders in Wisconsin reported having had negative experiences with obtaining housing and employment, and experiencing isolation. In 2004, Tewksbury studied the collateral consequences experienced by female sex offenders in Indiana and Kentucky and found that over 40% of the respondents reporting having lost a job, 39% reported having lost a friend, and 34% reported having been harassed. Levenson, D'Amora, and Hern, (2007) found that the consequences experienced by sex offenders in the community include employment, harassment, and isolation; housing issues were only reported in a small number of cases.

Tewksbury and Levenson (2009) suggested that the combination of these collateral consequences, and more specifically, undesirable housing relocation paired with psychosocial effects and concerns of vigilantism

would logically cause heightened stress among sex offender registrants. According to some research on this topic (Colorado Department of Safety, 2004; Hanson & Harris, 2001), high levels of persistent stress can increase the likelihood of recidivism, and Levenson (2007) suggested that stress management among sex offenders is extremely important in reducing the likelihood of sexual recidivism. Consequently, it has been suggested that these unintended collateral consequences might create barriers that lead to risk factors of recidivism (Levenson & Cotter, 2005).

THE CURRENT STUDY

Studies of the collateral consequences of SORN have often been completed utilizing surveys or in-depth interviews with offenders. These studies ask about the experiences that individuals have after inclusion on a state registry. However, qualitative research with sex offenders poses a myriad of challenges and for that reason it is not commonplace and few studies, if any, have analyzed unsolicited qualitative responses from RSOs, which provide rich descriptive data. The current study is part of a larger assessment of the collateral consequences of SORN, which ultimately aids policymakers in their assessments of SORN as an effective deterrent to continued offending. In the current study, participants were provided with space to write their thoughts pertaining to SORN. Their remarks were unsolicited, but they paint a portrait not often seen in the literature. This study adds to the body of literature by providing a qualitative assessment of the thoughts and feelings about SORN in general, from the perspective of the RSO.

Sample and Data

In autumn 2008, data from the offender registries in Kansas, Montana, and Nebraska were downloaded and entered into a Microsoft Access file. The states were chosen for several reasons including that they had never been studied before, had similar demographic profiles, but differed in their sex offender laws. Table 1 provides a breakdown by demographic and registration information. At the time of the study, Nebraska operated a sex offender registry for only those sex offenders deemed to be high risk. Both sex and violent offenders were included on the Montana registry and Kansas included drug, violent, and sex offenders. The current study only includes offenders listed for sexually based offenses. The current study adds to the literature in part because it assesses data from offenders in states that have previously not been studied.

Once the data were downloaded, any offender who was not currently living within the community, under 18 years of age, or listed as absconded, was dropped from the data. While all attempts were made to remain

TABLE 1 Demographic and Legal Comparisons by State

	Kansas	Nebraska	Montana
Population	2,775,997	1,774,571	957,861
Female	50.4%	50.4%	50.1%
Caucasian	85%	88.6%	89.7%
Black	5.6%	4.1%	.5%
Native American	.9%	.9%	6.3%
Hispanic/Latino (any race)	8.6%	7.4%	2.2%
In work force	69.2%	71.3%	65.5%
Registration enacted	1994	1997	1991
Residency restrictions	No	Local jurisdictions	Judges can decide
Notification	All	High risk (Level 3)	All
Type of offender	Sex, violent, and drug	Sex	Sex and violent
Years on registry	10–life	10–life	10–life
Demographic information	All offenders	Sex offenders	Sex offenders
Juvenile registration	Yes	No	Yes
Quarterly registration	All offenders	High risk/homeless	High risk/homeless
Mandated DNA	Yes	No	No
Driver's license designation	Yes	No	No

