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Law Enforcement Perspectives on Sex Offender Registration & Notification

Summary Report
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STUDY CONTEXT AND RATIONALE

POLICY CONTEXT

Since the 1990s, sex offender registration and notification (SORN) has emerged as a central element of sex offender management policy and practice in the United States. All U.S. states and territories and over 100 tribal jurisdictions maintain laws and policies requiring sex offenders to register with law enforcement and update their information, and providing for dissemination of registered sex offender (RSO) information to the community via public websites. Over the past decade, SORN policies have assumed a prominent place on state legislative agendas, along with issues such as unemployment, transportation, higher education, and health care coverage (National Conference of State Legislatures (NCSL), 2007, 2009). NCSL's Sex Offender Enactments Database indicates that between 2009-2013, states enacted 340 SORN-related bills – an average of 68 per year. According to data published by the National Center for Missing and Exploited Children (NCMEC), 843,260 individuals were counted on the nation's sex offender registries as of June 2015.

Concurrent with these state-level developments, the federal government has played an increasing role in setting guidelines and standards for the structure and operation of SORN systems. Since the 1994 passage of the Jacob Wetterling Crimes Against Children Act (Wetterling Act), the U.S. Congress has enacted a sequence of laws designed to improve the public's ability to monitor sex offenders living in the community and to enhance the utility, accessibility, and cross-jurisdictional sharing of registry data. The 2006 passage of the Sex Offender Registration and Notification Act (SORNA), also known as Title I of the Adam Walsh Child Protection and Safety Act (AWA), established the framework for a new set of federal systems and standards aimed at improving the consistency, uniformity, and integration across the nation's disparate SORN systems, and guiding state-level policy efforts. Among its provisions, AWA/SORNA set forth a range of mandates related to the scope and structure of the nation's SORN systems, called for a reduction in law enforcement block grant funding for that states that failed to comply with federal mandates, and established a dedicated office within the U.S. Department of Justice to promulgate guidelines and oversee SORNA implementation. Additionally, the Act strengthened and augmented federal systems designed to work in tandem with state-level sex offender registries by facilitating inter-jurisdictional sharing of sex offender information, aiding in RSO tracking and monitoring, and improving public access to sex offender information.

Amidst this evolving policy landscape, lawmakers and implementing agencies have grappled with a range of complex and often contentious issues. Who should be on the registry? What information should be public and what should be confined to law enforcement? How should offenders be classified in terms of their relative threat to public safety? What requirements should be in place regarding matters such as frequency of verification, monitoring provisions, and the length of registration? How can cross-jurisdictional consistency and communication be best achieved? How can operational, legal, public safety, and fiscal concerns be effectively balanced? These and similar questions are part of the ongoing dialogue underway at the federal level and in state houses across the United States surrounding the future of SORN policy and practice. In considering such questions, the perspectives and experiences of those who use registry information to enforce our laws and protect our communities emerge as particularly vital data for consideration.

RESEARCH CONTEXT

Concurrent with these policy developments, research interest in SORN policies has proliferated. Dozens of SORN-related studies have been published in the past decade, evaluating phenomena including the relationship between SORN and the incidence of sex crimes (Ackerman, Sacks, & Greenberg, 2012; Levenson & Zgoba, 2015; Prescott & Rockoff, 2011; Sandler, Freeman, & Socia, 2008; Vasquez, Maddan, & Walker, 2008; Zgoba, Veysey, & Dalessandro, 2010); the recidivism of sex offenders subject to SORN (Duwe & Donnay, 2008; Letourneau, Levenson, Bandyopadhyay, Sinha, & Armstrong, 2010); the impact of failure to register on recidivism (Duwe & Donnay, 2010; Levenson, Letourneau, Armstrong, & Zgoba, 2009); the extent and composition of the registered sex offender population (Ackerman, Levenson, & Harris, 2012; Harris, Levenson, & Ackerman, 2012); collateral effects of registration on offenders and their families (Levenson & Cotter, 2005; Mercado, Alvarez, & Levenson, 2008); public support for SORN policies (Harris & Socia, 2014; Levenson, Brannon, Fortney, & Baker, 2007; Mears, Mancini, Gertz, & Bratton, 2008); citizen uses of registries (Harris & Cudmore, 2016; Anderson & Sample, 2008), legislator attitudes (Sample & Kadleck, 2008); and implementation of state and federal SORN policies (Harris, Lobanov-Rostovsky, & Levenson, 2010).

