Fall 2016

Variability in the Implementation of State-Wide Law across Urban Environments: A Case Study using Sex Offender Law as an Example

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Variability in the Implementation of State-Wide Law across Urban Environments:

A Case Study using Sex Offender Law as an Example

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Funding for this research was provided by a 2014 Urban Research Award from the College of Public Affairs and Community Service Dean's Office.

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ABSTRACT

Although policies are often passed at a state level to standardize practices within a state, there is still some discretion used by counties and municipalities in the ways in which those policies are practically applied. This study highlights the variability in the ways in which state law is implemented across various urban settings. Specifically, we ask 1) to what degree does the application of state law vary across counties in the same state, and 2) what is the effect of this variability on the attitudes and emotions of those the law is meant to address, using sex offender law as an example. Data are gathered using a qualitative interview methodology on a snowball sample of 140 sex offenders and sex offender family members in a single state. The findings can be used to identify survey questions and quantify concepts to explore variability in the implementation of other statewide policies across urban settings.

INTRODUCTION

There are many stages in the policy-making process, including problem identification (Edelman, 1964; Lippman, 2010), promotion of policy options (Laswell, 1971), prescription of a course of action, sanctions for failure to comply to policy (Wener & Wegrich, 2007), adoption and implementation of the policy (Brewer, 1974; Sabatier, 2007), and policy outcomes (Howlett, Ramesh, & Perl, 2009). In the social and political sciences, much attention has focused on the problem identification and agenda setting phases of the policy process, as well as on the logical analyses of prescribed policy options (Jones & Baumgartner, 2005; Tonry, 2009), but less attention is often given to policy implementation and the role this plays in understanding and contextualizing policy outcomes (Matland, 1995; Andersson & Kalman, 2012; Musheno, Palumbo, & Levine, 1976; Pulzl & Treib, 2007). Moreover, in criminological studies, when policy implementation is examined, it often focuses on the variability of policy implementation across states rather than the way in which policy implementation may vary within a given state (Sample, Spohn, Maher, Deichert, Lytle, & Piper, 2014), which can also affect statewide policy outcomes. As Petersilia (1990) suggests, the ideas within innovative social policy are not self-executing. Instead, what is needed is an implementation perspective on innovation or an approach that views post adoption of policy as important as policy outcomes.

This study highlights the need to conduct policy implementation research within states to provide context for policy outcomes that are observed statewide. Specifically, guided by normalization process theory (NPT), we used a qualitative narrative content analysis research design (Merriam, 2009) on interview data gathered from a snowball sample of 112 registered sex offenders and 38 of their family members to determine how sex offender laws have been implemented across urban environments within a state. Secondarily, we also explore how attitudes and emotions among respondents regarding sex offender laws vary across county level implementation. Sex offender law is particularly well suited for this examination because this Midwestern state relies predominately on county law enforcement agencies to register convicted sex offenders and conduct compliance verification checks for registrants. The reliance on local police officials to apply registration procedures makes it a perfect example to determine how these procedures may vary across urban jurisdictions within the same state.

BACKGROUND

Currently few data beyond descriptions of states' sex offender registration and notification (SORN) laws exist (GAO, 2013; Mancini, 2014). Variability in the content and implementation of SORN has been documented across states (Evans, Lytle, & Sample, 2014), but we currently know of no studies that examine variation in the ways in which registration laws are implemented within states. This

is somewhat disturbing given the subject matter of these laws. Sexual victimization has long been of great concern to the public (Jenkins, 1998) and to policy makers (Sample & Kadleck, 2008). Sex offender registration laws were passed at the state and federal levels in an attempt to assuage public fear, assist law enforcement in clearing crimes, and reducing sexual recidivism (Jenkins, 1998; Sample & Bray, 2003; Hinds & Daly, 2000; Quinn, Forsyth, & Mullen-Quinn, 2004; Zgoba, 2004). Several scholars suggest that SORN laws have had little to no effects on city, county, and/or statewide recidivism rates (Adkins, Huff, & Stageberg, 2000; Levenson, 2006; Schram & Milloy, 1995; Walker et al., 2005; Zevitz, 2006). Yet, we can find no studies that speak to the degree to which levels of sexual reoffending, as outcomes, were related to the implementation of sex offender registration laws at the city or county levels. In fact, it appears that scholars have taken to assuming that state laws for sex offenders are applied uniformly within a state, and their implementation is devoid of discretionary practices by local police organizations. In light of what we know about policy implementation, we feel this is rather naïve view.

Social science scholars have long acknowledged the role policy implementation plays in understanding policy outcomes (Patton, 2008). If desired outcomes are not achieved from policy, it is often the result of faulty implementation of the policy in question. The importance of implementation research to understanding policy outcomes is without question. So, what may affect policy implementation? Several factors may influence the degree to which policies or programs are practically applied (Nilsen, Stahl, Roback, & Cairney, 2013). The logic of the policy, organizational and personnel competence, coordination between and within organizations, and staffing and funding coordination can all affect the degree to which policies are implemented and ultimately their ability to achieve their symbolic and instrumental goals (Iversen, 2000). Inherent in the above, yet rarely overtly mentioned, is the role discretion plays within and across agencies when interpreting the application of legal requirements (Pulzl & Treib, 2007).

