

Sexual Offenders in Western Pennsylvania: An Analysis of Megan's Law Registrants

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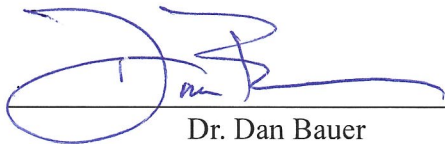
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Abstract

In the United States, the implementation of sex offender legislation, such as the passing of the Jacob Wetterling Act in 1994, was initiated to improve the response to the increasing perception of public safety concerns that individuals convicted of sexual offenses posed to community members. However, despite the enactment of such policies, debates regarding the effectiveness of sex offender registration and notification (SORN) requirements continue, with critics arguing that policies are founded on conclusions gained from research that overlooks a portion of the sex-offending population: females who sexually offend. Therefore, the objective of this paper was to explore the prevalence and nature of female sex offending in Allegheny County. Results demonstrated that female sex offenders accounted for 2.8% of the total convicted sexual offender population in Allegheny. Additionally, females were primarily White and, on average, younger than male offenders. A significant proportion of females (82.1%) had a minor victim, and the study's findings also determined that lifetime registry was the highest occurring tier classification for both males and females. Types of primary offenses that females were convicted of included charges such as sex trafficking (7.7%) and indecent assault (30.8%), with indecent assault also as the most frequent sub-offense conviction (12.8%). Lastly, results exhibited that male ($M = 7.46$, $SD = 3.221$) and female ($M = 6.46$, $SD = 2.602$) sex offenders in Allegheny County did not have significantly different offense gravity scores.

Sexual Offenders in Western Pennsylvania: An Analysis of Megan's Law Registrants

In the United States, federal sex offender legislation intending to guide registration and notification requirements did not exist before 1994. Following the enactment of the Jacob Wetterling Act in 1994, the creation of supplemental registration and notification standards occurred, eventually resulting in the endorsement of the Sex Offender Registration and Notification Act (SORNA) in 2006. SORNA's implementation nullified the information provided in the Jacob Wetterling Act and reintegrated new federal-level guidelines for sex offenders. As a result, numerous acts have been incorporated into federal measures to address sexual offending in the United States. For example, SORNA, also classified as Title I of the Adam Walsh Child Protection and Safety Act, established three tiers of sexual offenders, which designated standardized categorizations that individuals should be included under based on their offense type (Levenson, 2018; Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, 2022).

The length of registration varies according to statutes determined by each state; however, Tier III sex offenders are generally considered to have committed the most severe crimes and are labeled as lifetime registrants (Levenson, 2018). Additionally, the SORNA legislation prompted outcomes such as definitional extensions to include Indian tribes in jurisdiction classifications, the formation of the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART), and the creation of a Sex Offender Management Assistance initiative (Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, 2022).

Finally, it is critical to note that the scope of SORNA is considerable, as it guides registration for a significant amount of convicted sex offenders. Estimates suggest there are

approximately 747,408 registered sexual offenders in the United States (Rosselli & Jeglic, 2017). In Pennsylvania, the state police actively provide a count of registered sex offenders. As of July 26th, 2023, there were a total of 22,960 individuals who were convicted of a sexual offense and placed on the Pennsylvania Megan's Law registry (Pennsylvania State Police, 2023b). The following sections of this paper will detail the current state of Megan's Law in Pennsylvania, challenges to sex offender registration and notification in Pennsylvania, and existing sex offender literature before discussing the present study.

Pennsylvania Megan's Law

Before the development of SORNA, the federal government approved Megan's Law in 1996, which provided guidance for states on circumstances where the public release of a registered sex offender's information is both permissible and required, such as factors that result in safety concerns for community members. Subsequently, individual states have adopted standards to reflect the federal government's public notification suggestions presented under Megan's Law (Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, 2022). For instance, in 1995, the acting governor of Pennsylvania, Tom Ridge, endorsed Megan's Law before it became operational in 1996. Numerous amendments to the act have occurred; however, the legislation continues to serve as a primary resource, which supports the accessibility of registration data on sexual offenders in Pennsylvania (Pennsylvania State Police, 2023a).

Registration in Pennsylvania

In Pennsylvania, there are three main categories of offenders that the state police monitor on the Megan's Law registry: (1) Sexually Violent Deviate Children, (2) Sexually Violent Predators (SVP), and (3) sexual offenders.¹ Regarding criminal sexual offenses committed on or

after December 20th, 2012, applicable individuals are now included in the Tier System: Tier I Offenders register for 15 years, Tier II Offenders for 25 years, and Tier III Offenders register for their lifetime. Due to the Pennsylvania Supreme Court's ruling that juvenile registration is unconstitutional, minors who commit a sexual offense in Pennsylvania are only required to register when it is determined that they are a Sexually Violent Delinquent Child (SVDC). SVDCs are juveniles, legally confined for involuntary treatment, who engage in a sexual crime that would fulfill specific criminal codes if the individual was an adult. A Sexually Violent Delinquent Child and a Sexually Violent Predator are lifetime registrant classifications (Pennsylvania State Police, 2023c).

Registration stipulations include commitments such as reporting changes to an individual's name or residential address, termination from a place of employment, or acquiring a personal vehicle. Additionally, registered sex offenders must participate in regular reporting intervals (e.g., attendance at a Verification Site) determined by their classification status (Pennsylvania State Police, 2023c). To provide a background on the status of SORNA within the state, it is beneficial to discuss three significant cases heard by the Pennsylvania State Supreme Court that assessed the constitutionality of such laws.