EXAMINING SORN'S PUBLIC SAFETY IMPACTS

Within this array of studies, a subset has focused specifically on evaluating the public safety impacts of SORN policies. In general, researchers have utilized the incidence of new sex crimes as the primary outcome of interest, either at the aggregate level (e.g., assessing whether passage of SORN policies contributes to declines in population-based rates of reported sexual assault) or measuring sexual re-offense among cohorts of known offenders (e.g., assessing whether subjecting individuals to SORN affects their likelihood of committing a new sexual offense). These studies have produced mixed results – while most have failed to find significant effects (e.g., Ackerman, Sacks, et al., 2012; Levenson & Zgoba, 2015; Sandler et al., 2008; Vasquez et al., 2008; Letourneau et al., 2008), others have detected modest effects, suggesting that SORN may be associated with offense reduction under certain conditions, for instance when public notification is reserved for those at highest risk to reoffend as determined by a validated risk assessment instruments (Duwe & Donnay, 2008; Prescott & Rockoff, 2011; Washington State Institute on Public Policy, 2005).

This body of research, while instructive, is limited in certain important respects. First, SORN-related outcome studies have typically treated the primary independent variable of interest (SORN policy) as a “black box” that is presumed to operate in a uniform fashion. As such, minimal attention has been paid to variability in the structure and content of SORN laws across jurisdictions and the ways in which SORN policies may be implemented at the field level. By treating SORN policy in such a “high level” fashion, studies have been limited in their capacity to examine possible SORN impacts within an applied operational context.

Second, research evaluating SORN's public safety impacts has generally assumed that the only meaningful impacts are those that can be directly and independently attributable to the policy. Studies to date have generally not examined the possibility that SORN effects may be more indirect in nature, and that they may be highly interdependent on organizational factors and by the broader sex offender management systems in which they are embedded. Implicitly, most evaluations of SORN have thus been predicated on a “silver bullet” standard, rather than attempting to account for potentially significant, albeit smaller and more incremental, roles that SORN systems might play within a broader system of sex offender management and supervision.

Third and finally, SORN-related outcome studies have typically operated from the assumption that SORN's only meaningful effects are those that can be measured in the aggregate. This narrow operationalization of public safety impacts is inherently limiting -- factors such as the low base rate of sexual re-offense, high rates of underreporting, the interaction of SORN with other variables (e.g., treatment, supervision, and other sex offender management policies and strategies) and the fact that aggregate sex offense figures (such as rape rates) are disproportionately driven by first-time convicted offenders (Sandler, Freeman, & Socia, 2008) all may serve to obscure possible impacts. Thus, although SORN impacts may not be detectable at the "macro" level, it remains possible that registration and notification may exert "micro" level impacts related to offender monitoring, case management, and prevention efforts by citizens, particularly when used in tandem with other law enforcement and community supervision strategies (Bierie, 2015). Specifically, it is likely that law enforcement personnel who are engaged in sex crime prevention, investigation, victim services, and related areas may use registry information in the course of their work, and that registration may carry inherent value related to these functions. Such law enforcement uses were in fact the original focus and intent of the Wetterling Act.

In sum, research findings to date surrounding SORN impacts suggest the need for a systematic investigation of both the *processes* through which registry information might be applied to preventing or investigating sexual violence, and the *conditions* under which SORN systems might contribute to public safety. The aim, in other words, is to move beyond an assessment of aggregate level impacts toward a broader understanding of the *operational context* through which the policies are implemented and utilized, as well as the *system characteristics* associated with more effective or less effective registration systems.

IMPORTANCE OF UNDERSTANDING LAW ENFORCEMENT PERSPECTIVES

Over the years, a growing body of survey research has explored perceptions of SORN and its impacts from the perspectives of various stakeholders, including the general public (e.g. Anderson & Sample, 2008; Levenson, Brannon, Fortney, & Baker, 2007); sex offenders and their families (e.g. Levenson & Cotter, 2005; Levenson & Tewsbury 2009); legislators (Meloy, Boatwright, & Curtis, 2012; Sample & Kadleck, 2008), mental health and treatment professionals (Lasher & McGrath, 2010), and community corrections practitioners such as probation officers and parole board members (Tewksbury, Mustaine, & Payne, 2012; Tewksbury & Mustaine, 2012). In general, these studies have supported a fairly consistent series of narratives surrounding SORN systems and policies. Specifically, survey findings have been fairly convergent on two main points – 1) that SORN policies maintain a high level of support among the public and policymakers; and 2) that SORN is generally perceived by sex offenders, their families, and treatment providers as an impediment to effective community integration, and in some cases, as an unreasonably disproportionate consequence to the offense.

