One Size Doesn’t Fit All: Reforming Megan’s Law

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I. Introduction

Megan’s Law is a tool that enables families to know if sex offenders live in their neighborhoods and surrounding areas. It is useful for families, but places strict guidelines and requirements on offenders when registering, no matter the severity of the crime committed. Should a separate registration be enacted that separates non-violent offenders from violent ones? This paper will examine Megan’s law within the state of California, the details involving registration, case studies, and controversies pertaining to this law and other similar laws within the United States. But first, here are a few facts about sex offenders from the Megan’s Law Website; see how well you do on this quiz.

A. Facts-True or False?

1. “Most men who commit sexual offenses do not know their victim.

   *False*. 90% of child victims know their offender, with almost half of the offenders being a family member. Of sexual assaults against people age 12 and up, approximately 80% of the victims know the offender.”

2. “Most child sexual abusers find their victims by frequenting such places as schoolyards and playgrounds.

   *False*. Most child sexual abusers offend against children whom they know and with whom they have established a relationship. Many sexual assaults of adult women are considered ‘confidence rapes,’ in that the offender knows the victim and has used that familiarity to gain access to her.”


   *False*. While most sex offenders are male, sometimes sex offenses are committed by female offenders.”
4. In Placer County alone, there are 36 registered sex offenders.

   True. Out of the 36, 30 of them are available online, showing full addresses of each individual.

II. Background

   A. Definition of Sexual Acts

   Sex crimes take place in every town, city, county, state, and country around the world. Sexual offenses usually include illegal, forced, or coerced sexual activity against another person (man, woman, girl, or boy). Some examples involve the following: rape, statutory rape, sexual assault, indecent exposure, prostitution, solicitation, child pornography, sexting,\textsuperscript{iv} molestation of a child, lewd and lascivious acts, public sexual indecency, and incest.\textsuperscript{v} Any offense, whether those stated above or other sexual offenses are frowned upon, illegal, and have severe punishments and consequences. If caught, convicted and sentenced to jail, these offenders are automatically required to register as a sex offender. Whether the offender molested a young child, or went streaking with friends in a local park, legally, both examples can and will give reason enough for these people to both be registered as sex offenders on the same registry. Should these offenders have separate registries depending on the severity of the crime? The following arguments will give thorough reasons as to why a separate registration should be created.

   B. Previous CA Registration

   Since 1947 in California, sex offenders have been required to register with their specific law enforcement agency in their town or city. Before United States law required any public registrations, those interested in knowing any information about sex offenders were to visit their local law enforcement agencies or call a 900 toll-free number.\textsuperscript{vi} Rather than going online and
viewing personal information of offenders, people had to actually go to their police or sheriff station and retrieve the information from those agencies.

III. History of Megan’s Law

A. Adam Walsh

July 27, 1981 was one of the worst days of Adam Walsh’s family’s lives. They would never forget this day, but rather, use what took place to protect young children against sex offenders. Adam Walsh was a six-year old boy when he was murdered. Adam and his mother decided to shop at Sears in Hollywood, Florida, but definitely did not get what they went to the store for. Adam’s mother let him play in the video game aisle of Sears while she shopped. A group of loud kids were in the same area as Adam and were asked to leave because of their behavior. Adam left with this group of kids and remained outside of the store. He was never seen alive again.vii

Two weeks later, Adam Walsh’s head was found in a canal 120 miles away from where he was abducted. No body was found, nor was anyone convicted for this innocent boy’s brutal murder.viii According to the Parent’s for Megan’s Law website, “On January 6, 1984, three months after Ottis Toole confessed to abducting and brutally murdering Adam Walsh, Ottis Toole recanted, saying he did not kill him.” Previous to this instance, Toole confessed to other murder cases that police knew he did not actually commit, so they could not take his word for his confession and recant of Adam’s murder.x

Weeks later, evidence of bloody carpet from Ottis Toole’s white Cadillac was sent to the Sheriff’s Department. Because of Toole’s recant of murdering Adam, someone did not think that the evidence was still useful in the case and it was disposed of. The Cadillac was sold and used
for scrap at a used car lot. It could have been made known for sure if Adam rode in Toole’s car, but the only evidence within this case was thrown out and destroyed.

