

University of Louisville

ThinkIR: The University of Louisville's Institutional Repository

Electronic Theses and Dissertations

5-2015

Judges' perceptions of sex offender registration, community notification, and residency restrictions.

Lauren Nicole Lennon
University of Louisville

Follow this and additional works at: <https://ir.library.louisville.edu/etd>



Part of the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Lennon, Lauren Nicole, "Judges' perceptions of sex offender registration, community notification, and residency restrictions." (2015). *Electronic Theses and Dissertations*. Paper 2149.
<https://doi.org/10.18297/etd/2149>

This Master's Thesis is brought to you for free and open access by ThinkIR: The University of Louisville's Institutional Repository. It has been accepted for inclusion in Electronic Theses and Dissertations by an authorized administrator of ThinkIR: The University of Louisville's Institutional Repository. This title appears here courtesy of the author, who has retained all other copyrights. For more information, please contact thinkir@louisville.edu.

JUDGES' PERCEPTIONS OF SEX OFFENDER
REGISTRATION, COMMUNITY NOTIFICATION,
AND RESIDENCY RESTRICTIONS

By

Lauren Nicole Lennon
B.S., University of Louisville, 2010

A Thesis
Submitted to the Faculty of the
College of Arts and Sciences of the University of Louisville
in Partial Fulfillment of the Requirements
for the Degree of

Master of Science in Justice Administration

Department of Justice Administration
University of Louisville
Louisville, Kentucky

May 2015

Copyright 2015 by Lauren Nicole Lennon

All rights reserved

JUDGES' PERCEPTIONS OF SEX OFFENDER
REGISTRATION, COMMUNITY NOTIFICATION,
AND RESIDENCY RESTRICTIONS

By

Lauren Nicole Lennon
B.S., University of Louisville, 2010

A Thesis Approved on

April 16, 2015

by the following Thesis Committee:

Richard Tewksbury
Thesis Director

Kristin Swartz

Elizabeth Mustaine

ACKNOWLEDGEMENTS

First and foremost, I would like to express my sincere gratitude to my Thesis Director, trusted advisor, and mentor, Dr. Richard Tewksbury, for his continuous support and assistance, for his patience, motivation, enthusiasm, and immense knowledge during my graduate studies. Without his guidance and encouragement, this thesis would not have been possible. I am thankful for his witty banter to keep me afloat as well as his willingness to take an interest in me and steer me in the direction of vast opportunities. In addition to my Thesis Director, I would also like to thank my thesis committee members, Dr. Kristin Swartz and Dr. Elizabeth Mustaine, for their support and encouragement on this project.

This journey would also not have been possible without the support of my family and friends. To my family, thank you for listening to my lengthy explanations of what my thesis is or listening to my rants about the laws. I am especially grateful to my mima and to my significant other, who have both supported me emotionally and continuously encouraged me to see the light at the end of the tunnel. Thank you to my mima, Ursela Kamala, for guiding me as a person, letting me talk continuously while you just listen, and for offering your editing mastery throughout my graduate studies. Thank you to my one and only, Jared Steen, for your never-ending support, pep talks, everlasting love, and advice throughout this entire process. You truly have no idea how much you have helped

me become the person that I am today, and I cannot thank you enough for supporting me in every endeavor I have pursued. You are, without a doubt, a blessing.

To my friends, thank you for listening and supporting me. Thank you to my very best friends, Jessica and Rachel, for the numerous coffee trips and motivational talks. These did, indeed, help more than you know. A special thanks goes to my graduate colleague, Derek Allen, for your insightful outlooks, both pessimistic and optimistic, during our studies. Thank you for being my friend, mirror, and mind reader, and for bringing Cliff into my life. I honestly do not know how I would have made it through graduate school without your friendship. Lastly, I would like to thank my parents and siblings for their unconditional support and love.

ABSTRACT

JUDGES' PERCEPTIONS OF SEX OFFENDER
REGISTRATION, COMMUNITY NOTIFICATION,
AND RESIDENCY RESTRICTIONS

Lauren Nicole Lennon

April 16, 2015

There is a meager amount of literature available on how criminal justice system actors perceive the range of sex offender registration and community notification (SORN) policies and their effectiveness, as well as sex offenders themselves. To date, only one study has been done on judges regarding their attitudes toward sexual offenders by Bumby and Maddox (1999). However, a study has not been completed in regard to judges' perceptions of SORN and its efficacy in addition to their views on residency restrictions. The following study tries to expand the literature available and examines the perceptions of judges concerning SORN, residency restrictions, and sexual offenders. A survey was distributed which contained the Community Attitudes Toward Sex Offenders (CATSO) scale (Church, et al. 2008). This scale was recommended to be used with actors of the criminal justice system; however, this study examines if the scale is an efficient instrument for categorizing the perceptions of judges. The findings are discussed.

TABLE OF CONTENTS

	PAGE
ACKNOWLEDGEMENTS.....	iii
ABSTRACT.....	v
LIST OF TABLES.....	vii
INTRODUCTION.....	1
Perceptions of the General Public.....	4
Perceptions of Sex Offenders.....	6
Perceptions of Professionals.....	8
Beliefs and Attitudes of Criminal Justice System Actors.....	9
METHODS.....	13
Sample.....	14
Instrument and Measures.....	16
FINDINGS.....	23
Bivariate Findings.....	23
DISCUSSION OF FINDINGS.....	38
DISCUSSION OF METHODS.....	50
Analysis and Implications.....	50
Suggestions.....	52
CONCLUSION.....	56
REFERENCES.....	60
CURRICULUM VITA.....	64

LIST OF TABLES

	PAGE
1. Sample Characteristics.....	15
2. Judges' Attitudes and Beliefs Regarding SORN and Residency Restrictions.....	24
3. Judges' Beliefs Concerning Community Notification.....	25
4. What Information Should Be Included on a Sex Offender's Registry Page.....	26
5. Restricting Sex Offenders from Select Locations.....	27
6. Judges' Attitudes and Beliefs Regarding Sex Offenders According to the 18 CATSO Items.....	29
7. Perceptions of the characteristics of Sex offenders.....	31
8. Effective Strategies in Reducing Sexual Offenses.....	32
9. Judges' perceptions of fairness of community notification laws in their community.....	34
10. Judges' views on community notification being effective in reducing recidivism.....	35
11. Types of sex offenders subject to community notification.....	35
12. Sex offender recidivism vs. general criminal recidivism.....	36
13. Places where rehabilitation should occur.....	37

CHAPTER I

INTRODUCTION

The sex offender registration and community notification (SORN) procedures were created to protect society from sexual victimization (LaFond, 2005; Levenson & D'Amora; 2007, Wright, 2003). Sex offender registration and community notification is a system that has been put in place to allow government authorities to keep track of the activities and residences of sex offenders. There are some jurisdictions that have accompanying notification requirements to the registration. These requirements include registration on a publicly available list (by the internet), community notification, monitoring by way of a global positioning system, civil commitment along with residency, internet, and loitering restrictions (Bonnar-Kidd, 2010). The goal of registration is to assist law enforcement in the tracking and monitoring of sex offenders for the purpose of public safety. The goal of community notification is to increase the public's ability to protect itself and others by warning potential victims of the convicted sex offenders that may work or live nearby. Being able to decrease the incidence of possible recidivistic sexual violence is the goal of community notification.

The Jacob Wetterling Act, which was the first federal law that required sex offenders to register their whereabouts with law enforcement agencies, was passed in 1994 by the U.S. Congress. In 1996, Megan's Law, also known as community notification, was passed and allowed for public disclosure of registry information.

Megan's Law requires state police agencies to make registered sex offenders' information available to the public.

In 2006, the Adam Walsh Act (AWA) improved the requirements for registration and notification by expanding the length of registration as well as increasing the penalties for sex offenders who did not comply with registering. Additionally, the AWA requires DNA samples from all registrants, and sex offenders are categorized by the severity of their conviction. Furthermore, sex offenders are restricted from living near locations that children tend to visit frequently as a result of the residency restriction laws. These locations include daycare centers, schools, parks, playgrounds, bus stops, etc. The residency restriction laws declare that distances between 500 feet and 2,500 feet must be maintained between the offender's residence and certain locations.

In 2005, the National Sex Offender Public Website (NSOPW) was created by the U.S. Department of Justice and is run by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Sex offender registration and notification is coordinated at the local level, and each state has its own system; therefore, only information that is publicly disclosed on a state's own public sex offender registry will appear on the NSOPW's search page as well as that state's registry website being displayed through the NSOPW webpage.

In 2006, the National Center for Missing and Exploited Children (NCMEC) created the Sex Offender Tracking Team (SOTT) to help provide assistance in linking information of noncompliant sex offenders to cases of missing and sexually exploited children that were unsolved. Each year, SOTT publishes a biannual survey of the number

of registered sex offenders in the United States. As of December 15, 2014, there were 819,218 registered sex offenders in the United States.

Men, women, teenagers, and children of all ages are victims of sexual offenses. According to the U.S. Department of Justice National Sex Offender Public Website, approximately 20 million out of 112 million women (18%) in the United States have been raped at one point in their lifetime. Only 30% of all rapes in the United States are reported to law enforcement. In 2012, out of the age group 12-14 years old, 26% were victims of sexual abuse and 34% were younger than 9 years old. The Centers for Disease Control (CDC) estimates that approximately 1 in 6 boys and 1 in 4 girls are sexually abused before they are 18 years old. Additionally, 82% of juvenile victims are female.

To narrow it down, according to the U.S. Department of Justice's National Crime Victimization Survey (NCVS), each year there is an average of 293,066 victims of rape and sexual assault age 12 or older (Truman & Langton, 2014). The rates of sexual assault can also fluctuate depending on the seasons. The U.S. Department of Justice's NCVS study found that the highest rates of sexual assault and rape occur during summer, but are at their lowest during the fall and winter. Specifically, NCVS found that from 1993-2010 the rates were on average 10% lower in the fall than the summer, 9% lower in the winter, and 6% lower in the spring (Lauritsen & White, 2014). Interestingly, sexual assault has decreased by more than 50% since 1993 (Truman & Langton, 2014). According to Rape, Abuse, & Incest National Network (RAINN), if the sexual assault rate had held steady from 1993, approximately 9.7 million persons would have potentially been assaulted; however, due to the decline, the actual number of victims was 4.2 million. Even though there was a decline by half, it still leaves room for progress to be made in the future.

While the statistics for sex offenses can be gruesome, they are not often the actual number because there are a number of cases that are not reported. Approximately, only 30% of sexual assault cases are reported to authorities. This is caused by the fear and stigma that is associated with reporting. Males are less likely to report their victimization, which causes the statistics to be affected. Consequently, sexual assault is severely underreported, and these victims will never get the justice they deserve.

The purpose of this study is to gain an understanding of how judiciary members perceive, understand, and view how sex offenders are managed. In order to do just this, the proposed study will delve into the attitudes and beliefs of judiciary members in regard to sex offenders, community notification, and residency restrictions.