Most statewide policies, and sex offender laws specifically, are what can be considered "top-down" policies, conceived at the state level and meant to affect all jurisdictions within a state, but most top-down policies rely heavily on bottom-up implementation to achieve their goals (Lipsey, 1980). As Garland (2013) explains, the definitions of criminal behaviors and the enforcement of criminal laws have traditionally been left to states with only limited supervision from the federal government. Within each state, however, there are multiple jurisdictions, agencies, and municipalities responsible for implementing statewide law, which can create within-state variability in the law's application (Lipsey, 1980; Nilsen, Stahl, Roback, & Cariney, 2013). Some policy outcomes, such as gender-specific treatment for youth (Kemp-Leonard and Sample, 2001) have been examined across rural versus urban environments, but these investigations miss the degree to which urban policy implementation may vary across metro and micro-metropolitan environments. The implication of this variation in terms of sex offender registration law may be variability in public safety across cities and counties within the same state. For this reason, an implementation evaluation of any statewide policy must take place to determine the fidelity, feasibility, and reliability with which localities carry out lawmakers' intentions (Patton, 2008). Concerning sex offender law, reliability of policy implementation would be of particular importance given the emotional, physical, and sociological ramifications of sexual victimization for not only individuals, but for communities as well (Jenkins, 1998).

The normalization process theory (NPT) was used as a guide for this implementation study (McEnvoy, Ballini, Maltoni, O'Donnel, Mair, and MacFarlane, 2014; Murray, Treweek, Pope, MacFarlane, Ballini, Dowrick, Finch, Kennedy and O'Donnel, 2010)). NPT

was initially developed as an applied theoretical model to help clinicians and researchers understand the factors that promote or inhibit the routine incorporation of complex health care interventions. It is most often used to qualitatively analyze the implementation of complex interventions in a diverse range of settings. Sex offender registration, with all its requirements and changes in rules over time, would most certainly be considered a complex crime-related intervention and seems appropriate to examine within an NPT framework. NPT houses four theoretical constructs that help explain how practices become routine within their social contexts (McEnvoy, Ballini, Maltoni, O'Donnel, Mair, and MacFarlane, 2014). Coherence is the process of sense-making and understanding that people and organization must go through to promote or inhibit the intervention from becoming routine. Cognitive participation recognizes the processes individuals and organizations go through to get people engaged with the new practice. Another construct is collective action, which represents the work people and organizations do to enact the new practice, and last, reflexive monitoring is the work inherent in the informal and formal appraisal of the new practice/intervention once it is in use. It is not our intention to test this theory or validate its constructs within a crime-policy setting, but rather NPT can be used to help guide the analyses of data we receive from sex offenders about their experiences with the implementation of registration laws across jurisdictions. Variability in the application of sex offender law may related to variability in the concepts above across counties.

When registration legislation was first passed, many scholars investigated the variability in registration laws across states and found states vary concerning the crimes for which offenders must register, the duration of registration, and the age of consent that dictates sexual predator status and/or crimes against children (Harris and Lobanov-Rostovsky, 2009; Mancini, 2014). The Adam Walsh Act (AWA) was passed at the federal level in 2006 to standardize registration and notification procedures across states, yet the GAO (2013) found that only one state had completely implemented all requirements of the AWA, despite monetary incentives to do so. What remains unknown is if and how the practice of sex offender registration varies across jurisdictions within the same state. Without this information, it is difficult to trust outcome findings that suggest little influence of registration on sexual reoffending and determine how resources within a state should be deployed. Low reoffending rates in one county maybe overwhelmed by high reoffending rates in another. Also, perceived failures of sex offender registration may not solely result from faulty logic underlying this law but rather faulty or variable implementation that produced less than desirable results. It is possible that when sexual reoffending rates are disaggregated within a state down to the city or county level, perhaps implementation failure in some counties or cities overwhelms the positive results of implementation in other urban areas.

Moreover, when assessing the implementation and outcomes of registration laws, few scholars have been able to isolate the effects of these from the effects of community notification, thus leaving one to wonder which policy outcomes are actually being measured, the effects of registration, notification or both (Matson and Leib, 1997). This case study of sex offender registration across urban counties attempts to fill some gaps in the literature by speaking with those subject to registration laws, asking them only about sex offender registration processes (not notification), and interviewing registrants across 5 distinctly different urban environments, but first it is important to understand sex offender registration laws in the Midwestern state in which the 5 counties are housed.

Midwestern State Sex Offender Registration Statute

This Midwestern state has had a statewide sex offender registration statue since 1997 and it has been revised it over time (Lytle, 2015). Most notably, in 2010, the legislature passed a series of bills to partially comply with the federally passed Adam Walsh Act (AWA). These bills changed the crimes for which one must register, the duration of registration, and the time allotted to file residency changes. Irrespective of revisions to the law over time, one thing has held constant in the law since 1997— the State Patrol is responsible for implementing all registration procedures. By statute, however, the State Patrol can shift some of its responsibility to local law enforcement agencies, as the statute states registration can occur at "locations designated by state patrol (29-2004)." Also codified into state law are the crimes for which one must register, the duration, and the information that must be provided to State patrol. Regarding verification of registry information, the law simply states "registration information shall be verified for the duration of the registration period... [registrants] must appear in person at the sheriff's office (29-4004)." The State Patrol website explains "sheriffs are encouraged to check registration addresses periodically" but there is no statutory obligation to do so. State statue is silent concerning if, when, how often, and what is to be examined or determined during compliance check visits to registrants' homes. Sheriffs' deputies have discretion over the way they act during compliance checks, the questions they ask, the searches they make, and the interactions they have with registrants' family members.

