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Judges' Perceptions of Juvenile Sexual Offending: Implications for Educative Preparation, Practice and Policy

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Juveniles that commit sexual offenses tend to be a misunderstood population. Even professionals working in the juvenile justice system can hold misconceptions about these youth that interfere with implementing appropriate treatment and supervision services. Judges play a particularly powerful role in guiding the trajectory of intervention in these cases, but little is known about their understanding of this challenging population. To that end, the present study surveyed judges and a public reference sample to better understand current judicial perceptions of juvenile sexual offending. Results suggest that there are substantial misperceptions across participants surrounding juvenile sexual offending and offenders; however, judicial officers held more accurate information and less punitive orientations in comparison to the reference sample even when overestimating actual offending and recidivism rates. Details regarding these findings are presented along with subsequent recommendations for judicial education and preparation for working cases involving juveniles that have committed sexual offenses.

Keywords: juvenile sexual offending, judges, perceptions, education, policy

JUDGES' PERCEPTIONS OF JUVENILE SEXUAL OFFENDING: IMPLICATIONS FOR EDUCATIVE PREPARATION, PRACTICE, AND POLICY

Sexual offenders are some of the most feared and disliked criminals in modern society (Meloy, Curtis, & Boatwright, 2012). Juveniles that have committed sexual offenses (JSOs) are especially unique in that they are often misunderstood and stigmatized by laypersons and professionals alike (Hackett, Masson, Balfe, & Phillips, 2015; Zimring, 2004; Zimring & Allen, 2009). JSOs already experience a number of negative outcomes resulting from automatic sexual offender registration and notification sanctions (e.g., being banned from school; Pittman & Nguyen, 2011). Fear and misperceptions surrounding JSOs can also generate detrimental psychosocial consequences for the youth (e.g., mental health issues, ostracism, depression, suicidal ideation etc.; Hackett, Masson, Balfe, & Phillips, 2015; Lacombe, 2008; Pittman, 2003; Zimring, 2004). It can be especially detrimental to youth when professionals hold misperceptions that ultimately impact judgments and decisions made regarding JSOs. Given the rehabilitative goals of the juvenile justice system, it is

essential that key decision-makers such as judicial officers incorporate accurate information about developmental trajectories and intervention efficacy into decision-making in juvenile sexual offending cases.

This paper reviews the current state of knowledge about the key characteristics of juvenile sexual offending in the United States, policies and legal responses to sexual offenses committed by youth, and judicial education in regards to JSOs. Further, it details our findings from a survey of judges regarding their perceptions of JSOs (e.g., understanding of developmental pathways). Together, our goal is to provide current insight into potential misperceptions that can impact outcomes for JSOs and offer recommendations for judicial education and preparation to improve case processing and outcomes.

Juvenile Sexual Offending in the United States

In 2010, juvenile sexual offenses made up only 1.03% of all arrests of juveniles (NCJJ, 2014). However, juveniles make up a substantial portion of all sexual offenses each year in the United States (Ryan & Otonichar, 2016). For example, a 2015 study found juveniles made up 16% of all rapes that were committed in this country (UCR, 2015). Across all forms of sexual offending, juveniles were responsible for 12.7% of offenses (UCR, 2015).

Despite often-overestimated recidivism rates, individuals who commit sexual offenses in comparison to other offender groups are the least likely to reoffend (Justice Policy Institute, 2008). Juvenile sexual offending in the United States has garnered substantial attention through media, social networking websites, and emotional public responses (Pittman & Nguyen, 2011); all of which may further contribute to misperceptions surrounding how often juveniles commit sexual offenses and the subsequent overestimations of recidivism rates. However, research suggests that JSOs have a low likelihood of reoffending (4.7%; Waite et al., 2005). Other research has revealed that less than 10% of juveniles will commit another sexual offense as a juvenile and less than 7% will commit another sexual offense as an adult (Caldwell, 2009). Reconviction rates for JSOs are reportedly even lower; perhaps less than 1% (Letourneau & Armstrong, 2008). Researchers have demonstrated that JSOs are likely to mature out of these behaviors (Ryan & Otonichar, 2016), and that sexual offenses committed during youth is not predictive of sexual offending in adulthood (Zimring, Piquero, & Jennings, 2007).

With regard to sexual offending trends in the United States, researchers have noted a clear decline in sexual crime frequency across all age groups (Prescott, 2012; Truman & Planty, 2012; Wiseman, 2015). While accurate statistics are difficult to obtain due to underreporting (Wiseman, 2015), national and longitudinal findings have demonstrated steady declines in sexual offending (FBI, 2017; Truman & Planty, 2012; Wiseman, 2015). Consistent with a broad decline in general violence in both adults and juveniles, juvenile sexual offending recidivism has declined in recent decades (Caldwell, 2016). Rates of offending indicate that juvenile sexual offending is declining at an even faster pace than adult sexual offending, with arrest rates decreasing at a higher rate for juveniles across all types of sexual offenses in recent decades (i.e., forcible rape, commercialized vice, other sexual offenses; FBI, 2014; NCJJ, 2014; Snyder, 2012). There are several potential explanations for this decline. For example, researchers report that changes in juvenile justice procedures, development of more efficacious juvenile sexual offending treatment programs, and

more effective community supervision may all play a role in explaining a decline in juvenile sexual offending and recidivism (Caldwell, 2016).

Perceptions of Juveniles who commit Sexual Offenses

Misperceptions regarding individuals who commit sexual offenses can be problematic as it can lead to excessively adverse reactions to offenders (e.g., harassment by the public) and disproportionately punitive legislative responses (Meloy et al., 2012). This may be particularly true for juveniles who commit sexual offenses. JSOs are often perceived as being resistant to treatment, likely to recidivate, and posing a high risk to the community (Chaffin, 2008; Kim, Benekos, & Merlo, 2016; Zimring, 2004). Thus, there appears to be a clear disconnect between empirical research surrounding *actual characteristics* of individuals who commit sexual offenses and commonly held *perceptions* of these individuals (Meloy et al., 2012).

