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Group tries to educate on sex offenders' rights

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SPRINGFIELD — With her son's story in mind and a new group at her side, the mother of a convicted sex offender is planning to come to Springfield this month to lobby for change.

Tonia Maloney recently created Illinois Voices, an organization dedicated to providing education on issues affecting sex offenders. Maloney, who will be joined by a handful of others from her group, hopes her trip to the Capitol building will educate lawmakers, who continue to push for stricter sex offender laws each spring.

"Our goal is to provide factual information to lawmakers showing that all these residency restrictions don't prevent future crimes," said Maloney, a Fairview Heights resident. "We want to get them to recognize the difference between non-violent offenders and violent offenders and start treating them differently."

The introduction of legislation dealing with sex offenders has become an annual occurrence in the Illinois General Assembly. At least a dozen measures were introduced this spring.

The two pieces of legislation that Maloney said she is most concerned about are House Bill 3975 and House Bill 1294, both of which appear to have stalled.

HB 3975 would prevent a child sex offender from living within 1,000 feet — rather than 500 — of a school, park or day-care center, and HB 1294 would make it a Class 4 felony for a child sex offender to knowingly be in an area of a public library primarily used by those under 18.

Other sex offender-related bills moving through the Illinois General Assembly include:

- House Bill 5043, which would classify sex offenders convicted of certain sex offenses against victims under 18 as "sexual predators." The measure was approved this month by the House and now awaits action in the Senate.
- Senate Bill 2824, which was approved by the Senate this month and now sits in a House Rules Committee, would prohibit child sex offenders from going to public parks.
- Senate Bill 3084 would require sex offenders previously not required to register to register. In a vote of 57-0, the Senate approved this measure, which has been assigned to the House Rules Committee.

"These laws are making these restrictions on sex offenders so hard that they can't find places to live or work," Maloney said, explaining that sex offender registry requirements forced her son to move 30 miles away. "They're ruining lives."

Maloney said her son's sex offender conviction stems from the consensual sex he had with his 16-year-old girlfriend. He was 19 at the time, which created a situation commonly referred to as a Romeo and Juliet case.

A handful of states have enacted so-called Romeo and Juliet laws to provide less harsh punishment in cases involving consensual sex between teens close in age. Other states allow juvenile offenders to petition the court to get their names off of the state sex offender registry list.

Legislation that would have allowed judges to remove juvenile offenders names from the sex offender list has been proposed Illinois to no avail. In May 2009, the Illinois Supreme Court ruled that juveniles adjudicated delinquent on sex-related charges must register on the adult sex offender registry. *People ex rel. Joseph E. Birkett v. James J. Konetski*, No. 102667 .

Maloney also pointed to the Adam Walsh Act as another piece of legislation that worries her. The act, which organizes sex offenders into three tiers for the purpose of registration, was signed into law in 2006. The federal law appears to have been implemented only in Ohio, where it has received court challenges.

Though Maloney said she believes Illinois' current sex offender laws aren't doing anything to address the root of the problem, she did applaud lawmakers for their work on House Bill 4853.

Passed by the House and awaiting Senate action, the measure would soften the penalty for "sexting" so instead of facing a felony child pornography charge that requires sex offender registration, HB4853 would provide for court-ordered supervision and community service.

Legislation can be found on the Illinois General Assembly's Web site.

For more information go to the group's Web site at Illinois Voices.

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