Much can be inferred from the information housed in state statue and on the State patrol website. First, it appears that to some degree State Patrol has given some registration duties to county enforcement officials within the state. Since the state patrol only has 5 offices statewide where offenders can register, this delegation seems practical. Statute determines what must be disclosed when registering, but it appears that the county determines when offenders can come to its office to register. This demonstrates that structurally the experience of registering can vary from one jurisdiction to another. More importantly, it appears that county sheriff departments can delegate some of their verification duties to city police departments if the need arises, thus adding an additional layer of discretion to registration processes.

Registration data is forwarded to the State Patrol daily from these various county agencies and manually entered into a computer, thus leaving room for data entry errors in addresses listed on websites (Lee and Tewksbury, 2006). Data entry errors can lead to not only potential felony charges for registration violations for registrants, but they can also waste law enforcement officers' time searching for sex offenders who have not absconded but simply have been misplaced through data entry. Yet, the state statue is silent regarding a receipt of registration information. As is the case with most state laws, the state relies on local counties and municipalities to enforce the law, so in a state that has 93 counties it is possible that there are 93 iterations of the ways in which registration processes are enforced. The question we seek to answer is to what extent this happens and what effect variation in law enforcement procedures has on registrants and their families.

All names used in this paper are pseudonyms.

RESEARCH METHODS

Implementation studies often gather qualitative data from policy stakeholders to determine the degree to which policies or programs are implemented as intended (Patton, 2008). Given that the people often interviewed in implementation studies are those responsible for program/policy implementation, they have vested interests in demonstrating

implementation went smoothly. For instance, in relation to sex offender registration laws, state police agencies are responsible for gathering and maintaining registration information, so when asked to what degree the implementation of registration has occurred, state police agencies have a vested interest in ensuring there were no implementation complications. This study avoids this type of potential bias from subjects by asking sex offenders, those for whom the law was intended, what their experiences were with registration and compliance checks to verify registration information. After all, it is their behaviors the law is meant to influence, so they would be the best subjects to discuss policy implementation and any behavior changes that have occurred. The overall study design is that of a multiple case study within one Midwestern state.

Data

Interview data were gathered for this project beginning in 2009 and continues today, so we have interview data over time to determine sex offenders' experiences with registration and how it may change. The sample for this study was derived as part of a larger sex offender desistance study and includes 112 registered sex offenders and 38 family members of some registrants, or those directly affected by registration implementation and compliance checks. These subjects are all out in the community, no longer under correctional control, most are not in treatment, and none have sexually reoffended. The range of time these subjects have been in the community post-conviction ranges from 1 – 18 years, with an average time of 8 years across registrants. The communities in which the subjects for this study reside include County 1, County 2, County 3, County 4, and County 5.

Informal conversational interviewing techniques were used with registrants and their family members in which the researcher was a "traveler" (Kvale & Brinkman, 2009) in the subjects' lived experiences of social life pre- and post-sex offending conviction. For this reason, no two interviews reveals the exact same amount of information as would be expected based on the variability in human experiences. These conversational interviews began by asking subjects, "would you like to tell me about your experiences with sex offender laws?" Subjects revealed much detail about their experiences registering where they live, and in some cases some subjects (35) made comparisons in experiences across counties as they have moved to different areas across the state. Initial interviews were face to face and lasted on average of 2.3 hours and follow up data on subjects has been subject-initiated over time through face-to-face meetings, phone calls, email correspondence, and/or blogs. Average number of contacts with subjects is 2.4 per year since at least 2012, with some joining the study as early as 2009.

Sample

The sample for this study was generated through snow-ball sampling techniques. Through expert witness testimony in a federal law suit, one of the researchers met 11 registered sex offenders who had been in the community for anywhere from one to ten years and who had not reoffended or had registration violations. Rather than asking why these registrants had committed their sex crimes, she asked these individuals why they had NOT offended again. Consistent with prior literature (Sampson & Laub, 1993), these individuals pointed to the role informal social networks played in their post-conviction behaviors, so we asked registrants to ask their family members if they wanted to talk about sex offender laws. Of the 140 people in this sample, 38 are either spouses, parents, siblings, or adult children of some registrants in the study.

Four of the 11 of the members involved in the litigation mentioned above were members involved in a private advocacy group for sex offenders and their family members (Families Affirming Community Safety-FACTS) that provided guidance on compliance within this Midwestern state's sex offender law. This group offered to recruit registrants and their

family members to participate in a study sex offender desistance. In response to the recruitment posting on the FACTS Internet website, 220 registered sex offenders and 40 family members of registrants volunteered to be interviewed for the desistance study. Of these, 112 registrants and 36 family members offered some information regarding their experiences with registration. Although the study is ongoing, to date these interviews have generated over 5,500 pages of transcribed data that include both initial interviews and follow-ups. In addition, we have acquired over 300 pages of emails from study participants that were subject-initiated and who continue to inform us on changes in relationship networks post-initial and follow-up interviews. Some subjects had blogged about their experiences with the criminal justice system over time, and we were given the URL sites for their blogs, which accounted for approximately 400 pages of text.

