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Sex Offender Residence Restriction Laws: Parental Perceptions and Public Policy*

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Sex Offender Residence Restriction Laws: Parental Perceptions and Public Policy

ABSTRACT

Despite a steady decline in sex crime over the past twenty years, new laws, such as residence restrictions, targeting such crime have proliferated. Some scholars have argued that public concern about sexual offending against young children has served as a catalyst for the emergence of these laws. Few studies, however, have empirically tested this claim. To address this gap and to contribute to scholarship on public opinion about crime and justice, this research tests a central implication flowing from prior work—namely, the notion that people with children will be more likely to endorse increased restrictions on where sex offenders can live. Analyses of public opinion data from a 2006 poll of Florida residents suggest that parents are indeed significantly more likely to support such restrictions. Implications of the study for research and policy are discussed.

Keywords: sex crime, public opinion, residence restriction laws

INTRODUCTION

Although sex crime has decreased during the past twenty years, sex offender laws have proliferated nationally (Finkelhor & Jones, 2004). Scholars have suggested several possible explanations for the emergence of these laws. One of the more prominent explanations argues that public concern about offenses against children has motivated the change. In support of such arguments, scholars have emphasized the fact that some parents pushed for the creation of many state and federal sex crime laws. As Sample and Bray (2006) have emphasized, parents of victims have “actively lobbied state and federal legislators for remedies to address the repeat behavior of sex offenders” (p. 85).

Juxtaposed against such arguments and the anecdotal accounts presented to illustrate them is a paucity of research examining whether parents in fact support the new, tougher laws that target sex offenders. The advent of the Internet and the increased media coverage of sex offenders “means that major offenses against children, and especially unusual ones such as stranger-abductions, help assure increased attention to this type of crime” (Quinn, Forsyth, & Mullen-Quinn, 2004, p. 221). The result, according to Zgoba (2004), is that “the media frenzy surrounding these [highly] publicized cases has created a ‘fear factor’ among parents and caregivers” (p. 385). From this perspective, parents may be more supportive of “get tough” measures that target sex offenders.

On the other hand, extant work suggests that parents may not necessarily embrace such laws; indeed, they may be less supportive of them. Parenthood is, as Palkovitz (1988) has argued, a “uniquely complex” (pp. 2-3) experience that can result in a greater understanding that people are fallible and, in turn, a belief that leniency rather than punitiveness is the best response to crime. For example, Mears, Hay, Gertz, and Mancini (2007) investigated public support for abolishing the juvenile justice system, a “get-tough” measure for addressing delinquency, and found that respondents with children were opposed to transferring juvenile offenders to the adult system, suggesting that they supported a more rehabilitative approach to responding to crime.

More recently, Welch (2009) examined parental support for punitive sanctions towards adult and juvenile offenders. She concluded that “parents assume a more defensive stance against crime but when it comes to young violators, their protective instincts do not impel them to favor more restrictive policies” (p. 21). Put differently, parenthood may confer upon individuals a greater concern about crime and a willingness to support a variety of non-punitive efforts to control it. Roberts and his colleagues (2003) have claimed that “get-tough” reforms, such as sex offender laws, have evolved out of “a desire by policymakers to respond to public opinion” and that policymakers have acted “without having undertaken an adequate examination of the true nature of public views” (p. 3). That assessment aptly characterizes sex offender laws, given that few studies exist that examine whether members of the public, parents in particular, have endorsed the new largely punitive approach toward sanctioning sex offenders.

In short, although policymakers assume that the public, and parents specifically, support sex crime policies, prior work suggests that they may actually be less supportive of such efforts. Competing arguments thus exist about how parenthood may influence views toward responding to sex crimes. What is needed are empirical tests to adjudicate which of these arguments accords with actual public views. To address this gap in the literature and to contribute to public opinion research on crime and justice as well as discussions and debates about sex crime policy, this study examines data from a public opinion poll conducted in Florida in 2006. To this end, the article proceeds in the following fashion: first, a review of prior research is offered to provide a framework from which to view the current study. Second, the research methodology employed in this study is described. Third, and finally, the study concludes with a discussion of the research findings and their implications for research and policy.

THE PROLIFERATION OF SEX CRIME LAWS

Despite a sustained decline in sex crime in the 1980s (Federal Bureau of Investigation, 2007), “get-tough” sex offender laws began to emerge during this period and then peaked in the

1990s. The laws enacted during this time not only increased sentences for convicted sex offenders, but also included additional sanctions targeting released offenders. For instance, after the passage of the Jacob Wetterling Act and Megan's Law, states were required by the federal government to create sex offender registries and community notification procedures to inform the public about the location of released sex offenders (Caputo & Brodsky, 2004). Many states went beyond this federal requirement and enacted additional laws, such as chemical castration of convicted sex offenders, civil commitment, and residence restrictions.

The intent of many of these new policies was to protect children from sexual predators. For example, residence restriction laws were heralded by lawmakers as a "reasonable endeavor in helping parents protect their children" (see Levenson & Cotter, 2005, p. 51). Such laws, present in over 30 states as of 2008, prohibit convicted sex offenders from living near areas children frequent such as a school or playground and have been implemented across the country. States vary widely in the length of boundary restrictions. Some states have adopted a 500 feet restriction whereas others have developed boundaries of up to 2,000 feet (Meloy, Miller, & Curtis, 2008). Regardless, nearly all states have embraced this post-release form of what some scholars refer to as an "invisible punishment" (Travis, 2005, p. 63), one in which released offenders face not only residence restrictions but also an ever-widening set of additional penalties and restrictions.

