



National Estimates of Registered Sex Offenders in the United States: Is Double Counting a Problem?

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Abstract The study of the content and makeup of the national registered sex offender population is in its early stages. Only a handful of studies have been conducted that assess the demographic, offense, and risk profiles of individuals on sex offender registries. This study analyzed data from the national sex offender registry to determine to what extent registered sex offenders were double counted, where they were double counted, and if there were any differences between individuals who were double counted and those who were not. Findings suggest that less than 3 % of the national estimate is double counted and that the individuals flagged as double counted were predominantly from a handful of states.

Keywords Adam Walsh Act · Sex offender registration · Sex offender notification

Since the early 1990s, state and federal lawmakers have delivered a complex body of legislation and policies designed to provide the public with information regarding the whereabouts of registered sex offenders (RSOs). While the first state to pass a registration statute did so in the 1940s, the first federal law to be passed was the Jacob Wetterling Act (1994). This law required certain convicted sex offenders to inform law enforcement agencies about their demographic and residency information. In 1996, the U.S. Congress enacted Megan's Law which required public disclosure of sex offender registry data (Logan, 2009). In addition, all states were mandated to develop and maintain Internet-based sex offender registries by 2003; however, states still has considerable autonomy with regard to the type and amount of information that would be posted (Terry & Ackerman, 2009). Similarly, states also had broad discretion as to which offenders would be subject to public notification.

The Adam Walsh Act (AWA) of 2006 changed the status quo. Title 1 of the AWA expanded sex offender registration and notification (SORN) requirements. For instance, registration periods were lengthened, an offense-based classification system was

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developed, and penalties for failure to register as a sex offender where increased (Adam Walsh Sex Offender Registration & Notification Act, 2006). Part of the impetus for the AWA was to facilitate better tracking and monitoring of registered sex offenders (RSOs) by standardizing how states disclosed information about them. All states were mandated to comply with the AWA, but as of mid-2013 only 16 states were considered to be in substantial compliance.

It is currently estimated that over three quarters of a million people are listed as RSOs on state and territorial sex offender registries. This estimate has become ubiquitous, but it is unknown whether it is correct. Some scholars, while acknowledging the importance of knowing the whereabouts of known sex offenders, argue that reliable and valid data are important features of any estimate of this population (Ackerman, Levenson, & Harris, 2012). Aggregate estimates, like that which has been provided by NCMEC, may overestimate the number of RSOs currently residing in the U.S. and can therefore be easily misinterpreted. The purpose of this study is to attempt to address the validity of this estimate by taking into account the number of RSOs that are counted on more than one state registry, thereby inflating the total number of RSOs. To this end, the study first addresses the overall number of people double counted. Next, it analyses whether specific jurisdictions contribute to the double counting phenomenon. Finally, the study assesses the extent to which certain characteristics are more likely to result in duplicate records.

What do We Know About the RSO Population?

Bi-annually, the National Center for Missing and Exploited Children (NCMEC) publishes an estimated count of RSOs. To produce this count, the agency conducts a phone survey of state level registry officials and provides an easy to read state-by-state map with RSO counts and rates. As of January 2014, it was estimated that over 769,000 convicted sex offenders were required to register in the United States and its territories (National Center for Missing and Exploited Children, 2014). In November of 2011, NCMEC reported a total of 747,408 RSOs in the United States and its territories, with a rate of 238 RSOs per 100,000 people. Thirty-eight of the jurisdictions in the estimate included RSOs that were incarcerated, deported, or living in another jurisdiction. In 2012, NCMEC stopped noting these jurisdictions in their state-by-state map. As of the 2012 estimates there is no quick way to discern whether RSOs are actually in the community. Given this change, and the aggregate nature of the data, there are few ways to know if these estimates are correct.

