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## Public and Professional Views of Sex Offender Registration and Notification

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### ABSTRACT AND ARTICLE INFORMATION

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This paper focuses on how various populations described in the research literature view Sex Offender Registration and Notification (SORN). Only a relatively small number of studies are devoted to perceptions of sex offender policies, and even fewer are available strictly on the topic of SORN. What follows is a presentation of the relevant research that shows how the public, lawmakers, criminal justice officials, treatment professionals, publicly identified sex offenders, and family members of publicly identified sex offenders perceive and experience SORN as a social policy. At the same time, the role of the media in shaping perceptions about convicted sex offenders and laws aimed at them is considered. It is argued that each population sees SORN laws differently, but the collective attitudes and beliefs suggest that such policies are not only widely endorsed but also lacking in efficacy. Although residency restrictions are often attached to SORN legislation and frequently become accompanying realities for convicted sex offenders, this discussion centers only on attitudes and beliefs of SORN.

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*Invited Review*

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There is substantial evidence across numerous jurisdictions that Sex Offender Registration and Notification (SORN) laws in America do not increase public safety. For instance, whether or not convicted sex offenders were obligated to register and cooperate with public notification procedures under SORN policies failed to predict if they sexually recidivated in Arkansas (Maddan, 2008), Iowa (Adkins, Huff, & Stageberg, 2000; Tewksbury & Jennings, 2010), Massachusetts (Petrosino & Petrosino, 1999), New Jersey (Tewksbury, Jennings, & Zgoba, 2012; Zgoba,

Witt, Dalessandro, & Veysey, 2008), New York (Sandler, Freeman, & Socia, 2008), and Washington (Schram & Milloy, 1995). Despite this empirical reality, SORN mandates persist across the United States as popular mechanisms of sex offender management. This suggests that what social groups in American society think about SORN laws may influence the existence and survival of such policies.

This paper focuses on how various populations described in the research literature view SORN.<sup>1</sup> Only a relatively small number of studies are devoted to

perceptions of sex offender policies, and even fewer are available strictly on the topic of SORN. What follows is a presentation of the relevant research that shows how the public, lawmakers, criminal justice officials, treatment professionals, publicly identified sex offenders, and family members of publicly identified sex offenders perceive and experience SORN as a social policy. At the same time, the role of the media in shaping perceptions about convicted sex offenders and laws aimed at them is considered. It is argued that each population sees SORN laws differently, but the collective attitudes and beliefs suggest that such policies are not only widely endorsed but also lacking in efficacy. Although residency restrictions are often attached to SORN legislation and frequently become accompanying realities for convicted sex offenders, this discussion centers only on attitudes and beliefs of SORN.<sup>2</sup>

### Perceptions of the Public

Almost without exception, the American public wants information about all types of convicted sex offenders to be made available to them through SORN legislation. Among a majority of 733 Michigan residents who completed a telephone interview, Kernsmith, Craun, and Foster (2009) found that all types of sex offenders, including pedophiles (97%), incest offenders (96%), juvenile sex offenders (86%), date rape offenders (84%), sex offenders with a sex offense more than ten years old (86%), spousal rapists (71%), and statutory rapists (65%), were seen as appropriately subjected to SORN. Levenson, Brannon, Fortney, and Baker (2007) surveyed 193 adult residents of Melbourne, Florida who were not convicted of sex offenses and revealed that more than three-quarters of them believed that all sex offenders should be obligated to fulfill SORN requirements. Only 3% of these residents felt that no information about convicted sex offenders should be made publicly available. Risk level does not appear to impact the public's desire to know about convicted sex offenders. After surveying 115 community members from 15 different states, Katz-Schiavone and Jeglic (2009) found that a majority believed that high risk sex offenders (89%), moderate risk sex offenders (82%), and low risk sex offenders (51%) were acceptable recipients of public exposure through SORN. Harris and Socia (2016) conducted the most methodologically rigorous examination of public sentiment to date. They utilized an experimental design with a representative sample of 1,000 residents across the United States. Among the 502 individuals who were randomly assigned to the experimental condition, 76% strongly agreed or somewhat agreed that the identity of "sex offenders" should be made

available to them on the Internet. Among the 498 individuals who were randomly assigned to the control condition, 72% strongly agreed or somewhat agreed that the identity of "people who have committed crimes of a sexual nature" should be made available to them on the Internet.

The American public also largely believes that SORN laws are fair strategies for managing convicted sex offenders in communities.<sup>3</sup> Brannon, Levenson, Fortney, and Baker (2007) found that 193 adult residents of Melbourne, Florida who were not convicted of sex offenses were more likely to believe that SORN policies were fair than 125 adult sex offenders who were receiving outpatient treatment in Central Brevard County, Florida. Specifically, only 22% of these residents felt that SORN laws were unfair compared to 70% of sex offenders. Katz-Schiavone and Jeglic (2009) revealed that a majority of community members believed that SORN policies were constitutional (80%) and did not violate sex offenders' right to privacy (75%). However, 37% felt that sex offenders did not have legal rights.

Although the American public generally perceives SORN policies as fair, they often simultaneously acknowledge the negative consequences that face publicly identified sex offenders. Phillips (1998) surveyed approximately 400 Washington residents from rural and urban regions and found that 75% believed that the state's SORN law made it difficult for convicted sex offenders to find jobs, establish housing, and form social relationships. At the same time, less than one-half of these Washington residents thought convicted sex offenders should be given every opportunity for a new start as law-abiding citizens. This suggests that SORN may serve as an acceptable form of vengeance in the minds of the public. Ten years later, Lieb and Nunlist (2008) followed up on Washington residents' attitudes and beliefs about SORN and surveyed 643 individuals from rural and urban regions in the state. They revealed that 84% (compared to 75% in 1998) felt that the SORN policy made it difficult for convicted sex offenders to find jobs, establish housing, and form social relationships. As SORN legislation persisted, a greater proportion of Washington residents acknowledged the harmful ramifications that potentially stemmed from such mandates. Still, support for SORN remained strong, as nearly 80% reported that SORN was very important. Katz-Schiavone and Jeglic (2009) found that a majority of community members believed that sex offenders were afraid for their safety (57%) and lost friends or close relationships (51%) because of SORN. At the same time, a significant minority of community members acknowledged that sex offenders felt shame and embarrassment and avoided social activities (45%)

and felt alone and isolated (40%) because of SORN. In spite of recognizing harmful ramifications that may impact registered sex offenders, the American public largely views SORN as a just policy.

