

**Iowa Sex Offender Research Council**

**Report to the Iowa General Assembly  
January 22, 2009**

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The Division of Criminal and Juvenile Justice Planning  
Iowa Department of Human Rights  
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Des Moines, Iowa 50319



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## Preface

Over the last several years, lawmakers have been responding to several highly publicized child abduction, assault, and murder cases. While such cases remain rare in Iowa, the public debates they have generated are having far-reaching effects. Policy makers are responsible for controlling the nature of such effects. Challenges they face stem from the need to avoid responses whose primary motivation is political and the desire to make informed decisions that recognize both the strengths and the limitations of the criminal justice system as a vehicle for promoting safe and healthy families and communities.

One of the standing goals of the Research Council is to provide nonpartisan guidance to help avoid or fix problematic sex offense policies and practices. Setting this goal was a response to the concern over what can result from elected officials' efforts to respond to the types of sex offender-related concerns that can easily become emotionally laden and politically charged due to the universally held abhorrence of sex crimes against children.

An issue of perhaps the greatest interest to many Council members is a belief in the benefit of viewing Iowa's efforts to protect children from sex crimes with as comprehensive a platform as possible. It has been suggested that much more can be done to prevent child-victim sex crimes than would be accomplished by concentrating only on what to do with offenders *after* a crime has occurred. To prevent child victimization, most laws and policy provisions rely largely on incapacitation and future deterrent effects of increased penalties, more restrictive supervision practices, and greater public awareness of the risk presented by a segment of Iowa's known sex offenders. For some offenders, these policies will no doubt prevent future sex crimes against children, and the Council supports long-term studies to look for the desired results and for ways to improve such results through better supervision tools and more effective offender treatment.

Unfortunately, many of the effects from the new policies may primarily influence persons who have already committed sex offenses against minors and who have already been caught doing so. The evidence suggests, however, that most offenders coming to the attention of the justice system for sex crimes have not previously been adjudicated for such crimes. Thus, Council members continue to discuss the need for a range of preventive efforts and a need to think about sex crimes against children from other than just a "reaction-to-the-offender" perspective.

Along with incapacitation and deterrence, comprehensive approaches to the prevention of child-victim sex crimes would also involve ensuring that parents have the tools needed to detect signs of adults with sex behavior problems, to both help teach their children about warning signs and to find the support necessary for healthy parenting. School, faith-based, and other community organizations might benefit from stronger supports and better tools to more effectively promote positive youth development and the learning of respect for others, respect for boundaries, and healthy relationships.

All of us who have children, or who live in communities where there are children, need to understand the limitations of our justice system and the importance of our own ability to play a role in preventing sexual abuse and protecting children from sex offenders, who are often the child's own family members. Over 1,000 incidents of child sexual abuse are confirmed or

founded each year in Iowa, and most such acts take place in the child's home or the residence of the caretaker of the child. Efforts to prevent child sexual abuse and to provide for early interventions with children and families at risk should be strategically examined and strengthened.

The Sex Offender Research Council was formed as a successor to the Sex Offender Treatment and Supervision Task Force, established to provide assistance to the General Assembly. It will respond to legislative direction to adjust its future plans as laid out in this report. Its plans could be modified to broaden or narrow its scope or to assign different priority levels of effort to its current areas of study. Also, further Council considerations of the recommendations it has already submitted could be called for. In the meantime, it is hoped that the information and recommendations submitted through this report prove helpful.

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## **Iowa Sex Offender Research Council January 15, 2009 Report to the Iowa General Assembly**

Through the 2005 enactment of H.F. 619, the Division of Criminal and Juvenile Justice Planning (CJJP) was required to establish a task force to study and make periodic recommendations for treating and supervising sex offenders in correctional institutions and in the community. In 2008, the Legislature formalized the need for on-going research and policy analysis for sex offenses, offenders, and prevention through the establishment of the Sex Offender Research Council as a part of the Department of Human Rights, Division of Criminal and Juvenile Justice Planning. The Council was directed to set research priorities and make recommendations to the Iowa Legislature annually on issues determined important by the Council. Members of the current Council can be found in Appendix A.

Following are the recommendations of the Council for 2009.