John and Reve Walsh believe that Ottis Toole was indeed the murderer of their young boy, however, it may never be known who actually killed Adam Walsh. The only suspected man, Ottis Toole, died in prison in 1996 while incarcerated on other charges. This tragedy caused John Walsh to take action and help prevent similar cases from happening in the future. Not only was he hired as hosting “America’s Most Wanted” on television, but also he saw to it that legal actions were taken. “His efforts led to the passage of the federal Missing Children's Assistance Act of 1984, which established the National Center for Missing and Exploited Children.”

Twenty-five years after Adam’s murder, Adam’s parents and President George W. Bush stood next to each other as the Adam Walsh Child Protection and Safety Act of 2006 became law.

The purpose of the Adam Walsh Child Protection and Safety Act of 2006 is: “To protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote internet safety, and to honor the memory of Adam Walsh and other child crime victims.” This act makes three major changes to sex offender laws that include: specific registry requirements on state laws, details of when and where an offender is to register, and requirements of offender notifications. Further analysis of registry requirements will be discussed in the registration section on page thirteen.

It is the duty of the U.S. Attorney General to send out guidelines and regulations in order for states to abide by these given guidelines. Along with specific guidelines, there are three divisions or tiers that categorize sex offenders under the Adam Walsh Child Protection and Safety Act of 2006 (states have differing categories of sex offenders).

1. Tiers of Sex Offenders on a Federal Level
The least severe classification of a sex offender is a Tier I and is considered as such if the convicted person’s offense is not found in either of the two more severe tiers. A sexual offense is defined through the Adam Walsh Child Protection and Safety Act of 2006 if it includes one of the following: “(1) a crime involving a sexual act or sexual contact with another, (2) specified crimes against minors, (3) specified federal crimes and military crimes, and (4) attempt or conspiracy to commit one of them. Certain foreign crimes and certain crimes involving consensual sexual conduct are excluded but certain juvenile adjudications are included.”

Because the crimes in this tier are not considered to be as serious as those in Tier II or Tier III, an offender is only required to register for 15 years. However, the convicted person’s years of registration can be reduced to only 10 years if a clean record is kept.

An offender is distinguished from a Tier I offender if the offense is punishable for at least one year in prison and has to do with a minor. The offenses committed involve “the following federal crimes or attempt or conspiracy to commit one of them: sex trafficking, coercion and enticement, transportation with the intent to engage in criminal sexual activity, or abusive sexual contact.” If an offender uses a minor in a sexual performance, prostitution, or anything that has to do with child pornography, then the convicted person is labeled as a Tier II offender. An offender automatically becomes a Tier II offender if the offense was committed after the convicted offender was already known as a Tier I offender. Those categorized under this tier are required a 25-year registration period.

The most severe division of sex offenders is Tier III and includes the actually illegal act of an offense, conspiracy or attempt to commit the following offenses: “aggravated sexual abuse, sexual abuse, or abusive sexual contact against a minor under age 13.” Kidnapping a minor falls under this category and an offender automatically moves from a Tier II to a Tier III offender.
if the offense was committed after becoming classified as a Tier II. This specific tier calls for life-long registration unless the offender is a juvenile delinquent and his registration is only 25 years if his record is kept clean.xix

Being classified as a sex offender also calls for the convicted person to have a picture taken and confirm all of the personal information included in his registration. Depending on the tier, these offenders must show up in person on a regular basis. Offenders in Tier I must show up once a year, Tier II every six months, and Tier III every three months.xx

B. Jacob Wetterling

Jacob Wetterling (11), his brother, Trevor (10), and friend, Aaron (11), decided to ride their bikes to the store for a movie and snacks on the night of October 22, 1989. A masked-man with a gun got the boys’ attention while they rode their bikes back home. He told them to drop their bikes in the ditch next to them and lie on their stomachs on the ground. After asking each boy his age, he commanded Trevor and Aaron to leave and not turn back to look or else they would be shot. The two boys looked back in time to see the gunman grab Jacob, but after their second glance back, Jacob and the gunman disappeared.xxx

To this day Jacob has never been found. There have been suspects questioned, but no evidence to convict anyone. Although he has still not been found, Jacob’s parents, Jerry and Patty Wetterling, have been persistent in fighting for laws to go into effect that have to do with missing children and sex offenders.

