



Internet expands community notification of sex offenders

by Elizabeth J. Armstrong

It is July 29, 1994, and 7-year-old Megan Kanka is walking home from a friend's house as the sun beats down over Hamilton Township, N.J. She almost makes it to her front door when 33-year-old Jesse Timmendequas invites her over to pet his new puppy. Upon entering his house, she is stepping out of the sun for the last time.

The case of Megan Kanka is like many others across the nation. A young child is persuaded by an older person into a home or a car or an alley and sexually abused, often to the point of death.

What put Megan's tragic death into the national spotlight was the history of the man who accosted her. Timmendequas was a convicted sex offender. Twice. And many believe he could have been stopped, had his prior convictions been known.

Since Megan's murder, numerous pieces of legislation have been passed at the state and federal levels in an attempt to make law enforcement agencies, communities and parents aware of the whereabouts of convicted sex offenders.

New Jersey Republican Gov. Christine Todd Whitman signed Megan's Law three months after the 7-year-old's death, and federal legislation signed by President Bill Clinton in 1996 requires states to notify communities about a nearby sex offender's whereabouts.

The 11 Midwestern states have adopted their own versions of Megan's Law, all of which require sex offenders to register their personal data. The information then follows sex offenders from neighborhood to neighborhood, warning residents that a potentially dangerous person is living nearby.



Rep. Scott Walker

The notification bills reflect concerns that sex offenders will strike again — and most likely near the places where they live. According to the Bureau of Justice Statistics, three in 10 sex offenders reported having assaulted multiple victims, and 75 percent of child abuse instances took place either in the victim's home or the offender's home.

"The primary role of incarceration is to protect the public," says Wisconsin Republican Rep. Scott Walker of Wauwatosa, who sponsored a bill authorizing the state to place sex offender registration and information on the Internet. "In many cases, it's a period of time where you can safely secure that they won't re-

offend. If you've got someone coming out of jail who is a risk to society, you can't allow him or her to be in contact with potential victims. That's where notification steps in."

Some have argued, though, that notification laws unfairly impose additional sentences on offenders who have served their time.

For example, a New Jersey federal judge in 1996 ruled that the original Megan's Law violated the privacy rights of sex offenders. That state has since rewritten its statute to comply with the court's findings.

Furthermore, do the notification laws isolate offenders from the community, lessening the chance of rehabilitation and increasing the likelihood of another sex offense?

This question is becoming more pertinent as states, concerned about the potential threat sex offenders pose, begin to post personal data online. On the Internet, neighbors are but a small percentage of the people who have access to names, photographs, addresses and even criminal histories.

Just a modem away

In the Midwest, Ohio, Kansas, Illinois, Indiana, Iowa, Michigan, Nebraska, Minnesota and Wisconsin currently provide Internet access regarding sex offender registration.

Minnesota Gov. Jesse Ventura signed a bill in April known as Katie's Law, named after a Moose Lake, Minn., convenience store clerk abducted in May 1999. Katie's Law further tightens registration requirements for sex offenders by increasing penalties for those who fail to register and creating a statewide computer network to track all criminals.

"A collaborative effort between law enforcement, corrections and community leaders has used community notification as an educational opportunity," says Minnesota Sen. Becky Lourey, a Democrat from Kerrick. "Communities informed in this manner become safer communities."

One worry about online notification is that it can lead to retributive actions against offenders. Reports have surfaced of convicted offenders being harassed by neighbors, evicted by landlords or fired from new jobs. For example, in September 1999, four men in Dallas severely beat a 27-year-old

retarded man whose address — a group home for the disabled — was erroneously listed as the location of a convicted sex offender.

More common, though, is the public outcry from community residents when they learn that a sex offender is moving into town. In April, the release of a sex offender into a Milwaukee neighborhood prompted a rally by local residents who objected to the move.

Authorities announced that the 26-year-old

convict, who is committed to treatment at the Wisconsin Resource Center in Winnebago, would be electronically monitored at all times.

Tough to treat

Successful treatment of sex offenders has proven to be elusive, even when the perpetrators admit that they have a problem. In Green Bay, Wis., a convicted sex offender awaiting trial in April told the court he was a danger to the public and should be committed for treatment. He defined himself as sexually violent and thinks he will offend again if not properly treated.

"It's almost a given that the vast majority [of sex offenders] will re-offend," Walker believes. "There may be cases where someone is treatable and doesn't have to remain forever, but, realistically, we understand that this is one of the few areas of crime where it's very difficult to involve people in a couple simple programs and have them not re-offend. These are expert manipulators."

As long as statistics show that sex offenders are prone to repeat their crimes and difficult to treat, lawmakers likely will search for other ways to keep communities safe when the perpetrators are released from prison.

"It's not so much that you're doing therapy to get rid of the problem as it is that you're providing treatment to put it on hold for as long as possible," Walker says.

"They're pushed into seclusion, but that may be the seclusion of their apartment because everyone in their neighborhood knows about them. It may not be the best thing for the sex offender, but it may encourage the community to keep track and not just rely on the police to look up these individuals." 

