

## Community Corrections Professionals' Views of Sex Offenders, Sex Offender Registration and Community Notification and Residency Restrictions

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**SEX OFFENDER REGISTRATION** and community notification (SORN) policies are among the most widely discussed and debated criminal justice policy issues in recent years. Commonly presumed to be a new and innovative approach to maintaining public safety, registration has in fact been used for more than a century for a variety of types of offenses (e.g., property, violence, organized crime) (Logan, 2009). In the 21st century, although registration and notification policies are viewed by the public as valuable and important for public safety (Levenson, Brannon, Fortney and Baker, 2007), there is a lack of data regarding how criminal justice officials perceive and value such policies. In the scholarly arena both SORN (Letourneau, Bandyopadhyay, Armstrong, and Sinha, 2010; Tewksbury and Jennings, 2010; Zgoba, Veysey and Dalessandro, 2010) and residency restrictions (Duwe, Donnay and Tewksbury, 2008; Socia, 2011; Zandbergen, Levenson and Hart, 2010) have been shown to have little or no efficacy in reducing sex offender recidivism. Furthermore, such policies also impose negative social, psychological, and financial effects on offenders (Levenson and Cotter, 2005; Levenson, Zgoba and Tewksbury, 2007; Tewksbury, 2004, 2005; Tewksbury and Lees, 2007; Tewksbury and Mustaine, 2007), and increase workloads and challenges for community corrections professionals (Datz, 2009). Further, they are often developed from stereotypical views of sex offenders and they can negatively affect communities in which such policies are implemented (Barnes, Dukes, Tewksbury and DeTroye, 2009; Tewksbury and Jennings, 2010).

However, while there is research assessing the consequences of such policies, surprisingly little is known about whether criminal justice officials responsible for enforcing such policies support SORN and accompanying policies or what these individuals think about sex offenders. The present study addresses this gap through an examination of the attitudes toward sex offenders, sex offender registration and community notification, and accompanying residency restrictions

for sex offenders among a national sample of community corrections professionals—one population of criminal justice officials with significant responsibility for enforcing such laws.

## Literature Review

There is a small body of literature on the public's knowledge of, familiarity with, use of, and attitudes about publicly available sex offender registries. This literature generally shows that while the public supports sex offender registries in principle (Levenson et al., 2007), they use them relatively rarely (Anderson and Sample, 2008; Kernsmith, Comartin, Craun and Kernsmith, 2009; Levenson et al., 2007; Lieb and Nunlist, 2008). Not only does the public only infrequently access registry information, but it is also generally misinformed about the contents of registries (Anderson and Sample, 2008; Kernsmith et al., 2009) and the characteristics of sex offenders.

Apart from the literature regarding the public's use of sex offender registries, there is only scant literature concerning the views of such policies by those directly affected by SORN. Regarding the views of registered sex offenders themselves, Tewksbury (2006; Tewksbury and Lees, 2007) has shown that offenders do perceive value in SORN policies and the maintenance of publicly accessible registries. However, very few such offenders believe that they personally should be subject to registration and accompanying restrictions. And they express serious concerns about how the public may make use of information contained on registries.

### *Criminal Justice Officials' Views of SORN*

Studies of the public officials responsible for establishing and enforcing SORN and accompanying restrictions are largely absent from the scholarly literature. One study has examined the views of those responsible for the creation of SORN and accompanying policies: legislators. Based on interviews of a sample of Illinois legislators and state government officials, Sample and Kadleck (2008) demonstrated that there is a range of views on the appropriateness and efficacy of SORN policies among legislators. While some legislators report believing that existing statutes "go too far," others have sharply contrasting views, believing that current law is not stringent enough. Legislators' views are influenced by both their individual beliefs and values and attempts to accommodate what they believe are common beliefs and values of their constituents.

Researchers have also begun to examine the attitudes and experiences of criminal justice officials who are responsible for enforcing SORN and related policies. In the area of law enforcement, only two small, exploratory studies (Finn, 1997; Gaines, 2006) have focused on how the police perceive SORN. Finn (1997) interviewed 13 criminal justice officials who believed community notification to be a useful management tool for supervising sex offenders, although such strategies were also recognized as burdensome and time consuming. Gaines (2006) surveyed 21 law enforcement officials responsible for maintaining publicly accessible registries and reported that there is a belief among such officers that the public was satisfied with how registries and community notification are completed.

