

Monitoring Sex Offenders: What do we do and how well does it work?

Jill S. Levenson, Ph.D., LCSW

Associate Professor of Psychology & Human Services

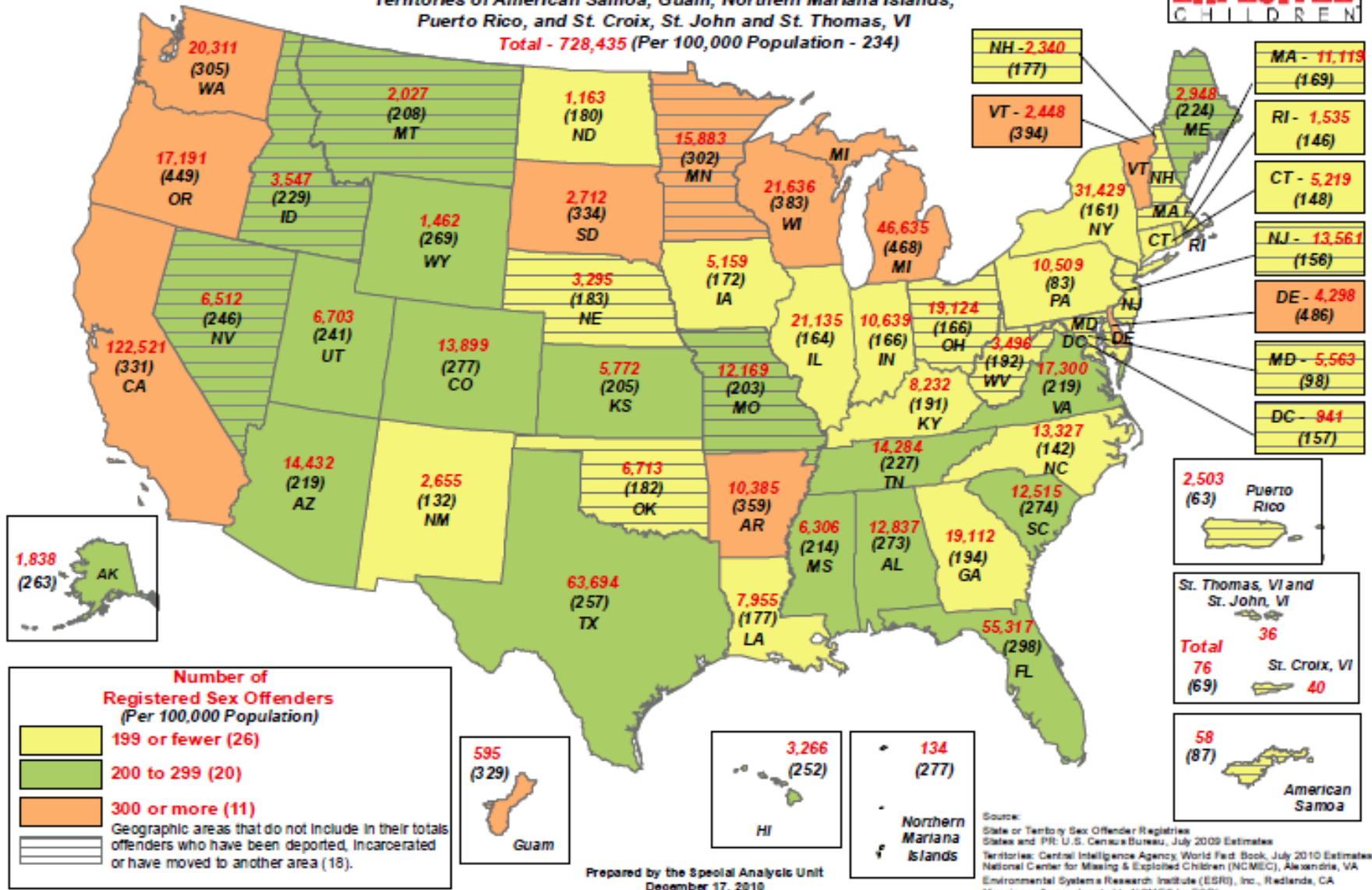


LYNN
UNIVERSITY

COLLEGE OF
LIBERAL EDUCATION

REGISTERED SEX OFFENDERS IN THE UNITED STATES PER 100,000 POPULATION

Including the District of Columbia and
Territories of American Samoa, Guam, Northern Mariana Islands,
Puerto Rico, and St. Croix, St. John and St. Thomas, VI
Total - 728,435 (Per 100,000 Population - 234)



Prepared by the Special Analytic Unit
December 17, 2010

Source:
State or Territory Sex Offender Registries
States and PR: U.S. Census Bureau, July 2009 Estimates
Territories: Central Intelligence Agency World Fact Book, July 2010 Estimates
National Center for Missing & Exploited Children (NCMEC), Alexandria, VA
Environmental Systems Research Institute (ESRI), Inc., Redlands, CA
Mapping software donated to NCMEC by ESRI

