IS PUBLIC SUPPORT FOR SEX OFFENDER REGISTRATION POLICIES DRIVEN BY A DESIRE TO PROTECT SOCIETY OR PUNISH OFFENDERS?

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ABSTRACT

Sex offender registration policies were designed to help protect the public from dangerous sexual predators. Registration policies are becoming more and more inclusive of sex offenders and recently have been extended to juvenile sex offenders as well. This trend might be driven by well-documented, high levels of public support for sex offender registration policies. Unfortunately, no research has revealed that registration policies effectively prevent sex offenses. Instead, such policies have deleterious effects on the lives of those registered (e.g., social isolation and harassment, mental illness, unemployment) in ways that ironically might increase the likelihood of subsequent criminal activity. Even so, public support for registration policies remains high, presumably because the public incorrectly assumes that registration
policies protect society. Yet, is public support for sex offender registration policies driven purely by a utilitarian desire to protect society? In this chapter, we review two competing underlying psychological mechanisms that we theorize drive support for registration policies: utilitarian goals to protect society versus retributive goals to punish sex offenders.

Our review of empirical research suggests that support for sex offender registration policies is not driven just by a utilitarian desire to protect society from known, dangerous sex offenders - the only legal justification for registration policies. Instead, research suggests that support for sex offender registration policies stems from both utilitarian goals of protecting society, as well as retributive goals of punishment. Policy makers should recognize that placing sex offenders on the registry, even after these offenders have completed their official prison sentence, at least partially satisfies public desire for retribution, even though retribution is antithetical to the purpose of registration policies.

In 1994 the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act ushered in the modern era of sex offender registration laws in the United States (Windlesham, 1998). The Wetterling Act was the first federal law establishing registration policies for sex offenders, which require sex offenders to provide information such as their home address and details about their sex crime to their local community, often by making it available to the public on the Internet. In 2006, the Adam Walsh Act, also known as the Sex Offender Registration and Notification Act, was passed (SORNA; 42 U.S.C. § 16911). The key purpose of this federal legislation was the establishment of federal standards for community notification and sex offender registration, designed to provide a nationwide network of registered sex offenders and keep the public informed of their whereabouts (SORNA; 42 U.S.C. § 16911). Notably, this act made registration policies even more inclusive by, for instance, extending mandatory registration to juveniles who commit sex offenses (Caldwell, Zienke, & Vitacco, 2008) and extending the jurisdiction of the federal government, primarily U.S. Marshals, in locating unregistered sex offenders (SORNA; 42 U.S.C. § 16911).

Sexual registration policies may have largely stemmed from utilitarian goals to protect society and make the public feel safer (e.g., Williams, 2009). In support, research has shown that the public endorses four assumptions about sex offenders that clearly augur for inclusive registration policies: (a) that sex offenders will inevitably reoffend, (b) that they often kill their victims, (c) that their victims are usually children, and (d) that they are typically strangers to
their victims (Sample, 2009). Although these assumptions are largely untrue (Francis & Soothill, 2000; Quinsey, Khanna, & Malcolm, 1998; Sample & Evans, 2009), endorsement of such beliefs suggests that the public might feel it is necessary to protect society from heinous sexual offenders. Thus, there appears to be some evidence that the trend toward more and more inclusive registration laws has been driven by a utilitarian desire to protect society. Yet, might there be an alternative underlying psychological motivation for sex offender registration laws—a motivation that is not driven by concern for protecting society? Some empirical evidence supports this possibility. In other words, the public clearly overestimates the frequency of sexual assaults committed by strangers and the recidivism rates of sex offenders (e.g., Sample; Levenson, Brannon, Fortney, & Baker, 2007). These false beliefs suggest that registration policies stem from utilitarian concerns, yet there is evidence that the continued growth of registration policies might also be driven by retributive desires to punish sex offenders. For instance, when asked whether they would still support registration laws even if there is no evidence that they reduce sex offenses, a majority of respondents (73%) indicated that they would (Levenson, Brannon, et al.)—a finding suggesting that utilitarian desires to protect society alone do not explain registration support. This possibility is supported by research conducted by Redlich (2001) who found that sex offenders, more than other types of offenders, elicit strong anger from the community—an emotion that significantly predicts a punitive desire for retribution (Weiner, 2006). Thus, it is possible that one underlying psychological predictor of support for sex offender registration laws might very well be a desire to punish sex offenders for their wrong-doings—a goal that is antithetical to the purpose of such laws.

