

June 25, 2015

The Honorable Gina M. Raimondo  
Office of the Governor  
82 Smith Street  
Providence, RI 02903

**RE: VETO 15-H 6025A and 15-S 754A**

Dear Governor Raimondo:

On behalf of the undersigned organizations, we respectfully but strongly urge you to veto H-6025A and S-754A, legislation that would more than triple the distance, from 300 feet to 1,000 feet, that a Level III registered sex offender can live from a school. Enactment of this legislation would actually be counter-productive to promoting public safety and undermine efforts to address the state's homelessness problem.

Our organizations have participated in conversations for several years about balancing community safety and the need for housing for all Rhode Islanders, including those who are formerly incarcerated. Some of our organizations deal directly with the ex-offenders who will be affected by this legislation. We know that stable housing and supportive services reduce recidivism, and that residency restrictions can undercut this goal.

We also know that residency restrictions are based on the flawed assumption that most sexual abuse is committed by strangers. Yet the statistics are clear: the overwhelming majority of child sexual assaults are committed by family members, friends, or acquaintances of the victim, not by strangers who find their victims at schools or parks.

There is no evidence that sex offender residency restrictions work. Nationally and locally, numerous groups – including members of law enforcement and providers of victims' services – have recognized that these laws are ineffective and counterproductive. The Iowa County Attorneys Association noted: "Research shows that there is no correlation between residency restrictions and reducing sex offenses against children or improving the safety of children." Over the years, Day One, the leading advocacy group in Rhode Island for survivors of sexual assault, has also expressed its opposition to residency restrictions, noting that they have "unintended consequences that decrease public safety," and "cause instability, which may increase the risk of re-offense."

Sex offender residency restrictions can also make supervision of sex offenders in Rhode Island more difficult. In a draft policy statement prepared some years ago and echoed in national studies, the Rhode Island Sex Offender Management Task Force wrote, "Sex offenders in the states with residency restrictions are more likely to move frequently, become homeless, or 'go underground,' all of which consequences make them much more difficult to supervise and monitor." In fact, to our knowledge, no law enforcement agency testified in support of these bills.

Increasing residency restrictions are also counter to the goal of ending homelessness in Rhode Island. Existing restrictions are often a contributing factor to individuals becoming homeless and a barrier to their exiting homelessness to stable community placements. In addition to creating barriers to housing, this bill will also reduce the shelter placements available to sex offenders if those shelters are within 1,000 feet of a school.

It is clearly preferable for the public and law enforcement to have ex-offenders residing in a known location, where he or she can be regularly checked. This oversight is made much harder when someone is forced to live from shelter to shelter, in the street, or in a tent in the woods.

The breadth of this bill should also be considered. Although designed, however inaptly, to protect children, the restriction applies to all Level III offenders, not just those convicted of crimes against minors. The legislation takes effect upon passage, thus immediately making felons of law-abiding ex-offenders who may have lived for years without incident within 1,000 feet of a school. It would even apply to offenders who own their own homes and must vacate them or else face prison for violating this bill. In addition, the bill provides no mechanism for notifying offenders about the new requirement, and further fails to explain how the 1,000 feet limitation is to be measured, not an insignificant omission.

We do appreciate how unpopular it is to speak out against legislation such as this. That said, Rhode Island is the only state in New England with statewide sex offender residency restrictions, and recent attempts in Connecticut and Massachusetts to create these restrictions have failed because leaders there recognize that sex offender residency restrictions are not an effective, evidence-based approach to promoting community safety. We have seen the problems that have been caused by the 300' restriction. Enactment of this bill will enhance those problems significantly for offenders seeking, or seeking to remain in, stable housing, particularly in urban areas.

We hope that you will carefully consider the significant problems that this legislation will cause in terms of facilitating supervision, ending homelessness and promoting community safety, and therefore veto this legislation.

We would be happy to provide you more information about the deleterious impact of sex offender residency restrictions as we have described in this letter.

Thank you in advance for considering our request.

Sincerely,  
Steven Brown, Executive Director, ACLU RI  
Barbara Kalil, Co-Chair & Outreach Worker, RI Homeless Advocacy Project  
Shannah Kurland, Soros Justice Fellow  
Jean Johnson, Executive Director, House of Hope CDC  
Jim Ryczek, Executive Director, RI Coalition for the Homeless