



Sex Offender Registration for Youth With Problematic Sexual Behaviors: What Happened When One State Discontinued This Practice?

Janet F. Rosenzweig, PhD, MS, MPA
Judith S. Rycus, PhD, MSW
Mike A. Nowlin, MSSA, LISW-S
Deborah Papworth, LLM

Introduction

There are currently more than 200,000 people who are listed on sex offender registries—some for life—for acts they committed when they were children (Juvenile Law Center, 2023). Their offenses often include acts such as simulating intercourse with similar-age siblings or peers, sexual exploration with younger children, or consensual sexual contact with another youth.

There are many widely documented negative and life-long consequences for youth placed on sex offender registries that can seriously affect their social, physical, and cognitive development as well as their mental health. These youth are trapped in a broad net that was cast 30 years ago, when less was known about the extremely low recidivism rate of youth who act out sexually, and during a period when the United States was politically tough on crime.

Annual costs to governments for managing youthful offenders are estimated to “range from \$10 million to \$100 million per year” (Belzer, 2015, p. 6). This is a relatively small portion of the total costs—social costs

increase this number by at least tenfold (Belzer, 2015, p. 6). Further, direct costs passed on to youth and their families range from hundreds to thousands of dollars per year and may lead to incarceration of the youth when impoverished families cannot meet these obligations (Human Rights Watch, 2013). The international advocacy organization Human Rights Watch (2013) claims that under human rights law, youth should be treated in ways that are appropriate for their age and capacity for rehabilitation, and that respect their rights to family unity, to education, and to be protected from violence. Registration and notification do just the opposite.

Policy History

Nearly a century ago, sex offender registries were created as a tool to help law enforcement identify potential suspects when a sex crime occurred. After the tragic and highly publicized murders of two children, Adam Walsh and Megan Kanka, by sex offenders in the 1990s, many

states created sexual offender registries and made community notification and publication of information from these registries the norm.

In July 2006, President George W. Bush signed the Adam Walsh Child Protection and Safety Act into federal law, mandating that all states create and maintain sexual offender registries. The federal Adam Walsh Act has seven major components, referred to as Titles. Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act (SORNA), listed a comprehensive set of minimum standards to regulate sex offender registration and notification. These were to be implemented in each state by July 27, 2009. A state's failure to substantially comply with the law could result in a 10% reduction in funding to that state under the Byrne Justice Assistance Grant.

A key provision of the Adam Walsh Act required that by 2011, youth be included in registration and community notification activities. Youth who committed an offense after their 14th birthday, and who were "adjudicated delinquent for a crime comparable to or more severe than aggravated sexual abuse, as defined in federal law" (Sexual Abuse Act of 1986), were to be included on the registry (Caldwell et al., 2008).

SORNA not only mandated including youth on registries but also made this information accessible and highly visible to both law enforcement officers and members of the general public by including youth on a National Sex Offender Registry and a public website. This meant that local communities publicly notified local residents or other interested groups of the identities and addresses of sex offenders in their communities. The stated motivations for this practice were to help law enforcement officers supervise and apprehend sex offenders who might reoffend, and to help local citizens protect themselves by monitoring and avoiding offenders living in their neighborhoods or communities.

This federal mandate from almost two decades ago coincided with an increase in youth crime at the same time that some of the key provisions of the juvenile justice system, developed in the 1950s and 1960s, were being rescinded. Together, this set the stage for youth with problematic sexual behaviors (Endnote) to be swept up in the same net as violent sex offenders.



Current Science

The Efficacy of Sex Offender Registries

In spite of the widespread popularity of sex offender registries among many policy makers, politicians, and law enforcement officers, there is no solid evidence that these registries have achieved their intended effect of reducing reoffending by sex offenders of any age. A landmark study completed by Sandler et al. (2008) used a time series analysis of sexual offense arrest rates in New York before and after implementation of SORNA. The study results showed that "over 95% of sexual offense arrests were committed by first-time offenders, casting doubt on the ability of laws that target repeat offenders to meaningfully reduce sexual offending" (Sandler et al., 2008, p. 284). Multiple additional studies confirmed this finding (see, for example, Zgoba & Mitchell, 2023; Sandler et al., 2017; Letourneau et al., 2010; Caldwell & Dickinson, 2009).

Unintended Consequences of Registration for Youth

Research has documented that youth on sex offender registries face multiple and lifelong negative consequences from registration and public notification. These experiences, including harassment and unfair treatment, create significant emotional distress for youth, including an increased risk of suicide (Letourneau et al., 2018), disruptions in their education, and limitations on their ability to attend college outside of their home state. Families may be required to segregate youthful “offenders” from siblings and other family members, increasing a youth’s feelings of isolation, relationship disruption, and emotional stress (Harris et al., 2016). Some studies have shown that youth on registries are at higher risk of being approached by an adult for sex (see, for example, Letourneau et al., 2010). In some cases, this risk is elevated by the requirement that youth appear at a designated public building for mandatory periodic re-registration, thus putting youth in the direct company of convicted adult sex offenders.

Moreover, there is widespread agreement among researchers that the weight of evidence to date from both individual studies and synthesis research suggests that therapeutic interventions for youth who sexually offend can, and do, work (Pryzbyski, 2015). Yet, registration, rather than treatment, appears to be the usual intervention for youth who exhibit problematic sexual behaviors.

In short, current literature confirms that sex offender registration and public notification for youth have a high cost, both economically and for youth development and well-being.

Recidivism in Youth with Problematic Sexual Behavior

Multiple studies have confirmed that youth with problematic sexual behaviors have a very low rate of recidivism. In fact, the rate of recidivism is lower for problematic sexual behaviors than for many other types of juvenile offenses (see, for example, Borduin et al., 2009). Moreover, sex offender treatment appears to be more successful with adolescents than it is with adult offenders (Kim et al., 2015). In their



review of multiple meta-analyses on the effects of sex offender treatment, Kim and colleagues also concluded that community-based treatments have a larger effect in reducing recidivism when compared with institutionally-based treatments. The findings reported in Bourdin et al. (2009) highly support this conclusion.

