TO: House Ways and Means Committee Chair Delegate Atterbeary, Vice Chair Delegate Wilkins, and Members

FROM: Elizabeth Letourneau, Moore Family Professor and Director, Moore Center for the Prevention of Child Sexual Abuse, Bloomberg School of Public Health, Johns Hopkins University

DATE: February 21, 2025

RE: **Testimony in Opposition to House Bill 638: Juveniles - Sexual Offenses - Registration and Reporting Requirements**

My name is Elizabeth Letourneau. I am the Moore Family Professor of Mental Health and Director of the Moore Center for the Prevention of Child Sexual Abuse at the Bloomberg School of Public Health, Johns Hopkins University. I am writing in strong opposition to **House Bill 638 Juveniles - Sexual Offenses - Registration and Reporting Requirements.** The views expressed are my own and do not necessarily reflect the views of Johns Hopkins University.

House Bill 638 seeks to expand the duration of time children must remain on the juvenile sexual offense registry and increase the number of offenses for which children may be registered. Neither of these changes will improve public safety in any way and indeed will place more children at risk of sexual assault victimization and other serious harms including suicide attempts. I am a nationally and internationally recognized expert on child sexual abuse prevention whose work is published in more than 120 research-based articles and chapters in leading journals and high-impact books. I am an endowed professor with tenure in the Department of Mental Health and founding director of MOORE, a center focused on the prevention of child sexual abuse at Bloomberg School of Public Health, Johns Hopkins University. I am also the 2022 recipient of the Lifetime Significant Achievement Award from the Association for the Treatment and Prevention of Sexual Abuse. I currently advise the World Bank's International Financial Corporation on responding to child sexual abuse, and previously served as a governor-appointed member of the Maryland State Council on Child Abuse and Neglect, on the National Academy of Sciences' Forum on Global Violence Prevention, as an advisor to the Centers for Disease Control and Prevention, and as a member of the World Health Organization Group to develop guidelines for responding to the sexual abuse of children and adolescents. My research on juvenile sex offender registration and notification policies was cited in the American Law Institute's Revised Model Penal Code, which recommends ending these harmful policies and in MI, OH, and PA state supreme court rulings. I currently advise the European Commission in its efforts to enhance the prevention of child sexual abuse across all 27 member states. I am involved dozens of other national and international research and policy initiatives aimed at ending child sexual abuse. I am also the proud mother of two children who attended Baltimore City Public Schools in grades K-12.

In my professional opinion, this bill is misguided and does not support children, reflect best practices, or align with clear research findings. Children who engage in harmful and illegal sexual behavior include children characterized by ignorance of sexual concepts, norms, and laws; immaturity and impulsivity; inadequate adult supervision; sexual victimization (e.g., traumatized children reacting to their own victimization); sexual curiosity and experimentation gone awry; and more generalized aggressive or delinquent behavior. They include children imitating what they've been exposed to on the internet or in social media; misinterpreting what they believed was mutual interest; imitating what is normative in their own families; youth attracted to the thrill of rule violation; socially isolated youth who turn to younger children as

substitutes for agemates; youth with serious mental illness; youth responding to peer pressure; youth preoccupied by sex; youth under the influence of drugs or alcohol; and youth with incipient sexual deviance problems.[1,2,3]

Despite this diversity, decades of research clearly and incontrovertibly document that children adjudicated or convicted of sex crimes are (I) unlikely to reoffend, (II) amenable to community-based treatment and (III) further documents the serious harms of registration when applied to children.

