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### An Analysis of Registered Sex Offender Reentry Challenges in Mississippi

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UNIVERSITY OF NORTHERN COLORADO

Greeley, Colorado

The Graduate School

AN ANALYSIS OF REGISTERED SEX OFFENDER  
REENTRY CHALLENGES IN MISSISSIPPI

A Thesis Submitted in Partial Fulfillment  
Of the Requirements for the Degree of  
Master of Arts

Kitsya Jazmin Cordova

College of Humanities and Social Sciences  
Department of Criminology and Criminal Justice  
Criminal Justice

December 2019

This Thesis by: Kitsya Jazmin Cordova  
Entitled: *An Analysis of Registered Sex Offender Reentry Challenges in Mississippi*

has been approved as meeting the requirement for the Degree of Master of Arts in  
College of Humanities and Social Sciences in Department of Criminology and Criminal  
Justice.

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## ABSTRACT

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Sex offenders are often considered the most dangerous type of criminal by the public, which is a common misconception (Levenson & D'Amora, 2007; Tewksbury & Copes, 2012). Registered sex offenders usually have the lowest recidivism rates when compared to other offenders (Robbers, 2009). The issue is that registered sex offenders are targeted by multiple set of laws such as the Wetterling Act, Megan's Law, Adam Walsh Act, among others, Such sex offender legislation creates multiple reentry challenges that other type of offenders may not face (Grossi, 2017; Tewksbury & Copes, 2012). By using secondary data from Griffin and Evans (2019), the present study analyzed the type of reentry challenges that sex offenders face and dividing them into three categories; housing, employment, and support system/stigma. Additionally, it was examined if living area or victim type affected these reentry challenges. Using univariate and bivariate analysis, it was determined that sex offenders do face reentry challenges in all three categories, especially regarding housing when considering victim type. These findings help confirm past research and further educate legislators and the general public of the challenges that registered sex offenders have to become a law-abiding citizen, solely because of their master status.

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## CHAPTER I

### INTRODUCTION

After serving their prison sentence, approximately 10,000 sex offenders return to the community each year (CSOM, 2007). In general, the availability of resources that assist with successful reentry into society among the formally incarcerated is limited (Grossi, 2017). As a result, offenders who are released into the community often have trouble reintegrating back to society, which can ultimately lead to them reoffending. Among those who reenter society after being incarcerated, sex offenders have been found to experience greater challenges associated with their reintegration due to the negative stigma surrounding their offense (Grossi, 2017; Tewksbury & Copes, 2012). Sex offenders have trouble finding places to live, employment opportunities, and are often shunned by people in the community who are privy to their status due to local sex offender registration and community notification laws (Lasher & McGrath, 2012). This is concerning given these policies aim to monitor sex offender's whereabouts in society but may in fact be promoting the stigmatization that sex offenders experience upon reentering the community.

According to the Bureau of Justice Statistics, rape or sexual assault in 2016 occurred at a rate of 1.1 per 1,000 individuals (Morgan & Kena, 2018). In general, the public believes that individuals who perpetuate sex offenses are the worst type of criminals (Tewksbury & Copes, 2012). Media outlets have helped fuel fear by highlighting cases that have to do with sexually violent predators who typically sexually

assault and then murder their victims (Robbers, 2009). Subsequently, apart from airing high profile cases, the media usually exacerbates the dangers of having a sex offender within the community. For example, the public usually is told that sex offenders have high rates of recidivism, a myth that is often perpetuated through the media (Mancini, 2014). To that end, the public demands punitive laws from legislators that focus on strict management and control of sex offenders in their community. One of the first public outcries consisted of Sutherland's (1950) Sexual Psychopathy Laws, which expressed that sexual offenders are inherently evil and cannot be cured. These laws were not passed in a legislative manner but were utilized as a theoretical framework for forthcoming laws. Sutherland (1950) was one of the first individuals to state that sex offenders are a grave threat to women and children due to the nature of sex crimes.

The death of Jacob Wetterling in 1989 was one of the first cases that sparked a political conversation about sex offender laws because the offender had been a suspect in other sexually motivated cases (Terry & Ackerman, 2009). The Wetterling Act established the foundations for states to register sex offenders for the purposes of law enforcement investigations and intelligence (U.S. Congress, 1994). In addition, this law enacted standard definitions for sex offender sentencing laws and established the label of Sexually Violent Predator (SVP). Finally, the revised Wetterling Act added requirements for the status of SVP, and guidelines for transient registered sex offenders (U.S. Congress, 1997).

The next tragic event that helped define sex offender legislation today was the death of Megan Kanka in 1994 (Schultz, 2014). The perpetrator, neighbor to the Kanka family, had a history of sexual assault which was unknown to the Kankas. Her death

resulted in the enactment of state-wide Megan's Laws (Schultz, 2014). Megan's Laws required all states to make registered sex offender information available to the public, creating what is commonly known as community notification. The intention of this law was to protect the community from sexually violent offenders who lived close to children. To further community protection, in 2016, an International version of Megan's Law was enacted that allowed foreign countries to be informed of a registered sex offender traveling to their country (U.S. Congress, 2016). Additionally, the Pam Lychner Act was passed in 1996 to create a national database for sex offenders across the entire United States (U.S. Congress, 1996b). The national database consists of a registry where sex offenders must register with the Federal Bureau of Investigation and provide personal information.

The most significant law today that has shaped sex offender legislation in the United States is the Adam Walsh Act of 2006 (U.S. Congress, 2006). This act organized sex offenders into three classifications that justified requirements of registration based on risk. Title I of the Adam Walsh Act, also known as the Sex Offender Registration and Notification Act (SORNA), details the three tiers of sex offenders (Tier I, Tier 2, and Tier 3). Additionally, SORNA explains the current regulations for sex offender registration and community notification (Lasher & McGrath, 2012; U.S. Congress, 2006).

Apart from community notification, some registered sex offenders also have to comply with residency restrictions that prohibit them from living within a certain distance where children congregate. Residency restriction laws vary across neighborhood, city, and state. For example, in Alabama, registered sex offenders cannot live within 2,000 feet of any location where children may congregate (e.g., churches, parks, schools, beaches)

(Bratina, 2013). In Colorado, registered sex offenders do not have to comply with a statewide residency restriction, but they do have to comply with restrictions set by certain municipalities. Additionally, in Colorado, registered sex offenders are required to receive treatment for the rest of their lifetime as a part of being a registered sex offender (Colorado Legislative Council, 2008).

Sex offender legislation in general, although well intentioned, has caused challenges for sex offenders when reentering into society. One of the big challenges that registered sex offenders face is finding employment. Many offenders are automatically disregarded for employment due to their criminal history; however, due to having a sex crime, employment is harder to obtain for some. Employers often will not hire registered sex offenders for fear of recidivism, and to protect their clientele (Frenzel, Bowen, Spraitz, Bowers, & Phaneauf, 2014). A lack of employment creates financial hardships and additional barriers to finding housing. Stable housing is essential for the success of offenders reentering society (Robbers, 2009).

About 700,000 inmates who are released into the community struggle to find adequate housing (Lutze, Rosky, & Hamilton, 2014). Having a criminal background can disqualify an individual on a housing application. For sex offenders, this problem is enhanced because some registered sex offenders cannot live with, or around, children. Furthermore, landlords may not want to rent to registered sex offenders due to their criminal status. Additionally, some homeless shelters may not allow registered sex offenders because of funding regulations or capacity levels. Homeless shelters may have a maximum amount of sex offenders that they can hold. Moreover, some homeless shelters may not comply with residency restrictions, not making them an option for

registered sex offenders. These challenges have forced some registered sex offenders into homelessness, thus making it more difficult for parole officers to determine their whereabouts when in the community.

Apart from suffering from a loss of job and housing opportunities, registered sex offenders often have to live with the negative connotation of being a sex offender for the rest of their lives. Some sex offenders may lose contact with their family due to the offender being labeled as a sex offender or simply because the family may face harassment. The negative stigma of being a sex offender usually comes from the media (Grossi, 2017). This stigma fosters harassment directed towards the sex offender while being imprisoned and after release (Mingus & Burchfield, 2012).

There are two criminological theories that explain why sex offenders may face more struggles than the usual offender upon reentering society: Labeling and Reintegrative Shaming Theory. Labeling theory consists of symbolic interactionism and how labeling an individual as a criminal will create subsequent criminal acts (Akers & Sellers, 2013a; Becker, 1963). As such, a master status develops and supersedes all other labels (i.e., “registered sex offender”). The master status of an individual can take over their life, and the individual may act according to his or her label. The second theory is reintegrative shaming theory. This theory consists of humiliating somebody, thus creating a physical and symbolic punishment (Braithwaite, 1989). Usually after an individual is shamed, they are reintegrated back into society, unfortunately for sex offenders they are disintegrated or separated from society. Braithwaite (1989) argues that when society engages in disintegrative shaming you can expect that person to continue to engage in

criminal activity. Many criminologists have examined whether sex offender laws act as disintegrative shaming techniques and thus questions their utility.

This study is important because it will allow greater understanding on the impact current sex offender legislation has on sex offenders' ability to comply with such laws. In addition, it is important to understand any collateral consequences that these laws may have since their enactment. The next chapter will review the evolution of sex offender legislation, along with studies that have explored the collateral consequences associated with these laws, specifically in regard to their employment, housing, and support systems needed for successful reintegration in society after incarceration. This discussion will be followed by the purposed methodology for the current study.

The current study will examine reentry challenges that registered sex offenders face by using secondary data obtained from Griffin and Evans (2019). Griffin and Evans (2019) mailed a survey in Mississippi to registered sex offenders to address how race impacted the reentry challenges. This study, however, will focus on three research questions . These will be answered regarding the type of reentry challenges that registered sex offenders face, how the living area may affect these reentry challenges, and how the victim type may influence these challenges.

### **Purpose of this Research**

The purpose of this research is to provide additional information on registered sex offender reentry challenges. By furthering and even confirmation previous studies' findings, the general public has the opportunity to decrease their fear of registered sex offenders. Furthermore, this study will help legislators see the impact that community notification and registration laws have. It is important to first understand the reentry

challenges that registered sex offenders experience, in order to comprehend how faith-based reentry programs may help registered sex offenders. This research will examine the type of collateral consequences that registered sex offenders experience. The three research questions posed in this study were:

- Q1 What reentry challenges do registered sex offenders face?
- Q2 Do registered sex offenders differ in reentry challenges based on where they live? (i.e. rural, urban, suburban)
- Q3 Do registered sex offenders differ in reentry challenges based on their victim's characteristics? (i.e. adults, teens, children under 12, multiple ages)



CHAPTER II  
LITERATURE REVIEW

**Sex Offender Laws**

Most individuals believe that sex crimes are happening at a rapidly growing rate due to misinterpretation of these numbers by media outlets (Grossi, 2017). Media outlets exacerbate the fear of sex offenders among the public by publicizing high profile cases involving sexually violent predators (Robbers, 2009). Horowitz (2017) states that, "the perception that children are in constant danger of sexual abuse by random adults is widespread" (Horowitz, 2017, p. 34). This perception fuels much of the legislation that manages sex offenders in society today.

According to Tewksbury and Copes (2012), the general public, as well as influential people in the criminal justice system, believe that sex offenders are the most dangerous type of criminal to society. Legislators also proclaim that registered sex offenders have high rates of recidivism, a common misconception (Beauregard & Lieb, 2011). Recidivism regarding reoffending for sex offenders is usually lower than other offenders, being less than 15% (Robbers, 2009). Even former director of the Federal Bureau of Investigation, J. Edgar Hoover, exclaimed of the threat sexual criminals posed to women and children (Horowitz, 2017). The general public often pushes for more punitive punishments for these offenders because they are believed to be violent, and at high risk for reoffending. People's fear has created various laws that have not always had

the best intentions. Wright (2009), states that, “American policy responses to prevent or address sexual offending, particularly those enacted within the last twenty years, have largely failed” (Wright, 2009, p. 3).

