

# Understanding collateral consequences of registry laws: An examination of the perceptions of sex offender registrants



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Justice Policy Journal • Volume 11, Number 2 (Fall)

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## Abstract

*Sex offender registration and notification laws have been widely studied since their implementation during the mid-1990s. Within the last decade, researchers have turned their focus towards the unintended and collateral consequences that registered sex offenders (RSO) experience as a byproduct of being listed on a registry. This study of the consequences that RSOs in Pennsylvania, Texas, and Wisconsin endure mirrors research that has studied offenders in Kentucky and Indiana (Tewksbury, 2004, 2005). Self-report surveys containing Likert-type and open-ended questions were mailed to RSOs in three states. Participants were asked how the registry has affected their relationships and how they have been treated by family, friends, employers, and strangers. Descriptive results*

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Funding acknowledgement: Support for this project came, in part, from an SRC-10/11 grant from Indiana University of Pennsylvania and from the University Research and Creative Activity grant program at the University of Wisconsin – Eau Claire.

*from the sample of 443 respondents suggest that RSOs are treated similarly across various geographic locales and qualitative responses depict collateral consequences that impact family and friends of the offender and go further than traditional correctional aims.*

## **Introduction**

Individuals who commit sex offenses are often ostracized and stigmatized by law-abiding citizens and by other criminal offenders. Research has found that many people in society respond to sex offenders based on commonly held, yet unsubstantiated beliefs and myths rather than research and facts (Quinn, Forsyth, & Mullen-Quinn, 2004; Tewksbury, 2005). These commonly held beliefs provided the impetus for the enactment of punitive legislation regarding sex crimes, in particular Sex Offender Registration and Notification (SORN) laws. Supporters of SORN laws believe that if sex offenders were tracked and if the public was more aware of the presence of convicted sex offenders, then sex crimes could be prevented (Walker, 2011).

Due to the public nature of SORN laws, sex offenders are constantly reminded – sometimes daily – of the crime that they committed. The response directed towards registered sex offenders (RSOs) from citizens-at-large does not stop with the constant reminders, but includes resentment, stigmatization, harassment, and assault. Tewksbury (2004, 2005), Levenson and Cotter (2005a), and Zevitz and Farkas (2000a) pioneered the research on the collateral consequences faced by registered sex offenders and their families and friends. The current study reexamines and builds upon that earlier work by surveying registrants in Pennsylvania, Texas, and Wisconsin with Tewksbury's (2004) questionnaire. We included these three states because RSO populations in them have been understudied with regards to the collateral consequences of registration laws. In this article, we compare current survey responses to responses from prior research in different states and we also conduct an in-depth examination of responses to open-ended questions that asked participants to expound upon the negative experiences that they faced and the negative experiences that their families, friends, or acquaintances faced as a result of being on the sex offender registry.

## **Literature Review**

The Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act of 1994 was the first federal law to implement the practice of registering sex offenders in centralized databases (42 U.S.C. § 14071, 1994). This law requires a minimum 10-year listing for registrants, with a lifetime registration mandatory for serious offenses. For public safety, this database is required to be current and updated regularly. Through the database, the tagging or tracking of offenders was to provide a safety net for the public. To entice state participation, a penalty for state non-compliance results in a 10% reduction in Byrne grant funding (42 U.S.C. § 14071, 1994).

The information collected through the Wetterling Act was made accessible to the public in 1996 by Megan's Law (P.L. 104-105, § 1, 110 Stat. 1345). The law intended to keep community members aware of sex offenders in the area in order to deter crime and reduce recidivism by reducing access to vulnerable victims (Anderson & Sample, 2008; Pawson, 2002; Tewksbury, 2005; Tewksbury & Lees, 2006). As with some laws and policies, there are intended benefits but there are also unintended consequences. Sex offender registration and notification (SORN) laws mandate that convicted sex offenders have their personal information available to law enforcement and, for many offenders, to the public via public registries (P.L. 104-105, § 1, 110 Stat. 1345). Information on the registries usually includes the offender's name; demographical information; identifying information such as height, weight, hair and eye color; home address (and some states have employer's address and school address); and a recent photograph of the offender (42 Pa. CSA § 9799.10. 2012). Some state registries, such as Pennsylvania's and Texas', also include identifiers such as known tattoos, nicknames, license plate number, and vehicle make, model and color.

The public feels offender registries are beneficial. In various surveys measuring the general citizenry's knowledge of sex offender laws, it has been found that the vast majority of respondents report being aware of the registry (Anderson & Sample, 2008; Burchfield, 2012); participants also report feeling their families were safer, and they, personally, felt safer (Anderson & Sample, 2008). In fact, the general public's response to registry notification has included sentiments, such as: "Thank God that this service exists" and "what a wonderful public service" (Gaines, 2006, p. 259). Registries allow citizens to keep tabs on offenders in their neighborhood, although prior literature suggests that citizens are oftentimes not aware of the presence of registered sex offenders in their neighborhoods (Burchfield, 2012; Craun, 2010).

