

ALLIANCE FOR CONSTITUTIONAL SEX OFFENSE LAWS
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March 10, 2017

Chairman Reginald B. Jones-Sawyer, Sr.
Assembly Public Safety Committee
1020 N. Street, Room 111
Sacramento, CA 95814

Re: Assembly Bill 558 - OPPOSE

Dear Chairman Jones-Sawyer:

We are writing to you in strong opposition to Assembly Bill (AB) 558 which is expected to be heard by the Senate Public Safety Committee on March 21, 2017.

AB 558 not only attempts to perpetuate California's commitment to the debunked notion that the state's public sex offender registry keeps our communities safe, it also purposely and irrevocably decimates the privacy rights of incest victims. While an incest offender's surname and address may not necessarily be that of the victim's, it often is because the crime involves a family member. In refraining from disclosing the names of victims in criminal cases, our judicial system recognizes and protects a victim's right to privacy. In stark contrast, AB 558 strips away the anonymity of victims by thrusting them into the spotlight for the entire community to see. Victims are thus forced by the state to endure, along with their perpetrator, the same stigmatizing effects of the public sex offender registry.

In addition, AB 558 fails to take into consideration the fact that people who have been convicted of a sex offense do not live in a vacuum. That is, they often have parents who depend on them, a spouse and yes, in cases of incest, children who must be clothed, housed, fed and educated. It is widely acknowledged that inclusion on the state's public sex offender registry makes it difficult if not impossible to find a place to live as well as to find and keep a job, which leaves both registrants and their families, open to harassment and curtails social inclusion. Therefore, a vote in favor of AB 558 must be acknowledged as a legislative decision to effectively re-victimize incest survivors by limiting the family's safety and their economic and social well-being.

Further, AB 558 makes California's families and communities less safe. Rather than encouraging families to report abuse and seek help for both the victim and the offender, this legislation discourages the disclosure of abuse. Knowing a husband, son or father will be subjected to the punishment of the public sex offender registry, families may choose to remain silent.

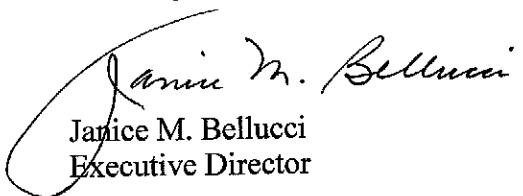
In a recent hearing regarding the Protection Against Sexual Exploitation of Children Act and the Prevention and Deterrence of Crimes Against Children Act, the House of Representatives Committee on the Judiciary noted that "offenders who were related to victims were the least

likely to reoffend.” Due to the low likelihood that an incest offender will commit a future sex offense, the privacy interests of the offender, the victim and the family far outweigh any social value the community might expect from knowing about the offense.

In order to ensure that justice is blind and that our laws are humane, rational, balanced and in line with our American values legislation must be crafted using best practices and the most recent research and scientific evidence available. Introducing legislation that destroys the privacy rights of crime victims, publically identifies incest survivors, makes it nearly impossible to provide for a victims long term economic well-being and discourages families from getting help to end abuse with no corresponding demonstrable benefit to our communities is deplorable.

For the reasons I’ve outlined above we strongly urge you and all the members of the Assembly Public Safety Committee to vote “no” on AB 558.

Sincerely,



Janice M. Bellucci
Executive Director