This common perception generated an outcry that has led to the creation of multiple policies against sex offenders that started with the Sutherland’s (1950) Sexual Psychopathy Laws and evolved into the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act of 1997, the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Megan’s Laws, the Adam Walsh Child Protection and Safety Act of 2006, the Sex Offender Registration and Notification Act of 2006 and current residency restrictions across the country. Laws against sex offenders have evolved and have subsequently created collateral consequences for society as well as the sex offenders themselves

### **The Beginning: Sexual Psychopathy Laws**

Sutherland’s (1950) seven Sexual Psychopathy Laws were created in the 1940s due to the public outcry of sexual crimes happening at that time. The first law stated that women and children should be protected against sex offenders because sex crimes are rapidly increasing. The second law stated that sexual psychopaths commit most sex crimes, and there is no way to predict the number of sexual psychopaths that exists in the world. The third law stated that sexual psychopaths would continue to commit sex crimes due to a lack of self-control or their mental malady. The fourth law stated that with precision, sexual psychopaths can be recognized before any sex crime is committed. The fifth law stated that society is failing in its duty when a sex offender is convicted, punished, and then released to continue their crimes. The sixth law proclaimed that there

should be legal measures to isolate potential and current sex offenders until their mental malady has been cured. Finally, the seventh sexual psychopathy law stated that any diagnosis and treatment should be from professional psychiatrists because sexual psychopaths suffer from mental malady (Sutherland, 1950). The Sexual Psychopathy Laws consists of two main components that are utilized for enactment; an overt act and a particular state of mind (Sutherland, 1950). Before the laws could be implemented, states had to decide what an overt act was and what mental state would be associated. Sutherland (1950) mentioned that it was not necessary in some states for individuals to commit a sex crime their personality just had to be diagnosed.

These Sexual Psychopathy Laws were implemented in California, Illinois, Michigan, and Minnesota between 1938 to 1939 and were shown not to reduce sex crime incident rates (Sutherland, 1950). In these four states, once an individual had been diagnosed as a psychopath, they were to be isolated in prison. However, rates of rape were the same as before the implementation of the sexual psychopathy laws in relation to other nearby states. Sutherland (1950) suggested explanations for the failure of the sexual psychopathy laws because these laws were passed due to the initial panic among that the general public faced and were not revised after the initial fear had passed. Another suggestion was that individual states did not have the means to house and care for sexual psychopaths. However, laws against sex offenders have continued to persist since the 1950s.

### **The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act**

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act was created after Jacob Wetterling, an 11-year-old boy who was kidnapped in his hometown, St. Joseph, Minnesota, and later sexually molested and murdered in October of 1989 (Terry & Ackerman, 2009). His murder was a mystery for about 30 years. Danny James Heinrich confessed in detail to the events that led to Jacob's death in exchange for a plea deal. Heinrich was known to be a suspect in other sexually motivated cases. It was this single case that led to the passage of Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Terry & Ackerman, 2009).

The Wetterling Act established the baseline standards for states to register sex offenders, where sex offenders' personal information were to be on file with the government (Frenzel et al., 2014; Walker, 2007). The Attorney General established guidelines for the states to require a person who has been convicted of a sexually violent crime, is a sexually violent predator, or who has an offense against a minor, to register with designated law enforcement within the state that they reside (U.S. Congress, 1994). If an offender is required to register and is placed under supervised release, parole, probation, or is released from prison either the state prison officer or the court is required to inform the offender of their registration status and to update any changes within ten days of the change in their information. Also, if the offender decides to leave the state, he or she must notify the state they are leaving and the state where they will take residency in, ten days after moving (U.S. Congress, 1994). Furthermore, the officer or court who

gathers the information of the offender must send it to the designated state law enforcement agency and the appropriate state law enforcement record system within three days of obtaining the offender's information.

The Wetterling Act also created definitions to aid in the sentencing of sex offenders. For example, an enhanced sentence resulted when the crime against a minor included kidnapping of a minor, false imprisonment, criminal sexual conduct towards a minor, and/or any solicitation of a minor to perform sexual acts. The Wetterling Act also established a higher class of offenders labeled as Sexually Violent Predators (SVP). SVP's are those labeled by the court, after analyzing the offender's behavior and treatment history. SVP's also are said to suffer from personality disorders or a mental abnormality that may explain their likelihood to commit sexual acts in the future. Additionally, for an offender to be labeled as a predator, they must form a relationship for the sole purpose of victimization. The Wetterling Act required SVP's to verify their address every 90 days. For sex offenders who are not SVP's they are required to verify their address every year until the court finds it unnecessary for the offenders to register.

Under the Wetterling Act, the use of offenders' personal information was for law enforcement purposes only unless local law enforcement deemed it necessary to release the information to protect the public. The federal version of the Wetterling Act served as encouragement to individual states to implement sex offender laws regarding registration. Individual states had up to three years to implement the Wetterling Act; otherwise, a 10% reduction of state funding would take place (U.S. Congress, 1994). Additionally, any funding that is taken away would be transferred to other states that do implement the Wetterling Act.

**Revisions of the Wetterling Act.** The Senate and the House of Representatives of the United States of America revised the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act in 1997 (U.S. Congress, 1997). A section was added to determine the status of an SVP as well as waivers and alternative measures to this status. The SVP status was to be decided by the court with recommendations from sex offender behavior experts, victim rights advocates, and law enforcement.

Additionally, the revised and updated section of the Wetterling Act gave the option for the Attorney General to waive the requirements of an SVP label or to provide alternative measures. The revised Wetterling Act also defined employment as any full or part-time job that exceeded 14 days, or 30 days in a cumulative time period within a year.

However, it is not necessary for employment to be financially compensated; it could include volunteer hours, or for a governmental or educational benefit. Moreover, a student is also defined as an individual who is enrolled in an educational institution either full or part-time.

Furthermore, the revised Wetterling Act included a detailed section on state and national reporting guidelines. States were required to ensure that all conviction data and fingerprints are transferred to the FBI. The Wetterling act also made it clear that states are to participate in the national database and annually verify the current address of the registered sex offender and any additional guidelines that the Attorney General may set. Additionally, all information regarding the registered sex offender must be submitted to the appropriate state database and be kept up to date. The Attorney General also issued guidelines for registered sex offenders moving across the country, to be able to register within their new state of residence. The guidelines included having individual states

guarantee that actions are set in place to accept registration information from any individual who has been “convicted in another state, of a federal offense, or sentenced by a court-martial; and nonresident offenders who have crossed into another state in order to work or attend school,” (U.S. Congress, 1997, p. 8). The revised Wetterling Act emphasized that any offender who was required to register must register in the jurisdictions where they are employed or are a student. Therefore, it also added that when an offender is released, the chief law enforcement officer of the corresponding state, and the local agency where the offender will reside in, must be notified of such release. The notification creates a responsibility for the local agency of maintaining the sex offender registry up to date.

Furthermore, it was expressed by the U.S. Congress (1997) that individual states should have a law, stating that stalking an individual, particularly children is a crime even if no harm is presented. Another suggestion was for the Attorney General to provide an annual report of what the suggested laws for each state are, following their punishment as well. However, the Wetterling Act was not as effective as what the nation had hoped for.

### **Megan’s Law**

In 1994, Megan Kanka, age 7, was raped and murdered in New Jersey by her neighbor, who was a convicted sex offender (Schultz, 2014). Jesse K. Timmendequas had been previously convicted twice for committing sexual assault on girls. Timmendequas persuaded Kanka to go into his house where he sexually assaulted and killed her. Kanka’s body was found the next day due to Timmendequas confession and cooperation. Megan’s parents were outraged to find out that the man who had taken their daughter’s life was a convicted sex offender,

We wanted to know if the police knew about this. Didn't anybody know that three convicted sex offenders lived across the street? It turned out nobody knew (Schapiro, 2014).

Due to the public outcry of this highly publicized case, the federal government decided to pass additional statutes requiring a sex offender registry for all states. The federal version of Megan's Law required law enforcement to make registered sex offender information be available to the public. Megan's Law was enacted by President Clinton as an amendment to the Jacob Wetterling Act, in 1996 (U.S. Congress, 1996a). Megan's Law allows individual states to disclose information about the sex offender registry to the public to enhance public safety. The federal version of Megan's Law also required individual states to adopt a version of Megan's Law as well. The purpose of the amendment was to protect the public from sexually violent offenders, that live in close proximity.

Additionally, Megan's law required offenders to keep their own personal information updated regularly and to notify law enforcement of any changes. Under Megan's Law, offenders are required to register for a certain number of years, or life, depending on the court's decision (U.S. Congress, 1996a).

**International Megan's Law.** In 2016, President Obama signed the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (U.S. Congress, 2016). The legislation addresses over one million of children who are victims of child sex trafficking and pornography, according to the International Labour Organization (U.S. Congress, 2016). The International Megan's Law established the Angel Watch Center, within the Child



Exploitation Investigations Unit of U.S. Immigration and Customs Enforcement. The Angel Watch Center serves to receive any notification of any registered sex offenders who want to migrate to the United States.

The international Megan's Law requires the Angel Watch Center to notify foreign entities when a registered sex offender will be traveling to their country either 24 hours before the intended travel or no later than 72 hours after the travel. Subsequently, the center should notify the United States Marshals Service's National Sex Offender Targeting Center of any registered sex offender travel. The United States Marshals Service's National Sex Offender Targeting Center is responsible for submitting the notification to the destination country of a registered sex offender's travels or any agents that will issue a visa through the INTERPOL notification system. The U.S. Marshals will also notify the appropriate local law enforcement within the United States. Registered sex offenders are responsible for letting their local law enforcement know of any intended international travel. The registered sex offenders should provide the dates of travel, place of departure, arrival, and return, any flight numbers, destination country, and the purpose of the travel.

Finally, a passport should not be issued to a registered sex offender unless it contains a unique or visual identifier, and therefore, any passport of a registered sex offender that lacks the unique identifier may be revoked or suspended. Furthermore, the Angel Watch Center should be able to receive any complaints from registered sex offenders of collateral consequences due to the actions of the center. It is also the center's responsibility to ensure that all information of the offender is accurate and is delivered promptly to the destination country.

**Pam Lychner Act of 1996**

Pam Lychner was in the process of selling a house when she became a victim of attempted sex assault in 1990 (ABC13, 2012). William David Kelley, a convicted sex offender, passing as a workman from a cleaning company explained that he had forgotten to do some cleaning at the house Pam was selling. Shortly after, Kelley attempted to take Pam's clothes off. He also choked her and attempted to kidnap her (ABC13, 2012). Kelley pled guilty for aggravated kidnapping with the intent to commit sex assault, resulting in a 20 years sentence (Gray, 1997). Pam soon found out that Kelley might be released early. As a result, Pam became a victim's right advocate arguing for mandatory release laws, registration of sex offenders, and additional correctional facilities. This effort resulted in the Pam Lychner Sexual Offender Tracking and Identification Act of 1996 (U.S. Congress, 1996b). This act established a Federal Bureau of Investigation database for sex offenders across the country (Robbers, 2009; U.S. Congress, 1996b).

This national sex offender registry required sex offenders to provide a current address, fingerprints, and a current photograph. Furthermore, the Pam Lychner Act required states without a program to notify offenders that they need to register with the FBI when released from prison or placed on parole or probation. Additionally, the Pam Lychner Act required sexually violent predators to verify their registration every 90 days after release from prison (U.S. Congress, 1996b).

**The Adam Walsh Act of 2006**

Six-year-old Adam Walsh was abducted from a shopping mall in Florida in 1981 and was later found murdered (Lasher & McGrath, 2012; Schultz, 2014). Police believe that Walsh was observing older boys playing video games when a security guard asked

all the children to leave due to initiating trouble within the department store. It is believed that Walsh was kidnapped outside of the department store and beheaded later. In 2008, police decided to close Walsh's case due to strong evidence relating the murder of Walsh with a serial killer who had died a few years prior. Walsh's father, John Walsh, became the founder of the National Center for Missing and Exploited Children in 1984 and now advocates for crime victims (Schultz, 2014).

The Adam Walsh Child Protection and Safety Act was passed as a federal statute and was signed by George W. Bush in 2006 (Lasher & McGrath, 2012; Schultz, 2014). The Adam Walsh Act consisted of seven titles (U.S. Congress, 2006). Title I of this act, also known as Sex Offender Registration and Notification Act organized sex offenders into three tiers; Tier I, Tier II, and Tier III. Tier I offenders are offenders that do not fit in either Tier II or Tier III categories and are usually the lowest risk for recidivism. Tier I offenses are those that do not fall into the other tiers and are usually less severe, mostly a "one size fits all" category (McPherson, 2007). Examples of Tier I offenses include any misdemeanor and felony offenses which are defined as a sex offense but are not severe enough to be in Tier II and Tier III. Tier II offenders are those that do not fit into the Tier III category and whose crime involved transportation with intent to engage in criminal sexual activity, abusive sexual contact, the use of a minor in a sexual performance or the production or distribution of child pornography. Tier III offenders are those individuals whose sentence may be higher than one year and includes aggravated sexual assault, abusive sexual contact, the kidnapping of a child, or a continuous crime after the individual has become a Tier II offender.

