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## Public Interest in Sex Offenders: A Perpetual Panic?

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### ABSTRACT AND ARTICLE INFORMATION

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All 50 states have laws that require sex offenders to register with law enforcement and for that information to be made publicly available. The rapid passage of sex offender policy, coupled with increased media attention and sensationalized cases, suggests a moral panic. However, if it is a moral panic, we would expect it to expire as quickly as it appeared. But this does not seem to be the case. Political and media interest seem persistent, though the role of public interest is unclear. We use Google Trends data for the United States, employing an interrupted time-series design to analyze public interest in sex offenders before and after passage of the Adam Walsh Act in 2006. We found that such interest is fairly stable over time. Our results have implications for how we understand sex offenders, how we understand moral panics, and the ways in which laws are derived from them.

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The first piece of federal sex offender legislation, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, was passed in 1994. This law required that states comply with federal guidelines to establish sex offender registries at state and local levels. Sex offender laws in the United States are not new, with California having established sex offender registration back in 1947 (La Fond, 2005). But in the 20 years since the Wetterling Act, all 50 states have enacted laws that require sex offenders to register with state and local law enforcement and for that information to be made publicly available, usually on the Internet through a searchable database. In addition, with the passage of

The Adam Walsh Child Protection and Safety Act (AWA) by Congress in 2006, many states and local jurisdictions have passed increasingly restrictive laws about how often, for how long, and what information sex offenders must register, as well as where they can live and where they can work.

Recently, scholars have begun to examine the unintended consequences of these laws and have produced a growing body of evidence demonstrating that these laws make reintegration into conventional life very difficult and generally have little to no effect on sex offender recidivism (Burchfield & Mings, 2008; Levenson & Cotter, 2005; Levenson, D'Amora, & Hern, 2007; Levenson & Hern, 2007;

Sample & Kadleck, 2008; Sandler, Freeman, & Socia, 2008; Schram & Milloy, 1995; Tewksbury & Jennings, 2010; Tewksbury & Lees, 2006; Vasquez, Maddan, & Walker, 2008; Zgoba, Witt, D'Alessandro, & Veysey, 2008). Despite this evidence, myths about sex offenders remain, including that victimization is usually against children, recidivism rates are high, the sex offender population is homogenous in terms of offending patterns, and rehabilitation is impossible (Dowler, 2006; Sample & Bray, 2003, 2006). Further, these myths are perpetuated by the media, the public's main source of information about crime (Dowler, 2006; Galeste, Fradella, & Vogel, 2012). Thus, lawmakers appear to show no interest in rescinding the more onerous restrictions associated with being a registered sex offender; some remain intent on increasing these restrictions, with threats to that effect being disseminated through the media in the wake of high-profile sex crimes.

The rapid passage of sex offender policy in the 1990s, coupled with increased media attention and lurid, sensationalized cases of homicides against children, suggests a sex offender moral panic (Horowitz, 2007). However, if this were conceptualized as a traditional moral panic, we would expect media attention and public interest to expire almost as quickly as it appeared (Cohen, 1972/2002). But in the case of sex offending, this does not seem to be the case. Political and media interest and attention to sensational sex offenses and the passage of sex offender reform seem persistent, though the role of public interest is unclear. This study examines public attention toward sex offenders and offending over time. We use Google Trends data for the United States from 2004-2012, employing multi-level modeling to analyze public interest in sex offenders before and after passage of the Adam Walsh Act in 2006.<sup>1</sup> We hope to determine if there is a "perpetual" sex offender panic—consistent public interest in the topic over time. Our results will have implications for not only how we study and understand sex offenders, but also how we study and understand moral panics, and the ways in which laws are derived from them.

## Literature Review

### Moral Panics

Many scholars believe that sex offender laws have been the result of a series of moral panics dating back at least to the turn of the century (Jenkins, 1998; Sutherland, 1950; Zgoba, 2004). The concept of "moral panic" (Young, 1971) was most thoroughly defined by Cohen (1972/2002) who identified periods

in which moral entrepreneurs, with the help of the media and accredited experts, construct a specified problem or group of people as a threat to decency, safety, and social order. In response to this new threat, legislation is crafted that is often viewed as symbolic in nature (Rochefort & Cobb, 1994; Sutherland, 1950). The collective response this process engenders is described as a "panic" because the threat is generally greatly overstated, misdirected, and irrational, yet it is reaffirmed by policy makers and the creation of new law (Ben-Yehuda, 1990; Jenkins, 1998). Cohen's criteria lay the groundwork for a processual understanding of moral panics, with an emphasis on the sequence or trajectory of the panic; the timing and social context of such an event; and the role that politicians, agents of social control, and the media play in constructing the panic (Cricher, 2008). More recently, however, some suggest an attributional model of moral panics (Cricher, 2008). This approach identifies the necessary elements of a moral panic, including a heightened level of concern that is also disproportionate to the harm presented, increased hostility toward the source of the panic, a minimal degree of consensus about the threat, and volatility in the emergence and dissipation of the panic (Goode & Ben-Yehuda, 1994).

Both the processual and attributional models have been used to investigate the construction and legislation of new categories of deviance. While new laws passed in the wake of moral panics may address instrumental goals, scholars have also been attuned to the symbolic function of much of this legislation (Cohen, 1972/2002; Sample, Evans, & Anderson, 2011). That is, these laws serve more to assuage public fear in the wake of a moral panic, reinforce or redraw moral boundaries, and scapegoat entire classes of people whose behaviors trigger our most personal and subconscious fears (Erikson, 1966; Garland, 2008; Meloy, Saleh, & Wolff, 2007; Sample, et al., 2011; Stolz, 1983) than to change the behavior of those targeted by the law. Whatever the outcome, both the processual and attributional models of moral panics suggest that, by their very nature, moral panics are temporary calamities that draw public attention to an emerging social problem and are often resolved through moral or legal condemnation which, in turn, reaffirms societal values (Cohen, 1972/2002; Garland 2008; Goode & Ben-Yehuda, 1994; Hier, 2008, 2011).

A third approach to the study of moral panics has emerged which suggests that moral panics perform a valuable moral regulatory function in society (Cricher, 2009; Garland, 2008; Hier, 2011). This model conceives of a moral panic as "the volatile local manifestation of what can otherwise be

understood as the global project of moral regulation” (Hier, 2002, p. 329). Thus, moral panics emerge from a continuum of routine moral regulation, and are more likely when the issue involves a high level of threat to the moral order, is highly amenable to social control, and presents a clear “folk devil” that is easily targeted for persecution (Cricher, 2009). According to this model of moral panics, theoretical and empirical focus should be directed not only at the elements and trajectory of the moral panic, but also at the moral content of claims about the offending group, for example, sex offenders whose designation as “predators” challenge traditional values of sexual propriety and the innocence of children (Garland, 2008; Jenkins, 1998; Quinn, Forsyth, & Mullen-Quinn, 2004).

### **Persistence of the Sex Crime Moral Panic**

Regardless of the approach taken to study moral panics, many scholars assume the fleeting nature of these events and would characterize moral panics generally, and sex crime panics specifically, with an initial spike in media, expert, and policy-maker attention followed by a rapid decline in public discourse about the problem that originally drew attention (Jenkins, 1998; Sutherland, 1950). Some scholars, however, have begun to question this characterization. Perhaps the first to recognize the cyclical nature of sex crime panics, Jenkins (1998) acknowledged that, historically, sex crime panics have been temporary, waxing and waning over the last century. But the 1990s ushered in a new sex crime panic that, rather than peaking and dissipating, has instead plateaued; he argued that “child abuse has become part of our enduring cultural landscape” (Jenkins, 1998, p. 232). Jenkins (1998) offers multiple reasons for this persistence, including the evolution of the Internet and governmental interest in its regulation, the movement of women into the economic and political arenas, as well as several high-profile child abduction, rape, and murder cases that spawned knee-jerk legislation targeting the newly designated “sexual predator” and bearing the names of martyred children like Jacob, Megan and Adam (Valier, 2005). Thus, O’Hear (2008) concluded that we seem to be “in a state of perpetual panic, with an endless supply of new laws intended to control or punish sex offenders in new and harsher ways” (p. 69).

