



States balk at tighter sex-offender rules

By ISAAC WOLF - Scripps Howard News Service

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WASHINGTON - Five years after Congress called for better oversight of the nation's 100,000 missing sex offenders, only seven states have adopted federal standards for tracking the 728,000 Americans convicted of sex crimes.

After blowing deadlines in 2009 and 2010, most states will miss a third one on July 27, the U.S. Justice Department predicts. Linda Baldwin, director of its Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking office, said in an interview that she expects only 10 to 15 states to meet the coming deadline for tracking sex offenders.

Delaware, Florida, Michigan, Nevada, Ohio, South Dakota and Wyoming already have complied with federal standards.

Baldwin, whose office oversees enforcement, added that several other states, which she declined to identify, may not meet the deadline but are "very close" to complying.

States that don't stand to lose millions of dollars in criminal justice-related federal grants. States overall were allocated nearly \$268 million for 2010, Justice Department data show. Those that miss the deadline could lose 10 percent of their respective shares.

Part of the 2006 Adam Walsh Child Protection and Safety Act -- named for the Florida boy who was abducted and killed in 1981 -- the rules require states to develop uniform standards for tracking offenders in the community and posting information on public registries.

With thousands of AWOL sex offenders eluding oversight by slipping across state lines, the law's sponsors envisioned seamless national standards replacing the current hodgepodge of state laws.

A Scripps Howard News Service investigation last November showed how sex offenders take advantage of uneven state laws, congregating in regions with lax enforcement. In response, a House subcommittee on crime, terrorism and homeland security conducted a sex offender oversight hearing in February. It focused on why states were dragging their feet implementing the Walsh law.

"I am not pleased," Rep. James Sensenbrenner, R-Wis. and the subcommittee chair, said at the hearing. "The whole purpose of the act was to make it easier to track these offenders, yet many of the same problems remain because so many states have failed to fully comply with the law."

States have balked for many reasons. Aside from the millions of dollars some states estimate they would have to pay to implement the law, many states say their own rules for flagging serious sex offenders are better than the federal standards required by the Walsh law.

The law "waters down the effectiveness" of Texas' sex offender registry, said Marc Levin, director of the Center for Effective Justice at the Texas Public Policy Foundation, a conservative policy group based in Austin.

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"These registries need to be narrowly tailored, and this federal mandate goes too far," Levin said. "Some people will be getting a lifetime a scarlet letter when they shouldn't have it."

Texas, with more than 60,000 registered sex offenders, won't take action anytime soon.

"The Legislature just went home" and won't reconvene until January 2013, said Tela Mange, spokeswoman for the Texas Department of Public Safety. "We won't be in compliance with the Adam Walsh Act."

By not complying, Texas would be denied about \$2 million, based on 2010 Justice Department statistics.

But implementing the law would require spending as much as \$14 million a year, the Texas Legislative Budget Board, a research body for lawmakers, has estimated.

California, with more than 63,000 sex offenders, has also not met the federal guidelines and could lose \$3 million, according to department data.

A spokesman for the California Department of Justice did not respond to an interview request.

Baldwin said states that do not meet the deadline may apply for those lost funds -- as long as they use the money to implement the Walsh law.

When President George W. Bush signed the Walsh Act into law in 2006, states were given three years to revamp their sex offender tracking rules. No state met the 2009 deadline, and federal authorities provided two one-year extensions.

A particularly thorny point of disagreement between states and federal officials has been what to do with juveniles convicted of a sex crime: The federal law requires states to place underage offenders on registries, but many states think that's too punitive. To resolve this impasse, the Justice Department in January said states could keep information about juvenile offenders out of the public domain, only sharing that information among law enforcement agencies.

In Kansas, state lawmakers in May tweaked its sex offender rules -- including reducing the amount of time offenders had to register when moving within the state, changing jobs or going to a new school from 10 days to three -- to comply with the Walsh law.

GOP State Rep. Pat Colloton, who chairs the Kansas Legislature's corrections and juvenile justice committee, said Kansas was submitting its sex offender oversight paperwork and thought the state would meet the deadline.

Colloton said she thinks states shouldn't be penalized: "Taking money away -- it seems to me to be the wrong penalty. ... The states should get at least one more legislative session."

(Email reporter Isaac Wolf at wolfi(at)shns.com.)

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Rudy101 6 days ago

They want to track sex offenders, right? They throw them into prison if they don't comply with the registry. In the federal system it is up to 10 years in prison.

They passed these laws ex-post facto. Why do they want to track offenders address and work, along with other information?

Does it protect the community? Does anyone here have any evidence that giving


Does it protect the community? Does anyone here have any evidence that giving the State, and by extension the community, address, picture, work, and crime, protect the public? Any evidence? A little evidence?

You have none? You just want to track them? OH, I am sorry, you can't do that, as that would violate the ex-post facto provision of the U.S. Constitution. And because of the way the registry is used, as in, to harass, threaten, banish, isolate and put fear into offenders, the Due Process Clause of the 5th Amendment is invoked.

See, in order to over-come that ex-post facto clause you will need evidence of efficacy. If you have none, then the prohibition on ex-post facto laws is invoked. If you use the registry for only punitive purposes, the due process clause is invoked.

