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Sex Offender Residency Restrictions: How Mapping Can Inform Policy

KEY POINTS

- Many locations have implemented residency laws that prohibit sex offenders from living near schools or other places where children gather.
- Studies show that restrictions can create exclusion zones that make it difficult, if not impossible, for sex offenders to find housing.
- Sex offenders then may become homeless, go underground or report false addresses, making them difficult to track.
- Geographic Information Systems (GIS) can help evaluate the impact of residency laws.

OVERVIEW

Laws that restrict where registered sex offenders may live have become increasingly popular during the past decade. As of 2007, some 27 states and hundreds of municipalities had enacted laws that bar sex offenders from residing near schools, parks, playgrounds and day care centers. The specified distance from a school or other venue is typically 1,000 feet but varies from 500 to 2,500 feet, depending on the jurisdiction.

The laws, which have wide public support, are modeled after Florida's "Jessica's Law," named for a nine-year-old Florida girl who was kidnapped and killed by a molester. They follow the Wetterling Act of 1994 mandating sex offender registration and the 1996 Megan's Law requiring public notification when an offender moves into a community.

Residency restriction laws have led to some unanticipated and unintended consequences. In many locations — most noticeably in urban areas — the restrictions have created overlapping exclusion

zones that severely limit where offenders can live. In some cities the only acceptable sites are in high-crime neighborhoods or commercial zones. Even when residential areas are available, sex offenders just released from prison may not be able to find affordable housing in those areas.

If unable to find legal housing, offenders may report false addresses, become homeless or go underground. Others may be forced to live in rural areas with less access to employment or mental health services. Even in rural areas where schools and day care centers are more geographically dispersed, most unrestricted land is forest or farmland.

ASSESSING THE IMPACT OF RESIDENCY RESTRICTIONS

GIS analysis can help officials gauge the impacts of sex offender residency laws. By analyzing mapping data from GIS, they can isolate the exclusion zones and the areas available for housing in their communities. They can also determine whether registered sex offenders are living in compliant housing.

Researchers mapped data from three areas using GIS to locate registered offenders and identify restricted sites and their exclusion zones. Although the localities differed in geography and population, all evidenced limited access to suitable housing.

New Jersey. New Jersey does not have a statewide sex offender residency restriction policy, but as of 2007, 113 municipalities had barred sex offenders from living near parks, beaches, schools, day care centers or bus stops. Restrictions range from 500 to 2,500 feet.

Using GIS mapping, researchers examined three areas in northern New Jersey — the rural townships of Phillipsburg and Alpha in Warren County, the City of Newark, and Bergen County — to assess

the potential impact of residency restrictions near schools.¹

- In the rural townships, researchers plotted the 16 registered sex offenders and the 13 schools and concluded that with a 1,000-foot exclusion zone, five of the offenders would have to move. With the maximum 2,500-foot zone, all 16 offenders would be required to relocate, and city centers would be off-limits. Although about half of the township land was compliant, most of it is uninhabitable farmland and natural reserves.
- Newark showed 196 registered sex offenders and 118 schools. With a 1,000-foot exclusion zone, 127 offenders would have to relocate. With a 2,500-foot zone, this figure jumps to 193, and the main parts of the city become completely off limits. Only about 7 percent of city land would be compliant.
- Bergen County showed 56 registered sex offenders and 410 schools. With a 1,000-foot exclusion zone, 21 offenders would have to move. With a 2,500-foot zone, nearly all of the offenders (51) would have to relocate. About one-third of the county would be compliant, but much of it is natural reserves and roads.

Further complicating the analysis, when schools were located near township or county boundaries, residency restriction zones extended into neighboring jurisdictions. In two cases, exclusion zones extended into adjacent states, making enforcement difficult.

San Diego. California voters overwhelmingly passed a law in 2006 requiring registered sex offenders to live at least 2,000 feet from schools and parks. After the law became effective, researchers used GIS to assess its impact on San Diego County. They began by examining all parcels countywide. They next identified the residential parcels, overlaid school and park exclusion zones, and analyzed parcels outside the exclusion zones. They found that slightly more than 27 percent of the residential parcels were acceptable.²

Hamilton County, Ohio. Hamilton County is a large metropolitan area covering southwest Ohio that includes Cincinnati and parts of Kentucky and Indiana. There were 1,098 registered sex offenders in the county and 353 schools. Researchers overlaid residences of registered offenders with school exclusion zones and found that 494 offenders were living within the zones, but were unable to determine why such a large number were in violation of the law. Approximately 50 percent of all available rental units were found to be in compliant areas of the county.³

CONCLUSION: WHAT MAPPING CAN OFFER

GIS mapping can inform legislators about sexual offender residency requirements — especially in jurisdictions that are contemplating enactment of residency laws. Local officials can use the mapping analysis to determine whether affordable housing is available within approved areas and to evaluate the proximity of that housing to treatment facilities. Such prior analysis can demonstrate whether a proposed law is feasible to enforce. Jurisdictions with a residency law already in place can use the data to assess whether the exclusion zones result in a lack of housing options for offenders.

FOR MORE INFORMATION

- NIJ's Mapping Analysis for Public Safety Web page: www.ojp.usdoj.gov/nij/maps/about.htm
- NCJRS Web page on Sex Offender Registries: <http://www.ncjrs.gov/App/Topics/Topic.aspx?Topicid=114>

¹ Chajewski, Michael, and Cynthia Calkins-Mercado, A Geo-spatial Analysis of Sex Offender Residency Restrictions in the State of New Jersey. New York: John Jay College of Criminal Justice, March 2007.

² Wartell, Julie, Sex Offender Laws: Planning for an Election, San Diego District Attorney's Office, March 2007, available on NIJ's Crime Mapping Web page at <http://www.ojp.usdoj.gov/nij/events/maps/pittsburgh2007/papers/Wartell2.pdf>.

³ Grubestic, Tony H., Alan T. Murray, and Elizabeth A. Mack, Geographic Exclusion: Spatial Analysis for Evaluating the Implications of Megan's Law. Bloomington, Indiana: Department of Geography, Indiana University, and Columbus, Ohio: Center for Urban and Regional Analysis, The Ohio State University, available at <http://ssc.sagepub.com/cgi/reprint/25/2/143>.

