

House Republican Press Release

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REP. FREY SUPPORTS JESSICA'S LAW



“Requires Mandatory Sentences for Predators”

RIDGEFIELD— State Representative John Frey of Ridgefield, co-sponsored and joined a unanimous House and Senate in passing and approving a bill to strengthen current sex offender laws in Connecticut. The bill immediately became law after Governor M. Jodi Rell signed the bill in July.

The legislation SB-1458, known as “Jessica’s Law,” would create a new crime of “aggravated sexual assault of a minor” if a person commits a sex offense against a child under the age of thirteen. The bill also contains numerous aggravating factors that would trigger the new system including kidnap, stalking offenses and offenses against multiple victims. The bill was patterned after Florida’s “Jessica’s Law,” that was passed in response to the kidnapping and killing of 9 year old Jessica Lunsford by a released pedophile.

This legislation changes the mandatory penalty. Under this law a first conviction for aggravated sexual assault of a minor will result in a 25 year sentence but a second offense draws a mandatory 50 year sentence. This change was a result of the head prosecutor's concern that any sentence of life imprisonment requires a probable cause hearing - a second hearing where a child victim would have to testify and face cross examination. In an effort to spare children from the trauma of testifying twice, and to prevent defense attorneys from having a second chance to derail a conviction, a fifty year sentence was proposed.

“The bill strengthens our laws against child predators and gives prosecutors more tools to deal with these dreadful cases,” said Rep. Frey. “Crimes against children are the most difficult and heartbreaking to deal with. Convictions should carry the harshest penalties against these types of predators. Hopefully, passage of this law will protect children in Connecticut.”

An additional provision requires sex offenders to provide their e-mail and instant message addresses to the Commissioner of Public Safety under the state’s Meghan’s Law requirements. Failure to comply will carry the same penalties for not reporting an offender’s physical addresses, which carries a jail term of up to 5 years (class D felony).

Rep. Frey said, “The saturation of communication technology in our culture can be a blessing and a curse. This legislation attempts to deal with some of the more dangerous characters online.”

Very importantly, this bill creates a class C felony for misrepresentation of age to entice a minor punishable of 1 to 10 years in prison and a fine of up to \$10,000 and also allows victims to petition the court at any time to remove a sex offender from the Department of Public Safety’s restricted registry.

Megan’s Law is named for 7 year-old Megan Kanka of New Jersey, who was killed in 1994 by a sex offender living near her home. In 1995, Connecticut passed legislation mandating notification of residents that a sex offender was living in their neighborhood. A 1997 law made those addresses available to the general public. Originally placed on-line in 1999, a federal court removed the convicted sex offender list from the Internet in 2001 citing constitutional grounds, but the United States Supreme Court overturned the ruling in 2003.