Community-based treatment is even more important when we consider a finding from a meta-analysis that reviewed interventions for children with sexual behavior problems, because the primary agent of change for youth sexual behavioral problems appears to be the youth’s parent or caregiver who is engaged and involved in the treatment process (St Amand et al., 2008). But in practice, certain provisions of registration and notification laws make it impractical, if not impossible, for youth to access community-based treatment, creating yet another unintended negative consequence of registration.

Confounding Policy Issues

Wide Variations Among States

After reviewing the legal frameworks for mandatory youth registration and notification across several jurisdictions, we found a significant degree of variation in both the substance of the laws and in their application. Registration can be temporary, or it can remain in effect for a lifetime. Some jurisdictions have elected to refrain entirely from implementing SORNA legislation for youth. Others have created a registration framework that relies on data from a risk assessment and an assessment of the severity of a youth’s offense to inform decisions. There is also considerable variation in judicial approaches to questions about the constitutionality of SORNA requirements for youth.



In some states and jurisdictions, the legal statutes governing youth registration and notification have not been updated to reflect changes made by subsequent Supreme Court decisions. In other jurisdictions, both the policies governing the discretionary criteria for registration and how these are applied in individual cases are opaque. This lack of transparency creates a high degree of uncertainty for youth, and it may hinder efforts by youth and their advocates to understand and protect the youth's rights.

Sex Offender Registries as 'Crime Control Theater'

The widespread popularity of community registration and notification laws— especially in light of a complete lack of evidence that they prevent reoffending— clearly qualifies as “crime control theater.” Hammond et al. (2010) explain crime control theater as enacting laws in response to perceived criminal threats and generating broad-based support for these laws as a legitimate means to address the perceived threat. These laws are attractive because they appeal to what Hammond et al. call “mythic narratives” (p. 548). In the case of youth who exhibit sexual behavioral problems, the narrative is that registries are “saving an innocent child from a predator” (Hammond et al., 2010, p. 545). Other examples of crime control theater have included laws and programs such as Just Say No and the War on Drugs for drug abuse prevention (see, for example,

Hartnett, 1995); DARE (see for example, Wyson et al., 2010); Scared Straight (see, for example, Petrosino et al., 2013; Klenowski et al., 2010); and Safe Haven to protect vulnerable newborns (Hammond et al., 2010). All were popular solutions to real or perceived problems, offered without any evidence of efficacy, yet none achieved its intended results. Crime control theater appeals to the public, often by touching on highly emotional issues. Such laws and programs often become very popular, making it difficult for elected officials to rescind them once they have been implemented. In an exploratory survey of 36 United States and Canadian politicians, Jung et al. (2020) found that fewer than half believed that Sex Offender Registries (SORs) helped protect the public (38.5%), and even fewer believed that SORs help prevent sexual offenders from committing either sexual (7.7%) or non-sexual offenses (26.9%) (p. 484). Yet the majority of politicians still believed that registry data should be made available to the public, illustrating the perceived “unsavoriness of revising sexual offender policies by applying evidence-based practices” (p. 490).

Sexual Issues in Public Policy

When sexuality issues are introduced into public policy, it often produces significant tensions in policy discussions and decisions. Public policies aimed at regulating sexuality are often based on a rationale of the need to protect society. McClelland and Frost (2014) claimed that “at the heart of many policies aimed at regulating sexuality are the notions of being a good, healthy, sexual citizen” (p. 328).

Although policy rationales often are focused on protecting the greater good of society, many individuals experience direct and indirect forms of psychological and physical harm through restrictions on obtaining sexual knowledge, managing their own bodies and sexual practices, and how issues of sexuality are managed both in families and social infrastructures. (p. 330)

The harms experienced from such policy frameworks usually most affect persons with the least power. Past examples include LGBTQ individuals who faced the possibility of criminal prosecution for expressing their



sexuality. Youth with problematic sexual behaviors have no social or political power and function in a society where accurate information and support to achieve healthy adult sexuality are highly fragmented (see, for example, Lindberg & Kantor, 2022) and lawmakers are generally ignorant about the effectiveness of treatment for these youth.

Challenges in Promoting Legal Changes

Advocates specializing in youth with problematic sexual behaviors recommend several strategies to promote changes in state registration laws or policy. The primary obstacle is that candidates for public office typically do not want to appear to be “soft on crime” or responsible for allowing or enabling sexual offending. Advocates recommend engaging public officials who have the authority to make needed law changes, but only if these officials would not be risking public censure during a contested election campaign if they provide open support. Another strategy is to identify an advocate in the executive branch of government who holds technical policy making authority, and who has a protected position, or an elected official in their final term of office.

California offers an example of the political challenges that can occur when trying to modify registration and notification law. California’s SB 384 (California Legislative Information, n.d.) was a carefully researched

and crafted bill developed collaboratively by clinicians, researchers, and law enforcement officials to address issues of youth registration. The group created tiers of potential offense levels and corresponding registration and notification requirements, so the requirements for each youth would be determined by an empirically supported probability of that youth reoffending. The bill had wide interdisciplinary and cross-system support, including from prosecutors and victim advocacy groups. Still, the bill was greatly diluted in response to political pressure initiated by one legislator in particular, who undermined the effort in what observers and advocates viewed as “crime control theater” to enhance her status with her constituency as a “protector of children.”

Because there will always be some risk of reoffense (since no predictive algorithm can claim 100% accuracy), elected officials are often loathe to risk sponsoring any legislative change that could ultimately be linked to a child being harmed. This concern is magnified when the potential crime is sexual in nature. Although sexual imagery and messaging are widespread in our current culture, discussing personal sexual acts remains taboo, and even more so if a child is involved. This undermines community capacity for a rational and transparent dialogue about sexual offender registries and the lack of evidence to support them.

