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**COMMENTS ON 14 H-7764, RELATING TO  
CHILD SAFE ZONES  
April 1, 2014**

This bill would automatically bar sex offenders from serving in a variety of occupations or at numerous locations as an employee or volunteer. While the ACLU appreciates the motivation behind this legislation, we oppose this bill for reasons similar to our concerns about other laws that establish arbitrary, automatic and punitive action against such offenders.

Bills like this perpetuate the myth that most sex offenses are conducted by strangers, when in fact the overwhelming majority of these offenses are committed by family members, acquaintances or other people the minor knows. These bills further perpetuate the inaccurate impression that sex offenders are more likely than other types of offenders to recommit their crimes, and put unnecessary obstacles in the way of an offender's rehabilitation and reintegration into the community.

As worded, the bill bars employers from "employing" any person who is a covered offender. "Employees" are defined to mean not just sex offenders who actually work in so-called "child safe zones," but also *any* individual hired by the entity, individuals hired by third parties who have contracted with the entity, and independent contractors or volunteers of the entity. Thus, an employer could not contract with an accountant, or accept a person wanting to volunteer as an accountant, if he or she was a disqualified offender even though he or she would have no contact at all with minors.

The list of jobs kept off-limits under this bill is large and, ultimately, remains undefined. The employment ban specifically covers a wide range of locations, from movie theaters to beaches to libraries, but further includes "any other place intended primarily for use by minors."

The bill also would require employers to fire current employees who meet the definition of a covered offender – no matter what his or her record or how long he or she had been working at the business.

Certain sex offenders certainly don't belong in jobs involving minors. However, by failing to take into account the specific circumstances surrounding an offender or the offense, such as how long ago the offense occurred, whether the offender may have been a minor himself at the time, or other extenuating factors, this bill serves only to make it more difficult to promote the rehabilitation of ex-offenders. For these reasons, the ACLU opposes this legislation.