Sample Characteristics

Below are the people in the sample for this study and their geographic locations in which they register.

Table 1. Sample Characteristics (N=140)

	County 1	County 2	County 3	County 4	County 5
Number of subjects	50 (36%)	21 (14%)	40 (30%)	11 (7%)	18 (12%)
% White	100%	100%	100%	100%	100%
% Female registrants	0%	0%	0%	0%	0%
% Female family members	99%	100%	100%	100%	100%
Average level of education of registrants	Some college	Some college	Some College	High School	Some College

As can be seen in Table 1, there was little variability across urban counties with regard to race, gender, and average levels of education. All subjects in this sample were white, which likely results from sampling techniques used to recruit subjects. Of the registrants in the sample, 57% had contact offenses against children younger than 19 (assault, molestation), 38% had non- contact crimes against children (possessing child pornography) and 4% of the registrants never specified their crimes to researchers. The remaining one percent of the sample was convicted of crimes against adults. Mean or Median income was difficult to compute for this sample because most had career changes pre- and post conviction. Pre-conviction salaries ranged from $140,000 to $45,000 annually, whereas post-conviction salaries ranged from $70,000 to $15,000 annually. The average age of subjects was 46.2 years.

Table 2. County Characteristics

	County 1	County 2	County 3	County 4	County 5
Population estimates 2014	543,244	172,193	301,795	35,174	61, 492
% Female	51%	50%	50%	51%	50%
% White	82%	90%	89%	91%	70%
% H.S. graduate or higher	90%	95%	95%	87%	82%
Median Income	$53,325	$30,189	$52,574	$46,566	$47,315
Square Miles	328.5	238.9	837.6	572.7	546.3

Table 2 depicts the county characteristics in which respondents live. To be considered an urban county for this study, counties must have a city within the county of at least 24,000 people, which is common when including micro-metropolitan areas in research designs. For this reason, as can be seen in total population estimates, counties ranged on a continuum from "small urban environments" to "large urban environments". The sample of registrants in each county over-represents males, which is to be expected given the law being examined. Racial/ethnic categories and education levels of subjects in each county is rather representative of the county demographics overall. You will note counties vary concerning square miles, which may have some implications for registration and address verification checks within each county.

ANALYTIC TECHNIQUES

The sample size in each county would be considered small by many, too small for rigorous statistical testing. It was not our intention, however, to generalize information from our snowball sample to a larger population. Rather, this study is exploratory and targeted toward strengthening the internal validity of the act of registering. Recall we have taken a different approach than some implementation studies in that we are speaking with the people subject to registration rather than to law enforcement agents responsible for registration information. It is our hope this sample will provide a different and unique perception of the implementation of registration across counties than those held by law enforcement officers.

A hybrid approach to thematic narrative analysis (Fereday & Muir-Cochrane, 2006) was used on the transcribed 5,500 pages of narratives gathered during registrant and family member interviews, 300 pages of emails from study subjects, and 400 pages of blog posts. This approach employs the development of both inductively- and deductively-deduced codes in order to obtain the most comprehensive analysis possible. Given one of the goals of this study is to determine if variability in the implementation of registration laws across urban environment exists, we also use a qualitative comparative analysis (QCA) approach that offers rigor for implementation research limited by small sample sizes (Kane, Lewis, Williams, Kahwati, 2014). QCA is often a preferred basis for qualitative

analysis because probabilistic methods fail to capture the complexity of social phenomena and how it changes over time. In QCA, researchers must calibrate conditions within their unit of analysis, which relies on the researcher to make sense of variation in the data and apply expert knowledge about what aspects of the variation are meaningful.

Narrative content analysis is conducted by repetitive reading of transcriptions by researchers, identifying common themes relating to the research topic throughout the transcribed text and organizing these themes into patterns (Gibbs, 2007). Grounded theory (Charmaz, 2006) uses a purely inductive approach in narrative analysis; the researcher allows codes to develop from the data themselves rather than apply a pre-formulated coding system. Grounded theory, therefore, yields rich, data-driven coding systems, but lacks theoretical and empirical support from previous research. In contrast, deductive narrative analysis involves the application of preconceived, theory-driven codes to the data, a process that may yield more hypothesis-testing data but lacks the ability to generate codes that were not previously prepared. The hybrid approach to thematic analyses of data helps minimize the limitations of solely a grounded theory or deductive analytic approach.

Deductive analysis of narrative data was driven by policy implementation theory, NPT, and prior findings highlighting variation in the statewide application of domestic policies and the factors that may influence it, such as organizational culture, competencies of implementation personnel, and resource investment (Rossi, Lipsey, & Freeman, 2003; Patton, 2008). Inductively, however, we allowed themes to emerge from the data that suggest across-urban environment variation of sex offender law, such as individual staff members' use of discretion when applying sex offender law, the perceived roles of police agencies in the determining the requirements of state policy to individuals, and the ways in which the personality and social circumstance of those targeted by sex offender law influence criminal justice agents' implementation of it.

The limitations of this study and our sampling and analytics frameworks are many if interested solely in the ability to generalize our findings to all counties in this state or to counties in other states. That was never our intention. Rather, we wanted to explore variation in implementation from registrant and family member point of view, particularly to determine how their experiences affect their willingness to adhere to the law. For this reason, we have chosen small sample sizes across counties and interview techniques that do not force registrants experiences into a predetermine box. In this way, we ensure greater internal validly of our results and the hope we discover new themes that can be used as variables in future quantitative studies.

