

SEX OFFENDER MANAGEMENT EXPERTS AND LEGAL SCHOLARS ALIKE EMPHASIZE THE IMPORTANCE OF TAKING INTO ACCOUNT THE EVER-GROWING BODY OF RESEARCH ABOUT JUVENILE SEX OFFENDERS WHEN CRAFTING POLICIES SUCH AS REGISTRATION AND NOTIFICATION.

ment outcome data, some states have enacted registration provisions for juveniles that allow for the termination of registration requirements once registrants reach adulthood (i.e., ranging from 18-21 years of age) (Garfinkle, 2003; Matson & Lieb, 1997; Szymanski, 2003b, 2003c). Where such provisions do not exist, states may wish to consider policies that afford juvenile sex offenders the ability to petition the courts for relief from registration requirements after a demonstrated period of community adjustment and stability. Some states exempt juveniles from community notification practices altogether, or have limited notification practices only to those juveniles who have been determined to pose a high risk to the community (see, e.g., ATSA, 2000; Garfinkle, 2003; Heinz & Ryan, 1997; Matson & Lieb, 1997; Szymanski, 2003a; Trivitz & Reppucci, 2002).

Sex offender management experts and legal scholars alike emphasize the importance of taking into account the ever-growing body of research about juvenile sex offenders when crafting policies such as registration and notification (see, e.g., ATSA, 2000; Becker & Hicks, 2003; Letourneau & Miner, 2005; Trivitz & Reppucci, 2002; Zimring, 2004). Most salient are the key developmental differences between adults and juveniles, low rates of sexual recidivism among juvenile sex offenders, evidence which suggests that these youth are not likely to continue offending sexually as adults, the effectiveness of community-based treatment, and concerns about collateral consequences (Chaffin, 2006; Fanniff & Becker, 2006; Garfinkle, 2003; Hunter, Gilbertson, Vedros, & Morton, 2004; Letourneau & Miner, 2005; Reitzel & Carbonell, 2006).

### ► *Research on the Impact of Registration and Notification*

Creating evidence-based policies in the sex offender management arena requires an understanding about what is currently known about sex offenders, victims, and the impact of sex offender management strategies. For the core components of an integrated and comprehensive approach to managing sex offenders (e.g., treatment, supervision), there is evidence – albeit to greater and lesser degrees – that some strategies seem to “work” to enhance public safety and to facilitate positive offender outcomes. Unfortunately, empirical analyses of sex offender-specific policy analyses are very limited, and remain a critical need in the overall sex offender management field. Thus far, only a handful of studies have begun to address the impact of registration and community notification on sex offender management. Below is a summary of the limited research and the questions that they were designed to answer:

- *Does registration reduce sexual recidivism?* Researchers in the state of Iowa compared sex offenders involved in the criminal justice system prior to the enactment of the state’s registration statute with sex offenders who were involved in the system after the registration statute was enacted (Adkins, Huff, & Stageberg, 2000). No significant differences were revealed for sexual recidivism (i.e., reconviction) after a more than 4 year follow-up period.
- *Does community notification reduce sexual recidivism?* Tracking high risk sex offenders

in the state of Washington, researchers compared the sexual recidivism rates of sex offenders “pre-enactment” and “post-enactment” of the community notification legislation (Schram & Milloy, 1995). After a 4.5 year follow-up, the sexual recidivism rates (i.e., re-arrests) for the two groups did not differ significantly.

- *Does community notification reduce sexual recidivism?* Researchers in the state of Washington compared the 5 year sexual recidivism rates (i.e., reconvictions) of sex offenders released from prisons pre-enactment, post-enactment, and post-amendment of the registration and notification statutes (Barnoski, 2005). After a 5 year follow-up, the sexual recidivism rate for the pre-enactment group was 7%, the rate for the post-enactment group was 4%, and the rate for the post-amendment group was 2%. Although these differences were statistically significant, the researchers noted that other confounding variables (e.g., increased state incarceration rates, decreased crime rate within the state and nationally) may have influenced the findings.
- *Do sex offenders who fail to register recidivate sexually at higher rates?* With the growing rate of failure to register convictions in the state of Washington, researchers explored the relationship between failing to comply with registration requirements and sexual recidivism (Barnoski, 2006). When comparing the failure-to-register group to the registration-compliant group over a 5 year follow-up period, the sexual recidivism rates (i.e., reconvictions) were 4.3% and 2.8%, respectively. The differences were not statistically significant.

The primary goal of registration and community notification – to promote community safety by increasing the visibility of convicted sex offenders in the community – is laudable. Indeed, enhancing community safety is the thread that connects all stakeholders involved in the management of adult and juvenile sex offenders. Unfortunately, very limited research has been conducted to identify the extent to which registration and notification approaches are achieving that goal.

### ► *Summary*

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As emphasized throughout this protocol, the key to ensuring community safety, whether via treatment or supervision interventions, reentry practices, or sex offender-specific legislation, is to make well-informed decisions based on the best available research. Therefore, policymakers and agency administrators are well-advised to conduct cost-benefit analyses of their current registration and notification strategies. Ideally, this would be operationalized through specific requirements and dedicated funding for outcome evaluations that investigate the short- and long-term impact of these policies, both in terms of effects on recidivism and impact on key stakeholders (e.g., law enforcement, citizens, victims, sex offenders, and families).

THE KEY TO ENSURING COMMUNITY SAFETY, WHETHER VIA TREATMENT OR SUPERVISION INTERVENTIONS, REENTRY PRACTICES, OR SEX OFFENDER-SPECIFIC LEGISLATION, IS TO MAKE WELL-INFORMED DECISIONS BASED ON THE BEST AVAILABLE RESEARCH.