



WHAT YOU MAY NOT KNOW ABOUT

CALIFORNIA'S SEX OFFENDER REGISTRY



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EDUCATION

Education and effective laws are essential to preventing sexual abuse.

However, myths and misconceptions about individuals convicted of sexual crimes often impede our ability to enact effective laws.

The term “sex offender” itself can be misleading as it implies one type of behavior (sexual crime) committed by one type of person (sexual offender) – but we know all individuals convicted of sexual crimes are not the same.

This “one size fits all” impression is incorrect.

Individuals who commit sexual crimes are an extremely diverse group – male and female, young and old, rich and poor. They also have very different levels of risk for committing future sexual crimes. In fact, despite what we typically see in popular media, most individuals convicted of sexual crimes do not continue committing sexual crimes after they have been caught and punished the first time.

MYTHS & REALITIES

MYTH: All registered sex offenders are high risk.

FACT: Registries contain many other offenders who may pose little threat to public safety, including non-contact and first-time offenders statistically assessed to be at low risk to reoffend

MYTH: Most sexual assaults are not committed by strangers.

FACT: The reality is that most sexual crimes are committed by someone known to the victim-- such as a family member, coach or neighbor.

MYTH: Lifetime registration is worth the monetary investment for every offender.

FACTS:

- ✓ Spending money on lifetime registration for low risk offenders takes away essential law enforcement resources that could keep communities safer from high risk offenders.
- ✓ Data shows public notification is an extremely cost-ineffective way to reduce future sex offenses.
- ✓ Resources that fail to enhance public safety take funding away from other rehabilitation and reintegration programs, as well as from victim services and prevention initiatives, that may better protect communities.



PUBLIC SAFETY

Registration was originally developed to assist law enforcement in tracking and monitoring individuals convicted of sexual crimes.

This later expanded to community notification, which provides information

to you - the public – about where some individuals convicted of sexual crimes live.

These laws were intended to help protect our communities – but we now know these laws do not actually do what they

were intended to do. Instead, registration and notification may have unintended consequences that actually reduce our safety.

MYTHS & REALITIES

MYTH: Sex offender registries prevent reoffending

FACTS:

- ✓ Research shows registration systems do not reduce recidivism or prevent new sex crimes.
- ✓ Registration and community notification often have the unintended consequence of publically identifying the victim, especially when the victim is a family member.
- ✓ The purpose of registries is to identify known offenders when a new offense is committed by a stranger.
- ✓ High risk offenders are more likely to victimize a stranger.

MYTH: Regulating where sex offenders can live protects our children.

FACT: Current laws only regulate where sex offenders live, which does nothing to prevent offenders at risk with children from visiting child-oriented venues during the day.

MYTH: Most states register only higher risk offenders for life

FACT: California is one of only four states (along with South Carolina, Alabama, and Florida) that require registration for life regardless of risk level, with no pathway to be removed from the registry



PREVENTION

Currently, there are over 104,000 registered sexual offenders in California and no way for the public to know, of those many thousands of offenders who present a high risk to their communities.

Education and effective laws are essential to the prevention of sexual abuse – and for the safety of our communities. And, while some laws may seem effective when first

implemented, as time passes we have learned what works and what may actually be causing more harm by wasting precious public resources. Those resources should, instead, be redirected to more intensive monitoring of higher risk offenders as well as prevention and rehabilitation programs for individuals that have committed sexual offenses.

RECOMMENDATIONS

Use a registry system that takes risk into account

We now have effective, evidence-based tools that identify the risk levels of individuals convicted of sexual crimes so we can focus our attention and resources on the offenders who present the greatest risk to our communities.

Creating a risk-based system for our registry provides law enforcement and the community with a clear process on how to differentiate between high risk, moderate risk, and low risk sexual offenders.

California is among only four states which require lifetime registration for every convicted sex offender, no matter the seriousness of the crime or the individual's

level of risk for reoffending. Almost all other states use some version of a “tiering” or “level” system which:

- ✓ recognizes that not all sex offenders are the same
- ✓ provides meaningful distinctions between different types of offenders
- ✓ requires registration at varying levels and for periods of time that are contingent on risk level and the seriousness of the offense

Opportunities for housing, employment, and services improve public safety

While it may seem counterintuitive, having opportunities for housing, employment and services

such as monitoring and treatment actually decrease a sexual offender's risk of reoffending. Creating barriers or preventing offenders from obtaining housing, employment and services actually increases the risk of reoffending.

When reentering the community, sex offenders face many challenges that can cause their lives to be unstable, including:

- ✓ inability to create prosocial peer networks
- ✓ being ostracized
- ✓ being the targets of violence
- ✓ difficulties finding jobs or housing

Instability can put them at greater risk to reoffend.

WHAT CAN REDUCE THE RISK OF REOFFENDING?

