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- Housing restrictions appear to be based largely on three myths that are repeatedly propagated by the media: 1) all sex offenders reoffend; 2) treatment does not work; and 3) the concept of “stranger danger.” Research does not support these myths, but there is research to suggest that such policies may ultimately be counterproductive.
- Several large studies by both the U.S. and Canadian governments have found that sex offense recidivism rates are much lower than commonly believed.
- Studies by Canadian researchers involving over 29,000 sex offenders from North America and Europe found a 14% recidivism rate among all sex offenders; child molesters were re-arrested at a slightly lower rate of about 13%
- Despite the belief that sex offenders have the highest recidivism rates of all criminals, the Department of Justice found that sexual perpetrators were less likely to be rearrested for any new crime than were other types of offenders (Bureau of Justice Statistics, 2003).
- It is clear that the majority of sexual offenders are unlikely to be rearrested for new sex crimes.
- The myth that treatment can not be helpful to sex offenders is based largely on a highly publicized meta-analytic study that was unable to detect a treatment effect among outcome studies conducted in the 1970’s and 1980’s (Furby, Weinrott, & Blackshaw, 1989). Cognitive-behavioral treatment reduces sex offense recidivism by nearly 40%.
- Recidivism rates were lower than commonly believed; 17% for untreated offenders, and 10% for treated offenders (Hanson et al., 2002).
- A study reviewing sex crimes as reported to police revealed that 93% of child sexual abuse victims knew their abuser. Only seven percent of child victims reported that they were abused by strangers.
- Tragic cases of child abduction and sexually motivated murder receive extraordinary media attention. In reality, such cases are extremely rare; it is estimated that about 100 stranger abductions occur in the United States each year (National Center for Missing and Exploited Children, 2005).
- Despite overwhelming public and political support, there is no evidence that proximity to schools increases recidivism, or, conversely, that housing restrictions reduce reoffending or increase community safety.

- In Colorado, however, it was found that molesters who reoffended while under supervision did not live closer than non-recidivists to schools or child care centers (Colorado Department of Public Safety, 2004). In Minnesota, sex offenders' proximity to schools or parks did not increase the likelihood of reoffense (Minnesota Department of Corrections, 2003).
- A survey of sex offenders in Florida indicated that housing restrictions increased isolation, created financial and emotional stress, and led to decreased stability (Levenson & Cotter, 2005a). (It should be noted that these data were collected in 2004. At that time, housing restrictions in Florida were enforced by the special conditions of sex offender probation with a restriction zone of 1,000 feet. In 2005, scores of cities passed local ordinances increasing zones to 2,500 feet, making it increasingly difficult for offenders to find housing in major metropolitan areas such as greater Miami and Fort Lauderdale. It is likely that hardships related to housing have been amplified since Levenson and Cotter (2005) conducted this research).
- “Placing restrictions on the location of ... supervised sex offender residences may not deter the sex offender from re-offending and should not be considered as a method to control sexual offending recidivism” (Colorado Department of Public Safety, 2004, p. 5).
- Decades of criminological research have concluded that stability and support increase the likelihood of successful reintegration for offenders, and public policies that make it more difficult for offenders to succeed may jeopardize public safety (Petersilia, 2003).
- In Colorado, it was found that sex offenders who had social and family support in their lives had significantly lower recidivism and rule violations than those who had negative or no support (Colorado Department of Public Safety, 2004).
- Despite widespread support and popularity, there is no evidence that residence restrictions prevent sex crimes or increase public safety. These laws may, ironically, interfere with their stated goals of enhancing public safety by exacerbating the psychosocial stressors that can contribute to reoffending (Edwards & Hensley, 2001; Freeman-Longo, 1996; LaFond, 1998; Levenson & Cotter, 2005a; Levenson & Cotter, 2005b).
- Risk assessment should be used to classify offenders into categories, with increased restrictions and more aggressive monitoring implemented for high risk offenders. Apply the most restrictive interventions and the most aggressive monitoring for the most dangerous offenders.
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- Broad strategies may, by lumping all sex offenders together, dilute the public's ability to truly identify those who pose the greatest threat to public safety. At the same time, classification systems allow limited resources to be used more cost-efficiently to monitor, treat, and restrict highly dangerous offenders without unnecessarily disrupting the stability of lower risk offenders and their families.
- Several studies have shown that treatment reduces sex offense recidivism (Hanson et al., 2002; Losel & Schmucker, 2005) and that sex offenders who successfully complete treatment reoffend less often than those who do not (Marques et al., 2005).
- Recent high-profile cases do not represent the "typical" sex offender. Sexually motivated abduction and murder are rare events, and such cases should not become the impetus for legislation affecting the heterogeneous group of sexual offenders. It is well-established that most sexual abuse victims are molested by someone they know and trust, not by strangers lurking near playgrounds or schools (Bureau of Justice Statistics, 1997;2000;2004). Public education should focus on providing factual information to parents about the realities of sexual abuse rather than promoting the false sense of security that is reinforced through housing legislation.
- States should provide a mechanism for low risk offenders to be removed from public registries and be released from the restrictions that hinder successful community reintegration. Lifetime registration may not be necessary for all sex offenders and public registries may in fact interfere with the stability of low-risk offenders by limiting their employment and housing opportunities, unnecessarily isolating them, and leading to harassment and ostracism (Levenson & Cotter, 2005b; Tewksbury, 2005; Petersilia, 2003).
- So, some sex offenders should be allowed to petition for release from registration if deemed to pose a low risk to the community AND the offender has successfully completed a sex offender treatment program AND the offender has been living in the community offense-free for at least five years.
- Banning sex offenders from communities does not solve the problem of sexual violence.
- Emotionally reactive legislation based on fear and anger rather than research and data will not be as effective in keeping our communities safe.