

A SYSTEMATIC REVIEW OF SURVEYS ON PUBLIC ATTITUDES  
TOWARD COMMUNITY NOTIFICATION  
FOR SEX OFFENDERS

by

ALISHA POWELL

A THESIS

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## ABSTRACT

Scholarly interest in sex offender community notification laws increased after Megan's Law of 1994 mandated public notification of registered sex offenders. This interest centered primarily on public attitudes toward sex offenders and community notification. The current study consisted of a systematic analysis of published studies on public attitudes towards sex offender community notification laws between 1994 and 2010. The analysis was operationalized through a series of searches performed through library databases and internet search engines and yielded a total of 14 studies over the study period. Nine of these studies related to public attitudes toward community notification and five studies were about professional attitudes toward community notification, or a combination of professional, community, and student attitudes toward community notification. The results indicated that 1) most community-based surveys used telephone sampling, 2) surveys of employees or community and student samples used mixed methods such as classroom questionnaires, internet surveys, or personal interviews, 3) members of the public support community notification regardless of location, gender, or methodology, 4) community notification was associated with greater fear and actions to protect self and children, 5) support for community notification was strong even if participants thought notification did not help reduce recidivism and 6) public attitudes toward community notification were similar across the United States 7) law enforcement professionals showed greater support for community notification than mental health professionals, and 8) public support for community notification may have intensified over time. The study concluded that community support for community notification in the US is widespread despite evidence to suggest that notification has done little to reduce recidivism for sex offending.

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## Introduction

Public attitudes are influential when it comes to crime and punishment. Trends in criminal justice penalties tend to follow the attitudes of the majority, regardless of whether or not these beliefs are justified (Sample & Kadleck, 2008). In discussing this issue, Carlsmith, Darley, and Robinson (2002) described the “just desserts” theory, which assigns punishment to offenders based on the perceived magnitude of harm. This approach is meant to determine which punishments are the most proportional to certain crimes, regardless of any future repercussions. The goal is not to deter or prevent future crime, but to gain retribution for crimes already committed. The treatment of the offender is based on the outrage of society and the magnitude of punishment is relative to what the public feels is equal to the amount of harm caused by the act of crime. The desire for retribution is evident in both social and political contexts in the United States.

The “War on Drugs” of the 1980s is a perfect example of this phenomenon. The term “War on Drugs” was made popular by Richard Nixon in the 1970’s when he created the Drug Enforcement Agency (DEA). When Ronald Reagan took office in 1991, he created the Office of National Drug Control Policy, which led communities across the United States to speak out against illicit drug use, possession, and sales. In response to public pressure, the criminal justice system began to develop sentencing guidelines to support harsher sentences for drug-related crimes (Smith et al., 2000). As law enforcement prosecuted drug offenders, the number of inmates in the United States reached historic highs (Bobo & Thompson, 2006). Public influence on laws and sentencing did not stop there. The “three strikes and you’re out” laws and Megan’s laws of the 1990s are further examples of legislation that was enacted in response to public calls

for action. As noted by Pratt (2000), these laws and regulations are created to make members of society feel safer, even if such reforms have shown no positive effect in reducing crime and recidivism. Why do lawmakers and officials continue to endorse these seemingly ineffective approaches? They do so because public attitudes demand it. One area where this is certainly true is with sex offenses and sex offender community notification. Federoff and Moran (1997) reported that these programs are utilized and strongly supported by the public, even though they claim that there has been no reduction in recidivism.

The effectiveness of community notification programs in reducing rates of sexual offenses is a highly debated issue. Miethe, Olsen, and Mitchell (2006) report that sex offenders as a group have lower levels of rearrest when compared to other groups of offenders. The findings of Zgoba, Witt, Dalessandra, and Veysey (2008) suggest the rates of sex offenses in New Jersey have decreased since the implementation of community notification programs. Duwe and Donnay (2008) also report a decrease in recidivism for sex offenders required to register with community notification programs in Minnesota. However, reports from the Bureau of Justice Statistics (Motivans & Kyckelhahn, 2007) show a dramatic increase in sexual offenses from 1994 to 2006, including those against children. These contradictory findings make it difficult for members of the public to understand the repercussions of sex offender registries and truly know if community notification is effective in reducing recidivism.

The topic of sex offending is highly charged and sex offenders are vilified in the news media and in public discourse (Greer, 2003). In many instances, the media have alerted the U.S. public to sex offending through daily crime reports and shows such as “To Catch a Predator” which are based on tracking and catching people who appear to engage in sexual offending.

Criminologists such as Greer (2003) and Durling (2006) argue that media representations present a danger to an unwitting citizens who might be misrepresented as sex offenders or who are denied due process because they are “convicted by the media.” This trend may be universal. For example, Ducat, Thomas, and Blood (2009) evaluated news coverage of sex offenses before and after the implementation of a notification program in Australia. The authors found that the number of news articles about sex offenses had doubled after the Act was introduced in 2005 and concluded that, despite the low rates of child sexual offending, there was a significant increase in news coverage of such stories. The authors also note the frequent use of dramatic language like “monster” or “predator” in news articles referring to sexual offenders who abused children. One surprising finding was the lack of supported evidence about the risks of sex offending against children, especially in relation to strangers. Although members of the public often claim to use the media to keep them safe and informed, Ducat et al. (2009) found that most news stories did not provide information about potential risks, how to protect yourself and loved ones, or who is most likely to be an actual predator.

U.S. research demonstrates how public attitudes towards sex offenders have hardened in recent years. Jacoby and Cullen (1998) found that participants were more likely to endorse imprisonment for violent sex offenders than for any other type of offender. In order to evaluate public attitudes towards the death penalty, the authors presented subjects with three scenarios: forcible rape resulting in death, robberies resulting in death, and fatal assaults. The death penalty was most likely to be selected for the crime of forcible rape resulting in death, with the rape-death scenario being ranked as the most serious offense overall. Other studies supported the Jacoby and Cullen (1998) rankings according to perceived seriousness of the crime (e.g., Gromet

& Darley, 2009; Rossi, Waite, Bose, & Berk, 1974; Stylianou, 2003). If the public truly feels that sex offending is a serious crime, then it is important to identify trends in community-based attitudes towards such crimes and the effects of sex offender community notification, as these attitudes are likely to influence legislation (Church, Wakeman, Miller, Clements, & Sun, 2008). This thesis will address public attitudes toward punishment for sex offenders through a systematic analysis of surveys on community notification after Meghan's Law was enacted in 1994. I will focus primarily on sex offending against children because of public perceptions that community notification laws are targeted to sex offenders who have abused children (Ferguson & Ireland, 2006).

#### *Definition of "Sex Offender" and Legal Requirements for Sex Registries*

A sex offender is someone who has been convicted of a sex crime. Such offenses are not restricted to sex acts, but often include any type of deviant behavior that is sexual in nature. A few examples common to all states include child molestation, exhibitionism, rape, incest, and sexual assault. Each act is categorized with standard guidelines for the enforcement of penalties for each category. The Adam Walsh Child Protection and Safety Act [AWCPSA] of 2006 provided the general outline for these classifications, with offenses deemed most serious (e.g. abusive sexual contact against a minor) being ranked as "high risk" because of the threat to public safety. These crimes receive harsher punishment. By this standard, offenses that are categorized as less serious (e.g. possession of child pornography) receive lighter penalties (Griffin & West, 2006).

Public Law in the United States sets minimum requirements for sex offender registration under the Adam Walsh Act. States may develop and implement their own notification programs,

including more offenses and broader definitions if desired (Logan, 2007). However, jurisdictions that do not comply with the minimum requirement of the Act will receive less federal funding for state budgets, including for health and education (Public Law 109-248). Thus, all 50 states have some version of a sex offender registry and notification system, even though variability exists between states (Small, 1999). For example, Montana's Sexual or Violent Offender Registration Act (1995) includes violent crimes that involve no sexual component. By contrast, Massachusetts, Alabama, and some other states focus exclusively on sexual crimes (Massachusetts Sex Offender Registry Board, 2006; Alabama Community Notification Act, 2005).

In Alabama, sex offenders are defined in the Alabama Community Notification Act (2005) as follows:

If any person... has heretofore been convicted, or shall be convicted... for any of the offenses hereinafter enumerated, such person shall, upon his or her release from legal custody, register with the sheriff of the county of his or her legal residence within seven days following such release or within 30 days after September 7, 1967, in case such person was released prior to such date... The offenses above referred to are generally any act of sexual perversion involving a member of the same or the opposite sex, or any sexual abuse of any member of the same or the opposite sex or any attempt to commit any of these acts, and without limiting the generality of the above statement shall include specifically: *rape*, as proscribed by Sections 13A-6-61 and 13A-6-62; *sodomy*, as proscribed by Sections 13A-6-63 and 13A-6-64; sexual misconduct, as proscribed by Section 13A-6-65; *indecent exposure*, as proscribed by Section 13A-6-68; *promoting prostitution* in the first or second degree, as proscribed by Sections 13A-12-111 and 13A-12-112; *obscenity*, as proscribed by Section 13A-12-131; *incest*, as proscribed by Section 13A-13-3; or the attempt to commit any of the above offenses (Ala. Act No. 2005-301).