By contrast, relatively few studies have elicited the perspectives of law enforcement professionals regarding the utility and functions of SORN systems. While some recent research has examined police attitudes toward sex offenders and the perceived efficacy and fairness of SORN policies (Mustaine, Tewksbury, Connor, & Payne, 2015) there has been limited exploration of SORN systems' operational dimensions and of how registry information is perceived and used in the context of law enforcement practice. One of the few available studies in this domain was 2013 analysis by the GAO that featured interviews with criminal justice system stakeholders including law enforcement, registry officials, and probation agents as part of its analysis of SORNA implementation (Government Accountability Office, 2013). Interviewees cited certain benefits of SORNA implementation, including improved tracking and monitoring of offenders, increased public awareness, and enhanced collaboration between agencies. They also highlighted several concerns related to the inconsistency of state practices enabling information-sharing and enforcement, the tenuous linkage between SORNA offense-based tiers and offender risk factors, and

increased workload requirements. As part of its conclusions, the GAO report noted the absence of data regarding the implication of SORN policies from the perspective of law enforcement and other criminal justice professionals (Government Accountability Office, 2013).

In sum, the body of research evaluating SORN's use in law enforcement practice and eliciting the perspectives of law enforcement related to sex offender registration has been remarkably sparse, despite the centrality of this group SORN's implementation and success. Studies that have focused on law enforcement views have focused primarily on general attitudes toward sex offenders and sex offender policies, with some delving into limited structural characteristics of sex offender registries. Of the available studies, none have systematically collected and evaluated examples of how registry data is actually used by law enforcement agencies in the context their work (e.g., for purposes of investigation, crime prevention, and sex offender management). This research gap is particularly notable considering the potential utility of SORN as a public safety tool, the central role of law enforcement agencies in registry operation, and the implications for ongoing federal and state efforts to reform and improve the nation's SORN systems. Gaining a practice-informed, "on the ground" perspective thus emerges as a vital link in the effective design of SORN-related policy and practice.

ROLE OF THIS STUDY

In this context, this study represents the first comprehensive national assessment of law enforcement uses of and perspectives on sex offender registration and notification systems. The two-year, mixed-method study featured collection and analysis of interview data from over two-dozen jurisdictions, and administration of a nationwide survey of law enforcement professionals. The study's overall goal is to inform policy and practice recommendations for federal and state policymakers, state and tribal public safety agencies charged with the design and oversight of SORN systems, and county/local law enforcement agencies on the front lines of registering and monitoring sex offenders within communities. To this end, the study explored the ways in which law enforcement leaders, uniformed staff, and civilian staff engaged in SORN-related duties perceive SORN's roles and functions, general effectiveness, and informational utility. Additionally, the study elicited law enforcement perspectives related to promising SORN and related sex offender management practices, perceived barriers and challenges to effectiveness, and policy reform priorities.

SCOPE AND METHODS

Study data were collected in two phases: 1) a series of semi-structured, in-person interviews conducted with law enforcement professionals between February and June 2014 (Phase 1); and 2) a national online survey of police and sheriff agencies conducted in the Spring of 2015 (Phase 2). Data collection and subject recruitment protocols for both phases were reviewed and approved by the University of Massachusetts Lowell Institutional Review Board prior to implementation.

PHASE 1 INTERVIEWS

Interview participants were drawn from a convenience sample of five U.S. States (California, Colorado, Florida, Massachusetts, and Rhode Island) and from two tribal jurisdictions (one based in the Pacific Northwest and one based in the Rocky Mountain region). Participants were recruited through multiple channels, with the majority of contacts facilitated by intermediary organizations including state public safety agencies and police chief associations. Interviews were conducted on an individual basis, with the exception of a two-person interview held with a pair of detectives in a Florida police department, and a five-person group interview held in Rhode Island

with police officers and supervisors assigned to sex offender management duties in their respective jurisdictions. A total of 105 law enforcement personnel participated in the interviews, including representatives from 26 state, county, and law enforcement agencies, as well as two representatives from tribal law enforcement and one member of the U.S. Marshal Service. Of these, 101 agreed to have their comments audio recorded and transcribed for in-depth analysis.