In this commentary, we seek to uncover evidence of the underlying psychological processes that drive support for sex offender registration policies. To accomplish this, we first review research examining public support for registering both adult and juvenile sex offenders. We next rely on attribution theory to inform how two competing underlying psychological constructs might drive public support for registration policies: utilitarian goals of protecting society versus retributive goals of punishing the offender. We conclude by examining the antithetical relationship between motivations underlying public support for sex offender registration policy and legal justifications for registration policies.
PUBLIC SUPPORT FOR REGISTRATION LAWS

Public Support for Registering Adult Sex Offenders

Survey research has revealed strong public support for applying registration laws to adult sex offenders (Levenson, Brannon, et al., 2007; Phillips, 1998; Schiavone & Jeglic, 2009). For instance, Levenson, Brannon, and colleagues surveyed a representative, Florida community member sample, finding that the vast majority of participants (76%) believed that all sex offenders should be registered. Only a small proportion acknowledged that sex offenders are a heterogeneous group, with 12% of participants stating that low-risk offenders can be excluded from the registry. In another study, Phillips examined public support for sex offender registration in the state of Washington by surveying 400 participants via the telephone over a four-week period. Overall, the majority of participants (80%) believed that sex offender registration laws were extremely important to the community.

Although public support for registration policies is high, endorsement from individuals within the mental health field is less strong (Malesky & Keim, 2001). In fact, the majority of mental health professionals believed that registration laws would not reduce child sexual abuse, and that registration laws garner a false sense of security (Malesky & Keim). Diminished support for registration policies among mental health professionals may very well reflect greater experience with and understanding of the realities and myths associated with sexual violence. For instance, although the media emphasizes violent rape perpetrated by strangers, most sex crimes (76%) are actually perpetrated by known and trusted individuals (Tjaden & Thoennes, 1998) – a reality that mental health professionals are likely to recognize due to experience with such victims. In fact, rape victim crisis support groups and child sexual abuse victim advocates have publicly condemned sex offender registration policies, arguing that they were developed to prevent highly sensationalized violent sexual assaults – rare crimes that are not experienced by the typical sexual assault victim (e.g., Wetterling & Wright, 2009). Given the realities of sexual assault, it should come as no surprise that registration policies have been shown to be ineffective in reducing sex offender recidivism (Adkins, Huff, & Stageberg, 2000; Caldwell & Dickinson, 2009; Letourneau & Armstrong, 2008; Sandler, Freeman, & Socia, 2008; Schram & Milloy, 1995); unsuccessful in reducing and preventing sex offenses in general (e.g., Letourneau & Armstrong; Sample & Evans, 2009); inadequate in their attempt to provide support for victims of sex crimes (Sample & Evans); and out of
sync with the current scientific research on sexual offending (Sample & Evans; Levenson, D’Amora, & Hern, 2007). Nonetheless, public support for registering adult sex offenders remains high, particularly among community members who lack experience with sexual assault victims (Sample & Evans).

**Public Support for Registering Juvenile Sex Offenders**

With the recent extension of registration policies to juvenile sex offenders, social scientists have begun to recognize the need for exploring public perceptions of registering juvenile offenders (for a review, see Salerno, Stevenson, et al., 2010).

Salerno, Najdowski, et al. (2010) conducted a series of three studies examining public support for registering adult and juvenile sex offenders. The first study included a variety of participant samples (i.e., community members, undergraduates, family law attorneys, and prosecutors) that were randomly assigned to complete a questionnaire assessing their perceptions of either adult or juvenile sex offenders. Interestingly, there was no main effect of offender age (juvenile vs. adult) on support for registration. Yet, an interaction between sample and offender age emerged such that only family law attorneys (but no other samples) were less supportive of registration for juvenile sex offenders than adult sex offenders. This effect likely emerged due to family law attorneys’ greater degree of experience working with juvenile sex offenders in an advocacy-related role. Yet, collapsed across sample, the vast majority of participants (95%) supported some form of registration for both juvenile and adult sex offenders. In their second study, participants were asked to describe the typical juvenile or adult sexual offender. Many participants described a serious offender (i.e., a rapist) and their descriptions did not vary as a function of offender age (juvenile vs. adult). Although participants who envisioned a less serious offender were less supportive of registration than those who envisioned a more serious offender, again, there was no effect of offender age on registration support. Instead, results revealed a high level of registration support for both juvenile and adult sex offenders.