### **SEX OFFENDER RESEARCH COUNCIL RECOMMENDATIONS and FINDINGS**

#### **Treatment**

The Council makes the following recommendations for the **treatment of sex offenders** in Iowa. These recommendations were developed after studying the current practices in Iowa and comparing them to research and best practices established in other areas of the country.

- 1. Both individual practitioners who provide sex offender treatment and sex offender treatment programs should either be licensed or certified by the State in order to participate in State-ordered or reimbursed sex offender treatment.** This is especially critical for juveniles, as no provisions currently exist.
- 2. Certification/licensure requirements should be based upon research and the adoption of recognized best practices.** As the field of sex offender treatment continues to be evaluated and treatment options adapted in response to new research, standards would need to be continuously updated.
- 3. All treatment programs should be regularly evaluated to determine outcomes for individuals treated.** A mechanism to ensure evaluation, tied in some respect to certification or licensure, should be established.
- 4. Additional funding should be provided to expand the number of options for juveniles, both at the community and residential level.** This population is the most likely to benefit from age-appropriate treatment, which should be available in the most supportive environments possible.
- 5. An adult inpatient program that is more intensive than residential but is not tied to the prison system should be established and funded.**

**6. All approaches to the intervention and treatment of sex offenders should be based upon sound methodologies that work together to protect the safety of victims and the community.** Current non-treatment interventions such as the youthful offender program, 2000 foot residential laws, co-habitation restrictions, and sex offender registration (especially for juveniles) can have a strong impact on the availability and success of treatment and rehabilitation efforts. These interventions should be evaluated and modified to eliminate any ineffective and counter-productive measures.

## **Juveniles**

The Council recommends that the Legislature intentionally consider the ramifications of registration and residency policies on juveniles and their ability to develop into productive adult members of society. The Council's research and findings on juvenile sex offenders in Iowa suggest that only a small number of juveniles recidivate with sex crimes as adults; stigmatizing the majority for long periods of time is counter-productive. The full findings can be found later in this report.

## **Electronic Monitoring**

The Council is concerned that the broad application of GPS electronic monitoring to sex offenders may not be the most cost-effective method of managing and supervising known offenders. The Council has requested a more in-depth look at several issues, including causes of revocation; felony compared to misdemeanor offenders; experiences of other states that have implemented electronic monitoring; and technical issues that may affect efficiency and efficacy. In the interim, the Council suggests that electronic monitoring as a supervision technique not be expanded. In addition, serious consideration should be given to proposals that could modify existing mandates to be more risk-based.

## **2000 Ft Law**

The Council recognizes that a number of justice system entities have questioned the 2000-ft residency restriction as a deterrent to sex offenders' re-offending with minor victims. The theory behind restricting where offenders live (i.e. sleep) is to restrict access to potential minor victims. However, the majority of child victims of sex abuse knew the offender, either because they were relatives, family friends, or caregivers. In Iowa, the number of stranger/victim offenses is very small. A table showing the most recent data can be found later in this report. It may be more appropriate to impose restrictions based upon individual risk factors or require offenders to not loiter near or enter in areas such as schools and daycare centers. Even this latter option, however, assumes a high incidence of stranger-to-stranger sex crimes that is not supported by available data.

The Council recommends, based upon data available, that the 2,000-ft law be repealed, regardless of what else is being considered in the Legislature.

## **ADAM WALSH**

The Adam Walsh discussions are very complicated, and have potentially serious long-term consequences. The Council recommends that a multi-disciplinary working group should be

charged with evaluating the implications for Iowa of the Adam Walsh Act prior to moving to legislative change.

## **Public Education**

The Council believes that the optimal approach to sex offenses involving children is to **prevent** such offenses from occurring at all. As stated in the Preface, most of the recent focus has been on deterrence after an offense has occurred, has been reported, and a conviction received. Such a strategy may be considered a secondary prevention approach.

However, primary prevention is more difficult to achieve in legal terms. Public education, as well as education of individuals who interact regularly with children, is a key component of primary prevention.

The Council intends to explore models of public education that have proved effective in other areas, such as public health, in order to assist in the development and dissemination of information critical to an informed and aware public.