Perceptions of the General Public

Prior to examining the judges' and candidates' perceptions, it is crucial to understand the public's perceptions, attitudes and beliefs about sex offenders, sex offender registration, and sex offender policies. The public's view may differ from a judge's view, given that judges are elected officials and are in an authoritative position where they "possess remarkable power to decide the fates and fortunes of others; they possess this power not because they have purchased it, but because they have been selected to receive it, sometimes by the very persons whose fates and fortunes they will decide" (Stout, 2002; pg 1605). It is important to start with the public's perception about sex offenders, sex offender registration, and sex offender policies because just as the candidates running for judge, judges in office are also members of the community at large, but they have an authoritative position, and this is where the basis for attitudes and beliefs is anticipated to begin. The literature available on public perceptions of sex

offenders, sex offender registration, and sex offender policies illustrates that most of the general public, in fact, recommend legal actions to be taken against convicted sex offenders. Because judges are elected into these authoritative positions, it is important to understand their thought processes when presented with cases regarding sex offenses and offenders and seeing how they directly affect a person's life.

The literature available for the public's perception on the sex offender registration and community notification is supportive and has a positive perspective; however, the public tends to be misinformed in regard to the content of the registries and seldom uses them (Anderson & Sample, 2008; Kernsmith, Comartin, Craun, & Kernsmith, 2009; Levenson et al., 2007; Lieb & Nunlist, 2008). Due to the fact that the public rarely uses the registries, it is likely that residents are unaware when a sex offender moves into the neighborhood (Burchfield, 2012; Craun, 2010).

In 2007, Levenson et al. surveyed 194 residents coming to the DMV in Florida and found that most of the general public supported most of the sex offender policies and that all sex offenders should be listed on the registry. Also, they found that the Florida residents supported the sex offender registration and community notification policy. Findings included that the majority (83%) thought that community notification and (58%) residency restrictions were effective in reducing recidivism. Further, 73% stated that they would support these sex offender policies without scientific evidence proving their effectiveness in the prevention of victimization.

Another survey out of Michigan found that respondents supported multiple sex offender policies (Kernsmith, Comartin, & Craun, 2009). 703 Michigan residents answered the telephone survey and indicated that the majority supported employment

restrictions from daycare centers (95%) and other child prevalent jobs (91%). Kernsmith, Comartin, & Craun (2009) also found that Michigan residents supported residency restrictions, specifically keeping sex offenders from living near schools and daycare centers (88%) and locations in which children might be (83%). A large proportion of the respondents also believed that community notification should be administered by neighbor notification (85%) and online registration (83%).

A telephone study conducted by Kernsmith et al. (2009) had 733 participants answer questions about their views and perceptions of sex offenders and sex offender registration. The results of this survey show that all types of sex offenders brought forward some fear to the respondents and that fear was in coordination to the support for registration requirements.

In addition to supporting sex offender registration, community notification and residency restriction laws; the general public opinion, along with non-scientific evidence, proposes that sex offenders are exceedingly recidivistic (Tewksbury & Jennings, 2010). As stated earlier, although there is support for community notification and residency restrictions, most of the general public is misinformed and does not use the registries that are available.

Perceptions of Sex Offenders

A need to look at the attitudes and beliefs is necessary because sex offenders are the population that is the focal point of this study. It is possible that sex offenders could be beneficial in pointing out the flaws in the registration policy and residency restrictions, despite that most populations believe they deserve any forthcoming considering the crimes they have committed, not all sex offenders are dangerous.

In a study by Combs (2011), it was found that sex offenders believed that the registry was effective in enhancing the safety of the community, but it was not effective in reducing recidivism. Tewksbury (2005) found that registered sex offenders experienced losing their jobs, relationships, and housing, as well as experienced being stigmatized. Similarly, Levenson and Cotter (2005a) found that sex offenders experienced negative psychological feelings due to sex offender registration and because of the registration 35% felt they had to move, as well as 27% lost their jobs. In addition, 19% of the offenders experienced some type of harassment from being on the sex offender registry. Tewksbury (2005) also found that some sex offenders thought they lost a friend due to being put on the registration and because the knowledge of their sexual offending was made public.

In another study by Tewksbury and Lees (2006b), they interviewed 22 registered sex offenders in Kentucky and found that several encountered difficulties in finding employment, maintaining a relationship, harassment, feeling vulnerable, and often felt stigmatized. The same negativity was present in the Zevitz and Farkas (2000b) study, in which they conducted face-to-face interviews with 30 sex offenders. The sex offenders expressed that they felt that the sex offender registration and community notification procedures hindered their ability to live in the community in which they once did because they were threatened and harassed by residents. Many sex offenders blamed the registration for losing their job and experiencing harm from their family members, specifically emotionally.

Sex offenders should expect some complications once they re-enter the community since the crimes they commit normally spark strong emotions within

members of the community. Tewksbury et al., (2012) found that sex offenders expected to experience some level of animosity upon re-entry; however, they did not expect as much as they receive.

Perceptions of Professionals

Depending on the offense, sex offenders are often referred to a psychologist to help work out any issues they may be suffering from that may have caused them to commit such crimes. It is important to look at the perceptions of these professionals; however, there is very little research on their perceptions of SORN.

In a study completed by Simon (2010), 272 licensed psychologists were surveyed on their perceptions of sex offenders based on their demographic information, training, and their professional experience, as well as having completed the Attitudes Toward Sex Offenders Scale (Hogue, 1993; Simon, 2010). The results of this survey illustrate that the perceptions of sex offenders did not vary based on gender; however, it did vary based on the location of the psychologist (Simon, 2010). Simon (2010) also found that psychologists that had obtained 30 hours or more of sex offender training had substantially more positive attitudes than psychologists that had received less than 11 hours of training or no training at all.

Additionally, Simon (2010) found that psychologists who had not worked with sex offenders tend to have negative views, whereas psychologists who had worked with sex offenders displayed more positive attitudes. Furthermore, there were no considerable differences due to the psychologists' roles with sex offenders, such as treatment or assessment (Simon, 2010).

Beliefs and Attitudes of Criminal Justice System Actors

There is sparse research of criminal justice system actors and their perceptions of sex offender registration notification, sex offenders, and sex offenses. The research that is available sheds light to the perceptions of parole board officers, prison wardens, law enforcement officials, judges, community corrections professionals, and correctional officers. The perceptions that are offered indicate that these populations collectively have negative views about sex offenders, but tend to have mostly positive views about the efficacy of sex offender policies and believe them to be of value. One might suggest that there should be more literature available considering that these actors can play a large part in the enforcement of sex offender policies, as well as being held accountable for their supervision.

In 2013, Tewksbury and Mustaine administered a 43-item survey to employed law enforcement officers with 209 completed surveys returned. The results indicated that law enforcement officers are the only criminal justice actors to show higher support for sex offender registration and notification (SORN) and residency restriction and believe that SORN is effective in preventing sexual victimization; however, they do not feel that SORN is a deterrence for sexual offending (Tewksbury & Mustaine, 2013). Further, the survey concluded that law enforcement officials have a tendency to have harsher views about sex offenders than other criminal justice system actors and that more than two-thirds believe the laws are not strict enough but still support registration and community notification (Tewksbury & Mustaine, 2013). Tewksbury and Mustaine (2013) also found that the CATSO scale was a productive scale to use in obtaining the views of law enforcement officials, even though it has been found through other research that the

CATSO scale is not a useful tool for other criminal justice actors (Conley et al., 2011; Tewksbury et al., 2011, 2012; Tewksbury & Mustaine, 2012; and Connor, 2012). Moreover, 82% of law enforcement officials support residency restrictions without the need for scientific evidence to support it (Tewksbury & Mustaine, 2013). In a survey done by Redlich (2001), law enforcement officers maintained that SORN did not violate an offender's rights and was effective in preventing victimization, specifically child victimization.

Another criminal justice actor, parole board members, tends to hold the view that registration and community notification seldom are effective in reducing sexual offenses (Tewksbury & Mustaine, 2012). The parole board members also believed that the community notification laws in the jurisdiction were unfair and that residential restriction laws do not contribute to increased public safety nor the reduction of recidivism. Parole board members also have the least belief in efficacy of SORN (Tewksbury & Mustaine, 2012) compared to other criminal justice system actors, such as community corrections professionals. However, Connor (2012) found that prison wardens were more likely to believe that registration and residential restrictions were effective in reducing sexual victimization.

In a study completed by Tewksbury et al. (2011), it was found that community correction professionals believed that community notification laws are fair and also believed that the sex offender policies are effective when it comes to reducing the number of sex offenses committed. Datz (2009) found that probation and parole officers believed electric monitoring, restrictions, and conditions (based on the offender's risk), and the public notification to be the most effective of the sex offender policies. However, a study

by Higgins and Ireland (2009) found that correctional officers had the most negative views of sex offenders. A more recent study by Greineder (2013) confirmed the same results that correctional officers hold negative views towards sex offenders due to the manipulation, untrustworthiness, and sneakiness they displayed.

In 1993, Hogue adjusted the Attitude Towards Prisoners (ATP) scale to gauge the attitudes and perceptions of sex offenders. Hogue (1993) changed the word “prisoners” to “sex offenders” in each item of the survey, ultimately creating the Attitudes Toward Sex Offenders Scale (ATS). This 36-item scale was designed to show a range of scores between 0 to 144 based on the perceptions and attitudes of the participants. The higher the score, the more positive the attitude the participant had toward sex offenders. Hogue (1993) hypothesized that sex offenders would have a more positive attitude towards sex offenders, succeeded by psychologists, probation officers, and lastly prison officers. Hogue (1993) also believed that the population with the most negative perceptions would be police officers. Hogue (1993) disbursed 164 surveys to sex offenders, probation officers, psychologists, prison treatment officers, police officers, and prison officers not involved in treatment. The results of the survey supported his hypothesis with sex offenders having the most positive attitudes and police officers having the most negative attitude.

Despite the fact that there is not much literature available about criminal justice actors and their perceptions, even less literature is available about the perceptions of judges; however, there is one study that assesses judges’ perceptions. Bumby and Maddox (1999) surveyed 42 trial judges in the Midwest to evaluate their attitudes and beliefs towards sex offenders. The majority held negative perceptions about sex

offenders, with 66% opposing the release of a sex offender into their neighborhood. Additionally, a little more than half (59%) believed that sex offenders' sentences were too short. The present study is to help gain insight from the more important actors in the criminal justice system.

CHAPTER II

METHODS

The purpose of this study is to advance the understanding of how members of the judiciary understand, regard, and view sex offenders, sex offender registries, rehabilitation, recidivism rates, residency restrictions, community notification, and effective strategies that help reduce sexual offenses. In this study, the attitudes and opinions of current judges on the bench and electoral candidates were measured through a survey.

The data collected for the present research come from anonymous surveys with judges and candidates who voluntarily participated. The surveys were administered to email addresses of 2014 electoral candidates for judge and current judges serving on the bench in the Kentucky counties of Jefferson, Bullitt, Shelby, Spencer, and Oldham. Due to a low response rate, Fayette and Kenton County were added on, and the surveys were sent to the candidates and current judges in those counties as well. The survey consists of 45 items and was estimated to take approximately 5 to 10 minutes to complete. This was reviewed and approved by the University of Louisville's Institutional Review Board.

Each judge and electoral candidate received an email invitation from the researcher advocating for his or her participation in this voluntary survey. The invitation advised judges and candidates of the study and its purpose as well as provided a link to the online survey. One week after the surveys had been sent to Jefferson, Bullitt, Shelby,

Spencer, and Oldham Counties, only 9 responses had been received. Due to this low response rate, Fayette and Kenton counties were then added to the distribution list and email invitations went out to the judges and candidates in these two counties. The same time these invitations went out to the judges and candidates in the two new counties, reminder emails were sent out to the judges and candidates in the original 5 counties. A week later, the reminder emails were sent out to the added judges and candidates of Fayette and Kenton counties.