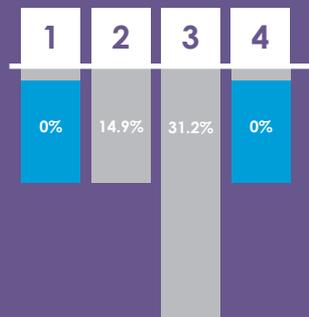
In a study on Evidence-Based Adult Corrections Programs, cognitive-behavioral treatment for low risk offenders on probation proved to significantly reduce recidivism by 31.2%. This is the type of treatment mandated in California.

"Cognitive-behavioral treatments are, on average, effective at reducing recidivism, but other types of sex offender treatment fail to demonstrate significant effects on further criminal behavior." - Aos, Miller & Drake. 2006

Adult Correction: What works?

Estimated percentage change in recidivism rates (and the number of studies on which the estimate is based)

1. **Psychotherapy for sex offenders** (3 studies)
2. **Cognitive-behavioral treatment in prison** (5 studies)
3. **Cognitive-behavioral treatment for low-risk offenders on probation** (6 studies)
4. **Behavioral therapy for sex offenders** (2 studies)



RECOMMENDATIONS

(CONTINUED)

Policies should consider survivors' health and well being.

The reality is that most sexual crimes are committed by someone known to the victim – such as a family member, coach or neighbor – not a stranger. Due to this, registration and community notification often have the unintended consequence of identifying the victim, especially when the victim is a family member. Including victim/survivor advocacy perspectives in legislation and shifting ineffective use of resources can have better impacts for offenders and the health and well being of survivors.

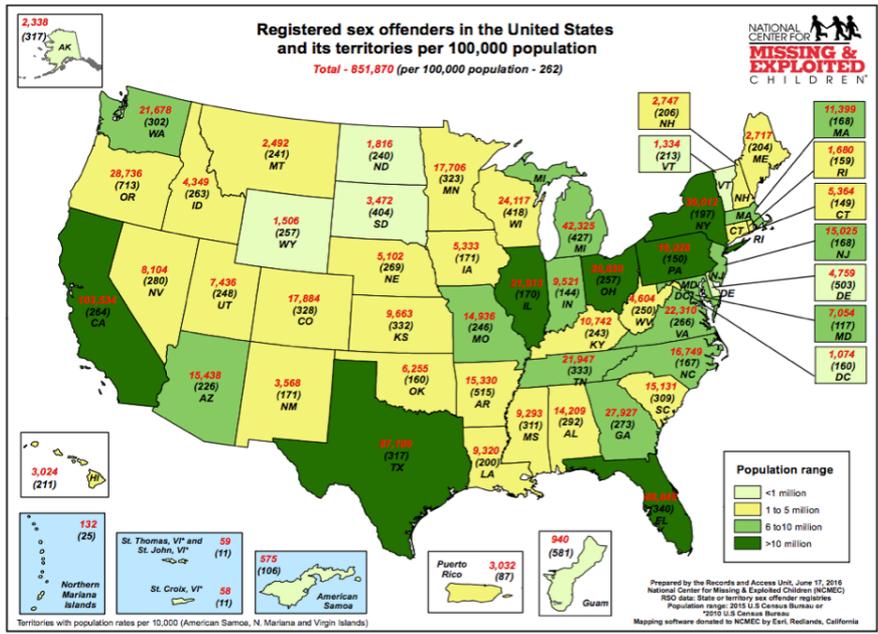
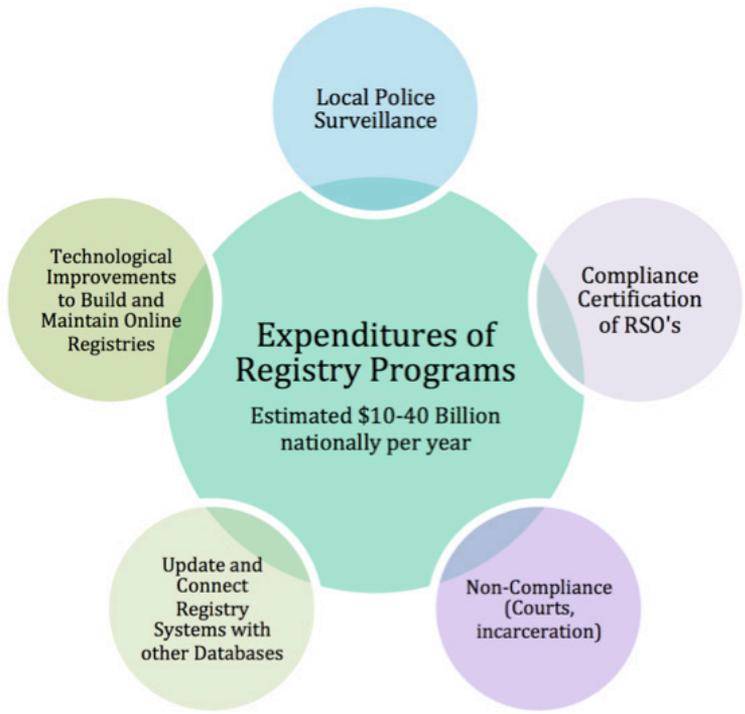
Other Hard Facts, Data, and Visuals

Criminal offenders with no prior sex offense history are rearrested for a subsequent sex crime more often than low-risk convicted sex offenders.