For example, in the past few years, sexual abuse prevention programming in Iowa has shifted toward the primary prevention of sexual violence – meaning to prevent *first* time perpetration or victimization. This has been done to emphasize lessons learned in the prevention field and to separate prevention work from services. There are two statewide organizations that exclusively focus on sexual abuse prevention programming – the Iowa Coalition Against Sexual Assault (IowaCASA) and Prevent Child Abuse Iowa (PCAI). They conduct activities at the statewide level and also fund community-based programs to reduce all forms of sexual abuse (covering bullying, harassment, intra-family or caretaker sexual abuse, date rape and stranger assault).

To accomplish this shift in emphasis, several strategies have been promoted.

- 1) An emphasis on using an “ecological” model for community prevention, which is to intervene at many levels to produce changes in:
  - a. individual beliefs and behavior,
  - b. the strength of primary relationships,
  - c. organizational policies and practices, and
  - d. social norms that support sexual violence.
- 2) An expectation that communities will use evidence-based programs or at least adopt “best practices,” shown through research to be effective at reducing first-time perpetration or victimization of sexual abuse.
- 3) Evaluation of programming that is directed at measuring the outcomes of the intervention.

Models such as these may form the basis for the Council’s work on designing strategies and policies to promote primary prevention of sex abuse of children.

## ADDITIONAL INFORMATION

### Juveniles and the Sex Offender Registry, Residency Restrictions

As a part of its on-going evaluation of Iowa's sex offender registry and residency restrictions, the Division of Criminal and Juvenile Justice Planning, Department of Human Rights evaluated the impact of those policies on juveniles who have been adjudicated for sex offenses during the past six years. The analysis also extends to an examination of the potential impact that the implementation of the Adam Walsh act may have on juvenile offenders in the future.

#### Background

Iowa requires sex offenders to register for an initial period of 10 years. All sex offenses are included in the list of offenses requiring registration; although risk of recidivism is included on the Sex Offender Registry (SOR), Iowa law currently requires no assessment of risk to determine the need for registration. Iowa also restricts where sex offenders can live to outside 2,000 feet of the real property of a public or private elementary or secondary school or a child care facility. The residency restriction has no time limit. The Code states that individuals who "commit a criminal offense" against a minor are covered by the residency restriction [IA Code 692A.2A(1)]. Once convicted of a sex offense involving a minor victim, an individual would be subject to the residency restriction for life, irrespective of registration requirements.

Currently, juveniles are not required to be placed automatically on the SOR. Practices may vary among the eight Judicial Districts, with offenders either placed on the SOR automatically with the possibility of removal after successful completion of probation/treatment, or placed on the SOR after supervision and evaluation determines that such registration should occur.

Current application of 692A.2A does not restrict juveniles adjudicated delinquent for a sex offense from living within 2,000 feet of a school or child care facility. However, once they have reached the age of 18 and are no longer enrolled in secondary school, the residency restriction is deemed to apply for the rest of their lives.

In the legislative session in 2005, the Iowa General Assembly passed a number of changes to the Code sections dealing with sex offenders. These changes included increased penalties for adult offenders on selected offenses, requiring electronic monitoring of sex offenders, and 10-year or lifetime supervision for adult offenders convicted of sex offenses. At approximately the same time, the Courts ruled that the residency restrictions were allowable under the Iowa Constitution and could therefore be implemented.

#### Methodology

Two cohorts of juveniles were used: juveniles adjudicated for sex offenses during the state fiscal years of FY2003 through FY2005 (July 1, 2002 through June 30, 2005) and juveniles adjudicated for sex offenses during the state fiscal years of FY2006 through FY2008 (July 1, 2005 through June 30, 2008). These two groups were selected as representing equal time periods prior to and after the Code changes and implementation of the residency restrictions. Data were obtained from the Iowa Court Information System, Justice Data Warehouse.

Names of individuals on the SOR as of June 30, 2008 who were under 22 years of age were provided by the Department of Public Safety. This list was used to determine if offenders previously adjudicated as juveniles were currently on the Registry.

In addition, recidivism was investigated for the earlier cohort of juveniles who are currently on the Registry to determine general rates of recidivism and recidivism for sex offenses. It is assumed that individuals who are not currently on the Registry but were adjudicated as juveniles for sex offenses have not been adjudicated or convicted of a subsequent sex offense. The second cohort was not investigated for recidivism because many of these individuals would still be juveniles or would not have had sufficient time elapse to gather meaningful information. Recidivism information was obtained from Iowa Courts Online.