Sample

The email addresses for the current judges were obtained from the Kentucky Court of Justice Judicial Directory, which is located online. The email addresses for the candidates were either located on their firm's website or an email invitation was sent through the candidates' filings with the Office of the Secretary of State on the Kentucky.gov website. Both of these avenues for obtaining email addresses are ensured to be accurate as the judges' information is updated on the Judicial Directory and the candidates had filed their email addresses through which they can be contacted at the Office of the Secretary of State.

The target population for the present study included all current judges serving on the bench and 2014 electoral candidates for judge in 7 counties in Kentucky, who are either responsible, or will be responsible, for the outcomes of registered sex offenders. Retired judges were excluded from the study because of the inability to locate accurate contact information. A total of 103 email invitations were sent out; however, only 22 judges/candidates submitted completed surveys, rendering a 21.4% response rate.

Table 1 shows the demographic characteristics of the sample, with respondents being male (44.44%) and female (55.56%). While a large majority of the sample was married/partnered (83.33%), a few respondents were single/never married (5.56%) or divorced/separated (11.11%). Most of the respondents (77.27%) have children. Ages of the respondents ranged from 46 to 68, with a mean age of 58.2 years. The positions held varied among the different levels of the courts including the 2014 electoral candidates, District Court Judge (23.53%), Circuit Court Family Judge (41.18%), Circuit Court Judge (41.18%), and Candidates for Judge (0.00%). Respondents have an average of more than twelve years experience as a judge.

It is also important to note that most respondents (94.44%) did not have a friend or family member who was a registered sex offender while the remaining respondents (5.56%) did have a friend or family member who was a registered sex offender. Respondents' political views ranged more on the liberal side than the conservative side.

Table 1

Sample Characteristics

Variable	Value
Sex	
Male	44.44% (n=8)
Female	55.56% (n=10)
Position Held	
District Court Judge	23.53% (n=4)
Circuit Court Judge (Family Court)	41.18% (n=7)
Circuit Court Judge (General Jurisdiction)	41.18% (n=7)
Candidates for Judge	0.00% (n=0)
Have Children (of any age)	77.27% (n=17)
Marital Status	
Single/never married	5.56% (n=1)
Married/Partnered	83.33% (n=15)

Divorced/Separated Widowed	11.11% (n=2) 0.00% (n=0)
Number of years served on the Bench (if a Judge)	12.1 years (n=16)
Friend or family member who is a registered sex offender	
Yes	5.56% (n=1)
No	94.44% (n=17)
Age (collective)	58.2 years old (n=17)
Male	57.75 years old (n=8)
Female	58.7 years old (n=9)
Political Views	
Very Liberal	5.88% (n= 1)
Liberal	23.53% (n= 4)
Somewhat Liberal	17.65% (n= 3)
Moderate/Neutral	23.53% (n= 4)
Somewhat Conservative	17.65% (n= 3)
Conservative	5.88% (n= 1)
Very Conservative	5.88% (n= 1)

Instrument and Measures

The instrument for this study was specifically designed to look at the respondents' views on the registration and notification laws of sex offenders. Additionally, most items of this study were borrowed from previous sex offender perception research (Connor, 2012; Tewksbury & Mustaine, 2011). Throughout the survey, the format changes so as not to lose the attention of the respondent and to provoke prudent responses.

The first 8 items on the survey were borrowed from previous studies on sex offender perception research (Connor, 2012; Tewksbury & Mustaine, 2011). These items originated from a study conducted by Tewksbury and Mustaine (2011). These items are used to measure the criminal justice system actors' attitudes and beliefs about sex offenders, sex offender policies, registration, and community notification as well as the

community notification laws for registered sex offenders in their area. Each item presents a statement or a question for the respondent to answer.

The first item measures the respondents' views about the notification laws within their community with the response ranging from unfair, somewhat unfair, mostly fair, or fair. These responses were coded at the ordinal level (unfair=1, somewhat unfair=2, mostly fair=3, fair=4).

The second item measures the respondents' views on whether community notification is effective in reducing the number of sex offenses. These responses, too, were coded at the ordinal level (agree, community notification is very effective in reducing sex offenses=1, mostly agree, community notification results in some reduction=2, somewhat agree, community notification results in a little bit of a reduction=3, disagree, community notification does not result in a reduction=4).

For the third item, respondents are asked which types of sex offenders they believe should be subject to community notification. The responses were coded at the ordinal level (no sex offenders=0, only sex offenders with high risk assessment scores=1, all sex offenders=2).

The fourth item asks the respondents what information should be reported about a registered sex offender when community notification is done in their area. The respondents were asked to check all that apply, and the options consisted of 14 variables for them to choose from and were coded as nominal (i.e., name=1, photograph=2, fingerprints=3, home address=4, with whom the offender lives=5, home telephone number=6, vehicle description=7, vehicle license plate number=8, description of offense(s)=9, work location/address=10, victim(s) name(s)=11, victim(s) age(s)=12,

victim(s) gender(s)=13, HIV & STD test results for offender=14). The respondents were also able to select an option that allowed them to add a characteristic to the list or make a comment.

In the fifth item, the respondents are asked in which ways the community should be notified of the presence of sex offenders. There are 9 variables available for the respondent to choose from, and they were coded as nominal (media releases=1, door to door information from the police/sheriff=2, mailed or posted flyers=3, registration lists at law enforcement agencies=4, registration lists on the internet=5, community meetings=6, automated telephone calls to residents=7, information to be provided by the police only upon request=8, and neighborhoods hold meetings to inform neighbors of the presence of sex offenders who live nearby or have moved into the neighborhood=9). The respondents are asked to check all that apply.

For the sixth item, the respondents are asked which locations they believe are appropriate locations to prohibit registered sex offenders from living near. The respondents are also asked to check all that apply from the 12 variables, also coded as nominal (schools=1, daycare centers=2, parks=3, fast food restaurants=4, school bus stops=5, malls=6, youth athletic fields (e.g. little league ballparks, etc.)=7, skateboard parks=8, public swimming pools=9, public restrooms=10, movie theaters=11, public places=12).

The seventh question contains the Community Attitudes Towards Sex Offenders (CATSO) scale (Church et al., 2008). The original scale has 18 items for the respondents to answer; however, 10 additional questions were added to the scale making it a total of 28 items in question number 7. The scale was created to assess the individual beliefs and

attitudes about sex offenders among various populations. The respondents' answer using a four-point Likert scale coded as ordinal. The respondents' options are: strongly agree=1, agree=2, disagree=3, strongly disagree=4. While the 18 items are exactly the same as the original CATSO scale, the additional 10 questions were added rather than making separate questions causing the survey to be longer and possibly deterring respondents from answering.

The CATSO scale, as explained by Church et al. (2008), is composed of four components, with the first component labeled 'Social Isolation.' In the 'Social Isolation' category are the following statements: (1) Most sex offenders don not have close friends; (2) Sex offenders have difficulty making friends even if they try really hard; (3) Most sex offenders keep to themselves; (4) Most sex offenders are unmarried men; and (5) Sex offenders prefer to stay home alone rather than be around lots of people. The second component is called 'Capacity to Change' and includes the following statements: (1) Sex offenders should wear tracking devices so their location can be pinpointed at any time; (2) Trying to rehabilitate a sex offender is a waste of time; (3) With support and therapy, someone who committed a sexual offense can learn to change his/her behavior; (4) People who commit sex offenses should lose their civil rights; and (5) Convicted sex offenders should never be released from prison.

'Severity/Dangerousness' is the third component of the CATSO scale and includes the following statements: (1) Only a few sex offenders are dangerous; (2) Someone who uses emotional control when committing a sex offense is not as bad as someone who uses physical control when committing a sex offense; (3) A sex offense committed against someone the perpetrator knows is less serious than a sex offense

committed against a stranger; (4) Male sex offenders should be punished more severely than female sex offenders; and (5) The prison sentences sex offenders receive are much too long when compared to the sentence lengths for other crimes. The fourth component, 'Deviancy', includes the following statements: (1) People who commit sex offenses want to have sex more often than the average person; (2) Sexual fondling (inappropriate, unwarranted touch) is not as bad as rape; and (3) Sex offenders have high rates of sexual activity.

The remaining 10 items are not a part of the original CATSO scale; therefore, they do not fall into a particular category; however, the items are to gauge judges' perceptions of the characteristics of sex offenders. The items are to measure the respondents' views on sex offender laws as well as residency restrictions and the beliefs of sex offenders' pasts. The following 10 items include: (1) I would support sex offender housing restriction laws even if there is no scientific evidence that they are effective in preventing victimization; (2) Laws that prevent sex offenders from living near schools, parks, or playgrounds are effective in preventing sexual victimization; (3) I believe that sex offender registration and notification is effective in preventing sexual victimization; (4) Sex offenders are deterred from offending because of being listed on a publicly available sex offender registry; (5) General members of the community are deterred from sex offending because they do not want the humiliation of being listed on a publicly available sex offender registry; (6) Most sex offenders experienced abuse as a child; (7) Alcohol and drugs play a moderate or major role in sex offending; (8) It is likely that sex offenders who receive specialized psychological treatment will reoffend; (9) Sex offense rates are on the rise; and (10) Abuse only occurs in low socio-economic classes.

The eighth question (35th item) asks respondents how likely they believe sex offenders reoffend in comparison to the general criminal population. The responses are coded at the ordinal level: sex offenders have a much higher recidivism rate=1; sex offenders have a slightly higher recidivism rate=2; sex offenders and other criminals have the same recidivism rate=3; other criminals have a slightly higher recidivism rate=4; and other criminals have a much higher recidivism rate=5.

In the ninth question (36th item), the respondents are asked where they believe rehabilitation for a sex offender should occur. The responses were coded as nominal with the options being: take place in the prison facility while serving the prison sentence for the crime=1; take place after the prison sentence is completed=2; and not be contemplated/rehabilitation does not work=3.

The tenth question (37th item) asks the respondents which strategies they believe are effective in reducing sexual offenses. The strategies listed are as follows: community notification, restricting where sex offenders can live, treatment in prison, treatment in the community, community education, chemical castration, restitution, prison, and electronic monitoring. The responses were coded as ordinal, and the respondents were invited to either strongly agree=1, agree=2, disagree=3, and strongly disagree=4.

Lastly, the remaining 7 items include information regarding demographics, experience, and self-reported political views. Item thirty-eight asks the respondent to indicate their sex, and the responses are coded at the nominal level (female=1, male=2). Item number thirty-nine asks the respondents what type of respondent they were, and the responses were coded nominal (district court judge=1, circuit court judge (family court)=2, circuit court judge (general jurisdiction)=3, and candidate for judge=4). Item

forty asks the respondent how many years, if currently a judge, they have been on the bench. The responses were coded at the ratio level, (number in years). In item forty-one, respondents are invited to indicate their age, and the responses were also coded at the ratio level (number in years). Item forty-two invites the respondents to indicate how many children, of any age, they have. The responses are coded at the ratio level (number in years). Item forty-three invites the respondents to indicate their marital status, the responses being coded at the nominal level (single, never married=1, married/partnered=2, divorced/separated=3, widowed=4). Item forty-four asks respondents to indicate if they have a family or friend who is a registered sex offender. The responses are coded at the nominal level (yes=1, no=2). Finally, item forty-five invites respondents to indicate their self-reported political views, and responses to this item are measured on a seven-point Likert scale (very liberal=1, liberal=2, somewhat liberal=3, moderate/neutral=4, somewhat conservative=5, conservative=6, very conservative=7).