What Happened When One State Stopped This Practice?

Because society’s emotional responses to the idea of a child being the victim of a sexual act present an obstacle to promoting justice and fairness to youth who act out sexually, it is important to continue to support research efforts seeking to infuse facts derived from data into the dialogue. This type of structured inquiry can help determine whether registration and notification laws are actually protecting children, and if they are also causing harm to adolescents and their families and communities.

The Child Maltreatment Policy Resource Center (CMPRC) recently undertook just such a research

project to infuse factual data into the policy process for youth with problematic sexual behavior. Our goal was to provide hard evidence about the outcomes in states where registration and notification for youth charged with sex-related offenses had been eliminated or severely restricted. To that end, we interviewed advocates to determine which states had eliminated or curtailed this practice. We additionally relied on data collected from the pro bono work of an international law firm, whose members analyzed SOR laws in several states that had been identified by advocates working in this sphere.

Pennsylvania emerged as a logical test state. On December 29, 2014, in response to a lawsuit brought by the Juvenile Law Center, the Pennsylvania Supreme Court issued an opinion upholding a lower court ruling that applying SORNA to juveniles was unconstitutional (In *The Interest of JB, a Minor*, 2014). Registration and community notification were subsequently discontinued, making Pennsylvania an ideal jurisdiction to assess the societal impact of ending this practice.

Methodology

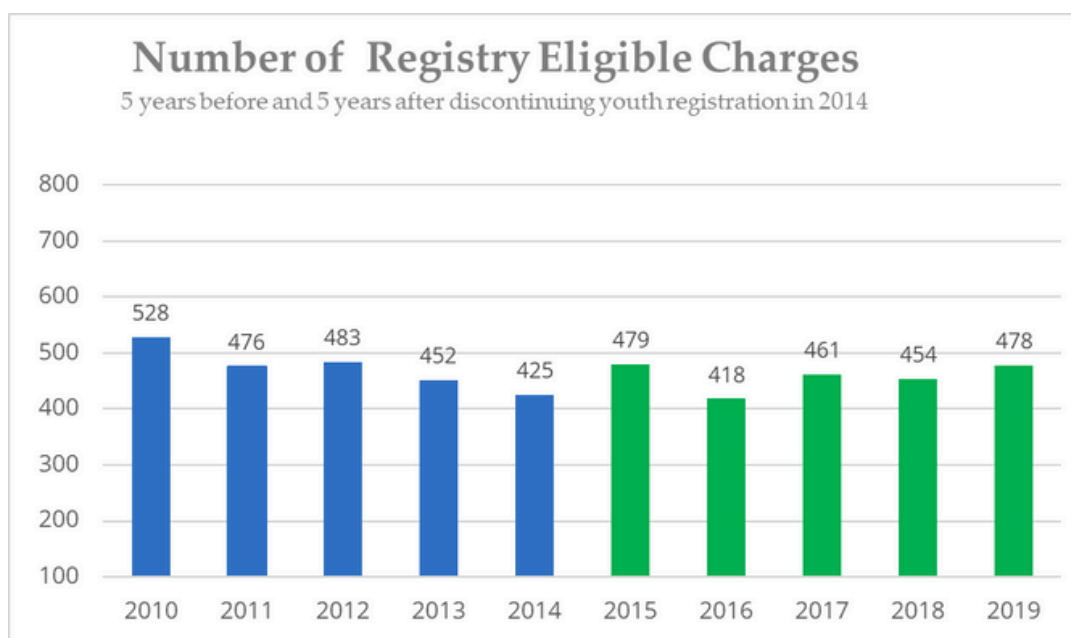
The National Juvenile Court Data Archive is maintained by the National Center for Juvenile Justice (NCJJ),

supported by a grant from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). States voluntarily submit data from cases processed through their courts with juvenile jurisdictions to the Data Archive, and the Data Archive managers create standardized, case-level data files enabling data aggregation and analysis. Details on the file structure and criteria for inclusion in this file can be found in the Technical Appendix to this brief. After obtaining an exempt determination from an Institutional Review Board and the necessary permissions from the Pennsylvania Juvenile Court Judges' Commission, we were able to obtain the raw data files from the National Juvenile Court Data Archive.

Findings

As shown in Chart 1, the trends in the number of sex-related charges in Pennsylvania juvenile court had been declining before the State Supreme Court decision, and five years after ending registration, the incidence has not reached the number of cases that existed in 2010, the baseline year 5 years before registration was discontinued.