In addition, the American public commonly views SORN laws as effective responses to the social problem of sexual violence. According to Phillips (1998), more than 60% of Washington residents believed that SORN made released sex offenders behave better than they would otherwise. The proportion of Washington residents who felt that SORN made released sex offenders behave better than they would otherwise remained largely the same 10 years later at 63% (Lieb & Nunlist, 2008). Levenson and colleagues (2007) reported that SORN was viewed by 83% of Melbourne, Florida residents as an effective strategy to reduce future sex offenses. Conversely, Brannon and colleagues (2007) found that only 10% of Melbourne, Florida residents felt that SORN laws were ineffective at reducing future sex offenses compared to 42% of sex offenders. Katz-Schiavone and Jeglic (2009) revealed that 65% of community members believed that communities were safer when people knew where sex offenders lived. At the same time, a significant minority of these community members felt that SORN laws helped to prevent offending (44%), changed the rate at which sex offender recidivated (43%), and helped the public to know how to protect themselves (41%).

In sum, the available evidence shows that the American public largely endorses SORN laws. The American public almost always expresses a desire to have information about all types of convicted sex offenders. They also frequently consider SORN policies to be fair strategies for managing sex offenders in communities despite simultaneously recognizing the drawbacks facing sex offenders that stem from such mandates, and this suggests that such mandates may be considered a legitimate form of punishment. In addition, the American public commonly views SORN laws as effective responses to the problem of sexual violence.

### Perceptions of Lawmakers

When compared to the public, lawmakers appear less confident about the ability of SORN laws to reduce and prevent sex offenses. Sample and Kadleck (2008) conducted qualitative interviews with 21 state representatives and 4 state senators in Illinois. Although their focus was on legislators' accounts of sex offender laws in a broad sense, they found that a large majority of these lawmakers did not believe that such legislation—including SORN—was effective at addressing the problem of sexual violence. Only a few lawmakers felt that sex offender laws in their current

form successfully reduced and prevented sex offenses. More recently, Meloy and colleagues (Meloy, Boatwright, & Curtis, 2013; Meloy, Curtis, & Boatwright, 2013) conducted qualitative interviews with 61 lawmakers from across the United States who wrote, sponsored, and passed at least one sex offender law. Just over one-half of these lawmakers (55%) believed that such legislation—including SORN—was effective at addressing the problem of sexual violence. However, 25% felt sex offender laws were not effective, and 20% did not know about the efficacy of such policies.

At the same time, lawmakers seem to be more reluctant than the public to acknowledge the negative consequences that potentially face publicly identified sex offenders. Sample and Kadleck (2008) reported that just over one-fourth of Illinois legislators thought that SORN policies led to negative outcomes, such as threats and ostracism, for registered sex offenders. Meloy and colleagues (Meloy, Boatwright, & Curtis, 2013; Meloy, Curtis, & Boatwright, 2013) found that only 2 of the 61 lawmakers who completed interviews admitted that there was a possibility for sex offenders who were subjected to SORN to experience harmful ramifications. However, 89% of these legislators expressed at least some criticism about sex offender laws, such as how they were overly inclusive, financially burdensome, and antitherapeutic.

What is known about lawmakers' perceptions of SORN laws comes from qualitative interviews. The available evidence, although quite limited, shows that lawmakers are less certain about the utility of SORN policies than the public. However, they are also more reluctant than the public to acknowledge the negative consequences that face publicly identified sex offenders. Given that they are often personally responsible for the creation and passage of SORN laws, legislators may be unable or unwilling to accept that they are responsible for mandates that cause human suffering.

### Perceptions of Criminal Justice Professionals

In recent years, there has been a growing body of research focused on the attitudes and beliefs of criminal justice professionals toward SORN, but some of what is known was also produced from studies that appeared as early as the mid-1990s. This literature is primarily centered on the perceptions of law enforcement officers, judges, community corrections personnel, parole board members, and prison wardens. When compared to the public and lawmakers, criminal justice officials (with the exception of judges) appear to have a more nuanced perspective on the utility of SORN laws.

### Law Enforcement Officers

On the one hand, there is evidence that law enforcement representatives view SORN policies as valuable for public safety. These positive perspectives center on persons other than sex offenders and providing such individuals with information to protect themselves and society from sexual victimization. Finn (1997) conducted telephone interviews with 13 criminal justice practitioners from eight different jurisdictions. The police officers in his sample considered SORN laws to be valuable supervision tools for watching sex offenders. At the same time, these police officers felt that SORN policies assisted in criminal investigations and educated community members about sexual victimization risks. Using telephone interviews and electronic surveys, Gaines (2006) collected data from 21 law enforcement officers who were responsible for maintaining online sex offender registries across 11 states. Slightly more than one-half of these law enforcement officers described positive feedback that they had received from community members who allegedly appreciated their efforts to keep them informed about convicted sex offenders through SORN laws.

On the other hand, there are data to suggest that police officers see SORN laws as less-than-useful for increasing public safety. These negative views focus on the ability of such policies to stop sex offenses. Tewksbury and Mustaine (2013) surveyed 209 police managers and found that only 38% believed that SORN policies were effective in preventing sexual victimization. At the same time, 76% did not feel that placement on a publicly available sex offender registry deterred sex offenders from participating in future sex offenses, and 60% did not think that the threat of placement on a publicly available sex offender registry deterred general members of the community from engaging in sex offenses. It appears that police officers do not view SORN legislation as capable of impacting the actions of perpetrators; however, they sometimes acknowledge and sometimes do not acknowledge their ability to increase awareness for the purpose of protection. However, a majority of law enforcement officers (63%) still believed that all sex offender should be subjected to SORN requirements. Interestingly, though, for each additional year on the job, these police officers were 4% less likely to feel that SORN laws were effective in preventing sexual victimization.

