

Brenda Jones answers questions about NARSOL and the sexual offense registry

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This interview was done between J.D. MacBean, editor of [Livin' the Dream](#) blog (at the intersection of mass incarceration and society) where it was published, and Brenda.

By JD MacBean

Brenda Jones is the Executive Director of the National Association for Rational Sex Offense Laws, or [NARSOL](#). We spoke with her regarding the stigma persons convicted of sexual offenses face in society and how NARSOL helps advocate for reform.

LtD: I'm curious how you first became involved in NARSOL?

I joined NARSOL (RSOL at that time) in 2010 after getting involved at the state level in Maryland's affiliate. I had a family member serving time for an offense and had realized just how crazy and unhelpful the laws were. One of the first

things I did with NARSOL was to help host their second annual conference, which was held in Washington DC that year.

LtD: Please explain what NARSOL does on behalf of persons convicted of sexual offenses?

Our three main objectives are to support litigation that would have a positive impact on large numbers of people currently suffering under difficult registration laws, to assist our state volunteers as they work to prevent or improve bad laws in their state legislatures, and to educate the general public on the FACTS about people convicted of sexual offenses.

LtD: Growing up, my parents warned me about “stranger danger” and told me stories about tainted Halloween candy ... There seems to be a widespread moral panic over anyone with a sex offense conviction. In your opinion, why are these people so reviled among the public compared to other crimes?

I'll get a little sociological here. America has a love-hate relationship with sex. It is absolutely pervasive in our media, including plenty of movies with relationships between one underaged person and an older adult. Children are exposed to this at very tender ages as well. And yet when these kids and teens and adults act out what they see, they discover to their horror that it is illegal and the full wrath of the public comes down on them. The media plays a large part in this as well. Sex sells, and scary and tragic stories sell. So these very rare terrible events everyone hears about get lots of press, and people start imagining “monsters” lurking on every street corner, when in reality America is safer now overall than it has ever been.

LtD: If you were to explain to someone why widespread fear of persons convicted of sexual offenses is much greater than need be, what data or research supports that position?

There are many, many studies that have been done that demonstrate that persons with sexual offenses rarely reoffend.

NARSOL recently collected reports from states all across the country. [You can see the results here.](#)

LtD: Are there psychological, demographic, or cultural similarities among persons on a registry? If so, what are they and do they exist as actual similarities or are they a result of arrest and incarceration patterns?

First of all, I want to point out that there really isn't a "community" of people in the usual sense of the word. And that is because – to answer your actual question – there is really NO measurable similarity among people with sex offense convictions. They are just as different from each other as any other random grouping of people in this country based on any demographic: race, creed, age, gender, sexual attraction, you name it!

It's also interesting that you ask about people with a sex offense AND people on a registry. There is a common misperception out there that the only people on registries are people who have the "worst" offenses, who must be carefully watched. But this is not true. Nearly everywhere, in the past 20 years our laws have expanded to put practically EVERY person convicted of any sort of sexual offense onto registries, from flashing, to sexting, right on up to the more serious offenses. While it is NARSOL's position that registries have never had any public safety value, if there were any value it has been totally lost due to the huge number of people on registries that pose no risk at all to anyone.

LtD: What are the collateral consequences of sexual offense laws? Which policy or law, in your opinion, creates the worst consequences for those convicted of sex crimes? Why?

Public registration and all of the restrictions that have been imposed on registrants are by far the worst collateral consequences imposed on any person with a felony offense. Registration itself forces people to continue to show up in

police stations long after their court-ordered punishments are complete and get “booked” all over again, multiple times per year. Their original crime continues to be posted on the internet for the entire world to see, as if it happened yesterday, when they may have been living law-abiding lives for decades. Then additional laws will restrict where registrants can live, work, or travel, whether they can take up occupations that have absolutely nothing to do with their offenses or even live with their own children (news flash: most registrants have never harmed a child).

LtD: Based on your expertise, which state and/or locality has the most severe laws? Which state or locality has the “best” or most evidence-based?

