



Preventing sexual violence: Can examination of offense location inform sex crime policy?

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ABSTRACT

Recently, legislative initiatives to prevent sex crime recidivism include the passage of child safety zones (also called loitering zones) that prohibit sex offenders from lingering near places where children congregate. The ability of policies such as these or residence restrictions to curb sexual recidivism depends on the empirical reality of sex offender perpetration patterns. As such, the current study sought to examine locations where sex offenders first come into contact with their victims and whether sex crime locations differ among those who perpetrate offenses against children as compared to those who perpetrate offenses against adults. Further, this study examined actuarial risk scores and recidivism rates among offenders who met victims in child-dense public locations to determine if these offenders are more at risk of re-offense. Descriptive analyses, based on archival sex offender file review ($N=1557$), revealed that offenders primarily cultivated their offenses in private residential locations (67.0%); relatively few offenders (4.4%) met their victims in child-dense public locations. Further, offenders who perpetrated crimes against children were more likely to meet victims within a residence, while those who perpetrated crimes against adults were more likely to encounter victims in a more public type of location (e.g., bar, workplace). Though only 3.7% of all offenders in this sample sexually recidivated, those who recidivated were more likely to have met their victim in a child-dense public location than those who did not recidivate. Current sex crime policies that focus only on where offenders live may fail to focus on where offenders go and, further, may misdirect efforts away from the place where sex crimes most often occur, namely, in the home.

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Residence restriction legislation, which bars sex offenders from living near places where children congregate, is one of a number of policy efforts that aim to keep communities safe from known sex offenders (Nieto & Jung, 2006). Although these sorts of laws stem from an understandable desire to protect children from repeat sexual violence, these policies may not accurately reflect the empirical data pertaining to sexual offense patterns (Janus, 2006). Most recently, child safety zones (sometimes called loitering zones) have been passed in some jurisdictions in an effort to prohibit known sex offenders from congregating in places where they are able to cultivate relationships with children (Broward County Sex Offender Task Force, 2009). An examination of where sex offenders meet victims and how sex crime location relates to recidivism may help shape policy efforts that aim to reduce the overall rate of sexual violence. Thus, the present study aimed to examine an assumption that may underlie sex residence restrictions or child safety zones policies, namely that offenders seek out victims in child-dense public places.

1. Sex offender residence restrictions

Residence restrictions are premised on the notion that residing near child-dense public places, such as schools, parks, day care facilities, or churches, creates an opportunity for sex offenders to commit offenses (Nieto & Jung, 2006). Though little research has yet addressed whether residence restrictions reduce recidivism, these increasingly popular policy measures have already been enacted in 30 states and hundreds of local municipalities (Council of State Governments, 2007; Meloy, Miller, & Curtis, 2008). To date, only one study has directly assessed whether residence restrictions reduce sexual recidivism (Nobles, Levenson, & Youstin, in press). In a study of sex crime arrests before and after the implementation of a 2500 ft residential restriction zone in Jacksonville, Florida, neither sex crime rates nor sexual recidivism decreased after the passage of the law. Analysis of trends showed no significant relationship between the timing of the policy implementation and the monthly counts of sex crime charges in Jacksonville over time (Nobles et al., in press).

Related research further suggests that residential proximity to parks or other child-dense public structures is unrelated to sexual recidivism. Zandbergen, Levenson, and Hart (2010) examined the relationship between recidivism and proximity to schools and daycares and found no

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evidence that sex offenders who lived closer to these venues were more likely to reoffend than those who lived further away. The [Colorado Department of Public Safety, Sex Offender Management Board, \(2004\)](#) observed that recidivistic offenders were no more likely to reside near schools or daycare facilities than were non-recidivistic offenders, and the [Minnesota Department of Corrections \(2003\)](#) similarly observed that residential proximity to schools or parks did not appear to contribute in 13 cases where a known sex offender was rearrested for a sexual offense after having served time in prison. In a subsequent report examining the offending patterns of 224 child victim recidivists, who might have been subject to a residence restriction law were it in place at the time of the offense, [Duwe, Donnay, and Tewksbury \(2008\)](#) concluded, “None of the 224 incidents of sex offender recidivism fit the criteria of a known offender making contact with a child victim at a location within any of the distances typically covered by residential restriction laws” (p. 484). Thus, while large-scale analyses are needed that directly examine whether residence restrictions prevent sexual recidivism, the available research provides little support for the notion that residential proximity to places where children congregate is a factor related to sexual recidivism. As such, empirical data indicates that residential restrictions may misdirect tertiary sexual violence prevention efforts by focusing on where sex offenders live rather than where they go and what they do to facilitate opportunities for sexually abusive relationships.