The perpetuation of the current sex crime panic can be understood within a context of consistent and sustained public and legislative attention over time (Hier, 2002, 2003; Siltaoja, 2013). To the degree to which moral panics are conceptualized as “temporary rupture[s] in the routine process of moral regulation occurring when regulation is perceived to be at a

point of failure” (Siltaoja, 2013, p. 64), logically, we can expect panics, or volatile episodes of attention, within long term processes of moral regulation (Hier, 2002). In this way, what we traditionally consider moral panics, or temporary spikes in media, public, or legislative attention, can occur within a perpetual panic framework. In the case of sex crime panic, we follow the lead of other scholars (Jenkins, 1998; O’Hear, 2008; Siltaoja, 2013) in suggesting that it is possible to witness episodic attention to sex offenders or offending that could be considered as an indicator of moral panic; however, since the 1990s, these episodes have occurred within a consistent and sustained level of public and legislative attention over time, or during a perpetual moral panic. Empirical evidence may suggest that the concept of “moral panic” is not a dichotomous concept of being either a temporary short-term surge in public, media, or legislative attention to an issue or a sustained long-term panic with heightened attention to an issue over time. Rather, traditional notions of “moral panics” can occur during a broader “perpetual panic” defined as a consistent state of public and legislative attention to an issue during processes of moral regulation in response to changes in offending patterns, technology, and criminogenic opportunities.

For example, few would dispute that increased media attention after the killing of Adam Walsh, Jacob Wetterling, Megan Kanka, and Jessica Lunsford—all child victims of sexually-related homicides—likely increased public interest and attention in sex offenders and offending and stimulated legislative reform (Hinds & Daly, 2000; Jenkins, 1998; Quinn, et al., 2004; Sample & Bray, 2003; Zgoba, 2004). Unfortunately, however, we know of no studies that directly measured the public’s interest in sex offending before these events occurred or directly thereafter. We do have evidence that media attention ebbed and flowed as these sensational cases occurred, but media attention is, at best, a proxy measure for public interest (Barak, 1994; Frie, 2008; Sample, 2001). As Barak (1994) explains, we must “move beyond one-dimensional interpretations that maintain either that crime news is a reflection of the interests, preferences, and news of political, class, and cultural elites, or that crime news is a reflection of the demands, interests, and needs of a homogenized mass audience” (p. 8). With this in mind, spikes in media attention do not necessarily indicate spikes in public interest that result in moral panics that produce policy reforms. Rather, perhaps public interest may not wane as media attention does, and the increased public interest generated by sensational cases may subside somewhat but remains higher than pre-sensational case levels. In this way, perhaps we have been in a state of perpetual panic

since learning of the deaths of Jacob Wetterling, Megan Kanka, and others in that public interest has spiked at times but has never returned to the same levels witnessed prior to these cases. The interest in sex offenders and offending did not subside with the passage of symbolic legislation, but rather it remained heightened over time and may never return to levels prior to the federal passage of the Wetterling, Kanka, or Walsh Acts.

The notion of a broader perpetual moral panic is not surprising when examined within the moral regulation model of moral panics. Accordingly, sex offenders serve a moral regulatory function and are cast as the “moral other,” existing outside of the moral boundaries of society and beyond redemption (Garland, 2001; Kohm, 2009). Thus, sex crime panics will emerge sporadically as “temporary crises in routine processes of moral regulation” (Hier, 2011, p. 524). Further, the social control apparatus that these panics necessitates – community registration and notification, chemical castration, civil commitment, among others – will create a kind of deviance amplification or “looping effect” whereby the social reaction to sex offenders interacts with and potentially reinforces their behavior (Hacking, 1999). For instance, to the degree to which public notification and residency restriction laws disrupt the social support networks on which sex offenders’ rely to help manage and control their behavior (Sampson & Laub, 1995), the enactment of these policies (as expressions of public reaction to sex offending) may exacerbate the behaviors that they are meant to suppress (Tewksbury, 2005; Tewksbury & Lees, 2006).

Lancaster (2011) further questions the notion of the ephemeral moral panic and suggests that sex crime panics are a “fixation of American Culture” (p. 1). To explain the perpetuation of sex crime panics, he suggests that the sexual predator has become a tool used by politicians of both parties to cultivate and maintain voters’ fear of crime in order to win elections, support an ever-expanding and increasingly vigilant criminal justice system, and reinforce the “punitive governance” of American citizens (Lancaster, 2011, p. 15). This characterization is also consistent with Walker’s (2010) analysis of sex offender policy in a “risk society” (Beck, 1992) wherein it is suggested that our modern era of diffuse risks and accompanying anxiety has created the need to identify and manage perceptions of risk, like crime. Further, consistent with Feeley and Simon’s (1992) conceptualization of the “new penology,” sex offenders as a class represent a stable, aggregate risk that motivated the wave of registration and notification laws, but that, according to the rhetoric regarding sex offender recidivism, would never be

eliminated (Logan, 2009). As a result, sex offenders have become increasingly subject to state legislation, with an anxious public willing to forego local social control for broader government surveillance and control.

Thus, though early models of moral panics suggest that they are by their very nature fleeting, subsiding as quickly as they erupt, it seems that some moral panics, like sex crime panics, are more enduring than others. There may be a perpetual sex crime panic, or consistent and sustained levels of public and legislative attention, occurring based on the pervasiveness of new media and technology (Fox, 2012), the perception of sex offenders as “uniquely dangerous” (O’Hear, 2008, p. 71), political support and dissemination of criminal justice policies meant to govern through fear (Lancaster, 2011), or the perceived failure of state moral regulation processes to punish and manage sex offenders (Hier, 2011; Hier, Lett, Walby, & Smith, 2011). This perpetuation may have been missed in prior sex offender moral panic studies that used media attention as a proxy measure for public interest and examined media data for only a few years before and after the passage of law without adjusting for the influence of time on public interest. Additionally, the way public attention may accumulate with every traditional short-term moral panic leaving a consistent state of heightened awareness toward sex offenders and offending may have added to this unnoticed perpetual cycle since the 1990s.

### The Role of the Public

Moral panic studies have been criticized for failing to consider the role of the public in instigating or perpetuating them (Burststein, 2003; Critcher, 2008; McRobbie & Thornton, 1995). Generally, it had been assumed that the public are passive recipients of panic messages from the media and are easily persuaded into the disproportionality of the threat (Cohen, 1972/2002; Hall, Critcher, Jefferson, Clarke, & Roberts, 1978). Scholars have noted the ways in which media accounts influence public interest and/or knowledge of sex offenders and offending (Griffin & Miller, 2008; Sample & Kadleck, 2008). The media can offer accounts of socially-constructed solutions to socially-constructed social problems, which citizens then fear (Griffin & Miller, 2008). Citizens’ fear of an increasing sex offender problem was documented in Illinois as legislators explained that changes to sex offender laws were in response to calls from citizens who had read or heard about sexually-related homicides in print or televised media. Though several studies have examined public opinions about sex offenders in general that may result from media driven “crime control theater” (see

Kernsmith, Craun, & Foster, 2009; Levenson et al., 2007), the direct role of the public in sustaining sex crime panics has been largely overlooked (Critchler, 2008). However, in a risk society characterized by anxiety related to a range of diffuse threats, the public might be particularly vulnerable to political manipulation and promotion of punitive policies therefore making it difficult to ascertain where public interest ends and political attention begins (Walker, 2010). Thus, it is important to accurately measure public interest as something unique from and independent of political attention (Key, 1961; Kingdon, 1984).