In their final study, Salerno, Najdowski, and colleagues (2010) examined support for the registry as a function of offense severity (less severe or more severe) and the age of the juvenile sex offender (12 years old or 16 years old). There was a main effect of juvenile offender age such that participants were more likely to support the registry for the 16-year-old offender than for the 12-year-old offender. When participants were asked about specific, less serious
juvenile sex offenses (such as child pornography or consensual statutory rape), public support for registration was much lower than for the serious sexual offense of forced rape. These results are interesting because although support for registration was high only for the crime of forced rape, and quite low for the less serious offenses, juveniles are nonetheless currently being registered for all such offenses.

Research has also begun to uncover extralegal factors such as ethnicity that predict support for registering juvenile sex offenders (for a review, see Stevenson, Sorenson Farnum, Skinner, & Dzwairo, in press). For instance, Stevenson, Sorenson, Smith, Sekely, & Dzwairo (2009) examined support for juvenile registration as a function of the race of the defendant and victim (Black or White) in the context of a consensual statutory rape scenario. They found that participants were more likely to recommend registering the juvenile when the defendant and victim were different races than when they were the same race, perhaps reflecting a lingering lack of societal acceptance of interracial relationships. In other words, participants likely perceived an ambiguously serious sex act between two teens (i.e., consensual, yet technically illegal, underage sex) as more like a true crime when they were of different races than when they were the same race.

In summary, research reviewed thus far has revealed strong public support for registering adult and juvenile sex offenders. Yet, support for registration varies as a function of sample characteristics, sexual offense severity, and extralegal factors such as race of the defendant and the victim. This research has the potential to inform underlying psychological motivations that drive public support for registration laws, which we turn to next.

**Underlying Psychological Determinants of Registration Support: Utilitarian Versus Retributive Goals of Punishment**

What drives public support for sex offender registration policies? We explore two possible underlying determinants of public support for registration policies: a utilitarian desire to protect society versus a retributive desire to punish sex offenders (Carlsmith, Darley, & Robinson, 2002). In so doing, we rely on Weiner’s (2006) attribution theory, which provides a theoretical framework for understanding the competing punishment goals (utilitarian vs. retributive) that are theorized to drive participants’ support for sex offender registration policy.
Inferring causes of a person’s behavior is a process known as attribution (Schneider, Hastorf, & Ellsworth, 1979). According to attribution theory (Weiner, 2006), the different types of attributions that people make about the cause of a crime can be organized such that they produce predictable judgments of a defendant’s criminal responsibility and likelihood for future offending. In general, theories of attribution suggest that participants will render more punitive case judgments (such as death instead of life) when the cause of the crime is perceived to have been internal (i.e., caused by factors within the person, like disposition), controllable (i.e., intentional), and stable (i.e., caused by a constant factor and therefore likely to occur again) (Shaver, 1985; Weiner). In contrast, participants will render more lenient case judgments when the cause of the crime is perceived to have been external (i.e., caused by situational factors, like the environment), uncontrollable (i.e., unintentional), and unstable (i.e., caused by a temporary factor and therefore unlikely to occur again) (Shaver; Weiner). In fact, research has shown that the lower the perceived internality, intentionality, and stability of the cause of the crime, the less punitively participants treat an offender (Carroll, 1978; Carroll & Payne, 1977; Graham, Weiner, & Zucker, 1997).

To explore the underlying psychological processes associated with justice decision-making, Graham et al. (1997) proposed a model that depicts how retributive and utilitarian punishment goals mediate the influence of attributions on punishment decisions. Specifically, Graham et al. theorized that a controllable attribution should trigger the belief that the defendant is responsible for the crime, and in turn, increase anger and reduce sympathy for the defendant, which in turn, should enhance retributive goals of punishment (i.e., a desire to “get even” with the defendant). In contrast, a stable attribution should predict the belief that the defendant will commit future crimes, and in turn, enhance utilitarian goals of punishment (i.e., future crime deterrence). Furthermore, endorsement of both retributive goals (e.g., the defendant should “get what he deserves”) and utilitarian goals (e.g., punishment will deter the defendant from committing future crime) are theorized to predict particularly severe punishment, albeit via psychologically different pathways.

