



Sex offender residence restrictions and sex crimes against children: A comprehensive review

Joanne Savage^{a,*}, Casey Windsor^b

^a Illinois State University, United States of America

^b American University, United States of America



ABSTRACT

In this paper, we provide a comprehensive review of the empirical evidence related to the effectiveness of residence restrictions imposed on sex offenders for preventing sex crimes against children. This topic is important because such laws currently exist in many states and there is ongoing debate about changes in law in some jurisdictions. We build on previous reviews by narrowing our scope and applying a greater focus on important methodological features of the studies. In the absence of a body of direct tests, we examine a triangulation of empirical tests related to assumptions of residence restriction laws. The analysis suggests that residence restrictions have little potential for preventing sex offenses against children. Most importantly, the data indicate that very few sex crimes against children have been by the offender's residence near a school, daycare center, or park. Because only one direct test of this research question has been published, we make specific recommendations for future research to fill gaps and to provide more compelling evidence to policymakers.

Residence restrictions placed on convicted sex offenders are based on the belief that sex offenders are predatory and likely to commit additional sex crimes after conviction. They are also based on the assumption that those who commit sex crimes against children can be prevented from doing so if their contact with children is constrained. Criminological theory makes it clear that predatory crimes can only occur when motivated offenders come in contact with suitable targets (see routine activities theory by Cohen & Felson, 1979), and empirical research shows that generally, offenders commit crimes in familiar neighborhoods (Brantingham & Brantingham, 1981; Bursik & Grasmick, 1993; Rengert & Wasilchick, 2000). If all of this is true for child sex offenders, it makes good sense to insist that they reside at a distance from places where children congregate, such as schools, to separate these “motivated offenders” from their “suitable targets.”

Nonetheless, residence restrictions have been criticized by many scholars. Some have argued that the laws were motivated by sensational cases, rather than careful consideration of data. Burchfield (2011) states that “these policies have been implemented in response to political motivations, perceived public outcry, and misinformation about the true threats posed by sex offenders with little to no thought to their unintended consequences” (p. 411). The unintended consequences to which Burchfield refers include limited availability of housing and the potential of the laws to increase the incidence of offending due to stress, alienation, hopelessness and isolation from social support.

The most studied of the collateral consequences of sex offender residence restrictions is the difficulty that sex offenders encounter when

they try to secure housing. Ex-offenders, in general, already face barriers to finding stable housing, such as affordability (Roman & Travis, 2004). Sex offenders facing residence restrictions have additional obstacles. After a conviction, sex offenders around the country have had problems finding affordable housing in some jurisdictions, and many have been forced to live far away from work and treatment services. In some cases, offenders returning from jail or prison will find that their previous residence is in a restricted area. In other cases, offenders may discover that much of the city where they live is restricted. Rydberg, Grommon, Huebner, and Bynum (2014) directly tested whether residence restrictions had an effect on housing mobility and found that sex offenders paroled under a residence restriction were significantly more likely to move 3 or 4 or 5 times than those paroled before the restrictions were put in place. A high rate of sex offender mobility was also found by Levenson and Cotter (2005) in their survey of registered sex offenders in two cities in Florida. Of the 135 sex offenders surveyed, 50% reported that they had to move from a home they had been renting or owned because of a residence restriction. In another analysis limited to Broward County, Levenson (2008) found that the average sex offender had moved at least two times because of residence restrictions. In addition to attenuating prosocial bonds, multiple moves are likely to lead to financial and emotional stress that are inconducive to recovery.

An extreme example of the inability of sex offenders to find adequate housing comes from Miami-Dade County. Their residence restrictions required sex offenders to live 2500 feet away from any place with a high density of children. This led to a congregation of sex

* Corresponding author at: Department of Criminal Justice Sciences, Illinois State University, United States of America.
E-mail address: Jsavag1@ilstu.edu (J. Savage).

Table 1
Summary of residence restrictions by state: 10-year changes.