The Wetterling Act came about because of Jacob Wetterling and the tragedy that his family faced and continues to face everyday. Jacob’s mother and other advocates (most who share similar circumstances) did all that was necessary to ensure the passing of the Wetterling
Act on September 13, 1994. This act not only “required all 50 states to establish effective registration programs for convicted child molesters and other sexually violent offenders,” but also:

“Required the states to establish more stringent registration standards for a subclass of offenders considered the most dangerous, designated under law as ‘sexually violent predators.’ States that failed to comply with the minimum standards risked a 10% reduction of formula grant funding under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program. This is federal funding allocated to states for improving functioning of the criminal justice system with an emphasis on violent crime and serious offenders.”

C. Megan Kanka

Similar to the families of Adam Walsh and Jacob Wetterling, Megan Kanka’s family experienced such a tragic day that would lead to enacting a law in order to benefit other families around America. On July 29, 1994, Megan Kanka rode her bike around her neighborhood in Hamilton Township, New Jersey. Her neighbor, Jesse Timmendequas, lured the seven-year old girl into his home with promises of seeing his puppy. That night, he raped and killed her. Megan hit her head on his dresser during the abuse and that caused Timmendequas to cover her head with a plastic bag so that the blood would not get on anything in his house.

Timmendequas strangled Megan with a belt, sexually assaulted her, and then put her small body into a toy box. He put the box filled with her body in his car and transported Megan to a nearby park where he dumped the body in some tall grass. Timmendequas sexually assaulted Megan’s body one more time before he left Mercer County Park.
The next day, after helping Megan’s family, friends, neighbors, and police search for Megan, Timmendequas confessed to her murder. “The jury found him guilty of purposeful-or-knowing murder, two counts of felony murder, first-degree kidnapping, and four counts of first-degree aggravated sexual assault.” He was also sentenced to death until New Jersey banned the death penalty in 2007. Death penalty sentencing in New Jersey has been replaced with serving life in prison without parole. With this recent ban, Timmendequas remains in prison with no chance of ever leaving his new permanent home.

IV. Past Laws

A. How to Find Out about Sex Offenders

1. Local Law Enforcement Agencies

There was only one way to find out about sex offenders within a specified area from 1947-1994. Law enforcement officials were able to know details of local sex offenders, but could not release that information to anyone, even if a convicted offender moved into a family-filled neighborhood. Parents would have no idea that they lived next-door to a sexual predator. This is a scary realization that many families have had to live with and even experience the worst-case scenarios.

As described in previous pages, an inquiring mind was able to go to a local law enforcement agency and receive information on local sex offenders. This information was not as readily available as it is today, but still allowed for people to find out some of the information they wanted to know. This way seemed effective, but because times have changed and technology has increased and improved, more easily accessible information has been legally made available to people everywhere.
2. Child Molester Identification Line

California passed a law in 1994 creating a “900” line telephone service known as the Child Molester Identification Line (CMIL). This allowed people to call the number and receive information about convicted child molesters. Calling and receiving information from this service requires a $10 fee, but seems completely worth the money. It required detailed information about the caller in order to know for sure that it was not a registered offender calling. Required personal information about the individual in question includes: the person’s name, birthdate, or address, or social security number, or California driver’s license. If the caller cannot give this information, they can instead identify five of the following: the individual’s eye and hair color, height, weight, race, or scars, marks, or tattoos. When and if these specific descriptions and information match up information in the database, a “hit” occurs. “If a ‘hit’ occurs, the specialist will provide the caller with the registrant’s physical description, the community of residence, and the specific sex offenses that require the person to register. The caller is not provided with the physical address of the registrant.” If no hit occurs on the specific individual, it is made known to the caller that the person they called about does not show up as being registered within the system.

This telephone service has proved to be effective and even life-saving. From 1994 to the end of December 2000, this made 56,855 searches and 1,522 positive identifications of offenders. “Like many crime prevention programs, there are no statistics on sex crimes that may have been prevented by this program. However, based upon past confirmed identifications, many people, including children, were protected from becoming victims of serious offenders.”
3. CD-ROM of High-Risk Offenders

California’s Megan’s Law (passed in May 1996) further expanded information to not only reveal about specific sex crimes against children, but adults as well. Apart from learning about sex crimes against adults too, a CD-ROM was produced that displayed “high-risk” offenders. These high-risk or “serious” offenders were classified as such by the Penal Code Sections 290(n) and 290.4(a)(1).