inclusive, the data were cleaned to insure that only those with viable and valid U.S. mailing addresses were included. As such, a substantial number of RSOs were not within our sampling frame. The resulting file included all adult RSOs with a valid U.S. mailing address ($n = 6,174$). In December 2008, self-administered questionnaires were sent via U.S. Postal Service to all RSOs in the state of Nebraska and approximately half of the registered sex offenders in Kansas and Montana. Offenders from Kansas and Montana were chosen randomly for inclusion in the study. Survey packets included a business reply envelope addressed to the researcher. In total, ($N = 3,506$) registered offenders were sent a survey, including 1,850 offenders in Kansas, 939 in Nebraska, and 717 in Montana. In total, 246 surveys were returned, providing a 7.0% response rate. The low response rate makes it unlikely that the results of this analysis are generalizable, but no less meaningful. Mailed surveys typically elicit a 10% response rate (Fitzgerald & Cox, 2002). Given the extremely sensitive nature of this study and the vulnerability of the population being studied a 7% response rate is low, but not exceptionally low. In fact, low response rates are not atypical, particularly when studying sex offenders. Surveys with sex offenders have response rates that range from 2% to 15% (Tewksbury, 2005; Tewksbury & Lees, 2006; Vandiver & Walker, 2002). Finally, given the sensitivity of the subject and the need to ensure anonymity, informed consent was not obtained. Rather, a participation letter was sent along with the survey and consent was implied by the return of each survey.

The current study reflects a portion of the larger study. Though no question asked for a narrative of the experiences of RSOs, many participants provided additional comments relating to their experiences with registration or the registration process, community notification, and the collateral consequences of registration and notification. In addition, many respondents provided commentary on their emotional state, as well as their opinions about the effectiveness of registration and notification. Of the 246 surveys returned, 27.8% of respondents ($n = 66$) provided these commentaries.

Given the open-ended narrative responses being analyzed and the breadth of the information provided, a content analysis was utilized to explore themes in the data. All responses were first read by two coders to develop a coding scheme. The coding scheme, developed from the example provided by Whitley (2001, originally adapted from Gonzales & Meyers, 1993), can be found in Table 2. The coding scheme included five main categories to code for. After the coding scheme was created, two researchers analyzed each commentary. When any inconsistency existed, the coders discussed it and came to a joint decision regarding appropriate coding. It is important to note that, even given the broad latitude afforded the coders, fewer than five inconsistencies in coding occurred. Of the 66 commentaries provided, 60 yielded utilizable results. The majority of participants were from Kansas ($n = 40$), followed by Montana ($n = 12$) and Nebraska ($n = 8$). One

TABLE 2 Coding Scheme

Category	Definition	Examples
Legal	The offender discusses issues related to the violation of his rights.	<ul style="list-style-type: none"> • Double punishment • Should not have to pay forever • Violation of my rights • Unfair • Laws strip me of my future
Negative emotions	The offender discusses experiences with negative emotions of mental illness	<ul style="list-style-type: none"> • Anger • Hopelessness • Despair • Suicide • Mental illness (after inclusion on registry)
Collateral consequences	Discussion of the ramifications of registration and notification	<ul style="list-style-type: none"> • I am a target • Harassment • Vigilantism • No job • Family issues
Registration is ineffective	Any combination of words related to the ineffectiveness of the registry	<ul style="list-style-type: none"> • The registry is a farce • Too many people listed • Only high risk should be on it • Waste of money • False security
Driver's license		<ul style="list-style-type: none"> • Appearance of the words "driver's license" or "license"

specific reason for this is that, at the time of data collection, Nebraska only listed the highest risk offenders on the public registry. Both Kansas and Montana had broader legislation and this may have contributed to respondents feelings related to the ineffective nature of the registry.

RESULTS

The qualitative content analysis of the commentaries provided in these surveys yielded results that would not have been possible using quantitative analyses only. Overall results suggest that respondents believe that they should not be subject to registration for life. In addition, they often experience negative emotions, including anger and hopelessness, and many have experienced collateral consequences related to registration. Finally, most offenders state emphatically that registration is ineffective. Table 3 provides percentage breakdowns for each of the five designated themes.

