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## **Family Experiences of Young Adult Sex Offender Registration**

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*Since 1994, policies have been instituted throughout the United States that require sex offenders to register their personal information with law enforcement officials (Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Program, 1994). With the passage of additional laws, this information is now available to the public via the Internet or a request to a police department. These laws have brought about consequences for both the registrants and for members of their families. A focus group was held with four mothers who have sons listed on the Michigan Sex Offender Registry. Psychological and social consequences of registration were found and policy implications are discussed.*

**KEYWORDS** *community notification, registration, sex offenders, collateral consequences, family of offenders*

Over the past 15 years, policies such as the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Program (1994), Megan's Law (Library of Congress, 1996), the Adam Walsh Act (Library of Congress, 2006), and Jessica's Law (Levenson, 2008) have mandated the registration, community notification, and residency requirements of sex offenders. These laws have been named after, and are based on, high-profile cases in which children were abducted, sexually assaulted, or murdered. Federal and state sex offender policies require the compilation of personal information about convicted sex offenders, and these policies mandate that this information be made available to the public through the

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Internet or other forms of notification and restrict offenders' residency and work locations (Applebaum, 2008; Caldwell, Ziemke, & Vitacco, 2008). These policies were created to deter registrants from future offenses, assign punishment, and make it feasible for law enforcement agencies and citizens to track and monitor offenders (Craun & Kernsmith, 2006).

While the intentions of these policies may seem valid on the surface, Levenson & D'Amora (2007) note that such intentions are not based on evidence. Research shows that recidivism rates for adult sexual offenders are much lower than those for other types of offenders and range from 5.3% to 24% (Hanson & Bussierre, 1998; Hanson & Morton-Bourgon, 2005; Harris & Hanson, 2004). In a longitudinal study of sex offenders, Harris and Hanson (2004) found that 73% had not been charged with, or convicted of, another sexual offense in a 12-year follow-up period. Specifically related to youthful offenders, Letourneau and Armstrong (2008) found no difference in recidivism rates between matched pairs of registered and nonregistered juveniles over an average of four years.

The Sex Offender Registry (SOR) was intended to allow citizens to protect themselves and their children from sexual offenders. This implies that the public is at risk for violence from strangers in their community, as had been the situation in those high-profile cases for which the federal and state policies are named. However, the Bureau of Justice Statistics (2000, as cited in Levenson & D'Amora, 2007) shows that, in police reports, 34% of the perpetrators in child sexual abuse cases were family members, 59% were acquaintances, and only 7% were strangers. This data suggests that SOR policy has been based on misperceptions concerning the relationship between perpetrators and their victims and false beliefs about recidivism rates (Jones, 1999; Letourneau & Armstrong, 2008; Wilcox, Jordan, & Pritchard, 2006).

Across the country, individual states have implemented diverse SOR laws. Some have implemented the use of risk-assessment tools (see Barbaree, Seto, Langton, & Peacock, 2001; Caldwell et al., 2008; Epperson, Kaul, Huot, Goldman, & Alexander, 2003; Hanson & Thornton, 2000; Nunes, Firestone, Bradford, Greenberg, & Broom, 2002; Prentky, Harris, Frizzell, & Righthand, 2004; Worling & Langstrom, 2003) to demarcate high-, moderate-, and low-risk offenders to determine individuals to be listed on the registry (high and moderate risk offenders). For many of these assessment instruments, however, there are concerns regarding the empirical strength of these measures. Furthermore, there are no instruments specifically related to transitional-aged youth (18–25 years old). States also vary in the length of time an offender is required to remain in the registry. The registration of juvenile and young offenders has also been implemented differently by different states. In 2005, 32 states required juveniles to register as sex offenders (Szymanski, 2005), with some states requiring youth as young as 14 to register (Human Rights Watch, 2007). Other states, including the one

in which this study was conducted, have no minimum age requirement for registerable sex offenses. The Adam Walsh Act requires all states to register youth 14 and older if they are adjudicated for aggravated sexual assault or worse (Caldwell et al., 2008).

