AMERICAN CIVIL LIBERTIES UNION of CONNECTICUT

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Testimony Opposing House Bill No. 5449, An Act Concerning Residency Restrictions for Registered Sexual Offenders

March 12, 2014

Senator Coleman, Representative Fox and distinguished members of the Judiciary Committee, my name is Andrew Schneider. I'm the executive director of the American Civil Liberties Union of Connecticut and I'm here to testify in opposition to House Bill No. 5449, An Act Concerning Residency Restrictions for Registered Sexual Offenders.

Protecting children from the pain and horror inflicted by sexual predators, as this bill intends, should be a priority of everyone in our society. This legislation would fail to do that, with damaging collateral consequences. Careful research and analysis have clearly established that sex offender residency restrictions have no deterrent effect at all.[1] In fact, they create circumstances that can put the public in general and children in particular at greater risk. Despite the good intentions behind it, this legislation is misguided and irrational. Its results could be tragically counter-productive.

This bill would create extensive banishment zones, particularly in our densely populated cities, where any person on the sex offender registry would be forbidden to live. It would punish people whose offenses had nothing to do with children and force them into homelessness. It would damage family and social ties that have proven effective in preventing ex-offenders from repeating their crimes. We have only to look at those states and municipalities that have adopted sex offender residency restrictions to see that they are not a solution but a quagmire.

In 2007, after residency restrictions took effect in Miami, more than 100 former sex offenders set up a shantytown under a causeway, drawing international attention. They were evicted in 2010 and since then groups of transient former offenders have shifted from place to place in the few areas in Miami where they may legally live.[2] Many former offenders facing a choice between homelessness and compliance with the law have gone underground. A year after Iowa passed residency restrictions, the number of former sex offenders in the state who failed to register had more than doubled.[3] In 2006, the Iowa County Attorneys Association estimated that the state has lost track of half its registered sex offenders.[4]

In 2011, the California Sex Offender Management Board, which is composed largely of law enforcement officials, implored the state to reconsider sex offender residency restrictions. Its report concluded that: "[T]he reality reflected by the high and still escalating rate of homelessness among registered sex offenders in California is the single greatest obstacle to the effective management of sex

[1] http://www.ovsom.texas.gov/docs/When-Evidence-is-Ignored-Residential-Restrictions.pdf
[2] http://www.floridaactioncommittee.org/PR7_30(2).htm
[3] Des Moines Register (January 23, 2006). New Data Shows Twice As Many Sex Offenders Missing
[4] http://www.hrw.org/sites/default/files/reports/us0907webwcover.pdf

offenders in California. The Board believes that the rise in homelessness among sex offenders needs attention because it is so closely associated with an increased level of threat to community safety."[5]

It's important to know that as of January 2012, about half of the Connecticut's registered sex offenders were under supervision of the state's probation or parole agencies, subject to any rules or restrictions deemed appropriate to their offenses as part of their sentences and rehabilitation. According to the Court Support Services Division, "probation officers must investigate and pre-approve sex offenders' residences and proposed relocations."[6] Those who remain registered but are no longer under individual supervision are still publicly identified to their neighbors and the police.

It's also important to know that the people listed on Connecticut's sex offender registry are not all rapists and child molesters. They include men who had consensual sex with a younger girlfriend when they were both teenagers and people convicted of groping, public indecency or voyeurism. Furthermore, contrary to public perception, recidivism is much lower among sex offenders than among people convicted of other kinds of crimes. A study by the state Office of Policy and Management found that only 2.7 percent of the people who were released from Connecticut prisons in 2005 after serving at least a year for a sex offense were convicted of a new sex offense within the next five years.[7] This is consistent with national analyses by the U.S. Department of Justice that have found a far lower rate of recidivism for sex offenses than for other types of crimes.[8]

Please consider the evidence when you consider this bill. If you want to protect the children of Connecticut and take the path most likely to keep sex offenders from offending again, you must reject this legislation.

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[5] http://www.casomb.org/docs/Residence_Paper_Final.pdf
[6] http://www.cga.ct.gov/2012/rpt/2012-R-0300.htm
[7] http://www.ct.gov/bopp/lib/bopp/sex_offender_recidivism_2012_final.pdf
[8] http://bjs.ojp.usdoj.gov/content/pub/pdf/rsorp94.pdf