Category 1: Legal Issues

In total, 35% ($n = 21$) of respondents shared their feelings about the legality of registration and notification. This was consistent across state with 35%, 33.3%, and 37.5% in Kansas, Montana, and Nebraska, respectively. Most respondents were particularly upset with the prospect of spending a lifetime suffering the consequences of their act. The specific point, "I should not have to pay forever" was gleaned from 21.7% of survey respondents across the three states. Similarly, 15% of the respondents stated that the legislation was, in some form or another, unfair.

Respondent 3 stated, "I don't know how you can be made to do these things after a trial and you have done your sentence. It is like I am continually being tried and having more and more restraints put on me." Whereas Respondent 6 reasoned, "People can change and each offender should be treated differently per there [sic] cases. Just because you messed up once you

TABLE 3 Coding Outcomes by State and Total

Outcomes	Kansas ($N = 40$)		Montana ($N = 12$)		Nebraska ($N = 8$)		Total ($N = 60$)	
	n	%	n	%	n	%	n	%
Legal	14	35.0	4	33.3	3	37.5	21	35.0
Negative emotionality	7	17.5	2	16.7	2	25.0	11	18.3
Collateral consequences	17	42.5	8	66.7	2	25.0	27	45.0
Registry does not work	20	50.0	7	58.3	3	37.5	30	50.0
Driver's license issues	13	32.5						

shouldn't have to pay for it for the rest of your life." Finally, Respondent 43 noted that he had spoken with several law enforcement agencies and attorneys, including the Kansas Bureau of Investigation along with his state and U.S. representatives, about the legality of sex-offender registration and notification. He stated that he was told that:

They can make the law retroactive because they don't consider the registration requirements to be punitive. How wrong they are! I feel that through all of this I have done everything the state has asked and required me to do. There is nothing being held out for me to do in order to be released from this. If there were [sic], I would have done it. It is like I am still a prisoner, with no hope to ever be released.

These findings suggest that SORN policies are seen as unfair and overly punitive.

Category 2: Negative Emotions Stemming From Inclusion in a Sex-Offender Registry

ANGER, HOPELESSNESS AND DESPAIR

Previous research on the effects of community notification has found that sex offenders experience feelings of hopelessness, worthlessness, depression, and anger (Ackerman & Sacks, 2012; Levenson et al., 2007; Zevitz & Farkas, 2000). In the current study, 11 participants (18.3%) stressed sense of hopelessness, anger, or despair when thinking about the prospects for their futures. The offenses for which these individuals were convicted ran the gamut from molestation against a minor or indecent liberties to sexual assault against an adult. Regardless of the offense, these individuals reported that they understand the ramifications of their actions, but that, given the SORN requirements, they have little hope for the future. For example, one respondent stated:

I am dealing with a lot of anger, distrust, and hopelessness. My goals for the American dream are shattered. Why set those goals for myself when everything I would hope to accomplish can easily be taken away from me ... I have lost all hope that I will ever have a productive and enjoyable life because of this registration.

Similarly, several participants indicated thoughts of suicide or attempted suicide because they believed that no hope for normalcy existed. Two poignant examples include: "The only thing left for me is suicide ... I lost everything and I have nothing. I have no hope for regaining my life" and "I've also attempted suicide on two occasions since registration. Never considered or attempted before registration." Finally, a respondent who was convicted of

indecent liberties with a minor when he was 14 years old spoke about the hopelessness and anger a child experiences are inclusion a state registry:

What does the registry list do to a minor? You have no future to look forward to. Everyone in school finds out and calls you names. You lose [sic] all your friends. Can't get jobs. It makes you hate people. You want to fight. You want to kill. You feel that way every day. The registry should not be used for minors at all. Once you walk in a court room you have no chance at all.

Category 3: Collateral Consequences

It has been increasingly cited in the literature that sex offenders subject to SORN experience a wide range of collateral consequences including the inability to obtain employment, and acts of vigilantism. Almost half of the respondents (45%) in the current study reported similar experiences, including problems with employment and damaged familial and social ties, though they mostly spoke about issues related to joblessness. One respondent stated:

The registry has gone too far. Putting my address on the Internet and my job address, your [sic] putting me at risk of losing my job and my safety is also at risk. There are a lot of crazy people in the world. What if some crazy person decided to shoot me because he thinks I deserve to die. He would know exactly where to find me.