As mentioned previously, researchers have found that both laypersons and professionals may hold stigmatized beliefs surrounding JSOs (Kim, Benekos, & Merlo, 2016; Zimring, 2004). Research suggests that both the public and professionals, such as law enforcement and prosecutors, commonly demonize JSOs (Kim, Benekos, & Merlo, 2016). For example, the public often perceives JSOs to be highly resistant to treatment (Kim, Benekos, & Merlo, 2016; Zimring, 2004), despite considerable evidence for their treatment amenability (Reitzel & Carbonell, 2006). Further, JSOs are often incorrectly perceived to be irrevocably deviant and a serious threat to public safety (Kim, Benekos, & Merlo, 2016).

Further, youth who commit sexual offenses often behave in accordance with an “adolescent limited trajectories” perspective on delinquency (Moffitt, Caspi, Harrington, & Milne, 2002), making them unlikely to reoffend into adulthood. These trajectories indicate that youth tend to “course correct” before adulthood, being quite responsive to relatively limited interventions (Kuhn, Marsh, & Cotman, 2017), and not continuing on to become career criminals (Ryan & Otonichar, 2016). Researchers have demonstrated that JSOs have low base-rates of sexually reoffending (Caldwell, 2002), which can be further minimized with the addition of specialized treatment services (e.g., cognitive behavioral therapy and/or multisystemic therapy for youth with problem sexual behaviors; Dopp, Bourduin, & Brown, 2015; Pullman & Seto, 2012).

Research suggests that the public also tends to grossly overestimate the level of risk juvenile offenders present (Chaffin, 2008). Given the evidence that other justice professionals, such as law enforcement officers and prosecutors, misperceive JSOs’ offense rates, probability of recidivism, and ability to be rehabilitated; it is possible that judicial officers are also susceptible to similar explicit perceptions (or even hold inaccurate implicit stereotypes that can impact decision-making; see Redfield, 2017 for a comprehensive review of bias and decision-making in a justice context). Holding such misperceptions can lead to biased decision-making when addressing the needs of JSOs, which could contribute to poorer long-term outcomes (e.g., higher re-offense rates). This dynamic is problematic, as youth who commit sexual offenses have a high potential for rehabilitation and positive outcomes (Justice Policy Institute, 2008; Reitzel & Carbonell, 2006) when developmentally appropriate desistance trajectories are supported rather than disrupted.

Responses to Juvenile Sexual Offending

Policy-makers implemented a series of legislative actions surrounding sexual offending in the 1990's and 2000's (Kahn, 2017; Prescott, 2012; Robbers, 2009; Wright, 2008). Specialized registration and notification policies and laws, which target sexual offending in the United States, were predominantly introduced to address concerns about individuals who commit sexual offenses and with the intention of protecting the community and reducing recidivism (Agan, 2011; Prescott, 2012). Some of these sexual offending registration and notification policies include; the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (1994), Megan's Law (1996; Levenson & Cotter, 2005), and the Adam Walsh Sex Offender Registration and Notification Act (2006). These acts of legislation, along with a series of amendments and extensions, have led to a set of restrictive policies that intend to monitor offenders in the community. Registration policies require states to maintain registration websites that act as public databases for information regarding individuals who have been convicted of sexual offenses (Ackerman, Harris, Levenson, & Zgoba, 2011; Tewksbury, 2005; Tewksbury & Lees, 2006). Some of the information provided to the public about the offenders include name, a photo, residential and work addresses, offense information, and tier level – a ranking system of three tiers which are intended to indicate the offenders' level of risk. Further, residency policies dictate where offenders can live, typically requiring them to remain a certain distance away from places children are known to frequent (e.g., public parks; Socia, 2014; Tewksbury, 2005).

Researchers have noted that public outcry and subsequent legislative responses were founded in misperceptions surrounding individuals convicted of sexual offenses and the risk they pose to the public (Meloy et al., 2012). Despite a lack of empirical evidence, sexual offender legislation arose with unparalleled public support and continues to be used and supported today (Anderson & Sample, 2008; Sample, 2001). The legislative responses were further dispersed to the juvenile justice system and have been applied to juveniles adjudicated for committing sexual offenses. However, these policies are viewed by some as excessively harsh when applied to juveniles, as they were designed in response to adult sexual offending (Pittman & Nguyen, 2011).

In general, sexual offending and consequential responses (e.g., treatment, formalized registries, etc.), are misunderstood within the legal system. This is exceptionally relevant in regard to JSOs (Ryan & Otonichar, 2016). Researchers have further noted a lack of developmental considerations within legal responses to juvenile sexual offending (Harris et al., 2016). For example, in some cases JSOs may receive mandatory public registration sanctions, with little judicial discretion possible at case disposition regardless of potential mitigating or aggravating factors. As noted previously, public registration for JSOs may be harmful to the youth as it may disrupt developmental pathways and desistance trajectories. Judicial officers make many decisions during case processing that can impact outcomes for youth. It is possible that some of these decisions can be biased by misperceptions surrounding juvenile sexual offending. Responses to JSOs can be exponentially detrimental if based upon such misperceptions. Developmentally informed and knowledgeable decision-making when judicial discretion is possible will ensure more positive outcomes for JSOs and the community. However, it is important to review common misperceptions and consider how these may be currently impacting prosecutorial and judicial responses.

