

# Registries cost millions; Provide no additional safety

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By Don Thurber . . . Last month, a new chapter was written in one of America's oldest real-life murder mysteries. The body of 11-year-old Jacob Wetterling was finally found, 27 years after his abduction. Jacob's gun-point abduction shocked the nation and spawned a network of state sex-offender registries, South Carolina's among them. But extensive research since then has raised serious questions about the effectiveness of such measures.

Jacob's mother, Patty, lobbied Congress to pass the Jacob Wetterling Act in 1994, the same year the S.C. Legislature established a state registry. Since then, lawmakers have added layer upon layer of ever more burdensome requirements.

These laws are almost always trumpeted as "protecting children" and regularly cite the claim that "sex offenders often pose a high risk of re-offending" (S.C. Code of Laws, 23-3-400). However, a steadily growing body of evidence demonstrates that this premise is simply not true and that our sex-offender laws in fact do very little to protect children.

South Carolina now has more than 14,000 citizens on the registry; probably fewer than a thousand of those pose any real risk to the public. But you can't identify them because the registry is cluttered with thousands of people whose crimes were committed decades ago, teens who had sex with other teens and countless minor offenses. Tier assignments confuse the issue further, giving the illusion of identifying the riskier registrants although they are unrelated to the risk of re-offense.

The fact is that the overwhelming majority of child sexual assaults are not committed by previously convicted sex

offenders: 94 percent, according to a 2003 Department of Justice study. Numerous other studies have produced similar results. Turning that number around, it means that for all the expense and effort put into registries, they are, at best, relevant to only about 6 percent of child molesting cases. So we are focusing vast attention and resources on a very small segment of the crimes and doing very little to prevent the other 94 percent.

The Wetterling case provides a good illustration. Even though Jacob's death provided the impetus to begin this crusade, the sad irony is that if all of today's laws had been in existence in 1989, they would have done nothing whatsoever to protect Jacob Wetterling. Jacob's killer had no previous sex crime convictions. He did not choose a victim from his neighborhood; Jacob was kidnapped some 30 miles from the perpetrator's home.

The Justice Department study also demonstrated that re-offense rates of sex offenders are actually far below other offense groups: Only 3.5 percent of child molesters were convicted of another sex crime during the three-year study period.

South Carolina mandates lifetime registration, but a long-term study released last year by the California Department of Corrections and Rehabilitation revealed that after former offenders remain offense-free for 15 years, the statistical probability of them committing a new sex crime was indistinguishable from the general population. The bottom line is that the state's registry and related policies are consuming millions of dollars and imposing onerous restrictions on thousands of citizens, but are perilously close to useless.

It is time to change course. Interestingly, Patty Wetterling, who championed the original registry law, now advocates for scaling back registries, recognizing that what they have become has diminished their usefulness and caused untold collateral damage.

As our Legislature reconvenes in January, lawmakers need to take a long, hard look at the sex-offender registry and related laws. Consider what is actually supported by research and contemporary knowledge versus what has been passed as a result of 1980s-era myths and emotional knee-jerk reactions to isolated horrific crimes.

Scaling back the registry would no doubt raise the hackles of some who love to play the label-and-hate game, but doing so would be the most just and economically expedient thing to do. And the citizens of the state would be much better served by a smaller (and cheaper) registry that accurately identifies those who might pose a real risk.

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