Offenses included in the Alabama Community Notification Act (2005) vary in their categorization and punishment. For example, rape is considered a Class A Felony, with a maximum sentence of life in prison. Obscenity is a Class C Misdemeanor and comes with a maximum sentence of three months. However, Alabama has no ranking system for sex offender

registration so there is no true distinction between sex offenders in the notification program based on the severity of the offense, and communities will be notified about an offender even in cases of “teen-on-teen” statutory rape.

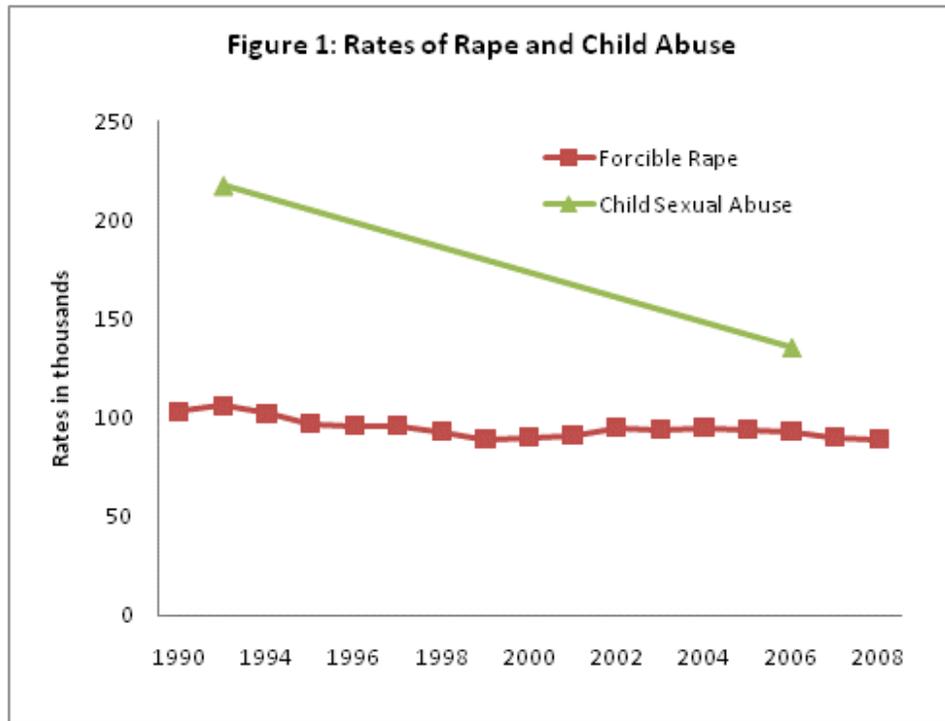
Community notification laws are intended to alert the public of a sex offender’s presence within a community. The programs are intended to promote awareness and encourage the public to take preventative measures to ensure their safety in proximity to a sex offender (Craun & Theriot, 2008). Since definitions of sex offenders vary across states, community notification programs also differ according to the included sexual offenses, as well as the action taken by these programs. Some community notification programs will send e-mail notifications when an offender moves within a certain distance of a resident. Other programs involve community meetings to education the public, or distribute flyers to alert a neighborhood of the presence of a sex offender (Levenson & Cotter, 2005). Although definitions and execution of the community notifications vary between states, all programs seek to alert the public of sex offenders within their community.

The variability among state definitions and notification programs demonstrates that the term “sex offender” is highly variable in terms of legal sanctions, perhaps because of differences in public attitudes across the country. Edwards and Hensley (2001) wrote that public attitudes and political campaigning have indeed expanded the definition of sex offending in the United States and responses to such offending in the courts. Expansion of the term “sex offense” in prosecutions for sexual crimes in the United States has meant that community notification can cover sex offenses, violent offenses, and offenses against both adults and children, depending on state jurisdiction.

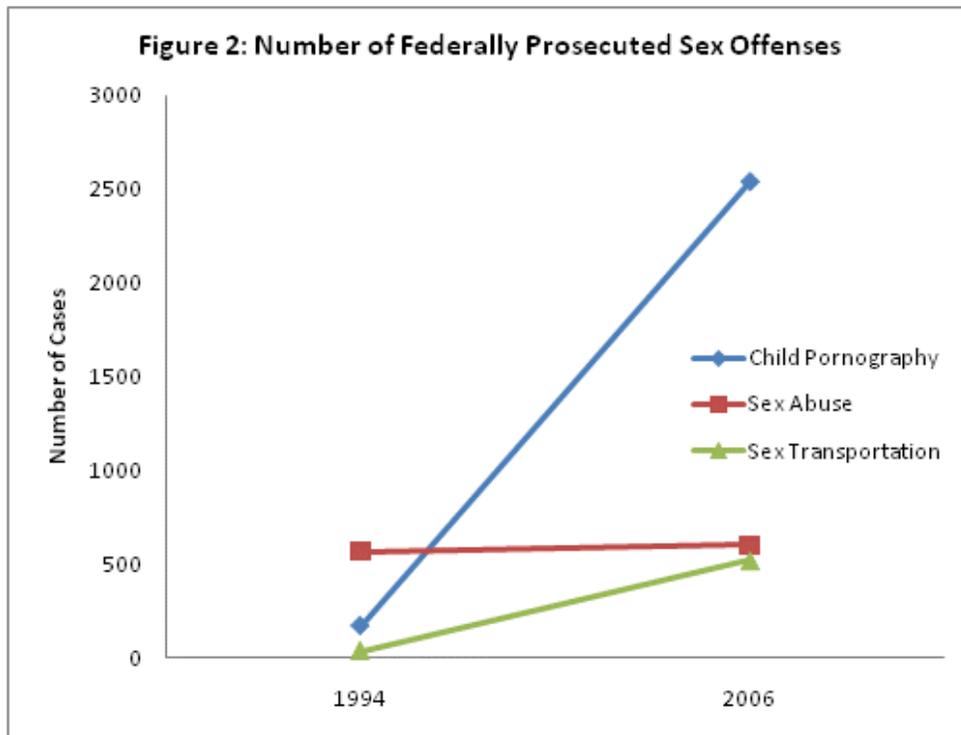
### *How Common Is Sex Offending against Children?*

Sexual abuse of children is a common occurrence in the United States (Dominquez, Nelke, & Perry, 2001). However, official data from the Fourth National Incidence Study of Child Abuse and Neglect [NIS-4] indicates that reports of family-based child abuse are on the decline (Sedleck et al., 2010). For example, while a total of 217,700 reports of sexual abuse were made in 1993, only 135,000 reports were made in 2005 which represents a 38 percent decline over a thirteen year period. As the authors of this report, Sedlack et al. (2010), suggest that child abuse itself has decreased significantly in recent years.

Figure 1 illustrates the decline in child sexual abuse reports in the NIS-4. For contrast, I have included reports for forcible rape as documented by the U.S. Department of Justice (2009). These data show little change in reports for forcible rates from 1990 to 2008. The difference in trends for child abuse and forcible rapes suggests that some intervening event (such as increased public awareness or community notification) may have played a role in the declining number of reports for child abuse. However, Figure Two shows a dramatic increase in federal prosecution of child pornography from 1994 to 2006 as reported by the Bureau of Justice (Motivans & Kyckelhahn, 2007). This increase indicates that the overall decline in child abuse has been offset by prosecutions for sex crimes in which children are victimized for personal or commercial purposes over the internet. Figure 2 also demonstrates a modest increase in sex trafficking of adults and children within the US border. These “new” forms of sex offending signify a shift in the way sexual victimization is facilitated by modern media such as the internet and by a global economy in which human goods are transported within and across national boundaries.



Sources: (1) Forcible Rape: *Crime in the United States*, U.S. Department of Justice (2009)  
 (2) Child Abuse: *4<sup>th</sup> National Incidence Study of Child Abuse and Neglect*, U.S. Department of Health and Human Services, Sedlack et al. (2010)



Source: *Federal Prosecution of Child Sex Exploitation Offenders*, Motivans & Kyckelhahn (2007)

### *Historical Background of Sex Offender Legislation*

Morality legislation has existed since early civilization, and included punishments for sexual acts such as adultery and homosexuality. According to Jenkins (1998), morality legislation continued into the 20<sup>th</sup> century in courts across the United States. Multiple child abductions by repeat offenders prompted the public to attribute kidnapping to sexual impulses, whether or not there was evidence of such motivation. In 1934, a man named Albert Fish was arrested for the murder and cannibalism of a young girl, after which the police discovered that he had spent years abusing, molesting, and murdering hundreds of people, including children. This case was highly publicized in the media and led the public to wonder how someone could lead a criminal career for so long without detection (Jenkins, 1998). The enormity of these acts led many people to seek a more proactive approach to violent crime (Stone, 2001). The coverage of perverse criminal behavior became more significant after the Fish case, with the public being more interested in sexual offenders as a class of criminal. Jenkins (1998) referred to the outcry and subsequent public activism against “dangerous perverts” during this time as The Panic of 1937.