### *Collateral Consequences*

A focal point in past sex offender research has been the study of negative and unanticipated consequences of being on the sex offender registry. Sex offenders, unlike other offenders, are not only punished by the sentencing sanction, but also by the stigmatization of the public registration process and community members' knowledge of them being on the registry. As previous research has found, community notification and registration efforts have created collateral consequences for registrants as well as their families (Levenson & Cotter, 2005a; Levenson & Tewksbury, 2009; Tewksbury, 2005). Harding (2003) refers to these collateral consequences as "cultural restraints" that can make reintegrating into society extremely difficult.

These social stigmas are far reaching and have many negative aspects. Research has shown that registrants experience financial losses through loss of job opportunities (Tewksbury, 2005), difficulty in securing housing (Tewksbury, 2005), difficulty with both intimate and friendly relationships, as well as an inability to take part in expected parental duties, such as going to school functions (Levenson & Cotter, 2005b; Tewksbury, 2005; Tewksbury & Lees, 2006; Zevitz & Farkas, 2000a). Family members of sex offenders have experienced emotional problems due to the registry and the hardships that registrants' incur because of it (Tewksbury, 2005). Essentially, family members of RSOs experience a "courtesy" stigma, as explained by Goffman (1963), "the loyal spouse of the mental patient, the daughter of the ex-con...are all obliged to share some of the discredit of the stigmatized person to whom they are related" ( p. 30).

Tewksbury (2005) found that one-third of his sample reported at least one of the following: losing a job, losing or denial of housing, being treated rudely in public, losing a friend, and being harassed. He found that registrants in more rural areas experienced more negative consequences than those in metropolitan and urban areas. Tewksbury and Lees (2006) identified four primary areas of collateral consequences: employment difficulties, relationship difficulties, harassment, and stigmatization and feelings of vulnerability. Employment difficulties include both obtaining and maintaining employment due to being a convicted sex offender and from being on the public registry. Interpersonal difficulties affected familiar and intimate relationships for a number of reasons, from being seen as a "pervert" when individuals found out they were listed to registrants withdrawing or withholding information from others as a precautionary measure so they would not get rejected or be hurt. Harassment was both physical and verbal. The researchers noted that respondents also feared harassment (without necessarily experiencing it) due to expectations of being recognized in public. Stigmatization was expressed by members of the sample, suggesting that society and the criminal justice system

regularly group registrants in the same category as violent and dangerous sexual offenders no matter the offense type (Tewksbury & Lees, 2006).

Levenson and Cotter (2005a) found that 30% of registered offenders in their sample said flyers were used to disseminate information about them in their community. Flyers were posted in communities and handed out at school. Sampled offenders reported that they lost jobs, were harassed, and had property damaged by citizens living near them. Despite this, 19% of the offenders said that registering made the neighborhood safer. Yet, one RSO reported "I feel trapped in living where I do" (p. 59). Housing restrictions represent another collateral consequence that sex offenders face. Levenson and Cotter (2005b) found that 50% of the offenders in their study had restrictions that forced them to move and approximately 50% could not live with supportive family members. Of the offenders surveyed, 57% reported that they could not find affordable housing because of laws that prohibit them from living within 1,000 feet of schools, parks, and other places that children regularly congregate. 60% of the offenders reported that they suffered emotionally because of the zoning restrictions. One offender reported "I never noticed how many schools and parks there were until I had to stay away from them" (p. 174). Others reported the zoning restrictions as a good thing, with one registrant opining, "It's good because you can't just walk from your home to a school" (p. 173).

Many offenders fear that someone will come across their information on Megan's Law websites. Burchfield and Mingus (2008) interviewed 23 offenders and one respondent noted "I need to keep a low profile" (p. 364), while another said "It's hard to wake up and go to work every morning with that fear of being found out at work or being found out in your neighborhood" (p. 365). Others reported that being on the website is a sentence that will "hang over your head" (Burchfield & Mingus, p. 365). Respondents also feared retaliation in the community. Mercado, Alvarez, and Levenson (2008) surveyed 1,601 sex offenders from New Jersey. Nearly 50% of the respondents reported being physically threatened while 11% reported being physically assaulted. Over one-fourth reported property damage and approximately half reported losing a job because they were a registered sex offender.

This literature suggests that once community members find out registrants are living in their communities the chances of collateral consequences increases. Yet, policy makers continue to enact legislation that impacts offenders and their families long after a formal sentence is served. This study examines the consequences endured by RSOs and their families in three states from which very little data on collateral consequences have been collected.

## Purpose of the Study

The primary purpose of this study is to examine collateral consequences of the sex offender registration laws in Pennsylvania, Texas, and Wisconsin. To achieve this objective, we ask: what are the unintended and collateral consequences of SORN laws in these three states. These states were purposively selected because the collateral consequences experienced by RSOs living in them have rarely, if ever, been examined. To help determine if the collateral consequences faced by registrants and their families differ from state-to-state or region-to-region, we compare results of the current study to results of prior research.

## Method

### *Data*

**Pennsylvania data collection.** Data was collected for this study through the use of mailed, anonymous self-report surveys sent to 922 individuals listed on the Pennsylvania State Police Megan's Law website (<http://www.pameganslaw.state.pa.us/EntryPage.aspx>) who resided in one county in Pennsylvania. The county was selected as part of a convenience sample because it represented a large urban county in close proximity to the University. Individuals who were incarcerated during the time of our study were not included in the sample.