Judicial Education on Juvenile Sexual Offending

An informed judiciary is a critical component of ensuring effective administration of justice. Leading judicial education and technical assistance providers emphasize the necessity of judicial officers to not only better understand the law and legal process, but also the intricacies of human development, decision-making, intervention, and science, amongst myriad other non-law topics (e.g., see 2016 resolution from the National Council of Juvenile and Family Court Judges regarding judicial training on adolescent brain development). Developmental issues surrounding juvenile offending are increasingly important to consider, and they comprise a population often the subject of technical assistance requests to experts in the field. Currently, relatively limited and readily accessible information exists for judicial officers regarding JSOs in comparison to other youthful offender types, and when present, is often in the form of “self-help” technical assistance materials (e.g., see Finkelhor et al. 2009). Although these efforts to educate the judiciary about a highly stigmatized and misunderstood population is notable, we entered into the current study desirous of better elucidating the current state of understanding within the judiciary so as to better inform and assess educational efforts regarding JSOs moving forward.

CURRENT STUDY

While researchers have examined public perceptions of JSOs, what remains unclear is whether judicial officers hold similar attitudes. While JSOs are subject to legislatively-driven registration policies, it is ultimately up to the judge to determine their disposition and if they will receive treatment and services if available (Collins, 1994). To better understand the trajectory by which JSOs are processed in the justice system, it is important to acknowledge that judges are human and that their attitudes and biases – both explicit and implicit – may influence their dispositions in these cases and in their work in general (Redfield, 2016). Given the potential for ineffective treatment and unduly harsh sentencing and registration to have negative impacts on JSOs (Harris et al., 2016), it is imperative that we further explore and seek to better understand the factors that may influence attitudes toward – and subsequent treatment of – JSOs.

The current study, exploratory in nature, examined judicial officers’ perceptions of JSOs with the primary goal to elucidate how well judges understand what research indicates about the key characteristics of JSOs (e.g., amenability to treatment). More specifically, it aims to better understand judges’ experiences with these types of cases and to gather a deeper understanding of what judges believe are the drivers of juvenile sexual offending. Further, this study aimed to provide a foundation of recommendations for developing JSO specific training for judicial officers and refining judicial practice. Thus, the following research question guided the study and subsequent analyses.

Research Question: Are judicial officers’ perceptions of juvenile sexual offending (developmental trajectories, drivers, manifestation, offense type, treatment amenability, recidivism, etc.) consistent with currently available data? Further, are these judicial perceptions more or less accurate than a general (Mturk™) sample?

METHOD

This study was conducted with University of Nevada, Reno Institutional Review Board approval (protocol number 1135762-1 dated 10/16/2017). Data collection began in late Fall 2017 and was completed during Spring 2018. The current study analyzed data that was collected through two recruitment channels. First, an initial contact list of judges who hear juvenile delinquency cases was developed from the principal investigator's personal contacts. This contact list included 72 juvenile/family court judges in 33 states. The researchers then sent emails to each judge on the contact list requesting their participation in the study. Further, the recipients were encouraged to pass along the survey link to other judicial officers who potentially hear cases involving JSOs (i.e., snowball survey method). To further improve sample size and response rates with judicial officers, the same survey invitation was distributed through the National Council of Juvenile and Family Court Judges and the National Association of State Judicial Educators to their listservs of judges and/or professionals working closely with the judiciary. The second channel of recruitment, for a general comparison sample, occurred through Mturk™ with United States citizens over 18 years of age. Although the present study is focused on judicial perceptions and understanding of JSOs, we include some associated results from the Mturk™ sample, where appropriate, to highlight interesting and potentially important differences between samples (i.e., judges vs. Mturk™).

Once participants clicked on the link to participate in the study, they were redirected to a Qualtrics platform where they would complete the survey. Judges and the Mturk™ sample had unique links that allowed the researchers to easily identify which participants were members of each subgroup. Once in Qualtrics, participants were asked to confirm that they were a United States citizen and over the age of 18. They then provided electronic consent to participate in the study. Most of the survey items were provided to the entire sample; however, judges received a few additional items to gather information regarding their experience overseeing JSO cases, information regarding available resources in their jurisdiction, and justice-orientation. The following section describes the materials/survey items utilized in this study; materials and analyses that were subsample-specific are identified accordingly.

Materials/Survey Items

Perceptions of JSOs. Participants were asked to respond to a series of 14 items regarding juvenile sexual offenders. Three items asked participants to enter a predicted percentage from 0-100 for offense and arrest rates. For example, one item asked, "Of the juveniles who are arrested for sexual offenses, what percent do you think are likely to reoffend?" Additionally, there were two items which asked participants to select one of three options to indicate whether they believe arrest rates for juveniles overall, and juveniles committing sexual offenses, are (a) increasing, (b) decreasing, or (c) are about the same. Next, participants were asked to respond to six items to indicate their agreement with statements about participants' attitudes toward juvenile sexual offender treatment amenability, ability to be rehabilitated, reoffending likelihood, histories of juvenile sexual offenders, and impact of registration on these offenders. Responses followed a 7-point Likert type scale ranging from 1 (*Strongly disagree*) to 7 (*Strongly agree*). Lastly, participants were asked to select their top four reasons for why most JSOs commit a sex offense. Participants were provided with ten reasons to choose from in addition to "other" where they were allowed to write in a response. Examples of reasons include "has experienced sexual abuse themselves," "engaged in activity out of curiosity," and "has developmental delays."

Support for sexual offender registration. To measure support for sexual offender registration, participants were asked to respond to four statements. Responses followed a 5-point Likert type scale ranging from 1 (*Disagree*) to 5 (*Agree*). An example of an item measuring support for sexual offender registration reads, “Sexual offender registration websites should only be used for the worst or most violent offenders.”

