OUR OPINION: Curbs on sex-offender housing found ineffective

By Tom Dennis on Jun 19, 2014

Moorhead is debating whether to follow in a number of other cities’ footsteps and dramatically limit where certain sex offenders can live.

The proposal would prohibit high-risk offenders from living within 2,000 feet of a school, park, playground or daycare center, and 1,000 feet around public-school bus stops, among other locations.

And “in a city with at least 450 public school bus stops, about 60 parks and seven public schools, such a law would deeply complicate an offender’s search for housing,” as Forum News Service has reported.

But Moorhead residents — and residents elsewhere — should take note of the unapologetic and perhaps unexpected reaction of law enforcement to the proposal.

Specifically, Moorhead Police Chief David Ebinger strongly opposes the plan, the Forum News Service story reported.

“‘Exclusionary rules do a fantastic job of turning Level III sex offenders into homeless Level III sex offenders,’ Ebinger said, adding that transient offenders are more likely to reoffend,” according to the story.

“‘When we know where (offenders) are, and they’re given an opportunity to have housing and get a job, it increases their level of success,’ he said. ‘And it increases our ability to control what they’re doing and to monitor them.’”

For similar reasons, Fargo’s police chief opposed the idea when it was suggested in Fargo in 2010.

The chiefs’ arguments are persuasive. And the fact that both courtroom experience and criminal-justice research support the officers’ view gives the arguments extra weight.
“In the past decade, 27 states and hundreds of cities have reacted to public fear of sex crimes against children by passing residency restrictions that, in some cases, have the effect of barring sex offenders from large parts of cities,” USA Today reported in 2007.

“Now a backlash is brewing. Several states, including Iowa, Oklahoma and Georgia, are considering changes in residency laws that have led some sex offenders to go underground. ... The push to ease residency restrictions has support from victims’ advocates, prosecutors and police who say they spend too much time investigating potential violations.”

In 2013, a federal judge ruled that the Denver suburb of Englewood could not impose restrictions that “leave essentially no place for such offenders to live for all intents and purposes.”

Meanwhile, “New Hampshire lawmakers are considering whether to bar municipalities from restricting where the state’s more than 2,500 registered sex offenders can live in light of court rulings that found the restrictions are unconstitutional,” CBS Boston reported earlier this year.

And in California, a state panel in 2009 urged lawmakers to change Jessica’s Law, “saying its restrictions on where sex offenders can live are counterproductive,” the Los Angeles Times reported.

The residency restrictions “have never been shown to prevent new crimes and may reduce public safety, the panel says. ...

“Barring sex offenders from living within 2,000 feet of schools, parks and other areas where children gather has driven many into homelessness, an unstable situation that can propel them back to crime, according to the board.”

Residency restrictions create an illusion of safety and satisfy elected officials’ need to “do something.” But police officers are the ones whom society has charged with law enforcement; and this means that in most cases, society should listen when law enforcement officials say a law enforcement proposal won’t work.

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