

The Effect of Megan's Law on Sex Offender Reintegration

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The purpose of this study is to better understand the positive and negative, intended and unintended, consequences of community notification on sex offenders' rehabilitation and reintegration. A sample of 183 convicted male sex offenders from Florida completed the survey. Overall, about one third of participants had experienced dire events, such as the loss of a job or home, threats or harassment, or property damage. The sample reported that physical assault was a relatively rare occurrence. The majority identified negative effects, such as stress, isolation, loss of relationships, fear, shame, embarrassment, and hopelessness. Some participants noted positive effects of Megan's Law, including motivation to prevent reoffense and increased honesty with friends and family. Few sex offenders believed that communities are safer because of Megan's Law, and more than half reported that the information posted about them on Florida's Internet registry was incorrect. Implications for practice and policy are discussed.

Keywords: sex offender; community notification; registration; Megan's Law; offender reintegration; offender rehabilitation

In response to high-profile sex crimes, innovative but controversial public policies have been passed in an attempt to decrease the risk to public safety posed by sexual offenders. In 1994, following the 1989 abduction of an 11-year-old boy in Minnesota, Congress passed a law mandating all 50 states to require sex offenders to register with local law enforcement agencies so that their current whereabouts are known (Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, 1994). After the tragic New Jersey murder of Megan Kanka by a previously convicted child molester, "Megan's Law" was added to the Wetterling Act in 1996. According to this law, states must have procedures in place to inform the public about

sex offenders who live in close proximity. This study seeks to investigate the effect of Megan's Law on sex offenders.

Community notification laws have received widespread support, largely due to the perception that the vast majority of sex offenders will repeat their crimes. However, research studies have found that sexual offense recidivism rates are lower than commonly believed (Bureau of Justice Statistics, 2003; Hanson & Bussiere, 1998). Certain subgroups, such as pedophiles who molest boys and rapists, seem to present the greatest risk; they have been found over long follow-up periods to recidivate at rates of 52% and 39%, respectively (Hanson, Scott, & Steffy, 1995; Prentky, Lee, Knight, & Cerce, 1997). Early studies indicating that treatment was not successful in reducing recidivism (Furby, Weinrott, & Blackshaw, 1989) have also led to excessive fear of sex offenders, despite recent data suggesting more promising treatment outcomes (Hanson et al., 2002).

Because community notification was first proposed in response to the sexually motivated murder of a child, it was originally conceived as a strategy to combat predatory child sexual abuse. As legislation evolved in most states, notification became inclusive of all sexual perpetrators, including incestuous offenders, rapists of adults, noncontact offenders such as exhibitionists, and child pornographers. Notification is intended to enhance community safety from sexual violence through awareness and education combined with vigilant surveillance and collaboration between law enforcement agents and citizens. The commonly cited goal of these statutes is to increase the public's ability to protect itself by warning potential victims if a convicted sex offender lives nearby.

In reviewing notification laws in all 50 states, Matson and Lieb (1996) found that notification methods commonly include press releases, flyers, phone calls, door-to-door contact, neighborhood meetings, and Internet Web sites. About half of the states assign offenders to one of three risk levels and notify the public differentially according to the risk an offender poses to the community. Other states employ broad community notification, publicizing the location of all sex offenders without regard for risk assessment (Matson & Lieb, 1996).

The constitutionality of community notification statutes has been challenged, particularly on issues related to rights to privacy. In the fall of 2002, the U.S. Supreme Court heard two cases challenging Megan's Law. The court upheld the constitutionality of a Connecticut statute that allowed sex offenders to be identified on an Internet registry without first holding a hearing to determine their dangerousness to the community (*Connecticut Department of Public Safety v. Doe*, 2003). The case was a victory for the 23 states that have broad notification policies. In a case concerning an Alaska statute, the court ruled that registration and notification of offenders sentenced before

the law went into effect did not represent *ex post facto* punishment (*Smith v. Doe*, 2003). These decisions suggest that notification is here to stay and that it will not become less inclusive. In fact, immediately following the court's rulings, the Wetterling Act was once again modified under the PROTECT amendment and now mandates all 50 states to develop and maintain Internet Web sites containing sex offender registration information (Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act, 2003).

