

March 8, 2013

Ms. Risa Sugarman
Office of Sex Offender Management
Alfred E. Smith Building
80 South Swan St.
Albany, New York 12210

Dear Ms. Sugarman:

As Executive Director of USA FAIR Inc. (Families Advocating an Intelligent Registry), a nonprofit group formed by the family members of people required to register with the sex offender registry, I was recently interviewed by a newspaper in Westchester County. The reporter who worked on the story had a conversation with you and passed along some quotes so that I could respond to them.

I was deeply disappointed by what you had to say, because your comments contradict the voluminous body of research that now exists on this subject, as well as what we as family members of offenders bear witness to and experience every day. Please allow me to comment on the following three quotes attributed to you by the reporter:

Quote #1: "The registry gives people a confidence level of when they want to know information about what is going on in their neighborhoods...the registry gives knowledge, and knowledge is power."

Response: The registry does not provide sufficient information regarding individual offenders or their offense to enable the general public to make a reasoned risk assessment of a particular registrant. Unlike other states, New York State's risk classification system is not based on any scientific database of sexual recidivism. The Association for the Treatment of Sexual Abusers, the nation's largest association of professionals involved in sex offender management, has been lobbying for years to reform New York's classification system.

The "confidence" that you believe the registry gives people is a false sense of security, targeting a disproportionate share of public policy combating sexual abuse directed at registered sex offenders – a population that we now know through scores of studies have one of the lowest recidivism rates of any offender group in the criminal justice system. The vast majority of former sex offenders are now law-abiding people trying to rebuild their lives and pose little risk to community safety. That is not the message that the sex offender registry communicates to the public.

Finally, a registry-centered policy to combat sexual abuse ignores the fact that approximately 95% of all sex crimes are committed by first time offenders who are obviously not on the registry. The registry does nothing to warn people that they are far more likely to find the picture of their child's abuser in a family photo album than on the sex offender website.

Quote #2: "When we started our Facebook page and we started our app we did it around Halloween and we did it at that time because we wanted parents to know that they had an ability to have the knowledge and have the power to know that when they were with their children in their neighborhood they had the ability to protect themselves and be confident in where they were going with their children."

Response: There is no evidence that supports the belief that children are in heightened danger from registered sex offenders while trick-or-treating. In fact, Dr. Jill Levenson did a

study on this very subject in 2009, and found that non-familial child sex abuse accounted for less than .2% of crimes committed on Halloween. Just like any other day, children are in much more danger of being sexually abused by a family member or friend than by a registrant giving them candy, in an exchange that lasts a few seconds at most. To even remotely suggest that children are at a higher risk of being targeted by sex offenders on Halloween is contributing to hysteria and misinformation. Laws targeting registrants on Halloween seek to solve a problem that simply does not exist.

Quote #3: "I am not aware of any negative consequences of the registry."

Response: Forgive me, but this statement is hard to make sense of. The abundant negative consequences of the registry have been documented in academic research and personal accounts of family members of offenders.

I chronicled my personal experience as the fiancée to a registered sex offender on my blog, "I Love a Sex Offender," for about a year. During this time I heard from hundreds of other family members of offenders who suffered similarly. The stories of family members of offenders can be found in news stories, personal blogs, and online videos.

Dr. Jill Levenson's 2009 study on collateral damage study found that family members of offenders – including minor children – experience social ostracism, physical and verbal harassment and bullying, job loss, home loss, destruction of personal property, depression, anxiety and paranoia, loss of friendships and family, and more.

Following a sexual offense by a family member, most families stay intact. These innocent spouses, children and parents of registrants suffer the collateral damage of the sex offender registry every day. When a father loses his job because his place of employment is listed on the registry – it is the entire family that suffers the loss of income from a breadwinner. What could be a more "negative consequence" than residency restrictions, which break up families and separate registrants from their support network and community ties that play such a key role in promoting law-abiding behavior?

In extreme cases registrants have been murdered by vigilantes leaving families fatherless. Yes, these cases are rare, but no rarer than the high profile child abduction and murder cases that led to the creation and expansion of the registry.

The negative consequences of the registry are severe and a person in your position should be keenly aware of them, which is why your quote is so surprising and discouraging.

I and a delegation of New York family members of registrants would very much desire to meet with you to open up a dialog on our experience living with the registry.

I hope you would agree that it would be beneficial for the Office of Sex Offender Management to engage in a conversation with people who committed no crimes, but because we live with a loved-one on the registry - are also significantly impacted by your management.

I look forward to your reply. In the meantime, please feel free to peruse the studies on our website, at: www.usafair.org/studies.

Sincerely,

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