2. Child safety zones

In an effort to further enhance the management of sexual offenders, some jurisdictions have established “no loitering/child safety zones” around schools, playgrounds, parks, daycare centers, and other locations where children congregate ([Broward County Sex Offender Task Force, 2009](#)).¹ Since residential exclusion laws regulate only where a registered sex offender (RSO) sleeps at night, these laws have no impact on where a RSO can travel during the day when children are most likely to be present at the venues of interest and therefore most vulnerable. Child safety zones, by contrast, prohibit a known sex offender from loitering or prowling within close proximity (typically 300–500 ft) of a place where children regularly congregate without a legitimate reason or prior approval. They allow an arrest to be made if a RSO is noticed to be lingering without an authentic purpose in a place where he has access and opportunity to cultivate relationships with youngsters ([Broward County Sex Offender Task Force, 2009](#)). These laws, such as those upheld in North Carolina² and Indiana,³ may broadly ban sex offenders from entering into parks or similar locations (e.g., nature facilities or golf course), or, such as the law passed in Florida in 2010, more narrowly limit offenders from approaching or communicating with a minor child in a sexual manner.⁴ Exceptions may be made for RSOs who might, for instance, go to a school to pick up his or her own child or to vote ([Broward County Sex Offender Task Force, 2009](#)). Such laws could potentially be more useful than residential restrictions to assist in the prevention of sexual abuse. To date, there is no published research on the effectiveness of this type of policy.

3. Sex offender risk for recidivism

Given that sex offender specific legislation aims to reduce recidivistic sexual violence, empirical findings related to sex offender recidivism warrant attention. Most new sex crimes are not committed by recidivistic offenders. In fact, over 95% of all sexual offense crimes (measured by new arrests) are committed by first time offenders (or those not on a sex offender registry) ([Sandler, Freeman, & Socia,](#)

2008). Not only do recidivistic offenses comprise a very small proportion of all new sex crimes, but it follows that legislation enacted to exclusively prevent recidivistic sexual offenses has the potential to impact less than 5% of all new instances of sexual violence ([Sandler et al., 2008](#)). Although it is commonly believed that sex offenders reoffend at high rates ([Levenson, Brannon, Fortney, & Baker, 2007](#)), [Hanson and Morton-Bourgon \(2005\)](#), through their meta-analytic examination of 95 recidivism studies (based on re-arrests, re-convictions, and self-reports), found an average sexual recidivism rate of 13.7%, suggesting that detected rates of sexual recidivism are actually fairly low. Thus, legislation aiming to reduce the incidence of sex crimes by focusing exclusively on known sex offenders may be based on the false idea that offenders are highly recidivistic and may target only a fraction of the overall occurrence of sexual violence.

Although research suggests that the majority of sex offenders released into the community do not sexually reoffend, some offenders do pose more of a risk than others ([Harris & Hanson, 2003](#); [Janus, 2006](#)). In order to more accurately predict the risk an offender poses to the community, actuarial risk assessment tools, such as the Static-99, have been developed to estimate the likelihood that an offender will sexually reoffend. Empirically derived actuarial tools have been demonstrated to more accurately assess recidivism likelihood than clinical judgment ([Hanson & Morton-Bourgon, 2009](#); [Hanson & Thornton, 2000](#)). By identifying offenders most at risk of recidivism, actuarial risk data can help guide decisions about the management of sex offenders in the community.

4. Sex offense perpetration patterns

Although residence restrictions and other sex crime legislation may be based on a “stranger danger” presumption of sex crimes, the majority of sex offenders know their victims ([Colombino & Mercado, 2009](#); [Duwe et al., 2008](#); [Greenfield, 1997](#); [Smallbone & Wortley, 2000](#); [Snyder, 2000](#)). [Greenfield \(1997\)](#) reported that over 73% of offenders knew their victims prior to the offense, while the [Minnesota Department of Corrections \(2007\)](#) similarly found that the majority (79%) of sex offenders had offended against someone they knew. In a Bureau of Justice Statistics report, [Snyder \(2000\)](#) observed that 13.8% of offenders had victimized a stranger, while nearly 60% had offended against an acquaintance and over a quarter (26.7%) of sex offenders had a biological relationship with their victims. Moreover, in a sample of 224 recidivistic child molesters, [Duwe et al. \(2008\)](#) found, that only 35% of the offenders had developed a “direct-contact relationship” with their victims (e.g., met their victim on the street), while 51% were “collateral-contact” offenders (e.g., formed relationship with the parent of the child victim) and 14% had a biological relationship with their victim. Notably, of the 35% of direct-contact offenders, not one had met their victim in a place statutorily defined in residence restriction legislation ([Duwe et al., 2008](#)), raising doubt, yet again, over the ability of residence restriction legislation to deter sex crime. Sex offender policies emphasizing identification of known offenders and their whereabouts therefore appear to be targeting for prevention the least likely type of sexual crime.

