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November 13, 2019

Clay County Board of County Commissioners
P.O. Box 1366
Green Cove Springs, FL 32043

SENT VIA EMAIL

RE: YOUR COUNTY'S SEXUAL OFFENDER ORDINANCE

Dear Commissioners:

The Florida Action Committee (FAC) is a not-for-profit, public safety advocacy organization. Our membership is comprised of over two thousand members, including persons required to register as sex offenders, their family members, treatment providers and other stakeholders. Our mission is to make communities safer by advocating for laws and policies based on *empirical evidence and best practices*.

I watched the telecast of your County Commission Meeting held last night with extreme frustration. It was obvious that your County Attorney and Sheriff's representative were not well versed on the laws they are charged with enforcing. I could spend pages documenting the misinformation that was presented during the meeting, but for the purpose of this letter it is more important to focus on the research concerning sex offender residency restrictions (SORRs).

There is no evidence suggesting that SORRs are effective in reducing sexual offending or recidivism. This fact has been demonstrated across numerous studies, including the U.S. Department of Justice, which concluded that SORRs should not be viewed as a viable strategy for protecting communities¹ as well as the State of Florida Office of Program Policy Analysis and Government Accountability (OPPAGA).

¹ SMART Office. (2015). Sex offender management, assessment, and planning initiative. Retrieved from Office of Justice Programs: http://smart.gov/SOMAPI/sec2/ch6_registration.html

To the contrary, the SORRs create barriers to reentry by fostering housing instability, separation from family and support systems and isolation, all of which are factors that *increase* recidivism.

Commissioner Rollins frequently cited to Ft. Lauderdale and attempted to distinguish that municipality from Clay County because Clay County only has 6% transience and Broward has 27%. What Mr. Rollins failed to mention was that Broward's transient sex offender population increased three-fold since April 2011 when only 9% of the county's registrants were listed as transient.² SORRs were the direct cause of the increase because with lifetime registration there is zero attrition and with increasing exclusion zones there is less available housing. Give your ordinance a few years and watch what happens!

Once your transience increases other problems increase too. Transient registrants are more likely than those with homes to abscond from registration after probation.³ SORRs also create a fiscal burden for taxpayers associated with mapping, monitoring, enforcement, court costs, and incarceration costs. SORRs also have the unintended effect of creating clusters and "ad-hoc" enclaves of registrants. Your citizens will soon be asking for pocket parks or increased SORRs to displace one encampment or cluster, only to have it reappear elsewhere in the County. All the while destabilizing individuals *and their families* who are trying to redeem themselves and reintegrate into the community.

The OPPAGA also found that transient offenders present monitoring challenges for law enforcement. "The mobility of these offenders makes it difficult to locate them; as a result, they can consume a disproportionate amount of officer time compared to non-transient offenders." These are their findings, not ours! The fact that your County's Sheriff's office apparently asked for an increased SORR as a "tool" is suspect.

While our organization is disappointed that you voted to enact your ordinance, what is more disappointing to us is your Commission's lack of diligence in doing so. For that you should all be ashamed.

Sincerely,

s/

Gail Colletta, President
Florida Action Committee, Inc.

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² Levenson, Jill, et al. "Where for art thou? Transient sex offenders and residence restrictions." *Criminal Justice Policy Review* 26.4 (2015): 319-344.

³ Id.