

## *United Methodist Policies and People Convicted of Sex Offenses: Stigma, Harm, and Exclusion*

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### ABSTRACT

In 2004, the General Conference of the United Methodist Church (UMC) first instructed local churches as well as US Annual Conferences to consider existing recommendations and publish their own policies regarding the participation of people convicted of sex offenses. Nineteen of 54 US Annual Conferences and some General Conference websites have provided related public-facing statements, policies, and recommendations. This project asks how and why the policies and outward-facing statements put forth by the UMC General Conference and other US Annual Conferences stigmatize and harm people convicted of sex offenses? This endeavor is rooted in feminist standpoint theory, and is based on deep inductive qualitative coding of 42 public-facing institutional policies and statements. The analysis relies on previous research that highlights the lived experiences of those who are, or who have been, on the public sex offender registry.

Analysis reveals that policies and statements stigmatize, and harm people convicted of sex offenses by making false and unfounded claims, using inaccurate and harmful language, failing to consider circumstances of individuals convicted, making the offense status public, and limiting leadership experiences in congregations. Through both harmful practices and harmful statements, the United Methodist Church in the US, as a religious institution, is contributing to structural stigma for people convicted of sex offenses. These documents are stigmatizing because they exclude the situated knowledges of those convicted of sex offenses. Furthermore, they rely on pervasive myths and harmful ideologies perpetuated by US society and policy and some theological literature and journalism. Understanding how and why certain claims and practices are stigmatizing allows leaders in the UMC and other religious traditions to craft better documents moving forward.

### INTRODUCTION

#### *The Stigma Literature*

Scholarship has documented numerous forms of stigma that impact various groups in nuanced ways. Structural stigma is a stigma that is expanded and reinforced by various institutions or prevailing ideologies.<sup>1</sup> Structural stigma is especially present in the lives of those convicted of sex offenses. In the United States, religious institutions must respond to and operate within the context

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<sup>1</sup> Bos, A.E.R., Pryor, B., Reeder, G.D., & Stutterheim, S.E. (2013). Stigma: Advances in theory and research, *Basic and Applied Social Psychology*, 35(1), 1-9, <https://doi.org/10.1080/01973533.2012.746147>

of stigma structured by government institutions. Especially in our American Judeo-Christian context, religious institutions have an under-recognized capacity to do harm as contributors to structural stigma through, written policies, practices, and language. Their power to influence stigmatization has shaped the experiences of those convicted of sexual offenses with little transparency or deliberation.

The particular role of religious institutions with regard to the participation of people convicted of sex offenses has gone unexamined by scholars as well. This is a striking gap in the research, given the robust literature demonstrating the role of structural stigma created by government institutions for people leaving incarceration,<sup>2</sup> including the specific sub-population of people who have been convicted of sex offenses.<sup>3</sup> Though not in the context of reentry, Lefevor, Davis, Paiz, and Smack have examined the role of religious institutions in perpetuating structural stigma.<sup>4</sup>

Researchers have just begun to explore the topic of religious institutions and those convicted of sex offenses. Jones and Sims surveyed church goers regarding their beliefs about people with various criminal convictions in the church.<sup>5</sup> Though some scholars have conducted important research, there are still gaps in our understanding of the experiences of people convicted of sex offenses.<sup>6,7,8</sup> Kilmer and Leon employed a mixed-methods approach using both surveys and interviews to explore the perspectives of those with a family member on the registry and noted the

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<sup>2</sup> Keen, D.E., Smoyer, A.B., & Blakenship, K.M. (2018). Stigma, housing, and identity after prison, *The Sociological Review* 66(4), 799-815, <https://doi.org/10.1177/0038026118777447>

<sup>3</sup> Huebner, B.M., Kras, K.R., & Pleggenkuhle, B. (2019). Structural discrimination and social stigma among individuals incarcerated for sexual offenses: Reentry across the rural-urban continuum, *American Society of Criminology*, 57, 715-738, <https://doi.org/10.1111/1745-9125.12226>

<sup>4</sup> Lefevor G., Davis E.B., Paiz J.Y., & Smack C.P.A. (2001). The relationship between religiousness and health among sexual minorities: A meta-analysis. *Psychological Bulletin*. DOI: 10.1037/bul0000321. This article discusses the impact of structural stigma in religious spaces for individuals who are sexual minorities, and the impact of that structural stigma on health.

<sup>5</sup> Jones, A. & Sims, B. (2016). Reintegrative shaming, redemption, and acceptance: A survey of Christian church goers in eastern North Carolina. *Journal of Ethnicity in Criminal Justice*, 14(4), 384-370. DOI: 10.1080/15377938.2016.1202167

<sup>6</sup> Tewksbury, R. & Lees, M. (2006). Perceptions of sex offender registration: Collateral consequences and community experiences. *Sociological Spectrum*, 26(3), 309-334. DOI: 10.1080/02732170500524246

<sup>7</sup> Tewksbury, R. (2012). Stigmatization of sex offenders. *Deviant behavior*, 33(8), 606-623. DOI: 10.1080/01639625.2011.636690, p. 606-623

<sup>8</sup> Robbers, M.L.P. (2009). Lifers on the outside: Sex offenders and disintegrative shaming. *International journal of offender therapy and comparative criminology*, 55(1), 5-28. DOI: 10.1177/0306624X07312953

salience of religious communities as an area calling for further research.<sup>9</sup> Altogether, we lack a comprehensive understanding of how religious institutions influence stigma for people convicted of sex offenses.