To test this model, Graham et al. (1997) asked undergraduate participants to read one of 4 versions of a murder vignette in which dimensions of controllability and stability were manipulated. Specifically, the stability dimension was manipulated such that the defendant either had a criminal history (stable condition) or did not have a criminal history (unstable condition). The controllability dimension was manipulated such that the defendant’s actions were either controllable or were not controllable (i.e., a
result of a panic disorder). As the authors hypothesized, participants assigned greater responsibility to the defendant, had more anger, and less sympathy toward him when the crime was controllable than uncontrollable. Further, the stability of the crime did not influence perceived responsibility or emotions, but instead was associated with increased expectancy that the defendant would commit future crimes. Graham et al. found that the best fitting model was one in which controllability (not stability) predicted responsibility, which in turn predicted both anger and sympathy, which in turn predicted a retributive approach to punishing the defendant (not a utilitarian approach). In addition, stability predicted expectancy for future crimes, which predicted a utilitarian approach to punishing the defendant (not the retributive approach). Finally, endorsement of both the utilitarian approach and the retributive approach of punishing the defendant in the case predicted severe punishment.

Thus, there appears to be considerable evidence that both retributive and utilitarian punishment goals predict sentencing decisions. Although sex offender registration policy is legally justified only as a means for protecting society (a utilitarian concern), attribution theory applied to legal decision-making suggests that retributive goals of punishment may also be relevant to understanding public support for registration policy. Next, we review existing empirical evidence that sheds light on these competing punishment goals as explanations for registration support, starting first with utilitarian goals of punishment.

**Evidence of Utilitarian Motivations for Registration Support**

A great deal of evidence suggests that support for sex offender registration policies largely stems from a serious concern for protecting society from dangerous sex offenders (e.g., Ellsworth & Ross, 1983; Keller, Oswald, Stucki, & Gollwitzer, 2010). For instance, when people are explicitly asked to self-report the underlying motivations behind their sentencing decisions, they tend to claim that their decisions are motivated by utilitarian goals aimed at reducing crime and protecting society (Ellsworth & Ross; Keller, Oswald, Stucki, & Gollwitzer). Although self-report measures have limited internal validity, additional empirical evidence suggests that support for registering sex offenders may in fact stem from utilitarian concerns about protecting society.

Consider, for instance, myths regarding sex offenders that are endorsed by the public: (a) that sex offenders always reoffend, (b) that they frequently kill their victims, (c) that their victims are generally children, and (d) that they are
typically strangers to their victims (Sample, 2009). Beliefs that sex offenders pose an extreme danger to society may very well drive support for registration. In fact, several studies have revealed evidence that utilitarian concerns emerge as statistically significant mediators for predictors of registration support. For instance, Salerno, Najdowski, et al. (2010) found that family law attorneys (but not undergraduates, community members, or prosecutors) were less supportive of registering juvenile sex offenders than adult sex offenders, likely due to their experience working with juvenile sex offenders in an advocacy related role. The researchers also measured utilitarian goals of punishment by assessing participants’ belief that sex offenders are a danger to society, finding that family law attorneys also believed that juvenile sex offenders are less dangerous to society than adult sex offenders. Mediation analyses confirmed that the effect of sex offender age was indeed mediated by utilitarian concerns for society. In other words, family law attorneys were less supportive of registering juvenile sex offenders than adult sex offenders because they believed that juvenile sex offenders pose less danger to society.

In a second study, Salerno, Najdowski, et al. (2010) asked participants to describe the typical juvenile sex offender, finding that many naturally envision a serious juvenile sex offender prototype (e.g., a rapist who is likely to reoffend), while others envision a less serious prototype (e.g., a juvenile who committed statutory rape or who naively sexually experimented). Furthermore, they found that participants who naturally envision a serious offender prototype were more likely to support juvenile sex offender registration laws than those who envisioned a less serious prototype. Finally, mediation analyses revealed that the effect of offender prototype on registration support was driven by utilitarian concerns about protecting society. Specifically, participants who envisioned a serious offender prototype supported registration more than those who envisioned a less serious prototype because they believed that juvenile sex offenders posed a greater danger to society.

In summary, strong support for sex offender registration laws indeed appears to be driven, at least in part, by a utilitarian concern for protecting society from dangerous sex offenders, as revealed through public overestimations of sex offender recidivism rates, and via statistically significant mediation of utilitarian concerns on registration support.
Evidence of Retributive Motivations for Registration Support