Ungar (2001) discusses the need for more theoretically and empirically valid measures of public opinion, including the use of Internet searches, which are unmediated and can capture waves of public interest in real time. Thus, another development that may facilitate the perpetuation of sex crime panics is the ever-increasing use of the Internet as a forum for public opinion, especially since all states maintain online sex offender registries (see Government Accountability Office [GAO], 2013), as well as the 24 hours news cycle found on cable television news channels. Our use of Google Trends data, generated directly by citizens' Internet searches for information, is a move toward more directly measuring the public's increasing, decreasing, or sustained interest in sex crimes, at least among those people who access the Internet for information, which is a constantly increasing number in the United States and globally (Internet Live Stats, 2014).

Conceptually, public opinion of a social problem can be distinguished as "weak" in which citizens are only charged with forming an opinion, and "strong" in which citizens collaborate and deliberate to form opinions and develop potential solutions for social problems (Fraser, 1993). A "weak" public offers opinion that is largely uninformed and uninfluenced by the thoughts of others. When an issue is so urgent, as with sexual victimization, people's fear and intensity of interest become a substitute for sound public judgment, political actors prey on that anxiety, and public views become stable and firm (Yankelovich, 1991). In this environment, we would expect that public sentiment on sex offenders and offending remains insulated from the ideas of others and does not evolve over time; accordingly, public attention toward sex offenders and the policies resulting from such would remain somewhat stable over time (Baumgartner & Jones, 1993; O'Hear, 2008).

In contrast, a "strong" public offers public judgment rather than merely opinion (Yankelovich, 1991). Public judgment describes public opinion that results when "people engaged in an issue, considered

it from all sides, understood the choices it leads to, and accepted the consequences of the choices they make" (Yankelovich, 1991, p. 6). Public judgment is thus more thoughtful and more oriented toward considering the normative and ethical issues related to particular social problems (Yankelovich, 1991). With such a "strong" public, public attention as well as opinion toward social problems should vary as people engage in knowledge building activities. As people become more engaged in information about a particular social problem, their attention toward the problem should increase in order to form "public judgment." Thus, the stability or change in public interest on sex offending over time can be interpreted within a public judgment framework, with stability in interest indicating a "weak" public that holds only opinions on a topic, and change indicating a "strong" public, or one attempting to develop public judgment on an issue. It may be the weakness of the public, and their lack of public judgment, that can explain stability in public interest of a topic over time and perpetuate a moral panic. In contrast, public judgment would suggest considerable variability in public interest over time as citizens move beyond forming or reaffirming opinion toward a knowledge base that can be used to make decisions about policy effectiveness, efficiency, and change (Yankelovich, 1991).

There are several additional reasons to believe that public attention and opinion influence the initiation, duration, and intensity of sex crime panics. First, the content of sex crime panics is by its very nature emotionally evocative, easily capable of fueling public anxiety and outrage (Fox, 2012; Garland, 2000, 2008). Second, the implementation of sex crime policy has, since the 1990s, increasingly relied on the public as agents of social control. With the passage of community notification statutes, the public now participates in and is, in some ways, held responsible for the policing of sex offenders; thus, though blame is individualized to the sex offenders, risk management is collectivized to the community (Hier, 2008; Jenkins, 1998; Levi, 2000; Zgoba, 2004). The development of online registries to facilitate this process, and the ease with which people can find and access information on sex offenders, may well be a key feature in the persistence of public interest in these offenders (Kernsmith et al., 2009; O'Hear, 2008).

It is logical to assume that the expansion of sex offender risk management to private citizens likely perpetuates their interest in sex offenders and offending (Sample, 2001). Moreover, we now have a legal structure in some states which demands that all citizens stay perpetually engaged with sex offender information. In nearly all states, mandatory reporting



laws require select citizens—such as police, social workers, and teachers—to bring child abuse suspicions to the attention of designated governmental agencies (Lytle, Radatz, & Sample, 2014). Additionally, according to the U.S. government’s Child Welfare Information Gateway (ChildWelfare.gov, 2013),

[i]n approximately 18 States and Puerto Rico, any person who suspects child abuse or neglect is required to report. Of these 18 States, 16 States and Puerto Rico specify certain professionals who must report but also require all persons to report suspected abuse or neglect, regardless of profession.<sup>[2]</sup> New Jersey and Wyoming require all persons to report without specifying any professions.<sup>[3]</sup> (p. 2; emphasis and notes added)

In this way, structural forces, in terms of law, may not only encourage, but in some cases mandate, public attention to sex offenders and their behaviors in the community and thus endorse a model of perpetual moral panic.

Historically we have viewed sex crime panics as cyclical but temporary, but the sex crime panic that has emerged since the 1990s shows no signs of abating. It may be a broader “perpetual panic” characterized by consistent and sustained levels of public interest in sex offenders and offending over time facilitated by new technology like the Internet, which works as a tool that both enables and surveils offenders, an alliance with the victims’ rights movement, and a more punitive political and social climate (Lancaster, 2011, O’Hear, 2008). This is not to say that increased public attention, or spikes in media or public interest, does not occur in which attention is directed at a sensational crime or legislation proposed. Rather, we suggest that sustained attention to sex offending generally may create a context in which episodic sex crime panics are more easily generated or legislative remedies are more easily and consistently proposed, either as new policies or revisions to existing laws (Lytle, 2013). After all, the one thing the plethora of sex offender laws passed since the 1990s has in common is the desire for more surveillance and control over sex offenders’ behaviors in the community (e.g. registration, notification, castration, residency restrictions, electronic monitoring, GPS tracking, lifetime supervision, longer prison sentences, and other restrictions). Can we point to an episodic moral panic that stimulated each of the legislative reforms we have witnessed in the last 20 years? Instead, it may be that the episodic moral panics, resulting from

child homicides in the late 1980s and early 1990s, increased public interest in sex offenders and offending, but unlike other moral panics, this attention has never waned. Public attention and interest in sex offenders and offending has remained stable over time as the 24 hour news cycle has been embraced by cable news programming, the Internet has provided a readily accessible venue through which citizens can search for news, and sex offender policy reform has advanced into the 21st century.

We seek to assess the stability of the current sex crime panic by examining the role that public attention plays in perpetuating it. Based on our review of the theoretical and empirical evidence related to sex crime panics, we expect that public interest in sex offenders will remain fairly stable over time, thus resembling a “perpetual panic” (O’Hear, 2008). The legal remedies offered for the sex offender problem and childhood sexual victimization, such as public notification and mandatory reporting laws, insist that the public remain constantly watchful, paying close attention to sex offenders and their behaviors, thus stabilizing public interest over time. Accordingly, we address two related research questions pertaining to the presence of a perpetual sex offender panic:

1. Are Google searches of “sex offenders” stable over time (compared to searches of “crime” and “terrorism”)?
2. Do Google searches of “sex offenders” change following the passage of the Adam Walsh Act (AWA) in 2006, a largely symbolic act meant to standardize existing registration procedures across states and demonstrate policy-makers’ desires to address public concern and assuage public fear?

