

# Megan's Law: Evaluations of Sexual Offender Registries

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*This article presents a literature review of the empirical evaluations of sex offender registration and community notification policy, commonly known as Megan's Law. A background of the social problem that stimulated the policy formation of Megan's Law is provided. Literature searches presented 12 empirical evaluations on different aspects of Megan's Law. These evaluations focused on stakeholder, client-centered, goal-oriented, and process evaluations. Many sex offenders found some value to Megan's Law in both deterring future abuse and when DNA collection was used in reducing false accusations. Implementation of this policy varied both within states and between states. Community members generally support the policy's concept. Goal-oriented evaluations are not supportive of the policy's effectiveness. Suggestions for future evaluative research on this policy are given.*

**Keywords:** *sex offender registries; Megan's Law; policy evaluation*

Sexual violence against women and children is a significant social issue that remains mostly out of sight because of its secretive and shameful nature. It is this secrecy that shrouds the high numbers of Americans touched by sexual crime. For example, in the year 2000, it is estimated that there were more than 248,000 sexual victimizations in the United States (Rennison, 2002a). Rennison (2002b) also reported that, over an 8-year time frame in the United States, there was an average of 366,460 attempted or completed rapes and sexual assaults. When women in their college-age years are examined, the numbers show that almost 28 out of every 1,000 women were the victims of rape or attempted rape in a 6-month period (Fisher, Cullen, & Turner, 2000). Children can also be victims of sexual violence. A Department of Justice report stated that, in 12 states reporting on child rape, 16% of all rape victims were under the age of 12 (Langan & Wolf Harlow, 1994). Moreover, Jones and Finkelhor (2001) reported that in 1998 there were 103,600 substantiated cases of child sexual abuse in the United States. This

is most likely an underestimate, as many cases are reported, however, there may not be enough evidence to classify the case as substantiated.

Those who perpetrate these crimes are typically not the strangers who jump out of bushes to attack joggers or pull young children into cars. Rather the perpetrators are generally friends, acquaintances, or family members. A report released by the Justice Department on sex offenses and offenders found that three fourths of rapes and sexual assaults involved a person known to the victim (Greenfield, 1997). The number was even higher for those younger than 12 years of age, as victims knew 90% of their attackers (Greenfield, 1997).

To compound the rape and sexual abuse problem, the perpetrators of sexual crimes generally do not only assault one person. Lisak and Miller (2002) recently published results on repeat rape among undetected rapists. Their research shows that 120 individuals were responsible for a total of 1,225 acts of interpersonal violence defined as rape, battery, child physical abuse, and child sexual abuse (Lisak & Miller, 2002). This translated into an average of 5.8 rapes per rapist that were not reported to law enforcement officials (Lisak & Miller, 2002). Incest offenders had a sexual crime relapse rate of 6.4% after 6.5 years, but more than 26% of these incest offenders committed another nonsexual criminal offense (Firestone et al., 1999). Furthermore, extrafamilial incest offenders showed greater recidivism risk past age 40 than the rapists of interfamilial child molesters (Hanson, 2002). In a summary of research on the sexual recidivism of offenders, Hanson and Bussiere's (1998) meta-analysis discovered that 13% of convicted sexual perpetrators offended again within four to five years (1998). That percentage only dropped one percentage point when looking at recidivism for child sexual assault. It should be noted that these numbers were based mainly from arrests or reconvictions, and the authors noted that this should be considered an underestimate because many offenses remain unreported (Hanson & Bussiere, 1998). The high numbers of children being sexually victimized, in combination with undesirable recidivism rates of perpetrators of both adults and children, in addition to media coverage about egregious recidivistic offenders prompted new laws regarding sexual assault to be passed in the 1990s. These community notification and sexual offender registry laws aim to reduce the number of victims of repeat sexual perpetrators.

### MEGAN'S LAW

Two federal laws were enacted during the mid-1990s to combat sexual abuse recidivism. In 1994, Congress passed the Jacob Wetterling Act,

which required states to create registries of sexually violent offenders including offenders who targeted children. These registries were required to annually track offenders' residences for a minimum of 10 years after their release from incarceration. Those offenders who were already classified as recidivistic offenders or those who committed particularly serious offenses were considered lifetime registers (Office of the Attorney General, 1999). Additionally, there is a classification called sexually violent *predators* for repeat offenders who have a diagnosable mental disorder that hinders their ability to stop raping women or sexually abusing children (Office of the Attorney General, 1999). Because of the Wetterling Act, offenders are required when moving into a new neighborhood to register with the local police department as a convicted sexual offender. The sanctions against offenders who do not register with the local law enforcement agency vary by state.