CHAPTER III

FINDINGS

This section discusses the findings of the survey and reports the attitudes of Kentucky judges toward sex offenders, sex offender registration notification laws, and residency restrictions. The response rate (21.4%) was low due to only having 22 responses per 103 surveys that were emailed. While the response rate is less than ideal, it still provides insight into the opinions and views of judges toward sex offenders, sex offender registration and community notification laws, and residency restrictions.

Bivariate Findings

Sex Offender Registration and Notification (SORN) and Residency Restrictions

Table 2 shows judges' attitudes and beliefs in regards to SORN and residency restrictions. As seen in the table, a considerable majority believes that offender registration and community notification (93.75%) and residency restrictions (70.59%) are effective in preventing sexual victimization. Also, more than three-fourths of the respondents (76.47%) report that they would not support sex offender residency restrictions without scientific evidence proving they are effective in preventing victimization. Additionally, slightly more than half (53.33%) report that general members of the community are deterred from committing sex offenses because of the humility of being on the registry bring, while more than half (56.25%) report that sex offenders are not deterred from sex offending due to the publicly available registry.

Table 2Judges' Attitudes and Beliefs Regarding SORN and Residency Restrictions

Question	Strongly Agree	Agree	Disagree	Strongly Disagree
I believe that sex offender registration and notification is effective in preventing sexual victimization.	6.25% n=1	87.50% n=14	6.25% n=1	0.00% n=0
Laws that prevent sex offenders from living near schools, parks, or playgrounds are effective in preventing sexual victimization.	5.88% n=1	64.71% n=11	29.41% n=5	0.00% n=0
General members of the community are deterred from sex offending because they do not want the humiliation of being listed on a publicly available sex offender registry.	0.00% n=0	53.33% n=8	40.00% n=6	6.67% n=1
I would support offender housing restriction laws even if there is no scientific evidence that they are effective in preventing victimization.	5.88% n=1	17.65% n=3	52.94% n=9	23.53% n=4
Sex offenders are deterred from sex offending because of being on a publicly available sex offender registry	0.00% n=0	43.75% n=7	50.00% n=8	6.25% n=1

Sex Offender Community Notification

Table 3 shows the proportions of judges who support numerous community notification methods regarding sex offenders. The most supported method among the respondents was registration lists on the internet (90.0%), with registration lists at law enforcement agencies (70.0%) being the second most frequently supported method. Neighborhoods that hold meetings to inform neighbors of the presence of sex offenders who live nearby or have moved into the neighborhood (30.0%) is supported significantly less than the first two methods. Further, media releases (25.0%), mailed or posted flyers

(25.0%), and community meetings (20.0%) are even less sanctioned by judges.

Community meetings differ from neighborhood meetings because a community meeting could include multiple and different neighborhoods within the community to be present at the meeting, whereas a neighborhood meeting includes just the residents of one particular neighborhood. Additionally, door-to-door information from the police/sheriff (15.0%), information provided by police only upon request (15%), and automated telephone calls to residents (10.0%) are the least supported community methods.

Table 3

Judges' Beliefs Concerning Community Notification

Notification Method	Percentage (Number) Supporting Notification Method
Media releases	25.0% (n=5)
Door to door information from the police/sheriff	15.0% (n=3)
Mailed or posted flyers	25.0% (n=5)
Registration lists at law enforcement agencies	70.00% (n=14)
Registration lists on the internet	90.0% (n=18)
Community meetings	20.0% (n=4)
Automated telephone calls to residents	10.0% (n=2)
Information should be provided by police only upon request	15.0% (n=3)
Neighborhoods hold meetings to inform neighbors of the presence of sex offenders who live nearby or have moved into the neighborhood	30.0% (n=6)

What Information Should Be Included on a Sex Offenders' Registry Page

Table 4 shows the attitudes and beliefs of judges concerning what should be reported on a registered sex offender's registry page. The registrant's name (100.0%) is viewed as the most supported item to be included on the registrant's page, followed by the home address (90.0%) and photograph(s) (85.0%). A large portion of judges also reported that they believe a description of offense(s) (65.0%) should be included on a registrant's page.

Subsequently, slightly less than half feel that with whom the offender lives (40.0%), vehicle description (40.0%), vehicle license plate number (35.0%), and work location/address (35.0%) should be listed on a sex offender's registry page. A smaller percentage feels that a registrant's home telephone number (20.0%), HIV/STD test results (20.0%), and fingerprints (5.0%) should be included on the offender's registry page. Additionally, some judges believe that the victim's name (5.0%), age (40.0%), and gender (25.0%) are relevant and acceptable items to include on a sex offender's registry page.

Table 4

What Information Should Be Included on a Sex Offender's Registry Page

Registry Page Item	Percentage (Number Supporting Item Inclusion)
Name	100.0% (n=20)
Photograph(s)	85.0% (n=17)
Fingerprints	5.0% (n=1)
Home address	90.0% (n=18)
With whom the offender lives	40.0% (n=8)
Home telephone number	20.0% (n=4)
Vehicle description	40.0% (n=8)
Vehicle license plate number	35.0% (n=7)
Description of offense(s)	65.0% (n=13)
Work location/address	35.0% (n=7)

Victims(s) name(s)	5.0% (n=1)
Victim(s) age(s)	40.0% (n=8)
Victim(s) gender(s)	25.0% (n=5)
HIV & STD test results for offender	20.0% (n=4)

Restricting Sex Offenders from Select Locations

Table 5 indicates the attitudes and beliefs regarding the suitability of restricting sex offenders from living near select locations, namely ones with high child populations. The two sites that judges felt strongly about restricting sex offenders from living near are daycare centers (94.4%) and schools (88.9%). Additionally, more than half believe that sex offenders should be restricted from living near school bus stops (72.2%), youth athletic fields (72.2%), and parks (50.0%). However, fewer judges acknowledge skateboard parks (33.3%), public swimming pools (33.3%), movie theaters (27.8%), fast food restaurants (22.2%), public restrooms (22.2%), public libraries (22.2%), and malls (16.7%) as least pertinent locations for restricting sex offenders from habituating near.

Table 5

Restricting Sex Offenders from Select Locations

Location	Percentage (Number) Supporting Location Restriction
Schools	88.9% (n=16)
Daycare centers	94.4% (n=17)
Parks	50.0% (n=9)
Fast food restaurants	22.2% (n=4)
School bus stops	72.2% (n=13)
Malls	16.7% (n=3)
Youth athletic fields (e.g. little league ballparks, etc.)	72.2% (n=13)
Skateboard parks	33.3% (n=6)
Public swimming pools	33.3% (n=6)
Public restrooms	22.2% (n=4)
Movie theaters	27.8% (n=5)
Public libraries	22.2% (n=4)

18 Item CATSO Scale

Table 6 displays the judges' attitudes and beliefs regarding sex offenders, which are measured by using the original Community Attitudes Toward Sex Offenders (CATSO) scale, created by Church et al. (2008). As previously discussed, the CATSO Scale consists of four components: Social Isolation, Capacity to Change, Severity/Dangerousness, and Deviancy.

First, the results from the Social Isolation component indicate that judges do not believe that there is an association between sex offenders and social isolation. A large (portion) number does not believe that sex offenders prefer to stay home alone rather than be around lots of people (86.67%) and do not believe that sex offenders have difficulty making friends even if they try really hard (80%). Additionally, a majority believes that most sex offenders do not keep to themselves (86.67%), do not believe most sex offenders are unmarried men (81.25%), and lastly do not believe that sex offenders have close friends (86.67%).

Secondly, the Capacity to Change component suggests that judges largely consider sex offenders to be capable of change. A large portion of the population believes that with support and therapy, someone who committed a sex offense can learn to change his/her behavior (73.33%). Also, a majority does not believe that trying to rehabilitate a sex offender is a waste of time (75.00%). However, a small portion (11.76%) believes that convicted sex offenders should never be released from prison and should wear tracking devices so their location can be pinpointed at any time (25.00%). Further, more than half (66.25%) do not believe that people who commit sex offenses should lose their civil rights.

Thirdly, in regard to the Severity/Dangerousness component, judges do not believe that sex offenders are seen as dangerous criminals. A large segment (88.23%) of the population does not deem sex offenders who use emotional control as bad as sex offenders who use physical control. Almost all (94.11%) do not believe that sex offenses committed against someone the perpetrator knows are less serious than a sex offense committed against a stranger. All participants (100.00%) do not believe that male sex offenders should be punished more severely than female sex offenders. Furthermore, more than half (68.75%) do not believe that prison sentences sex offenders receive are too long compared to the prison sentences for other crimes. However, a small portion (20.00%) considers a few sex offenders as being dangerous.

Lastly, judges, in regard to the Deviancy component, generally do not consider sex offenders to be more deviant than other individuals. A majority does not feel that sex offenders want to have sex more often than the average person (78.57%) and does not feel that sex offenders have higher rates of sexual activity (78.57%). Interestingly, a little less than half (47.06%) believes sexual fondling is not as bad as rape.

Table 6

Judges' Attitudes and Beliefs Regarding Sex Offenders According to the 18 Catso Items

Question	Strongly Agree	Agree	Disagree	Strongly Disagree
Sex offenders prefer to stay home alone rather than be around lots of people.	0.00% n=0	0.00% n=0	86.67% n=13	13.33% n=2
Sex offenders have difficulty making friends even if they try real hard.	0.00% n=0	13.33% n=2	80.00% n=12	6.67% n=1
Most sex offenders keep to themselves.	0.00% n=0	6.67% n=1	86.67% n=13	6.67% n=1

Most sex offenders are unmarried men.	0.00% n=0	6.25% n=1	81.25% n=13	12.50% n=2
Most Sex offenders do not have close friends.	0.00% n=0	6.67% n=1	86.67% n=13	6.67% n=1
With support and therapy, someone who committed a sex offense can learn to change their behavior.	0.00% n=0	73.33% n=11	20.00% n=3	6.67% n=1
Trying to rehabilitate a sex offender is a waste of time.	0.00% n=0	18.75% n=3	75.00% n=12	6.25% n=1
Convicted sex offenders should never be released from prison.	5.88% n=1	11.76% n=2	64.71% n=11	17.65% n=3
Sex offenders should wear tracking devices so their location can be pinpointed at any time.	6.25% n=1	25.00% n=4	68.75% n=11	0.00% n=0
People who commit sex offenses should lose their civil rights (e.g., voting, privacy, etc.).	6.25% n=1	37.50% n=6	37.50% n=6	18.75% n=3
Someone who uses emotional control when committing a sex offense is not as bad as someone who uses physical control when committing a sex offense.	0.00% n=0	11.76% n=2	76.47% n=13	11.76% n=2
A sex offense committed against someone the perpetrator knows is less serious than a sex offense committed against a stranger.	0.00% n=0	5.88% n=1	58.82% n=10	35.29% n=6
Male sex offenders should be punished more severely than female sex offenders.	0.00% n=0	0.00% n=0	50.00% n=8	50.00% n=8
The prison sentences sex offenders receive are much too long when compared to the sentence lengths for other crimes.	6.25% n=1	18.75% n=3	68.75% n=11	6.25% n=1
Only a few sex offenders are dangerous.	6.67% n=1	13.33% n=2	66.67% n=10	13.33% n=2

People who commit sex offenses want to have sex more often than the average person.	0.00% n=0	21.43% n=3	50.00% n=7	28.57% n=4
Sexual fondling (inappropriate, unwarranted touch) is not as bad as rape.	0.00% n=0	47.06% n=8	47.06% n=8	5.88% n=1
Sex offenders have high rates of sexual activity.	0.00% n=0	21.43% n=3	71.43% n=10	7.14% n=1

Perceptions of the Characteristics of Sex Offenders

Table 7 represents the views and beliefs of judges on the characteristics of sex offenders. Slightly more than half agreed that most sex offenders experienced abuse as a child (56.25%), but the majority disagrees that alcohol and drugs play a role in sex offending (53.33%). This means that the majority of the judges believes that sex offenders are aware of what they are doing and find that alcohol and drugs do not influence sex offenders when committing a sexual offense. A small percentage (26.67%) believes that sex offenders who receive specialized psychological treatment will reoffend, but more than half (53.33%) do not believe that sex offense rates are on the rise. Interestingly, all respondents (100.00%) do not believe that abuse only occurs in low socio-economic classes.

