Testimony of Amber Vlangas
Executive Director of Restorative Action Alliance
Opposing S.B.1074

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Chairs Anwar and McCarthy Vahey and Ranking Members Somers, Klaridas-Ditra and Distinguished Members of the Public Health Committee.

My name is Amber Vlangas. I am a resident of Sherman, Connecticut and I currently serve as the Executive Director of Restorative Action Alliance, a group of anti-carceral crime survivors, individuals impacted by the criminal legal system, and restorative advocates and practitioners. I am writing today in opposition to **SB 1074: AN ACT REQUIRING LONG-TERM CARE FACILITY RESIDENTS TO UNDERGO A CRIMINAL HISTORY AND SEXUAL OFFENDER REGISTRY SEARCH.**

While the incident that gave rise to this proposal last legislative session was a horrible occurrence, it must be stated that it was the exception and not the rule. This well-meaning, yet dangerous proposal has the potential to harm people who pose no risk to others as well as create collateral consequences for families. These consequences will ripple out to our communities, affecting those who have been hurt first and worst by racism, classism, and other interlocking systems of oppression. The State of Connecticut should not be in the business of placing insurmountable barriers in front of anyone seeking care essential to their well-being and good health.

Moreover, this measure represents high cost and burden with no justification. Regulatory frameworks for long-term care facilities already include safeguards designed to prevent harm and protect residents. When someone is admitted to a care facility, the residence must conduct a person-centered assessment to determine individualized needs. If the person presents with known behaviors that could be a risk to themselves or others, the facility is required to develop a care plan that addresses the assessed behaviors.

The typical resident of a nursing home is an elderly person who needs round the clock care or someone recovering from surgery or significant injury. The fact that someone is living with a past criminal conviction should not limit their ability to access this critical care. As written, this bill specifically targets those who have been convicted of a sexual offense and who appear on a public registry.

By Connecticut's own admission, inclusion on the registry is not synonymous with risk, therefore it should not be utilized as a mechanism to measure safety or determine dangerousness.

- ***State of Connecticut Sex Offense Registry Website:*** *The Department of Emergency Services & Public Protection has not considered or assessed the specific risk of re-offense with regard to any individual prior to his or her inclusion within this Registry, and has made no determination that any individual included in the Registry is currently dangerous. Individuals included within the Registry are included solely by virtue of their conviction record and state law. The main purpose of providing this data on the Internet is to make the information more easily available and accessible, not to warn about any specific individual.*

Let's look at facts:

- The Association for Community Living (ACL) reviewed 20,000 complaints of sexual abuse in nursing homes over the past 20 years and found none of these cases were perpetrated by individuals on the Registry
- A 2006 study by the Government Accountability Office (GAO) found that although 0.7% of people on the registry live in assisted living facilities, only one instance of a sexual assault was attributed to a person on the registry.
- 95% of new sex crimes will be committed by people not on a registry, i.e. they are unknown to us and may not have a criminal record.
- Evidence indicates that desistance increases the longer a person lives offense free in the community.

It is also imperative to understand that SB 1074 will place a heavy burden on an already overtaxed, understaffed healthcare and elder-care system. The Department of Public Health, in their own written opposition to the bill argues, "Often, individuals who need nursing home services, require care that cannot be provided in other community-based settings or with other community-based supports. Withholding access to this type of care is harmful both to individuals and the entire health care system. In addition, it is important to note that if this legislation is implemented, it will create unnecessary burdens on our hospital systems."

Equally problematic is the only alternative offered to those rejected for disqualifying offenses: they can apply to a facility with "a mission to serve justice-impacted populations". The assertion that beds in such mythical facilities exist, and that they would be able to accommodate the needs of all those who might be impacted by this bill is aspirational at best and disingenuous at worst. SB 1074 is a well-intentioned yet, counterproductive and discriminatory public policy that will lead to a public health crisis.

Rather than enact another punitive, ineffective law that provides a false sense of safety, we urge the Public Health Committee to reject this bill now and into the future.