In December of 2010, we contacted the sample by mail. The initial contact included a cover letter with the details of the study and a request for their voluntary participation. The cover letter explained that the study was being conducted to further understand the collateral consequences and registrants' perceptions of sex offender registration and notification laws. The initial contact included the informed consent page, important confidentiality information, and the questionnaire. The second contact was made in February 2011, and consisted of a postcard reminding the respondents about the study and researchers contact information in case respondents needed another survey mailed to them. Both mailings included a business reply return envelope.

**Texas data collection.** Three counties were conveniently chosen for this study due to the size and location of the counties. Of the three counties, one was urban, one was suburban, and the other was a rural. The Texas Sex Offender Registration Program website ([http://www.txdps.state.tx.us/administration/crime\\_records/pages/sexoffender.htm](http://www.txdps.state.tx.us/administration/crime_records/pages/sexoffender.htm)) was utilized to obtain a sampling frame in each county. Of this list of potential respondents, a random sampling process was used to obtain an adequate sample

of registrants from the urban county (n=842). All registrants in both the suburban and rural counties were selected for the study due to the small amount of registrants in those counties (n= 158). Due to limited funding, the Texas collection method involved a one-time contact via mail that included the cover letter, informed consent form, the questionnaire, and a business reply return envelope in the summer of 2012.

**Wisconsin data collection.** Data from registrants in Wisconsin was collected via mail survey. An anonymous questionnaire was mailed to a random sample of 1,221 Wisconsin registrants listed on the Dru Sjodin National Sex Offender Public Website (NSOPW; <http://www.nsopw.gov>) maintained by the United States Department of Justice. The sample of registrants received a cover letter explaining the project, informed consent guidelines, the questionnaire, and a business reply return envelope. Data collection for this aspect of the project began in late July 2012. A reminder postcard was mailed to the sample approximately four weeks later in August 2012 and asked potential respondents to return completed surveys if they had not yet done so; potential respondents also were asked to contact a member of the research team if they needed an additional survey questionnaire.

### *Sample*

**Pennsylvania sample.** A total of 998 addresses were obtained from the Pennsylvania State Police Megan's Law website for the urban county of interest for this study. Of these addresses, only 922 were valid for the purposes of sending a survey via U.S. mail. Of the 922 mailed surveys, 83 completed surveys were returned for a response rate of 9%.

**Texas sample.** Of the 1,000 surveys mailed to registrants, 96 were returned due to inaccurate addresses or death of the registrant. During this mailing process, the researcher was contacted by a statewide non-profit advocacy group that promotes a more effective criminal justice system. The groups' administrators asked for a copy of the survey and information regarding the study. Once the study was explained, the group asked if they could send the surveys to some of the registrants and sex offender treatment providers that are members. For this reason, an accurate response rate is impossible to report. However, the researcher received 165 completed surveys that were used for this study.

**Wisconsin sample.** An NSOPW search of all zip codes in the ten most populous cities in Wisconsin (Milwaukee, Madison, Green Bay, Kenosha, Racine, Appleton, Waukesha, Oshkosh, Eau Claire, and Janesville) revealed that 4,446 sex offenders were registered in those communities. Using Microsoft Excel, a random sample of

1,400 registrants was generated from this list. Prior to mailing the questionnaire, all 1,400 addresses were double-checked for accuracy using National Change of Address correction software. Due to a number of factors, including incarceration in a correctional facility or movement out of one of the ten most populous cities, 179 individuals were removed from the list, thus leaving the total sample of Wisconsin registrants at 1,221. In total, 195 individuals in the Wisconsin sample returned completed surveys. This represents a response rate of nearly 16%.

### *Survey Instrument*

Since we were interested in comparing our results with prior research, we felt it appropriate to use a survey instrument that was used in that research; specifically, we were wanted to use the survey from Tewksbury (2005). We contacted Tewksbury in the fall of 2010. He provided us with a copy of his 2005 survey instrument and permission to use it. We expanded his original survey to include additional closed and open ended questions. Open ended questions asked respondents to describe additional consequences they experienced as well as anyone living with them experienced. The closed ended questions we added asked about the respondents' knowledge of the change in the tier system brought about by the Adam Walsh Act or SORNA. The survey that was used in this study also included self-report items that assessed demographic and offense characteristics, and asked who had knowledge of the respondent's listing on the registry, how frequently the respondent was recognized due to the registry listing, and how frequently the respondent had contact with a criminal justice official due to their listing on the registry. The dependent variables included 15 negative consequences respondents may have experienced due to their placement on the sex offender registry. These consequences included loss of job, denial of promotion, denial of a bank account, loss/denial of place to live, being asked to leave a place of business, loss of a friend/spouse/partner, harassment, being treated rudely, assault, denial of entrance to higher education/campus housing, other complications to obtaining higher education. Additional dependent variables included 12 self-report items measuring respondents' perceptions and attitudes regarding sex offender registries. These items included perceptions of shame, embarrassment, stigmatization, and isolation associated with being listed on the registry, perceptions of the legitimacy of sex offender registries, perceptions of being unfairly punished because of the registry, the respondent's willingness to contact authorities to update/correct information on the registry, and perceptions of the deterrent effect of being listed on a sex offender registry.



