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Knowledge of Juvenile Sex Offender Registration Laws as a
Predictor of Adolescent Sexual Behavior

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Abstract

Because juveniles can now be registered as sex offenders, we conducted a pilot study to investigate awareness of these policies and sexual behavior histories in a convenience sample of 53 young adults (ages 18-23, 79% women). These preliminary data revealed that 42% percent of participants were unaware that youth under the age of 18 can be registered as sex offenders, and when informed that they can be, participants were unaware of the breadth of adolescent sexual behavior that warrants registration. Further, those unaware of juvenile registration policies, compared to those who were aware, were marginally more likely to have had sex prior to age 18. Thus, youth most at risk of registration were least aware of this possibility, suggesting that juvenile registration likely does little to deter many behaviors that are considered to be juvenile sex offenses.

Knowledge of Juvenile Sex Offender Registration Laws as a
Predictor of Adolescent Sexual Behavior

Although once reserved only for adults who commit sex offenses, sex offender registration laws have been extended recently to apply to juveniles who commit sex offenses (SORNA; 42 U.S.C. § 16911). Juveniles who are adjudicated or convicted of sex offenses may be placed on a sex offender registry, sometimes for the rest of their lives. The most commonly cited impetus for the growing inclusiveness of sex offender registration policies is a concern about protecting society from dangerous sex offenders, but social science research reveals that such laws do not achieve this goal (Wright, 2009). Not only is there no evidence that sex offender registration laws reduce sex offenses (e.g., Letourneau & Armstrong, 2008), but a plethora of research also demonstrates that registration harms offenders in ways that might actually increase the likelihood that offenders will commit future offenses (Levenson & Cotter 2005; Levenson, D'Amora, & Hern 2007; Tewsbury 2005; Tewsbury & Lees 2006, 2007; for reviews, see Salerno, Stevenson, et al., 2010, and Trivits & Reppucci, 2002). That is, registered adult sex offenders often are socially isolated, struggle to find employment, suffer from depression, and are subjected to harassment and vigilantism from community members (Levenson, Brannon, Fortney, & Baker, 2007; Levenson & Cotter, 2005; Tewskbury, 2005; Tewksbury & Lees, 2006; Zevits & Farkas, 2000). Further, being registered may hinder offenders' efforts to rehabilitate and start new lives in their communities (Zevitz & Farkas, 2000). Juveniles on sex offender registries face similar challenges, often with dramatic consequences: For example, one boy committed suicide after being registered for exposing himself to a girl in gym class. At least four registered juvenile sex offenders were located through the registry and killed by vigilantes ("No Easy Answers," 2007).

Even though registration can have negative consequences for sex offenders, and despite the fact that juveniles recidivate at lower rates than adults (Caldwell, 2010), research suggests that the public is largely supportive of registration of both juvenile and adult sex offenders (Salerno, Najdowski, et al., 2010). In fact, Salerno, Najdowski, and colleagues found that 59% to 76% of people believe juveniles should be registered publicly for committing forced sex acts such as rape. Behaviors that are considered to be sex offenses encompass more than forcible rape, however, and only 10% to 29% of people in Salerno, Najdowski, et al.'s study (2010) supported public registration for juveniles who committed less severe offenses such as "sexting" (i.e., sending or receiving naked pictures via electronic messaging), sexual harassment, or consensual statutory rape. These sexual behaviors are common among juveniles (e.g., The Centers for Disease Control and Prevention [CDC], 2010), and some juveniles have, in fact, been registered for engaging in them (e.g., Lenhart, 2009; for reviews, see "No Easy Answers," 2007; Salerno, Stevenson, et al., 2010; Trivits & Reppucci, 2002).

Although research has explored public support for juvenile registration policies, no extant studies have examined the extent to which adolescents know that they can be registered as sex offenders, particularly for typical adolescent sexual activities. Thus, we took a first step toward filling this gap in the literature by conducting an exploratory pilot study to examine knowledge of juvenile sex offender registration policies among a small convenience sample ($N = 53$) of 18- to 23-year-old young adults. We also explored the extent to which these young adults reported that, prior to age 18, they had engaged in sexual activities that could have resulted in registration. Although we are precluded from inferring causality because we use present registration knowledge to predict past sexual behavior, these preliminary data represent the first empirical examination of an important question.

