

RESEARCH ARTICLE

IMPACTS OF SEX OFFENDER NOTIFICATION ON COMMUNITY BEHAVIOR

Measuring the impact of sex offender notification on community adoption of protective behaviors

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Community notification laws require government officials to inform the public of a sex offender's presence in the community when that offender has been identified as posing a high risk for recidivism. The logic behind these laws is that by providing the public with information about a potential threat to safety, citizens will be motivated to take protective actions to mitigate their risk for victimization (Walsh and Cohen, 1998). Since their federally mandated inception in 1996, much research has been conducted on the impacts community notification laws have had on offenders (e.g., English, 1998; Levenson and Hern, 2007; Petrosino and Petrosino, 1999; Tewksbury, 2005; Zevitz, 2006; Zevitz and Farkas, 2000). However, these laws primarily were written and designed with the public's behavior in mind—not the offenders'. Despite their existence in all 50 states, research focusing specifically on the effects of community notification laws on the public's adoption of protective behavior—the behavior the laws are intended to impact—is limited to a handful of recent studies (Anderson, Evans, and Sample, 2009; Anderson and Sample, 2008; Beck, Clingermyer, Ramsey, and Travis, 2004; Beck and Travis, 2004; Caputo and Brodsky, 2004).

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This lack of examination into community notification's instrumental goal of increasing public safety has not impeded the growth of these politically popular laws, with their most notable expansion in both scope and depth being the 2006 Adam Walsh Child Protection and Safety Act (hereafter the Walsh Act). Notification laws and their associated high costs have been justified to taxpayers by invoking the platitude "no price is too high" when it comes to protecting the public against the potential threat of sex offenders (Zgoba, Witt, Dalessandro, and Veysey, 2008). Moreover, the U.S. Supreme Court has validated these controversial laws by consistently ruling that the legitimate public good they serve (public safety) outweighs the civil liberty interests (privacy and protection against ex post facto punishment) of this class of offender, thereby rendering them constitutional (*Connecticut Department of Public Safety v. Doe*, 2003; Logan, 1999; *Smith v. Doe*, 2003). These rulings come despite a lack of empirical evidence supporting the claim that the public is safer as a result of community notification.

The research presented here empirically evaluates the claim that community notification is correlated positively with the public's adoption of protective behavior. This research project closely replicates a Hamilton County, Ohio, study conducted by Beck et al. (2004) in which they examined whether people who receive community notification undertake more protective behaviors (on behalf of themselves or loved ones) than people who do not receive notification. However, unlike Beck et al. (2004), this research considers the impact ecological context has on the decision to adopt protective behaviors. Because community notification often is geographically specific (i.e., only those living in close proximity of an offender receive notification) and because it is well documented that known sex offenders are concentrated in socially disadvantaged neighborhoods (Hughes and Kadleck, 2008; Mustaine, Tewksbury, and Stengel, 2006; Tewksbury and Mustaine, 2006; Zandbergen and Hart, 2006; Zevitz, 2003), this study gives primacy to measuring protective behavior differences between socially disorganized neighborhoods and socially organized neighborhoods. The contribution of this analysis is twofold. First, it provides some much-needed evaluation of the relationship of notification laws to protective behavior. Second, its emphasis on ecological space as an intervening variable in how people respond to notification provides insight into how well these laws serve as a crime prevention tool in communities that are the most vulnerable to victimization.

To frame this discussion, a brief background on notification and registration laws is presented followed by an examination of research findings on the impact of notification laws on the public. Concluding this discussion is an explanation of the notification policies and practices in this project's research site of Minneapolis, Minnesota.

Policy Background and Empirical Evaluation

The 1990s were a volatile time for the development of policies aimed at controlling a type of criminal who was considered by the public to be particularly problematic—the sex offender (Garland, 2001). Several high-profile sexual assault cases left the public with a

collective “realization that the modern strategy of crime-control-through-criminal justice [had] been tried and found wanting” (2001: 20). The failure was observed not as stemming from an implementation-of-policy-failure but rather as a failure of the theories about crime, criminality, and crime-control driving policy (Garland, 2001). A frustrated public looked to the legislature—not prison officials nor the psychiatric profession as it previously had—to address its concerns through “legislation designating sexual offenders as a separate category [of offender], authorizing procedures outside both the criminal law and the civil commitment process” (Lieb, Quinsey, and Berliner, 1998: 48, 53). It is under this cultural climate of distrust that current federal sex offender registration and notification laws were developed.

Federally Mandated Registration and Notification Laws¹

Registration laws generally require that offenders provide law enforcement and other designated parties with identifying information (e.g., name, address, and employer) to monitor their whereabouts. This information must be updated by the offender for as long as is statutorily required, or the offender will face criminal charges (Matson, 2001). Despite the seemingly recent interest and energy put toward the social control of sex offenders, registration laws have been in place in the United States since the 1930s (Lieb et al., 1998). Originally used by law enforcement as an intelligence tool, registries greatly expanded in size, scope, and purpose through the 1990s because of an increase in public awareness of sexual violence and victims’ rights activism, as well as a shifting in stakeholder roles, in which policy makers deferred less to the opinions of criminal justice professionals and more to the will of their constituents (Garland, 2001; Lieb et al., 1998). State-level activism and legislative initiatives culminated in a national agenda to protect the public against sex offenders in 1994 when the U.S. Congress enacted The Jacob Wetterling Crimes against Children and Sex Offender Registration Act (hereafter, the Wetterling Act), so named for a Minnesota boy who was abducted at gunpoint by a masked man assumed to be a sex offender (Matson, 2001).

The Wetterling Act mandated that all states have a sex offender registry and provided guidelines as to what information should be collected and maintained to eliminate inconsistencies between existing registries, improve the quality of law-enforcement intelligence, and provide for the sharing of such intelligence for investigative purposes. The Wetterling Act also authorized for the first time at the federal level *discretionary* community notification of sex offenders. This policy soon was followed by a demand from both the public and its elected officials for *mandatory* community notification after the sexual assault and homicide of 7-year-old Megan Kanka of New Jersey at the hands of a repeat sex offender. Community notification became a federal mandate in 1996 when Megan’s Law was added as an amendment to the Wetterling Act. By 2000, all 50 states had both sex offender registration and community notification laws (Adams, 2002).

