

Sex Offender Residency Restrictions: Protecting One Neighborhood at the Expense of Yours

My name is Laurie Peterson and I have been a resident of Manchester for the last four and half years, as well as a born and raised citizen of New Hampshire. I am strongly opposed to sex-offender residency restrictions. They will not accomplish the goal of protecting our city's children. Experts estimate that 80–90% of all child molestations are perpetrated by acquaintances or family members. Residency restrictions will not protect these children. They are suffering within the walls of their own homes whether they are close to a school or not. Sex-offender restriction zones are based on the concept that our children must fear the person they don't know and that children are commonly kidnapped and assaulted by strangers. Fortunately child abductions are exceedingly rare. Nationwide there were 115 incidents of children abducted by strangers in 1999, the last year for which data is available. I think we can all agree that it is 115 too many. But this is not representative of the whole picture on sexual assault and child abuse. Nancy Kushins, Executive Director of Connecticut Sexual Assault Crisis Services, who testified against these restrictions in Connecticut, reported that "during fiscal year 2005–2006, approximately 900 primary victims of sexual assault ages 17 and under were served by their nine community based rape crisis centers. Of those 900 victims, only 6% were assaulted by strangers, meaning that 94% of those sexual assault victims knew their assailant. Residency restrictions are based on the assumption that sex crimes against children are most often committed by predatory strangers. 1,000-foot, 2500-foot, residency restrictions do not help the victim whose offender lives three feet from her bedroom door; residency restrictions won't help the victim whose offender waits at her locker, 20 feet outside her classroom door; and residency restrictions won't help an athlete whose coach is fondling and abusing her in the locker room."

The perception that sex offenders can't help but re-offend is incorrect. Sex offenders have some of the lowest recidivism rates of any class of criminal—as few as 5.3% re-offend within three years, according to the Bureau of Justice Statistics in a study published in 2003, as opposed to rates in the 65–80% range for drug offenders and thieves. Experts think this misperception persists because people confuse *all* sex offenders with predatory pedophiles, who have higher rates of recidivism but actually only represent a fraction of sex offenders. Many sex offenders are guilty of public indecency crimes and have never touched a child in their lives, while others are guilty of statutory rape, even if both participants were teens. It is not my intention to minimize those crimes, but rather, to show the diversity and difference between those that are immediate and ongoing threats and those that are not. Given the seriousness of the long lasting effects of sexual victimization, we can probably all agree that it is of no comfort that they represent one of the lowest classes of re-offense. However we cannot in good conscience pass legislation that is based on the false premise that all sex offenders are the same and all are mere seconds away from re-offending.

Most people involved in the lawmaking process or sex offender issues are aware of the crisis that occurred in the State of Iowa after a statewide law placed residency restrictions on sex offenders. Numerous offenders stopped registering completely; many were forced out of their homes and sought shelter in the only available locations left in town. This resulted in a disproportionate number of offenders living in one area and greatly upset the residents who had children in those neighborhoods. It should be rather obvious that having a high concentration of sex offenders in one neighborhood will not serve the public safety. Further it applied to all registered offenders, even if their crime was statutory rape with another teen under consensual circumstances. It unfairly punished the children and wives of those types of offenders by forcing them to move and leave their schools and friends. The Iowa County Attorneys Association, hardly a pro-criminal organization, called for the repeal of this State law they helped pass. They listed 14 reasons why the law was not good public policy. I'd be happy to give you

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copies of their official statement. Studies in Colorado, Florida, and Minnesota confirmed the concerns of the Iowa County Attorneys. It would serve us well to learn from the plights of other states and towns. The New Hampshire legislature voted against a statewide residency restriction earlier this year by a two-thirds majority.

The message here is that residency restrictions are ineffective and counterproductive. They provide no demonstrable way in which we can prevent the most prolific type of child sexual abuse, that which occurs within the circle of trust. These ordinances have resulted in the direct loss of known sex offenders from the system. They provide no protection for the vast majority of suffering children. The collateral damage of such an ordinance when imposed on all offenders can have rippling effects throughout the community. There are offenders who were convicted of acts of teenage experimentation that fell outside the bounds of the law. Does it make sense to have these types of restrictions imposed on those offenders and their families, as well as their children? Does it make sense to create pockets of Manchester that are open to sex offenders, thus resulting in the direct loss of property value for those particular Manchester residents living in neighborhoods where sex offenders must live due to residency restrictions? With restrictions forcing offenders to congregate in certain small sections of our town we can guarantee that we will inadvertently create undesirable areas. Ask yourself: Do you want to create any more undesirable sections of Manchester, than those that already exist? Ask yourself: How are those that will be living in the proposed “sex offender–safe zones” any better-equipped to deal with sex offenders in their midst than the “off-limits” zones? Do you know where your neighborhood falls within the proposed areas? I’m afraid that what this all amounts to is sex-offender residency restrictions protecting one neighborhood at the expense of another, and not providing any real safety benefit. I am afraid that while we are focusing on the registered offender who shouldn’t be living too close to any given location, we are overlooking Uncle Johnny or the babysitter victimizing our children.

The implication, then, is that laws should focus on preventing *all* sex offenders (not just those that are registered) from harming children whom they know. How can we do this you ask? By educating the community, parents and children about the signs and cycles of abuse, we can reduce and prevent abuse. By being vigilant and alert to suspicious activity within our own homes and on our streets, we can prevent sexual abuse. These are proven methods at deterring a pedophile from victimizing your child. Ordinances are not the answer here. Do not pass a measure that you have little confidence in with regard to that measure achieving its goal. Ask yourself, will residency restrictions protect children and increase public safety? If you can’t answer that with a confident yes, then you shouldn’t be passing any ordinances on the matter. Consider this: in Georgia, a mother of five had to relocate to a trailer park because her four-bedroom home was too close to a church. Janet Allison was convicted in 2002 of being party to a crime of child molestation—because Allison allowed her pregnant 15-year-old daughter’s boyfriend, who was 17, to move in with the family. Though the couple eventually married, Allison’s label sticks. Georgia doesn’t evaluate or rank its offenders, nor does New Hampshire. This is one of the many unintended consequences of passing a residency restriction.