

## AGENDA

### COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

**January 15, 2008**  
**Aldermen Shea, O'Neil,**  
**Sullivan, J. Roy, Ouellette**

**5:00 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman Shea calls the meeting to order.
2. The Clerk calls the roll.
3. Alderman Shea advises this is the first organizational meeting of the Committee and requests the Clerk's advice as to typical items addressed by this Committee.  
**Gentlemen, what is your pleasure?**
4. Communication from Parking Manager advising of a request of Heidi Roy to use the Arms Lot on Saturday, August 9, 2008 to host a bicycle tour.  
**Gentlemen, what is your pleasure?**
5. Communication from Deputy Traffic Director requesting the Committee's support to the Board in securing an aerial truck in the next budget.  
**Gentlemen, what is your pleasure?**
6. Chairman Shea advises the Traffic Division has submitted an agenda which needs to be addressed:

**RESCIND STOP SIGNS - 4 -WAY- EMERGENCY ORDINANCE:**

On Candia Road at Proctor Road, SWC, NEC,(Ord. 0184)  
Alderman Pinard

**RESCIND NO PARKING ANYTIME:**

On Renard Street, north side, from a point 60 feet east of Benjamin Street to a point 80 feet easterly (Ordinance number not yet assigned)  
Alderman Shea

**RESCIND NO PARKING ANYTIME:**

On Notre Dame Ave., east side, from a point 100 feet north of Wayne Street to a point 50 feet north (Ord.3441)  
Alderman Ouellette

**RESCIND NO PARKING ANYTIME:**

On Notre Dame Ave., west side, from a point 180 feet south of Amory Street to a point 73 feet southerly  
Alderman Ouellette

**NO PARKING ANYTIME:**

On Notre Dame Ave., west side, from a point 195 feet south of Amory Street to a point to a point 58 feet southerly  
Alderman Ouellette

**Gentlemen, what is your pleasure?**

7. Chairman Shea advises the Traffic Division has submitted items for discussion:

**DISCUSSION:**

“Do Not Block Intersection” signs  
Increase fines from \$50.00 to \$100.00  
List fine amount on signs  
Alderman Osborne

8. Communication from Parking Manager submitting a proposed ordinance amendment for the in vehicle parking meters and requesting the Committee recommend the Board suspend the rules at the February 5<sup>th</sup> meeting to allow for adoption due to timing constraints.

**Gentlemen, what is your pleasure?**

**TABLED ITEMS**

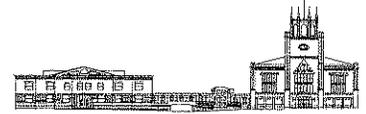
*A motion is in order to remove any item from the table.*

9. Communication from Alderman Shea proposing the establishment of a Manchester Crime Prevention Committee.  
*(Tabled 12/12/2006)*
10. Report from Police and City Solicitor regarding commercial vehicle definitions, if available.  
*(Tabled 12/04/2007)*  
*(Note: Response from Deputy Public Works Director enclosed.)*

11. Ordinance amendment relating to restrictions on registered sex offenders.  
*(Tabled 09/04/2007 – pending further research by the City Solicitor office;  
re-tabled 12/04/2007.)*
12. If there is no further business, a motion is in order to adjourn.

# CITY OF MANCHESTER

## PARKING DIVISION



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

January 11, 2008

Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101

Re: Use of Arms Parking Lot

Dear Alderman Shea:

I received a request from Ms. Heidi Roy to use the Arms Parking Lot on Saturday, August 9<sup>th</sup>, 2008 for hosting a bicycle tour. I have no objection to this use of the parking lot, and respectfully request that the committee approve Ms. Roy's use of the lot.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Brandy Stanley  
Parking Manager

CC: Committee Members  
Jay Minkarah

James P. Hoben  
Deputy Traffic Director



**CITY OF MANCHESTER**  
**Department of Highways**  
*Traffic Division*

December 21, 2007

Committee on Public Safety, Health and Traffic  
One City Hall Plaza  
Manchester, New Hampshire 03101

Re: Traffic Division's aerial service truck

Gentlemen:

Last week, our thirteen year old aerial truck was taken out of service due to a crack in the pedestal which supports the entire boom assembly. The truck was sent to the manufacturer and upon inspection, was deemed permanently disabled. Currently, we are being assisted by the Fire Department in emergency situations. This vehicle is primarily used in servicing the traffic signals, but is also used in parking lot light repair, street light repair, Christmas decorating activities, banner installations, and many other tasks too numerous to list.