Similarly, another respondent wrote about being doubly punished after being placed on the registry and offered insight into some of the vigilantism that occurs in the community:

I feel as though I am being doubly punished. I am on probation and cannot live with my family ... Six months ago someone shot my house and cars with paintballs. Two weeks before that someone painted "die cho-mo" [child molester] on my house and because of Megan's Law, I can never stop registering. I want to leave America, but felons can't. I can't wait for the lord to take me from this hell.

Still another offender stated that he actually had it better than the majority of RSOs because he was highly educated with job skills in high demand, but discussed some of the other collateral consequences he faced:

I have been harassed and discriminated against by the legal community and government agencies ... A neighbor was vandalizing my property and making verbal assault comments against my wife and myself ... Also my son became incapacitated and unable to care for his three daughters. Because of my being registered I was not allowed custody of them and there put up for adoption and taken away from the family.

Category 4: Registration Could Work if Utilized Properly

Half of the participants acknowledged that registration does not work in its current form, but that the legislation could actually be an effective tool for community protection, if utilized properly. Many discussed their belief that the registry was not being used for its intended purpose or that the public would be better served if only high risk or repeat offenders were on it. Another common thought was that first time offenders and children should not be required to register and that the focus for these individuals should be strictly rehabilitation. Others believed that the registry should include other types of offenders as well. Some of the respondents opined that registration is necessary but for a shorter period of time. A few responses highlight these opinions. One respondent, who was registered after committing a sexual assault on a minor, stated that, "I think the registry is a good thing if used in accord with its intended purpose." Another stated that, "I believe the registry is a good thing for some people, but there are a few people that the registry is not really helping them or the public ... Each case should be individually analyzed to see if that person should even be placed on the registry." Still another argued that, "The registry should be for law enforcement only—not to further isolate people in a clearly fractured society." Finally, a participant who is registered for attempted aggravated indecent liberties very articulately underscored the feelings of many of the respondents:

Before I was convicted of a crime I would have considered myself to be a strong supporter of registration. I understand the reasoning behind it. But it only works in theory not in practice. The reality creates more crime than it detours [sic]. Sex offenders have the lowest recidivism rate of all criminals. But the vigilantism that is created by the registry off sets what is intended to be accomplished by its existence. Not to mention the fear that it strikes in the hearts of soccer moms and the like. Few people on the registry are actually pedifiles [sic] or violent repeat rapists ... I do believe pedifiles [sic] or high risk offenders should register. But the broad stroke taken by the registry makes the layman believe that everyone on the registry is going to snatch their kids if the let down their guard. I believe low risk offenders should be exempt from the registry.

The results of the current study suggest that many registrants do not seem to object to the existence or necessity of SORN, rather they wish notification could be used more discriminately and not applied as a blanket policy to all types of sex offenders.

DISCUSSION

Scholars have argued that SORN have been enacted without studying whether such policies would be effective in reducing recidivism (Terry, 2003). In fact,

some have noted that our current laws were enacted after specific and particularly heinous offenses against young children. Despite the best intentions of policy makers, research shows that SORN are promising only when the state level policy is based on empirically derived assessments and when states registries are only inclusive of higher risk offenders (Duwe & Donnay, 2008; Letourneau et al., 2010; Sandler et al., 2008; Vasquez et al., 2008; Zgoba et al., 2009). Recent policies, such as the Adam Walsh Act, only further our misunderstanding about the sex offender population. While attempting to bring about communication, collaboration, and standardization across jurisdictions, the Act widens the net of individuals subject to SORN, lengthens the registration period, and makes it more difficult for the public to discern actual risk.

