

Tackett hopes map will inform public, force offenders to move further than 1,000 feet from schools and day care centers

39 sex offenders live too close to kids

By BOB WATSON
News Tribune

Cole County Prosecutor Bill Tackett says 39 registered sex offenders in the county live closer to a school or daycare center than a 2004 law allows.

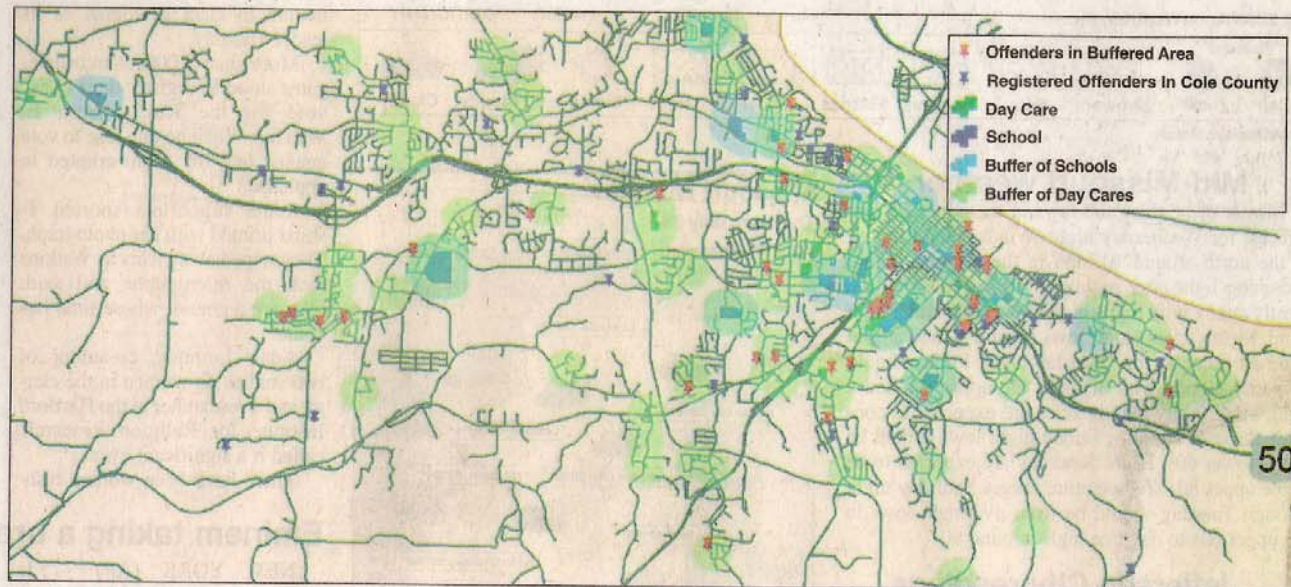
And he wants those people to move before schools start next month.

"The intent behind the law was to have these people, whom the Legislature deems incurable ... (moved) away from children," he told reporters Tuesday afternoon.

He said he, and "a lot of prosecutors," believe requiring someone to move in less than a month's time is reasonable.

Then-Gov. Bob Holden last year signed the law, which passed the House on a 158-1 vote and cleared the Senate by a 31-0 margin.

The law says that people who have been convicted of any of a number of sex-related crimes "shall not establish residency



within 1,000 feet of any public school ... private school (up to the 12th grade) or child-care facility ... which is in existence at the time

such residency is established."

One thousand feet is a little shorter than three football fields, measured from goal-post to goal-

post.

The distance is measured in a straight line, from the closest boundary line of the school or day-

care property to the offender's address.

(For example, the Jefferson
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City High School's football practice field and driving range, located south of Stadium Boulevard, are part of the school's property.)

A first-time violation of the law is a Class D felony, while a second or subsequent violation is a Class B felony.

The law gives a registered offender, who lived at the address before the school or daycare was opened, one week to prove they were in the home before that opening — or they can be charged with a misdemeanor for failing to notify the sheriff of the conflict.

Any subsequent failure to notify the sheriff of the conflict is a felony.

"If everybody resides in a different place and school starts, and all of this is rectified, then we move on," Tackett said Tuesday. "If not, then we go down the path of charging."

Tackett on Monday mailed a certified letter to all people on the sex offender list maintained by the Sheriff's Department, notifying them of the law and giving them a copy "of every pertinent statute."

County officials have created a map showing where those offenders live, and how close their listed addresses are to both school and licensed daycare facilities. The map was posted Wednesday morning on the prosecutor's Internet

Web site, www.colecopa.com.

Tackett said he and his staff are studying whether the new law can be applied to an offender who lived at their current address before the law went into effect last Aug. 28.

"That would be subject to a court challenge, if this law is ever challenged," he said. "And that would be settled in court."

The law also covers non-licensed daycare centers.

"That is not on the map, because we have no way of tracing that," Tackett said.

He said a prosecutor must prove that the registered sex offender "knew" he or she was living within 1,000 feet of a daycare, which might be "problematic" with an unlicensed facility.

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