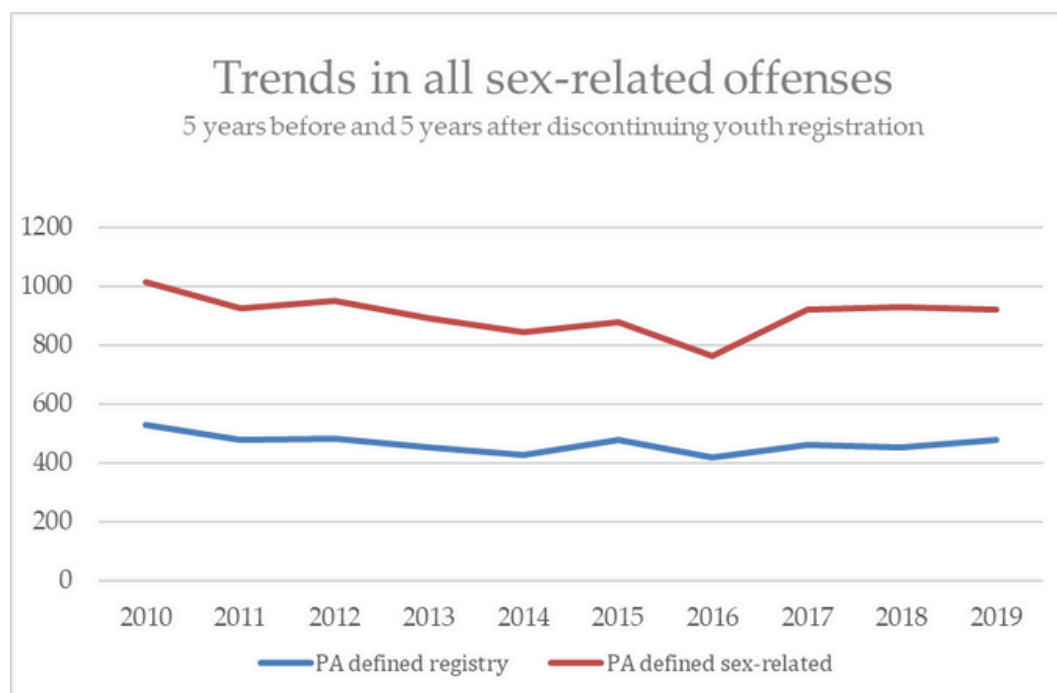
Chart 1



Note: 2017, 2018, and 2019 adjusted for lag in case closing – see Technical Appendix

Moreover, as shown in Chart 2, the trend in registry eligible and all juvenile sex offenses are parallel, further indicating the lack of impact of the registration requirement on the incidence of juvenile sex-related offenses.

Chart 2



Note: 2017, 2018, and 2019 adjusted for lag in case closing – see Technical Appendix

Finally, Table 1 shows the correlation between registry-eligible offenses and all sex offenses to all juvenile charges in a year; the trend in sex-related cases is strongly correlated to all juvenile offenses in this state.

Table 1: Correlations between juvenile sex-related charges and all juvenile charges over 10 years, 2010-2019

Category	Correlation to all juvenile charges
All Pennsylvania defined sex charges	.75
Pennsylvania defined registry eligible charges	.80

Eliminating the practice of registration and notification for youth appears to have had no effect on the number of sex-related charges in juvenile court in Pennsylvania. To test the importance of registration as a predictor of the number of sex-related charges during this 10-year period, we ran a regression analysis using the dataset adjusted for lagged cases, with a 0/1 dummy variable for the presence or absence of the registration requirement. There was no statistical significance for the registration variable when the model included the year ($t = -.624$, $sig = .552$) or when run as a bivariate model with the dependent variable ($t = -.756$, $sig = .472$).

Discussion

This analysis demonstrates that there was no impact on the number of juvenile cases of sex-related offenses processed in Pennsylvania's juvenile courts after registration and notification were prohibited. This adds to the growing body of literature on the lack of utility of registration and community notification as a prevention measure. Coupled with the strong literature on the treatability of youth with problematic sexual behavior and the harm that registration causes for youth and their families, one can only conclude that amendments or repeal would be in youth's best interests without increasing the numbers of sex-related offenses. Still, we believe because of the nature of the topic under discussion, it would take more courage and political capital than most legislators can muster in an era where opponents can publicly attack them so easily on any policy topic that causes palpable discomfort for so much of the population.



In Pennsylvania, ending the practice of registration and notification for youth was accomplished through the

intervention of the judicial branch of government, a branch that is least affected by and vulnerable to the effects of politics. The text of the opinion of the Pennsylvania Supreme Court (*In The Interest of JB a Minor*, 2014) is consistent with language in model legislation promulgated by the American Law Institute (2021) that clarifies the harms of registration for youth and the disconnect between this policy and the underlying foundation of the American juvenile justice system.

“While adult sexual offenders have a high likelihood of re-offense, juvenile sexual offenders exhibit low levels of recidivism...many of those who commit sexual offenses as juveniles do so as a result of impulsivity and sexual curiosity.”

In The Interest of JB a Minor, in the Supreme Court of Pennsylvania, Middle District No. 87 MPA 2019. Decided December 29, 2014.

Current Issues for Study and Advocacy

Realistic Reframing of Sexual Abuse Prevention as a Public Health Issue

The language we use to refer to these youth does make a difference in society's level of support for them. Research suggests that the label of “sex offender” promotes public support for policies that restrict or contain people who have perpetrated sexual crimes. When the “juvenile sex offender” label was tested against the more accurate and less inflammatory term “minor youth who have committed crimes of a sexual behavior,” the “juvenile sexual offender” label had a particularly powerful effect in enhancing public support for policies that subjected these youth to registration and public internet notification (Harris & Scotia, 2016). The juvenile sexual offender label also increases the public's perception that these youth have a propensity to reoffend, including after they become

adults. To address this problem, the federally funded National Center on the Sexual Behavior of Youth promotes use of the term “youth with problematic sexual behaviors,” or PSBs. (NCSBY.org, n.d.)

Safe, Effective Early Intervention

Several youth advocates and advocacy organizations have been working on early intervention. One leader is the Moore Center for the Prevention of Child Sexual Abuse. This group has worked to reframe child sexual abuse as a public health issue and, in collaboration with others, is developing tools for prevention, early identification, and early intervention. *The National Plan for the Prevention of Child Sexual Abuse and Exploitation (2020)*, developed by Prevent Together: The National Coalition to Prevent Child Sexual Abuse and Exploitation, also calls for early identification and intervention with youth showing signs of problematic sexual behavior—a call that is supported by the Juvenile Law Center, Human Rights Watch, The Moore Center, and others.

Estimates of the cost for the most effective community-based treatments are less than \$5,000 per youth (Dopp et al., 2020).

