

## Collateral Damage: Family Members of Registered Sex Offenders

Jill Levenson · Richard Tewksbury

Received: 15 October 2008 / Accepted: 20 October 2008 /  
Published online: 15 January 2009  
© Southern Criminal Justice Association 2009

**Abstract** The purpose of this study was to better understand the impact of sex offender registration and notification laws on the family members of registered sex offenders (RSO). An online survey was utilized to collect data from 584 family members across the U.S. Employment problems experienced by the RSO, and subsequent financial hardships, emerged as the most pressing issue identified by family members. The likelihood of housing disruption was correlated with residential restriction laws; larger buffer distances led to increased frequencies of housing crisis. Family members living with an RSO were more likely to experience threats and harassment by neighbors. Children of RSOs reportedly experienced adverse consequences including stigmatization and differential treatment by teachers and classmates. More than half had experienced ridicule, teasing, depression, anxiety, fear, or anger. Unintended consequences can impact family members' ability to support RSOs in their efforts to avoid recidivism and successfully reintegrate. Implications for criminal justice policy and practice are discussed.

**Keywords** Registered sex offender · Family members · Megan's law · Sexual abuse

It is estimated that there are currently over 644,000 registered sex offenders (RSO) in the United States (National Center for Missing and Exploited Children 2008), and that number will continue to grow with new sex crime convictions and the release of sex offenders from incarceration. Efforts to protect citizens from recidivistic sex crimes have evolved over the past 15 years. The Jacob Wetterling Act was enacted by the U.S. Congress in 1994 and required convicted sex offenders to register

---

J. Levenson (✉)  
Lynn University, 3601 N. Military Trail, Boca Raton, FL 33431, USA  
e-mail: jlevenson@lynn.edu

R. Tewksbury  
Department of Justice Administration, University of Louisville, Louisville, KY 40292, USA  
e-mail: tewks@louisville.edu

identifying information with law enforcement agents (Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act 1994). In 1996, the Wetterling Act was amended to allow the public to be notified of sex offender registry information and this policy is commonly known as “Megan’s Law.” All states now have publicly accessible Internet sites on which sex offender information is posted. The passage of the Adam Walsh Act in 2006 (Adam Walsh Sex Offender Registration and Notification Act 2006) lengthened registration periods, mandated more frequent updating of registrant information, and expanded the number of sex offenders to whom public notification requirements apply. Researchers have identified ways in which sex offender registration and notification (SORN) laws can impede community reintegration efforts of RSOs and potentially contribute to recidivism. The purpose of this study is to explore the impact of SORN laws on the family members of registered sex offenders.

## Background

Sex offender registration and notification laws are strongly endorsed by the public, who believe that knowing where sex offenders live can enhance their ability to protect themselves and their children from sexual victimization (Anderson and Sample 2008; Levenson et al. 2007a; Lieb and Nunlist 2008; Mears et al. 2008). Empirical research does not consistently support this hypothesis, however. A few studies suggest that sex crime recidivism has decreased as a result of SORN laws (Duwe and Donnay 2008; Washington State Institute for Public Policy 2005), but the majority of research does not indicate significant changes in sex crime trends following the implementation of these policies (Adkins et al. 2000; Vasquez et al. 2008; Zevitz 2006). Prescott and Rockoff (2008) analyzed Uniform Crime Report data from 15 states and found that while sex crime rates declined after SORN laws went into effect, recidivism did not, suggesting that public notification may have had a general deterrent effect but did not prevent known sex criminals from reoffending. The number of RSOs living in a community does not appear to be correlated with higher sex offense rates (Tewksbury et al. 2008). While the efficacy of SORN laws in preventing sex crime recidivism has yet to be firmly established, growing evidence supports the notion that these policies have unintended consequences that can undermine successful reentry.

### Impact of SORN Laws on Offender Re-entry

A growing body of research has highlighted the adverse effects of SORN laws for sex offenders in Kentucky (Mustaine et al. 2006; Tewksbury 2004; Tewksbury and Lees 2006), Connecticut (Levenson et al. 2007b), Florida (Brannon et al. 2007; Levenson and Cotter 2005a; Mustaine et al. 2006; Tewksbury and Mustaine 2006), Indiana (Levenson and Hern 2007; Tewksbury 2005), New Jersey (Mercado et al. 2008), Wisconsin (Zevitz and Farkas 2000), Illinois (Burchfield and Mingus 2008), Oklahoma and Kansas (Tewksbury and Mustaine, *in press*). Most studies show that community notification appears to limit employment opportunities for up to half of RSOs. Housing disruption is common, with 20–40% of sex offenders reporting that

they have had to move because a landlord or neighbor became aware of their RSO status. A majority report psychosocial consequences such as depression, hopelessness, and fear for their own safety. Some have experienced vigilante activities such as property damage, harassment, and even physical assault (Brannon et al. 2007; Levenson and Cotter 2005a; Levenson et al. 2007b; Mercado et al. 2008; Tewksbury 2005; Tewksbury and Lees 2006, 2007).