In 1995, New Jersey Republican Representative Dick Zimmer sponsored a change to the Wetterling Act, called Megan's Law, because of a publicized case where a child, Megan Kanka, was abused and murdered by her neighbor, a twice-convicted offender. Megan's Law enhanced the Jacob Wetterling Act by requiring states/law enforcement agencies to release the registration information about sexual offenders in the previously established registries to protect the public from additional harm (Office of the Attorney General, 1999). This can be implemented in different ways, such as through active community notification, or through more passive means, such as having sexual offender registries open to public viewing. The guidelines for this law stated that the objective of the act is "to assist law enforcement and protect the public from convicted child molesters and violent sex offenders through the requirements of registration and appropriate release of information" (Office of the Attorney General, 1999, p. 575). President Bill Clinton signed the bill into law in 1996.

It is interesting to note that some states already had sexual offender registries and community notification in place before the federal legislation passed. California implemented the first registration laws for sex offenders in 1947 (California Office of the Attorney General, 2002). Washington had the first community notification law in the country, which passed in 1990 (Matson & Lieb, 1996). Many of the current evaluations stem from Washington's mandate to evaluate its community notification policy.

Recently there were some legal challenges to Megan's Law. In early 2003, the Supreme Court handed down two decisions on pending challenges, *Connecticut Department of Public Safety v. Doe* and *Smith v. Doe*. The defendants in the first case, *Connecticut Department of Public Safety v.*

*Doe*, challenged the constitutionality of Megan's Law on the grounds that it violated the Fourteenth Amendment's right of due process. However, the Justices found that there had been no violation of due process, as they noted that a trial and conviction gave due process. In the second case, *Smith v. Doe*, the defendants challenged Alaska's version of Megan's Law under the ex post facto clause of the Constitution. Two convicted sexual offenders argued that they had completed all of their requirements for being sexual offenders before Megan's Law was enacted; consequently, they felt they should not be forced to register on a sexual offender registry list. Yet, the majority of the Supreme Court found that Megan's Law is regulatory, not punitive; therefore, the defendants could be mandated to register. Now that the legal challenges have passed, it appears that Megan's Law is firmly planted in public policy.

This article reviews the current policy evaluations with the objective of (a) exploring the current research on the usefulness of the sexual offender registry/community notification policy and (b) determining what are the future directions that evaluations surrounding Megan's Law should pursue. The articles were identified for this analysis by searching PsycINFO, Social Service Abstracts, and Sociological Abstracts in May 2003 using the keywords *sexual offender registry*, *community notification*, and *Megan's Law*. Only empirical evaluations of Megan's Law are used rather than discussion pieces. Additionally, dissertations were excluded. Finally, some empirical evaluations were discovered through bibliographies of the retrieved articles, and they were included in this analysis. The search yielded 12 evaluations on the sex offender registry and notification policy.

### EVALUATIONS OF MEGAN'S LAW

In his book on policy and program evaluation, Vedung (1997) listed many different perspectives on how one can analyze a policy such as goal-oriented evaluations, process evaluations, stakeholder evaluations, and client evaluations, among others. Half ( $n = 6$ ) of the evaluations on Megan's Law focus on the stakeholder perspective when looking at those who have a stake in the policy. Three studies focus on client evaluations, one of which also includes a stakeholder evaluation, by examining how the policy affects those at whom it is aimed. Monitoring, which follows the process of implementation, is also considered by two studies. Finally, two evaluations look at goal-oriented outcomes: Did Megan's Law actually reduce the number of recidivistic sexual assaults?