Although the requirements of AWA, beyond those articulated in the Wetterling Act of 1994 and Megan’s Law in 1996, are far from being fully implemented in all 50 states, we have chosen to use the passage of the AWA in 2006 as a potential interruption in public interest for a variety of reasons found within policy sciences and criminological literature. As Oliver and Marion (2008) remind us, Gusfield (1963) suggested that law may have two purposes, one instrumental (meant to change behaviors) and the other symbolic (meant to address public concern). In the presence of valence or emotive issues, such as crime, where there is a convergence of public and political opinion against it, symbolic legislation is likely to arise and intended to peak public interest by addressing citizens’ fears

(Oliver & Marion, 2008). Because sex offender registration and notification were federally mandated in 1994 and 1996 respectively, we feel that the passage of the AWA in 2006 was largely symbolic in nature in that it simply revised already existing state and federal legislation by adding people and behavior to existing law and enhancing duration terms. To this end, the debate surrounding the content of the AWA and its passage should have increased public attention to sex offenders and offending (Baumgartner & Jones, 1993; Edelman, 1964; Lippman, 2010; Simon, 2007).

When discussing the process of law making, Edelman (1964) suggests that political action that addresses behaviors that are removed from most individuals' personal experiences and for which there is general agreement that those behaviors need to be eradicated from society certainly have symbolic functions meant to draw public attention to the political action. These political actions are intended to be emotional in their impact and are seen as responses to citizens' calls for "conformity to promote social harmony, [serving to relieve] psychological tensions" (Edelman, 1964, p. 8). In this way, it is not the implementation of law that assuages public fear, for little public attention is given to policy implementation after its passage (Hays, 1985; Pulzl & Treib, 2007; Vigoda, 2002; Yanow, 1987). Rather, it is the introduction and passage of legislation that demonstrates public officials are responding to public calls for "social harmony" (Edelman, 1964, p. 8) and are responsive to public psychological stress over the lack of moral regulation (Grattet & Jenness, 2008; Gusfield, 1963; Howard 1999; Oliver & Marion, 2008). Thus, within the realm of the purposes of law, the introduction and passage of the Adam Walsh Act should serve to increase public interest in the behaviors for which it was intended to address, irrespective of its full or partial implementation (Pulzl & Treib, 2007) because that is what it was intended to do.

Given the rapid growth of the Internet as one of the primary tools to disseminate information about registered sex offenders (GAO, 2013), we feel it particularly novel to utilize Internet search volume data as an indicator of public interest in sex offenders. Internet searches can be used not only as a direct measure of public interest in an issue but also, as other scholars have recently speculated, as useful measures of issue salience for certain social problems (Mellon, 2011; Scheitle, 2011; Ungar, 2001). The greater the number of times citizens search for a specific topic, the more important that topic is perceived to be in the lives of those conducting the searches. Also, recent analyses with Google Trends data suggest that, despite some limitations, they can

be valuable proxies for sensitive or stigmatized issues, like child abuse and crime more generally (Stephens-Davidowitz, 2013a, 2013b). Google searches provide citizens the privacy to seek out sex offender information without disclosing their interest in such to others, and information found on the Internet provides unfiltered information that citizens will find easier to understand or read.

## Methodology

### Data

The primary data for this study came from Google Trends ([www.google.com/trends](http://www.google.com/trends)), a tool that analyzes Google web searches to compute the number of searches for a particular term relative to the total number of Google searches done over time. The search volume is expressed in values from 0 to 100 over time with 100 set to the highest volume of searches in that time period. The primary search terms we specified were "sex offender," "sex offense," "sex crime," and "sex offender registry." We also included searches of "crime" and "terrorism," comparable phenomena that we suspect are subject to similar historical influences ("The Jon Benet Ramsey Case", 2006). The context of interest in sex offending may be couched within a more general interest in crime information, so Google Trends data using "crime" as a search word offers some measure of the interest in crime overall. For further search interest context, we include data derived from the term "terrorism," as this is also a crime type that has garnered considerable legislative and public interest in light of sensational cases and may exhibit similar tendencies toward a perpetual panic (Lancaster, 2011; Swift, 2013). We analyzed weekly U.S. search volume from 2004-2012 with a total of 470 time points. Our intervention variable was the passage of the Adam Walsh Act in July 2006. The AWA was the first national law passed to control sex offenders' behaviors since the mid-1990s. It contained numerous provisions, including the expansion of the number of sex offenses eligible for registration, the creation of the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) within the Department of Justice, and the standardization of sex offender information available to the public. States were required to comply within three years. As passage of the Act was debated in Congress and subsequently covered in the media (see Hernandez, 2006; Rozas, 2007), it should have naturally affected levels of public attention to sex offenders<sup>4</sup>. Thus, a dichotomous variable was created to represent passage of the Act and was coded as "0" for all

weeks prior to July 2006 and “1” for weeks during and after July 2006.

Given the relatively recent availability, and hence limited validation of the Google Trends data, we supplemented these data with another indicator of public interest in sex offenders over the same time period, specifically a content analysis of sex offender-related news stories from a major national news outlet. For the national news share that sex offenders have drawn over time, we used LexisNexis and searched keywords sex\* and (crime\* or offend\*) in *USA Today*. *USA Today* remains number one in daily print circulation in the United States, with a print audience of approximately 3.1 million daily readers (USA Today.com, n.d.). In 1995, USA Today.com launched, making the paper available via the Internet. In June 2013, USA Today.com had nearly 24.3 million unique visitors and 281 million page views. This news outlet has sufficient readership and availability to allow us to explore national media attention toward sex offenders and offending. Given the general lack of national newspapers in the United States, this paper would likely cover all news stories about sex offenders or offending that would draw a national audience. More newsworthy sex offender stories would likely be found in localized newspapers like the *New York Times* or the *Chicago Tribune*, but often these stories would not draw national public interest unless the crimes were rare, sensational, or particularly heinous. Our key word search of *USA Today* produced a total number of articles per year that mentioned sex offenders, sex crimes, or sex offending. We could then surmise the number of stories of sex offenders that drew national media attention for the years prior to and after the passage of the AWA. As noted above, given the importance of the media for social problem construction, moral panics, and public opinion, content analysis data give us another measure of the context in which public interest in sex offending occurs.

A longitudinal multilevel model was used to assess whether or not search volumes for sex offenders, terrorism, and general crime varied significantly over time. The inclusion of a random error term in multilevel models makes these models robust to the independence of errors assumption, which complicates traditional regression models using longitudinal data (Hoffman & Rovine, 2007; Raudenbush & Bryk, 2002; Singer & Willett, 2003). Therefore, longitudinal multilevel models can be especially useful to assess variation in some phenomenon over time (e.g., Lytle, 2013; Steele, 2008).

It seems worth noting here that longitudinal multilevel models, although conceptually similar in

many ways, differ from cross-sectional multilevel models methodologically. Namely, whereas cross-sectional multilevel models nest individuals or small clusters of people within larger groups based on theory, longitudinal multilevel models nest time within individuals or groups primarily to address dependency of errors over time (i.e., temporal autocorrelation; Hoffman & Rovine, 2007; Singer & Willett, 2003). Consequently, longitudinal multilevel models may be employed to control for temporal autocorrelation present in within-person fluctuations over time without explicit theoretical explanations for the effect of time on some outcome (Hoffman, 2007).