Those convicted of sexual offenses are especially stigmatized among people with criminal convictions.<sup>10,11</sup> No law allows us to see within how many feet of our home someone lives who committed murder, but we have that ability in the US when it comes to anyone on a public sex offense registry. In 1996, the US Congress passed a law requiring public registration of people with sex offense convictions. Ten years later, the federal government added more stringent requirements by passing the Sex Offender Registration and Notification Act. The federal government only sets minimums, and many states place more restrictions on people with sex offense convictions than what federal law requires, many of which limit proximity to facilities for minors or where minors congregate, like schools, which may be located within places of worship.<sup>12</sup> Thus, working within this sociopolitical context, Christian denominations as institutions, specifically the United Methodist Church, may both respond to and contribute to structural stigma for people convicted of sex offenses.

### ***Sex Offender Policy in the US UMC***

In 2004, the General Conference of the United Methodist Church (UMC) published a resolution titled *Church participation by a registered child sex offender* in the Book of Resolutions.<sup>13</sup> This guiding policy instructed local churches as well as US Annual Conferences to consider existing recommendations and put forth their own policies regarding the participation of people convicted of sex offenses.<sup>14</sup> Since 2004, 19 of 54 US Annual Conferences and some General Conference UMC websites have provided related public statements, policies, and recommendations.

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<sup>9</sup> Kilmer, A. & Leon C.S. (2017). 'Nobody worries about our children': unseen impacts of sex offender registration on families with school-age children and implications for desistance. *Criminal justice studies: A critical journal of crime, law and society*, 30(2), 181-201. DOI: 10.1080/1478601X.2017.1299852

<sup>10</sup> Lund, C.C. (2021). Sex offenders and the free exercise of religion. *Notre Dame law review*, 96, 1025. <https://advance.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:621K-HKS1-F65M-625B-00000-00&context=1516831>

<sup>11</sup> Tewksbury & Lees (2006).

<sup>12</sup> Lund (2021).

<sup>13</sup> United Methodist Church (2012, December 21). *Church participation by a registered child sex offender*. <https://www.umc.org/en/content/church-participation-by-a-registered-child-sex-offender>

<sup>14</sup> Annual conferences are geographically organized conferences under which local churches fall.

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These documents include policy recommendations for individual congregations, opinion pieces shared by conferences, and sample covenant agreements. Covenant agreements, also called participation covenants, are documents guiding the terms of participation for someone convicted of a sex offense. Recommended practices typically include limiting access to certain facilities, like children's wings and restrooms designated for children. Some documents even limit access to all restroom facilities.<sup>15</sup> Documents also typically require that individuals convicted of a sex offense have a designated accountability partner with them while they are on the church grounds. All policy documents prohibit people with sex offense convictions from holding positions, paid or unpaid, that involve working with minors or "vulnerable adults," namely adults with disabilities. Some covenant agreements also include restrictions on employment and leadership of all kinds. Many UMC policies and recommendations regarding people convicted of sex offenses are written in Safe Sanctuaries policies. Joy Melton created the foundation of Safe Sanctuaries, which is now the umbrella term for safety policies, video series, and training programs within the UMC.<sup>16</sup> Many, but not all, Annual Conference documents regarding people convicted of sex offenses in the church are labeled as part of Safe Sanctuaries.

However, in addition to the policy and practice that aim to create safe spaces and provide practical guidance, some of these documents seem to contribute to the stigmatization of people convicted of sex offenses. To date, this has been an under-researched phenomenon. This begs the question, how and why do the policies and outward-facing statements put forth by the UMC General Conference and other US Annual Conferences address people convicted of sex offenses?

Our analysis, described in the following, shows that the UMC as a religious institution contributes to structural stigma against those convicted of sex offenses by making false and unfounded claims, using inaccurate and harmful language, failing to consider circumstances of individuals convicted, making the offense status public, and limiting leadership experiences. This occurs when the authors of documents exclude the situated knowledges of the convicted.

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See this list: United Methodist Church (n.d.). *Annual Conferences directory (U.S.)*.

<https://www.umc.org/en/content/annual-conferences-directory-us>

<sup>15</sup> One policy that limits access to all restroom facilities is a document put forth by the North Carolina Annual Conference. See: North Carolina Annual Conference (n.d.). *Guidelines for a Safe Sanctuaries response plan*. <https://nccumc.org/christianformation/files/Guidelines-for-a-Response-Plan1.pdf>

<sup>16</sup> Discipleship Ministries of the United Methodist Church (n.d.). *Safe Sanctuaries*.

<https://www.umcdiscipleship.org/equipping-leaders/safe-sanctuaries>

Furthermore, harmful beliefs and myths regarding people convicted of sex offenses are common in wider society, as well as in theological literature. We argue that once those writing and implementing policies understand the ramifications of the current approach, they can craft improved and less stigmatizing institutional documents and involve people with sex offense convictions in that process.

## **METHODOLOGY AND METHODS**

### ***Feminist Methodological Approach***

This analysis is rooted in feminist standpoint theory.<sup>17</sup> As feminist researchers, we understand there to be a variety of situated knowledges, based on individuals' relationships, communities, and experiences. The knowledges of the marginalized and oppressed in particular are the most whole and complete truths. The oppressed have dual fluency, meaning they understand their own realities as well as that of the socially dominant oppressor. Those convicted of sex offenses, for example, understand their own perspectives and day-to-day experiences, but they also must be fully aware of the attitudes of law enforcement personnel, probation and parole officers, and community members. As scholars with positions of privilege, our feminist research orientation and social location require that we deliberately and effortfully privilege the voices of the marginalized.<sup>18,19</sup>

### ***Data Collection and Analysis***

We first collected all written policies and outward-facing statements from UMC US General Conference websites and UMC US Annual Conference websites.<sup>20</sup> Some documents appear on multiple websites, with in total, 42 unique documents tracked when a single document appears

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<sup>17</sup> Harding, S. (Ed.). (2004). *The feminist standpoint theory reader: Intellectual and political controversies*. Routledge.