**Table 1: Empirical Evaluations of Sexual Offender Registries and Community Notification Laws**

<i>Study</i>	<i>Purpose</i>	<i>Methods/Sample</i>	<i>Model</i>	<i>Results</i>
Elbogen, E. B., Patry, M., & Scalora, M. J. (2003)	To discover sex offenders' understanding of Megan's Law and how this understanding affects attitudes toward treatment	Sex offenders (N = 40) were drawn from an inpatient psychiatric hospital. Sex offenders completed questionnaires on knowledge of community notification laws and treatment attitudes.	Stakeholder	Almost 50% were unaware of the law's guidelines. Most anticipated future embarrassment when released into the community. Most participants (72%) believed community notifications gave them a strong incentive not to reoffend. More than half (54%) felt the law gave them more motivation to be treated.
Malesky, A., & Keim, J. (2001)	To investigate the opinions of placing sex offenders' names on web sites	A randomly selected sample (N = 131) of therapists from the Association for the Treatment of Sexual Abusers (ATSA) completed mailed questionnaires.	Stakeholder	More than 80% of therapists believed it would have no impact on child sexual abuse numbers. Almost 70% believed that being placed on a web site would not reduce recidivism. Nearly 70% believed these registries would create a false sense of security for parents.
Matson, S., & Lieb, R. (1996)	To explore community notification and determine its role in shielding the community from sex offenders	All 39 counties and the 16 largest cities in Washington were surveyed in which 45 responded (82% response rate).	Monitoring	About 11% of the state's sex offenders were subject to notification (N = 942). Almost 50% of the jurisdictions guide community meetings in addition to releasing information. Less than 4% of notifications resulted in harassment.
Petrosino, A. J., & Petrosino, C. (1999)	To determine how many repeat sex crimes could have potentially been averted if Megan's Law had been in place	Criminal records of sexual psychopaths (N = 136) that were housed in a prison facility designed for sex offenders were used.	Goal-oriented	Many had previous arrests, but only 27% of previous convictions were for sex-related crimes, which indicates registry eligibility. Of that, one third committed crimes against strangers. The authors concluded that six offenses had a moderate probability of prevention.
Phillips, D. M. (1998)	To determine public opinion about the community notification law	Community members (N = 400) in Washington State were surveyed by random-digit dialing.	Client-centered	About 80% were familiar with Washington's law. The majority said they were more mindful of their safety because of the law. More than 80% thought this law was "very important."

(continued)

**Table 1 (continued)**

<i>Study</i>	<i>Purpose</i>	<i>Methods/Sample</i>	<i>Model</i>	<i>Results</i>
Redlich, A. D. (2001)	To examine the perceptions of Megan's Law effectiveness	Law enforcement, law students, and community members (N = 269) completed questionnaires.	Stakeholder and client-centered	Law enforcement was significantly more likely than law students or the community to support the law and thought it was effective. Law students were the least supportive. Women were more likely to support the law than men. Frequencies were not provided.
Schram, D. D., & Darling Milloy, C. (1995)	To determine recidivism rates of sex offenders subjected to notification vs. those who were not subject to notification	Sex offenders (N = 125) subject to community notification were followed for 54 months. This group was matched with a control group on the number of sex offenses and type of victim.	Goal-oriented	Community notification had no significant effect on recidivism for nonsex crimes (57% recidivism for notification vs. 47% for comparison) or for sex crimes (19% recidivism for notification group vs. 22% for comparison).
Tewksbury, R. (2002)	To measure the accuracy of an Internet-based sexual offender registry	Data were from the Kentucky sexual offender registry (N = 537) in 14 counties that were listed on July 4, 2001.	Monitoring	Less than 75% of the listings had addresses that could be correct. Some had addresses listed that did not exist or were businesses. Slightly more than 50% had accompanying photos.
Younglove, J. A., & Vitello, C. J. (2003)	To determine the possibility of the effectiveness of Megan's Law	A case study of a convicted repeat rapist was studied through legal documents and media reports.	Stakeholder	The authors concluded that Megan's Law promotes panic and vigilantism.
Zevitz, R. G., & Farkas, M. A. (2000a)	To know how the community reacts to information that a convicted sex offender lives in the area	Participants at community notification meetings (N = 704) completed attendee surveys. Researchers recorded observations.	Client-oriented	Most of the attendees (92%) found the meeting at least somewhat helpful. About 35% of attendees were less concerned about the sex offender, however, 38% were more concerned. The level of concern was related with premeeting expectations.

Zevitz, R. G., & Farkas, M. A. (2000b)	To understand the experience of the offenders subjected to community notification laws	Level III sex offenders gave face-to-face interviews (N = 30). Level III is the highest risk category for sexual offenders in Wisconsin.	Stakeholder	Most found registering to be of little concern. Many saw the collection of DNA as a safeguard against being wrongly accused. Loss of employment/residence was a side effect. Many (76%) felt this policy negatively affected their relationships. One vigilante attack was noted.
Zevitz, R. G., & Farkas, M. A. (2000c)	To know how community notification has affected the workload of probation and parole officers	Parole/probation officers and supervisors completed surveys (N = 77). Researchers also conducted field observations.	Stakeholder	The average caseload was 25 sex offenders. The majority (64%) reported having a high-risk sex offender on their caseload. Finding housing for offenders was a major difficulty for most (66%) of the responders.

### **Stakeholders in Megan's Law**

Of the articles researched for this analysis, six focused on evaluating various stakeholders' reactions to this policy. Given that there are many different groups that are invested in this policy, the evaluation subjects a range from various types of sexual offenders to therapists who treat sex offenders to parole/probation officers who must track sex offenders.