1. For a thorough review of the history of sex offender laws in the United States, see Terry and Ackerman (2009).

The Wetterling Act was amended many more times to introduce such initiatives as a public national sex offender registry and increased sanctions for offenders who violate registration requirements before being repealed in 2006 by the Walsh Act. The Walsh Act was named after a 6-year-old Florida boy whose kidnapping and murder are believed to be the work of a known sex offender. Its goal is to broaden the scope of offenders subject to registration and notification practices and to strengthen the enforcement of states' registration and notification policies. This landmark legislation includes seven major titles, each named after a victim in a high-profile sex crime case.² Notably, the Walsh Act acknowledges the lack of research supporting the undergirding assumptions of sex offender laws. To address this issue, it provides for the first time extensive federal funding dedicated to research evaluating the impact of sex offender registration and notification laws on both offenders and the communities in which they live while simultaneously mandating the implementation of largely untested policies.

Empirical Evaluation of Community Notification Laws

Research on the impact of notification laws on community members has offered the following consistent findings: (a) These laws increase the amount of fear residents report feeling (Beck and Travis, 2004; Caputo and Brodsky, 2004; Phillips, 1998; Zevitz, 2004; Zevitz and Farkas, 2000)³; (b) residents overwhelmingly support these laws and believe them to provide an important public service (Caputo and Brodsky, 2004; Levenson, Brannon, Fortney, and Baker, 2007; Martin and Marinucci, 2006; Phillips, 1998); (c) most do not access community notification information (Anderson et al., 2009; Anderson and Sample, 2008; Gallup Poll, 2005).

Findings are mixed, however, on whether notification prompts protective behavior—the central goal of these laws. For the most part, research has found no significant relationship between notification and the adoption of risk-mitigating behavior (Anderson and Sample, 2008; Caputo and Brodsky, 2004; Phillips, 1998). The exceptions are Anderson et al. (2009) as well as the works of Beck and Travis (2004) and Beck et al. (2004). Although Anderson et al. (2009: 319) found that some characteristics (being female, having Internet access, having children, and being less educated) were correlated with taking protective action after having accessed an online sex offender registry, this work failed to define “protective action.” Nor did it differentiate between protective behaviors undertaken on behalf of oneself and on behalf of a loved one (e.g., one's child). Moreover, behavior modification was measured with only the following survey question: “Have you ever taken any preventative measures

2. For a review of the Walsh Act, see McPherson (2007).

3. A notable exception is the work of Anderson and Sample (2008: 387) who found that notified residents report feeling safer—not more fearful—because the notification reportedly made them “more aware.” The authors qualify this finding by speculating that respondents “derived a causal model for public safety. . . in which registry information makes them more aware, and awareness translates to some enhanced level of perceived public safety.”

as a result of the [online registry] information?” As such, no statement can be made as to the type of action taken or its likelihood for mitigating victimization risk.

Beck and Travis (2004) centrally considered protective behavior and its relationship to notification. Using a slight adaptation of Ferraro's (1995) Fear of Crime in America Survey, they surveyed 692 households in Hamilton County, Ohio, that because of their proximity to a sex offender's residence, either could expect to receive notification ($n = 97$) or could not expect to receive notification ($n = 139$). They found a significant relationship between notification and various types of protective behavior adaptations and suggested that the concomitant increase in fear (prompted by notification) explained the behavior change.

Beck et al. (2004) elaborated on this model by measuring as two distinct constructs respondents' *fear of crime*, “an emotional reaction of dread or anxiety to crime or symbols that a person associates with crime” (Ferraro, 1995: 4), and their *perceived risk of victimization*, “exposure to the chance of loss or injury” (Ferraro, 1995: 11), as research suggests that protective behavior adoption is not the result of fear but of perceived risk (Ferraro, 1995; Warr, 1984). In other words, if someone is afraid of sex offenders but believes he or she is at low risk for sexual victimization, then he or she has little motivation to take safety precautions; fear is the emotional by-product of both perceived risk and subsequent protective behaviors because both reinforce the notion that one must be vigilant about safety (Ferraro, 1995).

They hypothesized that if community notification heightens people's awareness about a potential and proximate threat, then they might perceive themselves to be at greater risk for victimization because of the risk that is articulated by the authorities who are mandated to “warn” the public about an identified threat; the public then might choose to mitigate this risk by adopting new and more rigorous personal safety habits. Again, they found a significant correlation between notification and protective behaviors taken on behalf of loved ones but not for oneself. However, they no longer found a correlation between fear and notification; instead, perceived risk was a significant correlate of notification. This finding has important implications as it contradicts research that found heightened fear of victimization to be correlated with self-protective behaviors (e.g., Liska, Sanchirico, and Reed, 1988; Taylor and Hale, 1986). Moreover, it might help to explain why residents commonly report increased fear after receiving community notification but not increased protective behavior—because of a lack of perceived personal risk.

Perceived risk of victimization is a variable that seemingly mediates the effects of community notification on the public's behavior. In assessing one's risk, people consider individual characteristics of both oneself and of a potential threat (e.g., sex, age, and race), as well as environmental cues (e.g., receiving notification and neighborhood type) (Ferraro, 1995; Hunter, 1978; Lewis and Salem, 1986; Wilson and Kelling, 1982). From this interaction of variables, one decides what protective behaviors to practice. Although individual-level variables do not prove to be particularly accurate predictors of risk, ecological

variables are accurate, as research has found neighborhood residents to have a generally accurate perception of their victimization risk (Lewis and Maxfield, 1980; McPherson, 1978). Ferraro's (1995) research on the relationship between the risk and the fear of crime considered ecological context by incorporating elements of social disorganization theory to explain the adoption of protective behaviors, as does the research presented here.

According to social disorganization theory, geographically concentrated criminality, deviant behavior, and deviants (e.g., sex offenders) will be found in locations marked by *neighborhood disorder*, that is, "the condition whereby a community lacks the necessary structure to "maintain effective social controls" (Kornhauser, 1978: 120). As both a result of and contributor to this ineffective social control, neighborhoods become and remain socially disorganized. According to Shaw and McKay (1942), early architects of social disorganization theory, neighborhoods that are socially disorganized are marked by high poverty rates, high mobility rates, and high racial heterogeneity. These structural features impede residents in producing a consensus among community members as to which behaviors are socially acceptable and from realizing collective goals such as crime prevention. This inhibition, in turn, might diminish a neighborhood's "collective efficacy" or its willingness to work together toward a common goal (Pattavina, Byrne, and Garcia, 2006; Sampson, Raudenbush, and Earls, 1997). These structural barriers, by extension, also might offer insight into the extra challenges faced by residents of disorganized neighborhoods in their efforts to mitigate victimization risk. Because community notification often is geographically specific, considering both neighborhood organization and individual-level variables has the potential to provide a more thorough understanding of the factors individuals take into consideration when deciding how to respond to community notification.

