



Myths vs. Facts

A perception

There is a presumption by the public - often cited as fact by law enforcement, prosecutors, and politicians alike - that sex offenders have a very high likelihood to reoffend sexually. That is a myth. According to the Bureau of Justice Statistics, a branch of the United States Department of Justice, sex offenders have among the lowest rate of recidivism of any category of offender - just 5.3% - a rate many times lower than the average for all other types of violent crimes. To put it another way, 95% of sex offenders who are released will never go on to commit another sex crime.

When one considers these facts, the practice of branding and perpetually tracking returning citizens who have completed their prison terms is an enormous waste of tax payer money. The sex offender registry is just another form of *security theater* - designed to provide the public with a false sense of security and give lawmakers the appearance of having done something to make families safer. Ninety-five percent of sex crimes are committed by a first time offender.

The fact of the matter is, the sex offender registry does not make people safer - and there is a growing body of evidence to suggest that it may even be making society *less* safe by further destabilizing returning citizens who are trying to rebuild their lives, making it impossible for them to ever become productive citizens again. For instance, in some states, those previously convicted of a sexual offense must register their employer - meaning that any business that hires a sex offender is then effectively branded themselves as a sex offender.

Fear is like poison in the dialogue around sex offenders - fear obscures the facts and prevents rational policy discussions. We do not become a safer or better society by branding certain individual as pariahs and excluding them from our communities. There is no evidence to suggest sex offender registries reduce recidivism.

Indeed, quite to the contrary, there is evidence to suggest that registries either have no effect at all or a detrimental one. Similarly, there have been no studies that demonstrate a correlation between where someone lives and their likelihood to reoffend. The media has a tendency to sensationalize rare events and give the public the perception that they are somehow common or likely threats. While there have been a small number of highly publicized cases of geographically based reoffending, it is a statistical unicorn - a pretty idea that just doesn't exist. Residency restrictions on those forced to register are more of a 17th century puritanical banishment practice than a legitimate approach to promote public safety.

- **MYTH - All sex offenders are child molesters and all child molesters are predators.**

FACT - The FBI-UCR, National Crime Victimization Survey reveals that only 23% of sex crimes are against someone under 18; and the Bureau of Justice Statistics shows that predators represent around three percent of all sex offenders and child killers are less than one percent of all offenders.

- **MYTH – Sex offenders are predominantly pedophiles.**

FACT – Pedophiles are sexually fixated on underage individuals, and the term pedophile refers to a sexual orientation towards children pre-puberty and ephebophile is attracted to children post-puberty (Howitt, 1995). Only 3-5% of all sex offenders can be classified as pedophiles (Carlstedt, et.al. 2009). “Child molestation” is defined as sexual contact between an adult and a child victim (Hobson, et.al., 1985). Most child molestations are not committed by pedophiles.

- **MYTH - All sex offenders will kill and commit heinous crimes.**

FACT -- The majority of past legislation has been generated by the emotion over the result of a murdered and abused child. These people are psychopaths. They make up less than 2% of all sex offenses (*U.S. Department of Justice, Bureau of Justice Statistics, Sex Offenses and Offenders, An Analysis of Data on Rape and Sexual Assault, February 1997, NCJ 163392, Updated 2002*). Combining their cases with the numerous persons who are amenable to counseling and with teens charged for consensual sex compromises these peoples’ lives. It lowers their quality of life, which can lead to frustration, upheaval and to potential danger.

- **MYTH - All sex offenders are bad people and want to harm others.**

FACT -- Criminal justice experts agree a person leaving prison has a much higher success rate if there is family and a good support group. Persons with sex offense compulsions act out due to shame in many instances, as the addictive cycle reaches the shame level. The tracking mechanisms put a person in crisis on housing, job seeking and retaining, possibly preventing the family unit to stay together, and a general sense of self worth. These are characteristics that can lead to re-offending. Rather than protecting, the laws are putting the public at risk by minimizing the person’s ability to gain a creditable life.

- **MYTH - Depraved adults commit all sex crimes.**

FACT -- Most sexual victimization takes place within families and among friends. Even though parents warn children about strangers, the vast majority of sexual offenses occur among people who are known and trusted — parents, siblings, friends, teachers, coaches or anyone within the family’s “zone of association.” There were 38% of offenders who victimized children under age 6 were juveniles (under age 18) (*U.S. Department of Justice, Bureau of Justice Statistics, Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics, July 2000, NCJ*

182990.) The vast majority (84%) of sexual assaults on children below age 12 occur in a residence. (U.S. Department of Justice, Bureau of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*, July 2000, NCJ 182990, table 4.)

Victimization of juveniles usually takes place within families (34%) and among friends (59%). Juveniles are rarely victimized by strangers (7%). (U.S. Department of Justice, Bureau of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*, July 2000, NCJ 182990, table 6.)