## Results

During the 3-year period FY03-FY05, there were 350 juveniles adjudicated for sex offenses in Iowa. Of these, 47 were on the SOR as of June 30, 2008. During the 3-year period FY06-FY08, there were 312 juveniles adjudicated for sex offenses, with 27 of these on the SOR.

	# Adjudicated	# on SOR	% on SOR
FY03-05	350	47	13.4%
FY06-08	312	27	8.6%
Total	662	74	11.1%

Of the 662 juveniles adjudicated for sex offenses from both cohorts, 588 have not been placed on the SOR at this time, either as a consequence of their original adjudication or for any subsequent sexual offense.

The number of juveniles adjudicated for sex offenses is smaller during the second cohort period than the first period. There have been anecdotal reports that juvenile courts are reluctant to adjudicate juveniles delinquent for sex offenses because of the long-term consequences. A further discussion of this point can be found in the Discussion section of this report.

As stated earlier, the first cohort of 350 juveniles was assessed for subsequent offenses. Eleven (3.1%) either had another adjudication for a sex offense during one of the two time periods, or had a consent decree revoked. These individuals were still minors at the time of the subsequent adjudication. It is unclear from the data source whether any of these constituted “new” offenses, or were part of the original juvenile complaint, so these are not included in the recidivism counts below. Ten of these individuals were not on the SOR as of June 30, 2008, so had not been convicted of a new offense as an adult.

Of the FY03-FY05 cohort, 47 were on the SOR as of June 30. These registrants were evaluated for subsequent offenses, assuming that many of them would be adults at the time of the study and would have had three to six years to re-offend. Of the 47, 20 had no subsequent criminal cases filed against them. Another seven individuals had either failure to register or residency violations (public order offenses), but no other criminal offenses. Fourteen of the 47 had non-

sex offense convictions in a variety of offense types, including theft, drug and/or alcohol, and assault. Six of the 47 had new sex offense charges; two of these had not been disposed as of this report.

Recidivism, FY03-FY05 Cohort on Registry

	#	%
No charges/convictions	20	42.5%
Public order only	7	14.8%
Other criminal	14	29.7%
Sex offense charges/convictions	6	12.7%
Total	47	100%*

\* May not equal 100% due to rounding.

While the sex offense recidivism rate for those on the SOR is 12.7%, overall only the six identified above have been either charged or convicted of new sex offenses as adults, a sex offense recidivism rate for the FY03-FY05 cohort of 350 juveniles of 1.7%.

## Discussion

1. Research has suggested that juvenile sex offenders are more amenable to treatment than adults and pose a lower risk of re-offending. This appears to be borne out by these preliminary numbers as the overall recidivism rate is small. In addition, over three-fourths of the juveniles in the first cohort who are on the registry have not had a new sex offense charge or conviction at the time of this report. However, according to current law and practice, the 662 juveniles (both cohorts) who have been adjudicated for sex offenses cannot lawfully live within 2000 feet of a school or daycare center for the rest of their lives upon turning 18 and leaving secondary school. There may be a few of these juveniles whose offense may not have involved minor victims, but that number is not known at this time.
2. Implementation of the Federal “Adam Walsh” Act in Iowa would expand current requirements for juvenile sex offenders. In that legislation, certain juveniles will be required to register without regard to juvenile court discretion. Mandatory registration would be required for any juvenile who was 14 or older at the time of the offense, if the offense included force or incapacitation. These offenses, in Iowa Code, include some definitions of Sex Abuse 2<sup>nd</sup> and Sex Abuse 3<sup>rd</sup> (709.3 and 709.4 respectively).

There are also definitions within those Iowa Code sections that may not be subject to the Adam Walsh requirements. However, at this time the database does not distinguish among the sub-definitions. So the following data should be considered high-end estimates, rather than true estimates, of the potential impact on juveniles.