Theoretical, descriptive, and anecdotal literature has explored the potential benefits and consequences of Megan's Law to communities and offenders. Certainly, it has been argued that increased awareness of the presence of sexually dangerous persons allows citizens to make informed decisions that enhance their safety. Berliner (1996) asserted that notifying communities about sex offenders seemed to be a reasonable endeavor in helping parents protect their children. However, Berliner cautioned that notification should be a supplement to, not a substitute for, sexual abuse prevention efforts. Using a therapeutic jurisprudence model, it has also been suggested that community notification might increase offenders' awareness of their risk, facilitating collaborative assessment-based treatment planning and increased treatment compliance (Elbogen, Patry, & Scalora, 2003; Heilbrun, 1997).

On the other hand, critics (Freeman-Longo, 1996; Jones, 1999; Levi, 2000; Lotke, 1997; Prentky, 1996) have suggested that notification is an emotionally driven response to sexual violence and that it provides a false sense of security to citizens. Although stranger abductions receive a great deal of media attention, most sex offenses are committed by family members or acquaintances rather than the strangers implied in notification laws, and *U.S. News and World Report* (Shenk, 1998) advised parents that fear of strangers may be misplaced. Others have expressed concern that community notification may increase the resistance of victims of family members or acquaintances to report sexual abuse, ultimately interfering with the child protection system and decreasing the likelihood that victims will receive therapeutic intervention (Edwards & Hensley, 2001; Freeman-Longo, 1996; Lotke, 1997). As well, notification may create a negative effect on offenders' family members or lead to the inadvertent identification of victims. Notification may create the potential for vigilantism, despite the fact that all state notification laws warn citizens that such behavior will not be tolerated. It has also been suggested that notification may, ironically, interfere with its stated goal of enhancing public safety by exacerbating the stressors (e.g., isolation, disempowerment, shame, depression, anxiety, lack of social supports) that may trigger some sex offenders to relapse (Edwards & Hensley, 2001; Freeman-Longo, 1996).

Little empirical evidence exists to support conclusions that Megan's Law leads to the above-mentioned benefits or consequences, particularly those concerning its commonly cited goal of increased public safety. Schram and Milloy (1995) found no statistically significant difference in recidivism rates between offenders who were subjected to notification in Washington (19% recidivated) and those who were not (22% recidivated). The authors reported that sex offenders who were subjected to community notification were arrested more quickly for new sex crimes than those not publicly identified. They found that 63% of the new sex offenses occurred in the jurisdiction where notification took place, suggesting that notification neither deterred offenders nor motivated them to venture outside their jurisdictions (where they would be less likely to be identified) to commit crimes. Based on these findings, the authors concluded that community notification appeared to have little effect on sex offense recidivism (Schram & Milloy, 1995).

Other studies have investigated community notification's effect on different groups of stakeholders. It is interesting that most results have indicated that citizens report increased anxiety due to notification because of the lack of strategies offered for protecting themselves from sex offenders (Caputo, 2001; Zevitz, Crim, & Farkas, 2000a). When law enforcement officers and probation agents were surveyed about the effect of community notification on their job duties, most reported concerns about increased labor and expenditures (Matson & Lieb, 1996; Zevitz & Farkas, 2000b).

In an investigation of the social and psychological effect of community notification on sex offender reintegration, data were collected through interviews with 30 high-risk sex offenders in Wisconsin who were subject to notification through media releases, distribution of flyers, and neighborhood meetings (Zevitz, Crim, & Farkas, 2000b). More than 90% of the offenders interviewed reported suffering disruptive effects, including ostracism, harassment or threats, loss of employment, expulsion from a residence, or the breakup of personal relationships. The majority also reported that their families were negatively affected. Many described despair and hopelessness, leading one offender to respond, "No one believes I can change, so why even try?" Three offenders reported taking the initiative to attend a neighborhood meeting in an attempt to show a demonstration of responsibility and to try to reduce negative perceptions. They described their experiences as unproductive, with meeting attendees "shouting insults" and causing the offenders to fear for their safety.

A study exploring the relationship between offenders' perceptions of Megan's Law and attitudes toward sex offender treatment was conducted using a sample of 40 civilly committed sex offenders in Nebraska (Elbogen et al., 2003). Almost half of the offenders were unfamiliar with the law, which is not surprising because the participants were confined and therefore had not

experienced registration and notification requirements firsthand. Nonetheless, the majority of participants opined that release of their personal information, such as photographs, home address and telephone number, work address, vehicle information, and HIV status, was unfair. About one third stated that disclosing descriptions of their criminal offenses seemed fair. Almost three quarters of those surveyed reported that notification laws would provide an incentive not to reoffend upon their release. More than half reported that the laws had a positive effect on their motivation to receive treatment, suggesting that Megan's Law might have some therapeutic value for some offenders.