What accounts for the rapid emergence and spread of sex crime laws? One likely factor, posited by scholars, is public concern (Miethe, Olson, & Mitchell, 2007). The emphasis in many sex crime laws on child predators, in particular, appears to assume that parents are especially concerned about sex crime and so are especially supportive of "get tough" measures. As Hinds and Daly (2001) have emphasized, recent sex crime laws serve as "a method of responding to public fear of crime and outcries over 'protecting our children'" (p. 266) and, as Matson and Lieb (1996) have suggested, as a "means of citizen protection, particularly for parents to protect their children" (p. 3). The question, however, remains: Are parents more likely to support sex offender laws?

SEX OFFENDER LAWS AND PUBLIC PERCEPTIONS

Public Perceptions about Sex Offender Laws

Despite the proliferation of sex offender laws, relatively few studies have examined how the public views them. The few exceptions suggest that there is moderate to high levels of support for the laws. For instance, Mears, Mancini, Gertz, and Bratton (2008) found that over two-thirds of Americans supported “a sentence in prison or jail” for those convicted of accessing child pornography, and close to 90 percent supported such a sanction for individuals convicted of distributing such images (p. 547). In addition, a study conducted in Washington found that a majority of residents (over 80 percent) described sex offender community notification laws as “very important” (Phillips, 1998, p. 4).

Several studies have gone beyond establishing prevalence estimates of public support and have tested hypotheses about social and demographic divides in opinions about sex offenders and sex crime policies. The results have been mixed. For example, Levenson, Brannon, Fortney, and Baker (2007) reported that few statistically significant differences existed among survey respondents. Men and women held similar views about sex offenders and community protection policies. Those “sexually abused before age 15” also held similar views about punishments for sex offenders compared to respondents never sexually victimized (p. 155). In contrast, other work has detected significant variation in opinions about sex crime and sex crime laws (Anderson & Sample, 2008; Brown, 1999). For example, Mears and his colleagues (2008) observed that males, Whites, the less educated, the less wealthy, and those who indicated greater concern about crime all were more likely to endorse more severe sanctions for those who access child pornography.

Of particular relevance for the present study is work that has investigated parental status and how it may affect support for community notification and sex offender registries. For

example, in a 2004 study of citizen views of community notification, researchers found that parents were significantly more likely to view “receipt of a sex offender notification as more important to them” than non-parents (Caputo & Brodsky, 2004, p. 250). In addition, in their analysis of citizen use of Michigan’s sex offender registry, Kernsmith, Comartin, Craun, and Kernsmith (2009) found that residents with school-aged children, when compared to respondents without children, were significantly more likely to report ever accessing the state’s sex offender registry. By contrast, Craun (2010) found no relationship between having children and respondent awareness of sex offenders in their neighborhood (see also Levenson et al., 2007).

Although this prior work has advanced scholarship, public views toward a range of other sex crime laws remain largely unexamined. To date, for example, no study has investigated whether parental status influences support for residence restrictions. In particular, are parents more likely or less likely to support such restrictions? Does having more than one child alter parental support for sex crime policies? Not least, do views among fathers and mothers differ? Certainly, a number of accounts show that parents of sexually victimized and murdered children have pushed for tougher laws to respond to sexual offending. Whether other parents also endorse support for these laws is, however, another matter. It may well be the case that they are less likely than non-parents to support such laws, especially since parents tend to be more likely to support rehabilitative efforts to reform certain types of offenders, such as youthful offenders (see Welch, 2009), and less likely to support an array of “get tough” reforms such as parental responsibility laws (see Crowe and Bailey, 1995) and the abolishment of the juvenile court (see Mears et al., 2007). In turn, parents may perceive residence prohibitions as contrary to a rehabilitative orientation and, moreover, as suffering from what others scholars claim is a “flawed logic” (Levenson, Zgoba, & Tewksbury, 2007, p. 2). In short, as with views the public holds about other types of criminal justice policies (e.g., capital punishment, mass incarceration), it may be that public perceptions about sex offender legislation are more nuanced than what has been assumed to date.

Sex Offender Residence Restrictions

When considering public views about sex offender laws, and, in this case, sex offender residence restrictions, it is relevant that few studies have examined the actual impact of these laws. The few that have done so have focused primarily on their effectiveness in preventing sex crime and have found little to no effect of the restrictions. For example, Tewksbury and Levenson (2007) concluded, based on a review of such studies, that “no empirical data exist to support the belief that residence restrictions reduce sex offense recidivism,” which may be because “residence restrictions control where sex offenders sleep, but do little to prevent a motivated predator from visiting places where he or she can cultivate relationships with children and groom them for sexual abuse” (p. 56; see also Nieto & Jung, 2006, p. 4).

As implied by Tewksbury and Levenson (2007), the theoretical rationale underlying residence restrictions may be flawed. For example, residence restrictions have been designed and implemented based on the logic that sex offenders strike near locations typically frequented by children. Yet, little empirical evidence supports the notion that sex crimes are committed near schools, school bus stops, day care centers, or playgrounds (Barnes, Dukes, Tewksbury, & De Troye, 2008; Levenson & Cotter, 2005). Indeed, a study examining sex offenders living in Colorado found that pedophiles who recidivated were no more likely than those who did not to live close to areas where children frequent (Colorado Department of Public Safety, 2004). In another study, researchers found no statistically significant relationship between proximity to schools or parks and sex offender recidivism (Minnesota Department of Corrections, 2003). A more recent study conducted by Zandbergen, Levenson, and Hart (2010) was one of the first of its kind to use geographic information system (GIS) mapping technology to assess whether sex offenders who lived in closer proximity to schools and daycares were more likely to sexually reoffend against children than those who lived farther away. No significant differences in sexual recidivism emerged between these two groups.

