



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN OPPOSITION TO:

**S.B. NO. 1152: AN ACT CONCERNING PETITION FOR RELEASE FROM THE
REQUIREMENT TO REGISTER AS A SEXUAL OFFENDER FOR LIFE**

JOINT COMMITTEE ON JUDICIARY
April 5, 2013

The Division of Criminal Justice respectfully recommends the Committee take NO ACTION on S.B. No. 1152, An Act Concerning Petition for Release from the Requirement to Register as a Sexual Offender for Life. This bill would subject individuals who are sexually assaulted as children or victims of sexually violent crimes to re-live those assaults after ten years and then potentially every five years thereafter.

S.B. No. 1152 is yet another attempt to eliminate from the criminal justice system the concept of finality and accountability – the fact that criminal acts do have and must have consequences, for the perpetrator and not only the victim. The bill would allow those ordered to register for life on the Sex Offender Registry to petition to be removed from the registry after ten years. If an initial petition filed after ten years was denied the registrant could bring a new petition every five years thereafter.

What this means is after the initial ten years the victim would be effectively forced to live through the assault again through the proceedings on the petition. If the first petition was denied, the victim could be subjected to the same situation every five years for the rest of his or her life. It is our understanding from information received from the Sex Offender Registry Unit in the Department of Emergency Services and Public Protection (DESPP) that more than 2,100 victims of sexual assault could potentially be subjected to this process. (Approximately 2,100 of the 4,500, or nearly 50 percent, of the individuals listed on the Sex Offender Registry are lifetime registrants.)

The General Assembly did not establish the lifetime registration requirement without careful consideration. It does not apply to the vast majority of sexual offenders – only what could be considered the worst of the worst. Specifically, lifetime registration is reserved for those who commit repeat non-violent sexual offenses or repeat criminal offenses against a minor or who are convicted of Sexual Assault in the First Degree of a child under age 13 where the perpetrator is more than two years older (Section 54-251) or those who commit a sexually violent offense (Section 54-252). Sexually violent offenses are defined in Section 54-250 (11) and include such crimes as Aggravated Sexual Assault in the First Degree and Aggravated Sexual Assault of a Minor.

These are serious crimes that must carry serious consequences. It is unfair that the innocent victims of such crimes should be subjected to the pain and suffering that would very likely accompany even one petition for relief from the registration requirement, let alone the possibility of repeat petitions every five years. There must be a point at which the criminal justice system pronounces finality to these matters if for no other reason than for the sake of the innocent victim.

The Division of Criminal Justice respectfully requests the Committee take NO ACTION on S.B. No. 1152. Should the Committee decide that it must move forward with this bill, the Division would request in the strongest of terms that the bill be amended to provide for notification to the State's Attorney(s) for the Judicial District(s) where the crimes were committed that resulted in the order of lifetime registration and for the full participation of said State's Attorney(s) in any proceedings on petitions for relief.

In conclusion, the Division of Criminal Justice expresses its appreciation to the Committee for this opportunity provide input on this matter. The Division would be happy to provide any additional information or to answer any questions the Committee might have. Thank you.