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Maryland House Judiciary Committee

Re: HB0606 (Criminal Procedure - Registered Sex Offenders - Residency Restrictions)

Position: Support for HB0606

Members of the Committee,

I am submitting this written testimony in regards to House Bill, HB0606 (Criminal Procedure - Registered Sex Offenders - Residency Restrictions) sponsored by Delegate Cox and Delegate Parrott. We are requesting legislation to restrict registered sex offenders from living within 1,000 feet of a school, child care facility, park, playground, designated school bus stop, or a place where children regularly congregate. Maryland is one of the few states that does not impose residency restrictions on registered sex offenders. Maryland ranks 10th in the nation for the number of child sex abuse victims per 100,000 children with 131.5 children (<https://www.safehome.org/data/registered-sex-offender-stats/>).

Maryland requires convicted sex offenders who will reside within the state to register and provides a way for anyone to view the information surrounding their conviction and their location. From the front page of the Maryland Department of Public Safety & Correctional Services: "*The Maryland Sex Offender Registry Website is one of many important tools that families can use to protect themselves, their children, and those they care for from individuals with criminal sexual behaviors. On this site you will be able to find registered sex offenders living and working near you, be notified of registrants' movements, and explore resources that will help you to prevent and get treatment for sexual abuse.* (<https://www.dpscs.state.md.us/onlineservs/socem/default.shtml>)."

Maryland's Criminal Procedure Article 11-722, states "*A registrant may not knowingly enter onto real property that is used for public or nonpublic elementary or secondary education; or on which is located: a registered Child Care Home or Child Care Institution.* (<https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gcp§ion=11-722&enactments=False&archived=False>)."

Maryland already recognizes the need to protect children while they are in these locations, the residency restrictions within HB0606 will just extend the area of protection for the children. This is similar to speed zones that are setup around schools to protect the children while they are walking to and from school.

There have been some studies about the impact of residency restrictions on registered sex offenders and lack of benefits they provide to communities. A report by the Federal Research Division within the Library of Congress, published in October 2020, reviewed 27 different studies and concluded that the impact on registered sex offenders is indeterminate in its finding due to the prevalence of methodological shortcomings in the research. Many opponents of residency restrictions will state that the majority of sexual offenses against children are done by someone the child knows.

Restricting registered sex offenders from living close to areas where children play and mingle ensures that they cannot get to know or befriend a child with the intent of eventual harm.

The use of residency restrictions is used widely throughout the United States and by all of the states surrounding Maryland. Pennsylvania allows the individual municipalities and counties to set their own restricts. Virginia and Delaware have a 500 feet residency restriction and West Virginia has a 1000 feet residency restriction. Over half of the states with residency restrictions require registered sex offenders to live more than 1000 feet away from schools, child care centers, and parks. (<https://floridaactioncommittee.org/residency-restrictions-by-state-for-persons-required-to-register-as-sex-offenders/>) Enabling this legislation will let the residents of Maryland know that the protection and safety of their children is of great concern by the Maryland General Assembly.

Sincerely,

Andrew Pollara