PURPOSE OF THE STUDY

Overall, the effect of Megan's Law on offenders and communities remains largely unknown. Moreover, no research has examined the differential effects of various notification strategies. The purpose of this exploratory study is to better understand the positive and negative, intended and unintended, consequences of community notification on sex offenders' rehabilitation and reintegration. Two research questions were postulated, although specific hypotheses were not proposed. First, what are offenders' experiences and perceptions of the effect of Megan's Law? Second, do different types of notification strategies produce different effects? Florida was an ideal venue in which to conduct such an investigation because it has one of the broadest notification laws in the United States. All felony sex offenders in Florida are listed on the state's Internet registry (Florida Department of Law Enforcement, 2004) and lifetime registration is required. Florida does not employ any assessment of risk, and therefore all sex offenders are equally subject to public disclosure. Furthermore, the statute provides few guidelines for notification procedures, and each local law enforcement agency is allowed to notify the community in any manner "deemed appropriate" (The Florida Sexual Predators Act, 1997).

A third research question was also posed. A therapeutic jurisprudence model suggests that community notification might increase offenders' awareness of their risk, facilitating engagement in treatment and risk management (Elbogen et al., 2003; Heilbrun, 1997). We were curious to see how realistic sex offenders' perceptions of their own risk might be and how such perceptions would compare to empirically derived risk assessments.

METHOD

Participants

A nonrandom sample of 183 participants was recruited from outpatient sex offender counseling centers in Fort Lauderdale, Florida ($n = 57$), and Tampa, Florida ($n = 126$). Both programs provide comprehensive, long-term, outpatient treatment for adult males convicted of sex offenses. All clients attending treatment at the facilities were invited to participate in the study; only those who voluntarily agreed to participate were selected (approximately 85%). All clients were subjected to statutory registration and notification requirements because of their convictions. Clients had been on probation for an average of 45 months, with a range of 2 to 260 months (median = 33; $s.d. = 40$). Slightly more than half had been in their current treatment group for 2 years or less, and 47% had been in treatment for more than 2 years.

Table 1 describes the sample. In this study, child molesters were defined as those with an index (most recent arrest) victim younger than age 18 (78%), and rapists were defined as having an index victim older than age 18 (10%). Other reported offenses included voyeurism (10%), exposure (12%), and computer-related sex crimes (10%). The sum of the percentages exceeds 100 because about 20% of participants reported more than one type of offense.

Instrumentation

The authors designed a survey for the purpose of collecting data on the effect of Megan's Law on sex offenders. The survey was constructed by using some questions drawn from previous research (Elbogen et al., 2003; Zevitz et al., 2000b) and adding other questions raised in the theoretical literature (Edwards & Hensley, 2001; Freeman-Longo, 1996). Client demographic data and information concerning offense history were elicited using forced-choice categorical responses to facilitate anonymity. Questions were asked about community notification strategies used in offenders' neighborhoods, the effect of Megan's Law (both positive and negative), opinions about notification, and opinions about the fairness of public disclosure of certain types of personal information. Participants were asked to rate 3-point and 5-point Likert-type scales indicating their degree of agreement with the issue in question and were also given the opportunity to provide narrative responses.

Data Collection Procedures

Clients were invited to complete the survey during a group therapy session. Participants were instructed not to write their names on the survey and to

TABLE 1
Offender and Victim Characteristics

<i>Offender/Victim</i>	<i>Percentage</i>
Offender	
Age	
Younger than 25	8
25-64	86
65 or older	6
Race	
White	72
Black	13
Hispanic	11
Other	4
Currently married	25
Education	
High school or equivalent	35
Attended some college or college graduate	49
Victim	
Age	
Younger than 5	7
Age 6-12	38
Minor teen	46
Relationship	
Extrafamilial only	64
Intrafamilial only	19
Both extra- and intrafamilial	15
Gender	
Male only	15
Female only	75
Both genders	9

place the completed questionnaire in a sealed box with a slot opening. The research was conducted in accordance with federal guidelines for the ethical treatment of human subjects, and all clients were provided with a written description of the study in order to make an informed decision about participation. Completion of the survey was considered to imply informed consent to participate in the project.