At least thirty states prevent RSOs from living within close proximity to schools, daycare centers, parks, or bus stops (Meloy et al. 2008). Proximity to schools, however, does not seem to be empirically related to recidivism (Colorado Department of Public Safety 2004). In fact, researchers concluded that residence restrictions would have successfully prevented none of 224 recidivistic offenses in Minnesota (Duwe et al. 2008). The Minnesota repeat offenders tended to victimize children who were well known to them, but of the 16 minor victims who were strangers, none of the incidents took place near a school, park, or playground.

Housing availability is greatly diminished by residential restrictions, and so the impact of housing laws on sex offenders and their families is particularly salient. For instance, in the greater Orlando, Florida metropolitan area, 95% of residential dwellings fall within 1,000 feet of schools, parks, daycare centers and school bus stops, and 99.7% are within 2,500 feet (Zandbergen and Hart 2006). In Camden County, New Jersey, 88% of registered sex offenders were found to live within 2,500 feet of a school, park, daycare center, or church (Zgoba et al. 2008), and in Newark, New Jersey, 93% of the county's livable territory is within 2,500 feet of a school (Chajewski and Mercado 2008). Nearly half (45%) of housing in five major counties in South Carolina is within 1,000 feet of a school (Barnes et al. 2008). So buffer zones, especially those that extend to 2,500 feet, render the majority of housing in metropolitan areas off-limits to sex offenders. A substantial proportion of sex offenders report housing disruption and being unable to live with supportive or dependent family as a result of SORN laws (Levenson and Cotter 2005a; Levenson et al. 2007b; Tewksbury and Lees 2006). Housing restrictions tend to force them to relocate to communities which are less densely populated, and therefore farther away from employment opportunities, public transportation, and mental health services (Levenson 2008; Levenson and Cotter 2005b; Levenson and Hern 2007).

Though most citizens and politicians might be unconcerned with the adverse consequences of SORN laws for sex offenders, these laws ultimately impact communities in ways that can undermine their intended goals. Limited housing options and underemployment often relegate registered sex offenders to neighborhoods marked by high levels of social disorganization, lower incomes, and larger minority populations (Mustaine et al. 2006; Tewksbury and Mustaine 2006, 2008). Such neighborhoods may be more affordable to criminals, but they are often characterized by community neglect, low social capital, and a paucity of resources with which to protect and serve citizens (Burchfield and Mingus 2008; Tewksbury and Mustaine 2008). Since unstable employment and housing are associated with increased sexual and criminal recidivism (Kruttschnitt et al. 2000; Laub and Sampson 2001; Schulenberg 2007; Willis and Grace 2008), laws which disrupt stability are unlikely to facilitate public protection.

## Impact of SORN Laws on Family Members of RSOs

SORN affects not only sex offenders, but also their loved ones. Although the degree to which family members are affected and the frequency of negative experiences is difficult to quantify, RSOs report that other members of their households are affected by SORN laws (Levenson and Cotter 2005a; Levenson et al. 2007b). A direct survey of family members themselves revealed that they are affected in important ways that are sometimes subtle and not obvious to others (Tewksbury and Levenson, [under review](#)). Most family members of RSOs (86%) reported that SORN has caused stress in their lives, 77% often felt a sense of isolation, and 49% often felt afraid for their own safety due to public disclosure of the sex offender's status. Half had lost friends or a close relationship as a result of community notification, and 66% said that shame and embarrassment often kept them from engaging in community activities. These adverse consequences of SORN laws were correlated with increased stress levels in RSO family members. Lower income was empirically associated with increased stress levels, as were feelings of isolation, fear for one's safety, shame interfering with social activities, and having to move (Tewksbury and Levenson, [under review](#)).

In qualitative interviews with 72 family members of RSOs in six states (Farkas and Miller 2007), several common themes became apparent. Family members often reported persistent feelings of hopelessness, depression, and frustration as they adjusted to life with a registered sex offender. In many cases, a family member's decision to maintain contact with the offender led to hostility and disengagement from other relatives, leaving the family member feeling alone and isolated. Many reported that housing and employment disruptions, often caused by limitations imposed by the offender's probation or registration status, resulted in economic hardships for the entire family. As well, close scrutiny and perceived intrusion from parole or law enforcement agents were viewed as an invasion of privacy, and public notification procedures often generated an enormous sense of shame and stigma. Many family members discussed feeling "overwhelmed and demoralized" (p. 5), struggling to cope on a daily basis. Some remarked that reentry assistance policies (e.g. the Second Chance Act) seemed to unfairly exclude sex offenders from receiving services. The conclusion reached by the authors was that stress for family members can hinder the crucial role they play in aiding the sex offender to successfully reintegrate (Farkas and Miller 2007).

## Purpose of the Study

The purpose of this exploratory and descriptive study was to better understand the ways in which family members of registered sex offenders are affected by SORN laws and residential restrictions. First, we identified the types of community notification strategies that were commonly utilized. Next, we explored the perceptions of family members about SORN. Finally, we examined the impact of SORN by asking family members to identify the specific collateral consequences they experienced, including psychosocial consequences to the children of RSOs. Very little is known about the effects of SORN laws on RSO family members, and

especially their children. This study adds to a very limited empirical literature, informing our understanding of a neglected population who provides a crucial link to successful criminal reintegration.

