

# **Beyond the Perception and the Obvious: What Sex Offender Registries Really Tell Us and Why**

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*This work examines the sex offender registries in 49 states in terms of the public information they offer from a social construction and social reality standpoint. Social construction is the dominant perspective for the information given about sex offenders to the point where the market for public information may be failing in this regard. This failure could indeed be caused by how difficult it is for a society to look at such acts, focusing on the offender instead. Oregon and West Virginia emerge as registries higher on social construction and reality than others, though none emerges as clearly the most “informative.” Third-party dissemination of information is explored.*

**KEYWORDS** *Sex offender registration, social construction, social reality*

## INTRODUCTION

Life, in its complex nature, is a social construction and a social reality. In exploring the relationship between the social construction of an urban myth, its promulgations and reality, Best and Horiuchi (1985) discussed the “razor blade in the apple” fable in this light. From sea to shining sea children bring this promulgated myth up every Halloween as a cautionary tale and one told so many times it has become true. It is a socially constructed reality and also not true in relation to the volume of its belief. Kenny (2005) noted this paradox, or conflict between reality and socially constructed truths, stating, “the current culture of fear is significantly disproportionate to the actual

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probabilities of threat” (p. 51). It is in this vein that online state sex offender registries are viewed.

Every state and the federal government has an online directory of sexual offenders. The forerunner of such laws was Megan’s Law (see Brooks, 1996; Tewksbury & Lees, 1997 for full history). The introduction of technology permits what Beck (as cited by Kenny, 2005) labeled a “threatening sphere of possibilities” and is directly responsible for the heightened risk society in which we live, along with instant global media. In other words, sex offender registries exist mainly because the technological means are available to deliver the product of information on demand for no cost to the user via the medium of the Internet. In this sense, the registry is a tool for parents or guardians, but they had the same responsibility for child safety before it was available. It now, theoretically, gives the parent another tool in that quest.

The State of Rhode Island Online Registry (n.d.) notes that “this notification [of a sexual offender] is not to increase fear in the community. It is the belief of law enforcement that an informed public is a safe public.” It is also shown by Tewksbury (2005) that there are collateral consequences of the registry that bring negative punishment to offenders. As with any policy there are intended and unintended consequences of sex offender registry despite intention.

The purpose of sex offender registries is to deter, shame (McAlinden, 2005), and socially ostracize (Tewksbury & Lees, 2007) as well as track and inform. Even sex offenders are conflicted about the registry, at the same time unhappy to be on it while understanding in similar proportion why society has such a registry as the registered sex offender sample in Kentucky noted the need to distinguish between the types of offenders rather than taking a “one-size-fits-all approach” as most offenders believed themselves to be neither dangerous nor predatory (Tewksbury & Lees, 2007). This is an important place to start the discussion between the social construction of sex offense and offender and the social reality of the offenders, who themselves are conflicted between the two paradigms.

The views on sex offenders and public information about them ranges in theory from a law enforcement perspective that claims the registry system increases community safety better than the alternative (no registry) to those that Beland (2007) categorized as “moral panic scholars” that claim the powerful “amplify or perhaps even fabricate threats” to construct a social danger. In this sense, it would be more important to have the “boogeyman” in the community than it would to provide the public information people could use to in a specific rather than broad manner.

This brings about two interesting research questions not yet addressed in the literature on sex offender registries:

1. How uniform is the information on state sex offender registry websites between states in terms of offenders (social construction of sex offender

- danger) and their actual offenses and victims (social reality) from the standpoint of public information?
2. Are social construction of sex offenders and the social reality of sex offenses inherently competing or complimentary viewpoints, or is there a reason for the difference that can be identified and changed?