Data Analysis

Descriptive statistics were used to interpret the results of the survey. *t*-test analyses were used to assess group differences. To analyze the offenders' perception of their own risk, a risk rating was estimated for each participant from information provided in the survey, using the factors contained in the

Rapid Risk Assessment for Sex Offense Recidivism (RRASOR; Hanson, 1997). The RRASOR is an actuarial risk assessment instrument that estimates the probability of sexual reoffense using four factors known to correlate significantly with recidivism: prior sex offense charges, younger than 25 years of age, male victims, and extrafamilial victims. Higher scores on the RRASOR are incrementally associated with increased risk for recidivism (Hanson, 1997). Our estimated scores may not be accurate because of limitations of self-report data. Nevertheless, estimations were considered a reasonable procedure for screening participants into relative risk categories. Data analyses were conducted using SPSS version 12.

RESULTS

What Are Offenders' Experiences and Perceptions of the Effect of Megan's Law?

Of the community notification strategies described in the survey, distribution of flyers and door-to-door warnings appeared to be most commonly used (see Table 2). Community meetings, notices sent home with schoolchildren, and press releases were less common. About half of the participants did not know how their neighborhoods notified residents of sex offender whereabouts. Other types of notification strategies identified by participants included faxes sent to local businesses, broadcast on cable TV and radio, stories on local network news (particularly in Tampa), and information inserted into water bills (in Tampa). One client said that a neighbor who saw his picture on the registry Web site gave out notices at a bus stop, and another reported that his probation officer disclosed his sex offender status to the neighbors.

Table 3 describes the types of negative consequences suffered by sex offenders as a result of community notification. Overall, less than one third of participants had experienced dire events such as the loss of a job or home, threats or harassment, or property damage. Physical assault seemed to be a relatively rare occurrence. However, the majority of participants reported experiencing other negative effects, such as stress, isolation, loss of relationships, and feelings of fear, shame, embarrassment, and hopelessness.

Many clients noted that Megan's Law had some positive effects on them (see Table 4). For instance, about one third of participants reported an increased willingness to manage their risk because of neighborhood vigilance, and most were motivated to prevent reoffense to prove themselves to others. Some believed that registration and notification helped them to prevent offending, and some indicated that notification reduced their access to

TABLE 2
Type of Community Notification Strategies (in percentages)

<i>Strategy</i>	<i>Yes</i>	<i>No</i>	<i>I Don't Know</i>
Flyers are posted showing convicted sex offenders who live nearby.	30	26	43
Police or others go door-to-door to inform neighbors that a sex offender lives nearby.	28	26	45
Community meetings are held to inform neighbors that a sex offender lives nearby.	14	35	50
Flyers are sent home with school children to alert families that a sex offender lives nearby.	12	35	52
The local newspaper publishes the whereabouts of sex offenders who live nearby.	18	34	48

potential victims. Many said that Megan's Law helped them to be more honest with others in their lives, and the majority reported that most people who know about their offenses are supportive of their recovery.

Less than one third of participants believed that communities are safer because of Megan's Law. About two thirds had viewed their listing on the Internet registry, but less than half (46%) agreed that the registry information was correct. Only 19% believed that the Internet registry helps to protect the public from them.

Overall, location was not associated with negative consequences, except that living in Tampa was significantly related to reported job loss ($r = .15$; $p < .05$). As the length of time on probation (and exposure to notification procedures) increased, so did the incidence of physical assault ($r = .19$; $p < .05$), property damage ($r = .17$; $p < .05$), and consequences to household members ($r = .20$; $p < .01$).

Clients were asked to rate their perception of the fairness of disclosing various types of personal information about sex offenders to the public (see Table 5). Overwhelmingly, sex offenders do not appear to believe that public disclosure of information is fair. Some offenders agreed that it was fair to make fingerprints, photographs, description of sex crimes, and HIV-test status publicly available, but less than 10% believed it fair for their address, phone number, work location, or vehicle information to be known.

Do Different Types of Notification Strategies Produce Different Effects?