Potential Number of SOR Registrants under Adam Walsh

	Total # Adjudicated	# Meeting Fed. Criteria	%
FY03-FY05	350	193	55.1%
FY06-FY08	312	179	57.3%

3. Iowa Code 709.3, Sex Abuse 2<sup>nd</sup>, is also used if the victim is under 12 years of age. Iowa Code 709.4, Sex Abuse 3<sup>rd</sup>, includes victim age as part its definition as well. As juveniles tend to be sexually involved with peers, it has been suggested that this leads to the use of 709.3 or 709.4 for that reason, not because force was used. However, one of the revisions in Iowa Code that was implemented at the beginning of FY06 permitted charging and adjudicating juveniles for Lascivious Acts with a Child rather than Sex Abuse 2<sup>nd</sup> or 3<sup>rd</sup>. If that change allowed for more “accurate” charging and adjudication, then one would expect a drop in the number of juveniles adjudicated for Sex Abuse 2<sup>nd</sup> and 3<sup>rd</sup>. While the overall number of juveniles adjudicated was lower, there was an increase in the percentage of juveniles convicted of the offenses requiring registration in the second cohort.
4. Based upon the data available at this time, it appears that any changes to the methodology for placing juveniles on the SOR would have significant negative effects on the future ability of juveniles to establish stable life styles. With the overall recidivism for sex offenses as low as 2% for juveniles, lifetime or 15-year registration is an overly broad sanction.
5. In addition, the current practice requiring lifetime residency restrictions upon turning 18 for all juvenile offenders is not supported by experience.
6. Given the potential negative impact of required registration and residency restrictions, another concern stemming from Adam Walsh is that the juvenile justice system may respond by not using sex offense codes in alleging and adjudicating delinquent behaviors even when appropriate. While this could be seen as solving one problem, it would create another by restricting juvenile access to sex offender treatment. There has been anecdotal evidence suggesting that juveniles increasingly are not being adjudicated for sex offenses, an approach providing one explanation for the decrease seen from FY03-FY05 to FY06-FY08. There was a 10% reduction in the number of juveniles adjudicated for sex offenses between the two cohorts, and a 42.5% reduction in the number of juveniles on the SOR.

During the same time periods, there was a 4.9% reduction overall (from 17,056 to 16,209) in the number of juveniles adjudicated for any offense. At this time, it would be difficult to determine the underlying causes of the reductions specific to sex offenses in light of the overall reduction in juvenile adjudications.

## **Conclusions**

- Based upon known charges and convictions, juveniles in Iowa have a very low rate of re-offending for sex offenses.
- Adjudication for sex offenses under current Iowa law has repercussions that will last for the lifetime of the juvenile, irrespective of future non-conviction for sex offenses.

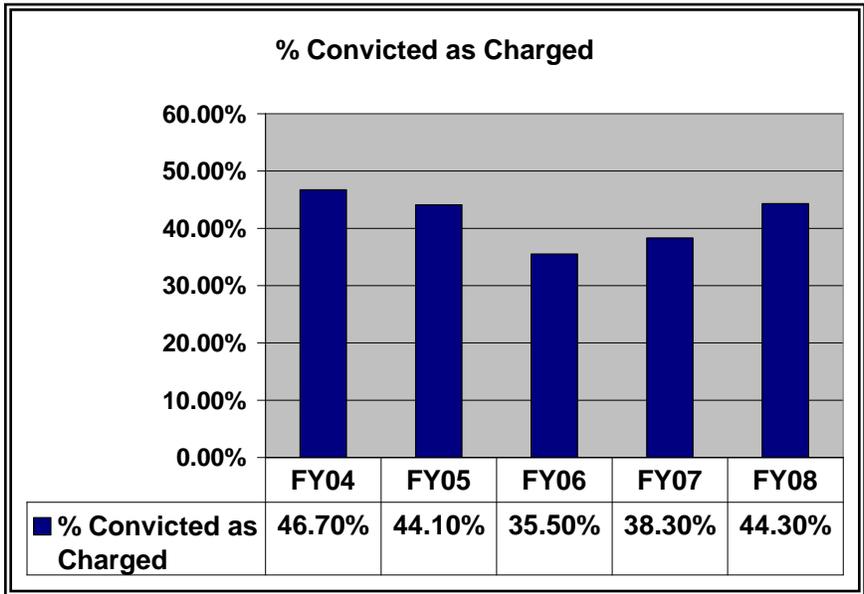
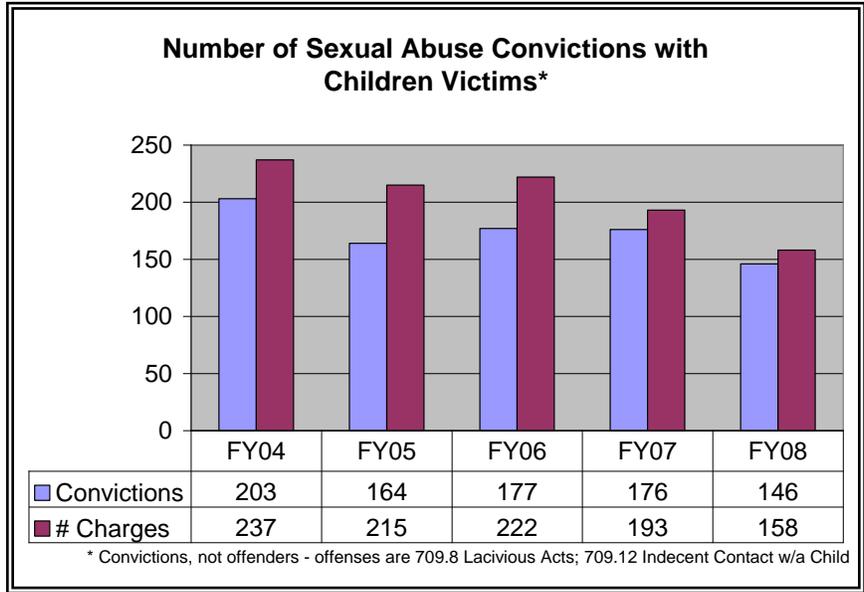
- Available data indicate that lifetime residency restrictions are appropriate for only a small percentage of juvenile offenders.
- Even with the modifications to the requirements of the Adam Walsh Act concerning mandatory registration for juveniles, the impact would be significant.
- Responses by the juvenile court system to the consequences of adjudication and registration for juveniles are not known at this time.