Table 7

Perceptions of the Characteristics of Sex Offenders

Question	Strongly Agree	Agree	Disagree	Strongly Disagree
Most sex offenders experienced abuse as a child.	0.00% n=0	56.25% n=9	37.50% n=6	6.25% n=1
Alcohol and drugs play a moderate or major role in sex offending.	0.00% n=0	46.67% n=7	40.00% n=6	13.33% n=2

It is likely that sex offenders who receive specialized psychological treatment will reoffend.	0.00% n=0	26.67% n=4	66.67% n=10	6.67% n=1
Sex offense rates are on the rise.	0.00% n=0	46.67% n=7	53.33% n=8	0.00% n=0
Abuse only occurs in low socio-economic classes.	.00% n=0	0.00% n=0	29.41% n=5	70.59% n=12

Effective Strategies in Reducing Sexual Offenses

Table 8 represents the judges' attitudes and beliefs regarding strategies for deterrence against sexual offenses. The majority believes that community notification (93.33%), restricting where sex offenders can live (80.00%), treatment in prison (93.34%), treatment in the community (93.34%), community education (100.00%), prison (80.00%), and electronic monitoring (86.66%) are effective ways to reduce sexual offenses. Interestingly, a small portion (26.67%) believes that chemical castration is effective in the deterrence of sex offenses, whereas the majority (73.33%) does not believe restitution will prevent sexual offenses from occurring.

Table 8

Effect Strategies in Reducing Sexual Offenses

Deterrence Strategy	Strongly Agree	Agree	Disagree	Strongly Disagree
Community Notification	13.33% n=2	80.00% n=12	6.67% n=1	0.00% n=0
Restricting where sex offenders can live	13.33% n=2	66.67% n=10	20.00% n=3	0.00% n=0
Treatment in prison	6.67% n=1	86.67% n=13	6.67% n=1	0.00% n=0

Treatment in the community	6.67% n=1	86.67% n=13	6.67% n=1	0.00% n=0
Community education	6.67% n=1	93.33% n=14	0.00% n=0	0.00% n=0
Chemical castration	6.67% n=1	20.00% n=3	46.67% n=7	26.67% n=4
Restitution	13.33% n=2	13.33% n=2	60.00% n=9	13.33% n=2
Prison	13.33% n=2	66.67% n=10	20.00% n=3	0.00% n=0
Electronic Monitoring	13.33% n=2	73.33% n=11	13.33% n=2	0.00% n=0

The following tables to be discussed were originally going to be used for multivariate analysis; however, due to multiple missing values among the independent and dependent variables, the multivariate analysis was unable to be conducted. If the data had been available, I would analyze it using logistic regression after coding the items as a dichotomous variable and then analyze whether the demographic information provided by the respondents had an effect on the answers given to each question. Since the data were not available, bivariate analysis is used, just as with the tables earlier in this study.

Judges' perceptions of fairness of community notification laws in their community

Table 9 represents the judges' attitudes and views on the fairness of the community notification laws in their community. Running the bivariate analysis shows

that none of the judges believed that the community notification laws in their community were unfair (0.00%), while only a small percentage (10.00%) believed them to be somewhat unfair. The majority of the population believed the community notification laws to be mostly fair (60.0%) in their community, while a little over a quarter (30.0%) believed the community notification laws to be fair.

Table 9

Judges' perceptions of fairness of community notification laws in their community

I believe the community notification laws in my community are:	
Unfair	0.0% (n=0)
Somewhat fair	10.0% (n=2)
Mostly fair	60.0% (n=12)
Fair	30.0% (n=6)

Judges' views on community notification being effective in reducing recidivism

Table 10 displays the judges' perceptions on the effectiveness that community notification has in reducing recidivism. Running the bivariate analysis shows that only a small percentage (10.0%) agree that community notification is very effective in reducing sex offenses and a little less than half (40.0%) mostly agree that community notification results in some reduction. The majority of the population (45.0%) somewhat agrees that there is a small reduction in recidivism due to community notification, while only a very small percentage (5.0%) disagrees that community notification does not result in reduction of sex offenses.

Table 10

Judges' views on community notification being effective in reducing recidivism

Community notification is effective in reducing the number of sex offenses.

Agree, community notification is very effective in reducing sex offenses	10.0% (n=2)
Mostly agree, community notification results in some reduction	40.0% (n=8)
Somewhat agree, community notification results in a small reduction	45.0% (n=9)
Disagree, community notification does not result in a reduction	5.0% (n=1)

Types of sex offenders subject to community notification

Table 11 indicates the types of sex offenders that judges believe should be subject to community notification. When running the bivariate analysis, half of the participants believe that only sex offenders with high risk assessment scores should be subject to community notification (50.0%). Comparably, half of the respondents believe that all of the sex offenders should be subject to community notification (50.0%). Interestingly, none of the respondents believe that no sex offenders should be subject to community notification (0.00%).

Table 11

Types of sex offenders subject to community notification

I believe the following sex offenders should be subject to community notification:

No sex offenders.	0.0% (n=0)
Only sex offenders with high risk assessment scores.	50.0% (n=10)
All sex offenders.	50.0% (n=10)

Sex offender recidivism vs. general criminal recidivism

Table 12 shows the attitudes and perceptions of the judges on whether a sex offender is more likely to reoffend in comparison to the general criminal population.

Running the bivariate analysis shows that the majority of the population believes that sex offenders have a much higher recidivism rate (37.5%), while a small sample believes that sex offenders only have a slightly higher recidivism rate (12.5%). However, a quarter of the respondents believe that sex offenders and general criminals recidivate the same (25.0%). Interestingly, one-fourth of the population believe other criminals have a slightly higher recidivism rate(25.0%), while none of the respondents believe that other criminals have a much higher recidivism rate than sex offenders (0.00%).

Table 12

Sex offender recidivism vs. general criminal recidivism

How likely is a sex offender to reoffend in comparison to the general criminal population?	
Sex offenders have a much higher recidivism rate.	37.50% (n=6)
Sex offenders have a slightly higher recidivism rate.	12.50% (n=2)
Sex offenders and other criminals have the same recidivism rate.	25.00% (n=4)
Other criminals have a slightly higher recidivism rate.	25.00% (n=4)
Other criminals have a much higher recidivism rate.	0.00% (n=0)

Places where rehabilitation should occur

Table 13 illustrates where judges believe rehabilitation for a sex offender should take place. When running the data as bivariate analysis, the majority of the respondents believes that rehabilitation should take place in the prison facility while serving the

prison sentence for the crime (75.0%), while a quarter of the respondents believe that rehabilitation should take place once the prison sentence is completed (25.0%).

Interestingly, none of the respondents (0.00%) believed rehabilitation to be effective.

Because of the many different cases that judges have to hear and make rulings on, they have to believe rehabilitation exists on some level.

Table 13

Places where rehabilitation should occur

I believe rehabilitation for a sex offender should:

Take place in the prison facility while serving the prison sentence for the crime	75.00% (n=12)
Take place after the prison sentence is completed	25.00% (n=4)
Not to be contemplated; rehabilitation does not work	0.00% (n=0)

CHAPTER IV

DISCUSSION OF FINDINGS

If we could assume representativeness and valid results, we would be able to say that judges tend to be more on the conservative side when it comes to sex offenders and registration notification. The findings from this study are not complete; however, they do provide some insight as to how the members of the judiciary perceive, understand, regard, and view sex offenders, sex offender registries, rehabilitation, recidivism rates, residency restrictions, community notification, and effective recidivism reduction strategies. Judges generally have positive perspectives regarding sex offender registration and community notification laws and see them as effective in reducing sexual victimization.

Judges largely believe that the community notification laws that are in place are, for the most part, fair. This is important, especially for the judges, since they apply the law to cases daily; however, not all judges may be familiar with the community notification laws, depending on the type of judge they are. However, judges who do not hear cases of criminal sex abuse may be unfamiliar with the sex offender community notification laws and policies. Thus, judges need to be cognizant of the laws that are in place, if they ever come across such a case.

Judges also believe that sex offenders should be subject to community notification; however, some of the respondents believed that all sex offenders should be

listed while the other respondents believe only sex offenders with high-risk assessment scores should be listed. The judges collectively believe that sex offenders should be put on a registry; yet there seems to be a question as to which sex offenders should be listed. Judges should take into account what affects a person's life when being listed on a registry because not all sex offenders have high risk assessment scores and therefore could benefit from not being on the registry.

It is true that judges believe that sex offenders have a higher recidivism rate than other criminals and more aggressive treatment may need to be put in place for sex offenders with high-risk assessment scores to prevent recidivism from occurring. The judge could order sex offenders to complete treatment pursuant to being released from prison. Further, judges already believe that rehabilitation should take place in prison while serving the prison sentence. With treatment being offered while in prison, it is the only thing for sex offenders to focus on, rather than when they are receiving treatment in the community. As long as programs offered in prison are as efficient and successful as those offered in the community, they might be more beneficial to the sex offenders.

Sex Offender Registration and Community Notification

In this section, the views and perceptions of judges are compared with those of community corrections professionals (Tewksbury et al., 2011), law enforcement officials (Tewksbury & Mustaine, 2013), prison wardens (Connor, 2012), and parole board members (Tewksbury & Mustaine, 2012). Comparatively, judges are more likely to find the SORN procedures (93.75% in comparison to 59.0% of community corrections professionals, 5.4% of law enforcement officials, 75.0% of prison wardens, and 61.3% of parole board members) to be effective in preventing sexual victimization. Additionally,

the majority of each population, except parole board members, is more likely find that residency restrictions (70.59% in comparison to 50.4% of community corrections professionals, 70.6% of law enforcement officials, 61.7% of prison wardens, and 42.3% of parole board members) are effective in preventing sexual victimization.

However, less than half of each population feels that sex offenders who are placed on a publicly available registry will be deterred from offending (43.75% compared to 19.0% of community corrections professionals, 24.3% of law enforcement officials, 23.9% prison wardens, and 27.1% of parole board members). This shows little support for the effectiveness of the sex offender registry and its predetermined purpose.

