Homelessness Among Persons on Delaware's Sex Offender Registry

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Abstract

This study provides an in-depth analysis of homelessness among people on the Delaware Sex Offender Registry (SOR) between 2021 and 2023. Delaware's SOR, as a publicly accessible database, offers a uniquely comprehensive window into an unsheltered population among a group that is, collectively, at high risk of experiencing homelessness. We retrieved data from the Delaware SOR on two separate dates, which allowed us to track homelessness among offenders within the state over time. On November 15, 2021, 4.6 percent of the persons on the SOR were homeless. Fifteen months later, this homeless prevalence rate was 5.5 percent. Of the 120 people who reported homelessness on the November date, 56 of them (46.7 percent) were either still homeless or again homeless fifteen months later. This prevalence is significantly higher than rates among the general population, and, once homeless, a substantial proportion remained homeless for extended periods of time. The high rate of unsheltered homelessness among people on the Delaware SOR emphasizes the shortcomings in Delaware's ability to supply shelter for homeless individuals, as well as the additional restrictions people on the SOR experience in their ability to receive these services, which creates hardship for these individuals and reduces communal public safety by increasing the frequency of absconding.

Introduction

The homeless population is notoriously challenging to count and characterize, as they are difficult to identify and locate, and often wish to keep the circumstances of their lack of housing private. Estimates of homeless population size such as the annual, nationwide point-in-time count are widely used to gauge the year-to-year dynamics of the homeless population despite acknowledgment that they leave many persons experiencing homelessness uncounted. More generally, efforts to collect data that is representative of homeless populations, or can accurately assess the prevalence and correlates of homelessness in more general populations, have been challenged by the vexing set of circumstances endemic to this formidable problem.

This study presents exploratory results from a widely available dataset that offers exceptions to some of the major obstacles to getting accurate assessments of homelessness that were just mentioned and focuses on a group that is among those who are at the highest risk of becoming homeless. Delaware, like all states, maintains a publicly accessible sex offender registry (SOR) containing information on the whereabouts of people convicted of sex crimes. One of the features of Delaware's SOR is that it identifies who among those on the registry are currently experiencing homelessness.[1] All persons on Delaware's SOR must promptly report their homelessness to the Delaware State Police under the threat of criminal penalty if they fail to do so. As such, Delaware's SOR provides useful information for understanding the dynamics of homelessness, as people whose homelessness would otherwise be unrecognized instead report and regularly update their housing circumstances and face legal sanction if they fail to do so.

Having a conviction for a sex offense substantially increases a person's risk of becoming and staying homeless.[2,3] The stigma that such a conviction carries leads to difficulty in securing employment and housing.[4,5] Among other things, this has led many localities to proscribe people convicted of sex offenses from living in "buffer zones" around places that feature concentrations of children, such as schools and parks, further circumscribing their housing options despite the lack of evidence that such restrictions are effective.[6,7] The dynamics of racial segregation magnify the impact of residency restrictions for African Americans who are on the SOR, such that they are at particularly high risk for experiencing homelessness.[8] Once homeless, people on the SOR face additional constraints that lead to increased difficulty in exiting homelessness as, either by law, by policy, or by practice, many homeless services and much of the already scarce affordable, subsidized, and supportive housing are off limits to them.[9]

There continues to be substantial political support for maintaining SORs as a tool to manage the presence in the community of people convicted of sex offences, despite the lack of research that links SORs with any significant public safety benefits.[10] This surveillance is both predicated upon stringent reporting requirements and on making information that is typically kept confidential for other populations, on such topics as personal identity and housing status, publicly available. In Delaware, for example, homelessness (as well as residential address for those who have housing) is specifically indicated on individually identified SOR records. Furthermore, experiencing homelessness increases the burden of verification requirements so that homeless Tier II (moderate risk level) offenders must report, in-person, to a designated state police office every 30 days (compared to every 90 days when housed), and homeless Tier III (high risk level) offenders must report every seven days (instead of every 30 days).[11] This renders information on homelessness among people on the SOR to be more available, comprehensive, and current than any other data in Delaware containing individual records and information on homelessness.