To begin, sex offenders were the most often examined stakeholders. Zevitz and Farkas (2000b) released the first study of sex offenders and their reactions to Megan's Law. These researchers conducted in-depth, face-to-face interviews with 30 sex offenders who the state (Wisconsin) labeled as the highest risk of reoffending. The majority of sex offenders did not worry about the registering process required of them. Moreover, many actually believed that the policy, which included DNA collection, would be a safeguard against being falsely accused of other crimes. Only one person (3.3%) cited a vigilante incident. However, not all feedback was positive, as 67% of offenders did feel that the registration negatively affected their personal relationships in some manner.

Whereas Zevitz and Farkas (2000b) examined sex offenders already in the community, another evaluation looked at sexual offenders who were not yet released from prison. Elbogen, Patry, and Scalora (2003) asked 40 sexual offenders to complete a questionnaire about knowledge of sex offender notification laws and their attitudes toward treatment. Many were unaware about the guidelines, and the most common reaction by the sex offenders to the notification laws was one of anticipated embarrassment when in the community. On the positive side, 72% reported that these community notifications gave them strong incentive not to reoffend, and slightly more than half felt this policy would motivate them to seek treatment. Researchers attempted to control for social desirability by giving the questionnaires anonymously; however, one should note that the questionnaires were given in the context of a prison clinical therapy group. Consequently, one cannot rule out the possibility of wanting to appear motivated to change for therapy leaders.

Finally, Younglove and Vitello (2003) examined media reports and legal documents for a case study in California. The researchers looked at the case of a repeat sexual offender, Lonnie West, who relocated to a small town only to be harassed by protests and threats of violence. The offender was rearrested for a multitude of charges, most of which were dropped. The offender did eventually plead guilty to a misdemeanor of molesting or annoying a child. The authors concluded that sex offender notifications create a



paradox; the policy aims to increase safety, but instead it heightens fear in the community and promotes panic and vigilantism. One major drawback related to this study is that the authors appeared to have not had any contact with their participant; rather, all information was gathered through second-hand sources.

Besides sexual offenders, researchers also looked at those who interact with sex offenders. Zevitz and Farkas (2000c) wanted to understand how Megan's Law affected parole and probation officers. They had a statewide sample of 77 parole/probation officers in Wisconsin complete surveys on how Megan's Law has affected their workload. Zevitz and Farkas found that most of the parole/probation officers had a strong knowledge about the policy. The average caseload per worker was 25 sex offenders, and 64% of workers had at least one high-risk offender in their caseload. It was these high-risk offenders on which they focused most of their time to the detriment of other lower risk sex offenders. Finally, parole/probation officers responded that finding housing for sex offenders was a significant problem.

Another evaluation studied those who interact with sexual offenders in a different way—their therapists. Malesky and Keim (2001) mailed questionnaires to randomly selected members of the Association for the Treatment of Sexual Abusers (ATSA) about their perceptions on sexual offender registry web sites. More than 80% believed that this policy would have no impact on the number of children sexually abused, and moreover, the vast majority believed that placing a sex offender on a web site would not achieve the goal of the policy—deterring the perpetrator from committing another offense. Finally, most believed that there would be a negative side effect for parents, as this registry would create a false sense of security, and therefore, parents would be less vigilant about their child's safety.

Stakeholder evaluations provide substantial information about Megan's Law. The first point that is clear is that it is hard to find commonalities across the stakeholders in what they believe. Sexual abuse therapists are overwhelmingly opposed to Megan's Law, yet it seems that most of the sex offenders are relatively at ease with the policy. In fact, some welcome the chance for DNA to clear them of false accusations. However, this is not the case with every sex offender, as some find no use in the policy or find it to be detrimental to their way of life. The second point is that this policy can cause some additional stress in the lives of stakeholders. Parole/probation officers found it difficult to find housing and deal with upper management pressure on high-risk offenders that were subject to notification. Additionally, this policy can create stress in the lives of offenders, as some report it affected their relationships with others. It is this stress that Edwards and

Hensley (2001) argued will exacerbate the problem and may instigate a new sexual offense. Finally, it was presented that those who treat sex offenders in an effort to help them eliminate their abusive behavior find little hope in Megan's Law, as they see that it will create an illusion of safety for parents and will not affect the number of victims of child sexual abuse.

### **Process/Monitoring of Megan's Law**

Monitoring examines the process of implementation of a policy from adoption to service delivery (Vedung, 1997). Two evaluations presented in this analysis looked at monitoring. Matson and Lieb (1996) explored the process of implementing the community notification in Washington, whereas Tewksbury (2002) looked at one part of the implementation process—the accuracy of the Internet-based sex offender registry in Kentucky. Together these evaluations allow for a clearer picture of the strengths and problems of sexual offender registries and community notification.

