

Sex Offender Registries as a Tool for Public Safety: Views from Registered Offenders*

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Abstract: *Sex offender registries are tools for the public and law enforcement to know about and monitor the identities, locations, and behaviors of convicted sex offenders in the community. The ability of these tools to effectively and efficiently contribute to public safety, however, is dependent on their containing accurate and up-to-date information. This research draws on data from a sample of registered sex offenders to assess the frequency and intensity of monitoring perceived by registrants and registrants' self-reported likelihood of maintaining their listed information as accurate. Results suggest that monitoring is not very close or frequent, and a significant minority of registered sex offenders may not be willing to comply with registration requirements nor to voluntarily update their registry information.*

Keywords: Sex offender registries; sex offenders; community corrections

Sex offender registries are one of our society's latest and increasingly employed methods for monitoring convicted offenders and for providing communities with information about the identities and locations of potential predators. As a tool for monitoring offenders, registries are publicly accessible, regularly updated listings of convicted sex offenders designed to allow community members to know about, to recognize, and to protect themselves from dangerous others.

The present research provides one of the first assessments of how registered sex offenders work with their status as registrants, maintain their information on the registry, and perceive their registration as impacting their public recognition as sex offenders.

Sex Offender Registries

Since their initial appearance in the mid 1990s, the use of registries has grown steadily. By February 2001 approximately 386,000 convicted sex offenders were listed on registries, with a median size of 4,100 registrants (Adams, 2002). Between April 1998 and February 2001 the number of registrants increased more than 39 percent. Assuming consistent growth since 2001, it is estimated that in mid-year 2004 more than 538,000 convicted offenders were listed on sex offender registries. At the start of 2005 a total of 40 states maintained a publicly accessible sex offender registry.¹

Sex offender registries were a direct outgrowth of the Jacob Wetterling Crimes Against Children and Sexually

Violent Offender Registration Act of 1994 and Megan's Law in 1996 requiring public notification of the release from incarceration of convicted sex offenders. The Jacob Wetterling Act required states to establish programs for the registration of sex offenders by September 1997. Megan's Law was named after 7-year-old Megan Kanka, a New Jersey girl kidnapped, sexually assaulted, and murdered in July 1994. This law required states to develop notification procedures that were publicly accessible, so community members could know of and monitor the presence of sex offenders.

The idea behind a publicly accessible sex offender registry is that if community members (especially parents of young children) can know of sex offenders' presence in their community they can take steps to prevent (the children's) victimization. Additionally, some critics have contended that public access to listings of convicted sex offenders is an extension of punishment and, at best, marginally constitutional. However, the courts have generally upheld registration and public notification procedures. For a more complete discussion of criticisms and legal challenges see Hughes (2002). Inherent in registration and notification statutes also is a belief in deterrence. If offenders know that community members are aware of their identity and presence, offenders may be less likely to re-offend, considering that their likelihood of detection, apprehension, and conviction would be enhanced.

Publicly accessible sex offender registries share many important commonalities but also have some

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distinct differences. Responsibility for maintaining the registry is held by different state agencies, including state police, departments of public safety, Attorneys General, and departments of corrections. Registries also vary with state statutes defining: different populations that must register, different lengths of registration for different offender categories, different information required for the posting, whether DNA samples are collected and linked to the registry listing, and who is provided access to the registry information.

Research on Sex Offender Registries

To date, research on sex offender registries, listed offenders, community reactions, and consequences of registries have not been frequent. Most common in the literature are social scientists and legal scholars (Avrahamian, 1998; Bolding, 1997; Bell, 1996; Petrosino and Petrosino, 1999) either questioning the efficacy of, or predicting failure for, sex offender registries. Others (Prentky, 1996; Zevitz and Farkas, 2000a, 2000b; Tewksbury, 2005) have argued that sex offender registries may in fact have negative consequences on both communities and individual offenders. Zevitz and Farkas (2000a) have shown through data collected with attendees at community notification meetings that community residents attending such functions may suffer from increased anxiety. Also, when community members are notified of sex offenders' presence in their communities, there are likely to be barriers erected to full and successful integration of such offenders into the community (Zevitz and Farkas, 2000b). The most common forms of barriers reported by sex offenders are: difficulties with housing, ostracization by other residents, harassment, emotional problems for others in the sex offenders' families, and employment difficulties.