Beyond considering law enforcement views, three studies have examined community corrections officials' views and experiences with SORN issues. Tewksbury and Mustaine (in press) examined the views of state parole board members regarding SORN and residency restrictions. Their findings show that while most (60.3 percent) parole board members do believe SORN is effective in preventing sexual victimizations, they do not see residency restrictions as an effective or valuable tool. A majority (57.5 percent) of parole board members report that they do not believe residency restrictions are effective for preventing sexual victimization. Furthermore, nearly two-thirds (63.4 percent) of parole board members report that they would not support residency restriction laws if there was not any scientific evidence to support such policies.

Two small studies of probation officers have focused on how such officials perceive SORN and related policies, how these policies affect workload, and the benefits and challenges posed by such policies. Zevitz and Farkas (2000) surveyed 77 probation and parole officers in Wisconsin and report that these community corrections officials find that the major consequence of community notification procedures are increased workloads, costs, and frustrations. Datz (2009) surveyed 259 probation and parole officers in Florida to assess their views of sex offender management strategies, with a special focus on residency restrictions. Overall, her findings suggest that community corrections officers "seem to find a link between residence restrictions

and sex offender homelessness that is likely to lead to other negative consequences, including unemployment and increased violations." They also report believing that residence restrictions are not a viable means of stopping sex offenders from re-offending. The views these professionals have is that residence restrictions are an effort by politicians to address the public's concern over sexual offenses and offenders, but that these efforts are not supported by data or experience, and are thus ineffective in addressing this problem (Datz, 2009, p. 12).

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## **The Present Study**

The present study seeks to fill a gap in our knowledge about attitudes regarding sex offenders, sex offenses, sex offender registration and community notification, and other related policies. In so doing, we focus on the attitudes of a population of criminal justice officials central to the implementation and enforcement of SORN and residency restrictions laws: community corrections professionals. As such, the present study is one of a very few to examine the attitudes of the criminal justice officials who are charged with enforcing such policies, and furthers our understanding of whether and in what ways SORN and residency restrictions are viewed as useful, effective, and legitimate tools for criminal justice supervision and control of sex offenders. If, as the existing literature suggests, officials responsible for enforcing SORN and residency restrictions hold mixed or negative views of the beneficial potential of such policies, it is important to recognize that such policies are unlikely to be effective and unlikely to be diligently enforced. Additionally, we consider the views community corrections professionals have about sex offenders and the kind of people they believe such offenders to be.

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## **Methods**

### *Data Collection*

All data for the present study are collected via a 43-item survey administered to community corrections professionals. To enlist participation, all members of the electronic mailing lists of the American Probation and Parole Association (APPA) and recipients of the APPA newsletter were invited to complete an online survey. Invitations with a link to the survey were provided in an online issue of APPA's newsletter, *CC Headlines & More*, and in three email blasts sent to those on the APPA electronic mailing list over a three-month period.

### *Sample*

A total of 716 community corrections professionals completed the online survey.<sup>1</sup> Respondents come from 45 states and the District of Columbia. [Table 1](#) provides an overview of the sample. Respondents are evenly split between male (49.9 percent) and female (50.1 percent), primarily white (84.4 percent), hold at least a four-year college degree (94.7 percent, of these 41 percent have a graduate degree) and are middle aged (mean age 46). Fully three-quarters of respondents are married, 73.3 percent have children and 43.7 percent have at least one child under the age of 18. Respondents have an average of more than 15 years of experience working in community corrections, and present a range of self-identified political views (17.1 percent identify as very to somewhat liberal, 33.7 percent identify as moderate/neutral and 38.9 percent identify as somewhat to very conservative).

