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Date: March 23, 2016

To: Hon. Eric Coleman, Co-Chair
Hon. William Tong, Co-Chair
Members of the Judiciary Committee

From: Sarah Fox, Director of Advocacy and Community Impact, Connecticut Coalition to End Homelessness

Re: Opposition to H.B. No. 5529, in Support of S.B. No. 473, and in Support of Reforming the Sex Offender Registry Laws in Connecticut

Good morning Senator Coleman, Representative Tong, and members of the Judiciary Committee. My name is Sarah Fox and I am the Director of Advocacy and Community Impact Initiatives for the Connecticut Coalition to End Homelessness. CCEH is a statewide advocacy organization founded in 1982 by shelter staff and volunteers in response to increasing homelessness in our state. We represent more than 75 nonprofit providers of shelter and services to end homelessness in our state.

CCEH opposes H.B. No. 5529. While we are in support the aim of revising the state's sex offender registry, we are opposed to adding residency restrictions and putting in place more barriers to housing and stability. We know that the exclusion of people on the sex offender registry (from so many forms of housing and necessary services) results in homelessness for many, and creates a sub-set of individuals who are structurally homeless by government mandate. A base of housing security for all is critically important to both public safety and to those who are seeking to exit homelessness to regain stability and security to stabilize the lives of all members of their families.

Many housing programs explicitly prohibit people on the sex offender registry from participation, and deny eligibility based on being on the registry. All federally subsidized housing programs consider being on the lifetime registry as an explicit and mandatory grounds for denial of eligibility, not subject to appeal or discretion. Connecticut's state housing subsidy programs also deny eligibility to people on the sex offender registry. Connecticut's state funded emergency shelters prohibit admission to a family shelter of any person listed on the sex offender registry. At the same time, anecdotal evidence suggests that private landlords follow suit with regard to these practices, and tend to exclude sex offenders from private rental opportunities, or seek to evict them when a renter's presence on the sex offender registry is noted, regardless of whether that person is abiding by lease terms.

Not surprisingly, the exclusion of people on the sex offender registry from so many forms of housing and other assistance leads many people on the registry to be homeless. On a random sampling date, August 3, 2014, the registry data showed that 66 of the 455 people on the Registry in New Haven listed a homeless shelter, or "homeless," as their address. (14.5% of people registered in New Haven were homeless). The director of the Emergency Shelter Management Services shelter in New Haven estimates that 30% of the 75 nightly residents of his shelter are on the registry. Most of these shelters open in the early evening, and occupants must leave early in the morning, leaving them the full day to try to be in public spaces such as the green, library, train station, coffee shops etc. Clearly, the existing policies not only do a disservice to people released from prison and trying to make positive and constructive futures for themselves, but also do not well serve public safety interests, by both designating such people as dangerous, yet giving them so few other options that many are resigned to living in shelters and on the streets.

Instead of creating more barriers to housing, we should be focused on securing safe and adequate housing for offenders released. Housing is fundamental to ensuring that these offenders can secure and maintain access to supervision, treatment, and employment. These stabilizing factors reduce risk of recidivism and increase public safety.

CCEH Supports SB No. 473 and efforts to reform sex offender laws in Connecticut. There are important best practices that have emerged over the last decade with regard to how a sex offender registry process may be used as a tool to enhance public safety. We support the idea of allowing registrants the opportunity to petition for removal from the registry as a way to incentivize sex offenders to seek rehabilitation (including through fully cooperating with supervision and treatment plans, seeking stable employment, and identifying opportunities to positively integrate into their communities).

Chief among the emerging wisdom is the recommendation that states should move from an offense-based system, like Connecticut's current system, to an evidence-based risk assessment system. Basing the sex offender registry on risk assessment, rather than offense, would make the registry a more effective tool in our collective efforts to create safer communities for all our residents. A risk-assessment based system would mean a smaller number of individuals assessed as "high-risk" on our state registry and enable us to concentrate scarce law enforcement and treatment resources on management of offenders who pose the highest threat to public safety with regard to the risk of recidivism. Connecticut's Department of Corrections already administers a highly-credible individualized risk assessment. Public safety in Connecticut could benefit from incorporating this risk assessment into the determination of who goes on a registry.

This year, as part of the Sentencing Commission's Special Committee on Sex Offenders, we have heard testimony from national experts indicating that including low-risk offenders in the registry does little to meaningfully protect public safety. Inclusion of low-risk offenders on the registry impedes their ability to secure adequate housing, employment, and rehabilitative opportunities. Research indicates that housing instability and lack of access to employment increases dynamic risk factors. The nature of this instability may cause a low risk offender to become a higher risk. This is the opposite of the intended effect of enhancing public safety.

By focusing the Connecticut registry on individuals at high risk of re-offense, our communities could better target scarce law enforcement resources. The nearly 6,000 people on the sex offender registry include many registrants who pose little risk to the community: the public expectation of law enforcement tracking of all those included in the very large registry creates an untenable burden on our local public safety systems. At the same time, the overly inclusive list allows those on the registry who *do* pose real and substantial risk to be hidden from view. To enhance public safety through the tool of the sex offender registry, we need to learn from the research available from this important field of public safety: registries based on risk assessment are better tools that allow targeting of law enforcement resources and limit the unintended and unproductive consequences of registries that do not take into account actual risk.

To end homelessness, and to make our communities safer and stronger, we need to increase housing opportunities, not impose further restrictions on low-risk individuals whose options are already limited.

Thank you for the opportunity to speak on this important issue.

Respectfully,

Sarah Fox
Connecticut Coalition to End Homelessness