Besides thinking that SORN is unable to effectively prevent and deter sex offenses, law enforcement officers also recognize that SORN is challenging to carry out. Gaines (2006) found that nearly one-half of law enforcement officers struggled with implementing SORN laws, as it was difficult to

obtain full compliance from convicted sex offenders throughout the registration process. Keeping up with the home addresses of sex offenders was reportedly one of the most challenging aspects of executing SORN policies, and it was said to undermine the ability of law enforcement to always know the whereabouts of registrants. In addition, Finn (1997) revealed that law enforcement officers often considered SORN laws to be burdensome as they consumed a significant amount of time that could be used for better purposes.

### Judges

Although law enforcement approval of SORN laws is tempered by utility concerns over sex crime reduction and implementation, the attitudes and beliefs of judges toward such policies appear to have no such reservations. Indeed, clear judicial support exists for SORN laws. Bumby and Maddox (1999) surveyed 42 Midwestern trial judges and found that 85% believed that sex offenders should be obligated to register with law enforcement. At the same time, 70% felt that prisons and hospitals should be required to notify communities about a sex offender's release. After surveying 22 judges and individuals running for judgeships in Kentucky, Lennon (2015) revealed that 50% thought that all convicted sex offenders should be obligated to register under SORN laws.

Judges also commonly view SORN laws as successful ways to address the social problem of sexual violence. Lennon (2015) reported that 94% of judges and individuals running for the office of judge believed that SORN policies were effective in preventing sexual victimization. At the same time, more than one-half felt that placement on a publicly available sex offender registry deterred convicted sex offenders (56%) and general members of the community (54%) from participating in sex offenses. In addition, judges largely believe that SORN laws are fair strategies for managing convicted sex offenders in communities. Only 26% of judges in Bumby and Maddox's (1999) study believed that SORN laws were unfair. Lennon (2015) reported that all judges thought that SORN policies were at least somewhat fair, as 30% believed that such laws were fair, 60% felt that such laws were mostly fair, and 10% said that such laws were somewhat fair.

### Community Corrections Professionals

Community corrections professionals appear to be more skeptical about SORN than judges. Tewksbury, Mustaine, and Payne (2011) surveyed 716 community corrections professionals across 45 states. They found that only 19% of these community corrections professionals believed that placement on a publicly available sex offender registry deterred sex



offenders from participating in future sex offenses. At the same time, only 24% felt that the threat of placement on a publicly available sex offender registry deterred general members of the community from engaging in sex offenses. And yet, in spite of acknowledging that SORN laws do not serve their intended purpose of deterrence, slightly more than one-half of community corrections professionals (59%) thought that SORN was effective in preventing sexual victimization. After collecting data from 259 probation and parole officers who supervised at least some convicted sex offenders in Florida, Datz (2009) also found that SORN was considered to be effective. She asked these community corrections professionals to rank the effectiveness of certain sex offender laws from most effective to least effective, and SORN was viewed as the third most effective management approach. Thus, like some law enforcement officers, it may be that community corrections professionals see SORN policies as useful for arming criminal justice officials and the public with information to protect themselves and society from sexual victimization, but do not consider such legislation to be influential on the behavior of (potential and present) sex offenders.

Community corrections professionals are also similar to police officers in that they report problems with the execution of SORN mandates. After surveying 77 probation and parole officers who supervised convicted sex offenders in Wisconsin and conducting observations at their offices, Zevitz and Farkas (2000a) concluded that SORN laws negatively impacted community corrections professionals. Probation and parole officers reported a loss of staff, time, and financial resources as a result of implementing SORN policies. Datz (2009) found that many community corrections professionals had increased workloads as a direct result of SORN laws and expressed that public labeling may lead to sex offender homelessness. Nonetheless, most community corrections professionals (85%) view SORN to be fair (Tewksbury, Mustaine, & Payne, 2011).

### **Parole Board Members and Prison Wardens**

Even fewer data exist on the perceptions of parole board members and prison wardens. However, what are available (i.e., single studies) suggest that parole board members and wardens perceive SORN laws in much the same way as some police officers and community corrections professionals. Tewksbury and Mustaine (2011) collected survey data on 80 parole board members from 30 of the 48 states with parole boards and found that 61% believed that SORN laws were effective in preventing sexual victimization. However, as with law enforcement officers and community corrections professionals, a majority of

these parole board members did not feel that placement on a publicly available sex offender registry deterred sex offenders (73%) or general members of the community (74%) from participating in sex offenses.

Demographics appear to play a role in parole board members' attitudes and beliefs toward SORN laws. As parole board members achieved higher levels of education, they were 20% less likely to believe that SORN effectively reduced sex offenses. Likewise, as parole board members reported more children, their likelihood of agreeing that SORN effectively reduced sex offenses increased by 32% (Tewksbury & Mustaine, 2011). What is more, parole board members largely view SORN policies as just strategies for managing convicted sex offenders in communities. Almost one-third (28%) felt that SORN laws were fair, and almost one-half (49%) said that such policies were mostly fair (Tewksbury & Mustaine, 2011).

Prison wardens somewhat support SORN laws as useful and see them as fair strategies for managing convicted sex offenders in communities. After surveying 68 wardens across the United States, Connor (2012) found that 75% believed that SORN policies were effective in preventing sexual victimization. However, like law enforcement officers, community corrections professionals, and parole board members, a majority of these wardens did not feel that placement on a publicly available sex offender registry deterred sex offenders (76%) or general members of the community (68%) from engaging in sex offenses. Wardens also think that SORN laws are just policies, as a majority (59%) of wardens considered SORN to be fair.

On the whole, criminal justice officials endorse SORN and perceive it to be a fair approach to the management of sex offenders in communities. Across criminal justice professionals, however, law enforcement officers hold the most negative views of SORN laws, while judges hold the most positive views of such policies. What makes police officers the most negative is that they often do not see SORN as capable of preventing sex offenses or providing specific or general deterrence, which runs contrary to the attitudes and beliefs of most community corrections professionals, parole board members, and prison wardens (who generally accept SORN's ability to stop sexual victimization yet reject its deterrent nature) and the perceptions of judges (who generally accept SORN's ability to stop sexual victimization and its deterrent nature). Although the rationale behind their conflicting perspectives on outcomes of sex crime prevention and deterrence is not clear, it may be that community corrections professionals, parole board members, and wardens perceive SORN laws as successful mechanisms of information dissemination

whereby awareness of convicted sex offenders and their whereabouts increase and subsequently help criminal justice officials and community members stop and protect themselves against sexual victimization. Thus, in the eyes of these criminal justice professionals, SORN policies may be “effective at preventing sexual victimization” because such legislation allegedly increases awareness that allows protective measures to be taken but does not “deter” or influence the behavior of potential and present sex offenders.