The current study offers insights into the effectiveness and practicality of state sex offender registries from the perspective of individuals who are RSOs from three different states. The findings of some previous research are supported in our study. For instance, several studies offer information regarding the collateral consequences of SORN, including the inability to secure housing and employment, and being subject to vigilantism (Levenson et al., 2007; Tewksbury & Lees, 2007). Several participants in the current study voice similar concerns about collateral consequences, but in particular, it appears they were most concerned with issues of vigilantism. The topic of vigilante activity has had mixed support in the literature in that several studies have found that sex offenders fear harassment and vigilante activity (Matson & Lieb, 1996; Zevitz & Farkas, 2000) and while many experience verbal harassment, actual reports of physical violence are more rare (Tewksbury & Lees, 2006).

In a recent study, Jeglic, Mercado, and Levenson (2012) found that RSOs had increased levels of depression and hopelessness. Again, our findings are supportive of the findings of Jeglic et al. (2012), in that many of our respondents utilized terms like "loss of hope" or "there is nothing left for me but suicide." Our study is limited in that we are only analyzing the statements made by offenders, whereas Jeglic and her colleagues utilized empirically derived assessment measures. Nonetheless, findings are similar.

Results in the current study are also consistent with some previous research that has analyzed registrants' feelings towards the proper use of sex offender registration and notification. More specifically, according to Levenson, D'Amora, and Hern (2007), sex offenders suggested methods for improving the registry requirements, such as implementing a better system for distinguishing between low and high risk offenders and making determinations on a "case by case" basis. The results of the current study suggest a similar sentiment. Most registrants do not categorically object to the use of SORN, rather they feel that SORN policies are not being used properly and that is why they do not work. Respondents expressed that legislation should differentiate better between low- and high-risk offenders.

When assessing the appropriateness of a policy, it is helpful to gain insight from the individuals being affected by the potential policy. In fact, known crime policy experts Welsh and Harris (2012) recommended, when possible, collaborative crime policy strategies that “emphasize participation from those affected by change” (p. 10). Studies on prisoner reentry initiatives have also included feedback from former prisoners who reentered their communities and who discussed barriers to their reentry and shared opinions on the effectiveness of reentry policies (Luther, Reichert, Holloway, Roth, & Aalsma, 2011; Trimbur, 2009). Similarly, this study allowed the population affected by the policy to share their insights on the effectiveness of the current sex offender notification system. To this end, many respondents suggested that the registry system in its current form is ineffective or rather that the registry could be effective if utilized properly. A common theme revolved around the sex offender registry being utilized as a law enforcement tool only—a practice common in other countries. Similarly, several respondents suggested that juvenile, low-risk, and first-time offenders should not be placed on a public registry. These findings are of particular importance given our previous discussion on the net-widening effect of SORN and other similar policies. As noted, research shows states that include only the highest risk offenders show positive levels of effectiveness with regard to sex-offender recidivism (Duwe & Donnay, 2008; Letourneau et al., 2010; Sandler et al., 2008; Vasquez et al., 2008; Zgoba et al., 2009). In other words, placing all sex offenders, regardless of offense or risk level, on state sex-offender registries harms low-risk offenders who may not belong on the public registry, but wastes valuable resources that can be used to track higher risk offenders who might otherwise fall through the cracks. Not only do previous studies point to this, but the respondents in the current study also made suggestions that spoke to this exact point. It is possible that by eliminating low risk offenders from mandatory notification—a policy already implemented in several states—policymakers can alleviate some of the collateral consequences of SORN.

Directions for Future Research

Several limitations exist that make the generalizability of this study questionable. First, while every attempt was made to include the majority of offenders in our mailing address database, it was not financially possible to send surveys to all RSOs. As such, the database was narrowed to only include those individuals with valid U.S. mailing addresses. Of the 3,506 surveys sent, only 246 were returned and of those, only 45 including qualitative feedback available for use in the current study. Given the potential for a self-selection bias, it is crucial to interpret the study with caution. Nonetheless, given the findings of the study in combination with previous work in the field, we believe the findings are indicative of an overall sentiment among RSOs.

