

The Broadening Definition of “Sex Offender”

<http://www.stateline.org/live/details/story?contentId=476264>

The Adam Walsh Act (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ248.109.pdf), currently in place to protect children against abuse and child pornography and promote Internet safety is being used to classify criminals whose crimes were not sexual in nature as sex offenders. The Adam Walsh Act also requires information to be posted in an online sex offender registry.

The two recent cases of Wisconsin’s James Smith and Georgia’s Jake Ranier each draw attention to this. In these cases, each falsely imprisoned their minor victims, but conducted themselves in a non-sexual manner. Nevertheless, under the existing law of both states, false imprisonment is classified as a sexual offense.

In the Smith case, presiding Judge Annette Kingsland Ziegler wrote in her opinion the kidnapping and false imprisonment have “nexus” to sexual offenses.

(<http://www.wicourts.gov/sc/opinion/DisplayDocument.pdf?content=pdf&seqNo=48192>).

Critics argue that, under this interpretation, anyone convicted of nearly any crime can be considered a sexual offender under current law.

State legislators have been careful not to expand their sex-offenders registries. Lawmakers are trying to reduce the penalty for “sexting,” or transmitting nude pictures to others via cell phone, and special consideration is being thought of for violators of the “Romeo and Juliet” laws, for teens who engage in underage but consensual sex do not have to register as sex offenders.

“When you start putting everything on (the registry), it diminished the impact of it,” said Kansas State Senator Tim Owens.

The National Center for Missing and Exploited Children’s Kristen Anderson, considers state sex offender registries, “our best resource.”

“They (legislators” agree that the registry is way overblown,” says Mary Sue Molnar of Texas Voices, an organization lobbying for less-serious to petition to have their names removed from the registry. “The problem is getting them to pass legislation that would go the other direction.”

National Sex Offender Public Website:

<http://www.nsopw.gov/Core/OffenderSearchCriteria.aspx>

Jake Ranier Case Appeal:

<http://www.gasupreme.us/sc-op/pdf/s09a1900.pdf>