The Adam Walsh Act required states to disclose to the public information on Tier II and III sex offenders. Additionally, sex offenders must update their information on the registry regularly, which differ for each tier of sex offenders. If an offender fails to register, they will be charged with a felony. Individual states are in charge of providing the offender with a criminal penalty that may include at least one year and up to ten years of imprisonment (U.S. Congress, 2006).

Title II of the Adam Walsh Act, the Federal Criminal Law Enhancements Needed to Protect Children from Sexual Attacks and Other Violent Crimes, served to prohibit any internet sales of date rape drugs, and set penalties for sexual abuse, child prostitution, and violent crimes against children. Additionally, Title II stated that there is no limitation for the prosecution of felony sex offenses and sets mandatory penalties for the sex-trafficking of children. Title III, the Civil Commitment of Dangerous Sex Offenders proposed civil commitments programs for sexually dangerous persons within individual states. Title III allowed the Attorney General to provide grants to jurisdictions willing to establish and maintain civil commitment programs. Moreover, Title IV, Immigration Law Reforms to Prevent Sex Offenders from Abusing Children, amended parts of the Immigration and Nationality Act by stating that any illegal alien for fails to register as a sex offender can be deported. Title V, Child Pornography Prevention, aimed to prevent child pornography and share the consequences of child pornography on children. Title VI, Grants, Studies and Programs for Children and Community Safety, is also known as the Mentoring Matches for Youth Act of 2006 and the National Police Athletic League Youth Enrichment Act (U.S. Congress, 2006). Both of the acts within Title VI aimed to create programs that target at-risk youth. Finally, Title VII of the Adam Walsh Act consisted of

the Internet Safety Act. The Internet Safety Act expressed the potential increased penalties for registered sex offenders if they are convicted of searching for the sexual exploitation of children on the Internet.

The Senate and House of Representatives of the United States revised the Adam Walsh Act creating the Adam Walsh Reauthorization Act of 2017 (U.S. Congress, 2017). The Adam Walsh Reauthorization Act authorized additional funding for the sole purpose of the Sex Offender Management Assistance program and to the U.S Marshalls to continue apprehending sex offenders for technical violations.

Moreover, the reauthorization reduced the amount of time a juvenile sex offender had to register for, decreasing the time from 25 years to only 15 years if a clean record was maintained (U.S. Congress, 2017). The Adam Walsh Reauthorization Act also amended the Adam Walsh Act in regard to requiring the Department of Justice to disclose data on the enforcement of sex offender registration requirements and broadens the responsibilities of probation officers. Pretrial services officers and probation officers are now required to supervise sex offenders who are in treatment. The reauthorization also extended the statute of limitations from three years to ten years for a federal sex offense of a minor.

### **Sex Offender Registration and Notification Act (SORNA)**

The Sex Offender Registration and Notification Act (SORNA) is contained in Title I of the Adam Walsh Child Protection and Safety Act (Lasher & McGrath, 2012; U.S. Congress, 2006). SORNA provided a comprehensive set of minimum standards for sex offender registration as well as critical definitions. A sex offender is legally defined as “an individual who was convicted of a sex offense” (U.S. Congress, 2006). Some of

these minimum standards consist of registering a sex offender's full name, as well as any aliases, birthdate, current residence, and place of employment. Additionally, all states are required to maintain a system in order to monitor and track convicted sex offenders after the release from prison.

The Attorney General of any jurisdiction can request further information on sex offenders besides the minimum standards for registration. Additional information can include social security number, any previous residences and employers, educational institute if offender is a student, any vehicle information that the offender may own, physical description of the offender, the offense that caused offender registration, past criminal history, current photograph, fingerprints, as well as a copy of a current identification (U.S. Congress, 2006).

Currently, all sex offenders are required to register for a certain amount of time depending on their tier status. Subsequently, SORNA requires that sex offenders first register before completing their sentence or within three business days of sentencing, if a prison term is not required. If a sex offender happens to change their name, place of residence, employment, or student status they must inform the appropriate authorities of such change within three business days (Schultz, 2014; U.S. Congress, 2006). Failure to provide current information within the time limit is a federal violation. SORNA was applied to all 50 states, the District of Columbia, U.S. territories, as well as Native American tribes and nations. U.S. Congress (2006) states that SORNA serves to establish "the Jacob Wetterling, Megan Nicole Kanka, and Pam Lychner Sex Offender Registration and Notification Program." In totality SORNA represents 30 years of sex offender legislation.

SORNA differs from previous legislation in that it categorizes offenders into three tiers. Tier III includes the most serious of offenders; these offenders usually commit sexual crimes involving children and some degree of kidnapping. Tier II offenders also involve sex crimes with children but to a lesser effect.

As stated, offenders have different time requirements depending on their Tier category. Tier III offenders must register for their lifetime while Tier II offenders only have to register for 25 years. If an offender falls into Tier I, then they must register for 15 years. SORNA offers an opportunity for sex offenders to reduce their registration time by maintaining a clean record free of any technical violations. However, most technical violations are based on residency restrictions. In certain jurisdictions in the United States, there are residency restrictions set into place for the safety of the public. These restrictions aim to prevent future sex offenses by limiting the distance that registered sex offenders can live where children congregate.

### **Residency Restrictions Laws**

Residency restrictions were not created just for sex offenders; they were initially created for drug offenders (Walker, 2007). In 1970, drug crimes would receive a higher punishment if they took place in public areas such as schools (Walker, 2007). In 1990, gun offenses were also sentenced to a higher sanction if they took place in public areas, thus creating a pathway for sex offenses (Walker, 2007). Both drug and gun offenses were restricted from areas where children congregate to protect the children. All 50 states in the United States passed laws creating drug-free and gun-free zones around schools in 2000. Residential restrictions were also created so that law enforcement officers could check on and ensure that offenders were not committing a crime within some areas of

their communities. Therefore, residency restrictions were not unheard of when the laws were applied to registered sex offenders. In 1995, Florida was the first state to pass residency restrictions for sex offenders, which prohibited sex offenders to live within 1,000 feet of any public place where children may congregate (Levenson, 2009). However, these restrictions were only implemented for sex offenders who were on probation and whose victims were children. Mustaine (2014) stated that residency restrictions function solely for the public's feeling of safety; relating to Sample, Evans, and Anderson's (2011) statement that the law is symbolic in nature and not instrumental.

The main reason why states replicated Florida's application was that society and legislators believed sex offenders were dangerous and would re-offend. These policies created a way to track an offender's movements and allow them to alert society to keep their children safe (Levenson, 2009). Furthermore, Florida's decision to pass residency restrictions for sex offenders created a trend for other states as well. Alabama implemented sex offender residency restrictions in 1996 (Bratina, 2013), prohibiting registered sex offenders from residing or be employed within 2,000 feet of any location where children may congregate such as a school or a daycare facility.

In particular states, offenders are prohibited from living within 1,000 feet of where children congregate, and Tier III offenders are often required to live even further away from schools, parks, and day care centers. However, each state has different requirements for registration (Schultz, 2014). Colorado, on the other hand, does not have a statewide residency restriction, but smaller municipalities within the state do.

A major unintended consequence of residency restrictions is they push offenders to live in underdeveloped areas of cities where there is an increase in disorganization



(Schultz, 2014). About one-third of registered sex offenders are forced to move due to residency restrictions (Mustaine, 2014). Offenders are required to register with their local and federal government in order to keep their current address up to date with the residency restrictions. Additionally, due to the residency restrictions, some offenders who may have kids are required to live away from their children and family. Residency restrictions often also affect the families and friends of sexual offenders as they are likely to move with the offender. However, residency restrictions have shown to only reduce recidivism by a small amount (Mustaine, 2014).

### **Sex Offender Reentry Challenges**

There are challenges when an offender is re-entering into society from a correctional institute. These challenges do not only affect those individuals who have been convicted of felonies but those who have been convicted of misdemeanors as well. One privilege that is taken away in some states after release from prison is the right to vote (Berson, 2013; Tewksbury & Copes, 2012). Being an offender does not only mean being denied the right to vote, but also includes possible denial of employment, education, and housing (Tewksbury, Mustaine, & Rolfe, 2016).

As a sex offender, there are additional struggles that society may create. Some challenges include gaining employment, potential business opportunities, (Berson, 2013) denial of occupational licensing, as well as educational benefits (Grossi, 2017). Apart from losing employment opportunities due to having to mark the “any prior convictions” box on an employment application, many offenders could also suffer employment opportunities by being denied licensure opportunities (Berson, 2013). For example,

individual states may prohibit registered sex offenders from working as a dentist due to the position having contact with children (Grossi, 2017).

Apart from employment, another struggle is to find adequate housing. As a sex offender, there might be residency restrictions that need to be followed at all times. Sex offender residency restrictions are one of the major causes of collateral consequences. For example, registered sex offenders may be required to live within a certain distance from children, or any place where children might congregate (Berson, 2013; Mustaine, 2014; Schultz, 2014; Walker, 2007). There is limited housing available that complies with residency restrictions. Additionally, registered sex offenders might be discriminated from housing due to their criminal history.

Registered sex offenders may also be discriminated by other residents and offenders' families may also be harassed (Tewksbury, 2005). Therefore, families might have some strain on their relationships with the offender (Berson, 2013). Some additional pressures might include families not welcoming a registered sex offender and having a lifetime stigma.

Offenders suffer from challenges in their daily lives due to their criminal history. Challenges might range from not being able to vote, to not being able to gain employment or educational benefits. Apart from facing challenges that every other ex-convict may face; registered sex offenders may have additional struggles when reentering into society. Some of the main reentry challenges for sex offenders include obtaining employment, housing, and a support system. Employment is difficult for registered sex offenders due to the nature of their crime and the stigma associated.

## **Employment**

One main challenge offender's face upon reentry involves their employment status and their financial stability. In general, offenders are limited in employment opportunities due to having a felony conviction. Subsequently, 27% of registered sex offenders have lost a job due to their registration (Lasher & McGrath, 2012; Robbers, 2009). Grossi (2017) states that most occupations automatically ban offenders due to the nature of the job. These employment opportunities may require the individual to carry a firearm, acquire security clearance, involve transporting individuals, or include direct contact with children.

Sex offenders may also be limited in employment opportunities due to residency restrictions (Brown, Spencer, & Deakin, 2007; Grossi, 2017). Some residency restrictions state that an offender cannot be within 1,000 feet of children, which also applies to employment locations. Therefore, employment that may have possible contact with minors such as health services, bus drivers, and private security are prohibited for registered sex offenders (Grossi, 2017). Levenson and Cotter (2005) reported that 15% of registered sex offenders in Florida stated losing their employment. Also, by being a convicted sex offender, an offender risks the opportunity to lose their occupational license (Brown et al., 2007). By dropping a professional license, it creates a tough situation for offenders since they are not able to be hired in their area of specialization and may not meet requirements that are set by employers.

Having a gap of years in employment also creates an issue with future employers. Offenders may have a lack of networking skills and experience primarily because of their race or social class, but also due to their time imprisoned (Grossi, 2017). Subsequently,

being imprisoned also severs communication with former employers. By having a gap in years, offenders might miss training and education opportunities that may have been essential to their employment (Grossi, 2017). Altogether, employers might question why there is a big gap in employment records.

Furthermore, arrest records are now readily available to employers, making it easier to discriminate against past criminal history (Grossi, 2017). Most background checks are easily attainable online or through private investigators which may disclose additional information that a simple background check from the public court records may not (Uggen, Vuolo, Lageson, Ruhland, & Whitham, 2014). However, the 1964 Civil Rights Act states that it is illegal to solely discard a potential employee due to their criminal history (Grossi, 2017; Uggen et al., 2014). Frenzel et al., (2014) state occasions where employers discredit individuals with a sex crime history. One individual affirmed that, “They called back ten minutes later and told me I could not get the job because they talked to their legal department and said I was a risk to them” (Frenzel et al., 2014, p. 12). Another individual expressed a similar situation, “Prospective employers have called telling me to never send another resume to them...an employer escorted me out of the office the day my data was posted” (Frenzel et al., 2014, p. 12). It is difficult to examine the extent that employers follow the guidelines. Additionally, those companies who employ public employment positions usually deter from hiring ex-felons.

