



Connecticut Sexual Assault Crisis Services, Inc.

---

5486  
479

96 Pitkin Street  
East Hartford, CT 06108  
Phone/TTY: 860-282-9881  
Fax: 860-291-9335

[www.connsacs.org](http://www.connsacs.org)

**Testimony of Connecticut Sexual Assault Crisis Services, Inc.**

Nancy Kushins, Executive Director  
Connecticut Sexual Assault Crisis Services, Inc.

Judiciary Committee, March 22, 2010

**In opposition to HB 5486 An Act Concerning Residency Restrictions for Registered Sex Offenders.**

**In opposition to SB 479 An Act Concerning the Attendance of Registered Sexual Offenders at School Functions Involving Their Children.**

Senator McDonald, Representative Lawlor, and members of the Judiciary Committee, my name is Nancy Kushins and I am the Executive Director of Connecticut Sexual Assault Crisis Services, Inc. (CONNSACS). CONNSACS is the statewide association of nine community-based rape crisis centers in Connecticut. Our mission is to end sexual violence and ensure high quality, comprehensive and culturally competent sexual assault victim services.

CONNSACS opposes HB 5486 An Act Concerning Residency Restrictions for Registered Sexual Offenders. The goal of sex offender policies is to prevent future victimization. While CONNSACS applauds the positive intentions of legislators to keep our children safe, residency restrictions have unintended consequences of decreasing, rather than increasing, public safety. It pushes sex offenders underground and away from treatment, monitoring, resources, jobs, family and support systems that could contribute to sex offender stability and effective reentry into the community. For the families and children of sex offenders, it can force entire families to relocate, creating psychological and financial hardship to innocent family members. And what about the victims? Fearing family disruption, children or their parents may be less likely to report sexual abuse perpetrated by members of the household, preventing children

from receiving protection and services. With sexual assault already being a grossly underreported crime, this could be a tragic outcome.

It is worth noting that residence restrictions regulate only where sex offenders sleep at night and do nothing to prevent pedophilic or predatory offenders from frequenting places during the day where they can cultivate relationships with children, "groom" them, and access opportunities for sexual abuse. With this in mind, CONNSACS opposes SB 479 An Act Concerning the Attendance of Registered Sexual Offenders at School Functions Involving Their Children. In addition, as will be referenced later in my testimony, there are effective sex offender supervision strategies already in place in Connecticut. SB 479 would interfere with the ability of probation and parole officers and the sex offender supervision teams to enforce conditions placed on the offenders that are designed to enhance community and victim safety.

Sexual violence is a social problem that creates enormous fear and anger in the community. A number of states have implemented residency restrictions in which sex offenders may not reside within a certain radius of schools, parks, skating rinks, certain neighborhoods, etc, and may not utilize resources such as group homes, homeless shelters and hurricane shelters. However, there is no evidence that these laws protect children. In fact, those states that have studied the issue carefully have found no relationship between sex offense recidivism and sex offenders' proximity to schools or other places where children congregate.

In Colorado, 130 sex offenders on probation were tracked for 15 months (Colorado Department of Public Safety, 2004). Fifteen (12%) were rearrested for new sex crimes, and all were "hands off" offenses (peeping, voyeurism, or indecent exposure). The researchers used mapping software to examine the sex offenders' proximity to schools and daycare centers, and found that recidivists were randomly located and were not usually living within 1,000 feet of a school. The authors further found that in densely populated areas, residences that are not close to a school or childcare center are virtually nonexistent. They concluded that residence restrictions are unlikely to deter sex offenders from committing new sex crimes, and that such policies should not be considered a viable strategy for protecting communities.

Iowa Department of Public Safety statistics show that the number of sex offenders who are unaccounted for has doubled since a residency restriction law went into effect in June 2005 (Iowa Sex Offender Registry, data as of February 15, 2006). Sex offenders who continually move or become homeless as a result of residency restrictions are more difficult to supervise and monitor, thereby increasing the risk of re-offense. Residency restrictions have prompted sex offenders to stop registering so that no one knows their whereabouts. Other states worry about hundreds of sex offenders who have been denied parole

because they can't find legal places to live. Eventually, their sentences will expire, and when that happens, they'll be released without supervision.

In Minnesota, a study was undertaken to determine whether residential proximity to schools and parks was a factor in recidivism (Minnesota Department of Corrections, 2003). Researchers tracked 329 "level three" sex offenders (those considered to be at highest risk for re-offense) who were released from prison between 1997 and 1999. By March 2002, thirteen (4%) of those high risk offenders had been rearrested for a new sex crime. The circumstances of each recidivism case were then examined to determine whether the offense was related to the offender's residential proximity to a school or park. None of the new crimes occurred on the grounds of a school or was seemingly related to a sex offender's living within close proximity to a school. Two of the offenses did take place near parks, but in both cases the park areas were several miles away from the offenders' homes. The authors concluded that residential proximity to schools and parks appears to be unrelated to sex offense recidivism, and advised that blanket policies restricting where sex offenders can live are unlikely to benefit community safety. They did suggest that case-by-case restrictions might be an appropriate supervision strategy when based on the risks and needs of each individual offender.

In fact, this model of sex offender management and supervision has been in place in Connecticut since 1995. Our state holds the distinction of being the first state in the country to include victim advocates as part of the sex offender supervision team, which also included probation officers and sex offender treatment providers. Since 2008, victim advocates have been part of sex offender supervision teams statewide within both probation and parole systems, again putting Connecticut at the cutting edge of sex offender management. This comprehensive, coordinated and systemic approach has been nationally recognized and replicated in other states. It considers the individual risks of sex offenders, and victims have a voice in the supervision process. The supervision team makes determinations about where the sex offender can live and work; where he goes on vacation; what family events he may attend. Some sex offenders are highly dangerous and require more intensive interventions, and this model allows for that.

In Connecticut for the past two fiscal years, of the primary victims of sexual assault aged 17 and under who were served by our nine community based rape crisis centers, only 6% were assaulted by strangers. This means that 94% of these sexual assault victims knew their assailant. These statistics are consistent with national studies. Residency restrictions are based on the assumption that sex crimes against children are most often committed by predatory strangers.

Two thousand feet residency restrictions don't help the victim whose offender lives 3 feet from her bedroom door. Two thousand feet residency restrictions won't help the victim whose offender waits at her locker, 20 feet outside her

classroom door. And two thousand feet residency restrictions won't help an athlete whose coach is fondling and abusing her in the locker room.

As stated earlier, the goal of sex offender policies is to prevent future victimization, and we urge lawmakers to consider evidence based risk assessment procedures and strategies that take into account the level of threat that an offender poses to a community. Sex offenders are released into Connecticut cities every day. It behooves us to provide an infrastructure that facilitates successful re-entry rather than contributes to the obstacles known to increase recidivism.

Thank you for your consideration.