## Method

### Sample

A non-random, purposive sample of family members of registered sex offenders was recruited to participate in an online survey about the impact of SORN laws on their lives. There are over 600,000 registered sex offenders in the United States and many of them may have family members who visit online advocacy sites. The actual population for online sampling pools, however, is unknown (Wright 2005). Therefore we are unable to calculate the response rate and we are also limited in our ability to know if the sample is representative of the population. The sample was made up of 584 respondents. There was representation from all 50 states, though some states had a particularly high number of respondents: California (31), Florida (48), Michigan (64), and Texas (46).

*Raosoft* sample size calculator was used to estimate the number of subjects required to obtain valid results. Using an estimated population of 20,000 (sample size does not change much for populations over 20,000), a sample size of 377 would represent the population with a margin of error of 5% and a confidence interval of 95% (Raosoft 2008). *G-Power* software was used to calculate power analyses (Faul et al. 2008). Using a power of .95 and an alpha of .05, a sample of 210 is sufficient to detect a medium effect size when conducting a two-tailed t-test. Using a conventional power of .80, and an alpha of .05, a sample of 138 is sufficient to detect a medium effect size when conducting correlational analyses. Therefore, our sample of 584 should be sufficient for this preliminary descriptive study.

### Data Collection

The sample was recruited from websites and list-servs identified as advocacy or support resources for the families of registered sex offenders. A letter requesting assistance with data collection was sent to six sites known to provide support, information, and resources for registered sex offenders and their families. Four of the sites agreed to participate, one declined, and one did not respond until after the survey was completed. Additionally, a request was sent to the administrators of two list-servs for RSOs and their families, and both agreed to help recruit participants. Specifically, we requested that the contact persons 1) send a link to our survey to their email distribution list; and 2) post a link to our survey on their website. The survey was launched in July 2008 and remained active for 45 days.

There are benefits and weaknesses to online survey methods (Pokela et al. 2008; Wright 2005). They are cost effective and time-saving, allowing data to be collected from a large volume of subjects without the personnel and fiscal resources typically needed for interviewing and data entry. Online surveys are an efficient method for soliciting a unique or difficult-to-reach population who tend to frequent websites

pertinent to their interests (Wright 2005). On the other hand, Internet users are not representative of the general population; they are more likely to be white, more educated, more affluent, and younger (Pew Internet and American Life Project 2008). Even in the 21st century, not everyone has Internet access. Roughly 27% of the adult population does not have or does not use email or the World Wide Web (Pew Internet and American Life Project 2008). Moreover, there is no reliable method (e.g. similar to random digit dialing for telephone surveys) to generate a random sample when surveying people online (Pokela et al. 2008), and online samples are self-selected, perhaps leading to bias (Wright 2005). These limitations notwithstanding, an online survey was deemed to be an efficient method for collecting data from a large pool of family members of RSOs. We recognize, however, that our sample is made up only of family members who have Internet access and who have chosen to visit websites known as “advocacy sites” for registered sex offenders and their families.

Subjects were invited to complete the survey via a link on the websites and/or a link distributed through the above mentioned email lists. It is also possible that those email invitations were forwarded by recipients to other interested parties and posted on relevant blogs (known as “snowball sampling”). Surveys were completed online and were anonymous and confidential. The survey was developed using Survey Monkey, a survey construction site designed for online data collection. The first page of the survey contained an authorization for informed consent and the survey was designed not to launch unless participants stated that they were over 18 years of age and clicked “yes” giving their consent to participate. Our survey did not track or record respondents’ IP or email addresses or other personal information. Survey Monkey uses Hypertext Transfer Protocol over Secure Socket Layer (HTTPS) to create a secure HTTP connection with encrypted communication, which is widely used on the World Wide Web for security-sensitive communications such as payment transactions and corporate logons.

The research was conducted in accordance with federal guidelines for the ethical treatment of human subjects, and was approved by an Institutional Review Board. Participation was entirely voluntary and subjects could withdraw from the study at any time by closing the survey. Online completion of the survey was considered to imply informed consent to participate in the project. The survey was programmed to allow only one response from each IP address or work station to prevent one person from taking the survey multiple times.

### Instrumentation

The survey was designed by the authors for the purpose of collecting data regarding the impact of sex offender registration and notification on family members. The survey was constructed by utilizing some questions drawn from previous surveys of the impact of these laws on sex offenders themselves (e.g. Levenson and Cotter 2005a, b; Tewksbury 2005) as well as by discussions between the authors and feedback from sex offenders’ family members. The survey was designed to elicit participants’ perceptions of community notification and housing restrictions by rating Likert scales indicating their degree of agreement with the issues in question.

## Results

### The Family Members

The sample was comprised of 584 participants, of whom 80% were female. The majority (92%) were white. The average age of the respondents was 48 years old (median = 50, mode = 50, SD=13). About 64% said that they were married, 15% were divorced or separated, and 4% were widowed. The sample was well-educated, with 20% reporting high school completion or GED, 37% indicating that they attended some college, and 41% reporting that they had obtained a bachelors' or graduate degree.