Studies on the national sex offender population are nascent, with only a handful of published works to date (Ackerman, Harris, Levenson, & Zgoba, 2011; Harris, Levenson, & Ackerman, 2012). Studies on the content and makeup of individual state registries or state registrants do exist, but they are varied in approach and characteristics studied (see for instance Adkins, Huff, & Stageberg, 2000; Freeman & Sandler, 2010; Harris, Lobanov-Rostovsky, & Levenson, 2010; Levenson, Ackerman, Socia, & Harris, 2013). A study conducted on 233 people on the Iowa Sex Offender Registry in the mid-1990s found that the majority of individuals were white males (Adkins, et al., 2000). Freeman and Sandler (2009) also found the majority of the 17,165 registrants studied were white males in their thirties. The characteristics analyzed in

this study were more comprehensive than the Iowa study, focusing on victim and offense characteristics, as well as offender risk level. Harris and his colleagues studied the effects of transitioning from risk-based classification systems to the Adam Walsh offense based classification system. In their analysis of demographic characteristics, the researchers found a similar demographic makeup to that found in previous studies, as did Levenson and her colleagues (2010) in a study of South Carolina registrants. One interesting result from the Harris, et al. (2010) study was that 2,145 registrants on the Oklahoma registry were actually residing in another state (Harris, et al, 2010).

While important works, these studies are limited in that they cannot speak to the makeup of the national population of registered sex offenders. In 2011, Ackerman and her colleagues sought to paint a national portrait of the sex offender population. With data from 49 states, Washington, DC, Puerto Rico, and Guam, Ackerman, et al. (2011) created a database with 445,127 RSOs, which accounted for two-thirds of the NCMEC estimate in June 2010. The sample was predominantly male (98 %) and white (66 %). The average registrant was 45 years of age ($SD=13.32$; range=12–99). Many offenders who were not living in the community ($n=53,350$) were included in state registry data, and therefore, were included in the sample. This included individuals who were institutionalized ($n=47,971$), deported ($n=3,251$) or deceased ($n=1,028$). One limitation of this study was that it did not account for individuals who were double counted or listed in a state other than the one from which their registration information came. This is notable given the rate of change across state registries and the fact that federal resources are allocated based on the size of the registry. Double counted RSOs could confound any findings.

As a follow up to Ackerman, et al. (2011), Harris, Levenson and Ackerman (2012) assessed state level registry data across multiple domains, including levels of public disclosure, risk level, and supervision status. The study was conducted in 2010 via a survey of the states. To this end, contact information for agencies administered state sex offender registries was developed. Officials on the list were asked to participate in an online survey that sought to disaggregate the numbers provided by NCMEC. Findings from this study suggest that state sex offender registries and the data held within them are more varied than similar. For example, rates of internet disclosure, or the percentage of registrants listed on the public registry, varied significantly. Nineteen of the reporting jurisdictions included more than 90 % of their registrants on the public registry, 31 jurisdictions included more than half and 6 publicly identified fewer than 25 % (Harris, Levenson & Ackerman, 2012). In addition, the authors found that approximately 8.9 % of registrants were listed as residing out of state.

According to NCMEC estimates, approximately 38 % of the national estimate is reported by five states: California, Florida, Michigan, New York, and Texas. However, other states have large NCMEC estimates, as well. Ackerman, Levenson and Harris (2012) sought to provide adjusted rates and counts for five states to compare with NCMEC counts. Specifically, the study analyzed the total number of registrants and adjusted for individuals who were deceased, deported, incarcerated, or living in another jurisdiction in Florida, Georgia, Illinois, New York, and Texas. In total, publicly available data from these states represented 201,135 RSOs, of which only 165,751 were actually listed as in-state registrants. Almost 17 % of individuals listed on the registries in these five states were not living in the given jurisdiction, but were still included on the registry. When RSOs who were deported, deceased, and incarcerated/

civilly committed were removed from the total, there was a 43 % reduction in the number of registrants. However, like the Ackerman, et al. study from 2011, this study also did not account for individuals who were double counted within or across multiple states.

The National Center for Missing and Exploited Children

Joel Best (2001) aptly states that numbers seem to take on a life of their own, because we tend to regard numbers and statistics as little nuggets of truth. There is often little truth behind the numbers used to make various political and social claims. Best (2001) maintains that once a number is documented in the media it is given credibility and the choices behind the counting of this number is forgotten. He offers several examples of how statistics often bear no plausibility - “any number is better than no number” (Best, 2001, pg. 10).