In the current study, we nested weeks within years. Specifically, the higher level of analysis (level 2) analyzed variation across years while the lower level analysis (level 1) represents variation in search volume across weeks that were situated within the same year (within-year variation). Whereas traditional time-series analyses (e.g., ARIMA) may account for temporal autocorrelation across weeks, our longitudinal analysis will allow us to both address autocorrelation and partition error due to variation between years and over weeks within years. As a result, we will be able to distinguish between the degree to which variation in search volumes were due to changes over brief or longer periods of time. As time (i.e., weeks) was nested within time (i.e., years), errors autocorrelated with changes across years may still affect the validity and utility of our level 2 analysis. Therefore, an autoregressive alternate error covariance structure was applied in this study (Singer & Willett, 2003). This error covariance structure addresses the autocorrelated errors due to time remaining at level 2 in our analysis.

Further, due to the limited research investigating variation in Google search volumes (however, for an example, see Song, Song, An, Hayman, & Woo, 2014), the current analysis was intended specifically to determine whether or not variation was present and changed over time. Consequently, no explanatory or control variables beyond time were included in this analysis. The first step, then, was to run an unconditional model, which allowed us to answer our research questions by providing the proportion of variability in search volume across and within years. This analysis also included a test indicating whether or not the proportion of variability in time between revisions across years was statistically significant.

Once unconditional models confirmed the need for multilevel analysis, time was inserted and transformed to determine the best specification for time in the model (Hoffman & Rovine, 2007; Singer & Willett, 2003). We began by including a linear time slope in the level 2 analysis (fixed linear time model). If the model with the fixed (i.e., Level 2)



linear time slope has a statistically significantly lower deviance statistic than the unconditional model, the process continues by adding a linear time slope to the Level 1 analysis (i.e., random linear time model). If the random linear time effect reported a significantly lower deviance statistic than the fixed linear time model, this process is replicated using a quadratic time effect, first at Level 2 (fixed quadratic, random linear time model) then at Level 1 (random quadratic time model). This process was carried out for each keyword separately, leading to three separate multilevel models.

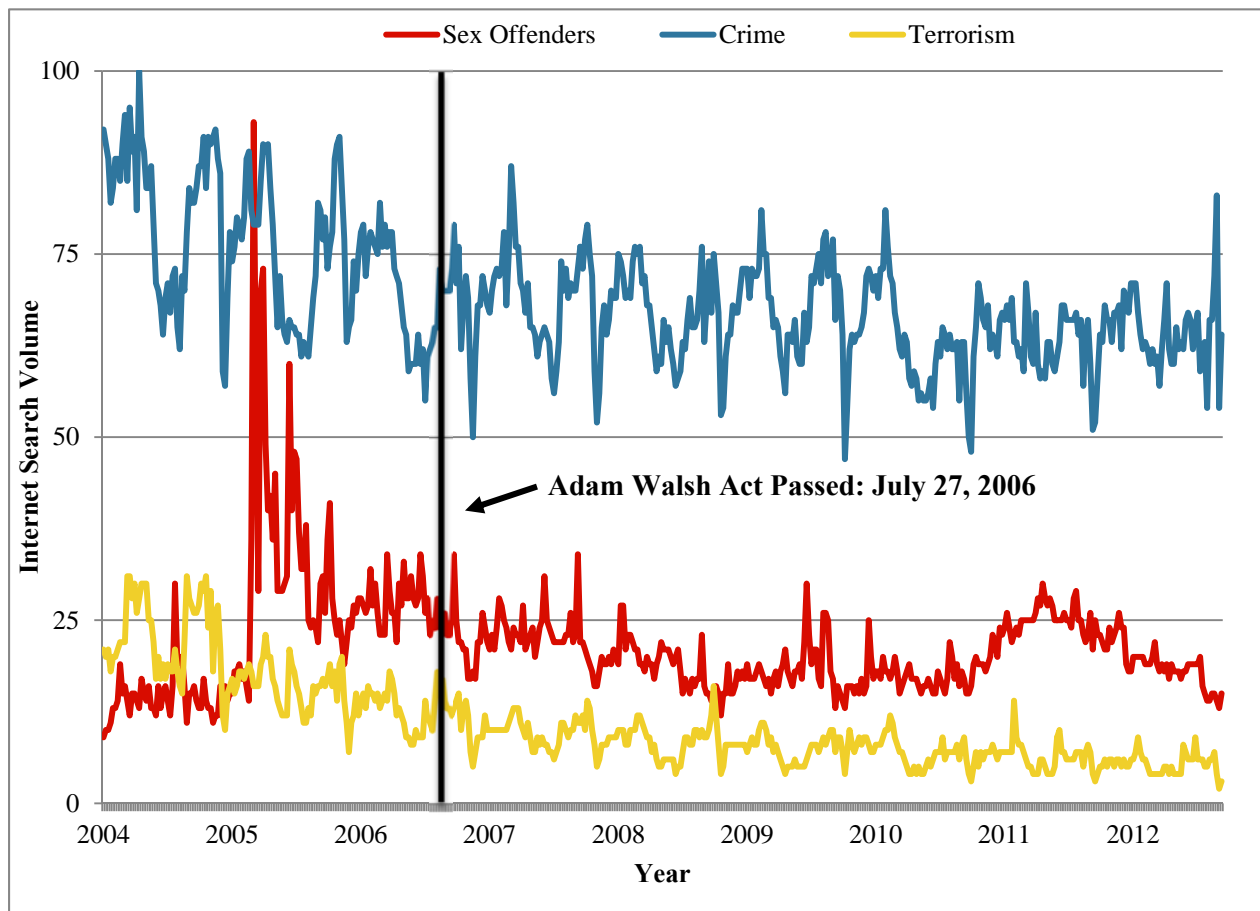
Finally, to assess the difference in the effect of time on search volume for sex offenders before and after AWA's date of passage, we calculated the effect

of time before and after July 2006. Using this technique, we can determine the significance of time in predicting search volume of sex offending before and after the date in which AWA was adopted formally by Congress.

## Results

As shown in Figure 1, relative to all Google searches, Google searches of the term "sex offender" generally increased before reaching a peak in March of 2005. The search volume over years, however, appears to be stable with a very gradual decline since that time.

**Figure 1. Google Searches Over Time, 2004 - 2012**



Source: Google Trends ([www.google.com/trends](http://www.google.com/trends))

Interestingly, however, the unconditional multilevel models indicate significant variation in search volumes for each keyword (see Table 1). Specifically, in the cases of “sex offender” and “crime” keyword searches, a majority of the variation in these search volumes occurred within years (Sex offense = 60%; Crime = 72%), meaning that shifts or spikes in public interest occur within a single year<sup>5</sup>.

That is, without controlling for the effect of time, most of the variation in search volume for these keywords was attributable to weekly change, thus reaffirming the episodic nature of public interest as new sex offending cases come to light. This finding was not replicated with “terrorism,” however, of which across-year variation was the largest contributor to search volume variation (between year

= 74%). Unlike searches for crime and sex offender keywords, searches for information on terrorism changed from one year to the next. At least initially, these findings suggest that, for sex offenders and crime in general, variation in public attention to these keywords may be due more to factors situated within years. Intraclass correlation coefficients primarily describe the distribution of variation in search volume across and within years. More importantly at this point in our analysis, however, the significant intraclass correlation coefficients reported from these unconditional models justify continuing with our analysis of the relationship between time and search volume reviewed in the previous section (Hoffman & Rovine, 2007; Singer & Willett, 2003).

**Table 1. Unconditional HLM model testing variation in panic-related crime search volumes**

Random Effect	Standard Deviation	Variance Component	% of Total Variance	df	$\chi^2$	p
<b>Sex Offenses</b>						
Level 2, rij	12.64	24.02	40%	2	486.74	<.001
Level 1, eij	3.56	35.78	60%			
<b>Crime</b>						
Level 2, rij	15.31	23.31	28%	2	629.80	<.001
Level 1, eij	9.25	59.63	72%			
<b>Terrorism</b>						
Level 2, rij	13.93	28.31	74%	2	1092.37	<0.001
Level 1, eij	1.36	9.78	26%			

*Note.* MLMs were run for each keyword separately. Percent contributions to variance in search volumes described in unconditional models were calculated by dividing the variance component for each level of analysis by the total variance explained by the model.