<sup>18</sup> Inherently, I, the first author, come to perceive the world around me through the lens of many oppressor groups based on my wealth, whiteness, heterosexuality, and other aspects of my privileged social location. With relation to sex offenses, I come from a background where people view the public registry and the limitations placed on those with sex offense convictions as necessary to keep children safe, rather than as flawed practices that damage those with convictions. People in my circles use the public registry to avoid people they perceive as a threat, with little regard for what it would be like to be publicly identified as dangerous.

<sup>19</sup> The first author collected the data and carried out the analysis in conversation with the second author's larger project on re-entry and religion.

<sup>20</sup> With each webpage, I first navigated the various menus and sections, especially looking for sexual ethics policies or safety policies, in addition to any link or tab that specifically mentioned "sex offenders". I then utilized the search tool within the websites when they were available. I used a variety of search terms, including "sex offender", "Safe Sanctuary", "safety", "sex offense", and "sexual misconduct".

multiple times. We used qualitative coding to discover, track, and draw conclusions about patterns.<sup>21</sup> The coding process was primarily inductive; noting specific themes and patterns when searching for and reading policies and statements, and those impressions largely guided the development of a codebook.

### **MYTHS ABOUT PEOPLE CONVICTED OF SEX OFFENSES**

The public is fearful of an image of “sex offenders” that is not empirically supported. They envision a monstrous and dangerous “sex offender” who preys on countless children, even after receiving treatment and being released from incarceration. On average, the American public believes that 74% of “rapists” and 76% of “child molesters” will “re-offend in a sexual manner.”<sup>22</sup> As Leon emphasizes, various empirical studies have shown that there is no evidence to support the pervasive idea that there are numerous predators in our communities who pose high levels of danger. In reality, when looking at different studies conducted with various methods over time, the most conservative estimated sexual re-offending rate is 14%.<sup>23</sup> Members of the public are told by the government and believe that registries are there to protect them from the perceived threat of people on the registry. Prior to public registries, there were no comparative online databases to find a list of people with sex offense convictions. Now, they are commonplace and something that people feel entitled to access. In reality, there is no evidence suggesting that public registries effectively prevent recidivism.<sup>24</sup>

### **RESULTS AND ANALYSIS**

This project asks how and why the policies and outward-facing statements put forth by the UMC General Conference and other US Annual Conferences address people convicted of sex offenses. As shown in the subsequent analysis, documents reproduce problematic language and claims and

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<sup>21</sup> Olsen, V. (2011). Feminist qualitative research in the millennium’s first decade. In N.K. Denzin & Y.S. Lincoln (Eds.), *The SAGE handbook of qualitative research* (4th ed.). Sage.

<sup>22</sup> Fortney, F., Levenson, J., Brannon, Y., & Baker, J. (2007). Myths and facts about sexual offenders: Implications for treatment and public policy. *Sexual offender treatment*, 2(1). [https://www.researchgate.net/profile/Jill-Levenson/publication/267256472\\_Myths\\_and\\_Facts\\_About\\_Sexual\\_Violence\\_Public\\_Perceptions\\_and\\_Implications\\_for\\_Prevention/links/55af992308ae11d310384076/Myths-and-Facts-About-Sexual-Violence-Public-Perceptions-and-Implications-for-Prevention.pdf](https://www.researchgate.net/profile/Jill-Levenson/publication/267256472_Myths_and_Facts_About_Sexual_Violence_Public_Perceptions_and_Implications_for_Prevention/links/55af992308ae11d310384076/Myths-and-Facts-About-Sexual-Violence-Public-Perceptions-and-Implications-for-Prevention.pdf)

<sup>23</sup> Leon, C.S. (2011). Sex offender punishment and the persistence of penal harm in the U.S.. *International Journal of Law and Psychiatry*, 34(3), 177-185. DOI: [10.1016/j.ijlp.2011.04.004](https://doi.org/10.1016/j.ijlp.2011.04.004)

<sup>24</sup> *Ibid.*

recommend practices and procedures that may unintentionally perpetuate unfounded assumptions and compel painful disclosures that do not create the intended benefits of safety and inclusion.

### ***Unfounded Claims: Perpetuating Falsehoods***

Some UMC documents stigmatize through harmful and sometimes unfounded claims about people with sex offense convictions. The most common unfounded claim referenced in these policies is that “pedophiles” or “child sex offenders” are highly likely to re-offend. While most documents do not perpetuate this falsehood, it appears in documents on the webpages of a few Annual Conferences<sup>25,26,27</sup> including in the guiding policy put forth by the General UMC. This landmark policy reads, “recent studies suggest a low likelihood that pedophiles can or will change.”<sup>28</sup> This statement is immensely dangerous, especially when considering the way “pedophile” and “registered sex offender” are used interchangeably. This statement pushes people to believe that people convicted of sex offenses who want to stop offending are incapable of doing so. Although the following portion of the document acknowledges that treatment lowers recidivism,<sup>29</sup> that statement does not render the other false claim insignificant. As aforementioned, members of the public commonly overestimate re-offending rates.<sup>30</sup> The lived experiences of people convicted of sex offenses underscore the damage of this common damaging myth. People with convictions acknowledge that they are viewed as having no chance at redeeming themselves and no chance of being viewed as anything but a sex offender, which is painful and shame-inducing.<sup>31</sup> These false claims about re-offense rates that appear in UMC documents perpetuate the stigmatizing idea that anyone who has been convicted of a sex offense is perpetually and universally dangerous, which may create unnecessary barriers for a person convicted of a sex offense who seeks to join a United Methodist congregation.