Given that the majority of sex offenders know their victims, it is unsurprising that most offenses occur in private settings. [Duwe et al. \(2008\)](#) found that 85% of offenses occurred within a residential location, while [Greenfield \(1997\)](#) observed that over 60% of “rapes” (child and adult victims) took place in a residence (e.g., home of the victim, offender, friend, neighbor, or relative). Similarly, in an examination of 405 sexual offenses in New Jersey, [Colombino, Mercado, and Jeglic \(2009\)](#) found that the majority of offenders perpetrated offenses in private locations (82%). In [Smallbone and Wortley's \(2000\)](#) sample of extra-familial child molesters, 40% of the offenders met their victims in a friend's home, while relatively few offenders met their victims in public places where children congregate, such as a park (10.5%) or a playground (5.3%). [Colombino and Mercado \(2009\)](#) found that 77% of

¹ Woodfin, N.C., Code of Ordinance § 130.03 (2005).

² *Standley v. Town of Woodfin*, 362 N.C. 328, 330, 661 S.E.2 d 728, 729 (2008).

³ *Doe v. Town of Plainfield*, 893 N.E.2 d 1124, 1132 n.8 (Ind. Ct. App. 2008).

⁴ Florida Law, B. 119, C. 2010–92, § 856.022, (2010).

offenders met victims in private settings (e.g., offender's home, victim's home), and few offenders met their victims in public locations (16%), such as a school (4%) or park (2%).

Related findings suggest that various types of offenders may perpetrate crimes in different locations, with rapists being more likely to offend in outdoor locations (71%) than child molesters (22%) (Craissati & Beech, 2004). Similarly, Colombino et al. (2009) found that offenders who perpetrated crimes against adults were more likely to meet victims and perpetrate crimes in semi-public (e.g., workplace, hospital) or public (e.g., park, restaurant, gas station) locations than those who offended against children. Given typological differences in offense location patterns, child safety zone legislation may be more effective for offenders who display certain types of offense patterns.

5. The current study

Residence restrictions continue to be passed at both state and local levels, despite research suggesting that residential proximity to child dense locations bears little relationship to sexual recidivism (Colorado Department of Public Safety, Sex Offender Management Board, 2004; Duwe et al., 2008; Minnesota Department of Corrections, 2003; Minnesota Department of Corrections, 2007; Zandbergen et al., 2010). While no research has yet examined the utility or functioning of loitering restrictions, these laws, similar to residence restrictions, seem to assume that certain public places may provide an opportunity structure for offenders to commit crimes. Thus, it is important to examine assumptions underlying sex offender specific legislation, as empirical knowledge regarding perpetration patterns will allow for the development or refinement of policies most likely to enhance public protection.

While some research has begun to examine the locations where sex offenders encounter their victims (Colombino & Mercado, 2009; Colombino et al., 2009; Duwe et al., 2008; Smallbone & Wortley, 2000), little research has examined perpetration differences among subtypes of offenders (Colombino et al., 2009). Further, even though research has shown that the majority of sex crimes are committed by first time offenders (Sandler et al., 2008), it is unknown whether those who meet victims in locations where children congregate recidivate at higher rates than offenders who do not meet victims in such locations. In addition, no research to date has examined whether recidivists encounter victims in different places than do non-recidivists. Because it has been argued that examining the situational aspects of sex crimes is "crucial" to creating safe environments (Wortley & Smallbone, 2006, p.31), the current article will (a) examine the frequency with which sex offenders meet their victims in child oriented public locations, (b) compare offenders with adult victims to offenders with child victims with regard to the locations where they first met their victims, and (c) examine risk scores (i.e., Static-99) and recidivism rates among those who commit crimes in locations defined under residence restriction and child safety zone legislation. Further, this article will discuss the implications these findings have for the development of sex offender specific policies that can best reduce the overall occurrence of sexual violence.

6. Method

6.1. Participants

Data from the files of 1557 adult male sex offenders released from a New Jersey state prison between 1996 and 2007 were collected for use in this study. Offenders had been incarcerated in a general population prison or a state treatment facility (Adult Diagnostic and Treatment Center). The majority of offenders had been acquainted with their victims (49.1%, $n = 765$) (i.e., knew their victim for more than 24 h) or had a familial relationship with their victim (32.6%, $n = 508$), while a minority (13.4%; $n = 209$) had no prior relationship with the victim (i.e., strangers) at the time of the offense. Less than 5% of offenders (4.8%,

$n = 75$) committed crimes against more than one type of victim (e.g., family member and acquaintance). Of the 1557 offenders included in this study, 77.2% ($n = 1202$) had a child victim in the index offense (i.e., sex offense against a minor, age 17 or younger), while 22.8% ($n = 355$) had an adult victim in the index offense (i.e., sexual assault against a victim age 18 or older). Offenders averaged 32 years at the time of the index offense ($M = 32.25$, $SD = 11.68$) and were African American (40.3%; $n = 627$), White (36.3%; $n = 565$), Latino (21.5%; $n = 335$), or of other/unknown race or ethnicity (1.9%; $n = 30$).