## Results

Table 1 presents the frequency distributions for the sample. The sample was made up of primarily white (n=332) male (n=424) sex offenders with an average age of 50.26. Over half of the sample were lifetime registrants (n=282). Most of the registrants had female (n=264) and child victims (n=256).

Table 2 provides the self-reported frequency with which respondents thought they were recognized as sex offenders. Slightly more than three-fifths felt that they were recognized as sex offenders in public. With regards to the self-reported frequency of law enforcement contact, over one-fourth of respondents disclosed that they had never had contact with law enforcement while approximately 40% of respondents only had contact with law enforcement once a year.

**Table 1** Description of sample.

Variable	N	%	mean
Offender Characteristics			
Race/ethnicity			
White	332	76.1	
African-American	62	14.2	
Asian	7	1.6	
Hispanic/Latino	22	5.0	
Other-biracial	13	3.0	
Sex			
Male	424	97.2	
Female	12	2.8	
Age			50.26
Non-lifetime registrant	126	30.9	
Lifetime	282	69.1	
Have looked at registry	245	57.4	
Have not looked at registry	182	41.1	
Victim Characteristics*			
Female victim	264	59.6	
Male victim	79	18.0	
Child victim	256	57.8	
Multiple victim	31	7.1	
Relative victim	77	17.5	
Location			
Texas	165	37.2	
Wisconsin	195	44.0	
Pennsylvania	83	18.7	

\*Adds up to more than 100 percent as respondents selected all that applied

Asking participants to self-report the frequency of being recognized in public does not address the full extent of who knows about the RSO's sex offense conviction. Thus, respondents were asked: "Approximately what portion of your family, friends, co-workers, and other people you consider a part of your life know about your sexual offense conviction(s)?" The majority of respondents claimed that everyone or almost everyone knew of their sexual offense conviction. Only about 1% of registrants claimed that nobody knew of their offense.

**Table 2** Experiences of recognition and contact with law enforcement.

	Total sample	Child victim	Female victim	Male victim	Multiple victim	Relative victim
Frequency of public recognition						
Daily	7.9	6.9	8.6	7.8	9.7	6.7
A couple of times a week	6.1	5.6	6.2	3.9	0	2.7
About once a week	2.8	2.0	2.7	3.9	0	1.3
A couple of times a month	4.4	3.6	4.3	7.8	6.5	2.7
About once a month	4.9	5.2	4.7	9.1	6.5	2.7
A few times a year	22.8	24.6	22.2	19.5	16.1	21.3
Once a year	12.1	14.1	12.8	10.4	6.5	13.3
Never	38.9	37.9	38.5	37.7	54.8	49.3
Frequency of law enforcement contact						
Daily	.9	.4	.8	1.3	0	0
A couple of times a week	.2	.4	0	0	0	0
About once a week	.7	.8	.4	1.3	0	0
A couple of times a month	1.8	2.0	1.9	1.3	0	3.9
About once a month	3.7	3.6	2.7	6.4	0	2.6
A few times a year	27.0	26.1	28.0	25.6	16.1	23.4
Once a year	38.2	40.3	36.0	44.9	38.7	37.7
Never	27.5	26.5	30.3	19.2	15.2	32.5

Table 3 provides some collateral consequences that respondents may have experienced as a result of SORN. The average number of negative experiences per respondent was slightly over four. Approximately 50% of respondents experienced

a loss of employment, loss or denial of a place to live, loss of a friend, or were harassed in person.

**Table 3** Collateral consequences experienced (in percentages)\*

	Total sample	Child victim	Female victim	Male victim	Multiple victim	Relative victim
Lost a job	49.9	50.4	53.5	42.9	38.7	37.3
Been denied a promotion at work	24.6	23.2	27.3	20.8	12.9	16.0
Been denied a bank account or loan	6.4	6.8	7.3	7.8	6.5	2.7
Lost a place to live	54.3	54.4	58.1	53.2	48.4	42.7
Been treated rudely in public	35.4	37.2	35.4	36.4	25.8	25.3
Been asked to leave a business or restaurant	10.1	9.6	10.0	13.0	3.2	1.3
Lost a friend	51.7	55.6	50.4	55.8	23.3	44.0
Lost a spouse/dating partner	27.6	26.5	28.6	23.4	29.0	22.7
Been harassed, in person	41.8	44.8	41.5	46.8	45.2	34.7
Been assaulted/attacked	13.6	14.8	14.6	15.6	9.7	12.0
Received harassing telephone calls	17.2	18.0	16.9	20.8	12.9	10.7
Received harassing mail/flyers/notes	20.7	22.8	20.0	22.1	9.7	18.7
Been denied entrance to higher education	11.8	9.6	12.0	9.1	6.5	5.4
Been denied housing on campus	8.8	6.8	9.2	6.6	9.7	5.3
Have had complications obtaining higher education	17.7	16.0	18.8	15.8	16.1	8.0

\*Will add up to more than 100 percent as respondents selected all that apply

## Closer Look at Unintended Consequences

In addition to asking about their collateral consequences, we asked respondents two open-ended questions about other situations that they, their families, and their friends faced as a result of being registered. The first question probed into other negative consequences that may not have been listed on the questionnaire, "Have you experienced additional negative consequences due to being on the [state name] Sex Offender Registry other than the ones listed above? If so, please describe these negative experiences/consequences in the box below." Using NVivo, we were able to analyze a number of emergent themes across respondents from all three states. Loss of employment and difficulty finding and maintaining a job were frequently cited by the participants as sources of difficulty. Respondents also provided more in-depth discussion of the daily harassment they faced and the fears they had for their families.