Given the nascent state of literature that investigates the content of sex offender registries and national RSO statistics, the estimate utilized by policy makers and the media stem directly from NCMEC. The bi-annual estimates provided to the public have become ubiquitous. There has been little regard for the plausibility of these estimates and, as Best (2001) theorizes, they have taken on a life of their own.

In Fiscal Year 2012, NCMEC was allotted \$36 million in federal funds (National Center for Missing and Exploited Children, 2012) in various grants and contracts. Providing national estimates of the RSO population is only one of NCMEC’s functions. Given the organization’s many functions and continued coordination with federal agencies, it has successfully promoted the expansion of federal responsibility for the management of RSOs, including the 2006 passage of the Adam Walsh Act.

Limitations of NCMEC Data

The bi-annual NCMEC estimate is influential for policy decisions regarding sexual violence, media attention, and public opinion, but is limited in several key ways. Harris, et al. (2012) outline several distinct, but equally important limitations with NCMEC estimates. First and foremost, the aggregate jurisdictional and national counts allude to the notion that sex offenders represent a homogenized group of individuals that is inherently dangerous and very likely to recidivate (Levenson, Brannon, Fortney, & Baker, 2007; Fortney, Levenson, Brannon, & Baker, 2007; Lieb & Nunlist, 2008; Mears, Mancini, Gertz, & Bratton, 2008). This perception runs afoul of what the data actually suggest. For example, several meta-analyses suggest that between 14–27 % of sex offenders re-offend. Certain factors influence higher levels of risk for specific and identifiable subgroups of sex offenders (Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005; Harris & Hanson, 2004). As noted by Harris and his colleagues, an aggregate count is limited in its utility, given these factors.

Combination of Registrants and Cross-Jurisdictional Individuals

In 2011, 38 of the 57 jurisdictions included RSOs who were incarcerated, deported, or living in another state (National Center for Missing and Exploited Children, 2011).

Given that data reporting varies by jurisdiction counts and rates may not be comparable across jurisdictions (Harris, Levenson, & Ackerman, 2012), the original intent behind the AWA was to facilitate better management of sex offenders living in communities. Given this intended purpose, it is important that any estimate of the number of RSOs distinguish between individuals living in the community and those who are not. Including individuals who are not in the community artificially inflates the total number of RSOs. This is particularly problematic when dealing with out-of-state registrants because we do not know the extent to which individuals are counted more than one time. Given the infancy of published work, the NCMEC numbers have become the main source of information regarding national estimates of sex offenders.

Methodology

Data collection for this study began in August 2012 when the author worked with a computer programmer to pull publicly available sex offender registry data from each state, tribal, and U.S. Territory sex offender registry. Typically referred to as data scraping, each jurisdiction's sex offender registry pull begins with an identical process. Four basic factors are necessary to take into account prior to building a unique custom data gathering tool for each jurisdiction. The programmer identifies the complexity of information structure, ease of page navigation, data standardization processes, and time necessary to extract the data. Once the custom tool is built, the data is pulled by jurisdiction and then loaded into the national database where it is formatted for analysis. Several jurisdictions allow individuals to pull a listing of registrants directly from the registry page. State provided data was utilized in lieu of scraped data when possible and included the following: Arizona, Missouri, North Carolina, Pennsylvania, and Texas. Florida and Georgia also provide a list of data, but the breadth of the data were lacking and the scraped data provided an optimal description of each registrant. Florida's data is unique, in that the publicly provided data includes demographic information on every RSO who has ever been on the state registry ($n=62,391$). Only 23,211 of those registrants actually reside within the state (Ackerman et al, 2012). Because this state is an anomaly, and because the scraped data was far more informative, only the data on RSOs from the scraped data within the state of Florida were included in this analysis. Data collection began in the fall of 2012 and was completed by the fall of 2013.

