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Does youthful mistake merit sex-offender status?

By **Jill Levenson**

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Story highlights

Zachery Anderson unwittingly had sex with a minor and has been placed on 25-year sex-offender registries in two states

Editor's Note: *Jill Levenson is an associate professor of social work and researcher at Barry University in Miami, and a licensed clinical social worker who has worked with sexual assault victims, survivors and offenders for nearly 30 years. The opinions expressed in this commentary are hers.*

Jill Levenson: Anderson's sex-offender status proves our country is in need of registry reform



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(CNN)—Zachery Anderson was a 19-year-old college student with no criminal history when he met a teenage girl on the dating app "Hot or Not" and had sex with her in December. The girl, who admitted she lied about her age, turned out to be only 14, making their encounter a [sexual crime](#).

Despite statements from the girl and her mother begging the judge for leniency, Anderson was [sentenced](#) to 90 days in jail and five years on probation.



Jill Levenson

But that is the least of his problems. The liaison also landed him on the sex-offender registries in Indiana and Michigan for 25 years. Although the judge [agreed](#) Wednesday to consider Anderson's request to be resentenced, there is no guarantee his name will be removed.

As this story illustrates, not all sex offenders are the stereotypical monsters we imagine.

Of the nearly [850,000](#) registered sex offenders in the U.S., about 6% are age 25 or younger, and many of their crimes involve situations like Anderson's.

For those of us who are parents, most can imagine the horror of learning that our child has been sexually abused. But I'm sure we can also relate to the fear of learning that a young adult has engaged in a moment of bad judgment or poor impulse control and is facing life-altering consequences. Who among us would want the single worst decision we made as a teenager to define us for 25 years, or maybe even forever?

We know from decades of neuroscience research that the executive regions of the brain [continue to develop](#) well into the mid-20s, and that teens are often poorly equipped to fully comprehend the long-term implications of their choices.

The judge in this case [refused](#) to grant a special consideration for youth offenders, condemning a culture of anonymous hookups and chastising Anderson for what he called "trolling for women" online. And a state senator cavalierly [dismissed](#) the young man's plight, saying he should have known about "jail bait" and carded the girl.

Yet it is clear from the comments posted online in response to The New York Times [article](#) that reasonable people can tell the difference between a young adult who mistakenly had sex with a minor and a pedophile who used his or her position of trust or authority to prey on young children.



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There are few crimes that inspire as much fear and outrage in society as sexual offenses, and lawmakers have [responded](#) swiftly and decisively to the public's demand for protective and punitive legislation. Sexual assault is a heinous crime that can impact a victim's physical, mental and emotional health in ways that last a lifetime.

Sex-offender registries were designed to help police, concerned citizens and parents prevent victimization by listing predatory, violent and pedophilic offenders who posed a true threat to children and others in our communities. But the current system -- which forces people such as Anderson to register -- impedes this goal. It dilutes the public's ability to tell who is really dangerous.

It also creates an added workload and burden for law enforcement personnel, and generates an inefficient distribution of fiscal resources. Every dollar [spent](#) monitoring someone like Anderson *for 25 years* is a dollar not available for victim services, child-protection responses and prevention programs for [at-risk families](#), such as children in poor, disadvantaged, minority communities who are at higher risk than children from more affluent areas.

Being placed on the sex-offender registry is not just a name on a list -- the consequences are dire. If his name does remain on the list, it will be almost [impossible](#) for Anderson to remain in college, or pursue his chosen career path in computer science. He will struggle to find a job commensurate with his skills. Many employers will not even consider his application. He can't live in his parents' home due to residence restrictions (which make many offenders [homeless](#)), or be around minors, with exception to immediate family.

For someone like Anderson, these crippling outcomes are unfair and unnecessary, and do not serve the interest of public safety.

It's time for a serious public dialogue about registry reform. It's time to question the placement of many individuals on sex-offender registries to determine if they really belong there.

Juveniles should be removed from registries, and young-adult offenders should be reassessed to determine whether deviant sexual disorders motivated their crimes, or simply poor judgment. Risk-assessment [tools](#), which have been well-researched and are designed specifically to classify sex offenders into [risk categories](#), should be used to estimate the likelihood of future offenses. Discretion should be returned to judges (in most cases, if someone is convicted of specific statutes, registration is mandatory, regardless of whether a judge feels it should apply) so that punishments fairly fit the crimes.

For many registrants, 25-year and lifetime-registration periods are unnecessary, and lower-risk offenders in all states should be afforded an [opportunity to petition](#) for early removal from the registry.

Research shows risk [significantly declines](#) with time as sex offenders live in the community offense-free, and those who successfully complete parole and treatment are also at reduced risk. Let's stop wasting valuable resources on young men such as Zachery Anderson, and target our efforts toward monitoring truly dangerous sexual predators who pose a real threat to American communities.