Specially designed variations of both cognitive behavioral therapy (CBT) and multisystemic therapy (MST) have been tested with this population of youth. The effectiveness of these interventions is well documented in the published literature, including results from randomized controlled trials (see Bourdin et al., 2009; Carpentier et al., 2006; Silovsky et al. 2018; St. Amand et al., 2008). Specialized community-based interventions have also been shown to have long-term effects on helping youth and further reducing the risk of recidivism (see Przybylski, 2015; Retizel & Carbonell, 2006; Seabloom et al., 2003). Estimates of the cost for the most effective community-based treatments are less than \$5,000 per youth (Dopp et al., 2020). However, the call for treatment and early intervention cannot be heeded if the draconian threat of registration and notification hangs over youth and their families.

Trying Youth with Problematic Sexual Behaviors as Adults

Advocates from some states claim to have prevented listing youth on registries at all by ensuring that no youth convicted in juvenile court for problematic sexual behavior is ever placed on a registry. However, there is considerable suspicion among advocates that some of these youth are waived up or transferred to adult criminal courts for trial, and that they end up on registries in spite of juvenile court practices to prevent this outcome. The federal reports on crime and sentencing define youth as being aged 25 and under, making it impossible to easily find youth who are minors. Moreover, youth who are transferred to the adult criminal court system would not be included in a data system in courts with a juvenile jurisdiction. This is an issue that requires immediate further study.

Calls to Action

Advocates working to reduce or eliminate registration and notification of youth can use the findings from the analysis of Pennsylvania data, along with the language from the Supreme Court decision, to help promote reform in their states. The political environment makes it wise to identify potential champions who are not facing an election, such as someone in their final term of a term-limited position, or a well-respected tenured staff in the state’s attorney general’s office. Another effective strategy has been to identify influential professionals serving within a cabinet-level agency in state government who can influence rulemaking in ways that set parameters or limit the application of existing criminal sanctions. In the meantime, there are concrete steps that advocates can take to promote just and evidence-based responses to youth with problematic sexual behaviors. They include the following:

- Professionals should replace the term “juvenile sex offender” with “youth with problematic sexual behaviors” and advocate for peers and colleagues to do likewise. This action is supported by the conclusive findings of three decades of research documenting that these youth are highly amenable to community and family-based treatment, and that they are unlikely to reoffend, particularly

when given supportive treatment. Once this is more widely understood, a discussion of the serious harms caused by registration can follow.

- Professionals should learn about policies in their own state affecting youth with problematic sexual behaviors. A good foundation is a report by the Juvenile Law Center (Pickett et al., 2020). Advocates should ask colleagues working in juvenile justice about their state's policies for waiving or transferring these and other youth to be tried as adults, and whether there is a means of identifying and counting those cases. Advocates might also confirm that their state participates in the National Juvenile Court Data Archive, and encourage them to do so if not currently participating, thereby enabling more robust national reporting.
- Professionals and advocates should access the research findings related to youth with problematic sexual behaviors and use it to educate others about both the lack of effectiveness of registration and notification and the ensuing serious harms for youth. University educators can incorporate this conversation and related research findings into classes in law, ethics, and any of the social sciences or clinical practice disciplines. This can also be an important topic for social media content and editorials.
- Professionals and advocates should use and share the resources offered by the National Center on the Sexual Behavior of Youth (NCSBY), which is part of the Center on Child Abuse and Neglect (CCAN) in the Department of Pediatrics of the University of Oklahoma Health Sciences. It is funded to develop resources and training materials for professionals from multiple disciplines (probation, mental health, medicine, education, law, child welfare, law enforcement, and the judiciary) that address youth with problematic or illegal sexual behavior. NCSBY also provides resources to help guide public policy, which can be found on their website at www.ncsby.org.
- Professionals and advocates should engage state legislators and legislative think tanks, such as the National Council of State Legislators, in discussions about youth with problematic sexual behaviors and the negative cost–benefit ratio of relying on sex offender registries for youth, as well as the difficulty
 - of getting an accurate count of the number of affected youth and families (including youth tried as adults), given the current inadequate systems for collecting and managing data.
 - Advocates should work within their communities to move the investment of public funds from registration and enforcement to supporting the professionals who deliver evidence-based interventions. Implementing the Adam Walsh Act of 2006 was conservatively estimated to cost \$300,000,000 per year in direct costs (Sandler et al., 2008). Adding the social costs can increase that number tenfold with little social benefit (Belzer, 2015). Evidence-based community treatment is estimated to cost less than \$5,000 per child (Dopp et al., 2020). Effective interventions can help to promote healthy development, safety, and well-being for these youth, their families, and their communities.



Disclaimers

The data from the Pennsylvania Juvenile Court Judges' Commission belong to, were generated by, and were made available by the National Juvenile Court Data Archive, which is maintained by the National Center for Juvenile Justice in Pittsburgh, Pennsylvania, and supported by a grant from the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. Neither the Pennsylvania Juvenile Court Judges' Commission nor NCJJ bears responsibility for the analysis and interpretations presented herein. Points of view or opinions contained within this

document are those of the authors and do not necessarily represent the official position or policies of the Juvenile Court Judges' Commission.

Endnote

Legal publications often substitute the term “juvenile” for youth and add the term “illegal” to describe the sexual behaviors in question. We use the term “youth with problematic sexual behavior” throughout this brief, given the cited research findings on the impact of terminology on public perception and the damage caused by misperceptions of dangerousness.

Acknowledgement

Legal research was provided by a pro bono team from Linklaters LLP, a leading global law firm advising the world's premier companies, financial institutions, and governments on their most important and challenging assignments. Linklaters provides pro bono legal advice and representation around the world to organizations in the nonprofit sector to help them achieve their missions.

Corresponding Author

Dr. Janet F. Rosenzweig
Email: jrosenzweig@ihs-trainet.com

About the Authors

Janet F. Rosenzweig, PhD, MS, MPA

Janet Rosenzweig is a Senior Policy Analyst at the Child Maltreatment Policy Resource Center, a lecturer at the Fels Institute of Government at the University of Pennsylvania, and a member of the Executive Committee of the National Coalition to Prevent Child Sexual Abuse and Exploitation. She is a certified sex educator and previously managed a national resource center for sex abuse prevention as VP for Research and Programs at Prevent Child Abuse America. She was Executive Director of the American Professional Society on the Abuse of Children (APSAC) from 2016 through 2021. She has worked for more than four decades on child and family welfare in both the public and nonprofit sectors.