The final data included demographic and offense specifics information on 502,740 rows of data, or potential RSOs. Eighty-three jurisdictions, including Native American Tribal jurisdictions where data were available, were represented. Puerto Rico, American Samoa, and St. Croix, which utilizes a registry separate from the rest of the Virgin Islands, were not included in the analysis because automated data scraping was not possible.

Establishing Double Counts

Creating a measure that allowed for the accounting of double counted registrants, required a two-step process to be established. The first step was utilized to reduce name ambiguity so that an individual listed with similar, but different names would be counted as a duplicate record. To this end, non-name data in the name fields was removed. This

includes all salutations (i.e., Mr., Rev., Jr., III, etc.), informational words (i.e. alias, NMN), and most punctuation. Repetitive characters were removed in all instances (Allan = Alan) and all endings to names were made uniform so that “Barnie” = “Barney” = “Barny”. Finally, a table of common name equivalents was applied to account for misspellings and unique spellings of names. For example “Geoffrey” = “Geoff” = “Jeffery” = “Jeffrey” = “Jeff”. These changes also accommodate for some common spelling mistakes or variations, so that “Kennedy” = “Keneddy” = “Kennedy” = “Kennedy”. Once this cleaning process was complete, a query was utilized to account for duplicates in first names, last names and birthday. Given the nature of the registry and the fact that data standardization is still a major limitation (Harris et al., 2012), only rows where the above referenced variables were the same could be tagged. For example if an RSO is counted in one state and the birth date is not included then it is not possible to say for certain that the individual is actually double counted. Only verifiable double counts were included.

Results

The original scraped data included 502,740 rows of possible individuals. The scraped data accounted for 67 % of the NCMEC total at mid-year 2013. Eleven jurisdictions had more than 100 % of the NCMEC total. For instance, in the NCMEC estimates, Alaska reported 2,111 RSOs, but the scraped data pulled 2,928 individuals or 39 % more than the NCMEC total. Fourteen jurisdictions had fewer than 50 % of the NCMEC total and of those 5 had fewer than 30 %. The Minnesota scrape, for example only pulled 2 % of the NCMEC total, however this state is known for only including Level 3, or high risk sex offenders on the public registry. In most cases when the scraped count was significantly lower than the NCMEC count, it could be accounted for based on the jurisdiction’s policy to not include low level RSOs on their public registry site. Table 1 includes a breakdown of total scraped data by state, number of duplicates, and duplicates as a percent of the total and the number of rows for the given state.

How Many RSOs are Doubled Counted?

In total, ($n=17,131$) or 3.4 % of the rows in the data were duplicates that represented ($n=8,436$) individual RSOs. Fifteen jurisdictions had no duplicate RSOs and an additional eighteen had fewer than 10. As might be expected, tribal jurisdictions often had a large percentage of their registrants duplicated in state registries. No state registry had more than 11 % of its rows duplicated. Thirty-five jurisdictions had more than 50 duplicate rows. Tennessee, ($n=2,238$), Illinois ($n=1,799$), North Carolina ($n=1,473$), New York ($n=1,310$) and Florida ($n=1,220$) all had more than 1,000 duplicate rows.

Where are the Double Counted?

Knowing whether or even if a double counting problem exists informs researchers and policymakers about the effects of policies on the lives of RSOs. The purpose of this analysis was to understand whether certain jurisdictions or combinations of