Most of the respondents were either the spouse (42%) or a parent or stepparent (33%) of the RSO. Only 1% said that they were an RSO's child or stepchild (minors were not permitted to take the survey), and the remaining 24% were siblings, relatives, friends, or romantic partners. Most (62%) said that they lived in the same home with the RSO.

### The RSOs in Their Lives

The vast majority said that the RSO about whom the family member was taking the survey was male (97%), and most of the RSOs were adults (98%). They had been on the registry, on average, for 8 years (median = 7, mode = 1, SD=6.3). The RSO to whom the family member referred was, on average, 40 years old (median = 39, SD=13) though it is interesting to note that the most common age (mode) was 25. In fact, 29% of the RSOs were young adults age 30 or younger. Nearly half of the RSOs (48%) were reported to have committed an offense against a minor, 28% abused a child under age 12, 7% sexually assaulted an adult victim, 9% were convicted of a child pornography offense, 6% had an Internet-related offense other than child porn, and 4% described the registry-eligible offense as "other." Most of the victims were unknown to the family member who answered the survey (59%), but 10% said the victim was their child or stepchild, 4% said the victim was their grandchild, and 8% described the victim as a niece, nephew, or other child in the extended family. About 16% of the victims were unrelated minors, and about 3% were described as an adult relative, friend, or acquaintance. It is important to recognize although most of the victims were unknown to the family members, they were not necessarily strangers to the RSO.

Respondents were asked about the risk level assigned to their RSO. About 43% said they lived in a state that does not assign risk levels. One quarter (25%) said that the RSO was classified as a Level 1 (low risk) offender, 16% reported a Level 2 (medium risk) classification, and 11% said that the RSO was considered to be a high risk (Level 3) offender. A small proportion (4%) was classified as a sexual predator.

### Notification Procedures

In all of the tables, the "valid n" refers to the number of subjects who answered the questions, which differed for each question or section of the survey. Participants were asked about the types of community notification procedures that were most commonly used to notify the public about their RSO (see Table 1). None of the strategies seemed to be used with great frequency. Automated phone calls were least



**Table 1** Community notification procedures

	Valid n	% answering yes
In my neighborhood, flyers were posted to show neighbors that my family member, a registered sex offender, lived nearby.	402	22%
In my neighborhood, the police or someone else went door-to-door to inform neighbors that my family member, a registered sex offender, lived nearby.	357	25%
In my neighborhood, they held a meeting to inform neighbors that my family member, a registered sex offender, lived nearby.	337	15%
In my neighborhood, flyers were sent home with schoolchildren to alert neighbors that my family member, a registered sex offender, lived nearby.	313	15%
In my neighborhood, the local newspaper published the whereabouts of my family member, a registered sex offender, who lived nearby.	384	30%
In my neighborhood, neighbors received automated telephone calls informing them that my family member, a registered sex offender, lived nearby.	287	11%
I have seen my family member's listing on my state's sex offender Internet registry.	472	88%

common. The majority of respondents had seen their RSO's listing on their state's Internet sex offender registry.

### Perceptions About the Registry

Table 2 describes the participants' views about publicly accessible Internet registries. Slightly more than half of the sample believed that the information listed on the Internet registry about their RSO was correct. However, few thought that the information would help the public to protect themselves from the RSO or that communities are safer because of SORN laws. Most did not believe it was fair to inform the community about the RSO's risk, and 97% denied that their RSO could be at risk to reoffend.

### Consequences to Family Members

A substantial number of family members experienced adverse consequences as a result of SORN laws (see Table 3). The majority of the sample noted that

**Table 2** Perceptions about the internet registry (valid n=469)

	strongly disagree	disagree	agree	strongly agree
The information listed about my family member on the Internet registry is correct.	22%	27%	42%	9%
The information listed about my family member on the Internet registry helps the public know how to protect themselves.	78%	18%	3%	1%
Communities are safer when they know where sex offenders live.	56%	35%	8%	1%
I believe that my family member could be a risk to reoffend.	86%	11%	2%	1%
I believe that it is fair for the community to know about my family member's risk.	61%	24%	11%	4%



**Table 3** Collateral consequences to family members

	Valid n	% answering yes
My family member, the RSO, had a very hard time finding a job because employers don't want to hire a registered sex offender, AND this has created financial hardship for my family.	446	82%
My family member, the RSO, lost a job because a boss or co-workers found out through Megan's Law that (s)he was a sex offender, AND this created financial hardship for my family.	441	53%
I have had to move out of a residence that I RENTED because my LANDLORD found out through Megan's Law that a sex offender lived there.	439	22%
I have had to move out of a residence that I RENTED because my NEIGHBORS found out through Megan's Law that a sex offender lived there.	439	17%
I have had to move out of a home that I OWNED because my NEIGHBORS found out through Megan's Law that a sex offender lived there.	442	12%
I have been threatened or harassed by neighbors after they found out that my family member is a sex offender.	437	44%
I have been physically assaulted or injured by someone who found out that my family member is a sex offender.	438	7%
My property has been damaged by someone who found out that my family member is a sex offender.	437	27%
A person who lives with me (who is NOT a RSO) has been threatened, harassed, assaulted, injured, or suffered property damage because someone found out through Megan's Law that my family member is a sex offender.	441	30%

