

***National Sexual Offender Treatment/Assault Prevention Group Files Brief
with the Supreme Court in Opposition to Sex Offender Residency
Restrictions Claiming that Such Laws Harm Children
ATSA Teams up with Cincinnati-based Ohio Justice and Policy Center to File***

Cincinnati, Ohio – On November 3, 2005, the Ohio Justice and Policy Center will file an amicus brief in the United States Supreme Court on behalf of the Association for the Treatment of Sexual Abusers (ATSA) asking the Court to hear *Doe v. Miller*, the 8th Circuit decision upholding Iowa's sex offender residency statute, which prohibits sex offenders from living within 2000 feet of schools and childcare centers. The Association for the Treatment of Sexual Abusers ("ATSA") is an international, multi-disciplinary professional association dedicated to the research, treatment, and prevention of sexual assault. ATSA's members include the world's leading researchers in the study of sexual violence. Membership is also made up of professionals who evaluate and treat sexual offenders, sexually violent predators, and victims. Members work closely with public and private organizations such as prisons, probation departments, law enforcement agencies, child protection services, State Attorney's Offices, Public Defender's Offices, victim advocacy groups, and state Legislatures in an effort to protect citizens from sexual assault. ATSA advocates for evidence-based practices and policies that are most likely to protect the public from sexual violence, while allowing for the rehabilitation of sexual offenders.

ATSA argues in the brief that sex offender residency laws actually harm the innocent children they are intended to protect. Research has shown that criminal offenders with stable housing, employment, and social support are much less likely to commit new offenses compared to those who lack stability. ATSA asserts that residency restrictions, like those passed in Iowa, Ohio and other states, deprive sex offenders of stable housing, employment opportunities, and social support, and may increase the risk of recidivism. Moreover, sex offenders who become homeless or transient as a result of these restrictions will be more difficult to supervise and monitor in the community, which increases the risk to children. ATSA also contends that sex offender residency statutes are driven by fear, rather than facts. Despite widespread belief that sex offender recidivism rates are high, recent studies have shown that such recidivism is the exception, rather than the rule, particularly if the offender has received treatment.

Jill Levenson, a board member of ATSA and professor at Lynn University who has researched these policies, says: "There is no evidence that residence restrictions reduce sex offense recidivism, protect children, or enhance public safety. Research has shown no relationship between where sex offenders live and their risk to re-offend. These laws push offenders into rural communities where they have less access to housing, employment, social support, social services, and mental health treatment – and this may actually increase their risk. Decades of criminological research tells us that stability and support are crucial factors in facilitating successful community reintegration for offenders."

David Singleton, Executive Director of the Ohio Justice and Policy Center, which filed the brief, believes that sex offender residency statutes "create a false sense of security that may leave children more vulnerable to sexual abuse. Those states that have studied the issue carefully have found no relationship between sex offense recidivism and sex offenders' proximity to schools or other places where children congregate. This is why, after careful and intelligent research, Minnesota decided against passing such ordinances in their state. These laws are totally counterproductive."

The Iowa case, if taken by the Supreme Court, could have enormous implications for sex offender residency statutes nationwide. If the Supreme Court declares the Iowa statute unconstitutional, it is likely that similar statutes across the country would also be found unconstitutional.