Community Notification at the Research Site: Minneapolis, Minnesota

Motivating protective, risk-mitigating behavior is the explicit goal of community notification in the state of Minnesota, a state regarded as a model for community notification practices. In codifying the law, its state legislators wrote

if members of the public are provided adequate notice and information about a sex offender who has been or is about to be released from custody and who lives or will live in or near their neighborhood, the community can develop constructive plans to prepare themselves and their children for the offender's release. (MN statute 244.052)

To motivate citizens adequately to adopt protective behaviors, the city of Minneapolis conducts what is known as "active notification,"⁴ meaning that law enforcement is charged

4. Alternately, some jurisdictions practice "passive notification" meaning that they collect sex offender information, but the onus is on the public to seek it out. Popular modes of passive notification include

with the responsibility of actively seeking out an audience to inform about a high-risk offender's existence. In Minnesota, the only offenders subject to community notification are those deemed to pose the highest risk⁵ of reoffense, categorized as Level 3 offenders, which make up a small segment of the offender population. As such, community notification in Minnesota is highly selective, but it is aggressive.

Minneapolis uses community meetings to notify residents within an approximate three-block radius of an offender's home of that offender's existence in the neighborhood. At these meetings, information considered pertinent to public safety is shared (e.g., photograph, criminal history, approximate address, and victim type) as well as an educational presentation on protecting against sexual assault. The same meeting format is used uniformly across neighborhoods throughout the city and is facilitated by the Minneapolis Police Department (MPD) (Sgt. J. Hinchliff, personal communication, October 7, 2005). Minneapolis's notification policies and procedures are held in high regard nationally and are used by several jurisdictions. They were developed under consultation with Washington state officials, who were the first in the nation to introduce community notification policies and practices in a systematic manner. Notification procedures include the repeated dissemination of printed offender fact sheets, flyers, and personal safety handouts, both in English and in several other languages commonly spoken in Minneapolis. Additionally, several authorities from the MPD, community corrections, state department of corrections, as well as sexual assault advocates attend every community notification meeting and make themselves available on a continual basis to any residents that wish to speak with them. According to risk communication theory, when authorities need to communicate risk of a potential threat (natural- or human-made disaster) to induce the public to take protective actions, the best results come from communication that is given (a) in the written form, (b) repeatedly, and (c) by a multitude of authoritative groups (Mileti, Fitzpatrick, and Farhar, 1992). As such, it is reasonable to expect that if community notification were to prompt the undertaking of protective behaviors, then this effect would be observed most readily in a locale such as Minneapolis. For these reasons, Minneapolis was selected as the research site for this project.

Data and Methods

Community notification effects on protective behavior were examined from a sample of English-language proficient residents of the city of Minneapolis who were 18 years of age or older and living in a neighborhood that had been subject to community notification between July 2004 and January 2006. One thousand residents from 20 neighborhoods were

Web sites and maintaining sex offender information available for viewing at local police departments or other government agencies.

5. Risk is determined through the application of the actuarial risk-assessment tool MN-SOST-R (Minnesota Sex Offender Screening Tool-Revised).

sampled, resulting in 407 participants. The research questions addressed here ask whether notified residents undertake more protective behaviors on behalf of themselves or loved ones than do non-notified residents; whether protective actions taken by notified residents of socially organized neighborhoods were different from those actions taken by notified residents of socially disorganized neighborhoods; and whether protective behavior between residents of socially disorganized neighborhoods who receive notification were different from those who do not.

Sample: Neighborhoods and Residents

A matched-case sampling design was used for this study, with the test group and the control group matched according to their notification status (“expected to receive sex offender notification” or “did not expect to receive sex offender notification”) and according to their neighborhood type (“socially organized” or “socially disorganized”). Comprising the test group ($n = 192$) were Minneapolis residents who reside in neighborhoods where sex offender notification has taken place and who live close enough to the offender to be subject to notification (within an approximate three-block radius of the offender’s residence, per MPD protocol). Residents from these same neighborhoods, who were not subject to notification (because they live outside the approximate three-block radius of the offender’s residence), made up the control group ($n = 215$).

The sampling frame was developed by first collecting from the MPD a list of all notification meetings that occurred in Minneapolis between July 2004 and January 2006. A timeframe of 18 months was chosen to ensure an adequately large and diverse number of neighborhoods from which to draw a sample. The information provided by the MPD identified the specific geographic areas within a neighborhood that received notification when an offender moved into that neighborhood. The 75 notification meetings that occurred within Minneapolis during the research timeframe took place within 41 neighborhoods.

To refine the sampling frame, each of these 41 neighborhoods was categorized as being either “socially organized” or “socially disorganized.” Neighborhoods in Minneapolis were identified as socially disorganized if they fit Shaw and McKay’s (1942) theoretical criteria of having a *high poverty rate*, measured as a resident poverty rate greater than the city average of 11.9%; *high residential mobility*, measured as a rental property rate higher than the city average of 48.6%; and *high racial heterogeneity*, measured as more than 28.7% of neighborhood residents are racial minorities.⁶ Data compiled by the Minneapolis Office of

6. A value of 28.7% was chosen as the data point because it was the figure used to identify minority-concentrated areas in a class-action lawsuit against the city of Minneapolis (*Hollman v. Cisneros*, 1992), which successfully argued that the city purposely segregated low-income housing in neighborhoods that were poverty stricken or high-minority areas, “thereby concentrating the poor and

City Planning from the 2000 U.S. Census were used to determine which neighborhoods fit these criteria.