Those in law enforcement were not allowed to release information (unless people physically visited or called an agency) regarding high-risk and serious offenders before Megan’s Law and other similar laws, but after it became law, the CD-ROM was available at most law enforcement agencies including police and sheriff departments. The Department of Justice gives the information to law enforcement agencies through these CD’s. They display serious and high-risk offenders, including their personal information of “county, zip code, name, photographs, descriptions, convictions, etc.” If a city has a larger population than 200,000 people, they must make these CD’s public and readily available. “Additionally, this law authorizes local law enforcement to proactively notify communities of these individuals.”

One important example explains how agencies are finally able to notify residents, schools, churches, and other people within the community or surrounding area to let them know that an offender works, lives, or will be moving to their area. Another helpful example is as follows:

“An officer, during the course of his or her routine patrol, may notify individuals deemed at risk if they are in close proximity to a serious offender. For example, if an individual near a playground is determined to be a serious sex offender convicted of child molestation offenses, the officer may notify parents in the area.”
Another example could be a situation that the driver is a serious sex offender convicted of the rape of an adult. The officer may inform the passenger of this information if the officer reasonably suspects that the passenger is at risk.\textsuperscript{xxxviii}

Viewing the CD-ROM has not only allowed mother’s to find out that their boyfriends are registered sex offenders, but also possibly saved a number of children when a man applied to be Santa Clause at a mall and after viewing the CD, the company found out that he was a registered offender. “A woman searching the CD-ROM at a local fair discovered that her husband was a registered sex offender. When she finally asked him why he never told her this, he replied, ‘you never asked’.\textsuperscript{xxxix} Instances like these give proof that something as simple as a CD can prevent possible life-changing situations that can scar a child or adult physically and emotionally.

V. Megan’s Law

Passed in October 1996, California was the first state among all 50 states to require a sex offender registration law and currently is recognized as having the most registered offenders throughout the nation.\textsuperscript{xl} “Megan's Law mandated all states to develop notification protocols that allow public access to information about sex offenders in the community.”\textsuperscript{xli} California Megan’s Law is maintained through the California Department of Justice.

A. Registration

Depending on where an offender was released which could be from “prison, jail, a mental hospital, or on probation,”\textsuperscript{xlii} the offender must register with his local law enforcement agency as a sex offender within five working days of such release. All information obtained through law enforcement agencies is forwarded to the Department of Justice. Information must be updated yearly, five working days before the offender’s birthday. Transients are required to update their information every 30 days, while sexually violent offenders must do so every 90 days. If an
offender fails to update his information when his registration period is due, then it is displayed online that he is in violation.\textsuperscript{xliii}

Juveniles are sometimes required to register, but not always. If they were released from the California Youth Authority, then they must do so. However, juvenile sex offenders who had their cases heard in juvenile court are not allowed to have their information for public access.\textsuperscript{xliv}

Some may wonder, are offenders required to register for life? While many sex offenders are, not all must register forever. For those whose information has not been made public, it is possible for the offender to discontinue registration. In order to do this, an offender needs to obtain a Certificate of Rehabilitation which confirms by a court that the offender has completed necessary rehabilitation, demonstrated good behavior, and not been convicted of any crime within Penal Code 290.5(2).\textsuperscript{xlv} Offenders in other categories other than the Undisclosed Category must receive a governor’s pardon to be able to stop registering.\textsuperscript{xlvi}

\textbf{B. Categories of Sex Offenders}

Sex offenders are put in a number of categories, depending on the severity of their crime. Some must display more information (picture, physical description, gender, race, birthday, crime history)\textsuperscript{xlvii} on the website than others. Home Address Category not only requires the offender’s home address to be visible online, but also other personal information. A person is placed under Conditional Home Address Category if they have been convicted of multiple sex offenses and home address is also required. The Zip Code Category does not require the offender’s home address, but does require his zip code and personal information for the online site. An offender who has not committed a crime within one of these above categories goes under the Undisclosed Category.\textsuperscript{xlviii} Information about offenders under this category is not made public, but they are still required to register with their local law enforcement agency.\textsuperscript{xlix}
The following statistics come from the California Sex Offender Registry and the information is updated every day. According to Megan’s Law Website (information taken on March 16, 2014), there are 81,676 publicly displayed sex offenders. Note that this statistic excludes those who are considered No Post or Excluded offenders. Excluding Incarcerated or Deported offenders, the number of offenders living in the community comes out to 74,911.¹

