



Misguided Measures

New Sex Offender Laws May Cause Bigger Problems Than They Prevent

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Megan Kanka, Polly Klaas, Jessica Lunsford -- the names break your heart at their very mention. All were victims of child sex predators.

But laws passed in their names may be making matters worse.

Across the nation, communities and legislators are enacting a wide variety of new laws to fight back against sex offenders. Some communities have set residency restrictions on sex offenders, others require GPS monitoring, and in Ohio there's a proposal that would require registered sex offenders to put bright green license plates on their vehicles.

But a growing chorus of experts said that many laws targeting sex offenders have backfired. And the consequences could be far-reaching.

"In 2005, we had a series of very high-profile, very violent brutal sex crimes against children," said Jill Levenson, a professor of human services at Lynn University in Florida. "And that really sparked a nationwide panic."

'Cluster' Communities of Sex Offenders

Residency restriction laws are among the most common new legislative efforts to address community concerns. Many states have enacted laws that bar offenders from living within 2,000 feet of a school or day care center. In California, the required distance is a quarter mile.

But the not-in-my-backyard mentality that has understandably prompted much of this legislation may be producing the opposite effect.

In Cedar Rapids, Iowa, Sheriff Don Zeller said new residency restrictions are forcing offenders into rural parts of the county where they are far harder to keep track of -- or worse, forcing them underground, where they can be lost track of completely.

"We're finding that it's almost impossible to keep track of individuals we have registered in the county," Zeller told ABC News' Law & Justice Unit. "Five years ago, we knew where about 95 percent of those individuals were. Now we're lucky if we know where 50, 55 percent of them are."

And paradoxically, Zeller said, the new restrictions are also creating creepy sex offender "clusters" -- like the Ced-Rel Motel in Lynn County, where more than two dozen sex offenders lived at one time.

"What if some individual comes in there with a family and decides that they're going to stay there overnight, not knowing that 26 sex offenders are living there? And what happens if then they expose their family because most

families will send their kids down to get pop or ice and, unbeknown to them, there are 26 sex offenders living in that same complex?" Zeller said.

Polly Boland knows how that feels. Her family's farm sits beside a sex offender cluster.

"We told our kids that if anything peculiar is going on, to go back to the house," she said. "They're really aware of it. Our dog Henry is a good watchdog. & We don't feel unsafe, we wish they didn't live there," Boland said. "Other neighbors have thought about leaving, [but] we farm, and that's not something we can do."

On the Run

Worse still for Zeller are offenders who are driven underground by the sometimes draconian residency restrictions in some cities. Overlapping exclusion zones keep sex offenders from finding residence in most of downtown Tulsa, Okla., and Atlanta.

ABC News found Mike Chalk, a 23-year-old registered sex offender, living in an EconoLodge hotel room in Iowa with three other offenders.

"It's a place to lay down and know that I'm out of the cold," he said. "I know that the sheriff's department knows that I'm off the street, and they don't have to worry about me roaming the streets looking for a place to stay."

But they are about to. Chalk said he can no longer afford the room, and that he'll have to move out soon. Where to, he doesn't yet know. He can't find a job because of his offender status.

"What it's done is driven people to -- rather than come in and register and comply with the law -- there's no way they can find housing, so it forces them to be on the run or lie about where they are at," Zeller said. "So that's not creating a safe environment for the public at all."

Paul Zandbergen, in the University of South Florida's geography department, did a study in which he mapped the effects of residency restrictions in his state and found that "if you add up all the restrictions -- almost nothing is left (that people can live in) fairly quickly."

Low Recidivism Rate

One of Levenson's aims is to dispel myths about sex offenders and base new legislation on research rather than reactionary politics.

"There is no research to suggest there really is a relationship between where sex offenders live and whether or not they'll repeat their crimes, and there also isn't any evidence to demonstrate that these laws are really effective in preventing sexual crimes," she said.

In fact, only 7 percent of sex crimes against kids are committed by strangers, according to Justice Department statistics.

Studies show that -- contrary to popular belief -- sex offenders have a lower recidivism rate than other types of criminals, re-offending in about 14 percent of cases.

"So, ironically, what happens with residency restrictions is that we end up creating exactly the types of risk factors that we know lead to higher recidivism rather than lower recidivism," Levenson said. "In other words, we know that stability, social support and employment are really important factors to help criminals maintain a productive life and not resume a life of crime, so disrupting the stability of criminal offenders is not likely to be in the best interest of public safety."

The 'Stranger Danger' Myth

Levenson said, the residency restrictions fail completely to address the 90 percent of sex offenders whose victims are children they already know.

"The myth of 'stranger danger' is the idea that & sex offenders are lurking in parks and playgrounds," she said. "And the unfortunate truth is that most children who are sexually molested are victimized by someone that they and their families know and trust -- often family members [themselves]."

Danger Close to Home

Nancy Sabin is the executive director of the Jacob Wetterling Foundation, named for a Minnesota boy who was abducted at gunpoint in 1989 and never heard from again. The foundation spearheads preventive education programs aimed at protecting children from both stranger predators and sex offenders in their own communities or homes.

"Can you help me understand where all these sexual predators are coming from?" she asked rhetorically. "They're coming from our homes!"

"Why do we pretend we don't know where they are?" she asked, adding that Americans "need to see ourselves as part of the solution."

Like Levenson and Zeller, Sabin is an unlikely opponent of sex offender residency restrictions.

"There's not one case in the entire U.S. where a child or adult was not assaulted because of residency restrictions -- it's one of the largest wastes of resources and false sense of security things we've done yet," she said.

Doomed to Failure?

Sheriff Zeller said he understood the intent behind residency restrictions and other enacted measures that target sex offenders. But he said we need to re-evaluate our strategies against sex offenders and come up with smarter solutions that are going to have better long-term impact on the problems.

While he said he's certainly not an advocate for sex offenders, he does fear new laws make it tougher for them to walk the line.

"We're taking their hope away," he said. "We're taking a place [to] stay and a [work]place they can become a productive part of. We are placing all kinds of restrictions on them. They are doomed to failure. & That's the problem."