Regardless, law enforcement officers may be endorsing SORN laws for purely punitive reasons, as they commonly do not think SORN deters or prevents sex offenses, but simultaneously often want all sex offenders to be publicly identified under SORN policies. Although the other criminal justice populations also largely want all sex offenders to be subjected to SORN laws, unlike the police, they do not also deny the deterrent and preventive value of such policies. Blatant vengeance is less of a viable explanation when strong belief in deterrence or prevention exists.

A few studies have examined the differences between criminal justice professionals based on occupation and support the notion that law enforcement officers hold the most negative and punitive perceptions about SORN. In the most comprehensive and methodologically rigorous study of criminal justice professionals’ attitudes and beliefs toward SORN, Mustaine, Tewksbury, Connor, and Payne (2015) examined officials from the police (i.e., law enforcement officers), criminal courts (i.e., prosecutors), and corrections (i.e., prison wardens, parole board members, and community corrections professionals). They found that law enforcement officers and prosecutors had the most negative and punitive views of SORN, as well as the highest degrees of belief in the fairness of SORN. In addition, Redlich (2001) compared the perceptions of 109 community members with those of 78 law enforcement officers and 82 law students. She discovered that law enforcement officers were more likely to believe that SORN did not violate a sex offender’s rights and was effective in preventing child sexual victimization. Law enforcement officers also expressed the most support for SORN laws.

### Perceptions of Treatment Professionals

Treatment professionals generally do not express significant support for SORN laws. After surveying 261 sexual abuse professionals who attended professional sexual abuse conferences, Levenson, Fortney, and Baker (2010) found that only 13% completely agreed with such policies in their state.

Call (2015) collected survey data with over 40 psychologists, psychiatrists, counselors, and therapists and discovered that none of them endorsed “sex offender management policies.” Treatment professionals also often do not believe that SORN laws adequately protect communities from sexual violence. Malesky and Keim (2001) conducted a national survey of 133 mental health professionals who worked with convicted sex offenders and revealed that over 80% did not think that publicly available sex offender registries impacted the number of children who were sexually abused in the United States. Levenson and colleagues (2010) found that only 8% felt that SORN laws were effective or very effective at reducing sex offenses. In addition, treatment professionals largely regard SORN policies as unfair for convicted sex offenders who are living in communities. Over 60% of mental health professionals in Malesky and Keim’s (2001) study believed that sex offenders who were publicly identified through online sex offender registries would become targets of vigilantism. Levenson and colleagues (2010) found that only 17% of sexual abuse professionals felt that SORN policies were completely fair for convicted sex offenders.

However, there is evidence that treatment professionals who primarily work with sexual abuse victims hold more favorable attitudes and beliefs about SORN laws than treatment professionals who primarily work with sex offenders. Levenson and colleagues (2010) found that those who worked with victims were more likely than those who worked with sex offenders to support SORN policies (45% versus 31%), believe that SORN laws were effective or very effective in preventing sexual victimization (63% versus 37%), and feel that SORN policies were fair to convicted sex offenders (67% versus 52%). What is more, treatment professionals who identify more with the mental health profession tend to see SORN laws in a more negative light than treatment professionals who identify as criminal justice employees. Call (2015) used bivariate and multivariate analyses to show that clinical professionals (i.e., psychologists, psychiatrists, counselors, and therapists) were significantly less likely to support sex offender management policies than nonclinical criminal justice officials (i.e., community corrections officers and administrators of criminal justice organizations). At the same time, Levenson and colleagues (2010) revealed that mental health professionals who worked primarily with convicted sex offenders were significantly less likely than criminal justice officials to agree with community notification (29% versus 38%) and believe that all sex offenders should be subjected to SORN laws (18% vs. 71%).

Treatment professionals generally do not express significant support for SORN laws. Treatment professionals also often do not believe that such policies adequately protect communities from sexual victimization. At the same time, treatment professionals largely regard SORN laws as unfair for convicted sex offenders, but those who primarily work with sexual abuse victims hold more favorable views toward SORN than those who primarily work with perpetrators. In addition, treatment professionals who identify more with the mental health profession frequently see SORN laws more positively than treatment professionals who identify as criminal justice employees. What is known about treatment professionals' perceptions of SORN laws is based on convenience samples.

### Perceptions of Sex Offenders

Many convicted sex offenders who are obligated to register and cooperate with public notification procedures under SORN laws report negative views of such policies. As the foci of SORN laws, sex offenders often directly experience harmful obstacles that prevent them from easily reintegrating into society after sex offense convictions. These collateral consequences, which stem from the public identification of sex offenders as persons who engaged in sexual lawbreaking, are the unfavorable and often unintended outcomes that may exist in association with criminal penalties (Buckler & Travis, 2003; Wheelock, 2005).

Sex offenders who are publicly identified through SORN laws commonly encounter numerous forms of social damage. Specifically, many registered sex offenders experience stigmatization. Robbers (2009) used qualitative interviews and surveys with 153 sex offenders and found that feeling socially discredited and shamed were regular occurrences. Drawing on data from 121 registered sex offenders, Tewksbury (2005) revealed that a significant minority experienced social disapproval and felt disgraced. After conducting semistructured qualitative interviews with 22 registered sex offenders from Kentucky about their community experiences, Tewksbury and Lees (2006a) discovered that being stigmatized by the public emerged as a common theme. More recently, Evans and Cubellis (2015) interviewed 20 registered sex offenders and showed that social stigmatization among registrants was so strong that they were compelled to adopt a variety of coping strategies to deal with their devalued status.