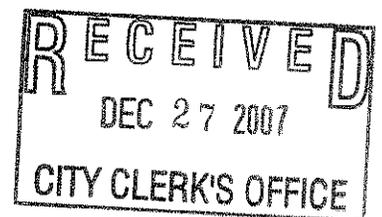
As you are aware, the budget process will be starting shortly and we ask for your support in securing funding through the M.E.R. account to replace this important city vehicle.

I will be available to answer any questions that you may have, and look forward to your favorable response.

Very Truly Yours,

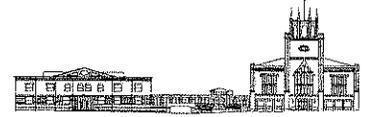
James P. Hoben  
Deputy Traffic Director

C: Kevin Sheppard, P.E.



# **CITY OF MANCHESTER**

## **PARKING DIVISION**



Brandy Stanley  
Parking Manager  
bstanley@manchesternh.gov

**January 10, 2008**

**Alderman Bill Shea  
Chairman, Committee on Public Safety & Traffic  
One City Hall Plaza  
Manchester, NH 03101**

**Re: In Vehicle Parking Meters**

**Dear Alderman Shea:**

**Tuesday, January 15<sup>th</sup> will mark the end of the In-Vehicle Parking Meter pilot program, and we would like to request that the committee consider passing the attached ordinance on a permanent basis. While we have yet to make a formal recommendation to the committee on the vendor of choice, the experience our enforcement staff, our customers and our administration personnel has had with the program in general has been extremely positive.**

**Because the response has been so good, we would like to move forward with a permanent program, as many pilot participants do not wish to give up the convenience of their meters. We will have a full report of the results of the pilot as well as a recommendation for the winning vendor at the full board meeting on February 5<sup>th</sup>.**

**Should the committee pass the proposed ordinance, we would like to request that, at the pleasure of the board, the rules be suspended at the full board meeting and passed and enrolled on February 5<sup>th</sup>. Please do not hesitate to contact me should you have any questions.**

**Sincerely,**

**Brandy Stanley  
Parking Manager**

**CC: Committee Members  
Jay Minkarah**

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**“Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester; 70.48 by making new section (E) a permanent ordinance and to eliminate the last sentence in the ordinance in order to remove the Parking Manager’s authority to grant up to a 50% discount as approved by the Mayor and Board of Aldermen.”**

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**). All other sections of the above referenced ordinance will remain unchanged.

**§ 70.48 DENOMINATION OF COIN TO BE DEPOSITED AND TIME ALLOTTED THEREFOR.**

(E) In vehicle parking meters.

The other provisions of § 70.48 of this chapter notwithstanding, In Vehicle Parking Meters may be used in lieu of payment made directly to the parking meter. In Vehicle Parking Meters will be valid at any space in the city that requires payment of a parking meter. In Vehicle Parking Meters will only be valid when properly activated in accordance with the rate structure and time limit for the space in which the vehicle is parked and displayed on the curb side dashboard so that both the meter and the readout on its screen is clearly visible from the exterior of the vehicle. ~~The Parking Manager may grant up to a fifty percent (50%) discount off of the rate structure to a pilot program participant.~~



# CITY OF MANCHESTER Board of Aldermen



IN BOARD OF MAYOR & ALDERMEN

DATE: November 28, 2006

ON MOTION OF ALD. Shea

## MEMORANDUM

SECONDED BY ALD. Pinard

refer to the Committee on  
VOTED TO Public Safety and Traffic.