1. Statistics

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<th>Total</th>
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</tr>
<tr>
<td>Zip Code/Conditional</td>
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</tr>
<tr>
<td>Transient</td>
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<td>In Violation</td>
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<tr>
<td>Incarcerated</td>
<td>21,509</td>
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<tr>
<td>Deported</td>
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<tr>
<td>No Post (Undisclosed)</td>
<td>25,371</td>
</tr>
<tr>
<td>Excluded</td>
<td>4,968</td>
</tr>
</tbody>
</table>

C. Updated Information Required for Megan’s Law

January 2013 called for two new requirements within sex offender registration. The first is that information including email addresses, internet service providers, and any kind of social networking usernames will no longer be included on registration forms until “the lawsuit challenging these provisions of Proposition 35, the California’s Against Sexual Exploitation (CASE) Act, is decided or until further notice.”¹² The second change began on January 1, 2013 and requires the Department of Justice to publicly post “static risk assessment scores for sex offender registrants who are eligible to be scored.”¹³ This scoring system is known as State Authorized Risk Assessment Tool for Evaluating Sex Offenders (SARATSO).¹³³
D. State Authorized Risk Assessment Tool for Sex Offenders

The current tool for assessing sex offenders in California is the Containment Model and was required beginning July 1, 2012.

“It was intended to apply retroactively to offenders already on probation or parole caseloads, even if they had already done court-ordered treatment. (Pen. Code, §§ 1203.067, 3008.) The reason the law was made retroactive was that previous programs did not have to meet evidence-based standards shown to reduce sexual recidivism. Also, under prior law there were no standards requiring treatment providers to be licensed and have training in sex offender-specific treatment. Such standards now ensure that treatment management professionals are qualified and use an effective and behavioral, sex-offender specific approach in treatment. Finally, offenders already on probation and parole caseloads were not scored on the dynamic and violence risk instruments now mandated for use in these programs, even if the offender had previously done some type of treatment.”
This tool is a collaborative approach that involves a considerable amount of communication about risk between the “supervising officer, treatment provider, and the polygraph examiner.”

E. STATIC-99

This tool is another way of figuring out if an offender is likely to offend again. Although it does not tell *when* an offender might offend, it is useful for estimating the likeliness of recidivism in a convicted offender. STATIC-99 evaluates males “convicted of at least one sexual offense against a child or non-consenting adult.” This tool does not evaluate juveniles, or “female offenders or offenders who have only been convicted of prostitution, pimping, or possession of indecent materials.” STATIC-99 evaluates the following information per individual: “prior sexual offense, prior sentencing dates, any convictions for non-contact sex offenses, current convictions for non-sexual violence, prior convictions for non-sexual violence, unrelated victims, stranger victims, male victims, young, and single.” This instrument for estimating recidivism is overseen by probation and parole officers, correction managers, and mental health professionals.

F. Creating Uniformity Amongst National Sex Offender Registries and Laws

“Parents for Megan’s Law” (PFML) conducted and presented results from their national surveys regarding sex offender registration and notification laws. “PFML surveys indicated that all 50 states had enacted registration and notification laws but the laws completely lacked uniformity. Further, a 2003 registration survey conducted by Parents for Megan’s Law found that nearly 25% of the nations’ registered sex offenders were not complying with state registration requirements.” These results demonstrated that 100,000 sex offenders were not included in national registries as was required.
The Jacob Wetterling Act is the precursor to Megan’s Law. This act authorized sex offender registration information to be released and then Megan’s Law came into effect, replacing the “may” into a “shall” release of said information. Megan’s Law required the release of this information, but did not necessarily require active notification. This means that if a sex offender moves into a neighborhood that the families in the surrounding area might not be actively notified. States are given three years to comply with this act and can also file for a possible extension.

Each state has its own registry in one form or another. One way in which all 50 states are united with one online registration is through the Department of Justice called the Dru Sjodin National Sex Offender Public Website (NSOPW). It used to be known as the National Sex Offender Public Registry (NSOPR) after the Adam Walsh Child Protection and Safety Act of 2006, but was renamed after Dru Sjodin who was kidnapped and killed by a Minnesotan registered sex offender. “NSOPW is the only U.S. government website that links public state, territorial, and tribal sex offender registries from one national search site.” Rather than only being able to view offenders in one’s state, this website allows anyone to see where registered sex offenders are located throughout the entire country with the information given by each jurisdiction.