This stigmatization often leads to ostracism by community members. Zevitz and Farkas (2000b) interviewed 30 registered sex offenders in Wisconsin about their perceived experiences with the state's

SORN statute and found that 77% described being shunned by acquaintances and neighbors. Such ostracism may take the form of harassment, threats, and (occasionally) vigilante attacks. After surveying 183 sex offenders who were subjected to SORN in Florida, Levenson and Cotter (2005) revealed that 33% were threatened or harassed by neighbors and 5% were physically assaulted by community members who found out that they had a sex offense conviction. Mercado, Alvarez, and Levenson (2008) examined the perceptions of 138 sex offenders in New Jersey and found that almost one-half (48%) were physically threatened or harassed and 11% were physically assaulted. Zevitz and Farkas (2000b) found that 77% of registered sex offenders experienced threats and harassment and one such offender reported being attacked by a community member who took the law into their own hands. Frenzel, Bowen, Spraitz, Bowers, and Phaneuf (2014) surveyed 443 registered sex offenders across Pennsylvania, Texas, and Wisconsin and found that 42% were harassed in person and 14% were physically assaulted due to their status. Tewksbury (2004) examined the views of 40 female sex offenders who were listed on Indiana and Kentucky's sex offender registries and found that 34% were harassed in person as a result of public knowledge of their sex offenses. In another quantitative study, Tewksbury (2005) found that 47% of publicly identified sex offenders were harassed in person, and in a qualitative study (Tewksbury & Lees, 2006a), harassment was a prominent theme.

As a result of these active demonstrations of contempt by community members, many publicly identified sex offenders report persistent feelings of vulnerability, undergo heightened levels of stress, and witness harm to their family members. Tewksbury and Lees (2006a) found that sex offenders who were subjected to SORN laws often felt susceptible to physical or emotional harm. Robbers (2009) described how registered sex offenders experienced heightened levels of stress from being publicly exposed. Among 209 registered sex offenders in Oklahoma and Kansas, Tewksbury and Mustaine (2009) found moderate-to-extreme levels of stress that were commonly influenced by public recognition and harassment. Mercado and colleagues (2008) revealed that 78% of sex offenders believed that SORN laws generated additional stress that made rehabilitation difficult. In addition, Zevitz and Farkas (2000b) found that 67% of sex offenders observed their relatives being emotionally harmed because they were publicly identified. Mercado and colleagues (2008) reported that one-third (34%) of registered sex offenders had at least one family member who was threatened, harassed, or assaulted by community members due to public notification.

It is very common for individuals who are publicly identified as sex offenders through SORN laws to struggle with maintaining relationships and developing new associations. A majority of sex offenders (52%) in Levenson and Cotter's (2005) study reported losing friends or a close relationship because of SORN policies. Tewksbury (2005) found that more than one-half (54%) of registered sex offenders believed that they lost a friend as a result of public knowledge of their sexual offending. Tewksbury and Lees (2006b) examined the experiences of 26 sex offenders who were listed on publicly available university-maintained sex offender registries and revealed that 42% lost a friend as a result of their registration status. Among female sex offenders, Tewksbury (2004) revealed that 39% lost a friend due to their public labeling. Mercado and colleagues (2008) reported that 61% of registered sex offenders lost friends. More recently, Frenzel and colleagues (2014) found that more than one-half of registered sex offenders (52%) lost a friend and about one-third (28%) lost a spouse or dating partner. Registered sex offenders even perceive having problems with their family members because of their public status. Tewksbury and Connor (2012) interviewed 24 sex offenders and found that most expected to be rejected and scrutinized by at least some relatives. As a result of their social exclusion, registered sex offenders tend to internalize their spoiled identity (Tewksbury, 2012) and intentionally withdraw from community involvement, which further reduces their social support (Robbers, 2009).

Beyond social impacts, it is not uncommon for sex offenders who are publicly identified through SORN laws to lose their jobs when coworkers and employers discover their status. A majority of sex offenders (57%) in Wisconsin (Zevitz & Farkas, 2000b) and New Jersey (52%) (Mercado et al., 2008), a significant minority of sex offenders (42%) in Indiana and Kentucky (Tewksbury, 2004, 2005), and almost one-third of sex offenders (27%) in Florida (Levenson & Cotter, 2005) had their employment terminated after being publicly recognized. At the same time, 65% of sex offenders on college campuses with campus-specific registries were not hired or lost a job due to their public identity (Tewksbury & Lees, 2006b). In addition, Frenzel and colleagues (2014) found that one-half of the more than 400 sex offenders who were surveyed lost a job with one-quarter of them also being denied a promotion. Loss of housing (Tewksbury, 2004, 2005; Zevitz & Farkas, 2000b) and need to locate to a new residence (Levenson & Cotter, 2005) are also frequent experiences for sex offenders subjected to SORN. In many cases, however, the challenges associated with housing are connected to

SORN's accompanying residency restriction mandates.

Apart from the collateral consequences, sex offenders generally view SORN laws as ineffective policies. Levenson and Cotter (2005) found that a large majority of registered sex offenders in Florida (78%) did not believe that SORN laws helped them to stop future offending. At the same time, most (64%) did not feel that they were more willing to manage their risk factors because they knew their neighbors were watching them. About seven in 10 (68%) sex offenders from Florida (Levenson & Cotter, 2005) and seven in 10 (74%) sex offenders from New Jersey (Mercado et al., 2008) did not think that community members were safer when they knew where sex offenders lived. Similarly, Zevitz and Farkas (2000b) found that registered sex offenders expressed skepticism about the deterrent value of community notification and believed that such laws hindered their progress. In fact, most interviewed sex offenders believed that SORN would not deter future sexual victimization.

There is some evidence that sex offenders could potentially support SORN laws. After conducting qualitative interviews with 22 registered sex offenders in Kentucky, Tewksbury and Lees (2007) pointed out that these individuals recognized that SORN policies could make the public aware of their presence in communities. However, most of these sex offenders did not believe that the state's sex offender registry was effective in its current form. Numerous sex offenders believed that increased restrictions about who could access registry information and for what purposes may improve SORN laws.

### **Perceptions of Family Members**

Available studies suggest that family members of sex offenders who are subjected to SORN laws are likely to experience negative repercussions. Farkas and Miller (2007) focused on adult family members of publicly labeled sex offenders, interviewing 72 family members (within 28 families) from six different states. Chronic hopelessness, depression, and frustration that stemmed from adjusting to life with a publicly identified sex offender were the most commonly reported feelings. Interestingly, some family members also expressed that relationships with other relatives deteriorated as a direct result of their decision to remain in contact with a registered sex offender.