6.2. Procedure

Archival case files were coded by a team of trained graduate research assistants. The data was obtained from police reports, psychiatric evaluations, criminal history records, sentencing information, prison records, and intake and termination reports. Through various sources contained in the case files, detailed information surrounding the index sex offense (i.e., the sex offense for which the offender was most recently incarcerated) was obtained. The data collection tool included demographic items, as well as other descriptive variables pertaining to the index offense, such as the victim-offender relationship, location of crime, type of crime perpetrated (e.g., child molestation, adult sexual assault), criminal history, and psychiatric evaluations. Although locations defined as off-limits under residential restrictions vary widely across jurisdictions, we considered the most commonly statutorily defined locations (i.e., schools, parks, playgrounds, day care facilities, bus stops, and churches) in our analyses of the frequency with which sex crimes occur in these areas.

Risk scores were obtained from psychiatric records included in the offenders' files. Research assistants recorded the Static-99 risk score exactly as reported in the archival record. Static-99 scoring is based on a ten-item scale, which yields a numeric number that is classified into low (0–1), moderate-low (2–3), moderate-high (4–5), and high (6+) categories, providing an estimated risk for recidivism (Hanson & Thornton, 2000).

Lastly, recidivism was coded from state and federal criminal history reports. Offenders were coded as having recidivated if convicted of a crime (sex or non-sex offenses) after serving the sentence imposed for the index sex offense. A sexual re-offense was coded when the reconviction was considered a sex crime and a general re-offense when the reconviction was for any other non-sexual crime.

7. Results

7.1. Location where offenders first came into contact with victims

The sample as a whole ($N = 1557$) was most likely to meet victims in a private setting (see Table 1). A majority (67.0%, $n = 1043$) of all offenders (both familial and non-familial) met or first encountered victims in a residence (e.g., offender or victim's home, shared residence). When intra-familial offenders ($n = 583$) were excluded from the analysis, still almost half (47.7%; $n = 465$) of the non-familial offenders ($n = 974$) came into contact with their victims in a residence (e.g., offender's home, home of a relative). Further, results indicated that in only 68 (4.4%) of the 1557 offenses did the offender first encounter their victim in a public location where children congregate.

7.2. Location differences between child victim and adult victim offenders

Child and adult victim offenders showed significant differences with regard to the location where offenders first came into contact with their victims, $\chi^2 (82, N = 1557) = 325.52$, $p < .001$. Post hoc analyses revealed that offenders who perpetrated crimes against adults were significantly more likely to first come into contact with their victims in public setting such as a bar, hospital, hotel, house party, laundromat, nursing home, parking lot, store, street, or in the

Table 1
Locations where sex offenders first came into contact with victims (N = 1557).

Location	N	%
Shared residence ^a	270	17.34
Victim's home	238	15.29
Have always been acquainted	230	14.77
Offender's home	156	10.02
Acquaintance or relative's home	149	9.57
Neighborhood	93	5.97
Street	91	5.84
Workplace	50	3.21
School*	33	2.12
Apartment building	29	1.86
Convenience store/gas station	25	1.61
House party	23	1.48
Hotel	19	1.22
Park*	15	0.96
Bar	13	0.83
Church*	11	0.71
Parking lot	9	0.58
Restaurant	9	0.58
Offender's car	8	0.51
Boardwalk	7	0.45
Bus stop*	6	0.39
Psychiatric hospital	6	0.39
Hospital	5	0.32
Mall	5	0.32
Wooded area	5	0.32
Bus	4	0.26
Camp	4	0.26
Carnival	4	0.26
Prison	4	0.26
Rehabilitation center	4	0.26
Abandoned building	2	0.13
Group home	2	0.13
Laundromat	2	0.13
Movie theater	2	0.13
Nursing home	2	0.13
Train station	2	0.13
Youth home	2	0.13
Lake	2	0.13
Arcade	1	0.06
Bowling lanes	1	0.06
Casino	1	0.06
Day care facility*	1	0.06
Internet	1	0.06
Library	1	0.06
Playground*	1	0.06
Rooming house	1	0.06
School bus*	1	0.06
Shelter	1	0.06
Skating rink	1	0.06
Subway	1	0.06
Swimming pool	1	0.06
Trailer Park	1	0.06
Travel agency	1	0.06
Victim's car	1	0.06

Note: *indicates location often included in residence restriction and safety zone legislation. Results indicated 68 (4.4%) offenses where the offender first met the victim in a location that may be off-limits under these types of laws. ^aOffender and victim lived in the same residence.

workplace, than offenders who perpetrated offenses against children (see Table 2). Notably, no significant differences were found between offenders who victimized children and offenders who victimized adults with regard to whether they met their victim in child dense public locations, $\chi^2(1, N = 1557) = 0.06, p = .881$.

7.3. Examination of risk scores by locations included in residence restrictions and child safety zones

There were no differences in Static-99 scores among offenders who met victims in locations normally off-limits under residence restrictions and child safety zone laws, $F(1, 1242) = 9.50, p = .113$. Table 3 shows a breakdown of Static-99 risk category by offense location.

Table 2
Location where child and adult victim offenders first encountered victims (N = 1557).