Attitudes toward system purpose. Participants responded to one item in which they were asked to rank four goals for the juvenile justice system when handling JSOs, from most important to least important. These goals included rehabilitation/treatment, incapacitation, deterrence, and punishment.

Demographics. Participants were asked to respond to eight items inquiring about their age, gender, race/ethnicity, political affiliation, religiosity, and current level of education.

Experience with juvenile sexual offenders (judges only). To measure judges’ experience with JSOs, judicial participants were asked to respond to eight items. Participants were first asked to identify numerically how many years they have been on the bench, how many years they have heard juvenile and/or family cases as a judicial officer, and how many juvenile sexual offense cases they have heard in the past year. Participants were also asked to indicate any services that were available in their jurisdiction for JSOs from a nine-item checklist with the option to write in other services that were not included in the list. Next, participants were asked to rate how prepared they felt they were to handle juvenile sexual offense cases, as well as how knowledgeable they feel they are in making decisions for these offenders. Responses followed a 5-point Likert type scale ranging from 1 (*Not prepared*) to 5 (*Prepared*). Participants were then asked to describe any areas related to juvenile sexual offending in which they felt they would benefit from additional training. Finally, participants were asked in three items to rate how other judges are in comparison to themselves in terms of how punitive they are. Response options included “less punitive than me,” “more punitive than me,” and “about the same as me.”

Experience with juvenile sexual offenders (public only). To measure the public’s experience with JSOs, public participants were asked to respond to five items. The first two items asked participants to indicate “yes” or “no” if they know any individuals who are registered as either an adult or juvenile sexual offender. Participants were then asked in three items to rate how punitive others (i.e., judges, other members of the public) are in comparison to themselves. Response options included “less punitive than me,” “more punitive than me,” and “about the same as me.”

RESULTS

Descriptive Statistics

Although judges are our primary interest in the present study, two groups of participants were recruited to be included in the sample for the current study, totaling 238 participants for the final sample size. There were 79 participants (33.19% of the total sample) who identified as a judicial officer, and there were 159 participants (66.81% of total sample) recruited from Amazon’s Mturk™ to serve as a contrast/context baseline. Of the 79 judicial officers; 50% identified as male, 85.5% identified as white/Caucasian, and 50% reported their political beliefs to be “moderate.” Of

the 159 Mturk™ participants; 63.9% identified as being male, 65.4% identified as white/Caucasian, and 36.5% reported their political beliefs to be “moderate.” See Table 1 for a more comprehensive overview of the demographics and descriptive statistics of the sample presented independently for each of the two sub-samples.¹ In our sample of judicial officers, 33.3% felt that other judges were more punitive than them when it came to JSO cases, whereas 65.4% of judges felt that other judges were about the same as them.

Perceptions of Juvenile Sexual Offending Rates in the United States

Table 2 presents a series of one-sample *t*-tests with equal variances to assess the accuracy of estimates of juvenile sexual offending. Several of the outcome variables in these analyses had identifiable outliers, however, we did not remove the outliers from the current analyses as we believe they reflect individuals' unique perspectives and some outliers were expected. Further, normal distribution was violated for all one-sample *t*-test analyses. However, *t*-tests are fairly robust to violations of normality (Winter, 2013). Each of the one-way *t*-tests utilized a test statistic that comes from recent literature as noted.

The first item asked the participant “*In recent reports, there were approximately 1.5 million arrests of juveniles in a given year in the United States. Out of these arrests, what percent do you think were for sexual offenses?*” The test statistic for this analysis was 1.03% as reported by NCJJ (2014). There was a significant *t*-test result; $t(77) = 12.35, p < .001$, 95% CI [11.66, 16.15] with an estimated large effect size measured by Cohen's $d = 1.40$, indicating that judges' estimates significantly differed from the test statistic. In other words, judges significantly overestimated the number of juvenile arrests that were accounted for by sexual offenses ($M = 14.94\%$, $SD = 9.95$).

The second item asked the participant “*Both juveniles and adults can be arrested for sex offenses. Out of all total sexual offenses committed in the U.S. in the past year, what percent do you think were committed by juveniles?*” The test statistic for this analysis was 12.7% as reported from UCR (2015). There was a significant *t*-test result, $t(77) = 3.33, p < .001$, 95% CI [1.87, 7.43] with an estimated small effect size measured by Cohen's $d = .38$, demonstrating that judges' estimates significantly differed from the test statistic. In other words, judges significantly overestimated the proportion of sexual offending that is committed by juveniles ($M = 17.35\%$, $SD = 12.33$).

The next item asked the participant “*Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as a juvenile?*” The test statistic for this analysis was 9.9% as reported by Caldwell (2009). When tested, there was a significant *t*-test result, $t(76) = 2.06, p = .043$, 95% CI [.08, 5.23] with an estimated small effect size measured by Cohen's $d = .21$. Judges' estimates significantly differed from the test statistic; specifically, judges overestimated the likelihood that a juvenile will sexually reoffend as a juvenile ($M = 12.56\%$, $SD = 11.35$).

¹ Additional data and findings from the Mturk™ sample are anticipated to be reported in a separate article given our focus here on the judiciary and space limitations.

Table 1. Demographic Means of the Overall, Judge Only, and Mturk™ Only Samples.