FINDINGS

The following table is constructed as a "truth table" (Kane, Lewis, Williams, Kahwati, 2014) that demonstrates the structural, cultural, and psychological variation in the themes of registration processes as related by sex offenders and their family members across counties. The themes were derived through the hybrid approach discussed above.

Table 3 County by theme

Structural Variation in Implementation across Counties

Themes	Urban County 1	Urban County 2	Urban County 3	Urban County 4	Urban County 5
Structural Variants					
Times of registration	M-F 8:00-3:00 T & Th 9:00-11:00	M-Th 8:00-4:00 M-F 8:00-3:30	M-F 8:00-4:00	M-F 8:30– 4:30	M-F 8:30-3:30
Location of registration	2	2	2	1	1
Proof of registration	No	Yes	If requested	No	Yes
Compliance checks	Random	Quarterly	Random	Random	Quarterly
Cultural Variants					
Perceived helpfulness of law enforcement	No	Yes	Yes	Sometimes	Most times
Perceived behaviors of police toward registrants and/ or their family members	Rude, Disrespectful, Uncaring	Just doing their job, casual and congenial to family	Friendly	Some officers rude, others friendly	Congenial, investigatory
Psychological Variants					
Attitude about registration	Generally poor	Generally positive	Generally positive	Mixed attitudes	Generally positive
Emotions associated with compliance checks	Anger and resentment	Few discussed	No problems	No problems or Family anger	Mixed Emotions

As can be seen in table 3, registrants and their family members highlighted a number of structural differences in registration experiences across counties. These differences include when and where offenders can register, if they receive proof of registration, and frequency of compliance checks.

All registrants, regardless of county, noted that they could only register their residences during office hours. As Tim2 (County 4) explained, "I have to ask for time off work to register. Mainly I take a long lunch hour, but have to make it up at the end of the day." Henry, from County 1, reiterated these sentiments but then asked, "So why can't we register on a Saturday or after 5:00? Surely I am not the only one that has to take off work to get this done." Comments about taking off work to register were universal among subjects, but the times of the day in which they could register did vary across jurisdictions.

Complaints about having to leave work to register were often compounded by the locations at which they could register. Over 50% in County 1 were very excited that they had 2 locations at which to register over 328 square miles. Merle commented, " it is great to be able to register close to town and not have to go all the way out west." Ralph's wife noted, "At least he can get there by bus since we don't have a car." In contrast, 30% in County 5 noted they had to go to the county seat to register, which is the only location for 546 square miles. Robby stated, "it's okay to get there to register 'cause I have my own car. I have no idea how people get there who don't." There is no bus service in County 5.

The majority of people in Counties 2, 3, and 4 did not have any comments regarding the location at which they register, leaving their silence on this issue to infer they had few difficulties getting themselves to field offices to register. About 10% in County 3, however, did note how far they had to drive to register in one of the 2 offices available across some 837 square miles. Bubby from County 3 notes, "I have to leave work at least an hour and ½ early to register because it takes me almost 45 minutes to get there."

Regarding proof of registration, approximately 60% of those in County 1 expressed concern that they did not receive any receipt for the registration information they provided local law enforcement. Given that registration violations are felonies in this Midwestern state, the lack of proof of registration is of great concern to many. Some have found a way to circumvent the lack of receipt of information through the use of technology. At least 40% in County 1 have taken to using their cell phones to take pictures of their completed registration forms to prove they have complied with the law. All subjects in County 2 stated that they were given a receipt for information without having to ask for it, and about 35% in County 3 and 42% in County 5 reported that if they ask for a receipt of information after updating registration information and law enforcement personnel provides them one. Tom in County 3 notes, "I just ask and most of the time they will give me a piece of paper that says I updated my information." Few in Country 4 (15%) asked for or were given a receipt for the information they provided to law enforcement personnel.

One structural area of contention for some registrants was that of compliance checks by law enforcement officers, or the periodic home visits registrants receive to verify their addresses. Registrants in Counties 2 and 5 (48% and 55% respectively) noted regular compliance checks by officers, at about 3 to 4 times a year. Johnny B, County 2, explains, "I can almost set my watch by when they are going to come. They stop by, check if I am here, if I'm not they leave a card and I just have to call them. If I am home, we invite them in for coffee." Comments such as these were uncharacteristic among those in Counties 1, 3, and 4. Most in County 1 (72%) had negative things to say about the timing and what occurred during compliance visits. Jeanie Q, wife, explained, "I have no idea when the cops are going to come. One year they came once a month for about 4 months and then we didn't see them again. Then one year, I don't remember having them come by at all." Jeanie Q's comments were reaffirmed by Rupert, who stated, "we have no idea when they're coming, but they show up at least once a year. When they do come,

they pound on the door, scare the shit out of my kids, piss off my wife, and the whole neighborhood knows they're here." Additionally, Maude reports, "they come whenever they want and go through our drawers, books, computer stuff looking for I don't know what. Can they do that?" By far, those in County 1 reported more concern and discontent with compliance check timing and procedures than those in other Counties. In fact, in County 3 where compliance checks are random, Billy explained, "they come whenever, I don't know, but I get that. What's the point of announcing they are coming if they do these to catch people lying?"