**Model Specification:**

Level 2 Model (Across Years):

$$Y_{ij} = \pi_{0j} + r_{ij}$$

Level 1 Model (Within Years):

$$\pi_{0j} = \beta_{00} + e_{ij}$$

To further investigate the relationship that time has on traditionally panic-related crime searches, we add time as a predictor to these models. By specifying the effect of time in these models, we are better able to understand the nature of time’s effect on sex offender search volumes. In this analysis, search volumes for the “sex offender” keyword did not change over time. This is evident in that the models for this keyword were not significant when

time effects were included in the model ( $\chi^2_{(1)} = 1.70, ns$ ; see Table 2). In other words, despite spikes in Internet searches by week, public interest did not significantly vary from one year to the next from 2004 through 2012. In other words, the level of public interest in sex offenders in 2004, at least as measured by Internet searches, remained reasonably constant through 2012.

However, analyses of the other two keywords, “crime” and “terrorism” showed significant decreases across years while controlling for within year variation in search volumes by week. Over time, crime and terrorism searches each decreased by less than a single search per year. Although these decreases were statistically significant, the coefficients were substantively small. This was not found, however, for “sex offender” searches, suggesting that there were not significant increases or

decreases in search volume from one year to the next. Further, the changes in search volumes within years for “crime” and “terrorism” were even smaller than those across years (i.e., less than .001 searches each week). These findings indicate that, although significant variation in search volumes was present at both levels of analysis (weeks and years), time was only a significant contributor to the level 2 analysis for “crime” and “terrorism” searches—not for “sex offenders” searches.

**Table 2. The Effect of Time on Crime Panic-Related Google Search Volumes**

Sex Offenses				
Level 2 (Across Years): Fixed Linear Time	$\beta$	SE	z	p
Sex Offenses	-0.013	0.010	-1.30	ns
Crime	-0.038	0.009	-4.12	<0.001
Terrorism	-0.032	0.005	-5.96	<0.001
Level 1 (Within Years): Random Linear Time	Estimate	SE	95% Confidence Interval	
Sex Offenses <sup>1</sup>	n/a	n/a	n/a	n/a
Crime	<0.001	<0.001	0.001	5172.97
Terrorism	<0.001	<0.001	<0.001	<0.001
Mixed Model Statistics	$\chi^2$	df	p	
Sex Offenses	1.70	1	ns	
Crime	16.97	1	<0.001	
Terrorism	35.56	1	<0.001	

<sup>1</sup>Random linear effects for the SO search term were not tested as the initial linear time model was not significant.

*Note.* MLMs were run for each keyword separately. Quadratic time terms were included in supplemental analyses. These terms were not statistically significant and, therefore, have not been included in this paper.

Model Specification:

Level 2 Model (Across Years):

$$Y_{ij} = \pi_{0j} + \pi_{1j}(\text{Week}_{ij}) + r_{ij}$$

Level 1 Model (Within Years):

$$\pi_{0j} = \beta_{00} + \beta_{01}(\text{Year}) + e_{ij}$$

$$\pi_{1j} = \beta_{10}$$

**Table 3. Piecewise Slopes Comparing the Effect of Time on Sex Offense Search Volume Before and After the Passage of the Adam Walsh Act (July, 2006)**

Level 2 (Across Years): Fixed Linear Time	$\beta$	SE	z	p
Linear Time	0.112	0.062	1.78	ns
Prior to AWA	-4.721	5.250	-0.90	ns
After AWA	-0.123	0.064	-2.04	0.041
Constant	17.189	4.433	3.88	<0.001
Level 1 (Within Years): Random Linear Time	Estimate	SE	95% Confidence Interval	
$r_{ij}$	14.827	11.776	3.13	70.32
$e_{ij}$	36.406	3.806	29.66	44.68
Mixed Model Statistics	$\chi^2$	df	p	
	6.33	3	ns	

*Note.* Random effects of time before and after AWA were included in supplemental analyses. These terms were not statistically significant and, therefore, have not been included in this paper.

Finally, we find no evidence for change in the search volume of the “sex offender” keyword following the passage of AWA in July 2006. Once the adoption date of AWA was included in the model, the model is no longer statistically significant ( $\chi^2_{(3)} = 6.33$ , *ns*; see Table 3). More specifically, this table indicates that search volume for the “sex offender” keyword did not significantly change over time either prior to or following the date of passage for AWA<sup>6</sup>.

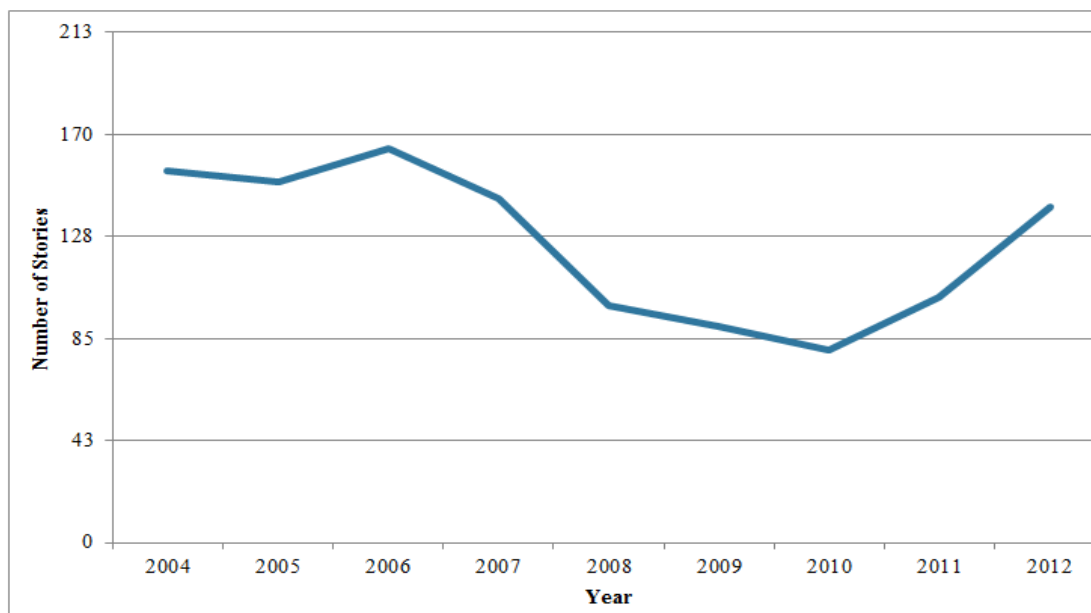
Perhaps the stagnation of public interest is due to a similar stability in media coverage. We examined this possibility, and, as can be seen in Figure 2, media coverage of sex offender stories appears to have varied more over time, in contrast to public interest measured by Google Trends.

After a slight increase leading up to 2006, the year of passage of the Adam Walsh Act, the number of news stories has declined, with a recent increase starting in 2010. Interestingly, our qualitative content analysis of these news stories, conducted on a 20% random sample of stories each year, also reveals that stories are typically editorial pieces about the passage and/or efficacy of sex offender laws, rather than news articles about specific sensationalized cases. The overwhelming majority of stories (70%) were of this editorial type, with only about 20% of stories relating information on specific sex crimes. Five-percent of news stories over this period were dedicated to informing citizens on general crime trend information, in which rape statistics were mentioned, and the other 5% included miscellaneous mentions of

sex offenders as topics for movies and television specials. These findings may result from our chosen news outlet of *USA Today*, and the need to appeal to a national audience. It should also be noted that most of the increase in news stories between 2010 and 2012 were also editorializing or investigating states’ compliance with the Adam Walsh Act, the increases in sex offenders placed on the registry, or the effects of residency restriction laws on offenders. Thus, the findings of stable public interest in sex offenders cannot be based solely on media attention to the topic, which is more variable over time.