## JUVENILE OFFENDERS

The physiological and social differences between juvenile and adult offenders suggest different treatment for the two groups. The history of the juvenile justice system shows a preference for rehabilitation over punishment (Trivits & Reppucci, 2002). In 1974, Congress adopted the Juvenile Justice and Delinquency Prevention Act. The purpose of the act was to remove juveniles from the adult criminal process so juvenile offenders would not be faced with the stigma of a prior criminal conviction and to encourage treatment and rehabilitation (United States Department of Justice, 1997). Brain-development research has uncovered some physiological reasons behind holding youth to different criminal standards than those for adults. This research notes the absence of reasoned decision-making and impulse control generally found in conjunction with adolescent criminality (Blakemore & Choudhury, 2006; Steinberg, 2005). Furthermore, it also shows that full development of the prefrontal cortex, the section of the brain used in decision making, risk taking, and sensation seeking behaviors, is not reached until the late 20s. This delay in brain development does not fully exempt a juvenile from responsibility for criminal behavior, but it does contribute to the physiological understanding of adolescent and young adult crime and what sanctions are appropriate (Blakemore & Choudhury, 2006).

Scott, Reppucci, Antonishak, and DeGennaro (2006) note social reasons for differential treatment of youth and adult offenders. There is a longstanding societal opinion that juveniles are immature and cannot be expected to understand the consequences of their behavior. This is demonstrated by policies designed to protect youth from immature judgment, such as a minimum age for employment and alcohol purchase. Furthermore, the juvenile justice system is based on assisting youth in correcting their wrongs through rehabilitation (Prescott & Levenson, 2007; Reppucci, 1999). Current policies that treat young offenders equally with their adult counterparts do not take into account the history of, and literature pertaining to, youth development. Young registrants, placed on the registry for crimes committed when they were both immature and poor decision makers, should be deemed less culpable for their crimes than adults. In addition, these policies do not reflect the rehabilitative goals of the juvenile justice system.

## THE CASE OF MICHIGAN

As previously noted, each state has implemented sex offender laws differently. The participants in this study reside in Michigan; therefore, the focus of this paper will primarily be on the policies for sex offender registration in that state. The Sex Offenders Registration Act of Michigan (1994) requires offenders to register with the state police. At the onset, the information was to be used only by law enforcement officials. This law states that offenders are required to register for 25 years or life after the date of initial registration, depending on the violation committed. Subsequently, an amendment to this law, made the registry available to the public (Sex Offenders Registration Act of Michigan, 1996). Offenders convicted of a misdemeanor register once per year; offenders convicted of a felony are required to register quarterly. Michigan makes information about juvenile registrants available to only law enforcement through age 17. When the offender turns 18 years of age, most are placed on the public registry.

The Holmes Youthful Trainee Act (HYTA) also governs young offenders. It allows a judge to offer a young person between the ages of 17 and 20 who is charged with a crime and pleads guilty to be sentenced under the conditions of the act. After successful completion of the sentence, no record of the crime is entered, leaving those persons without a criminal record; however, this act requires that the individual still register as a sex offender (Human Rights Watch, 2007; Michigan Department of Corrections, 2007).

Some states have suggested a fine-grained sex offender registry that takes into consideration the possible overinclusion of registrants. In 2005, the Michigan Office of the Auditor General undertook an audit of Michigan's registry (McTavish, 2005). This audit showed that approximately 200 new registrant records are added to the SOR each month. To prevent overinclusion, some states allow for filtering criteria to determine who is a threat to the public, generally through the use of risk assessments (Trivits & Reppucci, 2002). Michigan does not use risk assessments to remove low-risk offenders from the registry or to allow shorter registration terms, as many other states do (Trivits & Reppucci, 2002). In addition, the opportunity to petition for removal from the registry is limited. Coupled with limited opportunity for removal and no risk assessment, the report suggests that the registration law in Michigan is overinclusive (McTavish, 2005). Overinclusion of individuals on the registry may cause an increase in public fear of sex offenders, which places stigma and undue consequences on low-level sex offenders (Edwards & Hensley, 2001) and has been correlated with higher rates of recidivism (Prescott & Rockoff, 2008).

## COLLATERAL CONSEQUENCES

Although research is not available on the impact of juvenile registration, recent research has been conducted on the consequences of registration for adults. Offenders endure forms of harassment, isolation, violence, and in some cases, homicide (Human Rights Watch, 2007; Levenson, D'Amora, & Hern, 2007; Tewksbury & Lees, 2006). Tewksbury and Lees conducted 22 in-depth interviews with offenders listed on Kentucky's registry. These offenders reported difficulties in employment and personal relationships and frequently reported stigmatization. Tewksbury (2005) completed 121 surveys with registered sex offenders that also assessed collateral consequences. In this study, 16.2% stated that they had been assaulted, 47% were subject to harassment, 45.3% were denied or lost their places of residence, and 42.7% lost employment. Collateral consequences, such as social isolation, shame, stigmatization, and ostracism, are associated with the potential for a person to reoffend (Craun & Kernsmith, 2006; Levenson et al., 2007; Prescott & Levenson, 2007; Presser & Gunnison, 1999). Levenson and colleagues (2007) write, "The collateral consequences of community notification are important to investigate because they may potentially exacerbate risk factors for recidivism such as lifestyle instability, negative moods, and lack of positive social support" (p. 590).

