

## Sex Offender Registries Can Cause Families and Partners To Become Collateral Damage

Deserved or not, it is easy to label any person convicted of a sex crime, “a danger to society.” Let’s make every effort not to attach that label to the offender’s family and partners as well.

By **Kristan N. Russell and Daniel Pollack** | March 11, 2021 at 10:45 AM



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Committing a sex offense can ruin two lives -- the victim’s and the offender’s. For the offender, the result can be significant incarceration time and financial penalties. In all states, persons convicted of certain crimes are required to register on a sex

offender registry. The registry is viewable by the general public, thereby allowing people to view the photo and current address of the registrant, as well as information regarding the crime that was committed by the registrant. Recently, the regulations of the federal Sex Offender Registration and Notification Act were updated. In addition to the obvious baseline data, the registrant must now provide information about their professional licenses and vehicles, as well as [other personal information](#).

Originally conceived as a tool to help protect local community residents, registration can potentially affect the registrant's employment opportunities, personal relationships, and their ability to simply live undisturbed without fear of being harassed. However morally reprehensible a registrant be viewed, family members and partners of the offender are also affected.

### **Stigmatized by association**

Society often extends its stigmatized views of a 'deviant' person to those who are most immediately associated with them. This is termed *courtesy stigma*. Those who commit sexual offenses are undoubtedly the most stigmatized of criminal offenders. So, it is unsurprising that family members and partners of registrants experience significant courtesy stigma.

Members of the public frequently assign blame to the families of those who commit sexual offenses. They feel that partners and spouses are partially to blame as they may have either known about the offense but did not report it, or they should have known that their partner was capable of committing such an offense.

## **Family members become unintended casualties**

The experience of stigma is compounded with the harsh reality of sex offense registration. Not only have registries decisively failed to reduce reoffending or prevent sexual harm, but family members and partners of registrants have become unintended collateral damage.

Partners and spouses of sex offenders [report a variety of consequences](#) resulting from stigma and policy restrictions. Among them are:

- Social isolation and loss of their social supports
- Reduced overall well-being
- Lowered self-esteem
- Decreased mental health (e.g., higher stress, depression, and anxiety)
- Fear of losing their job or home
- Financial struggles due to their partner being unable to obtain gainful employment
- Fear of vigilantism and harassment

Children of registrants also suffer consequences. Mandated restrictions strip registrants' children from partaking in normal parent-child bonding activities. Oftentimes, registrants are unable to attend their children's birthday parties, sports games, and school events. Further, the registration status can affect the children's ability to have friends over to their home and can even restrict them from having access to internet or mobile devices. The public nature of registration also makes it easier for the children's peers to learn of their parent's status and can lead to bullying.

Stigma and sex offense policy restrictions can impact the family as a unit. Overall, the stressors may create tension and reduce the quality of the relationship between the registrant and their partner. Financial burdens and housing restrictions can lead the family to losing its home, needing to relocate, or choosing to separate in an attempt to sustain some normalcy for the children.

People who commit sexual offenses should be held accountable for their actions. They should also be provided with adequate rehabilitative services to help with successful desistance from offending. At the same time, we cannot ignore that overly punitive nature of sex offender registration and notification policies can create obstacles that prevent registrants from being successful, while simultaneously harming their family members.

The ultimate goal of sex offender registration and notification policies is community safety. This is often conceptualized as a reduction in reoffense rates. Registrants may have difficulty becoming a successful, non-offending member of society [when they do not have access](#) to needed therapeutic interventions, financial security, stable employment, and social support. Public registration and residence restrictions impede rehabilitative success by [reducing the likelihood](#) that the registrant will have access to gainful employment. Partners and family members may fulfill critical social support roles for the registrant. However, when they too are negatively impacted by stigma and policy restrictions, they may be unable to serve in this capacity.

Thus, the consequences of registration policies may be in direct contradiction with their goals. Are sex offense policies doing more harm than good? Given the failure to effectively increase community safety, combined with the countless negative

repercussions experienced by innocent partners and family members, many would unequivocally answer “yes.”

### **The future of registration?**

Directly contradicting a lot of evidence, policies are expanding and becoming even more punitive. Efforts to abolish or reform registries are taking place around the country. Organizations such as [Women Against Registry](#) advocate for the abolition of registry laws to help restore the lives of those who have been negatively affected. In the face of strong public opinion, efforts to change or abolish such policies will be an uphill battle.

It’s time to rethink our hyper-punitive measures for addressing sexual offending that miss their target. Efforts and resources should be redirected to focus on preventative measures and evidence-based interventions such as:

- [educational programming](#) that focuses on healthy sexual relationships and consent;
- developing programs to better identify first-time offenders;
- offering family-based interventions and counseling to address intrafamilial sexual abuse;
- assisting victims of sexual violence;
- increasing funding for research to better inform therapeutic interventions and to support evidence-based policies and decision-making;
- requiring a defendant to be warned of the consequence of sex offender registration when pleading guilty to a charge;

- allowing youthful offenders to petition for removal after an abbreviated time period; and,
- ensuring removal and expungement from a registry if a court overturns the conviction that triggered the initial registration.

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