

My name is Vicki Henry and I am President of a nationwide organization, Women Against Registry, centered in Arnold, Missouri with members throughout Nevada. We advocate for the families of those having a loved one on sex offender registries. We believe that once a person has been adjudicated, paid their debt to society and are living a law-abiding life they should be allowed to do so, in peace, with their family without fear of vigilante action directed at them, family or property.

We also advocate for Child Sexual Abuse Prevention Training Programs like 'Stop It Now' that teach at all levels the warning and grooming signs as well as open dialog between parents and their children. The concept is to be proactive instead of reactive.

We add our voice to the researchers and academics whose peer reviewed data reverberates within their community and is now being expanded to the media and public.

Media attention of sex crimes, especially random and lethal acts of sexual violence against children, gives the impression that sex-crime rates are higher than ever. In actuality, sexual assaults, like most crimes, have been on the decline for 15 years. According to the U.S. Department of Health and Human Services, rates of substantiated sexual abuse of children have dropped by 51 percent since 1991. These declines are consistently seen in data from child protective services, law enforcement and victim surveys. Media coverage tends to portray sexually motivated child abductions as a real threat to children, but the Center for Missing and Exploited Children estimates that only approximately 100 such cases occur in the United States each year. Sex offenders also are reputed to have exceedingly high recidivism rates, inciting fear of inevitable re-offending. Large sophisticated studies following nearly 30,000 sex offenders from North America and Europe have found that, on average, only about 14 percent of convicted sex offenders are rearrested for new sex crimes within four to six years after release. (When Evidence Is Ignored by Richard Tewksbury and Jill Levenson)

Since the 1990s, (SORN) systems have assumed a prominent place on state and federal crime control agendas. In the two decades since the 1994 passage of Jacob Wetterling Crimes Against Children Act, the U.S. Congress has passed a sequence of laws designed to improve the public's ability to monitor sex offenders living in the community and to enhance the quality, accessibility, and cross-jurisdictional sharing of registry data. The Wetterling Act (mandating the creation of state registries) and its

subsequent amendments, including Megan's Law in 1996 (allowing the public dissemination of registry data), played a major role in requiring the expansion of statebased SORN systems and laid the foundation for a coordinated national registry network. Subsequently, the 2006 passage of the Adam Walsh Child Protection and Safety Act (AWA) opened a new chapter in the evolution of the nation's SORN systems. Title I of the AWA—the Sex Offender Registration and Notification Act (SORNA)—set forth federal guidelines for registration durations, offense-based classification tiers, and penalties for failure to properly register. Nationwide implementation of AWA has been stalled by resistance from many states and tribal jurisdictions who cite a range of legal, practical, and fiscal concerns (Harris, 2011; Harris & Lobanov-Rostovsky, 2010).

Nine years following SORNA's passage, 17 states and three U.S. territories have achieved SORNA "substantial implementation" designation from the U.S. Department of Justice. A 2013 report by the U.S. Government Accountability Office (GAO) confirmed that significant barriers to implementation remain and highlighted the need for more focused research to help guide federal policy reform. In its analysis, the GAO (2013) report noted the absence of data regarding the implication of these policies from the perspective of law enforcement and other criminal justice professionals. Since release of the federal SORNA guidelines, the National Conference of State Legislatures (NCSL) listed SORN as one of the leading items on state policy agendas, along with issues such as unemployment, transportation, higher education, and health care coverage (National Conference of State Legislatures, 2007, 2009). NCSL's Sex Offender Enactments Database indicates that between 2009 and 2013, states enacted 340 SORN-related bills—an average of 68 per year.

Conclusions and Implications

This study's findings suggest some important implications for SORN policy and future research examining policy impacts. First, related to the core functions of SORN systems, our results suggest the need for policy makers to distinguish those 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 our sample placed considerable emphasis on SORN improvements that can enhance the quality and utility of sex offender information for criminal justice practitioners, while de-emphasizing 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, our findings serve as a reminder that sex offender registries do not operate in isolation—rather, they should be thought of as one element of a more comprehensive system of community-based sex offender management. In the words of one of our interviewees, "Registration is just the beginning." From a policy vantage point, this cautions policy makers to avoid thinking of SORN as a "silver bullet," and to remain attuned to 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 our findings, policy measures oriented toward addressing RSO transience and housing instability, enhancing coordination with probation and parole agencies, and improving the specificity and quality of registry information, seem to be of particular importance for law enforcement professionals.

