

February 14, 2022

Dear Council of the American Law Institute,

On behalf of the Association for the Treatment of Sexual Abusers (ATSA), we strongly recommend adopting the proposed changes to Article 213 of the Model Penal Code for which the Council reserved consideration. The proposed changes are a much-needed revision, grounded in research, that address the shortcomings of sexual offender registration and community notification (SORN) as currently practiced in the United States. ATSA believes the proposed changes promote rather than hinder public safety.



ATSA is a U.S. based international organization dedicated to making society safer by preventing sexual abuse. ATSA members work every day navigating the legal and judicial systems that permeate the lives of individuals at risk of sexually offending, their families, and the survivors of sexual abuse. As treatment providers, researchers and educators, victims' rights advocates, law enforcement and court officials, ATSA members support the proposed changes as the next evolution of evidence-based practice built on decades of research that move society closer to realizing a world without sexual abuse.

Laws that require children and teens to register as sexual offenders do not make society safer. ATSA's position is that SORN laws are not appropriate for children and adolescents convicted of a sexual crime and we should eliminate this practice. Instead, policy and legislation should focus on research-based interventions that will prevent re-offending, facilitate healthier lives for America's youth, and create healthier and safer communities for everyone.

Research to date has not demonstrated that SORN laws reduce first time sexual offenses or prevent re-offense for those who have been convicted of a sexual crime. As a result, SORN as currently practiced in the U.S. does not achieve the intended goals of preventing sexual abuse, protecting the community, or reducing the risk of those required to register. SORN laws also have many unintended consequences for those required to register and their families, which can increase rather than decrease the risk of re-offending. If the goals of SORN laws are to prevent sexual abuse and reduce recidivism, we need legislative reform to ensure these laws are consistent with current empirical research.

We commend Project Reporter Stephen Schulhofer and Associate Reporter Erin Murphy for their leadership in updating Article 213 of the Model Penal Code. The project reporters have crafted a revision that aligns with ATSA's efforts to promote public safety and reduce recidivism through empirically based policy recommendations. The project reporters, advisers and consultants have based their recommendations on the overwhelming research cited throughout the proposed draft.

ATSA strongly urges the Council to approve the proposed changes to Article 213 of the Model Penal Code.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maia Christopher', is positioned below the word 'Sincerely,'.

Maia Christopher
Executive Director, ATSA