I. Sexual Recidivism Rates for Youth who Sexually Offend are Extremely Low.

Extensive research conducted over the last several decades by myself and others has established that adolescent sexual misconduct does not reflect stable internal traits in the youth but emerges from developmental issues and temporary situational factors. As a group, youth adjudicated or convicted of sex crimes pose a very low risk to sexually reoffend, and that risk diminishes rapidly post-adjudication.[4] The most extensive evaluation of youth sexual recidivism rates reviewed 106 studies involving 33,783 youth and found an average sexual recidivism rate of 4.92% over an average 5-year follow-up.[5] This study also documented a 73% decline in adolescent sexual recidivism over the past 30 years and found that **recidivism rates were below 3% across studies published in the most recent decade.**

Likewise, our research evaluating the recidivism rates of the entire population of male youth adjudicated for sex crimes in South Carolina found a 2.75% recidivism rate across an average 9-year follow-up.[6]

Adolescents who sexually abuse have more in common with adolescents who engage in other types of criminal behavior than with adult sex offenders. The major difference between these teens and other teens is that they are more likely to themselves have been sexually abused.[7] Youth with sex crime adjudications are no more likely to sustain new sex crime charges or convictions than youth with assault adjudications or youth with robbery adjudications.[8] That is, the sexual reoffense rates of these three groups of children who have committed different types

---

[1] Chaffin, M. (2008). Our minds are made up—Don't confuse us with the facts: Commentary on policies concerning children with sexual behavior problems and juvenile sex offenders. *Child Maltreatment, 13*, 110–121.http://dx.doi.org/10.1177/1077559508314510

[2] Seto, MC & Lalumiére, M (2020). What is so Special about Male Adolescent Sexual Offending? A Review and Test of Explanations Through Meta-analysis, 136 Psychological Bulletin 526-575.

[3] Letourneau, E. J., Schaeffer, C. M., Bradshaw, C. P., & *Feder, K. A. (2017). Preventing the onset of child sexual abuse by targeting young adolescents with universal prevention programming. *Child Maltreatment, 22,* 100-111.

[4] Caldwell, MC & Caldwell, B. (2022). The Age of Redemption for Adolescents Who Were Adjudicated for Sexual Misconduct. *Psychology, Public Policy, and Law, 28(2)*, 167-178. https://doi.org/10.1037/law0000343.

[5] *Caldwell, M. (2016). Quantifying the decline in juvenile sexual recidivism rates. Psychology, Public Policy, and Law, 22(4), 414–426. http://dx.doi.org/10.1037/law0000094*

[6] Letourneau, E. J., Bandyopadhyay, D., Armstrong, K. S., & Sinha, D. (2010). Do Sex Offender Registration and Notification Requirements Deter Juvenile Sex Crimes? *Criminal Justice and Behavior, 37,* 553-569.

[7] Seto, MC & Lalumiére, M (2020). What is so Special about Male Adolescent Sexual Offending? A Review and Test of Explanations Through Meta-analysis, 136 Psychological Bulletin 526-575.

[8] Letourneau, E. J., Bandyopadhyay, D., Sinha, D., & Armstrong, K. S. (2009b). The influence of sex offender registration on juvenile sexual recidivism. *Criminal Justice Policy Review*, *20,* 136-153.

of harm did not differ in a meaningful or statistically significant manner. Distinguishing between youth likely to sexually reoffend or not involves more than simply knowing that a youth has a history of such offending.

II. Youth Convicted of Sex Crimes are Responsive to Proven Treatments.

Studies show that (1) adolescents adjudicated for sexual offenses are remarkably responsive to treatment services, and (2) advances in appropriate treatment programming have produced methods that are highly effective at reducing future risk of illegal sexual and nonsexual behavior. The effectiveness of treatment of adolescents adjudicated for sexual offenses has been studied using meta-analytic methods to combine the results of several other studies of treatment effectiveness to determine the overall effect of treatment. A limitation of this approach is the steady improvement in treatment approaches over recent decades, which means that studies that include older treatment methods likely underestimate the impact of more recent proven methods.