RSO
Counts

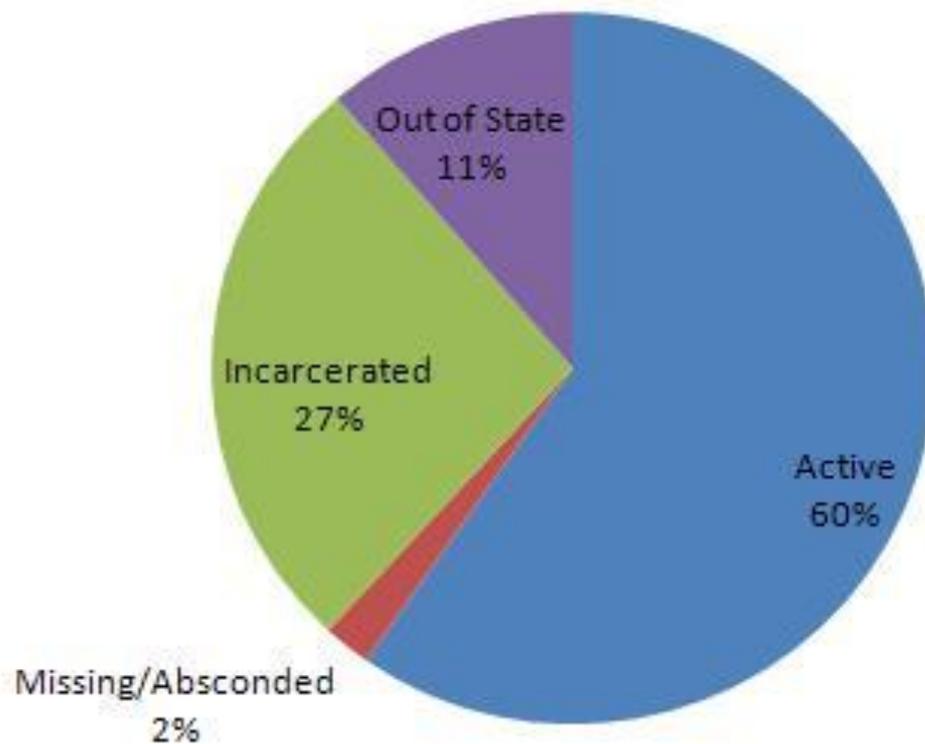
Percent on Internet

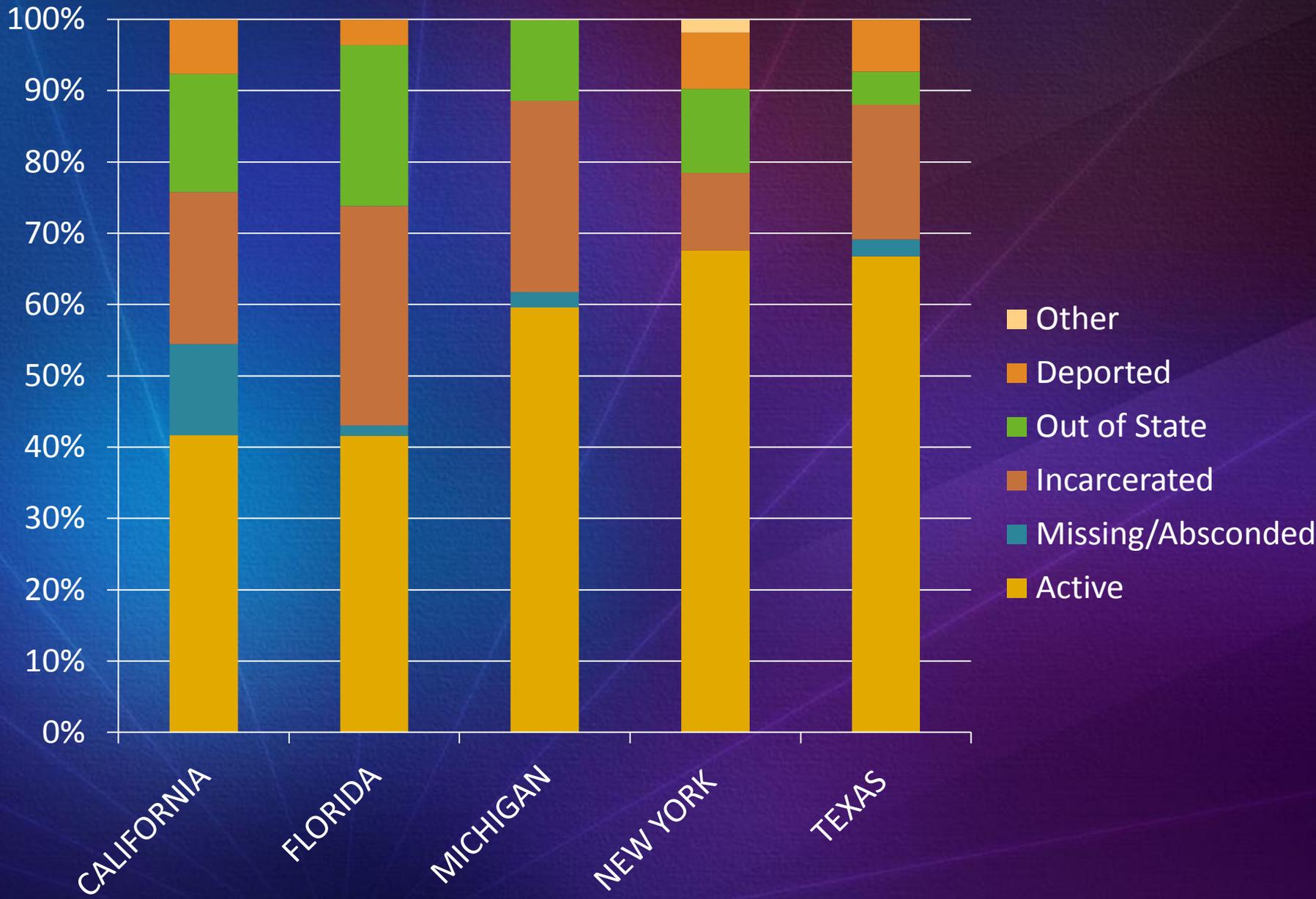
Michigan

46,533

95%

Michigan (N=46,533)





Do policies work?

*What does
“work” mean?*

Increase public awareness?

Assist Law enforcement?

Reduce recidivism?

Instrumental

Vs.

Symbolic goals

“Online registries are not a tool to reduce repeat offenses.” Linda Baldwin to CNN, 7/28/11.

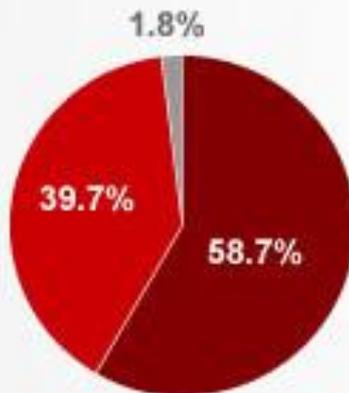
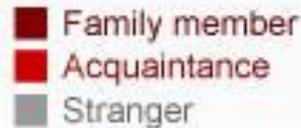
“... many people are focusing on registration notification programs as tools to reduce recidivism, which really is not a major goal of these laws.”

She stressed that the registries are "primarily a law enforcement tool, an ability to allow the public to take measures to protect themselves."

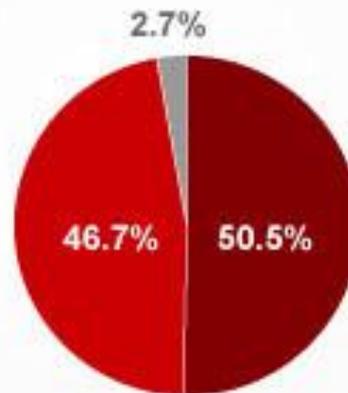
*Public
Awareness*

WHO ARE THE OFFENDERS?

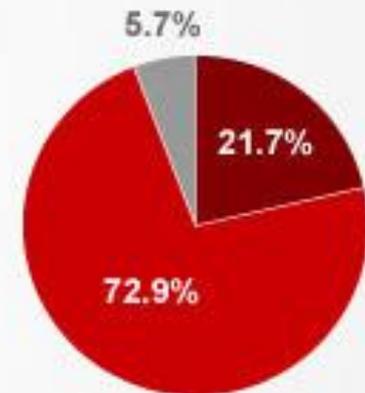
Across a variety of age ranges, the percentage of sexual assaults against juveniles by strangers was relatively low.



Victim age 6 or younger



Victim age 7 - 11



Victim age 12 - 17

SOURCE: Office of Juvenile Justice and Delinquency Prevention Statistical Briefing Book, 2008 | Numbers may not add up to 1,000 due to rounding.

To affect the behaviors of citizens, in terms of accessing information and taking preventative measures.

- Assumptions:

- People will access registries.
- The information available to them will provide relevant and informative indication of risk.
- Individuals will then take some protective action.

