



Registration and Notification of Juveniles who Commit Sexual Offenses

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POLICY BOARD

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Disclaimer

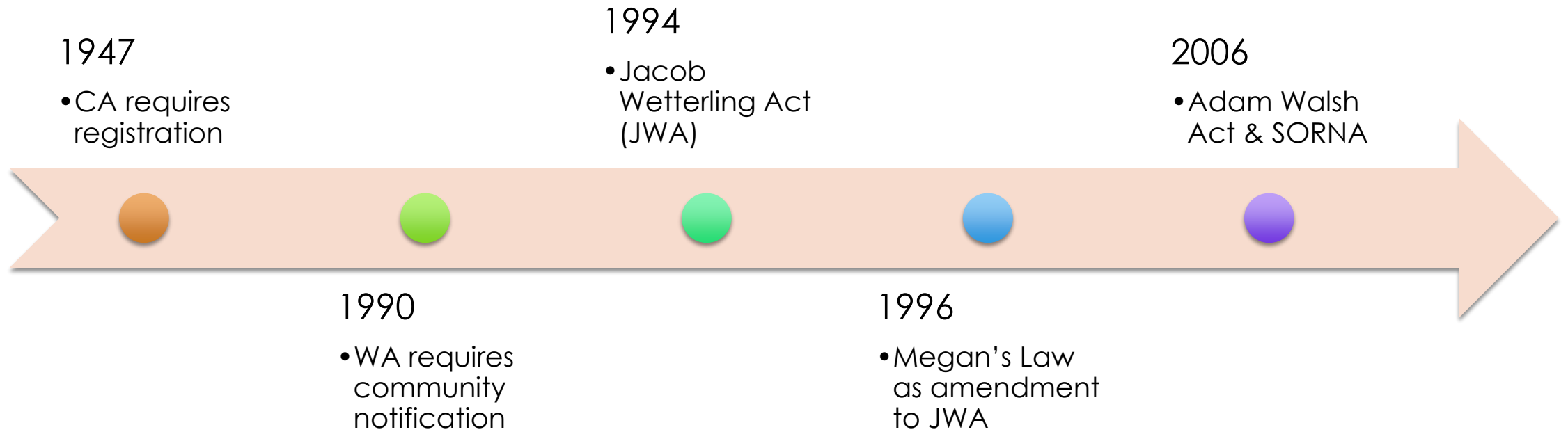
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This presentation was not prepared using any state of Colorado resources.

Presentation Outline

- ▶ History of sex offender registration and notification (SORN) for juveniles adjudicated for a sexual offense
- ▶ Current state of the research
- ▶ What we know does work with SORN (for juveniles?)
- ▶ Question and answer

Evolution of SORN



History of Juvenile SORN

► Wetterling Act (1994) and Megan's Law (1996)

- No federal mandate for juvenile registry
- 41 states have juvenile registry and 30 have public notification for juveniles

MISSING PERSON



Jacob Wetterling
11 Year Old White Male

Jacob Wetterling was abducted from rural St. Joseph, MN on Sunday Oct. 22nd, 1989. The victim had been riding his bike home with two other children after renting a movie at a local convenience store around 9:00 p.m.



Megan Kanka
1987-1994

History of Juvenile SORN

▶ Adam Walsh Child Protection and Safety Act (2006)

- Created the SMART Office
- Initially required juvenile (ages 14+) registry and notification
- Supplemental guidelines have subsequently removed most of the requirements





Registration and Notification of Juveniles who Commit Sexual Offenses

SUMMARY OF RESEARCH FINDINGS

Juvenile SORN Research – A Recap

- ▶ Does not deter juvenile sexual offending
- ▶ Does not deter juvenile sexual offense recidivism for juvenile registrants
- ▶ Leads to unintended negative impacts on the juvenile registrants and their families
- ▶ Juvenile registrants are unlikely to recidivate with a new sexual offense anyway
- ▶ Leads to adjustments in charge, and adjudicate for non-registerable offenses

Research Limitations

- ▶ Small # of studies
- ▶ Small sample sizes (self-selection bias)
- ▶ Under-reporting of sex crimes
- ▶ Low base rate for recidivism
- ▶ Lack of generalizability
- ▶ Short timeframes
- ▶ Retrospective rather than prospective
- ▶ Lack of corroboration on prosecutor decision-making

SMART Office - SOMAPI

U.S. Department of Justice
Office of Justice Programs
Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking

SOMAPI RESEARCH BRIEF
SEX OFFENDER MANAGEMENT ASSESSMENT AND PLANNING INITIATIVE
Luis C. deBaca, Director • July 2015

Registration and Notification for Juveniles Who Commit Sexual Offenses
by Christopher Lobanov-Rostovsky