Third and finally, our findings suggest the need for a more refined approach to examining the impacts of SORN policies. Researchers should recognize that SORN policy is not a "black box"—There is significant variability in how SORN systems are implemented and how SORN information is used by criminal justice professionals and agencies. By moving toward 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. **(Law Enforcement Perspectives on Sex Offender Registration and Notification: Effectiveness, Challenges, and Policy Priorities Andrew J. Harris, Jill S. Levenson, Christopher Lobanov-Rostovsky, and Scott M. Walfield)**

It is very important that you read the abstract below and then the full 12 page essay by Professor Ira Mark and Tara Ellman.

ABSTRACT

This brief essay reveals that the sources relied upon by the Supreme Court in *Smith v. Doe*, a heavily cited constitutional decision on sex offender registries, in fact provide no support at all for the facts about sex offender re-offense rates that the Court treats as central to its constitutional conclusions. This misreading of the social science was abetted in part by the Solicitor General's misrepresentations in the amicus brief it filed in this case. The false "facts" stated in the opinion have since been relied upon repeatedly by other courts in their own constitutional decisions, thus infecting an entire field of law as well as policy making by legislative bodies. Recent decisions by the Pennsylvania and California supreme courts establish principles that would support major judicial reforms of sex offender registries, if they were applied to the actual facts.

This paper appeared in *Constitutional Commentary* Fall, 2015.

http://papers.ssrn.com/sol3/Papers.cfm?abstract_id=2616429

Lastly, Patty Wetterling, pioneered many of the initial laws after her son Jacob was abducted and has never been found. Patty began to step-back after she could see and hear the destruction of juvenile lives once they were added as part of the SMART Office AWA criteria for compliance. Patty has been interviewed several times and openly spoken about her concerns. She even stated in a speech a couple of years ago at the ATSA Conference that the registry has been "hijacked."

Thank you for your time.

Vicki L. Henry

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VIGILANTISM

The sex offender registry is directly responsible for harassment, property damage, assault, and murder of innocent people. The results of one study show that, after a family member has been identified by neighbors or others as a registered offender, the non-offender family members living with him have experienced the following:

44% have been threatened or harassed by neighbors.

7% have been physically assaulted or injured.

27% have had property damaged.

30% have been threatened, harassed, assaulted, injured, or suffered property damage directly due to Megan's Law.

WORK/ FINANCIAL ISSUES

82% of registered sex offenders have difficulty finding a job because employers don't want to hire registered sex offenders, creating financial hardship for their family members.

53% of registered sex offenders who have lost a job did so directly due to Megan's Law that, creating financial hardship for their families.

OTHER EFFECTS TO FAMILY MEMBERS

22% of registered sex offenders had to move out of a residence that they rented because their landlord found out their sex offender status through Megan's Law; the family was evicted with them.

17% of registered sex offenders had to move out of a residence that they rented because their neighbors found out their sex offender status through Megan's Law; the innocent family members were evicted with them.

12% of registered sex offenders had to move out of a home that they owned because their neighbors found out through Megan's Law that a sex offender lived there.

CONCLUSION

"Civil sanctions imposed on sex offenders are sometimes called *invisible punishments* and often result in barriers to reintegration (Travis, 2005)."

It is now apparent that these sanctions and invisible punishments are not so invisible where the family members of registered former offenders are concerned. In fact, the effects are profound and inexcusable.

The effect of the public registry on the *family* of registered offenders cannot be overlooked. From shaming to banishment to outright violence, these family members are facing harsh treatment daily simply because they are the family members of registered offenders.

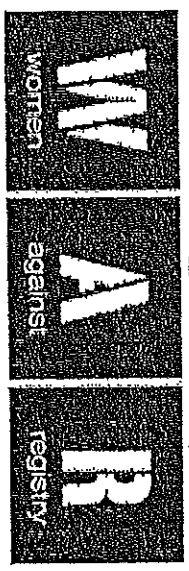
We, the members of WAR, feel that it is time to stop the cruelty. It is time to reform the registry for the good of the over *three million family members* of registered sex offenders who live under the invisible punishments of the registry every day.

The study quoted throughout this brochure can be found in its entirety at http://www.opd.ohio.gov/AWA_Information/AW_Levenson_family_impact_study.pdf

¹ Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, D.C.: Urban Institute Press.



Families Are Affected by the Sex Offender Registry



FIGHTING THE DESTRUCTION OF FAMILIES



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