This event was followed by public demands to incarcerate people who were convicted for sexual offenses. Sexual psychopath laws were created in many states which made it legal to confine persons believed to suffer from overwhelming sexual urges (Sutherland, 1950). This was not a legal finding, but a psychological diagnosis, and sexual psychopath laws allowed indefinite confinement for those who were deemed so sexually driven that they should be committed for an undetermined period of time. The commitments were ordered by the probate court and justified

as protection for public safety (Jenkins, 1998). At this time, the public felt that there was no way to stop violence and perversion by any means other than institutionalization (Sutherland, 1950).

The following decades saw a growing emphasis on rehabilitation for offenders as the public and professionals alike began to question methods such as electroconvulsive (shock) therapy and the restraints often used in mental institutions (Jenkins, 1998). Courts also began making decisions that helped to protect the legal rights of people who were arrested and convicted for crimes, including sex offenses. According to Sutherland (1950), a developing concern over the sexual psychopath laws involved the excessive and severe treatment of convicted sex offenders, and this concern led to more liberal attitudes toward sentencing and treatment. However, negative attitudes toward sex offending resurfaced with the advent of the internet in the 1980s, which made it easy for sexual predators to make contact with children (Jenkins, 1998). Finally, high profile cases over child abduction, molestation, and murder in the 1990s led to nationwide calls for community notification laws for sex offending. I will describe the three most significant laws in the following sub-sections.

*(1) The Jacob Wetterling Crimes Against Children and Sexually Violent Offender  
Registration Act of 1994.*

The Jacob Wetterling Act required all states to set up *sex offender registries*. Anyone who has been convicted of a sex crime must be listed in the registry (42 U.S.C. § 14071, 2008). The genesis of the act began with the kidnapping of 11-year-old Jacob Wetterling. As described by Small (1999), Jacob was riding his bike with his brother and a friend when a masked gunman came out of a convenience store and told the boys to get down in a ditch. After asking their ages, he let the other two boys go, telling them to run in the other direction without looking back. The

masked man then took Jacob with him, and despite a vigorous search, Jacob was never found. After public outcry over this crime, The Jacob Wetterling Act was passed as part of the Federal Violent Crime Control and Law Enforcement Act of 1994. All individuals convicted of crimes against children or sexually violent offenders are required to register with local law enforcement so their whereabouts can be tracked at all times. However, the Act did not make registry information available to the public.

(2) *Megan's Law of 1996.*

Megan's Law requires information on sex offenders to be made public through *community notification programs*. Public activism for the law began after 7-year-old Megan Kanka was found raped, sodomized, and murdered near her home. After Megan disappeared from her neighborhood, police began questioning the community, including Jesse Timmendequas who was one of Megan's neighbors (Salvemini, 2008). After questioning, Timmendequas revealed to police the location of Megan's body. When it was discovered that Timmendequas had been previously convicted of child sexual abuse (Steinbock, 1995), the community was so outraged that public activists, including Megan's parents, demanded information about sex offenders and their locations to be released to the public (Cohen & Jeglic, 2007). Within months, Megan's Law of New Jersey was enacted and soon became federalized to ensure that all states made information on sex offenders available to the public at large (Salvemini, 2008). These systems not only alert residents about an offender's address, but some systems also regulate where offenders are allowed to live and work (Wright, 2008). For example, the Alabama Community Notification Act (2005) prohibits registered sex offenders to live or work within 2,000 feet of a school or childcare facility. Because they are not mandated

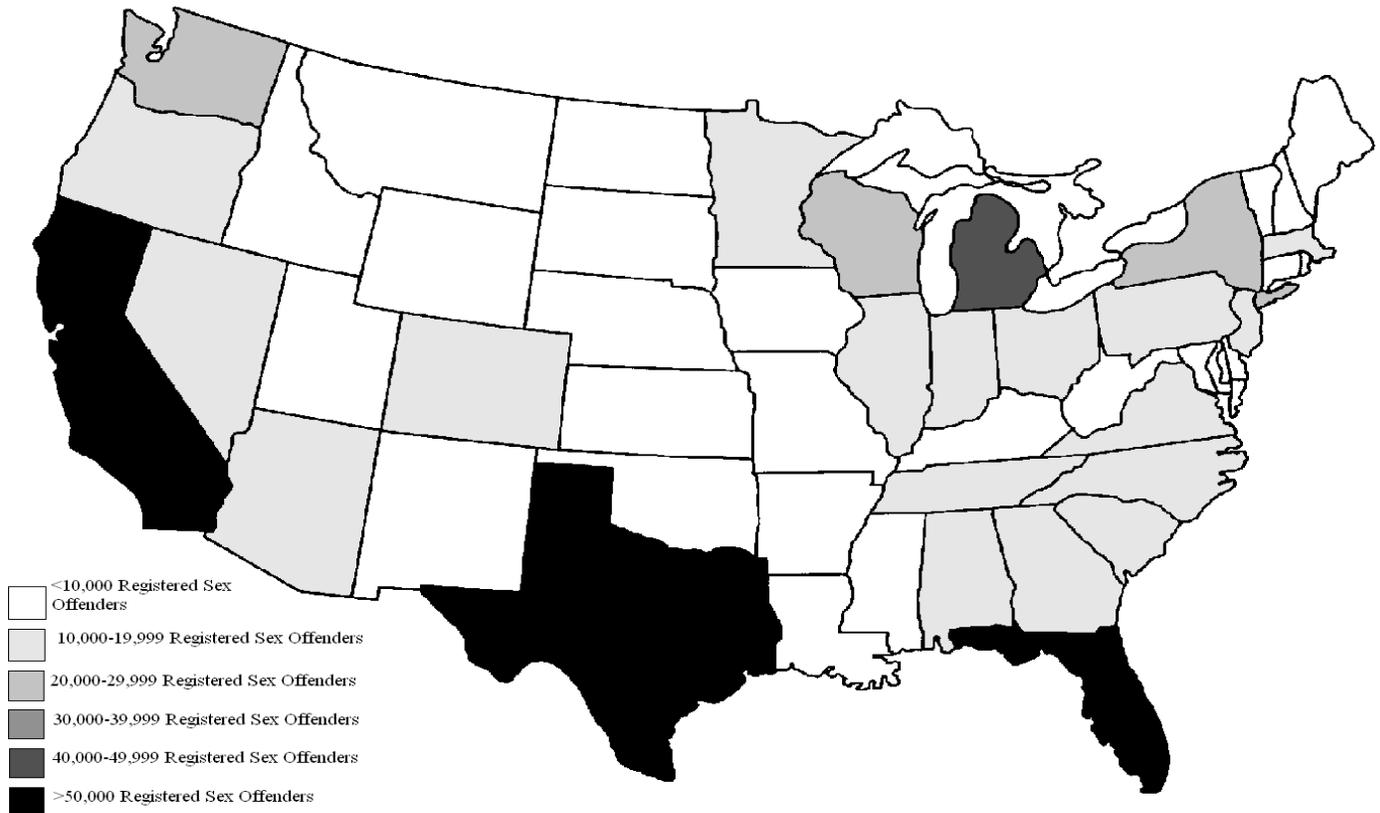
by federal legislation, these restrictions vary from state to state, with further components being added by some states to enhance their sex offender notification programs (Cohen & Jeglic, 2007).

*(3) The Adam Walsh Child Protection and Safety Act of 2007*

The Adam Walsh Child Protection and Safety Act of 2006 (AWA) expanded on previous sex offender legislation by *requiring uniform requirements for sex offender registration across the United States* (42 U.S.C. § 16091, 2006). This Act was passed on the 25th anniversary of the abduction and murder of 6 year-old Adam Walsh who went missing while shopping with his mother. Weeks later, Adam's remains were discovered miles from his home in a Florida canal. His parents advocated for uniform notification requirements, after which the Adam Walsh Act became law through an Act of Congress (Public Law, 109-248, Section 2). The Act divides sex offenders into Tier I, Tier II, and Tier III classifications based on the severity of their offense. States may add to or expand on these classifications once minimum requirements set by the AWA are met. Once again, states risk losing federal funding for general budget items such as health and education if they fail to comply with these requirements.

Figure 3 illustrates the distribution of sex offenders by state. Differences in the number of sex offenders across the US reflect differences in prosecutions for sex offenders as well as differences in population levels for each state. The chart includes all categories of sex offender as defined by each state, and includes offenders who were convicted of crimes against both adults and children.