In addition to these three theoretical factors, crime rate was given some consideration when determining neighborhood organization; a neighborhood crime rate higher than the city average suggested that a neighborhood might be socially disorganized. Neighborhood crime rates were measured by using Uniform Crime Reports Type 1 offense statistics provided by the MPD in conjunction with neighborhood population figures provided by the Minneapolis Office of City Planning. Because data from the 2000 U.S. Census were used to determine poverty, race, and residential mobility figures, crime data were used from 2000 as well to maintain consistency.⁷ Once neighborhood poverty rates, racial composition, residential mobility rates, and crime rates were collected for each neighborhood affected by sexual offender notification, a classification of “socially organized” ($n = 22$) or “socially disorganized” ($n = 19$) was applied.

To check the face validity of these classifications, additional neighborhood-level qualitative data were collected from the MPD Crime Prevention Specialists (CPSs). CPSs are civilian employees of the police department whose main charge is to assist each neighborhood in developing self-sufficient, self-identified crime-prevention measures that suit its individual neighborhood needs. CPSs are particularly well suited to discuss neighborhood dynamics, resources, social and physical space issues, as well as residents’ concerns. They are highly engaged with neighborhood activities such as neighborhood associations, crime-watch groups, block-clubs, as well as local advocacy groups. Information from CPSs confirmed that neighborhood-level data from the 2000 U.S. Census for all sample neighborhoods were still accurate.

Finally, 20 of the 41 neighborhoods subject to notification were selected as geographical areas from which to draw the sample of residents. A final neighborhood sample size of 20 was chosen, as it was considered large enough to provide variety among neighborhoods but small enough to allow for an adequate number of residents per neighborhood to be sampled, given the available resources. Ten neighborhoods classified as being “socially organized” and ten neighborhoods classified as “socially disorganized” were chosen as sites from which to sample residents. Neighborhoods showing the highest degree of organization or disorganization (as determined by earlier calculations) were selected as sample neighborhoods as an additional precaution against potential changes in the neighborhood since the 2000 U.S. Census. Additional criteria for inclusion in the study included city-wide geographical dispersion and

people of color and failing to give them ‘access’ and ‘opportunities’” (Rawson, 1996). The city of Minneapolis now uses 28.7% to determine which neighborhoods have a high rate of minority residents.

7. Ideally, both Type 1 and Type 2 offenses would have been considered when calculating neighborhood crime rates, but Type 2 offense statistics were not available per neighborhood for the year 2000.

T A B L E 1

Comparison of Sample and City-Wide Characteristics, Percentage/Mean

Variables	City of Minneapolis	Sample (N = 407)
Sex (female)	49.76	64.4
Race (non-White)	34.9	13.5
Age (median) ^a	31.2	46.36
Parent (yes, child 18 or younger)	24.99	28.7
Education (college graduate)	29.91	38.1
Income (median, in thousands)	38	49
Homeowner (yes)	51.4	82.1
Employed (yes)	72.06	79.4
Relationship Status (married)	37.94	42.3
Housing Tenure (years in city)	—	24.0
Block Club/Crime Watch Member (yes)	—	41.8
Crime Victim (yes)	—	82.1
Notified (yes)	—	45.8
Neighborhood type (disorganized)	—	50.0

^aMedian age reported by the Minneapolis Office of City Planning included residents younger than 18 years, whereas this study's sample only included those residents 18 years and older.

the number of sexual offender notification meetings held per neighborhood. Neighborhoods with multiple meetings were more likely to have notified residents throughout their neighborhood and not just in one section of the neighborhood. Therefore, choosing neighborhoods with multiple meetings served to increase the likelihood that the sample would include respondents who have attended notification meetings or who otherwise received notification.

Once the sample neighborhoods were selected, the sampling frame of eligible households was developed. To determine eligible households, the geographical areas affected by sexual offender notification were mapped for each of the 20 sample neighborhoods. The precise locations targeted by notification were provided by the MPD. By drawing the boundaries for the exact neighborhood blocks that received notification and for those that did not, eligible households were identified. Per sample neighborhood, 50 households were selected to receive a survey. Of these 50 households, 25 were within the notification range for their neighborhood and 25 were outside the notification range for their neighborhood. To determine which households would be selected to receive a survey, the geographical center point of notification was identified. From there, the closest 25 households received a survey (test group). Finally, the notification perimeter was identified, and the first 25 households outside the notification range received a survey (control group). Table 1 provides a comparison of select self-reported demographic characteristics of study participants and Minneapolis residents, per data from the U.S. Census Bureau and Minneapolis Office of City Planning.

Despite comprehensive efforts, the sample is not highly representative of the city overall; women are overrepresented, as are White, above median income, and highly educated homeowners. Beck et al. (2004), Beck and Travis (2004), as well as Caputo and Brodsky (2004) had somewhat similarly disproportionate samples. This sample is likely indicative of populations self-selecting into a study of disproportionate interest to each group.

Data and Variables

Data were generated from a 54-question survey administered in both hardcopy and electronic form. The surveys were identical; only the mechanism through which it could be completed was different in an attempt to maximize the response rate. The hardcopy version was to be completed in writing and returned in the provided self-addressed, postage-paid envelope. The electronic version was made available to residents via SurveyMonkey (Palo Alto, CA). The survey instrument is an adaptation of Beck et al.'s (2004) version of Ferraro's Fear of Crime in America Survey and was used because of its demonstrably sound measures of fear, risk, and protective behaviors.⁸

Dependent variables. The dependent variables of interest are *perceived risk* and *protective behavior adoption*, with each variable measured for both oneself and on behalf of loved ones.⁹ Perceived risk has been operationalized as follows: *perceived self-risk for victimization*, "exposure to the chance of loss or injury" (Ferraro, 1995: 11) for oneself; and *perceived altruistic-risk for victimization*, "exposure to the chance of loss or injury" (Ferraro, 1995: 11) for one's child and/or another household member. Five survey items measured both perceived self and altruistic risk for victimization, asking the respondent to rate the likelihood that a specific type of victimization will happen to them or a loved one. Responses were measured on a 10-point Likert-type scale. A respondent's scores for each variable were based on indices defined by the mean scores of the responses given to the questions. If at least three of five risk questions were answered, then a mean scale value was calculated for the respondent. Those who did not reach this threshold were excluded from analyses.