Although it is tough for registered sex offenders to find employment opportunities, there are employers who will hire a registered sex offender. Uggen et al., (2014) state that minority-owned businesses are more likely than White-owned businesses to hire ex-offenders. Furthermore, sex offenders are more likely to obtain low

paying jobs even if they had education and a high skill set (Brown et al., 2007).

Employment opportunities for sex offenders are usually obtained through word of mouth and personal contacts, rather than by a standard application. Some registered sex offenders have even thought about being self-employed in order to avoid discrimination and being treated unfairly (Brown et al., 2007).

In some states, sex offenders are prohibited internet access, therefore limiting employment opportunities since most employers have an online application (Tewksbury & Zgoba, 2010). Tewksbury and Zgoba (2010) showed that 42% of registered sex offenders had difficulty finding and applying to jobs due to their prohibition of the internet. There is an overall feeling across employers signaling that offenders are untrustworthy and are a risk to hire. Employers have stated that the type of offense does play a role in hiring decisions. About 70% of employers indicated that they would not hire a sex offender and were more likely to hire someone with a traffic offense (Haslewood-Pocsik, Brown, & Spencer, 2008).

Also, a lack of employment can create finding adequate housing a challenge (Schultz, 2014). Additionally, due to the limited opportunities that registered sex offenders have for job opportunities, it creates a financial hardship for the offenders' families (Levenson, & Tewksbury, 2008). Therefore, the offenders' spouses or families have the burden of becoming the primary financial supporter in the family. Frenzel et al. (2014) state that many registered sex offenders suffer from financial stress and have spouses who work multiple jobs in order to survive financially. Struggling financially can lead to struggling with housing. If a family is suffering a financial hardship, they are more likely to struggle finding affordable housing scenario.

## **Housing**

Housing is a significant problem that offenders face when released from a correctional facility. Most offenders struggle to find housing due to their criminal background and are released homeless. Lutze et al., (2014), state that there is an estimated 700,000 inmates each year that are released and struggle to find housing due to social and financial challenges. Moreover, it can be said that “homelessness and residential instability has been identified as one of the greatest challenges” (Lutze et al., 2014, p. 472) for offenders when released.

Furthermore, registered sex offenders face additional struggles when trying to find housing. Apart from a sex offenders’ criminal history, additional problems may be created when registered sex offenders are usually prohibited from living with children (Grossi, 2017; Levenson & D’Amora, 2007). Families might get separated, and thus offenders are forced to find additional housing to provide for themselves or their family.

Residency restrictions affect some registered sex offenders and their housing situation. About one-third of registered sex offenders are forced to move because of SORN policies, or community pressure (Mustaine, 2014). This forced migration is because some SORN policies prohibit some offenders from living within a certain range of where children congregate. Examples of places where children can be found are schools, daycare centers, and parks. Parole requirements might also impede the locations where a sex offender resides, as to be within the parole range (Grossi, 2017). Parole officers will typically set up restrictions where offenders are allowed, and where they are prohibited.

Furthermore, law enforcement might force offenders to relocate if the offender's residence does not meet mandated residency restrictions (Grossi, 2017; Levenson & D'Amora, 2007). Therefore, offenders are being torn away from their homes and forced to find a home in a different neighborhood. Often, registered sex offenders are left to reside in socially disorganized neighborhoods that may limit their access to employment, transportation treatment and other resources (Rolfe, Tewksbury, & Schroeder, 2017; Schultz, 2014; Tewksbury et al., 2016). Socially disorganized neighborhoods are usually isolated rural areas which may include physically dilapidated communities which can be characterized as those areas where there is residential mobility, unemployment, heterogeneity, and poverty (Levenson, & D'Amora, 2007). Residential mobility can be defined as the lack of rapport among neighbors (Sampson & Groves, 1989). Furthermore, ethnic heterogeneity is the concentration of multiple cultures within one geographical area. Areas of social disorganization may also include higher rates of violence, crime, and delinquency (Akers & Sellers, 2013b; Grossi, 2017). Additionally, socially disorganized neighborhoods are more prone to poverty and are typically composed of minorities. These communities often do not provide the best housing options. If an offender is forced to relocate, they might not have enough money to afford a new residence. Registered sex offenders might be homeless when released due to these strict registration laws. There are also not sufficient housing opportunities that fulfill the residency restrictions (Rolfe et al., 2017; Tewksbury, & Zgoba, 2010).

The places where sex offenders are permitted to live are often in less desirable areas and are likely to have a higher amount of African American populations and poverty. Tewksbury et al. (2016) conducted a study where it was found that registered

sex offenders lived in areas where 25.3% of the population was below the poverty line. African American registered sex offenders were also more likely to suffer from housing consequences, as they tend to move to dilapidated neighborhoods (Tewksbury et al., 2016).

Individual states might also prohibit sex offenders to live with other sex offenders, thus limiting housing opportunities even more (Grossi, 2017). This restriction is due to the belief that offenders will help each other recidivate. If there are registered sex offenders living together, there is a potential for the offenders to immerse themselves even more in criminal behaviors and create a norm out of it. Furthermore, registered sex offenders may develop friendships with other deviant peers, which may promote recidivism. Due to an offender's criminal history, housing services might also be denied whether that be from the government or other agencies such as homeless shelters. Residential communities might deny housing to offenders due to their criminal history, lack of proof of income, or a failure to provide their criminal history (Evans & Porter, 2015).

**Landlords.** Apart from offenders facing problems concerning residency restrictions, landlords may also be a challenge sex offenders face. There are short-term and long-term risks that property managers need to take into consideration when housing sex offenders. Landlords may be wary of leasing to sex offenders due to the perception that offenders will not be able to pay rent on time. Similarly, landlords may require tenants to have proof of income (Evans & Porter, 2015). However, most sex offenders are unable to provide proof of income substantial enough due to lack of employment or steady income. Additionally, offenders may not have an acceptable or sufficient credit



history to qualify for housing (Grossi, 2017). Landlords are also wary of leasing to sex offenders due to the safety of other tenants. If the apartment complex or living dwelling is predominantly women or children, the landlords may fear recidivism. Evans and Porter (2015), also found that landlords deny renting to sex offenders especially if a child was involved in the crime.

Some real estate properties' values might decrease due to having a sex offender on the premises (Grossi, 2017). The decrease in land value might be because additional measures might need to be taken to prevent a crime from happening. Approximately, 37% of property managers were found to deny housing to sex offenders (Helfgott, 1997). Once residents know a sexual offender is housed in a specific building, the demand rates might decrease for that building. Demand rates within housing can be explained as the rate that prospective tenants might request or apply for housing at a specific location. Other real estate companies may deny housing opportunities to individuals who fail to provide their criminal background (Grossi, 2017). Grossi (2017), states that once the community finds out that a sexual offender is living within their community, residents might pursue legal action to evict the offender. Levenson and Cotter (2005) conducted a survey among registered sex offenders in Florida to examine the effects of Megan's Law where it was found that about 35% of registered sex offenders did have to relocate due to their status, causing additional housing struggles.

**Homeless shelters.** An offender's lack of sufficient funds, or lack of transportation to obtain, or arrive at a housing center or shelter, is another central challenge within housing for sex offenders. Many offenders that are released do not have enough money to get transportation if they lack bus passes. Moreover, some homeless

shelters have policies against housing sex offenders due to their funding regulations (Tewksbury et al., 2016). Other shelters may have a low capacity, and thus cannot house sex offenders, or are limited to the number of sex offenders they intake (Rolfe et al., 2017).

Homeless shelters may also be within close proximity to schools and parks, which creates a problem for some registered sex offenders. This problem originates with residency restrictions, as some registered sex offenders are prohibited from being within close proximity to areas where children congregate. If a homeless shelter is close to a school for example, specific registered sex offenders are not permitted to enter into that homeless shelter. Therefore, many registered sex offenders would prefer to be homeless in order to avoid violating SORN and residency restriction laws (Rolfe et al., 2017). From the registered sex offenders' point of view, it is often better to be without housing than to return to a correctional facility on a technical violation (Rolfe et al., 2017).

Unfortunately, homeless shelters are often the last resort for those offenders with housing concerns and thus causes registered sex offenders to become homeless. However, if registered sex offenders are homeless, it is much harder for them to register and provide current addresses which creates a lack of supervision of these offenders (Rolfe et al., 2017). Also, as stated in SORNA if a registered sex offender lack to provide an updated address by the time of their re-registration it can be considered a crime. Tewksbury et al. (2016) state that these collateral housing consequences might enable recidivism rates.

## **Support Systems/Stigma**

Registered sex offenders are often associated with their criminal history for a vast portion of their life. This label may create daily struggles in an offender's life, which may be related to recidivism rates. Usually, when a registered sex offender has steady housing, employment, and a strong support system, they are less likely to commit a crime, or recidivate (La Fond, 2005; Mustaine, 2014; Rayburn-James, 2012). However, having a label as a registered sex offender creates strenuous relationships with family and also creates a negative stigma for the individual.

**Family.** Offenders who have a good relationship with family and friends, tend to stay away from committing delinquent acts (Farkas & Miller, 2007). Additionally, some support systems that are family-centered may not be reliable for registered sex offenders if a family member was the victim. Most sex crimes happen between families and are not between strangers, and thus may cause some strain and housing problems. Therefore, if a sex offender is not welcomed in their previous home, they might become homeless and not be able to update their address on the sex offender registry.

Additionally, if families are forced to relocate due to an offender's residency restrictions (Schultz, 2014), it might create unnecessary strains within the family. These strains might be caused by job relocation, difficulty in transportation, or even having to downgrade housing. If an offender was involved in a crime that included a child, it might be difficult for other family members to view them the same.

Family members may also suffer harassments and threats due to their relation to a sex offender (Levenson & Tewksbury, 2008). Unfortunately, harassment does not come from citizens alone; but also, from law enforcement (Frenzel et al., 2014). Even though

sex offender registries provide a warning that offender's personal information is not to be used for harassment or any other forms of misuse of the data, it is clear that citizens do not respect these warnings. Children of sex offenders may also suffer from being shamed at school events, or from other children (Levenson & Tewksbury, 2008). Some registered sex offender parents may not be able to be involved in activities with their children such as graduation, field trips, or be able to have friends of their children come over to their residence (Frenzel et al., 2014).

**Stigma.** For an offender, being placed on the registered sex offender list can be highly detrimental and stigmatizing. After an offender might have found appropriate housing, the surrounding community and neighbors might harass and have other negative interactions (Grossi, 2017; Lussier, Dahabieh, Deslauriers-Varin, & Thomson, 2011). The media is partly responsible for the negative stigma that sexual offenders face (Grossi, 2017). Crime is usually exacerbated and reported disproportionately; thus, creating a public frenzy causing citizens to be extremely scared of sex offenders. Additionally, many registered sex offenders have reported elevated levels of negative treatment after media coverage of a high-profile case.

Stigma is first faced in prison communities, which may create maltreatment. This negative label is first seen in prison due to it being the first place that offenders usually visit after being sentenced. Sex offenders may face longer sentences and even segregation from society after release. Often times offenders know that they might get mistreated after being released into society because of the stigma associated with their criminal history. Therefore, offenders might even argue that they are being dehumanized. About 90% of registered sex offenders expect to be treated poorly by society due to their crime

(Mingus & Burchfield, 2012). Subsequently, after release, some sex offenders might be required to register with the sex offender registry.

By not having a strong support system, and struggling with housing, offenders might live with an undesirable quality of life and therefore commit more crime to embrace their stigma. Registered sex offenders carry around a negative stigma due to them being on the sex offender registry. Even more so, the registered sex offenders that are required to register for life will carry their negative stigma and connotations with them for the rest of their life. Additionally, neighbors and communities may force sex offenders out of neighborhoods or decide to disassociate themselves from the offenders. About one-third of registered sex offenders are forced to move because of SORN policies, or community pressure (Mustaine, 2014).

Children are even aware of which individuals to avoid due to the negative stigma of individuals. In a study conducted by Levenson and Cotter (2005), registered sex offenders demonstrated negative feelings of despair due to their association with the registry. Furthermore, Tewksbury et al. (2016) state that “stigma does not ‘wear off’ or ‘die down’ for sex offenders” (p. 864). Having an everlasting label can create challenges for the offender within their community, and the community’s children. Forms of notification may also increase the negative stigmatization if fliers are passed at schools or community meetings, gathering more of the public’s attention.

