

## ***Special Services***

***Center for the Treatment of Problem Sexual Behavior***

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955 South Main Street, Middletown, CT 06457 (860) 343-5515 \* Fax  
(860) 343-5509

### **Testimony of the Center for the Treatment of Problem Sexual Behavior and the Connecticut Association for the Treatment of Sexual Offenders**

David A. D'Amora, Center Director and Chair of CATSO Public Policy Committee

#### ***HB 7086 An Act Concerning Registration of Sexual Offenders***

Submitted to the Committee on Judiciary

Public Hearing, February 23, 2007

Senator MacDonald, Representative Lawlor, and members of the Judiciary Committee, my name is David D'Amora and I am the Director of the Center for the Treatment of Problem Sexual Behavior in Middletown, CT, Past-President of the Connecticut Association for the Treatment of Sexual Offenders and a member of the Board of Directors of the International Association for the Treatment of Sexual Abusers.

The Center is funded to varying degrees by several state agencies to provide expert evaluation and treatment of sexual offenders who are released, or being released into the community. We evaluate over 800 sexual offenders per year and have well over 1000 in treatment at any given time in eighteen cities in CT.

I am submitting testimony with respect to HB 7086 An Act Concerning Registration of Sexual Offenders. We commend those legislators who introduced this bill out of the desire to keep children and communities safe. It is for this very reason the Center has spent twenty-five years instituting the most effective, evidence-based assessment and treatment available to the field. It is because of our strong anchoring in evidence-based responses that we are deeply concerned components of HB 7086 may actually have the opposite effect. In September 2006, thanks to Speaker Amann and Representative Lawlor, a Megan's Law Summit was held. At the Summit, a representative from the Iowa Coalition Against Sexual Assault, spoke of the unintended consequences resulting from the passage of Jessica's Law.

Contrary to the popular myth of "stranger danger," children and youth are far more at risk of sexual abuse from adults they know. The same holds true for adults victims of sexual assault. Research shows that the vast majority of sex offenders know their victims, yet measures are generally designed to address situations in which the sex offender is presumed to be a stranger to the victim. The data is also quite clear that on any given day members of our community are

statistically far more likely to be sexually assaulted by someone WHO HAS NEVER BEFORE BEEN CONVICTED, rather than by someone with a prior conviction.

We join the Connecticut Sexual Assault Crisis Services and other rape crisis services nationwide in the belief that policies formulated to manage sex offenders must have as a primary goal the prevention of future sexual victimization. Such policies must hold sex offenders accountable while providing support and safety for victims and their families. In addition, such policies should be grounded in research, include collaborative approaches which are multi disciplinary and multi agency based, and be assessed critically and routinely to ensure their effectiveness.

Treatment of sex offenders is more likely to be successful when offenders can be effectively supervised or monitored, and when there are community support systems. Connecticut has already taken such steps. In 1995, Connecticut was the first state to include victim advocates as part of the sex offender supervision team, which also included probation officers and sex offender treatment providers. Our Center, along with CSSD and the Department of Correction has been hailed as the originators of this highly effective model. Since that time, over 14 other states have replicated this model, and Connecticut was designated a resource site by the Center for Sex Offender Management, a national training and information agency funded by the Department of Justice.

Presently, these treatment / management / advocacy teams are located in the New Haven, New London and Hartford Sex Offender Supervision Units. During last year's legislative session, additional funds were allocated to Court Support Services Division to allow them to hire more probation officers with lower caseloads to more effectively manage the sex offenders assigned to them. Funds were also allocated to incorporate the inclusion of victim advocates statewide, as well as the replication of the tripartite team approach in all offices where advocates are placed. Connecticut is again at the forefront of sex offender community management

HB 7086 addresses the areas of sex offender registration, GPS monitoring and mandatory minimum sentences for sex offenders. Our positions on these issues are as follows:

### **Sex Offender Registration and Public Notification**

Sex offender registration can be useful for law enforcement agencies in their identification and tracking of convicted sex offenders. However, over-inclusive public notification can actually be harmful to public safety by diluting the ability to identify the most dangerous offenders and by

disrupting the stability of low-risk offenders in ways that may increase their risk of reoffense. Therefore, we believe that internet disclosure and community notification should be limited to those offenders who pose the highest risk of reoffense. To effectively improve community safety, it is imperative that we do not unintentionally create processes that have the opposite approach.

### **Electronic Monitoring, such as G.P.S. (Global Positioning Satellite) Tracking**

Electronic monitoring can be an effective tool in controlling offender behavior during probation or parole, as preliminary studies indicate that electronic monitoring can provide greater surveillance of offenders under supervision. It is not yet clear, however, to what extent such monitoring deters recidivism. Given the limited research results and the limited availability of public funds, we believe electronic monitoring may be used most effectively in situations requiring intensive supervision and monitoring, such as for those offenders at highest risk of re-offense.

### **Mandatory Minimum Sentences**

Long mandatory minimum sentences can have a number of negative consequences that serve to decrease, rather than increase, public safety. For example, lengthy mandatory minimum sentences sometimes result in prosecutors not filing charges or filing charges for a lesser crime than a sex offense, as well as increased plea bargains down to a lesser crime. Similarly, judges or juries may be less inclined to convict a defendant on a sex offense because of the mandatory minimum sentence. Long mandatory minimum sentences can also keep victims who were assaulted by someone they know from reporting the crime. Data from states that have instituted such sentences indicate all the above. All of these possible negative consequences can result in fewer sex offenders being prosecuted and/or tracked, thus we oppose mandatory minimum sentences.

Victim and community measures to manage sex offenders ordinarily only address convicted sex offenders. However, research shows that the vast majority of sex offenders are never reported, let alone tried and convicted. We urge legislators to seriously consider the unintended consequences of HB 7086, and to avoid potential outcomes of fewer sexual assault victims coming forward and more sex offenders in our communities without effective supervision and treatment. We appreciate and applaud the strong public and legislative desire to respond to these issues and to make our communities safer.

We ask that careful thought be given to avoid the creation of approaches that may look as if we are making the community safer, but in effect become window dressing that hides the increase in danger to our children. If we are committed to public safety, if we wish our children and grandchildren to have greater safety and freedom from sexual abuse, it is imperative that we create responses with reasonable evidence to support their efficacy and in a manner that distinguishes among different types of offenders.

Just as we would never suggest that all ill patients who visit the doctor should receive exactly the same type of response; we must not assume that all people who behave badly and hurt others can have their behavior meliorated by one group of overarching responses for all.

Thank you for your consideration.