However, more qualitative research is needed to assess the extent to which collateral consequences affect sex offenders and their family members. Blagden and Pemberton (2010) detailed the various challenges inherent in conducting qualitative research with convicted sex offenders, including difficulties in recruiting participants, obtaining informed consent, and researching a vulnerable population. Future research should seek to establish a qualitative approach that adequately balances these concerns while attempting to discover ways to alleviate some of the consequences associated with registration in studies that provide more generalizability. Finally, future studies should also examine the potential collateral consequences to community members. Zevitz and Farkas (2000) reported that notification meetings caused increased stress and anxiety among community members. Adverse effects of notification should be examined among offenders, their family members, and society as a whole in future research.

CONCLUSION

Several studies, including the current analysis, point to limitations in our current SORN policies. In a time when fiscal responsibility is crucial to the future of our economic well-being, policymakers would do well to create evidence-based policies that reduce recidivism and use of law enforcement resources. Unfortunately, with regard to SORN we may not be doing either. The majority of states have refused to comply with the newest federal RSO policy, as it creates more work for law enforcement without the proper resources to carry out the mandates of the policy. Policymakers and academics are aware that RSO policies are popular with the public. Many feel that knowing where sex offenders are makes them safer, but the goal of policy creation should be public safety, as opposed to public mollification.

Current sex-offender legislation, intended to reduce sexual recidivism, may actually be counterproductive. Specifically, notification adversely affects all of the factors known to facilitate successful reintegration into society (i.e. housing, employment, and social ties; Travis, 2005). Housing, according to (Bradley, Richardson, Oliver, & Slayter, 2001, p. 1) is the “lynchpin that holds the reintegration process together,” yet sex offenders face tremendous obstacles with regards to housing options. Fear of harassment and vigilante activity and feelings of isolation, stress, and hopelessness will not allow registrants to secure strong social networks, a factor also known to assist with successful reintegration into society (Loebner & Farrington, 1998, 2001). Factors that help successful reintegration also decrease the likelihood of recidivism (Travis, 2005). However, the adverse collateral consequences associated with registration hold the ability to negatively impact the deterrent effect of notification and therefore may pose a threat to public safety. More

research is needed to fully gauge the effectiveness of community notification; however, current studies suggest that this legislation may not be creating safe environments and the need for more generalizable research remains an important piece of the SORN policy debate.

REFERENCES

- Ackerman, A. R., & Sacks M. (2012). Can general strain theory be used to explain recidivism among registered sex offenders? *Journal of Criminal Justice, 40*, 187–193.
- Ackerman, A. R., Sacks, M., & Greenberg, D. (2012). Legislation targeting sex offenders: Are recent policies effective in reducing rape? *Justice Quarterly, 29*, 858–887.
- Beck, V. S., & Travis, L. F. (2006). Sex offender notification: An exploratory assessment of state variation in notification processes. *Journal of Criminal Justice, 34*, 51–55.
- Berliner, L., Schram, D., Miller, L., & Milloy, C. D. (1995). A sentencing alternative for sex offenders: A study of decision making and recidivism. *Journal of Interpersonal Violence, 10*, 487–502.
- Blagden, N., & Pemberton, S. (2010). The challenge in conducting qualitative research with convicted sex offenders. *The Howard Journal, 49*, 269–281.
- Bradley, K. H., Richardson, N. C., Oliver, R. B., & Slayter, E. M. (2001). *No place like home: Housing and the ex-prisoner. Policy brief*. Boston, MA: Community Resources for Justice.
- Burchfield, K. B., & Mingus, W. (2008). Not in my neighborhood: Assessing registered sex offenders' experiences with local social capital and social control. *Criminal Justice and Behavior, 35*, 356–374.
- Bureau of Justice Statistics (2003). *Recidivism of sex offenders released from prison in 1994*. Washington, DC: U.S. Department of Justice.
- Colorado Department of Public Safety. (2004). *Report on safety issues raised by living arrangements for and location of sex offenders in the community*. Denver, CO: Sex Offender Management Board.
- Duwe, G., & Donnay, W. (2008). The impact of Megan's Law on sex offender recidivism: The Minnesota experience. *Criminology, 46*, 411–446.
- Fitzgerald, J. D., & Cox, S. M. (2002). *Research methods and statistics in criminal justice: An introduction, 3rd edition*. Belmont, CA: Wadsworth.
- Freeman, N., & Sandler, J. (2009). The Adam Walsh Act: A false sense of security or an effective public policy initiative? *Criminal Justice Policy Review, 21*, 31–49.
- Hanson, R. K., & Bussiere, M. T. (1998). *Predictors of sexual offender recidivism: A meta-analysis* (User Report No. 96-04). Ottawa, Ontario, Canada: Safety and Emergency Preparedness Canada.
- Hanson, R. K., & Harris, J. R. (2001). A structured approach to evaluating change among sexual offenders. *Sexual Abuse. A Journal of Research and Treatment, 13*, 105–122.
- Hanson, R. K., & Morton-Bourgon, K. (2005). The characteristics of persistent sexual offenders. *Journal of Consulting and Clinical Psychology, 73*, 1154–1163.

