



Sex offender speaks out against Alabama bill that would regulate sex offender clusters



State law requires residents to be notified when a registered sex offender moves nearby. These are notifications mailed to a home near a church in Chilton County where an average of about 10 sex offenders lives. (Mike Cason/mcason@al.com)

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MONTGOMERY, Alabama --- A registered sex offender is doing what he says few other offenders will do, [speaking out against a bill that would further restrict where they can live.](#)

Derek Logue opposes a bill that would make it illegal for sex offenders to live at the same residence without a live-in monitor and a license from the sheriff. Legislators and a prosecutor in Autauga and Chilton counties say the licensing and monitoring are needed to protect the public from having large numbers of offenders in one place.

Logue says it's already hard enough for them to rejoin society after leaving prison. They can't live or work within 2,000 feet of a school or daycare.

"There's not a lot of hope for us," Logue said. "But transitional housing at least gives people some stability. What you want is to have a chance to reintegrate back into society."

Logue said they need stability during the first couple of years after prison and said that's when they are more likely to commit another crime. He said the bill would effectively block halfway houses and group homes that could help offenders and reduce recidivism.

Officials in Chilton and Autauga counties say their priority is public safety.

C.J. Robinson, chief deputy district attorney for Autauga, Elmore and Chilton counties, said 49 sex offenders have lived at the same Chilton County address since 2010. An average of about 10 live there on most days, Sheriff Kevin Davis said. They live in trailers behind a small church. It's not in a dense neighborhood, but there are houses scattered along the two-lane highway near Triumph Church, which is outside Clanton.

Robinson said nothing in state law prohibits such a concentration of sex offenders. Laws pertaining only to Birmingham and Jefferson County restrict sex offenders from living together there.

Robinson compiled his numbers from notices the district attorney's office receives when a registered sex offender moves into the county. He points out that only two of the 49 men committed their crimes in Chilton County.

More than half of the 49 were convicted of rape. Most of their victims were minors, including many who were children.

Sheriff Davis said the men have not caused a problem. Robinson said he doesn't want to wait until they do.

"I don't have the luxury to morally sit and wait until we have a child or a woman victimized by one of these men," Robinson said in an email. "They have no ties to Chilton County and I would like to see them return to from where they came. We will take our troubled souls back, other counties should tend to their own as well. This community wants to send a message that we are not a landfill for the rest of the state to dump their sexual predators on."

Ricky Martin, pastor of Triumph Church, declined an interview request from AL.com.

Logue said he doesn't know Martin or know about the program, but says the fact that the men haven't caused a problem seems noteworthy.

"Despite how they may feel about this group of people, it seems like the program is pretty successful," Logue said.

Bill pre-filed for January

Reps. Kurt Wallace, R-Maplesville and Paul Beckman, R-Prattville, are sponsoring House Bill 21, pre-filed for the legislative session that starts in January. It would define a lot where two or more unrelated sex offenders live as a "residential sex offender cluster." It would make it illegal for a sex offender to live in a cluster that was not licensed by the sheriff. It would make it illegal for a person to own or operate an unlicensed cluster.

In addition to the place in Chilton County, Beckman said multiple sex offenders live in trailers on a piece of land in Autauga County.

“We’re right now trying to protect the public,” Beckman said. “And the public is saying to us right now in Chilton County and in Autauga County, ‘We don’t want to take care of other people’s sex offenders.’”

Wallace proposed a similar bill during this year’s legislative session, but it failed.

Logue spoke against that bill at a public hearing. He plans to return to speak against the new bill next year.

“Most registered citizens are too afraid to speak out,” Logue said. “Somebody has to be a voice because so few of us are willing to speak out.”

Logue pleaded guilty to first degree sexual abuse in 2001 in Franklin County. His victim was an 11-year-old girl. He was released from prison in 2003 and lives in Cincinnati.

[Logue operates a website called Once Fallen.com](#) and advocates for reforms of laws that limit where sex offenders can live and work. He supports punishment for sex crimes but says punishment should not continue after an offender has served his time.

Proponents of HB21 say sex offenders living together could negatively influence each other and make it more likely they will commit another crime.

"I don't like the idea that like minds are all together," Beckman said.

Logue takes issue with that and says sex offenders are not a homogenous group.

“We’re not all pedophiles,” Logue said. “We’re not all rapists.”

Proponents of HB21 say they would not oppose sex offenders living in facilities that effectively counsel or treat them, although they say they know of no such program. The bill would authorize the Alabama Department of Mental Health to promulgate rules for residential sex offender clusters.

David Jackson, chief operating officer for the department, said it does not certify treatment programs for sex offenders.

Concern about unintended consequences

A lawyer for a nonprofit organization that advocates for criminal justice reforms said there could be unintended consequences of restrictive laws that make it hard for sex offenders to find homes and jobs.

“First and foremost, I don’t think anyone disagrees that our first priority as a society should be to protect our children,” said Ateeyah Hollie, who works for the Southern Center for Human Rights in Atlanta. “While I appreciate the lawmakers attempt at doing so, my main concern is that they do so in a practical manner that won’t further endanger our community.”

"The more restrictive we get with these residency and employment restrictions, the more likely we're going to increase recidivism, which I don't think is the lawmakers' intent."

Hollie said instability in residency and employment are key factors in recidivism.

Hollie spoke against the bill Wallace proposed during this year's legislative session. She has not read the new bill.

Registration and residency restrictions on sex offenders gained national attention in the 1990s. Congress and states passed what were called Megan's Law, named after a 7-year-old New Jersey girl who was assaulted and murdered by a neighbor who was a convicted sex offender.

A 2012 report funded by the National Institute of Justice, "Sex Offenders: Recidivism and Collateral Consequences," examined the effect of sex offender registration and notification laws on recidivism.

The researchers found that the laws had limited effect on recidivism. The report said sex offenders have an overall low rate of recidivism but that some are high-risk, and that laws would be more effective if they targeted the high-risk offenders instead of all sex offenders.

Logue said some of the restrictions on residency and work amount to continual punishment after a prison sentence ends.

"When a person has served his time and they get out they should be given an opportunity to become a productive member of society," Logue said. "We don't treat murderers the same way. We don't say murderers can't live within 2,000 feet of another human being. That would be silly."

Logue said there are effective rehabilitation programs.

"If we're really serious about trying to prevent reoffending, we should be doing things that we know work," Logue said. "Rehabilitation is not popular, but it's the right thing to do."

Wallace and Beckman said their bill would allow Alabama counties flexibility on how to handle sex offender clusters because it would be up to sheriffs to decide whether to license them.

"Until somebody comes up with a program that can be sanctioned by the state that proves we can improve the frequency of these guys reoffending, I'm just going with what I say is common sense," Wallace said.