*T. M. Brennan*  
CITY CLERK

To: Board of Mayor and Aldermen

From: Alderman Shea *M.P.S.*

Date: November 28, 2006

Re: Establishment of a Manchester Crime Prevention Committee

My purpose in proposing the establishment of such a committee would be to examine the causes for increases in serious crimes in Manchester and I am recommending that members of the committee include the following:

- a) Manchester Police Chief (Chairman);
- b) a representative of the NH State Police;
- c) a representative of the Sheriff's Department;
- d) a representative of the Manchester Police Commission;
- e) a representative of the DEA (research purposes);
- f) a representative of the FBI (research purposes);
- g) Chairman of the Board of Aldermen;
- h) a representative of the Office of Youth Services;
- i) a representative of the Mayor's office; and
- j) utilization of local colleges for research purposes.

The committee would be in conjunction with the Mayor's action plan for neighborhood improvements and predicated upon the Manchester Refugee Resettlement Advisory Committee report submitted in May 2006.

Upon conclusion a report would be submitted to the Board of Mayor and Aldermen for their review no later than March 2007.

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9-4-07 Tablod  
12-4-07 RETABLED



**City of Manchester  
Office of the City Solicitor**

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6523 Fax (603) 624-6528  
TTY: 1-800-735-2964  
Email: [solicitor@ManchesterNH.gov](mailto:solicitor@ManchesterNH.gov)

Thomas R. Clark  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

Daniel D. Muller, Jr.  
~~Michelle A. Battaglia~~  
Gregory T. Muller  
~~Michael A. Beausoleil~~

August 29, 2007

Committee on Public Safety  
c/o City Clerk  
One City Hall Plaza  
Manchester, NH 03101

Re: **Draft Ordinance**

Dear Committee Members:

As requested by Alderman Roy at the last Board of Mayor and Aldermen meeting, I am enclosing a draft of an ordinance relating to restrictions on registered sex offenders for discussion before the committee.

Very truly yours,

Thomas R. Clark  
City Solicitor

TRC/hr  
Enclosure

cc: Ald. Mark Roy

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# DRAFT

## Restrictions on Registered Sex Offenders

### A. Definitions.

1. Registered Sex Offenders shall mean any person who has been convicted of a crime and is required to register pursuant to the provisions of RSA Chapter 651-B.
2. School shall mean any public or private educational facility that provides services to children from preschool grades through grade 12.
3. Day Care Center shall mean a duly licensed facility that provides care to children up to age \_\_\_\_\_.
4. Park or Playground shall mean any park, playground, beach, recreation center, or any other area in the city, owned or used by the city, and devoted to active or passive recreation.
5. Premises shall mean the building structure or cartilage surrounding the building, playground area or playing fields, or courts.
6. Radius shall mean the distance measured from the outer property lines.

### B. Restrictions.

1. Any person who is a registered sex offender shall not reside within a \_\_\_\_\_ foot radius of the property line of a school, day care center, park, playground or a library.
2. Any person who is a registered sex offender is prohibited from entering upon the premises of a school or day care center unless specifically authorized by the school administration or day care owner.

### C. Exceptions; This section shall not apply to the following:

1. Any person who is incarcerated at a state or county correctional facility or a juvenile facility, or who is involuntarily committed to any such facility.
2. Any person who has established a residence prior to the effective date of this ordinance.
3. Any person who is a minor or ward under guardianship.

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D. Penalties.

1. Any person found in violation of the provisions of this ordinance shall be subject to a fine of not less than \$ \_\_\_\_\_ for the first offense, and a fine of not less than \$ \_\_\_\_\_ for any subsequent offense.

IN BOARD OF MAYOR & ALDERMEN

DATE: August 7, 2007

ON MOTION OF ALD. Osborne

SECONDED BY ALD. Duval

refer to the Cmte. on

VOTED TO Public Safety, Health and Traffic.