Knowledge of Juvenile Sex Offender Registration Laws

Registration laws for adult sex offenders were first implemented in 1994 by the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. § 14071). This act mandated that convicted sex offenders from all 50 states who have finished serving their prison sentence must register information about their current address with local law enforcement agencies. Also in 1994, Megan's Law was enacted, which mandated that community members must be notified when sex offenders move into their community (42 U.S.C. § 13701). Such laws have been the topic of a great deal of debate and, as such, they have received a great deal of journalistic coverage since their inception (e.g., CNN, March 1999) and a majority of the public are familiar with *adult* sex offender registration laws (Phillips, 1998). In contrast, sex offender registration policies were only recently extended to juvenile sex offenders. In 2006, federal legislation implemented the Sex Offender Registration and Notification Act (SORNA; 42 U.S.C. § 16911), also known as the Adam Walsh Act, requiring all states to include juvenile sex offenders in their registries (Caldwell et al., 2008). Thus, due to the relative newness of juvenile registration policies and a mere lack of exposure to these policies, we expected that most young adults would be unaware that sex offender registration policies have been extended to apply to juveniles.

We also predicted that few young adults would be aware of the variety of sexual behaviors that could warrant juvenile sex offender registration. Although only 15% of juvenile sex offenders commit forced rape (U.S. Department of Justice, 2007), when asked to describe a typical juvenile sex offender, many people automatically envision juveniles who commit violent crimes such as rape (Salerno, Najdowski, et al., 2010). Furthermore, because the focus of registration laws has been on protecting society from sexually violent predators, we expected that

people would be relatively unlikely to think that registration laws are applicable to less severe sex offenses (e.g., sexting, consensual statutory rape).

Adolescent Sexual Behavior

Not only did we predict that most young adults would be unaware that juveniles can be registered as sex offenders, particularly in cases involving typical adolescent sexual behaviors, but we also expected that many young adults would report that, prior to age 18, they engaged in sexual behaviors that could warrant registration. Although the number of boys and girls under the age of 18 who have had sexual intercourse has declined slightly since 1991 (Doyle, 2007), estimates of sexual intercourse among adolescents are still high (CDC, 2010). For example, one survey revealed that 46% of all high school students (grades 9–12) have had sexual intercourse—7% of whom were younger than 13 years old when they first had sex and 14% of whom have had 4 or more partners (Eaton et al., 2008). Mosher, Chandra, and Jones (2005) found that approximately 55% of high school students report that they have engaged in oral sex. Sexting is also common: One survey showed that 19% of adolescents have sent sexually explicit pictures of themselves and 31% have received such pictures of other adolescents via text messaging, email, or another on-line communication system (National Campaign to Prevent Teen and Unplanned Pregnancy, 2008). Thus, we expected that young adults would report that they had engaged in a variety of sexual behaviors prior to age 18, many of which are illegal and could have resulted in sex offender registration.

Further, we predicted that young adults who do not know about juvenile sex offender registration policies would be more likely than others to engage in sexual activities that could warrant registration. Although research has shown no evidence that registration policy has reduced sexual offense rates, the failure of registration policies at reducing sex crimes might

stem from various factors besides insufficient deterrence (e.g., Letourneau & Armstrong, 2008). For example, although registration policies are designed to warn the community of potentially dangerous offenders in their neighborhood, they do not protect the community from typical offenders: known and trusted unregistered individuals who sexually offend (Letourneau & Armstrong, 2008). Importantly, no studies have tested the relation between awareness of registration policy and likelihood of engaging in sexual activity. We expect that such a relationship will exist. Past research shows that adolescents who learn about the health risks associated with certain sexual activities (e.g., unprotected sex) are less likely than others to engage in them (e.g., Dawson, 1986; Kohler, Manhart, & Lafferty, 2007). Awareness of legal risks associated with certain sexual activities might have the same effect. Thus, we predicted that young adults who are less knowledgeable about juvenile sex offender registration policies would be more likely than those who are more knowledgeable to report that, prior to age 18, they engaged in sexual activities that could warrant registration.

Method

Participants

Participants were 53 undergraduates from a small, Midwest liberal arts university who completed an anonymous survey. Participants were 18 to 23 years old ($M = 19$, $SD = 1$) and primarily women (79%) and Caucasian (96%, with 2% African American and 2% “other”).