G. Legal and Illegal Uses of Megan’s Law

Megan’s law is designed to provide information to the public in order to possibly prevent a future sex crime from occurring. With that said, it is a useful tool that should not be taken advantage of. If the website is used to gain knowledge on a registered offender with intent to harm or harass an offender’s family, the person involved in the crime is “subject to criminal prosecution and civil liability.” Required registrants are not allowed to access Megan’s Law
and can be punished with a fine of $1,000 or possible jail time, or both. All of this information is on the disclaimer page of Megan’s Law Website and must be read and the terms accepted to proceed to the online sex offender registration list.

H. Statutory Rape Case Study

A man named Joe, from Southern California, must deal with the life-long consequences of being registered as a sex offender. This man was convicted of statutory rape (at 19 years old) with his girlfriend (15 years old at the time), even though they both consented to having sex. The man did not force himself upon his girlfriend, or vise versa. They both mutually agreed before having sex. The girlfriend’s parents found out that they had sex when she was 15 and pressed charges against her boyfriend.

Because he was convicted of statutory rape under 288c1 of the California Penal Code, which is defined as “lewd and lascivious acts with a child,”1lv he was not permitted to see his girlfriend for three years. This seems like a very long time, but she waited for him until the three years were up. After those three years, they married and have been together ever since. However, even after Joe and his wife married, their life together has not been easy.1xv

Joe was required to register as a sex offender for his crime and has been physically attacked because of it. A neighbor beat Joe up, causing Joe and his wife to get a restraining order against this person. Not only was he beaten up, but the couple is afraid that next time someone will come and try to kill them. He also cannot find a stable job because of the registration.

A woman from the video, How Sex Offender Registries Fail Us, compared Joe (or any sex offender on the list for a dumb reason) to a leper. She said that being on the registry and others finding out about it has caused others to not want to be around these people, or even breathe the same air they breathe. This woman also discussed how offenders are prohibited to
living within 2,000 feet of a school or park. This often makes it difficult for someone to find a place to live, which in turn can lead to homelessness. In order to prevent instances like Joe’s case, or causing people to turn to homelessness, the legislature needs to “stop and think and not act purely from emotions or fear.”\textsuperscript{lxvi}

I. Chris F. Case Study

The following story is an example of the lifelong struggle Chris has undergone for something he did when he was 11 years old:

“I am 29 years old. I was adjudicated when I was 12 years old. I found some pornographic videos in my parents’ bedroom (they were well hidden but I was a kid and overturned everything) and invited some neighbor friends over to watch it while my parents were away. The neighbor I first invited was 12 years old. He told his friend who was 10 and that person told his friend who was 8. So there were 4 of us (all males) in a room watching these videos. What started off a little more as "you show me yours, I'll show you mine" turned into a bit more. There was not any force.

I was adjudicated and placed in the California Youth Authority (CYA). I was out in 1997. I enrolled in college to study criminal justice and then switched to pre-law. I dropped out of classes when I found out the registration laws changed to apply toward college campus police departments. I could not see myself going in to register with classmates that were working their work-study jobs with the campus security department.
At age 23 I became Director of Security for a hotel. I got married at 25 and have a child now.

[Among the incidents he experienced because of his registration status:]

1. When I was attending college, I lived in Sacramento, CA but my school was in Santa Rosa, which is about a 150-mile trip. I pulled over to sleep a bit during the commute in an empty parking lot. A city police officer told me to move along, that it was illegal to sleep in a car. She knew that I was a registered sex offender and asked me about the crime I had committed. I told her about it, and she said she did not believe me.

2. I was pulled over for speeding for doing 80 mph in a 65 mph zone. Even though my crime and offender registration was supposed to remain confidential, the police officer announced that I was a registered sex offender to everyone in the car with me. That hurt my relationship with the people I was traveling with.

3. When I went to register at the police station, they had me wait in a busy hallway in a court building. I had to get a fingerprint and the officer doing it calls out my name in the hallway and then says, "step up for your sex offender registry fingerprint." Then the whole hallway knew what I was there for.

