

What You Don't Know About Sex Offenders . . . But Should



The "Stranger Danger" Myth

In **93%** of child sexual abuse cases, the child knows the person who commits the abuse. Only **7%** are strangers and as many as **47%** are family or extended family.

(National Sex Offender Public Website, US Department of Justice)



95% of new sex offenses are committed by someone **NOT** already on a sex offender registry.



(Bureau of Justice Statistics, 2006)

“ I'm worried that we're focusing so much energy on naming and shaming convicted sex offenders that we're not doing as much as we should to protect our children from other real threats. ”

(Patty Wetterling, mother of Jacob Wetterling)

Registered sex offenders have the **lowest recidivism rates** when compared to domestic violence, battery, drug offenses, theft, robbery, DUI, and assault. The only crime with a lower recidivism rate is murder.

(Bureau of Justice Statistics, 2006)



Treatment Works Available research indicates that quality treatment can reduce recidivism by more than one-third. There is no downside to treatment. (National Center on Institutions and Alternatives, Inc., 2006)

Who is on the Sex Offender Registry?

It's a simple question with a not-so-simple answer. With offenses listed on registries such as "Criminal Sexual Abuse/Force," "Child Pornography/Reproduce/Sell," "Child Abduction/Lure a Child <16 Years into Vehicle," and "Lewd and Lascivious Behavior" it's easy to conjure up images of who we think sex offenders are. The media covers stories of "sexual predators" and "child molesters" on a daily basis, re-enforcing the stereotypes of sex offenders. However, there are many actions that can land someone on the sex offender registry:

- Teen consensual sex when there is a 2-, 3- or 4-year age difference
- Young children who engage in harmless conduct such as "playing doctor"
- Teens posting, emailing, or "sexting" nude or semi-nude photos of themselves on social networking sites or to other cell phones, including the teens who receive these images
- Teens sharing pornographic magazines with other teens
- Parents taking innocent pictures of their children in the bathtub or wearing bathing suits
- Adults viewing pornographic websites that may contain younger models, even though the disclaimer states they are of age
- Older teens asking younger teens if they want a ride
- Urinating or exposing genitals in public (even without realizing someone is watching); "streaking," "skinny-dipping," or "mooning"

In many states, there is no way to tell who on the registry is dangerous and who committed one of the above "crimes."

When drafting legislation, many states do very little to differentiate between levels (tiers) of sex offenders. When these laws are passed, they not only apply to "stereotypical" sex offenders, but to the majority of the people arrested for the above "offenses." The same resources are required to monitor violent, dangerous offenders and those whose offenses were neither violent, forced, nor dangerous.

5 Number of states that provide enough information on online registries for the public to be able to interpret the charge and the age of both the registrant and the victim. **Illinois is not one of them.** (Justice Policy Institute)

“ Neither law enforcement officials nor the public can rely on the registries for identifying registered sex offenders. ”

(Office of the Inspector General at the U.S. Department of Justice)

Collateral Damage: Residency Restrictions and Online Registries

Collateral Damage of Residency Restrictions

(“The Impact of Sex Offender Residency Restrictions,” 2005)

“I could not return to my home upon release from prison” 25%	“I am unable to live with supportive family members” 44%	“I have had to move from my house or apartment” 50%	“I have lost a job due to proximity to a school or park” 53%	“I find it difficult to find appropriate housing” 57%
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Rethinking Sex Offender Laws

Many states have realized that the current trend in sex offender laws do nothing to protect society, increase the risk of recidivism, and violate both the US and State Constitutions. The following states have taken measures to address these difficult issues by adopting a more-sensible approach, based on research, to their laws, registries, and residency restrictions:

- AK • AR • AZ • CA • CO • CT • FL • GA
- HI • IA • KS • LA • MD • ME • MA • MN • MS • MO • MT
- NE • NV • NH • NJ • NM • NY • ND • OH • OR • PA • RI
- SC • SD • TX • VT • VA • WA • WI • WV • WY

Residency Restriction Laws for 37 States:

8 have no restrictions as to where RSOs can live; **9** have no statewide laws but allow for local ordinances; **17** have restrictions that apply only to offenders on parole, probation, supervision, those who have committed certain types of crimes or are deemed high risks, or have been court ordered. Of the states with residency restrictions, **3** do not force offenders to move if a school, daycare, park, etc. opens after establishing residence.

“Research shows the best way to [change antisocial behavior] is to normalize life. Offender websites and community notification, coupled with requirements to report their every move to the police, do the opposite. You ban somebody from the community, he has no friends, he feels bad about himself, and you reinforce the very problems that contribute to the sex abuse behavior in the first place. You make him a better sex offender.”
(Eric Lotke, former research & policy director of the Justice Policy Institute)

“There is no evidence that restricting where sex offenders live will prevent repeat sexual offending against children. In fact, residence restrictions could not have prevented the murder of Chelsea King.
(California’s Sex Offenders Management Board)

“[Residency restrictions] impose additional punishment after the fact and interfere with the right of a family to live together. What they don’t do is provide any measure of public safety, and what they do is drive sex offenders underground.”
(John Reinstein, legal director ACLU of Mass.)

Sex offenders date, get married, and have families who depend on them. Every law that is passed also impacts those families, especially their children, as found in this study by Dr. Jill Levenson and Dr. Richard Tewksbury.

Children of sex offenders reported that they have experienced the following due to a parent being on a public database:

47% Harassed by others	13% Suicidal thoughts
52% Teased by others	77% Depression
59% Ridiculed by others	73% Anxiety
22% Fighting instigated by others	80% Anger
65% Left out with other children	63% Fear

Adam Walsh Act Fact

Reclassification of sex offenders is based solely on the offense of conviction. One’s likelihood to re-offend will no longer be considered. In Ohio, highest-risk offenders (sexual predators) went from 18% to 54% after being reclassified as Tier III offenders under the AWA; Sheriffs’ workloads estimated to increase by 60%.

(Ohio Public Defender’s Office)

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“The system is broken. It’s overwhelmed and I think the public is starting to realize that.”

“You can’t paint sex offenders with a broad brush.”

(John Walsh, father of Adam Walsh)

Current laws do paint sex offenders with a broad brush and overwhelm the system. In addition, studies have shown that in many cases there has been no increase in public safety as a result of tougher laws.

Isn’t it time our laws coincide with these findings?



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