Legal Challenges to SORNA

In *Commonwealth v. Muniz* (Pa. 2017), the appellant, Jose Muniz, argued that Pennsylvania's registration and notification legislation violated ex post facto law, specifically for the individuals convicted of a sexual offense before SORNA's implementation. Furthermore, issues were raised with the processes involving the designation of convicted offenders as "sexually dangerous," in which the defendant cited that offenders do not have a chance to refute the SVP designation before the state initiates the status. The Pennsylvania Supreme Court

overturned the Superior Court's presiding and maintained that requiring an offender convicted of an offense before the enactment of SORNA to meet *increased* registration responsibilities violates federal and state ex post facto statutes due to the retroactive nature of the punishment (Marcus, 2019; Leagle, 2017). However, in *Commonwealth v. Muniz* (Pa. 2017), the second question regarding the constitutionality of SVP labels was not thoroughly addressed (Marcus, 2019), providing the opportunity for future challenges to SORNA classifications, such as those cited in *Commonwealth v. Butler* (Pa. 2020).

Again, the question included in the appeal in *Commonwealth v. Butler* (Pa. 2020) involved the legitimacy of the supplementary registration obligations for SVPs. The Pennsylvania Supreme Court reversed the Superior Court's decision, which initially ruled that the state's SVP guidelines were unconstitutional, arguing that the guidelines do not meet the definition of punitive practices, and ultimately determined that the current process is constitutional (Mitchell Hamline School of Law, 2020a).

In response to the ruling in *Commonwealth v. Muniz* (Pa. 2017), adjustments to Pennsylvania's SORNA directives were made, prompting a subsequent ruling concerning the retroactivity of the updated SORNA law. In *Commonwealth v. Lacombe et al.* (Pa. 2020), the lower courts in Pennsylvania maintained that, although adjustments were made to SORNA laws, a violation of ex post facto was still relevant. The Pennsylvania Supreme Court disagreed with the lower court's ruling. It argued that the modified laws, for example, were associated with decreases in the number of sexual offenses that are registrable, which equates to non-punitive conditions. Subsequently, the current SORNA standards were deemed constitutional (Mitchell Hamline School of Law, 2020b). Despite the rulings in *Commonwealth v. Muniz* (Pa. 2017), *Commonwealth v. Butler* (Pa. 2020), and *Commonwealth v. Lacombe et al.* (Pa. 2020), the

constitutionality of sex offender legislation continues to be frequently appealed, with various debates citing ex post facto violations and the punitiveness of SORNA requirements.

Sex Offender Literature

Despite the widespread support for sex offender registration and notification (SORN) laws from legislators and community members in the United States, scholarly discussions continue in the criminal justice profession regarding the efficacy of such laws, including debates on the unintended consequences, like housing instability due to significant residence restrictions, the costliness of maintaining SORN programs, and social stigmatization (Bailey & Klein, 2018; Bonnar-Kidd, 2010; Cubellis et al., 2016; Huebner et al., 2013; Levenson, 2018; Levenson & Tewksbury, 2009). Critics argue that the adverse outcomes associated with registration and notification laws, such as the accessibility of detailed information that may allow family members of sexual offenders to be targeted and harassed, outweigh the potential benefits of the laws (Bailey & Klein, 2018; Levenson & Tewksbury, 2009). In addition, inconsistent conclusions about the effectiveness of SORN policies in reducing sex offender recidivism rates create several concerns about their continued implementation (Bonnar-Kidd, 2010; Cain et al., 2017; Freeman-Longo, 2001; Koon-Magnin, 2015; Levenson, 2018; Levenson & Cotter, 2005; Levenson & Tewksbury, 2009; Prescott & Rockoff, 2011; Zgoba & Bachar, 2009; Zgoba et al., 2008).

Furthermore, one of the primary critiques in research on sexual offenses is the considerable lack of literature on female sex offenders, which results in significant informational gaps. In the United States, the exclusion of females from sex offender research is pervasive, mostly stemming from the misconception that women do not engage in sexual crimes (Cain et al., 2017; Cortoni, 2018; Tewksbury, 2004; Wijkman et al., 2010). Some scholars argue that the

differences between male and female sex offenders are considerable, and the avoidance of including female sexual offenders in studies introduces challenges when attempting to estimate accurate prevalence rates, apply risk assessment tools, and generalize female sex offender demographics or typologies (Cain et al., 2017; Cortoni, 2018; Freeman & Sandler, 2008). For example, using official statistics (e.g., reported to law enforcement) versus data from self-report victimization surveys results in differences when estimating the prevalence of female sex offending (Cortoni, 2018). When considering officially reported sexual crimes, it is projected that women commit approximately 2% of the total crimes; however, information from victimization studies suggests that women are responsible for up to 12% of sex offenses (Cortoni, 2018; Miller & Marshall, 2019).

Although it appears that women sexually offend at significantly lower rates, Cortoni (2018) cautions that current proportions of female offenders may be reduced by underreporting. One potential explanation for the underreporting of sexual offenses committed by a female perpetrator is rooted in the observation that criminal justice professionals, particularly law enforcement agents, often do not associate a high level of seriousness with incidents of female-based sex offending. There is a misconception that women do not commit such crimes, which may interfere with filing official reports or discourage future victims from contacting police officers (Cortoni, 2018). Until additional research is conducted to provide a more accurate conclusion on female sex offender prevalence rates, debates on the accuracy of such rates will continue.