We at NARSOL avoid naming particular states as far as severity of laws is concerned. Why? Because people talk, and states are watching and listening. Our registry laws got as bad as they did in part because each jurisdiction wants to outdo the other on being “tough.” Their big fear is that registrants will find out THEIR state is somehow better, and come pouring in. That being said, I can tell you that there are some states that have made attempts to consider solid research rather than public hysteria. These are scattered across the country, tending to be more northern. Those with the more draconian and severe laws tend to be in the southeast. But no state has a “wrap” on good laws, and there are some things that even a more severe state may get right to some degree.

LtD: How do registration and residency restrictions affect families? What are some of the major consequences families experience?

Wow, there are so many things here that could be unpacked! Nearly every challenge faced by a registrant is also going to be faced by his or her family members, especially those living in the same home; from spouses, to parents, to siblings, to children. Family members report severe isolation and

ostracization, spouses who stand by their registered husband or wife can face job discrimination or even loss of employment, and children can be teased and abused by their peers.

LtD: Does empirical data support the need for a registry? If so, what data would you point critics of the registry toward? If not, what data should registry proponents review?

There is very, very little reliable data that would indicate published registries do any good at all. The vast majority of research over the past two decades has demonstrated that there is no statistical improvement in public safety as a result of registries... and even some evidence that the instability it causes could increase re-offense – if not sexual, then other crimes as people struggle to keep jobs and feed themselves. As an example, one good study has come out of the National Institutes of Health's American Journal of Public Health: "Sexual Offender Laws and Prevention of Sexual Violence and Recidivism" (2010). You can find a copy of this study at NARSOL's Resources site: <https://resources.narsol.org/site-map/advocacy/definitive-information-sources/>.

LtD: Residency restrictions often cause the most collateral consequences for registrants. States such as Kansas have banned them, while other state Supreme courts have found them unconstitutional. Yet these restrictions remain in many places in the country. Why do states and localities put these restrictions in place and how do they justify keeping them?

This goes back to the mythological bad guys lurking in bushes and driving white vans, which the media is fond of blowing completely out of proportion. The general public as a rule has bought the false assumption that people on registries are forever dangerous. Unless and until we can reach hearts and minds with the TRUTH that nearly all persons with sexual offenses are really just like anyone else in the country, this

is a tough nut to crack.

LtD: What specific actions has NARSOL undertaken to challenge both registry and residency restrictions?

Because our legal department has only been around for a few years, we're still mostly SUPPORTING legal challenges, not launching them ourselves. We have provided assistance on more than a dozen different cases, most of which are still pending. Maryland's retroactivity win which took a couple thousand people off the registry was assisted by the NARSOL affiliate there, and by advice from our fledgling legal committee. Since then, we've covered a lot more territory and NARSOL-involved cases are pending in the 9th and 10th Circuit Courts of Appeals, the RI US District Court, and a Federal District in North Carolina. [You can see a list with details here.](#)

LtD: One justification for harsh laws cited by politicians is that childhood sexual abuse causes former victims to become perpetrators and they cannot be "cured." Is this characterization fair? Accurate?

Certainly some registrants have been abused. But this simply reflects the general population, which according to some studies puts 1 in 3 or 4 girls and 1 in 8 or 9 boys having been sexually abused at some point. The tiny grain of reality regarding "no cure" has to do with pedophilia – which is an extremely unfortunate sexual attraction to children. Persons with this attraction may not be "curable," any more than a homosexual or heterosexual can change his or her orientation. However, they are just as capable of CONTROLLING that attraction. And that is the piece missing from the puzzle in both of those statements. People who were abused in childhood, and people with an attraction to children, are able to lead productive, law-abiding lives just like the rest of America.

LtD: Let's discuss actions in the states. How does NARSOL try to influence state sexual offense laws?

The two main actions going on in states are legislative advocacy and legal challenges. Our state volunteers do what they can to show up at the legislature and speak out about the latest nasty new proposed law, to prevent it from passing or even just minimizing the damage. NARSOL also assists states where it can when a bad law or policy has been implemented by supporting or launching a legal challenge.

LtD: I believe you have roughly 22 state affiliated chapters or groups. Is it difficult to get volunteers to form chapters due to stigma?

At this time, we have 20 affiliates, about 5 associated groups, and individual advocates or informal groups in all but three of the remaining states. Building a full, functional and effective organization takes time and energy that some folks would rather spend fighting bad laws or assisting re-entering citizens. There may be some additional challenge due to people's fear of being "out in the open" on this issue. But all nonprofits can have the same difficulty in getting people to volunteer. Legislative work is not easy. Legal challenges are not easy (and they're expensive!) The battle is long and hard. People think they can show up and stuff some envelopes and the registry will come tumbling down... but that isn't realistic, and so they get discouraged.