Despite evidence that these laws have had no appreciable impact on sex offender recidivism, it nonetheless may be that the public, parents in particular, support them. For example, in a study examining public support for various sex offender laws (e.g., community notification, residence restrictions, electronic monitoring), Levenson, Brannon, Fortney, and Baker (2007:150) found that a large majority of Floridians (73 percent) would support such laws, “even if there is no scientific evidence showing that they reduce sexual abuse.” Similarly, in examining a sample of Washington residents, Phillips (1998:3) found that a vast majority of respondents reported feeling safer after attending a sex offender community notification meeting. Findings from a more recent study conducted by Anderson and Sample (2008) also points to the symbolic effects of such laws. For instance, the authors reported that an overwhelming majority of Nebraska residents reported feeling personally safer (88 percent) and perceived their families to be safer (87.6 percent) after visiting the state’s sex offender registry.

Public Opinion and Sex Crime Policy

Although public opinion does not always drive policy, a large body of studies suggests that it can play a strong role in it; indeed, as Sharp (1999) reported there is great evidence that “the direction and timing of policy change, is at a minimum, constrained by mass preferences . . . policy development far removed from popular preferences is unusual” (p. 259). Burstein’s (2003:34) comments, based on findings from a review of the impact of public opinion on social policy, underscore the consistency and salience of this effect: “so far as we can tell from published research, policy is affected by opinion most of the time; often-over half the time when public opinion has any effect—the impact really matters substantively.”

Research on the effect of public opinion on crime policy suggests that the public can and does substantially influence decisionmaking (see, e.g., Birkland, 2007; Goode & Ben-Yehuda, 1994; Jann & Wegrich, 2007; Mears et al., 2008; Messner, Baumer, & Rosenfeld, 2006; Roberts & Stalans, 1997). Some scholars claim that, despite a consistent decline in both official and

victim reports of such crimes (see Levenson & D'Amora, 2007), public pressure about sex crimes has resulted in a “moral panic,” one that the media has been instrumental in driving (Zgoba, 2004:386). Sample (2001:41) has observed that “the content of news accounts about criminal acts is [an] intricate part of the social construction of the sex offender because it frames public perceptions of a problem about which most people have almost no personal experience.” Other scholars have argued that this public pressure and concern about sex offender recidivism has led to an increased use of incarceration, longer sentences, and a wide range of post-conviction sanctions for sex offenders (Cohen & Jeglic, 2007).

The prominent attention given to sex crime victims has also been implicated in explaining the rapid emergence of sex crime laws in the late 1990s and 2000s. Sample (2006) has observed that many federal and state legislative reforms have been named in honor of sexually victimized and murdered children (e.g., Megan’s Law, Jessica’s Law), a development that has led, according to Sample, to the erroneous perception that “many, if not most, sex offenders go on to kill” (p. 231). At the same time, the work of victim advocacy groups has figured notably into the enactment of an array of sex crime laws (see Petrunik, 2003).

In short, scholars have argued that the widespread media attention given to sex offenders, and victims of sex crimes, has ultimately fueled a “public panic”—one that has led to an unprecedented enactment of sex offender legislation in America (Jenkins, 1998:82). Even so, there remains relatively little empirical work that examines this claim or how the public views specific types of sex crime laws.

THE CURRENT STUDY

Data

To test competing hypotheses about the effects of parental status on views toward sex offender laws, data from a telephone survey conducted in spring 2006, based on a random

sample of Florida adults age 18 or older (N=1,308) were used. The survey explored respondents' views about the state correctional system and appropriate punishment for different types of offenders. In addition to these measures, respondents were asked questions designed to gauge different social and demographic characteristics, including whether respondents had children. The survey data thus provide a unique opportunity to explore how the public views responses to sanctioning such offenders.

Since the focus here was on only one state, the results of this study may not be generalizable to other states.¹ State-specific studies, however, can provide insight into policy preferences that may reflect attitudes at a national level (Cullen, Fisher, & Applegate, 2000; Nagin, Piquero, Scott, & Steinberg, 2006). In addition, Florida is notable because it has received national attention for its implementation of “get tough” sex offender laws during the last decade. For example, Florida legislators were the first to develop and implement many sex offender reforms, such as the Jessica Lunsford Act (2005), named in honor of a murdered child from Homosassa, Florida. The statute increases penalties for convicted sex offenders who fail to register in the state. Following Florida's lead, several states have enacted similar legislation (Cohen & Jeglic, 2007). More recently, Florida made national headlines concerning its residence restriction laws. Florida law prohibits offenders convicted of sex crimes against children to reside within 1,000 feet of a school, school bus stop, or playground (Levenson & Cotter, 2005). In addition, several counties have enacted additional restrictions. Miami-Dade County, for example, enacted a prohibition of 2,500 feet that resulted in 70 convicted sex offenders having to live under a bridge because they could find no legally viable housing (Laughlin, 2009).