- **MYTH – Children are vulnerable to predators near schools and parks.**

FACT -- The politicians, and some in the media, want you to believe in the stranger danger myth. The fact is that, according to the U.S. Dept. of Justice, American Psychological Association, the Association for the Treatment of Sexual Abusers, and other experts; children are abused by a family member or someone trusted by the family in around 90 percent of all the cases. "...there were no examples that residential proximity to a park or school was a contributing factor in any of the sexual re-offenses noted." (Levenson, Jill S. PhD *Sex offender residence restrictions. A Report to the Florida Legislature*, October 2005)

- **MYTH - Men who molest boys are homosexuals or bisexual.**

FACT- According to the October 5, 2006 issue of *Pediatrics*, the Journal of the American Academy of Pediatrics, 98% of molested males and 99.6% of molested girls are victims of heterosexuals.

- **MYTH - Sex offenses are increasing in the United States.**

FACT – Sexual crimes have decreased over time. The report of adult rape has declined 69% from 1993 through 2005. Substantiated sex crimes against children fell 40% between 1992 and 2000 (Human Rights Watch, 2007).

- Criminal justice experts agree a person leaving prison has a much higher success rate if there is family and a good support group. Persons with sex offense compulsions act out due to shame in many instances, as the addictive cycle reaches the shame level. The tracking mechanisms put a person in crisis on housing, job seeking and retaining, possibly preventing the family unit to stay together, and a general sense of self worth. These are characteristics that can lead to re-offending. Rather than protecting, the laws are putting the public at risk by minimizing the person's ability to gain a creditable life.
- Most sexual victimization takes place within families and among friends. Even though parents warn children about strangers, the vast majority of sexual offenses occur among people who are known and trusted — parents, siblings, friends, teachers, coaches or anyone within the family's "zone of association."

- Victimization of juveniles usually takes place within families (34%) and among friends (59%). Juveniles are rarely victimized by strangers (7%). (U.S. Department of Justice, Bureau of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*, July 2000, NCJ 182990, table 6.)
- Victimization of adults generally occurs among acquaintances (61%) and family members (12%).
- Victimization by strangers is far less common (27%). (Same source as above)
- The vast majority (84%) of sexual assaults on children below age 12 occur in a residence. (U.S. Department of Justice, Bureau of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*, July 2000, NCJ 182990, table 4.)

Recidivism Studies

There is a widespread misperception that people who commit sexual crimes do it again and again. The research, however, directly contradicts this. Recidivism rates for sex offenses are relatively low, typically running in the 3-13% range, and among the lowest of all types of crimes.

The largest, most sophisticated analysis was performed by Karl Hanson, Solicitor General of Canada. His 2004 quantitative met analysis examined research evidence and recidivism risk factors in a total of 95 studies involving 31,000 sexual offenders with an average follow-up time of 5 years. Hanson's findings include:

- **Overall recidivism rate for new sex crimes: 13.7%** (Hanson, R.K., and Morton-Bourgon, K, *Predictors of Sexual Recidivism: An Updated Meta-Analysis*. Public Safety and Emergency Preparedness Canada (2004-2), p.8)
- **Recidivism rate for child molestation: 12.7%** (Hanson, R.K. and Bussiere, M., *Predicting Relapse: A Meta-analysis of Sexual Offender Recidivism Studies*, *Journal of Consulting and Clinical Psychology* (1998) p. 8.)
- **Recidivism rate for child molestation within families: 8.4%** (Hanson, R.K., *Age and Sexual Recidivism: A Comparison of Rapists and Child Molesters*, Department of the Solicitor General of Canada (2001-01), p. 9.)
- **Recidivism rate for rape: 18.9%** (Hanson, *Predicting Relapse*, p. 8.)
- A **U.S. Justice** study released in 2003 shows child molester rearrest rate for new sex crime against a child: 3.3%. All sex offender rearrest rate for new sex crime against a child: 2.2%. Sex offenders were less likely than non-sex offenders to be rearrested for **ANY** offense – 43 percent of sex offenders versus 68 percent of non-sex offenders. (U.S. Department of Justice, Bureau of Justice Statistics, *Recidivism of Sex Offenders Released from Prison in 1994*, November 2003, NCJ 198281)

Suggested Websites

Daily national topical information and studies – www.sexoffenderresearch.blogspot.com

Community Room of eAdvocate – www.eadvocate-community.blogspot.com

Jacob Wetterling Resouce Center – www.jwrc.org

Reform Sex Offender Laws – www.nationalrsol.org

Women Against the Registry – www.womenagainstry.org

Sex Offender Solutions and Education Network – www.sosen.org

The Safer Society Foundation and Press – www.saferociety.org

NEARI Press (publishing materials on recovery – www.nearipress.org

Stop It Now! – www.stopitnow.org

Association for the Treatment of Sexual Abusers – www.atsa.com

National Center on Institutions and Alternatives – www.ncianet.org

Society for the Advancement of Sexual Health (SASH) (Sex Addiction) – www.sash.net

Citizens for Second Chances (Juv. Consensual Issues) – www.citizensforsecondchances.com

Center for Sex Offender Management – www.csom.org

B4U-ACT (Assisting persons attracted to minors) – www.b4uact.org

Criminal Defense Lawyers – www.nacdl.org