## LITERATURE REVIEW/THEORETICAL FRAMEWORK

Social construction of dangerousness versus the social reality of sexual offender appear to represent competing virtues. Simpson (1996) provided a framework for this study by showing that some perceptions of danger and fear are entirely derived from social constructs regardless of the reality. Additionally, she proposed a neutral framework that can be applied directly to sex offenders, one that “assumes a neutral background (good and/or bad) and marks items as safe or dangerous.” In this sense, being on the sex offender registry marks one as bad, and not being listed means one has not been caught and thus is potentially good. To truly make people safe, detailed information (that is already known and collected) about sex offenders should be provided, though to do so would be to deconstruct dangerousness through showing the true relationships between victims and offenders. Offering scant information on offenders and their crimes but putting pictures and locations on the website for the world to see is one way of providing a level of dangerousness within society while hiding the true social reality of how the offender came to be on the list. Additionally, some states try to have it both ways by listing certain realities (victim gender and victim age) but not providing the information about the offense.

In an important concept discussed by Beland (2007) is that of “collective insecurity” on a segment or the whole of society, noting that “it is a political and social construction.” Under this conceptual framework, sex offender policy and construction is utilized and propagated to enforce the need of police and the criminal justice system to deal with such offenders harshly and for the public to be more scared than informed.

Levenson, Brannon, Fortney, and Baker (2007) found support in a Florida sample that shows most people in the public had the wrong perception about sex offender recidivism rates (as did the Illinois sample in Sample & Bray, 2003), mental illness rates, and victim/offender relationships in terms of promulgating the myth of the stranger in the dark alley. Additionally, the sample was very punitive in its regard to sexual offenders, with respondents stating that they would prefer this type of offender to spend, on average, “39 years in prison and 42 years of probation.” There is an evidential gap between the public perceptions of sex offenders and the reality of these offenders, especially the facts reported by the State of Texas Council on Sex Offender Treatment (n.d.) in relation to those myths: 80% of sex offenses are

between known people and about 85% of offenders are not psychopaths. This is supported by Murray (2000), who discussed research findings indicating that most victims of pedophiles and molesters are girls, and the offender is usually a neighbor, friend, or relative that will not use overt force, a feature more often seen in stranger attacks. There is a clear divide on the social construction of the sex offense and the reality.

Sample and Bray (2003) provided a framework for examining the social construction and reality of sex offenders in terms of policy, stating:

before new [sex offender] legislation is proposed and enacted to suppress criminal behavior, it would be wise to identify popular beliefs about the behavior, assess these conceptions against current empirical evidence, and then decide the most prudent course of action based on what we know about the behavior, rather than basing our policies on what we believe to be true. (p. 79)

This position implies that social reality is more important, policy wise, but that social construction is the true driver of policy when it comes to sex offenders.

In response to Sample and Bray (2003), Wright (2003) offered a more macroapproach to dealing with the divide to what is ultimately the gap and competition of social construction and social reality by providing a six-path method to determining sex offenders and their dangerousness, writing,

first we must develop a reasonable and operational definition of a sex offender; second, examine who is covered in this definition; third, examine who registration and notification laws cover; fourth, discuss the political context of the laws and the public perception of sex offenders; fifth, consider the issue of “fear” and sex offenders; and sixth, assess the current policy approach and alternatives. (p. 97)

One can see in this process that social reality is still trailing social construction of sex offenders in terms of defining who is a dangerous sex offender. Social construction is a part of the process, evident by the term *fear* being in original parenthesis and public perception is quite important to the creation and promulgation of sex offender registries.

This conflict between social construction and social reality can be seen in other issues, for example: the construction of the Oxycontin epidemic in Kentucky that did not match the reality of the actual situation (Tunnell, 2005); the conflict between the social construction for political reasons of two intermediate corrections sanctions (shock/boot camps and intensive probation) and their support despite the fact that in reality neither was shown to be effective (Peterson & Palumbo, 1997); and the disparity between the social construction of female offenders as harmless and innocent in relation to the reality of many female offenders (Denov, 2003). In fact, social construction and social reality are often more complementary than conflicting.

Brooks (1996) argued that Megan's Law was rushed to completion, bypassing normal processes after 1,000 people gathered for a vigil and 1,500 people signed a petition to the governor and the public was outraged. Social construction of sex offenders as an aggregate advanced rapidly, and soon the reality reflected this construction and Megan's Law was enacted.