The study sample was created using a two-stage modified Mitofsky-Waksberg method (Tourangeau, 2004). The survey had a 48.6 response rate using the American Association for Public Opinion Research (AAPOR, 2004) recommended calculation.² Cases of unknown eligibility (e.g., answering machines, busy signals, no answer) and known ineligibility (e.g., disconnected numbers, businesses, and fax numbers) were excluded from the calculation, as recommended by the AAPOR. Computer-assisted telephone interviewing (CATI) software

(Ci3; Sawtooth, Sequim, WA) was used by interviewers to ensure accuracy in the recording of responses. Of those that began the interview, the overwhelming majority of respondents completed the survey (91 percent). Both estimates are similar to (or higher than) comparable estimates from other public opinion surveys (e.g., Manza, Brooks, & Uggem, 2004; Vogel & Vogel, 2003). Anticipating that a sizable proportion of the Florida Hispanic population would respond to the survey, the research team included several Spanish-speaking interviewers that were available to administer the survey to Latino respondents.

Although not a perfect match to U.S. Census Bureau estimates, the demographic characteristics of the sample were similar to those of the greater Florida population. Yet, in some cases the sample did not exactly mirror the general Florida population. For instance, it included slightly older respondents (with percent in the sample versus in the Florida population presented parenthetically): age 18-24 (7 percent vs. 9 percent); age 25-34 (11 percent vs. 12 percent); age 35-44 (18 percent vs. 15 percent); age 45-54 (24 percent vs. 14 percent); age 55-64 (18 percent vs. 11 percent); age 65-74 (13 percent vs. 9 percent); and, age 75 or older (8 percent vs. 8 percent); more females (60 percent) than in the Florida population (52 percent), more non-Hispanic Whites (80 percent in the sample versus 64 percent in the greater population), and fewer Latinos (8 percent in the sample versus 17 percent in the larger Florida population) (U.S. Census Bureau, 2006). The underrepresentation of minorities and the overrepresentation of older respondents, women, and Whites are typical occurrences among studies of public opinion (Lavrakas, 1993). A review of prior studies suggests that there is little basis to anticipate that these differences should substantially alter the findings, especially in light of the fact that the other social and demographic characteristics of the sample paralleled those of the Florida population.

Insert Table 1 about here

Measures

To explore support for sex offender legislation, respondents were asked whether they support laws that restrict where sex offenders can reside once released from prison. The question for this measure was, “Do you think sex offenders should be restricted in where they can live?” Responses were “1=yes” and “0=no.” Descriptive statistics for this measure and the other measures are shown in Table 1.

The main independent variable of interest, having children, is dummy-coded (“0=none,” “1=at least one child”) to examine whether having children influences support for sex offender policies. To investigate whether the number of children has an effect on likelihood of support for residence laws, a second measure was created, coded as a continuous measure (percent of respondents falling into each category presented parenthetically): “0=no children” (23 percent of respondents had no child), “1=1 child” (16 percent), “2=2 children” (30 percent), and “3=3 or more children” (31 percent). These measures were created using responses to the following question, “How many adopted or biological children have you had in your lifetime?”

Several control variables typically used in public opinion research were included in the analyses. The first, age, was created using responses to the question, “Which of the following categories best describes your age?” Age was coded as: “1=18-24,” “2=25-34,” “3=35-44,” “4=45-54,” “5=55-64,” “6=65-74,” and “7=75 and over.”

Prior research suggests that women hold especially punitive views toward sex offenders (e.g., Wood & Viki, 2004). For this reason, respondents’ gender was added as a control. The coding for this variable was “1=male” and “0=female.”

Race has been found to affect public support for punitive policies. For example, Messner et al. (2006) observed that race is among the “strongest known correlates of attitudes toward the death penalty and other punitive forms of social control” (p. 566). In the Florida poll, respondents were asked, “What race do you consider yourself?” To have a measure that more

closely corresponds with prior studies of public opinion, race was coded as “1=White” and “0=non-White.”

Since Florida is among states with a large Latino population (Chapa & De La Rosa, 2004), this study controlled for the effects of ethnicity on policy preferences for convicted sex offenders. Ethnicity was measured by asking respondents: “Are you of Spanish, Latino, or Hispanic origin?” Ethnicity was coded as “1=Spanish, Latino, or Hispanic origin” and “0=all others.”

Given that prior studies of public opinion typically have controlled for the educational attainment of respondents (see, e.g., Cullen et al., 2000), this study also controlled for education. To identify the educational achievement of respondents, they were asked, “What is the highest grade of school or year in college you yourself completed?” Categories were coded as “1=high school degree or less,” “2=some college,” “3=college graduate,” and “4=attended and/or completed graduate school.”

Since political identity is theorized to influence views about crime and justice (Unnever, Cullen, & Fisher, 2007), two measures of political orientation were included in analyses. The first, “political moderate” was a dichotomous variable coded as “1=political moderate” and “0=all others.” The second, “political conservative” was coded as “1=political conservative” and “0=all others.” The reference category was liberal respondents (this group was omitted from analyses).

Respondents were also asked about their combined yearly income. Towards the end of the interview they were asked, “Now consider your family’s household income from all sources. As I read a list, please stop me when I get to the income level that best describes your household income in 2005.” Income level was coded as: “1=less than \$20,000,” “2= \$20,000 to \$34,999,” “3= \$35,000 to \$49,999,” “4=\$50,000 to \$74,999,” “5=\$75,000 to \$99,999,” “6=\$100,000 to \$150,000,” and “7=over \$150,000.”