		Overall	Judge Only	MTurk™ Only
Age		39 (20-72)	56.81 (34-72)	32.63 (20-61)
Years on bench			13.46 (1-32)	
Years hearing juvenile and/or family cases			11.55 (1-30)	
Number of JSO cases heard in past year			15.33 (0-250)	
Gender				
	<i>Male</i>	139 (58.9%)	38 (48.7%)	101 (63.9%)
	<i>Female</i>	95 (40.3%)	39 (50%)	56 (35.4%)
	<i>Prefer to self-describe</i>	2 (0.8%)	1 (1.3%)	1 (0.6%)
Race				
	<i>White/Caucasian</i>	169 (71.9%)	65 (85.5%)	104 (65.4%)
	<i>Black/African American</i>	29 (12.3%)	8 (10.5%)	21 (13.2%)
	<i>Hispanic/Latino</i>	17 (7.2%)	2 (2.6%)	15 (9.4%)
	<i>Asian/Pacific Islander</i>	15 (6.4%)	0 (0%)	15 (9.4%)
	<i>Native American/Alaskan Native</i>	2 (.9%)	0 (0%)	2 (1.3%)
	<i>Multi-Ethnic</i>	3 (1.3%)	1 (1.3%)	2 (1.3%)
Political Affiliation				
	<i>Republican</i>	86 (24.2%)	15 (20.8%)	41 (25.8%)
	<i>Democrat</i>	110 (46.2%)	39 (54.2%)	71 (44.7%)
	<i>Independent</i>	58 (25.1%)	14 (19.4%)	44 (27.7%)
	<i>Other</i>	7 (3.0%)	4 (5.6%)	3 (1.9%)
Highest level of education (MTurk™ only)				
	<i>High School Diploma or GED</i>			36 (22.6%)
	<i>Associate's or other 2yr Degree</i>			30 (18.9%)
	<i>Bachelor's or other 4yr Degree</i>			75 (47.2%)
	<i>Master's Degree</i>			18 (11.3%)
Do you have your Juris Doctor (JD) Degree				
	<i>Yes</i>		78 (100%)	

Note. Overall $N = 238$; Judge $n = 79$; Mturk™ $n = 159$

Similar to the previous item, the participants were asked “*Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as an **adult**?*” The test statistic for this analysis was 6.5% as reported by Caldwell (2009). There was a significant t -test result, $t(77) = 5.13$, $p < .05$, 95% CI [5.35, 12.14] with an estimated medium effect size measured by Cohen’s $d = .58$, demonstrating that judges’ estimates significantly differed from the test statistic. In other words, judges significantly overestimated the likelihood that a juvenile will sexually reoffend as an adult ($M = 15.24\%$, $SD = 15.07$).

We also examined the Mturk™ sample’s estimates for additional context. Across each of these items, judges consistently provided more conservative estimates compared to the Mturk™ sample. As reported, however, the trend of these analyses show that judges are still significantly overestimating the percentage of juvenile arrests that were accounted for by sexual offenses, the percentage of sexual offenses that are committed by juveniles, sexual reoffending rates of juveniles, and sexual reoffending rates of JSOs in adulthood. Means and standard deviations for the Mturk™ sample can be found in Table 2.

Limited sample size restricted us from running more robust covariate analyses (e.g., regressions) to examine which individual factors predict judges’ estimates on these items. However, we did run a series of correlations to assess how judges’ estimates relate to how many years they have served on the bench, how many years they have presided over juvenile and family cases, the number of sexual offense cases they have seen in the past year, and self-reported scores regarding how knowledgeable and prepared they feel to manage JSO cases. None of the correlations were significant, suggesting that experience in the position and working directly with JSOs is not significantly associated with misperceptions.

We also ran t -tests to examine whether male and female judges differed in their estimates surrounding JSOs. We found no gender differences in the judges’ estimates of the percentage of juvenile arrests that were accounted for by sexual offenses and the percentage of sexual offenses that are committed by juveniles. However, male and female judges significantly differed in their estimates of JSO reoffending, with male judges estimating significantly greater sexual reoffending rates ($M = 16.11$, $SD = 13.44$) of JSOs as a youth compared to female judges ($M = 9.26$, $SD = 7.95$); $t(58.162) = 2.68$, $p = .01$, 95% CI [1.72, 11.97], with an estimated medium effect size measured by Cohen’s $d = .62$. Male judges also estimated significantly greater sexual reoffending rates ($M = 20.08$, $SD = 16.57$) of JSOs as in adulthood compared to female judges ($M = 10.74$, $SD = 12.24$); $t(74) = 2.80$, $p = .007$, 95% CI [2.68, 16.00], with an estimated medium effect size measured by Cohen’s $d = .64$. We did not hypothesize gender differences across these variables and cannot speculate why these gender differences exist in these data. We encourage future research to help explicate these results. See Table 3 for more information regarding the t -test results.

Table 2. One-Sample t-Tests Compared to Test Statistics

	Overall			Judges			Mturk™			df	t-test
	M	SD	CI	M	SD	CI	M	SD	CI		
<i>In recent reports, there were approximately 1.5 million arrests of juveniles in a given year in the United States. Out of these arrests, what percent do you think were for sex offenses? Test Statistic: 1.03% (NCJJ, 2014)</i>	22.47	17.49	[19.20-23.68]							236	18.88***
				14.94	9.95	[11.66-16.15]				78	12.34***
							26.17	19.15	[22.14-28.14]	158	16.55***
<i>Both juveniles and adults can be arrested for sex offenses. Out of all total sex offenses committed in the U.S. in the past year, what percent do you think were committed by juveniles? Test Statistic: 12.7% (UCR, 2015)</i>	23.6	18.45	[8.54-13.26]							236	9.10***
				17.35	12.33	[1.87-7.43]				77	3.33***
							26.67	20.14	[10.82-17.13]	158	8.75***
<i>Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as a juvenile? Test Statistic: 9.9% (Caldwell, 2009)</i>	32.3	25.25	[19.15-25.64]							234	13.60***
				12.56	11.35	[.08-5.23]				76	2.06*
							41.91	24.57	[28.16-35.88]	157	16.38***
<i>Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as an adult? Test Statistic: 6.5% (Caldwell, 2009)</i>	37.46	27.15	[27.46-34.45]							233	17.44***
				15.24	15.07	[5.35-12.14]				77	5.13***
							48.56	24.96	[38.12-46.01]	155	21.05***