### **Data Relating to Residency Restrictions**

Sex offenses against children when the offender is a stranger are rare in Iowa. Since FY2006 the relationship between offender and victim has been available electronically for offenders entering prison. Below is a chart showing the number of offenders by their relationship to their victim(s), for offenses against minors (<18) only.

Relationship	FY06		FY07		FY08		Total	
	N	%	N	%	N	%	N	%
Cohabit	13	6.0%	18	8.6%	10	6.3%	41	7.0%
Consensual	32	14.7%	41	19.6%	26	16.4%	99	16.8%
Family	49	22.5%	50	23.9%	47	29.6%	146	24.8%
Step-family	30	13.8%	29	13.9%	19	11.9%	78	13.2%
Friend/Acquaintance	71	32.6%	56	26.8%	47	29.6%	174	29.5%
Not Applicable	1	0.5%	0	0.0%	0	0.0%	1	0.2%
Stranger	3	1.4%	5	2.4%	4	2.5%	12	2.0%
Supervisory	14	6.4%	9	4.3%	9	5.7%	32	5.4%
Unknown	5	2.3%	1	0.5%	0	0.0%	6	1.0%
<b>Total Admitted</b>	<b>218</b>	<b>100.0%</b>	<b>209</b>	<b>100.0%</b>	<b>159</b>	<b>101.9%</b>	<b>589</b>	<b>100.0%</b>

CJJP has also been tracking the number of charges and convictions for offenses against children. Because of coding issues, at this time the only code citations that are in the Justice Data Warehouse that apply specifically to children (<13) are 709.8, Lascivious Acts; and 709.12, Indecent Contact. Below are two charts, one showing charges and convictions, the other showing the percent of convictions that were the same as the original charge.



The residency restriction was not fully implemented until FY2006. There was very little difference in the number of charges and convictions between FY2005 and the two years after implementation. A decrease in charges and convictions was seen for FY2008; at this time it is not possible to determine whether this is a one-year anomaly or a downward trend. It is also not clear at this point whether there has been a change in charging patterns or in the number of reports. This will continue to be monitored.

