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Should sex offender registries be accessible?

Before you buy a house or a condominium, should you be entitled to know whether there is a convicted sex offender living in the area? Should Canada's national sex offender registry be accessible by the public?

The recent media furor over convicted killer Karla Homolka raises the interesting questions of whether her former neighbours in a Montreal suburb knew her whereabouts, and whether anyone moving into the neighbourhood was entitled to know in advance that she lived there. Her current whereabouts is unknown.

Unlike many areas in the United States, Canada's sex offender registry is not public information and is only accessible by law enforcement agencies across the country.

When the registry was implemented at the end of last year, Deputy Prime Minister Anne McClellan announced that it was "another demonstration of the government of Canada's commitment to enhance public safety and security especially for children."

The database allows 60,000 police officers across the country to conduct a search to determine whether a sex offender lives at, or near, any particular address. It can only be used for the main purpose of investigating unsolved crimes of a sexual nature.

It cannot be used by a member of the public to determine whether they are living near, or about to move near, the residence of a person with a criminal record relating to a sex crime.

The federal government finally set up the national registry more than three years after the province of Ontario established its own provincial sex offender registry with the passage of Christopher's Law in April, 2001.

The provincial registry was sparked by the brutal 1988 murder of 11-year-old Christopher Stephenson at the hands of a convicted pedophile on federal statutory release. At the 1993 inquest into Christopher's death, the coroner's jury recommended creating a national registry for convicted sex offenders, requiring them to register with their local police service.

The Canadian practice of restricting registry use to police forces contrasts sharply with the policy in many parts of the United States where sex offender registries are not only available to the public, but are instantly searchable without cost on the Internet.

Suppose, for example, that I wanted to buy a home or condominium in downtown Detroit, Michigan, zip code 48202, which I chose at random last week. Within a matter of seconds, I was able to visit the website of the state's public sex offender registry at <http://www.mipsor.state.mi.us>, and determine that I would have 37 neighbours who had been convicted of sex crimes. The neighbouring zip code 48203 yielded 82 hits, and 48204 listed 69 names.

Saginaw, Mi. zip code 48601 produced an incredible 152 hits.

The Michigan website lists the name, sex, birth date, height, weight, hair and eye colour, address, and offences of each person listed, and in most cases it also displays a photograph of the offender.

New York State has a similar registry at <http://www.criminaljustice.state.ny.us/nsor> for offenders who committed their crimes after Jan. 21, 1996. Other states have similar sites.

The United States Department of Justice is in the process of co-ordinating all of the state sex offender registries, with the stated goal of "working with our state and local partners to keep our communities safe from sexual predators."

The department has launched a nationwide, Internet-based, searchable national sex offender public registry website. A statement on its website reads, "The silent sex offender can be just as dangerous as notorious neighborhood gang members, and because of this we must keep parents and communities informed and engaged."

In a statement on the United States Department of Justice website (<http://www.nsopr.gov>), U.S. attorney general Alberto R. Gonzales said, "The National Sex Offender Public Registry will provide one-stop access to registries from all 50 states and the District of Columbia by the end of the year. With this technology, every citizen will be able to search the latest information for the identity and location of known sex offenders. Sharing information with concerned citizens and parents is an integral part of our strategy to protect communities from these predators who wish to harm the most vulnerable among us."

The private sector is also involved in the field. A website at <http://www.sexoffender.com> offers a privately-run database, offering criminal background record searches to the public, and <http://www.scanusa.com> offers email alerts if a sex offender moves into any given zip code.

The latest development in the United States may foreshadow a trend for new subdivisions in the United States and possibly Canada. The Milwaukee Ridge development in Lubbock, Tex., with a planned 665 houses, will require background checks on all homeowners. Penalties

may be enforced if owners sell to a convicted sex offender or allow one to live in their homes.

Neighbouring Brazoria, Tex. occupies zip code 77422, but there won't be any sex offenders there. Brazoria is banning sex offenders from living within its city limits.

A local bylaw prevents sex offenders from living within 1,000 feet of any place where children gather. That's every house in town but one. The ordinance also makes it a crime for landlords to rent knowingly to registered sex offenders.

Canadian legislation is far behind that in the United States when it comes to public disclosure of the whereabouts of convicted sex offenders.

In the end, it's a matter of balancing an individual's right to privacy with the public interest in protecting our communities and children from sexual predators.

What do you think? Who has it right Ottawa or Washington? Should Canada's national sex offender registry be available to the public by phone or on the Internet? Does the public interest override an individual's right to privacy?

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