

Why do crime registries that don't work continue to grow?

written by NARSOL | March 6, 2017



By Emmanuel Felton . . . Bruce Armstrong says he's a changed man. After spending 25 years in jail for killing a man during a home invasion, Armstrong is looking for a second chance: "I'm not in the lifestyle I used to be in. I don't drink. I don't do drugs. I'm just trying to build something up before it's too late. I'm 55 years old and I don't have social security, retirement, or a pension."

While it's difficult for most ex-felons to reintegrate into society, Armstrong's road is particularly tough. That's because he is required to enroll onto a registry that is, in theory, supposed to keep communities safe. But research shows that, in reality, those registries act as one more shackle around the hands of those trying to re-enter society – heightening risk factors that criminologists say only up the chances that an ex-offender will turn to criminal activity again.

[J.J. Prescott](#), a University of Michigan law professor and a trained economist, says that unraveling registries present a difficult political problem because while the upsides are

intuitive to voters, the drawbacks are far less straightforward. He explains the downsides through a behavioral economics lens.

“The deterrence of prison is reduced by the use of public registries, because they have the effect of destroying the value of being out of prison by turning people into pariahs,” Prescott says. “Prison as a threat only works if you have something to lose.”

For 10 years, while Armstrong is on Illinois’ Murderer and Violent Offender Against Youth Registry, which is available to the public online, he will face small indignities – having to show up once a year at the police station with 10 dollars for the privilege of checking in, having the cops show up at his house at any hour, embarrassing him in front of his neighbors, and having to notify the police if he plans to leave town for just a few days – as well as the larger consequences that stem from anyone being able to uncover his murder conviction with just a few keystrokes. This all wasn’t part of the deal when he was convicted in 1986.

In the same year that President Bill Clinton signed the now-much-debated crime bill of 1994 he signed the Wetterling Act. The law was named for Jacob Wetterling, an 11-year-old Minnesota boy who was kidnapped and murdered. The Wetterling Act required that every state maintain lists of people convicted of sex offenses for law enforcement agencies. That idea wasn’t particularly novel; a handful of states had been maintaining crime registries available to cops for decades. The idea was the registries would serve as a tool for police to keep an eye on particularly high-risk offenders.

The big change came in 1996 with the passage of Megan’s Law. Congress was reacting to another high-profile child abduction case. Megan Kanka, a seven-year-old, was raped and murdered by a neighbor who had previously been convicted of sexually assaulting young girls. Kanka’s parents argued that, had they known there was a sex offender in the neighborhood, they would

have taken more steps to protect their daughter. With Megan's Law, the federal government required every state to make their sex offender lists available to the general public or jeopardize federal funding.

In the two decades since, the idea of making information about offenders public has proven immensely popular. A [2005 Gallup poll](#) showed that virtually all Americans – 94 percent – supported public sex offender registries and about two-thirds of those surveyed said they weren't even somewhat concerned about how the public nature of registries affected those forced to sign up. With the Internet providing states with a cheap and easy way to get information into the hands of citizens, lawmakers soon found registries to be a relatively inexpensive solution to complex problems, says [Amanda Agan](#), a Rutgers University professor who studies the economics of crime.

“These policies were well intentioned and they sounded like they might work. And on top of that they are relatively low cost,” Agan says. “But now we have all of this evidence that they just don't work, but the problem is it's very difficult to start pulling back. There would be a public outcry.”

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