What do we know about public awareness?

- Most citizens are aware that sex offender registries exist.
- Most believe that communities are safer when people know where sex offenders live.
- Most agree that they FEEL safer knowing where sex offenders live.
- About 37% of people surveyed have accessed a sex offender registry.

What do we know about public awareness?

- No significant relationship between notification and self-protective behaviors Bandy (2011), Anderson and Sample (2008), Beck et al. (2004) or Caputo and Brodsky (2004).
- Beck et al. and Bandy both found that notified residents undertake more protective behaviors on behalf of their children than do non-notified residents.
- Bandy: perceived risk of sexual assault for children is relatively minimal (3 on a 10-point scale).
- Many of the protective behaviors used related to general crime prevention rather than child sexual abuse prevention.
- With regard to the one tactic that specifically addressed sexual abuse (warn children to be aware of sex offenders in the neighborhood), only 18% of respondents reported that they took this precaution.

Exhibit 3

How Many Offenders Did Respondents Learn of Through Community Notification?

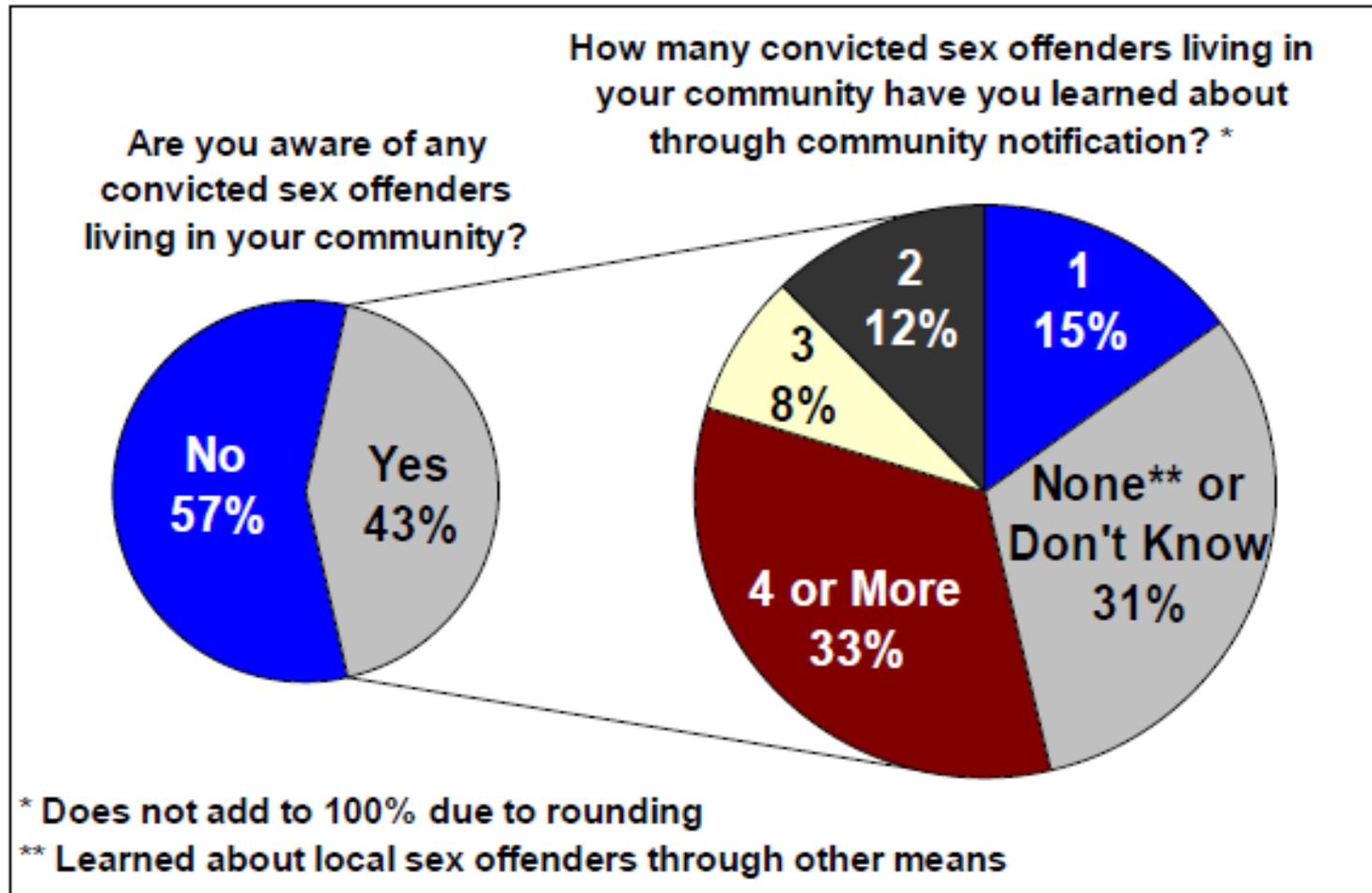


Exhibit 5

Respondents' Reactions to Learning of a Convicted Sex Offender Living Nearby

| | 2007 | | | 1997 |
|---|---------|-------|---------|---------|
| | Females | Males | Overall | Overall |
| More aware of surroundings | 96% | 84% | 91% | 73% |
| More likely to report suspicious behaviors | 92% | 88% | 90% | 67% |
| More safety conscious | 92% | 82% | 88% | 72% |
| Less likely to leave children unsupervised* | 90% | 81% | 87% | 49% |
| Less likely to leave children with babysitters* | 62% | 45% | 56% | 35% |
| More involved in community activities | 53% | 49% | 52% | 14% |
| Less likely to go out alone | 60% | 12% | 40% | 29% |
| Angry** | 41% | 38% | 40% | 68% |
| Frightened** | 33% | 16% | 26% | 67% |

* Includes only those respondents with children.

** Wording of responses changed from 1997 to 2007

*Assist Law
Enforcement
(to do what?)*

Tracking and Monitoring

2011 hearing to re-authorize the Adam Walsh Act:

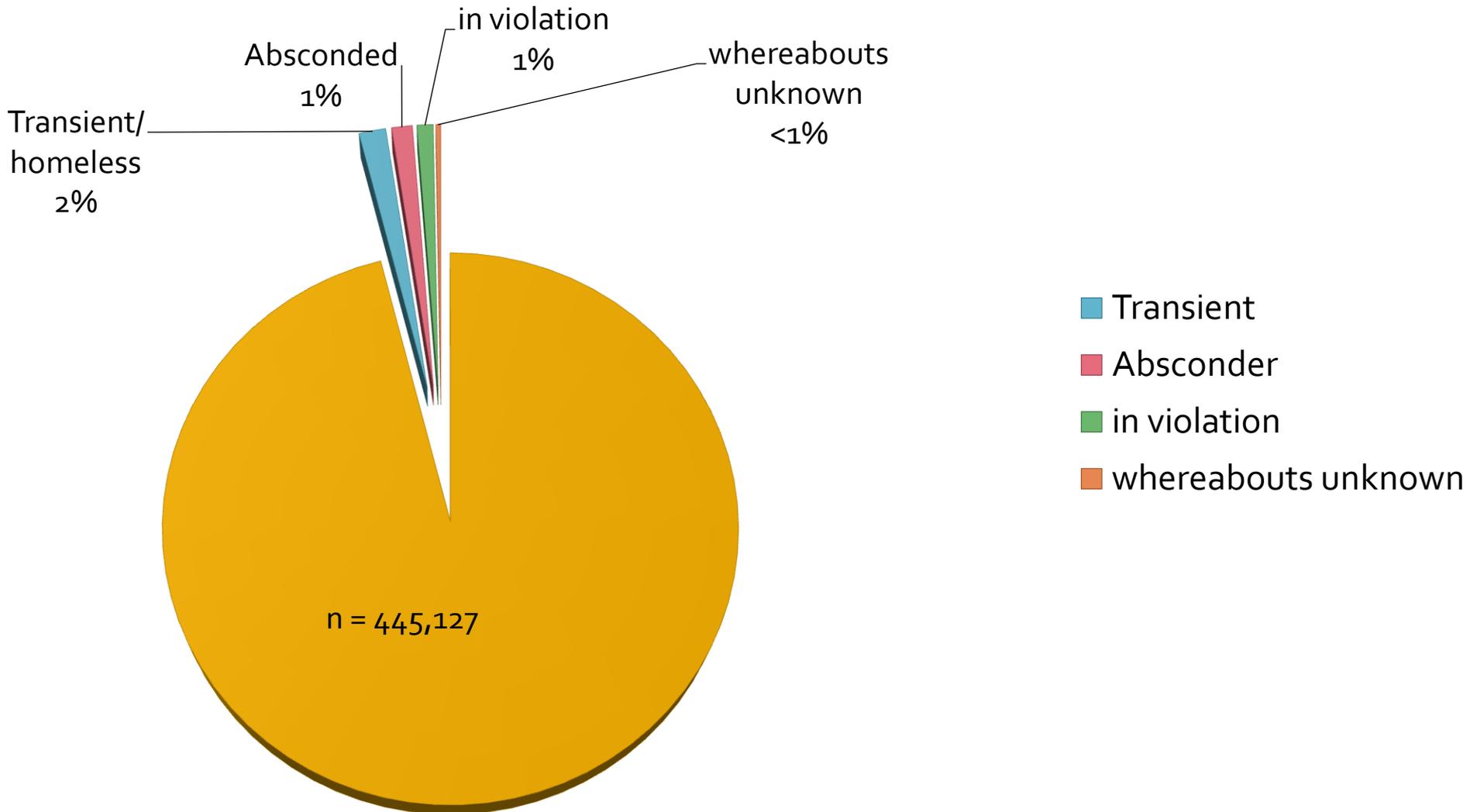
- "...The mobility of offenders and inconsistencies among state registration laws have resulted in as many as 100,000 missing sex offenders. Law enforcement does not know where these missing sex offenders are, yet they are living in our communities...The offenders who take advantage of these loopholes are attempting to evade their registration duties – which could present a threat to the safety of our communities" (Reauthorization of the Adam Walsh Act, 2011, pp. 5-6).

Missing sex offenders: Levenson & Harris, 2011

- Rates vary significantly across jurisdictions, ranging from less than 1% to just over 13%
- median rate of 2.7%
- many states (including those with the highest rates such as California and Wisconsin) include *any form* of registry non-compliance in their missing/absconded status
- States using more refined definitions (e.g. unsuccessful attempts to locate the offender) produce more moderate estimates.

Levenson, J. S., & Harris, A. J. (2011). 100,000 Sex Offenders Missing ... Or Are They? Deconstruction of an Urban Legend. *Criminal Justice Policy Review*.

Official designations of "missing" sex offenders, using data downloaded from public Internet registries.