*[Signature]*  
CITY CLERK  
*[Signature]*

August 1, 2007

Board of Mayor and Aldermen  
1 City Hall Plaza  
Manchester, NH 03101

Dear Board of Mayor and Aldermen,

Several cities and towns have adopted this ordinance and I think it's about time as one police chief said if it saves one child the ordinance is worth it.

Your consideration is greatly appreciated.

Sincerely,

*[Signature of Leo Pepino]*

Leo Pepino

RECEIVED  
AUG 1 2007  
CITY CLERK'S OFFICE

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# Sex-offender law has penalties for landlords

◆ **In Boscawen:** Measure passed with no members of the public attending.

**BOSCAWEN** (AP) — A debate is developing over how the town approved restrictions on where sex offenders can live.

The ordinance went into effect after a public hearing on July 2 that was attended by no members of the general public.

Town officials posted notice of the hearing beforehand, but said they did not publicize passage of the new ordinance until they notified affected residents. It prohibits sex offenders from living near places where children gather, including schools, playgrounds, child care centers, churches and libraries.

"We don't feel we've done anything against what the pulse of the town would be," said selectmen Chairman Ed Maloof.

Unlike restrictions in other towns, Boscawen's ordinance would fine landlords or Realtors who lease or sell living spaces to sex offenders, Interim Police Chief Sean Sweeney said.

According to the minutes, one resident — who is the town's

planning and zoning secretary — attended the hearing, along with the three selectmen, the police chief, the town administrator and the secretary.

Franklin, Tilton and Northfield passed similar ordinances this spring. Sweeney said he was concerned that sex offenders whose housing options were limited in those towns might have moved to Boscawen instead.

Claire Ebel, director of the New Hampshire Civil Liberties Union, said the hearing should have been widely publicized beforehand. She said she was concerned residents did not have a chance to provide adequate comment at the hearing, which was two days before the July 4 holiday, when many people were on vacation.

Ebel said the new restrictions virtually exclude convicted sex offenders from each town that has passed such a regulation. Sweeney said it's possible

Boscawen's ordinance will cause sex offenders to look elsewhere to live.

Such rules were controversial in Sanbornton, where officials decided last week to table a similar town proposal after residents called selectmen to object.

New Hampshire's right-to-know law requires town officials to inform residents of public hearings by posting a notice in a public place, but Ebel said town officials should have gone a step further.

Landlords and motel owners received letters last week with copies

of the new ordinance, and Sweeney said he visited several other rental properties and boardinghouses to make sure people know about the change.

"I'd much rather (pass the ordinance) and hear the negative (feedback) than have to hear from someone coming in who was the victim of a heinous crime," Sweeney said.

*Unlike restrictions in other towns, Boscawen's ordinance would fine landlords or Realtors who lease or sell living spaces to sex offenders.*

*DOVER CODE*  
**OFFENSES**  
**CHAPTER 131**

- 131-1. Loitering and obstruction.
- 131-2. Benches.
- 131-3. Prohibited weapons.
- 131-3.1. Safe Storage of Firearms.
- 131-4. Fishing in restricted areas.
- 131-5. Identification of certain workers.
- 131-6. Consumption and possession of alcoholic beverages.
- 131-7. Park hours.
- 131-8. Consumption, sale and dispensing of alcoholic beverages in city-owned buildings.
- 131-9. Motor vehicles on school property and park grounds.
- 131-10. Private property rights.
- 131-11. Public peace.
- 131-12. Interference with law enforcement officers.
- 131-13. Keeping controlled drugs.
- 131-13.1 Fireworks.
- 131-13.2 Operation of boats and vehicles on Willand Pond restricted.
- 131-14. Violations and penalties.
- 131-15. Sale of rolling papers to minors.
- 131-16. School Truancy.
- 131-17. Facilitation of a Drug of Underage Alcohol Party.
- 131-18. Use of tobacco products in Henry Law Skate Park
- 131-19. Use of tobacco products on the grounds of the McConnell Center
- 131-20. Registered Sex Offender Restrictions

[HISTORY: Adopted by the City Council of the City of Dover 10-28-81 as Ord. No. 7-81. Amendments noted where applicable.]

