

Around Jessica's Law

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SACRAMENTO, Calif. —

Hundreds of California sex offenders who face tough new restrictions on where they can live are declaring themselves homeless — truthfully or not — and that's making it difficult for the state to track them.

Jessica's Law, approved by 70 percent of California voters a year ago, bars registered sex offenders from living within 2,000 feet of a school or park where children gather. That leaves few places where offenders can live legally.

Some who have had trouble finding a place to live are avoiding re-arrest by reporting — falsely, in some cases — that they are homeless.

Experts say it is hard to monitor sex offenders when they lie about their address or are living day-to-day in cheap hotels, homeless shelters or on the street. It also means they may not be getting the treatment they need.

"We could potentially be making the world more dangerous rather than less dangerous," said therapist Gerry Blasingame, past chairman of the California Coalition on Sexual Offending.

Similar laws in Iowa and Florida have driven offenders underground or onto the streets.

"They drop off the registry because they don't want to admit living in a prohibited zone," said Corwin Ritchie, executive director of the association of Iowa prosecutors.

The organization tried unsuccessfully in the past two years to persuade lawmakers to repeal the state's 2,000-foot residency restriction.

"Most legislators know in their hearts that the law is no good and a waste of time, but they're afraid of the politics of it," Ritchie said.

The problem is worsening in Florida as about 100 local ordinances add restrictions to the state's 1,000-foot rule, said Florida Corrections Department spokeswoman Gretl Plessinger. Sixteen homeless offenders are now living under a Miami bridge, while another took to sleeping on a bench outside a probation office.

"As society has imposed restrictions, it becomes almost impossible for them to find places to live," Plessinger said.

Twenty-two states have distance restrictions varying from 500 feet to 2,000 feet, according to California researchers. But most impose the offender-free zones only around schools, and several apply only to child molesters, not all sex offenders.

California's law requires parolees to live in the county of their last legal residence. But in San Francisco, for example, all homes are within 2,000 feet of a school or park.

"The state is requiring parolees to find eligible housing in San Francisco, knowing full well there isn't any," said Mike Jimenez, president of the California parole officers union. "It will be impossible for parole agents to enforce Jessica's Law in certain areas, and encouraging 'transient' living arrangements just allows sex offenders to avoid it altogether."

State figures show a 27 percent increase in homelessness among California's 67,000 registered sex offenders since the law took effect in November 2006. Since August, the number of offenders with no permanent address rose by 560 to 2,622.

"This is a huge surge," said Deputy Attorney General Janet Neeley, whose office maintains the database. "Any law enforcement officer would tell you we would prefer to have offenders at addresses where we can locate them."

Offenders who declare themselves homeless must tell their parole officer each day where they spent the previous night.

Those who declare themselves homeless are still legally bound by the 2,000-foot rule; they cannot stay under a bridge near where children gather, for example. But it is more difficult for parole officers to keep tabs on them.

Parole officers said some offenders are registering as homeless, then

sneaking back to homes that violate the law. That's easy to do because fewer than 30 percent of transient offenders currently wear the Global Positioning System tracking devices required by Jessica's Law.

"If they tell you that they were under the American River bridge, we're going to take that at face value," said Corrections Department spokesman Bill Sessa, referring to a homeless hangout in Sacramento.

During a recent sweep in the Oakland area, parole officers discovered that two of the five offenders they checked weren't living in the temporary shelters they had reported as their new homes. Neither had been issued a GPS device.

Department spokesman Seth Unger said parole agents are starting to make the homeless a priority in issuing the GPS ankle bracelets, which are still being phased in.

R.L., a 42-year-old sex offender who lives near Disneyland in Southern California, said he registered as homeless after his parole agent told him two potential homes were too close to schools or parks.

"I finally asked, 'Where do you want me to live?' He said, 'You have a car, don't you?'" said R.L., who asked that his full not be used because of the stigma surrounding sex offenders.

The law was named for 9-year-old Jessica Lunsford, who was kidnapped, raped and buried alive by a convicted sex offender near her Florida home in 2005.

The author of Jessica's Law, state Sen. George Runner, said "90 percent" of it is working well. But he conceded that some portions need to be fixed.

"When the voters voted for this, they decided that they didn't want a child molester to live across the street from a school," said Runner, a Republican from Lancaster in Los Angeles County's high desert. "If that means that in some areas that needs to be 1,000 feet or 1,500 feet, then I think that we still accomplish what it is the voters wanted."

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