Interviews were conducted by two members of the research team, including a lead interviewer and an interview assistant, who was charged with monitoring the time, operating the digital recorder, and maintaining notes. The interview followed a semi-structured protocol designed to encourage open-ended responses while also ensuring that major issues are appropriately addressed. This protocol included five main sections: 1) General registry purposes & functions; 2) Registry uses, utility, and reliability; 3) Efficiency & resource demands; 4) Comparing registry systems; and 5) Priorities for improvement. Within each section, the protocol included a series of broadly framed questions asked of all interviewees, as well as a series of sub-prompts to assist in guiding the interview and prompting the participant for further information or elaboration. The interview protocol is summarized in Appendix A.

Interview data were analyzed utilizing a multi-stage process. Following transcription and quality checks (which included expunging subject-identifying information), transcripts were imported and organized in NVivo, in accordance with the sections and subsections of the interview protocol. This was followed by a series of web-facilitated meetings among members of the research team to identify and explore emergent themes, as well as point of divergence and convergence within the data. Prior to each meeting, a particular section of the data was designated for review, and between 3-4 members of the research team independently read through the designated sections, noting the themes and ideas reflected in the interview responses. These elements were streamlined and consolidated into a hierarchical set of codes to help categorize and inventory the interview data. Following each meeting, the Principal Investigator worked with two coding specialists, who were charged with independently applying these codes to the data within NVivo. The coding schemes developed by the research team formed the basis for a comprehensive inventory of themes, concepts, opinions, and recommendations related to law enforcement experiences with SORN systems.

PHASE 2 SURVEY

The themes and concepts identified through analysis of the interview data formed the basis for development of a structured survey designed for nationwide deployment. The survey was administered through the services of Campbell Rinker, a marketing research and survey firm. Participants were invited to complete the survey via targeted email outreach, using a nationwide commercial list of 8,840 police chiefs and command staff and a list of 2,921 county sheriffs obtained from the National Sheriffs Association. Following initial outreach, prospective respondents were contacted through three waves of follow-up, which included reminder emails to non-responding jurisdictions. The survey was open for five weeks between April and May of 2015.

The transmittal email included details on the survey scope and purpose, and a link to the survey. Respondents were informed that the survey was intended for completion by agency leadership (e.g., police chiefs and sheriffs), personnel involved in sex offender registration and management, and specialized personnel involved in sex crime investigations. The survey items presented to each respondent varied, with piping logic based on stated agency functions, respondent roles, and jurisdictional characteristics. Excluding “bounce backs” and invalid addresses, the survey was distributed to 9,472 email addresses. 1,485 respondents consented to participate and proceeded to the survey, for an overall response rate of 15.7%. After accounting for missing data for some cases, this resulted in a final sample of 1,374 that is used for purposes of the present analysis.

Respondent and agency characteristics of the survey sample are summarized on pages 2-4 in the survey results report available at <https://www.ncjrs.gov/pdffiles1/nij/grants/249189.pdf>. The final sample included representation from 49 states (all states with the exception of Hawaii), and from the District of Columbia. 60.0% of the survey sample came from local police departments, 39.3% from county sheriffs, and the remainder (<1%) from other types of agencies including state law enforcement agencies. Respondents were fairly evenly divided among senior agency command staff (34.9% of the sample), line-level commanders and supervisors (29.8%), and line-level staff (35.3% total, consisting of 26.6% uniform and 8.7% civilian).

MAJOR FINDINGS

This study explored many dimensions of law enforcement experiences with SORN systems and related aspects of community-based sex offender management, and attendant views related to priorities for reform or refinement of SORN-related public policies. Interview and survey data captured perspectives on these issues from a geographically diverse sample of agency leaders, and uniformed and civilian personnel involved in SORN administration, management, and enforcement.

In the interests of brevity, this summary report focuses primarily on the “big picture” themes that have emerged from the analysis, with an emphasis on those findings that have the most immediate and direct implications for policy and practice. Further details and analyses are available through the various articles and reports emanating from this project, including those listed in Appendix 1.

GENERAL THEMES AND CONCEPTS REFLECTED IN THE DATA

LAW ENFORCEMENT PROFESSIONALS VIEW SORN AS SERVING MULTIPLE PURPOSES, WITH VARIED PATHWAYS TO PUBLIC SAFETY AND DEGREES OF EFFECTIVENESS.

The Phase 1 interviews began with an open-ended prompt asking respondents to describe what they viewed as the primary functions of SORN. Analysis of the data revealed five main thematic clusters:

1. Supporting law enforcement capacity to effectively monitor offenders;
2. Providing information to support sex crime investigations;
3. Facilitating the sharing and transfer of sex offender information across law enforcement agencies and jurisdictions;
4. Serving as a public information resource; and
5. Reducing re-offense risk through the promotion of offender accountability.