**Church.** Some offenders have even stated that they have been banned from the church and any church activities even if they did not have any restrictions for being around children (Frenzel et al., 2014). On the other hand, Liautaud (2010) states that church members feel that sex offenders should participate in church in accordance to the

severity of their crime. The more severe, the less involved an offender should be within the church. However, it is cautioned that a Tier I sex offender does not always mean that they are low risk, but rather acquired that classification due to a plea bargain.

Negative stigma can influence an individual's way of life and thinking. As a result, a negative label can greatly influence the life of an offender, especially if it causes challenges within their employment, housing, and quality of life. For a registered sex offender, it is much harder to obtain employment opportunities due to their criminal background and residency restrictions (Grossi, 2017; Haslewood-Pocsik et al., 2008; Robbers, 2009). Consequently, it is also difficult to acquire housing that meets any imposed residency restrictions that is also offender friendly (Grossi, 2017; Helfgott, 1997; Mustaine, 2014; Rolfe et al., 2017; Tewksbury & Zgoba, 2010). Lastly, simply being on the sex offender registry list, can cause strain with the offender's family, and daily activities due to possible harassment. (Berson, 2013; Frenzel et al., 2014; Grossi, 2017; Lussier et al., 2011; Mingus & Burchfield, 2012).

### **Theoretical Framework**

All of the previous challenges can be attested to having a negative label, therefore, acknowledging the theoretical framework of labeling theory is important to understanding the challenges of registered sex offenders. Subsequently, shaming theory aides to explain why registered sex offenders struggle to successfully reintegrate into society. The following two theories are important since it creates a connection between legislation and the reentry challenges that sex offenders are facing.

## **Labeling Theory**

Labeling theory aims to explain why people interact with each other the way they do through symbols. Various theorists such as Cooley, Mead, and Blumer have studied the language, and gestures in interactions among individuals and how that places a role in an individual's identity (Akers & Sellers, 2013a; Becker, 1963). One of the most prominent concepts of symbolic interactionism involves that of the looking-glass self. This concept consists of somebody becoming what others think they are and thus embracing those characteristics.

Becker created labeling theory in 1963 (Akers & Sellers, 2013a; Becker, 1963). This theory incorporates symbolic interactionism and relates it to the criminal justice system. When individuals are labeled as criminals, they will act like criminals. Labeling theory also assumes that individuals are mandated to perform according to their label. Anybody can give labels whether that be individuals, society or institutions. In relation to registered sex offenders, society often sees them as the worst type of criminal. Therefore, they can embrace that perception and commit additional crimes. Moreover, Becker (1963) states that there are two different types of labels; formal and informal. Formal labels can be applied to an individual by institutions, while informal labels are those given by society towards individuals. Registered sex offenders are formally labeled as that and are reminded of their label every time they are required to register. Informally, registered sex offenders may be labeled by the community as dangerous.

Additionally, there are two smaller concepts in this theory; primary and secondary deviance developed by Lemert (Akers & Sellers, 2013a). Primary Deviance is the first step in defining deviant behavior; the initial act of deviance. This behavior is usually

excusable. However, it is society's reaction to this primary deviance that signals whether a label will be put in place for this individual. Secondary deviance is when individuals continue to engage in delinquent behavior. This continued delinquency is often caused by society's reaction and stigmatization of the first crime committed, which would not have happened if it were not for the response of the first crime. Additionally, when an individual is convicted, they are labeled as a criminal. Usually, offenders commit their first crime, are caught then labeled, and therefore continue to commit more crime. In the case of a registered sex offender, their first act of deviance (sex offense), was not seen as inexcusable and thus offenders are labeled harshly.

Once an offender is labeled as a registered sex offender, it becomes their master status, and any other previous labels are not deemed as important (Mustaine, 2014). A master status is that label that supersedes all other labels and becomes the primary characteristic. This master status takes over and creates a new life for these offenders. A self-fulfilling prophecy can then be created by having individuals internalize their master status and create a new life for themselves. For instance, the idea that if an individual is seen as a criminal by society they will act as a criminal. Those individuals are expected to register as their master status and alert the entire community of their presence. The latter causes unexpected consequences such as being evicted from their housing and being fired from their jobs. There are multiple barriers that individuals may face when given a label, and in turn those individuals eventually accept and embrace the label given. A label from a crime committed can create a loss of employment, which may lead to a crime being committed.



## **Shaming Theory**

Braithwaite created shaming theory in 1989. To properly understand what this theory entails, it is essential to understand some fundamental definitions. Shaming is humiliating someone in some way or bringing shame to, in a sense social disapproval. Shaming is usually more symbolic than pure punishment alone; therefore, it creates a lasting effect (Braithwaite, 1989).

Braithwaite (1989) explains that when a simple adjective such as “bad” or “naughty” is used in conjunction with a negative experience, it turns into a label creating an anxiety response. These anxiety responses keep happening and thus condition individuals to have that anxiety response when these labels keep being appointed to the same negative experience. Braithwaite (1989) discusses that these anxiety responses are immediate and are what leads to shaming an individual if they are labeled as a delinquent. However, shaming somebody does not happen unconsciously; it is done purposefully as a form of informal punishment. Shaming is powerful in the sense that it can create a power dynamic without legal action and creates a distinction between those who are seen as dangerous and those who are not.

Braithwaite (1989) differentiates between two classes of shaming; reintegrative and disintegrative. Reintegrative shaming consists of shaming an individual but involves trying to reintegrate the individual back into the community through a ceremony to remove the negative label. Once this ceremony or gesture is done, and the label is removed it is thought that the individual will become a productive and law-abiding citizen of the community. These types of ceremonies are often seen in Japanese culture as they have a more community-centered perspective (Braithwaite, 1989).

Disintegrative shaming an individual stigmatizes the offender and may create collateral consequences. By disintegrative shaming an offender there is no effort made by the community to try to reintegrate the offender back into society (Akers & Sellers, 2013b; Braithwaite, 1989). Most sex offenders suffer from disintegrative shaming due to the United States being a punitive and independent culture. By disintegrative shaming a sex offender, the community then creates a division between them and that specific offender. Disintegrative shaming also creates outcasts of sex offenders who may be more susceptible to criminal activities by making these activities attractive. Additionally, disintegrative shaming comes into play since the public is notified when a sex offender enters the community and can negatively label as well as shame registered sex offenders from the community. Past studies have demonstrated that registered sex offenders struggle to reintegrate into society and thus are prone to commit a crime or break their parole conditions.

Labeling theory and shaming theory are important in understanding why reentry challenges exist for offenders, especially registered sex offenders. Carrying a negative connotation can create multiple struggles for offenders and can lead them to be disintegratively shamed. The faith-based program that this study will look at attempts to get rid of the negative label that offenders have and help them get reintegrated into society.

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## CHAPTER III

### METHODOLOGY

The purpose of this study was to analyze the collateral consequences that registered sex offenders experiences. Three research questions were analyzed:

- Q1 What reentry challenges do registered sex offenders face?
- Q2 Do registered sex offenders differ in reentry challenges based on where they live? (i.e. rural, urban, suburban)
- Q3 Do registered sex offenders differ in reentry challenges based on their victim's characteristics? (i.e. adults, teens, children under 12, multiple ages)

There have been multiple evaluations done on reentry programs that target registered sex offenders (Grossi, 2017) and studies examining reentry challenges for registered sex offenders. Therefore, the purpose of this study was to further explore previous studies results and to educate the general population of registered sex offenders. Due to the nature of the study subjects, a hard to access population, secondary data was utilized from a study that was able to gain access.

#### **Data Collection**

This study utilized secondary data that was obtained from Griffin and Evans (2019) exploratory research. Secondary data consists of data that was obtained through other authors, in the case that primary data is difficult or unfeasible to obtain (Maxfield & Babbie, 2015). The data was collected using mailed questionnaires in Mississippi with addresses obtained from the Mississippi Sex Offender Registry, specifically the

Mississippi Sex Offender Registry Resources (Mississippi SOR, n.d.) on the Mississippi Department of Public Safety website (Mississippi Department of Public Safety, n.d.).

This study was chosen because it is the largest statewide sample to date even though the data was collected in March of 2013. Griffin and Evans (2019) state that mailed surveys were the best option as they were cost effective and convenient. The convenience came from participants being able to be answer in their home and able to keep some anonymity. Additionally, it was mentioned that Mississippi had one of the lowest computer ownership rates of the county (Griffin & Evans, 2019) therefore an online survey would not have been a good option.

### **Participants**

All registered sex offenders who were not imprisoned at the time of the study were included in the sampling frame, a total of 5,382. From those individuals who were in the sampling frame, those who had a P.O box, no known address, avoided registration, and were currently incarcerated were excluded from the sample, resulting in a total sampling frame of 4,031. Griffin and Evans (2019) had a response rate of 8.6% but due to incomplete surveys that number dropped to 7.8%. A total of 349 surveys were returned.

### **Study Setting**

Griffin and Evans's data was selected for this study due to their research setting. As of July of 2006, registered sex offenders were prohibited from living within 3,000 feet of any school or childcare facility (Mississippi, 2013). Griffin and Evans (2019) also stated that Mississippi is a unique setting due to it being the third-highest incarceration rate in the country. Additionally, due to the state's location in the south, it created a

unique setting with religion and law. Moreover, Griffin and Evans's (2019) attempted to make their study representative of the sex offender population within the state.

### **Measures**

This study used thirty-nine items of the survey from Griffin and Evans (2019). The items utilized were broken down into categories; Sex Offender Characteristics, Housing & Employment, Support Systems/Stigma, Individual Characteristics and Victim Characteristics.

#### **Sex Offender Characteristics**

The first category of items consisted of twelve questions relating to sex offender characteristics. The first question aimed to measure the tier level that a registered sex offender is; "What sex offender classification tier have you been told you are?" The attributes being Tier I (0), Tier II (1), Tier III (2), and Do not know (3), thus being an ordinal level of measurement. The second question aimed to measure the length of registration of an offender; "How long have you been required to register as a sex offender?" The respondents were asked to write down their length in years and months, thus making it a ratio level of measurement. The third question measured whether an individual is on parole; "Are you currently on parole?" The attributes being Yes (0), and No (1), making it a nominal level of measurement. The fourth question measured whether an individual is on probation; "Are you currently on probation?" The attributes being Yes (0), and No (1), also making it a nominal level of measurement.

Items nine to twelve aimed to measure the effects that legislation has on registered sex offenders with a Likert scale. Statements were provided, and the correspondents were asked to check the box that best fits their opinion of the written

statement. The statements that were provided are Strongly Disagree (0), Disagree (1), Neutral (2), Agree (3), and Strongly Agree (4).

The ninth item consisted of “Communities are safer because sex offenders are subject to registration and community notification.” The tenth item was “Community notification negatively affects my life.” The eleventh item in this section was “Sex crimes can be prevented if registered sex offenders’ information is made available to the general public.” The twelfth item asked correspondents to check all the statements that apply to them, stating, “Because I am a registered sex offender, I have...” and is at a nominal level of measurement. The attributes being Lost a friend (0), Lost my job (1), Been denied promotion at work (3), Received threatening mail (4), Been treated rudely in public (5), Had trouble finding a place to live (6), Experienced depression (7), Experienced fear (8), Experienced anger (9), Experienced suicidal tendencies (10), and Thought about not registering as a sex offender because of the consequences (11).

### **Housing & Employment**

The second category created aimed to group measures of sex offender's employment status and their housing consequences due to their registry status. The first item consisted of, “How many times have you been kicked out of your home because you are a sex offender?” The correspondent was asked to fill in the number of times, thus making this question a scale level of measurement. The second question asks, “Do you currently have a job?” The attributes being Yes (0), and No (1).

Items three through seven were statements, and the correspondents were asked to check the box that best fits their opinion of the written statement. The statements that were provided were Strongly Disagree (0), Disagree (1), Neutral (2), Agree (3), and

Strongly Agree (4). The third item in this category consisted of “Having to register as a sex offender has prevented me from living where I want to live.” The fourth item stated "I have had to move from an apartment or home because neighbors complained after they found I was registered as a sex offender." The fifth item read, "I have had to move from an apartment or home because my landlord found out I was registered as a sex offender." The sixth and seventh items come from the same statement; “Because I am a registered sex offender, I have...” The respondent had multiple answers that they could check, however, this study only looked at two which are “lost my job” and “been denied promotion at work.”