Independent variables. Independent variables of interest included *notification status*, measured dichotomously as whether a respondent received sex offender notification (no = 0); *neighborhood type*, measured dichotomously as whether a respondent resides in a neighborhood that is socially disorganized (no = 0); and *sociodemographics*, measured as dummy variables for sex (male = 0), race (White = 0), parent status (no = 0), and

8. Ferraro conducted reliability analyses (based on the additive index he created for risk) and factor analyses for his risk measurements. Cronbach's alpha coefficients of reliability were computed for the overall index of risk of crime as well as subindices of the items designated as crimes against a person and crimes against property. Ferraro found his overall index to have a high reliability (reliability coefficient was .87). He also performed factor analyses, and his LISREL models showed an excellent fit to the data.

9. Measures for altruistic-risk and altruistic-protective behaviors are differentiated for one's child and other adult household members.

T A B L E 2

Perceived Self- and Altruistic-Risk

Survey Question: "Rate the chance that the following specific crimes will happen to you, your child, and/or other household members in the next 12 months."	<i>N</i>	Mean, 1-Min, 10-Max Scale (Standard Deviation)
Self		
Home burglarized	401	3.94 (2.36)
Being raped/sexual assaulted	404	2.33 (1.61)
Being murdered	404	2.03 (1.53)
Being kidnapped	401	1.69 (1.30)
Being attacked with a weapon	403	3.39 (2.07)
<i>Perceived risk for self index</i>	404	2.68 (1.45)
Child		
Home burglarized	154	3.60 (2.53)
Being raped/sexual assaulted	159	3.01 (1.97)
Being murdered	160	2.31 (1.97)
Being kidnapped	155	2.55 (2.05)
Being attacked with a weapon	159	3.36 (2.35)
<i>Perceived risk for child index</i>	156	2.90 (1.81)
Other Household Members		
Home burglarized	280	3.80 (2.36)
Being raped/sexual assaulted	279	5.33 (2.51)
Being murdered	282	2.04 (1.55)
Being kidnapped	281	1.88 (1.47)
Being attacked with a weapon	279	3.36 (2.07)
<i>Perceived risk for other household members index</i>	280	2.66 (1.46)

prior victimization status (no = 0).^{10, 11, 12} Additionally, collected information included the respondent's age (in full years), schooling (in years), income (in increments), and the length of residency in their current neighborhood (measured in years).

Results

The following mean indices were created for perceived risk: risk for self, risk for one's child, and risk for other household members, as illustrated in Table 2.

Table 2 indicates that, in general, people perceive themselves, their children, and other household members to be at low risk for victimization. Interestingly, parents generally perceive low risk of victimization to their children—a notable finding given the frequent

10. Because this study is interested in the effect of notification and not the effect of a specific delivery mechanism (e.g., public meetings vs. Internet), respondents who received notification from any source—not just community meetings—were counted as "notified."
 11. See the Sample section of this article for a full theoretical explanation and operationalization.
 12. Parent status is defined as anyone who has a child of 18 years or younger living in or out of their home.

TABLE 3

Self-Protective Behaviors

"In the past 12 months to limit risk of victimization, have you . . ."	N	Percentage
Self-avoidant behaviors	398	
Avoided unsafe areas during the day	235	57.7
Avoided unsafe areas during the night	358	88.0
Limited activities because of crime	133	32.7
Self-defensive behaviors	402	
Installed extra locks	135	33.2
Kept a dog for protection	85	20.9
Carried a weapon	32	7.9
Installed security lights	215	52.8
Taken a self-defense class	33	8.1
Gotten a roommate	22	5.4
Engraved an ID on property	34	8.4
Stopped walking at night	199	48.9
Bought a gun or other weapon	41	10.1
Installed burglar alarm	67	16.5
Joined block club	95	23.3
Moved to a new neighborhood	18	4.4
Changed jobs or work shifts	9	2.2
Became involved with crime prevention specialists	100	24.6
Overall protective behavior index	$N = 397$	Mean; 0-min, 17-max

and intense media attention and legislative response to potential sexual threats against children.

Self-protective behavior was operationalized to mean action taken to reduce the likelihood of criminal victimization of oneself and was measured with five survey items. The behaviors were conceptualized as being either *avoidant* in nature (e.g., avoiding unsafe areas at night) or *defensive* (e.g., purchasing a weapon). Respondents had 3 avoidant behaviors and 14 defensive behaviors from which to choose, with 17 being the maximum number of overall protective behaviors a respondent could have undertaken. *Altruistic-protective behavior* was operationalized to mean action taken to reduce the likelihood of criminal victimization of loved ones and was measured with ten survey items. Respondents had three avoidant behaviors and seven defensive behaviors from which to choose, with ten being the maximum number of altruistic-protective behaviors undertaken for either their child or another household member. Both variables were treated as dichotomous (no = 0) and calculated as summative indices with results presented in Tables 3 and 4, respectively.

As indicated in Table 4, altruistic-protective behaviors most likely to be undertaken were warnings about not talking to, or letting into one's house, a stranger—directives given by parents long before community notification laws went into effect. The altruistic precaution that is perhaps most directly related to protecting one's child against sexual

T A B L E 4

Altruistic-Protective Behaviors

“Within the past 12 months to limit risk of victimization, have you warned your child or another household member to . . .”

	<i>N</i>	Percentage
Altruistic avoidant behaviors		
Avoid unsafe areas during day		
Child	151	25.8
Other	280	21.8
Avoid unsafe areas during night		
Child	150	34.0
Other	281	42.3
Limit activities because of crime		
Child	152	22.4
Other	282	21.6
Altruistic defensive behaviors		
Lock doors and windows		
Child	153	49.0
Other	281	73.3
Not let in strangers		
Child	151	60.3
Other	279	29.0
Not to speak to strangers		
Child	149	47.7
Other	277	11.9
Be aware of dangerous person in neighborhood		
Child	151	18.5
Other	280	18.9
Be aware of sexual offenders in neighborhood		
Child	151	17.9
Other	280	16.4
Learn self-defense		
Child	152	19.7
Other	280	9.6
Carry defense item		
Child	150	8.0
Other	279	11.8
Overall altruistic-protective behavior index	<i>N</i> =	Mean; 0-min, 10-max (standard deviation)
Child	145	3.01 (2.77)
Other	271	2.53 (2.20)

abuse (warning one’s child to avoid known sexual offenders in the neighborhood) only was undertaken by 18% of respondents. However, notified parents were more likely to give this warning than were non-notified parents as indicated by a Cramer’s V of .295 ($p \leq .05$). This finding suggests that a significant relationship is present between receiving notification and

taking at least one action to mitigate a child's risk for sexual victimization. This relationship is considered in more detail in later analyses when other variables are taken into account.