4. When I was working in Reno, doing security, my boss calls me into his office and lets me know I'm a registered sex offender based off the criminal check they did. He said, "there must be some mistake. The date of the crime doesn't match."
You aren't that old to be a sex offender." He allowed me to return to work. I quit shortly after that to save face.

5. I was fired from a job because I didn't disclose the fact that I was a registered sex offender, and they did a background check.

This last firing was the reason I started pursuing to get my name off the law enforcement registry. I had had enough. I was taken off the registry at age 28. I am 29, and feel like my life can start over again.

Chris and his friends were young and curious boys. The things they did were out of curiosity and they had no idea what they were doing. Eleven years old is an age of meaningless and innocent exploration with sexuality. Chris was severely punished and ridiculed for most of his life because of what happened when he was eleven and he should not have had to go through all that he did because of the incident. He was finally able to start fresh once his name was removed from the registry at 28 years old.

J. Does One Size Fit All?

It is often said that “one size fits all” in regard to sex offenders and corresponding punishments. There are numbers of different possible offenses that can convict a person for a crime and cause them to be required to be on a sex offender registry. There are very severe offenses and also ones that are not as severe, but all offenses are lumped together and considered to be the same. However, this is not the case. People make mistakes and do things that they know they should not do, but punishing them as harshly as an actual rapist and murder does not seem right.
K. Murder Registration

Illinois currently has a Murderers and Violent Offenders Against Youth Registry throughout the state. After researching so much information about sex offenders, an article said there should be a murder registry. Murder is worse than a sex offense, right? So, there are registrations in every single state throughout the nation displaying registrants who have urinated in public or streaked across a field, but there is only ONE registration that shows murderers or violent offenders? Seems completely illogical.\textsuperscript{lxviii}

VI. Policy Recommendation

This paper has examined numerous case studies of people who were convicted of sex crimes according to the legality within the state and have lifetime registration requirements because of the law. Sex offender registration is something that families find interesting and useful in order to be able to view where local sex offenders live.

A sex offender registry, such as Megan’s Law, is a wise tool, but also too demanding and strenuous on specific occasions. Is it fair to put both a person convicted of urinating in public and another one for raping and murdering his 10 year old neighbor? These two examples are on completely opposite sides of the spectrum of crime. One is harmless and not hurting anyone, while the other includes sexually abusing and killing an innocent child.

A. Separating Sex Offender Registries

After researching and reviewing many cases and real stories of people convicted and required to register on a sex offender list, I have come to a conclusion that I believe will better suit those involved in regard to very minor offenses. My proposal is to keep registration laws throughout the nation, but edit and change them. I believe that they are very helpful and useful when used correctly. With this said, removing certain offenses from registration is what I
recommend. Actual sexual offenses including: rape, molestation, child pornography, pedophilia, sexual assault, abuse, harassment, and other more severe acts should remain as reasons to put an offender on a registry. Those offenses that are considered minor with no sexual motives or gratification behind them involving: public urination, consensual sex between minors (or streaking, nude selfies, sexting, or other similar acts should be punishable, but not so far as to label these people convicted as sex offenders.

“Legislators should replace one-size-fits-all registration with a system that limits registration to those who have been individually determined to pose a high or medium risk to the community. In determining that risk, states should take into consideration the offender's prior record, the specific offense committed, the period of time he or she has lived in the community offense-free, and other factors that are statistically correlated with the likelihood of reoffending. For example, the Center for Sex Offender Management advocates individualized risk assessment for sex offenders that takes into consideration ‘the complex and varying nature of sexual abuse and the individuals who perpetrate it.’ States should also allow all registrants to periodically petition or appeal for review of their initial risk-level status.”

VII. Biblical Application

5 “Keep my decrees and laws, for the person who obeys them will live by them. I am the Lord. 6 No one is to approach any close relative to have sexual relations. I am the Lord. 7 Do not dishonor your father by having sexual relations with your mother. She is your mother; do not have relations with her. 8 Do not have sexual relations with your father’s wife; that would dishonor your father.
9 Do not have sexual relations with your sister, either your father’s daughter or your mother’s daughter, whether she was born in the same home or elsewhere.

10 Do not have sexual relations with your son’s daughter or your daughter’s daughter; that would dishonor you. 11 Do not have sexual relations with the daughter of your father’s wife, born to your father; she is your sister. 12 Do not have sexual relations with your father’s sister; she is your father’s close relative.

