

**CONNECTICUT ALLIANCE  
TO END SEXUAL VIOLENCE**



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**Testimony of Laura Cordes, Executive Director  
Connecticut Alliance to End Sexual Violence (formerly CONNSACS)  
Judiciary Committee  
March 23, 2016**

***SB18 AAC A Second Chance Society***

***HB5529 AAC Sexual Offender Registration Laws, Residency Restrictions for Registered Sexual Offenders***

***SB473 AAC A Petition for Release from the Requirement to Register as a Sex Offender for Life***

Good Afternoon Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. My name is Laura Cordes and I am Executive Director of Connecticut Alliance to End Sexual Violence (formerly CONNSACS).

Thank you for the opportunity to come before you today to offer testimony regarding three bills, HB5529 AAC Sexual Offender Registration Laws, Residency Restrictions for Registered Sexual Offenders, SB473 AAC A Petition for Release from the Requirement to Register as a Sex Offender for Life, and SB18 AAC A Second Chance Society.

Founded in 1982, The Alliance is a coalition of Connecticut's nine community-based sexual assault crisis services programs which provide free and confidential sexual assault crisis counseling and advocacy services to thousands of adult, adolescent and child victims each year throughout our state. We also employ twelve post-conviction victim advocates who work with Connecticut's specialized probation Sex Offender Supervision Units and parole Sex Offender Management Units of the Court Support Services Division and the Department of Correction respectively.

Conversations about sexual assault and the individuals who commit these crimes can be difficult to have. Each and every day our advocates see the devastating impact that sexual assault crimes have on survivors and their families, and I want to acknowledge the work of this committee to consider the complex needs of victims and your work to keep our communities safe.

We were pleased last year when the members of the Judiciary Committee, in response to a bill very similar to HB5529, called for the Sentencing Commission to take a comprehensive look at sex offender sentencing, management, and the registry and to report back to the General Assembly with recommendations.

I serve on the multi-disciplinary sixteen member Special Committee on Sex Offenders established under Special Act No. 15-2 (SB1087) which began meeting in August of 2015. During the last 8 months, we

have outlined a study, which will examine the very issues raised in HB5529 regarding the registry and housing issues for offenders, as well as options for post-sentence appeals for offenders on the sex offender registry for life as outlined in SB473.

We have three active subcommittees, one of which I co-chair, the Victim and Community Needs Subcommittee which will conduct focus groups with victims and survivors this year to understand their needs and concerns related to sex offender sentences, and the supervision and management of offenders in the community. Much of the committee's work is documented in the Sentencing Commission's interim report released this winter to members of the General Assembly.

**It is premature to make sweeping changes to sentencing, the registry, or the management of sex offenders in our state. We ask that you take no action on SB473 and HB5529 and allow the key stakeholders who serve on the Special Committee on Sex Offenders and its subcommittees to finish their comprehensive study and make recommendations to this body.**

Since the Special Committee on Sex Offenders has not been specifically tasked with examining the efficacy of residency restrictions, we would like to go on record, as The Alliance has done in previous years, to highlight our opposition to the residency restriction proposed in section 45 of HB5529 which would prohibit certain sex offenders from residing within one-thousand feet of a school or daycare center.

While we applaud the positive intentions of legislators to keep our children safe, residency restrictions have unintended consequences of decreasing rather than increasing public safety. When sex offenders lack housing, they are more likely to go 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.

Residency restrictions do not effectively reduce recidivism, they perpetuate dangerous myths about who sex offenders are, creating a false sense of security among residents, and they may, in some cases, actually increase the likelihood that an offender will commit another sexual offenses. I have included at the end of my testimony additional information about this issue and would like to refer the Committee to the testimony of Frank Mirto of the Department of Correction, for more information about how community stability – including stable housing – impacts the risk of sexual re-offending.

#### ***SB 18 AAC A Second Chance Society***

I respect the tremendous effort and and consideration that has gone into examining and changing the way we respond to juvenile crimes in this state as well as the additional proposals found in SB18 AAC A *Second Chance Society*. We bring a sexual assault victim and survivor perspective to this discussion and have deep concerns about the unintended consequences of moving 18, 19, and 20 year old individuals who commit sexual assault crimes to the juvenile system. Specifically we believe it would be a step backwards for the victims and survivors whose rights would be limited in Juvenile courts.

The collaborative post conviction (or as proposed in this bill post adjudication) system that is currently in place for 18, 19 and 10 year olds who commit sex offenses found guilty in criminal court simply doesn't exist in the Juvenile system.

For nearly a decade, Connecticut has utilized a statewide collaborative model for the supervision and treatment of sex offenders in the community who are on probation or parole. The approach links parole officers, and probation officers, sexual assault victim advocates and a non-profit provider of sex offender treatment and programming who together design oversight and supervision plans for every offender. Nothing similar exists for juveniles.

Under this proposal not only would 18, 19, 20 year olds be removed from the specialized sex offender supervision units which are lauded nationally as a model response, but again, victims would lose a vehicle and support from a specialized advocate to voice their safety concerns and needs regarding their the 18, 19, 20 year old individual who harmed them.