Similarly, with online survey data from 584 family members across the United States, Levenson and Tewksbury (2009) and Tewksbury and Levenson (2009) found that individuals related to publicly identified sex offenders commonly experienced adverse consequences. Most family members (86%) endured a significant amount of stress as a result of



their association with a registered sex offender, and nearly one-half (49%) often felt afraid for their own safety because of their loved one's status (Tewksbury & Levenson, 2009). One-half of the family members lost friends or a close relationship, and 66% said that shame and embarrassment often prevented them from participating in community activities (Tewksbury & Levenson, 2009). Individuals who lived with a registered sex offender were more likely than individuals who did not live with a registered sex offender to encounter threats and harassment by neighborhood residents (Levenson & Tewksbury, 2009). Children of sex offenders also reported unfavorable outcomes, with more than one-half stating that they were treated differently by teachers and other children at school.

Sex offenders and their family members commonly experience negative outcomes that result from SORN laws. These collateral consequences include stigmatization, ostracism, harassment, threats, vigilante attacks, persistent feelings of vulnerability, heightened levels of stress, relationship loss, relationship deterioration, and withdraw from community involvement. Other harmful ramifications that publicly identified sex offenders deal with are job loss, underemployment, and housing problems. Registered sex offenders also generally do not view SORN policies as effective in terms of deterrence or sex offense prevention. However, there is some evidence that sex offenders could potentially support SORN laws if access was restricted and other modifications were made. What is known about sex offenders' perceptions of SORN policies and those of their family members largely comes from projects that feature small sample sizes, convenience samples, and limited geographic representation.

### Perceptions of the Media

Although no research was identified that specifically examines their perceptions of SORN laws, the media typically present sensationalized and inaccurate notions about convicted sex offenders and sex offenses that are often subsequently adopted by American society. These myths perpetuated by the media about sexual lawbreakers and their crimes may be responsible for the widespread support that SORN policies receive across numerous populations. This is because the media are largely responsible for how Americans understand criminal behavior and societal responses to it, as the Internet, movies, newspapers, and television are the most common sources of knowledge about the criminal justice system (Dowler, 2006; Surette, 2011; Weitzer & Kubrin, 2004).

The media often focus on particularly heinous sex crimes, especially acts perpetrated against children, which generate a moral panic regarding the safety of

children (Galeste, Fradella, & Vogel, 2012; Jenkins, 1998; Zgoba, 2004). Using constructed week samples of newspaper coverage from 2007 to 2009 on the topic of child sexual abuse, Mejia, Cheyne, and Dorfman (2012) found that incidents of child sexual abuse that were not shockingly violent or excessively brutal in nature were rarely written about. Such media exposure of especially detestable sex offenses often saturates news outlets for extended periods of time and subsequently intensifies the public's apprehension and fear about all convicted sex offenders who live among them. Dowler (2006) examined 1,042 crime stories from 400 local newscasts in the Detroit, Kitchener, Toledo, and Toronto television markets and focused on the presentation of sex offenses compared to other crimes. His content analysis revealed that 27% of sex offense stories presented fear compared to only 11% of the other crime stories. In a later analysis, Dowler (2006) showed that stories that introduced fear were approximately five times more likely to be about sex offenses than other crimes. This intense fear that stems from media reports of sex offenders assaulting helpless children may personalize the reality of sex offenses and create a false sense that such crimes are likely to reoccur. As Zgoba (2004) pointed out, the misconception that child abduction and molestation rates are on the rise paves the way for all convicted sex offenders to be viewed as societal threats.

At the same time, through exaggeration and shock strategies, the media tend to depict sexual perpetrators inaccurately, which may shape public attitudes and beliefs and lead to distorted impressions about them. The most common myths that the media perpetuate, which the public tend to accept as conventional wisdom, include sex offenders as unfamiliar to victims (Berliner, Schram, Miller, & Milloy, 1995; Craun & Theriot, 2009; Fortney, Levenson, Brannon, & Baker, 2007; Fuselier, Durham, & Wurtele, 2002; Levenson et al., 2007), highly recidivistic (Fortney et al., 2007; Katz-Schiavone, Levenson, & Ackerman, 2008; Levenson et al., 2007; Levenson & D'Amora, 2007; Quinn, Forsyth, & Mullen-Quinn, 2004), specialists (Magers, Jennings, Tewksbury, & Miller, 2009; Miethel, Olson, & Mitchell, 2006), homogenous (Sample & Bray, 2006), and unable to be rehabilitated (Levenson et al., 2007; Katz-Schiavone et al., 2008). If groups mistakenly believe that sex offenders are usually strangers to their victims, likely to repeat their sex offenses, specialists, homogenous, and unable to be rehabilitated, it may make logical sense for them to endorse SORN laws. Galeste and colleagues (2012) explored the prevalence of four of these myths (i.e., sex offenders have high recidivism rates, specialize in sex offenses, represent a homogenous group, and cannot be rehabilitated), finding that one or more of these myths showed up in more than one-third of the

334 newspaper articles in their sample. Mejia, Somji, Nixon, Dorfman, and Quintero (2015) found that 18% of the 308 articles in their study included language that painted sex offenders as subhuman. Indeed, sex offenders with these alleged characteristics (i.e., myths) have been and continue to be constructed as a social problem by the media, especially when they are living in nearby communities.

As Sample and Kadleck (2008) and Burchfield, Sample, and Lytle (2014) asserted, because the social problem of sex offenders has been validated by the media, lawmakers have subsequently exploited and continue to exploit public sentiment by responding with legislative efforts—such as SORN—to assuage unfounded fears and project an image of control over such perpetrators. Griffin and Miller (2008) describe this attempt by legislators as “crime control theater,” whereby a response to a social problem produces the appearance of (rather than actual) crime control (p. 160). Widespread myths about sex offenders and sex offenses, then, that stem from the media and the subsequent perspectives of the public (Quinn et al., 2004; Sample & Kadleck, 2008) prompt lawmakers to act to combat the socially constructed problem of sex offending (Galeste et al., 2012). Although SORN laws may be considered reactions to the moral panic that is informed by the media, such mandates appear to serve only a symbolic role in crime control efforts aimed at convicted sex offenders.

