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**State of Connecticut**  
**HOUSE OF REPRESENTATIVES**  
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**MEMBER**  
APPROPRIATIONS COMMITTEE  
ENERGY AND TECHNOLOGY COMMITTEE  
PUBLIC SAFETY AND SECURITY COMMITTEE

**Testimony in Support of:**

**H.B. No. 5486 (RAISED) AN ACT CONCERNING RESIDENCY RESTRICTIONS FOR REGISTERED  
SEXUAL OFFENDERS**

**AND**

**H.B. NO. 5533 (RAISED) AN ACT CONCERNING SEXTING**

**Judiciary Committee**

**March 22, 2010**

Good morning Chairman Senator McDonald, Chairman Representative Lawlor, Ranking members and members of the Judiciary Committee. I am State Representative Rosa C. Rebimbas of the 70<sup>th</sup> District.

**H.B. No. 5486**

I am here in support of H.B. No. 5486 "*An Act Concerning Residency Restrictions for Registered Sexual Offenders.*" If you ask the average CT resident whether or not we have a law on the books that restricts where a sexual offender can live, more often than not the response will be yes. As of 2007, twenty-seven other states have laws of this kind. Consequently, many CT residents assume we have similar laws.

Many people are familiar with the online sexual offender registry list and frequently view the list when they are in the process of looking for a place to rent or home to purchase. By searching the list they can make informed decisions as to where they want to live with their children, where they want their children to be educated and where they would receive the best care for their children.

Every parent wants to create a safe environment, where his or her child can learn, play and walk free from the threat of a sexual offender. Unfortunately, parents cannot be with their children every moment of every day in order to safe guard their children. This bill would give parents the added assurance that a sexual offender will not be living in a house or apartment within close proximity to where their child has to walk past everyday to get to and from school. This bill would give parents the added assurance that a sexual offender will not live close to a school or day care facility where their child attends or plays outside at. This bill will considerably lessen the probability of an unsupervised child running into a sexual offender on their way to and from school.

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There is no constitutional or rational reason why a sexual offender needs to reside near a school or daycare facility. The requirement in this bill that the sexual offender cannot establish a residence within two thousand feet of a school or daycare facility is not overly restrictive. Many other state laws restrict where a sexual offender can work or loiter. Some legislation goes farther to include parks or other places "where kids gather" as restricted areas for sexual offenders. This proposed bill does not include these other items in the hopes of gaining support for its passage to address an issue that has been overlooked for much too long.

Moreover, this bill does not displace sexual offenders who may already reside within the restricted areas. If sexual offenders currently reside within two thousand feet of these facilities they have the right to stay there. This bill also does not displace a sexual offender whose residence comes within the restricted area by virtue of a new school or day care facility being established for the first time. If a sexual offender were to violate this proposed law then he or she will be guilty of a class A misdemeanor. This is a very small price to pay for someone who knowingly violates this law and puts our children in possible harms way. It has been much too long that CT has ignored this issue. We need to become proactive and not just reactive when we hear of a tragic abduction or sexual crime upon an unsuspecting CT child.

**H.B. No. 5533**

I am also here in support of H.B. No 5533, "*An Act Concerning Sexting*" and I respectfully request the Committee's support of this bill.

The concept of this bill was created after many discussions with a variety of law enforcement officials, including members of the CT computer crimes unit, some State's attorneys, and numerous students, parents and school administrators at public informational forums.

Ignorance of the law is not a defense for violating the law, but at times minor children do foolish acts without appreciating the consequences of their actions. This proposed bill creates a lesser category for punishment for minors who are thirteen years of age or older but under eighteen years of age, who may knowingly possess and transmits any visual depiction of child pornography by means of an electronic communication device.

This proposed bill will truly allow the punishment to fit the crime. This bill provides another option for prosecutors to hold minors accountable for their actions, where probable cause exists, without having to charge the minor child under the existing laws of child pornography, which carries with it a felony conviction.

This bill is very important in updating our penal code by incorporating electronic communication devices and identifying unlawful acts that minor children are committing without knowing it. This bill takes a proactive role in recognizing the devastation that our minor children would face, if they were convicted under the current child pornography laws. This would mean that a minor child would have a felony on their record and he or she would have to register as a sexual offender.

For all of the above stated reasons I again respectfully request and encourage your support for **H.B. No. 5486** and **H.B. No. 5533**.

I also support **S.B. No. 34** and **H.B. No 5030**.

Respectfully submitted,

Rosa C. Rebimbas  
State Representative, 70<sup>th</sup> District