In 1996, Matson and Lieb published the first process evaluation regarding community notification of sexual offenders' residences. The researchers estimated that about 11% of the state's sexual offenders had been subjected to community notification. Community notifications in this study included media releases about the offender, door-to-door flyers, and mailed flyers. Most often, these notifications included a description of the offender, a photograph, an account of past crimes, and the address of the offender. Another commonly used dissemination technique was community meetings about the sex offender's presence, yet community meetings were not unilaterally utilized, as Matson and Lieb reported that only about half of the reporting districts used a community meeting. Law enforcement generally rated these meetings as positive. Community meetings from the community's standpoint will be discussed later in this analysis. One common argument against Megan's Law is the notion of harassment or vigilante attacks against the sex offender (Younglove & Vitello, 2003). However, Matson and Lieb's article contradicts this argument by noting that only 3.5% of all notifications resulted in any form of backlash. This low percentage is similar to the percentage reported by Zevitz and Farkas (2000b).

Tewksbury (2002) looked at a different aspect of Megan's Law by examining the accuracy of an Internet-based sex offender registry. Internet-based registries allow for community members to search for offenders in their local area quickly and conveniently. However, Tewksbury realized that, if the addresses that are provided on the Internet are inaccurate, the registry and, therefore, the overall policy's utility are defeated. Results indicated

that, of 537 entries from 14 counties across Kentucky, less than 75% could have potentially been correct addresses. The remaining percent were false addresses, empty lots, or obviously businesses. In addition, Tewksbury did not approach the addresses that were residences to verify that it was where the sex offenders resided. Therefore, in actuality, 75% is an overestimate of the accuracy of the registry. Also, at the time of publication, this registry was even less consumer friendly, as slightly more than 50% had pictures of the offenders on the web site for easier identification.

Through this description of monitoring, one can see that there is considerable variation in how a policy is implemented, even within one state such as Washington. Different jurisdictions choose different implementation techniques. Additionally, when implementing a policy, it is necessary to make sure all components are as complete as possible. If a major part of the policy, such as the sex offender registry listed on the Internet, is incorrect, it limits the utilization and benefit of the policy.

### **Clients of Megan's Law**

Along with looking at the process and the stakeholders involved in Megan's Law, some researchers have examined the clients' views on the policy. In the case of Megan's Law, the clients are the community members, which the policy is aiming to protect from repeat sexual attacks. Three evaluations looked at different aspects of the community's views of this law: familiarity with the law, support for the law, and perceptions of effectiveness.

To start, Phillips (1998) conducted a random-digit-dialing telephone survey in Washington to determine the community's opinion about the sex offender community notification law. This study found that 80% of those in Washington were familiar with the law, and a slightly higher percentage agreed that the law was "very important." Additionally, this law seems to have increased awareness about personal safety, and the majority reported that they were more careful of their safety after the law was passed.

Zevitz and Farkas (2000a) studied community views from a different approach. These researchers surveyed residents ( $N = 704$ ) who attended community notification meetings about a sex offender in the neighborhood. They wanted to discover how having information about a sex offender in the community affected residents. The results showed that 92% of attendees found the meeting at least somewhat helpful, but only 35% were less concerned about the sex offender's presence than before the meeting. In fact, a larger percentage (38%) was more concerned after the meetings. Zevitz and

Farkas found that this was in relation to the community members' expectations before attending the meetings. If expectations are to learn more but not to remove the offender, then residents were more likely to leave the meeting less concerned. If expectations included preventing the sex offender from moving into the area, residents were more likely to be concerned after the meeting. This evaluation provides knowledge that can help community meeting organizers facilitate more productive community meetings.

Finally, Redlich (2001) compared the perceptions of Megan's Law between law enforcement, community members, and law students in California. Community members were less supportive of Megan's Law than law enforcement. However, it was difficult to tell how many community members actually supported the policy, as descriptive statistics were not given, only regression tables.

These client-centered evaluation models give some general knowledge about how Megan's Law is perceived in the community. It appears that the general concept of the law, information to protect the public, is well liked. However, Zevitz and Farkas (2000c) shifted the focus from the theoretical to the actual. They offered a slightly more probing investigation of community members' reactions when a sex offender is actually in the community. Here it appears that the law has mixed reviews, as the majority found the information helpful, although a strong minority had more concerns after hearing the information. This law could be a mixed blessing for community members. It is similar to Younglove and Vitello's (2003) argument that the law should provide for a more secure sense of well-being; however, it actually instills psychological distress. A follow-up study of these community members would be useful to determine if the information made a difference in how they conducted their lives over time. Additionally, one could expand on Phillips's evaluation to determine if community support for Megan's Law translates into residents actively searching for information about sex offenders on local sex offender registry web sites or at the local police station.