More specifically, Tewksbury (2005) collected data from registered sex offenders in Kentucky and reports that common collateral consequences of registration include social stigmatization; loss of relationships, employment, and housing and both verbal and physical assaults. More specifically, registered sex offenders in non-metropolitan counties experience a higher level of social stigmatization. Surprisingly, registrants with child victims report lower levels of stigmatization, harassment, and other losses.

Few studies addressing recidivism of registered sex offenders are available. The Iowa Department of Human Rights (Adkins, Huff, and Stageberg, 2000) compared groups of over 200 convicted sex offenders released from supervision before the registration requirement and immediately following the implementation of

the requirement. Results show "mixed effects," with registered sex offenders having only slightly lower rates of recidivism for sexual offenses (3.0% vs. 3.5%), but a 26 percent lower rate of recidivism for all offenses.

Other examinations of sex offender recidivism have looked at other forms of special sanctions. Berliner, Schram, Miller and Milloy (1995) report that among sex offenders in Washington sentenced under a special sex offender sentencing alternative, there is a statistically significant lower rate of re-arrest and reconviction for any misdemeanor offense or any felony. However, there is no statistically significant difference in either re-arrest or reconviction for sex offenses. Additionally, Lieb (1996) reports on recidivism among offenders subject to community notification in Washington. The results of this evaluation show that offenders subject to community notification had a slightly lower (but not statistically significant) sexual offense recidivism rate (19%) than a comparison group (22%).

With a somewhat different focus and goal Tewksbury (2002) examined the information listed for a sample of registered sex offenders in Kentucky to determine whether complete and accurate information was available. While most registrants did have complete information provided, 43 percent of registrants did not have photographs with their information, and one in twelve (8.2%) of registrants had an address of "unknown" listed. Problems of missing and inaccurate data were most acute for registrants from a metropolitan county: 10.5 percent had "unknown" addresses, 10.5 percent listed addresses that turned out to be commercial locations, and 5.4 percent had addresses that did not exist.

Simply stated, not very much is known about sex offender registries and how they may or may not contribute to public safety. Additionally, no previous research has examined differences in experiences, recidivism, or any other consequences based on a registrant's risk level. These are clear and obvious gaps in the literature and knowledge, as sex offender registries have grown in size and influence.

Present Study

The present analysis examines information contained on the Kentucky Sex Offender Registry (<http://kspсор.state.ky.us>) regarding whether and how registered offenders interact with and maintain their information on the registry. Drawing on a sample of sex offenders listed on the Kentucky Sex Offender Registry, the present study assesses registrants' perceptions of public recognition and law enforcement contact resulting from

their registration and registrants' likelihood of assuring their listed information is complete and accurate.

The Kentucky Sex Offender Registry is used for several reasons. First, the Kentucky registry is of a manageable size (2,400 registrants at time of data collection), and the information presented on each offender represents a mid-range of information compared with other registries (see Tewksbury and Higgins, 2005). The Kentucky registry also provides a very good population for assessment of registrants based on two previously ignored variables in the literature: type/length of registration and urban/non-urban residence. The Kentucky registry includes only two categories of registrants, those required to register for 10 years and those required to register for lifetime. This difference in registration period is used here as a proxy for risk level; Kentucky does not designate a "risk level" on the registry and does not engage in community notification. Finally, the author is located at a university in the state of Kentucky, and this was believed to be of assistance in gaining compliance with survey completion from registered offenders.

Methods

Data for this study were collected by way of a mailed, anonymous questionnaire with offenders listed on the Kentucky Sex Offender Registry. Once identified (see below) sample members' addresses were recorded from their registry page. All sample members were mailed a cover letter, informed consent explanation, survey, and postage-paid return envelope. The Human Studies Protection Program office at the author's university reviewed all materials. Data collection was conducted in April, 2004.

Kentucky's Sex Offender Registry

The Kentucky Sex Offender Registry is maintained by the Kentucky State Police. It is located on a publicly accessible internet website (<http://kpsor.state.ky.us>) and reports an average of over 15,000 hits per month (Adams, 2002). The site is searchable via offender name, city, county, and zip code. Information about individual registrants includes name, date of registration, date of birth, address, sex, race, height, weight, eye color, hair color, conviction offenses, length of registration, whether the offender is compliant with reporting requirements, date of last update of information, and a photograph. ²

Sample

A 33 percent sample was drawn from the total 2,408 offenders listed on the Kentucky Sex Offender Registry. Excluded from the sample were offenders with no known address included in their registration, those who were incarcerated, and those who had been registered for less than 6 months. The sample was selected using a systematic technique; the selection interval allowed for multiple iterations through the sampling frame. A total of 795 registered sex offenders were included in the sample. Sample size is largely driven by available funding. Very limited funding was provided for the study, allowing only a one-third sample to be surveyed. Additionally, funding limitations precluded follow-up contacts with sample members.