### Summary

Despite the fact that only a small number of studies have examined how specific populations perceive SORN laws, what is available in the literature shows that such policies are endorsed by a wide variety of groups who often simultaneously recognize their lack of efficacy. The American public overwhelmingly approves of SORN mandates. The largely positive outlook on these legislative responses in concert with the recognition of harmful outcomes for registrants by the public suggests that such policies are regarded as legitimate forms of punishment for people who commit sex offenses in the United States. The origins of SORN legislation may explain this public sentiment. The demands of the American public for lawmakers to do something about the sex offender problem in the 1990s, which were molded by inaccurate media depictions of sex offenders and sex offenses, were largely responsible for the proliferation of contemporary SORN statutes. At the same time, SORN laws represented a response by the public and lawmakers to peak crime rates in the late 1980s. SORN policies, however, were brought to fruition during a span of time when the incidence of sex offenses decreased throughout the United States (Finkelhor & Jones, 2004).

Although the public believes SORN policies are helpful in preventing sexual victimization, the lawmakers who wrote, sponsored, and passed the legislation frequently do not see the laws as effective and point out that revisions are necessary. However, they are less likely than the public to acknowledge the negative ramifications that convicted sex offenders endure as a result of SORN requirements. Given that they are often personally responsible for the creation and passage of SORN policies, legislators may be unable or unwilling to accept that they are responsible for mandates that cause human suffering.

On the whole, criminal justice officials support SORN statutes and perceive them to be fair approaches to sex offender management. However, according to most criminal justice professionals, the efficacy of SORN laws are questionable. It is rather remarkable that judges are the only types of criminal justice professionals who consistently believe in the ability of SORN to successfully deter convicted sex offenders and general members of the community from committing sex offenses. After all, the expressed goals of SORN are to promote public safety and reduce recidivism through the pursuit of deterrence (Tewksbury et al., 2012). Although community corrections professionals, parole board members, and prison wardens often believe that SORN policies prevent sexual victimization, it appears that they may be simply agreeing with the idea that such laws increase public awareness and subsequently expand the ability for people to protect themselves and society from sex offenders, given that they frequently do not see deterrence happening. However, research indicates that a large majority of the public does not actively utilize available information that is disseminated through SORN (Anderson & Sample, 2008; Burchfield, 2012; Craun, 2010; Kernsmith, Comartin, Craun, & Kernsmith, 2009), potentially limiting its ability to protect community members from sex offenders in their neighborhoods. Alternatively, when the public does utilize SORN to become informed about local sex offenders, this strategy often leads to excessive, and perhaps harmful, precautionary behavior and fear of crime (Beck & Travis, 2004; Caputo & Brodsky, 2004). Law enforcement officers often echo these findings, as they not only do not believe in SORN’s deterrent effect, but they also commonly do not feel that it prevents sexual victimization.

Treatment providers, convicted sex offenders who are registrants, and the family members of registrants also tend to negatively view SORN. Unlike the public, lawmakers, and criminal justice professionals, most treatment professionals report that SORN laws are unfair for convicted sex offenders and do not represent a just response to sex offending. In addition,

registrants and their families experience numerous negative outcomes (known as collateral consequences) from public identification under SORN, which may weaken social support and the ability to successfully reintegrate into society.

Ultimately, it is important to recognize that the studies described in this paper simply constitute a starting point toward understanding the attitudes, beliefs, and experiences that specific groups have with respect to SORN laws in the United States. What is known about the views of the public, lawmakers, criminal justice officials, treatment professionals, publicly identified sex offenders, and family members of publicly identified sex offenders largely comes from projects that feature small sample sizes, convenience samples, and limited geographic representation. Future research should attempt to overcome these limitations. Nonetheless, this research provides important details and insights about SORN as a social policy, and it suggests that SORN laws may need to be reconsidered. Specifically, if SORN is to stay, careful consideration should be given to ensure that it truly discourages sex offending, becomes less burdensome to implement, and reduces the collateral damage to offenders and their loved ones.

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## APPENDIX A. PERCEPTIONS OF THE PUBLIC

| Article         | Phillips (1998)      | Brannon, Levenson, Fortney, and Baker (2007) | Levenson, Brannon, Fortney, and Baker (2007) | Lieb and Nunlist (2008) | Katz-Schiavone and Jeglic (2009) | Kernsmith, Craun, and Foster (2009) | Harris and Socia (2016)       |
|-----------------|----------------------|--|--|-------------------------|----------------------------------|-------------------------------------|-------------------------------|
| Coverage Area   | Washington           | Melbourne, Florida                           | Melbourne, Florida                           | Washington              | 15 States                        | Michigan                            | United States                 |
| Sample Size     | 400                  | 193  | 193  | 643                     | 115                              | 733                                 | 1,000                         |
| Sampling Method | Random Digit Dialing | Convenience                                  | Convenience                                  | Random Digit Dialing    | Convenience                      | Random Digit Dialing                | Stratified Random and Matched |
| Data Type       | Surveys              | Surveys                                      | Surveys                                      | Surveys                 | Surveys                          | Surveys                             | Surveys                       |



**APPENDIX B. PERCEPTIONS OF LAWMAKERS**

| Article         | Sample and Kadleck (2008)                  | Meloy, Boatwright, and Curtis (2013)        | Meloy, Curtis, and Boatwright (2013)        |
|-----------------|--|---|---|
| Coverage Area   | Illinois                                   | Multiple States                             | Multiple States                             |
| Sample Size     | 21 State Representatives, 4 State Senators | 61 State Representatives and State Senators | 61 State Representatives and State Senators |
| Sampling Method | Convenience                                | Convenience                                 | Convenience                                 |
| Data Type       | Interviews                                 | Interviews                                  | Interviews                                  |