In the Phase 2 survey, respondents were presented with each of these five SORN purposes, and were asked to indicate whether they considered each one: 1) a primary purpose; 2) a secondary purpose; or 3) not a purpose of SORN. As a follow-up, respondents were asked to indicate how effective they thought their SORN system was in fulfilling each purpose. In general, SORN systems were rated as most important and effective for purposes of information sharing across agencies and supporting law enforcement’s monitoring of offenders; moderately important and effective for purposes of informing the public and supporting sex crime investigations; and somewhat less effective in their capacity to reduce the likelihood of re-offending.

From a practical standpoint, these findings suggest that law enforcement professionals generally place greater confidence in SORN's utility as a tool for law enforcement than on those related to the provision of public information. Additionally, there seems to be a tacit recognition that SORN in and of itself is not conceived as a "silver bullet" that independently reduces re-offense risk, but rather as an informational tool to be deployed as part of a broader sex offender management strategy. In the words of one interviewee, "registration is just the beginning."

THOSE WHO WORK WITH SORN SYSTEMS SEE A NEED FOR RICHER INFORMATION PERTAINING TO THE RELATIVE RISK POSED BY REGISTERED SEX OFFENDERS

Phase 1 interviews highlighted a range of concerns surrounding the adequacy, reliability, and utility of registry data. Prominent among these was the insufficiency of specific offense-related information within the registries, coupled with concern that registry data may not always provide for an accurate assessment of a given registrant and the nature of his associated risk. Interviewees noted such issues as the imprecision of established statutory offense categories, potential effects of plea bargains on the listed offenses, and absence of investigation reports or other information (such as charge information) that might speak to the *modus operandi* of listed registrants.

The extent of these concerns was borne out by survey results, where over 60% of respondents rated "incomplete offense histories" as a major or moderate barrier to SORN's effectiveness. Related to this, of survey respondents from states utilizing "single tier" registration (i.e., systems that make few distinctions among RSOs) expressed significantly less confidence in the effectiveness of their classification scheme than respondents from "multi-tier" states that distinguish among types of RSOs. Overall, 77% of survey respondents thought that their SORN systems could be made more effective by refining their classification systems to better distinguish between high risk and low risk offenders.

LAW ENFORCEMENT GENERALLY SUPPORTS PUBLIC ACCESS TO RSO INFORMATION, BUT MANY EXPRESS CONCERNS ABOUT HOW CITIZEN INTERPRET AND USE THIS INFORMATION

Within the interviews, provision of information to the public was routinely cited as one of the primary purposes of sex offender registration and notification systems. The interview data suggest that law enforcement professionals generally endorse the public dimensions of registries, and that they generally support citizens' right to know about sex offenders living in their communities. Interviewees also noted some practical efficiency benefits of having public internet registries, citing the systems' role in reducing the volume of inquiries that local law enforcement agencies would otherwise need to field from the public about sex offenders living in their communities.

Yet both interviewees and survey respondents were circumspect in their assessments of SORN's effectiveness as a public information tool, commonly expressing reservations surrounding the ability of citizens to appropriately understand and contextualize sex offender registry information. In the survey results, concerns regarding public misunderstanding or misinterpretation of registry data emerged as the second highest-ranked overall barrier to SORN effectiveness (surpassed only by concern over the challenges presented by homeless and transient RSOs, as discussed below). More specifically, 62% of respondents expressed concern regarding the potential for registries to create a false sense of security, and 46% expressed concern over the potential for sex offender registries to generate unfounded or misplaced fear within the community. This latter sentiment was particularly pronounced among agency leaders (i.e., police chiefs and sheriffs), who also indicated that the public could benefit from more detailed information on the relative public safety risk presented by identified offenders.

Reticence about the public-facing aspects of SORN was also reflected in the survey results regarding policy priorities. Comparatively speaking, policy proposals to expand the public accessibility and user-friendliness of SORN systems, as well as those involving campaigns to increase rates of public usage of the sex offender registry, were deemed considerably less important than those emphasizing law enforcement-centric functions such as inter-agency information sharing and RSO monitoring and compliance enforcement. Of note, the sole public-oriented strategy that was most endorsed by our survey respondents was not related to public information about sex offenders, but was rather focused on the need to expand citizen education surrounding the issue of sexual violence and its prevention.

LAW ENFORCEMENT PERSONNEL WHO WORK WITH SORN SYSTEMS REMAIN CONCERNED ABOUT ISSUES OF UNIFORMITY, CONSISTENCY, AND CROSS-PLATFORM INTEGRATION.

