

Unfavorable Response to SB635 (Maryland Fair Chance in Housing Act)

Families Advocating Intelligent Registries (FAIR) seeks rational, constitutional sexual offense laws and policies for persons accused and convicted of sexual offenses. FAIR approves the proposal that a history of conviction may not be required to be disclosed if the conviction occurred more than 3 years from a proposed lease. However, specifically allowing a request for registration status is unjustified and creates a serious hardship for registrants and family members for many years.

Maryland's Comprehensive Registered Sex Offender Website States on its home page, "The information presented on this website should not be used in any manner to injure, harass, or commit a criminal act against any individual named in the registry, or residing or working at the reported address. Any such action could subject you to criminal prosecution." Essentially encouraging a prospective lessor to disclose his registry status could be interpreted that the state is putting the registrant in a situation inconsistent with others who are *not* required to disclose their criminal history and that can be interpreted as a form of harassment, in violation of other state law.

Under the Bill, an offense would not need to be disclosed to a prospective landlord after three years, but the Registration status, which undoubtedly would discourage a landlord from leasing to the individual, could serve as the basis for lease rejection for up to 15 years for a nonviolent Tier 1 registrant. For Tier 2 and 3 registrants, although their underlying offense would not be disclosed after 3 years, the registration status would impact ability to lease for 25 years (Tier 2) or for the rest of their lives (Tier 3).

In the majority of cases, individuals on all tier levels are living offense-free lives. Many have married and have families. Over 30 years of research make clear that re-offense rates for sexual offenses is dramatically lower than re-offense rates for other offenses especially over time. (See page 2.) **There is no rational public safety basis for denying registrants the protections of this proposed bill.**

Singling out persons required to register rather than offering them the protections of this Bill puts a target on the back of this one category of former offenders, increases the difficulty for these returned citizens of living a normal life, encourages homelessness, and should be rejected as contrary to the policies of this State to encourage effective and successful integration.

For these reasons, FAIR asks the committee to vote no on SB635.

Sincerely,



Brenda V. Jones, Executive Director
Families Advocating Intelligent Registries

Declaration of Dr. R. Karl Hanson.
United States District Court for the Northern District of California.
Civil Case No. C 12 5713. Filed 11-7-12

Selection:

I, R. Karl Hanson, declare as follows:

I am a Senior Research Scientist at Public Safety Canada. Throughout my career, I have studied recidivism, with a focus on sex offenders. I discuss in this declaration key findings and conclusions of research scientists, including myself, regarding recidivism rates of the general offender population and sex offenders in particular. The information in this declaration is based upon my personal knowledge and on sources of the type which researchers in my field would rely upon in their work. If called upon to testify, I could and would competently testify thereto.

Summary of Declaration:

My research on recidivism shows the following:

- 1) Recidivism rates are not uniform across all sex offenders. Risk of re-offending varies based on well-known factors and can be reliably predicted by widely used risk assessment tools such as the Static-99 and Static-99R, which are used to classify offenders into various risk levels.
- 2) Once convicted, most sexual offenders are never re-convicted of another sexual offence.
- 3) First-time sexual offenders are significantly less likely to sexually re-offend than are those with previous sexual convictions.
- 4) Contrary to the popular notion that sexual offenders remain at risk of reoffending through their lifespan, the longer offenders remain offence-free in the community, the less likely they are to re-offend sexually. Eventually, they are less likely to re-offend than a non-sexual offender is to commit an "out of the blue" sexual offence.
 - a) Offenders who are classified as low-risk by Static-99R pose no more risk of recidivism than do individuals who have never been arrested for a sex-related offense but have been arrested for some other crime.
 - b) After 10 - 14 years in the community without committing a sex offense, medium-risk offenders pose no more risk of recidivism than Individuals who have never been arrested for a sex-related offense but have been arrested for some other crime.
 - c) After 17 years without a new arrest for a sex-related offense, high-risk offenders pose no more risk of committing a new sex offense than do individuals who have never been arrested for a sex related offense but have been arrested for some other crime.

5) Based on my research, my colleagues and I recommend that rather than considering all sexual offenders as continuous, lifelong threats, society will be better served when legislation and policies consider the cost/benefit break point after which resources spent tracking and supervising low-risk sexual offenders are better re-directed toward the management of high-risk sexual offenders, crime prevention, and victim services.

