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Interested Party Testimony-Senate Bill 67

***Sierah’s Law***

June 13, 2017

Mr. Chairman, Members of the Senate Judiciary Committee.

 First of all, I want to let the family of Sierah Joughin know that my heart goes out to them and others who have experienced such a painful loss in their lives As a mother, I read the news reports and family testimony about the death of Sierah Joughin with horror and sadness. I, too, wish something could be done to prevent crimes like these.

Today, I am here as a mother and a member of Families & Individuals for Reform (FAIR), an organization dedicated to meaningful reform, rehabilitation and redemption of registered sex offenders. I wanted to take this opportunity to discuss the unintended consequences of the sex offender laws as the committee debates the violent offender law proposed in SB 67.

One of the first registration statutes, the Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, was enacted after a similar kidnapping, rape and murder of Jacob Wetterling, an 11 year old boy. The intent of the Wetterling Act was to provide law enforcement with a tool to identify and track dangerous sex offenders, to protect society, and to prevent the commission of future sex crimes. Unfortunately, subsequent changes actually reduced the effectiveness of the Wetterling Act.

* Registration does not take individual circumstances of the offender or the offense into consideration, removing all judicial discretion and assessment of risk;
* The register of sex offenders includes low risk, non-violent offenders not likely to commit additional sex crimes along with violent criminals;
* Inclusion of these low-risk offenders on the same list as violent offenders makes it impossible for law enforcement to identify and monitor dangerous offenders;
* The register provides a false sense of security for the general public; and
* Registration has many unintended consequences, one of which may actually be the increase in commission of crime.

In July, 2015, the SMART Office, the government watchdog agency for compliance with the Adam Walsh Act, published findings which indicate registration has had no impact on the rate of commission of sex crimes, including re-offense rates by registered offenders. And many victim’s rights groups recognize that registration creates a false sense of security, and may even hinder the ability of law enforcement to monitor and apprehend dangerous offenders.

FAIR represents several hundred young adults under the age of 21 who are registered for 25 years for having consensual relations with a minor. These young men face a lifetime of discrimination in employment, housing, and education, with no opportunity for redemption, making it difficult, if not impossible, for them to become contributing members of society. Some give in to depression and commit suicide to avoid wearing the “scarlet letter” that follows a registered sex offender.

Many agree that reform of sex offender registration is necessary. But change is slow and uncertain. This committee has the opportunity to avoid those problems and create legislation which is narrow in scope and truly helpful to law enforcement.

I thank you for allowing me to testify today as an Interested Party and would be happy to answer any questions you may have.