A limited body of literature indicates that negative consequences of registration requirements not only accrue to the registrants but also to their families and friends. Levenson and colleagues' (2007) study in Indiana and Connecticut reported 67% of offenders noted that harm had been done to a family member. Additionally, 16–18% of offenders noted that a person they lived with was threatened, harassed, assaulted, injured, or suffered property damage (Levenson et al., 2007).

This study expands on previous research in several ways. Unlike previous research, this study collected the collateral consequences directly from family members. In addition, much of the literature on the impacts of sex offender registration, particularly on the collateral consequences to friends and families, has focused on adult offenders. The goal of this study was to examine the impacts on families of having a child placed on the sex offender registry.

## METHODS

Qualitative research was used to gain insight into the experiences of sex offender registration on families of registered young adult offenders. The following research questions were investigated: What are the experiences of families who have a member listed on a sex offender registry? What are the consequences they experience as someone related to a registrant? What are

their perceptions of consequences that the registrant experiences? To answer these questions, social construction was the guiding framework, with a focus group as the mode of data collection. The focus group technique was chosen because it allows stigmatized individuals to feel safe in numbers and provides room to express opinions of registration that are generally contested in the public realm (Gonzalez-Torres, Oraa, Aristegui, Fernandez-Rivas, & Guimon, 2007; Winship & Repper, 2007).

### Recruitment

Citizens for Second Chances (CSC), located in Michigan, is a support group for families of individuals convicted of, or charged with, a sex offense. One researcher came into contact with the organization as a social work intern at a nonprofit legal and advocacy organization in 2005. In 2006, CSC joined forces with other advocacy individuals and professionals to form the Coalition for a Useful Registry. The coalition was created to educate legislators and advocate for policy changes to Michigan's sex offender laws as well as to related federal laws. CSC and the coalition have a combined membership of over 300 individuals who are concerned about registration laws for both juvenile and adult offenders (Coalition Steering Committee member, personal communication, February 16, 2008). An e-mail was sent to the organization's membership list asking for participation in a focus group regarding the consequences experienced by families due to sex offender registration. To be eligible, members had to be an immediate family member of an individual who is a registered sex offender and whose offense occurred prior to his or her 21st birthday. Interested members were asked to contact the researchers directly via e-mail or telephone.

### Data Collection and Analysis

A single, semistructured focus group interview was moderated by the researchers. Four members of the coalition participated in the study. Before convening the focus group, participants were given an information sheet regarding the study and the discussion guide. The participants were asked, "Since your family member has been placed on the Sex Offender Registry, what (a) psychological, (b) social, (c) economic, and (d) physical consequences have you and/or any member of your family experienced that you feel is a result of the registrant's name, address, and photo being placed on the SOR?" These broad questions were designed as a starting point for discussion. The intention was for participants to discuss the multiple facets and far-reaching impacts of their experiences with the SOR. After the responses were compiled, the focus group participants reviewed the document and made corrections to the information outlined in the literature review and their quotes. We employed this process to assure the validity of the

findings through member checking (Morse, Barrett, Mayan, Olson, & Spiers, 2002). Some quotes were not taken directly from the transcribed audio recordings but rather from those edited comments.

The focus group lasted approximately six hours on a single day and was audio recorded. The researchers also took notes to obtain general themes and to recall probing questions to steer the discussion. After the focus group was completed, the researchers took down initial impressions and interpretations. The audio recording of the focus group was transcribed and coded using NVivo qualitative data analysis software. Recurring and significant themes emerged from the coding process. After the data was coded, themes were sent back via e-mail to the participants for verification.

## Participants

All four participants were mothers of sons who were charged and/or convicted of sex offenses. Their sons were ages 13, 16, 17, and 18 at the time of offense, and, as of the date of the focus group, their ages were 20, 26, 36, and 24, respectively. One of the registrants was adjudicated as a juvenile. While he is required to register, his registration information is available only to law enforcement. The other three were sentenced under the Holmes Youthful Trainee Act. They were required to register, and their registration information was made available to the public on the Internet. The registrants were charged under Michigan's age of consent laws; however, the mothers made statements indicating that they considered their sons' sex offenses consensual and that the offenses were not violent in nature. The mothers ranged in age from late 40s to mid 60s and all were Caucasian. Three of the four participants are extensively involved in advocacy for legislative changes in the state capital and on the federal level. The fourth mother was a new member of the organization. Pseudonyms have been used for both the mothers and their sons to protect their identities. Informed consent was obtained through an information sheet approved by the researchers' institutional review board (#024708B3E).

