

HB0854 FAIR FWA (Senate).pdf

Uploaded by: Brenda Jones

Position: FWA

Favorable with Amendment Response to HB854 **Sex Offenders – Required Registration – Locations**

Families Advocating Intelligent Registries (FAIR) seeks rational, constitutional sexual offense laws and policies for persons accused and convicted of sexual offenses. We originally supported this bill, but the amendment renders the bill wholly inadequate. There is a substantial issue in Maryland and around the country relating to homelessness caused by or exacerbated by being on a public registry¹, and only one or two locations for periodic registration are particularly inadequate to meet the needs of the homeless registrant population.

FAIR recently conducted a review of the Maryland registry, and the impact of homelessness on the ability of a registrant to maintain compliance with registry requirements (risking noncompliance, criminal prosecution, and incarceration) is evident.

Compliance rates for individuals on the Maryland Registry are overall very high. Compliance rate relates to conformance with the requirements of the Maryland Registry (e.g., periodic reporting of address, automobile registrations, attending new school/job, internet identifiers, etc). Failure to provide this information or not providing it timely is deemed “noncompliance” and can result in prosecution and imprisonment.

According to FAIR’s review:

- Tier 1 ~ 94% compliance rate (report in-person every 6 months)
- Tier 2 > 95% compliance rate (report in-person every 6 months)
- Tier 3 > 92% compliance rate (report in-person every 3 months)
- Homeless** individuals (also included within Tiers 1, 2, and 3)²
< 60% compliance rate (report in-person weekly)

For Maryland’s homeless registrants, threatened by prosecution and incarceration for failure to meet registry requirements, often unemployed with limited to no access to transportation, a single registration location is inadequate. Providing only two locations in our largest, most populous counties is equally inadequate.

HB854's original language attempted to fix the problems created by the state when mandating weekly registration for homeless registrants. **The bill should, at a minimum, call for the introduction of more locations within each county for our homeless registrant population; or in the alternative, provide transport or mobile registration (combined with existing law enforcement compliance checks).**

Sincerely,



Brenda V. Jones, Executive Director
Families Advocating Intelligent Registries

¹ For example, [Homelessness Among Persons on Delaware's Sex Offender Registry - PMC \(nih.gov\)](#), (June 2023)
and
[Association Between Registered Sex Offender Status and Risk of Housing Instability and Homelessness among Veterans - PubMed \(nih.gov\)](#) (Sept 2022).

² Because homeless registrants are also within Tiers 1, 2 or 3, the factor of homelessness impacts the reported compliance rates for Tiers 1, 2 and 3 shown here.

HouseBill0854.pdf

Uploaded by: Jeff Eyer

Position: UNF

FREDERICK COUNTY SHERIFF'S OFFICE

HEADQUARTERS FREDERICK COUNTY LAW ENFORCEMENT CENTER

110 Airport Drive East
Frederick, Md. 21701
301-600-1046
301-600-1527 (Fax)
301-600-7655 (TTY)



CHARLES A. JENKINS
SHERIFF

JUDICIAL OPERATIONS

100 W. Patrick Street
Frederick, Md. 21701
301-600-2162
301-600-3690 (Fax)

DETENTION CENTER/ CENTRAL BOOKING

7300 Marcie's Choice Lane
Frederick, Md. 21704
301-600-2550 (D.C.)
301-600-2566 (D.C. Fax)
301-600-1790 (C.B.)
301-600-1791 (C.B. Fax)

WORK RELEASE CENTER

7281 Marcie's Choice Lane
Frederick, Md. 21704
301-600-1727
301-600-3404 (Fax)

TO: Judicial Proceedings Committee

FROM: Sheriff Charles A. Jenkins

REF: House Bill 0854 Sex Offender Registration Locations

DATE: March 25, 2024

I am writing in opposition to House Bill 0854. The bill is entitled, **Sex Offender Registration – Local Law Enforcement – Registration Locations**. The purpose of the bill is to require a certain local law enforcement unit to designate multiple locations geographically distributed throughout a certain county, where a certain registrant can register as required under certain provisions of law, and generally relating to the sex offender registry.

After a review of the legislation, several concerns were expressed as to the purpose of the bill, which on the surface merely makes it more convenient for a sex offender to register as required. My chief concern is that this bill creates a burdensome situation for a number of agencies including the Frederick County Sheriff's Office. The Frederick County Sheriff's Office has only one physical location (The Frederick County Law Enforcement Center) for offenders to come in and register as required. There is no practical way to believe that we could establish multiple locations as the bill would require without a tremendous logistical and cost burden. This would also create a burden for our staff (2 persons in the Sex Offender Registry Unit) to attempt to schedule and meet offenders at multiple locations. This bill makes no practical sense for those smaller law enforcement agencies that work out of a single location.

It is the responsibility of the convicted offender to follow the laws in place which includes ensuring they are present for appointments at the times and locations designated. There are many options for transportation and in Frederick County, this includes fare-free public transit. Again, this bill is unnecessary as it shifts responsibility and burden from convicted offenders to Law Enforcement Agencies and taxpayers.