The rare research that does exist on women who sexually offend suggests that female sexual offenders are less likely to recidivate than their male counterparts (Cortoni, 2018; Freeman & Sandler, 2008). Freeman and Sandler (2008) conducted a study examining the

recidivism patterns of male versus female sex offenders. The sample included 780 sex offenders in New York ($n = 390$ males; $n = 390$ females) and considered factors associated with reoffending risk. The authors monitored the participants from their inclusion on the sex offender registry (i.e., the first date on the registry) until the individuals were rearrested for an offense. The research found that male sex offenders have a higher recidivism rate than female offenders for committing other sexual acts, as well as nonsexual crimes. The mean amount of time before a rearrest for a nonsexual crime was 3.85 years for males and 4.0 years for females, and the mean amount of time before a rearrest for a sexual offense was 4.9 years for females and 5.13 years for males (Freeman & Sandler, 2008).

The challenges associated with determining accurate prevalence and recidivism rates are also related to a second concept in sex offender literature: risk assessment tools' accuracy. According to Cortoni (2018), due to significant difficulties in gathering a sufficiently large sample, zero assessments to address female sexual offending recidivism risk currently exist. Thus, it can be argued that the conclusions reached from the risk assessments utilized in female sex offender cases to determine female registration and notification requirements are generally flawed because they are geared toward male offending patterns. In other words, the existing instruments ignore the specific gender-based challenges associated with assessing female offenders and assume that women's criminal behavior mimics males who sexually offend (Cortoni, 2018). Some researchers have attempted to develop female sex offender typologies (Cortoni, 2018; Miller & Marshall, 2019; Simons, 2015; Tewksbury, 2004; Wijkman et al., 2010) to improve the validity of assessments used to evaluate female sex offenders. However, the demographics and characteristics of women who commit sexual offenses must be further studied.

Other research on sexual offending has explored contact versus non-contact offenders. Babchishin et al. (2011) published a meta-analysis on online (non-contact) and offline (contact) offenders to examine potential differences in demographics between the two categories of sexual offenders. During the sample selection process, it was determined that 5 out of the 27 studies chosen for analysis included female participants in the original research. The results of the meta-analysis suggest, when reviewed in reference to the general population, non-contact sexual offenders were more likely to be male, unmarried (single), without employment, Caucasian, and belonging to a younger cohort (Babchishin et al., 2011).

Similarly, Faust et al. (2015) studied the demographics of child contact and child pornography sex offenders. The sample was entirely male, composed of 210 child contact offenders, defined in the study as having at least one contact offense conviction, and 428 child pornography offenders, convicted of one or more offenses involving the possession or distribution of child pornography (Faust et al., 2015). The authors found significant differences between child contact and child pornography offenders. More specifically, child contact sexual offenders, at the time of their arrest, were less likely to be married than child pornography offenders, including having a lesser likelihood of employment before an arrest. However, child pornography users were overwhelmingly White (93.0%) and, on average, ten years older than child contact offenders (Faust et al., 2015). Demographics, such as race and gender, appear consistent in research findings regarding contact and non-contact offenses; yet there seem to be differences in the study results regarding the age of men who sexually offend online versus in person (Babchishin et al., 2011; Faust et al., 2015). Thus, additional research is needed to explore the ages of sexual offenders further.

Scholars generally agree that female sex offenders are younger than their male counterparts (Cortoni, 2018; Tewksbury, 2004; Wijkman, 2010). Although the mean age varies between studies (Cortoni, 2018; Tewksbury, 2004; Wijkman, 2010), a significant portion of female sex offenders are between the ages of 26-32 (Wijkman, 2010). According to studies on racial demographics, most women who sexually offend are Caucasian (Tewksbury, 2004; Wijkman, 2010), with estimates upwards of 85% of all female sex offenders identifying as White (Wijkman, 2010). Additionally, several studies have examined individual-based qualities, such as a history of victimization or mental health diagnoses, to determine potential patterns of factors that may increase offending. Research suggests a high frequency of mental health disorders, such as depression or anxiety, in conjunction with a background of experiencing sexual and physical victimization, within the female sexual offender population (Cortoni, 2018; Wijkman, 2010). However, Cortoni (2018) emphasizes that a pattern of victimization is not necessarily causal for female sex offending, which relates to the discussion in literature on challenges with developing female sex offender typologies.

Some scholars have detailed the initial efforts to classify female sex offenders, which include a prominent longitudinal, qualitative study conducted by Matthews et al. (1989, as cited in Cortoni, 2018) that assessed 16 participants over approximately one year, resulting in the proposal of three typologies (Cortoni, 2018; Wijkman, 2010). The first typology, the teacher or lover, refers to a female who sexually targets a minor, most often an adolescent who is a male. A power dynamic exists within this "relationship," and the female offender perceives her sexual relations with the victim as a method for conveying love (Cortoni, 2018). The predisposed categorization, a second typology, describes a female sex offender who selects intrafamilial victims, commonly their children. The women in the predisposed offender group use both

physical and sexual violence to abuse their victims and have their own extensive background of being victimized as youth (Cortoni, 2018).

The remaining typology, the male-coerced individuals, is a label for females who commit sexual crimes with a male co-offender. Again, it is not uncommon for male-coerced sex offenders to have a history of being sexually abused themselves, and their relationships with the male co-offender are often characterized by domestic violence (Cortoni, 2018). In general, the three typologies presented are the most common classifications accepted throughout literature (Wijkman, 2010). However, the accuracy of the male-coerced typology is a point of contention among many scholars (Cortoni, 2018). Researchers note findings that contradict the male-coerced typology, including evidence of female co-offenders (e.g., two females sexually offending together), females who begin sexually offending without the presence of a male figure influencing them, and females who engage in solo acts of sexual offending after an initial male-coerced offense (Cortoni, 2018). Consequently, supplementary research on typologies is vital to gain a better understanding of females who commit criminal sexual acts.