The differential effect of notification strategies on negative consequences was also examined. Table 6 describes the within-group effects by comparing the consequences experienced by offenders who reported they were subject

TABLE 3
Negative Consequences Suffered (in percentages)

<i>Type of Consequence</i>	<i>Reported Yes</i>
Lost a job because my boss or coworkers found out I am a sex offender.	27
Had to move from a home or apartment because landlord found out that I am a sex offender.	20
Had to move from a home or apartment because neighbors complained that I was a sex offender.	15
Been threatened or harassed by neighbors.	33
Been physically assaulted or injured by someone who found out I was a sex offender.	5
My property has been damaged by someone who found out I was a sex offender.	21
A person who lives with me has been threatened, harassed, assaulted, injured, or suffered property damage because I am a sex offender.	19
	<i>Agree or Strongly Agree</i>
<i>Other Negative Effect</i>	
Interferes with my recovery by causing more stress in my life.	71
Feel alone and isolated because of Megan's Law.	64
Lost friends or a close relationship because of Megan's Law.	52
Afraid for my safety because of Megan's Law.	46
Shame and embarrassment due to Megan's Law keep me from engaging in activities.	67
Less hope for the future now that I will be a registered sex offender for life.	72
Sometimes Megan's Law makes me feel hopeless— "No one believes I can change so why even try?"	49

to notification strategies with those who were not. Sex offenders who lived in a neighborhood distributing flyers or door-to-door warnings had significantly higher frequencies of being forced to move from a home or apartment. Community meetings were significantly more likely to lead to threats, harassment, and property damage. Newspaper ads also led to significantly increased harassment and contributed to the suffering of others living in the offender's household.

In addition to the structured survey questions, additional narrative comments were also solicited from the survey participants. Many offenders pointed out that their victims were family members or acquaintances and that the threat of strangers as offenders is exaggerated by the media. They suggested the need for education to help families become more aware of the dangers posed by people they know and trust. The majority of responses focused on the need for a risk-level system of classification with differential notification for higher risk offenders. Another common theme was the unfairness of lifetime registration and notification. Participants felt that notification should

TABLE 4
Positive Effect (in percentages)

<i>Positive Effect</i>	<i>Agree or Strongly Agree</i>
I am more willing to manage my risk factors because I know my neighbors are watching me.	36
I am more motivated to prevent reoffense so that I can prove to others that I am not a bad person.	66
I think that registration and notification help me to prevent offending.	22
Because my neighbors know that I am a sex offender, I have less access to potential victims because people keep their children (or other potential victims) away from me.	22
Megan's Law has helped me to be more honest with people.	26
I find that most people who know that I am a sex offender are supportive of my recovery.	52
I agree that communities are safer when they know where sex offenders live.	32

TABLE 5
Perceptions of Fairness (in percentages)

	<i>Unfair</i>	<i>Somewhat Fair</i>	<i>Very Fair</i>
Fingerprints	54	23	20
Photographs	49	33	16
Home address	65	26	8
Home telephone	89	6	4
Work address	88	7	4
Description of sex crimes	40	37	21
Vehicle description	68	20	10
License plate number	74	16	9
HIV-test status	45	20	33

be altered after completion of treatment or probation or that a mechanism to petition the court for removal from the registry should be provided after some extended period of law-abiding behavior.

Some of the responses were particularly despondent. They included the following:

- I am unwilling to move to the community of my choice due to the notification policy that is aggressive there—I feel trapped in living where I do.
- I thought of suicide because I felt people were talking bad about me. Some people want for me to die. That's what this law is about, to cause enough stress on the offender so he will take his own life.

TABLE 6
Differences in Proportion of Negative Consequences Grouped by Reported Notification Strategies

<i>Notification Strategy</i>	<i>Flyers Posted</i>	<i>Door-to-Door Warnings</i>	<i>Community Meetings</i>	<i>Flyers From School</i>	<i>Newspaper Ads</i>
Consequences					
No	48	47	64	64	62
Yes	55	52	26	22	32
Don't know	79	83	92	96	88
Lost job	ns	ns	ns	ns	ns
Had to move from home because landlord found out	ns	**	ns	ns	ns
Had to move from home because neighbors complained	**	**	ns	ns	ns
Threatened or harassed	ns	ns	*	ns	*
Physically assaulted or injured	ns	ns	ns	ns	ns
Property damage	ns	ns	*	ns	ns
Suffering to household members	ns	ns	ns	ns	*

NOTE: Analyses used *t* tests. Notification strategies were grouped as no = 0, yes = 1. "I don't know" was excluded from the analyses as missing.