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<sup>25</sup> Halsey, P. (2001). *What if the Abuser is one of us? A model for Congregational Response*.

[https://michiganumc.org/wp-content/uploads/2018/07/51\\_What\\_if\\_the\\_Abuser\\_is\\_One\\_of\\_Us\\_JBZQBPNH.pdf](https://michiganumc.org/wp-content/uploads/2018/07/51_What_if_the_Abuser_is_One_of_Us_JBZQBPNH.pdf)

<sup>26</sup> Halsey, P. (2006). *A Delicate balance: Making churches safe and welcoming*.

[https://www.unyumc.org/images/uploads/Sex\\_Offenders\\_in\\_Church.pdf](https://www.unyumc.org/images/uploads/Sex_Offenders_in_Church.pdf)

<sup>27</sup> Tchividjian, B. (2014, June 13). *Five common characteristics of child sexual offenders: Eliminating the edge*. North Texas Conference of the United Methodist Church.

[https://ntcumc.org/Five\\_common\\_characteristics\\_of\\_child\\_sexual\\_offenders.pdf](https://ntcumc.org/Five_common_characteristics_of_child_sexual_offenders.pdf)

<sup>28</sup> United Methodist Church (2012, December 21), p.1

<sup>29</sup> *Ibid.*, p.1

<sup>30</sup> Fortney, Levenson, Brannon, & Baker (2007), p. 9

<sup>31</sup> Tewksbury (2012).

Another inaccurate and stigmatizing claim in a UMC document surrounds not re-offense rates but the number of victims. The North Texas Annual Conference shares a short article about the characteristics of “child sexual offenders.” Tchividjian, the author, states, “one study indicates that child molesters who sexually victimize females outside of the home averaged approximately 20 different victims.”<sup>32</sup> This alarming statistic appears without crucial context or an empirical citation. Tchividjian cannot accurately extrapolate data about those who abuse girls outside of the home to all people who commit sex offenses against children. While every time any person is victimized is deeply upsetting and each victim-survivor’s story matters, it is still vital to maintain factuality with regard to numbers of victims. Empirically, situational factors, like age of and relationship to a victim, matter when discussing re-offense rates.<sup>33</sup> When some UMC documents inaccurately extrapolate data, the UMC perpetuates the stigmatizing myth that individuals convicted of sex offenses each victimize and pose a threat to many people.

### ***Policies for “Predators” and “Pedophiles”***

UMC documents use inaccurate language. The predominant policy uses the terms “registered child sex offender,” “pedophiles,” “convicted sex offender,” and “registered sexual offender” interchangeably.<sup>34</sup> Some documents use inaccurate labels, like “child sex offender,” “pedophiles,” “child predator,” and “child molester” when making policy recommendations for the participation of anyone on the sex offender registry. These documents switch between using general sweeping terms like “sex offender” and specific terms referring to those convicted of a sexual crime against children. They often do so in a way that suggests that all of those categories are practically the same. While this does not occur in all of the 42 policies, it does in the most influential of these: the aforementioned guiding policy put forth by the General UMC. This is particularly relevant because this policy is the starting point for Annual Conferences and local churches within Annual Conferences that provide no guidance. This mislabeling is detrimental to people with sex offense convictions. It perpetuates the myth that anyone convicted of a sex offense against children can be accurately classified as a pedophile. The use of the term predator is also stigmatizing. An interview participant from a study conducted by Tewksbury captures how painful the label predator can be.

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<sup>32</sup> Tchividjian (2014, June 13), p. 2

<sup>33</sup> Sample, L.L., & Bray, T.M. (2006). Are sex offenders different: An examination of rearrest patterns. *Criminal Justice Policy Review* 17(1), 83-102. DOI: 10.1177/0887403405282916

<sup>34</sup> United Methodist Church (2012, December 21).

“I’m a sex offender, okay? I’m not a predator. I don’t prey on people. Never have, never will. I offended against a person, not against many people. But, that doesn’t matter. We’re all treated the same”.<sup>35</sup> When a religious institution uses inappropriate and stigmatizing language, it fosters the normalization of problematic labels and phrases, thus contributing to structural stigma.

### ***Sweeping Labels and Procedures***

These labels and the procedures resulting from them are often sweeping and fail to consider circumstances. Documents from the UMC General Conference and Annual Conferences stigmatize people convicted of sex offenses with all-encompassing labels and corresponding procedures. Most policies and statements do not differentiate between the different types of crimes that can result in a sex offense conviction. Scholarship has established that differentiation is important and can have significant policy implications.<sup>36,37</sup> Furthermore, people with sex offense convictions, both incarcerated and living in the community, emphasized that differentiation between types of crimes is significant.<sup>38,39</sup> Tewksbury interviewed a research participant, Devon, who emphasized that labeling all sex offenses with one broad designation is a flawed approach. “There should be degrees to it, instead of just labeling everybody, you know what I mean.”<sup>40</sup> These sweeping labels render circumstances surrounding different crimes irrelevant. These broad labels inform policies.

While some exceptions exist, institutional policies tend to have little customizability in their outlined procedures for when a person convicted of a sex offense seeks to participate in a church. Policies require that restrictions are placed on anyone convicted of a sex offense, regardless of what the offense was. Typically, the levels of restrictions are also uniformly implemented, regardless of offense. Arkansas Annual Conference’s policy statement acknowledges that customizability and differentiation are relevant but still does not promote customizability. “While not all such individuals pose a risk to others, (redacted) has decided to err on the side of safety and to protect the most vulnerable in our community of faith.”<sup>41</sup> The policy continues with a list of

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<sup>35</sup> Tewksbury (2012).