13 Do not have sexual relations with your mother’s sister, because she is your mother’s close relative. 14 Do not dishonor your father’s brother by approaching his wife to have sexual relations; she is your aunt. 15 Do not have sexual relations with your daughter-in-law. She is your son’s wife; do not have relations with her. 16 Do not have sexual relations with your brother’s wife; that would dishonor your brother. 17 Do not have sexual relations with both a woman and her daughter. Do not have sexual relations with either her son’s daughter or her daughter’s daughter; they are her close relatives. That is wickedness. 18 Do not take your wife’s sister as a rival wife and have sexual relations with her while your wife is living. 19 Do not approach a woman to have sexual relations during the uncleanness of her monthly period. 20 Do not have sexual relations with your neighbor’s wife and defile yourself with her. 21 Do not give any of your children to be sacrificed to Molek, for you must not profane the name of your God. I am the Lord. 22 Do not have sexual relations with a man as one does with a woman; that is detestable. 23 Do not have sexual relations with an animal and defile yourself with it. A woman must not present herself to an animal to have sexual relations with it; that is a perversion. 24 Do not defile yourselves in any of these
ways, because this is how the nations that I am going to drive out before you became defiled. 25 Even the land was defiled; so I punished it for its sin, and the land vomited out its inhabitants. 26 But you must keep my decrees and my laws. The native-born and the foreigners residing among you must not do any of these detestable things, 27 for all these things were done by the people who lived in the land before you, and the land became defiled. 28 And if you defile the land, it will vomit you out as it vomited out the nations that were before you. 29 Everyone who does any of these detestable things—such persons must be cut off from their people. 30 Keep my requirements and do not follow any of the detestable customs that were practiced before you came and do not defile yourselves with them. I am the Lord your God.”

A. Leviticus Analysis

The verses above from the Book of Leviticus show how strongly God feels about sexual perversion, especially with family members. Because many sexual offenses are often committed by family members, other relatives, and close family friends, this passage affirms the sinfulness in these acts. Not only is it physically, emotionally, and psychologically harmful to the victim, but it is considered a sinful and heinous offense in God’s eyes.

From Leviticus 18:5-30, the Lord specifically notes what one must not partake in. This includes sexual acts with animals, people of the same sex, and relatives. This passage discusses that participating in any of these acts is defiling one’s self and goes against what God commands. These acts are sinful and detestable and those who participate “must be cut off from their people.” From what is spoken in these verses, God does not take these sexual offenses lightly.
The severity of the sexual acts in Leviticus are thoroughly described and the harsh punishment is said so by God Himself in verse 29.

VIII. Conclusion

In conclusion, Megan’s law was created for the sole purpose of providing information about local sex offenders in order to protect children and other adults. The Megan’s Law Website allows anyone to see if his or her neighbor is a registered sex offender. This recent tool has prevented some sex offenders from striking again because they know that their name is public and very easily accessible.

Just like anything, this law is not perfect, nor has it helped in every single situation. However, consider how many lives have been saved from sexual abuse, assault, harassment, rape, molestation, and other horrific offenses through the enactment of Megan’s Law and other sexual offender registries. If this law prevented one child or adult from being sexually assaulted and or murdered, I would say that it is successful in that alone. Megan’s Law is not something to be played with, nor was it enacted to harass or harm anyone registered on it. It is something that should be used properly and wisely.

There are many different sexual crimes that can convict a person and require him to register publicly of his crime. These offenses range from rape, molestation, child pornography, lewd and lascivious acts, streaking, urinating in public, and much more. These crimes are not all equal in act and many of them are not even sexually motivated. Because crimes differ in so many cases, convicted offenders should not be punished by using the “one size fits all” policy. Rather, all should be punished in some form (some more than others depending on the crime), but not all
offenders should be required to register on Megan’s Law. Some crimes that put a person on the registry for life happened when the person was eleven or twelve years old! I am not justifying that kids can do whatever they want without any kind of punishment, but putting an eleven year old on a sex offender registry is too extreme. It has been proven in the above pages that a kid of this young age can learn from his mistake and punishment (other than going on the registry) and turn out to live a normal, sex crime-free life. Because of that and other stories within this paper, one size does not fit all when determining punishments for supposed, “sex offenders.”
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Endnotes