Finally, this study explored whether significant differences in perceptions exist among mothers and fathers, White and non-White parents, Latino parents and non-Latino parents, and

younger and older parents. Since prior work suggests that mothers, as a result of their greater risk of sexual victimization and concern about sex offenders (Ferraro, 1996; Warr, 1985), may be more likely to express greater support for residence restrictions, differences in level of support for residence restrictions among mothers and fathers were examined. Given that Whites typically endorse greater levels of support for punitive criminal justice policies than other racial groups (Cullen et al., 2000), this study tested whether significant differences in opinion exist among White parents compared to minority parents. Disparities in opinion between Latino and non-Latino parents were also assessed. Finally, this research explored whether younger parents, perhaps due to their relative inexperience raising children, shared different perceptions about residence restrictions compared to older parents. To test these hypotheses, multiplicative interaction terms were included in the analyses to examine if gender, race and ethnicity, and age moderated the direct effect of parental status on support for residence restriction laws.

Analyses

Given the binary nature of the dependent variable, logistic regression was used to assess whether parents are more likely than non-parents to support residence restrictions.³ The analyses consisted of four models. The first model examined the zero-order relationship between having children and support for residence restriction laws. The second model was designed to assess whether any identified effect persisted after controlling for a range of social and demographic characteristics. The third model explored the bivariate relationship between the number of children respondents reported and support for residence prohibitions. The fourth and final model tested whether the likelihood of support for the law varied after inclusion of the social and demographic correlates introduced in model 2.

FINDINGS

The prevalence of support for residence restriction laws that target sex offenders is examined first. As inspection of Table 1 shows, it is clear that most members of the public support such laws. Indeed, the overwhelming majority of Floridians—82 percent—endorsed support for efforts to restrict where convicted sex offenders can reside in the state. This level of support lends credence to the results from prior studies, which have found that the public overwhelmingly supports efforts that target sex offenders (e.g., Mears et al., 2008).

Since many sex crime laws have been created with the intent to protect children, it is important to explore whether parents were significantly more likely than non-parents to prefer laws that prohibit offenders from living near places children typically congregate. In addition, the number of children reported by parents may affect levels of support for residence boundaries. On the one hand, parents with multiple children may be significantly more sensitive to issues related to child safety because of their greater experience. On the other hand, the experience of becoming a parent just once might be sufficient to substantially alter views about laws designed to safeguard children; indeed, parents of only one child might be especially protective of their “sole heir.” As Newman (2001:105) has argued, “when [parents] have only one [child], [they] can spend more time fretting . . .” The issue would not be relevant if few parents in our study had more than one child. As inspection of Table 1 reveals, however, the average number of children reported by respondents in the sample was 1.69. (Among parents with children, the average number of children was 2.19.) We thus investigated whether parents were significantly more likely than childless adults to support residence restriction laws. Inspection of model 1 in Table 2 shows that individuals with children are in fact significantly more likely to support laws that restrict where sex offenders can live compared to the views of respondents who have never had children—the odds of parents supporting these laws versus not supporting them were 58 percent greater than the odds among non-parents (95 percent confidence interval=1.14-2.17).

Insert Table 2 about here

Model 2 indicates that this pattern persists—the odds ratio is 1.51, only slightly lower than the 1.58 odds ratio in model 1—even with the addition of the control variables, including age, gender, race, ethnicity, education, political ideology, and income (95 percent confidence interval=1.01-2.24). The model results thus suggest a relatively robust effect of parental status. That is, parents are significantly more supportive of sex offender residence restriction laws than non-parents.

It bears emphasizing that several other variables were statistically significant. Similar to what has been found in other public opinion studies examining a range of criminal justice sanctions, this study found that women, Whites, Latino/Hispanic respondents, and political conservatives were significantly more likely to support these laws (Barkan & Cohn, 1994; Baumer, Messner, & Rosenfeld, 2003; Cullen et al., 2000; Uhlaner & Garcia, 2002; Wood & Viki, 2004). The parallels to prior work suggest that the results presented here may not be unique to Florida.

Models 3 and 4 examine the additive effect of having multiple children on preferences for residence prohibitions. Would parents with more children endorse greater support for these laws? Observe that one possibility is that there may be an additive effect of having more children, or the effect may be non-linear, with the presence of more children creating disproportionately greater or lesser support. Alternatively, the act of becoming a parent at all—not necessarily of becoming a parent multiple times—may be the sole salient factor affecting support for residence restrictions. Inspection of models 3 and 4 suggests partial support for the non-linear hypothesis. In the zero-order model (model 3), having two children significantly increases parents' odds of support for the residence law by approximately 50 percent (95 percent confidence interval=1.02-2.18). Even greater support occurs among parents who report having three or more children. Here, parents' odds of support for the law, relative to respondents with no children, rises to 70 percent (95 percent confidence interval=1.16-2.53). Put differently, these findings suggest that having multiple children (not just one child) significantly increases support

for laws that prohibit where sex offenders can live, and this effect appears to be greater among parents with more children.

Comparable results emerge in the full model (model 4), with a notable exception. Once again, there is an effect of having more than one child. Parents with multiple (three or more) children are significantly more likely to support reforms that restrict where sex offenders can live. These parents' odds of supporting the law are 84 percent greater than non-parents' odds (95 percent confidence interval=1.12-3.00). Notably, there no longer is a statistically significant effect of having two children. Parents with two children are not more likely to support the law once additional covariates are added to the model, suggesting a relatively weak effect observed in the zero-order model. Taken together, models 3 and 4 suggest that having more children, especially three or more, results in greater support for sex offender residence restrictions.