Best Estimate

**Absconded,
In violation,
or whereabouts
unknown**

- **3%**
- **21,840**

+

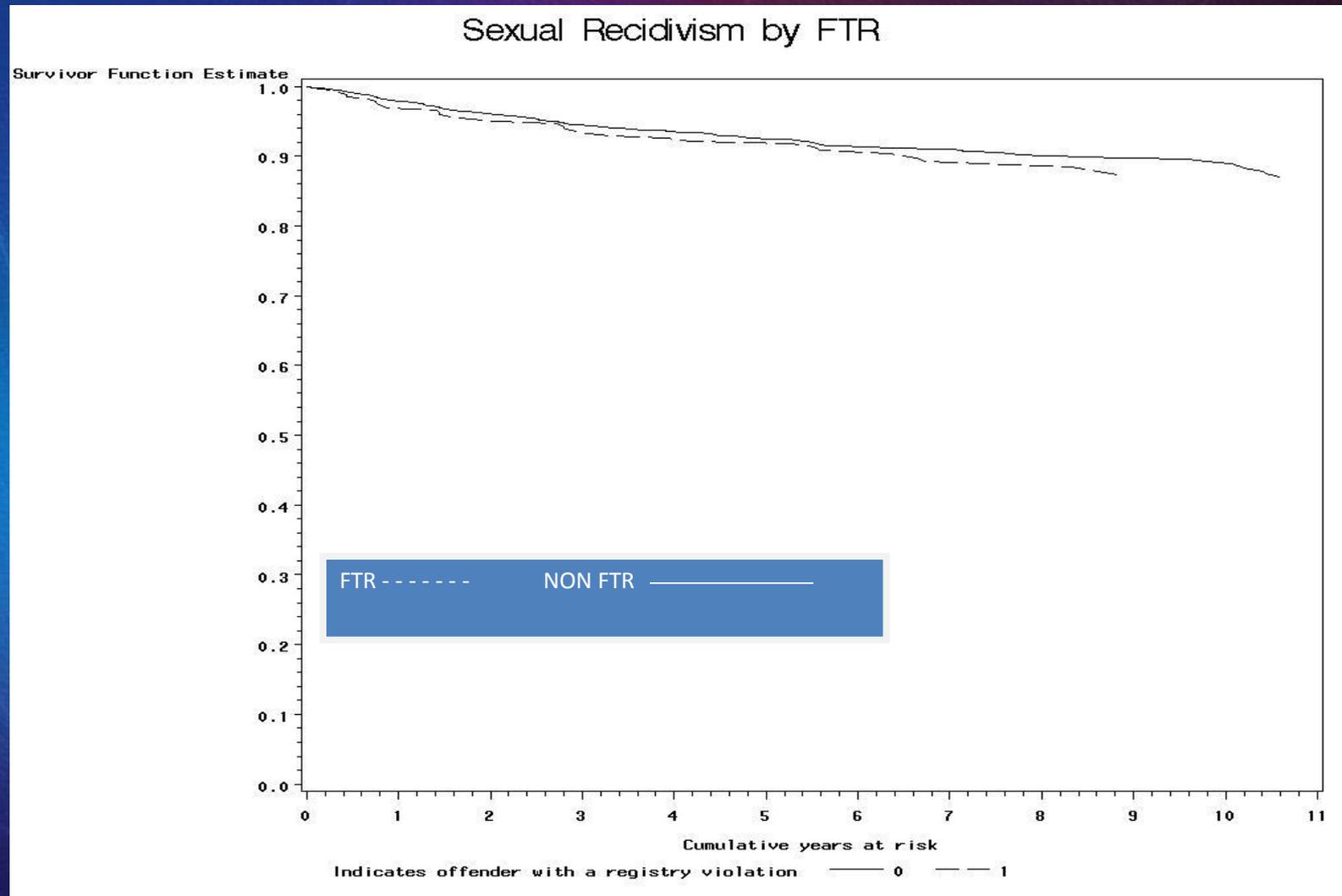
**Homeless and
Transient**

- **2%**
- **14,560**

=

- **5%**
- **36,400**

Failure to Register & Recidivism



Reduce

Recidivism

Do policies “work?”

Outcome = SO recidivism

Group comparisons

- Pre/post
- Intervention/control

Trend Analyses

- Tracking rates over time
 - Sex crime rates
 - Sex recidivism
 - Comparison crimes
 - Intervention date

- Significant differences reflect changes beyond what would be expected by chance

Most studies say

A large, 3D, stylized graphic of the word "NO!" in a gradient of yellow, orange, and red. The letters are thick and have a slight shadow, giving them a three-dimensional appearance. The exclamation point is also large and matches the color scheme.

2 Say



MN, WA

Do Adam Walsh Act Tiers Correctly Classify Risk?

Freeman, N. J., & Sandler, J. C. (2009). The Adam Walsh Act: A False Sense of Security or an Effective Public Policy Initiative? *Criminal Justice Policy Review*

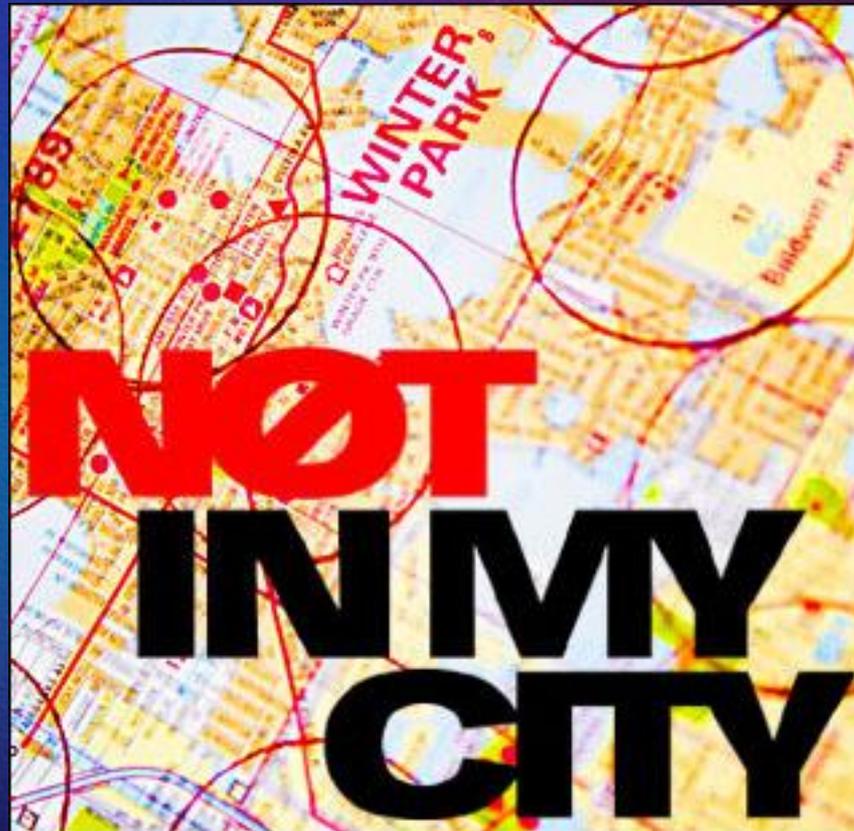
-
- Results indicated that the AWA did not do a good job of classifying risk in NY.
- In fact, registered sex offenders classified by AWA as Tier 1 (lowest risk) were rearrested for both nonsexual and sexual offenses more than sex offenders in Tier 2 (moderate risk) or Tier 3 (highest risk).

| Sexual offense rearrest | Tier 1 | Tier 2 | Tier 3 |
|-------------------------|--------------|--------------|--------------|
| Yes | 187 (8.1) | 301 (6.1) | 665 (7.5) |
| No | 2,122 (91.9) | 4,665 (93.9) | 8,193 (92.5) |

Summary

- SORN may help increase public awareness but does not seem to reliably change protective behavior.
- May be a useful tool to help track and monitor sex offenders, but non-compliance is not a significant problem.
- Failure to register is not associated with increased sexual recidivism.
- Little research to support that SORN prevents reoffending.
- States that have found an effect (MN & WA) have risk assessment schemes.