**Figure 3: Number of Sex Offenders by State**



Source: *KlaasKids Foundation for Children (2008)*

### *Critiques of Community Notification*

The community notification system has been heavily criticized in the scholarly literature. Criminologists such as Schwartz and Cellini (1997) have argued that community notification gives the public a false sense of security. Even more notably, some researchers who study sex offender laws have found that community notification does not lead to a decrease in sexual offending (e.g., Craun and Theriot, 2008; Edwards and Hensley, 2001; Federoff and Moran, 1997). This research appears to be at odds with a recent study by Zgoba, Witt, D'Alessandro, and Veysey (2008) who found a significant decrease in sex offenses after Megan's Law was enacted in New Jersey. However, Zgoba et al. (2008) later reported an increase in sex crimes between

1996 and 2006, which again supports the thesis that community notification programs are ineffective in the long-term.

According to Edwards and Hensley (2001), notification laws lead to increased levels of stress, stigmatization, and isolation for sex offenders who are released into the community. Normal stressors can be amplified because of offenders' feelings of solitude and shame, which then leads to offenders being reluctant to seek treatment for fear that they will be ostracized further for admitting they need help to prevent reoffending. Federoff and Moran (1997) found that community notification makes it difficult for sex offenders to re-integrate into society, form long-term relationships, and establish community ties, all of which are important factors in reducing recidivism. The authors contended that sex offenders who feel connected to the community are more likely to protect its members, but that if they are treated as outcasts, then they will likely feel no obligation to refrain from re-offending.

Federoff and Moran (1997) and Craun and Theriot (2008) have argued that community notification distracts public attention from the group of people most likely to commit sexual offenses; that is, family members. Research has shown that most sexual offenses against children are perpetrated by parents or family members (Craun & Theriot, 2008). By casting suspicion on strangers, the community thus ignores the group with the greatest access to potential victims and the greatest likelihood of assaulting a victim. Furthermore, although community notification informs the neighborhood of an offender's presence, it does not lead to police or public action to increase children's protection. Anderson and Sample (2008) have noted that if neighbors know that an offender is in the neighborhood then they can develop a false sense of security because notification does little more than alert them to the offender's

presence. People who support community notification often use this sense of security to justify the importance of sex registries and notification (Malesky & Keim, 2001; Schwartz & Cellini, 1997).

#### *Recidivism and Efficacy of Community Notification*

Community notification programs seek to reduce recidivism for sex offending. The hypothesis is that, by notifying the public, sex offenders will be discouraged from reoffending, and the public will be equipped to protect themselves from offenders in their community. In assessing the level of recidivism for sex crimes, Hanson and Bussière's (1998) meta-analysis of 61 studies of recidivism for sexual offending indicated that 36.3 percent committed another crime and 18.9 percent were arrested or convicted specifically for a sex crime. Sexual deviance, as defined by early onset of offending and sexual interest in children, was the factor most strongly related to sexual recidivism. This rate is lower than the 67.5 percent recidivism for all other crimes committed within three years of release from prison (Langhan & Levin, 2002). Unfortunately, the studies included in Hanson and Bussière's analysis were from 1943 to 1995, so the role of community notification on recidivism could not be considered for the present study.

Offenders themselves are likely to support community notification. Tewksbury and Lees (2007) provided a uniquely different viewpoint on community notification from a sample of sex offenders in Kentucky whom they interviewed for opinions about the program. While most offenders were critical of some aspects of community notification, not a single offender said that notification programs should be abolished and most thought that community notification contributed to public safety and was useful for the community at large. Participants did report

that the program needed to differentiate between different types of offenses and classes of offenders. In particular, the idea of grouping all sex offenders together into one category regardless of the seriousness of the offense did not seem to be logical or fair. Like Quinn, Forsyth, and Mullen-Quinn (2004), the participants recommended a program with different classifications based on the nature of offenses and the number of convictions in order to be more effective in terms of crime prevention. However, most offenders also reported mixed feelings about whether or not registration programs did help to reduce recidivism. As one participant put it, “The electric chair doesn’t keep people from killing people” (p.393).

A recent study by Duwe and Donnay (2008) evaluated recidivism rates among sex offenders in Minnesota, comparing groups of offenders who were subject to notification to those who were not. The first group consisted of 155 high risk sex offenders who had been released from prison between 1997 and 2002. These offenders were required to enroll in a community notification program. The second group consisted of 125 sex offenders who had been released from prison between 1990 and 1996. This comparison group was considered high risk but had been released before the creation of community notification programs. The third group consisted of 155 low risk sex offenders who had been released between 1997 and 2002 and who were not required to enroll in a community notification program. Results showed the first group experienced the lowest rates for sexual rearrest, conviction, and reincarceration. This finding was consistent for any reoffending, so that the high risk notification group experienced the lowest rates of rearrest, reconviction, or reincarceration for any offense. By contrast, the high risk group non-notification group experienced the highest rates of reoffending for sexual and other crimes. Although these results could be interpreted as lending support for community

notification as an effective tool for sex crime prevention, they should be interpreted with caution because a) the high risk pre-notification group was released six years prior to the other groups and thus had a longer period of time in which to reoffend and b) it could be reasonably expected that high risk offenders are more likely to reoffend. Other studies and reports (Motivans & Kyckelhahn, 2007; Miethe et al., 2006; Federoff and Moran, 1997) have presented data to suggest that community notification is not at all effective in reducing recidivism for sex crimes.

## Statement of the Problem

The literature review and background information presented here indicate that community notification laws have expanded in scope over time. Community notification now includes crimes against adults as well as children, and, in some cases, non-sexual crimes that were not covered by the original legislation (Cohen & Jeglic, 2007). Furthermore, public attitudes towards sex offenders appear to have hardened (Griffin & West, 2006), which might lead to further legislation to restrict the movements of sex offenders being released from prison. States such as Georgia and Florida have already reported the presence of releasees who are homeless because of restrictions on where they can live or because community notification has led to their being ousted from residential neighborhoods (Associated Press, 2009).

Quinn, Forsyth, and Mullen-Quinn (2004) have argued that media driven, high-profile cases of child abduction and rape led to the use of “sex offender” and “sexual predator” interchangeably, although they are quite different. The authors maintained that what they term “inclusive labeling” can lead to categorizing all sex offenders as sexual “predators.” Although many of these offenders could be predators as defined by the authors, some offenders are in the notification system for lesser offenses such as having sex with an underage boyfriend or girlfriend or for streaking in public. These actions arguably do not call for the same legal sanctions as for someone who stalks, kidnaps, and rapes a young child. However, too often, all offenders are grouped together and placed into one category for heuristic purposes. A systematic

survey of public attitudes toward community notification is likely to identify if U.S. citizens do perceive sexual offending in terms of this “catch-all” heuristic.

Much of the professional literature on community notification consists of editorials, reviews, or surveys of public attitudes on community notification registries (e.g., Anderson & Sample, 2008; Caputo & Brodsky, 2004; Cohen & Jeglic, 2007; Durling, 2006; Malesky & Keim, 2001; Redlich, 2001). Some of this work reports more negative attitudes toward sex offenders when participants are faced with the possibility of the offender living nearby. This outcome suggests that community notification programs can result in harsher attitudes towards sex offenders and less willingness to accept the presence of offenders who might seek re-integration into the community. However, a systematic review of surveys of public attitudes toward community notification has yet to be conducted since Megan’s Law was enacted in 1994. It would be helpful to survey the literature to identify if any patterns have emerged in public attitudes toward sex offending, community notification, and in methods of research relating to public attitudes towards community notification over the past 12 years.

The goal of this study therefore is to present a systematic review of the published surveys on public attitudes towards community notification programs since 1994. My contribution will be to identify patterns in public attitudes by population and geographic region, any changes in public attitudes over time, survey methods for attitudes on community notification, and fears and actions in relation to personal safety in communities with notification registries. Specifically, I will address three questions in the review:

- 1) How convergent are the surveys in methodology, sampling, and items for the survey instruments? If not convergent, what accounts for differences in sampling, methods, and items that would be useful in designing future research studies?
- 2) What (if any) were the common themes in community attitudes and actions that emerged from the review? The answer to this question would help to guide policy for sex offenders, identify geographical and demographic differences between samples, and also identify any responses by community members in the presence of sex offender registries.
- 3) Have attitudes changed over time (i.e., from 1994 to 2010)? If so, what can account for these changes and what can they tell us about how sex offenders will be treated once (or if) they are reintegrated into the community?

## Methods

### *Identification of Studies*

Online databases and search engines were used to identify published surveys on sex offender community notification for the 17 year period following the passage of Megan's Law in 1994. In the first instance, I searched the Academic Search Premiere, Academic OneFile, and PsychInfo databases through The University of Alabama library website. Next, I consulted with a reference librarian at The Amelia Gorgas library who identified additional studies through the Psych-Articles database. Third, I used the Google and Google Scholar search engines to identify additional studies for the review. Combinations of all the following words were used as search terms: Megan's Law, sex, sexual, offense, offender, crime, community, notification, policy, public, opinion, perception, and attitudes. Finally, hand-searches of journal were performed. All sex offender-related articles were reviewed on an initial basis, followed by a more detailed reading of relevant articles on public perceptions. A total of 58 studies were identified from these multiple sources, which were further refined according to the criteria for inclusion or exclusion as described next.