## THEMES

Focus group participants articulated their stories through the discussion guide provided prior to the interview. Participants recounted stories regarding their family's or their son's experiences with psychological and social consequences of sex offender registration. It is important to note that some of the information discussed in the focus group pertained to other families in the coalition. The three participants involved in advocating for legislative changes consult with many families regarding this social

problem and its consequences. While some of the stories shared in the focus group are not their personal stories, they accentuate and complement the experiences of the actual focus group members. Throughout the presentation of the themes, we will clearly identify these secondhand stories.

### Changes in Sex Offender Legislation

All participants discussed their sons' experiences of being charged, adjudicated, or convicted of sex offenses and under the auspices of which laws their personal information was added to the registry. Two of the registrants' offenses occurred after federal and state laws required information to be publicly available. These registrants knew their names would be placed on the Internet for the public to view before their court cases were completed; however, they were not initially aware that their pictures would be added. In 2005, photos were placed next to the name and information of the registrant (State of Michigan, 2005). The youngest participant was charged as a juvenile; therefore, his registration information is not available to the public. The offense of the fourth registrant, Rob, occurred prior to any legislation requiring public registration. Rob took a plea to HYTA status, not knowing that the registration laws would change in the future. Rob was required to begin registering in 1994 when registration information was available to only law enforcement. Subsequently, the new law requiring registrants' information be available to the public made Rob's personal information public. In retrospect, his family would have made every attempt possible to avoid public registration, because registration has led to a loss of employment and stigmatization. His mother, Brenda, stated,

I mean number one, I still contend that if we would have known that his name was gonna be placed on a registry that we would—a public registry—we would've fought to get a different conviction. Whether that would have happened or not, I don't know. But, we would've fought. We wouldn't have accepted what happened.

### Parenting

#### FEAR AND PARANOIA

Most, if not all, parents worry about the safety of their children. There are many worst-case scenarios that a parent can conceive. The focus group participants discussed their fears and what they called "paranoia" that they feel regarding their sons' well-being. They cited false accusations and unintentional noncompliance of registration requirements as reasons for their paranoia. Furthermore, the fear and paranoia extends past their

families to everyday situations in which there is potential for their sons to be harmed.

The potential for a false accusation by an individual in a new relationship or by an ex-girlfriend ignites fear among these mothers. They noted that their sons' prior records as registrants would suggest that their sons' sides of the story would not be credible. Liz stated, "I can say unequivocally that I am not worried about sexually inappropriate behavior by my son, but I am worried about how vulnerable he is to false accusations. Our society has created an environment in which sheer spite or rumors of prior offense can spur new false accusations." Joanne told a similar story of fearing any situation in which a false accusation could be made against her son. Her son Sean is currently in a relationship with a woman who has a young daughter. Joanne stated she fears that the girl's biological father will make a false accusation if he were to find out that Sean is on the registry.

Another mother, Marlene, talked about what she calls the "mine-fields"—paranoia indirectly related to registration. She stated that she had seen a sign posted at her local credit union where a 13-year-old boy was looking for a babysitting job. Marlene stated that she wanted to call the parents of the young boy to let them know that their son could be at risk for a false accusation. Her personal experience has shaped her worldview of everyday situations that many people would not see as dangerous or harmful for their children. Liz relayed a story about her son, Cory, who currently lives on a college campus in a small town. He frequently takes late-night trips to his favorite fast food restaurants. She fears that if a sexual crime occurs on campus, he may be suspected or accused of the crime because he is on the registry. She encourages him to take a friend with him when he goes for his late-night food trips so he can protect himself against accusations.

Unintentional noncompliance of registration is a threat because registration laws are vast and complicated. Liz noted,

The probability of failing to register, or registering incorrectly, is very high due to registration frequency, unavailability of registration locations, or inadvertently failing to register due to a lack of understanding, inconsistency in information provided by law enforcement, simple forgetfulness, and even the everyday demands of life. This sets registrants up for a second case against them for noncompliance, even when it is not willful.