Table 1 Double counts and percentages by state/jurisdiction

State or Jurisdiction	Total count	Duplicates	Duplicates as % of total
Tennessee	19,910	2,238	11 %
Illinois	26,617	1,799	7 %
North Carolina	17,939	1,473	8 %
New York	20,073	1,310	7 %
Florida	23,168	1,220	5 %
Alabama	9,831	954	10 %
Colorado	8,778	774	9 %
California	49,002	765	2 %
Texas	71,269	549	1 %
Ohio	17,994	539	3 %
Iowa	5,427	509	9 %
Kentucky	7,011	501	7 %
Mississippi	5,355	481	9 %
Louisiana	10,755	429	4 %
Maryland	8,501	366	4 %
Connecticut	5,488	274	5 %
West Virginia	3,557	226	6 %
Nebraska	3,424	222	6 %
Michigan	10,920	215	2 %
New Mexico	2,778	184	7 %
Arkansas	3,841	182	5 %
Oklahoma	7,247	175	2 %
South Dakota	3,093	151	5 %
New Jersey	3,841	142	4 %
Montana	2,145	133	6 %
Kansas	5,346	117	2 %
Utah	7,009	112	2 %
New Hampshire	2,210	97	4 %
Maine	2,928	96	3 %
District Of Columbia	896	89	10 %
Idaho	3,272	83	3 %
Vermont	1,160	82	7 %
Delaware	1,833	75	4 %
Wyoming	1,475	74	5 %
Fort Peck	72	54	75 %
Rosebud Souix	90	41	46 %
North Dakota	490	39	8 %
Mississippi Band Of Choctaw	61	36	59 %
Alaska	2,928	30	1 %
Rhode Island	597	28	5 %
Guam	641	27	4 %
Eastern Band Of Cherokee	35	26	74 %

Table 1 (continued)

State or Jurisdiction	Total count	Duplicates	Duplicates as % of total
Sisseton Wahpten	28	25	89 %
Pueblo of Laguna	25	17	68 %
Oregon	655	15	2 %
Shoshone Bannock	23	15	65 %
United Band of Keetoowah Cherokee	19	12	63 %
Fort Belknap	14	11	79 %
Minnesota	288	11	4 %
Keweenaw Bay	25	10	40 %
Cherokee Nation	12	9	75 %
Sac and Fox	9	9	100 %
Salt River Pima	44	9	20 %
Turtle Mountain Chippewa	37	9	24 %
Virgin Islands	95	9	9 %
Northern Mariana Island	80	8	10 %
Pueblo of Acoma	15	8	53 %
Spirit Lake Nation	39	8	21 %
Three Affiliated Tribes	32	7	22 %
Omaha Nation of Nebraska	28	6	21 %
Winnebago Tribe of Nebraska	14	5	36 %
Colorado River	34	3	9 %
Tohona Oodham Nation	271	3	1 %
Gila	71	1	1 %
Umatilla	22	1	5 %
Warm Springs	46	1	2 %
White Mountain Apache	40	1	3 %
Yakama Nation	101	1	1 %
Arizona	5,070		0 %
Colville	38		0 %
Georgia	18,501		0 %
Hawaii	2,666		0 %
Indiana	11,338		0 %
Massachusetts	3,454		0 %
Missouri	14,310		0 %
Nevada	3,004		0 %
Nooksack	13		0 %
Pennsylvania	15,063		0 %
San Carlos Apache	41		0 %
South Carolina	11,962		0 %
Virginia	19,201		0 %
Washington	5,612		0 %
Wisconsin	11,393		0 %
TOTAL	502,740	17,131	

jurisdictions have more individuals double counted. To better understand where RSOs were double counted, a matrix was utilized to determine where RSOs were duplicated within a jurisdiction or across jurisdictions. The matrix was sorted by states with the highest number of duplicate records, with Tennessee (the jurisdiction with the most double counted rows at the top). Table 2 provides an abridged version of the matrix where combinations of jurisdictions can be found. A full matrix is available from the author upon request. The first important finding is that some jurisdictions have double counted individuals within them. For instance, Colorado had 452 duplicate records representing 226 individuals. Most states had very few, if any, RSOs double counted within them. The table next illustrates that many duplicated RSOs involve particular pairs of jurisdictions. It was determined that, indeed, certain combinations of jurisdictions produce more pairs of double counted RSOs than others. Tennessee is an exceptional case, in that the state shares over 100 pairs of duplicate records with several other states, including Illinois ($n=354$), Alabama ($n=228$), Florida, ($n=228$), Ohio ($n=123$), and New York ($n=114$). North Carolina shares a large number of duplicates with New York ($n=272$) and Florida ($n=207$). Similarly, Florida shares almost 300 pairs ($n=293$) with New York. Of course duplicate pairs can be found across most jurisdictions, but the cross-tabulation matrix helps illustrate that there are a few combinations of jurisdictions that contribute to double counting more so than others.

