

PROPONENT

Senate Judiciary Committee - Senate Bill 481

March 14, 2016

This amendment before you today has significant impact on Kansas's sexual predator treatment program. By supporting the amendment, the so far unattainable burden of meeting requirements of a 2,000' residential boundary between a treatment program individual and an individual under the age of 18 years is lessened.

Currently, there are four, possibly five individuals housed at one of the reintegration centers in Larned, Osawatomie or Parsons. Those individuals are required to locate housing, maintain jobs, have income, if appropriate a vehicle, documented support system, arrangements for mental health counseling and a laundry list of many other items. Of all the numerous requirements these individuals must complete, to date, not one has been able to move into the conditional phase of the program, due to the 2,000' residency requirement. Along with those eligible for conditional placement, our group of Family, Friends & Other Concerned Citizens of SPTP Residents has searched much of the State to identify housing that meets the 2,000' requirement. We have communicated with local realtors, community health organizations, contacted property owners (via Craigslist, newspapers, etc.) who were advertising properties available for rent. Not one time, to date, have we learned of available property that meets the 2,000' requirement. In our communications with local real estate agents we have been told that as long as the 2,000' requirement is in place, they can provide little assistance.

In Southeast Kansas, near the reintegration facility at Parsons State Hospital, we are aware that many Parsons area organizations, including a representative of the local sheriff's department, staff of a local community mental health agency, the Consumer Run Organization of Hope, the Southeastern Kansas Independent Living Center, local realtors and even SPTP reintegration staff have also been unsuccessful in assisting one resident in finding a place to reside that complies with the 2,000' boundary. One individual associated with the Independent Living Center stated the statute might as well be ten miles as that would be no more unrealistic than 2,000'.

We were informed, by some of the organizations we contacted, that if the footage requirement could be lowered, there will be an increased opportunity to help identify housing. In considering this amendment before you, it should be noted that research data states that if an individual is going to commit a sexual offense, other than involving another family member, that offense is not going to occur in that person's neighborhood. The huge majority of offenses occur via Internet, chat rooms, etc., not prowling neighborhoods. Mental health professionals, in their writings, refer to residency restrictions for registered offenders as only "feel good" legislation. It is also important to note that Kansas does not have a law that mandates where a registered sex offender can or cannot live.

While our group supports the amendment as proposed, should members of this committee prefer a distance between an individual in conditional placement and an individual under 18 years of age, we believe 300' is reasonable. In Kansas, 311' is typical of one residential block. We also believe 300' is reasonable in totality for the entire bill, including schools, churches, etc. If it is agreed to amend the bill before you as written, please note that every resident of the treatment program that we are in contact with, and who is eligible for conditional placement, will be attempting, with our group's assistance, to locate housing that is as far away as possible from minor persons. They have stated, should an event occur that requires law enforcement assistance, i.e. to locate a minor who is late returning home, the first place law enforcement likely would go to is their residence. In order to avoid always being the subject of concern, they want to reside as far apart from minors as possible. But, there must be a change to the 2,000' requirement. Without a change, the State continues to absorb a monthly expense, per individual, of approximately \$6,000 to \$7,000.00.

If we are sincere about ensuring an effective treatment program for sex offenders, we must then remove this unreasonable barrier that prevents them from progressing through that program.

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