

Public Act 09-199 (SB 533)

Two Excerpts from Public hearing of the Judiciary  
Committee(3/16/09):

I. Testimony of Senator Witkos, who raised the bill

SENATOR KISSEL:

And my last question, Senator, is upon receiving this information, what would the superintendent be required to do, if anything, or what -- from your motivation -- would you suggest that school superintendents do with that information?

SENATOR WITKOS: I think that would be up to the local boards of ed to determine what policy they would like to develop, if any, whether or not they -- what they should do with that information, whether it be a letter home to the students, or some schools have, you know, telephonic notification or they have it on their own website.

I think -- I best leave that up to the local schools.

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REP. ROLDAN: Thank you, Mr. Chairman. Senator Witkos, good afternoon.

I'm still just sort of, I guess, a little puzzled trying to figure this out in my head relative to the superintendent question and what would the superintendent do with the information once he or she attains this information. I thank you, Senator Kissel, for raising that question. It's a very important question.

And, you know, superintendents receive -- any time a child is [inaudible] involved and is coming back to the district, the information is not necessarily received as a direct notification that that child is coming back having committed, you know, X offense or Y offense.

So we're particularly taking this particular section of it, and we're saying this is the offense the child committed.

But yet we are pretty much obligated to [inaudible] the child. We use whatever methods necessary to reintegrate the child into the community and into the classroom or whatever it may be. Different communities do this in different ways.

But I am still a little curious as to what your thoughts are, because I think you may have some thoughts about this, being a law enforcement professional, being a law enforcement professional myself.

The information comes in in different ways, but this is a very specific item. I'm just -- you know, to come up with 169 or 67 -- in this case school systems -- different ways of approaching this, I can see that as being kind of [inaudible].

Do you have any further thoughts on that?

SENATOR WITKOS: Well, I guess I'm of the mindset that one size doesn't necessarily fit all. And so some boards may have mechanisms in place already where they notify parents or the student body of a potential danger located within the community, whether that be through a mailing that's done on a, you know, weekly basis or flier distributed to the home or on a website or an email notification system or telephonic.

So I wouldn't want to, I guess, place it into legislation, mandating a certain type of notification that may preclude a board of ed already doing something as far as communication goes and it works extremely well.

REP. ROLDAN: Well, not necessarily communication, but the perhaps the response of how to -- you know, does it connect directly to the -- the police department?

Obviously you would not want to pick what procedures the police department will take or --

I'm just -- again, I don't have an answer myself, but I'm still a little perplexed by that part of it.

SENATOR WITKOS: I guess my -- the whole premise behind this legislation was that from a police officer's perspective, you know, we're mandated to do notifications to the superintendent of schools when a child commits an act, yet here's some -- they haven't been tried in a court of law

and been found guilty. And who knows what the plea-bargaining process would have ensued.

But yet here's an individual that has been to court, has been tried, has been found guilty of a sex crime. They're required to register as a sex offender, and now they're moving back into the community, having done their time or served their time, and there's no notification of folks in that community that there's somebody moving in that has a past history now of a sex crime and they're required by law to register, and I --

I just felt that a preventive campaign goes a lot further than sometimes how people find out about certain things and the actions they take.

And maybe a few extra eyes out on the street may even preclude or remove that enticement that may be out there that may cause an individual to act.

REP. ROLDAN: Thank you for your time and [inaudible].

## **II. Testimony of Nancy Kushins, executive director of Connecticut Sexual Assault Crisis Services**

NANCY KUSHINS: Good evening. Senator McDonald and members

Senate Bill 533 [poses] a concern. As written, when a sex offender on the registry is released into the community, this bill would require the Department of Public Safety to notify the superintendent of schools where the registrant resides.

This seems to presume that all sex offenders under the registry pose a risk to children, which is not the case. Should schools be informed when a high-risk sex offender who has perpetrated against children, particularly those children who are strangers, is being released into the community? Absolutely.

The fact is that here in Connecticut last year, of the sexual assault victims age 17 and under seen by our nine community-based rape crisis centers, 93 percent of those victims knew their perpetrator.

Providing information to school superintendents about all sex offenders does not serve to contribute to community safety as intended.

When we consider that somewhat between -- somewhere between 16 percent and 40 percent, depending on the study, of sexual assaults are reported to the police and that fewer than that number are ever prosecuted or convicted, it's important to keep the sex offender registry and community notification in perspective.

When sex offenders are released into the community, what ConnSACS favors is a comprehensive approach to sex offender management. This would include sex offender treatment, a period of supervision, and the involvement of a victim advocate to provide post-conviction support to the victim and provide a victim perspective to the supervision process.