Demographics and Double Counting

The final phase of analysis sought to determine if certain characteristics had a higher likelihood of double counting. Fifty-five variables were utilized in this analysis and

Table 2 Selected combinations of double counted

Jurisdiction	Intra	TN	IL	NC	NY	FL	AL	CO	CA	TX	OH	IA	KY	MS	LA	MD	CT
Tennessee	13	26															
Illinois	1	354	2														
North Carolina	2	292	86	4													
New York	3	114	44	272	6												
Florida	0	228	153	207	293	0											
Alabama	23	228	88	65	59	179	46										
Colorado	226	48	56	23	27	8	10	452									
California	146	78	67	51	38	10	30	31	292								
Texas	6	46	80	32	22	28	11	25	46	12							
Ohio	12	123	72	59	55	15	35	1	9	18	24						
Iowa	5	26	293	13	6	3	2	3	8	6	1	10					
Kentucky	0	223	117	45	13	6	28	5	1	8	38	5	0				
Mississippi	0	171	83	27	19	4	85	2	3	17	2	2	1	0			
Louisiana	12	55	48	27	16	26	44	9	18	80	6	2	8	38	24		
Maryland	13	28	15	67	41	7	4	0	5	6	5	0	0	0	2	26	
Connecticut	0	17	6	34	109	34	14	2	6	4	3	1	2	2	2	6	0

represented offender age and/or date of birth, risk level, compliance, homelessness, to name a few. Ratios were computed that measured the correlation between a characteristic and a duplicate record. Ratios larger than 1 indicate the propensity for duplicates and ratios less than one indicate the reduced likelihood of duplicates. Table 3 provides the list of characteristics studied with corresponding ratios that were higher than 1.5 and lower than .4. A full table of all characteristics is available upon request. Several characteristics were less likely to represent duplicate records, these included registration prior to 1980 (.3), registration in the 1990s (.4), Hispanic (.4) or “other” (.4), 5 offenses (.4), 6 offenses, (.4), and 11–20 offenses (.4). Characteristics with the highest likelihood

Table 3 Demographic characteristics and probability of double counting

Characteristic	Total		Not Duplicates			Duplicates			Ratio
1960s	103,270	20.5 %	98,207	20.2 %	95.1 %	5,063	29.6 %	4.9 %	1.5
1970s	90,564	18.0 %	85,762	17.7 %	94.7 %	4,802	28.0 %	5.3 %	1.6
Hispanic	19,299	3.8 %	19,032	3.9 %	98.6 %	267	1.6 %	1.4 %	0.4
American Indian/ Alaska Native	8,311	1.7 %	7,630	1.6 %	91.8 %	681	4.0 %	8.2 %	2.5
Other	3,150	0.6 %	3,107	0.6 %	98.6 %	43	0.3 %	1.4 %	0.4
Registered prior to 1980	2,952	0.6 %	2,920	0.6 %	98.9 %	32	0.2 %	1.1 %	0.3
Registered in 1990s	15,081	3.0 %	14,867	3.1 %	98.6 %	214	1.2 %	1.4 %	0.4
Record has date of last update	93,927	18.7 %	88,870	18.3 %	94.6 %	5,057	29.5 %	5.4 %	1.6
Last updated prior to 1990	4,301	0.9 %	3,600	0.7 %	83.7 %	701	4.1 %	16.3 %	5.5
last updated in the 90s	63	0.0 %	56	0.0 %	88.9 %	7	0.0 %	11.1 %	3.5
last updated in the 2000s	4,941	1.0 %	4,320	0.9 %	87.4 %	621	3.6 %	12.6 %	4.1
Compliant	38,150	7.6 %	35,773	7.4 %	93.8 %	2,377	13.9 %	6.2 %	1.9
Noncompliant	1,846	0.4 %	1,673	0.3 %	90.6 %	173	1.0 %	9.4 %	2.9
Inactive	10,969	2.2 %	9,207	1.9 %	83.9 %	1,762	10.3 %	16.1 %	5.4
SVP	5,446	1.1 %	5,169	1.1 %	94.9 %	277	1.6 %	5.1 %	1.5
No designation applies	11,156	2.2 %	10,396	2.1 %	93.2 %	760	4.4 %	6.8 %	2.1
Offense count 0	7,134	1.4 %	6,571	1.4 %	92.1 %	563	3.3 %	7.9 %	2.4
Offense count 5	3,740	0.7 %	3,689	0.8 %	98.6 %	51	0.3 %	1.4 %	0.4
Offense count 6	3,929	0.8 %	3,881	0.8 %	98.8 %	48	0.3 %	1.2 %	0.4
Offense count 11–20	791	0.2 %	779	0.2 %	98.5 %	12	0.1 %	1.5 %	0.4
Offense count more than 20	175	0.0 %	164	0.0 %	93.7 %	11	0.1 %	6.3 %	1.9
Is Homeless	5,538	1.1 %	5,249	1.1 %	94.8 %	289	1.7 %	5.2 %	1.6
Is Absconder	1,889	0.4 %	1,780	0.4 %	94.2 %	109	0.6 %	5.8 %	1.7
Is Non Compliant	2,544	0.5 %	2,354	0.5 %	92.5 %	190	1.1 %	7.5 %	2.3
Is Out Of State	31,644	6.3 %	25,059	5.2 %	79.2 %	6,585	38.4 %	20.8 %	7.4
Is Predator	19,782	3.9 %	18,728	3.9 %	94.7 %	1,054	6.2 %	5.3 %	1.6

