

## PREDATORY SEX OFFENDER LEGISLATION BEING REFINED FOR CONSIDERATION

### From House Media

■(OKLAHOMA CITY) While President Clinton considers whether to sign "Megan's Law," state legislators are refining a similar proposal that would authorize public disclosure of sexual predators, the principal author of the measure said Monday.

"Recent televised reports that our legislation is dead were erroneous," said Rep. Bill Paulk and Sen. Ben Brown.



Rep. Bill Paulk

### House Bill 2617

by the two Oklahoma City Democrats is in the hands of a House/Senate conference committee that has been fine-tuning the measure.

The bill is a composite of at least three pieces of legislation introduced this year: **House Bills 2610** and **2617**, both filed by Paulk, plus **House Bill 3005** by Rep. Jack Bonny, D-Burns Flat, and Sen. Gilmer Capps, D-Snyder.

"Megan's Law"—federal legislation named for a 7-year-old New Jersey girl raped and murdered two years ago by a twice-convicted molester who lived on her block—would require notification of local officials whenever dangerous child molesters or rapists are released from prison and move into their communities.

Similarly, HB2617 would loosen restrictions on revealing the identification of sex offenders, Paulk and Brown related.

"We can't brand their foreheads or hang cowbells around their necks," said Paulk, chairman of the House Committee on Criminal Justice. "Nevertheless, with House Bill 2617 we would have the ability to alert the public when a sex offender is loose in the community."

— Sex offenders who exhibit characteristics indicating "a tendency to victimize or injure others" would be publicly identified as "predators." For example:

— Whenever a sexual predator is released from custody, local law enforcement agencies would be authorized to alert anyone they deem "appropriate," including any prior victim of that convict, residential neighborhoods and churches, community parks, local school districts, convenience stores, businesses "and other places that children or other potential victims may frequent," as

well as the predator's family.

— Notification could include the predator's name, address, age, height and weight, hair and eye color, and even a photograph; the type of vehicle the convict usually drives; descriptions of "the primary and secondary targets" and the "method of offense" of the predator; any conditions or restrictions imposed upon the convict at the time of his probation or parole; and the name and telephone number of the convict's probation or parole officer.

— A law enforcement agency would be permitted to divulge any information it has about a predatory sex offender to anyone who requested it.

— Every convicted sex offender who remains in Oklahoma would be compelled to register with the state Corrections Department for 10 years, and with local law enforcement agencies for five years.

Under current law, a convict who completes a sex offender treatment program is required to register with the Department of Corrections for only two years after his release from custody.

— Convicts whose names appear on sex offender registries would have to supply their

street address, as well. Some have been circumventing the intent of the law by listing only a post-office box, Paulk explained.

— Sex offender rosters maintained by local law enforcement agencies would be made available to "any parent using a child care provider" and to area churches, as well as to all public and private elementary schools and child care facilities in their vicinity, and state agency that licenses individuals to work with children, and to other entities that provide services to children.

— Any violation of the Sex Offender Registration Act would be considered a felony, as would hiring any sex offender to work in a child care facility or day care center. In either instance, the penalty would be a prison sentence for up to five years and/or a fine of up to \$5,000.

"Senator Brown and I don't intend to let this session end without passage of a tougher sex-crimes law," Paulk vowed.

"Sex offenders will not be allowed to prey on innocent children and unsuspecting, law-abiding citizens in Oklahoma. A convict's "right to privacy" is of absolutely no concern to me if it jeopardizes the safety of the public, especially children."

## SENATOR, OIDS DIRECTOR EXPRESS CONCERNS

By Shawn Ashley  
Staff Writer

■(GIT) A state lawmaker and the director of the Oklahoma Indigent Defense System on Monday expressed concerns that the agency may be approaching a constitutional crisis because it does not have enough funding.

Responding to a question from Sen. Gene Stipe, D-McAlester and a member of the General Conference Committee on Appropriations' subcommittee on judicial, public safety and law enforcement services, Oklahoma Indigent Defense System Director Robert Ganstine said his staff is "getting to the point that they won't be able to provide adequate representation" to their clients.

The statutorily-created agency is responsible for providing attorneys for criminal defendants deemed to be unable to pay the cost of legal representation. Projections indicate attorneys from the system will be appointed in an estimated 3,900 non-capital felony cases during the 1997 fiscal year.

In addition, state law provides for the system to provide legal representation to

juveniles in certain legal matters, as well as certain members of the juvenile's families.

The agency is also responsible and may be best known for handling the appeals of inmates sentenced to death. The agency is currently handling various of appeals of more than 90 inmates on death row.

To best meet those obligations, Ganstine said, the agency will need \$12.4 million in addition to the \$8.1 million already appropriated to the agency, including \$821,595 to annualize a supplemental appropriation approved earlier in the legislative session.

"My concern is that I don't want to see us become unconstitutional because you're underfunded and undermanned," Stipe said. "I want to be confident you have enough money."

The concern, Ganstine told the subcommittee, is that federal supervision of the state's indigent defense system could cost the state as much as \$50 million to \$75 million if it were determined to be unconstitutional. That amount is more than double the agency's total funding request of approxi-

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