A total of 121 completed and usable surveys were obtained,³ for a response rate of 15.4 percent. While this is not a very high response rate, this needs to be understood as a difficult to access population. Previous research looking at registrants has relied on small samples or has used only officially recorded data,

Table 1. Description of Sample

| | N | % |
|---|------|--------|
| Number of offenders — total sample | 121 | |
| Registration period | | |
| 10 years | 71 | 58.8 % |
| Lifetime | 50 | 41.2 |
| Mean length of time on registry | 60.9 | months |
| Sex | | |
| Male | 106 | 87.8 % |
| Female | 15 | 12.2 |
| Mean age | 43.8 | years |
| Race | | |
| White | 107 | 88.8 % |
| Black | 10 | 8.6 |
| Other | 4 | 2.6 |
| Victims* | | |
| Male | 14 | 12.1 % |
| Female | 74 | 61.2 |
| Children | 77 | 64.1 |
| Multiple victims | 13 | 11.1 |
| A relative as victim | 24 | 19.7 |

* Percentages total more than 100% due to multiple responses permitted.

avoiding collection of data directly from registrants (see Adkins, Huff, and Stageberg, 2000 and Tewksbury, 2002). Similarly, studies of sex offenders have almost always collected data either from offenders who are incarcerated or in treatment, or researchers have collected data from professionals working with sex offenders (treatment providers, probation officers, etc.). Only one study has been identified that gathered data directly from ex-offenders in the community (as opposed to those in treatment or monitoring programs) and, despite not reporting a response rate, relied on a sample size of 112 (Sack and Mason, 1980).

Table 1 presents the demographic and registration information for the respondents.

Instrument

The data collection instrument was designed specifically for this study. The instrument is a four-page questionnaire containing 35 close-ended items. The items assess demographics; offense characteristics; questions about whether, by whom, and how often the offender is recognized as a registered sex offender; attitudes regarding registries in general; and the registration experience specifically.

The dependent variables for this analysis are self-reports by registered sex offenders of their perceptions of the frequency of being recognized in their communities as registered sex offenders and frequency of being contacted by law enforcement officials regarding their status as registered sex offenders. Analysis also focuses on registrants' self-reported likelihood (measured on a ten point scale, 1= not at all likely, 10= definitely would) of reporting inaccurate information (address, photo, and conviction offenses) on their registry listing and their likelihood of reporting a change of address.

Findings

As shown in Table 2, based on self-reports from registered sex offenders, approximately one in three believe they have never been recognized in public as a sex offender, and just more than one in three report never being contacted by law enforcement officers in their community as a result of their registration. A significant minority of registrants does report being recognized regularly. However, nearly two-thirds of registered sex offenders report contact with law enforcement only once a year or never.

Considering that sex offender registries were developed in large part in response to high profile cases

involving victimization of children, and as a tool for enhancing the protection of children, special attention is devoted to assessing child victimizers' experiences of recognition in public and contact with law enforcement. As the data in Table 2 clearly show, there are no substantial differences in the experiences reported by child victimizers and the sample on the whole.

Table 2. Experiences of Public Recognition and Interactions with Law Enforcement Officers, Total Sample and Child Victimizers

| | Total sample (n = 121) | Child victimizers (n = 77) |
|--|---------------------------|-------------------------------|
| Frequency of being recognized in public | | |
| Daily | 13.3 % | 14.5 % |
| 1-2 times per week | 10.6 | 7.2 |
| 1-2 times per month | 15.1 | 17.3 |
| Few times a year | 22.1 | 18.8 |
| Once a year | 7.1 | 5.8 |
| Never | 31.9 | 36.2 |
| Frequency of being contacted by police | | |
| Daily | — | — |
| 1-2 times per week | 1.7 % | 2.7 % |
| 1-2 times per month | 11.7 | 13.5 |
| Few times a year | 25.0 | 23.0 |
| Once a year | 26.7 | 24.3 |
| Never | 35.0 | 36.5 |

In addition to assessing how registered sex offenders have experienced the degree to which their identities as sex offenders are known to community members and law enforcement officials, examination also focuses on whether registrants would be likely to correct or update misinformation that they might discover on their registration website. The Kentucky State Police, which maintains the Kentucky Sex Offender Registry, explains on the site, "The intent of this site is public safety and awareness. This database is made available to alert possible victims of potential danger, not to punish or embarrass offenders. . . . There is an overriding public interest and need to ensure the safety of the public by providing registered offender information."