To be fair and accurate, a weak concept of social constructionism would have to be utilized in this situation because part of the social construction of sex offender danger comes from the reality of those offenders, though exact percentages are not needed to make this qualification.

### The Social Construction of Sex Offenders and Their Danger

There is little doubt that state online sex offender registries with mandated registration are a part of the social construction of sex offender danger (Tewksbury & Lees, 2007) as they define who is a sex offender and who is not, a process that is still in flux and a "recent creation" (Tewksbury, 2005). In keeping with the macro view, Beland (2007) noted that some entities fall at a certain level on the "threat infrastructure" that provides opportunities to those with political power, a view consistent with that of Kenny (2005) in which a risk society "means more and more of our lives are framed by an awareness of dangers confronting humankind at the individual and local levels" (p. 50).

Levenson et al. (2007) found that media plays a role in their finding that people tend to believe their instincts and social perceptions about sex offenders and policies directed at these offenders rather than they do empirical data (social reality). This included findings that the public still supported registries despite the fact they knew how hard it would be on the offender to be on such a list. There is a social construct of the "sex offender" or "predator." Additionally, the Internet seems the primary method of sex offender awareness, with law enforcement seemingly too busy to notify door to door in some places (Levenson et al.).

Evidence was presented by Websdale (1996) that the social construct of sex offenders as lurking strangers actually hurts women and families because that is where the attention should lie in reality. Under this framework, the social construction of the sex offenders is a detrimental distraction to the reality of the problems. Research has also revealed that social construction of the community can occur through television news (Yanich, 2001) and other media, of which the Internet is becoming a major component (Kenny, 2005).

Supervision through registration is part of the social construction of the dangers of a person who has committed a sexual offense. Simply by being on the registry, a person is dangerous. As Mustaine, Tewksbury, and

Stengle (2006) noted, sex offender registries operate under the social belief that “sex offenders may be likely to target those in their immediate vicinity with whom they have frequent contacts” (p. 178). However, with the emergence of online interactions that lead to actual sex offenses, this construct of geography is also potentially at odds with the reality. To watch the offender and protect itself, the community needs identifiers, physical and geographical. These variables are constructed to identify known sex offenders, not to explain and inform on the reality of their offense (a violent rape of a neighbor vs. consensual statutory rape). The photograph of the offender, the largest part of any profile, is usually an updated mug shot. It is on this point that the social construction of crime in general plays a role in terms of public perception of threat and race in terms of how people receive their information (Chiricos & Eschholz, 2002). These researchers found Black offenders to be more portrayed on television news as threatening, with mug shots included. Under this premise, the picture of the offender and their race on the sex offender registry can play a role in citizen perception when that offender’s page is viewed.

Under this theory, to maintain society, society must construct certain subjective perceptions to mitigate the real facts, and in doing so the perception replaces the facts. In line with the public health framework of McMahon (1997), this analysis assumes that the process of sex offender registry information gathered and made available to the public is more important from a socially realistic than constructionist perspective, but that social constructionism is currently the paradigm employed in terms of policy. In essence, the registries are a part of the social construction of who sex offenders are and the danger they represent. The fact that offenders are shown as individuals and data is not aggregated in many cases mitigates the reality of sex offenses in terms of society and the victims. An offender focus is a social construct, a creation based on perception that defines a different reality that is too hard for society to face and accept.

### Social Construction Variables

*Offender data.* Offender data includes picture (mug shot), name, age, date of birth, gender, race, height, weight, hair color, eye color, scars/marks/tattoos, address, map to address, conviction date (of offense for which they are registered, not others), type of crime, registration date, aliases, work address, and vehicle information. These variables permit the cementing of the social construction of sex offender dangerousness that is learned through media (Internet, television, news, public policy debates) and promulgated. It represents what sex offenders look like, where they live, where they work, what they drive, and legalistically what they were known to do at least once. The person is dangerous *prima facie* because

they are on the registry. They are to be avoided and feared by people of all ages near their home and place of employment.