### **Support Systems/Stigma**

The third category consisted of twenty questions relating to respondents’ support systems, as well as any negative consequences due to their registry status. The first item consisted of "How many times has someone verbally harassed you because you were known to be a sex offender?" Respondents had the ability to provide their own answer. The second item consisted of "How many times have you been kicked out of a social group (i.e., church) because you were known to be a sex offender?" The third item was "How many times have you been physically abused because you were known to be a sex offender?" Correspondents were asked to write down the number of times for questions five, six and seven. These questions were at a scale level of measurement and were obtained from Griffin and Evans (2019).

For the fourth through tenth item, correspondents were asked to check all of the statements that applied to them. This question stated, “Because I am a registered sex offender, at least one of my family members has...” The attributes for this question were

Been verbally harassed (0), Been physically assaulted (1), Been ridiculed by others (2), Had to move because they lived with me (3), Had a landlord refused to rent to them because they wanted to live with me (4), Experienced depression (5), Experienced fear (6), Refused to talk to me (7), Experienced anger toward me (8) and None of the above (9). This question was at a nominal level of measurement.

Items eleven through sixteen were statements, and the correspondents were asked to check the box that best fits their opinion of the written statement. The statements that were provided were Strongly Disagree (0), Disagree (1), Neutral (2), Agree (3), and Strongly Agree (4). The eleventh item consisted of "I have been harassed solely because people know I am a sex offender." The twelfth item was "I feel isolated from the public because I am a sex offender." The thirteenth item consisted of "I am ashamed because I am a registered sex offender." The fourteenth item stated the following, "I am defined by society as a sex offender." The fifteenth item stated, "I view myself as a sex offender." The sixteenth and last question in this section of the survey stated, "I have been asked to leave a group organization of some sort (i.e., church)."

### **Individual Characteristics**

The penultimate category only consisted of four questions regarding demographic characteristics. Age was asked in the following way, "What is your current age?" in return, the correspondents were asked to write down their age, making this variable a ratio level of measurement. The second question measured the gender of the individual with the attributes being Female (0), Male (1), The third question measured ethnicity by asking, "What do you consider your race to be?" with the following attributes, White/Caucasian (0), Hispanic (1), African American (2), Native American (3), Asian



(4), Two or more races (5), and Other (6). The third question measured education. This question was phrased, “How much education have you obtained?” with the attributes being Some High School (0), High School Graduate/GED (1), Some College (2), Associate Degree (3), Bachelor’s Degree (4), Master’s Degree (5), and Ph.D. (6). The fourth question asked living area in the following manner, “How would you describe where you live?” with the attributes being (0) Urban, (1) Suburban, (2) Rural/farm, (3) Other.

### **Victim Characteristics**

The last category addressed the victim characteristics of the sex offenders. Age, relationship, and gender were asked of the victim. Age was measured using the following question, “How would you characterize the person(s) whom you were accused of victimizing?” with attributes being Adults (0), Teens (1), and Children under 12 (2). Relationship to the victim was measured by asking, “Did you know the persons) whom you were accused of victimizing (i.e., relative, neighbor, and friend)?” The attributes were No (0), Yes (1) and Yes and No (2). The last question relating to victims asked, “How would you characterize the person(s) whom you were accused of victimizing?” with attributes being Male (0), Female (1), and Female and Male (2).

### **Analysis Plan**

Univariate and bivariate analysis were conducted. Univariate analysis includes the analysis of one variable. All survey items were analyzed individually and were recorded in a frequency table. Interval and ratio level variables were recorded in means, modes, medians, standard deviations, and ranges. Ordinal and nominal level variables were only recorded as frequency and modes. More than half of the survey items utilized aimed to

describe the reentry challenges that registered sex offenders face. The bivariate analysis consists of analyzing two variables and the relationship that they share.

A total of ten analysis were conducted; six chi-square analysis and four analysis of variance (ANOVA). To test employment reentry challenges, six chi-square tests were conducted. The first two analysis took place between each of the three employment-related survey items (“Do you currently have a job”, “Because I am a registered sex offender I have... lost my job,” and “Because I am a registered sex offender, I have... been denied promotion at work”) and where the registered sex offender lives. The latter three chi-square analysis took place between the same employment variables, (“Do you currently have a job”, “Because I am a registered sex offender I have... lost my job,” and “Because I am a registered sex offender, I have... been denied promotion at work”) and the victim type.

Additionally, the first two ANOVAs were ran to compare the group mean differences of reentry challenges and where the registered sex offender lives. The first analysis of variance was between a sum of the housing reentry challenges and where the registered sex offender lives. The second analysis of variance was between a sum of the support systems/stigma challenges and where the registered sex offender lives. The third and fourth ANOVAs compare group mean differences of reentry challenges between and the victim type. The third ANOVA specifically utilizes a sum of the housing reentry challenges when being compared with the victim type. The fourth ANOVA will use a sum of the support system/stigma challenges and the victim type. The sum of the reentry challenges consists of adding all the ordinal level variables through a point system. Both

summations, that of the housing and support system/stigma variables, were tested against Cronbach's alpha for reliability.

### **Scale**

The sum of the housing variables consisted of adding all the ordinal level variables together. The three variables that were included were (1) if having to register as a sex offender prevented that offender from living where they wanted to live, (2), if the registered sex offender had to move living accommodations because of neighbors' complaints, and (3) if the registered sex offender had to move living accommodations because their landlord found out they were a registered sex offender. The attributes for all three variables were Likert-scale based; Strongly disagree, disagree, neutral, agree, and strongly agree. Each attribute was given a point-value. Strongly disagree was given 1 point, disagree two points, neutral three points, agree four points, and strongly agree five points. Therefore, when combining the attributes from the three housing variables, it creates a ratio level variable. The range is thought to be from 0 (people not answering the item) to 15 (individuals selecting "strongly agree" to all items). The higher the score on the new scale meant that the registered sex offender had a higher agreeableness that they experienced reentry challenges regarding housing.

The same process was given to the support system/stigma variables that were at an ordinal level of measurement. The sum of the support system/stigma variable consisted of six variables; (1) if the registered sex offender has been harassed solely because of their status, (2) if the registered sex offender feels isolated, (3) if the registered sex offender is ashamed, (4) if the registered sex offender believes that they are defined by society as a sex offender, (5) if the registered sex offender views themselves as a sex

offender, and (6) if the registered sex offender has been asked to leave a group organization of some sort. All six variables also had Likert-scale attributes of Strongly disagree, disagree, neutral, agree, and strongly agree. As with the housing variables, each attribute was given a point-value to create a ratio level variable. The higher the score on the new scale meant that the registered sex offender had a higher agreeableness that they experienced reentry challenges regarding support system/stigma.

When creating the scale for the new variables, validity and reliability were kept in mind. Validity refers to the measure correctly representing the concept that it is supposed to measure. Content validity was looked at specifically. This type refers to how scale items may represent the concept that is being measured. The items that were looked at to create the new scale were all Likert-scale statements regarding the perceived reentry challenges that an individual may face. The scale was kept in terms of agreeability with the statements; therefore, only similar statements were combined.

### **Cronbach's Alpha**

Due to the creation of a new variable, a test for reliability had to be conducted. Cronbach's alpha is utilized when the internal consistency of an instrument or scale needs to be measured. The values for this analysis ranged from 0 to 1, with an appropriate value being around 0.90. A Cronbach's alpha is necessary to affirm that all items in a scale measure the same concept and connect to the inter-relatedness of the items (Tavakol & Dennick, 2011). An analysis is usually needed for each different concept, therefore, the items that had similar concepts, such as housing, were grouped together into one new variable. Additionally, testing for reliability within a new variable is important because it

analyzes the ability of the scale to measure consistently. With Cronbach's Alpha, a higher value signifies a lower random error.

## CHAPTER IV

### RESULTS

The purpose of this study was to create a greater understanding on the impact of current sex offender legislation has on registered sex offender's ability to comply with such laws and the obstacles that these laws create. Additionally, it is important to know the reentry challenges registered sex offenders experience to confirm past research and expand on this particular subject. By confirming and expanding the available knowledge of sex offender legislation, additional policy implications can be created to decrease fear in the general public and ease reentry for sex offenders.

This section of the paper will provide the answers to the research questions proposed in the last chapter. As stated, this study is a secondary data analysis (Griffin & Evans, 2019) based on surveys mailed to registered sex offenders in the state of Mississippi that examined potential reentry challenges faced by registered sex offenders. For the current examination, quantitative results from survey items were separated into categories to answer the research questions posed.

The first set of analyses was conducted to determine the demographics of the sample (Table 1). Most participants identified as White males living in a rural setting. Most of the registered sex offenders reported that their victims were female teens whom they knew.

Table 1

*Demographic Statistics for Sex Offenders*

<i>Variable</i>	<i>Frequency (%)</i>
<i>Race</i>	
White	207 (59)
African American	109 (31.1)
Hispanic	1 (0.3)
Two or More Races	6 (1.7)
Native Americans	2 (0.6)
Other	7 (2)
Missing	10 (2.9)
<i>Education</i>	
Some High School	53 (15.1)
High School Graduate/GED	125 (35.6)
Some College	82 (23.4)
Associate Degree	24 (6.8)
Bachelor's Degree	23 (6.6)
Master's Degree	11 (3.1)
PhD	7 (2)
Missing	26 (7.5)
<i>Living Area</i>	
Urban	100 (28.7)
Suburban	58 (16.6)
Rural/Farm	168 (48.1)
Other	17 (4.9)
Missing	6 (1.7)
<i>Tier Classification</i>	
Tier 1	19 (5.4)
Tier 2	7 (2)
Tier 3	12 (3.4)
Do not know	291 (82.9)
Missing	22 (6.3)
<i>Currently on Parole</i>	
Yes	17 (4.8)
No	324 (92.3)
Missing	10 (2.9)
<i>Currently on Probation</i>	
Yes	83 (23.6)
No	261 (74.4)
Missing	7 (2)
<i>Communities Safer due to registration and community notification</i>	
Strongly Disagree	106 (30.2)
Disagree	90 (25.6)
Neutral	49 (14)
Agree	63 (17.9)
Strongly Agree	33 (9.4)
Missing	10 (2.9)

Table 1, continued

<i>Variable</i>	<i>Frequency (%)</i>				
<i>Sex crimes prevented if offender's information public</i>	Strongly Disagree	170 (48.4)			
	Disagree	98 (27.9)			
	Neutral	31 (8.8)			
	Agree	18 (5.1)			
	Strongly Agree	20 (5.7)			
	Missing	14 (4)			
<i>Victim Type (Gender)</i>	Male	39 (11.1)			
	Female	276 (78.6)			
	Female and Male	14 (4)			
	Missing	22 (6.3)			
<i>Knew Victim</i>	No	57 (16.2)			
	Yes	231 (65.8)			
	Yes and No	38 (10.8)			
	Missing	25 (7.1)			
<i>Victim Type (Age)</i>	Adults	52 (14.8)			
	Teens	161 (45.9)			
	Children under 12	97 (27.6)			
	Multiple Ages	5 (1.4)			
	Missing	12 (10.3)			
<i>Variable</i>	<i>Mean</i>	<i>Median</i>	<i>Mode</i>	<i>St. Deviation</i>	<i>Range</i>
<i>Age</i>	48.45	49	40, 47, 51, 54	12.56	68

To answer the first research question: “What reentry challenges do registered sex offenders face?” univariate analyses were conducted. To assess this question, three main conceptual challenges were examined: *housing, employment, and support systems/stigma*.

### **Housing**

In order to measure housing reentry challenges for registered sex offenders, four survey items were examined: (1) the times a registered sex offender has been kicked out of their home, (2) if having to register as a sex offender had prevented the individual from living where they wanted to live, (3) if the individual had to move because of their



neighbors complaining that they are a registered sex offender, and (4) if the individual had to move because of their landlord complaining that they are a registered sex offender.