This study assumes that people make decisions about their personal safety behaviors after calculating their perceived victimization risk—risk that is based on several personal and ecological variables, including one's sex, race, parent status, neighborhood type, and whether one has received notification about a sex offender residing in close proximity. Holding that these factors impact behavior, a person then acts—or does not act—according to their calculation of risk.

To explore these relationships, a series of three ordinary least-squares multiple linear regression analyses were conducted for the dependent variables of perceived risk and protective behavior. In Model 1, the dependent variable is regressed on notification, with Model 2 introducing control variables.¹³ This analysis is elaborated on in Model 3 in which neighborhood type is introduced as an intervening variable. As much of the traction gained by community notification laws has been in their potential to protect children and other vulnerable populations, the same analyses were conducted to test the significance of notification on perceptions of altruistic-risk and altruistic-protective behavior. As the altruistic-risk perception/protective behavior adaptations for a child will likely vary from that for another adult, these populations are measured independently. For models about children, only respondents who are parents to children 18 years and younger are included; for models about other household members, only respondents who live with other adults (with or without children) are included.

The relationship between perceived risk (self and altruistic) and notification was analyzed first. These findings are presented in Table 5.

Contrary to Beck et al.'s (2004) finding, this research found notification and risk perception to be significantly and *negatively* correlated. Specifically, notified residents are *less* likely than non-notified residents to perceive their children to be at risk for victimization (Models 1, 2, and 3) as well as themselves or other adult household members (Model 3). Anderson and Sample (2008) made a similar finding, whereas in their research, notified residents reported feeling safer than non-notified residents. They speculated that this feeling was a result of residents equating notification with awareness and awareness with public safety. This project found sex, race, and education to be fairly consistent predictors of perceived risk, which is a finding supported by other research (e.g., Covington and Taylor, 1991; Kanan and Pruitt, 2002; Lee, 1982; Liska et al., 1988; Riger, Gordon, and Bailly, 1978). Specifically, women report higher perceived self-risk for victimization than do men (Models 2 and 3). People of color report higher perceived self- and altruistic-risk than do White people (Models 2); when neighborhood type is considered, race remains a significant predictor for altruistic risk. A significant and negative correlation

13. Sociodemographic variables with high nonresponse were removed from the final regression models to maintain sample size.

T A B L E 5

OLS Regression of Self- and Altruistic-Perceived Risk on Notification, Sociodemographics, and Neighborhood Type

Independent Variable	Model 1			Model 2			Model 3		
	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)
Notified (yes)	-.012 (.146)	-.959** (.313)	-.085 (.187)	-.099 (.152)	-.722* (.308)	-.286 (.180)	-.330* (.165)	-1.265** (.335)	-.640** (.188)
Sex (female)				.504** (.162)	.088 (.356)	-.260 (.185)	.586** (.167)	.467 (.374)	-.188 (.183)
Race (non-White)				.661* (.302)	3.152** (.639)	2.207** (.410)	.534 (.322)	2.588** (.639)	2.048** (.404)
Age				.002 (.006)	.026 (.017)	-.001 (.007)	.001 (.006)	.016 (.017)	.00 (.007)
Education Level				-.135* (.066)	.129 (.139)	-.173* (.077)	-.143* (.068)	.080 (.136)	-.154* (.076)
Parent (yes)				-.131 (.163)		.022 (.182)	-.129 (.166)		.096 (.177)
Disorganized neighborhood (yes)							-.001 (.159)	.100 (.321)	.160 (.175)
N	396	114	243	354	107	232	326	98	216
R ²	.000	.077	.001	.069	.289	.166	.142	.393	.271

p* < 0.05 level; *p* < 0.01 level (two-tailed).

Note. SE = standard error.

was found between perceived risk and education (i.e., the more education one has, the less risk one perceives for oneself and other adult household members but, notably, not for children).

To consider whether increased awareness resulting from notification correlated with increased protective behaviors, three regression models were constructed again. In Model 1, protective behavior is regressed on notification, with sociodemographic controls added in Model 2 and with neighborhood type added in Model 3. Findings are presented in Table 6.

Similar to Beck et al.'s (2004) finding, the present research found that, when controlling for sociodemographic variables (Model 2), notification is a statistically significant predictor of altruistic-protective behavior adoption on behalf of both children and other adult household members, albeit one with a modest effect size. When neighborhood type is added as a variable (Model 3), the relationship only remains intact for behaviors taken on behalf of children. The most consistent predictor of both self- and altruistic-protective behavior adoption is high-risk perception, a finding corroborated by Ferraro (1995) and Beck et al. (2004). The introduction of neighborhood type proved to be a significant

TABLE 6

OLS Regression of Self- and Altruistic-Protective Behavior on Notification, Sociodemographics, and Neighborhood Type

Independent Variable	Model 1			Model 2			Model 3		
	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)	Self-Beta (SE)	Child Beta (SE)	Other Beta (SE)
Notified (yes)	.512* (.239)	.757 (.462)	.865** (.285)	.243 (.230)	1.588** (.486)	.942** (.267)	-.152 (.249)	1.444* (.569)	.540 (.283)
Sex (female)				.548* (.247)	.798 (.544)	-.433 (.276)	.544* (.255)	.921 (.585)	-.579* (.269)
Race (non-White)				.264 (.454)	2.314 (1.171)	-.600 (.662)	.143 (.483)	1.989 (1.160)	-.404 (.654)
Age				.012 (.009)	.029 (.027)	-.012 (.010)	.010 (.009)	.035 (.027)	-.013 (.010)
Education level				.141 (.098)	.068 (.220)	.131 (.116)	.064 (.101)	.091 (.218)	.087 (.113)
Parent (yes)				.662** (.244)		.270 (.270)	.861** (.249)		.510 (.261)
Altruistic risk				.478** (.083)	.479** (.157)	.762** (.100)	.427** (.087)	.482** (.170)	.627** (.104)
Disorganized Neighborhood (yes)							.536* (.238)	-.515 (.505)	-.108 (.257)
N	389	109	236	348	102	224	321	93	209
R ²	.012	.035	.038	.240	.307	.273	.287	.358	.387

* $p < 0.05$ level; ** $p < 0.01$ level (two-tailed).