## Discussion

In this study, we analyzed national trends in public interest concerning sex offenders, specifically to assess its stability and ascertain whether a perpetual sex crime panic exists, as measured by consistent public interest over time. By examining Google searches for “sex offenders” over time, we found that such interest is fairly stable from 2004 through 2012. This is in contrast to Google searches for “crime” and “terrorism” which were used as relative comparisons to interest in “sex offenders” and have significantly decreased over the same eight-year period, albeit only slightly. This is not to say that weekly spikes in public interest in sex offending did not occur or that traditional moral panics do not exist. The spike in public interest visually observed in 2005 of Figure 1 would suggest that moral panics can occur within a stable and consistent level

**Figure 2. Number of “Sex Offender” Stories in USA Today**

of public interest over time. For instance, the death of Jessica Lunsford in a sexually-related homicide in 2005 may well have created a sex crime moral panic, as evidenced by the proposed Jessica Lunsford Act at the federal level, and the passage of similar legislation in Florida and states following thereafter. However, the spike in public interest in 2005 did not correspond to increases in media attention, did not result in federal passage of new legislation, and occurred within the same year that the Adam Walsh Act was being written and introduced to the House of Representatives for passage (December, 2005) so it is difficult to discern what amount of this public interest spike can be attributed to the Lunsford case alone, as opposed to other co-occurring phenomena (Wollman, 2007; Yang, 2007). Nevertheless, we believe this spike does not refute the notion of a perpetual panic over time, represented by stable public interest over years, as evidenced statistically and suggested conceptually.

Spikes in media, public, and legislative attention of sex offending that quickly subside can exist within a perpetual panic framework, if we embrace the notion that moral panics work as tools to morally regulate behavior when people perceive prior regulation has failed. Although the Internet in its current form did not exist when the Wetterling Act was passed, few would suggest that public, media, and legislative attention to sex offenders today is back to pre-Wetterling Act levels (Jenkins, 1998). Rather, public attention to sex offending was

heightened with the passage of the Wetterling Act and the death of Megan Kanka and has remained so over time. In this way, the perpetual panic of sex crimes to which we refer has been reaffirmed by the fact that regardless of weekly spikes in public attention, public interest in sex offenders and offending has remained stable over years, as seen in Google Trends data from 2004 – 2012, and was not witnessed in searches for terrorism or crime more generally (although given the size of the coefficients for these terms, one could argue for some stability in interest in these terms as well).

Thus our study makes several important contributions to theory and research relevant to public interest in sex offenders and sex offender policy, as well as to the larger body of literature relevant to moral panics. First, our findings lend support to the notion of a “weak” public, one whose interest in and opinions about sex offenders and sex offender policy are largely divorced from reality or empirical assessments of such issues. A weak public is prone to have shallow and inconsistent opinions and be particularly vulnerable to the emotional and punitive discourse surrounding sex offender policy (Yankelovich, 1991). A sex crime panic may be more readily perpetuated in the context of a weak public and a risk society wherein political actors engage in a process of moral regulation, making moral claims and stoking fears about sex offenders, a managed threat (Walker, 2010).



Sex offenders of one form or another have, for centuries, been constructed as the ultimate “folk devil,” a functional and easily identifiable representation of societal fear, particularly for its children. However, in today’s social and political climate, the moralization, propagation and diffusion of risk related to sex offenders have become more strategic. Consistent with the notion of “crime control theaters” (Griffin & Miller, 2008), politicians, eager for a threat they can predict and control, likely utilize media outlets to lobby for increasingly punitive sex offender policies to protect innocent children from becoming potential victims. As seen in Figure 2, there is some volatility in media accounts of sex offenders and offending in *USA Today* over time. These policies simultaneously misrepresent yet exacerbate the threat posed by sex offenders, while also distracting from more mundane or unknown dangers (Lynch, 2002; Quinn, et al., 2004). This process thus supports an ever-widening social control apparatus that gives the government increasing power to construct, target, and manage risk (Walker, 2010). In a relevant example, many jurisdictions are extending registries to other types for crimes, from dangerous dogs, to gun crime, to methamphetamine offender registries (Craun, Kernsmith, & Butler, 2011). In this way, moral panics are not exceptional; rather, they are now “properly conceptualized as routine forms of social action that contribute to the affirmation and transformation of everyday customs, rituals, conventions, and routines” (Hier, 2011, p. 528). In the case of sex offending, legal response to sex crime panics have routinized public interest in sex offending as a way to expand the surveillance of suspicious people and behaviors. Information delivered about sex offenders through public notification of sex offender registries provides citizens with a ready-made list of whom to watch and what sexual behaviors we have legally labeled as deviant or morally wrong. Thus, it seems that the stable public interest in sex offenders seen in our findings is the result of a successful campaign in which the government, through increasing political and legislative attention to the issue, has constructed a perpetual panic environment, one so successful that, even in the face of declining media attention, public interest in sex offenders remains stable.

Altering political interest and opinion regarding the topic of sex offenders and offending presents a different set of challenges. As indicated above, politicians do not legislate in a vacuum and are thus vulnerable to the climate of public opinion regarding a particular policy (Key, 1961). If that climate is guided by irrational or inaccurate information, perhaps so too is the content of public policy. With sex offender policy, in particular, it seems that public

opinion, influenced by fury and fear, has dictated that the outer limits of appropriate policy responses to the problem of sex offenders be ever-expansive, thus giving politicians great latitude in enacting increasingly restrictive sex offender policies that are difficult to rein in (Logan, 2009; Roberts & Stalans, 2000).

A “strong” public is needed to critically engage with the social problem of sex offending and sex offender policy rather than one that remains enveloped in “crime control theater.” A strong public is capable of understanding its nuances, familiar with the empirical evidence about its unintended consequences and myths, and is thus less vulnerable to political manipulation. The media have a significant role to play in this process, as they are influential in shaping public opinion and, in turn, public policy (Galeste, Fradella, & Vogel, 2012; Sample & Kadleck, 2006). Because accurate information about an issue can and does change attitudes about it, the media should be compelled to present factual information about sex offenses and offenders in an effort to elicit more accurate perceptions of sex offenders (Cochran & Chamlin, 2005; Proctor, Badzinski, & Johnson, 2002). Factual information about sex offending, however, may likely not be considered sensational and/or newsworthy. Given that all 50 states and U.S. territories have now been mandated to create public sex offender registry websites, perhaps the place to offer information about sex offending that comports to empirical evidence would be on the Federal and states’ registration websites.

Related to this point, this study demonstrates how public interest and media and political attention are distinct. Though both are integral to contemporary moral panics, there is a need for methodological specificity in sorting out public versus media and political interest. Given the central role of the Internet in the public cataloging and policing of sex offenders, we feel that the data source used here, Google Trends, was especially relevant as a direct measure of public interest in sex offenders. Though more studies are needed to assess the reliability and validity of these data, they offer many benefits in terms of providing unmediated, up-to-date measures of public interest in certain topics, including crime (Scheitle, 2011; Stephens-Davidowitz, 2013b). As the topic of sex offenders and offending relates to citizens’ victimizations and desire for information about their perpetrators, the privacy provided by Internet searches for information, as opposed to personal forms of inquiry to police agents, protect the anonymity victims may wish to keep. In this way, Google Trends data are an unobtrusive method that may fill important gaps in

our understanding of crime and crime reporting, thus shedding light on that “dark figure” of unreported crime.