Before concluding, several ancillary analyses bear mention. Specifically, the extent to which parental status may be conditioned by several other factors was explored. For example, there may be different effects of parenthood, depending on gender, race and ethnicity, and age. For example, mothers, because of their greater fear of sexual victimization and perhaps greater protectiveness, may be more likely to support residence prohibitions. Given that prior findings have detected differences among racial and ethnic groups in support for a range of criminal justice policies (see, e.g., Messner et al., 2006), there may also be greater parental effects on support for residence restrictions. Not least, it was speculated that age may condition parental effects. Because of their limited life experience, younger parents may be less aware of the potential harms that can come to children and so may be less likely to support efforts to restrict where sex offenders can live. Conversely, it may be that this relative inexperience may make them more protective and so more supportive of residence restrictions.

To investigate these possibilities, two sets of interactional analyses for each of these three measures were estimated. To test for a "mother" versus "father" effect, parental status and number of children was interacted with gender (i.e., "parental status" x "gender"; "number of children" x "gender"). These analyses were then repeated with race ("parental status" x "race";

“number of children” x “race”), ethnicity (“parental status” x “Latino ethnicity”; “number of children” x “Latino ethnicity”), and age (“parental status” x “age”; “number of children” x “age”). In each of the interactional analyses for each of the measures, no significant effect of parenthood was observed (results available upon request).⁴ Put differently, parenthood appears to exert a largely uniform effect on support for residence restrictions, regardless of the gender, race, ethnicity, or age of the parents.

CONCLUSION AND DISCUSSION

The rapid proliferation of sex offender laws in the last twenty years would seem to logically flow from a sharp increase in sex crime. In fact, however, reports of sexual offenses declined markedly in the last two decades. Despite this trend, the federal government and states have enacted a range of laws designed to monitor and control sex offenders. Perhaps the most visible and widely implemented of these laws are sex offender residence restrictions, which prohibit sex offenders from living near locations frequented by children. Since these reforms target child predators, parents have been assumed to be particularly supportive of these laws. Yet, virtually no empirical work has explored how parental status and whether having multiple children affect the likelihood of support for these restrictions.

Using data from a public opinion poll of Florida citizens, the analyses conducted were aimed at addressing this research gap. The results can be summarized as follows: *first*, the public strongly supports sex offender residence restrictions; *second*, having children contributes to greater support for residence restriction laws; *third*, parents who have multiple children, especially three or more children, more strongly support these laws; and *fourth*, this effect is largely the same for “moms” and “dads” and among parents from different racial and ethnic groups and age groups. The implications of the findings will now be addressed.

Research Implications

The results of this study point to the importance of examining public views toward a range of sex crime laws. In addition, they indicate that parental status constitutes a potentially important line of demarcation in the extent to which the public supports specific laws. That said, a limitation of the current study is that it was not possible to examine whether parental views varied depending on whether they had sons or daughters. Future research should investigate this issue. It is, for example, possible that parents' views in fact differ greatly depending on whether they have boys or girls. To illustrate, from the perspective of power-control theory, parents may express more concern about their daughters' well-being and in turn be more supportive of residence restrictions (Hagan, Simpson, & Gillis, 1987).

Research, too, should examine the possibility that a child's age may influence parental concern about sex offenders. One study investigating sex offender registry use found that parents of school-aged children (5-18) were nearly twice as likely to have used a sex offender registry as parents of preschool-aged children (0-4) (Kernsmith et al., 2009). The Florida poll data did not include information about the age of respondents' children. Ancillary models were calculated, however, to test whether parental support was higher among younger parents versus older parents. No statistically significant differences related to the age of the parents were observed. Although parental age might serve as a reasonable proxy for the age of their children, a better approach would be to have a direct measure of children's age.

Although gender of the parent may be thought to influence perceptions about residence restrictions, no significant differences in opinions between mothers or fathers emerged. Indeed, and more generally, there was no evidence that the effects of parenthood are conditioned by such factors as the race, ethnicity, or age of parents. Even so, recent work suggests that relationships between parental status and beliefs about crime and justice may be non-linear (see, e.g., Welch, 2009). For that reason, future studies should further explore the extent to which social and demographic characteristics of respondents moderates support for sex offender laws.

While not the focus of the study, several control variables and their effects warrant mention. In particular, gender, race, ethnicity, and political conservatism emerged as consistent indicators of support for residence restrictions. Considerable scholarly attention has been given to studying the effects of gender, race, and political identity on views about crime and justice (Cullen et al., 2000). Yet, relatively few public opinion studies have examined how Latinos view sex offender laws (Craun, 2010). An unexpected finding that prior work should explore involves the effects of ethnicity on support for residence restrictions. In the present study, Latinos were significantly more likely than non-Latinos to support such restrictions. A fruitful avenue of future inquiry thus would be an investigation of what accounts for the ethnic differences in public opinion about residence restrictions and possibly other crime and justice policies (see, e.g., Uhlaner & Garcia, 2002).