### *Employment and financial difficulties*

The difficulty of gaining employment while listed on the sex offender registry was a concern for many of the respondents. This problem was described most succinctly by a 51-year-old Hispanic male who was “denied jobs, jobs, jobs, after jobs.” Other participants expanded on the difficulties that they endured when it came to finding a job or even maintaining employment. A 58-year-old Hispanic male stated:

I was called for a job that they told me I had. When they said they would do a background check I told them I was a registered sex offender. I told him my crime was in 1991 and he said they only check seven years back. They called back ten minutes later and told me I could not get the job because they talked to their legal department and said I was a risk to them.

Meanwhile, a 69-year-old White male reported:

*Normally when employers do a background check they go back seven years. My conviction was in 1987, 25 years ago. Therefore I was able to obtain jobs easily until I had to start registering...Being on the registry now keeps my conviction current, so potential employers are aware of it as if it was recent. I have not been able to obtain a job for the past two years.*

And, a 42-year-old White male described the difficulties that he endures while trying to find employment, “Prospective employers have called telling me to never send another resume to them...an employer escorted me out of the office the day my data was posted.”

Many respondents detailed the financial stress that they encountered because of their inability to get a job. They felt that this stress was unfairly spread to their spouses who had to work multiple jobs in order to make financial ends meet. In addition, multiple respondents from Wisconsin felt that the annual fee charged to registered offenders is unreasonable. One 45-year-old African American male wrote, “I don’t think I should have to pay \$100 per year to be on the registry. I think it’s unfair to take money from me.” Another participant equated the fee to a crime, “Department of Corrections extortion of a lifetime fee of \$100/year in which they confiscate money from me by threatening to prosecute for non-compliance.”

### *Harassment and stigmatization*

Many participants admitted that they were fearful that their family would be harassed because of their inclusion on the sex offender registry. Others detailed the behavior of neighbors, landlords, strangers, and law enforcement officers. One 62-year-old male from Pennsylvania reported being “shunned by neighbors” and that his “wife [was] harassed by teenage boys and their parents.” A 47-year-old

Wisconsinite claimed that once his landlord found out he was on the registry “[h]e sent a picture of me to my mother and uncle and threatened them if I didn’t move out. And he harassed my family and me by phone and letters.” Another respondent said that he was harassed by law enforcement officers, “they said I was non-compliant (not true – I had just registered). They threatened arrest in front of my son and then laughed it off like it was a game.”

A 36-year-old female respondent from Texas explained the sexual harassment that she had to endure, “Subjected to rude and inappropriate sexual comments and sexual advances. Contacted by strangers, including prisoners, with suggestive letters, etc. My husband doesn’t like it.” Another participant claimed that his “dog was killed.”

It is clear that registrants are victims of criminal behavior because of their inclusion on the public registry, especially because the websites in each of the three states that were surveyed contained warnings against the misuse of information. The warning from the Wisconsin Department of Corrections in Wisconsin reads:

It is not the intent of the Legislature that this information be used to injure, harass, or commit a criminal act against persons named in the registry, their families, or employers. Anyone who takes any criminal action against these registrants, including vandalism of property, verbal or written threats of harm or physical assault against these registrants, their families or employers is subject to criminal prosecution (Wisconsin Department of Corrections, 2014).

The Megan’s Law website in Pennsylvania ([www.pameganslaw.state.pa.us](http://www.pameganslaw.state.pa.us)) and the Texas Department of Public Safety website (<https://records.txdps.state.tx.us/SexOffender/index.aspx>) both contain similar language warning against misuse of information.

### *Concerns for family*

Participants also reported the concerns that they had for their spouses and children. Many explained that they worried about their children being ridiculed at school and the potential difficulties that their spouses would face if co-workers or friends found out about the registry listing. Due to these worries, respondents do not participate in activities with their children that often are taken for granted. One 41-year-old male claimed that he was not “allowed to attend children’s activities at school, graduation, field trips, dad and daughter dances.” A middle class male from Pennsylvania reported that “Kids cannot come over to play at our house due to my wife’s fears the parents will find out and be angry with her, even though I have no

restrictions for being around kids.” In addition to being excluded from school functions and other extra-curricular activities, a 45-year-old father wrote that the “Church banned me from going to my children’s Easter performance.”

Participants also showed concern for the burden that their spouses had to endure. A 42-year-old Asian male stated, “Registry requires me to provide information about my wife, essentially registering her as well.” An elderly White male from Texas discussed the hardship that his wife would have to endure if they moved, “My wife and I would like to move to a single story house near her friends and activities. She won’t move if the state is going to mail postcards to everyone near her new home.”