OFFENSES

131-20

131-20

131-20. Registered Sex Offender Restrictions. [Added 10-19-05 by Ord. No. 18-2005]

A. Definitions.

1. Registered Sex Offender – This Chapter shall only apply to offenders who have been convicted of the crime against a person under the age of 18 and as a result, is required to register for life pursuant to RSA 651-B:6 I. [Amended 01-17-2007 by Ord. No. 15-2006]
2. School/Day Care – Any public or private educational facility that provides services to children in grades K-12 or licensed day care facility that is clearly marked.
3. Premises – Shall mean the building structure or curtilage surrounding the building, playground area or playing field, or courts.
4. Radius – Distance shall be measured from the outer property lines.

B. Restrictions

1. Any person who is a convicted sex offender involving a minor, and is required to register for life, shall not reside within a 2500 foot radius of the property line of a school or day care center.
2. Any person who is a convicted sex offender involving a minor, and is required to register for life, is prohibited from entering upon the premises of a school or day care center, unless specifically authorized by the school administration or day care center owner.

C. Exceptions.

A registered sex offender residing within 2500 feet of a school or day care is not in violation if the residency was established prior to the date of passage.

D. Penalties

Any person violating the provisions of this Chapter shall be subject to a fine of not less than \$500 for the first offense, and \$1000 for any subsequent offense.

# New England News

WHDH

## Statistics: most sex offenders know victims

CONCORD, N.H. -- New Hampshire authorities say recent ordinances to prohibit sex offenders from living near schools and parks probably won't stop most assaults against children.

Boscawen, Franklin, Tilton and Northfield have recently adopted ordinances prohibiting sex offenders from living near gathering places for children. Dover adopted regulations two years ago.

But authorities say most sex offenders know their victims.

Authorities note that of the 19 people indicted in Merrimack County for sexually assaulting a juvenile in the last year, all knew the victim. The child was a relative, lived nearby or was the friend of the family. None is charged with assaulting a child met at a school, park or library.

"We have rapists that jump out of the bushes, but that is rare," said Allenstown Police Chief Shaun Mulholland. "The vast majority of offenses are committed on people (offenders) know. I don't think this is the solution to the problem. I don't see any redeeming value in this."

But Tilton police Capt. Owen Wellington disagrees.

"It's an ounce of prevention toward people's awareness and their ability to feel safe in their community," he said.

Boscawen's interim Police Chief Sean Sweeney sees even more value in the ordinance.

"If only one child is protected from this ordinance, then the ordinance has served its purpose," he said.

Claire Ebel of the New Hampshire Civil Liberties Union said a group of lawyers is studying the ordinances. She said they are particularly concerned with the Boscawen ordinance because it not only places housing restrictions on sex offenders but also on where in town the person can go. The person must receive advance permission to go to the library, she noted.

"This is just a preposterous, ostrich-like approach to what is a very complex societal issue," she said.

Rather than make pariahs out of the offenders, parents could better protect children by having frank discussions with them about inappropriate touching, she said.

Some also fear the ordinances will give parents a false sense of security.

"What it does, to some extent, is give some assurances -- however legitimate -- to people living where the restrictions are imposed," said Concord city prosecutor Scott Murray. "You know you won't have a sex offender living next door. But it certainly does not guarantee that you are not going to have kids who are getting molested."

Concord's acting police chief, Robert Barry, said city police would face a tougher time than towns enforcing an ordinance because schools are spread through the city. Also, counseling and treatment centers that offenders need are downtown near schools, parks and daycare centers.

Barry believes Concord could provide a better service by more closely monitoring whether the offenders register their new addresses when they move.

State Rep. John Tholl, the police chief in Dalton, said he's concerned that offenders will stop registering if society makes it too hard for them to find housing.

"I think it's more important to know where these people live than to tell them they can't live somewhere," said Tholl.

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This is a printer-friendly version of an article from the Concord Monitor at <http://www.concordmonitor.com>.