### The Social Reality of Sex Offenses and Offenders

The social reality of sex offenders and their offenses is quite different from the perceptions that make up the social construction of danger of the same offender. The social reality of sex offenses forces a society to look at itself in ways that are painful, including, but not limited to society's most vulnerable are exploited and unprotected (offenses against women, children) broken and improper family bonds exploited (within family offenses); weakened social bonds and social deficit ("bad capital") through offenders that "groom" or use victims of opportunities known to them (offenses by neighbors and friends not related but known to the family and victim); severely weakened and socially bankrupt acts (those committed by people in society's trust: teachers, coaches, religious leaders, community leaders on those they are to guide, teach, protect); an overall lack of safety and security (random violent acts such as a woman raped in a parking garage or in her dwelling by an absolute stranger); and the fear of distance being irrelevant to social relationships (computer offenses that bring an actual offender to an actual victim). If a society has many people that are not safe at home, not safe in school or church, not safe in the company of one's neighbors and family, unable to trust and form the proper societal bonds, who are unsafe and unsecure around strangers and who can be preyed upon online for any reason, then society is inherently becoming weakened. As a result, the reality is not as openly accessible as the social construction variables.

The variables in the state registries that most reflected social realities of sex offenders are listed next.

### Social Reality Variables

*Provided data on more than offender.* Whether the offender owned rental property and, if yes, the address of the property; the sentence the offender received for the crime which they had to register; the last time the address was verified; the treatment status of the offender; the lists/maps of schools and daycares within one to five miles of offender residence and/or work; the age of the victim; the gender of the victim and the relationship between the victim and offender; the modus operandi of the offender; the "targets" of a potential offender; and finally, a description of how the crimes were described to the viewer of an offender profile (in statutory [S] or laymen's terms [L]).

The reality is important to gauge because it has already been established that the perception is very important when it comes to sexual offenders. A lack of information on social reality would indicate a decision made at the state level that information is important for the public to have to protect

themselves and their families from “sex offenders.” The content analysis to sort the information available is described below.

### Sample

The sample included all state sex offender online registries except Maryland (not accessible) for 49 registries studied ( $N = 49$ ).

## METHOD

A content analysis was performed by going to each state’s online sexual offender registry and randomly pulling up one offender from the list. The screen was then analyzed for the information that it offered on that offender. This was written down carefully and double-checked for accuracy. A very simple coding system was utilized in SPSS (Version 15.0) to carry out the basic analysis and data entry. All of the information was entered for each state registry that was available on the Website. After the database was compiled, frequencies were run on each variable to see how prevalent its use was in the 49 states. In a unique way, this method analyzes information that not only any American can access, but anyone in the world with the Internet can access as well.

There is a website (State Sex Offender Registry Rankings, n.d.) that collected similar information for the purposes of ranking the state registries from 1 to 50 in terms of the information provided and the ease of access and browsing of offender information. This work was done by “reviewers” who may or may not have been the same people, so internal validity cannot be measured, but the analysis was conducted along the same methodological guidelines as this analysis: as a person of the public visiting the site to get information. This work will forego ranking registries to view them from a cumulative, macroperspective and not worry about the working of the site but rather what it contains, looking at the information itself rather than comparing states along this variable as improvement, not criticism, is sought.

### Descriptive Statistics

For each state, the amount of variables that were marked “Y” (present on the Website offender profile screen) were added up to represent two measures: the amount of social construction variables present and the amount of social reality variables present in each state. Table 1 displays the aggregate findings for both measures throughout the sample. Tables 2 and 3 display the frequency distributions for the presence of each variable in the state registries for both social construction and social reality measures.

**TABLE 1** Descriptive Statistics of Construction and Reality Variables

Type of variables present	<i>N</i>	Minimum	Maximum	<i>Mean</i>	<i>SD</i>
Social construction	49	4	17	12.84	2.794
Social reality	49	0	8	1.84	1.886

**TABLE 2** Frequency Distribution of Social Construction Variables Present

Number of variables present	Frequency	Percent	Cumulative percentage
4	2	4.1	4.1
6	1	2.0	6.1
8	1	2.0	8.2
9	1	2.0	10.2
10	1	2.0	12.2
11	2	4.1	16.3
12	11	22.4	38.8
13	6	12.2	51.0
14	9	18.4	69.4
15	11	22.4	91.8
16	3	6.1	98.0
17	1	2.0	100.0
Total	49	100	100