<sup>36</sup> Leon (2011).

<sup>37</sup> Sample & Bray (2006)

<sup>38</sup> Tewksbury & Lees (2006).

<sup>39</sup> Tewksbury (2012).

<sup>40</sup> *Ibid.*, p. 618.

<sup>41</sup> Arkansas Annual Conference (n.d.). *Participation of registered sex offenders and persons accused of a*

procedures related to accountability partners, facilities limits, and limits on interactions and roles with children. None of these procedures have different options or levels of regulations. This is commonplace across UMC documents regarding people convicted of sex offenses. The North Carolina Annual Conference recommends strict requirements in their *Guidelines for a Safe Sanctuaries response plan*. There are a variety of terms all “perpetrators” must abide by.

...Prepares and delivers written acknowledgement and apologies for pain...continual participation in a professional counseling program...no leadership or representational position...covenant partners identified by church leadership...no allowed use of restroom facilities.<sup>42</sup>

It is common for policies to include an inflexible list of rules for anyone labeled “sex offender” or “perpetrator” to follow. While not all Annual Conference policies have as intense guidelines about bathroom use and written apologies, the standardized list of regulations is seen across many Conferences.<sup>43</sup>

Some policies emphasize that open negotiation with the individual convicted of a sex offense is important when developing covenant agreements. Even when policies claim to promote open negotiation, they still provide little opportunity for customizability. The Virginia Conference of the United Methodist Church provides an example.

Develop a carefully constructed and openly negotiated covenant between the offender and the church community for at least the entire time of church membership or participation; adult “Covenant Partners” to accompany the offender while on church property or attending church activities; areas of church facilities that are ‘off limits’...any additional conditions for presence or participation.<sup>44</sup>

This policy, as is common, states that covenants should be collaboratively constructed but still includes strict minimums for limitations. Individualization is only possible as slight modifications or additions to the relatively stringent minimum requirements. People with sex

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*sexually related crime in the life of the congregation*. <https://docs.arumc.org/Safe%20Sanctuaries/Policy-Statement-RSO.pdf>, p.1

<sup>42</sup> North Carolina Annual Conference (n.d.), p. 1

<sup>43</sup> Some of the Annual Conferences that publish documents with inflexible and standardized regulations include Alaska Annual Conference, Arkansas Annual Conference, Baltimore-Washington Annual Conference, New York Annual Conference, Upper New York Annual Conference, and the Tennessee Annual Conference.

<sup>44</sup> Virginia Conference of the United Methodist Church (n.d.). *Safe Sanctuaries*. <https://vaumc.org/next-gen-safe-sanctuaries/>. p.1

offense convictions have identified that this approach to policy is stigmatizing. Respondents in Tewksbury and Lees' study, including Jordan, indicated that circumstances need to be taken into account.

I hate to be categorized and monitored with all these people who are serial reoffenders or vicious child predators. I don't put myself in that category with them. I hate to be looked upon as that kind of person because I don't feel I am that kind of person.<sup>45</sup>

Jordan specifically pointed out that it is not only stigmatizing labels but also when those labels are used to drive practices. He distinguishes himself from "child predators" and wants policies to do so as well. The majority of policies categorize and treat people with sex offenders using broad strokes. When the UMC labels and treats all individuals with sex offense convictions the same way, it exacerbates stigmatization and harms them.

### ***Publicizing Offense Status***

One isolating and stigmatizing aspect of these often broad policies is their public nature. Various procedures reveal an individual's sexual offense history broadly among church members, rather than restricting it to leaders and those who need to know, which also easily allows the information to spread to the wider community beyond the congregation. The UMC is contributing to structural stigma by normalizing the idea that public members have a right to know who among them is "dangerous," an idea already promoted by government registries. One notable procedure is the notification of the church community when a person convicted of a sex offense seeks to join a church. There are various ways that policies wrote about the public nature of an individual's offense status. Some documents, like those of the Illinois Great River Conference and the Virginia Annual Conference, require that the covenant should "not be secret", but do not state that it needs to be announced to the congregation.<sup>46,47</sup> Other documents, including the document *Letter to a child predator - previously charged*, which appears on the websites of many Annual Conferences, explicitly state that the congregation should be informed that a "sex offender" is joining their

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<sup>45</sup> Tewksbury & Lees (2006), p. 317

<sup>46</sup> Illinois Great River Conference (n.d.). *Setting boundaries for church participation by a registered sex offender*.

<https://www.igrc.org/files/s3files/downloadableresources/safe+sanctuaries/sex+offender+statement.docx>

<sup>47</sup> Virginia Conference of the United Methodist Church (n.d.).

church.<sup>48,49</sup> Lastly, some policies mandate that the individual themselves announce their offense status to the congregation.<sup>50,51</sup> The North Texas Annual Conferences shares an article about having an “abuser” in the church. The article tells “abusers” that they shall...

...Prepare and deliver written acknowledgements of apologies...These several acknowledgements and apologies should be separately addressed to at least your victims, the families of your victims, your own family, and the members and supporters of XYZ Church.<sup>52</sup>

Church community notification, especially when an announcement is made, can be especially harmful and stigmatizing. Other practices, aside from direct notification, still contribute to a person’s offense status becoming known to the congregation.