### **Goals of Megan's Law**

Finally, there were two studies that looked at the goal of reducing recidivism rates among those sexual offenders subject to registration and notification. Schram and Darling Milloy (1995) completed the first and most inclusive study on these goals in the state of Washington. These two researchers prospectively followed 125 sex offenders for 54 months who

were subject to community notification under Washington's law. Responding law enforcement districts within the state produced this sample when asked who in their jurisdiction was a Level III offender subject to notification. Schram and Darling Milloy then matched this group with a control group of sexual offenders who were not subject to this notification. The group was matched on the number of sex offenses and the type of victim the offenders victimized. Schram and Darling Milloy found that the notification group did not have statistically significantly less recidivism than did the control group (19% vs. 22%). Additionally, they found that there was no statistically significant difference between recidivism for nonsexual crimes between the notification and control group (57% recidivism vs. 47% recidivism). One additional point, however, is that the perpetrators subject to notification were arrested for new crimes more quickly. An interesting follow-up question yet to be answered is how many of these arrests were substantiated. Were many the results of nervous community members falsely reporting crimes?

Petrosino and Petrosino's (1999) goal-oriented evaluation tried to determine if Megan's Law was effective by using a retrospective design of recidivistic sexual offenders already incarcerated. The authors utilized the criminal records of 136 sexual psychopaths, as defined by the state. Rather than follow these perpetrators after they were released from prison, Petrosino and Petrosino looked at past offenses. They determined who would have been eligible for Megan's Law under their first offense and then surmised the likelihood that their subsequent offenses would have been avoided if this policy had been implemented at an earlier time period. Petrosino and Petrosino found in their analysis that only 27% of sexual offenders had arrests for other sexual crimes, and, of that, only one third were committed against strangers. In sorting through the cases of those that were against strangers, the researchers concluded that only 6 offenses from 136 criminals might have been prevented.

What do these two outcome-based evaluations tell us about the effectiveness of Megan's Law? Basically, they suggest that the policy does not work. Neither study supported its overall effectiveness. The one position that was demonstrated was that those subject to community notification were rearrested quicker than those in the control group. One could view this as a success, as perhaps less time in the community lowers the number of unreported victims. Yet, it is improper to make sweeping judgments based on two introductory studies. There is still much to learn from goal-oriented evaluations as well as other evaluations of Megan's Law.

## IMPLICATIONS FOR POLICY EVALUATION

The above review has demonstrated where Megan's Law evaluations have explored, and it has hinted at where there is a knowledge gap. Research has only begun on this topic, and there is significant ground left to cover in determining if sexual offender registries and notifications are the best way to prevent future sexual abuse attacks by past criminals. This leads to the current suggestions for future evaluations of Megan's Law. Here is an outline of four main suggestions for future research.

To begin, there is a need for additional goal-oriented evaluations, especially evaluations that consider the implementation of a policy. Schram and Darling Milloy (1995) are the only researchers to have conducted a prospective study of the sex offender registry. Petrosino and Petrosino's (1999) retrospective goal evaluation assumes that Megan's Law works exactly as planned. A prospective study is a more reliable source for outcomes, as it would research the policy in real-world form rather than with some ideal. Additionally, Schram and Darling Milloy only looked at those individuals under Washington's community notification law. This meant that only the highest level offenders were followed. Many other states publicize names of all convicted sexual offenders. Additionally, Megan's Law is a federally mandated policy; however, there has been little discussion about the differences between the states in these evaluations. There needs to be more of a focus on implementation issues between states. This may make a large difference in the goal-oriented evaluations and the perceptions of the policy. For example, in California, one must go to a local law enforcement agency to search the sexual offender registry, or one can call a 900 number and pay to search for a specific name. However, in other states, the Internet is used for sexual offender registries. In Arizona, for instance, one can type in their zip code to find the names, pictures, offenses, and locations (complete with maps pointing out local parks and schools) all through the web. It may be that the level of convenience associated in searching for a sex offender could make a difference on parents being aware of potential problems in their area. Cross-state comparisons would help predict best practices for implementing and reaching ideal outcomes for Megan's Law. Moreover, examining the outcomes of different states' interpretations of Megan's Law will produce stronger conclusions on the policy's overall effectiveness.

