



# Office of Utah for Rational Sex Offense Laws

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Representative Karianne Lisonbee  
Utah House of Representatives  
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Via email: karilisonbee@le.utah.gov

## Position Statement on H.B. 370 Sex Offender Oversight Amendments

Representative Lisonbee,

Utah for Rational Sex Offense Laws (UTRSOL) opposes H.B. 370 because it criminalizes homelessness and poverty rather than addressing the structural barriers that make compliance impossible. The bill mandates GPS monitoring and automated arrest warrants for registrants who cannot provide fixed addresses, while offering no housing assistance, risk assessment, or pathway to compliance. This approach wastes public resources on surveillance that research shows is ineffective, increases incarceration without improving public safety, and creates a self-perpetuating cycle of criminalization. True public safety requires investment in housing stability and reintegration services, not expansion of punitive monitoring that punishes people for circumstances the state itself has created.

### Critical Flaws in H.B. 370

#### **1. Criminalizes Homelessness Without Addressing Root Causes**

The bill automatically places registrants under GPS monitoring simply for lacking a residential address, regardless of risk level or individual circumstances. Registrants become homeless because residency restrictions eliminate 80% or more of available housing in many communities, landlords refuse to rent to anyone with a criminal record, and employment barriers prevent them from affording rent. Rather than addressing these structural barriers, H.B. 370 punishes registrants for being unable to overcome obstacles the state itself has created. The bill provides no transitional housing, rental assistance, or case management services—only surveillance and criminal penalties.

This approach transforms homelessness into a criminal offense. A registrant living on the streets must somehow keep a GPS device charged without access to electricity, pay monitoring fees without income, and provide an address where none exists. When they inevitably fail, they face mandatory arrest warrants through an automated system, followed by 30 days of mandatory incarceration that destroys any chance of securing employment or housing. Each

year of noncompliance adds another year to their registration requirements, creating permanent registry status for people whose only offense is poverty. This cycle of punishment deepens instability rather than addressing the root causes of homelessness, trapping individuals in a system designed for them to fail. Instead of offering pathways to housing and support, it reinforces barriers that make reintegration nearly impossible.

## **2. Automated Warrants Eliminate Judicial Discretion and Due Process**

The bill establishes an automated system to request arrest warrants for registration violations, removing individualized assessment of circumstances or good-faith compliance efforts. A person actively seeking housing faces the same warrant as someone willfully evading registration. The system provides no notice to registrants before warrants issue, no opportunity to explain temporary displacement or correct outdated information, and no consideration of whether arrest serves public safety. Courts receive only automated notifications showing noncompliance without context about why compliance was impossible, transforming probable cause determinations into rubber-stamping exercises. Registrants displaced by domestic violence, sudden eviction, or natural disaster face immediate arrest without any chance to demonstrate they were making good-faith efforts to comply.

## **3. Creates Criminalization Cycle That Guarantees Failure**

H.B. 370 establishes a self-perpetuating cycle with no exit pathway. Registry requirements and residency restrictions cause housing instability. Housing instability triggers automatic GPS monitoring. Monitoring noncompliance (inevitable for homeless individuals who cannot charge devices or pay fees) generates automated arrest warrants. Incarceration destroys employment prospects and housing applications, returning registrants to homelessness. The cycle repeats indefinitely, with each iteration adding another year of registration and making compliance more difficult. This is not a public safety system—it is permanent criminalization designed to fail. It substitutes structural barriers for accountability, ensuring that failure is treated as proof of risk rather than evidence of policy design flaws.

## **4. No Evidence of Effectiveness**

Research shows GPS monitoring has limited effectiveness in reducing recidivism for sex offenders, particularly low- and medium-risk individuals. Studies document high technical violation rates leading to reincarceration without preventing new crimes. The evidence consistently demonstrates that housing stability, employment, treatment access, and family connection—not surveillance—reduce reoffending. By investing in monitoring rather than these proven interventions, H.B. 370 wastes resources on ineffective enforcement while ignoring what actually makes communities safer. The bill assumes monitoring prevents crime when research shows it primarily generates technical violations and cycles people through jails without addressing underlying risk factors. Evidence-based policy would prioritize stabilization and support services that measurably reduce risk rather than expanding surveillance that does not.

## **5. Violates Constitutional Principles**

The bill criminalizes status (homelessness) rather than conduct, raising substantive due process concerns particularly since the state created the conditions producing that homelessness through residency restrictions and registry publication. Critical terms like “inability to provide” an address and requirements for “demonstrating” inability to pay remain undefined, inviting arbitrary enforcement and denying registrants fair notice. The bill includes no mens rea requirement, imposing strict liability for circumstances beyond individual control such as device theft, equipment failure, or inability to access electricity while homeless. These constitutional deficiencies make the bill vulnerable to legal challenge while imposing years of harm before courts can intervene.

### **Fiscal Impact: Punishment Infrastructure vs. Reintegration Infrastructure**

The bill's fiscal note claims “None,” but implementation requires substantial resources: GPS devices and monitoring systems, automated warrant system development, address verification field checks, training programs, increased court warrant processing, and incarceration costs for mandatory 30-day sentences. These funds could instead support transitional housing programs with proven recidivism reduction, employment and education programs, mental health and trauma treatment, rental assistance to prevent homelessness, and reentry case management services. Every dollar spent on surveillance and incarceration is a dollar not spent on interventions that actually reduce reoffending and improve public safety.

### **Conclusion**

H.B. 370 represents fundamentally misguided policy that criminalizes poverty, increases incarceration without improving safety, wastes resources on ineffective surveillance, and violates basic principles of justice. The bill punishes people for failing to overcome structural barriers the state itself has created, then compounds that failure by adding surveillance, fees, and incarceration that make compliance even more impossible.

UTRSOL urges this committee to vote NO on H.B. 370. Punishment without pathway to compliance is not justice—it is guaranteed failure. The registry system already imposes severe restrictions and lifelong consequences. Piling additional enforcement mechanisms on top of insurmountable structural barriers does not protect communities; it creates permanent outcasts with no ability to comply, reintegrate, or rebuild law-abiding lives.

True public safety requires investment in housing, treatment, and reintegration—not expansion of surveillance and incarceration. The choice before this committee is clear: evidence-based policy that reduces recidivism, or symbolic enforcement that wastes resources while making communities less safe.

Sincerely

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