Clearly state wide sex offender registration law has been implemented in all 5 Counties of this study, but some comments suggest that procedures for registration and compliance checks vary across counties and over time. It is important to note that some of the variation exhibited here may be a function of offenders' crime types, demeanors, or personal circumstances more than varying policies across police organizations. Bailey and Sample (2014) found that parole officers already have formed opinions about the sex offenders on their caseload even before they meet them. Pre-existing stereotypes could also likely be found among law enforcement officers (Ross,).

Some experiencing difficulties registering had no automobiles, some worked the same hours as those for when they could register, and some may have crime or personality types that law enforcement officers feel necessitate more compliance checking than is needed for others. Nevertheless, the experiences registrants and their wives had with law enforcement officers when registering and during compliance checks did vary by County. Much of the variability, however, may be due to varying police organizational cultures (cite).

Perceived Cultural Differences in Police Organizations Across Counties

Many structural characteristics of registration influenced registrants' and their family members' perceptions of the police and its culture in their metropolitan or micro-metropolitan areas. For instance, the lack of proof of registration in County 1 is perceived by 60% that police officers are setting them up for re-arrest. Jackson notes, "the only reason to not give me proof that I registered is so they can harass or arrest me later." These comments were not reiterated in Counties 2, 3, and 4 and only two subjects offered comments such as these in County 5.

Approximately half of those registering in County 1 offered "horror" stories about their experiences at police stations when registering. As Fredinand sat in the waiting room of the police station waiting to register, he explained that the registration officer came out and simply shouted "Sex Offenders," so those waiting to register could come in. He felt "outed" to all those in the waiting room. In County 4, Dennis notes, "When I went into register the last time, I was left waiting forever. The cop finally comes out and told me, 'your type deserves to wait. You shouldn't even be out or prison,'" which was confusing for Dennis considering he received probation for his crime. None in the respondents from Counties 2, 3, and 5 related "horror" stories about interactions with police when at stations registering. This was not the case when discussing compliance checks at registrants' homes.

Some proportion (2% to 15%) of subjects from every County offered "horror" stories regarding compliance checks. These stories ranged from the rudeness of officers to wives of registrants, accusatory stares from officers, course language in front of children, requests for warrantless searches of bedrooms and family computers, disrespect for the families' belongings, and harassment based on the frequency with which officers visit registrants'

homes (once a month or more). Addy in County 5 notes, "God only knows what the neighbors think with the cops coming here a couple times a month. They probably think my house is one big crime factory." Jeanie Q explains, "they can be nice, but some come in and look at me like 'how can you be with XX after what he did? Some have even accused me of allowing the molestation to occur and think I should be put in prison."

Not all interactions between registrants and police officers are negative, however. A majority of subjects in all Counties were either silent on this issue, inferring they had little to discuss when questioned about compliance checks or had something good to say about their interactions with police. Jack in County 1 states, "I have never had a problem when the cops come to my house. Once I open the door, they just say 'okay, good you're here' and then they just leave. Even when I invite them in, they don't come." In County 4, Merle explains, "they have always been polite to me and my wife. The same officer usually comes to our house, so he is like a friend now." Comments such as these infer several relationships that should be explored in the future. Surveys should be conducted with police officers to determine if and how police cultures vary across urban centers and what effects this may have on arrest rates, re-offending rates, and desistance from sex offending. Comments above also suggest that many registrants have accepted their duties to register and have even formed relationships with law enforcement officers who routinely register them and come to their homes. To the degree that registrants see police as helpful, friendly, and people who want them to succeed in their desistance process, the more likely they are to form relationships with them that can promote informal social control over behaviors. Last, the above comments suggest one way to foster less social distance between officers and registrants and their family members (Bailey and Sample, 2014) in order to strengthen informal social control is consistency. Registering with the same officers at police stations every three or six months, and having the same officers come to registrants homes have allowed perceived friendships to form, at least between registrants who are accommodating and officers who are polite. Any change in officers for registrations and compliance checks risks endangering the perceived relationships sex offenders have formed with law enforcement officers. This undoubtedly would affect the attitudes of registrants toward law enforcement overtime and was witnessed in the small sub-sample of registrants who has registered in more than one county.

One must remember that individual personality traits of both officers and registrants play a role in the interactions they have regarding registration. We cannot speak to those of individual officers, but three-quarters of the entire sample of registrants and their family members would be considered accommodating, polite, and respectful, at least based on the interactions we had with offenders during interviews. Nevertheless, there was one-quarter of the sample that could be perceived as difficult, rude, or even mentally ill, which likely affects their interactions with everyone including police officers in a negative fashion. Beyond individual personal traits, however, the expansion of sex offender registration to more offender types has helped to create a group level, or collective, identity among sex offenders of which they are aware and often try to negate (ten Bensel and Sample, forthcming).

A collective identity has been ascribed to sex offenders by law and includes assumptions about all sex offenders, regardless of age or type, such as all are equally likely to reoffend, most on the registry are on there for contact crimes against children, and sex offenders will never stop offending (Sample and Bray, 2003). There is also a collective identity, or organizational culture, of police that goes beyond traits of individuals (Drummond, 1976; Crank, 2004). This identity often reflects assumptions of police as law enforcers rather than community servants, trigger-happy against some groups of

citizenry (Crank, 2004), and harassers rather than patrolling to ensure public safety (Chan, 1997) Future examinations should take individual traits into account, but the presence of these collective identities that place all members regardless of differences into the same category likely affects the initial interactions between law enforcement officers and registered sex offenders in a way that only time and further interaction can change. It is often these initial interactions with police during registration that can be associated with the mood and attitudes of registrants toward police officers.