Finally, future studies centered on examining views about sex crime laws should consider using longitudinal data to assess public opinion over time. On the one hand, it is possible that the public has learned about some potentially negative unintended outcomes of residence restriction laws, such as offender homelessness and employment discrimination (Tewksbury & Levenson, 2007), and that this knowledge may have tempered views about the appropriateness of post-release sanctions. On the other hand, as evidenced by a number of recent public opinion polls suggesting strong support for sex offender laws (e.g., Mears et al., 2008), it is also possible that the public has become increasingly more concerned about sex crime, and thus, would be more willing to support an array of post-incarceration penalties for sex offenders.⁵

Policy Implications

Parents have been among groups that have shaped and modified public policy in the past. Consider, for example, the national Mothers Against Drunk Driving (MADD) campaign. The founder of MADD, Candy Lightner, lobbied Congress for tougher drunk driving laws in the 1980s and 1990s (Frantzich, 2008) after her young daughter was killed by an intoxicated driver.

Perhaps as a result of her efforts, laws to punish drunk drivers have increased dramatically in the last twenty years. In a similar vein, accounts of several widely publicized incidents involving crimes against children in recent years suggest that parents were instrumental in lobbying for laws that better monitor and control sex offenders.

Is that problematic? Perhaps not. Yet, it appears that unrepresentative and rare cases involving sex offenders may have influenced parents' perceptions of sexual offending (see Sample, 2006). Statistically, it is highly unlikely that children will be kidnapped, sexually assaulted, and murdered. For example, Sample (2006) explored the extent to which sex offenders murder their victims. She found that only two percent of arrests that included a sex offense charge also included a homicide charge. Despite the relatively rare occurrence of these offenses, public fear of rape and sexual abuse, especially among parents and caregivers, "has almost become a panic" (Sampson, 1994, p. i).

Arguably, the situation is problematic because public opinion, if it is to inform policy, should be based on an accurate understanding of social phenomena. Recently, however, Welch (2009) has opined that "the powerful role that public support has in influencing lawmakers about crime policy exists regardless of how well informed it is" (p. 4). Lawmakers in turn may amplify this problem. As Sidney (2007:80) has emphasized, limited extant knowledge about the social world "inevitably leads policymakers to focus on some aspects of a problem at the expense of others." This situation can result in policies that focus too narrowly on specific crimes or aspects of them and that ignore a range of alternative or supplemental approaches.

The media clearly appear to play a prominent role in shaping public opinion about sexual offending and the risk of victimization. In the last twenty years, media coverage has typically portrayed sex offenders as recidivists and as strangers to their victims (Zgoba, 2004). If media accounts are any indication of typical sex crimes that occur in America, parents are sure to have a vested interest in supporting residence restriction laws. Yet, again, research suggests that these depictions do not represent the reality of sexual offending. Ultimately, then, support for "get tough" sex crime laws may stem from sensationalized media accounts that create

misunderstanding among the public about how rarely most sex crime, especially serious and violent sex crime, occurs. That misunderstanding then perhaps is amplified by lawmaker tendencies to focus on narrow and perhaps extreme responses.

To counter such effects, policymakers and the public may want to encourage the media to provide more balanced portraits of sex crimes and their impacts on victims, families, and communities, as well as of sex crime policies and their impacts not just on these groups but also on offenders. As Levenson and colleagues (2007) argue, the media can provide relevant and accurate information about “recidivism rates, the heterogeneity of sex offenders, the signs and symptoms of sexual abuse, and the common types of grooming behaviors used by perpetrators who gain access to victims by using their positions of familiarity, trust, or authority” (p. 20). In addition, Zevitz and Farkas (2000) suggest that community notification meetings (typically used to notify neighborhood residents that a sex offender is residing in their community) may be another useful tool in educating the public about sex offenders. Such meetings could be used to disseminate useful, empirically-based information about sexual offending and ways to safeguard children and other vulnerable populations.

Education may be especially important because of the seemingly entrenched myths that exist about sex offenders. Although educating the public about sex offending may have little to no impact on perceptions about sex offender policy, it is worth noting that minimal efforts have been designed to inform the public about the realities of sex crime in the past. That situation warrants attention given that the public perceives recidivism rates to be high for sex offenders (Fortney et al., 2007); indeed, the common assumption is that virtually all sex offenders recidivate. The empirical work in this area paints a different portrait. For example, in a study of offender recidivism, Sample and Bray (2003) estimated that only seven percent of sex offenders committed another sex offense in a five-year follow-up. Of course, a sub-set of sex offenders may be highly likely to recidivate; most, however, are not.

Providing this kind of information to the public may be useful in alleviating some of the common fears about sexual victimization while also fostering discussion about more effective

strategies to protect children and others from potential victimization. Such information ideally would address other myths as well. For example, research has shown that, contrary to public views, sex victimization by strangers occurs far less frequently than does victimization by known associates. In a national report, Snyder (2000) reported that fewer than 14 percent of all sex offenses reported to law enforcement were perpetrated by a stranger. Indeed, most sex offenders have a prior relationship with their victims, especially in cases where the victim is a child (Greenfeld, 1997; Terry, 2005). Here, again, educating the public about the realities of sexual offending may influence their perceptions of the utility of these management systems and, in turn, calls for policies that may better reflect these realities and lead to lower rates of victimization.

The concern about policy effectiveness bears emphasis. Given the goals of residence restrictions—to prevent sexual violence against children—it remains unclear whether such restrictions are likely to prevent the majority of sexual offenses. For example, Edwards and Hensley (2001) observed that child molesters are often persons of trust in their victims' lives. Such offenders typically practice “grooming” patterns to entice a child to participate in sexual acts (p. 94). Such facts underscore that policies premised on addressing stranger victimization either are likely to be ineffective or to be effective only in inhibiting crimes committed by a small sub-set of all sex offenders.

