

Resources for the Prevention of Sexual Abuse



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“Collateral Consequences of Juvenile Sex Offender Registration and Notification: Results From a Survey of Treatment Providers.”

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THE QUESTION

What do treatment providers perceive as the impact of sex offender registration and notification (SORN) policy and practice on youth who have perpetrated sexual harm? Specifically, how does SORN affect these youth with regard to their mental health, problems at school, exposure to harassment and unfair treatment, living instability, and risk of reoffending? And lastly, what are the policy implications of SORN consequences on youth?

THE RESEARCH

Despite traditional juvenile justice policy that recognizes the need for youthful offender-specific policy that is separate from policy for adult offenders, in recent years, SORN policies designed for adult sex offenders have been applied to youth in at least 34 states. Recognizing the unique perspective treatment providers have about the impact of policy on their clients, the authors issued an online survey to 265 U.S.-based treatment providers to understand how they perceive the impact and collateral consequences of SORN on youth with sexual behavior problems. For the survey, the authors developed 42 items to assess five key domains in which collateral consequences of SORN might occur:

1. Mental health problems;
2. Harassment and unfair treatment;
3. School problems;
4. Living instability; and
5. Risk of reoffending.

RESULTS AND CONCLUSIONS

The respondents were asked to respond regarding consequences in all five of these domains with regard to both 1) registration; and 2) notification. With regard to registration, in four out of five of the domains, a majority of respondents agreed that youth subjected to registration would be more likely to experience negative consequences than youth without registration requirements. While a majority of providers did not feel that registration might increase the risk of youth to reoffend, 18 percent did feel like registration heightened risk for reoffense.

Likewise, with regard to notification, a majority of respondents agreed that youth subjected to notification would be more likely to experience negative consequences than youth without notification requirements, and that notification was not likely to increase youth recidivism. A strong majority of providers cited shame, embarrassment, and a sense of aloneness as negative mental health outcomes of notification, and an increased lack of personal safety as an additional outcome. Interestingly, more providers felt that notification could increase youths' likelihood to recidivate. Specifically, 35% of providers reported that youth subjected to notification could be at higher risk to sexually recidivate than youth with no notification requirements. The authors note that the differential here between perceived consequences of registration and notification are logical because of the fact that public notification is a more "significant form of public shaming than registration" since the public, and not just law enforcement, are alerted about a youth's status as a "sex offender."

The authors conclude that current public policy trends in response to the perpetration of sexual offenses are contrary to evidence-based best practices for youth with sexual behavior problems. When sanctions designed for adult sex offenders are applied to youth, the developmental and psychosocial contexts of youthful offending are ignored. The results of this study "join a growing chorus of voices" concerned with the application of policies intended for adult offenders to juveniles who have perpetrated sexual harm.

IMPLICATIONS FOR PROFESSIONALS

Professionals will want to bear these findings in mind when making recommendations about youth who have abused. In our rush to reduce risk and ensure safety for all, it can be easy to overlook the toll that shame and social isolation can take on young people and those around them. While many in the lay public will disagree with this sentiment, the question that all professionals should ask first is, "Do we want them to do it again or not"? If problems forming relationships (including due to shame and social isolation) are risk factors for abusing, should we not do everything in our power to be helpful in this regard? Ultimately, these findings remind us that the most effective responses to abuse are those that emphasize taking responsibility for one's future as well as understanding one's past.

IMPLICATIONS FOR THE FIELD

Perhaps the most striking element of this study is that no one believed that SORN would actually decrease risk for re-offense. This fact alone should remind all who enter this field that punishment and SORN policies should not be confused with actual rehabilitation and reintegration into the community. Each may serve a purpose, and each may produce significant

challenges for youth, their families, and the community when improperly applied (and especially when applied as one-size-fits-all approaches).

Finally, this study shows once again that society's approaches towards sexual abuse have long seen adult policies and practices extended downward to youth. This has too often occurred despite massive evidence that adolescents are not simply younger versions of adults who have abused. Their risks and needs are different, as are the interventions that help them build better lives.

ABSTRACT

Among many in the research, policy, and practice communities, the application of sex offender registration and notification (SORN) to juveniles who sexually offend (JSO) has raised ongoing concerns regarding the potential collateral impacts on youths' social, mental health, and academic adjustment. To date, however, no published research has systematically examined these types of collateral consequences of juvenile SORN. Based on a survey of a national sample of treatment providers in the United States, this study investigates the perceived impact of registration and notification on JSO across five key domains: mental health, harassment and unfair treatment, school problems, living instability, and risk of reoffending. Results indicate that treatment providers overwhelmingly perceive negative consequences associated with registration with an incremental effect of notification indicating even greater concern across all five domains. Providers' demographics, treatment modalities, and client profile did not influence their perceptions of the collateral consequences suggesting that provider concern about the potential harm of SORN applied to juveniles is robust. Policy implications are discussed.

CITATION

Harris, A.J., Walfield, S.M., Shields, R.T., & Letourneau, E.J. (2016). Collateral Consequences of Juvenile Sex Offender Registration and Notification: Results From a Survey of Treatment Providers. *Sexual Abuse: A Journal of Research and Treatment*, 28(8) 770–790.