Introduction

Sex offender registration and notification (SORN) has been used as a

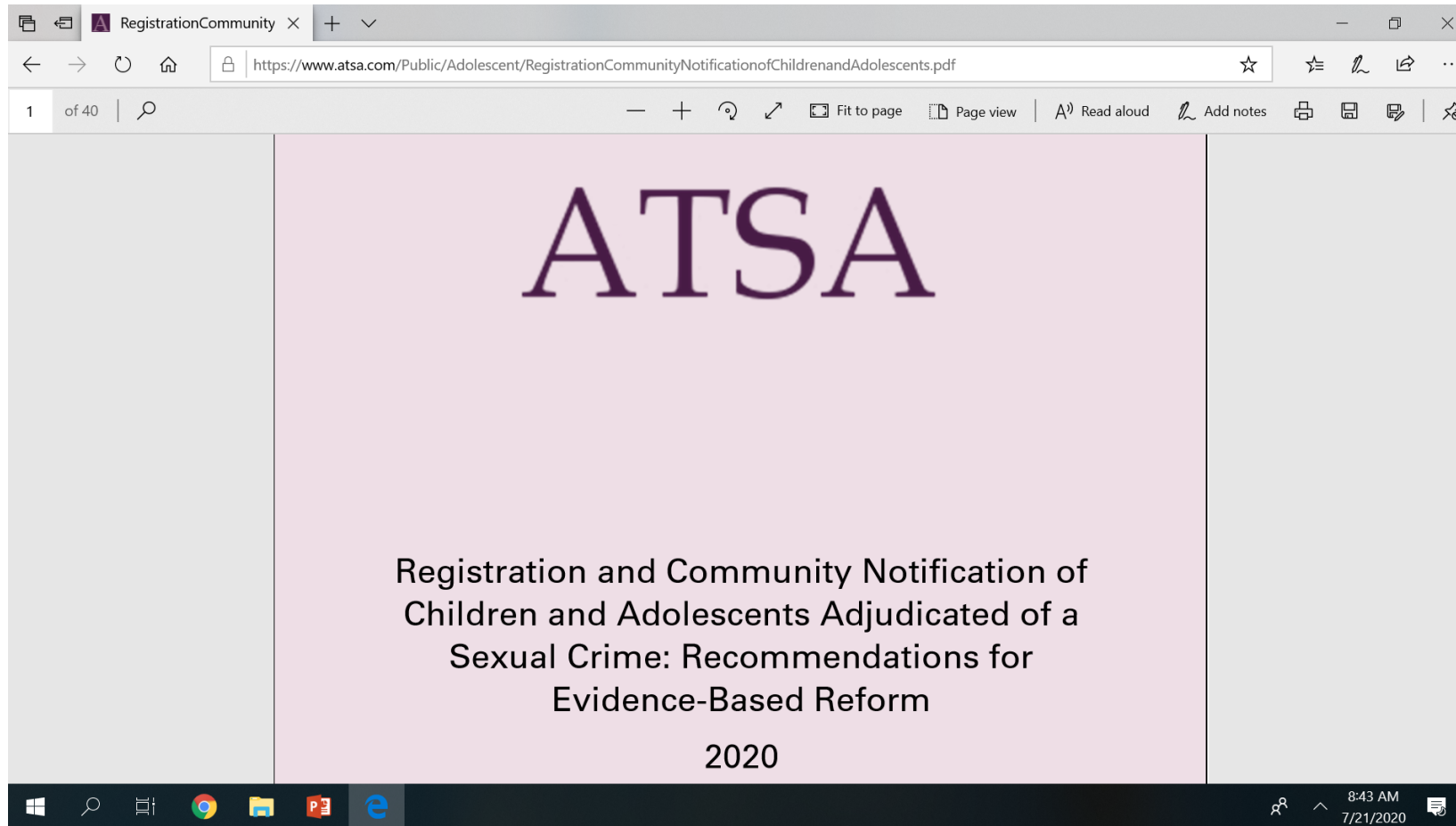
About SOMAPI

In 2011, the SMART Office began work on the Sex Offender Management Assessment and Planning Initiative (SOMAPI), a project designed to assess the state of research and practice in sex offender management. As part of the effort, the SMART Office contracted with the National Criminal Justice Association (NCJA) and a team of subject-matter experts to review the literature on sexual offending and sex offender management and develop summaries of the research for dissemination to the field. These summaries are available online at

Conclusion

- ▶ Esteemed researchers and organizations have concluded that juvenile SORN should be eliminated
 - Association for the Treatment of Sexual Abusers (ATSA)

ATSA Position



So Is That the End of the Story?

- ▶ Research is slightly off point
- ▶ Purpose of SORN was to provide
 - Criminal investigation tool for law enforcement
 - Information on registrants to the public
- ▶ Courts have upheld SORN as a civil regulatory procedure, not a punishment for a crime (e.g., supervision)
- ▶ Goal of SORN is not to change registrant behavior

Does It Work? To Do What?

- ▶ Does it benefit law enforcement in criminal investigation?
- ▶ Does it help the public to take safety precautions and keep their families safe from registrants?



LAW ENFORCEMENT PERSPECTIVES
ON SEX OFFENDER REGISTRATION
AND NOTIFICATION
PRELIMINARY SURVEY RESULTS

August 2015

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Suggested citation:

Harris, A., Lobanov-Rostovsky, C., and Levenson, J. (2015). *Law Enforcement Perspectives on Sex Offender Registration and Notification: Preliminary Survey Results*. Lowell, MA: University of Massachusetts Lowell.