In addition, Connecticut Constitution gives victims the right to be notified of all court proceedings, attend the trial and all other court proceedings, communicate with the prosecution, object or support any pleas agreement and to make a statement to the court at sentencing. These rights may be limited in Juvenile court proceedings, leaving victims of sexual assault with less access.

We should not take a step forward to create a second chance for offenders if it means undercutting the rights and access to services for victims.

**We ask that individuals that commit sexual assault crimes be removed from this proposal until we have the victim services and specialized age appropriate collaborative supervision and treatment units in place to appropriately respond to these cases.**

**We also ask that a victim advocate be appointed as a member of the Juvenile Justice Policy and Oversight Committee.**

Thank you for your consideration. Please contact me if you would like additional information.  
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### Additional Information on Residency Restrictions

#### *HB5529 Sec. 45 Residency Restrictions*

This is not the first time that this committee has considered residency restrictions in which sex offenders may not reside within a certain radius of schools, parks, certain neighborhoods, etc,. 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.

We can however, reduce the risk of reoffense and improve community safety when can offenders receive treatment and maintain stable housing, employment, and develop pro-social relationships. Most sexual offenders will not commit another sexual offense after their release from prison, but destabilization such as housing insecurity or homelessness increases the likelihood that they will reoffend.

Moreover, residency restrictions are having unintended consequences that decrease public safety. For example, 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. In addition, the establishment of sex offender residency laws is creating a domino effect, in that once a law is established in a community or state, the neighboring communities and states are considering similar laws so as to keep sex offenders from moving to their jurisdictions.

Residency restrictions operate on four incorrect assumptions: 1) all sex offenders will reoffend; 2) there are no other effective treatment and supervision options for offenders who are released into the community; 3) children are most likely to be abused by predatory strangers; and 4) if offenders are prohibited from living near schools or daycare centers, they will find suitable housing elsewhere. By addressing the myths upon which residency restrictions are based, The Alliance hopes that the Committee will understand why supporting this section would be ineffective and possibly dangerous.

*1. All sex offenders will reoffend.*

Although recidivism studies generally underestimate true rates of re-offense (especially for crimes like sexual assault, where many victims do not report to the police), released sexual offenders appear to have low re-arrest rates. A study of inmates who were released from prison in 1994 found that within three years of release, only 2.5% of rapists were arrested for another rape.[1] This is not in any way to say that released sexual offenders do not pose a risk to the community: some are extremely dangerous and likely to reoffend, and these individuals require intense supervision and treatment.

*2. There are no other effective treatment and supervision options for offenders who are released into the community.*

Connecticut has an innovative treatment and supervision model for post-conviction sexual offenders. Every offender undergoes a comprehensive risk assessment before being released into the community, and supervising officers work with victim advocates and treatment providers to monitor an offender's progress. Offenders who are on probation and parole must abide by a range of conditions based on their risk assessments. Because many offenders must have their housing approved as a condition of release, particularly dangerous offenders who pose a risk to children are already prohibited from living near schools, parks, daycare centers, and other places where children congregate.

*3. Children are most likely to be abused by predatory strangers.*

National statistics from the Department of Justice and local statistics from The Alliance have shown that nearly 95% of child sexual abuse victims know their offender before the assault. Cases of child sexual abuse that involve an unknown assailant garner extensive media attention and can lead members of the public and lawmakers to conclude that these cases illustrate typical offender behavior. Taking extreme measures to keep offenders away from schools or day care centers will not keep children safe, but it will give the public a false sense of security.

*4. If offenders are prohibited from living near schools or day care centers, they will find suitable housing elsewhere.*

Almost all convicted sexual offenders will be released back into the community at some point, and when they are, they have to live somewhere. If one-thousand foot residency restrictions were imposed in urban areas such as Bridgeport, Hartford, and New Haven, sexual offenders would have very limited options to live within the city limits. For better or worse, convicted sex offenders gravitate toward cities due to the availability of community services, public transportation, affordable housing, and employment. If Connecticut imposes one-thousand foot residency restrictions, sexual offenders who live in urban areas will be confined to particular neighborhoods and apartment buildings, essentially creating sex offender communities that could pose a risk to public safety.

In addition to creating concentrated enclaves of sexual offenders, residency restrictions can also increase the incidence of homelessness in offender populations. As previously mentioned, stable housing is an important factor in reducing recidivism. In California, where a two-thousand foot residency restriction law went into effect in 2006, there has been an astounding 2,285% increase in the number of sex offenders who register as transient.[2] In Connecticut, it is not possible for offenders to register as transient or homeless; they must list a residential address in order to stay in compliance with the terms of their probation or parole. If it becomes too difficult for offenders to find housing and stay in compliance with the terms of their release, they will simply stop checking with their probation and parole officers. Unsupervised offenders pose a heightened risk to the community.

For all of these reasons, The Alliance opposes Sec. 45 of the bill.

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[1] Langan and Levin. *Recidivism of Prisoners Released in 1994*. Bureau of Justice Statistics, US Department of Justice: Washington, DC, 2002.

[2] "Jessica's Law needs a major overhaul." Editorial. *The Sacramento Bee*. 16 November 2010.