Materials

Knowledge of juvenile sex offender registration policies. First, participants were told that the sex offender registry is “a database available to the public that includes information about sex offenders such as name, details about the offense(s), a photo, fingerprints, social security number, age, race, gender, birth date, physical description, address, place of

employment, and blood and hair samples.”

Next, participants answered “yes” or “no” to the question, “In the U.S., can minors (17 years old or younger) be placed on the sex offender registry?” They also indicated their confidence in their responses to this item on a scale ranging from 0 (*not at all confident*) to 10 (*completely confident*). Next, on a separate questionnaire, participants were informed that, “In the U.S., juveniles (that is, minors who are 17 years old or younger) can be placed on the sex offender registry for committing certain sexual offenses.” Then, participants answered “yes” or “no” to a series of questions assessing their knowledge about whether juveniles can be registered for a variety of sexual behaviors which are, in fact, registration-eligible offenses (e.g., exposing oneself to another minor; sending naked pictures of oneself to another minor), and whether juveniles’ information can be made public on the Internet (see Table 1 for exact measures). A Juvenile Registration Knowledge Score was created by summing the total number of accurate “yes” responses to these 10 dichotomous questions. Thus, Juvenile Registration Knowledge Scores could range from 0 to 10, and higher scores reflect greater knowledge of juvenile sexual offender registration policies because the correct response is always “yes.” Overall, the mean for the Juvenile Registration Knowledge Score was 6.75 ($SD = 1.64$, range = 2-9).

Participants also answered the following open-ended questions: (a) “What do you think is the youngest age at which a juvenile who is 17 years old or younger can be placed on the sex offender registry?” and (b) “In most states in the U.S., once placed on the sex offender registry, how long does the typical juvenile sex offender (17 years old or younger) remain on the sex offender registry?”

Adolescent sexual behavior. Participants were asked, “Have you ever had sexual intercourse?” and to indicate their age and their partner’s age at the time of their first sexual

intercourse with each sexual partner. Participants were also asked, “When you were 17 years old or younger, did you ever intentionally do any of the following things to someone who was also 17 years old or younger?” They responded “yes” or “no” for each of the following behaviors: (a) “you mooned someone or exposed genitalia or breasts to someone;” (b) “you sent naked pictures of yourself to someone;” (c) “you touched your own genitals in a sexual way in front of someone;” (d) “you asked someone to perform a sexual act with you;” (e) “you touched someone on the buttocks, genitals, or breasts without his or her permission;” (f) “you had sex (oral, vaginal, or anal) with someone who was incapacitated, for instance, by alcohol or drugs;” and (g) “you had sex (oral, vaginal, or anal) with someone who did not want to have sex with you.”

Procedure

Undergraduates were invited to participate in this study in exchange for extra credit. Prior to participation, all participants were told that their participation was voluntary and anonymous (no identifying information was collected). They were also told that participation posed little risk to them, but that some questions might make them feel uncomfortable and, if so, they could withdraw from the study at any time and still receive extra credit. This process ensured that participants did not feel coerced to participate. After participants provided informed consent, they completed the survey and were thanked for their participation. All participants were treated in accordance with the university’s institutional review board guidelines.

Results and Discussion

Knowledge of Juvenile Sex Offender Registry Policy

A chi-square analysis revealed that participants were just as likely to believe that juveniles can be placed on the sex offender registry as to believe that they cannot, $\chi^2(1, 53) = .93, ns$ (see Table 1, question 1). Further, self-reported confidence in this judgment did not

significantly predict accuracy, $r = .13$, *ns*. These results indicate that many young adults are simply unaware that registration policies apply to juveniles. In addition, because self-reported confidence in this judgment did not significantly predict accuracy, at least some young adults who believed that registration laws do not apply to juveniles were relatively confident in this inaccurate belief. In fact, 44% of our young adults indicated that they were relatively confident in their inaccurate belief that registration laws do not apply to juveniles.

