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The Honorable Members of the Maine Legislature
Maine State House
Augusta, ME 04330

Subject: Opposition to Legislative Document No. 1215, An Act Regarding Residency Restrictions for Sex Offenders

Dear Committee on Criminal Justice and Public Safety,

I am writing to express my strong opposition to Legislative Document No. 1215, which proposes the enforcement of municipal ordinances restricting the residency of individuals listed on the sex offender registry and mandates a study on the feasibility of statewide residency restrictions. While public safety is an undeniable priority, this bill is flawed in several ways and could have unintended negative consequences.

1. Residency Restrictions Do Not Improve Public Safety

Numerous studies have shown that blanket residency restrictions for sex offenders do not significantly reduce recidivism or enhance public safety. Research from the U.S. Department of Justice and other criminal justice agencies has indicated that residency restrictions can create housing instability, making it more difficult for individuals to reintegrate into society successfully. By limiting access to stable housing, these restrictions can actually increase the risk of reoffending, rather than prevent it.

2. Unintended Consequences for Communities and Law Enforcement

The implementation of strict residency restrictions often results in unintended consequences such as homelessness among registered individuals. This instability makes it harder for law enforcement to monitor and track individuals, ultimately reducing the effectiveness of public safety measures. Instead of forced displacement, resources should be focused on evidence-based rehabilitation programs, support systems, and community-based reintegration initiatives.

3. Potential Legal and Constitutional Challenges

Several courts across the United States have ruled against excessively restrictive sex offender residency laws on constitutional grounds, citing violations of due process and ex post facto clauses. This bill, if passed, could expose the state of Maine to costly legal challenges that would divert funds away from more effective crime prevention and rehabilitation strategies.

4. One-Size-Fits-All Restrictions Are Ineffective

Sex offender registries include individuals with vastly different risk levels, yet blanket residency restrictions fail to distinguish between high-risk offenders and those with lower recidivism risks. A more nuanced approach, focused on individualized risk assessment rather than rigid geographic restrictions, would be far more effective in enhancing community safety.

Conclusion and Recommendations

Rather than imposing counterproductive residency restrictions, I urge the legislature to explore more effective approaches to community safety. These include:

- Strengthening parole and probation oversight.
- Investing in reentry programs and stable housing initiatives.
- Supporting mental health and rehabilitation services for former offenders.

For these reasons, I respectfully urge you to vote **against** LD 1215 and instead advocate for evidence-based policies that genuinely protect Maine's communities. Thank you for your time and consideration of this critical matter.

Sincerely,

Jay Criswell