As stated, many people take these behaviors for granted. Parents are often expected to attend school functions, parent-teacher conferences, and coach their children’s sports teams. Children go to their friends’ houses on a daily basis after school to play or work on school projects. Many families attend religious services together and other events, such as trick-or-treating, are fun ways for parents and children to bond with each other. Participants in this study reported that they could not take part in these everyday activities – and many more – because of their status as a sex offender registrant.

## **Negative Consequences Experienced by Others**

The second open-ended question asked participants to detail the negative consequences that were experienced by family and friends due to the respondents’ placement on the sex offender registry. Most of these consequences included the loss of friends, harassment, and constant stress due to living with the fear of people finding out about the registry.

### *Effects on the family*

Participants expressed regret because of the negativity that their children encountered. One of the most common themes to emerge was how children of registered sex offenders are shunned by their friends and friends’ parents. A 44-year-old male wrote that “[p]arents don’t want their children to play with my children.” Another father from Texas reported that his children were not “invited for play dates or birthday parties” and a 41-year-old mother from Wisconsin claimed that her “children suffer the most...they lose friends.” Another mother stated, “People pick on my children. They make jokes about me being an easy lay to my teenage sons.”

The spouses of registered sex offenders also had to endure abuse and stigmatization because of the registry. Based on the responses, it appears that many of the spouses have paid an emotional price by staying committed to the ones that they love. A 32-year-old male stated that his wife had to deal with a lot of skepticism about her parenting, "My wife has to deal with questioning and suspicious comments about if our healthy, smart, and happy children are being abused." One respondent reported how his wife lost friends, "My wife has been up front with my situation to everyone...She has lost friends and respect because she has stayed by my side." Another man professed his gratitude for the strength that his wife displayed, "Her friends told her that she should not be with me. This affects her at times. I'm so thankful that she doesn't listen to them."

### *Effects on friends and neighbors*

While the experiences of children and spouses were cited the most by respondents, they were not the only groups of people who dealt with trouble because of the sex offender registry. Although many friends became ex-friends once the reality of having an acquaintance on the sex offender registry set in, some did not break ties with the registrants. Those who maintained friendships realized that their decision to do so was not without consequence. Multiple respondents reported that their friends stopped associating with roommates and other friends because of their decision to maintain ties with the RSO.

Respondents reported that some people in society act contemptuously towards family members and friends of convicted sex offenders. However, the notion of neighbors of registered sex offenders suffering negative consequences was somewhat surprising. Respondents from different states detailed similar issues that their neighbors had to deal with. A 52-year-old male from Wisconsin claimed:

*The neighbor couldn't find a realtor to sell his house because they would've had to disclose I was on the registry. So he had to sell it without a realtor. He was upset his house was worth less because of me being on the registry.*

Additionally, a 69-year-old male from Texas reported, "My neighbor tried to sell his house. Potential buyer cancelled offer after learning that there was a registered sex offender a few houses down."

Sex offender registries were implemented, in part, to keep society safe by attempting to raise awareness and reduce victimization and suffering. It appears that the children, spouses, friends, and neighbors of the registered sex offenders in

this sample are suffering. These people – all members of society – are the unintended victims of registry laws.

## Discussion

A limitation that should be noted is the low response rate. However, previous researchers point out that “this [registered sex offenders] is a difficult population to access” (Tewksbury, 2004, p. 31; Tewksbury and Lees, 2007, p. 389). Tewksbury (2004) and Tewksbury and Lees (2007) further note that much of the previous research utilizing registrants has 1) relied on small samples (Vandiver & Walker, 2002); and 2) avoided collecting data from registrants directly but instead relied on official data (Adkins, Huff, & Stageberg, 2000; Szymkowiak & Fraser, 2002; Tewksbury, 2002). The current study falls into a growing category of studies that have gathered data directly from sex offenders in the community through the use of survey data. Another limitation of the current study is the slight variation in sampling methods used in each state. It is possible these differences could have affected who responded in each state and, therefore, the overall sample of respondents for the study. Additionally, we do not control for urban-rural variation in this study, thus it is possible that the findings from our largely urban sample may not be generalizable to more rural populations of RSOs.

The objective of this study was to add to the prior research on the unintended and collateral consequences that sex offender registrants – as well as their family member and friends – endure by surveying registrants in Pennsylvania, Texas, and Wisconsin. Additionally, we wanted to examine if the treatment of sex offenders by the general public has changed since early studies of the collateral consequences of these laws emerged over a decade ago. On average, participants reported experiencing over four collateral consequences as a result of being a registered sex offender. Specifically, 49.9% of respondents reported losing a job while 54.3% were evicted or denied residence; these numbers are similar to findings from Tewksbury’s (2005) study of registrants in Kentucky and the loss of employment figure is similar to findings from a study of Wisconsin registrants completed by Zevitz and Farkas (2000b). Additional similarities to Tewksbury (2005) exist in the percentage of respondents who reported being denied a promotion at work, being treated rudely in public, being assaulted, receiving threatening mail, and losing a friend. The fact that these negative experiences occur at roughly the same rate in various regions throughout the country suggest that it is neither a localized effect nor something that registered sex offenders (RSOs) can escape by simply moving somewhere else.