After being informed that juveniles can be registered, participants indicated whether they thought juveniles could be registered for a variety of specific sexual behaviors (see Table 1, questions 2a-2h). Participants were just as likely to believe that juveniles can be registered for mooning another juvenile as to believe they cannot, $\chi^2(1, 52) = .69$, *ns*. Participants were more accurate in their knowledge about risk of registration for other behaviors, however. Specifically, participants were marginally more likely to believe that juveniles can be registered for having consensual sex with a minor than not, $\chi^2(1, 52) = 2.79$, $p < .10$. Participants were significantly more likely to believe juveniles can be registered for sexting, requesting sex from a minor, touching their own genitals in front of a minor, touching the genitals of another minor, having sex with an incapacitated minor, and forcing another minor to have sex than not, all $\chi^2s(1, 52) > 7.69$, $ps < .01$. Even so, substantial proportions of participants inaccurately believed that registration is not a possible outcome for behaviors like sexting, requesting sex, and engaging in consensual sex with another minor.

When asked to indicate whether a juvenile sex offender's information can be made available to the public on the Internet (see Table 1, question 3), participants were just as likely to believe that it can be as to believe that it cannot be, $\chi^2(1, 53) = .47$, *ns*. Thus, many young adults incorrectly believed that juveniles who are convicted and registered as sex offenders are still

protected from having this information made available to the public on the Internet. Although this form of privacy protection exists for some juveniles in some states, as of 2008, 9 states made juveniles' information available to the public on the Internet (Salerno, Stevenson, et al., 2010). Thus, some juvenile sex offenders are not protected from the possibility of experiencing community ostracism and harassment. For example, William Elliott, who was placed on the sex offender registry at age 16 for engaging in consensual sex with his 15-year-old girlfriend (who was just weeks away from the legal age of consent), was tracked down a few years later by a vigilante who identified Elliott's name and address from the registry—the vigilante shot Elliott to death in his home (Ahuja, 2006).

Participants also indicated the youngest age at which they believed a juvenile could be registered as a sex offender. Participants reported a mean age of 14 ($SD = 1.69$, range = 10 – 17). More specifically, 36% of participants indicated 10 to 13, 20% indicated age 14, and 44% indicated 15 to 17. The age 14 is legally significant: The 2006 SORNA federal guidelines mandate that juveniles aged 14 or older must register as sex offenders if they committed or attempted to commit a sex crime that involves aggravating circumstances (e.g., forced or threatened sexual violence). Yet, many participants do not know that adolescents under the age of 14 can indeed be registered as sex offenders (for a review, see Salerno, Stevenson, et al., 2010). Although some states (e.g., Indiana, Ohio) prohibit juveniles younger than 14 from being registered, as recently as 2008, 29 states did not have such prohibitions and some states registered juveniles even as young as 7 years old (Salerno, Stevenson, et al., 2010).

When asked to indicate how long the typical juvenile sex offender remains on the registry, some participants specified that juveniles remain registered for a particular limited period of time. Specifically, 26% of participants believed that juveniles are required to remain

on the registry for 5 years or less, 12% indicated 7 to 15 years, and 4% indicated until they turn 25 years old. Another 26% of participants indicated that juveniles remain on the registry until they become adults (i.e., the participant either wrote the word adult or specified the age of 18 or 21). Only 26% of participants are aware that juveniles in some states remain on the registry for their entire lives. (Eight percent of participants indicated that they did not know.) Thus, the majority of participants assumed that juveniles can be removed from the registry, usually believing that this happens when juveniles become adults. Although juveniles sometimes can petition to be removed from the registry when they become an adult for certain types of sexual offenses, this process varies by state, is not automatic, and does not always result in removal from the registry (Salerno, Stevenson, et al., 2010). Juveniles can, indeed, be registered for the entirety of their lives (Salerno, Stevenson, et al., 2010), as only a minority of participants correctly recognized. In Indiana (where we conducted this research, juveniles sex offenders who did not commit violent offenses are required to register for 10 years, but juveniles who committed violent sexual offenses are required to register for life (Indiana Department of Corrections, 2010).

Registration Knowledge as a Predictor of Sexual Behavior

Most participants ($n = 36$, or 68%) reported that they previously had consensual sex, and of those participants, 50% ($n = 18$) reported that they had sex before age 18 with another adolescent under the age of 18, 14% ($n = 5$) had sex before age 18 with someone 18 or older; 6% ($n = 2$) had sex when they were 18 or older with someone younger than 18, and 31% ($n = 11$) had sex when they were 18 or older with someone else who was 18 or older. Thus, among sexually active young people, 70% reported engaging in behaviors that could potentially put them or their sexual partners at risk for sex offender registration.