As stated, the ordinal level housing variables were combined into a new variable. The new variable of the housing reentry challenges was created on the point-system described in the last chapter. The score range could be from zero to fifteen, however it was found that it actually ranged from 2 to 15, giving a range of 13. The higher the value in the new variable, the higher amount of housing reentry challenges that an individual experienced. For example, if an individual scored a 15 on the scale, it meant that they “strongly agreed” to experiencing all of the support housing related reentry challenges included within the new variable. The average for this variable was of 9.09, with a standard deviation of 3.36. In order to see if these measures reliability measured the concept of housing challenges, a Cronbach’s alpha was computed ( $\alpha = 0.759$ ) and indicated a high reliability for this scale.

With that said, a little more than half of the respondents “strongly agreed” that being a registered sex offender has prevented them from living where they wanted to live. Overall, a majority of registered sex offenders faced significant housing challenges when reentering society (See Table 2).

### **Employment**

Employment was measured using three survey items: (1) if a registered sex offender had lost their job due to their status, (2) if they had been denied a promotion at work due to their status, and (3) their current job status. About half of respondents stated they had lost their job because they were registered sex offenders and a majority of them reported being denied a promotion at work because of their registration status. Overall, a

majority of registered sex offenders faced significant employment challenges upon re-entry (See Table 2).

Table 2

*Univariate Statistics for Housing & Employment Reentry Challenges*

<i>Variable</i>	<i>Frequency (%)</i>	
<i>Status prevented where offender wanted to live</i>	Strongly Disagree	18 (3.6)
	Disagree	49 (9.8)
	Neutral	36 (7.2)
	Agree	58 (11.6)
	Strongly Agree	179 (35.8)
	Missing	160 (32)
	<i>Have had to move due to neighbors' complaints</i>	Strongly Disagree
Disagree		111 (22.2)
Neutral		57 (11.4)
Agree		34 (6.8)
Strongly Agree		59 (11.8)
Missing		162 (32.4)
<i>Have had to move due to landlords' complaints</i>		Strongly Disagree
	Disagree	112 (22.4)
	Neutral	56 (11.2)
	Agree	38 (7.6)
	Strongly Agree	47 (9.4)
	Missing	168 (33.6)
	<i>Lost a Job</i>	No
Yes		175 (49.9)
Missing		8 (2.3)
<i>Been denied a promotion</i>		No
	Yes	90 (25.6)
	Missing	8 (2.3)
	<i>Currently have a Job</i>	No
Yes		126 (35.9)
Missing		4 (1.2)
<i>Kicked out of home</i>		No
	Yes	91 (26.1)
	Missing	8 (2.3)

### **Support Systems/Stigma**

Support systems/stigma was measured using 20 survey items: (1) if a family member was harassed, (2) if a family member was physically assaulted, (3) if a family member was ridiculed by others, (4) if a family member had to move, (5) if a family member was refused rent, (6) if a family member experienced depression, (7) if a family member experienced fear, (8) if a family member has experienced suicidal tendencies, (9) if a family member refused to talk, (10) if a family member experienced anger, (11) if a registered sex offender has been harassed solely because of their status, (12), if the registered sex offender feels isolated from the public, (13) if the registered sex offender is ashamed, (14) if the offender feels defined by society as a sex offender, (15) if the offender views themselves as a sex offender, (16) if the offender has been asked to leave a group organization, (17) the times the offender has been verbally harassed, (18) the times the offender has been kicked out of a social group, (19) the times the offender has been physically abused, and (20) the times the registered sex offender's property has been damaged.

The new variable of the support system/stigma reentry challenges was created on the point-system described in the last chapter. The score range could be from zero to thirty, however it was found that it actually ranged from 6 to 30, giving a range of 24. The higher the value in the new variable, represented more support systems/stigma reentry challenges that a registered sex offender experienced. For example, if an individual scored a 30 on the scale, it meant that they "strongly agreed" to experiencing all of the support system/stigma related reentry challenges included within the new

variable. Similarly, if an offender scored a 6, it signified that they “strongly disagreed” to experiencing support systems/stigma challenges. The average for this variable was of 20.27, with a standard deviation of 4.64. A Cronbach’s alpha was computed to test for the reliability of the point system of the sum of the support system/stigma reentry variables. The analysis for the sum of the new support system/stigma variable yielded an  $\alpha = .959$ , representing a relatively high reliability for the scale.

Most registered sex offenders reported that their family members had been harassed whether verbally or physically due to being related to the registered sex offender. Additionally, it was noted that family members experienced other kinds of stigma and collateral consequences such as housing and emotional health due to their relation to the registered sex offender which can be seen in detail in Table 3.

Most registered sex offenders also responded to experiencing stigma due to their label. Stigma was looked at as harassment, being ashamed, and number of times being kicked out of organizations or their homes (Table 3). For example, about half of individuals said they strongly agreed to being ashamed of being a registered sex offender.

### **Research Question #2**

The second main research question for this study asked, “Do registered sex offenders differ in reentry challenges based on where they live?” To answer this question, each reentry challenge (housing, employment, support systems/stigma) was examined individually in comparison to where a registered sex offender lives. In order to examine this association, three chi-square analyses were conducted to determine if there is an association between employment reentry challenges and the living area, and to analyze the strength and direction of the relationships.

Table 3

*Univariate Statistics for Support Systems/ Stigma Reentry Challenges*

<i>Variable</i>	<i>Frequency (%)</i>
<i>Family member harassed</i>	No 214 (61)
	Yes 119 (33.9)
	Missing 18 (5.2)
<i>Family member physically assaulted</i>	No 318 (90.6)
	Yes 15 (4.3)
	Missing 18 (5.2)
<i>Family member ridiculed by others</i>	No 199 (56.7)
	Yes 134 (38.2)
	Missing 18 (5.2)
<i>Family member had to move</i>	No 295 (84)
	Yes 38 (10.8)
	Missing 18 (5.2)
<i>Family member has been refused rent</i>	No 292 (83.2)
	Yes 41 (11.7)
	Missing 18 (5.2)
<i>Family member experienced depression</i>	No 169 (48.1)
	Yes 164 (46.7)
	Missing 18 (5.2)
<i>Family member experienced fear</i>	No 206 (58.7)
	Yes 127 (36.2)
	Missing 18 (5.2)
<i>Family member experienced suicidal tendencies</i>	No 305 (86.9)
	Yes 28 (8)
	Missing 18 (5.2)
<i>Family member refused to talk</i>	No 211 (60.8)
	Yes 122 (34.8)
	Missing 18 (5.2)
<i>Family member experienced anger</i>	No 182 (51.9)
	Yes 151 (43)
	Missing 18 (5.2)

Table 3, continued

<i>Variable</i>	<i>Frequency (%)</i>	
<i>Have been harassed solely because of sex offender status</i>	Strongly Disagree	22 (6.3)
	Disagree	69 (19.4)
	Neutral	53 (15.1)
	Agree	63 (17.9)
	Strongly Agree	131 (37.3)
	Missing	14 (4)
<i>Isolated from public</i>	Strongly Disagree	18 (5.1)
	Disagree	31 (8.8)
	Neutral	36 (10.3)
	Agree	98 (27.9)
	Strongly Agree	160 (45.6)
	Missing	8 (2.3)
<i>Ashamed because registered sex offender</i>	Strongly Disagree	27 (7.7)
	Disagree	18 (5.1)
	Neutral	35 (10)
	Agree	68 (19.4)
	Strongly Agree	199 (56.7)
	Missing	4 (1.2)
<i>Defined by society as a sex offender</i>	Strongly Disagree	12 (3.4)
	Disagree	14 (4)
	Neutral	36 (10.3)
	Agree	108 (30.8)
	Strongly Agree	159 (45.3)
	Missing	22 (6.3)
<i>View myself as sex offender</i>	Strongly Disagree	196 (55.8)
	Disagree	64 (18.2)
	Neutral	31 (8.8)
	Agree	35 (10)
	Strongly Agree	11 (3.1)
	Missing	14 (4)
<i>Have been asked to leave group organization</i>	Strongly Disagree	68 (19.4)
	Disagree	100 (28.5)
	Neutral	57 (16.2)
	Agree	40 (11.4)

Table 3, continued

<i>Variable</i>	<i>Frequency (%)</i>				
<i>Defined by society as a sex offender</i>	Strongly Disagree	12 (3.4)			
	Disagree	14 (4)			
	Neutral	36 (10.3)			
	Agree	108 (30.8)			
	Strongly Agree	159 (45.3)			
	Missing	22 (6.3)			
<i>View myself as sex offender</i>	Strongly Disagree	196 (55.8)			
	Disagree	64 (18.2)			
	Neutral	31 (8.8)			
	Agree	35 (10)			
	Strongly Agree	11 (3.1)			
	Missing	14 (4)			
<i>Have been asked to leave group organization</i>	Strongly Disagree	68 (19.4)			
	Disagree	100 (28.5)			
	Neutral	57 (16.2)			
	Agree	40 (11.4)			
	Strongly Agree	70 (19.9)			
	Missing	16 (4.6)			
<i>Variable</i>	<i>Mean</i>	<i>Median</i>	<i>Mode</i>	<i>St. Deviation</i>	<i>Range</i>
<i>Times verbally harassed</i>	20.53	2	0	81.75	1005
<i>Times kicked out of social group</i>	2.16	0	0	11.65	150
<i>Times physically abused</i>	1.69	0	0	8.37	99
<i>Times property has been damaged</i>	1.84	0	0	8.80	100

### Chi-Square Analysis

The first test included current job status as the independent variable and the type of living area as the dependent variable. A chi-square analysis was utilized to determine the association between the two variables, ( $\chi^2 = 18.965$ ,  $p\text{-value} = 0.215$ ) which did not determine a significant association between job status and the type of living area. Since the  $p\text{-value}$  was above 0.05, no further testing was conducted.

The second test sought to examine the association of having lost a job due to being a registered sex offender with the living area. After running a chi-square analysis

( $\chi^2 = 21.913$ ,  $p\text{-value} = 0.016$ ) it was determined that there was a significant association. Since the  $p\text{-value}$  was above 0.0, a gamma statistical analysis was also conducted, thus the gamma value being 0.077 stating a positive, but weak association between losing a job due to being a sex offender and the type of living area.

The third test looked at being denied a promotion at work because of the offender's status as a registered sex offender and the living type. The last chi-square test analysis for this research question ( $\chi^2 = 23.477$ ,  $p\text{-value} = 0.009$ ) did determine a significant association. A gamma analysis was run because the  $p\text{-value}$  was below 0.05, the gamma value, 0.172, yielded a positive, but weak relationship between being denied promotion at work and the type of living area.

### **Analysis of Variance**

Additionally, to examine the relationship between the reentry challenges of housing and support systems/stigma, two analyses of variance were conducted to also answer the second research question. The first ANOVA was to determine if a registered sex offender's living area influences their housing reentry challenges. The test failed to find differences between the types of living areas. Although the average housing reentry challenges for urban and rural/farm seemed higher than suburban living area, the difference was not significant ( $F(5,332) = 0.499$ ,  $p = 0.777$ ,  $\eta^2 = 0.077$ ).

The second test was to determine if a registered sex offender's living area influences their support system/stigma challenges. The One-Way ANOVA failed to find a difference between the three types of living areas. Although the average support system/stigma reentry challenges for suburban and rural/farm seemed higher than the



urban living area, the difference was not significant ( $F(5,331) = 0.957, p = 0.444, \eta^2 = 0.014$ ).

### **Research Question #3**

The third and final research question that was posed in this study was, do registered sex offenders differ in reentry challenges based on their victim type? To answer this question, each reentry challenge (housing, employment, support systems/stigma) was looked at individually in comparison to the registered sex offender's victim type. Bivariate analysis was conducted to determine if there is a relationship between variables, and to analyze the strength and direction of the relationships.

#### **Chi-Square Analysis**

The three chi-square tests aimed to determine if there was an association between employment and victim type. The first test for this research question included if a registered offender had a job as an independent variable and the type of victim as the dependent variable. A chi-square analysis ( $\chi^2 = 95.778, p\text{-value} = <0.001$ ) determined that there was a significant association. Due to the p-value being below 0.05, a gamma statistical analysis was conducted. The gamma value, 0.137, indicated a positive, but weak association.

The second test sought to examine the relationship of having lost a job due to being a registered sex offender with the victim type. A chi-square analysis was conducted ( $\chi^2 = 11.972, p\text{-value} = 0.152$ ) which did not determine a significant association.