#### POWERLESSNESS

All participants noted that they have experienced feelings of powerlessness and hopelessness in being unable to save their children from the negative consequences of registration. Liz stated,

I think my son is proud of the fact that I'm talking to legislators and advocating for individuals like him. He has so much faith in me. His view is very simple, however. He thinks, "When something is wrong, my mom will just talk to legislators and get it corrected!" While it's touching how much he respects my abilities, it's not that easy. I'm saddened because I feel I'm letting him down. He really believes that in the end, I will assure "right" will prevail.

All of the participants shared feelings of anguish related to their inability to protect their children. The following dialogue among three of the members displays the feeling of powerlessness that these parents face:

Joanne: Our kids have always felt that we, as parents, would always be able to help them out in a tough situation, "Mom and Dad can make it better," but Mom and Dad couldn't make this better. A lot of the fathers have been impacted a ton. They felt like they let their sons down. I have heard this from several [CSC] members.

Marlene: How they were powerless.

Liz: Oh, and they are powerless.

Brenda and Joanne discussed their inexperience at navigating the criminal justice system and how they lacked necessary information regarding their sons' cases:

Brenda: I'm totally ignorant on all the different things I could have done.

Joanne: We all were ... to begin with, we all were.

Brenda: Maybe if I was more aware, or knew that the group [CSC] existed, maybe there were different things or avenues we coulda taken, or different things I coulda done that maybe would have been successful.

## PROTECTION

All participants told stories about protecting their sons from pain and hurt feelings. Joanne's son told her that someone in a government class in the local school had posted the local registry profiles on a bulletin board. Her son had recently graduated from the high school, but many students in the high school knew his name and picture. In order to protect his name and personal information, she personally sought to remove the posting from the classroom wall.

In addition to protecting their sons' names, participants also sought to protect them from potential legal pitfalls. Both Liz and Joanne are involved in their sons' appointments with law enforcement even though they are now adults. They stated that they do this to protect their sons from wrongful questioning techniques and misinformation regarding registration requirements. Joanne told a story of a second case in which a young girl made a false

accusation against her son Sean. Joanne reported that she and her husband decided to accompany their son during police questioning because they had learned from his first offense that the police questioning techniques may not have been consistent with legal protocols.

#### THE STRUGGLE TO MOVE FORWARD

Recently, Liz's son's petition for removal from the registry was denied. She stated that this was because the judge felt the law did not give him discretion to remove him from the registry. Liz further noted that the judge stated that if he could remove Sean from the registry, he would. She cited the extensive amount of community service her son had undertaken and pointed out that he has been a good citizen of the state, receiving honors from the state house and senate. Reflecting on his denied petition she stated,

What do I tell my son? How do I explain to him that his exemplary behavior counts for nothing? He did all these things for the right reason—unselfish reasons—to help others, and I pray that he doesn't become embittered by the decision, or the label. Thankfully he continues to volunteer whenever he can, which tells me a lot about his character. No one can say that he did it to intentionally look good; if that was his motive, he would have stopped a long time ago, because it hasn't done anything to help him shed his label. I worry that if he keeps getting smacked down with this label that he will begin to feel as though society doesn't care about him, and he might question why he should continue to care about helping society.

The mothers stated that they also need to remind their sons that they are more than just the label of "sex offender." Joanne stated that she continually tells her son, "You are not the label you've been forced to wear." Liz shared how difficult it is to overcome the constant reminder of the label: "I feel like I always have to be this counterargument that says, you know, they can label you a sex offender, but that doesn't mean you are one. But that's a very hard thing to do, given the constant reminders a registrant is subjected to." All of the participants stated that they have been discouraged and felt hopeless concerning any changes in policy that would relieve their sons from this label.

#### Siblings, Grandparents, and Extended Family

Extended family members have also been affected by the negative consequences of registration. Both Joanne and Brenda shared stories of each of their daughters' resentment over the time, money, and energy their parents

have spent on their brother's legal cases. Joanne called her daughter Sarah "a victim of the registry." While she is an advocate and support system for her brother, she is still resentful. Joanne reported that Sarah has entered law school because she felt such a sense of injustice for her brother's situation. Liz stated that her younger son has always supported his brother since the event occurred and was dismayed when the judge did not grant his older brother's petition for removal. Liz states, "He had a childlike belief of right and wrong and what you need to do to correct an injustice."

Grandparents of the registrants have shown different reactions to the situation. In Liz's case, her husband's parents were not told that Cory is on the registry. She noted that they have told some aunts, uncles, and cousins but felt certain family members would not handle the situation appropriately. Liz stated that she did not want the relationships that her son had with these family members to change. Liz's parents were told and as a result have become outspoken advocates against the placement of juveniles and low-risk adults on the registry.