* $p \leq .05$. ** $p \leq .01$. ns = not significant.

- I went back to school to get a degree. After 3 months of excellent work in a new career I was released because my employer found out about my record. It's absolutely devastating. The impact carries on even 13 years since my arrest.
- Afraid to go outside. Do not want to meet neighbors. Afraid my own children will find out or that they will be harassed by other children in the neighborhood. I have lost the desire to live. I welcome an early death.
- I feel labeled; once you are accused you are garbage.

As for positive effects, some participants seemed to be inspired and motivated by notification, saying,

- I am more cautious of old behaviors that I know could cause me problems with probation.
- Most people will give you another chance, and that's the best thing for me.
- Accountability is always a good practice, therefore those who may not be serious about recovery may benefit from the law.
- This law has no positive effect on my life, however I feel it is necessary to inform people that an offender lives in the area.

How Do Sex Offenders Perceive Their Own Risk, and How Do Such Perceptions Compare to Empirically Derived Risk Assessments?

Only 18% of the sex offenders surveyed agreed or strongly agreed that they were at risk to reoffend. About 25% agreed that it was fair for the community to know their level of risk. Linear regression was conducted using the estimated risk rating to predict the offender's agreement with the statement, "I believe I could be at risk to reoffend." This item was measured on a 5-point Likert-type scale ranging from 1 (*strongly disagree*) to 3 (*I don't know*) to 5 (*strongly agree*). The analysis revealed that the estimated risk rating based on the presence of empirically validated risk factors was not predictive of offender's self-evaluation ($r = .08$). This correlation was not statistically significant.

DISCUSSION

Communities in Florida appear to use diverse strategies to notify the public about the presence of sex offenders. Notably, about half of the participants were not cognizant of the approaches used in their neighborhoods, and many had not viewed their own listing on Florida's Internet registry. However, more than half of the sample indicated that the information reported on the registry was incorrect. It is unclear which piece of information they thought was incorrect or how significant the inaccuracies were. It is possible that the offenders were exaggerating the inaccuracies or that their perceptions were distorted. On the other hand, poor tracking of sex offenders has received national media attention, particularly after the *Boston Herald* reported that the whereabouts of 49% of registered sex offenders in Massachusetts were unknown (Mullvihill, Wisniewski, Meyers, & Wells, 2003). The accuracy of Internet registries is a crucial component of the integrity of notification policies and their ability to protect the public.

Not all participants reported suffering dire consequences or vigilantism as a result of community notification, but the proportion of offenders reporting such effects was considerable. The most common negative occurrences were job loss and threats or harassment; only 5% reported being assaulted or injured. Nonetheless, the traumatic effect of any harassment, threat, or property damage cannot be overlooked. Although the public deserves to be protected from sex offenders, this should not occur at the expense of offender safety. As well, consequences such as the loss of a job or home can have a devastating emotional and financial effect on an individual and should not be minimized.

Most offenders reported that they have felt the social or psychological effect of Megan's Law. Feeling alone, isolated, ashamed, embarrassed, hopeless, or fearful may threaten a sex offender's reintegration and recovery and may even trigger some sex offenders to relapse (Edwards & Hensley, 2001; Freeman-Longo, 1996). A lack of social support has been identified as a dynamic risk factor for sex offense recidivism (Hanson & Harris, 1998; Hanson & Morton-Bourgon, 2004), and problematic sexual behavior can sometimes be a maladaptive coping response to environmental stressors and unmet emotional needs (Marshall, Anderson, & Fernandez, 1999). Sex offenders can enhance their ability to meet their needs in healthier, nondestructive ways by improving age-appropriate relationships and engaging in constructive prosocial activities (Morin & Levenson, 2002). If community notification inadvertently leads to increased risk, it cannot achieve its goal of preventing repeat sex crimes. Although sex offenders inspire little sympathy from the public, ostracizing them may increase their danger.

No specific notification strategy stood out as particularly likely to lead to negative consequences. In general, however, more aggressive approaches, such as delivering flyers or going door-to-door to warn neighbors, produced higher frequencies of negative effects than did more passive approaches. Overall, it was evident that when notification was clearly taking place in an identifiable manner, the risk of consequences to offenders was significantly higher. Practitioners should acknowledge the losses offenders experience following incarceration and reintegration and provide supportive therapy to help clients cope with these very real and sometimes traumatic experiences.