Differences in implementation across Counties were best observed in a small subset of respondents who had registered in more than one County because they had relocated (N=38). Most suggested that they had relocated because of registration experiences, residency restriction laws, or for employment. All in this subset of the sample had strong emotional reactions after moving from one County to another. Ferdinand explained, "I never had a problem registering in County 3. They seem to be pretty nice and helpful. But then after I moved [to County 1] it has been a hassle ever since. I get so angry when I have to go because I know that it is better somewhere else." Markus relates, "in County 1 I was sitting in the waiting room cops just come out and yell 'sex offender' in front of all the people in the waiting room. That never would've happened in County 2. Why did they have to humiliate us. I'm surprised no one in the waiting room jumped me on the way out." In contrast, Paul explains, "it's so much easier now to register. I just go in and do the paperwork and I'm out in five minutes. That's why I moved from County 1 to County 3." Also, Corey stated, "compliance checks in County 2 don't upset my wife and my kids the way they used to in County 5. These guys stop by for two minutes, they don't come inside and they just ask if I lived there. In County 5 they used to come in the house and they would go through stuff in our bedroom and in the living room, they were loud, and scared my kids."

Psychological Reaction to Registration Interactions Across Counties

It is first important to note that over 85% of all subjects in this study "did not mind" registering their addresses with law enforcement. It was community notification, or the release of this information to the public, that they associate with stress, job loss, harassment, loss of friends, and general strain from having to register. In fact, two predatory pedophiles in this study had favorable views of registration. As Jack explained, " I don't mind going in and registering. Reminds me that I have a problem that I always need to control." On the whole, however, we found mixed results across counties regarding attitudes toward registration and law enforcement.

In County 1, subjects had poorer attitudes toward registration than in most other Counties. Of the 15% of people making "negative" comments about registering in County 1, most complained about the demeanor of officers toward them when registering. Several stated that officers were not "very helpful" when it came to answering their questions about registration procedures. Other complaints included that officers demonstrated, "disrespect for me as a person," "were rude," "were irritable," "acted as if we are a bother," and made them feel "belittled." Similar comments were made about County 1 officers when conducting compliance checks. Robbin noted, "they made my wife and kids cry." Martha stated, "they have no respect for me or my time. They expect me to drop everything, supper, laundry, whatever to let them in and go through my home." Finally, Jobe suggested, "they are just mean when they come in, barking orders to me and my wife. No matter how nice we are, they seem to be this way."

In many cases, these interactions when registering or during compliance checks had effects on subjects' emotions and behaviors in County 1. Even among those who did not "mind registering" in this County, at least one half said that at some time, registration and compliance checks made them angry. This anger

made some want to find ways to avoid registering. At least 15 people in County 1 stated that they were looking to move so they could register elsewhere. Others suggested that they wait until the last day they can to register. Still others have taken to registering at a State Patrol office farther from their homes so they can avoid interacting with County 1 officials. More importantly, some suggested that interaction with law enforcement when registering or during compliance checks in County 1 had affected the way their children have come to see the police. Martha explains, "my kids are now afraid of cops because all they see is them coming in and giving me a hard time." Roberto also stated, "my kids think the police are our enemies because they pound on our door, come in yelling, and leave the kids upset." The vision of police among children, the anger, the perceived belittlement, and rudeness have contributed to anger and depressive symptoms and left some registrants in County 1 trying to find a way to avoid registering. This is in contrast, however, to the experience of subjects in other Counties.

Subjects in Counties 2 and 3 had few negative things to say about their registration experiences in their respective counties. In County 2, 70% had positive things to say about their interactions with police officers during registration or compliance checks. As Aaron B notes, "They are nice to me, always are helpful if I have questions, and basically I am in and out." Maria explains, "I always ask them in for coffee and they say 'just checking' and go along their way." Comments such as these were also found among subjects in County 3. Most 79% stated things such as, "I have no problems. They're nice and helpful (Ferdinand)."

As expected, the attitudes, emotions, and behaviors among those living in Counties 2 and 3 were generally positive toward registering and compliance checks. Only 2 people in County 3 and none in County 2 stated that they hated to go into register. Among these subjects, there was little talk of moving to avoid registering in these Counties.

More importantly, when talking about registration generally, only 10 people from both counties even commented on interactions during compliance checks. Given the nature of these interviews, the silence on this topic infers few had thought about compliance checks enough to mention them. Fewer people in Counties 2 and 3 noted anger or depression in relation to registration interactions.

Subjects in Counties 4 and 5 offered comments to suggest variability across subjects when it came to interactions with law enforcement officers. In County 4, about one-third mentioned that they hated registering their addresses, but not because of interactions with police. Rather, they found it inconvenient, it prevented them from vacationing, or they had to take time off work to get it done.

It seems obvious that registration and compliance check procedures have an effect on registrants' and their family members' attitudes, emotions, and their willingness to subject themselves to registration. For those whose initial interactions with county officers were viewed as negative, registrants left those interactions feeling angry, depressed, and demeaned. For those whose initial interactions with police were viewed as positive, few noted anger toward the police, depression because they must register, even some felt empowered after police visits.

