

Bed-ridden TX registrant denied end-of-life care; “cruel and inhumane,” says NARSOL

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By [Catherine Dominguez](#) . . . An elderly bed-ridden registered sex offender will not be allowed to move in with relatives in a Montgomery County home for end-of-life care after Shenandoah city leaders declined to amend an ordinance that restricts residency.

The daughter of the 79-year-old man sought a waiver to the ordinance adopted in 2018 which restricts registered sex offenders from living within 1,000 feet of a child safety zone per state law. That zone includes schools, parks and public swimming pools. City Attorney William Ferebee said neither state law nor the ordinance provides a method for making exemptions.

The proposed change to the city ordinance, Ferebee said, would

allow the police chief to make that decision on granting that exemption and for how long that exemption would be in place.

Council members appeared to be sympathetic to the end-of-life care situation but agreed the amendment could put the city at risk in the future. The home, Ferebee said, is about 900 feet from the city's toddler park. . . .

A Houston spokeswoman for the National Association for Rational Sexual Offense Laws said the man should be allowed to get care from his family.

"The gentleman in question is dying; he is bedridden; he is in need of end-of-life care," said Sandy Rozek, communications director with the North Carolina-based civil rights organization that works to refine sex offender laws, including doing away with registries. "He is zero threat to anyone. It is cruel and inhumane to deny him and his family this request.

"No category of crime carries with it the potential for this type of restriction or this type of indifference to human suffering," Rozek continued. "Whatever he did, however long ago he did it, he presumably has paid the punishment for his offense, most likely long ago." . . .

[Police Chief] Dunlap said he was not in favor of making exceptions to the 1,000-foot restriction.

"I can give you my answer right now," Dunlap said. "It wouldn't be within that 1,000 feet. It's too much of a liability."

Rozek said the residency restrictions are "completely ineffective."

"In considering re-offense of a sexual assault against a stranger by someone on the (sex offender) registry, there is no correlation between where a registrant lives and any 'child-safe' areas such as schools, parks, swimming pools,"

Rozek said. "This is true whether the original offense was a more or a less serious one."

A [2013 study evaluating sex offender residency restrictions in Michigan and Missouri](#) found that they had little effect on recidivism. . . .

[Read the full piece here at the Courier.](#)