Consistent with previous research (Elbogen et al., 2003), most sex offenders in this study believed that disclosure of personal information was fundamentally unfair. On the other hand, the participants were able to identify some positive effects of Megan's Law. Many offenders appeared to view notification as motivation to disprove the stereotype of all sex offenders as inevitably chronic predators. Others reported that increased public awareness reduced victim access and they seemed to view this phenomenon as a positive risk management tool. Finally, some offenders indicated that Megan's Law forced them to be honest with others in a way that had not previously been possible for them, and that honesty resulted in support. Sexual abuse occurs and thrives in secrecy and most offenders spend their lives cloaked in denial and deception. Perhaps ironically, for some offenders, public disclosure can lead to the development of more intimate relationships and support systems.

Finally, it appeared from the data that sex offenders were not very good judges of their own risk. It is possible that when answering the survey, partici-

pants minimized their risk in an attempt to please the treatment providers and researchers by portraying themselves as successful in therapy. Or, perhaps they have continued to distort their own risk as a defensive function. Either way, it might be useful for practitioners to educate sex offenders about the factors that demonstrate empirical relationships with recidivism and to encourage self-evaluation using structured exercises and risk assessment tools. Knowledge of both static and dynamic factors that contribute to risk would help offenders to more realistically examine their likelihood of reoffense and develop individualized risk management strategies.

This study has some limitations, the most obvious being the inherent problems with self-reported data. Although efforts were made to ensure confidentiality and anonymity, it is possible that some participants were not completely forthcoming or that they answered questions in a socially desirable fashion. The results may not be representative of other states. Replication will be necessary to reveal a national picture of community notification implementation and its effects. A comparison of states with broad notification policies to states with risk-level notification would be a worthy research endeavor.

Some important policy implications are raised by these findings. Social policies should strive to meet their stated goals in the most cost-effective manner possible. Zevitz and Farkas (2000a) noted that community notification comes with high fiscal and personnel costs. Although broad notification has been upheld by the U.S. Supreme Court, it would behoove states like Florida to consider a tier system of notification. Nearly two thirds of the offenders in this sample were estimated to be in the low- to medium-risk range. A tier system can help reduce fiscal and manpower demands while allowing communities to more accurately identify those sex offenders who pose the greatest threat to public safety. At the same time, a tier system might decrease some of the negative effects of community notification on lower risk offenders. After all, lawmakers have an obligation to minimize the unintended consequences of social policies on citizens (even criminal citizens).

Studying the ability of community notification to reduce sex offense recidivism is methodologically challenging, but at some point, the question of effectiveness must be answered. Ideally, empirical evidence should always inform the development, implementation, and evaluation of social policy. We know, however, that when social problems instill great public fear, they sometimes result in a backlash of well-intentioned but poorly planned social policies. The public's "right to know" must be balanced with the potential social and fiscal costs of Megan's Law to communities as well as to sex offenders attempting to successfully reintegrate into society.