When they were younger than 18, our participants were significantly less likely to have mooned, sexted, requested sex from, touched their own genitals in front of, or touched the genitals of another minor than to have not engaged in any of these behaviors, all χ^2 s(1, 53) \geq 8.32, $ps \leq .01$ (see Table 2). No participants indicated that they had had sex with a minor who either was incapacitated by alcohol or drugs or did not want to have sex with them. Of importance, the high proportion of female participants might, in part, explain the low base-rate frequency of various sexual behaviors, given research showing that boys are more likely than girls to engage in sexual activity earlier and more frequently (e.g., Singh, Wulf, Samara, & Cuca, 2000). Even so, many participants indicated engaging in behaviors that could potentially warrant registration.

Next, we tested the relations between participants' Juvenile Registration Knowledge Scores and the sexual activities they reported engaging in prior to age 18. Participants who had less knowledge about juvenile sex offender registration laws were marginally more likely to have had sex when they were 18 or younger with other adolescents 18 or younger, $r(52) = -.23$, $p < .10$. Having less knowledge about juvenile registration laws did not, however, significantly relate to whether participants engaged in the following adolescent-adolescent sexual behaviors: mooned, sexted, touched themselves, asked for sex, touched others, all $rs(52) \leq |.19|$, $ps \geq .18$. Yet, the lack of statistically significant relations for specific sexual behaviors might be due to unequal cell sizes, given the low base rate frequency of each specific sexual activity. That is, only small proportions of participants participated in the various types of non-consensual sex types of sexual activities that we assessed (range = 0% – 30%).

These results indicate that not only are many young adults simply unaware that registration policies apply to youth under the age of 18, but also that those who were unaware

(compared to those who were aware) were marginally more likely to have had sex themselves when they were younger than 18 with someone else who was also under 18. Thus, youth who were most at risk of being subjected to registration were the least aware of this possibility, suggesting that juvenile registration likely does little to deter adolescent sexual behaviors that are considered sexual offenses in some states.

Limitations and Future Directions

The present research raises cause for concern regarding current juvenile sex offender registration policy. Our preliminary results reveal that awareness of juvenile registration policy is limited, that many of our predominantly female sample of young adults engaged in sexual activity that could potentially result in sex offender registration for themselves or for a similarly aged peer, and that young adults who are least aware of juvenile registration policy were most likely to be sexually active as adolescents. In other words, adolescents who are the least aware of the registration-related consequences of sex might be at the most risk for experiencing some of the negative consequences of juvenile registration.

Yet, it is important to address the limitations associated with the generalizability of our research. First, the small sample size of this pilot study precludes us from fully generalizing to a larger population. The low power associated with our small sample may explain why there were only **marginal differences** in several of the variables studied. Those **differences** might emerge as statistically significant effects with a larger sample. Thus, it is crucial that future research explore this topic with a larger and more diverse sample.

In addition, this convenience sample includes a higher proportion of female (79%) than male participants. Adolescent females (versus males) account for a smaller proportion of arrests for forcible sexual offenses (approximately 7%) (Finkelhor, Ormrod, & Chaffin, 2009), which

limits the extent to which these results generalize to male adolescents who are more likely to sexually offend. Yet, some researchers theorize that this rate is an underestimate of female adolescent sexual assaults, many of which may go unnoticed and unreported or ignored by law enforcement (Denov, 2004; Scavo, 1989; Vandiver & Kercher, 2004). Further, because current policy allows not just adolescent boys but also girls to be registered, it is important to include both male and female participants in our sample. Also, it is important to note that adolescent boys, on average, report engaging in sexual activity at earlier ages and more frequently than adolescent girls (e.g., Singh, Wulf, Samara, & Cuca, 2000). Thus, our estimates of adolescent sexual activity might be conservative estimates of actual adolescent sexual activity. Even so, future research should include a greater proportion of male participants.

Finally, because our sample included primarily White young adults (96%), it is important for future research to include a more racially diverse sample, particularly because racial minorities might be at greater risk for sex offender registration due to racial biases (Stevenson, Sorenson, Smith, Sekely, & Dzwauro, 2010).