Location	Type of offender ^a			
	Child victim n = 1202		Adult victim n = 355	
	N	%	N	%
Shared residence	254 ^b	21.13	16	4.51
Always acquainted	192	15.97	38	10.70
Victim's home	186	15.47	52	14.65
Offender's home	142 ^b	11.81	14	3.94
Acquaintance or Relative's home	128	10.65	21	5.92
Neighborhood	64	5.32	29	8.17
Street	43	3.58	48 ^b	13.52
School*	28	2.33	5	1.41
Workplace	26	2.16	24 ^b	6.76
Apartment building	19	1.58	10	2.82
House party	13	1.08	10 ^b	2.82
Park*	12	1.00	3	0.85
Convenience store	11	0.92	11 ^b	3.10
Church*	11	0.92	0	0.00
Hotel	10	0.83	9 ^b	2.54
Restaurant	6	0.50	3	0.85
Offender's car	5	0.42	3	0.85
Boardwalk	5	0.42	2	0.56
Mall	4	0.33	1	0.28
Wooded area	4	0.33	1	0.28
Camp	4	0.33	0	0.00
Carnival	4	0.33	0	0.00
Parking lot	2	0.17	7 ^b	1.97
Bus	2	0.17	2	0.56
Prison	2	0.17	2	0.56
Rehabilitation center	2	0.17	2	0.56
Lake	2	0.17	0	0.00
Movie theater	2	0.17	0	0.00
Youth home	2	0.17	0	0.00
Bar	1	0.08	12 ^b	3.38
Bus stop*	1	0.08	5	1.41
Psychiatric hospital	1	0.08	5 ^b	1.41
Hospital	1	0.08	4 ^b	1.13
Abandoned building	1	0.08	1	0.28
Group home	1	0.08	1	0.28
Liquor store	1	0.08	1	0.28
Train station	1	0.08	1	0.28
Arcade	1	0.08	0	0.00
Bowling lanes	1	0.08	0	0.00
Internet	1	0.08	0	0.00
Playground*	1	0.08	0	0.00
School bus*	1	0.08	0	0.00
Shelter	1	0.08	0	0.00
Skating rink	1	0.08	0	0.00
Subway	1	0.08	0	0.00
Trailer park	1	0.08	0	0.00
Laundromat	0	0.00	2 ^b	0.56
Nursing home	0	0.00	2 ^b	0.56
Casino	0	0.00	1	0.28
Day care facility*	0	0.00	1	0.28
Gas station	0	0.00	1	0.28
Library	0	0.00	1	0.28
Rooming house	0	0.00	1	0.28
Swimming pool	0	0.00	1	0.28
Travel agency	0	0.00	1	0.28
Victim's car	0	0.00	1	0.28

Note: ^aType of offender was determined by the nature of the index offense. Chi-square analyses revealed significant differences between type of offender and locations where offenders first met victims, $\chi^2(82, N = 1557) = 325.51, p < .001$. ^bPost hoc test determined difference greater than expected at <.05 significance level. *Indicates location often included in residence restriction or child safety zone legislation.

7.4. Recidivism and sex crime location

7.4.1. General recidivism

Of the 1115 cases for which general recidivism data was available, 47.4% (n = 529) of offenders committed a new nonsexual offense while 52.6% (n = 586) of offenders did not commit a new nonsexual offense. Chi-square analyses revealed that sex offenders who

Table 3
Static-99 risk levels by residence restriction (RR) and child safety zone (CSZ) locations.

Static-99 risk level	Offender met victim in RR/CSZ location			
	No n = 1180		Yes n = 50	
	N	%	N	%
Low	328	27.8	5 ^a	10.0
Medium-low	481	40.8	24	48.0
Medium-high	238	20.2	18 ^a	36.0
High	133	11.3	3	6.0

Note: chi-square analyses revealed significant differences between risk level category and locations (RR) where offenders first met victims, $\chi^2(4, N = 1230) = 13.26, p = 0.10$.
^aPost hoc test determined difference greater than expected at <.05 significance level.

committed any kind of new offense were significantly more likely to have met their *index* victim in a location described as off-limits under restrictions ($n = 31, 5.9\%$) than offenders who did not commit any kind of recidivistic offense ($n = 14, 2.4\%$), $\chi^2(1, N = 1115) = 8.65, p = .004$ (see Table 4). Further, those who perpetrated crimes against adults and those who committed crimes against children showed significant differences with regard to general recidivism, $\chi^2(1, N = 1115) = 8.22, p = .004$. Post hoc analyses revealed that those with adult victims ($n = 132, 55.7\%$) were significantly more likely to have a new nonsexual offense when compared to offenders who had child victims ($n = 397, 45.2\%$).