Another emergent theme related to SORN system informational utility involved the lack of integration and uniformity across systems. Interviewees commonly expressed concerns over variation in state standards and requirements, as well as challenges of inter-jurisdictional communication and coordination -- issues that persist despite the 2006 SORNA legislation and other recent federal initiatives that were intended to address them. These themes were also heavily reflected in the survey's open-ended items concerning policy priorities and recommendations, as reflected in our supplemental report of survey results.

Related to the theme of cross-agency information flow and consistency, there was common sentiment that SORN systems should be more effectively integrated with other elements of the criminal justice and government information ecosystem, including those related to criminal justice history and community supervision. With the exception of policies focused on supervision and compliance enforcement, policy strategies calling for investment in information system upgrades and inter-operability achieved the highest rankings among our survey sample.

OFFICERS AND COMMAND STAFF INVOLVED IN REGISTRY COMPLIANCE ENFORCEMENT PERFORM UNIQUE ROLES WITHIN THEIR AGENCIES, AND ARE SOMETIMES CONCERNED ABOUT WHETHER THEIR WORK IS UNDERSTOOD AND VALUED.

Registry compliance officers who were interviewed commonly described themselves as "specialists" whose roles deviated from those performed by others within their agency. Many discussed this in positive terms, indicating that they served as in-house expert resources on matters related to sex offenders living within the community. At the same time, some described their roles as residing outside of typical law enforcement agency functions, expressing the sentiment that "nobody here really understands what I do." These beliefs were often accompanied by the perception that SORN has generated a form of "mission creep" by placing county and local law enforcement into monitoring roles typically managed through community corrections agencies.

Associated with this, many registry compliance officers expressed frustration that their efforts were often undermined by lack of sufficient "downstream" follow-up in cases of RSO non-compliance, particularly on the part of prosecutors. These opinions were strongly reinforced through survey results, in which the three top-ranked policy reform items -- expanding penalties for registry non-compliance; more aggressive prosecution of registry non-compliance; and expanding the proportion of registrants on formal community supervision through probation and parole -- all involved actors and processes outside of law enforcement.

ISSUES AND CHALLENGES SURROUNDING TRANSIENCE AND HOMELESSNESS ARE MATTERS OF HIGH CONCERN FOR THOSE WHO MONITOR SEX OFFENDERS IN THE COMMUNITY.

In the interviews, themes related to pervasive RSO housing instability and the unique challenges of managing homeless and transient RSOs were referenced throughout. These themes were particularly prominent among interview subjects from California and Florida, the two states within the sample that have adopted statewide residence restriction policies that limit where RSOs can live.

Within the survey data, concern over sex offender transience ranked highest among the SORN-related barriers and challenges included in the survey, with nearly three quarters of the sample rating it as either a major concern (36.3%) or a moderate concern (37.6%). Shedding light on the roots of this concern, some interview participants expressed attunement and occasional sympathy related to the housing difficulties faced by registrants and the emergent effects on their well-being and social reintegration. Such sentiments, however, were confined to a relatively limited group of respondents – the interview data suggest high levels of concern that registrant residential instability is largely viewed as a problem insofar as it impedes efforts to effectively track and monitor sex offenders in the community.

LAW ENFORCEMENT PERSPECTIVES ON POLICY PRIORITIES

Interviews yielded a wide range of perspectives on how policies governing SORN systems and related strategies might be most effectively calibrated. For purposes of the Phase 2 survey, the 16 most commonly referenced policy reform proposals were identified, falling into four broad categories: 1) enforcement and compliance; 2) operational improvements; 3) offender management; and 4) public-focused strategies. Survey respondents were presented with each of the 16 proposals in randomized order, and asked to categorize each as a high, medium, or low priority. After ranking these proposals, respondents were provided with a pair of open-ended prompts eliciting additional thoughts about priorities for policymakers.

Aggregated rankings of the 16 policy proposals maybe found on page 28 of the survey results report, with additional analyses (comparing the perspectives of agency leadership, uniformed line personnel, and civilian registry personnel) included as part of the forthcoming article in Criminal Justice Policy Review. Summary analysis of the open-ended item responses is included in the supplemental survey results report.

ENFORCEMENT AND COMPLIANCE. Policies related to enforcement and compliance category included two of the three top-ranked priorities, namely expanded penalties for SORN non-compliance and expanded prosecution of registrant non-compliance. This finding is consistent with sentiments commonly expressed by registry compliance personnel in the interviews that their efforts are often undermined by insufficient follow-up at the prosecution phase. Of note, the expansion of in-person verification requirements – a significant element in the SORNA standards -- were placed comparatively low in their policy priority rankings.