- An early review published in 2006 examined results from 9 studies with a combined sample of 2,986 youth adjudicated for sexual misconduct. Every study yielded positive effects and the overall results indicated that treatment reduced the risk of sexual recidivism by more than 60%.[9] Other early studies reported similar positive results for treatment effectiveness.[10,11]
- More recently, Silovsky and colleagues recently extended their intervention for child problem sexual behavior to adolescents with illegal sexual behavior. In a study involving 301 youth and their caregivers, their intervention called Problem Sexual Behavior - Cognitive Behavioral Therapy ("PSBCBT") resulted in significant reductions in sexually abusive behaviors and in non-sexual harmful behaviors and trauma symptoms.[12]
- Borduin and his colleagues reported the results of a randomized clinical trial of a family-based community treatment compared to the usual community services. The youth were followed for an average of 9 years following treatment. The rate of new sexual offenses was six times lower among the treated youth.[13]
- In a similar study, my colleagues and I reported the results of a randomized clinical trial of Multisystemic Therapy ("MST") provided to a group of 67 youth and their families compared to a group of 60 youth treated in the usual services. Both the youth and their caregivers reported that problematic sexual behaviors declined as much as ten times more in the treatment group. In addition, the treatment group significantly improved with respect to substance abuse problems, mental health symptoms, and general delinquency and required significantly fewer costly out-of-home placements.[14]

---

[9] Reitzel & Carbonell, The Effectiveness of Sexual Offender Treatment for Juveniles as Measured by Recidivism: A Meta-analysis, 18 Sexual Abuse: A Journal of Research and Treatment, 401 (2006).
[10] St. Amand, Bard & Silovsky, Meta- Analysis of Treatment for Child Sexual Behavior Problems: Practice Elements and Outcomes, 13 Child Maltreatment, 145 (2008).
[11] Walker, McGovern, Poey & Otis, Treatment Effectiveness for Male Adolescent Sexual Offenders: A Meta-analysis and Review, 13 Journal of Child Sexual Abuse, 281 (2004).
[12] Silovsky, Hunger & Taylor, Impact of Early Intervention for Youth with Problematic Sexual Behaviors and their Caregivers, 25(1) Journal of Sexual Aggression, 4 (2019).
[13] Borduin, Schaeffer & Heiblum, A Randomized Clinical Trial of Multisystemic Therapy With Juvenile Sexual Offenders: Effects on Youth Social Ecology and Criminal Activity, 77 Journal of Consulting and Clinical Psychology 26 (2009).
[14] Letourneau, Henggeler, Borduin, Schewe, McCart, et al., Multisystemic Therapy for Juvenile Sex Offenders: 1-year Results from a Randomized Effectiveness Trial, 23 Journal of Family Psychology, 89 (2009).

- A long-term follow-up of 50 youth from the MST condition of that study revealed lower odds of future criminal activity more than 10 years post-treatment.[15]
- In addition to their clinical effectiveness, both PSB-CBT and MST have been found to be cost effective treatments for youth.[16,17]

III. Sex crime specific policies fail to improve public safety and are associated with severe harm to youth.

My colleagues and I, as well as other researchers, have studied the effects of sex crime specific policies as applied to children and youth adjudicated or convicted of sex crimes. *Without exception we fail to find any public safety enhancing effects of these policies*. Specifically examining juvenile sex offender registration and notification policies, all available research fails to find an association with reduce sexual or violent reoffending, or with deterrence of first-time sex crimes. These studies include five that examine the impact of federal and state youth registration policies on sexual and violent recidivism[18, 19, 20, 21, 22] and three that examine the impact of these policies on deterrence.[23,24,25] **One of the studies failing to find a positive impact of juvenile registration relied upon data from Maryland.[26]**

The entire available body of published research fails to support any public safety effect of registration and notification on sexual recidivism or on first-time sex crimes.