of resulting in double counting included being listed as out of state (7.4), last update prior to 1990 (5.5), Inactive status (5.4), last updates in the 2000s (4.1), last updated in the 1990s (3.5), non-compliant (2.9), and American Indian/Alaska Native (2.5).

Discussion

This study adds to the small body of research on national sex offender registry data because it is the first to attempt to take account of RSOs who are counted more than once across jurisdictional and state sex offender registries. It seeks to determine where these double counts occur and whether certain characteristics increase the propensity for double counting. In some sense the findings from this study update and validate the previous work of others (Ackerman, et al., 2011; Ackerman, Levenson et al., 2012; Harris et al., 2012). Just as these previous studies acknowledged, the current study extends the finding that states are still varied in their approaches to disseminating public sex offender notification. Despite the federal mandates set forth by the AWA, several states still have chosen to only include RSOs deemed the highest risk to reoffend. The majority of states include most, if not all, of their RSOs on public sites. In the ensuing time since the state survey was conducted in 2010 little has changed in that regard.

Ackerman et al. (2012) noted that a handful of states were responsible for 38 % of the makeup of the total national counts. This has not changed. The current study found that several of the states responsible for the largest percentage of the national registry were also more likely to include double counted individuals. Florida, New York, and Illinois continue to represent a large portion of the national estimate and include at least 1,000 duplicate records. While duplicate records do not account for a major cause as to why NCMEC estimates might be inflated, these records do speak to the goals and implementation of the AWA. One of the main purposes of Title 1 of the AWA was aimed at standardizing registration and notification practices nationally. It has been argued elsewhere that the lack of standardization could drive RSOs to states with less restrictive policies. The findings from this study suggest otherwise. A small percentage of RSOs were counted in more than one jurisdiction and many were counted in an adjacent jurisdiction or in a jurisdiction responsible for counting large numbers of registrants. A question that is pertinent to our understanding of double counting is why registrants would appear on one adjacent state, but very few would be found on another. To answer this question, studies documenting state level legislation and policy and its effect on registry location should be conducted.

