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December 8, 2015

The Honorable Ryan T. McDougle, Chairman
Virginia Senate Committee on Rules
P.O. Box 187
Mechanicsville, VA 23111-0187
804.730.1026
804.730.1051 (Fax)

Dear Senator McDougle:

We are disappointed that the Senate Committee on Rules apparently requested that Virginia State Police (VSP) undertake a study which that agency is unqualified to conduct. The study, *The Effectiveness of Sex Offender Registry Requirements on Public Safety*, confirms that assessment on Page 5 by incorrectly stating, "There is no measurable way to determine if the current Sex Offender laws are effective methods in reducing sexual victimization."

Numerous studies have found 1) no demonstrable effect in reducing sexual offenses, 2) no effect on reducing the number of victims involved in sexual offenses, 3) existing registration and community notification laws largely ineffective, and 4) no significant decrease in the arrest rate for sexual abuse after implementation of a registry or access to the registry via the Internet.¹²³⁴

Asking the agency whose budget is laden with FTE's to manage the registry and monitor a marginalized population with one of the lowest rates of repeating sexual offenses is akin to asking the fox if the chickens are safe.

We certainly support what we believe was the intent of Senator Hanger's 2015 bill, SJ 282; however, it is essential that the Commonwealth form a workgroup that includes researchers and treatment professionals who have studied the numerous issues surrounding sex offender registries and their collateral consequences on society's basic building block – the family. In that unit is, after all, where the overwhelming majority of sexual offending occurs - not from those on registries.

While the VSP report has been removed from public view by Clerk of the Senate, should it reappear, we strongly recommend that a single action be taken on the report - that it be

1 Agan, Amanda Y. "Sex Offender Registries: Fear without Function?" *Journal of Law and Economics* 54.1 (2011): 207-39. Web.

2 Zgoba, Kristen, Philip Witt, Melissa Dalessandro, and Bonita Veysey. "Assessing the Practical and Monetary Efficacy of New Jersey's Megan's Law, 1972-2007." *ICPSR Data Holdings* (2013): n. pag. Web.

3 Sandler, Jeffrey C., Naomi J. Freeman, and Kelly M. Socia. "Does a Watched Pot Boil? A Time-series Analysis of New York State's Sex Offender Registration and Notification Law." *Psychology, Public Policy, and Law* 14.4 (2008): 284-302. Web.

4 Tewksbury, Richard A., Wesley G. Jennings, and Kristen Zgoba. *Final Report on Sex Offenders: Recidivism and Collateral Consequences*. Washington: National Institute of Justice, 2011. Web.

provided for reference only to a workgroup comprised of private and public professionals. Each should be fully qualified to assess sex offender behavior and willing to recommend changes to sex offender laws that are convincingly in the interest of public safety. Those changes should be based on the myriad of available research, and be absent the bias, error and omission evidenced in the VSP report mentioned above.

Thank you for your consideration and we look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "J.P. Welch", with a long horizontal line extending to the right.

J.P. Welch
Member

- C: The Honorable Thomas K. Norment, Jr.
- The Honorable Emmett W. Hanger, Jr.
- The Honorable Stephen D. Newman
- The Honorable Frank M. Ruff, Jr.
- The Honorable Frank W. Wagner
- The Honorable Mark D. Obenshain
- The Honorable Jill Holtzman Vogel
- The Honorable Richard L. Saslaw
- The Honorable Janet D. Howell
- The Honorable L. Louise Lucas
- The Honorable Siobhan Dunnavant