Sample details and results
Available via NCJRS

SORNA Research

Information Sharing and the Role of Sex Offender Registration and Notification, Final Te... 1 / 182 100%

NCJRS
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE

OFFICE OF JUSTICE PROGRAMS
BJA BJS NIJ OJP OVC SMART

The author(s) shown below used Federal funding provided by the U.S. Department of Justice to prepare the following resource:

Document Title: Information Sharing and the Role of Sex Offender Registration and Notification, Final Technical Report

Author(s): Andrew J. Harris, Kimberly Kras, Christopher Lobanov-Rostovsky, Qurat Ann

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Type here to search 6:22 PM 4/3/2021

SORN Research

and the Closure of Stranger-Perpetrated Sex Crimes Reported to Police 1 / 21 | - 150% + | [] []

Sexual Abuse
1–21
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Registration and the Closure of Stranger-Perpetrated Sex Crimes Reported to Police

David M. Bierie¹  and Kristen M. Budd² 

Abstract
A key goal of sex offender registration is to assist law enforcement in sexual assault investigations; to identify potential suspects when the perpetrator's identity is unknown. To date, however, no research has assessed the utility of sex offender registries in closing cases of sexual assault when the incident involved stranger perpetrators. Addressing this gap, the study drew on the National Incident-Based Reporting System (1992–2001) to test the effect of registry implementation on closure of stranger-involved sex crimes across six states. Comparing closure speeds from before and after registration began in each state, multivariate survival models showed incidents of stranger-perpetrated sexual assault were cleared 23% to 28% faster post-registration implementation. Incidents with juvenile victims and incidents with additional crimes beyond the sexual assault also closed significantly faster (regardless of whether a registry existed).

Research Conclusions

- ▶ Law enforcement sees value in SORN
 - ICAC/CART (Harris et al., 2015)
- ▶ Clear criminal investigations
 - 23-28% faster = 1.21 days (Biere & Budd, 2020)
- ▶ NSOPW utilization
 - 15 million web sessions in 2018
 - Most searches occur during business hours
 - Quarter of the searches from one ISP (background check)

A More Nuanced Approach

- ▶ One size fits all models do not work
 - If registering all is ineffective, wouldn't registering none be equally ineffective?
- ▶ Decisions should be based on risk and need (RNR Model)
- ▶ Don't want to apply adult models across the board
 - But some juveniles may warrant more intensive interventions (treatment and supervision effective)
 - Waiver to adult court problematic

Colorado SOMB White Paper

The screenshot shows a web browser window with the following details:

- Browser Tabs:** Includes 'Inbox - chris.lobanov-rosto...', 'State.co.us Executive Brand...', 'SiriusXM - Music', 'AOL Mail', and 'WhitePaperREJuvenileRegi...'.
- Address Bar:** Shows the URL 'cdpsdocs.state.co.us/somb/juvenile/WhitePaperREJuvenileRegistrationFinal8-18-17Board.pdf'.
- Navigation Bar:** Contains icons for back, forward, refresh, and search.
- Document Content:**
 - Title:** Sex Offender Management Board White Paper on the Research, Implications and Recommendations Regarding Registration and Notification of Juveniles Who Have Committed Sexual Offenses August 2017
 - Section:** INTRODUCTION
 - Text:** The Colorado Sex Offender Management Board (SOMB) was created by 1992 legislation and under current statute the SOMB is charged with developing standards and guidelines for the evaluations, treatment, and supervision of adult sex offenders and juveniles who have committed sexual offenses. The SOMB is a multidisciplinary board of experts in the field representing victim advocacy, law enforcement, prosecution, legal supervision, human services, judges/magistrates, treatment, polygraph, education, defense attorneys, and county commissioners.
 - Text:** In response to growing concerns about the effectiveness and impacts of sex offender registration and notification (SORN) on juveniles¹ who have committed sexual offenses, the Sex Offender Management Board (SOMB) was asked to identify a committee of experts in the field to review current local and national laws, relevant research, and to provide recommendations to address the negative implications for juveniles as a result of SORN. A committee of treatment providers, evaluators, law enforcement, and attorneys was formed to explore the topic and write a White Paper. This White Paper will:
 - Bulleted List:**
 - discuss applicable laws including the Adam Walsh Act and the Sex Offender Registration and Notification Act (SORNA);
- Taskbar:** Shows the Windows Start button, search icon, task view icon, and active browser window. The system clock indicates 4:41 PM on 7/28/2020.

Recommendations

- ▶ Juvenile registration information non-public
- ▶ Judicial discretion for registering juveniles based on risk
- ▶ Automatic relief from registration following successful completion of treatment and supervision
- ▶ Maintain juvenile registration only for the highest risk juveniles who demonstrate that risk over time

Let's talk

- ▶ What are your thoughts?
- ▶ What would you like to discuss?
- ▶ Questions?

PRESENTER:

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