employment problems for RSOs resulted in financial hardships for the rest of the family. Housing problems were less common, with less than one quarter reporting that they had to move due to sex offender notification. Almost half, however, reported being threatened or harassed by neighbors, 27% had their property damaged, and 7% said they were physically assaulted by someone as a result of notification. We compared those who said they lived with the RSO to those who did not in order to examine differences in consequences between groups. One item was significant: those who lived with an RSO were more likely to experience threats and harassment by neighbors ( $\chi^2=4.543$ ,  $df=1$ ,  $p=.03$ ).

### Residence Restrictions

The majority of participants (75%) indicated that their RSO was subject to residence restrictions laws requiring them to live a certain distance from a school, park, playground, daycare center, bus stop, or other place where children congregate. About 30% said that the residence restriction was a state law, 13% were restricted by a probation or parole condition, 4% by a local municipal ordinance, and one-third (33%) indicated that the RSO was restricted by a combination of more than one type of residential proximity law. The most common distance requirement was 1,000 feet (44%), with 7% restricted by 500 feet, 6% by 1,500 feet, 11% by 2,000 feet, and 7% by 2,500 feet. As the residential buffer zone increased, family members were more likely to experience adverse consequences, as indicated by Spearman's  $\rho$ , a correlation coefficient that measures the strength of the relationship between ranked, non-parametric variables (see Table 4).

**Table 4** Consequences of residence restrictions (valid n=406)

	yes %	Correlation with distance
After my family member became a RSO, (s)he was unable to return to my residence because it was too close to a school, bus stop, park, daycare, playground, or other place children congregate.	30%	.27**
The RSO and I wanted to live together but were unable to because of residence restrictions.	33%	.29**
I have had to move out of a house that I owned because it was too close to a school, bus stop, park, daycare, playground, or other place children congregate, and I wanted to live with the RSO.	16%	.22**
I have had to move out of a residence that I rented because it was too close to a school, bus stop, park, daycare, playground, or other place children congregate, and I wanted to live with the RSO.	15%	.16**
A landlord refused to rent to me because my family member is a sex offender.	28%	.03
A landlord refused to renew my lease because my family member is a sex offender.	18%	.05
I have found it difficult to find an affordable place to live that was not too close to a school, bus stop, park, daycare, or playground, and I wanted to live with the RSO.	41%	.25**
My family member was “grandfathered in” to a new law, so I did not have to move from a residence we were living in before a residence law went into effect.	29%	n/a

\*\*  $p < .01$ , two-tailed.

### Impact on Children of RSOs

Participants were asked if they were the parent or caretaker of a child whose other parent is a registered sex offender and 134 (29%) indicated that they were.<sup>1</sup> These subjects were then asked questions about the ways in which the children had been affected by their parent’s RSO status. More than half (58%) said that the child was treated differently by other children at school, and 78% indicated that the child’s friendships had been impacted in some way. It was common for other children’s parents to be reluctant to allow the RSO’s child to play at the friend’s home (56%) or to let a child come to the RSO’s child’s home to play (70%). Many respondents said that the child has been treated differently by other adults (teachers, neighbors, friends’ parents) (63%), and that the child has been stigmatized due to the parent’s RSO status (71%). Interestingly, most children were reported to have unrestricted contact with their RSO parent (63%), though 23% were allowed only supervised contact and 14% had no contact at all. A majority (74%) indicated that the RSO parent has been unable to participate in some of the child’s activities, such as attending school plays or other events, attending or participating in the child’s organized sports, or attending the child’s birthday party.

The psychosocial impact on the children as reported by their nonoffending parent is illustrated in Table 5. As shown, the children of RSOs are reported to most often exhibit anger (80%), depression (77%), anxiety (73%), feeling left out by peers

<sup>1</sup> The majority of these cases involved RSOs who are fathers, with the survey respondent being the mother (or other caretaker) of a RSO father’s child. However, there are 4 cases in the data where the RSO is the mother of a child being cared for by the respondent.

**Table 5** Psychosocial consequences to children of RSOs (valid n=95)

	%
harassment by others	47%
ridicule by others	59%
teasing by others	52%
physical fighting instigated by others	22%
feeling left out with other children	65%
depression	77%
anxiety	73%
fear	63%
suicidal tendencies	13%
anger	80%

(65%), and fear (63%). Additionally, more than one in eight (13%) of the children of RSOs were reported to exhibit suicidal tendencies.

## Discussion

This study is one of the first to survey family members of sex offenders to understand the ways in which they are affected by SORN laws. Employment limitations and subsequent financial problems emerged as the most pressing issue for family members, followed by housing concerns. The likelihood of housing disruption was higher for those family members restricted by larger residential buffer zone laws. Clearly, disruptions in employment and housing can affect others with whom an offender lives. As well, a substantial minority of family members experienced threats, harassment, or property damage due to public disclosure about the sex offender.