Expenditures of registry programs include:

- ✓ local law enforcement efforts to register offenders including paperwork and computer entry of records
- ✓ compliance efforts to verify residence addresses of registrants
- ✓ prosecution for registration violations
- ✓ technological improvements to build and maintain online registries
- ✓ updating and connecting registry systems with other databases

When quantifiable costs are summed, they are estimated to range from \$10 billion to \$40 billion nationally per year. These costs could be reduced if the registry did not try to track everyone for life.



REFERENCES

Andrews, D. A., & Bonta, J. (2010a). *The psychology of criminal conduct* (5th ed.). New Providence, NJ: LexisNexis.

Andrews, D. A., & Bonta, J. (2010b). Rehabilitating criminal justice policy and practice. *Psychology, Public Policy and Law*, 16, 39-55.

Andrews, D. A., Zinger, I., Hoge, R. D., Bonta, J., Gendreau, P., & Cullen, F. T. (1990). Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology*, 28, 369-404.

Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M.R. (2011). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

Belzer, R. (2015). The costs and benefits of subjecting juveniles to sex-offender registration and notification, *R Street Policy Study*, 41

Caldwell, M.F. (2010). Study characteristics and recidivism base rates in juvenile sex offender recidivism. *International Journal of Offender Therapy and Comparative Criminology*, 54, 197-212.

Caldwell, M. F. (2016, July 18). Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*. Advance online publication. <http://dx.doi.org/10.1037/law0000094>

Catalano, S.M. (2006). *National Crime Victimization Survey: Criminal Victimization, 2005*. U.S. Department of Justice, Bureau of Justice Statistics.

Cortoni, F., Hanson, K.R., & Coache, M. (2010). The recidivism rates of female sexual offenders are low: A meta-analysis. *Sexual Abuse: A Journal of Research and Treatment*, 22(4), 387-401.

Ellman, I.M. & T., Ellman. (2015). "Frightening and High": The Supreme Court's Crucial Mistake About Sex Crime Statistics *Const. Comment.*, 495.

Finkelhor, D., Ormrod, R., & Chaffin, M. (2009). *Juveniles who commit sex offenses against minors*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Finkelhor, D., Ormrod, R., Turner, H., & Hamby, S. (2012, April). *Child and youth victimization known to police, school, and medical authorities*.

Juvenile Justice Bulletin. U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice Delinquency and Prevention.

Hanson, R.K., Bourgon, G., Helmus, L., & Hodgson, S. (2009). The principles of effective correctional treatment also apply to sexual offenders: A meta-analysis. *Criminal Justice and Behavior*, 36(9), 865-891.

Hanson, R. K., & Morton-Bourgon, K. (2004). Predictors of sexual recidivism: An updated meta-analysis (Corrections User Report No. 2004-02). Ottawa: Public Safety and Emergency Preparedness Canada.

Hanson, R.K., Harris, A.J.R, Helmus, L. & Thornton, D. (2014). High risk sex offenders may not be high risk forever. *Journal of Interpersonal Violence*, 29(15), 2792-2813.

Harris, A.J.R. & Hanson, R.K. (2004). *Sex Offender Recidivism: A simple question*. Ottawa: Public Safety and Emergency Preparedness Canada.

Knight, R. A. (2010). Typologies for rapists: The generation of a new structural model. In A. Schlank, (Ed.), *The sexual predator*, Volume four (pp. 17-1 – 17-28). NY: Civic Research Institute.

Knight, R. A., & King, M. W. (2012). Typologies for child molesters: The generation of a new structural model. In B. K. Schwartz (Ed.), *The Sex offender: Current trends in policy and treatment practice*, Vol. 7 (pp. 5-1 – 5-33). Kingston, NJ: Civic Research Institute, Inc.

Levenson, J.S., Grady M.D. & Leibowitz, G. (2016). Grand Challenges: Social Justice and the Need for Evidence-based Sex Offender Registry Reform. *Journal of Sociology & Social Welfare*, June 2016, Volume XLIII, Number 2, 7, 11-17.

Sandler, J.C., Freeman, N.J., & Socia, K.M. (2008). Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. *Public Policy, and Law*, 14(4), 284-302.

Snyder, H.N. (2000). *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*. U.S. Department of Justice, Bureau of Justice Statistics.

Worling, J.R., Littlejohn, A., & Bookalam, D. (2010). 20-year-prospective follow-up study of specialized treatment for adolescents who offended sexually. *Behavioral Sciences and the Law*, 28, 46-57.

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