## APPENDIX 1

### Sex Offender Research Council Members, 2008

Senator Jeff Angelo	Iowa Senate
Senator Keith Kreiman	Iowa Senate
Vacant	Iowa House of Representatives
Representative Ray Zirkelbach	Iowa House of Representatives
Ben Stone	American Civil Liberties Union of Iowa
Jason Smith	Iowa Department of Human Services
James Saunders	Iowa Department of Public Safety
H. LeRoy Kunde	Iowa State Sheriffs and Deputies Association
Thomas Ferguson	Iowa County Attorneys Association
Jeanette Bucklew	Iowa Department of Corrections
Karen Muelhaupt	Iowa Board of Parole
Ron Mullen	Community-Based Correctional Services
Thomas H. Miller	Iowa Department of Justice
Mark Smith	Iowa State Public Defender
Beth Barnhill	Iowa Coalition Against Sexual Assault
Marilyn Lantz	Juvenile Court Services
Binnie LeHew	Iowa Department of Public Health

## APPENDIX 2

### Correspondence Received by the SORC

Iowa General Assembly  
Iowa Sex Offender Treatment and Supervision Task Force  
The Division of Criminal and Juvenile Justice Planning  
Iowa Department of Human Rights  
Des Moines, IA

Dear Sirs / Madams:

As I have reflected over the last year on the approach taken by the Iowa State Assembly regarding sex offender legislation, the objections made even by prosecutors, and the results which have been viewed quite negatively, particularly by our neighboring states, I believe that it is time for a true and comprehensive revision of Iowa's policies. I have no doubt that the best was intended in the current scheme, but I believe it cannot be allowed to stand. It is past time for a revisiting and a plain, practical acknowledgment of what the legislative task force wrote in the opening of their January, 2008 report: "Challenges [legislators] face stem from the need to avoid primarily politically-motivated responses and the desire to make informed decisions that recognize both the strengths and the limitations of the criminal justice system as a vehicle for promoting safe and healthy families and communities."

There is hardly a piece of current research on this topic which does not mention the often irrational or even hysterical nature of public perception, often fed by media coverage sensationalism, misrepresentation, and "tough on crime" political gamesmanship which also likes to seize on public fears for personal gain. I want to express plainly, in advance, that I do \*not\* believe that serious criminal offenders of this kind, or any other, should not have appropriate consequences and restrictions placed on them or that the public should not be notified when it is appropriate to do so. However, if we are to believe even half of the research that has been conducted across this nation in this field, then we can only conclude that, in general, sex offender registration and website programs have little or no discernible effect on recidivism or public safety. The most prevalent threat to the public comes from those who have not yet offended or have not yet been identified and caught.

Particularly with respect to the low level ("Tier 1") offenders who have submitted to certified treatment, and especially those whose initial crimes were intra-family, or who were young and whose victims were near the legal age threshold, their rates of recidivism are among the lowest of any category of crime. Especially in a time of economic hardship, these are some of the last people that the State should be spending its criminal justice dollars on. We ought to make sure they have an appropriate consequence, perhaps taking Washington State's Special Sex Offender Sentencing Alternative as a model, require them to complete certified treatment at their own expense along with providing treatment expenses and any restitution for their victims, and keep their registration data with law enforcement. Nearly every country in Europe maintains sex offender registration records exclusively with law enforcement and only distributes notifications

regarding offenders who are known to prey on the public. That is the appropriate and respectful response for a nation, and our state, to take. This is largely the position adopted by our neighbor to the west, the State of Nebraska, and it seems to work just as well as the ridiculous measures which have been taken in places like Texas and, to a lesser extent, here in Iowa. We cannot eliminate crimes altogether, whether of this nature or any other, and it is very expensive and hurtful to all of us if we become the Great Jailer, incarcerating and endlessly demeaning and penalizing those who are known to actually be a reasonable risk and which have a great need to rebuild useful lives in our communities. The cities of Nebraska, such as Lincoln, maintain 1,000-foot straight line restrictions against "Tier 3" high-risk offenders living near places where children are known to gather. They don't restrict low-level offenders without those kinds of histories and evaluations, nor do they publish their personal and work information on the internet. Again, this is a rational, straightforward and protective policy that recognizes the only likely threats rather than media-perceived threats or isolated incident-based reactions.

I urge that, in this new era of American leadership, the Assembly would please have the courage to face this issue head-on and be willing to take the heat from the media and ignorant members of the public, etc., to base its policy plainly and exclusively upon the criminal justice research, the experienced policies of the wider civilized world, and justice for all which must always be mixed with mercy. Failing this can actually threaten the viability of public notifications and the very meaning of the term, "sex offender," if it all becomes so extensive as to be commonplace and meaningless to actual public safety. I truly believe that Iowa can help to guide national policy here, along with Nebraska, by reversing course in some respects and setting a standard for rational civility and decency in this area.

Sincerely,

Ned Zylinski