A second suggestion is to incorporate various other models of evaluation for this policy. For example, a side effects evaluation is needed. One recommendation for this policy is that law enforcement personnel verify the addresses of the sex offenders at least once a year. As seen from the

Tewksbury (2002) article, many addresses in these registries are incorrect. California's Attorney General Bill Lockyear estimated that it would cost the state \$15 to \$20 million to sufficiently monitor residents (Bonilla & Woodson, 2003). Is this a strain on an already understaffed agency to verify addresses? Would this shift of resources cause an increase in other forms of crime as the police's attention is diverted? An evaluation of side effects could help answer some of these questions. Matson and Lieb (1996) touched briefly on this topic in their process evaluation by noting a participant who said, "Having one officer per 930 offenders is ludicrous" (p. 16). A stronger evaluation on this problem is warranted. In addition, a comprehensive evaluation would be beneficial to analyze how all of these components come together. For example, how does the workload in different counties, along with the percentage of incorrect addresses and the community perception, affect Megan's Law goals? A comprehensive evaluation is valuable because it would help explain the success or failure of a policy through its procedural examination (Vedung, 1997).

Third, the evaluation models presented here have also neglected certain groups from their analysis. There have been no stakeholder evaluations determining the effect of this policy on sex offenders' families. This is important, as 43% of sexual abuse cases of children younger than 12 occur within the family rather than outside of the family (Greenfield, 1997). Does having a relative's name publicly announced further a victim's trauma? Furthermore, according to the Office of the Attorney General (1999), a part of the stated objective of Megan's Law is to help law enforcement. However, is it really helping law enforcement? No stakeholder evaluation as of yet has determined if law enforcement sees this as a benefit or a hindrance in assisting them to do their jobs. Redlich (2001) asked if they believed that this policy was effective, and law enforcement perceived it to be more effective than did community members or law students. However, this does not examine if implementing the policy is a burden to law enforcement: Do they believe they can better combat sexual abuse in other ways?

Finally, most of these evaluations focused on using Megan's Law for reducing child sexual abuse. However, this law also requires sexual offenders who target only adults to register. One may not be able to ascertain this from current evaluations. For example, in a questionnaire that Redlich (2001) gave to her participants, she wrote, "Those in support of the law feel it will empower parents and also deter child molesters from abusing" (p. 100). This skews the evaluation toward focusing on child sexual abuse. Evaluations need to be undertaken to determine how the aspect of adult sexual assault fits into this policy. Are community members aware that it is not

only child molesters but also adult rapists who are in their communities? Could this policy help deter acquaintance rape? When community notifications are distributed, is it more for child sexual abusers than adult rapists? Many questions can be answered by shifting the focus of some of these evaluations.

### CONCLUSION

The societal problems of sexual abuse of children and sexual assaults of adults require policy attention. This analysis intended to review the current evaluations regarding Megan's Law and illuminate areas that need clarifying. All in all, this analysis of Megan's Law research shows that evaluations are in the infancy stages. Researchers have provided a good foundation with evaluations from the view of clients and stakeholders. Additionally, process and goal-oriented evaluations have supplied valuable insight into this policy. Yet, there is room for growth. Using different evaluation models to examine different perspectives will explain many questions surrounding Megan's Law. Additionally, examining different implementation practices between states will determine best practices. Vedung (1997) stated that the purpose of evaluation is to provide a course for future action. These evaluations can establish the most effective way to help reduce recidivistic sexual abuse against both women and children.

### REFERENCES

- Bonilla, D. M., & Woodson, J. L. (2003, February 14). Continuing debate over Megan's law; some question whether sex offender lists curb crime. The state statue is set to expire next year. *The Los Angeles Times*, p. B2.
- California Office of the Attorney General. (2002). *California sex offender information: Megan's Law*. Retrieved May 28, 2003, from [http://caag.state.ca.us/megan/pdf/ca\\_sexoff\\_0702.pdf](http://caag.state.ca.us/megan/pdf/ca_sexoff_0702.pdf)
- Connecticut Department of Public Safety v. Doe, (01-1231) 271 F.3d 38, reversed (2003).
- Edwards, W., & Hensley, C. (2001). Contextualizing sex offender management legislation and policy: Evaluating the problem of latent consequences in community notification laws. *International Journal of Offender Therapy and Comparative Criminology*, 45, 83-101.
- Elbogen, E. B., Patry, M., & Scalora, M. J. (2003). The impact of community notification laws on sex offender treatment attitudes. *International Journal of Law & Psychiatry*, 26(2), 207-219.