OPERATIONAL IMPROVEMENTS. Comparatively, policies related to operational improvements were generally deemed across the sample to be moderate to high priorities. Within this category, respondents placed the highest level of priority on policies and strategies to improve integration and inter-operability between SORN and other criminal justice and government information systems, followed by measures to improve registry accuracy and reliability, and to improve systems of registrant classification so that compliance efforts could be more effectively targeted. Policy initiatives to promote inter-agency collaboration were significantly more important to line personnel (uniform and civilian) than to agency leaders.

OFFENDER MANAGEMENT. The expansion of formal probation and parole supervision for registrants was designated as the single highest policy priority among survey participants across all categories. Results surrounding the other two items were somewhat mixed, with civilian registry personnel placing significantly more emphasis on strategies to address RSO homelessness and transience than either uniformed staff or agency leaders, and agency leadership expressing more concern than line staff over the need for strategies to redirect resources to higher risk offenders. Respondents converged in the sentiment that expanding community-based treatment for registrants should be given less policy emphasis.

PUBLIC-FOCUSED STRATEGIES. Taken in tandem, the items in this category ranked as lower priorities than those in other clusters. Overall, respondents across the sample deemed the two strategies related to improving the SORN's utility as a public information tool – campaigns to expand SORN utilization and modifications to make public SORN systems more accessible and user-friendly – as relatively low priorities. The highest ranking item in this category involved policy strategies focused on sexual violence prevention education for community members.

IMPLICATIONS FOR SORN POLICY AND RESEARCH

This study's findings suggest some important implications for SORN policy and future research examining policy impacts.

First, the results suggest the need for policymakers to distinguish those SORN system functions that are directly related to law enforcement practice from those emphasizing public information needs, and to ensure that the former is not sacrificed at the expense of the latter. Broadly speaking, law enforcement professionals in the sample placed priority on SORN improvements that can enhance the quality and utility of sex offender information for criminal justice practitioners, and placed less emphasis on those focused on expanding public access to sex offender information. SORN reform efforts aimed at strengthening the systems' public safety efficacy should be prioritized accordingly.

Second, the findings serve as a reminder that sex offender registries do not operate or exert their effects in isolation – rather, they are best thought of as one element of a more comprehensive system of community-based sex offender management. From a policy vantage point, this cautions against thinking of SORN as a “silver bullet,” and underscores the need for policies and resource investments that address the complex array of supervision and reintegration needs of RSOs living in the community. As reflected in the findings, policy measures oriented toward addressing RSO transience and housing instability, enhancing coordination with probation and parole agencies, gaining better cross-system coordination and consistency related to registry enforcement and prosecution, and improving the specificity and quality of registry information, all seem to be of particular importance to law enforcement professionals.

Third and finally, the findings suggest the need for researchers to adopt a more refined approach to examining the impacts of SORN policies. To date, most SORN-related policy research has treated SORN policy as a “black box” that exerts direct and uniform effects, rather than as a diverse range of policies with significant variation in structure, design, and field-level implementation. By moving towards a more contextual and operationally-grounded approach to evaluating SORN policies, we can begin to improve our understanding of SORN's potential role within sex offender management practice.

STUDY LIMITATIONS

Considering the dearth of prior research examining law enforcement perspectives on SORN systems and their operation, the present study is exploratory in nature, and the presented results should be viewed in this context. Additionally, although the survey is based on a respectably-sized national sample that is more broadly representative than any previous similar research, its overall response rate of 15.4% is somewhat lower than optimal, and it is possible that the perspectives and beliefs of survey participants are not reflective of those who did not respond. For example, it is possible that jurisdictions and agencies with stronger monitoring and registry compliance systems may be over-represented in the sample. Finally, any interpretation of the findings presented here should recognize that the study participants did not represent a cross-section of law enforcement professionals, but rather specifically targeted subgroups, many of whom may be highly invested in SORN systems and their perceived success.

WORK PRODUCTS AND ADDITIONAL INFORMATION

As of May 2016, this project has generated three journal articles (one in press and two under review) focused on selected aspects of the data, as well as two technical reports summarizing survey results. Further analyses are ongoing, with at least one additional article planned for completion before the August 2016 project end date. For more information on the project, its data, or its various work products, please contact Principal Investigator Andrew Harris at Andrew_harris@uml.edu.