Additionally, judges are more likely to believe that general members of the community are deterred from sex offending due to fear of being placed on a publicly available sex offender registry (53.33% compared to 24% of community corrections professionals 39.6% law enforcement officials, 32.3% of prison wardens, 25.8% of parole board members). Interestingly, judges are less likely to support housing restrictions without scientific evidence that those laws effectively prevent sexual victimization (23.53% in comparison to 41.5% of community corrections professionals, 81.5% of law enforcement officials, 42.7% of prison wardens, and 36.6% of parole board members). It seems that the judges would not support this because of their legal ethical background. Even though the rest of the populations have the same backgrounds, it seems they are not in need of any evidence to support such restrictions.

Restricting Sex Offenders from Select Locations

In this section, judges' attitudes and beliefs concerning what locations a sex offender should be restricted from is compared to community corrections professionals

(Tewksbury et al., 2011), law enforcement officials (Tewksbury & Mustaine, 2013), prison wardens (Connor, 2012), and parole board members (Tewksbury & Mustaine, 2012). The majority of each population finds that sex offenders should be prohibited from living near schools (88.89% of judges, 78.1% of community corrections professionals, 94.7% of law enforcement officials, 91.2% of prison wardens, and 66.7% of parole board members) and daycare centers (94.44% of judges, 70.7% of community corrections professionals, 89.8% of law enforcement officials, 91.2% of prison wardens, and 60.3% of parole board members). Parole board members (41.0%) are less likely to believe that sex offenders should be restricted from living near youth athletic fields, while law enforcement officials (85.4%), judges (72.22%), prison wardens (70.6%) and community corrections professionals (63.1%) are more likely to believe that sex offenders should be restricted.

The majority of law enforcement officials (72.8%), prison wardens (64.7%), and community corrections professionals (57.7%) is more likely to support sex offenders being restricted from living near parks, but only one-half of judges (50.0) and a small percentage of parole board members (39.7%) find public parks an appropriate restriction. Parole board members (34.6%) and community corrections professionals (49.2%) are less likely to find that school bus stops should be a location which sex offenders are prohibited from living near; however, judges (72.22%), law enforcement officials (69.4%), and prison wardens (63.2%) find school bus stops a suitable location to prohibit sex offenders from living near. Prison wardens (66.2%) and law enforcement officials (64.1%) are more likely to support restricting sex offenders from living near skateboard parks while less than half of the remaining populations support such locations (33.33% of

judges, 49.5% of community corrections professionals, and 34.6% of parole board members). This is also true for public swimming pools (33.33% of judges, 51.4% of community corrections professionals, 63.6% of law enforcement officials, 55.9% of prison wardens, and 32.1% of parole board members).

Interestingly, only a small percentage from each population supports public toilets (22.22% in comparison to 16.4% of community corrections professionals, 30.1% of law enforcement officials, 17.6 of prison wardens, and 5.1% of parole board members) and public libraries (22.22% in comparison to 19.6% of community corrections professionals, 29.6% of law enforcement officials, 23.5% of prison wardens, and 14.1% of parole board members) being prohibited places for sex offenders to live near. Additionally, judges are more likely to support restricting sex offenders from living near fast food restaurants (22.22% in comparison to 5.8% of community corrections professionals, 5.8% of law enforcement officials, 4.4% of prison wardens, and 0.0% of parole board members).

Overall, law enforcement officials, community corrections professionals, and prison wardens seem to be closely aligned, which could be because they work more closely with sex offenders and are more likely to have similar beliefs. Subsequently, the judges and parole board members had some similar perceptions and this could be due to the fact that they do not have direct contact with sex offenders, but are more inclined to enforce the laws, which the offender must follow.

What Information Should Be Included on a Sex Offender's Registry Page

In the following section, judges' attitudes and beliefs concerning what information should be included on a registrant's page is compared to community corrections professionals (Tewksbury et al., 2011), law enforcement officials (Tewksbury

& Mustaine, 2013), prison wardens (Connor, 2012), and parole board members (Tewksbury & Mustaine, 2012). All populations agreed that the most suitable and pertinent information that should be included on a registrant's page is name (100.0% of judges, 94.8% of community corrections professionals, 96.6% of law enforcement officials, 94.1% of prison wardens, and 87.5% of parole board members) and photograph (85.0% of judges, 93.9% of community corrections professionals, 94.2% of law enforcement officials, 94.1% of prison wardens, and 80.0% of parole board members). While all populations believed the home address to be suitable for the registry (90.0% of judges, 75.1% of community corrections professionals, 86.9% of law enforcement officials, 80.9% of prison wardens, and 66.3% of parole board members), community corrections professionals found descriptions of offenses to be more important information that should be reported on a registrant's page (75.8% in comparison to 65.0% of judges, 83.0% of law enforcement officials, 42.6% of prison wardens, and 53.8% of parole board members).

Judges are more likely to support the inclusion of with whom the offender lives (40.0% in comparison to 15.9% of community corrections professionals, 27.7% of law enforcement officials, 23.5% of prison wardens, and 15% of parole board members) and home telephone number (20.0% in comparison to 3.5% of community corrections professionals, 7.8% of law enforcement officials, 7.4% of prison wardens, and 5.0% of parole board members) than the rest of the populations.

The majority of law enforcement officials (64.6%) is more likely than judges (40.0%), community corrections professionals (49.3%), prison wardens (45.6%), and parole board members (32.5%) to believe that the vehicle description of a sex offender's

car should be added to a registrant's page. The same is true for the vehicle license plate number (35.0% of judges, 33.4% of community corrections professionals, 46.6% of law enforcement officials, 36.8% of prison wardens, and 33.8% of parole board members), work location/address (35.0% of judges, 25.9% of community corrections professionals, 39.8% of law enforcement officials, 29.4% of prison wardens, and 23.8% of parole board members), and fingerprints (5.0% of judges, 5.5% of community corrections professionals, 11.7% of law enforcement officials, 10.3% of prison wardens, and 7.5% of parole board members). This is most likely due to the fact that law enforcement officials find that the added data would help them identify a sex offenders' vehicle if they were actively searching for him/her and the work locations gives law enforcement officials an opportunity to locate the offender. Additionally, law enforcement officers (34.0%) are more likely to support that sex offenders' HIV & STD test results be included on their registrant pages than judges (20.0%), community corrections professionals (13.0%), prison wardens (17.6%), and parole board members (10.0%).

Interestingly, less than half of each population believes that a victim's age (40.0% of judges, 45.3% of community corrections professionals, 40.8% of law enforcement officials, 22.1% of prison wardens, and 22.5% of parole board members) and gender (25.0% of judges, 41.9% of community corrections professionals, 39.3% of law enforcement officials, 17.6% of prison wardens, and 20.0% of parole board members) should be included on a registrant's page. Additionally, a very small percentage believes that the victims' names should be included as well (5.0% of judges, 2.2% of community corrections professionals, 5.8% of law enforcement officials, 8.8% of prison wardens, and 2.5% of parole board members).

How to Conduct Community Notification

This next section compares the judges' attitudes and beliefs on how community notification should be conducted to community corrections professionals (Tewksbury et al., 2011), law enforcement officials (Tewksbury & Mustaine, 2013), prison wardens (Connor, 2012), and parole board members (Tewksbury & Mustaine, 2012). Parole board members (52.5%) are more likely to hold the belief that registration lists should not be made available on the internet, whereas only a small percentage of judges (10.0%), community corrections professionals (16.0%), law enforcement officials (9.7%), and prison wardens (20.6%) hold the same belief. The majority of the populations believes that the registration lists should be made available at law enforcement agencies (70.0% in comparison to 71.7% of community corrections professionals, 76.3% of law enforcement officials, 77.9% of prison wardens, and 71.3% of parole board members.

Law enforcement officials (36.7%) are more likely to support mailed or posted flyers than judges (25.00%), community corrections professionals (32.5%), prison wardens (25.00%), and parole board members (16.3%). The same is true for community meetings as a means of notification (20% of judges, 29.2% of community corrections professionals, 35.7% of law enforcement officials, 10.3% of prison wardens, and 12.5% of parole board members. Further, law enforcement (20.8%) and prison wardens (20.6%) are more likely to support automated telephone calls to residents in comparison to judges (10.00%), community corrections professionals (15.5%), and parole board members (12.5%) as a way of notifying the community of the presence of sex offenders.

The majority of the populations does not believe that door to door information from the police/sheriff (85.0% of judges, 76.0% of community corrections professionals,

80.7% of law enforcement officials, 89.7% of prison wardens, and 90.0% of parole board members), media releases (75.0% of judges, 68.4% of community corrections professionals, 100.0% of law enforcement officials, 66.2% of prison wardens, and 72.5% of parole board members), and information provided by the police only upon request (85.0% of judges, 86.3% of community corrections professionals, 87.0% of law enforcement officials, 82.4% of prison wardens, and 53.7% of parole board members) to be adequate ways of community notification.

CATSO Scale Items

The CATSO Scale (Church et al., 2008) has been used to try grasping a further understanding of the attitudes and beliefs of the criminal justice actors, who have daily contact with offenders, toward the sex offender registration and community notification laws and residency restrictions. With the exception of law enforcement officials (Tewksbury & Mustaine, 2013), the CATSO scale has been found not to be an efficient method for studying the perceptions of community corrections professionals (Conley et al., 2011, Tewksbury et al., 2011), prison wardens (Connor, 2012), and parole board members (Tewksbury & Mustaine, 2012); the same falls true for judges. The following reflects how each population views sex offenders within each of the four components found in the CATSO scale.

To begin, the data from the first component, 'Social Isolation', displayed that judges, community corrections professionals, law enforcement officials, prison wardens, and parole board members do not find sex offenders to be socially isolated. A small percentage believes that sex offenders prefer to stay home alone rather than be around lots of people (0.00% judges 18.0% of community corrections professionals, 18.0% of

law enforcement officials, 18.0% of prison wardens, and 22.1% of parole board members) and believe that sex offenders have difficulty making friends even if they try really hard (13.33% of judges, 15.7% of community corrections professionals, 12.2% of law enforcement officials, 10.3% of prison wardens, and 9.9% of parole board members. Additionally, very few believe that most sex offenders keep to themselves (6.67% of judges, 15.8% of community corrections professionals, 13.3% of law enforcement officials, 19.1% of prison wardens, and 14.1% of parole board members. Similarly, the majority of the populations does not believe that most sex offenders are unmarried men (93.75% of judges, 90.9% of community corrections professionals, 93.3% of law enforcement officials, 86.4% of prison wardens, and 88.8% of parole board members) and do not have close friends (93.33% of judges, 82.1% of community corrections professionals, 84.6% of law enforcement officials, 85.2% of prison wardens, and 90.3% of parole board members).

In the second component, 'Capacity to Change', the results indicate that judges, community corrections professionals, prison wardens, and parole board members believe that sex offenders are capable of changes. Some law enforcement believes that as well; however, they were less likely to believe that change was possible among sex offenders. Judges (73.33%), community corrections professionals (77.1%), prison wardens (67.2%), and parole board members (79.3%) believe that with support and therapy, sex offenders can learn to change their behavior; however, less than one-fourth of law enforcement officials (22.5%) has the same belief. Nonetheless, just a little more than half of law enforcement officials (50.7%) believe that rehabilitation for a sex offender is a waste of time in comparison to the other populations (18.75% of judges, 11.8% of community

corrections professionals, 16.2% of prison wardens, and 8.4% of parole board members). A small percentage believes that convicted sex offenders should never be released from prison (17.64% of judges, 10.2% of community corrections professionals, 7.4% of prison wardens, and 2.8% of parole board members). Again, law enforcement officials are at the higher spectrum of that small percentage (36.8%) in believing that convicted sex offenders should never be released from prison. Judges (31.25%) are less likely than community corrections professionals (51.0%), law enforcement officials (65.2%), prison wardens (55.9%), and parole board members (50.7%) to believe that sex offenders should wear tracking devices to pinpoint their location at any time. However, law enforcement officials (61.8%) are more likely to support sex offenders losing their civil rights compared to other criminal justice actors (43.75% of judges, 36.1% of community corrections professionals, 40.3% of prison wardens, and 27.5% of parole board members).