**TABLE 3** Frequency Distribution of Social Reality Variables Present

Number of variables present	Frequency	Percent	Cumulative percentage
0	16	32.7	32.7
1	9	18.4	51.0
2	8	16.3	67.3
3	8	16.3	83.7
4	3	6.1	89.8
5	3	6.1	95.9
6	1	2.0	98.0
8	1	2.0	100.0
Total	49	100	100

As seen in the state registry population, the variables that form the “social construction” of a sex offender are much more predominant ( $M = 12.84$  per state) than the variables that form the “social reality” of their offenses ( $M = 1.84$  per state). Although some states offer scant information and some offer detailed descriptions of social reality, all in all the view in this sample reveals that social construction variables are much more prevalent in state sex offender registries than social reality variables are, supporting

**TABLE 4** Frequencies of Appearance of Social Construction Variables in State Registries

Variable	States present (%)	States not present (%)
<b>Social construction</b>		
Offender race	46 (93.9)	3 (6.1)
Offender hair color	43 (87.8)	6 (12.2)
Offender name	49 (100)	0 (0)
Offender gender	45 (91.8)	4 (8.2)
Offender height	44 (89.8)	5 (10.2)
Offender weight	44 (89.8)	5 (10.2)
Offender eye color	43 (87.8)	6 (12.2)
Offender birth date	42 (85.7)	7 (14.3)
Offender current age	15 (40.6)	34 (59.4)
Offender tattoos, scars	19 (38.8)	30 (61.2)
Offender address	48 (96)	1 (2)
Map to offender's house	21 (42.9)	28 (57.1)
Offender conviction date	32 (65.3)	17 (34.7)
Offender compliance status	15 (30.6)	34 (69.4)
Offender crime listed	47 (95.9)	2 (4.1)
Registration date provided	17 (34.7)	32 (65.3)
Offender aliases listed	26 (53.1)	23 (46.9)
Offender work address	7 (14.3)	42 (85.7)
Offender vehicle information	5 (10.2)	44 (89.8)
<b>Social reality</b>		
Rental property locations	1 (2)	48 (98)
Offender sentence provided	5 (10.2)	44 (89.8)
Offender verification provided	14 (28.6)	35 (71.4)
Treatment status provided	1 (2)	48 (98)
List schools/day care nearby	2 (4.1)	47 (95.9)
Victim age	17 (34.7)	32 (65.3)
Victim gender	15 (30.6)	34 (69.4)
Victim/offender relationship	2 (4.1)	47 (95.9)
Modus operandi provided	2 (4.1)	47 (95.9)
Victims targeted by type	2 (4.1)	47 (95.9)
Description of crime by statute	40 (81.6)	9 (18.4)
Description of crime laymen	9 (18.4)	40 (81.6)

the view that this is the dominant perspective in terms of registries and the information conveyed through their existence.

## RESULTS

There are many “identifiers” of an offender’s appearance and geographical range constant across state databases (social construction of dangerousness), but a wide disparity when it comes to information that clarifies the social reality of the offenses: age of the offender in relation to the victim, gender of victim in relation to offender, relationship of victim and offender, method of committing the offense, or sentence received for the crime. As shown in the Table 2, there were less than 35% of state registries that provided information

on the victim's age or gender, if that information is on the profile and not missing. More telling, less than 4.5% of the states provided information on "targets," victim-offender relationships, modus operandi of the offender, or mapping/list of nearby daycares and schools.

The stark reality of the lack of social reality variables is apparent in the percentage of states that do not include the following public information (> 90%): offender sentence, rental property owned by the offender, list/map of nearby schools/daycares, treatment status, victim offender relationship, modus operandi, and/or an offender target section.

Another striking finding is that only 16.3% of states explained their crimes in "laymen's terms" (not legalese) whereas the rest (83.7%) described the crime in "statutory terms" or the actual law broken (which can be hard to understand many times). Only 4.1% (two states) gave lists of daycares and schools nearby the offenders registered address. Just 49% of the states in the registry informed of more than one social reality variable, with 32.7% of the sample offering none. Thus, it does appear that social construction and social reality, when conceptualized as types of public information, are not complementary in nature.