A final concept that is relevant to research on sexual offenders is offense gravity scores (OGS). The Pennsylvania Commission on Sentencing (PCS) developed a sentencing guideline matrix, which allocates scores ranging from 1-14, with higher numbers equating to a greater severity level, for each criminal offense committed in Pennsylvania (Cole et al., 2021; The Pennsylvania Code & Bulletin, 2022a; The Pennsylvania Code & Bulletin 2022b; Thompson et al., 2020).

Several researchers have conducted studies analyzing the effect of certain factors, such as offense gravity scores, on formal sentencing outcomes (Cole et al., 2021; Steffensmeier et al., 1993; Thompson et al., 2020). For example, Cole et al. (2021) reviewed the sentences of sexual

offenders over a span of 11 years in Pennsylvania to determine if the type of sexual offenses impacts the length of formal sanctions the defendants receive. The results of the study suggest a complex interaction between individual and case-related factors. Overall, both a higher offense gravity score and previous convictions are associated with a judge implementing a longer sentence than what the matrix outlines. However, contrary to theoretical predictions, an individual convicted of a severe sex offense with a background of prior offending had a higher likelihood of receiving a lesser sentence than the one presented in the matrix guidelines (Cole et al., 2021). Cole et al. (2021) cite the nonalignment of “judicial perceptions” and “guideline sentences” as the reasoning for these findings (p. 1694). In other words, some scholars argue that judges offer shorter sentences to sexual offenders to encourage a higher success of convictions or plea deals (Cole et al., 2021).

A second study on sexual offenders and offense gravity scores found that offense gravity scores, in combination with the contextual factor of available jail space (e.g., facility operating at below capacity), increased judicial sentence decisions for individuals convicted of a sex offense (Thompson et al., 2020). The number of proceedings, defined as court caseload pressure, had a negative relationship with sentencing length for individuals charged with violent crimes; yet, this finding did not extend to sex offenders. Finally, sex offenders who were sentenced in larger court systems were incarcerated less frequently, in addition to the assignment of a shorter sentence, when compared to individuals convicted of other violent crimes; however, the differences were marginal (Thompson et al., 2020).

Steffensmeier et al. (1993) explored how the gender of an offender impacts their sentencing, suggesting that the severity of an offender's offense alters a judge's ruling. More specifically, the study found that legal-based factors, such as a lower level of culpability in an

offense, in addition to extralegal factors like serving as a primary caretaker for children, resulted in lesser sentences involving imprisonment for female offenders. However, the authors did not discover significant differences between genders in the length of their sentences (Steffensmeier et al., 1993). Despite the existing literature on the influence of offense gravity scores on the sentences of sex offenders, including considerations of how gender influences sentencing outcomes, to the author's knowledge, there is a substantial absence of research that specifically compares the individual offense gravity scores of male versus female sexual offenders.

It is vital to mention that a challenge with incorporating offense gravity scores into studies stems from the variation of statutes and interpretations of scores between jurisdictions. For example, in 2015, federal sentencing procedures incorporated a scoring system that assessed the components of an offender's case to assign an offense level and subsequent sentence. However, the federal outline included 43 offense levels dispersed throughout four zones instead of the five levels in the Pennsylvania sentencing matrix (Doyle, 2015; The Pennsylvania Code & Bulletin, 2022a). This illustrates the difficulties in attempting to overlap definitions between state and federal-level offenses. Future research on the offense gravity scores of sexual offenders would be beneficial to develop a more comprehensive insight into the potential differences between male and female scores.

Given the information on sexual offending, the current research aimed to examine the prevalence and nature of female sex offending, which included an analysis of factors such as offense gravity score and demographic variables.

Methodology

Sample

To further explore the characteristics of sex offenders in Western Pennsylvania, a sample of offenders was retrieved from the Pennsylvania Megan's Law registry website. More specifically, due to its status as the largest county by total population in Western Pennsylvania (United States Census Bureau, 2020), Allegheny County was selected for analysis, yielding an original sample of 1,814 male and female registered sex offenders as of February 2023. Individuals included in the original sample who did not have a primary residence in Allegheny County (i.e., the offender was listed in Allegheny due to the location of their employment or school address) were removed from the sample.

Additionally, offenders convicted for out-of-state sexual offenses were eliminated due to significant definitional differences between state statutes. Lastly, the data was collected from the registry in February 2023; however, the entry process did not begin until April 2023. Therefore, sex offenders who were originally in the sample may have been removed from the registry due to circumstances such as fulfilling the length of their required registration. After considering the three excluding factors, there was a final total sample size of 1,394 registered sex offenders in Allegheny County. Of the 1,394 offenders, 39 were registered females, and 1,355 were registered males.

Variables

The current study includes seven variables: gender, age, race, victim type, tier classification, offense type, and offense gravity score (OGS). Excluding offense gravity score, the information for the variables was accessed on the Megan's Law registry, which incorporates state-collected personal material for each sex offender. For this study, gender was defined as

biological sex and was coded as a binary variable, 1 = Male and 2 = Female. The author noted one instance of a transgender woman on the registry in Allegheny County; however, due to the study's objectives, the individual was coded utilizing their biological sex. The age of the participants was calculated using the birth year provided by Megan's Law, which resulted in the variable being measured in years. Eight total values were coded for the age variable, with the groupings incorporating ten years each (i.e., 16-26, 27-37), and ranged from 16 to 103 years old. The coding for race, based on preexisting groupings listed on Megan's Law, included five categories: 1 = White, 2 = Black, 3 = Asian/Pacific Islander, 4 = American Indian/Alaskan Native, and 5 = Unknown.