Of course, there are limitations to this research that should be mentioned. Primarily, Google Trends data are only available as far back as 2004, thus precluding us from examining earlier trends in public interest in sex offenders. Since the first piece of federal sex offender legislation was passed in 1994 and initiated the waves of sex offender legislation that followed, it would have been useful to examine public and political interest in the issue leading up to and after that law. Unfortunately, there are neither direct measures (e.g., survey data) of public interest in sex offenders and offending prior to 1994 to establish a baseline of public attention nor are there Google Trends data prior to 2004 that can be used as a direct measure of public interest. However, our use of Google Trends allows us to establish a baseline of interest in 2004 that can be used in future analyses to determine the stability or variation in public interest beyond 2012 and provides a novel opportunity to examine public opinion with a data source that has been increasingly democratized over time. Further, because we are concerned with the stability of interest in sex offenders, our examination of recent trends and the discovery that there is such stability supports the notion of a perpetual panic, long after initial spikes of interest occur.

### Conclusion

Crime control policies, specifically sex offender laws, have often been attributed to moral panics in which exaggerated media and public attention drive policy makers to enact legislation to address perceived problematic behaviors (Ben-Yehuda, 1990; Cohen, 1972/2002; Spector & Kitsuse, 1977). Once legislation is enacted, media and public interest in a defined social problem is assumed to wane (Rochefort & Cobb, 1994; Schur, 1971; Surette, 2014). This investigation supports other research that suggests moral panics are not necessarily fleeting; rather, in the case of sex offenders, they may be perpetuated in a way that continues to address perceived criminal risk, regulate moral boundaries, and reinforce perceptions of an ever-vigilant criminal justice system (O’Hear, 2008; Walker, 2010). Interpreted within a public judgment framework, these findings suggest a “weak” public, in that opinions remain stable over time irrespective of changes in media attention or the passage of symbolic legislation. Further, perhaps in a risk-based society, a “weak” public that is engulfed in “crime control theater” is needed to justify symbolic legislation that demonstrates a constantly attentive

legislature and criminal justice system. Unlike prior examinations, then, this study suggests that the understanding of public interest in sex offenders and corresponding policy is more nuanced than previously suggested.

There appears to be more independence between media attention and public interest than has formerly been assumed (Glassner, 1999; Jones & Baumgartner, 2005; Rubin, 1977). Media coverage of sex offenders and offending obviously exert some influence on public opinion, but once public interest and opinion on a topic are established, changes in media attention of that topic do little to change public interest in or judgment of an issue, as evidenced by the stability in Internet searches for sex offender information. In this way, there may be an information saturation point at which media attention no longer exerts a strong influence on public interest. Moreover, as Nisbett and Ross (1980) suggest, once representativeness and availability heuristics are used to formulate opinion on an issue, people often ignore future information and fail to make adjustments to their initial conceptions. Thus, perpetual public interest in sex offending is likely to occur as people continue to actively seek information that reaffirms their initial opinions (for instance, of sex offenders as highly recidivistic, compulsive predators of stranger’s children), which contributes to the stability in a “weak” public. To this end, findings of the confluence of media attention and public opinion in the role of moral panic legislation is not a given. This will depend on assumptions made by researchers, the data used, and measures employed to examine moral panics and the legislation resulting from such. This study would suggest that it may no longer be appropriate to assume that media attention of an issue is representative of public interest or opinion, that increases in media coverage translate into increased public attention, or that decreases in traditional print and television media attention reflect a decrease in public interest and attention.

More importantly, there are implications for the future of sex offender policies based on the perpetuation of public interest in sexual victimization. Until new technologies are developed to further increase the level of surveillance of sex offenders in the community, the stability of public interest would suggest some difficulty in developing and enacting new sex offender laws. What is more likely, and has already been seen (see above), is that existing sex offender laws will continue to be revised to enhance duration of surveillance, increase penalties for sex offending and registration violations, and broaden the scope of people whose risk needs to be managed and behaviors need to be regulated. Existing sex offender laws can be used to

further identify the “out” group, the “sexual predators,” whose behavior threatens moral order (Erikson, 1966).

To the degree that public interest and opinion have already been formed on other criminal types as posing serious risk to communal values and safety, such as burglars or robbers, their addition to CODIS DNA databases, registries, and residency restriction laws will likely be unchallenged by the public (Keys, 1961). In this way, sex offender laws will become “gateway” legislation for restricting moral boundaries, managing more types of risk, and isolating more people and behaviors. The existence of a moral panic or increasing media attention will no longer be relevant to the understanding of an ever-expanding scope of sex offender legislation. Our investigations should move past the examination of law creation and begin to investigate when and under what conditions public interest is perpetuated, allowing for legal reforms that criminalize and segregate more people and behaviors. Only then can we better understand the enactment, perpetuation, and consequences of “knee-jerk” legislation over the long term.

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## Endnotes

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- <sup>1</sup> Ideally, we would include several years of Google Trends data before and after the passage of the Adam Walsh Act (AWA) in 2006 to provide more symmetry to our analyses and to depict public interest in sex offenders and offending since the 1980s, or when many consider the beginning of the contemporary sex offending moral panic (Jenkins, 1998). Unfortunately, Google Trend data do not exist prior to 2004, so we are left with only two years of data representing public interest in sex offending pre-AWA.
  - <sup>2</sup> DEL. ANN. CODE TIT. 16, § 903; FLA. ANN. STAT. § 39.201; IDAHO CODE ANN. § 16-1605; IND. ANN. CODE § 31-33-5-1; KY. REV. STAT. ANN. § 620.030; MD. CODE ANN., FAM. LAW § 5-705; MISS. ANN. CODE § 43-21-353; NEB. REV. STAT. ANN. § 28-711; N.H. REV. STAT. ANN. § 169-C:29; N.M. ANN. STAT. ANN. § 32A-4-3; N.C. GEN. STAT. ANN. § 7B-301; OKLA. STAT. ANN. TIT. 10A, § 1-2-101; R.I. GEN. LAWS § 40-11-3(A); TENN. ANN. CODE §§ 37-1-403; 37-1-605; TEX. FAM. CODE ANN. § 261.101; and UTAH CODE ANN. § 62A-4A-403.
  - <sup>3</sup> N.J. REV. STAT. § 9:6-8.10; WYO. STAT. ANN. § 14-3-205.
  - <sup>4</sup> Although we recognize that the implementation of AWA is ongoing as states continue to attempt to comply with its requirements, the actual passage of the Act at the federal level did stimulate state legislators' conversations with each other and the public (see, e.g., BillNelson.Senate.gov, 2006; Hernández, 2006; Reinhart, 2007). Thus its passage did influence policy makers' conversations with the public through various media outlets and may have influenced public interest in the topic of sex offenders and offending.
  - <sup>5</sup> Percent contributions to variance in search volumes described in unconditional models were calculated by dividing the variance component for each level of analysis by the total variance explained by the model.
  - <sup>6</sup> The piecewise slope analysis was replicated using the crime and terrorism keywords, and the results were similar to those of earlier analyses. Although statistically significant variation in these keyword searches was still attributable to time, the substantive significance of these changes were quite small (i.e., accounting for decreases of less than one search per week). As these findings were both supplemental to the primary analysis and, ultimately, not substantively contributive to this paper, the results of piecewise slope analyses for the crime and terrorism keywords were excluded from Table 3 and are not described in detail above.