Note. Originally, protective behaviors were conceptualized as consisting of two action types (avoidance behavior and defensive behavior), and three indices of behavior were created for self- and altruistic-behaviors (avoidant, defensive, overall). However, as analyses did not result in significant findings, the domains of behavior were combined into one index for self-protective and one index for altruistic-protective.

variable, as residency in a socially disorganized neighborhood also is a significant and positive predictor of self-protective behavior. This finding suggests that respondents do take into consideration environmental cues when determining personal safety behavior; however, notification is not a significant variable in this calculation. Surprisingly, neighborhood type was not a significant predictor for altruistic protective behavior. This outcome is contrary to research, which has found that, in an effort to protect their children from victimization risk, parents in disorganized neighborhoods restrict and monitor their children's behavior more so than do families who reside in wealthy, socially organized neighborhoods (Elliot, Menard, Rankin, Elliot, Huizinga, and Wilson, 2005; Furstenberg, Cook, Eccles, Elder, and Sameroff, 1999).

TABLE 7

Interaction Effect between Notification and Neighborhood Type

	Self-Risk Beta (SE)	Self-Protective Behaviors Beta (SE)
(Constant)	2.723 (.513)	2.149 (.792)
Notified	-.284 (.216)	-.426 (.337)
Neighborhood disorganization	.055 (.232)	.367 (.361)
Notified* neighborhood disorganization interaction	-.103 (.315)	.313 (.489)
<i>N</i>	326	321
<i>R</i> ²	.142	.233

p* < 0.05 level; *p* < 0.01 level (two-tailed).

Notes. Control variables tested but not shown include sex, race, age, education level, and parent status. Because earlier analyses did not indicate neighborhood type as a significant predictor of altruistic protective behaviors, only self-protective behaviors are considered here.

To explore the impact neighborhood type has on the effects of notification, the potential for an interaction effect between the two variables was considered. Examined here is the notion that, although residents from both organized and disorganized neighborhoods might be impacted by notification, the effect of this notification might not be uniform across neighborhood types. As such, differences in protective behavior adoption between notified residents of socially organized neighborhoods and disorganized neighborhoods were measured.

Under additional consideration were differences in protective behavior between notified and non-notified residents within only socially disorganized neighborhoods. Research has suggested that residents of disorganized neighborhoods are keenly aware of their victimization risk and, as such, live in a near-constant state of fear, identified by Goffman (1971) as “dissociated vigilance.” As a result, they employ personal safety measures on a daily basis. To explore this phenomenon, the impact of notification was measured within socially disorganized neighborhoods. Two multiple regression models were specified as follows:

$$Y = a + b_1D + b_2N + b_3 \times DN$$

where *Y* is the level of perceived risk (Model 1) and the number of protective behavior adaptations (Model 2), *D* is the dichotomous variable for neighborhood type, *N* is the dichotomous variable for notification, and *DN* is the interaction of neighborhood type and notification. The findings are presented in Table 7.

The interaction between notification and neighborhood type was insignificant, suggesting no discernable difference in the impact of notification on perceived-risk or protective-behavior adaptations between socially organized and socially disorganized neighborhoods. Additional analyses showed no significant differences in perceived risk or protective behavior between notified and non-notified residents of socially disorganized neighborhoods. The lack of notification's impact on protective behavior might be understood partially as a result of residents (out of perceived necessity) having already incorporated protective behaviors into their everyday routines; a sex offender in their neighborhood is perceived as posing no more of an immediate threat to them than the gang members or drug dealers who already live in their neighborhood. In other words, one can take only so many precautions to mitigate one's risk of criminal victimization, and these precautions are employed regardless of community notification by those living in socially disorganized neighborhoods.

Discussion

Supporting the findings of Anderson and Sample (2008) and Beck et al. (2004), this study found no statistically significant relationship between receiving notification about a high-risk sex offender and the adoption of self-protective behaviors, controlling for differences in sociodemographics and neighborhood type. This finding has important implications, as it undermines the assumption on which notification laws are based (that if people have knowledge of a person who poses a potential threat to their safety, then they will change their behavior to mitigate this risk). This research project did not discern any significant group differences in response to notification, suggesting that—across the board—community members simply are not motivated by notification to change their personal safety habits. If what these data suggest is true, then notification laws, arguably, do not serve their intended purpose and are, therefore, an inert tool for crime prevention. However, this finding does not tell the whole story. When it comes to the safety and well-being of children, the impact of notification on protective behavior is slightly different.

This research found, as did Beck et al.'s (2004), a statistically significant relationship between receiving notification about a high-risk sex offender and the adoption of protective behaviors undertaken to protect children; specifically, notified parents adopt more behaviors to protect their children than do non-notified parents. Although the effect size is modest, this finding might not matter to the public and to its elected officials. One hardly can turn on the television or read a newspaper without a daily account of the latest child victim of a sex offender. As such, notification laws have been heralded as a necessary crime-prevention measure for protecting society's most vulnerable citizens—children. The data presented here provide modest support for the following key assumption of notification laws: that children receive *more* protection against victimization when their families know about a high-risk sex offender residing nearby. What is unclear is the *quality* and *relevance* of this increased protection. Most child sexual abuse victims know their perpetrator, and

most offenders are not subject to notification laws. Victim advocates have suggested that notification laws actually might make some populations *more* vulnerable because it keeps most of the attention, education, and resources on the least likely perpetrator—a stranger (Wetterling and Wright, 2009). By emphasizing the label of sex offender instead of learning to identify suspicious behaviors, children might not recognize their victimization for what it is, as this form of abuse often takes place at the hands of a person known—and loved—by the child.

It was thought that additional vulnerability might be found in the environment in which one receives notification and that, as a result of this vulnerability, notification would impact residents differentially based on their neighborhood. The present research, however, did not find social disorganization to be a significant predictor of how residents respond to notification. The lack of a significant relationship might be an indication that the criteria used to measure disorganization are, in fact, inaccurate measurements of structural disadvantage, which is a common criticism of the theory. A renewed interest in social disorganization theory has taken hold within social research stemming from relatively recent attempts to elucidate and refine key elements of this theory, such as how social control operates in neighborhoods and how it influences crime. A most notable contribution is from Sampson et al. (1997: 919), who explained how informal social control is realized through “collective efficacy. . . a mutual trust among neighbors combined with a willingness to intervene on behalf of the common good.” In this research, respondents commonly offered as a write-in answer to an open-ended question about protective behavior that they “got to know neighbors” as a means to protect themselves better from crime. Although collective efficacy has produced mixed results in explaining perceived risk and protective behavior, it might be worth additional exploration in light of notification.