Judith S. Rycus, PhD, MSW

Judith Rycus is Program Director of the Institute for Human Services and the Child Maltreatment Policy Resource Center. She has worked for five decades in the child welfare profession as an organizational development specialist, program developer and evaluator, trainer, training manager, consultant, and mentor. She has worked with government and non-government organizations and with professionals throughout the US and Canada and in many nations internationally. She is a widely published author, having written books, articles, training curricula, and policy white papers on multiple topics and dilemmas in child protection policy and practice.

Mike A. Nowlin, MSSA, LISW-S

Mike Nowlin is Director of Operations for the Institute for Human Services and the Child Maltreatment Policy Resource Center. Throughout his 30-year career he has worked in the US and Southeast Asia in child and family welfare, mental health, and anti-trafficking. He has served in a variety of roles including direct practice, performance improvement, facilitation, program implementation, advocacy, consulting, and executive management. Mike is also published in several international journals for his work on trauma and resilience.

Deborah Papworth, LLM

Deborah Papworth is a human rights lawyer consulting to international and non-profit organizations, with a particular focus on child protection, gender-based violence, human trafficking and forced migration. Deborah has worked internationally in Asia-Pacific, Asia, Europe and the U.S. in various legal capacities, including working with governments to enhance child protection measures and on inter-governmental processes addressing issues of trafficking in persons and exploitation.

Photographers

Our gratitude to the following photographers and photo websites; photos are credited in the order of their appearance. Tung An Vuong (Pexels); Canva; Wix; Anastasia Shuraeva (Pexels); Canva; Cindy Parks (Pixabay); Cottonbro studio, and Bess Hamiti (Pexels).

References

- American Law Institute. (2021). *Model penal code: Sexual assault and related offenses*. <https://www.ali.org>, accessed at <https://mitchellhamline.edu/sex-offenselitigationpolicy/wpcontent/uploads/sites/61/2021/06/Key-portions-of-Tentative-Draft-No.-5-May-2021.pdf>, on June 12, 2023
- Belzer, Richard B. (2015). The costs and benefits of subjecting juveniles to sex-offender registration and notification. R Street Policy Study No. 41. <https://www.rstreet.org/research/the-costs-and-benefits-of-submitting-juveniles-to-sex-offender-registration-and-notification/>
- Borduin, C. M., Schaeffer, Cindy M., & Heiblum, N. (2009). A randomized clinical trial of multisystemic therapy with juvenile sexual offenders: Effects on youth social ecology and criminal activity. *Journal of Consulting and Clinical Psychology*, 77(1), 26–37. <https://doi.org/10.1037/a0013035>
- Caldwell, M. F., & Dickinson, C. (2009). Sex offender registration and recidivism risk in juvenile sexual offenders. *Behavioral Sciences and the Law*, 27, 941–956. <https://doi.org/10.1002/bsl.907>
- Caldwell, M. F., Ziemke, M. H., & Vitacco, M. J. (2008). An examination of the sex offender registration and notification act as applied to juveniles: Evaluating the ability to predict sexual recidivism. *Psychology, Public Policy, and Law*, 14(2), 89–114. <https://doi.org/10.1037/a0013241>
- California Legislative Information. (n.d.). https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB384
- Carpentier, M., Silovsky, J. F., & Chaffin, M. C. (2006). Randomized trial of treatment for children with sexual behavior problems: Ten-year follow-up. *Journal of Consulting and Clinical Psychology*, 74(3), 482–488. [doi: 10.1037/0022-006X.74.3.482](https://doi.org/10.1037/0022-006X.74.3.482)
- Dopp A.R., Munday P., Silovsky J.F., Hunter M., & Slemaker A. (2020). Economic value of community-based services for problematic sexual behaviors in youth: A mixed-method cost-effectiveness analysis. *Child Abuse Neglect*. 2020. Jul; 105:104043. <https://doi.org/10.1016/j.chiabu.2019.104043>
- Hammond M., Miller, M. K., & Griffin, T. (2010). Safe haven laws as crime control theater. *Child Abuse and Neglect*, 34, 545–552. <https://doi.org/10.1016/j.chiabu.2009.11.006>
- Harris, A. J., & Socia, K. M. (2016). What's in a name? Evaluating the effects of the “sex offender” label on public opinions and beliefs. *Sexual Abuse: A Journal of Research and Treatment*, 28(7) 660–678. <https://doi.org/10.1177/1079063214564391>
- Harris, A. J., Walfield, S. M., Shields, R. T., & Letourneau, E. J. (2016). Collateral consequences of juvenile sex offender registration and notification: Results from a survey of treatment providers. *Sexual Abuse: A Journal of Research and Treatment*. 28(8), 770–790. [doi: 10.1177/1079063215574004](https://doi.org/10.1177/1079063215574004)
- Hartnett, S. (1995). Imperial ideologies: Media hysteria, racism, and the addiction to the War on Drugs. *Journal of Communication*, 45(4), 161–169. <https://doi.org/10.1111/j.1460-2466.1995.tb00760.x>
- Human Rights Watch. (2013). Raised on the registry: The irreparable harm of placing children on sexual offender registries in the U.S. (ISBN 978-1-62313-8004). <https://www.hrw.org/report/2013/05/01/raised-registry/irreparable-harm-placing-children-sex-offender-registries-us>

In The Interest of JB a Minor, Supreme Court of Pennsylvania, Middle District NO. 87 MPA 2019 Decided December 29, 2014. <https://www.pacourts.us/assets/opinions/Supreme/out/J-44A-2014mo.pdf?cb=2>