An additional variable is the victim type, designating whether the victim of the sexual offender was a minor (1= No, 2 = Yes, 3 = N/A). The "not applicable" value refers to individuals convicted of a sex offense before November 30th, 2006- the statutes in Pennsylvania do not require the victim description for these offenders. Regarding the tier classification variable, there are eight specifications for sex offenders in Pennsylvania: Tier I, Tier II, Tier III, Ten-Year, Lifetime, Sexually Violent Predator, Out-of-State, and Pre-Sorna SVP (Pennsylvania State Police, 2023c). The sixth variable developed with information from the Megan's Law registry was the offense type, split into three categories: Primary Offense- Federal, Primary Offense- Pennsylvania, and Sub-Offense- Pennsylvania. Due to a significant number of unique crime codes, the three levels of offenses were subsequently collapsed to create groupings that encompassed similar crimes. For example, the Pennsylvania involuntary deviate sexual intercourse classification contained charges such as involuntary deviate sexual intercourse (3123), criminal attempt (901)/involuntary deviate sexual intercourse (3123), and criminal solicitation (902)/involuntary deviate sexual intercourse (3123).

Finally, an offense gravity score (OGS) was assigned to sex offenders with applicable state-level offenses. The Pennsylvania Code & Bulletin lists the crime code statutes in Pennsylvania with their corresponding OGS, which range from 1-14. The higher scores indicate a higher severity level (The Pennsylvania Code & Bulletin, 2022b). Registered sex offenders with a federal-level primary offense were coded as "not applicable" (i.e., could not receive an OGS). However, participants with a primary offense in Pennsylvania that was associated with an OGS were coded accordingly.

In some cases, the information on Megan's Law needed to be more specific to assign an OGS for a primary offense. Thus, if the primary offense did not yield a score, a sub-offense was utilized when the offender had one. It is necessary to note that the offenses did not always produce an OGS that could be used. For instance, eight versions of the child pornography possession code (6312d) exist. The registry was sometimes lacking specificity, which would also result in the assignment of a "not applicable" value.

To assess the qualitative variables in the study, a descriptive crosstabulation analysis was conducted to compare the race, victim type, tier classification, and offense types of male versus female sex offenders in Allegheny County. A test of proportions was also utilized to examine if a significant association existed between gender and victim type, and two independent samples *t*-tests were conducted on the quantitative variables in the study, age, and offense gravity score.

Results

Race

The crosstabulation analysis revealed that most offenders in the study were White ($n = 869$ male; $n = 27$ female), followed by the second highest racial category, Black ($n = 461$ male; $n = 11$ female). The other male offenders were Asian/Pacific Islander ($n = 14$), Unknown ($n = 8$),

and American Indian/Alaskan Native ($n = 3$). There were zero female offenders in the Asian/Pacific Islander or American Indian/Alaskan Native groupings and one female ($n = 1$) in the Unknown value.

Table 1

Crosstabulation Analysis: Gender and Race

Count

Race		Biological Sex		Total
		Male	Female	
Race	White	869 (64.1%)	27 (69.2%)	896 (64.3%)
	Black	461 (34.0%)	11 (28.2%)	472 (33.9%)
	Asian/Pacific Islander	14 (1.0%)	0	14 (1.0%)
	American Indian or Alaskan Native	3 (.2%)	0	3 (.2%)
	Unknown	8 (.6%)	1 (2.6%)	9 (.6%)
Total		1355	39	1394

Age

Independent Samples t -tests were utilized to examine age and offense gravity score. Due to statistically significant Levene's tests, equal variances were not assumed. A 95% confidence interval was selected for both variables, and the objective was to test if the mean age and mean OGS for the male and female sex offenders were equal. The results of the t -test analysis on age revealed a significant difference ($p = .002$) between males and females, indicating that the mean age for the two samples is not equal. As shown in Table 2, the males ($M = 3.62$; $SD = 1.314$) are older than the female offenders ($M = 3.13$; $SD = .923$).

Table 2

Independent Samples Test for Age

		Levene's Test for Equality of Variances				t-test for Equality of Means				95% CI	
		F	Sig.	t	df	One-Sided p	Two-Sided p	Mean Difference	Std. Error Difference	Lower	Upper
Age	Equal variances assumed	8.922	.003	2.335	1392	.010	.020	.495	.212	.079	.910
	Equal variances not assumed			3.254	42.558	.001	.002	.495	.152	.188	.801

Tier Classification

According to the data, the offenders in Allegheny County are primarily lifetime registrants ($n = 482$ male; $n = 10$ female), and the least prevalent tier for both males ($n = 2$) and females ($n = 0$) was Sexually Violent Predator. However, the tier classification frequencies began to differ between genders in the remaining categories, which is displayed in Table 3.