In the third component, 'Severity/Dangerousness', the results propose that judges along with community corrections professionals, law enforcement officials, prison wardens, and parole board members see sex offenders as dangerous and serious criminals. Very few feel that sex offenders who use physical control to be more dangerous than sex offenders who use emotional control (11.76% of judges, 5.1% of community corrections professionals, 4.5% of law enforcement officials, 4.4% of prison wardens, and 5.6% of parole board members) and feel that a sex offense committed against a known victim is less serious than against a stranger (5.88% of judges, 9.6% of community corrections professionals, 3.0% of law enforcement officials, 2.9% of prison wardens, and 4.1% of parole board members). A large majority does not believe that

male sex offenders should be punished more severely than female sex offenders (100% of judges, 97.6% of community corrections professionals, 93.2% of law enforcement officials, 94.1% of prison wardens, and 95.8% of parole board members), does not feel that the prison sentences that sex offenders receive are too long in comparison to other crimes (75.0% of judges, 88.3% of community corrections professionals, 94.1% of law enforcement officials, 85.3% of prison wardens, and 76.4% of parole board members), and does not believe that only a few sex offenders are dangerous (80.0% of judges, 67.8% of community corrections professionals, 82.6% of law enforcement officials, 72.1% of prison wardens, and 61.1% of parole board members).

Lastly, the 'Deviancy' component's results indicate that in regard to sex offenders, the criminal justice system actors do not find them to be more deviant than other individuals. A majority does not feel that sex offenders want to have sex more often than the average person (78.57% of judges, 90.7% of community corrections professionals, 83.4% of law enforcement officials, 89.5% of prison wardens, and 87.1% of parole board members) and does not feel that sex offenders have high rates of sexual activity (78.57% of judges, 77.4% of community corrections professionals, 76.1% of law enforcement officials, 80.6% of prison wardens, and 84.1% of parole board members). However, less than one-half views sexual fondling as bad as rape (47.06% of judges, 19.4% of community corrections professionals, 24.0% of law enforcement officials, 25.0% of prison wardens, and 47.9% of parole board members).

CHAPTER V

DISCUSSION OF METHODS

The main focus of this survey was to get an in-depth look how judiciary members view, understand, and perceive sex offenders, sex offender registries, rehabilitation, recidivism rate, residency restrictions, and community notification. Due to the lack of responses (21.4%), it is hard to know where the true support stands among the counties that were surveyed. The findings of this study extend support to prior literature about the attitudes, perceptions, and beliefs of sex offenders and sex offender policies and recommends future research.

Analysis and Implications

Even though 103 surveys were emailed to judges and candidates, along with a reminder email, only 22 responses were obtained. It is possible to hypothesize that there are numerous reasons for the lack of responses. For instance, judges, as well as candidates, are too busy to entertain a survey on a subject they are not very well educated on, or the judges and candidates do not use the registries to look up offenders within their areas and therefore feel that there is a correct answer to the questions rather than just their views on the subject. In regard to the judges, they may feel that they cannot ethically participate in a survey on such a topic due to the Judicial Canon of Ethics. The Judicial Canon of Ethics is “a set of ethical principles and guidelines and provides guidance for judges on issues of judicial integrity and independence, judicial diligence and

impartiality, and permissible extra-judicial activities.”

(<http://www.uscourts.gov/RulesAndPolicies/CodesOfConduct.aspx>).

Another factor that plays into the lack of responses from judges is that they do not use the registries as often as the public would like to think. The judges are more likely to have their staff look up offenders and report to them what they find rather than do the searching themselves. This could also suggest that the judges are not as educated on the subject as their staff is and as mentioned before, did not feel comfortable in answering the survey. While the judges may know the ins and outs of the laws, the administration part of the judicial system, such as searching sex offender registries, is where the judges fall short.

In addition, sending an email survey may have seemed like it was the best option; however, in this case it may have prohibited us from receiving a good response rate. The reasons being is that in this day and age, judges do everything electronically, such as approving or denying petitions for emergency protective orders. It is possible that when our survey came through their email, they deemed it unimportant and deleted it the instant that they received the email and the follow-up email as well. Although email is very handy and a quick way to receive responses, it may have been better to do a paper survey in this instance. That way the survey could sit on the judges’ desks, or their administrative staff could remind them to take the survey.

Furthermore, the candidates may not have answered for several reasons, those being that it were election year and they were focusing on their campaign and felt they could not take a stance on the issue. The candidates may have felt that they were inadequately informed about the sex offender registration notification laws and sex

offenders themselves. This may be why some of the respondents' answered surveys were returned without the answer to if they were a judge or candidate. Moreover, both judges and candidates may have felt that their answers could have been traced back to them and were uncomfortable answering questions because of this. However, each survey was sent with a statement advising that all surveys were anonymous, but it is possible that the statement was overlooked and/or ignored, therefore leaving all persons who did not participate in the dark about the anonymity of the survey.

Additionally, not all surveys were fully completed with respondents either answering only the first six items or choosing which questions to answer. This suggests that the length of the survey deterred some of the respondents, whereas the respondents who were picking and choosing certain questions felt that they could only answer certain questions. While the CATSO scale is effective in its application to understanding the attitudes of law enforcement officials (Tewksbury & Mustaine, 2013), it is not an efficient tool to use for community corrections professionals (Conley et al., 2011; Tewksbury et al., 2011, 2012), prison wardens (Connor, 2012), parole board members (Tewksbury & Mustaine 2012), and now judges. As stated before, there may have been questions that some respondents felt they ethically could not take a stance on so therefore they left the majority of the scale blank. Also, the CATSO Scale seemed to keep a lot of respondents from completing the survey, and it may have been better to break up those questions into segments rather than one large scale.

Suggestions

It is apparent that this study has several drawbacks; however, there are numerous ways that it can be improved. First, the response rate is desperately lacking, which could

be a result in the way the survey was administered. Since judges and candidates most likely receive more than the average number of emails a day, it is possible that the email with the link to the online survey was overlooked. Therefore, an online survey may not have been the best way to distribute the survey. Taking a look into how other researchers have executed the same survey with criminal justice system actors may be beneficial in further research.

The research on community corrections professionals by Tewksbury et al., (2011) administered their surveys online and was able to get 716 participants. In 2013, Tewksbury and Mustaine administered their surveys to law enforcement officials in two ways. First, they disbursed the surveys to officers attending classes at one of the five administrative officers classes at the Southern Police Institute (Tewksbury & Mustaine, 2013). They were able to obtain 175 surveys in this manner. Second, the researchers posted an announcement of said survey on the Southern Police Institute's facebook page and website, encouraging alumni members that had previously completed administrative courses to take the survey. 34 additional surveys were collected by way of this method, giving a total of 209 respondents. Further, in 2012, Connor sent, by postal mail, the surveys to 240 prison wardens, inviting them to participate in the study on their perceptions of sex offender registration and community notification and residency restrictions. He received a total of 68 completed surveys; 63 were hard copies whereas 5 were completed online. Additionally, in 2012, Tewksbury and Mustaine disbursed the same survey to parole board members via online application and received back a total of 80 responses. It is obvious that some surveys are better dispersed by postal mail, in person, or online, but ultimately it depends on the population that is being studied. I

would suggest that with the judges, to send a paper survey initially with information for accessing the survey online as well; however, they have the chance to complete the survey hard copy and return. For follow up, it would be beneficial to send paper copies by postal mail again as well as an email. It is acknowledged that the price of sending the survey via postal mail may be expensive; however, it may be the only way to get adequate data.

Secondly, the length of the survey, as well as the missing data, proposes a huge limitation in this research. Not only does the length of the survey more than likely deter some from answering the survey, the missing data ultimately gives us inconclusive or inadequate data as to how the population that was surveyed does in fact perceive sex offenders, community notification, and residency restrictions. Therefore, we are left to assume and to fill in the blanks instead of having concrete data. My suggestion for fixing this issue would be rearrange the survey; specifically, break up the CATSO scale because that seemed to be where a lot of the respondents stopped participating. Another suggestion would be to try and possibly speak with someone in regard to attending the Judicial Colleges that are available to the judges and administering the surveys in person. This way it would provide the opportunity to explain the survey and its purposes, rather than having the judges guess what the survey is about.

Thirdly, another limitation is that candidates were included in the survey, which was originally thought would help raise the sample size; however, since none of the respondents chose if they were a candidate on the survey, it is possible that candidates never replied to any of the surveys. However, some of the surveys were partially completed and the questions were skipped over. Additionally, some respondents never

answered if they were a judge or candidate, therefore leaving us to believe that some answers may have been from candidates. If candidates from each county had not been added, it may have been more beneficial to add additional counties with judges on the bench, rather than sending to persons who were not going to respond. For future research, candidates should not be included on the recipient list nor should the survey take place around election time. The election could have possibly caused a few judges who were running for their seat again to ignore the survey. I would suggest distributing the survey to judges in a non-election year.

CHAPTER VI

CONCLUSION

This research was conducted to try to gain insight on how judiciary members perceive and understand the sex offenders, sex offender registration and community notification procedures, and residency restrictions. In spite of the lack of responses, we still received information that could be useful in future research. While sex offender registry and community notification policies make an effort to raise awareness in the community and potentially reduce sexual victimization, not all of the criminal justice system actors fully agree.

Prior research shows that the perceptions of community corrections professionals (Tewksbury et al., 2011), prison wardens (Connor, 2012), law enforcement officials (Tewksbury & Mustaine, 2013), along with the general public (Levenson et al., 2007) believe that the sex offender registration and community notification policies are effective in preventing sexual victimization. However, parole board members (Tewksbury & Mustaine, 2012) perceive the sex offender registration and community notification to be ineffective in reducing sexual offenses and also believe that residency restriction policies do not contribute to increased public safety or the reduction of recidivism. When looking at the data that was collected for this study, it is possible to see that the judges who did respond had views that were similar, for the most part, with

community corrections professionals, prison wardens, law enforcement officials, and the public. While the judiciary members are thought to be more informed about the registration policies and the residency restrictions, we can assume that not all of them handle cases with sex offenders; therefore, they are not required to remember such policies and laws. This could have caused some of the participants who did respond to be misinformed, much like the general public.

Although the data collected in this study was not rich, the little information that was collected shows where the majority of the population's attitudes and beliefs lie in certain aspects. Residency restrictions for sex offenders are critical for community members to feel safe and were created because of the increased fear of its members. Prior studies show that the general public (Levenson et al., 2007), community corrections professionals (Tewksbury et al., 2011), law enforcement officials (Tewksbury & Mustaine, 2013), and prison wardens (Connor, 2012) believe that residency restriction laws are effective in preventing sexual victimization. As before, parole board members (Tewksbury & Mustaine, 2012) are less likely to support that residency restrictions prevent sexual victimization. Furthermore, in other studies, sex offender registration and community notification and residency restrictions have shown to have minimal to no effect on recidivism of sex offenders (Barnes et al., 2009; Blood et al., 2008; Duwe et al., 2008; Tewksbury & Jennings, 2010; Tewksbury et al., 2012; Zgoba et al., 2010).