---

[15] Sheerin, Borduin, Brown, & Letourneau (2020). An evaluation of mechanisms of change in Multisystemic Therapy for juvenile justice-involved youths a decade following treatment. Journal of Marital and Family Therapy, 47(1), 208-219.
[16] Aos, Leib, Mayfield, Miller & Pennucci, Benefits and Costs of Prevention and Early Intervention Programs for Youth, Washington State Institute for Public Policy (2004).
[17] Dopp, Mundey, Silovsky, Hunter, & Slemaker (2020). Economic value of community-based services for problematic sexual behaviors in youth: A mixed-method cost-effectiveness analysis. Child Abuse & Neglect, 105, 104043. https://doi.org/10.1016/j.chiabu.2019.104043.
[18] Letourneau & Armstrong, Recidivism Rates for Registered and Nonregistered Juvenile Sexual Offenders, 20 Sexual Abuse: A Journal of Research and Treatment, 393-408 (2008).
[19] Letourneau, Bandyopadhyay, Sinha, & Armstrong. The influence of sex offender registration on juvenile sexual recidivism. Criminal Justice Policy Review, 20, 136-153 (2009).
[20] Batastini, A. B., Hunt, E., Present-Koller, J., & DeMatteo, D. (2011). Federal standards for community registration of juvenile sex offenders: An evaluation of risk prediction and future implications. *Psychology, Public Policy, and Law, 17,* 451-474.
[21] Caldwell, M. F., & Dickenson, C. (2009). Sex offense registration and recidivism risk in juvenile sexual offenders. *Behavioral Sciences and the Law, 27,* 941-956.
[22] Caldwell, M. F., Ziemke, M. H., & Vitacco, M. J. (2008). An examination of the sex offender registration and notification act as applied to juveniles. *Psychology, Public Policy, and Law, 14,* 89-114.
[23] Letourneau, Bandyopadhyay, Armstrong & Sinha, Do Sex Offender Registration and Notification Requirements Deter Juvenile Sex Crimes? 37 Criminal Justice and Behavior, 553-569 (2010)
[24] Sandler, Letourneau, Vandiver, Shields & Chaffin, Juvenile Sexual Crime Reporting Rates are not Influenced by Juvenile Sex Offender Registration Policies. 23 Psychology, Public Policy and the Law, 131 (2017).
[25] Letourneau, E. J., Shields, R. T., Nair, R., Kahn, G., Sandler, J. C., & Vandiver, D. M. (2019). Juvenile registration and notification policies fail to prevent first-time sexual offenses: An extension of findings to two new states. *Criminal Justice Policy Review, 30,* 1109-1123.
[26] Letourneau, E. J., Shields, R. T., Nair, R., Kahn, G., Sandler, J. C., & Vandiver, D. M. (2019). Juvenile registration and notification policies fail to prevent first-time sexual offenses: An extension of findings to two new states. *Criminal Justice Policy Review, 30,* 1109-1123.

In addition to failing to improve public safety in any way, there is a growing and harrowing evidence base that registration policies that target children are associated with significant harmful consequences, including increased risk of unwarranted charges; increased risk for mental health problems and problems with peers, school, and with living instability; and increased risk for suicide attempts and for sexual assault victimization.

Registered children are more visible to law enforcement and the public, which makes them more likely to be arrested. My colleagues and I found that one state's registration and notification policy was associated with increased risk of new charges but – crucially- not of new convictions.[27] Specifically, among youth adjudicated for sex crimes, registered youth were significantly more likely than nonregistered youth to be charged with relatively minor misdemeanor offenses (e.g., public order offenses). Although it is possible that the burdens related to registration actually increase youth misbehavior, it is more likely that this increase in charges for low-level delinquent behavior reflects a surveillance or scarlet letter effect. Still, it is worth noting that policies that promote youth's concepts of themselves as irredeemable sex offenders will likely interrupt the development of a healthy self-identity as a valued member of society.[28,29]

My colleagues and I surveyed 265 front-line practitioners from 48 states who provided mental health services to youth adjudicated or reported for sexual offending. These providers believed that youth who had offended sexually and were subjected to registration or notification were much more likely than youth who had offended sexually but were not registered to experience negative mental health outcomes, harassment from peers *and adults*, difficulty in school, and trouble maintaining stable housing. All of these effects - increased depression and anxiety, verbal and physical harassment, problems concentrating in school, and frequent disruptions caused by having to change schools and caregivers - are known to negatively impact the educational attainment of adolescents.[30] Again, we can comfortably predict similarly awful outcomes for children and youth excluded from in-person schooling.