Furthermore, even when policies do not explicitly recommend or require community notification, almost every document outlining procedures requires or recommends that an “accountability partner” or “covenant partner” be with a convicted person at all times while they are on church grounds or at church functions. This can potentially draw attention, raise questions, and signal distrust. When Robbers surveyed people convicted of sex offenses in Virginia, 94% of participants reported exclusively negative experiences regarding the public nature of their conviction.<sup>53</sup> Furthermore, people with sex offense convictions living in the community experience vulnerability and fear being “outed” and exposed. This worry about exposure can prevent involvement in certain spaces.<sup>54</sup> If a person who has formed relationships with people who do not know about their conviction seeks to join a church, a UMC policy making their status widely known could deter them from becoming involved in the church. These policies stigmatize by

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<sup>48</sup> *Letter to a child predator - previously charged.* (n.d.). The Upper New York Conference.

[https://www.unyumc.org/images/uploads/Letter\\_to\\_Predator\\_Previously\\_Charged.pdf](https://www.unyumc.org/images/uploads/Letter_to_Predator_Previously_Charged.pdf)

<sup>49</sup> Some Annual Conferences with documents requiring that the congregation be notified about a “sex offender” include Arkansas Annual Conference, Upper New York Annual Conference, Michigan Annual Conference, and North Carolina Annual Conference, and Tennessee Annual Conference.

<sup>50</sup> North Carolina Annual Conference (n.d.)

<sup>51</sup> Adams, C.J. (2010). When the abuser is among us: One church’s response to a perpetrator. *Faith Trust Institute*. <https://www.faithtrustinstitute.org/resources/articles/When-the-Abuser-Is-Among-Us.pdf?searchterm=one%20church%27s%20response0church%27s%20response>

<sup>52</sup> *Ibid.*, p. 5

<sup>53</sup> Robbers (2009).

<sup>54</sup> Tewksbury & Lees (2006).

clearly “othering” those convicted of sex offenses and do harm by creating feelings of vulnerability that can isolate convicted individuals from their wider community.

### *Limiting Leadership Experiences*

UMC policy recommendations tend to promote limits on leadership experiences. Specifically, policies and policy recommendations on UMC websites tend to limit volunteer and employment experiences broadly, rather than just those roles that involve interacting with children, youth, or vulnerable populations. Restrictions of this nature are common in documents across Annual Conferences. Many policies replicate the specific language used in the United Methodist Church’s guiding document, which recommends “restrictions on leadership in or on behalf of [the] church.”<sup>55</sup> Leadership encompasses employment. Stable employment is integral for most Americans, especially those returning to the community after incarceration. Tewksbury and Lees discussed employment difficulties with research participants. Some participants thought it was difficult to find employment for people with any felony conviction. Others, like Jon, expressed that it is especially difficult if the conviction is a sex offense.

They have a list of places that will hire ex-cons. But, if you’re an ex-con and a sex offender, they won’t. And they tell you straight up. Several places will hire ex-convicts, but all of them say no to sex offenders. All of them.<sup>56</sup>

When the United Methodist Church advocates for prohibiting employment of people with sex offense convictions, they contribute to the practice that leaves people with sex offense convictions less able to find work. Lack of employment is a significant piece of structural stigma that originates from corporations, governments, and religious institutions, and that churches should thoughtfully consider rather than unthinkingly reproduce.

The practice of prohibiting unpaid, volunteer leadership positions in the church is also problematic. It signals distrust, expressing that anyone with a sex offense conviction cannot contribute or be given the responsibility of doing things like serving on a committee, leading musical worship, planning fundraising events, or serving as a lay leader. It also inhibits relationships and connections because collaborative leadership experiences provide opportunities for members to foster relationships with one another, as well as a connection to the church as a

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<sup>55</sup> United Methodist Church (2012, December 21), p.1

<sup>56</sup> Tewksbury & Lees (2006), p. 320

whole. Some respondents in Robbers' study indicated that religious communities provide a safe space for leadership opportunities, but others expressed that they want to serve in mentorship roles but are afraid of rejection because of their offense status.<sup>57</sup> This signifies that religious leadership is of value but can be inhibited by institutional policies. The UMC policies and statements that promote the exclusion of people with sex offense convictions from volunteer opportunities are problematic.

### *Models of Inclusion*

While the majority of this project highlights the ways in which documents are stigmatizing and problematic, it is worth pointing to two examples of documents that appear to be the least harmful and stigmatizing; doing so provides an opportunity for the practical application of scholarship. Knowing what works well is helpful for clergy as well as leaders on safety teams who are trying to develop policies that avoid stigmatizing and damaging those convicted of sex offenses. The New England Conference's policy, though imperfect, has many qualities that are less stigmatizing than what is typically seen in UMC documents. The policy uses person-first language, saying "persons on a sex offender registry."<sup>58</sup> The policy provides three covenant agreement examples and suggests that each case should be treated circumstantially. Of the three examples, two in particular provide a relatively greater degree of freedom and convey trust. Furthermore, a document authored by the West Ohio Conference is similar in nature to that of the New England Conference. The introduction to this document uniquely conveys acceptance and love.

Throughout scripture, God has called justice-involved persons into Kingdom-building ministry. Saul the murderer became Paul the missionary. Today, he is still calling forth disciples from behind bars, and the West Ohio Conference believes welcoming our neighbors returning from an incarceration experience is a primary mission field for growing God's Kingdom.<sup>59</sup>

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<sup>57</sup> Robbers (2009).