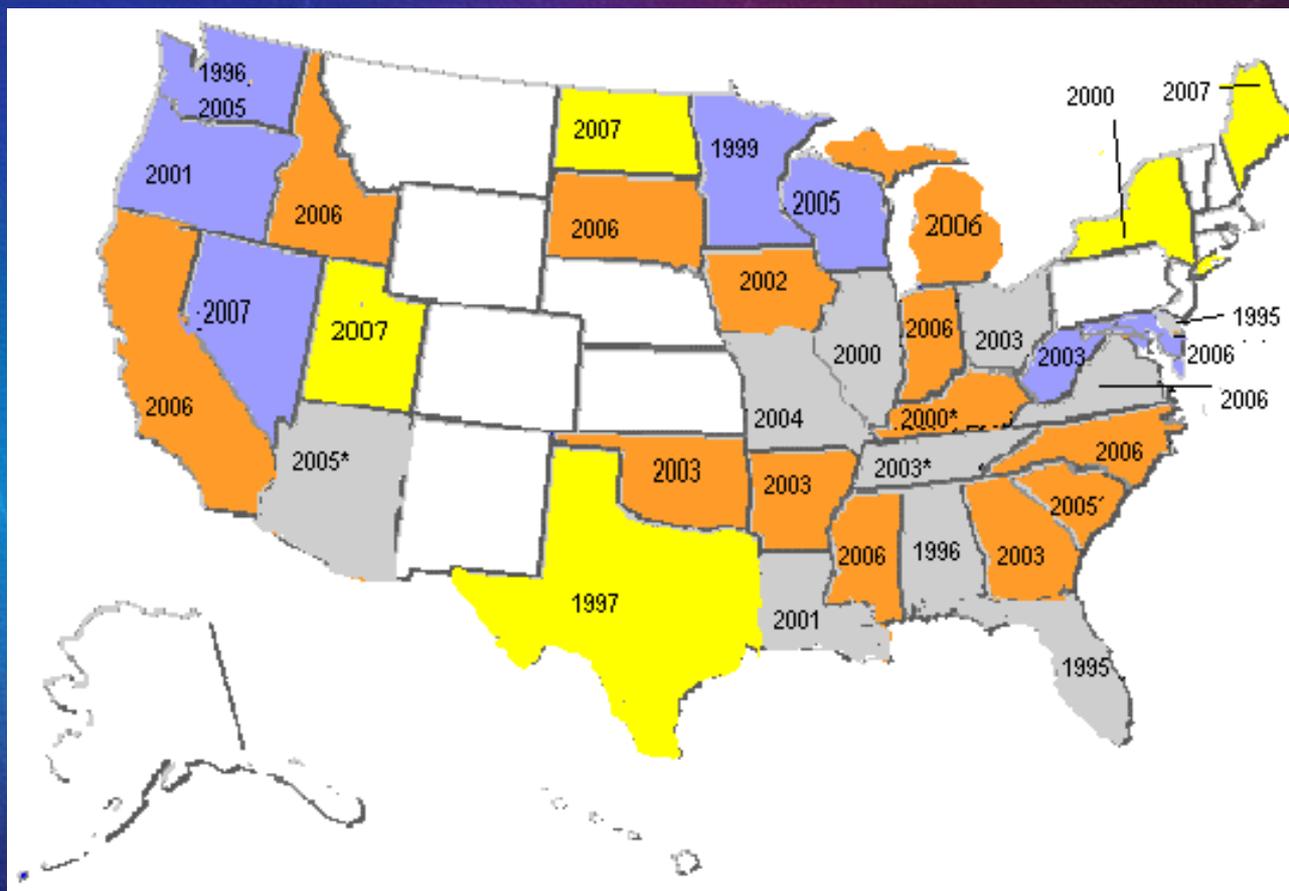
Residence Restrictions



Legislative History of Sex Offender Residence Restrictions

- 1995 – First statewide law in Florida
- In 2004, 14 states had residence restrictions, most commonly 500 – 1000 feet.
- By 2007, 30 states had residence restrictions
- Thousands of local jurisdictions (cities, towns, and counties) nationwide have passed zoning laws, often 2500 feet (about one-half mile).

State Residency & Mobility Restrictions



*Passed, Repealed, Passed (PRP)

Orange—Registered

Gray—Convicted

Blue—Community-Based Sanctions

Yellow—Mobility Restrictions

Duwe, G., Donnay, W., & Tewksbury, R. (2008). Does residential proximity matter? A geographic analysis of sex offense recidivism. *Criminal Justice and Behavior*, 35(4), 484-504.

- **Minnesota DOC analyzed 224 recidivistic sex offenses and concluded that**
- **“not one of the 224 sex offenses would likely have been deterred by a residency restriction law” (p. 2).**
- **The majority of the sex offenders (79%) victimized someone known to them, and half of the assaults against strangers occurred more than one mile from the offenders’ homes.**
- **Of the 16 unknown juvenile victims with whom contact was established within one mile of the offender’s home, none of these relationships were cultivated near a school, park or playground.**

Colombino, N., Mercado, C. C., & Jeglic, E. L. (2010). Situational aspects of sexual offending: Implications for residence restriction laws. *Justice Research and Policy, 11*, 27-42.

Location Where Sex Offenders Met Their Victims by Offender Type

| Location | Type of Offender ^a | | | |
|-------------|----------------------------------|--------|-------------------------------------|-------------------|
| | Child Molester <i>n</i> = 293 | | Adult Sex Assault <i>n</i> = 112 | |
| | <i>N</i> | % | <i>N</i> | % |
| Public | 43 | 14.7 % | 21 | 18.8 % |
| Semi-Public | 12 | 4.1 | 19 | 17.0 ^b |
| Private | 238 | 81.2 | 72 | 64.3 |

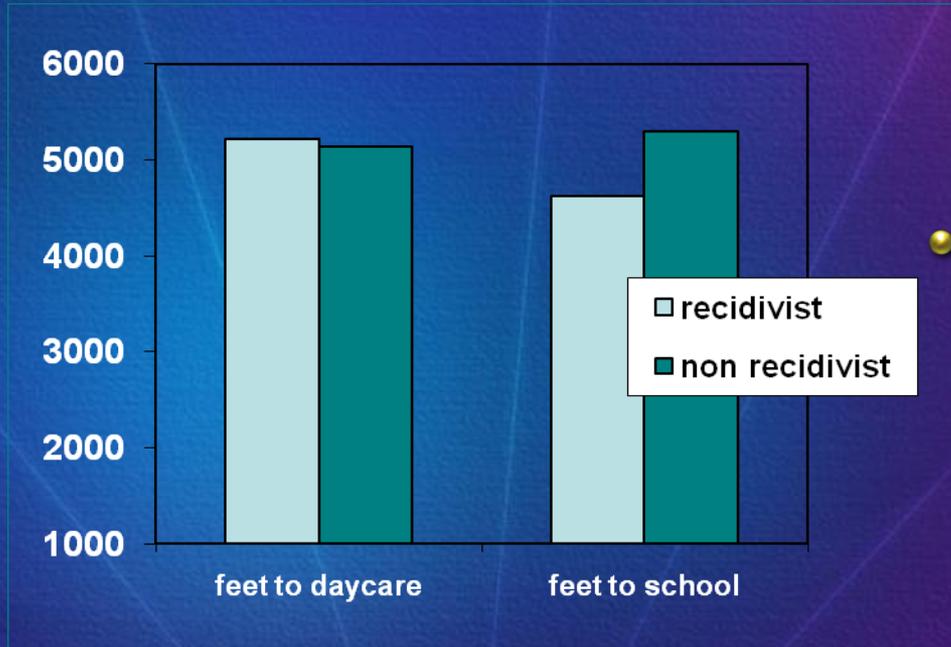
Location Where Sex Offense Occurred by Offender Type

| Location | Type of Offender ^a | | | |
|-------------|----------------------------------|-------|-------------------------------------|-------------------|
| | Child Molester <i>n</i> = 293 | | Adult Sex Assault <i>n</i> = 112 | |
| | <i>N</i> | % | <i>N</i> | % |
| Public | 17 | 5.8 % | 11 | 9.8 % |
| Semi-Public | 22 | 7.5 | 22 | 19.6 ^b |
| Private | 254 | 86.7 | 79 | 70.5 |

- Findings suggest that sex offenders do not meet victims or perpetrate offenses in public or semi-public locations with great frequency.
- Results indicated that a minority (6.8%) of extrafamilial offenders first came into contact with their victim in one of several locations often statutorily defined as residentially off limits for sex offenders, including schools, parks, churches, and bus stops.