Marlene told a story of her mother-in-law's refusal to share information about Alex's case with extended family members. A great-aunt was in town and had asked her mother-in-law why Alex was on the registry. Her mother-in-law refused to talk about it, which disappointed Marlene:

And I thought, well then they're thinking the worst! She's just so upset about the whole thing, um, but I'm thinking that even if you don't talk about it, doesn't mean it goes away. They just imagine the worst. So tell them that it was a boyfriend-girlfriend thing. Explain it, otherwise they think, "my god, he was with little kids."

Joanne shared a story about her father in Virginia: "It always bothered him about [Sean]. You know, was wanting to know what was goin' on and everything. But my dad ... a year ago in December, his Sunday school class, he did a whole lesson on the sex offender registry." Joanne was proud that her father had taken the steps to educate other people about the issue that deeply impacts his family.

Marlene related her niece's experience with classmates using the personal information of registered offenders for a practical joke. This niece has a different surname, so her classmates were not aware that her cousin was on the registry. Marlene stated, "Everybody thought this [practical joke] was tremendously funny and she was just like sitting there, aching inside because she can't really talk about it." This example highlights the stigmatization these families are forced to endure. Had she defended her cousin, she might have sacrificed her personal reputation. As these anecdotes show, the consequences of registration have wide-ranging effects on the families of registrants.

## Psychological Consequences

Through analysis of the focus group data it is apparent that the psychological consequences of registration are broad. Aside from the fear and paranoia already mentioned, registrants and their families are subjected to stigma related to the label of “sex offender,” shame, and low self-esteem. Additionally, the negative effects of the registry can also compound already existing mental health diagnoses.

### SELF-ESTEEM

All participants believed their sons were not fulfilling their potential in either work or personal relationships. Brenda stated, “He enjoys what he’s doing, but there are opportunities for him to take and do better in the same field, but he’s like, ‘Mom, I’m afraid to do it because of this [registration].” Joanne’s son has lost employment and job opportunities when employers found out he was on the registry. He became withdrawn and developed a fear of being rejected. Joanne stated,

They have been rejected so many times for jobs that they’ve applied for, or almost had the job but then they found out ... they were on the registry. And I can not imagine what that does to their self esteem ... cannot imagine.

The mothers also discussed their sons’ choices of partners. They wondered if they settled for partners who had personal issues in order to establish equality in the relationships.

### STIGMA

Joanne’s son’s case was made public in the local newspaper. He was subjected to a public shaming process that impacted the entire family. As previously discussed, a common theme among participants was the labeling and stigmatization that the registrants and family members have experienced. Liz stated,

What I try to do with my son is to remind him that he’s not a sex offender; he’s labeled a sex offender, but he’s not a sex offender. We are certain of that with all the evaluations he’s had done. We also know that what occurred in his particular situation was not something that should be labeled as a sex offender. But it’s hard because society calls you a sex offender.

Marlene relayed how stigmatization of the label of sex offender has been imbued in her son. When he returned home from a trip to the mall, he recounted an incident to his mother. While at the mall, he sat on a bench

and began to play peek-a-boo with a young baby nearby. He stopped the game because he wondered what the parents of the young baby would think if they knew a sex offender was playing peek-a-boo with their child. Marlene stated her concern about how ingrained the label of sex offender is in her son's mind. She noted that, even if his name is removed from the registry, she feels it will take many years for the label and stigma to go away. One participant noted precautions the family takes to screen for potential stigmatizing and harassing situations. Liz's family takes a multitude of measures to maintain the confidentiality of Cory's information. They have chosen to go to the police department at 10:00 p.m. to register; during the day they fear running into someone they know at the police station who may ask questions. Liz's son is currently on the nonpublic registry and so is allowed more anonymity than those on the public registry. For this reason, he does not share his status with any friends or significant others. Liz stated, "it is literally like prison" to not be able to share his story. However, he does not want to take a chance that someone will use this information maliciously. He hopes one day to be removed from the registry. If someone ever finds out after he is removed, it will be easier to share the experience retrospectively.

#### SHAME

Along with the labeling and stigmatization that the registrants and families endure, there is a sense of shame that is attributed to the public perception of registrants. Marlene revealed her awareness of the shame she feels:

He'd never been in any kinda trouble before or after. And, no matter what good he did, I felt like I never had the right to be proud of him. . . . I almost [didn't] want to talk about him too much around other people because there's that one negative thing that overshadows all the other positive stuff. And I think, ohh, you know, you can't define a person with this one label, but that's what we've done.

