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Law Enforcement

Committee Considers Sex Offender Registry Changes

by Lisa Backus
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A screengrab of Connecticut's sex offender registry website. Credit: Screengrab / State of Connecticut

A subcommittee of the state Sentencing Commission is working to create a process to allow certain individuals to be removed from the public sex offender registry.

After at least two attempts to reshape the law regarding people who have committed sex offenses, the General Assembly's Incarceration and Collateral Consequences of Criminal Conviction Subcommittee will hear a presentation Thursday on two narrow proposals to create a path for people to get off the registry.

The proposals are in their infancy and likely will be altered several times before they go before the entire commission, said Alex Tsarkov, executive director of the Sentencing Commission. “We've been trying to do this for a very long time. It's a tough topic to work with.”

It's a safety issue that is playing out as a political issue, said Amber Vlangas, executive director of the Restorative Action Alliance, which advocates for victims of sexual violence and those who have been subject to “state violence” through probation and parole policies after conviction.
“We believe this perpetuates the cycle of violence,” Vlangas said of sex offender registries.

The registries create shame, isolation, and an inability for people to meet their economic needs which in turn creates instability and a greater possibility of reoffending, Vlangas said.

“What is going to make people safe? Stability,” said Vlangas, who is a victim of military sexual assault and married to someone who is on Connecticut’s registry. “We are in full support of providing a path off of the registries.”

But she also said she would like to see the final product before supporting the latest proposals.

Under the draft proposals that will be presented to the subcommittee Thursday, registrants would be allowed to petition the Superior Court to be removed from the public registry after 10 years. The court would hold a hearing for victims and prosecutors to provide input and the registrant would have to prove that they met all the requirements of their probation or parole and treatment during their time on the registry.

This option would allow people to seek to be moved from the public registry to the law enforcement registry, which can only be accessed by police and other criminal justice officials. The registrant and the state’s attorney would have the right to appeal the court’s decision.

The proposal also would expand the court’s authority to exempt registration requirements for people convicted of misdemeanors, the draft document said.

A second proposal would allow people who were “grandfathered” onto the registry when it was created in 1998 to seek a hearing to be removed. This group of people was automatically placed on the registry even though when they were convicted or pleaded guilty, it didn't exist.
It would also allow those who were placed on the registry after June 2022 to request removal. But as written now, it excludes individuals placed on the registry between 1998 and next year from seeking removal.

The proposals “both penalize a registrant’s inappropriate behavior and incentivize appropriate behavior,” the draft said. “To successfully petition, registrants must show by their conduct that they have reduced their risk to the community.”

Any proposal providing for a mechanism to allow people to be removed from the registry would have to be approved by the General Assembly.

In 2015, the legislature passed Special Act 15-2, which required the Sentencing Commission to research and develop proposals for reforming the state’s policies regarding sex offenders. The commission issued a report in 2017 detailing several proposals.

But so far no reforms to the state’s sex offender registry have been enacted, including proposed laws that were the subject of public hearings in 2018 and 2019. Those bills were much broader and included the creation of a Sexual Offender Registration Board.

That board would have been required to assess which people convicted of sex offenses should go on the public registry and also determine a registrant’s risk of reoffending. A 2019 version of the bill, SB 1113 was approved by the Judiciary Committee but never voted on by the Senate or House.

Tsarkov predicts that the subcommittee will seek input from various stakeholders, including victim advocates and groups like the Restorative Action Alliance, before sending their proposals to the full commission for review.

If the commission approves the proposals, it would then make a recommendation to change the law in time for the next legislative
session, he said.