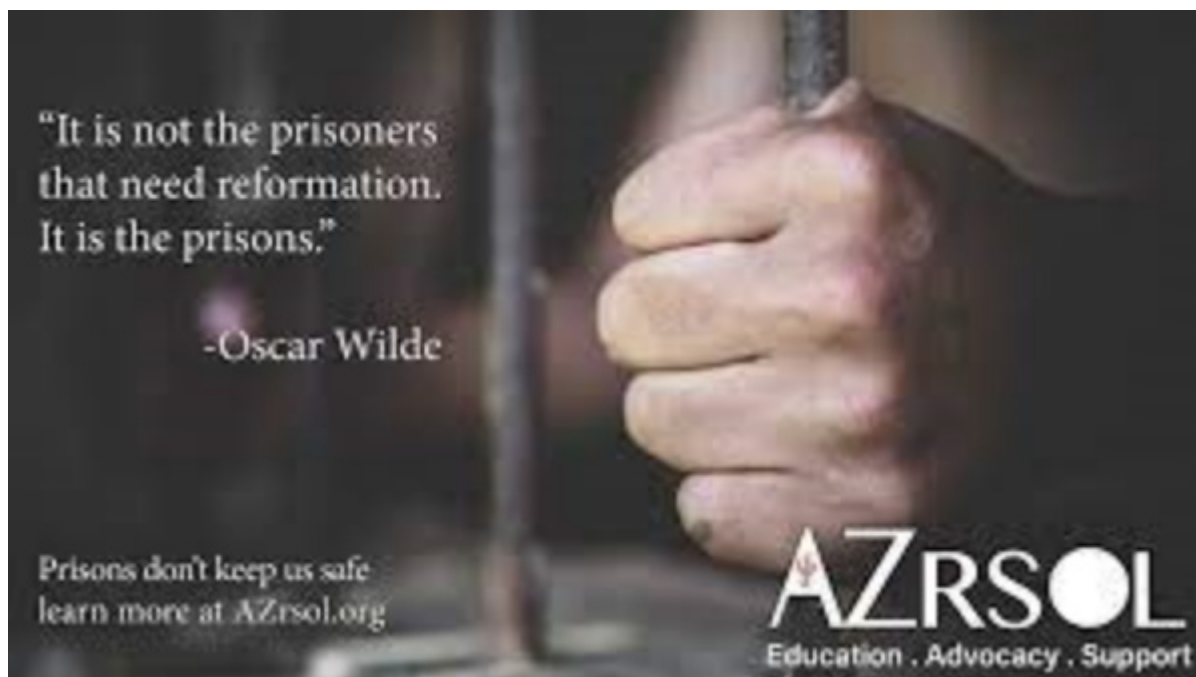


NARSOL's AZ affiliate: "Changes needed in sex offender registry"

written by admin | January 14, 2023



[Published January 13, 2023, at the Arizona Capitol Times.](#)
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AZRSOL . . . In the late 1980s and early 1990s, a rare spate of high-profile child abductions and murders, mostly sexual in nature, terrified America. With constant media coverage, parents across the country were easily led to believe that their children could be in imminent danger. As demands from the public, as well as a few prominent parents of missing or murdered children escalated, legislatures responded, and the sex offender registry was born.

This primal need to protect our children from any possible harm resonates in us all. Human logic supports instincts – if we identify and track those who have committed these crimes, we can better protect those we love. False information surrounding the risk of re-offense by the perpetrators only

increased the willingness to do anything to reduce that risk.

That was 30-plus years ago, and in those years the sex offender registration system has grown to the point that children as young as 9 can be registered, and teenagers having consensual sex and sexting can be registered. The rules, restrictions, and background checks often dictated by the registry can be onerous and destroy any rehabilitation initiatives and lifetime registration with no path off the registry destroys all hope for a better tomorrow.

Something else has happened in those 30 years. We now have a massive body of evidence showing that every premise upon which registration was built is false. It does not reduce sexual recidivism, neither violent nor nonviolent. It does not reduce first-time sex crimes. Furthermore, the purported high rate of re-offense is non-existent.

Finally, the American Law Institute is calling for changes. The institute is an independent organization of thousands of lawyers, judges, and scholars who published The Model Penal Code in 1962 to encourage the states to standardize their criminal codes. Even though it is not legally binding, it proved to be influential as a majority of states adopted it, either in part or in whole. Their current revision to the sex offender codes has taken nearly a decade to complete and is intended to guide the states in updating their laws based on the empirical knowledge we have gained since 1962.

The changes recommended by the American Law Institute involve four areas:

- Limiting registerable offenses to the more dangerous ones.
- Providing registry access to law enforcement only.
- Modifying registration terms, especially abolishing lifetime registration and the ability to register children.

- Abolishing blanket restrictions that automatically curtail all registrants' rights and freedoms.

These revised recommendations are based on 30 years of research and would make our laws more just regarding crimes of a sexual nature and those who commit them.

On May 18, 2022, the American Law Institute, at its annual meeting approved the changes and gave the project final approval.

Arizonans for Rational Sex Offense Laws supports the American Law Institute's revised Model Penal Code as it pertains to the management of sexual crimes and calls upon the Arizona Legislature to enact laws that reflect the American Law Institute's recommendations.