
Protecting God's Children for Adults

Beyond Background Checks and Offender Registries: What's Needed to Protect Children

By [Anne Nurse](#)

We all want to protect children from abuse and other harm—attending a training awareness session is a great first step. Between 2015 and 2017, I had the opportunity to conduct an in-depth study of the *Protecting God's Children*[®] (PGC) program where I conducted participant observation in over 20 sessions.¹ With the permission of all the attendees, I took detailed notes on the discussions that revealed the fears, hopes, and concerns of the diverse group of attendees. I also listened as participants talked about what they personally believed were the most effective ways to keep children safe. The two measures most often described were sex offender registries and background checks. Although these two tools can be helpful as part of a comprehensive program to protect children, focusing only on these two safeguards can actually work against our protection efforts.

Background Checks

Most states require a background check of all employees in child-serving organizations. Many organizations (like the Catholic Church and the Scouts) also require them for volunteers who interact with youth.² To start with the good news, it is clear that background check requirements are effective in preventing some people with criminal records from working with children, which is why background checks as part of an overall screening process for employees and volunteers is one of the five steps of the *Protecting God's Children*[®] program (everyone must have them because everyone must be held to the same standard). Background checks are effective when an organization refuses to enlist someone based on the evidence of one or more convictions. They are also preventative when people who have been convicted of crimes do not apply for a job or volunteer position, because they know that a check is required. A study of 3.7 million background checks found that about 5 percent returned a criminal conviction, but only a minority of these (about 1.7 percent) returned a sexual offense. The most common offenses were driving under the influence, theft/larceny and check fraud.³

Background checks are helpful in verifying information provided by a potential employee or volunteer. In some situations, people with convictions have been known to submit an authorization for a background check, assuming that no one will actually conduct the check, or that they will be able to "explain away" their conviction. Following a thorough background check process can help eliminate these situations.

While background checks absolutely provide some protection for children, they can occasionally present concerns, especially if they are implemented as the only means of protecting the vulnerable. Here are some concerns regarding background checks:

- They can lead to a false sense of security, because it can be easy to assume that a person who has a clean background check will not abuse or harm children.
- Background checks do not identify offenders who have never been caught or those who may exhibit problematic or inappropriate behavior when interacting

with children or the vulnerable. They can also contain errors—such as listing an arrest, but not whether the person was convicted.

- A name search can retrieve the wrong person, or a person can lie about their social security number or date of birth.
- Background checks only cover the past—repeat checks must be conducted to be aware of new offenses.

Additionally, most background checks do not include offenses committed by juveniles, because they are accorded special protections to give them a fresh start in adulthood. This logic is compelling given that juvenile sex offenders' rate of recidivism (being arrested and convicted for a new sexual crime) is notably lower than that of adult offenders.⁴ A recent study found that only about 2.5 percent of juveniles who commit sexual offenses (not just child sexual abuse) recidivate over five years.⁵ This compares with older data from adult sexual offenders that found a rate of about 13 percent over five years and 23 percent over 15 years.⁶ Although juvenile recidivism is low, organizations who hire teenagers (like summer camps) should be aware that most juvenile records are excluded from background checks.

Sex Offender Registries

Like background checks, sex offender registries were created with the goal of protecting children from people with a history of abuse. These registries contain a list of people who have been convicted of sexual offenses, along with personal information. Every state has a registry—and there is also a federal registry. "Community notification" laws were passed later and mandate that information about people on the registry be provided to the public or to some segment of the public—generally through a website. Today, every state has community-notification legislation, often named "Megan's Law," after seven-year-old Megan Kanka, who was abused and murdered in New Jersey in 1994.