### Public Information

The second research question of this work must now be addressed in a different light. To do so, the framework of Weiss (2002) will be followed in that information is used by policy makers to influence behavior of actors and third parties. Sex offender registries are information campaigns, and as such, Weiss noted they neither have to be true nor comprehensive, just influential enough to change the behavior of people. The registries inform the public, and they do so at varying degrees, understood as more of a policy decision as to how to "frame the information" for maximum efficacy (Weiss). Raymond Kelly, New York Police Commissioner, was quoted as saying, in regards to the problem of information sharing between Washington and the New York Police Department (NYPD) and the reason for the NYPD to open its own secret intelligence apparatus "people have information and they want to control information . . . controlling information is power and they don't want to let it go. It is as fundamental as that" (Linzer, 2008). Therefore, some states seek to inform the public about who a sex offender is, what he looks like and where he lives, whereas others are much more complete in the victims and crimes committed, the age and relationship of the offender, and other elements of their actions. As a result, the "public" is actual several different publics receiving unequal information about something they greatly fear, which leads to local policies of sex offenders being unable to live within a certain amount of feet from playgrounds, schools, daycares, or anywhere children congregate. The outcome of these policies is a continual shift of offenders, a flow rather than a pooling where people informed of their

actions can watch them. The state controls the information, and users must discern their risks and the threat that information poses, so the information must be examined more deeply.

The handling of the collection, selection, and distribution of sexual offender and offense information may in fact rise to a level of governmental market failure. According to Steinemann, Apgar, and Brown (2005), *imperfect information* is defined as “one or more participants not having the information they need to make a decision” with *asymmetric information* defined as “uneven information is present between buyers and sellers in market” (p. 253). Further along these lines, Steinemann et al. noted that “both the public and private sectors have sought to alleviate market imperfections associated with imperfect information with approaches that have included third party markets for providing information” (p. 256). The failure of states to evenly inform about sex offenders, their crimes, victims, and methods may indeed rise to the level that third-party disseminators can step in and do a more thorough job in partnership with the criminal justice system (police, courts, and corrections) than the state police systems can on their own.

Clearly, residents in different states are receiving imperfect, asymmetric information about sexual offenders registered by the state in which they reside, and offenders face greater suspicion the less is known about them other than the label of sexual offender. This information is powerful in perception and reality. But is the best way for the government (i.e., law enforcement entities) to select and manage this information?

## POLICY IMPLICATIONS

The clearest policy implication from this preliminary research of aggregate registries is that policy makers may frame the debate on sex offenders and shape public perception with more of an impact than the actual facts have on reality. As a result, the social reality of sexual offenders needs to be more empirically explored. More important, society needs to be careful in constructing sexual offenders as a group for fear of losing sight of the reality of the individual offender. That being said, the empirical facts on sex offenders may take a long time to catch up in importance to social construction of what the sex offender already represents in American psyche. As a result, it will be a long time before all or even a majority of state sex offender registries have full or partial social reality variables accessible to the public.

Third-party dissemination, administration, management, and distribution of sex offender information might be a hard sell to those that currently control the flow of such information. It is powerful to hold in one hand the information and use the other to write policy and law that derives from the information. There is a socially constructed and socially realistic need for a

public enemy, and learning that a person is on the registry for a statutory rape when he was age 17 simply doesn't fit that need, but seeing his name, face and address does. Hopefully this discussion will simply be a primer about who does control that information and how.

Clearly, the main policy implication discovered in this content analysis should be the uneven availability of information about sex offenders in proportion to the ire and fear they incite in the public, enough where they need to be registered on a Website and are in every state. If information is power, in this case, the state holds more power than the people in regards to defining and conceptualizing who sex offenders really are and what they have done. As a matter of policy, the social reality information should be integrated into the registry, as in Oregon and West Virginia (see Oregon and West Virginia State Sex Offender Registries, n.d.).