Table 3

Crosstabulation Analysis: Gender and Tier Classification

Count		Biological Sex		
		Male	Female	Total
Tier Classification	Tier I	260 (19.2%)	4 (10.3%)	264 (18.9%)
	Tier II	140 (10.3%)	9 (23.1%)	149 (10.7%)
	Tier III	195 (14.4%)	6 (15.4%)	201 (14.4%)

Ten-Year	117 (8.6%)	7 (17.9%)	124 (8.9%)
Lifetime	482 (35.6%)	10 (25.6%)	492 (35.3%)
Sexually Violent Predator	2 (.15%)	0	2 (.1%)
Out-of-State	83 (6.1%)	2 (5.1%)	85 (6.1%)
Pre-SORNA SVP	76 (5.6%)	1 (2.6%)	77 (5.5%)
Total	1355	39	1394

Victim Type

The male and female offenders scored similarly on the victim type variable. Due to the exclusionary rule on Megan's Law mentioned in the methodology section, many individuals could not receive a "yes" or "no" on whether their victim was a minor because of a conviction before 2006. They were coded as "not applicable" ($n = 447$ male; $n = 5$ female). Regarding the available data on the status of the victim, both males ($n = 789$) and females ($n = 32$) had the highest frequency for minor victims, with not having a minor victim as the lowest grouping ($n = 119$ male; $n = 2$ female). Despite minor victims being the most frequent group for both genders, the number of minor victims for female offenders (82.1%) was proportionately higher than for males (58.2%). A test of proportions showed there was a statistically significant difference between gender and victim type ($X^2 = 8.937, p = .002$).

Table 4

Crosstabulation Analysis: Gender and Victim Type

Count

		Biological Sex		Total
		Male	Female	
Was the victim a minor?	No	119 (8.8%)	2 (5.1%)	121 (8.7%)

	Yes	789 (58.2%)	32 (82.1%)	821 (58.9%)
	N/A	447 (33.0%)	5 (12.8%)	452 (32.4%)
Total		1355	39	1394

Offense Type

Three descriptive analyses were conducted on the offense type variables: (1) Primary Offense- Federal, (2) Primary Offense- Pennsylvania, and (3) Sub-Offense- Pennsylvania. The results of the crosstabulation on federal offenses revealed child pornography as the most prevalent conviction for male offenders ($n = 108$). However, sex trafficking was the principal federal offense for females ($n = 3$). Female offenders only occurred in one other federal category, rape/sexual assault ($n = 1$). Conversely, the males had interstate-related ($n = 5$), rape/sexual assault ($n = 4$), sex trafficking ($n = 3$), and coercion/enticement of minors ($n = 3$) offenses.

Table 5

Crosstabulation Analysis: Gender and Primary Offense-Federal

Count

		Biological Sex		
		Male	Female	Total
Primary Offense- Federal	Rape/Sexual Assault	4 (.3%)	1 (2.6%)	5 (.4%)
	Sex Trafficking	3 (.2%)	3 (7.7%)	6 (.4%)
	Coercion/Enticement of Minors	3 (.2%)	0	3 (.2%)
	Child Pornography	108 (8.0%)	0	108 (7.7%)
	Interstate-Related Offenses	5 (.4%)	0	5 (.4%)
	N/A	1232 (90.9%)	35 (89.7%)	1267 (90.9%)
Total		1355	39	1394

Note. N/A count reflects participants without a federal offense.

In Pennsylvania, indecent assault was the leading state-level offense for the registered males and females ($n = 297$ male; $n = 12$ female). Yet, the frequencies for the outstanding offenses differed between the two genders. The number of males with a rape conviction ($n = 209$) closely succeeded indecent assault. In descending order, additional offenses for the males included child- sexual abuse ($n = 183$), involuntary deviate sexual intercourse ($n = 179$), aggravated indecent assault ($n = 123$), sexual assault ($n = 101$), unlawful contact/communication with a minor; corruption of minors ($n = 89$), statutory sexual assault ($n = 27$), child- other ($n = 11$), other ($n = 10$), and institutional sexual assault ($n = 5$). Females, however, had involuntary deviate sexual intercourse as their second highest offense ($n = 6$), followed by unlawful contact/communication with a minor; corruption of minors ($n = 4$), statutory sexual assault ($n = 3$), aggravated indecent assault ($n = 2$), child- sexual abuse ($n = 2$), institutional sexual assault ($n = 2$), rape ($n = 1$), sexual assault ($n = 1$), child- other ($n = 1$), and other ($n = 1$).

Table 6

Crosstabulation Analysis: Gender and Primary Offense-PA

Count

		Biological Sex		
		Male	Female	Total
Primary Offense-PA	Indecent Assault	297 (21.9%)	12 (30.8%)	309 (22.3%)
	Aggravated Indecent Assault	123 (9.1%)	2 (5.1%)	125 (9.0%)
	Rape	209 (15.4%)	1 (2.6%)	210 (15.1%)
	Sexual Assault	101 (7.5%)	1 (2.6%)	102 (7.3%)
	Child- Sexual Abuse	183 (13.5%)	2 (5.1%)	185 (13.3%)

Involuntary Deviate Sexual Intercourse	179 (13.2%)	6 (15.4%)	185 (13.3%)
Unlawful Contact/Communication with Minor; Corruption of Minors	89 (6.6%)	4 (10.3%)	93 (6.7%)
Statutory Sexual Assault	27 (2.0%)	3 (7.7%)	30 (2.2%)
Child- Other	11 (.8%)	1 (2.6%)	12 (.9%)
Institutional Sexual Assault	5 (.4%)	2 (5.1%)	7 (.5%)
Other	10 (.7%)	1 (2.6%)	11 (.8%)
N/A	121 (8.9%)	4 (10.3%)	125 (9.0%)
Total	1355	39	1394

Note. N/A count reflects participants without a PA offense.