Article published Jul 10, 2007

Sanbornton may restrict where sex offenders live  
Town would be fourth in area with ordinance

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By WALTER ALARKON  
Monitor staff

 [Letter to editor](#)

Jul 10, 2007

Sanbornton's selectmen are considering whether to make their town the fifth New Hampshire community to adopt an ordinance restricting where sex offenders can live.

In the past few months, three neighboring communities - Tilton, Northfield and Franklin - have passed ordinances prohibiting registered sex offenders from living 2,500 feet within a school, day-care center, park and other public places where children gather. The ordinances also bar offenders from entering those areas unless they had permission from administrators. Violators of the ordinances are required to pay fines.

Dover, in 2005, became the first New Hampshire community to restrict where sex offenders can live.

At the request of Selectman David Nickerson, Sanbornton Police Chief Mark Barton drafted an ordinance and presented it to the selectmen last week. It mirrors those passed in the three nearby communities. Before the selectmen decide on it, they must hold a public hearing. Nickerson said they plan to discuss a date for the hearing at their meeting tomorrow night.

Nickerson said several parents who had read reports of sex crimes against children and the ordinances in other communities told him to look into the measure.

"We don't have a big center of town, but we do have the library and school there, and parents were hoping there'd be some sense of protection," said Nickerson, who was elected to the board of selectmen this year.

Barton said town officials will take into account concerns with the ordinances. Tilton, Franklin and Northfield all passed their ordinances with little opposition. The most vocal opponent, the New Hampshire Civil Liberties Union, has argued that the restrictions aren't effective because they don't target the people who are most likely to offend; nine in 10 sex crimes are committed by people who knew the victims, such as relatives or friends of relatives, according to the U.S. Department of Justice.

"It's virtually useless to pass these ordinances if they think it's going to solve a social problem. It's not," said Barbara Keshen, an attorney with the New Hampshire Civil Liberties Union.

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Andrew Livernois, the chairman of the board of selectmen, said it's too early to say whether he'll support an ordinance.

"Given the rural nature of the community, and given that there aren't many public playgrounds, schools, day-care centers . . . I don't think this ordinance would affect that many people," he said.

Sanbornton is more sparsely populated than the three nearby communities with the restrictions. It has 54 people per square mile. Franklin and Tilton both have more than 300 people per square mile, and Northfield has about 158 people per square mile.

One of the two registered sex offenders living in Sanbornton called the proposed ordinance "disturbing." Nathan Huber, convicted of a felonious sexual assault for having consensual sex with a 15-year-old girl two months after he turned 18, said that the ordinance would treat him the same as other people convicted of other sex crimes, such as the rape of a child younger than 13.

"I don't have children, but if I did I wouldn't be able to go to their events or watch them perform and not make it into a big deal," said Huber, now 32 and a self-employed heating and plumbing specialist. "There's a part of me that understands people wanting to protect their children. But because they don't differentiate between sex offenders, they're all sort of grouped into the same category where the problem exists."

Huber said his record has been clean since he spent 30 days in jail for the sex crime conviction. Despite that, he must register his home address every year with the Sanbornton Police. His residence - within a mile of the Sant Bani School - is also listed on the sex offender registry on the state Department of Safety's website. If the town adopts the proposed sex offender ordinance, he and other sex offenders who live in restricted areas would be allowed to remain. But he wouldn't be allowed to move elsewhere and then return.

His mother, Cynthia Huber, plans to start a petition asking state legislators to reassess laws that require people convicted of statutory rape to enter the same registry as people who have been convicted of other sex crimes. She said she's also considering a legal challenge against the sex offender ordinances.

"It discriminates against genuine people in the community who make a mistake at a young age and spend the rest of their lives being labeled a sex offender," she said. "He is not a sexual offender."