LtD: What challenges do women on the registry experience that are different from men? How about juveniles?

In my personal experience and knowledge of registered persons, I have not seen much difference between women and men who are required to register. Both men and women struggle with the same restrictions and challenges related to their registry status. Juveniles in many states are either not required to register, or are able to register privately at least as long as they are still juveniles. The saddest situation comes in states that automatically publish those kids' information on the registry once they turn 18 or 21. Those young people

really struggle with that.

LtD: Many academic papers refute the “myth” that sex offenders recidivate at a high rate. In my own experience with the federal prison system, I’ve seen very few people with sex offense convictions return to prison. Do they re-offend in high numbers? If so, why? If not, why does the myth persist?

Nearly ALL reputable studies have found a very low re-offense rate for persons convicted of sex offenses. We’re talking less than 10% in nearly every broad study. [This link will show you a chart](#) from the Department of Justice that shows a breakdown with only 5.3% who recidivate (combined, against either an adult or a child).

There are smaller sub-groups with slightly higher rates, but even there, it is lower than for nearly every other offense out there. Why does the myth persist? Again, it comes back to public perception. We are bombarded with scary stories about those rare high-profile cases. The public LOVES those crime-stopper shows with police catching bad guys... it goes on and on. So if you ask the average person on the street, he’ll tell you “everybody KNOWS” re-offense is high. He doesn’t see a need for studies.

LtD: If you could shape the most effective sexual offense laws and policies, what reforms would you recommend?

If I could wave a magic wand, the very FIRST thing would be to get as many people as possible OFF the registry. ALL of them would be nice. But as many as possible. Then remove as many of the extra restrictions as possible. Take all the money you’ve been spending, and invest in proven-effective programs aimed at restorative justice and the successful REDUCTION of future sexual offenses. Registries and restrictions are completely ineffective at this. So if lawmakers REALLY want to prevent sexual harm, they should be able to get behind this plan, right? We haven’t found that magic wand yet, though.

LtD: What do you consider NARSOL's proudest accomplishment to date? What challenges does the organization face?

It is hard to pick just ONE accomplishment. Certainly we are very proud of our legal efforts, although many of these are still in the pipeline. We're helping block residency restrictions in Rhode Island (*Freitas et. al. v. Kilmartin et. al.*) and fighting against retroactive punishment in North Carolina (*NARSOL v Stein*), just to mention a couple of cases currently in play. I'm also personally very proud of our advocates and affiliate organizations in our states, who are doing their best to step up and speak out against bad legislation, and try to change public opinion regarding registries and the persons forced to be on them.

It may sound trite, but the biggest challenge we face is sufficient funding. Nearly all our biggest projects require some pretty hefty funding to have meaningful impact, and we are entirely funded by individual donations. So here's a shameless plug to send funds our way, whenever you can!

LtD: Please explain what NARSOL Connections is and why it was developed.

NARSOL's Connections is a social media site that looks and feels a lot like Facebook – only nobody is going to kick you off if you're on the registry! You can select and "follow" certain friends, join a group, or just follow all the conversations in the main newsfeed. We launched it to help build some community and allow people to meet and mingle with each other, knowing most will have some connection to our sexual offense laws... but we're free to talk about absolutely everything from pets and families to current events and hobbies. It's at <https://connections.narsol.org>.

LtD: What is one thing you would want the general public to know about people with a sex offense conviction? How can

others become involved with NARSOL?

I think I have shared the most critical thing about persons with a sex offense conviction throughout this interview, and that is that they are human beings just like every other human being on this planet. They just happen to have been convicted of an extremely unpopular offense. They have served, or are serving, their required punishment for that, and when they are done, they should be DONE, and able to move forward to become fully-restored, taxpaying American citizens.

To get involved with NARSOL, visit our website at narsol.org and check out the pages under "Get Involved." You can volunteer, attend a conference or webcast, or offer to share your story, among other things. Of course you can also click on "Donate" and "Join" as well, because even for an all-volunteer organization, a lot of our projects have a price tag!