- Firestone, P., Bradford, J. M., McCoy, M., Greenberg, D. M., LaRose, M. R., & Curry, S. (1999). Predication of recidivism in incest offenders. *Journal of Interpersonal Violence, 14*, 511-531.
- Fisher, B. S., Cullen, F. T., & Turner, M. G. (2000). *The sexual victimization of college women* (NCJ #182369). Washington, DC: U.S. Department of Justice.
- Greenfield, L. (1997). *Sex offenses and offenders: An analysis of data on rape and sexual assault* (NCJ #163392). Washington, DC: U.S. Department of Justice.
- Hanson, R. K. (2002). Recidivism and age: Follow-up data from 4,673 sexual offenders. *Journal of Interpersonal Violence, 17*, 1046-1062.
- Hanson, R. K., & Bussiere, M. T. (1998). Predicting relapse: A meta-analysis of sexual offender recidivism studies. *Journal of Consulting and Clinical Psychology, 66*, 348-362.
- Jones, L., & Finkelhor, D. (2001). *The decline in child sexual abuse cases* (NCJ #184741). Washington, DC: U.S. Department of Justice.
- Langan, P. A., & Wolf Harlow, C. (1994). *Child rape victims, 1992* (NCJ #147001). Washington, DC: U.S. Department of Justice.
- Lisak, D., & Miller, P. M. (2002). Repeat rape and multiple offending among undetected rapists. *Violence and Victims, 17*, 73-84.
- Malesky, A., & Keim, J. (2001). Mental health professionals' perspectives on sex offender registry web sites. *Sexual Abuse: A Journal of Research and Treatment, 13*(1), 53-63.
- Matson, S., & Lieb, R. (1996). *Community notification in Washington state: 1996 survey of law enforcement*. Olympia, WA: Washington State Institute for Public Policy. Retrieved May 23, 2003, from <http://www.wa.gov/wsipp/crime/cprot.html>
- Megan's Law, H.R.2137 (1996).
- Office of the Attorney General. (1999). *Megan's Law: Final guidelines for the Jacob Wetterling crimes against children and sexually violent offender registration act* (NCJ#98-33377). Washington, DC: U.S. Department of Justice.
- Petrosino, A. J., & Petrosino, C. (1999). The public safety potential of Megan's Law in Massachusetts: An assessment from a sample of criminal sexual psychopaths. *Crime & Delinquency, 45*(1), 140-158.
- Phillips, D. M. (1998). *Community notification as viewed by Washington's citizens*. Olympia, WA: Washington State Institute for Public Policy. Retrieved May 23, 2003, from <http://www.wa.gov/wsipp/crime/cprot.html>
- Redlich, A. D. (2001). Community notification: Perceptions of its effectiveness in preventing child sexual abuse. *Journal of Child Sexual Abuse, 10*, 91-116.
- Rennison, C. M. (2002a). *Criminal victimization 2001; changes 2000-01 with trends 1993-2001* (NCJ #194610). Washington, DC: U.S. Department of Justice.
- Rennison, C. M. (2002b). *Rape and sexual assault: Reporting to police and medical attention, 1992-2000* (NCJ #194530). Washington, DC: U.S. Department of Justice.
- Schram, D. D., & Darling Milloy, C. (1995). *Community notification: A study of offender characteristics and recidivism*. Olympia, WA: Washington State Institute for Public Policy. Retrieved May 23, 2003, from <http://www.wa.gov/wsipp/crime/cprot.html>
- Smith v. Doe, (01-729) 259 F.3d 979, reversed & remanded (2003).
- Tewksbury, R. (2002). Validity and utility of the Kentucky sex offender registry. *Federal Probation, 66*(1), 21-26.

- Vedung, E. (1997). *Public policy and program evaluation*. New Brunswick, CT: Transaction Publishers.
- Younglove, J. A., & Vitello, C. J. (2003). Community notification provisions of "Megan's Law" from a therapeutic jurisprudence perspective: A case study. *American Journal of Forensic Psychology, 21*(1), 25-38.
- Zevitz, R. G., & Farkas, M. A. (2000a). Sex offender community notification: Examining the importance of neighborhood meetings. *Behavioral Sciences & the Law, 18*(2/3), 393-408.
- Zevitz, R. G., & Farkas, M. A. (2000b). Sex offender community notification: Managing high-risk criminals or exacting further vengeance? *Behavioral Sciences & the Law, 18*(2/3), 375-391.
- Zevitz, R. G., & Farkas, M. A. (2000c). The impact of sex-offender community notification on probation/parole in Wisconsin. *International Journal of Offender Therapy & Comparative Criminology, 44*(1), 8-21.

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