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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 reincarceration, 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 exact 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 (Chajeviski & Mercado, 2009). During, 2009; Melroy, Miller & Curtis, 2008; Mercado, Alvarez & Lenevanon, 2008; Zgoba, Lenevanon & McKee, 2009). There has been a limited number of evidence-based research on sex offender residency restrictions an an estemating factor in deterred 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?

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 sciences journals obtained through Sage, Academic Premier, and Proquest. The criminology database consisted of articles retrieved through the American Criminal Justice database. 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 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 relevance 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.

Background/Data: The phrase “sex offender” invokes fear amongst 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 (Zgoba, Levenson & Hart, 2008, Zgoba et al, 2008). 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 restrictions 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, Lenevanon, & Hart, 2008; 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 (During, 2006; Zandbergen et al., 2010). Minnesota doesn’t have any specific statutory language specifying from areas in which children congregate, nor does it mention Level II offenders having restrictions of residences, yet most offenders are placed on residency restrictions (During, 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 (MNDOC, 2007; Levenson & Cotter, 2005; Zandbergen et al., 2010). In fact, residency restrictions may “increase the stressors that can trigger reoffense” (Levenson & Cotter, 2005). 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 were the biggest barriers that they range from 500-2500 feet in straight line measurement (During, 2006; Zandbergen et al., 2010). 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 (Dawe et al., 2008; Levenson & D’Amora, In press). Sex offenders are more likely to violate to due a nonsexual offense such as probation violations (Dawe et al., 2008; Levenson & D’Amora, In press). These unintended consequences of these residency restrictions may “increase the stressors that can trigger reoffense” (Levenson & Cotter, 2005). 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 were the biggest barriers that

Conclusions: Residency restrictions for sex offenders are a fairly new concept since many of the states have implemented these policies just within the last five years. There has been a limited amount of research conducted to determine the affect of 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 deterrable the offender for successful reintegation 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 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., 2008).
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.
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).

References are available from the author upon request.