

May 15, 2006

Official Position Statement on **COMMUNITY NOTIFICATION OF SEX OFFENDERS**

BACKGROUND

Throughout the past decade, public policies have been enacted throughout the nation that attempt to address the issue of preventing sexual assault/abuse, particularly policies to prevent recidivism of convicted sex offenders upon release. One of the first policies enacted was Megan's Law, which mandates community notification regarding high risk sex offenders upon their release. Although this law was enacted with good intentions, sexual violence is a complex issue that cannot be adequately and appropriately addressed by one such policy.

POSITION

The New Jersey Coalition Against Sexual Assault (NJCASA) views community notification as one component of society's commitment to reduce sexual violence, however NJCASA cautions against relying too heavily on notification to protect children from harm. NJCASA supports a comprehensive approach that incorporates research based assessment and treatment of sex offenders by qualified practitioners, intensive offender supervision, community education and advocacy on behalf of victims to reduce the risk of recidivism. Furthermore, NJCASA supports and encourages scientific research efforts into the effectiveness of community notification; currently no data conclusively supports its efficacy in preventing sexual violence.¹ Finally, NJCASA believes that community notification must not violate the privacy of sexual abuse victims and opposes any legislation that would allow the determination of a survivor's or loved ones identity without her or his consent.

RATIONALE

NJCASA believes that community notification can be used as one component to reduce sexual violence. The notification process provides an opportunity to educate the general public as well as those closely associated with the offender upon release. It also allows the community to take a proactive role in combating sexual violence. However, notification of the public without education, offender treatment, and supervision will not be helpful. The level of protection afforded by these laws is limited and community notification only occurs after sexual abuse/assault has occurred; it is not a preventative measure, therefore it does not guarantee protection from harm.²

The limited research that is available has demonstrated that such community notification can create a false sense of security, creating an atmosphere where individuals focus solely on the registered offender, rather than offenders who have not been caught, convicted or have plead to a lesser offense.³ Additionally, over 80 % of sexual perpetrators are known to the victim; they are living within families, or are in supervisory positions such as coaches, teachers, clergy and other community leaders that have access to children on a regular basis. In other words, focusing only on registrants diverts society's attention from the larger issue at hand; that anyone can be a sexual predator, not just a registered offender or the stranger on the street.⁴ This diversion can result in overlooking the dangers of others within our own homes and society who may have access to children.

¹ Walker, Alexandra, (2001). Considering the Victim in the Implementation of Megan's Law. Minnesota Center Against Violence and Abuse.

² Freeman-Longo, Robert. E., (2000). Revisiting Megan's Law and Sex Offender Registration: Prevention or Problem. Louisville, KY: American Probation and Parole Association.

³ Lane Council of Governments, (2003). Managing Sex Offenders in the Community: A National Overview. Eugene, Oregon.

⁴ Walker (2001)