#### EXISTING MENTAL HEALTH DIAGNOSES

Marlene and Joanne noted that their sons' mental health diagnoses, bipolar disorder and depression respectively, lead them to constantly monitor their sons' moods:

Marlene: To me it's like keeping them propped up and trying to make sure that they're not too depressed ... and you know, 'cause especially some of these negative things you know. [Alex] lost a job on the fire department that he loved because of being on the registry, and I know that

was devastating. The breakup of his first engagement, that was devastating. So you think how many more blows can they accept?

Joanne: What's gonna put them over the edge?

These mothers act as strong social support systems for their sons. The constant monitoring of their sons' mental stability has impacted their stress levels and overall well-being.

## Social Consequences

The psychological consequences of registration contribute to social consequences, such as isolation and employment issues. These have led one registrant to become financially dependent on his family.

### ISOLATION

Since their sons were charged with sex offenses, the participants found that they no longer have an interest in previous social networks. Joanne stated she no longer had the same priorities as her friends. They were concerned with material things while she was worried about her son's safety and mental state. There came a time when she felt her friends did not want to discuss the SOR or her son's circumstances. She decided to withdraw from these friends for eight years and has just begun to reconnect with them.

### EMPLOYMENT

Obtaining and maintaining employment has been an issue for two of these young men. Joanne became concerned when her son stopped following up on job leads he was given by family and friends. When she questioned him about this, he broke down and cried over the fear of being rejected again. Brenda's son has lost two jobs, and she recalled the events of one of these situations:

The worst thing that happened to him, he and his girlfriend had gotten a job as maintenance people for an apartment complex. So they had their apartment and all their utilities that were part of their pay. It was going along really well and all of a sudden one morning he wakes up, there's a sign on the door that says "sex offender lives here." Then on the lawn there were three other signs that said "sex offender lives here." The apartment complex said they had to let him go.

### FINANCIAL DEPENDENCE

Joanne's son is unable to financially sustain himself because he lost his job and continues to live in his parents' home. About two years ago he was

evicted from his home in the city. As a result, he was forced to move back with his parents. Before moving back home, Joanne and her husband paid his rent for six months after he had lost the job. She stated, "So then we supported two households for six months and ... we didn't tell him he had to move home, but he was feeling so low about himself. He knew he needed to move home to try to get back on his feet." Joanne is concerned about her and her husband's retirement because they have pulled their money out of their savings to support their son.

## DISCUSSION

### Reflection on the Literature and Themes

The themes unearthed in the focus group highlight several collateral consequences that exist for the registrants and the members of their families. Many of these consequences were found in previous research: stigmatization, isolation, changes in personal relationships, and difficulties with employment and housing (Human Rights Watch, 2007; Levenson et al., 2007; Tewksbury & Lees, 2006; Trivits & Reppucci, 2002). The only findings reported by previous research that were not found in this study were threats, assaults, and homicide. This study also found similar themes to Gonzalez-Torres and colleagues' (2007) study with family members of another population that experiences social stigma: people with schizophrenia. Findings similar to those of this study include isolation of the offender and the family, stigmatization, and shameful feelings of having a stigmatized individual in the family.

### Impact of Misperceptions on Registration

A myth of child sexual abuse is that these offenses are perpetrated by strangers in the community. Conversely, the U.S. Department of Justice (2002) reports that most children (78%) are sexually abused by a family member or a friend of the family. Furthermore, the registry has not been found to address one of the key intents of SOR laws: to protect citizens, specifically children, from violent and predatory offenders who reoffend (Letourneau & Armstrong, 2008; Schram & Milloy, 1995; Trivits & Reppucci, 2002). Therefore, the negative consequences of registration may be counter-productive to the original intent of these laws.

When an individual is stigmatized and isolated from society, they may revert to negative coping strategies to deal with their problems. The isolation and stigmatization experienced by offenders can potentially cause them to reoffend (Craun & Kernsmith, 2006; Levenson et al., 2007). Prescott and Rockoff (2008) found community notification to increase recidivism due to the social and financial stress experienced by registrants. One of the original intents of SOR laws was to decrease recidivism; however, collateral consequences

may increase it instead (Presser & Gunnison, 1999). Those establishing or revising policies should carefully consider the implications of registration laws that are informed by misperceptions.