### *Instrument*

The 43-item survey contains questions designed specifically for this study. The instrument contains items regarding the respondent's views on sex offender registration and community notification ("I believe the following sex offenders should be subject to community notification: no sex offenders, only sex offenders with high-risk assessment scores, all sex offenders"; "In which ways should the community be notified of the presence of sex offenders—media releases/announcements, door to door information from the police/sheriff, mailed or posted flyers, registration lists at law enforcement agencies, registration lists on the internet, community meetings, automated telephone calls to residents"; "When community notification is done, the public should be informed about the following characteristics of the sex offenders in their area—name, photograph, fingerprints, home address, with whom the offender lives, home telephone

number, vehicle description, vehicle license plate number, description of offense(s), work location/address, victims'(s) name(s), victims'(s) age(s), victim's(s) gender(s), HIV & STD test results for offender"), possible legal restrictions to accompany sex offender registration ("Which types of child congregation locations do you believe are appropriate locations to prohibit registered sex offenders from living near—schools, daycares, parks, fast food restaurants, school bus stops, youth athletic fields, skateboard parks, public swimming pools, public restrooms, public libraries"), demographics (race, sex, age, education, marital status, and number of children in the home), experience (number of years the individual has worked in community corrections), and self-reported political views.

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## Findings

[Table 2](#) specifies the proportion of respondents supporting the various attitudinal measures; we find that community corrections professionals are, in general, only moderately supportive of the various strategies to control sex offenders. To elaborate, fully 85 percent of the respondents reported believing the community notification laws of their communities are fair, with 45 percent indicating that they believed that the community notification laws in their communities were completely fair, and 40 percent believing they were mostly fair. However, regarding the effectiveness of community notification, more than one-half (56 percent) of community corrections professionals report believing community notification creates a reduction in the number of sex offenses. Community corrections professionals were also somewhat skeptical of housing restrictions laws, as only approximately 42 percent agreed or strongly agreed that they were supportive of them—even when there was no scientific evidence that they are effective in preventing victimization. Nonetheless, half of the sample respondents (50 percent) either agreed or strongly agreed that laws that prevent sex offenders from living near schools, parks, or playgrounds were effective in preventing sexual victimization. And, over half of the sample (59 percent) believed that sex offender registration and notification is effective in preventing sexual victimization.

To sum up these findings, it appears that community corrections professionals are unlikely to hold stereotypical views of sex offenders and sex offenses, feel that the strategies we use to control them are only moderately successful, but that this is a group of fairly dangerous criminals.

Considering the ways that the community should be notified about the presence of sex offenders in their midst, again we find that some of the items were seen as good ways to notify the community and other ways were not seen as good ways to notify community members. [Table 3](#) provides the specifics of these views. Media releases, door-to-door information from the police/sheriff, mailed or posted flyers, community meetings, automated telephone calls to residents, and information provided only upon request were seen as strategies of notification that were favored by only a minority of respondents (only 32, 24, 32, 29, 15, 14 percent, respectively felt that these strategies were useful). The strategies that most community corrections professionals felt were useful ways of notifying the community about sex offenders in their midst were registration lists at law enforcement agencies (72 percent felt this was a useful strategy) and putting registration lists on the Internet (84 percent).

Most community corrections professionals believed that only a few items of information were important for the public to be informed of. [Table 4](#) highlights these types of information. These items were sex offenders' names (95 percent believe that this was an important piece of information about which the community should be informed), sex offenders' photographs, their home addresses, and a description of their offenses (94, 75, 76 percent, respectively). Thus, respondents believed that most of the items queried on were not the types of information that should be included when notifying the community about the sex offenders in their neighborhoods. Particularly, only 6 percent of respondents felt that fingerprints should be included in the notification information, 16 percent agreed that with whom the offender lives should be included, 4 percent believed that the offenders' home telephone numbers should be included, 49 percent support offenders' vehicle descriptions, 33 percent support vehicle license plate numbers, and 26 percent stated that offenders' work locations were important types of information to provide to the public. Most community corrections professionals felt that

information about the victim was not important information to include when notifying the community about the sex offenders in their area. Specifically, 98 percent did not think the victim(s) name(s) should be released, 58 percent agreed that the victim's gender should not be released, and 55 percent believed that the victim(s) age(s) should not be released in the information given to the community. Finally, most community corrections professionals (87 percent) felt that any HIV or STD test results should not be made available to the community.

On the subject of the deterrence potential of sex offender registries, most community corrections professionals believed that the sex offender registry did not act as a deterrent to sex offenders or to general members of the community. Specifically, only 19 percent agreed or strongly agreed that sex offenders were deterred from offending because of being listed on a publicly available sex offender registry and only 24 percent of the respondents agreed or strongly agreed that general members of the community were deterred from sex offending because they do not want the humiliation of being listed on a publicly available sex offender registry.