**APPENDIX C. PERCEPTIONS OF LAW ENFORCEMENT OFFICERS**

| Article         | Finn<br>(1997) | Gaines<br>(2006)      | Tewksbury<br>and Mustaine<br>(2013) |
|-----------------|----------------|-----------------------|-------------------------------------|
| Coverage Area   | 8 States       | 11 States             | Multiple States                     |
| Sample Size     | 13             | 21                    | 209                                 |
| Sampling Method | Convenience    | Convenience           | Convenience                         |
| Data Type       | Interviews     | Interviews<br>Surveys | Surveys                             |

**APPENDIX D. PERCEPTIONS OF JUDGES**

| Article         | Bumby and Maddox (1999) | Lennon (2015) |
|-----------------|-------------------------|---------------|
| Coverage Area   | Midwest                 | Kentucky      |
| Sample Size     | 42                      | 22            |
| Sampling Method | Convenience             | Convenience   |
| Data Type       | Surveys                 | Surveys       |

**APPENDIX E. PERCEPTIONS OF COMMUNITY CORRECTIONS PROFESSIONALS**

| Article         | Zevitz and Farkas (2000a) | Datz (2009) | Tewksbury, Mustaine, and Payne (2011) |
|-----------------|---------------------------|-------------|---------------------------------------|
| Coverage Area   | Wisconsin                 | Florida     | 45 States                             |
| Sample Size     | 77                        | 259         | 716                                   |
| Sampling Method | Convenience               | Convenience | Convenience                           |
| Data Type       | Observations<br>Surveys   | Surveys     | Surveys                               |



**APPENDIX F. PERCEPTIONS OF PAROLE BOARD MEMBERS AND PRISON WARDENS**

| Article         | Tewksbury and Mustaine (2011) | Connor (2012)     |
|-----------------|-------------------------------|-------------------|
| Coverage Area   | 30 States                     | Multiple States   |
| Sample Size     | 80 Parole Board Members       | 68 Prison Wardens |
| Sampling Method | Convenience                   | Random            |
| Data Type       | Surveys                       | Surveys           |

**APPENDIX G. PERCEPTIONS OF TREATMENT PROFESSIONALS**

| Article         | Malesky and Keim (2001) | Levenson, Fortney, and Baker (2010) | Call (2015)     |
|-----------------|-------------------------|-------------------------------------|-----------------|
| Coverage Area   | Multiple States         | Multiple States                     | Multiple States |
| Sample Size     | 133                     | 261                                 | 248             |
| Sampling Method | Convenience             | Convenience                         | Convenience     |
| Data Type       | Surveys                 | Surveys                             | Surveys         |

**APPENDIX H. PERCEPTIONS OF SEX OFFENDERS**

| Article         | Zevitz and Farkas (2000b) | Tewksbury (2004)  | Levenson and Cotter (2005) | Tewksbury (2005) | Tewksbury and Lees (2006a) | Tewksbury and Lees (2006b) | Tewksbury and Lees (2007) |
|-----------------|---------------------------|-------------------|----------------------------|------------------|----------------------------|----------------------------|---------------------------|
| Coverage Area   | Wisconsin                 | Indiana, Kentucky | Florida                    | Kentucky         | Kentucky                   | Multiple States            | Kentucky                  |
| Sample Size     | 30                        | 40                | 183                        | 121              | 22                         | 26                         | 22                        |
| Sampling Method | Convenience               | Convenience       | Convenience                | Convenience      | Convenience                | Total Population           | Convenience               |
| Data Type       | Interviews                | Surveys           | Surveys                    | Surveys          | Interviews                 | Surveys                    | Interviews                |

## APPENDIX I. PERCEPTIONS OF SEX OFFENDERS (CONTINUED)

| Mercado, Alvarez, and Levenson (2008) | Robbers (2009)        | Tewksbury and Mustaine (2009) | Tewksbury and Connor (2012) | Frenzel, Bowen, Spraitz, Bowers, and Phaneuf (2014) | Evans and Cubellis (2015)  |
|---------------------------------------|-----------------------|-------------------------------|-----------------------------|---|--|
| New Jersey                            | Virginia              | Kansas, Oklahoma              | Kentucky                    | Pennsylvania, Texas, and Wisconsin                  | Indianapolis, Indiana; New York City, New York; and Portland, Oregon |
| 138                                   | 153                   | 209                           | 24                          | 443   | 20   |
| Convenience                           | Systematic<br>Random  | Random                        | Convenience                 | Convenience   | Convenience  |
| Surveys                               | Interviews<br>Surveys | Surveys                       | Interviews                  | Surveys   | Interviews   |



**APPENDIX J. PERCEPTIONS OF FAMILY MEMBERS OF REGISTERED SEX OFFENDERS**

| Article         | Farkas and Miller (2007) | Levenson and Tewksbury (2009) | Tewksbury and Levenson (2009) |
|-----------------|--------------------------|-------------------------------|-------------------------------|
| Coverage Area   | Six States               | Multiple States               | Multiple States               |
| Sample Size     | 72 (Within 28 Families)  | 584                           | 584                           |
| Sampling Method | Convenience              | Convenience                   | Convenience                   |
| Data Type       | Interviews               | Surveys                       | Surveys                       |

**APPENDIX K. PERCEPTIONS OF MIXED POPULATIONS**

| Article         | Redlich (2001)  | Mustaine, Tewksbury, Connor, and Payne (2015)   |
|-----------------|---|---|
| Coverage Area   | California  | Multiple States   |
| Sample Size     | 103 Community Members, 78 Law Enforcement Officers, 82 Law Students | 208 Law Enforcement Officers, 77 Prosecutors, 76 Prison Wardens, 80 Parole Board Members, and 716 Community Corrections Professionals |
| Sampling Method | Convenience   | Convenience   |
| Data Type       | Surveys   | Surveys   |

## Endnotes

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- <sup>1</sup> A comprehensive presentation of perceptions of adult SORN is the goal of this project, and juvenile SORN is not considered.
  - <sup>2</sup> The literature on perceptions of sex offender residency restrictions is not as extensive and nuanced as the literature on attitudes and beliefs of SORN. At the same time, not all jurisdictions restrict the residential locations of registered sex offenders. For these reasons, this paper centers solely on impressions of SORN.
  - <sup>3</sup> “Managing convicted sex offenders in communities” describes supervising individuals with sex offense convictions who are living outside of correctional institutions.