Examining effects of sex offender legislation is useful in understanding not only the effectiveness of the legislation but also the consequences of it. There are several important policy implications that can be taken from this study. Directly related to the purpose of this research, sex offenders continue to disclose that they are affected by numerous collateral consequences. Some of the collateral consequences that offenders experience constitute crimes against them. Our sample reported being harassed and assaulted by others due to being on the registry. In fact, the sex offender websites have disclaimers stating that the information gleaned from the website may not be used to victimize or harass the registered sex offenders (RSOs). The intent of SORN laws was not to create vigilante groups or create more punishment for RSOs.

There are additional concerns about the ability for RSOs to make improvements to their quality of life. Many people in our sample reported having trouble finding a job or being denied promotions at work as a direct consequence of being on the registry. This hardship not only affects income but also affects housing options and causes emotional stress. These consequences can increase the risk of reoffending (see Levenson & Cotter, 2005).

Nearly two-thirds of respondents self-reported that they had been recognized as an RSO while in public. It is arguable that this recognition may have led to some of the unintended consequences experienced by the men and women in this sample. Yet, many of those who responded to the survey are not likely to keep their RSO status hidden from family and friends, as evidenced by the 75% of participants who claimed that most-to-all of their close acquaintances knew of their status. This suggests that RSOs are open with those closest to them about the past; whether it is because of the registry that respondents are honest with their loved ones is something that should be examined in the future. Nevertheless, this openness is of great importance because the majority of sex offender research claims that victims of sex crimes are likely to know the offender. If those most likely to be victimized by a sex offender are aware of the criminal history of their acquaintance they may be in a better position to guard against future victimizations. Giving potential victims the knowledge to guard against attacks was a main objective for the implementation of SORN laws. These results suggest that the likely victims already know to be cautious.

The community notification laws were intended to be a source of information for law enforcement to take the proactive measure of knowing where sex offenders live. However, those who responded to the survey rarely had contact with law enforcement. In fact, 27.5% of the sample never had contact with law enforcement and just over 38% had contact with law enforcement one a year. These findings

lead us to question how proactive law enforcement officials are in policing this population. The results also cause us to question how often law enforcement officials are using the registry to keep track of registered sex offenders.

Individuals and communities continue to hold very punitive beliefs towards RSOs. They hold these beliefs despite the wealth of research that suggests sex offender registries have limited effectiveness at reducing rates of sexual offenses (Sandler, Freeman, & Socia, 2008; Welchans, 2005; Zgoba, Witt, Dalessandro, & Veysey, 2008) as well as little impact on recidivism trajectories (Jennings, Zgoba, & Tewksbury, 2012; Tewksbury & Jennings, 2010; Tewksbury, Jennings, & Zgoba, 2012), and low rates of sex offense recidivism (Sample & Bray, 2006). Just recently *The New York Times* and the *Los Angeles Times* both published articles about “pocket parks” that have been built in sections of Los Angeles (Jennings, 2013; Lovett, 2013). Citing Jessica’s Law, which prohibits RSOs from living within 2,000 feet of any park in California, local politicians and residents have proposed the construction of designated parks that are less than 1,000 square feet in size with the stated intent of forcing sex offenders currently living in the area to move (Jennings; Lovett). For offenders who have difficulty finding and maintaining housing, these parks may epitomize the collateral consequences of registration laws; a consequence that could lead to difficulty reintegrating into society and push registered sex offenders further into the periphery of society.

As the results of this study suggest, it appears that the stigma directed at RSOs continues in locations that have not been studied previously. Also, family members and friends of RSOs continue to endure the consequences of somebody else’s conviction. Evidenced in the responses, the collateral consequences such as loss of jobs, housing, friends, and continued physical, verbal, and emotional harassment follows offenders long after they have served their prison sentences and paid their fines. With the continued application of SORN laws, it appears that RSOs may never fulfill their debt to society.

## References

- Adkins, G., Huff, D., & Stageberg, P. (2000). *The Iowa sex offender registry and recidivism*. Des Moines: Iowa Department of Human Rights.
- Anderson, A.L., & Sample, L.L. (2008). Public awareness and action resulting from sex offender community notification law. *Criminal Justice Policy Review*, 19(4), 371-396.