REFERENCES

- Berliner, L. (1996). Community notification: Neither a panacea nor a calamity. *Sexual Abuse: A Journal of Research & Treatment*, 8(2), 101-104.
- Bureau of Justice Statistics. (2003). *Recidivism of sex offenders released from prison in 1994*. Washington, DC: U.S. Department of Justice.
- Caputo, A. A. (2001). Community notification laws for sex offenders: Possible mediators and moderators of citizen coping. *Dissertation Abstracts International*, 61(9-B).
- Connecticut Department of Public Safety v. Doe, 538 U.S. 1 (2003).
- Edwards, W., & Hensley, C. (2001). Contextualizing sex offender management legislation and policy: Evaluating the problem of latent consequences in community notification laws. *International Journal of Offender Therapy and Comparative Criminology*, 45(1), 83-101.
- Elbogen, E. B., Patry, M., & Scalora, M. (2003). The impact of community notification laws on sex offender treatment attitudes. *International Journal of Law and Psychiatry*, 26, 207-219.
- Florida Department of Law Enforcement. (2004). *Sexual predator/offender registry*. Retrieved from www.fdle.state.fl.us
- The Florida Sexual Predators Act, Florida Statute 775.21 (1997).
- Freeman-Longo, R. E. (1996). Prevention or problem? *Sexual Abuse: A Journal of Research & Treatment*, 8(2), 91-100.
- Furby, L., Weinrott, M., & Blackshaw, L. (1989). Sex offender recidivism: A review. *Psychological Bulletin*, 105(1), 3-30.
- Hanson, R. K. (1997). *The development of a brief actuarial scale for sexual offense recidivism*. Ottawa: Department of the Solicitor General of Canada.
- Hanson, R. K., & Bussiere, M. T. (1998). Predicting relapse: A meta-analysis of sexual offender recidivism studies. *Journal of Consulting and Clinical Psychology*, 66, 348-362.
- Hanson, R. K., Gordon, A., Harris, A.J.R., Marques, J. K., Murphy, W., Quinsey, V. L., & Seto, M. C. (2002). First report of the collaborative outcome data project on the effectiveness of treatment for sex offenders. *Sexual Abuse: A Journal of Research & Treatment*, 14(2), 169-194.
- Hanson, R. K., & Harris, A.J.R. (1998). *Dynamic predictors of sexual recidivism*. Ottawa: Department of the Solicitor General of Canada.
- Hanson, R. K., & Morton-Bourgon, K. (2004). *Predictors of sexual recidivism: An updated meta-analysis*. Ottawa, Canada: Public Works and Government Services.
- Hanson, R. K., Scott, H., & Steffy, R. A. (1995). A comparison of child molesters and nonsexual criminals: Risk predictors and long-term recidivism. *Journal of Research in Crime and Delinquency*, 32, 325-337.
- Heilbrun, K. (1997). Prediction versus management models relevant to risk assessment: The importance of legal decision-making context. *Law and Human Behavior*, 21, 347-359.
- Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, Public Law 103-322 (1994).

- Jones, K. D. (1999). The media and Megan's Law: Is community notification the answer? *Journal of Humanistic Counseling, Education and Development*, 38(2), 80-88.
- Levi, R. (2000). Community notification laws: A step toward more effective solutions. *Journal of Interpersonal Violence*, 11(6), 298-300.
- Lotke, E. (1997). Politics and irrelevance: Community notification statutes. *Federal Sentencing Reporter*, 10(2), 64-68.
- Marshall, W. L., Anderson, D., & Fernandez, Y. (1999). *Cognitive behavioural treatment of sexual offenders*. New York: John Wiley.
- Matson, S., & Lieb, R. (1996). *Community notification in Washington State: A 1996 survey of law enforcement*. Olympia: Washington State Institute for Public Policy.
- Morin, J. W., & Levenson, J. S. (2002). *The road to freedom*. Oklahoma City, OK: Author [Producer] and Wood and Barnes Publishing [Distributor].
- Mullvihill, M., Wisniewski, K., Meyers, J., & Wells, J. (2003, November 5). Monster next door: State losing track of sex offenders. *Boston Herald*, p. 1.
- Prentky, R. A. (1996). Community notification and constructive risk reduction. *Journal of Interpersonal Violence*, 11(6), 295-298.
- Prentky, R. A., Lee, A. F., Knight, R. A., & Cerce, D. (1997). Recidivism rates among child molesters and rapists: A methodological analysis. *Law and Human Behavior*, 21(6), 635-659.
- Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act, Public Law 108-21 (2003).
- Schram, D., & Milloy, C. D. (1995). *Community notification: A study of offender characteristics and recidivism*. Olympia: Washington Institute for Public Policy.
- Shenk, J. W. (1998, March 9). Do "Megan's laws" make a difference? *U.S. News & World Report*, p. 27.
- Smith v. Doe, 538 U.S. 84 (2003).
- Zevitz, R. G., Crim, D., & Farkas, M. A. (2000a). Sex offender community notification: Examining the importance of neighborhood meetings. *Behavioral Sciences and the Law*, 18, 393-408.
- Zevitz, R. G., Crim, D., & Farkas, M. A. (2000b). Sex offender community notification: Managing high risk criminals or exacting further vengeance? *Behavioral Sciences and the Law*, 18, 375-391.
- Zevitz, R. G., & Farkas, M. A. (2000a). The impact of sex offender community notification on probation/parole in Wisconsin. *International Journal of Offender Therapy and Comparative Criminology*, 44(1), 8-21.
- Zevitz, R. G., & Farkas, M. A. (2000b). *Sex offender community notification: Assessing the impact in Wisconsin*. Washington, DC: U.S. Department of Justice.

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