This pilot study, however, suggests that this topic is an important issue to study and we intend to conduct follow-up studies with larger samples and greater representation of adolescent boys, young men, and racial minorities. This exploratory research also provides fertile ground for future, related research. For instance, we used participants' current knowledge regarding juvenile registration policy to predict past sexual behavior. Thus, we cannot infer that participants' knowledge prior to engaging in sex will predict future sexual behavior—an issue that can be addressed with future longitudinal research. Even so, our research provides an arguably conservative test of the relation between these two variables. That is, it is likely that at least some participants were unaware of juvenile registration policy prior to having engaged in

sex, but later became aware of such policy before completing our survey. Thus, if anything, participants' current knowledge regarding juvenile registration policy might be an inflated estimate of their knowledge prior to having engaged in sex. The fact that we found a **marginal difference** in the relationship between registration knowledge and sexual behavior suggests that these relations would likely be even stronger and possibly statistically significant when tested with a larger sample in real time.

Yet, how should one interpret the relations between registration knowledge and adolescent sexual behavior? One compelling explanation is that believing juveniles cannot be registered leads adolescents to believe there are fewer risks associated with teen sex, and in turn, increases their likelihood to engage in sexual activity before age 18. In support, awareness of risks associated with teen sex reduces the likelihood of engaging in adolescent sexual activity (e.g., Dawson, 1986; Kohler, Manhart, & Lafferty, 2007). Yet, the necessarily descriptive nature of our data precludes us from concluding causation between registration knowledge and sexual behavior. That is, it is impossible to determine whether knowledge of juvenile registration caused diminished sexual activity or whether some other third variable is the cause of both juvenile registration knowledge and sexual activity. For instance, young adults who engaged in sexual activity as adolescents might be motivated to believe that adolescent sexual behavior is normal and non-criminal. Basic social psychological theories of cognitive dissonance (e.g., Festinger, 1957) suggest that people are motivated to believe that they are rational and behave appropriately. Thus, participants might have been motivated to consider teen sex as less risky after having engaged in that behavior, in an attempt to maintain their belief that they are rational. Of course, this is just one possible explanation. Consider, for instance, that many adolescents engage in sexual activity that goes undetected, unprosecuted, and does not result in registration.

Adolescents might use such experiences as evidence that teen sex does not result in registration. In other words, instead of registration knowledge deterring adolescent sexual activity, unprosecuted adolescent sexual activity might contribute to false beliefs regarding juvenile registration. Therefore, future longitudinal research should assess knowledge regarding juvenile registration policy at early adolescence and later likelihood of engaging in sexual activity. Even so, our exploratory research provides a necessary first step, and suggests that a relation may indeed exist between these variables in the real world.

Policy Implications

This research raises important and controversial policy-related issues. Current juvenile registration policy criminalizes adolescent sexual activity that our research, and the research of others (e.g., CDC, 2010), has revealed is developmentally normative and common. Should juveniles be registered and labeled as sex offenders for engaging in common forms of adolescent sexual activity? Survey research reveals that most people believe that they should not be (Salerno, Najdowski, et al., 2010; Salerno, Stevenson, et al., 2010). Yet, current juvenile sex offender registration policy does not conform to public sentiment. Thus, American youth still risk sex offender registration for non-violent, consensual sexual activity if their sexual activity is discovered and successfully prosecuted. Although society certainly stands to gain a great deal by reducing the rates of teen sex (e.g., Maynard, 1996), there may be a lot to lose when adolescents are vilified for engaging in non-violent and common forms of sexual activity. Unfortunately, current sex offender registration policy treats all sex offenders much the same, even though they are not (for a review, see Wright, 2009). In fact, advocates for sex crime victims (e.g., rape crisis centers) have openly criticized registration policy (e.g., Coombs, 2006)—policy that does not serve the needs of the vast majority of sex crime victims. For example, Patty Wetterling, whose

abducted 11-year-old son Jacob Wetterling became the poster-child for the first federal sex offender registration policy, has since become an advocate for reforming sex offender registration policy and opposes juvenile registration (Wetterling & Wright, 2009).