Like the state-level primary offenses, males and females had a top sub-offense of indecent assault ($n = 207$ males; $n = 5$ females). However, the females had significantly fewer sub-offense assignments than the male offenders. One potential explanation for female offenders having fewer sub-offenses than males is the difference in sample size (i.e., fewer females than males in the study). The remaining offense groupings for females were statutory sexual assault ($n = 3$), unlawful contact/communication with a minor; corruption of minors ($n = 2$), and institutional sexual assault ($n = 1$). In conjunction with indecent assault, the male offenders had crime codes dispersed throughout ten additional categories: sexual assault ($n = 36$), involuntary deviate sexual intercourse ($n = 27$), statutory sexual assault ($n = 21$), unlawful contact/communication with a minor; corruption of minors ($n = 20$), aggravated indecent assault ($n = 16$), rape ($n = 13$), child- other ($n = 6$), institutional sexual assault ($n = 4$), and incest ($n = 3$).

Table 7*Crosstabulation Analysis: Gender and Sub-Offense*

Count

		Biological Sex		
		Male	Female	Total
PA Sub-Offense	Unlawful	20	2	22
	Contact/Communication with Minor; Corruption of Minors	(1.5%)	(5.1%)	(1.6%)
	Indecent Assault	207 (15.3%)	5 (12.8%)	212 (15.2%)
	Aggravated Indecent Assault	16 (1.2%)	1 (2.6%)	17 (1.2%)
	Involuntary Deviate Sexual Intercourse	27 (2.0%)	0	27 (1.9%)
	Incest	3 (.2%)	0	3 (.2%)
	Rape	13 (1.0%)	0	13 (.9%)
	Child- Other	6 (.4%)	0	6 (.4%)
	Sexual Assault	36 (2.7%)	0	36 (2.6%)
	Statutory Sexual Assault	21 (1.5%)	3 (7.7%)	24 (1.7%)
	Institutional Sexual Assault	4 (.3%)	1 (2.6%)	5 (.4%)
	N/A	1002 (73.9%)	27 (69.2%)	1029 (73.8%)
	Total	1355	39	1394

Note. N/A count reflects participants without a PA sub-offense.

Offense Gravity Score

The independent samples *t*-test for offense gravity score, depicted in Table 8, did not find a significant difference ($p = .199$) between scores for male and female offenders. Because the

analysis for OGS did not reveal a statistically significant difference, the mean score for males ($M = 7.46$, $SD = 3.221$) and females ($M = 6.46$, $SD = 2.602$) was determined to be equal.

Table 8*Independent Samples Test for OGS*

		Levene's Test for Equality of Variances		t-test for Equality of Means							
		F	Sig.			Significance		95% CI			
				t	df	One-Sided p	Two-Sided p	Mean Difference	Std. Error Difference	Lower	Upper
Offense Gravity Score (OGS)	Equal variances assumed	9.443	.002	1.106	464	.135	.269	.998	.902	-.775	2.770
	Equal variances not assumed			1.353	13.078	.099	.199	.998	.737	-.594	2.589

Discussion

The results of the current study, which examined male and female registered sex offenders in Allegheny County, revealed several key findings that contribute to the discussion on female sex offenders and address the gap in sex offender literature. First, 39 of the 1,394 registered offenders were female, accounting for approximately 2.8% of the total sex offender population in Allegheny County. This percentage estimate aligns with data from general official statistic reports; however, as noted in the literature section of this paper, one must use caution when interpreting the prevalence rates of female sex offenders due to underreporting (Cortoni, 2018). A second observation in the current study that appears to align with previous research is the race of the offenders. Prior research consistently finds that most sex offenders are White

(Babchishin et al., 2011; Faust et al., 2015), and the research reflected this consensus (64.1% male; 69.2% female).

The other demographic-based variable in the study, age, suggests that male sex offenders are older than female offenders. Again, the results of the *t*-test analysis on age reflect information gained from external studies and appear to support the determination that female offenders are generally younger than their male counterparts (Cortoni, 2018; Tewksbury, 2004; Wijkman, 2010). Furthermore, the typical age of female offenders in existing literature ranges from 26-32 (Wijkman, 2010). However, on average, the females in Allegheny County appear older than the participants in other research ($M = 3.13$; 38-48 years).

One must be cautious when attempting to directly compare the male and female sex offenders in the current study due to factors such as significant differences in sample size ($n = 1,355$ male; $n = 39$ female), yet it is interesting to report that 82.1% of female offenders had a victim who was a minor, while only 58.2% of males offended against a child. A test of proportions found a significant association between the gender of an offender and having a minor victim ($X^2 = 8.937$, $p = .002$). Although, this finding may be related to the fact that there are more male Pre-SORNA SVPs than females, which does not require the disclosure of a minor victim if the conviction occurred before November 2006. Therefore, the 447 “not applicable” entries for males could be responsible for a decrease in the percentage of males with minor victims.

Despite attempts to develop typologies for female sex offenders (Cortoni, 2018; Miller & Marshall, 2019; Simons, 2015; Tewksbury, 2004; Wijkman et al., 2010), there is an overall lack of data available on the tier classifications and offense types within the population. Thus, the results from the current study can be used as supplementary information. According to the analysis on tier classification, 35.6% of male offenders and 25.6% of female offenders in the

sample are lifetime registrants, serving as the most frequent grouping. Pennsylvania designates two types of lifetime registrants. Individuals convicted of a sexual offense before December 20th, 2012, are labeled as lifetime offenders. However, if the offender was convicted (on) after December 20th, 2012, the current tier system designates the individual as a Tier III classification, which is also lifetime registration (Pennsylvania State Police, 2023c). If the Tier III and lifetime offenders are summed to create a single lifetime registration category, these individuals account for approximately 50% of males and 41% of females in the sample. Most of the remaining offenders are Ten-Year (8.6% male; 17.9% female), Tier I (19.2% male; 10.3% female), and Tier II (10.3% male; 23.1% female). This information is beneficial because, although the percentages vary, overall, the data shows that there are similar distributions across tier classifications for both male and female offenders.