7.4.2. Sexual recidivism

Of the 1047 offenders for whom recidivism data was available, 3.7% ($n = 39$) committed a new sexual offense while the overwhelming majority (96.3%; $n = 1008$) was not known to have committed a new sexual offense during the six and a half year follow-up period. Offenders who committed a sexual re-offense were significantly more likely to have met their *index* offense victims in locations typically included under residence restriction or loitering laws ($n = 5, 12.8\%$) than sex offenders who did not sexually recidivate ($n = 39, 3.9\%$), $\chi^2(1, n = 1047) = 7.47, p = .021$ (see Table 5). Moreover, sexual recidivists were more likely than non-recidivists to have met their victims in a park, bus stop, camp, carnival, hospital, or a boardwalk, $\chi^2(68, N = 1047) = 112.26, p = .001$ (see Table 6).

Notably, those with adult and child victims showed significant differences with regards to sexual recidivism, $\chi^2(1, N = 1047) = 5.07, p = .044$. Post hoc analyses revealed that offenders who perpetrated crimes against adults ($n = 14, 6.3\%$) were significantly more likely to have a sexual re-offense when compared to offenders who victimized children ($n = 25, 3.0\%$) (see Table 7).

8. Discussion

Given that sex crime legislation should reflect the empirical reality of offender perpetration patterns, the current study identified specific locations where offenders cultivated their offenses and the frequency with which these locations were in child dense places, often defined

Table 4
General recidivism rates by locations included in RR/CSZ ($N = 1115$).

RR/CSZ location	Offender committed any type of reoffense			
	Yes n = 529		No n = 586	
	N	%	N	%
Yes	31 ^a	5.9	14	2.4
No	498	94.1	572	97.6

Note: chi-square analyses revealed significant differences between general recidivism and locations (RR) where offenders first met victims, $\chi^2(1, N = 1115) = 8.65, p < .004$.
^aPost hoc test determined difference greater than expected at <.05 significance level.

Table 5
Sexual recidivism rates by locations included in RR/CSZ ($N = 1047$).

RR location	Offender committed sexual reoffense			
	Yes n = 39		No n = 1008	
	N	%	N	%
Yes	5 ^a	12.8	39	3.9
No	34	87.2	969	96.1

Note: chi-square analyses revealed significant differences between sexual recidivism and locations (RR/CSZ) where offenders first met victims, $\chi^2(1, N = 1047) = 7.47, p = .021$.
^aPost hoc test determined difference greater than expected at <.05 significance level.

Table 6
Locations where sexual recidivists and sexual non-recidivists first met index victims ($N = 1047$).

Location	Offender committed sexual reoffense			
	Yes n = 39		No n = 1008	
	N	%	N	%
Always acquainted	7	17.9	166	16.5
Shared residence	5	12.8	174	17.3
Victim's home	4	10.3	152	15.1
Acquaintance or Relative's home	4	10.3	113	11.2
Neighborhood	4	10.3	67	6.6
Offender's home	2	5.1	89	8.8
Park	2 ^a	5.1	8	0.8
Bus stop	2 ^a	5.1	1	0.1
Street	1	2.6	43	4.3
School	1	2.6	24	2.4
Apartment building	1	2.6	13	1.3
Camp	1 ^a	2.6	2	0.2
Carnival	1 ^a	2.6	2	0.2
Bar	1	2.6	6	0.6
Psychiatric hospital	1	2.6	4	0.4
Boardwalk	1 ^a	2.6	5	0.5
Hospital	1 ^a	2.6	4	0.4
Workplace	0	0.0	34	3.4
House party	0	0.0	18	1.8
Store	0	0.0	17	1.7
Church	0	0.0	5	0.5
Hotel	0	0.0	11	1.1
Restaurant	0	0.0	7	0.7
Offender's car	0	0.0	4	0.4
Mall	0	0.0	3	0.3
Wooded area	0	0.0	3	0.3
Parking lot	0	0.0	6	0.6
Bus	0	0.0	4	0.4
Prison	0	0.0	2	0.2
Rehabilitation center	0	0.0	3	0.3
Lake	0	0.0	1	0.1
Movie theater	0	0.0	1	0.1
Youth home	0	0.0	2	0.2
Group home	0	0.0	1	0.1
Arcade	0	0.0	1	0.1
Internet	0	0.0	1	0.1
Playground	0	0.0	1	0.1
Shelter	0	0.0	1	0.1
Skating rink	0	0.0	1	0.1
Subway	0	0.0	1	0.1
Laundromat	0	0.0	1	0.1
Nursing home	0	0.0	1	0.1
Day care facility	0	0.0	1	0.1
Gas station	0	0.0	1	0.1
Library	0	0.0	1	0.1
Swimming Pool	0	0.0	1	0.1
Train station	0	0.0	1	0.1

Note: chi-square analyses revealed significant differences between sexual recidivism and locations where offenders first met their victims, $\chi^2(68, N = 1.047) = 112.26, p = .001$.
^aPost hoc test determined difference greater than expected at <.05 significance level.

Table 7
Sexual recidivism rates by type of offender (N = 1047).