Finally, three other studies look at homelessness using SOR data. Harris et al.'s overview of SORs from 42 states and 2 US territories (Delaware declined to participate) found that 30 states and one territory tracked homelessness among those on their registries, with a combined overall rate of homelessness (for all on the registries) at 3.0 percent, and with individual state rates as high as 5.7 percent in California and 4.8 percent in Maine. Byrne et al. matched individual SOR records from 19 states with records from the US Department of Veterans Affairs and found that among a veteran population seeking VA health care, being on the SOR was associated with an 80 percent higher risk of experiencing homelessness.[3] Two studies drawing from Florida SOR records, found that 3.2 percent of registered persons who were in Florida communities reported homelessness, with a disproportionate presence in counties with a larger number of local-level residence and/or other restrictions, higher population density, and expensive housing costs[2]; and with individual characteristics including age, minority status, victim type (minor vs. adult), risk level, supervision status, and prior failure to register convictions also associated with increased homelessness risk.[12]

Data and Methods

The data source for this study was the Delaware Sex Offender Central Registry (i.e., Delaware's SOR), a publicly accessible, searchable website maintained by the Delaware State Police that contains information, including name and residence information, for people whose conviction mandates them to be included on Delaware's SOR. The online registry allows for querying

records based upon the dichotomous indicator of whether or not the person reports currently experiencing homelessness. The statutes regarding the sex offender registry in the Delaware code are not specific in defining homelessness beyond situations in which "the offender is unable to secure an anticipated place of future residence." Looking at specific locations mentioned as residences by those denoted as homeless on the registry, this means living in outdoor locations, in shelters and other temporary housing provided by social service organizations, and staying in hotels or motels.

Individual records with homeless indicators on Delaware's SOR were identified and manually copied to an Excel database. The data collection was initially limited to all those who were on the SOR on November 15, 2021, and a follow-up sample was collected on February 16, 2023. Automated processes for "scraping" data were not available for this study, so data on the overall population in Delaware's SOR were limited to what was available by manipulating the registry's search engine. In both homeless and overall cases, for each of the two data collections we limited the study group to the records of those who were not incarcerated and had an in-state residence on the day of collection. The analyses are limited to reports of prevalence and descriptive statistics that aggregate the data collected from the registry.

The University of Delaware Institutional Review Board determined that this study was exempt from review. Although all the data used for this study were publicly available at the time they were collected, it is not possible now to collect data on people on the registry at previous points in time. Given this, we report our findings in a manner that would preclude the identification of individual records based upon the results that we report and as though the data were not publicly available.

Results

Prevalence of Homelessness

Table 1 reports the total numbers of persons living in Delaware communities (i.e., not out of state or incarcerated), and those in these populations reporting homelessness, at two discrete points in time: November 15, 2021 and February 16, 2023. On the former date, 120 of 2,613 people (4.6 percent) on the SOR reported homelessness. Fifteen months later, 140 people reported homelessness (a 16.7 percent increase), among 2,531 people (a 3.1 percent decrease) on the SOR.

Table 1. Persons on Delaware's SOR Who Reported Homelessness at Two Points in Time

	Nov. 15, 2021	Feb. 16, 2023	% Change
Total Homeless	120	140	16.7
Total on SOR	2,613	2,531	-3.1
Percent Homeless	4.6	5.5	20.4
Total on SOR & Homeless on Both Dates	56	56	n/a
Repeat Homeless as a % of Total Homeless	46.7	40.0	n/a

Adjusted for population differences, this amounts to a 20.4 percent increase in homelessness among people on the SOR on the 2023 date. This indicates that the increase in homelessness

across the two dates that are shown on Table 1 is not just a function of 20 more people becoming homeless on the 2023 date, it also reflects a higher rate of homelessness (5.5 percent compared to 4.6 percent) on that date as well.

Fifty-six people were identified as being among those reporting homelessness on both of the days on which the data collection occurred. This means that 46.7 percent of the 120 who were homeless on the 2021 date either remained or again became homeless on the 2023 date. Conversely, 40 percent of those identified as homeless on the 2023 date were also among those who reported homelessness on the 2021 date. Others may have been homeless on both dates, but were not on the SOR on both dates.

Geography of SOR homelessness

Homelessness among people on the SOR is a geographically concentrated phenomenon, regardless of whether it is measured by county, city, or zip code. Table 2 displays these distributions. On the county level, half of those who were on the SOR and reported homelessness reported from New Castle County. This rate is not disproportionately high when considering that New Castle County contains 56.9 percent of the overall state population. However, 7.1 percent of all New Castle County residents on the SOR reported homelessness, a rate substantially higher than the corresponding rates for Kent (5.1% and Sussex 4.0%) counties.

Concentrations of homelessness among those on the SOR are even more apparent when looking at distributions by city and by zip code. Six cities contain 59% of those on the SOR who report homelessness, and Wilmington and Dover alone, Delaware's two largest cities, account for half of those reporting homelessness. There is a similar pattern when looking at the distribution by zip code in 2023, where most of Wilmington's homeless persons (33 of 42) are from two zip codes (19801 and 19805) and all of Dover's homeless (29) also are from two zip codes (19901 and 19904). With the exception of New Castle, these cities and zip codes all have rates of homelessness well above the statewide 5.5 percent rate, with the highest homelessness rate occurring in 19801, at 11.5 percent.