### *Inclusion and Exclusion Criteria*

Three criteria were used to determine inclusion. Articles were included if they were: 1) attitudinal surveys, 2) evaluated public attitudes about sex offenders, and 3) specifically focused on public attitudes toward community notification programs for sex offenders. All articles, books, opinion pieces, and law reviews were excluded if they did not present the results of public

surveys of community notification (n=32). Of the final total, eight of the studies evaluated the attitudes of the general public, while six of the studies involved criminal justice, legal and mental health professionals. Of these studies, one addressed public attitudes toward sex offenders but did not focus exclusively on community notification and was excluded from the final sample, as was one that presented the results of research on sex offender attitudes toward community notification, because it did not include public attitudes as well. Also excluded were studies that evaluated the effectiveness of community notification programs and recidivism rates (n=9). One study comparing public awareness of sex offenders in Korea to the awareness in the United States was excluded because it did not include any information on attitudes of the public toward these policies. These inclusion and exclusion criteria yielded a total of 14 articles for the final analysis.

## Results

The fourteen articles selected for review consisted of surveys of community members or employees who had either received notifications about a sex offender living nearby or who had worked with sex offenders. Only two of the studies were published in the 1990s (Bumby & Maddox, 1999; Washington State Institute for Public Policy, 1998), while twelve studies have been published over the last decade (Anderson & Sample, 2008; Beck, Clingermayer, Ramsey, & Travis 2004; Caputo & Brodsky, 2004; Comartin, Kernsmith, & Kernsmith, 2009; Ferguson & Ireland, 2006; Fuselier, 2002; Gaines, 2006; Levenson, Brannon, Fortney, & Baker 2007; Malesky & Keim, 2001; Redlich, 2001; Schiavone & Jeglic, 2009; Zevitz & Farkas, 2000). Three articles surveyed participants in multiple sites and states across the nation (Gaines, 2006; Malesky & Keim, 2001; Schiavone & Jeglic, 2009). Of the 14 studies, eight surveyed the attitudes of the general public while six surveyed the attitudes of mental health professionals who were working with sex offenders. The decision to include attitudinal studies of mental health professionals was made on the basis of the small number of studies for the community sample. In this section, I will describe the methods and design of all of the surveys, followed by separate discussions of results for the general public and mental health professionals.

### *Methods, Sampling, and Questionnaire*

Four of the six employee surveys were distributed as handouts (Bumby & Maddox, 1999; Ferguson & Ireland, 2006; Fuselier et al., 2002; Levenson et al., 2007; Redlich, 2001; Zevitz et al., 2000;). These surveys were distributed at the work place (Ferguson & Ireland, 2006; Redlich,

2001), on university campuses (Fuselier et al., 2002), at meetings (Bumby & Maddox, 1999; Zevitz et al., 2000), or in public markets (Levenson, et al., 2007). Four of the five studies that used phone surveys were studies of public attitudes on community notification, three of which used random digit dialing to survey residents throughout the selected state (Comartin et al., 2009; Anderson & Sample, 2008; Washington State Institute for Public Policy, 1998). Gaines (2006) was the only study of professional attitudes that used phone surveys. Mail surveys were used for two studies of professional attitudes (Malesky & Keim, 2001; Redlich, 2001) and one study of public attitudes toward community notification (Beck et al., 2004). One study of public attitudes (Schiavone & Jeglic, 2009) and one study of professional attitudes (Gaines, 2006) used the internet to survey participants in multiple states. The two studies that utilized multiple methods were both surveys of professional attitudes: Redlich (2001) distributed handouts and mail surveys, and Gaines (2006) used telephone interviews and internet-based surveys.

Five of the studies (mostly community-based) reported higher proportions of women respondents (Caputo & Brodsky, 2004; Ferguson & Ireland, 2006; Fuselier et al., 2002; Levenson et al., 2007; Schiavone & Jeglic, 2009). This gender disparity is common for studies of public attitudes in community-based samples (Lichtenstein, Hook, & Sharma, 2005). Two surveys of public attitudes (Beck et al., 2004; Comartin et al., 2009) and two surveys of professional attitudes (Bumby & Maddox, 1999; Malesky & Keim, 2001) reported higher numbers of male respondents. In the case of the professionals, Bumby and Maddox (1999) surveyed a predominantly male occupation, while Malesky and Keim (2001) surveyed members of the ATSA who were predominantly male psychologists and clinicians. Anderson and Sample (2008) surveyed an even number of men and women. Four studies did not report on distribution

of men and women participants (Zevitz, 2000; Washington State Institute for Public Policy, 1998; Gaines, 2006; Redlich, 2001). In two cases, the authors were focused on net responses by a particular occupational group (e.g., law enforcement officers) rather than differences in respondents' attitudes toward community notification.

Of the eight studies that provided information about racial demographics, all reported that most respondents were white (Anderson & Sample, 2008; Beck et al., 2004; Bumby & Maddox, 1999; Caputo & Brodsky, 2004; Comartin et al., 2009; Levenson et al., 2007; Malesky & Keim, 2001; Schiavone & Jeglic, 2009;). Six studies provided no information about the race of participants (Ferguson & Ireland, 2006; Fuselier et al., 2002; Gaines, 2006; Redlich, 2001; Washington State Institute for Public Policy, 1998; Zevitz, 2000), in part, because of the nature of the survey (e.g., hand-out survey at a community meeting), or because the authors did not seek to identify differences in attitudes by race/ethnicity and other demographic variables.

The study with the highest number of participants was the Anderson and Sample (2008) phone survey with 1,821 respondents. The smallest sample consisted of 42 judges in the Bumby and Maddox (1999) handout survey. Gaines (2001) reported on 21 law enforcement agencies whose employees were surveyed as groups and not as individuals in each agency. The remaining surveys (Beck et al., 2004; Caputo & Brodsky, 2004; Comartin et al., 2009; Ferguson & Ireland, 2006; Fuselier et al., 2002; Levenson et al., 2007; Malesky & Keim, 2001; Redlich, 2001; Washington State Institute for Public Policy, 1998) had sample sizes that ranged from 115 participants (Schiavone & Jeglic, 2009) to 704 participants (Zevitz et al., 2000). Most research with larger samples used phone surveys which permitted researchers to reach a broad sector of the population. Conversely, most of the professional surveys had smaller samples than the phone

surveys, although studies that included multiples samples of professionals, students, and community members had sizeable samples as well (Fuselier et al., 2002; Redlich, 2001).

### *Public Attitudes toward Sex Offender Notification*

These studies spanned a 12-year period from 1998 to 2009 (Table One). The earliest study by the Washington State Institute for Public Policy (1998) surveyed Washington State residents on the effectiveness of the Community Notification Act while the most recent article by Comartin, Kernsmith, and Kernsmith (2009) assessed the attitudes of Michigan residents toward sex offenders and the appropriate sanctions for this type of crime. All of the studies (Anderson & Sample, 2008; Beck et al., 2004; Caputo & Brodsky, 2004; Comartin et al., 2009; Levenson et al., 2007; Schiavone & Jeglic, 2009; Washington State Institute for Public Policy, 1998; Zevitz et al., 2000) found the general public to be supportive of community notification in some form, although differences emerged in some cases. For example, some respondents felt safer with the presence of community notification programs (Anderson & Sample, 2008; Schiavone & Jeglic, 2009), while others were concerned about potential risk after receiving notifications (Beck et al., 2004; Zevitz et al., 2000). A common theme that emerged in all of the studies was strong support for community notification programs for sex offending, even if these notifications increased fear of victimization (Beck et al., 2004; Caputo & Brodsky, 2004; Comartin et al., 2009; Washington State Institute for Public Policy, 1998; Zevitz et al., 2000) or if notification programs were thought to be ineffective (Schiavone & Jeglic, 2009; Levenson et al., 2007). Within these surveys, certain groups had even higher rates of support for sex offender registries. Overall, parents (Caputo & Brodsky, 2004; Comartin et al., 2009) and women (Beck et al., 2004; Caputo & Brodsky, 2004; Washington State Institute for Public Policy, 1998) demonstrated

higher support for sanctions compared to other respondents. This finding illustrates a stronger support of registries among groups who are likely to be either victims of sex offending (women) or who are most likely to be concerned about sexual predation by pedophiles (parents).

Four studies found an increased level of fear or an increased feeling of risk associated with receiving these notifications (Beck et al., 2004; Comartin et al., 2009; Washington State Institute for Public Policy, 2008; Zevitz et al., 2000). However, when asked about feelings of safety, two studies by Schiavone and Jeglic (2009) and Anderson and Sample (2008) found that participants reported feeling either safer or less concerned if they were to receive a notification. Initially, this finding seems to contradict Beck et al. (2004), Comartin et al. (2009), Washington State Institute for Public Policy (1998) and Zevitz et al. (2000), as feelings of fear and feelings of safety both seem to increase with the use of sex offender registries. As explained by Anderson and Sample (2008), a plausible explanation for the findings on increased safety is that increased fear leads community members be cautious about their activities, which in turn helps them to feel better prepared and safer in their neighborhood. In the remaining four studies, a majority of participants reported intentions to use safety precautions if they received notification (Anderson & Sample, 2008; Caputo & Brodsky, 2004; Washington State Institute for Public Policy, 1998; Zevitz et al., 2000), which seems to indicate that community notification also leads to heightened vigilance and sense of risk.