An important debate about the balance between the rights of the people to know about RSOs near them and the importance of accurate data continues. One side of the debate consists of parents, victim advocates, and concerned citizens that argue for the disclosure of information regarding offender whereabouts. If an offender works in one jurisdiction, but resides in another, then the offender should be placed on both registries. At the local level this type of disclosure makes sense. However, the other side of the debate is concerned with the accuracy of the information offered at the aggregate and national level. Researchers who study the RSO population and the content and makeup of sex offender registries articulate the need for accurate statistics and estimates of the population that offer disclosures regarding the whereabouts of individual registrants. The most current and most cited national estimate of RSOs in our

communities does not disaggregate individuals living in our communities from those who are not. The estimate also does not delineate between individuals listed as inactive or out of state. These two arguments are not incongruous and putting full disclosure across state and jurisdictional boundaries at odds with accurate aggregate estimates of the RSO population is the equivalent of comparing apples and oranges. Both have equally important policy implications, but remain completely separate issues.

It appears that one of the major goals of the AWA has been accomplished, despite its lack of popularity with the states. The purpose of this legislation was not only to provide standardization across jurisdictions, but to facilitate better tracking of RSOs. This, in some sense, has been accomplished. The findings of the current study show that homeless offenders, sexually violent predators (SVP), and out of state addresses are all more likely to be duplicated. This may mean that jurisdictions are doing a better job tracking higher risk and transient offenders across jurisdictions. The same findings, however, speak to the importance of full disclosure about the data utilized to create national estimates of RSOs. Inactive status, which may include deceased, deported, and incarcerated RSOs, and even individuals who have completed their registration requirements, are still included in our national estimates. Indeed, having an inactive status is one of the characteristics most likely to result in duplication.

Of the 201,135 RSOs from Florida, Georgia, Illinois, New York and Texas studied by Ackerman, et al. (2012), 17 % were out of state registrants. In the current study, being listed as out of state was the one characteristic most likely to result in double counting. The practice of including individuals who have physically relocated to another jurisdiction suggests that double counting on sex offender registries is a jurisdictional practice/problem and not a national issue. Beginning with this national picture, however, now facilitates future research on the specific jurisdictions that continue the practice of keeping inactive registrants on public registries.

The current study did not analyze data related to individual RSOs though some of the findings from the study suggest the need for future analysis related to data standardization. The information that one might pull about an individual from one jurisdiction can be strikingly different from the data one might pull about the same RSO listed in another jurisdiction. One example of this stems from the finding that having an offense count of “0” results in more duplication. As RSOs shift across registries, data integrity issues, including the loss of information about offenses, can occur. Future research that attempts to better understand where these lapses of information occur would be beneficial.

Limitations

Gleaning data from multiple jurisdictions presents data integrity issues on various. First, because standardization remains an issue, it is often difficult to make sense of the meaning behind certain variables or offender characteristics. How variables are defined, where data are provided within the context of specific registries, and attempting to standardize these two points when removed from the registries themselves remains problematic. Studies of the content and makeup of sex offender registries can be enhanced by carefully contextualizing these problems.

Attempting to accurately account for the double counting of RSOs creates complexities that could only have been uncovered by this initial attempt. Data entry and integrity

issues, as outlined above, only compound this problem. As noted, this study is the first attempt to address double counting. Questions still remain as to whether the method used here over or under counted duplicated records.

Conclusion

In 2012, Harris, Levenson, and Ackerman cautioned that “definitional issues and methodological barriers...reflect some of the fallacies that have permeated discourse” (pg. 27) about SORN. This remains true in 2014. Though the Adam Walsh Act is now in its 8 year as federal law, data standardization and sharing has not been substantially approved. It is important to note that sex offender registries are ever changing, in that people are added and, presumably, removed from registries on a daily basis. Improved standardization should translate into better communication across states. As one individual is placed on a registry in a new state, better communication would, hopefully, result in the removal of that individual from his or her previous state of registration. In some sense, this seems to be occurring. However, certain states appear to be doing a poor job accounting for these changes. This could be because of specific state policy requiring these RSOs to remain on these registries, but, as can be seen from this and other studies, the fact that the individual remains on more than one registry presents methodological and policy problems. It is too easy for misunderstanding and misrepresentation to translate into ineffective policy. As such, continued attention must be given to understand the makeup of RSOs in the U.S. on demographic, offense, and risk type variables. This cannot be accomplished with any accuracy until we can fully and properly account for individuals who are counted more than one in our national counts.

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