The new, tougher approaches to sex offenders may be warranted, especially if public opinion is any indication. In democratic societies public views are central to policy debates involving crime and justice (Burstein, 2003), and policymakers certainly allude to or infer such views when they develop and implement social policy (Roberts & Stalans, 1997). Yet, the risk associated with the rash of new sex crime laws, including residence restrictions, however, is that they may be ineffective, create greater fear among the public, and limit attention to other potentially more effective strategies for reducing sex crime. Greater research on the impacts of existing laws would go a long way to addressing such concerns, but so, too, would greater

attention to how the public views sex crimes, what influences these views, and the potential effectiveness of a much broader range of approaches to preventing sex offending.

NOTES

¹ The study drew on data from a 2006 telephone-based survey of Floridians age 18 and older. The sample was created using a two-stage modified Mitofsky-Waksberg random digit dialing (RDD) method designed to yield responses from a representative sample of the state. These methods are used widely in other studies of public opinion about crime and justice involving telephone interviewing (e.g., Chiricos, Welch, & Gertz, 2004; Holtfreter, Van Slyke, Bratton, & Gertz, 2008) and as Brick and Tucker (2007:708) report, have become “the standard method of RDD sampling for more than a decade.”

² The AAPOR (2004) lists several acceptable calculations for determining response rates for telephone surveys. In line with prior studies of public opinion (e.g., Kleck, Gertz, & Bratton, 2009), we used the RR6 “maximum response rate” calculation: $[(\text{Interviews} + \text{Partials})] / [(\text{Interviews} + \text{Partials}) + (\text{Refusals} + \text{Non-Contacts} + \text{Other Outcomes})]$.

³ A series of analyses were conducted to test whether multicollinearity skewed the model results. Tolerance levels ranged from a low of 0.59 (political conservative) to a high of 0.96 (gender), with levels averaging 0.74. Variance inflation factor (VIF) estimates for all variables were no more than 1.70. Few of the measures were correlated with each other (in most cases, the correlations were less than 0.30). One exception involved political ideology. The correlation between political moderates and political conservatives was -0.62. The model with just political conservatives (and then political moderates) was calculated and similar results were found. Put differently, regardless of model specification, the results were largely consistent.

⁴ In an attempt to more systematically unpack the relationship between parental status and support for residence laws, we also estimated two sets of multiplicative models that tested the conditional effects of the remaining social and demographic variables: education, political ideology, and income. No statistically significant findings surfaced.

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Table 1. Descriptive Statistics

	Percent
Outcome Variable	
Support for Residence Restriction Laws	
Support	82.3
Oppose	17.7
Variables of Interest	
Have Children	
Yes	76.9
No	23.1
Number of Children	
0 Children	23.1
1 Child	16.3
2 Children	29.5
3+ Children	31.1
Control Variables	
Age	
18-24	7.4
25-34	11.0
35-44	18.0
45-54	24.4
55-64	18.4
65-74	13.0
75+	7.9
Gender	
Male	40.3
Female	59.7
Race	
White	80.2
Non-White	19.8
Latino Ethnicity	
Yes	7.5
No	92.5
Education	
High School Degree or Less	29.7
Some College	29.0
College Graduate	25.8
Graduate School	15.4
Political Orientation	
Liberal (Reference Category)	21.5
Conservative	34.6
Moderate	37.4
Income	
Less than \$20,000	6.4
\$20,000 to \$34,999	12.4
\$35,000 to \$49,999	20.0
\$50,000 to \$74,999	25.2
\$75,000 to \$99,999	11.1
\$100,000 to \$150,000	7.3
\$150,000+	6.2

Table 2. Logistic Regression of Parental Support for Residence Restrictions

	Model 1		Model 2		Model 3		Model 4	
	b	Odds Ratio	b	Odds Ratio	b	Odds Ratio	b	Odds Ratio
Variables of Interest								
Have Children	0.46 (0.16)	1.58**	0.41 (0.20)	1.51*				
Number of Children								
1 Child					0.41 (0.23)	1.50	0.39 (0.26)	1.48
2 Children					0.40 (0.20)	1.49*	0.28 (0.23)	1.32
3 + Children					0.54 (0.20)	1.71**	0.61 (0.25)	1.84*
Control Variables								
Age			-0.08 (0.06)	0.92			-0.10 (0.06)	0.91
Gender			-0.49 (0.17)	0.61**			-0.48 (0.17)	0.62**
Race			0.92 (0.23)	2.52***			0.96 (0.23)	2.61***
Latino Ethnicity			1.06 (0.39)	2.87**			1.09 (0.39)	2.97**
Education			-0.12 (0.09)	0.89			-0.12 (0.09)	0.89
Conservative			0.59 (0.23)	1.79*			0.57 (0.23)	1.76*
Moderate			0.22 (0.20)	1.25			0.21 (0.20)	1.24
Income			0.08 (0.06)	1.09			0.09 (0.06)	1.09
Intercept	1.19 (0.14)	3.29***	0.72 (0.38)	2.06	1.19 (0.14)	3.29***	0.72 (0.38)	2.06
Nagelkerke R2	0.01		0.06		0.01		0.07	

* $p \leq .05$ ** $p \leq .01$ *** $p \leq .001$

Note: Unstandardized coefficients (with standard errors in parentheses) and odds ratios are presented.

N=1,067