Levenson et al. (2007) found that participants perceived sex offenders to be more likely to reoffend than other classes of offenders. The majority of participants in both the Levenson et al. (2007) and Schiavone and Jeglic (2009) surveys also indicated they felt it was unlikely that sex offender registry programs would reduce recidivism. However, most of these participants

still indicated support for the registries. Although these registries might make some communities feel safer, as previously noted, even the public is skeptical that the programs might not help reduce crime rates. Nevertheless, support for community notification did not diminish during the review period.

The eight studies on public attitudes toward sex offender registries are summarized in Table One on page 29. The table describes the sample, location, methods, and results for each study from the most recent to the least recent over the 12-year review period.

#### *Professional Attitudes towards Sex Offender Notification Registry*

The six attitudinal surveys of employees spanned an 8-year period from 1999 to 2006 (Table Two). The most recent article by Gaines (2006) presented the results of interviews and phone surveys to assess the attitudes of law enforcement toward community notification and sex offenders. The earliest study by Bumby and Maddox (1999) evaluated how judges regarded sex offender-related issues. Overall, these studies found support for community notification, although this support was weaker among mental health professionals than among law enforcement officers and judges.

Two of the six studies looked specifically at the perceptions of law enforcement in relation to sex offenders and community notification (Gaines, 2006; Redlich, 2001). Both studies found law enforcement agencies and officials in support of sex offender community notification. Confidence in the effectiveness of community notification in reducing offenses was also found by both studies. As noted, professionals were more likely to be satisfied with community notification than either the mental health professionals or judges. This finding is significant because law enforcement officials are typically the ones who come in direct contact

**Table 1**  
*Summary of Studies about Public Attitudes towards Sex Offender Notification Registry*

<b>Study</b>	<b>Sample Size &amp; Demographics</b>	<b>Site (State)</b>	<b>Purpose</b>	<b>Design</b>	<b>Results</b>
<b>Comartin, Kernsmith, &amp; Kernsmith (2009)</b>	N=703 Mean Age: 51 82% White 62/38 M/F 96% ≥HS	MI	Investigate public attitudes toward sex offender sanctions such as community notification	Population Survey Random Digit Dialing	High support (96%) for residency and work restrictions such as living or working near schools; higher fear of sex offenders correlated with higher support of sanctions; parents had higher support for sanctions than non-parents.
<b>Schiavone &amp; Jeglic (2009)</b>	N=115 85% Female 79% Age 25-64 81% White 93% >HS	N/A	Assess public attitudes toward laws for sex offending and impact on society	Internet community message board Discussions posted to websites of major cities	58% were familiar with community notification; 86% supported use of community notification for moderate- to high-risk offenders; 51% supported SONR for low-risk offenders; 80% felt that community notification did not violate 8 <sup>th</sup> amendment; 65% agreed that communities are safer when they know where sex offender live; 57% felt community notification did not change level of recidivism.
<b>Anderson &amp; Sample (2008)</b>	N=1821 Aged 19-70 50/50 M/F 89% White 68% >HS	NE	Assess public awareness/use of the sex offender registry	Population Survey Random Digit Dialing	90% of respondents were aware of the sex offender registry; 38% had accessed the registry; 88% of this sub-sample felt safer after accessing the registry, and 38% took preventative measures such as locking doors, spreading the word, and talking to children; support for the registry was not assessed.
<b>Levenson, Brannon, Fortney, &amp; Baker (2007)</b>	N=193 43/57 M/F Mean age: 37 69% White Avg. 14 years education	FL	Evaluate perceptions of residents toward sex offenders and community notification	Hand out survey at DMV offices	95% agreed the public should see name and photo of all sex offenders; participants believed sex offenders are more likely to reoffend than other types of criminals; majority believed that community notification is effective in reducing recidivism; 73% supported notification policies even if evidence that they worked was lacking.

<b>Caputo &amp; Brodsky (2004)</b>	N=250 37/63 M/F Mean Age: 44.3 78% White 70% >HS	AL	Investigate public reactions to community notifications and evaluate actions taken for self-protection	Phone survey to members of the public who had received notification letters from policy	Perceived importance of community notification significantly predicted increased fear of crime; Women, parents, and African-Americans reported becoming more safety conscious and taking more protective action than other participants.
<b>Beck, Clingermayer, Ramsey, &amp; Travis (2004)</b>	N=236 Med. Age 45 66/34 M/F 61% White 53% >HS	OH	Examine the relationship between community notification, protective behavior, and perceived risk	Random mail out survey to members of comparison groups: 1) Notification (N=97) 2) Non-notification (N=139)	Women respondents more likely than men to perceive risk of victimization; notification was strongest predictor of perceived risk; gender was significantly related to fear; notification was not linked to increase in protective behaviors or fear of victimization.
<b>Zevitz, Crim, &amp; Farkas (2000)</b>	N=704	WI	Assess response of residents who attend community notification meetings	Hand out survey at community meetings	38% of respondents were more concerned about sex offenders in their community after the meeting; 80% planned to acquire information in order to safeguard against threat; 48% gave the meeting "high marks" and were most likely to report feeling less concerned after the meeting.
<b>Washington State Institute for Public Policy (1998)</b>	N=400	WA	Elicit attitudes of Washington state residents on the state's community notification law	Population Survey Random Digit Dialing	80% were familiar with the community notification law; only 1/3 were aware of released sex offenders in their community; 75% reported learning more about sex offenders due to community notification; 60% agreed community notification makes sex offenders behave; 80% of women reported feeling afraid about a sex offender moving into their community; a majority reported using safety precautions; more than 80% felt community notification was important.

*Note:* MI=Michigan, WA=Washington, NE=Nebraska, FL=Florida, AL=Alabama, OH=Ohio, WI=Wisconsin  
M/F=Male/Female  
>HS= some college  
≥ High school and/or some college

with the offenders compared to mental health employees or judges. Widespread support by law enforcement is likely to mean that community notification will take place as the law intended.

Three studies compared employee and student attitudes toward sex offenders. Fuselier et al. (2002) surveyed mental health professionals registered with the Association for the Treatment of Sexual Abusers (ATSA) and compared their attitudes to those of college students in Colorado. The authors found that mental health professionals perceived sex offenders to be younger ( $p < .001$ ), from a lower SES ( $p < .001$ ), having a lower education ( $p < .001$ ), more likely to be married ( $p < .001$ ), and more likely to be heterosexual ( $p < .05$ ) than students. Compared to students, mental health professionals were less likely to believe that sex offenders use force and aggression and more likely to believe that they used bribes to con their victims. In the second study, Redlich (2001) surveyed community members, law enforcement officers, and law students in California on attitudes toward community notification. Law enforcement officials showed the most support ( $p < .001$ ), and law students showed the least support for sex offender registries ( $p < .001$ ). When compared to murderers and drug felons, respondents were most angry if a child molester moved nearby, regardless of group membership. Overall, Redlich found that professionals who had working contact with sex offenders were less likely to support sex offender notification programs. The result was consistent regardless of group membership. In the third study, Ferguson and Ireland (2006) distributed surveys at a university to both students and forensic staff. The forensic staff was more tolerant of sex offenders than students, but attitudes did not differ in relation to type of sex offense. These differences can be explained by differences in experience – the mental health professionals and forensic staff have direct experience in treating sex offenders while students do not. Furthermore, students' perceptions are

likely to have been shaped by the media. This point will be explained further in the Discussion section.

Two studies (Ferguson & Ireland, 2006; Fuselier et al., 2002) compared the attitudes of professionals and students and found that students had greater support for community notification. The authors concluded that the employees' greater knowledge of the legal system and their direct experience in dealing with sex offenders accounted for the difference. Another study by Redlich (2001) compared law students with legal professionals. Once again, the students were more likely to support community notification than the employees. In all three studies, the employees were more skeptical about community notification compared to non-professionals, a finding that has been supported elsewhere, including in research on juvenile sex offending (e.g., Spice, Penner, MacDougall, and Viljoen, 2010). This finding suggests that greater familiarity with sex offenders or "one size fits all" sex registry programs leads to greater skepticism about the benefits of community notification.