Civil sanctions imposed on criminal offenders are sometimes called invisible punishments and often result in barriers to reintegration (Travis 2005). The primary objectives of the criminal justice system are to punish offenders and protect communities, but rehabilitation and successful reentry are also important goals. It is well known that the stigma of felony conviction can hinder partaking in prosocial roles such as employment, education, parenting, and property ownership, all of which are vital to an offender's investment in conformity to social norms and therefore to desistance from crime (Uggen et al. 2004). Invisible punishments and their consequences (i.e. underemployment, lack of affordable housing, obstacles to assuming adult and parental roles) have a documented impact on families of criminal offenders (Hirsch et al. 2002; Travis and Waul 2003), but less obvious is the stigma felt by them.

The public disclosure to which sex offenders are exposed is unprecedented, and therefore SORN is unique in the degree to which invisible sanctions are inadvertently imposed upon and experienced by loved ones of offenders. As such, SORN creates impacts that are broad, and as illustrated in this study, deep and lasting. Family members, even those who do not live with RSOs, experience harassment, threats, violence, economic hardships, difficulties with housing, and psychological stresses simply because they are related to a sex offender. Whether

intended or not, the criminal justice system, via SORN policies, extends punishments to a wide swath of society beyond sex offenders.

In particular, the impact on children of sex offenders is worthy of contemplation. Whether we like it or not, many sex offenders have children of their own, and they encounter stigmatization as a result of their parent's RSO status. What remains unclear is the myriad of ways in which these experiences will impact their psychosocial development, their interpersonal relationships, and their sense of self. Furthermore, the ways in which their relationship with their RSO parent is impacted is crucial and can influence their own future criminal and non-criminal behaviors. Those who are truly without culpability - and many times already victims - are punished through SORN policies and their consequences.

Not surprisingly, family members found little value in notification and did not believe that it contributes in meaningful ways to public safety. Noteworthy, however, is the miniscule number of subjects who believed that their RSO could be at risk to reoffend (3%). Certainly, denial among family members is not uncommon. But this adamant rejection of the possibility of recidivism has the ironic potential to compromise the recovery of the offender. Sex offenders (like other criminal offenders) need support systems made up of people who will accept their potential for deviant behavior, recognize their risk factors and destructive patterns, and empower them to engage in healthy, law-abiding, respectful relationships and activities. Family members can play an important role in this endeavor, provided that they acknowledge the potential for reoffense. It is possible that family members' perceptions of unfairness about SORN distort their ability to accurately view the threat of harm posed by sex offenders. In other words, they become so focused on the negative consequences of SORN policies that they dismiss the possibility of future dangerousness. These reactions are clearly not in the best interest of society or the offender, and represent another unintended effect of these laws.

Implications for criminal justice policy are clear. SORN laws have extended sanctions and their negative economic, social, and psychological consequences to others associated with sex offenders. A result may be that these laws ultimately impel loved ones to distance themselves from the RSO in order to limit, manage, or cope with their own experiences of collateral consequences. In turn, such disengagement will leave some offenders with fewer sources of economic and social support and a weaker safety net for inhibiting recidivism. As a result, current policies may have effects that contradict their intentions: by imposing losses on RSOs' family members, the conditions that work to inhibit reoffending are weakened or removed, potentially facilitating recidivism.

Furthermore, the Adam Walsh Act expands registration requirements by lengthening duration periods, including juveniles as young as 14 years old, and mandating that states conform to an offense-based categorization scheme which inflates the number of registrants classified as high-risk. Such a system is well-intentioned but misguided. The result will be an exponentially growing number of RSOs who are publicly identified for longer periods of time; of course this will also proliferate the impact of SORN laws on family members. Some sex offenders do indeed have a higher probability of recidivism, and therefore community safety is more likely to be enabled when states adopt empirically derived risk assessment methods to validly, reliably, and discriminately identify high risk offenders (Grove

and Meehl 1996; Hanson and Morton-Bourgon 2005). By reserving public disclosure for those who pose the greatest threat, resources can be more efficiently distributed, citizens can be appropriately warned, reintegration obstacles for offenders can be minimized, and collateral consequences for family members can be diminished. In contrast to the guidelines set forth by the Adam Walsh Act, evidence-based sex crime policies which employ empirically validated risk assessment strategies would be more apt to accomplish goals of public safety and successful reintegration.

The sampling methodology used in this study has limitations and creates a potential for biased results. Participants were self-selected after being recruited via several internet sites, list-servs, and blogs identified as advocacy and support resources for RSOs and their families. So, the sample may be more likely to reflect the opinions of those who are experiencing distress rather than those who are not. Additionally, generalization may be limited by the high proportion of female, white, well-educated and older respondents. The universe of RSO family members is presumably very large (over one million people) but we were unable to estimate the population for this survey. Therefore, we are not able to generate a survey response rate, nor are we able to determine whether the sample is truly representative of the population.