State	2008 restrictions ^{a, b}	Offender (2018)	Restrictions as of 2018
Alabama	2000 ft of schools, child care facilities	All adult sex offenders	2000 ft of schools, childcare facilities, or resident camps
Alaska	None		None
Arizona	1500 ft of schools or child care facilities	Adults convicted of a dangerous crime against children, required by law to register, classified as level three	1000 ft of schools, child care facilities
Arkansas	2000 ft of schools, public parks, youth centers, or daycare facilities	Level 3 or 4 sex offenders	2000 ft of schools, public parks, youth centers, or daycare facilities Level 4 sex offenders may not reside within 2000 ft of a church or place of worship
California	2000 ft of schools or parks	Parolees who are required to register as sex offenders High-risk sex offenders	2000 ft of schools or parks where children regularly gather ½ mile of schools; 2000 ft of parks where children regularly gather
Colorado	None		None
Connecticut	None		(Proposed bill January 2015 in committee)
Delaware	500 ft of schools	Any sexual offender	500 ft of schools
Florida	1000 ft of schools, day care centers, parks, playgrounds, designated school bus stops or other places where children congregate	Sex offender with victim < 16 years old	1000 ft of schools, child care facilities, parks or playgrounds
Georgia	1000 ft of child care facilities, churches, schools, or other areas where minors congregate	Registered offenders	1000 ft of child care facilities, churches, schools, or any area where minors congregate (explicitly includes parks, recreation facilities, playgrounds, skating rinks, neighborhood centers, gymnasiums, school bus stops, public libraries, or public or community swimming pools)
Hawaii	None		None
Idaho	500 ft of schools	Adult criminal sex offenders	500 ft of schools
Illinois	500 ft of schools	Sex offender with child victim	500 ft of a schools, playgrounds, child care institutions, day care centers, day care homes, or any facility providing programs or services exclusively directed toward persons under 18 years of age
Indiana	1000 ft of most schools, youth centers, public parks	Sex offender with child victim	1000 ft of school, youth program center, public park
Iowa	2000 ft of schools or child care facilities	Adult sex offender convicted of aggravated offense against a minor	2000 ft of school or child care facility
Kansas	None		None
Kentucky	1000 ft of school playgrounds or licensed day care facilities	Sex offender registrants	1000 ft of a school, preschool, publicly owned playground, or day care facility
Louisiana	1000 ft of schools, day care facilities, playgrounds, youth centers, public pools, video arcades	Sex offenders with victims under age 13 Sex offenders with victims under age 13, convicted of an aggravated offense	1000 ft of schools, child care facilities, public parks or recreational facilities 1000 ft of schools, child care facilities, public parks or recreational facilities, group homes, residential homes, playgrounds, youth centers, public swimming pools, or free standing video arcades
Maine	None		(Allows municipalities to prohibit residence by sex offenders up to maximum distance of 750 ft from schools)
Maryland	Officers prohibit offenders from living in proximity to schools, child care centers, and other places primarily used by minors		None
Massachusetts	None		None (State Supreme Judicial Court ruling struck down local residence restrictions)
Michigan	1000 ft of schools “student safety zones”	Registered offenders	1000 ft of school property “student safety zone”
Missouri	1000 ft of schools or child-care facilities	All sex offenders	1000 ft of schools or child care facilities
Minnesota	Officers prohibit concentration of level III from living near schools		None
Mississippi	1500 ft of schools or child care facilities	Any person convicted of registrable sex offense, including those acquitted by reason of insanity	3000 ft of schools, child care facilities, children's group homes, playgrounds, ballparks, or other recreational facilities utilized by persons under the age of eighteen
Montana	None	High-risk sexual offender Level 3 sex offender	300 ft of schools, day-care centers, playgrounds, developed or improved parks, athletic fields or facilities that primarily serve minors Judge shall impose conditions of probation, parole, etc. restricting residency in proximity to schools, preschools, day-care centers, churches, or public parks
Nebraska	None		(Allows political subdivisions to prohibit residence by “sexual predators” up to maximum distance of 500 ft from schools or child care facilities)
Nevada	1000 ft of schools, school bus stops, day care centers, arcades, parks, playgrounds, youth facilities, theatres		None

(continued on next page)

Download English Version:

<https://daneshyari.com/en/article/8946514>

Download Persian Version:

<https://daneshyari.com/article/8946514>

[Daneshyari.com](https://daneshyari.com)