In pursuit of this goal it is imperative that the registry include full and accurate information. As discussed above, a substantial degree of information on the registry may be absent or incorrect (see Tewksbury, 2002). Therefore, in order for the registry to serve as an effective and efficient tool in the promotion of community safety, it

would be necessary for registrants to provide corrections to misinformation on the registry. This, however, may be an especially large challenge, as only 38.7 percent of registrants report having ever looked at their online registry page. According to the data presented in Table 3, it appears likely though that were they to become aware of incorrect information most registrants would report corrections and would provide updated information about their residence, if they were to move.⁴

Table 3: Likelihood of Registrants to Correct/Update Misinformation on their Sex Offender Registry Listing
Mean score on a scale of 1 to 10.

| | Total sample (n = 121) |
|--|---------------------------|
| Would correct a wrong address listing | 8.32 |
| Would correct a wrong picture in listing | 8.33 |
| Would correct wrong offenses in listing | 9.02 |
| Would notify if move to a new address | 9.53 |

Examination of responses to these items for registrants convicted of sexual offenses against children and those with only adult victims shows no statistically significant differences.

These same issues are also examined for registrants distinguishing between lower-risk offenders (as indicated by a registration requirement of ten years) and those deemed high risk (i.e. required to register for life). No statistically significant differences are reported for the three items regarding correcting an incorrect address, picture, or offense listing. Lifetime registrants, however, do report a statistically significant lower mean likelihood of reporting a change in their residence (although even

Table 4: Likelihood of Registrants to Correct/Update Misinformation on the Sex Offender Registry Listing, by Length of Required Registration
Mean score on a scale of 1 to 10.

| | 10-year registrants (n = 71) | Lifetime registrants (n = 50) |
|--|---------------------------------|----------------------------------|
| Would correct a wrong address listing | 8.28 | 8.36 |
| Would correct a wrong picture in listing | 8.37 | 8.25 |
| Would correct wrong offenses in listing | 8.97 | 9.00 |
| Would notify if move to a new address | 9.83 | 9.09 * |

* P ≤ .05

for lifetime registrants, there is still a high likelihood that they would report such a change).

Even more telling is the data reported in Table 5 regarding responses about whether registrants would correct/update misinformation, based on how long the registrant has already been on the registry. Here two variables show statistically significant differences. Registrants who have been on the registry for a shorter period of time are significantly more likely to correct incorrect addresses or offense listings on the registry.⁵

Table 5: Likelihood of Registrants to Correct/Update Misinformation, Based on Length of Time on Registry
Mean score on a scale of 1 to 10.

| | Listed 5 years or less (n = 55) | Listed more than 5 years (n = 44) |
|--|------------------------------------|--------------------------------------|
| Would correct a wrong address listing | 8.96 | 7.76 * |
| Would correct a wrong picture in listing | 8.68 | 8.03 |
| Would correct wrong offenses in listing | 9.49 | 8.61 * |
| Would notify if move to a new address | 9.81 | 9.30 |

* P ≤ .05

Discussion

These results suggest that registered sex offenders often do not experience very close monitoring, as measured by community members recognizing them and law enforcement officials having contact with them. Also, this analysis has shown that most registered sex offenders do report that they would correct or update misinformation they discovered on their individual registry listing. However, perhaps more important for the achievement of the registry's stated goals, there are some important differences in the likelihood of registrants to correct/update their information. Lifetime registrants and those who have been listed on the registry for five or more years are significantly less likely to report a change of address and incorrect information on their registry listing. Interestingly, this both supports and contradicts earlier research. Bedarf (1995) reported that in Tennessee more than one-quarter of registrants move but do not change their registration address. The present findings also contrast with previous evidence which suggests that as registrants spend more time on a registry they are more likely to maintain compliance with registration requirements (Hebenton and Thomas, 1997). The reasons