----- End of article

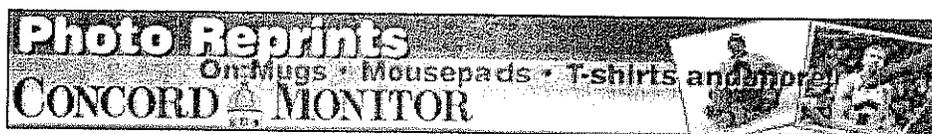
By WALTER ALARKON

Monitor staff

This article is: 13 days old.

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This is a printer-friendly version of an article from the Concord Monitor at <http://www.concordmonitor.com>.



Article published Mar 5, 2007

Tilton

 [Print article](#)

Voters asked to restrict sex offenders  
They couldn't live near schools or parks

[Send to friend](#)

[Letter to editor](#)

By LAUREN R. DORGAN  
Monitor staff

Mar 5, 2007

Tilton residents will be asked at town meeting next week to vote on where registered sex offenders can live in their town.

An article on the warrant would forbid sex offenders who have been convicted of crimes against children from moving within 2,500 feet of a school, daycare or other "child-oriented organizations," including recreational areas. Sex offenders who already live within those bounds would be allowed to stay in their homes.

Selectman Tom Cavanaugh said he decided to do something after visiting a website, familywatchdog.us, which maps where sex offenders live.

"I noticed that there were several sexual predators, convicted sexual predators, living not far away from schools," he said. "It was disturbing, and I brought it up at a meeting."

Cavanaugh said police officers researched what the town could do and suggested a beefed-up version of a proposed state law. That bill, currently under consideration in the Legislature, would ban sex offenders who assaulted minors from moving within 1,000 feet of schools, parks and other "child-oriented organizations."

Eight child sex offenders live in Tilton now, according to a registry maintained by the state police. Seven live in the nearby town of Northfield and 29 in Franklin.

No one has mapped exactly where sex offenders could live under Tilton's proposed restrictions, said Town Administrator Bob Veloski.

There are three schools and at least two daycares in Tilton, as well as a handful of parks. Most of these "off-limits" areas are concentrated in downtown and West Tilton.

Tilton's proposed ordinance is closely based on a year-old city ordinance in Dover, which has a 2,500-foot requirement. But Dover's law is more tightly defined, restricting only schools and day cares and not other "child-oriented organizations."

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"This far, at least for the city of Dover, it seems to be effective," Interim Police Chief Tony Colarusso said.

In the past year, six convicted sex offenders have tried to register addresses within Dover's restricted zones, Colarusso said. Five of them have relocated without incident, and the sixth one has moved to challenge the law in Dover District Court in a case that's still pending.

Colarusso said that before the ordinance was enacted, the police department had researched similar laws in other states and found that there had been no successful legal challenges. The city's attorney had also reviewed it, he said.

The ordinance may have a toll on neighboring towns: The five offenders who moved chose to leave Dover altogether, Colarusso said.

"Because of the number of schools and day cares we have in Dover, it's pretty limited where they can live in Dover . . . to the point where the five people have moved out of town," Colarusso said.

Critics of "buffer zones" for sex offenders argue that they cause more problems than they prevent. In December, the Iowa County Attorneys Association released a statement opposing that state's 2,000-foot restricted zones, saying they sapped police resources, caused offenders to become transient and fought only the "rare" phenomenon of sex crimes by strangers.

"In fact, 80 to 90 percent of sex crimes against children are committed by a relative or acquaintance who has some prior relationship with the child and access to the child that is not impeded by residency restrictions," the prosecutors wrote. "Only parents and caretakers can effectively impede that kind of access."

But others argue it makes sense to keep offenders as far from as many children as possible. They point to recidivism rates, including a 1994 study that found that 5 percent of all sex offenders were arrested for another sex crime within three years of release.

"I'm not saying that every single person that has offended will offend again, but you want to protect your kids," said Cavanaugh, who said he'd heard no opposition to Tilton's proposal.

Colarusso said he'd heard the criticisms.

"It's something that's controversial because some people don't feel it's effective," he said. "But one thing it does do is it brings out the problem with sex offenders."

----- End of article

By LAUREN R. DORGAN

Monitor staff

This article is: 140 days old.