- Harris, A., & Hanson, R. K. (2004). *Sex offender recidivism: A simple question* (User Report No. 2004-03). Ottawa, Ontario, Canada: Public Safety and Emergency Preparedness Canada.
- Harris, A. J., & Lobanov-Rostovsky, C. (2010). Implementing the Adam Walsh Act's sex offender registration and notification provisions: A survey of the states. *Criminal Justice Policy Review*, *21*, 202–222.
- Harris, A. J., Lobanov-Rostovsky, C., & Levenson, J. S. (2011). Widening the net: The effects of transitioning to the Adam Walsh Act classification system. *Criminal Justice and Behavior*, *37*, 503–519.
- Jeglic, E. L., Mercado, C. C., & Levenson, J. (2012). Prevalence and correlates of depression and hopelessness among sex offenders subject to community notification and residence restrictions. *American Journal of Criminal Justice*, *37*, 46–59.
- Katz, S. M., Levenson, J. S., & Ackerman, A. R. (2008). Myths and facts about sexual violence: Public perceptions and implications for prevention. *Journal of Criminal Justice and Popular Culture*, *15*, 291–311.
- Letourneau, E., Levenson, J. S., Bandyopadhyay, D., Sinha, D., & Armstrong, K. (2010). Effects of South Carolina's sex offender registration and notification policy on adult recidivism. *Criminal Justice Policy Review*, *21*, 435–458.
- Levenson, J. S. (2007). The new scarlet letter: Sex offender policies in the 21st century. In D. Prescott (Ed.), *Applying knowledge to practice: Challenges in the treatment and supervision of sexual abusers* (pp. 21–41). Oklahoma City, OK: Wood and Barnes Publishing.
- Levenson, J. S., Brannon, Y., Fortney, T., & Baker, J. (2007). Public perceptions about sex offenders and community protection policies. *Analyses of Social Issues and Public Policy*, *7*, 1–25.
- Levenson, J. S., & Cotter, L. P. (2005). The effect of Megan's Law on sex offender reintegration. *Journal of contemporary Criminal Justice*, *21*, 49–66.
- Levenson, J. S., & D'Amora, D. (2007). Social policies designed to prevent sexual violence: The emperor's new clothes. *Criminal Justice Policy Review*, *18*, 168–199.
- Levenson, J. S., D'Amora, D. A., & Hern, A. (2007). Megan's Law and its impact on community reentry for sex offenders. *Behavioral Sciences & the Law*, *25*, 587–602.
- Loebner, R., & Farrington, D. (1998). *Serious and violent juvenile offenders: Risk factors and successful interventions*. Thousand Oaks, CA: Sage.
- Loebner, R., & Farrington, D. (2001). *Child delinquents: Development, intervention, and service needs*. Thousand Oaks, CA: Sage.
- Luther, J. B., Reichert, E. S., Holloway, E. D., Roth, A. M., & Aalsma, M. C. (2011). An exploration of community reentry needs and services for prisoners: A focus on care to limit return to high-risk behavior. *AIDS Patient Care and STDs*, *25*, 475–481.
- Matson, S., & Lieb, S. (2006). *Community notification in Washington State: 1996 survey of law enforcement*. Olympia, WA: Washington State Institute for Public Policy.
- Mercado, C. C., Alvarez, S., & Levenson, J. S. (2008). The impact of specialized sex offender legislation on community re-entry. *Sexual Abuse: A Journal of Research and Treatment*, *20*, 188–205.
- Mustaine, E. E., Tewksbury, R., & Stengel, K. M. (2006). Residential location and mobility of registered sex offenders. *American Journal of Criminal Justice*, *30*, 177–192.