Jung, S., Allison, M., Toop, C., & Martin, E. (2020). Sex offender registries: Exploring the attitudes and knowledge of political decision-makers. *Psychiatry, psychology, and law: An interdisciplinary journal of the Australian and New Zealand Association of Psychiatry, Psychology, and Law*, 27(3), 478–492. <https://doi.org/10.1080/13218719.2020.1733698>

Juvenile Law Center. (2023). Sex offender registration of children (SORNA). <https://jlc.org/issues/juvenile-sex-offender-registry-sorna>

Kim, B., Benekos, P. J., & Merlo, A. V. (2016). Sex offender recidivism revisited: Review of recent meta-analyses on the effects of sex offender treatment, trauma, violence, and abuse. *Trauma, Violence, & Abuse*, 17(1). <https://doi.org/10.1177/1524838014566719>

Klenowski, P. M., Bell, K. J., & Dodson, K. D. (2010). An empirical evaluation of juvenile awareness programs in the United States: Can juveniles be 'Scared Straight'? *Journal of Offender Rehabilitation*, 49(4), 254–272. <https://doi.org/10.1080/10509671003716068>

Letourneau, E., Bandyopadhyay, D., Armstrong, K., & Sinha, D. (2010). Do sex offender registration and notification requirements deter juvenile sex crimes? *Criminal Justice and Behavior*, 37(5), 553–569. <https://doi.org/10.1177/0093854810363562>

Letourneau, E., Harris, A., Shields, R., Walfield, S., Ruzicka, A., Buckman, C., Kahn, G., & Nair, R. (2018). Effects of juvenile registration on adolescent well-being: An empirical examination. *Psychology, Public Policy, and the Law*, 24(1), 105–117. <https://doi.org/10.1037/law0000155>

Lindberg, L. D., & Kantor, L. M. (2022). Adolescents' receipt of sex education in a nationally representative sample, 2011–2019. *Journal of Adolescent Health*, 70(2), 290–297. <https://doi.org/10.1016/j.jadohealth.2021.08.027>

McClelland, S., & Frost, D. M. (2014). Sexuality and social policy. In D. L. Tolman & M. Diamond (Eds.), *The APA handbook of sexuality and psychology, volume 2. Contextual approaches* (pp. 311–337). American Psychological Association. <https://doi.org/10.1037/14194-010>

Moore Center for the Prevention of Child Sexual Abuse, Johns Hopkins, Bloomberg School of Public Health. <https://www.jhsph.edu/research/centers-and-institutes/moore-center-for-the-prevention-of-child-sexual-abuse/>

Munday, P., Slemaker, A., Dopp, A., Beasley, L., & Silovsky, J. (2020). Qualitative analysis of administrator, provider, and stakeholder views on the costs and benefits of a treatment for problematic sexual behavior of youth. *Administration and Policy in Mental Health and Mental Health Services Research*, 47(1), 126–137. National Center on the Sexual Behavior of Youth. <https://doi.org/10.1007/s10488-019-00978-3>

National Center for the Sexual Behavior of Youth (n.d.) <https://www.ncsby.org/>

National Council of State Legislators (n.d.) <https://www.ncsl.org/>

National Juvenile Court Data Archive (n.d.) <https://www.ncjfcj.org/national-center-for-juvenile-justice/national-juvenile-justice-data-collections/>

National Sex Offender Registry (n.d.) <https://www.nsopw.gov>

Petrosino, A., Turpin-Petrosino, C., Hollis-Peel, M., & Lavenberg, J. G. (2013, April). 'Scared Straight' and other juvenile awareness programs for preventing juvenile delinquency: A systematic review. *Campbell Systematic Reviews*, 5. doi: [10.1002/14651858.CD002796.pub2](https://doi.org/10.1002/14651858.CD002796.pub2)

Pickett, M., Satifka, E., & Shah, R.S. with Wiener, V. (2020). Labeled for Life: A Review of Youth Sex Offender Registration Laws. The Juvenile Law Center, accessed at <https://jlc.org/sites/default/files/attachments/2020-09/Labeled%20for%20Life%202020.pdf>

Prevent Together: The National Coalition to Prevent Child Sexual Abuse and Exploitation. (2021). *The national plan to prevent child sexual abuse and exploitation*. <https://preventtogether.org/>

Przybylski, R. (2015). *The effectiveness of treatment for juveniles who sexually offend*. The Sex Offender Management Assessment and Planning Initiative, USDOJ. <https://smart.ojp.gov/sites/g/files/xyckuh231/files/media/document/juveniletreatment.pdf>

Reitzel, L. R., & Carbonell, J. L. (2006). The effectiveness of sexual offender treatment for juveniles as measured by recidivism: A meta-analysis. *Sexual Abuse: A Journal of Research and Treatment*, 18, 401–421. doi: [10.1177/107906320601800407](https://doi.org/10.1177/107906320601800407)

Sandler, J., Freeman, N., & Socia, K. (2008). Does a watched pot boil? A time-series analysis of New York state's sex offender registration and notification law. *Psychology, Public Policy, and Law*, 14(4), 284–302. doi: [10.1037/a0013881](https://doi.org/10.1037/a0013881)

Sandler, J., Letourneau E., Vandiver, D., Shields, R., & Chaffin, M. (2017). Juvenile sexual crime reporting rates are not influenced by juvenile sex offender registration policies. *Psychology, Public Policy, and the Law*, 23(2), 131–140. <https://doi.org/10.1037/law0000118>

Seabloom, W., Seabloom, M., Seabloom, E., Barron, R., & Hendrickson, S. (2003). A 14- to 24-year longitudinal study of a comprehensive sexual health model treatment program for adolescent sex offenders: Predictors of successful completion and subsequent criminal recidivism. *International Journal of Offender Therapy and Comparative Criminology*, 47, 468–481. doi: [10.1177/0306624X03253849](https://doi.org/10.1177/0306624X03253849)