This study does, however, represent a pioneering effort to quantitatively understand the experiences of loved ones of registered sex offenders. Their voices have been, to date, largely unheard, and they are among the collateral victims of sexually violent crime. SORN policies have become increasingly restrictive over the years, exposing sex offenders and their families to public scrutiny and placing severe limits on sex offenders' employment, housing, and academic opportunities. Certainly, these policies were designed to protect the public from sexually dangerous individuals, but the collateral consequences of the laws to others were presumably unanticipated. Given that there is little research to suggest that community notification laws result in decreased recidivism (Prescott and Rockoff 2008), their impediments to offenders' reintegration and their consequences for innocent others deserve thoughtful consideration.

## References

- Adam Walsh Sex Offender Registration and Notification Act, (2006).
- 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. (2008). Public awareness and action resulting from sex offender community notification laws. *Criminal Justice Policy Review*. Online First, doi:0887403408316705v1.
- Barnes, J. C., Dukes, T., Tewksbury, R., & DeTroye, T. (2008). Predicting the impact of a statewide residence restriction law on South Carolina sex offenders. *Criminal Justice Policy Review*. Online First, doi:10.1177/0887403408320842.
- Brannon, Y. N., Levenson, J. S., Fortney, T., & Baker, J. N. (2007). Attitudes about community notification: A comparison of sexual offenders and the non-offending public. *Sexual Abuse: A Journal of Research & Treatment*, 19(4), 369–380.
- 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, 356–374.
- Chajewski, M., & Mercado, C. C. (2008). An analysis of sex offender residency restrictions in Newark, New Jersey. *Sex Offender Law Report*, 9, 1–6.

- Colorado Department of Public Safety (2004). *Report on safety issues raised by living arrangements for and location of sex offenders in the community*. Denver, CO: Sex Offender Management Board.
- Duwe, G., & Donnay, W. (2008). The impact of Megan's Law on sex offender recidivism: The Minnesota experience. *Criminology*, 46(2), 411–446.
- Duwe, G., Donnay, W., & Tewksbury, R. (2008). Does residential proximity matter? A geographic analysis of sex offense recidivism. *Criminal Justice and Behavior*, 35(4), 484–504.
- Farkas, M. A., & Miller, G. (2007). Reentry and reintegration: Challenges faced by the families of convicted sex offenders. *Federal Sentencing Reporter*, 20(2), 88–92.
- Faul, F., Buchner, A., Erdfelder, E., & Lang, A.-G. (2008). *GPOWER version 3.0.10*. Germany: Universitat Kiel.
- Grove, M. G., & Meehl, P. E. (1996). Comparative efficiency of informal and formal prediction procedures: The clinical-statistical controversy. *Psychology, Public Policy and Law*, 2(2), 293–323.
- Hanson, R. K., & Morton-Bourgon, K. (2005). The characteristics of persistent sexual offenders: A meta-analysis of recidivism studies. *Journal of Consulting and Clinical Psychology*, 73(6), 1154–1163.
- Hirsch, A. E., Dietrich, S. M., Landau, R., Schneider, P. D., Ackelsberg, I., Bernstein-Baker, J., et al. (2002). *Every door closed: Barriers facing parents with criminal records*. Washington, DC: Center for Law and Social Policy.
- Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (1994) *Public Law* 103–322.
- Kruttschnitt, C., Uggen, C., & Shelton, K. (2000). Predictors of desistance among sex offenders: The interaction of formal and informal social controls. *Justice Quarterly*, 17(1), 61–88.
- Laub, J. H., & Sampson, R. J. (2001). Understanding desistance from crime. *Crime and Justice*, 28, 1–69.
- Levenson, J. S. (2008). Collateral consequences of sex offender residence restrictions. *Criminal Justice Studies*, 21(2), 153–166.
- Levenson, J. S., & Cotter, L. P. (2005a). The effect of Megan's Law on sex offender reintegration. *Journal of Contemporary Criminal Justice*, 21(1), 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(2), 168–178.
- Levenson, J. S., & Hern, A. (2007). Sex offender residence restrictions: Unintended consequences and community re-entry. *Justice Research and Policy*, 9(1), 59–73.
- Levenson, J. S., Brannon, Y., Fortney, T., & Baker, J. (2007a). Public perceptions about sex offenders and community protection policies. *Analyses of Social Issues and Public Policy*, 7(1), 1–25.
- Levenson, J. S., D'Amora, D. A., & Hern, A. (2007b). Megan's law and its impact on community re-entry for sex offenders. *Behavioral Sciences & the Law*, 25, 587–602.
- Lieb, R., & Nunlist, C. (2008). *Community notification as viewed by Washington's Citizens: A ten-year follow-up (No. 08-03-1101)*. Olympia: Washington State Institute for Public Policy.
- Mears, D. P., Mancini, C., Gertz, M., & Bratton, J. (2008). Sex crimes, children, and pornography: Public views and public policy. *Crime & Delinquency*, 54, 532–650.
- Meloy, M. L., Miller, S. L., & Curtis, K. M. (2008). Making sense out of nonsense: The deconstruction of state-level sex offender residence restrictions. *American Journal of Criminal Justice*, 33(2), 209–222.
- Mercado, C. C., Alvarez, S., & Levenson, J. S. (2008). The impact of specialized sex offender legislation on community re-entry. *Sexual Abuse: A Journal of Research & Treatment*, 20(2), 188–205.
- Mustaine, E. E., Tewksbury, R., & Stengel, K. M. (2006). Residential location and mobility of registered sex offenders. *American Journal of Criminal Justice*, 30(2), 177–192.
- National Center for Missing and Exploited Children. (2008). Retrieved 8/14/08, from [http://www.missingkids.com/en\\_US/documents/sex-offender-map.pdf](http://www.missingkids.com/en_US/documents/sex-offender-map.pdf).
- Pew Internet & American Life Project. (2008). Demographics of Internet Users. Retrieved 9/12/08, from [http://www.pewinternet.org/trends/User\\_Demo\\_7.22.08.htm](http://www.pewinternet.org/trends/User_Demo_7.22.08.htm).
- Pokela, J., Denny, E., Steblea, I., & Melanson, F. (2008). Don't hang up yet: A comparison of online and telephone survey methodologies. *Strategic Health Care Marketing*, 25(7), 4–7.
- Prescott, J. J., & Rockoff, J. E. (2008). Do Sex Offender Registration and Notification Laws Affect Criminal Behavior? Retrieved 6/6/08, from <http://ssrn.com/abstract=1100663>.
- Raosoftware. (2008). Sample size calculator. Retrieved 6/13/08, from [http://www.ezssoftware.com/sample\\_size.html](http://www.ezssoftware.com/sample_size.html).
- Schulenberg, J. L. (2007). Predicting noncompliant behavior: Disparities in the social locations of male and female probationers. *Justice Research and Policy*, 9(1), 25–57.
- Tewksbury, R. (2004). Experiences and attitudes of registered female sex offenders. *Federal Probation*, 68(3), 30–34.



- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice*, 21(1), 67–82.
- Tewksbury, R., & Lees, M. (2006). Consequences of sex offender registration: Collateral consequences and community experiences. *Sociological Spectrum*, 26(3), 309–334.
- Tewksbury, R., & Lees, M. (2007). Perception of punishment: How registered sex offenders view registries. *Crime and Delinquency*, 53(3), 380–407.
- Tewksbury, R., & Levenson, J. S. (under review). Stress and collateral consequences for families of registered sex offenders.
- Tewksbury, R., & Mustaine, E. E. (2006). Where to find sex offenders: An examination of residential locations and neighborhood conditions. *Criminal Justice Studies*, 19(1), 61–75.
- Tewksbury, R., & Mustaine, E. (2008). Where registered sex offenders live: Community characteristics and proximity to possible victims. *Victims and Offenders*, 3(1), 86–98.
- Tewksbury, R., & Mustaine, E. (in press). Stress and collateral consequences for registered sex offenders. *Journal of Public Management and Social Policy*.
- Tewksbury, R., Mustaine, E., & Stengel, K. M. (2008). Examining Rates of Sexual Offenses from a Routine Activities Perspective Victims and Offenders, 3(1), 75–85.
- Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, D.C.: Urban Institute Press.
- Travis, J., & Waul, M. (Eds.). (2003). *Prisoners once removed: The impact of incarceration and reentry on children, families, and communities*. Washington, DC: Urban Institute Press.
- Uggen, C., Manza, J., & Behrens, A. (2004). Less than the average citizen: Stigma, role transition, and the civic reintegration of convicted felons. In S. Maruna, & R. Immarigeon (Eds.), *After crime and punishment: Pathways to offender reintegration* (pp. 261–293). Devon, UK: Willan Publishing.
- Vasquez, B. E., Maddan, S., & Walker, J. T. (2008). The influence of sex offender registration and notification laws in the United States. *Crime and Delinquency*, 54(2), 175–192.
- Washington State Institute for Public Policy (2005). *Sex offender sentencing in Washington State: Did community notification influence recidivism?*. Olympia: Author.
- Willis, G. M., & Grace, R. C. (2008). The quality of community reintegration planning for child molesters: Effects on sexual recidivism. *Sexual Abuse: A Journal of Research & Treatment*, 20(2), 218–240.
- Wright, K. B. (2005). Researching Internet-based populations: Advantages and disadvantages of online survey research, online questionnaire authoring software packages, and web survey services. *Journal of Computer-Mediated Communication*, 10.
- Zandbergen, P. A., & Hart, T. C. (2006). Reducing housing options for convicted sex offenders: Investigating the impact of residency restriction laws using GIS. *Justice Research and Policy*, 8(2), 1–24.
- Zevitz, R. G. (2006). Sex offender community notification: Its role in recidivism and offender reintegration. *Criminal Justice Studies*, 19(2), 193–208.
- Zevitz, R. G., & Farkas, M. A. (2000). Sex offender community notification: Managing high risk criminals or exacting further vengeance? *Behavioral Sciences and the Law*, 18, 375–391.
- Zgoba, K., Levenson, J. S., & McKee, T. (2008). Examining the impact of sex offender residence restrictions on housing availability. *Criminal Justice Policy Review*. Online First, doi:10.1177/0887403408322119.