PEER-REVIEWED JOURNAL ARTICLES

Harris, A.J., Levenson, J.S., Lobanov-Rostovsky, C., and Walfield, S. (2016). Law Enforcement Perspectives on Sex Offender Registration & Notification: Effectiveness, Challenges, and Policy Priorities. *Criminal Justice Policy Review*. DOI 10.1177/0887403416651671

Cubellis, M., Walfield, S., and Harris, A.J. (in press). Collateral Consequences and Effectiveness of Sex Offender Registration and Notification: Law Enforcement Perspectives. *International Journal of Offender Therapy and Comparative Criminology*.

Walfield, S. Cubellis, M., Levenson, J.S., Harris, A.J., and Lobanov-Rostovsky, C. (under review). Law Enforcement Views on Sex Offender Compliance with Registration Mandates. *Policing and Society*.

TECHNICAL REPORTS

Harris, A.J., Lobanov-Rostovsky, C., and Levenson, J.S. (2015). Law Enforcement Perspectives on Sex Offender Registration and Notification: Preliminary Survey Results. Lowell, MA: University of Massachusetts Lowell. Available at <https://www.ncjrs.gov/pdffiles1/nij/grants/249189.pdf>

Harris, A.J., Lobanov-Rostovsky, C., and Levenson, J.S. (2016). Law Enforcement Perspectives on Sex Offender Registration and Notification: Open-Ended Responses on Policy Recommendations. Lowell, MA: University of Massachusetts Lowell. Available at <https://www.ncjrs.gov/pdffiles1/nij/grants/250114.pdf>

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INTERVIEW PROTOCOL ITEM SUMMARY

Areas	Major Prompts
<p>General Views on Purposes & Functions</p>	<ul style="list-style-type: none"> • In your opinion, what are the primary purposes of the sex offender registration and notification system? • How effective do you think your current system is in fulfilling these purposes? • How, if at all, do you think that your views regarding the sex offender registration system differ from those held by the general public? • How, if at all, do you think that your views on the sex offender registration system differ from those held by state or federal legislators?
<p>Uses, Utility, and Reliability</p>	<ul style="list-style-type: none"> • In your opinion, is your sex offender registration system a useful and reliable tool for purposes of community-based crime prevention? • Can you provide specific examples of how you or others in your department have used the system for this purpose? • Do you have recommendations for how the registration and notification system might be made more useful for this purpose?
	<ul style="list-style-type: none"> • In your opinion, is your sex offender registration system a useful and reliable tool for purposes of criminal investigations? • Can you provide specific examples of how you or others in your department have used the system for this purpose? • Do you have recommendations for how the registration and notification system might be made more useful for this purpose?
	<ul style="list-style-type: none"> • In your opinion, is your sex offender registration system a useful and reliable tool for patrol officers and first responders? • Can you provide specific examples of how you or others in your department have used the system for this purpose? • Do you have recommendations for how the registration and notification system might be made more useful for this purpose?
	<p><i>(Managers/Commanders only)</i></p> <ul style="list-style-type: none"> • In your opinion, are sex offender registries useful tools for law enforcement management, planning, and resource allocation? • Can you provide specific examples of how you or others in your department have used the system for this purpose? • Do you have recommendations for how the registration and notification system might be made more useful for this purpose?
	<ul style="list-style-type: none"> • Beyond the uses we have just discussed, can you share examples of any other ways that you or your colleagues have used the sex offender registry in the context of your work?
	<ul style="list-style-type: none"> • Do you think that your existing state sex offender registration & notification system adequately allows you to distinguish those sex offenders who are more dangerous from those who are less dangerous? • Do you have recommendations for how your system might be made more useful for this purpose?

<p>Efficiency & Resource Demands</p>	<ul style="list-style-type: none"> • In general, do you believe that sex offender registration system in your jurisdiction receives an adequate amount of resources? • In general, do you believe that the sex offender registration system is designed and operated in an efficient manner? • Weighing the registry's value to your agency against workload and resource demands, do you believe that the current registry system is an effective investment? • What recommendations might you make to improve the efficiency of your state's registration & notification system?
<p>Comparing Registry Systems</p>	<ul style="list-style-type: none"> • Based on your knowledge of sex offender registration & notification systems, how do you think your current system compares to those in other states and jurisdictions? • Are there things that other states are doing that you think your state might be doing? • Are there things that your state is doing that other places should be doing?
<p>General Recommendations</p>	<ul style="list-style-type: none"> • If you could provide feedback to policymakers related to the laws and rules surrounding sex offender registration and notification, what would be your top two or three recommendations?