If one seeks to use sex offenders as an instrument of fear and portray an image of public safety in regards to a registry, policy could be used to limit offender information in the registry to social construction variables and little else. The registry is one-size-fits-all and perception driven. The inequities inherent in this type of policy make it poor public policy in terms of the management of public information.

If one seeks to inform and introduce more equity, another policy choice is to list all the information pertinent for the public to truly be informed and make logical decisions about people registered as sex offenders. Their crime is listed, their sentence, the relationship, gender, and age of the victim is as well to make the public more informed. A third party may be able to provide more uniformity and equity in the public information campaign across the United States as this type of offense touches every corner of society and must be faced rather than avoided.

## LIMITATIONS

The Megan's Law section of the Pennsylvania State Sex Registry (n.d.) notes that the offender listed may or may not have committed other crimes and that the current information may not be current in terms of status, address, and other data. Furthermore, each state has different statutes that lay the legal foundation for the registry so uniformity of information was not expected. In essence, the site has to be trusted to provide the valid, reliable information on the offender. This work did not check how often a variable was completely filled in, just whether it was present. The size, concept, and construct of the sample also permitted little quantitative analysis of any breadth, a limitation will be not be present in two articles subsequent to this one which lays the groundwork on the discussion. It is also not clear if state laws would prevent or encourage third-party management of the public information of sex offenders and their offenses, a limitation of this work.

Conceptualization of the variables is also a limitation for all its strengths in creativity. Some may disagree on whether a variable is really a “social construct” or a “social reality” but to do so would miss the strengths of the overall approach and findings. Public information is meant to be interpreted, and this work is not criticizing the existence of these Website registries or their utility but rather analyzing the current content with the goal of increasing the utility to society these registries can offer. Clearly, the information is lacking for a great deal of people when they make decisions not to have someone move in or forcing them to move out.

Indeed, one other limitation is that this work just scratches the surface on the role of third parties in regards to public information of sex offenders, like starting an engrossing discussion at a party and walking away. The goal of this work was limited in scope and conceptual in nature with moderate conclusions, a strength that mitigates some of these limitations.

## CONCLUSION

Although Best and Horiuchi (1985) were discussing the social construction of an urban Halloween legend, the article touched on more profound social areas such as fear of crime, mistrust of others, and threats to children, the same constructs used to frame the sex offender construction on the part of society. The realities are similar in both cases, but that seems less relevant. Overall, sex offender registries were fairly consistent in the social construction variables provided, but less so on the variables that make up the social reality of sexual offense. There was uniformity, just not in the area of social reality. As a result, it seems as if social reality of sex offenders/offenses does indeed compete with the social construction of the same offenses/offenders because the perception driving policy does not match the evidence or facts of reality.

Taking a governance approach (third-party operation of sex offender registries) rather than a direct government approach (state police or law enforcement registry operation) to sex offender registries has the potential to create more equal and complete public information and shape public policy toward the overall known sex offender population. As a tool of government, public information about sex offenders is not uniform or in many states informative. It is not too much of a stretch to believe that if local organizations were provided with the information that law enforcement has and were able to run the registry networks that the public would be better informed than the current research revealed, and more informed policy could perhaps ensue.

The current public information campaign on sex offenders clearly is uneven, and government producer/distributors of this information can easily provide more of the social reality of these offenses and offenders as is the case in some states like Oregon and West Virginia. Even in states that “offer” victim and offense information, the victim information is often missing or

N/A, and the offense information is written in legal terms of degree and behavior. The Pennsylvania Sex Offender Registry (n.d.) states that “public access to information about registered sex offenders is intended solely as a means of public protection.” By that standard, many states are below the bar in the information they provide, and another governmental agency or third party may offer another way for the public to really receive the information they need to make a decision, with all else being equal, meaning the perception matches the reality.

From a governmental perspective, this work addresses several issues discussed by an expert panel on child sexual abuse. According to McMahon and Pruett (1999), a public health approach to this problem would include uniformity of information across states and changing the media framework of how this problem is presented as “policy often follows media portrayal.” This article shows that these points still need to be addressed.

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