

February 1, 2011

Honorable Senator Tim Owens  
Chairman Senate Judiciary Committee

Dear sir

Subject: Judiciary Committee hearing on Senate Bill 39 scheduled for 2/4/11

Senator I wish to offer "Official testimony" on Senate Bill 39. Since I am unable to appear in person before the Judiciary Committee to testify in opposition to this bill, I ask that you amend the official record of the hearing on this bill scheduled for February 4<sup>th</sup>, so that my testimony(enclosed) may be included in the official record of that hearing. If you have any questions for me, or need clarification on anything I am testifying to in opposition to this bill, I can be contacted at the below listed address. I would appreciate a brief response from you, indicating you received my testimony and that you will include it in the official record of the Judiciary Committee hearing on this bill.

Sincerely, Scott Douglas

Scott Douglas

cc: My files  
Scott Douglas  
1301 KS. Hwy. 264  
Larned, KS 67550-5353  
(620) 285-4660 EXT #6

Senate Judiciary

2-15-11  
Attachment 7

February 4, 2011

Members of the Senate Judiciary Committee, I come before you today to state my opposition to Senate Bill 39 "AN ACT concerning criminal procedure; relating to sex offenders ;amending K.S.A. 22-4903 and K.S.A. 2010 Supp.8-243, 8-255, 22 4902, 22-4904 and 22-4913 and sections 285 and 299 of chapter 136 of the 2010 Sessions Laws of Kansas and repealing the existing sections." Please allow me to begin with a little background on myself. I am responsible for victimizing four innocent persons and forever horrifically changing their lives. The four persons did nothing to entice me, or encourage me to manipulate them and control the situations, so I could put myself in a position where I could sexually abuse each one of them. I chose to plan and execute my abuse of these four individuals purely for my own satisfaction. Nothing I say here today will change the fact that these four persons had their lives altered because of my selfish need to feel loved and accepted. I am a repeat sex offender, and would be effected by S.B. 39 and the changes it makes in the KS statutes. I am in opposition to the proposed changes S.B. 39 would make to the KS statutes, because the changes would cause more difficulties and cost more money to citizens of Kansas, than they would do to protect our citizens from persons like myself. I urge the members of this committee to vote down this bill and allow it to die in committee. My concerns with S.B. 39 start with the new requirement to have drivers licenses of "persons defined as an aggravated sex offender under subsection (b) of K.S.A. 22-4902, and amendments thereto" to "Include an aggravated sex offender label."The clerk at the grocery store, the bank teller, or whomever requires a form of picture ID does not have a right to know I am an "aggravated" sex offender. This comes close to violating my rights under HIPPA laws to have my name and identifying information kept confidential. I accept responsibility for the consequences that come as a result of my criminal behavior, being harassed continually for behavior I have completed a criminal sentence for, is not a consequences that I should have to endure as a result of the actions I took in the past. By placing a label of aggravated sex offender on my drivers license, I could be subjected to physical harm by anyone who saw my photo ID while I was using it for identification, and those waiting in line behind me or those around me, can see the aggravated sex offender label on my photo id. The current standard of placing a label of "registered offender" on photo id's without listing the specific offense should remain in place. Legislating Halloween is a bad idea. While I agree sex offenders should not be having contact with children on Halloween legislating it, will not stop someone from sexually offending, if that's what they intend to do. The threat of a "none person misdemeanor" for violation of this section is no deterrent to a sex offender. If you mean to put fear into an offender sexual or otherwise, raise the penalty to a person felony, and maybe someone will reconsider before doing something on Halloween they wish they hadn't. I believe that telling someone that they must remain inside their

residence between certain hours on Halloween is also a bad idea. An offender will not necessarily victimize someone on Halloween, because they are outside of their residence. There is no exception for an offender who has to be at work on Halloween between 5:00 p.m. and 11:00 p.m.. Technically an offender would be in violation of this section just by being at work. A high risk for many offenders is isolating themselves, and by requiring someone to remain in a residence on Halloween night offenders would have forced isolation on themselves, which brings with it more problems for the offender, and society in general. A sign "No candy at this residence" is also of concern to me. There is no specific location listed in this section that says where to place this sign at the residence. Say someone places the sign in the back yard of their residence, they would technically be in compliance with this requirement, while children may come to their residence from the front, where there is no sign. If your going to require a sign be placed at the residence, please give a specific place at the residence, where the sign must be placed, so their can be no mistake where the sign must go. Another area of concern in this bill is Sec. 6 where it would require an aggravated sex offender to notify local law enforcement and the K B I , within 24 hours of a change of address. I would urge you to change that requirement from 24 hours to 3 days. When someone moves to a new residence they don't know were many of the local law enforcement buildings are located. By limiting someone to only 24 hours to notify the proper authorities of their new location, you could be setting an offender up for failure. Give a person an opportunity to get their feet on the ground first and to get a sense of direction at their new residence, before you require them to notify law enforcement of a change of address. A 3 day requirement is reasonable and would allow someone to locate were they have to go to register at the new residence, without feeling overwhelmed by being in a new location and having to do so many things all at one time or within 24 hours. One of the most difficult things for me to understand in S.B. 39 is the increase from 1,000 to 2,000 feet in Sec.7 where an aggravated sex offender can reside. I believe SORNA (Sex offender Registration & Notification Act) places the limit at between 500 and 1,000 feet were a sex offender can reside. I would submit that Kansas can not make a requirement for an aggravated sex offender to reside greater than that allowed in SORNA. One thing vital to a sex offender or an offender in general is the ability to use and have reasonable access to community resources. (Mental health treatment, public mass transit, employment, leisure activities, etc.) If Kansas like other states are now doing legislates how far an aggravated sex offender must reside from places where children are likely to be at, their will be no place for a sex offender to reside except far out in the countryside, away from mental health treatment, public transportation, and employment. I believe that this would have a negative impact on Kansas and cost the state more money in the long run, than they would save by having sex offenders living within the borders of towns and cities, were they can be employed, use mass transit, and most importantly have a support network, and effective therapy available to them.

In conclusion, I wish to thank the members of the Senate Judiciary Committee for allowing me to speak to you today. I again for the reasons stated in my "Official testimony" urge the Judiciary Committee to vote this bill down, and allow it to die in committee.

Sincerely, Scott Douglas

Scott Douglas

cc: My files

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