for the present data suggesting a lower compliance are not clear at this time. However, one explanation may be that both lifetime registrants and those who have been listed for a longer period of time may have more animosity toward the process of registration and may have experienced a less stringent degree of enforcement than their counterparts. If these registrants have both a more negative view of registration, and they have personally experienced less frequent contacts and a lower intensity of supervision by officials; they may perceive that reporting misinformation or changes in their information is not in their best interests. This is an issue that points to some clear policy implications. Clearly, not all registered sex offenders will correct inaccurate information if and when they see it on their registry pages; this could subsequently detract from the value and utility of the registry for purposes of public safety.

In order to effectively promote public safety and provide an efficient tool for the deterrence of convicted sex offenders, it is imperative that registries have full and accurate information listed and that the listed information is regularly verified and maintained. This, however, may not be occurring. Although Kentucky Revised Statutes (KSR 17.520[2]) require that registrants' addresses (and no other information) be verified annually for those under ten year registration and every 90 days for lifetime registrants, previous research (Tewksbury 2002) has shown there to be numerous errors in the registration information; the present findings suggest that this may continue to be problematic.

What stands as perhaps the most important implication of these findings is that the very basis of laws and structures, such as sex offender registries, may be jeopardized by registrants failing to monitor and maintain their registration information. As outlined by Pawson (2002) effective sex offender notification laws (including registries) are contingent on the creation and maintenance of valid and reliable registers. If registrants do not cooperate and participate with officials so as to ensure this foundation is in place, the entire justification and foundation for such efforts is put in serious jeopardy.

Registrants need to perceive that there are significant negative consequences if they elect to not report misinformation or update their information with law enforcement officials. At present a registrant is guilty of a Class D felony (the lowest level felony) if they fail to report a change of address within five days. However, at present there is no specific agency or official statutorily charged with responsibility for verifying registrants' information. As such, registrants may learn over time (as suggested by the above reported findings) that they

can relocate without notifying law enforcement and consequences are unlikely to occur. Such a situation is only likely to exacerbate the difficulties and problems already present in the sex offender registry (e.g. missing and inaccurate information).

There are limitations to this study, however. Most importantly, the sample size is small. Only 15.4 percent of surveyed registrants returned surveys. It is possible that registrants who were likely to respond in ways that correspond with legal requirements for registration were more likely to respond to the survey. This does suggest the possibility of bias; the picture presented here may be more positive than what would be present across the population. Those who responded to the survey may be those most likely to conform to registration requirements. Future research should address this issue more completely.

Sex offender registries are present and publicly accessible in 40 states, and today have over one-half million convicted sexual offenders listed. These sites offer to enhance public safety and to provide communities with information that they can use for the protection of both themselves and their children. However, in order to achieve this goal it is imperative that the information listed on registries is up-to-date and accurate. Maintaining accurate information is contingent on the cooperation of registered offenders, and those responsible for registries need to work with registrants to ensure that this does occur. Future research needs to continue to address the accuracy of information on registries, the effects of registries and the registration process on offenders and the community, and to explore ways to balance the public safety function of registries with the civil liberties of offenders and community members.

Endnotes

1. States that do not have a publicly accessible, online sex offender registry include California, Minnesota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, and Wisconsin. Additionally, New Hampshire provides a searchable registry of "offenders against children." The New Hampshire registry is not included in the current analysis, as it is specialized for only a segment of the sex offender population. Hawaii has a website for a searchable registry, but at the time of data collection there does not appear to be any individuals listed in the registry.

2. The registration process does include collection of a DNA sample from all offenders, although at present this information is not directly linked to the registry.

3. Ten surveys were returned as undeliverable, non-existent addresses, or deceased registrants; this yielded a final sample of 785

4. Interestingly, however, while the mean response to this item is quite high (9.53/10), it is notable that 10.3 percent of registrants indicate some degree of uncertainty about whether they would update their address, and 5.2 percent say they are more likely than not to not report a change in their address. However, according to Kentucky Revised Statute 17.510, it is a class D felony for a registered sex offender to provide false, misleading or incomplete information, or to fail to report a change of address within 5 five days of the change of address.

5. It should be noted, however, that the length of time a registrant has been on the registry is significantly correlated with the registrants age (.346, $p=.001$).

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