Sexual Reoffense	Type of offender			
	Adult victim n = 224		Child victim n = 823	
	N	%	N	%
No	210	93.8	798	97.0
Yes	14 ^a	6.3	25	3.0

Note: chi-square analyses revealed significant differences between sexual recidivism and type of offender, $\chi^2(1, N = 1047) = 5.07, p = .044$. ^aPost hoc test determined difference greater than expected at <.05 significance level.

as off-limits under residence restriction or child safety zone statutes. Additionally, this study examined differences among subtypes of offenders as well as the risk (examined by actuarial risk scores and recidivism rates) that offenders who commit crimes in child-dense public locations pose to the community.

Some results in particular are noteworthy and should be highlighted. First, results indicated that the majority of offenders met victims in private locations (67.0%), while relatively few (4.4%) met victims in locations designated as off-limits under residential restriction and child safety zone laws. It is notable that sex offenders rarely encountered their victims in public locations where children congregate, suggesting that policies emphasizing proximity to schools and parks may ignore the empirical reality of offending patterns. Additionally, although 4% of the offenders in this sample *did* meet their victims in child-dense public locations, this does not imply that all of these offenders were in these locations solely for the purpose of committing an offense. In fact, this number is likely to be an overestimate, as some of these offenders may have had business or otherwise “belonged” in the child-dense public locations (e.g., school teacher) where the offense was cultivated.

We did find that offenders who met their index victim in a restricted or child oriented venue were more likely to commit a new sex crime. In particular, those with index victims met at bus stops, parks, camps, carnivals, boardwalks and hospitals were significantly more likely to sexually reoffend (although the absolute numbers were very low and included only eight offenders) than those offenders who did not meet their victims in such locations. These particular offenders did indeed appear to continue their predatory pattern, suggesting that when determining offender restrictions, assessing the contextual variables in the index offense would be a helpful case management strategy. Child safety zones, or loitering policies, might be especially helpful for these offenders, and restricting their ability to visit places where vulnerable victims may be present would be a more useful strategy than addressing their residential proximity to such venues, which may only impact where they sleep at night rather than their ability to travel to an offense location.

Current sex offender specific legislation, including residence restrictions, often treats sex offenders as a homogeneous group. Consistent with prior research (Colombino et al., 2009; Craissati & Beech, 2004), we found that offenders who victimize children show differences in perpetration patterns as compared to sex offenders who perpetrate crimes against adults. Those with child victims were more likely to have cultivated their offense in a residence (75.0%) than were those with adult victims (39.7%). Likewise, those with adult victims were more likely to commit their offenses in public locations (40.3%) than were those with child victims (18.0%). Although residence restrictions are typically targeted toward those who perpetrate offenses against children, those who perpetrate sexual offenses against adults may actually be more likely to commit offense in the types of places outlined in these policies. It is therefore unsurprising that there is little empirical support for misdirected policies prohibiting offenders from living near places where sex crimes seldom occur.

In response to understandable concern over the risk posed by known sex offenders, many jurisdictions have enacted policies that aim to curb the incidence of sexual violence. At the heart of much of these legislations seem to be the assumption that sex offenders are highly recidivistic offenders who are likely to seek out potential victims in public places. As discussed, detected rates of sexual re-offense (based upon a combination of re-arrest, re-conviction, and self-report) are actually lower than assumed (13.7%; Hanson & Morton-Bourgon, 2004), but those with young male victims and those with unrelated victims are among the subgroups that re-offend more frequently (Hanson & Bussière, 1998; Harris & Hanson, 2003). Though using a somewhat more conservative estimate based on reconviction, the current study found an even lower rate of sexual recidivism (3.7%), though offenders who perpetrated crimes or met victims in public places were more likely to reoffend. One-size-fits-all legislation such as residence restrictions may not only misdirect efforts away from where most sexual violence occurs (i.e., in the home), but may also fail to devote adequate resources to managing those sex offenders who are more predatory and who do pose an exceptionally high risk of re-offense. That said, it must be emphasized that even well-designed tertiary prevention policies still focus on preventing only recidivistic sexual violence, which is to say that they target only a small fraction of the sexual violence that occurs every day (Janus & Polachek, 2009). Primary or secondary prevention policies rooted in empirical knowledge about the conditions under which most sexual violence occurs are likely to have a much greater impact in reducing the overall occurrence of sexual violence.

8.1. Limitations

The current study examined only locations of the *index* sex offense. The location of the sex offense was not known for the minority of offenders in this sample who committed a recidivistic sexual act. Residence restrictions and child safety zone laws are implemented for offenders who have already been convicted of a sex crime and it is possible that the locations of recidivistic sexual acts may differ from the locations of index sexual crimes.

As is the case with many archival studies, the data was not always complete, considering that prison files were not compiled for research purposes, but rather for treatment, sentencing, and management decisions. Similarly, there were occasions where files contained conflicting information and research assistants needed to use subjective judgment as to how best resolve discrepancies to code a variable, based on previous cases and coding experience.