Two studies surveyed employee attitudes without comparison groups of students or community members. Malesky and Keim (2001) investigated the attitudes of mental health employees who were members of the Association for the Treatment of the Sexual Abusers (ATSA). Overall, most of the participants (60%) did not feel that community notification would deter offenders from committing sex crimes. Few members (15%) believed that the number of victims would decrease due to safety actions by caregivers. Seventy-one percent of the sample reported that they were unaware of the effects of community notification on released sex offenders. In contrast, Bumby and Maddox (1999) found high support of community notification among judges who attended a Criminal Trials Skills Seminar. Eighty-five percent

of the judges agreed that sex offenders should be required to register for community notification programs. A large majority (80%) of the judges also believed that treatment for these offenders should be required and readily available. However, the judges had little faith in the treatment programs they said they supported, with more than two-thirds (67%) being opposed to sex offenders moving into their community. Although both studies showed support for treatment of sexual offenders, the judges were more supportive of community notification programs than ATSA members. This finding can be explained by professional differences between judges who are part of the criminal justice system and who focus on sentencing, compared to mental health professionals who are trained to analyze psychological disorders and to focus on treatment.

The six surveys of professional attitudes toward sex offenders and community notification are summarized in Table Two on page 34. The data in Table Two includes samples, location, study purpose, and design and results for each of these studies.

Table 2

*Summary of Studies about Professional Attitudes towards Sex Offender Notification Registry (SONR)*

<b>Study</b>	<b>Sample Size &amp; Demographics</b>	<b>Site (State)</b>	<b>Purpose</b>	<b>Design</b>	<b>Results</b>
<b>Ferguson &amp; Ireland (2006)</b>	N=139 33/67 M/F Mean age: 29	UK	Explore attitudes toward SO using students and forensic staff	Hand out survey Distributed to students and staff at school and workplace	Women demonstrated more positive attitudes toward SO than men ( $p<.05$ ); forensic staff had more positive attitudes to SO than students ( $p<.001$ ); attitudes did not differ in relation to type of SO.
<b>Gaines (2006)</b>	N=21 law enforcement agencies (65% response rate)	N/A	Examine effects of SONR on law enforcement agencies	Telephone interviews and electronically administered surveys	Most respondents had negative images of all SO, and nearly all indicated they had no knowledge of the SONR interfering in SO lives; 4 agencies reported SONR being manpower intensive; overall most perceive the community as satisfied with SONR; 13 agencies received only positive feedback from the public.
<b>Fuselier, Durham, &amp; Wurtele (2002)</b>	N=347 45/55 M/F Student Mean Age: 22.7 Staff Mean Age: 46.6	CO	Compare beliefs and attitudes pertaining to perpetrators of child sex abuse	Students participated for class credit; professionals selected from ATSA roster	Students perceived SO to be older ( $p<.001$ ), from a higher SES ( $p<.001$ ), having a higher education ( $p<.001$ ), less likely to be married ( $p<.001$ ), and more likely to be gay ( $p<.05$ ) than the professionals; students were more likely to believe SO use force and aggression ( $p<.001$ ), where professionals thought they used bribes.
<b>Malesky &amp; Keim (2001)</b>	N=133 68/32 M/F 63.5%: age 42-55 93% White	N/A	Investigate the attitudes of professionals on the implications of SONR	Random selection from the Association for the Treatment of Sexual Abusers	60% did not agree that SONR websites would deter from committing sex crimes; 15% thought the # of victims would decrease due to safety actions; 29% were unsure of the effects of the SONR on SO.

<b>Redlich (2001)</b>	<i>N=269</i> CM Avg Age: 46 LE Avg Age: 40 LS Avg Age: 28	CA	Evaluate perceptions of effectiveness of SONR in preventing abuse across 3 groups	CM: Random mailings and handout surveys at public markets LE: Through police captains and lieutenants LS: from professors	Law enforcement officials held the most support for SONR, differing from CM and LS( $p<.001$ ); law students showed the least support for SONR( $p<.001$ ); LE showed strongest belief in effectiveness in current strategies ( $p<.01$ ); women were more likely to support Megan's Law than men ( $p<.01$ ); when compared to murderers and drug felons, respondents were most angry if a child molester moved nearby( $p<.001$ ); more knowledge of sexual abuse was related to less support of SONR ( $p<.05$ ).
<b>Bumby &amp; Maddox (1999)</b>	<i>N=42</i> 90.5% M 95% White Mean Age: 50 Mean # years on bench: 10	MO	Provide insight into decision makers' attitudes regarding SO-related issues	Distributed at a Criminal Trials Skills Seminar	48% of judges agree there is a typical profile of SO that can be identified; 80% believed treatment should be mandatory; 67% strongly oppose the release of a sex offender into their neighborhood; 85% agreed that SO should be required to register within their community.

*Note.* UK=United Kingdom, ID=Idaho, IL=Illinois, IA=Iowa, KS=Kansas, MI=Michigan, MN=Minnesota, OH=Ohio, OR=Oregon, UT=Utah, WV=West Virginia, WY=Wyoming, CO=Colorado, CA=California, MO=Montana  
M/F=Male/Female  
SO=Sex offender  
ATSA=Association for the Treatment of Sex Offenders

## Discussion

The three research questions for this thesis asked whether or not there was a convergence in methodology, sampling, and items for the survey instruments in the reviewed surveys; if common themes in community attitudes and actions would emerge from the review; and if any changes would occur over time in public attitudes toward sex offenders. In response to these questions, I found that 1) researchers used different methods for surveys depending on the size of their sample and the population they wished to survey, 2) attitudinal differences emerged between members of the public and the professionals who were surveyed in relation to sex offenders and community notification, 3) professionals differed from each other according to whether they were employed in a mental health or legal capacity); 4) public attitudes toward sex offenders and community notification were similar across the United States; and 5) attitudes toward sex offenders and community notification have intensified over time (i.e., between 1994 and 2009). These and other results will be discussed separately in the following paragraphs.

The first set of results concerned methodology. Studies that sought to survey large populations within a state (Anderson & Sample, 2008; Comartin et al., 2009; Washington State Institute for Public Policy, 1998) or samples over a broad geographic area (Gaines, 2006) used telephone surveys with a random digit dialing design in order to maximize response rates. These cross-sectional studies were relatively easy to conduct (typically through university-based survey centers) and were able to gauge public opinion toward sex offenders and community notification at a single point in time. Surveys with smaller samples tended to be more focused in design and

intent. For example, the mail-out survey by Beck et al. (2004) used an experimental design with comparison groups of citizens who had or had not been notified of a sex offender living in the neighborhood. This method enabled the authors to ascertain that the notified group was more fearful of sexual predation than the non-notified group, thus indicating that increased fear is an unintended consequence of community notification. Location-based phone surveys were also useful for this purpose, as demonstrated by Caputo and Brodsky (2004) who surveyed a community sample of notified residents with similar results to Beck et al. (2004). However, phone surveys were less commonly used for the professional samples. Here, the preferred method was mail-out or internet surveys to members of professional groups, suggesting that membership lists are more useful for gauging the attitudes of specialized groups than for the general public. Other methods for surveying professionals or the general public included hand-out surveys in classes and at professional seminars, supermarkets or community meetings so that convenience samples could be obtained in a single location. The most complex study involved the Gaines (2006) multi-state survey of law enforcement officers with a mixed method design involving telephone interviews and mail-out surveys. Researchers should be aware that a single reliance on mail-out surveys will result in low response rates (Beck et al., 2004; Malesky & Keim, 2001), which probably accounts for the mixed methods being used in some of the studies to optimize the sample size (Gaines, 2006; Redlich, 2001) or so that comparative attitudes between professionals and laypersons could be assessed for similarities and differences between them (e.g., Fuselier et al., 2002).

It is noteworthy that four of the studies did not provide full demographic information on age, gender, race/ethnicity, or educational level of participants (Gaines, 2006; Redlich, 2001;

Washington State Institute for Public Policy, 1998, Zevitz et al., 2000). Two of these studies (Gaines, 2006; Redlich, 2001) were conducted with professional groups and results were sought in relation to professional attitudes rather than personal characteristics. In the case of the Washington State Institute for Public Policy (1998), however, demographic information was not included in the published summary, nor was the full report available from internet or library sources. Detailed information about this sizeable sample would have helped to identify any differences in public attitudes and/or would have provided information on the impact of community notification on different sectors of the population.

On the second question (“would common themes in attitudes and actions emerge from a systematic review of published surveys on sex offenders and community notification?”), the answer is yes. Regardless of the methods utilized in these studies, the results indicated strong support among members of the general public for community notification. Respondents also showed unequivocal support for registries of sex offenders across states and regions. This result is consistent with Lees and Tewksbury (2006) who found that public demand for community notification and implementation of sex offender registries continue to increase. The result suggests that not only have moral panics over sex offenders not abated over time but that, as stated by Griffin and West (2006), public concern over sex offenders has actually increased across the United States.

Community support for notification was found in all surveys of public attitudes toward sex offending. Nevertheless, differences emerged in terms of gender, race and parenthood in the studies that addressed these issues. Women and parents were most likely to be in support of sex offender notification programs (Beck et al., 2004; Caputo & Brodsky, 2004; Comartin et al.,

2009; Washington State Institute for Public Policy, 1998). This trend suggests particular support among those people who are most likely to be victimized, since women and children are typical victims of sexual abuse. Citizens who received notifications of a released sex offender in their area also reported higher levels of perceived risk (Beck et al., 2004). Overall, these findings reflect a support of community notification most likely rooted in fear, which Greer (2003) argues is the basis for overall community support of registries. These results are in line with other research that suggests support for community notification is based on fear of victimization, particularly in relation to children (Pratt, 2000).