Even more troubling are the results from our evaluation of the collateral consequences of registration on youth. We surveyed 251 male youth ages 12-17 years, all of whom were in treatment for problem sexual behavior. Compared to unregistered youth who were matched with registered youth in terms of age, race, and severity of offense, registered youth were four times more likely to report *having attempted suicide* in the past 30 days, five times more likely to report *having been approached by an adult for sex* in the past year, and twice as likely to report *having been sexually assaulted* in the past year.[31]

---

[27] Letourneau, E. J., Bandyopadhyay, D., Sinha, D., & Armstrong, K. S. (2009). The influence of sex offender registration on juvenile sexual recidivism. *Criminal Justice Policy Review*, *20,* 136-153*.*

[28] Chaffin, Our Minds are Made Up - Don't Confuse us with the Facts: Commentary on Policies Concerning Children with Sexual Behavior Problems and Juvenile Sex Offenders, 13 Child Maltreatment, 110-121 (2008).

[29] Letourneau, E. J., & Caldwell, M. F. (2013). Expensive, harmful policies that don't work or how juvenile sexual offending is addressed in the U.S. *International Journal of Behavioral Consultation and Therapy, 8*, 25-31.

[30] Harris, A. J., Walfield, S., Shields, R., & Letourneau, E. J. (2016). Collateral consequences of juvenile sex offender registration and notification: Results from a survey of treatment providers. *Sexual Abuse: A Journal of Research and Treatment, 28,* 770-790.

[31] Letourneau, E. J., Harris, A. J., Shields, R. T., Walfield, S. M., Ruzicka, A. E., Buckman, C., *Kahn, G. D., & Nair, R. (2018). Effects of juvenile sex offender registration on adolescent well-being: An empirical examination. *Psychology, Public Policy, and Law, 24,* 105-117.

In conclusion, the entire available body of published research fails to support any public safety effect of juvenile registration policies on sexual recidivism or on first-time sex crimes. This research includes empirically and methodologically rigorous evaluations of the federal Adam Walsh Act tiering system and the registration and notification policies of eight states; it comprises tens of thousands of youth sex crime cases and a study that involved a non-forensic community sample of youth, nearly half of whom who had engaged in registerable sexual offenses. Despite variation between federal and state policies and despite examining policy effects on three different outcome effects (sex crime reports, charges adjudications/convictions), and across forensic and non-forensic samples, results were completely consistent across studies: Youth sex offender registration and notification are failed policies that do nothing to improve public safety.

In my professional opinion, and based on my research and research conducted by others, I find no scientific evidence that demonstrates any public safety benefit of subjecting those whose sex offenses were committed as juveniles to sex offender registration or notification requirements. Moreover, significant harm is caused to the youth and their families as a result of these registration and notification policies. These risks are not offset by any improvement in public safety. Youth who engage in illegal sexual behavior are unlikely to repeat their offenses and are likely to respond well to evidence-based interventions.

There are well-validated and evidenced-based interventions for youth with sex crime adjudications to ensure that the behaviors that caused harm to victims are not repeated. Sex offender registration and notification are not among these effective interventions. Instead, sex offender registration and notification are failed policies that have been shown to be unnecessary, wasteful, and harmful. Youth who are labeled as sex offenders are at increased risk for the worst possible outcomes, including suicide and sexual predation by adults, and will face innumerable barriers to successful prosocial development. None of this supports the recovery of victims, the prevention of harm, or the improvement of public safety.