- National Center for Missing and Exploited Children. (2011). Map of registered sex offenders in the United States. Retrieved from http://www.missingkids.com/en_US/documents/sex-offender-map.pdf
- Patrick, S., & Marsh, R. (2009). Recidivism among child sexual abusers: Initial results of a 13-year longitudinal random sample. *Journal of Child Sexual Abuse, 18*, 123–136.
- Prescott, J. J., & Rockoff, J. E. (2008). Do sex offender registration and notification laws affect criminal behavior? Retrieved from <http://ssrn.com/abstract=1100663>
- Sandler, J. C., Freeman, N. J., & Socia, K. M. (2008). Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. *Psychology, Public Policy and Law, 14*, 284–302.
- Terry, K. J. (2003). Sex offenders. *Criminology and Public Policy, 3*, 57–58.
- Tewksbury, R. (2004). Experiences and attitudes of registered female sex offenders. *Federal Probation, 68*, 30–33.
- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice, 21*, 67–81.
- Tewksbury, R., & Higgins, G. (2005). What can be learned from an online sex offender registry site? *Journal of Community Corrections, 14*, 9–11, 15–16.
- Tewksbury, R., & Lees, M. (2006). Perceptions of sex offender registration: Collateral consequences and community experiences. *Sociological Spectrum, 26*, 309–334.
- Tewksbury, R., & Lees, M. (2007). Perception of punishment: How registered sex offenders view registries. *Crime and Delinquency, 53*, 380–407.
- Tewksbury, R., & Levenson, J. (2009). Stress experiences of family members of registered sex offenders. *Behavioral Sciences and the Law, 27*, 611–626.
- Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, DC: Urban Institute.
- Trimbur, L. (2009). "Me and the law is not friends": How former prisoners make sense of reentry. *Qualitative Sociology, 32*, 259–277.
- Vandiver, D. M., & Walker, J. T. (2002). Female sex offenders: An overview and analysis of 40 cases. *Criminal Justice Review, 27*, 284–300.
- Vasquez, B. E., Maddan, S., & Walker, J. T. (2008). The influence of sex offender registration and notification laws in the United States. *Crime and Delinquency, 54*, 175–192.
- Washington State Institute for Public Policy. (2005). *Sex offender sentencing in Washington State: Did community notification influence recidivism?* Olympia, WA: Author.
- Welsh, W. N., & Harris, P. W. (Eds.). (2012). *Criminal justice policy and planning*. Waltham, MA: Anderson Publishing.
- Whitley, B. E. (2001). *Principles of research in behavioral science*. New York, NY: McGraw Hill.
- Zevitz, R. G., & Farkas, M. A. (2000). Sex offender community notification: Managing high risk criminals or exacting further vengeance? *Behavioral Sciences and the Law, 18*, 375–391.
- Zgoba, K. (2004). Spin doctors and moral crusaders: The moral panic behind child safety legislation. *Criminal Justice Studies, 4*, 385–404.
- Zgoba, K., Witt, P., Dalessandro, M., & Veysey, B. (2009). *Megan's Law: Assessing the practical and monetary efficacy* [Electronic version]. Retrieved from <http://www.ncjrs.gov/pdffiles1/nij/grants/225370.pdf>