Alternatively, it is possible that support for sex offender registration policy might also, at least in part, stem from an emotionally based retributive desire to punish sex offenders. For instance, although self-reports reveal strong endorsement of utilitarian, deterrence-based goals of punishment (Ellsworth & Ross, 1983), empirical evidence suggests that individuals in the United States primarily rely on retributive goals of punishment during justice decision-making, or in other words, a desire to get even (Carlsmith, 2008; Carlsmit et al., 2002; Darley, 2002; Darley, Carlsmit, & Robinson, 2000; Gerber & Englardt-Greer, 1996). Myriad studies show that participants rely heavily on the heinousness of the crime and other aggravating or mitigating factors when sentencing an offender (Carlsmith; Darley et al.; Gerber & Englardt-Greer), and disregard factors related to deterrence (i.e., likelihood to reoffend) (Ellsworth & Ross; Levenson, Brannon et al., 2007). For example, Carlsmit et al. manipulated moral offensiveness, offense severity, and likelihood of getting caught in the context of multiple criminal offenses. Participants were, indeed, more sensitive to factors associated with a retributive approach to punishment (e.g., moral offensiveness and severity of the offense) when rendering sentences and less sensitive to factors associated with a utilitarian approach (e.g., likelihood of getting caught and offense frequency), even though most respondents explicitly endorse a utilitarian approach. Darley et al. also found that sentence lengths were more influenced by the offense severity (a retributive perspective) than by the likelihood for future offenses (a utilitarian perspective). In addition, Carlsmith found that participants overwhelmingly supported punishments that were proportional to offense severity, a finding in line with retributive punishment motivations. Specifically, participants were asked to rate the fairness of two potential punishments for a student caught distributing drugs on a high school campus: a parent-teacher conference or expulsion from school. Half of the participants read a vignette describing a student who shared a Midol tablet with a friend suffering from menstrual cramps, while the other half read about a student who sold illicit drugs to classmates. While the majority of participants supported expulsion for the student who sold illicit drugs they were significantly less likely to support the severe punishment (expulsion) for the student who shared the Midol tablet, in fact, only 3% of participants supported the more severe punishment of expulsion for the student who shared a Midol tablet. Therefore, participants adjusted their evaluations of punishment allocation in relation to harm done, in line with retributive goals of punishment.
Is Public Support for Sex Offender Registration Policies…?

(Carlsmith). Thus, although there certainly is evidence that utilitarian goals of punishment, at least in part, drive public support for registration policy, we next explore the possibility that retributive goals of punishment also play a role in driving registration support.

Recall that Levenson, Brannon and colleagues (2007) found that 73% of participants indicated that they would still support sex offender registration policies even if there is no evidence that they reduce sex offender recidivism. If it truly is the case that support for sex offender registration is solely driven by a desire to prevent sexual offenses then no one should support registration if it is ineffective, yet most people indicate that they would. In addition, Redlich (2001) found that, although community members felt less safe around murderers than sex offenders, participants experienced greater anger toward a sex offender living in their community than convicted murderers. These findings suggest that emotional predictors of desire for retribution (i.e., anger) appear to be particularly strong in reactions toward sex offenders, relative to other types of offenders, and therefore, warrant further consideration.

Together, these studies provide compelling evidence that support for sex offender registration policy might also be driven by a retributive desire to punish sex offenders. In fact, just as there is evidence that utilitarian goals of punishment mediate support for registration, several studies have also revealed evidence that retributive concerns emerge as statistically significant mediators for predictors of registration support. For instance, in the third study conducted by Salerno, Najdowski, and colleagues (2010), community members read one of four short vignettes that described a juvenile sex offense that varied in crime severity (ranging from less serious offenses like sexual harassment to serious offenses like forced rape). As expected, community members were more supportive of sex offender registration for the more severe than the less severe offenses. Furthermore, although the effect of offense severity on registration support was mediated by utilitarian concerns (i.e., belief that the juvenile was dangerous), it was also mediated by moral outrage, or in other words, a retributive goal stemming from anger and disgust toward the sex offender. Past research also reveals that punishment of offenders is predicted by moral outrage (Darley et al., 2000; Fiske & Tetlock, 1997), a strong emotional reaction toward those who violate our beliefs about what is right and wrong (Skitka, Bauman, & Mullen, 2004). Arguably, sexual offenses such as rape and molestation are some of the most morally outrageous, as recognized by community members (Salerno, Najdowski, et al.). Thus, when considering actual juvenile sex offenders (rather than juvenile sex offender registration policy in the abstract), a utilitarian desire to protect society is not
the sole factor that drives support for registration. Instead, a retributive goal of punishment, stemming from a desire to seek retribution for a heinous crime, also drives registration support. Furthermore, when participants were asked to consider less severe, specific types of sex offenses (e.g., sexual harassment or sexting), registration support was quite low. Indeed, support for registration was high only for the specific case of forced rape. That registration support was high only for forced rape and much lower for the less severe sexual offenses lends more support for the possibility that a retributive desire to proportionally punish offenders for heinous crimes motivates registration support, as opposed to only a utilitarian concern for society.