<sup>58</sup> Response/Intervention Team (2017, June 16). *Appendix N: RS-132 Lay sexual misconduct policy: Addendum A guidelines for ministry with persons on a sex offender registry*. New England Conference <http://neumc-email.brtapp.com/files/fileshare/conference+rules+and+policies/laity+misconduct+7-2019.pdf>, p. 2

<sup>59</sup> West Ohio Conference of the United Methodist Church (n.d.). *West Ohio conference Safe Sanctuaries: Statement of understanding guidelines*. <https://www.westohioumc.org/sites/default/files/conference/documents/pdf/page/returning-neighbors-ss-guidelines.pdf>, p. 1

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This introduction to their policy guidelines highlights that both God and the Annual Conference see people returning from prison after a sentence for a sex offense as valuable. This is a powerful message. It counters the stigmatizing idea that people convicted of sex offenses are a threat or a liability. The rest of the document, like the policy addendum of the New England Conference, uses person-first language, emphasizes that circumstances are important, and does not require that an offense status becomes public information. Understanding what sets apart the New England Conference and West Ohio Conference documents from the more stigmatizing documents is important for future justice work.

### DISCUSSION

The idea that many safeguards are needed to protect children and society against the extremely dangerous “sex offender” is a common belief among Americans. Commonly held opinions and governmental policies greatly influence the United Methodist institution. The documents show the pervasiveness of this stigma. Though churchgoers and churches may be thought of and experienced as forgiving and accepting of people on sex offense registries, religious leaders and congregates, and thus religious communities, are far from immune to adapting problematic beliefs and practices, regardless of their intentions.<sup>60,61</sup> Religious communities do not exist in a bubble, and pastors carry stigmatizing ideas. Despite preaching redemption, some clergy may hold harmful beliefs. One pastor, quoted by a nonprofit leader in a Christianity Today article, referred to those convicted of sex offenses as wolves from which he needs to protect the flock, his congregation.<sup>62</sup> This metaphor in particular, highlights the extent to which those convicted of sex offenses are understood as and treated as dangerous and less-than. When clergy hold beliefs this harmful and stigmatizing, those beliefs are reflected in the documents that guide the UMC’s response to people convicted of sex offenses.

Like clergy, churchgoers may have harmful opinions about people convicted of sex offenses, and the broader religious community’s opinions also influence documents. Jones and Sims surveyed 365 churchgoers in a county in North Carolina. They asked them to rate their

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<sup>60</sup> Kilmer & Leon (2017)

<sup>61</sup> Robbers (2009).

<sup>62</sup> Ross, B. (2009, December 3). Modern-day lepers. *Christianity Today*.  
<https://www.christianitytoday.com/ct/2009/december/5.16.html>

comfort level with different vignettes related to various criminal behaviors and church participation. “Sex offenders” were found to be the least accepted offenders, which aligns with views in broader society. Even more, Mainline Protestants, an umbrella term that includes United Methodists, were found to be the least accepting congregants.<sup>63</sup> Despite the religious messages of forgiveness and redemption, Churchgoers sometimes still believe myths to be true and would be in favor of practices that those convicted of sex offenses experience as stigmatizing. The pervasiveness of the idea that “sex offenders” are dangerous influences religious leaders and churchgoers alike, thus influencing the harmful and stigmatizing nature of UMC documents.

The prevalence of stigmatizing ideas surrounding those convicted of sex offenses is also seen in governmental policies, contributing to UMC policies’ stigmatizing nature. It is notable that the UMC had no policies on working with people convicted of sex offenses until after the federal government created a public registry. Unfortunately, governmental policies necessitate the creation of UMC recommendations and procedures for when a person on or formally on a sex offense registry seeks to participate in the church. Various policies limit registrants from going to places for minors or where minors congregate. Some policies limit religious attendance only for those with specific sex offense convictions. These state policies are often vague, allowing for probation and parole officers to use discretion when determining someone’s access to places of worship.<sup>64</sup> The covenant agreements, in part, are a response to the legal complications and structural stigma originating from governments.

Procedures used by United Methodist Churches in some ways mirror broader patterns in legal policies. For example, the public nature of UMC documents mirrors the public nature of sex offense policies in the United States broadly. Some states limit employment opportunities,<sup>65</sup> and some Annual Conferences, regardless of state location, recommend that local churches limit employment as well. Some states limit the whereabouts of convicted individuals in the community, and some UMC documents recommend limiting the whereabouts of convicted individuals within church facilities. The similarities are clear and suggest that the limitations placed on people with convictions by formal legal policies have shaped UMC policies and the limitations that they

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<sup>63</sup> Robbers (2009).

<sup>64</sup> Lund (2021).

<sup>65</sup> *Ibid.*

impose. In some instances, some UMC practices may be necessary for legal compliance and to maintain active insurance coverage. UMC documents stigmatize people convicted of sex offenses partially because of, and in similar ways to, governmental policies.

While American culture and policies influence UMC documents, so do the ideals and beliefs seen in Christian popular media and theological scholarship about individuals convicted of sex offenses. The majority of UMC documents regarding people convicted of sex offenses express forgiveness, redemption, and welcoming of all individuals, but these values are poorly represented in practices. Practices are heavily influenced by harmful ideas about “sex offenders” in churches. The totality of limitations and restrictions in covenant agreements are stigmatizing in nature, signaling distrust and the belief that anyone who is or who has been on the registry poses a threat to the congregation. This distrust and ideas about danger are connected to theological literature and debate. Vieth is a scholar with tremendous authority, and thus the harmful and sometimes unfounded claims that he makes are impactful. Vieth argues that churches need to be especially wary of “child molesters.” He claims, entirely uncited, that “child molesters often abuse children in the name of God.”<sup>66</sup> Both Vieth and Jensen emphasize that “child molesters” and “sex offenders” manipulate victims, as well as churches, in order to gain access to victims.<sup>67,68</sup> This theme of wariness of manipulation is common in popular media too. Furthermore, both authors warn that forgiveness can be dangerous if done incorrectly or prematurely because individuals may feel absolved of guilt if they are forgiven. Vieth especially, but Jensen also instilled fear in Church leaders, prompting them to distrust those convicted of sex offenses and to write and use documents that reflect that distrust. These themes and myths in theological literature are influential in the Christian community. They shape how those in United Methodist spaces who have the authority to craft and select documents approach those convicted of sex offenses.