Note. *** = $p < .001$, * = $p < .05$

Table 3. Between Subjects t-Tests Examining Gender Differences on Estimates

	Male		Female		df	CI	t-test
	M	SD	M	SD			
<i>In recent reports, there were approximately 1.5 million arrests of juveniles in a given year in the United States. Out of these arrests, what percent do you think were for sex offenses?</i>	13.18	6.91	16.68	12.27	58.34	[-8.07-1.07]	-1.53
<i>Both juveniles and adults can be arrested for sex offenses. Out of all total sex offenses committed in the U.S. in the past year, what percent do you think were committed by juveniles?</i>	16.79	10.58	17.79	14.05	68.76	[-6.69-4.69]	-0.35
<i>Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as a juvenile?</i>	16.11	13.44	9.26	7.95	58.16	[1.72-11.97]	2.68**
<i>Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as an adult?</i>	20.08	16.57	10.74	12.24	74	[2.68-16.00]	2.80**

Note. ** = $p < .01$

In addition to these items, participants were asked to report whether they believe arrest rates for juvenile sexual offending has been increasing, decreasing, or remaining the same over the past decade. According to NCJJ (2014), juvenile sexual offending rates fell across all categories of offending, with a decline of 37% for forcible rape, 29% for prostitution and commercial vice, and 30% for other sexual offenses. Overall, 62.0% of the total sample of judges believed that juvenile sexual offending was increasing, 25.3% believed it has remained the same, and only 12.7% believe that it is decreasing.

Perceptions of Treatment, Reoffending, and Impact of Sanctions

A series of ANOVAs were conducted to examine subsample and gender differences on perceptions surrounding JSOs. Additionally, we wanted to examine individual judge factors that may further relate to perceptions. As reported previously, the limited sample size restricted our ability to perform robust covariate analyses (e.g., regressions) to examine which individual factors predict judges' perceptions. However, a series of correlations was conducted to assess how judges' perceptions relate to how many years they have served on the bench, how many years they have presided over juvenile and family cases, the number of sexual offense cases they have seen in the past year, and self-reported scores regarding how knowledgeable and prepared they feel to manage JSO cases. Significant findings from the correlations are reported after each item; all correlations can be found in Table 4.

A series of 2x2 between-subjects ANOVAs were conducted to examine subsample and gender differences on a series of items examining the perceptions regarding the treatment amenability, reoffending patterns, and the impact of sexual offending sanctions on JSOs. The first analysis examined gender (male vs. female) by subsample (judge vs. Mturk™) on the item "*Juvenile sexual offenders cannot be rehabilitated.*" Assumptions were checked; Levene's test was significant ($p < .001$) indicating that the equal variance assumption has been violated. As recommended by Pallant (2010), we used a more stringent significance cutoff of $p = .01$ as opposed to .05 to account for this violation. There was no significant interaction of gender by subsample, $F(233) = .015, p = .90$. There was also no significant main effect of gender, $F(233) = 2.77, p = .098$. There was a main effect for subsample, $F(233) = 37.17, p < .001$, such that judges ($M = 1.46, SE = .16, 95\% CI [1.15, 1.77]$) disagreed that JSOs cannot be rehabilitated in comparison to the Mturk™ participants ($M = 2.65, SE = .12, 95\% CI [2.42, 2.88]$). We then examined judge characteristics and how they relate to judges' perceptions of whether JSOs can be rehabilitated. There was a significant negative correlation $r = -.24, p = .039$ between preparedness and the item regarding rehabilitation. There was also a significant negative correlation $r = -.27, p = .016$ between self-reported knowledge and the item regarding rehabilitation. Specifically, the more prepared a judge feels in handling juvenile sexual offenses and the more knowledgeable they feel about these types of cases the more likely they are to feel that JSOs can be rehabilitated.

The second ANOVA analysis examined gender (male vs. female) by subsample (judge vs. Mturk™) on the item "*Juvenile sex offenders who receive sex offender specific treatment are less likely to reoffend than those who do not.*" Assumptions were checked; Levene's test was significant ($p = .012$) indicating that the equal variance assumption has been violated. ANOVAs are relatively robust to these violations when group sizes are similar (Pallant, 2013). However, to err on the side of caution and reduce potential error, we used a more stringent significance cutoff of $p = .01$ as opposed to .05 to account for this violation as recommended by Pallant (2013). There

was a significant interaction of gender by subsample, $F(233) = 9.68, p = .002$. We then examined judge characteristics and how they relate to judges' perceptions of whether JSOs who receive sexual offender specific treatment are less likely to reoffend. There was a significant positive correlation $r = -.25, p = .028$ between number of years served on the bench and the item regarding sexual offender specific treatment. More specifically, the longer the judge has served on the bench the more likely they are to believe that JSOs are less likely to reoffend if provided with JSO specific treatment.

Another ANOVA was conducted to examine gender (male vs. female) by subsample (judge vs. Mturk™) on the item "*Juvenile sex offenders who are required to register as sex offenders on a public registration website are less likely to reoffend than those who are not.*" Levene's test was not significant ($p = .09$) indicating that there was no violation of equal variances. There was no significant interaction of gender by subsample, $F(233) = 1.46, p = .23$. There also was no significant main effect of gender, $F(233) = 3.47, p = .06$. There was a main effect for subsample, $F(233) = 55.77, p < .001$, such that judges ($M = 2.47, SE = .18, 95\% CI [2.12, 2.83]$) were less likely to agree that JSOs on the registry are less likely to reoffend, in comparison to the Mturk™ participants ($M = 4.15, SE = .13, 95\% CI [3.88, 4.41]$). We then examined judge characteristics and how they relate to judges' perceptions of whether JSOs who are required to publicly register are less likely to reoffend. There was a significant negative correlation $r = -.32, p = .005$ between preparedness and this item. There was also a significant negative correlation $r = -.29, p = .009$ between self-reported knowledge and the item regarding registration. More specifically, the more prepared a judge feels in handling juvenile sexual offenses and the more knowledgeable they feel about these types of cases the less likely they are to feel that requiring JSOs to publicly register on the sexual offender registry will make them less likely to reoffend.

