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A Meta-Analysis of the Efficacy of Sex Offender Residential Restrictions to Recidivism

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Research Question

Do residential restrictions for sex offenders decrease recidivism?

Definition

Recidivism is the tendency of an offending individual to lapse into behavior that would lead to reimprisonment, which may or may not be a behavior or condition of the original incarceration (Barker 2003).

Purpose

The purpose of this meta-analysis was to review the empirical research studies pertaining to the enactment of sex offender residency restrictions and its impact on recidivism. The intended purpose for residency restrictions is to limit the distance an offender can reside in proximity to schools, parks, playgrounds and daycare facilities. These residency restrictions were implemented as a safe guard to prevent sex offenders from residing in close proximity to where children typically gather (Chajewski & Mercado, 2009; During, 2006; Melroy, Miller & Curtis, 2008; Mercado, Alvarez & Levenson, 2008; Zgoba, Levenson & McKee, 2009). There has been a limited number of evidence-based research on if sex offender residency restrictions are an extenuating factor in deterring recidivism. In addition, do these restrictions create a negative residual effect, therefore increasing recidivism? Do these restrictions create additional consequences for the offenders and their families?

When individuals exit the prison system, they may have difficulty finding housing due to felony records and landlord reluctance. The obtainment of housing can become even more difficult when citizens are classified as sex offenders. These residency restrictions can limit the options for housing especially in the rural context (During, 2006; Yung, 2007). Lester (2010) states that the residency restrictions limiting proximity "seems like a quick and simple fix to the perceived recidivism problem. [The] communities that have restrictions of 2,000 feet essentially block out all the urban areas as the overlapping bubbles leave few reasonable places to reside" (p. 6). Do the strict residency restrictions for sex offenders invoke consequences that initiate behaviors that lead to recidivism? The goal of this evaluation is to examine the evidence-based research of these restrictions for a demonstrated increase or decrease in factors leading to recidivism, or if it does not have any impact.

Methodology

This study involved a review of the literature from evidence-based articles on sex offender residency restrictions in relation to recidivism. I conducted a search of articles using the university's electronic library services. The databases used consisted of social science journals obtained through Sage, Academic Premier, and Proquest. The criminology database consisted of articles retrieved through criminal justice. Internet search engines that were utilized included: Google and Google Scholar. The key words that were utilized in the computer data search consisted of: sex offender, residency restrictions, recidivism, effective, and impact. I utilized empirical research journals, dissertations, government policy sites and reports to provide an outcome report. I reviewed current policy and procedures with Minnesota Legislature statutes on sex offender residency restrictions. I compiled the acquired literature and put the information on a literature review comparison table.

Limitations

A system review was completed by reading the obtained journals and deciding if the research study was relevant to the literature review. Many of the retrieved studies focused on areas not directly related to this research. In the retrieval of empirical research, I uncovered a dearth of supportive literature (n=13), however, and retrieved (n=6) studies that contained direct and indirect relevancy to this study. The independent variable for this study is residency restrictions, and the dependent variable is recidivism. Based on the collected information, a conclusion with considerations, recommendations and the next steps to be taken concerning residency restrictions will be presented.

References

References are available from the author upon request.

Negative Consequences of Sex Offender Post Release Restrictions

Personal	Social	Economical
Isolation from supportive family members (Zgoba et al., 2009)	Limits access to available social services (Nieto & Jung, 2006; Zgoba et al., 2009)	Geographically limits employment opportunities (Zgoba et al., 2009)
Immediate family may have to leave established residences and supportive networks (Ohio Public Safety, 2006)	Limits access to resources that provide structure and stability: organizations, group meetings, support networks (Zgoba et al., 2009)	Housing in unhealthy/struggling neighborhoods (Melroy et al., 2008; Nieto & Jung, 2006)
Offender and family may suffer increased stress due to harassment (Mercado et al., 2008)	Reduces integration into community activities and homeostasis (Melroy et al., 2008; Nieto & Jung, 2006)	Housing/income/subsidizing instability (Mercado et al., 2008; Zgoba et al., 2009)
Ostracizing, stigmatizing, and segregating offenders makes conforming to mainstream values and associating with law-abiding citizens difficult (Zgoba et al., 2009)	Increase of transient offenders and homelessness: drain on community resources (Mercado et al., 2008; Zgoba et al., 2009)	Pushed into rural communities with fewer resources to remain abstinent from crime (Melroy et al., 2008)
		Limited transportation/mobility in rural communities (Melroy et al., 2008)

*Further research is needed to determine the extent these consequences factor into recidivism.

