

Sex Offender Registration & Notification

Definition

Registration: Juvenile (14 and older) and adult sex offenders are required to register their addresses with local law enforcement agencies. The purpose is to assist law enforcement to track and monitor sex offenders and to identify and apprehend potential sex crime suspects. Historically states have differed on the duration of registration and whether the public has access to the registry, but the recently enacted *Adam Walsh Act* of 2006 seeks to standardize procedures across the U.S. via a National Sexual Offender Registry, requiring all sex offender registry information for each U.S. state and jurisdiction.

Notification: The process by which law enforcement agencies notify the public about adult sex offenders who live in, or who have been, or will be released into their community. Some states limit community notification to sexual offenders who are convicted of more serious offenses, offend against minors, or are judged highly likely to reoffend. Others apply the law more broadly to all sex offenders. Though states have differed in how they administer community notification, the *Adam Walsh Act* seeks to provide consistency across all states, if implemented at the state level.

Background

Registration: In 1994, in response to the 1989 unsolved abduction of 11-year-old Jacob Wetterling in Minnesota, the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act* was passed by the US Congress. This act mandated that all 50 states require sex offenders to register their addresses with local law enforcement agencies.

Notification: Beginning in 1990 in Washington state and expanded by the (a) 1996 federal version of *Megan's Law*, (b) 2003 *PROTECT* amendment (*Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act*), and (c) 2006 *Adam Walsh Act*, all law enforcement agencies in every state are required to disseminate sex offender registry information directly to the public via the National Sexual Offender Registry.

Application

Both registration (for a minimum of 10 years, which becomes 15 years with the implementation of the *Adam Walsh Act*) and community notification (via the internet) are required in all 50 states. Some communities also prepare posters, mail notifications, and hold public meetings.

Current Research Highlights

Registration and community notifications attempt to prevent predatory sexual recidivism. Research from the U.S. Department of Justice, however, indicates that approximately 93% of all sex crimes are perpetrated by offenders known to the victim prior to the offense. The majority of sexually abused children are victimized by someone well known to them and approximately 60% of offenses take place in the victim's home or the home of someone they know.

The research that has evaluated registration and communication notification laws is inconclusive in demonstrating that such laws significantly impact sex offender recidivism. For example, a study in Iowa found no significant differences between a group of registered sex offenders (3.0% were convicted of a new sex offense within 4.3 years) and a matched pre-registry group (3.5% convicted of a new sexual offense

within the same time period). Conversely, a study by the Washington State Institute for Public Policy found a significant decrease in sex offense recidivism following the implementation of community notification of high-risk offenders, but sentencing and other policy changes may have influenced the results.

What Promotes Effective Treatment?

Current research regarding treatment effectiveness suggests (in brief) that:

- sexual offenders can benefit from treatment and that sex offender therapy can help reduce recidivism,
- sexual offenders require supportive environments that focus on addressing mental health, developmental, and behavioral issues in order to reduce the likelihood of recidivism (support includes access to housing, employment opportunities, and transportation), and
- social stability and support increases the likelihood of successful reintegration.

Do Registration & Notification Practices Help or Hinder Treatment?

For sex offenders, notification can lead to homelessness, unemployment, loss of family and social support, harassment, and instability. The unintended consequences of registration and notification can include increased workload for probation and parole officers as well as caseworkers. Unfortunately, community notifications can sometimes occur without proper education on (a) sex offender recidivism, (b) the purpose and limitations of registration and community notification, and (c) evidence-based sexual abuse prevention and treatment methods. These factors may hinder effective treatment and may interfere with the overall goal of reducing recidivism and re-victimization. In fact, unemployment, unstable housing, and lack of support are associated with criminal recidivism.

Alternatives

Some sex offenders, considered high-risk to re-offend, require more intensive supervision and management strategies. Rather than applying a blanket policy that treats all sexual offenders the same, regardless of offense behavior or victimization patterns, risk management should be commensurate with the level and type of risk presented by a given sexual offender. Empirically derived risk assessment procedures should be used to create individually applied risk management strategies tailored to an offender's risk factors and offense patterns.

Conclusions

Studies suggest that sexual recidivism is more likely to result from a pre-existing relationship between the sexual offender and the victim rather than residential proximity. Currently, research suggesting registration and community notification are successful in reducing sex offender recidivism is limited. Risk based classification systems should be used to identify high risk offenders and apply the most intensive monitoring and supervision to those most likely to reoffend.

Additional Resources

- <http://www.csom.org/pubs/sexreg.html>
- <http://www.csom.org/pubs/overview1.html>
- <http://www.ncjrs.gov/pdffiles1/nij/179992.pdf>
- <http://www.pssg.gov.bc.ca/sex-offender-registry/information/obligations.htm>
- <http://ccde.usask.ca/ExtensionDivision/conferences/VA/pdf/ShillingCmntyEduc.pdf>
- http://www.nacdl.org/sl_docs.nsf/issues/sexoffenderresources?OpenDocument



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*** Links to selected articles cited here are available on the Public Policy page of the website of the Association for the Treatment of Sexual Abusers (ATSA). See: <http://www.atsa.com/pubPPapers.html>.**

Recommended Reading:

Levenson, J. S. & Cotter, L. P. The effect of Megan's Law on Sex Offender reintegration. *Journal of Contemporary Criminal Justice*, 21, 49-66.

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