

ASSOCIATION OF STATE CORRECTIONAL ADMINISTRATORS

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ASSOCIATION OF STATE CORRECTIONAL ADMINISTRATORS Sex Offender Residency Restriction Position Paper

Position

The Association of State Correctional Administrators opposes residency restrictions on sex offenders as they do not protect communities and often have unintended consequences that obstruct public safety.

Definition

A state law (or local ordinance) restricting where individuals convicted of sex offenses can live, which usually prevents them from residing within 500 to 2,500 feet of schools, parks, playgrounds, daycare centers, or other places where children congregate.

Background

Approximately 30 states and many local units of government have enacted residency restrictions with the intent of limiting sex offender contact with potential victims. Research shows restrictions are not effective and in fact, interfere with the successful monitoring and supervision of offenders.

Research Highlights

Residency restrictions do not accomplish the goals of limiting sex offender access to new victims or reducing the likelihood of future crimes. Research shows that sex offenders commit new sexual offenses at a rate of 3-4%. Numerous studies have examined whether subsequent crimes committed by convicted sex offenders were impacted by residency restrictions. Studies conducted in Colorado, Florida, New York, Iowa and Minnesota, show residency restrictions would have had insignificant or no effect on preventing the re-offenses; the new sex offenses were not initiated or carried out in the locations affected by residency restrictions. In fact, no study has concluded that residency restrictions are an effective management tool for sex offenders in the community.

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Residency restrictions create barriers to effective supervision. Restrictions have caused the number of homeless sex offenders to rise dramatically over the past decade. They also have the unintended consequences of increasing the concentration of sex offenders in disadvantaged neighborhoods; increasing social isolation from support networks and family; limiting work, education and treatment options; and moving offenders further away from supervision resources. These effects are contrary to the research showing that offenders with a positive support system in the community have lower recidivism rates. Two states recently modified their residency restrictions to make them less burdensome, and federal courts continue to hear cases challenging restrictions.

Conclusion

Residency restrictions do not promote public safety and instead interfere with the effective supervision of sex offenders by increasing homelessness and decreasing support systems, making commission of a new offense more likely. States and local units of government should be actively discouraged from enacting these restrictions, and repeal of these laws should be encouraged.

1 Grant Duwe, Journal of Sexual Aggression: An international, interdisciplinary forum for research, theory and practice, What has worked and what has not with Minnesota sex offenders: a review of the evidence, April 2014

2 U.S. Dept. of Justice, Sex Offender Management Assessment and Planning Initiative, Chapter 8, http://www.smart.gov/SOMAPI/sec1/ch8_strategies.html

3 California Sex Offender Management Board, Homelessness Among California's Registered Sex Offenders, 9-10, August 2011

4 Minnesota Dept. of Corrections, An Outcome Evaluation of Minnesota Circles of Support and Accountability, September 2012