Respondents in three studies identified their intentions to take preventative measures against being victimized (Anderson & Sample, 2008; Caputo & Brodsky, 2004; Washington State Institute for Public Policy, 1998). Specifically, Caputo and Brodsky (2004) reported that women, parents, and African-Americans were more likely to take safety precautions than other participants. Common precautions to avoid victimization included monitoring children who were playing outside, avoiding being alone outside the home at night, and installing security alarm systems. This finding supports Greer's (2003) statement about support for community notification that is based on fear of victimization, but also about how fear is transformed into action in order to create a sense of control over potentially dangerous situations.

The effects of community notification were significant. People who were notified either felt more fearful as suggested above (e.g., Beck et al., 2004) or conversely, felt safer after receiving a notification of a sex offender who had moved into their community (e.g., Anderson & Sample, 2008; Beck et al., 2004; Schiavone & Jeglic, 2009). People who report feeling safer are steadfast in these beliefs even after being advised that community notification does not

protect them in any way (Durling, 2006). These results indicate that, while public support for community notification is high, the reasons for this support vary according to people's reactions to notification. Caputo and Brodsky (2004) found that it was not notification *per se*, but the importance that people attached to notification that predicted fear of crime (i.e., the more importance they attributed to notification the more fearful they felt about a sex offender). By contrast, Anderson and Sample (2008) found that notification increased respondents' perceptions of safety because they took preventive action to increase personal security. This result could explain the differences among research findings about feelings of fear or safety following community notification.

The professional surveys yielded different results from the community-based surveys, with the main difference being that the professionals were less negative toward sex offenders compared to members of the community. However, differences between the professional groups were noteworthy as well. For example, the mental health professionals were more likely than judges, law enforcement officers, students, and members of the public to support community notification. Again, this outcome reflects professional differences between the employee groups (i.e., the mental health professionals were involved in treatment and rehabilitation while the judges and law enforcement officers were responsible for sentencing and supervision). However, both groups had greater contact with and were more tolerant of convicted sex offenders compared to members of the public. It is likely that these professionals are likely to understand the potential outcomes of rehabilitation, or that they understood that sex offenders differ in terms of the seriousness of their crimes and likelihood for recidivism.

The harsher attitudes of judges and law enforcement towards sex offenders should be considered further. These attitudes are of particular concern because judges and law enforcement officers are more likely to encounter people who are charged or convicted for sexual offenses than less-judgmental mental health professionals (Bumby & Maddox, 1999; Gaines, 2006; Redlich, 2001). If sex offenders are interacting most often with professionals who reported harsh attitudes, then it is possible that they will not be treated fairly in the criminal justice system. Furthermore, such attitudes (and harsh sentences) may only fuel the isolation, stress, and stigma that released sex offenders often encounter (Edwards & Hensley, 2001; Federoff & Moran, 1997). As previously noted, offenders are more likely to commit offenses when they feel no ties to the community. According to Federoff and Moran (1997), the problems of social isolation, stigma, and stress are often implicated in recidivism for sex offending. Further studies of the attitudes of judges, law enforcement officials, and probation officers are needed in order to address these attitudes or situations that lead to recidivism.

On the third question (“Did any changes occur over time in relation to community attitudes toward sex offenders and sex offender notification?”), the answer is perhaps. The public outcry for community notification after the murders of Megan Kanka and Jacob Wetterling certainly fueled the public uproar against sex offenders, and three recent studies suggest that support for community notification has increased over time. In the 1990s, the Washington State Institute for Public Policy (1998) reported that 80 percent of participants felt that community notification was important, and Bumby and Maddox (1999) followed with an even higher percentage of participants (85%) who felt that sex offenders should be required to register. Almost a decade later, Comartin et al. (2009) reported that 96 percent of respondents

indicated high support for community notification and restrictions on where sex offenders can live and work. As Ducat et al. (2009) suggest, sensational cases in the media are likely to have fueled this increase in support, in addition to the widespread perception that community notification is the only safeguard against sex predation of adults and children.

## Limitations

The limitations of the analysis should be noted. This review involved published scholarly articles about attitudes toward sex offender community notification. In order to understand these attitudes in context, I excluded many articles that consisted of opinion pieces, reviews, and other non-empirical work about community notification for sex offending. In addition, I excluded some of the surveys because they evaluated public attitudes before community notification was implemented in 1994. The net result of these exclusion criteria was a small sample size for review. Moreover, my decision to include published work only meant that other sources, such as conference presentations on the topic were not included in this analysis. On a final note, it is possible that some studies might have been missed despite multiple searches from a variety of scholarly sources, and that these studies would have increased the sample for analysis.

The small number of studies in this review meant that it was not possible to focus on sexual crimes against children, so that all types of sex offenses and offenders were included in the analysis. I also included research on professional attitudes toward sex offenders and community notification in order to broaden my analysis. While inclusion of these studies offered a useful comparison of attitudes for the two groups, I would have preferred to focus on a single group (the general public) and a more refined topic (community notification for sex offenders who had been convicted of crimes against children). This narrower focus would have identified any nuances in relation to community notification and child safety. Furthermore, my analysis did not distinguish between community notification for sex offending and violent crimes such as

assault or murder, primarily because the researchers themselves did not make this distinction. Finally, with one exception involving professional attitudes (Ferguson & Ireland, 2006), the analysis did not include surveys from other countries. These surveys might have provided a useful comparison to the US if similar sex offender laws had existed overseas.

## Conclusions and Recommendations

The review identified strong support for community notification, even though it is doubtful that sex offender registries reduce recidivism (Miethe et al., 2006; Motivans & Kyckelhahn, 2007). If research shows no decrease in recidivism, then community notification appears to be little more than a system of retribution or appeasement of a nervous U.S. public in the wake of highly-publicized sex offending toward children (Ducat et al., 2009). As some scholars have argued (Griffin & West, 2006; Levenson, D'Amora, & Hern, 2007; Quinn et al., 2004) sex offender notification programs do little more than extend the sentences of released offenders for an indefinite period of time. The studies analyzed in this thesis might have been more definitive if they had linked levels of fear and safety precautions with whether or not participants were actually safer. Further analysis of public perceptions of community notification in comparison to non-notification and recidivism for both conditions could provide more definitive findings on whether or not public safety is enhanced through community notification.

The conflicting results on whether or not community notification reduces recidivism (e.g., Duwe & Donnay, 2008; Miethe et al., 2006; Motivans & Kyckelhahn, 2007; Zgoba et al., 2008) are noted in this thesis. Two studies that did find lower rates of recidivism associated with community notification (Duwe & Donnay, 2008; Zgoba et al., 2008) were limited to a single state. Neither of these studies examined intervening factors such as treatment programs for sex

offenders or widespread intolerance toward sex offending against children as contributing factors. By contrast, Zgoba et al. (2008) reported an uptick in sex offender recidivism after community notification was implemented in New Jersey in 1994, followed by a flattening trend thereafter. Part of the problem in trying to reduce recidivism through community notification is that sex crimes in the United States are highly varied (e.g., from “minor” crimes such as statutory rape to serious crimes such as sexual assault/murder of adults or children). Community notification is unlikely to be useful for sexual offenses such as statutory rape or sexual assault in domestic violence cases which might be context-specific. In relation to children, Sedlack et al. (2010) found that family-based sexual abuse of children has declined substantially in recent years. Regardless of public perceptions on the matter, community notification is unlikely to be effective for this type of offending. And while there has been a sharp increase in federal prosecutions for internet-based sex crimes (Motivans and Kyckelhahn, 2007), community notification also might have little effect on child pornography or internet-based pedophilia that are global in nature and use the web for victimization. Further research on a broad scale to evaluate sex offender registries in relation to recidivism is needed to understand the risks and benefits of these programs and to properly educate the public about the limits of community notification. It would also be useful to compare public attitudes toward sex offending in relation to children and adults in order to determine if public attitudes are harsher towards certain types of sex offenders than others and, if so, whether or not community notification for some adult, context-specific, or internet-based crimes might be declassified from the registries.

Future research should seek to develop a study that could validate the trends found in the reviewed literature. In order to appropriately compare community notification programs, they

must all be considered similar. In most of the studies reviewed, the researcher only asked about attitudes toward sex offenders generally. Since most states' definitions of sex offenders vary, it is important to define sex offender within the study in order to more accurately compare the results. A survey that asks about specific offenses will help avoid personal definitions of sex offender. Ultimately, I think this would reveal harsh attitudes related to specific offenses, which would support the need to implement a community notification system that is tiered or ranked. This classification system would help prevent sex offenders from being grouped into one category and would allow for distinction in notification based on the severity of the offense. A more definitive study of attitudes toward these specific offenses will provide valuable data on public perceptions of sex offenders and help to develop a more effective community notification program.

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