People on the SOR, regardless of housing status, are required to provide a specific street-level address for where they reside. Less than ten of these addresses clearly indicate shelters, and none of these records indicate any stay at the largest men's overnight shelter, which is located in Wilmington (19801). Less than ten records refer to other homeless service locations that don't provide overnight accommodations (these may serve as a mailing address), and less than ten contained references to various motels. Much more common were "street addresses" that indicated sleeping in outdoor locations: references to convenience stores, "big box" stores, and other commercial establishments that did not provide housing; intersections and street addresses in non-residential locations; and specific references to tents, woods, and encampments. Beyond such impressions, it is difficult to categorize these locations more specifically.

Table 2. Geographical Distribution of People on Delaware's Sex Offender Registry Reporting Homelessness

	November 15, 2021		February 16, 2023		
	N	% total	N	% total	rate of homelessness*
County					

Kent	36	30.0	39	27.9	5.1
New Castle	61	50.8	70	50.0	7.1
Sussex	23	19.2	31	22.1	4.0
City					
Wilmington	34	28.3	42	30.0	7.7
Dover	26	21.7	29	20.7	7.6
New Castle	10	8.3	11	7.9	4.4
Newark	**	**	13	9.3	6.1
Georgetown	**	**	10	7.1	7.5
Remainder in other cities	36	30.0	35	25.0	3.5
Zip					
19901 (Dover)	19	15.8	15	10.7	6.5
19801 (Wilmington)	17	14.2	20	14.3	11.5
19805 (Wilmington)	11	9.2	13	9.3	7.7
19720 (New Castle)	10	8.3	11	7.9	4.4
19904 (Dover)	**	**	14	10.0	7.0
19947 (Georgetown)	**	**	10	7.1	7.4
All other ZIPS	49	40.8	57	41.0	4.2
Total	120		140		5.5

* "Rate of homelessness" refers to the percent of those on the SOR reporting from a particular geographic area who report experiencing homelessness. Data is not available to calculate this for the 2021 study group.

** Exact numbers are suppressed to maintain individual record anonymity as cell values are less than 10.

Individual Characteristics and Circumstances

There are a limited number of individual characteristics and circumstances pertaining to demographics, employment status, and legal history that were available on the SOR. Table 3 provides summary measures of key indicators on these topics. Data on these topics were collected only for the group that reported homelessness on November 15, 2021. We expect the distributions in Table 3 would not be substantially different for those who were homeless in early 2023.

Demographics. The median age for the 120 people reporting homelessness on Delaware's SOR was 42, with 31.6 percent of the group over age 50. Everyone in the group was listed in the SOR as either White or Black, notwithstanding that the "race" indicator also reported a few (i.e., less than ten people) also had "Hispanic" or "Asian" in parentheses. The majority in the group (59.2 percent) were Black. Finally, the homeless subpopulation was almost exclusively male, with a small number (less than ten) of women reporting homelessness.

Table 3. Demographics, Employment Status, and Legal History for Persons on the SOR Reporting Homelessness on November 16, 2021

	N	% total
Demographics		
<u>Age</u>		
18-29	10	8.3

30-39	31	25.8
40-49	41	34.2
50-65	34	28.3
65+	4	3.3
Median age	43 years	
Race		
Black	71	59.2
White	49	40.8
Employment & Car Ownership		
Employed	48	40.0
Own a Car	34	28.3
Legal Dynamics		
Repeat offender		
Yes	14	11.7
No	106	88.3
Risk Assessment Level		
Tier 2	85	70.8
Tier 3	35	29.2
Years on Registry		
less than 1 year	4	3.3
1-2 years	7	5.8
3-5 years	10	8.3
5-10 years	21	17.5
10+ years	78	65.0
median length of time	12 years	
Listed as "Wanted"	21	17.5

Employment. The SOR reports, for those on the registry who are employed, specific work locations. Forty percent of those reporting homelessness gave employment information, indicating they had some employment, which presumably includes full-time, part-time, and temporary jobs. One logistical issue related to employment is automobile ownership, with 28% (of all 120 people) reporting they had a vehicle.