Judges are seen as authority figures and have the power to do anything they believe is right within the realm of the justice system. They are also elected into a position in which they make decisions that determine the outcomes of people's lives. Because they are in such a powerful position, it is important for judges to understand the

importance of SORN and residency restrictions for the sake of the victim, but to also be fair with their judgment against sex offenders. While the majority of the respondents have liberal views, a small number has conservative views, which can make for a harsher judgment against a sex offender. In order to be a judge, one would think their views would have to be liberal in order to be fair for all parties. Interestingly, the majority of respondents thought rehabilitation should take place in prison while the offender is serving his/her sentence; however, a small percentage of the respondents thought the rehabilitation should take place after prison, and it should occur within the community. This suggests that the more liberal respondents believe rehabilitation works and should get started immediately, while the more conservative respondents are less likely to find that rehabilitation works, especially when in a prison setting.

It would benefit future research to re-examine this population, as their perceptions are important and could be useful for future sex offender policies. The limitations in this study are worth some value as they increase the potential for a more successful study in the future. By administering the surveys in a different way and by expanding the sample size, it is possible to get a relatively strong response, given that there is not a time frame. Additionally, rearranging the layout of the survey may prove to be beneficial in gaining responses as well.

In conclusion, although the response rate was less than desirable, we can assume that with the information collected, judges and candidates are more inclined to support sex offender registration and community notification laws and residency restrictions. By having a true look at how the judges perceive SORN and residency restrictions, it may call for changes in the current policies and make for a safer future in our communities.

This could help the community also understand how and why judges rule in the manner they do regarding sex offenders and could potentially provide a way for offenders to avoid recidivism and get back to being a member of his/her respective community.

REFERENCES

- Anderson, A. L., & Sample, L. L. (2008). Public awareness and action resulting from sex offender community notification laws. *Criminal Justice Policy Review, 19*, 371–396.
- ATSA Executive Board of Directors. (2010, April 5). The Registration and Community Notification of Adult Sexual Offenders . In ATSA. Retrieved January 26, 2015, from <http://www.atsa.com/registration-and-community-notification-adult-sexual-offenders>
- Barnes, J.C., Dukes, T., Tewksbury, R., & De Troye, T. (2009). Predicting the impact of a statewide residence restriction law on South Carolina sex offenders. *Criminal Justice Policy Review, 20*(1), 21-43.
- Blood, P., Watson, L., & Stageberg, P. (2008). State legislation monitoring report: FY 2007. Des Moines, IA: Iowa Department of Human Rights: Division of Criminal Justice and Juvenile Justice Planning.
- Bonnar-Kidd, K. K. (2001, March). Sexual offender laws and prevention of sexual violence or recidivism. *American Journal of Public Health, 100*(3), 412-419. doi:10.2105/AJPH.2008.153254
- Bumby, K.M., & Maddox, M.C. (1999). Judges' knowledge about sexual offenders, difficulties presiding over sexual offense cases, and opinions on sentencing, treatment, and legislation. *Sexual Abuse: A Journal of Research and Treatment, 11*(4),305-315.
- Burchfield, K. B. (2012). Assessing community residents' perceptions of local registered sex offenders: results from a pilot survey. *Deviant Behavior, 33*, 241–259.
- Child Exploitation & Obscenity Section. (n.d.). In *The United States Department of Justice*. Retrieved from <http://www.justice.gov/criminal/ceos/subjectareas/sorna.html>
- Church, W.T., Wakeman, E.E., Miller, S.L., Clements, C.B., & Sun, F. (2008). The Community Attitudes Toward Sex Offenders Scale: The development of a psychometric assessment instrument. *Research on Social Work Practice, 18*(3), 251-259.

- Craun, S. (2010). Evaluating awareness of registered sex offenders in the neighborhood. *Crime and Delinquency*, 56, 414–435.
- Code of Conduct for United States Judges. (2014). In *United States Courts*. Retrieved January 22, 2015, from <http://www.uscourts.gov/uscourts/RulesAndPolicies/conduct/vol02a-ch02.pdf>
- Datz, A.L. (2009). *Sex offender residency restrictions and other sex offender management strategies: The probation officer perspective in Florida*. Tallahassee, FL: Bureau of Probation and Parole Field Services.
- Duwe, G., Donnay, W., & Tewksbury, R. (2008). Does residential proximity matter? A geographic analysis of sex offense recidivism. *Criminal Justice and Behavior*, 35(4), 484-504.
- Greineder, B. (2013). Correctional officers' perceptions of sexual offenders in the United States: A qualitative analysis. *International Journal of Criminal Justice Sciences*, 8(1), 24-35.
- Higgins, C. & Ireland, C. A. (2009). Attitudes towards male and female sex offenders: A comparison of forensic staff, prison officers and the general public in Northern Ireland. *The British Journal of Forensic Practice*, 11(1), 14-19.
- Hogue, T.E. (1993). Attitudes towards prisoners and sexual offenders. In N.C. Clark & G. Stephenson (Eds.), *DCLP Occasional papers: Sexual offenders* (pp. 27-32). Leicester: British Psychological Society.
- Kernsmith, P. D., Comartin, E., Craun, S. W., & Kernsmith, R. M. (2009). The relationship between sex offender registry utilization and awareness. *Sexual Abuse: A Journal of Research and Treatment*, 21, 181–193.
- Kernsmith, P.D., Craun, S.W., Foster, J. (2009). Public attitudes toward sexual offenders and sex offender registration. *Journal of Child Sex Abuse*. 18(3), 290-301. doi: 10.1080/10538710902901663
- LaFond, J. Q. (2005). *Preventing sexual violence: How society should cope with sex offenders*. Washington, DC: American Psychological Association.
- Lauritsen, J. L., & White, N. (2014, June). Seasonal Patterns in Criminal Victimization Trends. Retrieved from <http://www.bjs.gov/content/pub/pdf/spcv.pdf>

- Letourneau, E.J., Levenson, J.S., Bandyopadhyay, D., Sinha, D., & Armstrong, K. (2010). Evaluating the effectiveness of sex offender registration and notification policies for reducing sexual violence against women. *Criminal Justice Review*. Retrieved December 5, 2010 from: <https://www.ncjrs.gov/pdffiles1/nij/grants/231989.pdf>
- Levenson, J.S., & Cotter, L.P. (2005a). The effect of Megan's Law on sex offender reintegration. *Journal of Contemporary Criminal Justice*, 21(1), 49-66.
- Levenson, J. S., Brannon, T. N., Fortney, T., & Baker, J. N. (2007). Public perceptions about sex offenders and community protection policies. *Analyses of Social Issues and Public Policy*, 7, 1-25.
- Levenson, J. S., & D'Amora, D. A. (2007). Social policies designed to prevent sexual violence: The Emperor's New Clothes? *Criminal Justice Policy Review*, 18(2), 168-199.
- Lieb, R., & Nunlist, C. (2008). *Community notification as viewed by Washington's citizens: A 10-year follow-up*. Olympia, WA: Washington State Institute for Public Policy.
- Redlich, A.D. (2001). Community notification: Perceptions of its effectiveness in preventing child sexual abuse. *Journal of Child Sexual Abuse*, 10(3), 91-116.
- Sex Offender Tracking. (2014, December 15). In *National Center for Missing & Exploited Children*. Retrieved January 13, 2015, from <http://www.missingkids.com/SOTT>
- Sex Offender Registration and Notification in the United States (2014, September). Retrieved from http://ojp.gov/smart/caselaw/handbook_sept2014.pdf
- Simon, S. (2010). Psychologists' Attitudes toward Sex Offenders (Master's thesis). Retrieved December 10, 2014, from <http://commons.pacificu.edu/cgi/viewcontent.cgi?article=1337&context=spp>
- Stout, L. A. (2002, March). Judges as Altruistic Hierarchs. *Cornell Law Faculty Publications*, 43(4), 1605-1627. Retrieved September 24, 2014, from <http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1832&context=facpub>
- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice*, 21(1), 67-81.

- Tewksbury, R., Connor, D. P., Cheeseman, K., & Rivera, B. L. (2012). Female sex offenders' anticipations for re-entry: Do they really know what they're in for? *Journal of Crime and Justice*, 35(3), 451-463.
doi: 10.1080/0735648X.2012.691240
- Tewksbury, R., & Jennings, W.G. (2010). Assessing the impact of sex offender registration and community notification on sex offending trajectories. *Criminal Justice and Behavior*, 37(5), 570-582.
- Tewksbury, R., & Lees, M.B. (2006b). Perceptions of sex offender registration: Collateral consequences and community experiences. *Sociological Spectrum*, 26(3), 309-334.
- Tewksbury, R., & Lees, M.B. (2007). Perceptions of punishment: How registered sex offenders view registries. *Crime and Delinquency*, 53(3), 380-407.
- Tewksbury, R., & Mustaine, E.E. (2012). Parole board members' views of sex offender registration and community notification. *American Journal of Criminal Justice*, 37. 413-431
- Tewksbury, R., Mustaine, E.E., & Payne, B.K. (2011). Community corrections professionals' views of sex offenders, sex offender registration and community notification, and residency restrictions. *Federal Probation*, 75(3), 45-50.
- Tewksbury, R., Mustaine, E.E., & Payne, B.K. (2012). Community corrections professionals' attitudes about sex offenders: Is the CATSO applicable? *Criminal Justice Studies*. 25(2):145-157. DOI: 10.1080/1478601X.2012.699733
- Tewksbury, R., Mustaine, E.E., (2013) Law-enforcement officials' views of sex offender registration and community notification. *International Journal of Police Science & Management*, 15(2), 95-113.
- Tewksbury, R., Jennings, W.G., & Zgoba, K.M. (2012). *Final report on sex offenders: Recidivism and collateral consequences*. Washington: U.S. Department of Justice.
- Truman, J. L., Langton, L. (2014, September). *Criminal Victimization, 2013*. U.S. Department of Justice. Retrieved from <http://www.bjs.gov/content/pub/pdf/cv13.pdf>.
- Wright, R. G. (2003). Sex offender registration and notification: Public attention, political emphasis, and fear. *Criminology and Public Policy*, 3(1), 97-104.
- Zgoba, K.M., Veysey, B.M., & Dalessandro, M. (2010). An analysis of the effectiveness of community notification and registration: Do the best intentions predict the best practices? *Justice Quarterly*, 27(5), 667-691.

CURRICULUM VITA
LAUREN NICOLE LENNON

CURRENT POSITION

Administrative Assistant
of Judge Angela Johnson
Commonwealth of Kentucky
700 West Jefferson Street
Louisville, KY 40202
502-595-4749
nickilennon@kycourts.net

EDUCATION

M.S. Department of Justice Administration, University of Louisville
May 2015
Thesis title: “Judges’ Perceptions of Sex Offender Registration,
Community Notification, and Residency Restrictions.”
Chair: Dr. Richard Tewksbury

B.S. Department of Justice Administration, University of Louisville
December 2010

RESEARCH INTERESTS

- Sex Offenders & Sex Offenses
- Registration & Community Notification
- Criminal Behavior
- Domestic Violence
- Juvenile Delinquency
- Cyber Crime