Another ANOVA was conducted to examine gender (male vs. female) by subsample (judge vs. Mturk™) on the item "*Juvenile sex offender registration can have negative consequences on the juvenile's mental health.*" Assumptions were checked; Levene's test was significant ($p < .001$) indicating that the equal variance assumption has been violated. As recommend by Pallant (2013), we used a more stringent significance cutoff of $p = .01$ as opposed to .05 to help account for this violation. There was no significant interaction of gender by subsample, $F(230) = .634, p = .43$. There was also no significant main effect of gender, $F(230) = 1.76, p = .19$. There was a main effect for subsample, $F(230) = 38.73, p < .001$, such that judges ($M = 6.387, SE = .15, 95\% CI [6.01, 6.69]$) were more likely to agree that JSOs subjected to registration can experience negative consequences to their mental health, in comparison to the Mturk™ participants ($M = 5.20, SE = .11, 95\% CI [4.98, 5.42]$). We then examined judge characteristics and how they relate to judges' perceptions of whether registration has negative consequences on the juveniles' mental health; there were no significant correlations (see Table 5 for ANOVAs).

Table 4. Correlations between Judge-Related Factors and Estimates (N = 78)

	Age	Years on Bench	Years Hearing Juvenile/Family Cases	Number of JSO Cases in Past Year	Knowledgeable	Prepared
Estimate 1: In recent reports, there were approximately 1.5 million arrests of juveniles in a given year in the United States. Out of these arrests, what percent do you think were for sex offenses?	0.11	-0.13	-0.07	0.08	-0.03	-0.12
Estimate 2: Both juveniles and adults can be arrested for sex offenses. Out of all total sex offenses committed in the U.S. in the past year, what percent do you think were committed by juveniles?	0.03	-0.12	-0.05	0.22	-0.06	-0.05
Estimate 3: Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as a juvenile?	0.11	-0.03	0.08	-0.01	0.03	0.1
Estimate 4: Of the juveniles who are arrested for sex offenses, what percent do you think are likely to reoffend by committing another sexual offense as an adult?	0.04	0.07	0.13	-0.1	-0.14	-0.05
Rating: Juvenile sex offenders cannot be rehabilitated.	-0.01	0	0.02	0.05	-0.27*	-0.24*
Rating: Juvenile sex offenders who receive sex offender specific treatment are less likely to reoffend than those who do not.	0.2	0.25*	0.19	0.01	-0.13	0
Rating: Juvenile sex offenders who are required to register as sex offenders on a public registration website are less likely to reoffend than those who are not.	0.06	-0.13	-0.08	-0.15	-0.29**	-0.32**
Rating: Juvenile sex offender registration can have negative consequences on the juvenile's mental health.	-0.07	-0.13	-0.04	0.11	0.08	0.01

Note. ** = $p < .01$, * = $p < .05$

Table 5. Two-Way Between-Subjects ANOVA Summary Table

		<i>df</i>	Mean Square	<i>F</i>	<i>p</i>	partial η^2
<i>Juvenile sex offenders cannot be rehabilitated.</i>	Gender	1	5.33	2.77	.098	.012
	Judge vs. Public	1	71.56	37.17	.000***	.139
	Interaction	1	.03	.02	.904	.000
<i>Juvenile sex offenders who receive sex offender specific treatment are less likely to reoffend than those who do not.</i>	Gender	1	1.85	.835	.362	.004
	Judge vs. Public	1	6.22	2.80	.096	.012
	Interaction	1	21.50	9.68	.002**	.040
<i>Juvenile sex offenders who are required to register as sex offenders on a public registration website are less likely to reoffend than those who are not.</i>	Gender	1	8.73	3.47	.064	.015
	Judge vs. Public	1	140.38	55.77	.000***	.195
	Interaction	1	3.67	1.46	.228	.006
<i>Juvenile sex offender registration can have negative consequences on the juvenile's mental health.</i>	Gender	1	3.23	1.76	.185	.008
	Judge vs. Public	1	70.79	38.73	.000***	.144
	Interaction	1	1.16	.63	.427	.003
Total		234				

Note. *** = $p < .001$, ** = $p < .01$, * = $p < .05$

Perceptions of Why Juveniles Commit Sexual Offenses

The researchers provided the participants a list of ten potential “reasons” why a juvenile might commit a sexual offense. These reasons were based on the body of literature examining predictors and explanatory variables for sexual offending amongst youth (Chaffin, 2008; Ryan, 2016). The participants were asked to select all that they felt were applicable in explaining juvenile sexual offending. Overall, the item labeled “*The juvenile has experienced sexual abuse themselves*” was the most highly endorsed amongst both subsamples with 83.5% of judges and 83.0% of the Mturk™ sample selecting this reason. Judges also highly endorsed “*The juvenile engages in this activity out of curiosity*” (69.6%), “*The juvenile has seen the act in media or pornography and was mimicking the behavior*” (62.0%), and “*The juvenile was experimenting sexually*” (55.7%). See Table 6 for the complete breakdown of endorsements across all ten reason-items by subsample.