Proximity & Recidivism

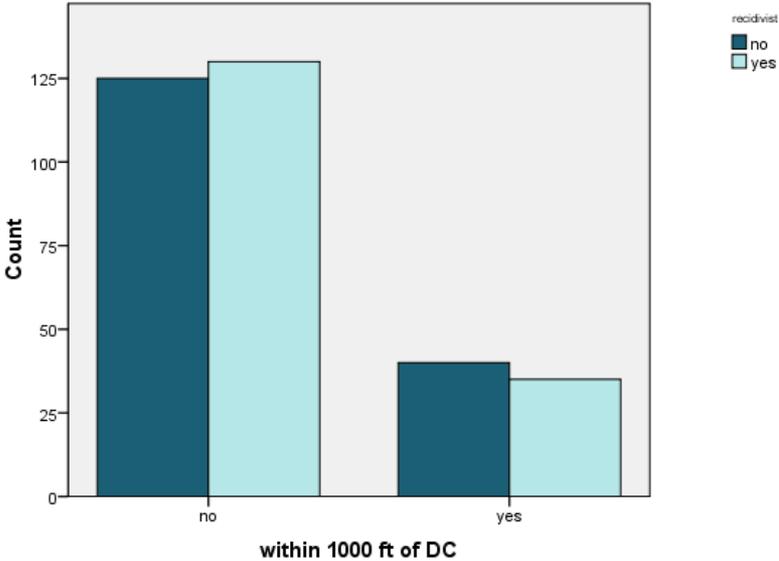
Zandbergen, P.A., Levenson, J.S., & Hart, T. (in press). Residential proximity to schools and daycares: An empirical analysis of sex offense recidivism. *Criminal Justice and Behavior*.



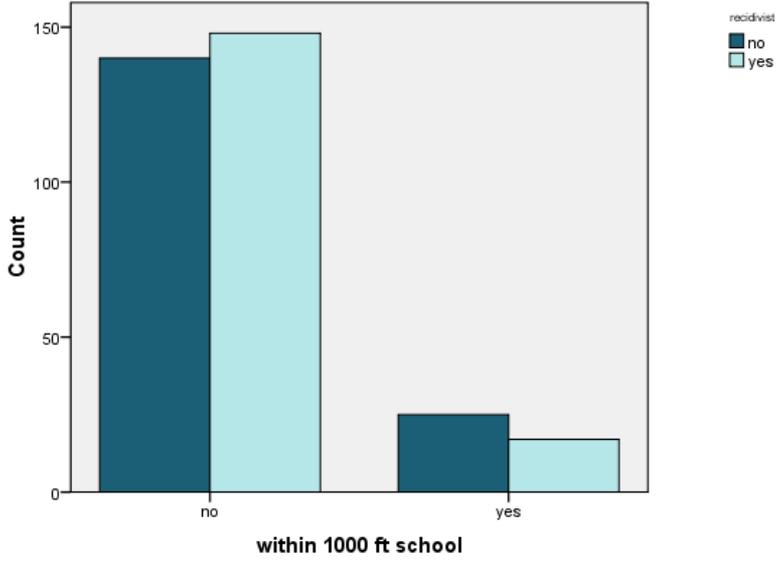
- No statistically significant differences between recidivists and non-recidivists in terms of their average residential proximity to schools and daycare centers.
- In other words, sex offenders who lived within closer proximity to schools and daycare centers were no more likely to reoffend than those who lived farther away.

Comparison of # of recidivists vs. non recidivists living within 1000 feet

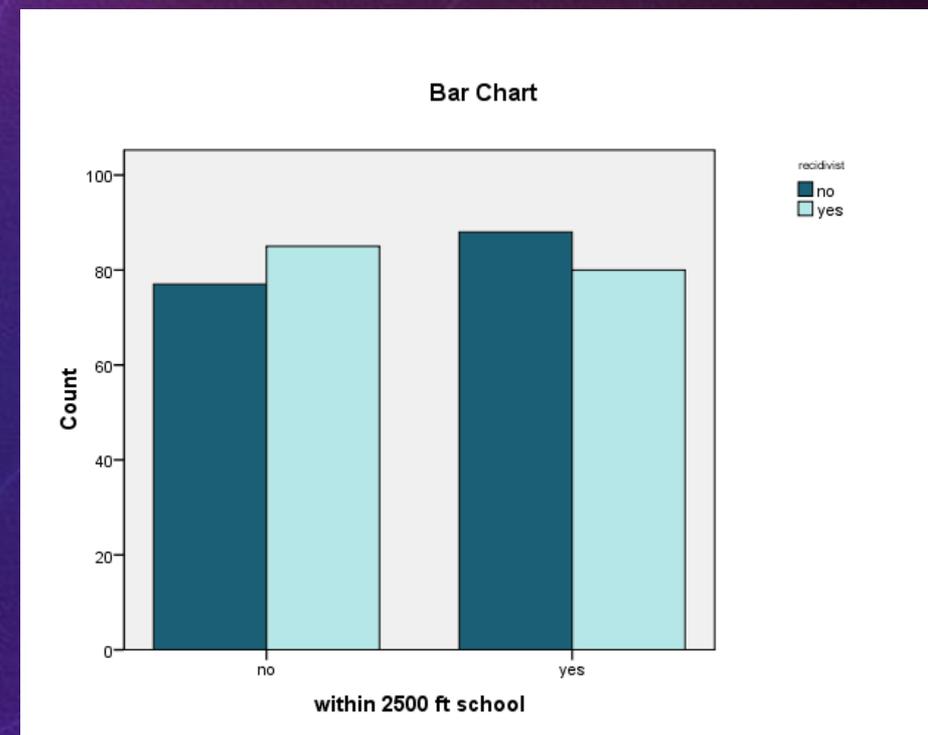
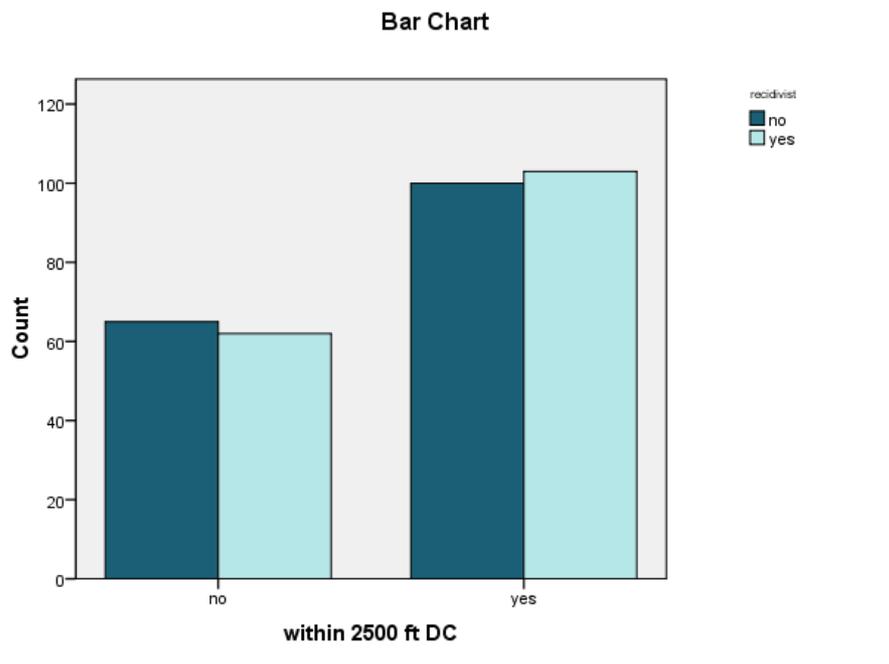
Bar Chart