The costs associated with such maladaptive policies are high. As our research shows, what adolescents do not know does appear to hurt them. Although it is certainly important to educate adolescents and young adults about possible registration-related risks of consensual teen sex and other normative sexual activities, a great deal of social science research suggests that the reform of juvenile sex offender registration policy is necessary if our true goal is to protect children from sexual victimization (for reviews, see Chaffin, 2008; Trivits & Reppucci, 2002). By focusing on rehabilitating youth who sexually offend, rather than stigmatizing them as sex offenders, we stand to gain much more in terms of prevention of child sexual assault and the protection of young, developmentally vulnerable offenders.

References

- Ahuja, G. (2006, April 18). Sex offender registries: Putting lives at risk? *ABC News U.S.*
Retrieved July 12, 2010, from <http://abcnews.go.com/US/story?id=1855771&page=1>
- A. H. v. Florida, 949 So. 2d 234 (Fla. 1st Dist. 2007).
- Caldwell, M. F. (2010). Study characteristics and recidivism base rates in juvenile sex offender recidivism. *International Journal of Offender Therapy and Comparative Criminology*, 54, 197–212. doi: 10.1177/0306624X08330016
- Caldwell, M. F., Ziemke, M. H., & Vitacco, M. J. (2008). An examination of the sex offender registration and notification act as applied to juveniles: Evaluating the ability to predict sexual recidivism. *Psychology, Public Policy, and Law*, 14, 89-114.
doi: 10.1037/a0013241
- The Centers for Disease Control (CDC). (2010). *Youth risk behavior surveillance – United States 2009*. (Morbidity and Mortality Weekly Report; 59; 5). Retrieved from www.cdc.gov/mmwr
- Chaffin, M. (2008). Our minds are made up—Don't confuse us with the facts: Commentary on policies concerning children with sexual behavior problems and juvenile sex offenders. *Child Maltreatment*, 13, 110-121.
- CNN. (1999, March 15). *Sex offender Web sites center of controversy*. Retrieved from <http://cnn.com>
- Coombs, R. (2006, September). Sexual assault coalition announces opposition to Jessica's Law. *California Coalition Against Sexual Assault: Public Affairs*. Retrieved from <http://calcasa.org/publicaffairs/sexual-assault-coalition-announces-opposition-to-jessica%E2%80%99s-law/>

- Dawson, D. A. (1986). The effects of sex education on adolescent behavior. *Family Planning Perspectives, 18*, 162–170. Retrieved from <http://www.jstor.org/stable/2135325>
- Doyle, R. (2007, January). By the numbers: Teen sex in America. *Scientific American Magazine*. Retrieved from <http://www.scientificamerican.com/>
- Eaton, D. K., Kann, L., Kinchen, S., Shanklin, S., Ross, J., Hawkins, J., . . . & Wechsler, H. (2008). *Youth risk behavior surveillance – United States 2007*. (Morbidity and Mortality Weekly Report; 57; 4). Retrieved from www.cdc.gov/mmwr
- Festinger, L. (1957). *A Theory of Cognitive Dissonance*. Evanston, IL: Row, Peterson.
- Finkelhor, D., Ormrod, R., & Chaffin, M. (2009). Juveniles who commit sex offenses against minors. *Juvenile Justice Bulletin*. U.S. Department of Justice.
- Indiana Department of Corrections (2010). Sex offender and community notification for Indiana. *KlaasKids Foundation*. Retrieved from <http://www.klaaskids.org/st-ind.htm>
- Kohler, P. K., Manhart, L. E., & Lafferty, W. E. (2007). Abstinence-only and comprehensive sex education and the initiation of sexual activity and teen pregnancy. *Journal of Adolescent Health, 42*, 344–351. doi:10.1016/j.jadohealth.2007.08.026
- Lenhart, A. (2009, December). Teens and Sexting: How and why minor teens are sending sexually suggestive nude or nearly nude images via text messaging. *Pew Research Center*. Retrieved from <http://www.pewinternet.org/Reports/2009/Teens-and-Sexting.aspx>
- Letourneau, E. J., & Armstrong, K. S. (2008). Recidivism rates for registered and nonregistered juvenile sexual offenders. *Sex Abuse, 20*, 393-408. doi: 10.1177/1097063208324661
- Levenson, J. S., Brannon, Y. N., Fortney, T., & Baker, J. (2007). Public perceptions about sex offenders and community protection policies. *Analyses of Social Issues and Public*

Policy, 7, 137-161. doi: 10.1111/j.1530-2415.2007.00119.x

Levenson, J. S., & Cotter, L. P. (2005). The impact of sex offender residence restrictions: 1,000 feet from danger or one step from absurd? *International Journal of Offender Therapy and Comparative Criminology*, 49, 168-178.