Finally, community corrections professionals also indicated the types of locations that they believed were appropriate for inclusion in defining residency restrictions zones. [Table 5](#) provides the details of these views. In all, some of the locations in the survey were seen as good locations but some were not seen as good locations for sex offender prohibitions. To elaborate, 78 percent thought that schools were good locations to restrict sex offenders from living near, 71 percent agreed that daycares were good locations, 58 percent felt that parks were good locations, 63 percent felt that youth athletic fields were good locations, and 51 percent felt that public swimming pools were good locations to restrict sex offenders from living near. The locations that few community corrections professionals believed should be used for outlining residency restriction zones were public restrooms (16 percent), public libraries (20 percent), fast food restaurants (6 percent), school bus stops (49 percent), and skateboard parks (49 percent).

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## **Discussion**

This study presents one of the first systematic examinations of how the criminal justice system officials perhaps most responsible for implementing and enforcing SORN and residency restrictions—community corrections professionals—view sex offender registries, community notification, and residential restrictions statutes. While previous research has looked at how the public (Levenson et al., 2007) and sex offenders themselves (Tewksbury 2006; Tewksbury and Lees, 2007) view such policies and practices, there has been little attention to the views and experiences of criminal justice officials (however, also see Datz, 2009; Gaines, 2006; Tewksbury and Mustaine, in press). This is an important oversight that is critical to address.

Findings of the present study suggest that community corrections professionals' attitudes are moderately supportive of residency restrictions, frequently believing that both SORN and residency restrictions are effective in preventing sex offenses. Interestingly, however, the large majority of community corrections professionals do not perceive either known sex offenders or the general community to be deterred by SORN policies. Since substantially more community corrections professionals believe these policies to be effective, there must be reasons other than deterrence driving these beliefs and policy support.

It is notable that these findings differ in some significant ways from those previously shown for parole board members. A significantly larger proportion of community corrections professionals (compared to parole board members) believe that the community notification laws in their communities are fair, that SORN policies are effective in reducing the number of sex offenses, and that they would support residency restrictions even with no scientific evidence to support the efficacy of such policies.

Community corrections professionals and parole board members have very different types of responsibilities and interactions with sex offenders. Whereas parole board members are primarily focused on assessing whether individual offenders pose continued risks to public safety, community corrections professionals are primarily concerned with day-to-day supervision of offenders and working with offenders to remain crime-free. Parole board members have limited contacts with offenders, while many community corrections professionals have more frequent and intense contacts with offenders over extended periods of time. For community corrections

professionals, individual offenders' experiences of success or failure are more prominent in day-to-day work and opportunities to enhance supervision may be seen differently. Community corrections professionals are more concerned with the opportunities for enhanced supervision that are presented by policies such as SORN and residency restrictions, and therefore it is not surprising that they see such policies more favorably. The findings of the present study also show similarities with those of Levenson, Fortney, and Baker (2010) regarding sexual abuse treatment professionals. Treatment professionals, like community corrections professionals, have more intense, protracted interactions with sex offenders and may support a wider range of tools for treatment and containment, even if such tools have not been shown to have consistent positive outcomes.

This study does have limitations. Here, one of the important limitations is that it is likely not a random sample of community corrections professionals. While we cannot compute a response rate, as with most solicited survey participation, there are likely to be factors that influenced whether or not any particular individual took the survey. Clearly, then, the generalizability of the findings should be viewed with caution. Nevertheless, our sample is a large one, represents most of the states in the U.S., and appears to represent a wide range of individuals. Another limitation of the present study is that there may be dimensions of attitudes that we mis-specified or did not access with our survey items, even though we did include many such indications. Thus, this present study provides a good explorative evaluation upon which future research in this area should be built.

Future studies should continue to systematically examine the views and attitudes of criminal justice and public officials regarding sex offender registration and community notification. Policies that are perceived as ineffective by the officials implementing them deserve closer scrutiny, and perhaps modification or removal.

In the end, we find that community corrections professionals' views of SORN and residency restrictions are moderately supportive of such policies and based on beliefs that both SORN and residency restrictions are effective ways of reducing sexual offenses.

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