The last chi-square analysis was between whether a registered sex offender has been denied a promotion at work and their victim type. The chi-square analysis ( $\chi^2 = 18.409, p\text{-value} = 0.018$ ) did determine there was a significant association. Due to the p-

value being 0.05, a gamma statistical analysis was conducted. The gamma value, -0.042, indicated that there was a negative and weak association.

### **Analysis of Variance**

Additionally, to examine the relationship between the reentry challenges of housing and support systems/stigma, two analyses of variance were conducted to also answer the third research question. The test was to determine if a registered sex offender's victim type influenced their housing reentry challenges. The One-Way ANOVA did reveal a statistically significant difference between the four types of victim,  $F(4,328) = 3.296, p = 0.011, \eta^2 = 0.039$ . Furthermore, a Tukey post hoc test revealed statistically significant differences between adults and teens meaning that the support system/stigma challenges was greater on average for registered sex offenders who had teen victims ( $M = 9.64, SD = 3.36$ ) than it was for adult victims ( $M = 7.72, SD = 3.39$ ). The last ANOVA was to determine if a registered sex offender's victim type influences their support system/stigma reentry challenges. Although the average support system/stigma challenges for teens and children under 12 seemed higher than adults and multiple ages, the difference was not significant,  $F(4,327) = 1.183, p = 0.318, \eta^2 = 0.014$ .

## CHAPTER V

### DISCUSSION

Thousands of registered sex offenders are released each year (CSOM, 2007), however, most offenders who are released struggle with reentry challenges (Grossi, 2017; Tewksbury & Copes, 2012). The sex offender laws and policies that were mentioned do not make it any easier for sex offenders to successfully reenter society. As it has been mentioned, these various laws have caused some sex offenders to register with law enforcement, have their personal information made available to the public, and be forced to live outside certain boundaries. Additionally, some of the reentry challenges that registered sex offenders may face include losing employment opportunities (Berson, 2013; Grossi, 2017), losing housing and/or having trouble finding housing (Levenson & D'Amora, 2007; Lutze et al., 2014; Tewksbury & Zgoba, 2010), and suffer from their negative label or lose support due to their status as a registered sex offender (Levenson & Tewksbury, 2008; Levenson & Cotter, 2005). The purpose of this study was to build on the existing literature regarding sex offender legislation, how registered sex offenders are able to comply with such laws and the reentry challenges that said legislation poses.

This study utilized secondary data from Griffin and Evans (2019) to help analyze registered sex offender data and answer the three research questions. The first question asked, "What reentry challenges do registered sex offenders face?" The second asked, "do registered sex offenders differ in reentry challenges based on where they live?" The

third question asked, do registered sex offenders differ in reentry challenges based on their victim type?

To answer the first question regarding the types of reentry challenges that sex offenders faced, univariate analyses were conducted. Descriptive statistics and frequencies were obtained and were broken into three different categories; housing, employment, and support systems/stigma. Additionally, demographics were also obtained to gather a feeling of the data sample. The sample can be described as being mostly white males of an average age of 57.3 with high school education. Surprisingly, a majority of registered sex offenders did not know their tier level, causing a monitoring problem. This is an issue because it may confuse the offender regarding their length and extent of supervision and application of sex offender legislation. Furthermore, if an offender is unaware of his or her tier, they may not know the frequency of their registration requirements, causing law enforcement to not know the whereabouts of said offender.

Another finding was that most registered sex offenders did not think that communities would be safer because of sex offender registration and community notification confirming past literature. Additionally, the majority also thought that sex crimes could not be prevented if registered sex offenders' information was made public. This might be the case due to a majority of sex crimes being new offenses and not repeat offenses as the public may think (Mancini, 2014). If a sex offender is caught and processed through the criminal justice system and thus labeled as a registered sex offender, it is highly probable that they will be under intensive supervision and be less likely to commit a new crime. Furthermore, recidivism for sex offenders is usually low, around 15% (Robbers, 2009). Also, in this study, it was found that most sex offenders

knew their victim and thus community notification would not be of much use to alert strangers in the community. Similarly, due to sex offenses happening between acquaintances, the victim likely knew the offender's personal information, therefore, making registered sex offenders' public information in a sense useless.

Of all of the results, it was found that registration does prevent registered sex offenders from living where they would wish, as was confirmed by Mustaine (2014) and Grossi's (2017) statements. As stated earlier, the current sex offender legislation has made it hard for some registered sex offenders to have a place to live because of the residency restrictions in place. However, contrary to Lutze et al., (2014), Robbers (2009), and Evans and Porter (2015), the majority of registered sex offenders were not kicked out of their homes and did not have to move due to their neighbors' or landlords' complaints. This might be because the registered sex offenders that participated in the study may have been screened out of every place and had found a living accommodation by the time they took the survey. It was believed that individuals would struggle with having to move living accommodations because of their status as a registered sex offender. This finding only supports that sex offenders may struggle with finding a desirable place to live, but otherwise, do not experience reentry challenges regarding housing.

On the other hand, the statistics for employment demonstrated that about half of participants lost their job due to their status as registered sex offenders and more than half reported not having a job at the time of the survey. Concerning Robbers (2009), and Lasher and McGrath (2012), the findings were similar or in this case exceeded their findings of 27% of registered sex offenders losing their job due to their status. This

finding confirms previous findings that being a registered sex offender leads to a lack of employment and thus financial hardships.

One of the main themes throughout this research has been that of the master status of a registered sex offender. As stated by Becker (1963), through the labeling theory, when individuals are labeled as criminals they are mandated to perform as such. Being labeled as a registered sex offender has been demonstrated to cause employment problems and some housing struggles as well. Apart from these reentry challenges, an individual's support system and stigma can be affected. Throughout the univariate analysis, it was found that about 38% of family members had indeed been ridiculed by others. Additionally, a little less than half of the registered sex offenders did report that their family members had experienced depression. These findings regarding family members confirm the statements made by Levenson and Tewksbury (2008) that family members also suffer from harassment due to their relation to a sex offender. The findings did not only demonstrate the negative stigma that family members of registered sex offenders carry but that of the registered sex offenders themselves also. More than one-third of respondents strongly agreed that they were harassed solely because society knew that they were a registered sex offender, which unfortunately corroborates with Mingus and Burchfield (2012).

Additionally, the results also demonstrate that apart from harassments, most registered sex offenders feel isolated from the public. As stated earlier, when an individual carries a negative master status, they are disintegrative shamed, and thus are unable to enter the community successfully. Such a negative label causes individuals to feel ashamed, but they are aware that society imposes such labels as could be seen in the

results. Griffin and Evans (2019) gathered the data in the state of Mississippi, which is known to be one of the states with the strictest sex offender legislation and policy implementation. These strict regulations may increase the amount of stigmatization and application of the master status when compared to other states. Moreover, the findings indicate that support systems are affected and may be considered a reentry challenge for registered sex offenders, because of the stigma associated with their criminal history, which might be in part due to the location of the original study.

The second research question that was posed was that of, "Do registered sex offenders differ in reentry challenges based on where they live? (i.e. rural, urban, suburban)" The results found that the living area did have an impact on the reentry challenges that registered sex offenders experience. The reentry challenges that were dependent on the living area are losing a job and being denied a promotion meaning that depending on where an offender lived (rural, urban, suburban) did influence if that particular offender has lost a job or has been denied a promotion. Apart from this relationship being significant, it was found that it was a weak relationship for both variables. A significant but weak relationship demonstrates that although registered sex offenders might differ on their employment challenges depending on where they live, it might not be the toughest reentry challenge that they may face. All of the other reentry challenges such as housing and support systems/stigma did not demonstrate a significant relationship regarding living areas thus being interpreted that housing and support system reentry challenges are not determined by the location a registered sex offender lives. The ANOVAs did not reveal a significant difference between the living areas (rural, urban,

suburban) and the reentry challenges which may have been due to offenders clustering around similar scores on the new scale.

The third research question asked, "Do registered sex offenders differ in reentry challenges based on their victims' characteristics?" The reentry challenges that differed with victim type were having a job, being denied a promotion at work, and housing. Therefore, having a job, and being denied a promotion at work did influence the type of victim, whether that was a child, teen, adult, or multiple ages. However, this relationship was weak meaning that a registered sex offender's victim type (child, teen, adult, or multiple ages) only influenced a small amount the chances of being denied a promotion at work. Evans and Porter (2015)'s findings were confirmed through this study when referencing the influence, the type of victim has on the ability to find housing. By further investigation by additional testing, it was found that housing reentry challenges differed especially between adults and teens. Throughout the second and third research questions, it was found that reentry challenges with support systems/stigma were not affected by either the living area or the victims' characteristics of the offender.

### **Limitations**

The majority of the results of this study were found not to be significant and it could be due to a variety of causes. First, the data utilized is secondary data and may not have provided the desired variables for this study. Secondly, since the data was secondary, it was difficult to choose variables that could best fit the structure of this research. It would have been interesting to gather data first-hand and ask individuals if they been part of reentry programs that may have targeted the reentry challenges mentioned; housing, employment, support systems/stigma. Griffin and Evans (2019)



acknowledged their small sample size and stated that other articles had used similar response rates and it should not be considered a major limitation.

One of the ways the limitations could be avoided would be to use primary data. Primary data offers the opportunity for future researchers to test the validity of their questions regarding their purpose, and to adequately structure the research design to meet the needs of the project. Other limitations include that the findings can only be generalizable to registered sex offenders within the state of Mississippi that has a current address and are not incarcerated during the time period the original data took place. It would be interesting to note that a future research idea could include a similar study across the United States. A wider range of data could eliminate the ability to only generalize findings to one state, however, this may be hard to implement. Additionally, those individuals that did not participate may have been hesitant of Griffin and Evans's (2019) study regarding anonymity and confidentiality, and those that did participate may not have answered truthfully due to similar fears.

### **Future Research and Implications**

Moreover, future research should take into consideration the limitations of this study and try to eliminate them as best as possible to create concrete evidence that the current legislation and policies in place do create reentry challenges for registered sex offenders. Another point of view that should be taken is to consider different theoretical frameworks such as Sampson and Laub's age-graded theory of social control (Sampson & Laub, 1993) among other micro theories to explain the causes of reentry challenges.

The impact that is desired for this study is to provide the criminal justice system with additional information on the reentry challenges that a registered sex offender may

face. Apart from providing information to the criminal justice system, it provides knowledge to the general public to decrease fear of the general population of sex offenders. It is the hope for the community to understand the challenges that sex offender legislation has on sex offenders trying to reintegrate into society as successful citizens. As stated earlier by Mancini (2014), Robbers (2009), and Tewksbury and Copes (2012) the media usually exaggerates the dangers of having sex offenders within the community by airing high profile cases and instilling fear. Within this study it has been demonstrated that registered sex offenders are stigmatized by their past criminal history, and are not expected to change by the community, thus creating additional problems than just fear of these individuals. Each law targeted towards registered sex offenders whether that be the idea of the Sexual Psychopathy Laws, the Wetterling Act, Megan's Law, the Pam Lychner Act, or the Adam Walsh Act of 2006, has created a further struggle for registered sex offenders to live an ordinary life. A strongly recommended policy implication is the optimism for reentry programs to incorporate the current findings and focus on aiding registered sex offenders with employment and housing as these were the reentry challenges that were found to be the most significant across the board. Additionally, although difficult, a future policy implication would be to educate the public to not associate individuals with their criminal history and give them a master status that could affect the rest of their life.

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**APPENDIX A**  
**INSTITUTIONAL REVIEW BOARD APPROVAL**



DATE: October 3, 2019

TO: Kitsya Cordova  
FROM: University of Northern Colorado (UNCO) IRB

PROJECT TITLE: [1493767-1] An Analysis of Registered Sex Offender Reentry Challenges in Mississippi

SUBMISSION TYPE: New Project

ACTION: APPROVAL/VERIFICATION OF EXEMPT STATUS

DECISION DATE: October 3, 2019

EXPIRATION DATE: October 3, 2023

Thank you for your submission of New Project materials for this project. The University of Northern Colorado (UNCO) IRB approves this project and verifies its status as EXEMPT according to federal IRB regulations.

We will retain a copy of this correspondence within our records for a duration of 4 years.

If you have any questions, please contact Nicole Morse at 970-351-1910 or [nicole.morse@unco.edu](mailto:nicole.morse@unco.edu). Please include your project title and reference number in all correspondence with this committee.

This letter has been electronically signed in accordance with all applicable regulations, and a copy is retained within University of Northern Colorado (UNCO) IRB's records.