Sex Offender Registry Dynamics. An overwhelming proportion (88.3 percent) of those on Delaware's SOR reporting homelessness were not repeat offenders. Just under three-quarters (70.8 percent) had their risk assessment level as tier 2 (moderate risk), with the rest at tier 3 (high risk). People at tier 1 (low risk) are not included on Delaware's publicly accessible SOR. Just under two-thirds (65.0 percent) have been listed on the SOR for over a decade. The median time listed on the SOR is 12 years. Finally, 17.5 percent are listed as "wanted," meaning that they have violated the terms of their release or have not met SOR reporting requirements.

Discussion

The main finding of this exploratory study underscores how pervasive and persistent homelessness is among people on Delaware's SOR. Specifically, on November 15, 2021, 4.6 percent of the persons on the SOR were homeless. Fifteen months later, this homeless prevalence

rate was 5.5 percent. Furthermore, of the 120 people who reported homelessness on the November date, 56 of them (46.7 percent) were either still homeless or again homeless fifteen months later. These prevalence rates are orders of magnitude higher than rates among the general population, and, once homeless, a considerable proportion remained so for extended periods of time.

While these numbers are stark, they are not surprising given the volume of research linking sex offense convictions with elevated homelessness risk. More novel are the findings showing how, among sex offenders, homelessness is concentrated (in the 2023 count) to five cities that collectively contain 75 percent of those on the SOR reporting homelessness and, more specifically, to six zip codes that collectively contain 59 percent of this subgroup.

The SOR further indicates how, for people on the SOR, homelessness is most commonly experienced in unsheltered settings. This highlights both the shortfall in shelter bed supply for homeless individuals and the additional restrictions people on the SOR face in accessing these beds. Ironically, while the latter group has a harder time getting a shelter bed, they are much more likely to have their homelessness recorded, via the SOR, than the rest of the unsheltered population. This is due both to their reporting requirements and the haphazard nature of enumerating the more general unsheltered homeless population in Delaware. This leads to a perverse situation where roughly 130 people on the SOR appear to have been unsheltered on a night in February 2023, while only 154 people were counted as unsheltered in the statewide Point in Time (PIT) count that was conducted in February 2022.[13] This juxtaposition shows how the PIT count, which is the most comprehensive enumeration of the homeless population in Delaware, drastically undercounts the unsheltered homeless population and how as a result most of Delaware's unsheltered population is invisible to service providers and policymakers.

The reason why Delaware's SOR can provide a much more comprehensive count of homelessness than the PIT count can provide for the more general homeless population is that the SOR is a surveillance program with legally mandated participation. Its frequently updated, comprehensive roster of names and locations of homeless persons also amounts to a "by name list" that social and health care workers can use to coordinate efforts to target the housing and services needs of this population.[13]The use of by-name lists is a best practice approach[14] that has contributed to the elimination of homelessness among veterans in Delaware[15] and in other localities across the US.[16] The data available on the SOR similarly lies ready to use as the basis for eliminating homelessness among those who have sex offense convictions.

Seen more broadly, the SOR can also function as a surveillance system in the public health sense, in which data is collected to prevent and ameliorate diseases and other health-related problems. Seen from this perspective, there are clear ethical questions, mentioned earlier in this study, about the public dissemination and the lack of confidentiality around this surveillance data. Those notwithstanding, there are also further ethical considerations inherent to there being a surveillance system that provides specific parameters for intervening in a public health emergency that makes this homelessness publicly visible but summarily ignored. In effect, this situation goes against the adage that "one must count something for it to count," as in the current situation homelessness among people on the SOR still does not seem to count.[17]

This also has implications from a criminal justice perspective. Our findings show high rates of people on the SOR who reported homelessness as having absconded (17.5 percent), meaning they have stopped reporting to the authorities charged with their supervision. This raises a

collateral concern about whether their lack of stable housing creates a threat to public safety. This higher rate of absconding is not surprising, as homeless both triggers more frequent reporting requirements and creates more logistical difficulties in fulfilling reporting requirements. This creates concerns, however, about how the lack of adequate housing creates a potential public safety threat. Delaware's SOR highlights this problem (and might even contribute to it through its reporting requirements), but even this appears to do little to spur action to address housing needs among this population.

As mentioned earlier, this is an exploratory study with data that is publicly available. The results reported here indicate an acute housing problem among a population that is at once deeply stigmatized and unusually well-defined. The findings reported here represent a beginning, as they raise numerous further questions that demand additional research. But, more immediately, they also represent a call to action that has to date gone largely unheeded, both to address homelessness in a specific context under extremely challenging circumstances, as well to address the urgent need for more accurate surveillance data (in the public health sense, and in accordance with ethics guidelines) as a first step to better defining the true scope of homelessness and to implementing solutions commensurate to the actual size of the problem.

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