The Impact of Sex Offender Registration on Adolescent Development and Adult Behavior:

A Psychological Presentation of Three Clinical Cases that Involved Adolescents Who Were Convicted of Sex Offenses.

As you listen to each of these cases, keep in mind the characteristics that distinguish adolescence. Adolescents are more impulsive than adults. Often, they live in the moment. They fail to plan ahead. They do not consider and appreciate consequences. Adolescents are naïve and often lack judgment. They tend to be action-oriented rather than reflective. They gravitate to risk-taking and thrill-seeking behavior. They experiment. Their day-to-day behavior is affected by the onset and throes of puberty. Within the context of this psychological soup, adolescents may engage in sexual misconduct.

The first case pertains to a man (Damien, a pseudonym) who contacted me when he was 32 years old. After working full-time for the last six years at a suburban lumber company, he was fired after he was arrested in 2010 for Failure to Register as a Sex Offender. In 1992 when he was 14, Damien was charged with one count of Indecent Assault and Battery on a Child under 14. This charge involved an incident that occurred in the summer of 1991 between Damien (when he was 13) and a 9 year-old male acquaintance. On the advice of his attorney, Damien waived his right to a jury trial, admitted to sufficient facts, and was found delinquent on 10/28/92. He was placed on two years of probation, ordered to undergo a juvenile sex offender evaluation, and to participate in treatment if necessary. He successfully completed his probation in 1994. In 1996 at the age of 18, Damien began registering as a sex offender at the insistence of the Watertown police long before he was classified as a sex offender and obligated to register.

Throughout his adolescence and adulthood, Damien felt inordinately shamed and stigmatized by one mistake that he made when he was just 13. Moreover, he never anticipated being compelled to register as a sex offender when he turned 18. He lived in a state of latent apprehension, and worried about being publicly identified and vilified as a sex offender. Being registered as a sex offender and branded for sexual misconduct as a young teen has stunted and
marginalized his self-esteem and relationships, and always detracted from his achievement with respect to his employment.

The second case pertains to a 22 year-old young man (Ronnie, a pseudonym) whom I evaluated for Aid-in-Sentencing 10 years ago. On 3/01/05, Ronnie was adjudicated delinquent in regard to Rape of a Child (5 counts), Indecent Assault and Battery, and Indecent Exposure. These offenses occurred on diverse dates from July 2003 to October 2003 and involved four well-acquainted boys whose ages ranged from 7 to 11 years old. Ronnie was ten years old when these offenses occurred.

Following his conviction at the age of 12, Ronnie was ordered to register as a sex offender. Aware of his SORB status as a sex offender, the local police would periodically stop by Ronnie’s house to ascertain if he still lived at this address. These unannounced visits would alarm Ronnie, and intensify his anxiety. He lived with the gnawing fear that his peers would find out that he was a sex offender. He was hyper-concerned about being accused of subsequent sexual misconduct, and about getting into any kind of trouble. He was afraid of sitting next to a girl on the school bus for fear that she could claim that he did something inappropriate.

As Ronnie progressed through adolescence, his social life was constricted because of his reluctance to interact with his peers. Although he played football in junior high school and high school, and formed friendships with teammates, he avoided getting together with them outside of football practice. He couldn't sublimate the reality of being listed as a sex offender. At the age of 22, he was offered a position as an assistant manager at a convenience where he had worked as a cashier. Fearful that a background check would reveal his status as a registered sex offender, Ronnie declined the promotion.

The third case pertains to a 14 year-old (Josh, a pseudonym) who was referred to me in 2015 by his attorney for a psychological evaluation and risk assessment. On 9/11/14, Josh was charged with Rape of a Child with Force (10 counts), Indecent Assault and Battery on a Child under 14 (12 counts), and Aggravated Rape of a Child (2 counts). These offenses occurred on diverse dates between 1/01/10 and 4/04/14 and involved Josh’s younger step-brothers who were four and
six years younger than Josh. Josh was 10 to 13 years old when these offenses occurred.

Josh suffered from a longstanding history of gastrointestinal illness that inhibited his physical growth. At the age of 13, his small stature and body weight of 70 pounds made him appear more like a 10 year old boy rather than the adolescent he actually was. Furthermore, he had been diagnosed with a number of learning disabilities that impaired his academic achievement, psychological maturity, and judgment.

After the victims disclosed to their mother that Josh had involved them in inappropriate sexual activity and Josh had to face these allegations, he became overwhelmed and suicidal. He was hospitalized for several weeks. The stress of waiting more than a year for his case to finally reach a denouement in court was not as great as the anguish he felt about being compelled to register as a sex offender if so ordered by the court. In a palpably emotional plea colloquy, Josh pled guilty to many of his charges with the understanding that he would not be required to register as a sex offender. Being relieved of the burden to register was an enormous godsend for him. He had seriously contemplated suicide as a remedy if he had been compelled to register at any age as a sex offender. Even if Josh's registration had been deferred until he was 18, Josh had already decided that life after 18 as a registered sex offender was not worth living.

Being compelled to register with the SORB can interfere with critical tasks of adolescent development. All adolescents face self-confidence vs. self-doubt. Being classified as a sex offender undermines self-confidence and can lead to an anxiety disorder. All adolescents struggle with self-awareness vs. self-denial. When the awareness of being a registered sex offender becomes too acute, some teenagers opt for self-denial through substance abuse. All adolescents face the challenge of social integration vs. withdrawal and isolation. When an adolescent socially withdraws because of the stigma of being on the SORB, depression and suicidal impulses often result. Adolescents struggle with acceptance vs. rejection. When they experience the wave of rejection that comes with being a known sex offender, a sense of pervasive alienation can occur. A major task of adolescence entails the
formation of healthy relationships rather than pathological relationships. Being a known sex offender can marginalize a teen and cause him to form codependent, abusive and destructive relationships.

Teenagers are inherently self-conscious. They want to fit in and belong to a peer group. A young teen lives with chronic worry and dread of being publicly shamed and humiliated. It is very difficult to overcome a negative stereotype. There’s almost a universal hatred for pedophiles and the lay public does not distinguish being sex offenders and pedophiles, or even know the difference. (A pedophile is at least sixteen years old, and five years older than the victim.)

Being placed on the SORB for sexual misconduct that occurred before puberty, on the cusp of adolescence, or later in adolescence contradicts the prevailing neuropsychological understanding of childhood and adolescent brain development which asserts that the maturation of the brain is incomplete and not predictive of future behavior. As such, juvenile conduct must be viewed through a less judgmental and more mitigating lens because the behavior of a child is, by definition, immature, often impulsive, misguided, and ill-conceived without satisfactory forethought, and without a full appreciation of the consequences and ramifications. Whether a person is ordered to register as a teen, or at the age of 18, the impact of sex offender registration is psychologically corrosive.

Presented on May 28, 2015 by Dr. Eric Brown to the Special Commission to Reduce the Recidivism of Sex Offenders.