State of Connecticut

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Testimony of Deborah Del Prete Sullivan, Legal Counsel
Office of Chief Public Defender
Raised Bill No. 5486
An Act Concerning Residency Restrictions for Registered Sexual Offenders
Judiciary Committee Public Hearing - March 22, 2010

The Office of Chief Public Defender opposes ***Raised Bill No. 5486, An Act Concerning Residency Restrictions for Registered Sexual Offenders.*** The bill is overbroad. It is not narrowly drafted to be directed at only those persons who have committed a sex offense against a child. This proposal creates a new class A misdemeanor which would restrict any person required to register as a sex offender from residing within 2000 feet of a school or day care. Passage of this bill would make it difficult if not impossible for any sex offender to reside in a city and would force the person to reside outside of his/her community in a suburban area. This bill is similar to legislation proposed in the 2007 legislative session restricting persons who are required to register as sex offenders from residing within 1000 feet of schools or day care facilities. (See ***Raised Bill No. 5503, An Act Concerning Residency Restrictions for Registered Sexual Offenders*** of the 2007 legislative session.)

The debate has not subsided about whether such residency restrictions really provide public safety or a sense of false security. During a forum presented to this committee in the fall of 2006, an invited speaker from Iowa presented concerns about the residency restrictions enacted there. As a result of the law, many sex offenders are forced to move from an urban area because of the existence of more schools and day cares within the restricted area. The speaker discussed how the law resulted in a number of sex offenders moving from urban to rural areas. However, once there, a number of the sex offenders were living in their automobiles and using the local convenience store address as their own when registering as a sex offender. While the move from within the restricted area may allow a sex offender to be in compliance with the law, for many the high cost of owning or renting a home has resulted in some sex offenders not registering and disappearing. As a result, law enforcement has experienced difficulty in keeping track of sex offenders especially where law enforcement has less of a presence.

In addition, although a sex offender cannot live within the two thousand foot area, there is no prohibition against a sex offender from being employed within the restricted area. Lastly, many sex offenders can be denied parole if they are unable to live outside of the restricted areas. In this scenario, the sex offender will eventually complete his/her sentence and be released without any supervision. Therefore, the Office of Chief Public Defender opposes passage of this bill.