Policy Implications

Since their inception, notification laws have faced numerous legal challenges, most prominently based on issues of constitutionality. Generally, these laws have been upheld as constitutional because they are presumed to serve a pressing public good—risk mitigation against criminal victimization. The empirical support for this claim is modest and select. The present research project did not discover any significant relationship between notification and self-protective behaviors, nor did the research of Anderson and Sample (2008), Beck et al. (2004), or Caputo and Brodsky (2004). Although Beck et al. and the present study both found that notified residents undertake more protective behaviors on behalf of their children than do non-notified residents, these results must be interpreted with caution. First, this research project found only a modest effect of notification on altruistic behavior. Second, both studies were limited to one jurisdiction within one state, and despite federal efforts to streamline notification policies and procedures, they still vary greatly across the country. Third, data for both studies are cross-sectional; therefore, it is impossible to

determine whether notification, in fact, does cause protective behavior changes or whether, as suggested by Roxanne Lieb of the Washington State Institute for Public Policy, behavior changes are really the result of a general increase in public awareness of sexual violence (Fitch, 2006).

Should the large-scale, longitudinal notification studies that will be conducted as a direct result of new federal funding, per the Walsh Act, determine that no significant relationship exists between notification and risk mitigation, new grounds might form, on which to challenge these controversial laws. Therefore, the most salient policy implication of this study might be the empirical support it provides to counter the undergirding assumptions used to uphold the legality of notification laws.

Legal Challenges

The most common challenges to community notification laws have been those based on the violation of constitutional protections—specifically, the protection against ex post facto punishment, cruel and unusual punishment, and the guarantee of due process (Lieb et al., 1998). On these grounds, notification laws have been challenged in more than a dozen states.

The rulings within these states have varied greatly, but generally, the laws have been upheld as being constitutional when they have demonstrated adequate due process protections. Additionally, they have survived challenges because the courts have determined that their “principle purpose is regulatory in nature and not punitive . . . that the primary concern of these statutes is protecting the public” (Lieb et al., 1998: 76). Overall, the most consistent legal argument for retaining these laws has been the superseding right of the public to know about an offender’s presence in the community over the offender’s right to privacy because the disclosure of offender information served a function of public safety. In a *Harvard Law Review* editorial analyzing notification laws in various states, it was offered that:

Given the special circumstances surrounding sex crimes, a community’s interest in having adequate knowledge to make informed decisions about . . . safety. . . weighs heavily against an individual ex-convict’s interest in anonymous rehabilitation. (1995: 792)

In this same vein, the New Jersey State Supreme Court remarked in an unsuccessful challenge to its notification laws that

we do not perceive. . . a society clamoring for blood, demanding names of previously convicted sex offenders in order to further punish them, but rather families concerned about their children who want information only in order to protect them. . . (*Doe v. Poritz*, 1995)

Both of these arguments assume that knowledge leads to behavioral changes. Should future research confirm existent findings that notification laws offer little to no prophylactic benefit

against sexual victimization, lawyers might be able to argue successfully that because these laws do not serve their intended public good, they are indefensible violations of civil liberties.

Legal Challenges in an Era of New Penology and New Punitiveness

Registration and community notification laws have been criticized by legal scholars as being “tough on crime” measures that serve no penological purpose other than to operate as a means for punitive expression, penal segregation, and penal marking (Garland, 2001). Critics point to notification laws as an indication of the criminal justice system’s shift toward philosophies of both new penology and new punitiveness (i.e., penological management aimed at efficiency, predictability, and the aggregation of criminal types for ease of prison management while affording the public and politicians opportunities for the expression of disgust toward a wholly unpopular population) (Edwards and Hensley, 2001; Feeley and Simon, 1992). The New Jersey State Supreme Court acknowledged these philosophies in their ruling in favor of notification laws. They wrote that:

[Notification laws] do not represent the slightest departure from our State’s or our country’s fundamental belief that criminals, convicted and punished, have paid their debt to society and are not punished further. They represent only the conclusion that society has the right to know of their presence, not to punish them, but in order to protect itself. . . the statistical information concerning them, make it clear. . . that re-offense is a realistic risk and knowledge of their presence a realistic protection. (*Doe v. Poritz*, 1995)

When this ruling was issued, no empirical research yet existed on the impact of notification laws on community members’ risk-mitigating behavior. Despite this issue, state and federal courts have issued rulings based on the presumption of public safety being served by notification laws. Garland (2001) explained this disjuncture between evidence-based research and criminal justice policy as the result of the populist and politicized appeal of notification laws. He argued that registration and notification laws have been

constructed in ways that privilege public opinions over the view of criminal justice experts. . . [these policies] give a privileged place to victims; an image that has been politicized. . . the sanctified persona of the suffering victim has become a commodity in the circuits of political and media exchange. (Garland, 2001: 143)

As such, any invocation of the offender’s rights seems to be an insult to the crime victim (Simon, 2003). Notification laws can withstand legal challenges precisely because offenders’ rights and liberties have been reconstructed and deprioritized under philosophies of new penology and new punitiveness (Pratt, 2000). Therefore, even if research determines that

no utilitarian societal benefit is derived from notification laws, they might remain in place because they serve an expressive purpose as an outlet for public disgust at a group of criminal offenders whose behavior has been deemed socially reprehensible.

Legal scholars have observed that notification laws would have been unthinkable policy initiatives during an era when criminal justice policies were informed by the principles of penal-welfarism and that the crime politics of the past few decades have resulted in a new constellation of social control (Bottoms, 1995). The role of evidence-based research in informing this constellation likely will unfold under the research agenda prioritized in the Walsh Act. Even if future research does conclude consistently that notification laws do not promote public safety, these laws might remain intact as the expressive goals of notification laws might be far too popular among the public to allow their repeal based on a lack of proven utility. Therefore, because of what they symbolically represent and their political currency, notification laws might be a metaphorical bell that cannot be “unrung.”

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