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<sup>66</sup> Vieth, V.I. (2012). What would Walther do? Applying law and gospel to victims and perpetrator of child sexual abuse. *Journal of Psychology & Theology*, 40(4), 257-273.

<https://files.lcms.org/wl/?id=XjCFjq4dKx5uZ8LHZkDkvEbeLy7N92Uk>, p. 263-264

<sup>67</sup> Ibid.

<sup>68</sup> Jensen, J.C. (2018). Understanding and working with adult sex offenders in the church. *Currents in theology and mission* 45(3), 36-40.

<http://www.currentsjournal.org/index.php/currents/article/viewFile/133/152>

### CONCLUSION

The numerous ways in which UMC documents stigmatize originates from many factors, including the exclusion of people with sex offense convictions from their creation. In the United States, research and policy broadly disregard the lived experiences of people convicted of sex offenses. The knowledge of people convicted of sex offenses is not imbued with authority. Tewksbury and Lees identify this in academia, noting that research does not often explore collateral consequences of a sex offense conviction, and even less frequently does that type of research center the experiences of the convicted.<sup>69</sup> The United Methodist Church documents convey this pattern. Authorship of policies varies greatly. Regardless of origin, there is no indication that people convicted of sex offenses are involved in crafting these policies, articles, or recommendations. We privilege the knowledges of those with institutional authority in the church, like clergy members and conference professional staff, as well as others who are considered experts in safety. Those convicted of sex offenses are excluded; the devaluing and exclusion of situated knowledge is a core reason that documents are stigmatizing and problematic. There are no voices in the room who can speak from personal experience about the harmfulness of language, claims, and practices.

As aforementioned, most UMC documents express the goal of being open and welcoming to people convicted of sex offenses. Sometimes, documents express a message of love and redemption for the convicted. Though only one document mentioned the phrase specifically, on the whole, it seems that the UMC wants to live up to its slogan “Open Minds. Open Hearts. Open Doors” in this way. This is significant - it appears that the UMC wants individuals convicted of sex offenses to feel welcomed while also balancing safety. This research, then, uses common misconceptions and the experiences of the marginalized to point out which parts of documents, though potentially well-intentioned, are inconsistent with the UMC’s goal of being welcoming. Once an understanding of what is stigmatizing and why is developed, that understanding can prompt the UMC to center the lived experiences of the convicted in their future endeavors. Overall, as a starting point designed to build feminist knowledge, this project can help the UMC and other religious institutions to move forward productively.

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<sup>69</sup> Tewksbury & Lees (2006).

When document authors and those carrying out policies in United Methodist spaces understand and act on their understanding of what stigmatizes and harms and what does not, this benefits those convicted of sex offenses. If not to reduce the challenges and stigma people face after being released from incarceration for a sex offense, what would this project seek to accomplish? Like in American society broadly, some people convicted of sex offenses want to be active participants in churches. Though Robbers focuses on the population of Virginia, which may be more Christian than America in general, her research regarding religious participation and those convicted of sex offenses are still relevant. Robbers solidifies the intuitive idea that some people who have committed crimes want to be involved in their communities, including religious communities.<sup>70</sup> Kilmer and Leon, who interviewed family members of those on the registry, emphasize that church is sometimes important for those convicted of sex offenses and their families.<sup>71</sup> Churches provide relationship-building, rehabilitation, volunteering, and growth opportunities for the convicted. Hopefully, this research improves experiences at churches for people with sex offense convictions so that those who want to can experience this aspect of community to the fullest.

The ways that any church documents, including those used by the United Methodist Church, stigmatize and hurt people convicted of sex offenses is entirely unresearched. The reality is that they do stigmatize and cause damage to the convicted. They do so by perpetuating falsehoods and unfounded ideas, using inaccurate and harmful language, ignoring the individual circumstances of publicly exposing, and limiting leadership opportunities for those convicted of sex offenses. This happens because lived experiences of the marginalized are not valued in document creation, because stigma and myths are pervasive, and because theological literature is promoting harmful beliefs about the threat of the “dangerous child molesters and sex offenders.” This feminist pursuit of knowledge highlights the voices of the marginalized in order to push us forward, and to prompt church leaders and the authors of documents to consider how their policies and statements could damage, stigmatize, and harm the very population they are seeking to minister to.

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<sup>70</sup> Robbers (2009).

<sup>71</sup> Kilmer & Leon (2017).

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Given the size of the gap in the research, there is immense opportunity for future research. There is a multitude of religious denominations and traditions to examine, and not exclusively in the Judeo-Christian context. Furthermore, future studies can examine the relationship between documents and what happens in reality. Academics in the field of law and society have identified the gap between the law-on-the-books and the law-in-action, called the law-in-between.<sup>72</sup> Interviewing practitioners in religious institutions and nonprofits can provide insight into internal structures and decision-making, practices over time, and the relationship between religious communities and people with convictions from their perspective. Those experiencing reentry after incarceration for a sex offense can provide insight into their experiences with places of worship and with stigma in broader society. Focusing on the experiences of members of this marginalized group is crucial in understanding the law-in-between and how individuals truly experience various written policies.

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<sup>72</sup> Calavita, Kitty. "The Talk versus the Walk of Law." *Invitation to Law and Society: An Introduction to the Study of Real Law*, edited by John M. Conley and Lynn Mather, University of Chicago Press, 2010, pp. 94-115.

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