Research shows that registries and community notification have very mixed results in protecting children. An analysis of the separate effects of the two, for example, did show that registries are associated with a slight decrease in sexual re-offending. This is because police know where registrants live and are better able to monitor them. The same analysis, however, also showed that community notification is associated with a slightly reduced rate of sexual offending, but only among people who are not on the registry (which could act as a deterrent). Surprisingly, however, researchers found that people who are on the registry actually **increase** their rate of offending.⁷ This is likely because being on the registry often leads to unemployment, homelessness, and shame—all of which are linked to higher recidivism.⁸ Another concern is the existence of registries can lull people into a false sense of security, believing that only people on the list are potentially dangerous. This could limit prevention efforts, or cause people to be slower in catching warning signs of inappropriate behavior or abuse from others.

Many states have widened the net of sexual offender registries. This can result in the injustice of people being on the registry who have not committed a serious or even sexual crime (such as in one state where a non-custodial parent who does not return their child to the custodial parent within a specific timeframe can be placed on the registry). Also, there is no one body or entity that is verifying the information on the registries or actually regulating it. The information and addresses may not always be accurate or up to date since the data is gathered by local law enforcement from the people on the registry themselves.

When we think about protecting children, all of us want to focus on the measures that are most effective. The PGC Program provides us with tangible actions we can all take by utilizing evidence-based warning signs of abuse and grooming. If you need a refresher on the five steps, you can reach out to your local coordinator or even attend another session.

Although it can be intimidating to think that we all have a role to play in child protection—it is also empowering that each one of us can make a difference! We must all commit to following the five steps and working together to ensure all environments are safe for children and the vulnerable. As a community of caring adults, we need to recognize (and utilize) our own power to protect children.

References

- 1 There are three published articles from the study (listed below), but all findings are also summarized in my open-access (free) book, *Confronting child sexual abuse: Knowledge to action*. (2020) Lever Press. <https://doi.org/10.3998/mpub.12085149>
- Construction of the Offender in Child Sexual Abuse Prevention Training for Adults. (2017). *Journal of Criminal Justice Education*, 28(4), 598-615. <https://openworks.wooster.edu/facpub/392/>
- Knowledge and behavioral impact of adult participation in child sexual abuse prevention: Evaluation of the Protecting God's Children program. (2017). *Journal of Child Sexual Abuse*, 26(5), 608-624. <https://openworks.wooster.edu/cgi/viewcontent.cgi?article=1230&context=facpub>
- Coaches and child sexual abuse prevention training: Impact on knowledge, confidence, and behavior. (2018). *Children and Youth Services Review*, 88, 395-400.
- 2 Note from the author: Interestingly, Oprah Winfrey played a significant role in opening the door for the availability of these checks. As an abuse survivor herself, she hired a law firm to draft what became the National Child Protection Act of 1993. The act created the first national database of criminal child sexual abuse convictions that child-serving organizations could access.
- 3 LexisNexis. (2009). *The importance of background screening of nonprofits: An updated briefing [White Paper]*. LexisNexis.
- 4 Caldwell, M. F. (2016). Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*, 22(4), 414-426.
- 5 Caldwell, M. F. (2016). Quantifying the decline in juvenile sexual recidivism rates. *Psychology, Public Policy, and Law*, 22(4), 414-426.
- 6 Harris, A. J. R., and Hanson, R. K. (2004). *Sex offender recidivism: A simple question*. Minister of Public Safety and Emergency Preparedness. <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/sx-ffndr-rcdvsrn/index-en.aspx?wbdisable=true>
- 7 Prescott, J. J., and Rockoff, J. E. (2011). Do sex offender registration and notification laws affect criminal behavior? *The Journal of Law and Economics*, 54(1), 161-206.
- 8 Lageson, S., and Uggen, C. (2013). *How Work Affects Crime--And Crime Affects Work--Over The Life Course*. In C. L. Gibson and M. D. Krohn (Eds.), *Handbook of Life-Course Criminology* (pp. 201-212). Springer New York. https://scholar.google.com/scholar?hl=en&as_sdt=0%2C36&q=How+Work+Affects+Crime--And+Crime+Affects+Work&btnG=

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