Silovsky, Jane F., et al. (2019.) Impact of early intervention for youth with problematic sexual behaviors and their caregivers. *Journal of Sexual Aggression*, vol. 25, no. 1, Mar. 2019, pp. 4–15. doi: [10.1080/13552600.2018.1507487](https://doi.org/10.1080/13552600.2018.1507487)

St. Amand, A., Bard, D. E., & Silovsky, J. F. (2008). Meta-analysis of treatment for child sexual behavior problems: Practice elements and outcomes. *Child Maltreatment*, 13(2), 145–166. <https://doi.org/10.1177/1077559508315353>

Wysong, E., Aniskiewicz, R., & Wright, D. (1994). Truth and DARE: Tracking drug education to graduation and as symbolic politics. *Social Problems*, 41(3), 448–472. <https://doi.org/10.1525/sp.1994.41.3.03x0448f>

Zgoba, K. M., & Mitchell, M. M. (2023). The effectiveness of sex offender registration and notification: A meta-analysis of 25 years of findings. *Journal of Experimental Criminology*, 19(1), 71–96. <https://doi.org/10.1007/s11292-021-09480-z>

Technical Appendix

The Data Set

The National Juvenile Court Data Archive is maintained by the National Center for Juvenile Justice (NCJJ), supported by a grant from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). States voluntarily submit data from cases processed through their courts with juvenile jurisdictions to the Data Archive, and the Data Archive managers create standardized, case-level data files enabling data aggregation and analysis. Data on each case entering the juvenile court system is entered into a court's case management system once the case reaches final disposition and is closed. Each record could have up to 3 charge codes. Images of files from participating states are submitted to the NCJJ who converts records from all participating states to a standard format, enabling aggregation and comparison.

For this project, data was received in 2 SPSS files, one containing data on cases with a referral date of 2009 and prior, and one containing data on cases with a referral date of 2021 and prior.

Data with a referral year of 2009 was not suitable for a trend analysis due to a change in dataset formatting; therefore, the earliest referral year for the trend analysis was 2010. There was a total of 318,711 cases referred for any charge that met the criteria for initial inclusion.

Given that cases are not entered into this system until they reach final disposition and are closed, it was important to estimate the number of cases charged in a given year that had not yet been closed, and therefore, were not included in the dataset.

In the dataset, 90.2% of cases were closed within three calendar years of the referral year (referrals from 2019 were included in a file created in 2022); 94.5% of cases were closed within four years (referrals from 2018 were included in a file created in 2022); and 96.9% of cases were closed within five years (referrals from 2017 were included in a file created in 2022). Therefore, we estimated total referrals by adding 9.8% to 2019 referrals, 5.5% to 2018 referrals and 3.1% to 2017 referrals.

The Pennsylvania State Supreme Court decision that ended registration for juveniles occurred in 2014 which provided a natural midpoint of 2015 for the analysis.

The Analysis

Subjects

There were 318,711 arrests/referrals arrayed as row vectors of data. Each row vector contained information on an individual arrest/referral and could contain up to 3 charges. For each charge, we extracted 4 data points: the referral year and the three charge codes which described the offense. We imported the four data points into Excel.

All data was deidentified and the units of observation and analysis were individual referrals. Therefore, it is possible that an individual youth could be represented more than once; this is not a recidivism study.

Identifying Sex Related Charges

We created a data dictionary using the value labels for each charge code supplied by the NCJJ as part of the SPSS data set; there were 1,670 different charge codes in the files. With officials at the NCJJ, we manually reviewed all charges and identified 178 sex-related charge codes for the initial analyses.

With officials from PA, we identified a subset of charge codes defined as violent sex offenses in PA law (N=99 charge codes), non-violent sex offenses (N=65 charge codes) and a subset of charge codes that would have required registration prior to the Supreme Court decision. (N=60). The full list of charge codes is available upon request. We created a table in the Excel files for each subset of charges.

We wrote a macro that read each row vector and placed a marker in the case if any of the three charges in that vector appeared on the table with the specific list for all sex-related changes and the 3 subsets. That is, if a youth had more than one sex-related charge in the same record (arrest/referral) they were only counted once.

To generate a count of all sex-related charges in a given year, we counted the markers for each year for each subset.

To generate a count of all juvenile charges in a given year to develop a trend comparison, we counted the frequency of referral year for all 318,711 cases in the data set.

Table 2: Count of Cases by Year Adjusted for Lag in Case Closing

Year	PA all sex offenses	PA registry eligible	All juvenile charges	Adjustment factor for lag in closing
2010	1,012	528	31,561	
2011	924	476	27,882	
2012	951	483	23,338	
2013	889	452	25,341	
2014	845	425	23,513	
2015	877	479	22,493	
2016	763	418	20,912	
2017	920	461	22,753	1.031
2018	929	454	21,103	1.055
2019	922	478	22,202	1.098

Child Maltreatment Policy Resource Center



www.cmprc.org

info@cmprc.org

The Child Maltreatment Policy Resource Center (CMPRC) was founded and is operated by the Institute for Human Services (IHS) in Columbus, Ohio. The Center was created as a think tank to drive proactive change in both public policy and direct practice in the fields of child maltreatment and child protection. We identify and analyze the most pressing problems and dilemmas confronting the field, and we research and apply the best available evidence to help resolve them.

The Center's leaders and staff members have advanced professional degrees in psychology, social work, child development, public administration, law, medicine, and public policy. Together they have many decades of experience in research, policy analysis, policy development, direct practice, academic education, and inservice training in child maltreatment.

The Center's products include policy white papers, practice guidance, issue briefs and training opportunities for policy makers and practitioners in the professions responsible for serving maltreated children and their families.

Visit our web site at www.cmprc.org for more information.