You people sit there with big bags of NOTHING, when it comes to registry laws. They do not protect, and specifically strips protection from an offender. You think because you have a list and can assert public safety that is enough to create a police State? It isn't. You want to make an assertion of dangerousness, you must have a court of law and due process protections when doing it outside of a sentence. If you refuse, because of your disdain for an independent judiciary, then your registry becomes illegitimate and can be fled from in any way possible.

Follow some basic rules. If you can't you are no better than any totalitarian government. And what totalitarian government is credible when making assertions against their citizens????


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 **Guest** 6 days ago

The 100,000+ missing sex offenders is yet another myth; analyses have shown this to be untrue. Among the 100,000 are people who have died, for example.

The only people who belong on a sex registry are violent offenders. The recidivism rate for non-contact offenders is around 5%, far lower than that of other felons.

You really should know better, Mr. Wolf, considering your extensive reporting on the this subject.

 [jacobshepard and 6 more liked this](#)

 **ShelomithStow** 5 days ago

As regards the 100,000 missing sex offenders, I dabble in research, and I determined to track down the source of this figure. Everything I looked at traced directly back to the National Center for Missing and Exploited Children under the direction of one Mr. Ernie Allen and heavily influenced by one Mr. John Walsh. I found no studies, no research, no actual statistics. It is as though the number sprang full grown from Mr. Allen's head like Athena from the head of Zeus. I wrote to the NCMEC asking for the source of this number or a citation where I could see the studies that produced this number. I am still waiting for a reply. I am not holding my breath.

[jacobshepard and 3 more liked this](#)

[Sheeple Herder](#) 6 days ago

This law is pure "feel good" politics. Absolutely zero new crimes have been prevented by these silly registries and cash strapped states are being FORCED to look at the cost/benefit analysis.

""WASHINGTON - Five years after Congress called for better oversight of the nation's 100,000 missing sex offenders""

This law was passed by a few politicians in a secret back room deal under "special sessions" where a majority is not needed. It does absolutely NOTHING to improve safety and as many states have claimed it actually relieves restrictions in many cases.

The 100,000 number? Nobody seems to know where it comes from. Funny how its not 875,432 or 98,807 it's a nice round number.

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[Concerned](#) 3 days ago

This whole article leans towards implementation of the Adam Walsh Act. This makes


me wonder if the person who wrote the article was writing it for FRIENDS OF THE ADAM WALSH ACT.. like the SPC or Mark Lunsford, or Mark Foley... This article makes me wonder if the writer was paid to publish an article written by an AWA supporter...

Why do I wonder this? Because most of the 50 states have looked at the Adam Walsh Act and found it to be BAD LAWMAKING... All of the studies have shown the registry under the Adam Walsh Act not only do NOT protect society but also cost billions of dollars that the tax payer have to pay for.

I would love to see the writer of this article actually do some research into the Adam Walsh act, the Public Registry and the Effects on Society as a whole..

Not to mention the cost of all this to states and the TOTAL BANISHMENT OF THE INNOCENT LITTLE CHILDREN BY THE HUNDREDS OF THOUSANDS, THE INNOCENT CHILDREN OF EX OFFENDERS WHO ARE TOTALLY BANISHED FROM SOCIETY SIMPLY BECAUSE A PARENT IS ON THE REGISTRY....

They say these laws are in place to protect children.. tell me, how does putting a parent on the public registry for a decades old crime protect that parent's children? It does not, it banishes them from society....

 [ShelomithStow and 1 more liked this](#)

 [Concerned](#) 6 days ago

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[jacobshepard and 4 more liked this](#)

Rudy101 6 days ago

There will be no armed force. The credibility of laws falls or rises upon ideas. The ideas of a registry have no foundation of fact. This will the downfall of the way the registry is run.

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Rudy101 6 days ago

Oh, I have to make another comment. It seems the very first tweets of this article are from "touchmenow69" and "wetpanties69".

The way sexuality in the U.S. is so pervasive and so much for sale and so much a part of everyone that the U.S. goes on this literal witch hunt of panic and fear, because the U.S. is so repressed sexually that "touchmenow" and those like her, becomes a release of sexuality so ubiquitous that if you people knew, most of you would hide your head in shame.

There is proper sexual expression and improper sexual expression. What do you think touchmenow69 represents????

- "touchmyhotspot" retweeted...


[jacobshepard and 4 more liked this](#)

jacobshepard 4 days ago

At a time when the county is looking at cutting funds and scrambling to meet the deadline for the Debt Ceiling, the Adam Walsh Act looks like a reckless, foolish

waste or taxpayer money. It has no use other than to put a scarlet letter on certain people as Marc Levin points out. It doesn't make anybody safer, hasn't saved anyone and in fact, if a SO is on the list and has a family it makes their family less safe!!!

Get SMART Washington. Axe the Adam Walsh Act.

 [ShelomithStow and 2 more liked this](#)

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RE: @therepublicnews There are many studies that show these laws do nothing to prevent crime or protect people, but ... <http://disq.us/2glltd>



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Wetpanties69 6 days ago

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One more retweet from [TouchMyHotSpot](#)

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