Further, recidivism data reported in the current research is based upon official records, and therefore, should be considered an underestimate. Last, the current study used a more conservative estimate of re-conviction, rather than re-arrest, to determine recidivism. Because defining recidivism as re-arrest may overestimate rates of recidivism, we opted to reduce false-positives in an attempt to enhance credulity as to the relationship between crime location and recidivism.

8.2. Sexual violence prevention and policy implications

As noted, there is still little evidence that residence restrictions are effective in reducing recidivism and preventing sex crimes. Converging evidence from the current study and previous research (Colombino & Mercado, 2009; Colombino et al., 2009; Colorado Department of Public Safety, Sex Offender Management Board, 2004; Duwe et al., 2008; Minnesota Department of Corrections, 2003; Minnesota Department of Corrections, 2007; Nobles et al., in press; Zandbergen et al., 2010) suggests that residence restrictions do little to curb sexual crime, that residential proximity to child care venues is unrelated to recidivism, and that the majority of offenders first encounter their victims in a familiar social context rather than at a child dense public

location. In order to be effective, sex offender specific legislation must be based on empirical data about offending patterns. As noted, research has shown that sexual re-offenses are an infrequent event (Hanson & Morton-Bourgon, 2004) and that the public is much more at risk of being victimized by a first time offender (Sandler et al., 2008) rather than an already convicted sex offender. Additionally, the “stranger danger” assumption, which seems to underlie much sex offender specific legislation, is at odds with the fact that the majority of sex crimes are committed by someone known to the victim (Colombino & Mercado, 2009; Duwe et al., 2008; Greenfield, 1997; Smallbone & Wortley, 2000; Snyder, 2000). Policies that address the empirical reality of these patterns and that put greater focus on primary prevention efforts may be much more effective in reducing the overall rate of sexual violence.

Using the known patterns of sex offenders can be helpful in fashioning relevant restrictions that may be more successful in preventing future crime. Individual case management decisions rather than broad legislative initiatives would target pertinent risk factors for each offender and allow for a more judicious and efficient distribution of resources. Evidence thus far points to the idea that it is not where sex offenders live but rather where they go and what they do that contributes to facilitating a new sex offense.

Although there is little research evaluating school-based educational programs, which teach children to identify inappropriate behaviors and encourage disclosure of abuse, these programs do offer “promise” (Finkelhor, 2009, p. 182). Given that these programs may be able to prevent a much larger portion of the problem, further research to evaluate the efficacy of such programs is warranted. Finkelhor (2009) noted that community based education has shown to be effective in creating public awareness of potential situations where sex abuse may occur. Educating the public would allow for community members to be aware of which types of people are potential offenders, and that the most likely offender is not a stranger, but rather someone who already has a relationship with their victim (Colombino & Mercado, 2009; Duwe et al., 2008; Greenfield, 1997; Minnesota Department of Corrections, 2007; Smallbone & Wortley, 2000; Snyder, 2000). These sorts of primary prevention efforts would shift the focus towards preventing the majority (95%) of new sex crimes, rather than tertiary prevention, which accounts for only about 5% of recidivistic offenses (Sandler et al., 2008).

Because not all sex offenders perpetrate offenses within the same pattern, it is important that current blanket sex offender policies be re-evaluated to consider individual perpetration patterns of various types of offenders (e.g., offenders who victimize children perpetrate crimes differently than offenders who victimize adults). And, as suggested by the current findings, some offenders may be of higher risk than others and thus require more intensive case management services. Sex crime legislation might be more effective if tailored, for example, to prohibit high-risk offenders (based on actuarial risk scores and contextual factors) known to have cultivated an offense in a public location from loitering near places where children congregate or frequenting such venues. As noted, the effectiveness of crime prevention policy hinges upon its basis in empirical reality. Thus, it is imperative that policy-makers examine the assumptions underlying sex offender policies, ensuring that policy is not based on isolated and sensationalistic cases of sexual violence but rather on data about the conditions under which the majority of sexual violence occurs. Child safety zones, as enacted in some jurisdictions, seem to make more sense than residential restrictions, especially when implemented in conjunction with sound case management practices that involve collaboration between parole/probation officers and mental health treatment providers.

8.3. Future research

The current study, which examined some of the assumptions that may underlie residence restrictions and child safety zones, offers

suggestions for the prevention of sexual violence. Overall, there needs to be more objective, empirical research examining the effectiveness of these laws and the collective consensus of findings needs to be considered when developing policy. As Janus (2006) noted, the development of effective legislation requires separation of emotion, which often derives from media depictions of exceptionally predatory offenders, from rationality, which uses empirical knowledge to examine how best to concentrate resources so as to reduce the overall pool of sexual violence. Policies that rest on the “stranger danger” myth of offenders who lurk around schools or playgrounds may not only misdirect resources to the prevention of crimes in places where they seldom occur, but more importantly fail to truly protect children from sexual violence. Finally, research and development of primary prevention programs, such as community and school based educational programs, may assist in curbing the problem before it occurs, therefore having much broader impact in terms of protecting society from the threat of sexual violence.

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