DISCUSSION AND CONCLUSION

Within the framework of normalization process theory (NPT), interviewees offered comments to suggest that some degree of coherence, cognitive participation, collective action, and reflexive monitoring regarding the implementation of sex offender registration has occurred in all 5 Counties studied. When comments were put within this context, however, the degree to which Counties possess these conceptual factors in order to routinize the implementation of registration varied by degree. Interviews from registrants in County 1 would suggest much collective action has occurred to enact registration, but the cognitive participation of officers to engage in this legal intervention have not fully been realized. In some ways in County 1, subjects suggest registration is approached in terms of criminal investigation rather than a public safety or community service task. At least 10% in County 1 have voiced their concerns, anger, and perceived belittlement to police officials, yet nothing has changed. In this way, it appears County 1 has not fully embraced reflexive monitoring or formal and informal appraisals of the way they have implemented registration. In contrast, people's responses in Counties 2 and 3 would suggest a great level of cognitive participation and coherence in terms of making registration become routine and more engaging than in County 1. It is important to note that levels of coherence, cognitive participation, collective action, and reflexive monitoring in Counties are not static. Their degree can change over time with each legislative amendment, change in Sheriff, retirement, and new hires. This makes ongoing reflexive monitoring even more important to the routinization of registration implementation as changes occur in the structure or culture of County agencies. This routinization should help minimize variation across urban areas.

This study offers insight into ways that the implementation of sex offender registration may vary across counties within the same state, and how policy implementation and this variability may affect registrants' emotions, and ultimately their behaviors. With this in mind, it seems important to examine reoffending rates at the county level, while controlling for structural and cultural variation, in order to determine proper allocations of resources across the state. This would be important not only for sex offender law but other legal interventions as well, such as arrests for drug trafficking and prostitution "stings." When implementing state law, evaluators should investigate the base level of coherence, cognitive participation, collective action and reflexive monitoring for the policy in order to determine how reliably, consistently, or "routine" the policy will be applied to subjects.

The consistency or routinization of policy implementation for crime-related polices can have real effects on public safety across Counties. One would hate to think that the implication of state law in one county does more to contribute to the problem than help it, such as making those subject to the law angry, depressed, or feel powerless, all of which correlated to criminal behavior (Agnew, 1992). A more practical implication from this study would be to work with County police agencies to ensure consistency of the officers with whom registrants interact, or remove officers from the registration desk and from compliance checks if they generate negative interactions. Given the time of registration (from 10 years to life), registrants and their family members could come to rely on officers who visit their homes as part of their social support network. If officers are aware of registrants' anger or resentment, they can work with offenders over time to replace negative emotions with positive ones.

This study's external validity is compromised by its sample size, but it was meant as an exploratory descriptive study on which we could build. There is obvious sample bias from using snowball sampling techniques, and the findings here cannot be generalized to registrants across

this one Midwestern state. What this study does is to introduce new concepts that should be operationalized and included in future surveys of registrants with greater external validity. For instance, we should consider asking questions whether registrants have registered in more than one county, what emotions may be associated with registration, and the desire of registrants to interact with law enforcement. This information could then be associated with other theoretical studies that suggest emotions can affect behavior. Moreover, a replication of this study in other states should be conducted to determine if the emotions associated with the structural and cultural procedures of registration affect registrants reoffending rates.

We cannot expect sex offender registration laws to work as intended if offenders actively try to find ways to avoid it, particularly in some counties over others. The effectiveness of registration laws can be influenced by the interactions established between registrants and law enforcement officers. Negative interactions can stimulate negative emotions among offenders and their family members when they register or during compliance checks that may affect public safety through registration compliance, the frequency of compliance checks, and the willingness of offenders to cooperate with officers. As noted previously, in order for policies to achieve their symbolic and instrumental goals, the logic of the policy and the competence of the organization and personnel involved in administering the coordination between and within organizations should be considered when conducting policy implementation studies (Nilsen, Stahl, Roback, & Cairney, 2013). This study does not question the logic of the policy or the competence of law enforcement involved in administrating it. Rather, it simply suggests that differences in organizational structures and cultures and across individual law enforcement officers can affect the way in which registration laws are implemented, which ultimately influences their outcomes. With this in mind, we call for more implementation studies to occur on sex offender registration, notification, and residency restriction laws by Counties before concluding that these polices have either no effect or a negative effect on sexual recidivism. It is likely that the effects these policies have in one county is offset by their effects in another, leading us to believe no changes in state levels of reoffending have occurred.

In terms of policy outcomes, perhaps it is not the logic of the law that may be flawed but rather the way in which it is implemented that has produced mixed and dismal results. We believe it is time to further explore the relationship between organizations and personnel involved in administering sex offender laws and the registrants who are subject to them. It seems possible that these relationships likely affect the willingness of registrants to comply with the law, registrants' perceptions of the utility of the law, and registrants desire to seek out law enforcement officers to answer their questions or address their concerns. Also, to continue to ensure some symbolic effects of registration laws, implementation procedures should be examined across counties to address possible variability in public fear and concern. When policies or legal statutes are vague or silent on implementation, there is room for variation in the ways in which those policies or laws are implemented and enforced. If nothing else, we should be mindful of criminal law's and policies' implementation within and across states in order to better understand these policies' outcomes before drawing conclusions on their effectiveness.

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