Due to the limited details provided on Megan's Law regarding the circumstances of the participants' charges, there are challenges when attempting to apply the three female sex offender typologies discussed in the literature section to the results of the crosstabulation analysis of the primary offense (Pennsylvania) variable. For example, one cannot assume the motivations of the offenders. Despite this limitation, there are several findings that are of interest. In the primary offense- federal category, there were three females (7.7%) convicted of sex trafficking offenses, one of whom appears to have been charged with a male collaborator. Again, the specifics of the case are lacking from Megan's Law, but it seems that this could be semi-aligned with the male-coerced typology. Secondly, two female offenders in the sample (5.1%) had an institutional sexual assault conviction, one of whom had a specific sub-offense charge of institutional sexual assault- child care (3124.2(a)(3)). The second female offender did not have a sub-offense listed. Given the lack of information on the setting that one of the assaults occurred within, one cannot

make assumptions regarding the applicability of the teacher/lover typology in this circumstance. However, two of the male offenders in the study had an institutional assault conviction for engaging in a sexual relationship with an individual under 18 years of age in a state corrections/mental health facility (3124.2(a)(1)), and the remaining two males with an institutional assault sub-offense assaulted victims in an educational (school) setting (3124.2(a)(2)).

Interestingly, there were more male offenders than females convicted of institutional assault, as both a primary ($n = 5$ male; $n = 2$ female) and sub-offense ($n = 4$ male; $n = 1$ female) in Pennsylvania; however, with regards to the sample size, the proportion of females (5.1% primary; 2.6% sub-offense) was higher than males (.4% primary; .3% sub-offense). The difference between genders could be due to diverging roles of males and females within caretaker positions, which is a potential area for future research. The incest charge collapsed into the child sexual abuse category (2.6%) is a depiction of the second typology, females who sexually offend within their family (Cortoni, 2018). Lastly, the sub-offenses for females, specifically indecent assault and statutory sexual assault, primarily consisted of victims less than 16 years old.

A unique component of the current study that has not, to the author's knowledge, been previously explored is the offense gravity scores (OGS) of male and female sex offenders. The independent samples *t*-test revealed equal mean scores for males ($M = 7.46$) and females ($M = 6.46$). Because the Pennsylvania code ranks OGS in ascending severity (i.e., with 14 being the most severe on a scale of 1-14), it can be concluded that male and female offenders, on average, commit sexual offenses that range from moderate to moderately high severity levels. Due to the

small sample size of female offenders ($n = 39$) in the current study, future research on offense gravity scores would benefit from increasing the number of participants in the study.

Limitations

Due to its descriptive nature, the current study has several limitations. First, there is a lack of generalizability. The sample is entirely from Allegheny County in Western Pennsylvania. Therefore, it is not unlikely that the demographics of the male and female offenders in alternative geographical locations would differ from those in Allegheny. A second limitation is the inability to conduct analyses to determine if statistically significant relationships exist for a majority of the variables in the study. Thirdly, the information available on the Pennsylvania Megan's Law website provides numerous details for each registered sex offender; however, it often lacks depth and specificity, creating significant data gaps for some of the variables. Subsequently, the absence of specific information may have influenced the study results.

A final limitation to note is that the study focused solely on convicted sexual offenders. Pre-conviction circumstances, such as differences in prosecutorial charging determinations, may be influenced by the gender of the offender, which could impact the individuals convicted and placed on the Megan's Law registry. To add, criticisms about prosecutorial discretion relate to critiques on how the tier classifications on Megan's Law are decided. Outcomes in sex offender cases, such as a prosecutor's choice to offer a plea deal, may alter the tier grouping under which an individual is placed, potentially limiting the scope of the offense-based data. In other words, an offender may have committed a crime that would be classified as a Tier II sex offense; however, the prosecutor offered a plea deal to secure a conviction, and the individual was subsequently required to register as a Tier I offender instead.

Conclusion

The current study aimed to explore the lack of research on female sex offenders, including an examination of the prevalence and nature of female sex offending in Allegheny County. The results of analyses on demographic-based variables, such as age and race, reflected findings from previous studies- female sex offenders are primarily White and generally younger than male offenders. Moreover, the prevalence rate of female offenders in Allegheny County, approximately 2.8%, aligns with official statistic reports. The existing typologies in prior literature can loosely be applied to the specific offense types of females in the current study, including convictions for incest, institutional sexual assault, and sex trafficking. However, future research should consider supplementary information to strengthen such conclusions. For example, The Unified Judicial System of Pennsylvania Web Portal contains public case dockets that provide a more detailed background on an individual's criminal charges in Pennsylvania, which could be used to address the informational gaps on the Megan's Law website regarding the specific crime codes a female offender was convicted of.² A second extension of the research for future studies involves offense gravity scores. An independent samples *t*-test found that males and females have equal mean scores, and additional research could further expand this understudied construct.

Several gaps in sex offender literature were presented in this paper, such as the overall exclusion of female sex offenders from studies. Although the limitations of the current research, particularly the small sample size of women, should be considered when discussing outcomes, the study's results contributed to furthering the understanding of convicted female sex offenders. Increasing the number of female participants and further examining what specific offense types

may suggest about the offending patterns of convicted female sex offenders are potential next steps for additional research.

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Footnotes

¹ Registration details and tier classifications are available on the Pennsylvania Megan's Law website (<https://www.meganslaw.psp.pa.gov/InformationalPages/Registration>).

² Pennsylvania court case information is accessible on The Unified Judicial System of Pennsylvania Web Portal (<https://ujportal.pacourts.us/>).