Levenson, J. S., D'Amora, D. A., & Hern, A. L. (2007). Megan's law and its impact on community re-entry for sex offenders. *Behavioral Sciences & the Law*, 25, 587-602.

Maynard, R. (1996). *Kids Having Kids: Economic Costs and Social Consequences of Teen Pregnancy*. Urban Institute Press.

Mosher, W, Chandra A, & Jones, J. (2005, September 15). Sexual behavior and selected health measures: Men and women 15-44 years of age, United States, 2002. *Advance Data from Vital and Health Statistics*, 362, 21-26.

National Campaign to Prevent Teen and Unplanned Pregnancy (2008). *Results from a survey of teens and young adults*. Retrieved from <http://www.thenationalcampaign.org/sextech/>

No Easy Answers: Sex Offender Laws in the US. (2007, September). *Human Rights Watch*, 19. Retrieved from <http://www.hrw.org/en/reports/2007/09/11/no-easy-answers>.

Phillips, D. M. (1998). *Community Notification as Viewed by Washington's Citizens*. [Data File]. Olympia, WA: Washington State Institute for Public Policy. Retrieved from <http://www.wsipp.wa.gov/rptfiles/CnSurvey.pdf>

Salerno, J. M., Najdowski, C. J., Stevenson, M. C., Wiley, T. R. A., Bottoms, B. L., Vaca, R., & Pimental, P. S. (2010). Psychological mechanisms underlying support for juvenile sex offender registry laws: Prototypes, moral outrage, and perceived threat. *Behavioral Sciences and the Law*, 28, 58-83. doi: 10.1002/bsl.921

Salerno, J. M., Stevenson, M. C., Wiley, T. R. A., Najdowski, C. J., Bottoms, B. L., &

- Schmillen, R. A. (2010). Public attitudes toward applying sex offender registry laws to juvenile offenders. In J. L. Lampinen & K. Sexton-Radek (Eds.). *Protecting Children from Violence: Evidence Based Interactions*. (pp. 193-217). New York: Psychology Press.
- Singh, S., Wulf, D., Samara, R., & Cuca, Y. P. (2000). Gender differences in the timing of first intercourse: Data from 14 countries. *International Family Planning Perspectives*, 26, 21-43.
- Stevenson, M. C., Sorenson, K. M., Smith, A. C., Sekely, A., & Dzwauro, R. A. (2009). Effects of Defendant and Victim Race on Perceptions of Juvenile Sex Offenders. *Behavioral Sciences & the Law*, 27, 957-979. doi: 10.1002/bsl.910
- Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice*, 21, 67-81.
- Tewksbury, R., & Lees, M. B. (2006). Sex offenders on campus: University-based sex offender registries and the collateral consequences of registration. *Federal Probation*, 70, 50-56.
- Tewksbury, R., & Lees, M. B. (2007). Perceptions of punishment: How registered sex offenders view registries. *Crime & Delinquency*, 53, 380-407.
- The Adam Walsh Child Protection and Child Safety Act of 2006, 42 U.S.C. § 16911 (2006), Pub. L. No. 109-248, 120 Stat. 587 (codified in various sections of 42 U.S.C.).
- Trivits, L. C., & Repucci N. D. (2002). Application of Megan's law to juveniles. *American Psychologist*, 57, 690-704.
- U.S. Department of Justice. (2007, June). Criminal offender statistics. *Office of Justice Programs, Bureau of Justice Statistics*. Retrieved from <http://www.ojp.usdoj.gov/bjs/crimoff.htm>.

Wetterling, P., & Wright, R. G. (2009). The politics of sex offender policies: An interview with Patricia Wetterling. In R. G. Wright (Ed.), *Sex offender laws: Failed policies, new directions* (pp. 99-113). New York: Springer.

Wright, R. G. (2009). *Sex offender laws: Failed policies, new directions*. New York: Springer.

Zevitz, R. G., & Farkas, M. A. (2000). Sex offender community notification: Managing high risk criminals or exacting further vengeance. *Behavioral Sciences and the Law*, 18, 375-391.