The juvenile justice system was created based on the premise that youth are less culpable for their actions and should be afforded opportunities for rehabilitation. Brain-development research has found that decision-making skills, risk-taking limits, and maturity in youth are underdeveloped (Blakemore & Choudhury, 2006; Steinberg, 2005). Hiller (1998) asserts that disclosing personal information of a young registrant subjects them to stigmatization and physical harm and is neglectful of their developmental needs, all of which impede the rehabilitation process. Placing youth on the public sex offender registry often leads to stigmatization and possible reoffense (Prescott & Rockoff, 2008). Careful consideration of youth registration must take into account their developmental needs and the opportunity for rehabilitation without the stigma that comes with registration.

Michigan, unlike other states, does not use risk assessments to register only those offenders who are at greater risk to reoffend (Caldwell et al., 2008). Furthermore, Michigan allows only HYTA registrants and a limited group of juvenile registrants to petition for removal. One of the original intents of the SOR was to have a database that law enforcement and citizens can use to track and monitor listed individuals. The lack of risk-based criteria for registry inclusion decisions and limits on the granting of petitions for removal, combined with the fact that 200 new records are added per month, results in a large number of individuals being listed on Michigan's SOR (McTavish, 2005). A cost analysis in New Jersey suggests that the effectiveness of community notification and registration in reducing sexual recidivism is too small to justify the costs of maintaining the system (Zgoba, Witt, Dalessandro, & Veysey, 2008). This finding is particularly important as other research has identified that the existence of large, inclusive registries may actually increase recidivism. Prescott and Rockoff (2008) conducted a multistate examination of first-time offenders and recidivism rates. The study found that in communities with a small number of registered offenders, such as those that include only highest-risk offenders, notification was effective in reducing recidivism. Registries that included a larger number of offenders actually resulted in increases in recidivism.

The psychological and social consequences that registrants and their families face are far-reaching, extending from registrants and their parents to siblings, grandparents, and other relatives. These registrants and their families suffer from collateral consequences such as stigmatization, low self-esteem, fear, paranoia, and isolation. This is a unique exploratory study in that it addresses the collateral consequences for the registrant's family.

## Limitations

The major limitations of this study relate to the exploratory nature of this case example and the use of a convenience sample. In this single case focus group, the researcher was limited to only a handful of individual experiences; therefore, the thematic finds are not exhaustive or transferable. No information was gathered regarding the sons' legal cases and the statutes under which they were charged; therefore, the authors can only report the mothers' perceptions of the offenses as consensual.

Further limitations for this study include the makeup of the focus group participants as related to participants' legislative involvement, position in the family, type of offense, removal of the youth from the home, and race. First, three of the participants are extensively involved in advocacy regarding registration laws. They have in-depth knowledge that may not have been gained from a general population of family members of registrants. Second, all of the participants were mothers of sons listed on the registry. Obtaining a cross-section of fathers, grandparents, and siblings may provide a wider variety of perspectives on collateral consequences. Third, a family with an interfamily offense will have particular experiences regarding the collateral consequences of registration. Fourth, families in which the youth was removed from the home as a result of the offense may also have additional unique consequences. Last, the ethnicity of our focus-group participants was homogeneous, with all participants being Caucasian. The same consequences may not be experienced to the same degree by different ethnic groups. Outside of the demographic and historical characteristics of the participants in this study, collateral consequences related to residency restrictions were not included. Studies have shown these laws to have considerable impacts on registrants and their families (Tewksbury, 2007).

## CONCLUSION

The familial experience of sex offender registration is relevant to understanding this social issue in that registration policies affect more than just the registrant. Liz states,

It's not uncommon for sexually inappropriate behavior to occur among youth that come from functional families. These families have responsible parents who are not afraid to address the issue with their "heads up and eyes open." In fact, they are often the ones that in seeking help for their child shed light on the problem. Sadly, the prosecutorial and punitive nature of our criminal justice system toward these young offenders and their families creates such horrific stress throughout the process that it causes families that were otherwise fully functional to become dysfunctional. It takes an extremely strong family to prevent that from happening.

Sex offenders and registration policies are new areas of study within social science research. There are many gaps that need to be filled by further investigation, in particular, juvenile sex offender registration. However, the results of this study indicate that sex offender registries should be reconsidered, especially for youthful offenders, for several reasons. The policies are based on misperceptions of sexual offenders and do not consider the specific developmental processes or needs of youthful offenders. Sex offender registries counteract the rehabilitative preference in the juvenile justice system and unintentionally result in negative consequences for registrants and their families. Future policies regarding sex offender registration need to protect the public while not victimizing the registrants, and more effective policies are needed to address the consequences faced by these registrants and their families.

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