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MEDICAL UNIVERSITY *of* SOUTH CAROLINA

EXECUTIVE SUMMARY

Evaluating the Effectiveness of Sex Offender Registration and Notification Policies for Reducing Sexual Violence against Women

**Final Report for National Institute of Justice
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EXECUTIVE SUMMARY

The purpose of this study was to examine the effectiveness of one state's sex offender registration and notification policy in reducing sexual violence. The problem of sexual violence is a national legislative priority as evidenced by numerous sex offender-specific policies enacted at the federal level over the past 15 years. Specifics vary among states regarding criminal justice responses to sex offending, but all such policies have as their primary goals the prevention of sexual violence and the reduction of sexual re-offending.

The present study examined the effects of comprehensive registration and community notification policies on rates of sexual violence in South Carolina. Specifically, the present study proposed to evaluate whether broad sex offender registration and notification policies have reduced recidivism or deterred new sexual offenses. Additionally, this study proposed to examine whether unintended effects of broad registration and notification policies have occurred. Of note, the present study focused almost exclusively on the effects of registration and notification as pertains to offenses committed by adults. Given that registration and notification policies often target juveniles adjudicated delinquent as minors, the investigative team has been involved in separate research pertaining to the effects of these policies as pertains to juveniles (see Letourneau & Armstrong, 2008, Letourneau, Bandyopadhyay, Armstrong, & Sinha, 2010; Letourneau, Bandyopadhyay, Sinha, & Armstrong, 2009a; 2009b).

Specific Aims

This study examined whether the introduction of sex offender registration and notification laws in South Carolina were associated with reductions in sexual crimes and, if so, whether this reduction could be attributed to an actual reduction in sexual violence and/or recidivism (i.e., an intended effect) or to changes in criminal judicial processing of individuals

for registry crimes (i.e., an unintended effect). In the context of this project, “sex offender” typically refers to anyone with one or more sex crime convictions. Specific sex crime charges are listed in Table 1 and include contact and noncontact offenses against children and adults.

Specific study aims included: (1) To examine whether South Carolina registration and notification policies have the intended effect of preventing first time sexual offending; (2) To examine whether South Carolina registration and notification policies have the intended effect of reducing sexual recidivism for known sex offenders; and (3) To examine whether South Carolina registration and notification policies have the unintended effect of reducing the probability that individuals who commit sexual crimes will be prosecuted or convicted for such crimes. In addition to these primary aims, we also investigated (4) whether registration violations (e.g., failure to register) were associated with sexual or general recidivism.

The following points highlight the key findings of the study:

1. A significant deterrent effect was noted after 1995, the year that South Carolina first implemented sex offender registration and notification (SORN). An approximately 11% reduction in first-time sex crime arrests was found in the post-SORN period (1995-2005) relative to the pre-SORN period (1990-1994).
2. However, there was no significant decline in the six year period after 1999, which was the year that South Carolina implemented its online sex offender registry, indicating that online notification did not influence general deterrence of adult sex crimes.
3. Across a mean follow-up of 8.4 years, 490 (8%) of registered sex offenders had new sex crime *charges* and 299 (4%) offenders had new sex crime *convictions*. Registered sex offenders were not less likely to recidivate than non-registered sex offenders.

4. Defendants were more likely to have charges reduced from sex to nonsex crimes over time, with a 9% predicted probability of reduced charges from 1990-1994 (pre-SORN), a 15% predicted probability of reduced charges from 1995-1999 (corresponding with initial implementation of SORN) and a 19% predicted probability after 1999 (corresponding with implementation of Internet notification).
5. Results also indicated that the probability of obtaining a charge reduced from truth-in-sentencing (TIS) to non-TIS increased over time for sex crime defendants.
6. The probability of a guilty disposition changed at each year group, with a predicted probability of 55% from 1990-1994, increasing to 65% from 1995-1999, and then declining to 60% after 1999. This final decline was more pronounced when pleaded cases were removed from analyses.
7. With respect to failure to register (FTR) as a sex offender, no significant differences were found between the sexual recidivism rates of registered offenders with FTR charges and those without FTR charges (11% vs. 9%, respectively). There was no significant difference in the proportion of sexual recidivists and nonrecidivists with registration violations (12% and 10%, respectively). Failure to register did not predict sexual recidivism, and survival analyses revealed no significant difference in time to recidivism when comparing those who failed to register ($M = 2.9$ years) with compliant registrants ($M = 2.8$ years).

Conclusions

Results from this program of research indicate that SORN, as implemented in South Carolina, appears to have a positive impact on general deterrence associated with averting approximately three new first-time sex crime cases per month. However, South Carolina's SORN policy has no effect on deterring the risk of sexual recidivism. South Carolina's SORN

policy does exert unintended effects on judicial decision making with respect to adult sex crime cases. An increased number of defendants were permitted to plead to nonsex charges following the onset of South Carolina's SORN policy and following its modification to require online notification. The net effects of this change could be to *reduce* community safety by increasing the likelihood that defendants guilty of sex crimes pleaded to nonsex crimes or were acquitted altogether. Finally, it does not appear that registered sex offenders who failure to register are more sexually dangerous than compliant registrants.