Bar Chart



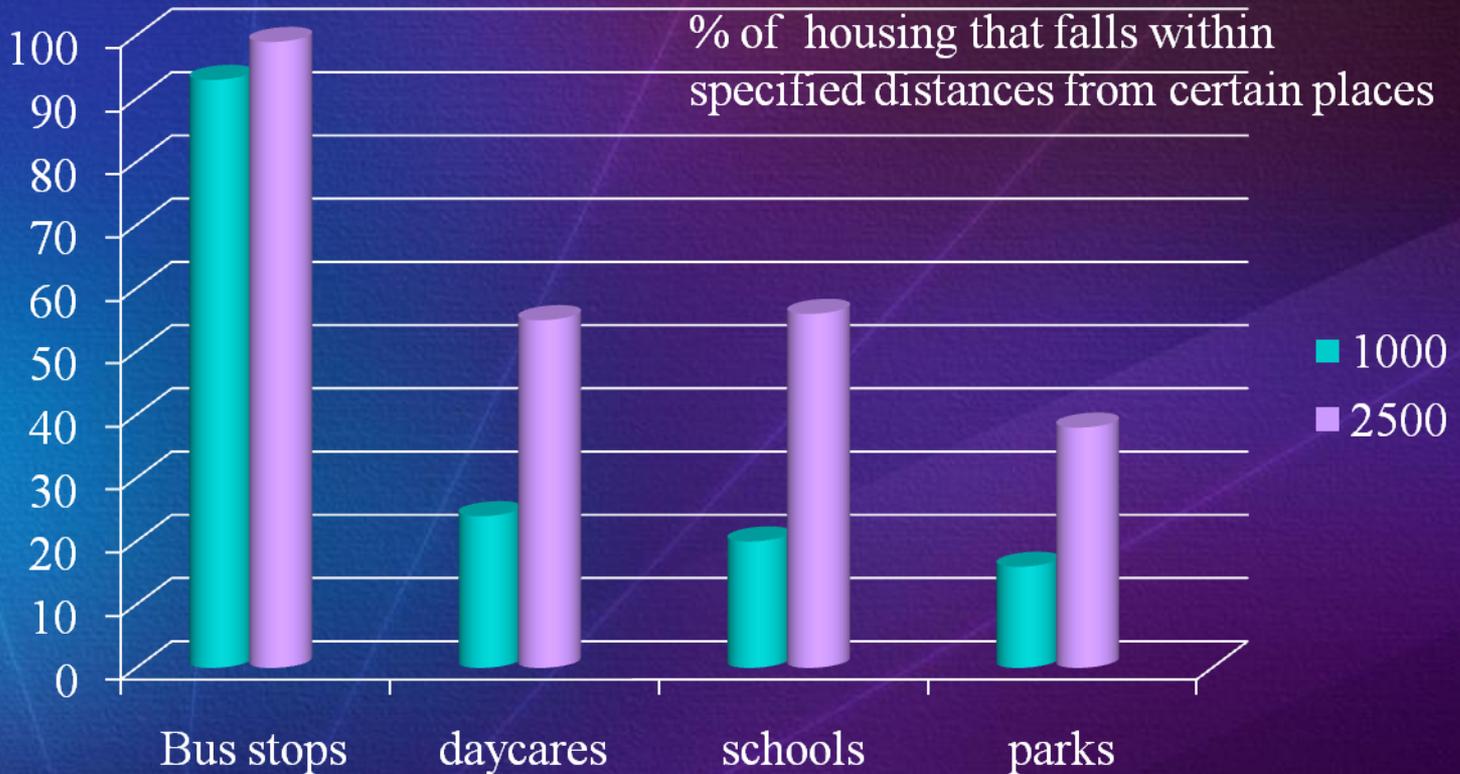
Comparison of # of recidivists vs. non recidivists living within 2500 feet



There is no research indicating that sex offenders' proximity to schools increases their likelihood of recidivism, or that residence restrictions are successful in preventing sexual abuse or protecting children.

Orange County, FL Housing Availability

Zandbergen, P.A., & Hart, T.C. (2006).



- When considering all 4 restrictions combined, the number of available residential properties in the county drops to 37 dwellings within the 2,500-foot

Electronic Monitoring (Global Positioning)

- First Used in New Mexico in 1984
- 1990 – 60,000 Supervisees in approximately three dozen states

Rondinelli (1997)

- No Statistically Significant Reduction in Recidivism Rates

Bonta, Wallace-Capretta, and Rooney (2000)

- Ineffective If Not Combined with Rehabilitative Interventions

Aos, Phipps, Barnoski, and Lieb (2001)



GPS Research (Florida)

- N=705 Including 15% (N=73) Sex Offenders
 - 70% (N=500) Were Diversion Clients
 - 30% (N=205) Were Habitual or Sex Offenders
- **Results:** Those on GPS Had Fewer New Felony and Technical Violations Than Those Not on GPS
- **Disclaimer:** Primarily Low Risk Offenders in Study

OPPAGA (2005)

GPS Research (Tennessee)

- N=493 GPS Sex Offenders
- Comparison=370 Non-GPS Sex Offenders
- Measures: Sexual and Non-Sexual Recidivism, and Technical Violations
- Follow-Up Period: 1 Year
- **Results:** No Statistically Significant Difference
 - Officers Felt GPS Enhanced Containment
 - Problem: Lack of Adequate Staffing
 - Use of GPS Takes Time to Address Technological Difficulties

Tennessee Board of Probation and Parole (2007)

GPS Research (California)

- N=94 GPS High Risk Sex Offenders
- Comparison=91 Non-GPS High Risk Sex Offenders
- Measures: Criminal and Technical Violations
- **Results:** No Statistically Significant Difference
 - GPS Rate=39.6%
 - Non-GPS Rate=37.2%
 - GPS Statistically Significant In Terms of Less Likely to Abscond than Non-GPS Group

California (2008)

GPS Research (California)

- Process Evaluation Results
 - Equipment Problems
 - Drift
 - Blocked Signal
 - Need for Lower Caseloads

California (2008)

So what should we do?

Assess risk using reliable evidence based procedures.

Develop supervision and monitoring plans according to risk and needs.

Align registration durations more closely with research evidence.

Target resources toward those who pose the greatest risk of reoffending.

Thank you!

- jsljwm@bellsouth.net