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October 20, 2022

Secretary Marcia L. Fudge
U.S. Department of Housing and
Urban Development
451 7th Street, S.W.
Washington, DC 20410

**SENT VIA CERTIFIED
US MAIL**

**RE: LACK OF REENTRY HOUSING IN FLORIDA FOR
PERSONS REQUIRED TO REGISTER AS SEX OFFENDERS**

Dear Secretary Fudge:

I am President of the Florida Action Committee, Inc. (FAC), a 2500+ member non-profit organization that advocates for public safety and laws based on empirical research. Our focus is on the Florida Sex Offender Registry.

I am writing in response to your letter, dated June 23rd, 2021, addressed to Public Housing Authorities, Continuums of Care, Multifamily Owners and HUD Grantees concerning reentry housing.

In that letter you wrote that public safety was among your priorities and that one of the most important ways you can meet that priority is to “ensure that people leaving prisons and jails are supported in their reentry to the community.” You further wrote that, “[r]esearch also shows that people who lack stable housing following incarceration face a higher likelihood of rearrest and reincarceration. On the other hand, a stable home can serve as the foundation upon which returning citizens can rebuild their lives, obtain employment, improve their health, and achieve recovery.”

Our organization completely agrees with your statement and having been involved in reentry for more than a decade, I know that there is overwhelming empirical research that supports the conclusion that housing instability is a trigger for re-offense. Accordingly, access to housing is one of the most important ways we can make our communities safer.

Unfortunately, the State of Florida, all its individual Counties and most of its cities have enacted Sex Offender Residency Restrictions (“SORR”). These SORRs are exclusion zones which prohibit a person required to register as a sex offender from living within a specified distance from schools, parks, playgrounds and other places. In the more densely populated areas, SORRs effectively ban registrants from living in entire cities.

In Miami-Dade and Broward Counties, more than one-quarter of the people on the Sex Offender Registry are homeless.¹ This is not for lack of funds or family/friends who would gladly take them in. It is a direct cause of the SORRs, which have legislated these individuals into homelessness.

There are no shelters, halfway houses, or other transitional housing facilities that can take these individuals in Southeast Florida. They are excluded from all but small pockets of availability in which the stock of available residential units are quickly consumed because in Florida registration is *for life*. Each year Florida adds more people to its registry with no attrition. This problem has famously led to an encampment of homeless sex offenders living under a bridge in Miami-Dade² and nearly three hundred registrants living along a two-block stretch of Federal Highway in Ft. Lauderdale.

Our organization has repeatedly written to lawmakers in these areas. We have made them aware of this human rights and public safety crisis. And we have shared the research showing the ineffectiveness of SORRs. Unfortunately, no politician wants to appear as though they are doing something to help a despised population.

While we understand the popularity of these SORRs, lawmaker’s primary concern should be public safety. Research suggests there is no evidence that SORRs reduce sexual offending or recidivism.³ This fact has been demonstrated across numerous studies, including the U.S. Department of Justice, which concluded that SORRs should not be viewed as a viable strategy for protecting communities.⁴

To the contrary, SORRs create barriers to reentry by fostering housing instability, separation from family and support systems, and isolation, all of which are factors that increase recidivism. Transient registrants are more likely than those with homes to abscond from registration.⁵ ATSA, an international, interdisciplinary non-profit organization for the advancement of professional standards and practices in the field of sex offender evaluation and treatment, suggests that SORRs may cause higher levels of recidivism.⁶ SORRs also create a fiscal burden for taxpayers associated with mapping, monitoring, enforcement, court costs, and incarceration costs.

¹ <https://offender.fdle.state.fl.us/offender/publicDataFile.jsf>

² https://www.aclu.org/sites/default/files/field_document/151_-_plaintiffs_proposed_findings_of_fact_and_conclusions_of_law.pdf

³ Nobles, Matt R., Jill S. Levenson, and Tasha J. Youstin. "Effectiveness of residence restrictions in preventing sex offense recidivism." *Crime & Delinquency* 58.4 (2012): 491-513

⁴ http://smart.gov/SOMAPI/sec2/ch6_registration.html

⁵ Levenson, J. S., Ackerman, A. R., Socia, K. M., & Harris, A. J. (2015). Where for Art Thou? Transient Sex Offenders and Residence Restrictions. *Criminal Justice Policy Review*, 26(4), 319-344. doi:10.1177/0887403413512326

⁶ https://www.atsa.com/pdfs/Policy/2014-02-18_ATSA_CCASA_Amicus_Brief.pdf

It is one thing to ban a single person from transitional or public housing based on an individualized assessment that the person will present a danger to others. It is entirely something else to indiscriminately ban an entire category of people from transitional, public, emergency shelter, or even private housing, *for life*, regardless of their offense, how long ago it was committed or their present risk.

My purpose for writing is to plead with you to immediately convene a committee to investigate the homeless registrant crisis in Florida, particularly Miami-Dade, Broward and Palm Beach Counties. This human rights and public safety crisis can no longer go unaddressed.

I would greatly welcome the opportunity to discuss this important issue with you further and provide additional research for your consideration.

Respectfully Submitted,
/s/ Gail Colletta
Gail Colletta, President

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