Table 6. Perceptions of the Reasons Juveniles Commit Sexual Offenses

	Judge (N = 79)		Mturk™ (N = 159)	
	<i>n</i>	%	<i>n</i>	%
<i>Has experienced sexual abuse themselves.</i>	66	83.5	132	83.0
<i>Has deviant sexual arousal/interests.</i>	8	10.1	88	55.3
<i>Engaged in activity out of curiosity.</i>	55	69.6	62	39.0
<i>Has seen the act in media or pornography and was mimicking this behavior.</i>	49	62.0	57	35.8
<i>Was attempting to exert power over another individual.</i>	19	24.1	93	58.5
<i>Was unable to control their impulses.</i>	29	36.7	80	50.3
<i>Has developmental delays.</i>	16	20.3	36	22.6
<i>Was experimenting sexually.</i>	44	55.7	39	24.5
<i>Lacks social skills.</i>	28	35.4	40	25.2
<i>Was unable to find a consenting partner.</i>	2	2.5	17	10.7

DISCUSSION

As part of a larger study to assess judicial and public knowledge regarding JSOs, the current study focused primarily on judicial officer participants’ perceptions of this population, offending/recidivism rates, and treatment amenability. Overall, the findings from this study demonstrate that there are significant misperceptions held across these variables by both judges and Mturk™ participants. However, judicial officers’ estimates and perceptions were much more conservative and closer to data/research reported in the literature than those of the Mturk™ participants. This indicates that their exposure, experiences, and relevant training perhaps leads them to have a better understanding of the existing state of juvenile sexual offending in the United States.

Policy and Training Implications

As mentioned previously, judicial officers held perceptions and provided estimates of offending/recidivism that more closely resembled data/research reported in the literature when

compared to those provided by Mturk™ participants. Nonetheless, judges still significantly overestimated the rates of offending and recidivism of juveniles. This is important as the body of literature surrounding life course trajectories of juvenile offenders in general, as well as juveniles who commit sexual offenses, suggests that few will go on to be life-course persistent offenders. The judge sample also seemed to underestimate JSOs' treatment amenability despite substantial evidence demonstrating their ability to be rehabilitated. Together, these findings, particularly in light of limited correlations with judicial experience, indicate that more education is needed in this area.

To this end, judicial education curricula should build upon existing adolescent development/juvenile justice resources, such as those developed by the MacArthur Foundation (e.g., see Models for Change), to include information on the developmental trajectories of JSOs. These educational materials should include a particular focus on risk and protective factors, as well as evidence-based treatments. Further, it will be important to include information on recidivism, and include information on registration policies and unintended consequences. Additional education could center on data driven decision-making as a means to continually monitor and adjust interventions to be most efficacious. These types of courses specific to juveniles and sample curricula are available from several organizations (e.g., Center for Sex Offender Management). As part of this education for judges, curricula should include referrals to resources and organizations with expertise in this area and conference opportunities for CLEs/refresher courses (e.g., National Center for Mental Health and Juvenile Justice, National Council of Juvenile and Family Court Judges, etc.). Lastly, it could be helpful to ensure some language in jurisdictional or legislative policy is in place that encourages or requires judicial education on special populations, such as JSOs.

Further, policies should be modified to incorporate developmental considerations to ensure that they are accounted for within decision-making processes in the justice system. A “structural / functional” framework could help in this endeavor. In other words, the structural component centers on ensuring there are policies across a system to encourage education, regular data review, use of evidence-based practices, etc. The functional component, in turn, then focuses on process issues such as making sure judges are given adequate time to consider decisions, provide resources to encourage reflective decision-making (e.g., bench cards), etc.

Lastly, although beyond the scope of current data and study, we do suggest findings reported here could indicate that practices and policies such as mandatory registration could contribute to unnecessarily stigmatizing this population and thus unintentionally reinforcing misperceptions of judges and public stakeholders. Relatedly, the sheer rate of incarceration of JSOs in comparison to other offenders indicates a substantial need for more community-based, less restrictive intervention options with this population.

Limitations and Future Directions

While the purpose of this study was to gather a better understanding of judicial officers' perceptions of juvenile sexual offending, it is important to note that the sample itself was relatively small and the findings should be interpreted accordingly and with caution. We attempted to sample across the country to obtain perspectives from judges from different regions. However, due to the limited sample size our findings are not fully generalizable across all judicial officers. Future

research in this area should examine a larger sample which would allow for more detailed analyses concerning potential predictors of perceptions and attitudes.

As noted in our literature review, it is important to examine judges' perceptions due to the important decisions they make in their roles. However, our study did not examine dispositions and therefore, cannot make claims that misperceptions are impacting their decision-making and outcomes. Future research should aim to examine perceptions in conjunction with dispositional outcomes to better understand the relationship between the two. It is our hope that even if misperceptions exist, judges are still able to implement the laws and apply their evidence-based knowledge to make unbiased decisions when working with JSOs to ensure the best possible outcomes for the juvenile and community.

CONCLUSION

In conclusion, the current study demonstrated that both judicial officers and MturkTM participants hold substantial misperceptions regarding juvenile sexual offending. Despite being more aligned with what data/evidence demonstrates than the MturkTM sample, judicial officers still overestimate JSO's offending rates and recidivism. These misperceptions are not only potentially stigmatizing but can contribute to biased decision-making that is not in the best interest of the youth and their pathways to rehabilitation. As a result, we feel that additional education and preparation that is grounded in a developmental perspective of youth can help provide judicial officers with a better understanding of juvenile sexual offending. Judicial officers can then utilize this knowledge in informed decision-making that will contribute to positive outcomes for the youth (e.g., providing relevant services to reduce chances of recidivism) that will lead to better outcomes for the community (e.g., reduced juvenile sexual offending). In conjunction with meaningful policy adjustments, such as evidence-based revisions of registration requirements, an improved foundation for case processing can be established ultimately leading to better case outcomes for JSOs.

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