In addition, Carlsmith, Monahan, and Evans (2007) found that mock jurors’ civil commitment decisions for a sexually violent offender were primarily driven by retributive goals of punishing the offender, rather than utilitarian goals of protecting society. Participants read a vignette depicting a convicted child molester, manipulating likelihood of reoffending (0%, 4%, 70%) and severity of the sentence served (3-years minimum security vs. 25-years maximum security). Participants were then asked to indicate their support for civil commitment of the defendant upon his release. There was a significant effect of likelihood of reoffending on civil commitment decisions such that participants were more likely to recommend civil commitment as recidivism likelihood increased. Even so, there was also a significant effect of sentence served on civil commitment decisions such that participants were much more likely to recommend civil commitment for the offender who served the lesser sentence than for the offender who served a greater sentence. The authors theorized that participants used civil commitment as a means to punish the offender who served the lesser sentence because he had not been adequately punished.

These findings suggest that civil commitment decisions – although designed solely to protect society – are not solely driven by a need to protect society. Instead, they appear also to be driven by retributive desires to ensure that the offender was adequately punished. Moreover, Stevenson and colleagues (2009) found that support for registration policies even if they are ineffective at reducing sex offenses (a retributive desire) partially predicted general support for registration policies. Furthermore, women, compared to men, were more supportive of registering a juvenile sex offender when his victim was White (but not when she was Black) – an effect that was mediated by a retributive desire to punish sex offenders (i.e., support for registration even if it is ineffective at reducing recidivism).
In summary, while support for sex offender registration is driven in part by a utilitarian concern for protecting society from dangerous sex offenders, an abundance of evidence suggests that people are also motivated to exact retribution on sex offenders, illustrated by strong public support for registration policies, regardless of their effectiveness. Sex offenses tend to elicit reactions of anger and moral outrage, which, in line with attribution theory, are related to increased desire to seek retribution.

**CONCLUSION**

Legal justification for registration policies is rooted solely in utilitarian desires to protect society (Wright, 2009). The public believes that sex offenders are violent predators who are virtually certain to reoffend (Sample & Evans, 2009; Wright) – beliefs that are heralded as the utilitarian justification for sex offender registration policy. As we have reviewed, such utilitarian concerns do play a large role in explaining strong public support for registration policy, yet they alone are not the sole psychologically relevant motivations. Instead, a good deal of empirical evidence suggests that anger, disgust, and moral outrage toward heinous and violent sex crimes trigger a retributive desire to punish sex offenders – a desire that has been statistically linked to support for sex offender registration policy, yet publicly denied as the motivation. Given the antithetical nature of the legal justification for registration policy (to protect society) and the underlying psychological motivations for such policy (retribution), it is imperative for researchers to continue to explore this psychologically rich issue. Furthermore, politicians and policy makers should recognize the underlying motivations of sex offender registration policy, particularly because they appear to be, at least in part, a result of a desire to continue to punish sex offenders beyond their prison sentence – a violation of the constitutional rights of sex offenders. Furthermore, politicians should recognize that registration policies do not serve their utilitarian purpose. Instead, these policies have largely proven to be ineffective in reducing sex offenses and protecting society from sex offenders (Adkins et al., 2000; Caldwell & Dickinson, 2009; Letourneau & Armstrong, 2008; Sample & Evans, 2009; Sandler et al., 2008; Schram & Milloy, 1995). Ironically, sex offender registration policies appear to be effectively serving a retributive goal of punishment: Sex offenders frequently experience public harassment, social rejection, joblessness, depression, and increased risk of suicide (Bridge, Goldstein, & Brent, 2006; Levenson, D’Amora, & Hern,
2007; Levenson & Cotter, 2005; Tewksbury, 2005; Tewksbury & Lees, 2006) – all factors that social scientists fear might actually increase recidivism (e.g., Letourneau & Miner, 2005).

Given that the only legal justification for sex offender registration laws stems from utilitarian motives, politicians should recognize the realities of sex offender registration policy if their true goals are to protect society. Instead of continuing to promote registration policy, society stands to gain a great deal if we turn our attention toward legislation aimed at rehabilitating sexual offenders. Although retribution for heinous sexual crimes serves an important purpose, it is imperative not to confuse retribution with utilitarian concerns for society. Doing so has the potential to further facilitate ineffective policy at the expense of societal wellbeing.

**REFERENCES**


SORNA; 42 U.S.C. § 16911.