- Burchfield, K.B. (2012). Assessing community residents' perceptions of local registered sex offenders: Results from a pilot survey. *Deviant Behavior, 33*(4), 241-259. doi: 10.1080/01639625.2011.573396
- Burchfield, K.B. & Mingus, W. (2008). Not in my neighborhood: Assessing registered sex offenders' experiences with local social capital and social control. *Criminal Justice and Behavior, 35*(3), 356-374.
- Craun, S.W. (2010). Evaluating awareness of registered sex offenders in the neighborhood. *Crime and Delinquency, 55*(3), 414-435. doi: 10.1177/0011128708317457
- Gaines, J.S. (2006). Law enforcement reactions to sex offender registration and community notification. *Police Practice and Research, 7*(3), 249-267.
- Goffman, E. (1963). *Stigma: Notes on the management of spoiled identity*. Englewood Cliffs, NJ: Prentice Hall.
- Harding, D. (2003). Jean Valjean's dilemma: The management of ex-convict identity in the search for employment. *Deviant Behavior, 24*, 571-596.
- Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, 42 U.S.C. § 14071 (1994).
- Jennings, A. (2013, February 28). L.A. sees parks as a weapon against sex offenders. *Los Angeles Times*. Retrieved from <http://articles.latimes.com>
- Jennings, W.G., Zgoba, K.M., & Tewksbury, R. (2012). A comparative longitudinal analysis of recidivism trajectories and collateral consequences for sex and non-sex offenders released since the implementation of sex offender registration and community notification. *Journal of Crime & Justice, 35*, 356-364.
- Levenson, J.S., & Cotter, L.P. (2005a). The effect of Megan's Law on sex offender reintegration. *Journal of Contemporary Criminal Justice, 21*, 49-66.
- Levenson, J.S., & Cotter, L.P. (2005b). The impact of sex offender residence restrictions: 1,000 feet from danger or one step from absurd? *International Journal of Offender Therapy and Comparative Criminology, 49*, 168-178.
- Levenson, J., & Tewksbury, R. (2009). Collateral damage: Family members of registered sex offenders. *American Journal of Criminal Justice, 34*, 54-68.
- Lovett, I. (2013, March 9). Neighborhood seeks to banish sex offenders by building parks. *The New York Times*. Retrieved from <http://www.nytimes.com>
- Megan's Law, P.L. 104-105, § 1, 110 Stat. 1345 (1996).

- Mercado, C.C., Alvarez, S., & Levenson, J. (2008). The impact of specialized sex offender legislation on community reentry. *Sexual Abuse: A Journal of Research and Treatment, 20*(2), 188-205.
- Quinn, J.F., Forsyth, C.J., & Mullen-Quinn, C. (2004). Societal reaction to sex offenders: A review of the origins and results of the myths surrounding their crimes and treatment amenability. *Deviant Behavior, 25*(3), 215-232.
- Pawson, R. (2002). Evidence and policy and naming and shaming. *Policy Studies, 23*(3), 211-230.
- Pennsylvania Sexual Offender Registration Law, 42 Pa. CSA § 9799.10 (2012).
- Sample, L., & Bray, T. (2006). Are sex offenders different? An examination of rearrest patterns. *Criminal Justice Policy Review, 17*, 83-102.
- Sandler, J., Freeman, N., & Socia, K. (2008). Does a watched pot boil? A time-series analysis of New York State's sex offender registration and notification law. *Psychology, Public Policy and Law, 14*, 284-302.
- Szymkowiak, K., & Fraser, T. (2002). *Registered sex offenders in Hawaii*. Honolulu, HI: Department of the Attorney General.
- Tewksbury, R. (2002). Validity and utility of the Kentucky sex offender registry. *Federal Probation, 66*(1), 21-26.
- Tewksbury, R. (2004). Experiences and attitudes of registered female sex offenders. *Federal Probation, 68*(3), 30-33.
- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice, 21*(1), 67-81.
- Tewksbury, R., & Jennings, W.G. (2010). Assessing the impact of sex offender registration and community notification on sex-offending trajectories. *Criminal Justice and Behavior, 37*, 570-582.
- Tewksbury, R., Jennings, W.G., & Zgoba, K.M. (2012). A longitudinal examination of sex offender recidivism prior to and following the implementation of SORN. *Behavioral Sciences & the Law, 30*, 308-328.
- Tewksbury, R., & Lees, M. (2006). Perceptions of sex offender registration: Collateral consequences and community experiences. *Sociological Spectrum, 26*, 309-334.
- Tewksbury, R. & Lees, M. (2007). Perceptions of punishment: how registered sex offenders view registries. *Crime & Delinquency, 53*(3), 380-407.

- Vandiver, D.M., & Walker, J.T. (2002). Female sex offenders: An overview and analysis of 40 cases. *Criminal Justice Review*, 27(2), 284-300.
- Walker, S. (2011). *Sense and non-sense about crime, drugs, and communities*. 7<sup>th</sup> Edition Belmont, CA: Wadsworth/Cengage.
- Welchans, S. (2005). Megan's Law: Evaluations of sexual offender registries. *Criminal Justice Policy Review*, 16, 123-140.
- Wisconsin Department of Corrections, Retrieved from:  
<http://offender.doc.state.wi.us/public/>.
- Zevitz, R.G., & Farkas, M.A. (2000a). Sex offender community notification: Assessing the impact in Wisconsin. Washington, DC: National Institute of Justice.
- Zevitz, R.G., & Farkas, M.A. (2000b). Sex offender community notification: Managing high risk criminals or exacting further vengeance? *Behavioral Sciences and the Law*, 18, 375-391.
- Zgoba, K., Witt, P., Dalessandro, M., & Veysey, B. (2008). Megan's law: Assessing the practical and monetary efficacy (Report on Grant Award 2006-IJ-CX-0018). Washington, DC: National Institute of Justice.

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