Background/Data

The phrase "sex offender" invokes fear amongst most of the population. Due to widely publicized sexual assaults on minors throughout the United States, the government has initiated various regulations on sex offenders. Through the establishment of the Jacob Wetterling Act of 1994, Megan's law, and Adam Walsh Act, the U.S. has progressively enacted policies regulating sex offender release conditions, registration and residency restrictions (Laney, 2008; Levenson & D'Amora, in press). Residency restrictions are enacted to increase the security and safety of the public and its most vulnerable demographic: children.

Currently, there are 30 states that have passed residency restriction laws limiting the distance a sex offender may reside in proximity to schools, parks, playgrounds and daycare facilities (Levenson & Cotter 2005; Melroy et al., 2008; Zandbergen, Levenson & Hart, 2010; Zgoba et al., 2008). Individual state regulations vary concerning sex offender proximity to these locales; they range from 500-2500 feet in straight line measurement (Durling, 2006; Zandbergen et al., 2010). Minnesota doesn't have any specific statutory language specifying the distance from areas in which children congregate, nor does it mention Level II offenders having restrictions of residencies, yet most offenders are placed on residential restrictions (Duwe, Donnay, & Tewksbury, 2008).

The meta-analysis consisted of reviewing six empirical researches. The results from these studies are similar in that they show little support that residency restriction laws have an effect on sexual recidivism (MND0C, 2007; Levenson & Cotter, 2005; Zandbergen et al. 2010). In fact, residency restrictions may "increase the stressors that can trigger reoffense" (Levenson & Cotter, 175). Similarly, The Colorado Department of Public Safety (2004) found that the restrictions on where a sex offender resides may not deter an offender from reoffending and that this policy should not be considered in reducing recidivism. Most offenders (82%) indicated that residency restrictions would not prevent future offenses (Mercado et al., 2008). All of these researches concluded that the residency restrictions on sex offenders is not a viable method in reducing recidivism.

There are many myths and misconceptions about sex offenders, including that treatments don't work, that children are the most at risk from strangers lurking, and that all sex offenders re-offend (Levenson & D'Amora, in press). Empirical research has indicated that sex offenders are among the least likely to re-offend compared to other violent and nonviolent offenders (Duwe et al., 2008; Levenson & D'Amora, in press). Sex offender recidivists are more likely to violate due to a nonsexual offense such as probation violations (Duwe et al., 2008; Levenson & D'Amora, in press; Minnesota Department of Corrections, 2007). Three years post release, 3% of sex offenders will recidivate, whereas 70% of other violent criminals will be rearrested (During, 2006). The Minnesota Department of Corrections finds that "offenders returning to prison as supervised release violators have increased 90 % in admissions" (2008). This rapid increase of returnees contributed to the increased restrictions by legislature. Ongoing research will need to examine how these residency restrictions are playing a role in probation violations and, therefore, causing recidivism and reincarceration of the sex offender. The residency restriction law is relatively new, so additional empirical research will need to examine the question of whether residency restrictions for sex offenders decrease recidivism.

Conclusions

Residency restrictions for sex offenders are a fairly new concept since many of the states have implemented these policies just within the last few years. There has been a limited amount of empirical research conducted to evaluate if these regulations on residency restrictions actually decrease recidivism. The conceptualization of the empirical research has shown little to no support that these policies actually do what the initial purpose intended. Empirical research indicates there isn't any association between where an offender lives and whether the offender violates. The research indicates that residency restrictions actually instill more barriers and destabilizes the offender for successful reintegration into the community.

