



Office of The Attorney General
State of Connecticut

TESTIMONY OF
ATTORNEY GENERAL RICHARD BLUMENTHAL
BEFORE THE JUDICIARY COMMITTEE
APRIL 4, 2007

I appreciate the opportunity to support the goals and concepts of House Bill 5503, An Act Concerning Residency Restrictions for Registered Sexual Offenders and House Bill 7408, An Act Concerning the Risk Assessment Board, the Dissemination of Registration Information of Sexual Offenders and the Sexual Abuse of Children.

House Bill 5503 prohibits any sex offender who is required to register under Megan's Law from living within 1,000 feet of an elementary or secondary school or day care facility. House Bill 7408 extends the time period for the Risk Assessment Board to develop a risk assessment scale for sex offenders. This legislation also allows a victim of a sex offender to petition the court to remove any judicial restriction on a sex offender being required to register under Megan's Law. Finally, the proposal extends the statute of limitations for bringing a civil or criminal case against a child sex offender to forty years from the age of majority of the child victim. The current statute of limitations is thirty years.

I strongly support the registration of sex offenders under Megan's Law because it provides critical information to parents and children about where sex offenders live and work in their communities. I successfully defended Megan's Law from constitutional challenge.

The concept of House Bill 5503 -- to restrict places where sex offenders can live -- is meritorious. We should not allow child sexual predators to live near schools and child day care centers. These living restrictions are hardly rare or unusual. Sixteen states and more than 400 cities and towns have enacted such measures. Connecticut courts may restrict the location of where sex offenders live as a condition of probation or as part of criminal sentencing. Our Office of Adult Probation has a specialized sex offender unit that provides intensive oversight of sex offenders, including restrictions on where they may live.

The legislature should carefully consider the specific provisions -- extent and type -- of such restrictions. In particular, House Bill 5503 does not distinguish between sex offenders who target children and others. Most state living restrictions pertain directly to child sexual predators. Such restrictions have been under constitutional attack, including court cases pending in California and Georgia. The 8th Circuit Court of Appeals on April 29, 2005, upheld Iowa's restriction on sex offender residence within 2,000 feet of a school or child care facility, against a challenge based on federal constitutional claims -- the only appeals court decision and most authoritative ruling so far. In Doe v. Miller, the Court rejected soundly and strongly -- and

unanimously -- claims that the restrictions abridged rights to due process, interstate travel, equal protection and other claims. I look forward to working with the legislature to craft constitutional living restrictions that carefully protect children from child sexual predators.

The legislature should consider providing more resources for parent and child education about sexual predators. Between 84% and 95% of child sex abuse cases involve someone whom the child knows -- commonly a relative or family friend. The Connecticut Children's Trust Fund is funding outreach programs to teach parents and children how to protect against child sexual predators. More needs to be done.

House Bill 7408 extends the deadline for development of a risk assessment scale for sex offenders. This scale may be of great importance in determining how best to prevent convicted sex offenders from criminal conduct.

Connecticut already has an extended statute of limitations for child sex abuse lawsuits and prosecutions of 30 years from the date on which the victim reaches the age of majority. The psychological impact of child sex abuse may cause the victim to suppress the incident, and delay notifying law enforcement authorities for many years. A sexual predator should not be made immune to prosecution and accountability by the statute of limitations.

I look forward to working with the committee on these legislative proposals.