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The idea that people can access information instantaneously from their homes via the internet will have an effect on the distribution of many types of information already contained in computer databases, not just the distribution of sex offender information. It will not be long before public information such as police reports, photos, criminal histories, pending charges, and other information available to law enforcement individuals is available to everyone. This information is already available to citizens of some states, including California, via the internet.

The Connecticut Supreme Court recently considered a case in which the Hartford Courant requested the ability to purchase the entire criminal history database from the State Department of Public Safety. Currently, criminal histories can be purchased for \$15.00 per record, and the Department of Public Safety was going to charge the Courant on a per record basis, amounting to millions of dollars for the database. The court ruled that since the information was contained in a database, the Department of Public Safety could only charge the cost to duplicate the records from the database, which, in contrast, amounted to thousands of dollars. This case illustrates the ease with which an individual could obtain this information and subsequently post it on the internet, and also illuminates the potential issues that may arise in the near future reaching beyond sex offender information.

Not long ago, all sex offenders were not taken seriously by the criminal justice system. The definition of what constitutes as sex offender has evolved considerably within the last twenty years. The acknowledgment that respected people within the community, including parents, guardians, and family members molest children is a relatively new concept. There have also been changes to the former rape laws, now sexual assault laws, including the relatively recent criminalization of spousal rape in Connecticut, for example. These changes have led to increased arrests and prosecutions, and a heightened awareness in communities about the types of sexual crimes that occur regularly. This awareness has at times shocked the sensitivities of ordinary citizens; somewhat like the shockwaves felt today as a result of the recent sex scandals in the Roman Catholic Church. Moreover, last year, the Connecticut legislature passed a law redefining the issue of consent to exclude coach/athlete relationships where the athlete is under 18 years of age. In sum, the concept of unwanted or improper contact or sexual intercourse between persons is continually being rethought. When examined together, our understanding of sexual assault and the redefinition of criminal activity that was not outlawed 20 years ago, are what brought about Megan's Laws.

It has always been legitimate to obtain criminal history information from the police department. Prior to internet access, a citizen could visit his local police station and request information, including a photo, of a specific individual. Therefore, changes in technology, coupled with the way in which sexual assault is viewed today, are responsible for the current debates over Megan's Laws.

In 1980, 4,000 people were incarcerated in Connecticut. Today, after 20 years, the number is at 19,500. More money is spent to run the prison system than is spent on the entire public higher education system in Connecticut. In any given year, 30,000 people are being admitted or discharged from the state criminal justice system. However, many convicted sex offenders will not spend time in jail, but instead, face probation. Thirty years ago, individuals convicted of the few sexual crimes available then, would face lengthy prison sentences. Today, an individual convicted of a very serious criminal offense, may not face any prison time at all. One of the reasons for this may be that these individuals do not pose a risk to anybody. An example of this phenomenon can be found in statutory rape cases.

In many ways, the failures of other parts of government have dumped these overwhelming problems into the lap of the criminal justice system. For example, persons with mental illness were de-institutionalized in order to provide them with humane services within the community. When the funds for these services were cut, many of these individuals ended up in the Department of Corrections. Many serious sex offenders also have severe mental health issues. In the past, these individuals would have been managed within the mental health system. Both budget cuts and welfare reform, which makes convicted felons ineligible for government benefits, have taken these individuals outside the auspices of the mental health system.

The issue before the United States Supreme Court regarding Megan's Law is a legitimate issue, but it is not the 'real' issue. We are not constitutionally prohibited from posting information about convicted sex offenders on the internet, but it is not good public policy to post this information the way it is posted in Connecticut. In the last 15 years in the Connecticut, approximately 25,000 people have been convicted of felony sex offenses. Of those, approximately 2,000 of them are listed on the internet registry. But of the 2,000 listed on the registry, approximately 10% of those who were convicted in Connecticut have no photo, no current address, or they are listed as out of compliance. Not to mention the others who were convicted in other states and moved into Connecticut. In addition, many people who are apprehended are not convicted, or have plea bargained down to a lesser charge in order to avoid registration. For this reason, it is not a good idea to list out the particular crimes in the Megan's Law statutes that will require mandatory registration.

Many have criticized the legislature for not making better laws. However, the Judiciary Committee is composed of a majority of non-lawyers who do not fully understand the impact of plea bargaining on the effectiveness of a law. Because of the way the plea bargaining system works, people convicted of certain crimes have not always committed those crimes, and people not convicted of certain crimes may have actually committed those crimes. Therefore, the charge does not accurately reflect criminal activity or the current dangerousness of a particular felon. It would be better to place information in the internet registry indicating whether sex offenders are dangerous or not. Megan's Law does not tell Connecticut citizens which sex offenders are dangerous, although many citizens incorrectly feel that the purpose of the law is to inform them of the dangers they face in their own neighborhoods. In practice, no risk assessment is done on sex offenders because police officers, judges, prosecutors, the legislature, psychiatrists, and probation officers fear liability in the event that a convicted offender is incorrectly assessed since it is an imperfect science. In essence, the internet registry is not complete or accurate in its current form. Hopefully, with the proper authority and resources, someone will have to make these difficult decisions and inform people of the location of sex offenders in their community and educate them on the broader problems of sex offenses and offenders in general.

The sex offender in the Megan Kanka case served his entire sentence, and was then released into the community without supervision in the form of parole or probation supervision. In Connecticut, probation and parole officers are charged with the responsibility of assessing released felons. If these felons do pose a threat, they are not allowed to live within certain communities as part of their probation restrictions. Although this is a controversial process, these individuals, who are closely connected to the parolees, should have the responsibility for these assessments.