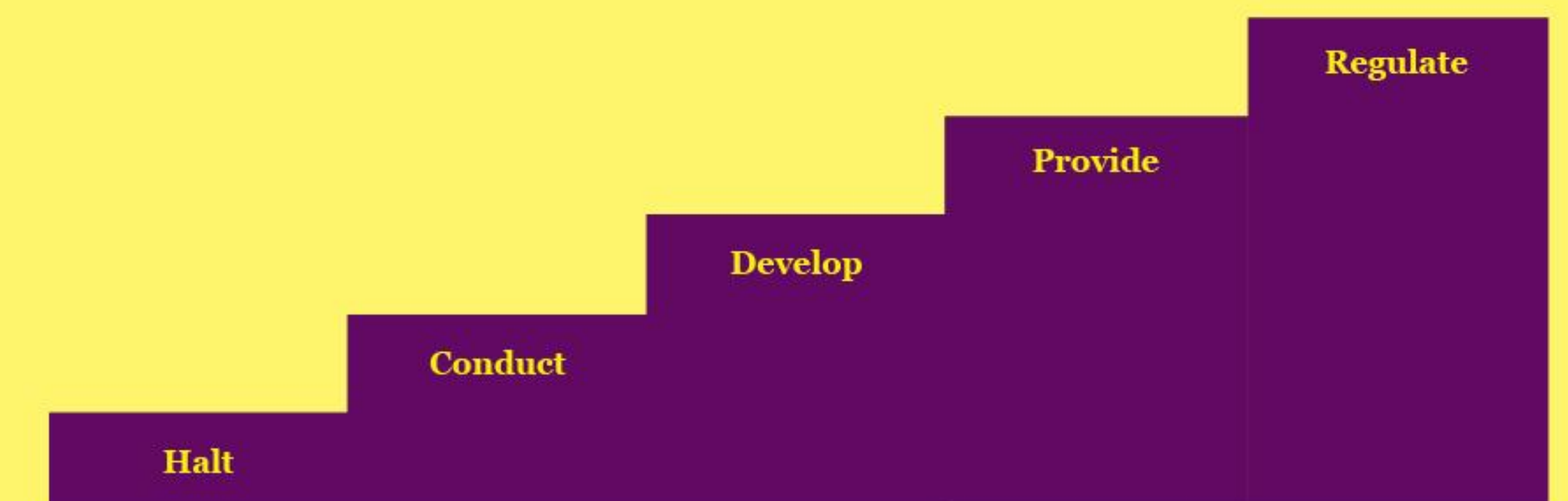
Implications for Practice

As more laws are restricting the residency of sex offenders at post release, studies have examined how these guidelines affect the lives of offenders. Barriers to reintegration into society have been identified by several researchers as the unintended consequences of these restrictions (Mercado et al., 2008; Minnesota Department of Corrections, 2007; Ohio Public Safety, 2006; Zgoba et al., 2008). These unintended consequences and barriers are not exhaustive but only provide a small portion of the emotional, sociological, and financial difficulties the restrictions can impose.

Recommendations

- 1) Provide alternatives to the restrictions, on the grounds of removing obstacles to reintegration would increase the likelihood of a safe entry into the community's setting (Levenson & Cotter, 2005).
- 2) Do not impose residency restrictions on all offenders as they do not pose an equal threat (Levenson & Cotter, 2005; Levenson & D'Amora, In press; Zgoba et al., 2009).
- 3) Take into consideration offender's individuality of dangerousness (Melroy et al., 2008).
- 4) Provide transitional housing for offenders who doesn't have any safe zone residency to return to after release.
- 5) Residency restrictions need to be deemed sensible and feasible: assessments of past criminal patterns and current risk factors need to be addressed (Levenson & Cotter, 2005).

Next Steps for Regulating Residency Restrictions



Step One:
Halt the passage of the residency restrictions until empirical evidence suggests these practices are associated with a decrease in recidivism (Melroy et al., 2008).

Step Two:
Conduct further evidence-based research in examining the benefits or the hidden consequences of residency restrictions (Zgoba et al., 2009).

Step Three:
Develop alternative policy proposals and encourage research that would address the problem of reintegrating offenders into society (Mercado et al., 2008).

Step Four:
Provide accurate information and education about sex offenders to the general public (Melroy et al., 2008).

Step Five:
Regulate media on sensationalized reporting (Melroy et al., 2008). The media reinforces misconceptions, which provide inaccurate information to fuel public perceptions of sex offenders (Levenson & D'Amora, In press). Media needs to be provided with current research findings to provide the public with accurate information to alleviate misconceptions and incorrect perceptions (Schiavone & Jeglic, 2009).