

House of Representatives Judiciary Committee
Attn: Delegate Luke Clippinger
RE: HB0531 Criminal Procedure – Sexual Offenders – Lifetime
Supervision

SUPPORT

Annie Kenny
26366 Meadow Wood Dr
Mechanicsville, MD 20659

I am writing in support of House Bill HB0531, which would require that anyone convicted of sexually abusing a minor would be subject to Lifetime Supervision, instead of just Lifetime Registration and a 5-year probation period. I am a single mother to three daughters from St. Mary's County who has witnessed first-hand the destruction caused by child sexual abuse. Several years ago, I discovered that my husband had abused one of my daughters. He was indicted on felony child sex abuse charges, and is now a Tier III Registered Sex Offender for the rest of his life. In our divorce, I was granted sole legal and physical custody of our other two daughters, with him to have only supervised visitation at his mother's home. In June of 2018, my daughter revealed to her therapist that on their visits, she and her sister were being allowed to sleep alone with my ex-husband. Multiple Child Protective Services reports were filed and law enforcement got involved, but ultimately the situation was deemed a civil matter, as no actual laws were broken.

The road since then has been exhausting, constant battles in civil court which have cost me over \$30,000 in legal fees, hundreds of phone calls, and tons of research only to find dead end after dead end. All the while my ex-husband continued to harass my family and attempt to gain unsupervised access to these children, showing up where we are scheduled to be, sending private messages to my daughter's Ipad, telling her to change her password, and setting up fake social media accounts. I am in a constant state of high alert. I build a wall, he finds a way around it. I build another wall, he finds a way around that one. I have an already convicted pedophile trying to gain access to my children, attempting to groom the next daughter, and none of his actions are actually illegal.

I am relieved that after so much work, we have found a way to potentially stop him. In April of 2019, he was taken back to court by his probation officer and the original prosecutor to have his probation conditions modified to include no unmonitored contact with minors, to include electronic, telephone, and written contact. Now there is an actual legal recourse that can be pursued. If he messages my daughter again, I can call the police and he can be charged with a violation of probation. However, in a year and a half, his probation will end, and then he will no longer be restricted from gaining unsupervised access with children. I will once again be surrounded by concerned people, therapists, social workers, law enforcement, prosecutors, all individuals whose job is to protect people, watching a very sick and angry man violate every civil boundary he's been given in an effort to have private access to children. And there will be absolutely nothing they can do about it.

I assume many of the members of this committee have children. I'd like for you to stop for a moment, and picture your children, think about how they were when they were 10 years old. My 10 year old

child was harming herself. This was occurring two years ago, while she was in the 4th grade. Last year she was diagnosed with PTSD and prescribed antipsychotic medications to try to keep her from hurting herself or someone else. She recently spent a week admitted to Children's Hospital's Psychiatric Ward. Once or twice a week she explodes with such anger and sadness that I have to physically restrain her. I wrap my body around hers and try to prevent her from banging her head against the wall or harming her younger sister. We sit on the floor after dinner like this, while she screams and cries, as I desperately try to calm her down. Then when she's done, she looks up at me with tearful eyes, and tells me she's sorry. She softly asks me to please tuck her into bed because she's so sleepy. And I take her into her room and rub lavender lotion on her back, and tuck her in with a weighted blanket, hoping she will feel safe enough to stay asleep all night. Then I comfort my other children, and lie awake half the night praying to God that He will help me save her. And then I go out into the world the next morning and try to act like I'm NORMAL. Because no one wants to see these parts of us. It's too ugly to look at.

Continuing to fight to keep her safe from her already convicted father demands all of my time, my resources, my money, and I am exhausted. Last year my daughter was receiving therapeutic services 4 nights a week. This year, it's much less because our health insurance changed, and I no longer have the same access to care as I did previously. But I'm still constantly knocking on every door, calling every lead, desperate to connect with anyone who can help alleviate her suffering. One single day at Kennedy Krieger in Baltimore last month cost over \$1,500 out of pocket. And that's just one of literally hundreds of appointments over the past few years.

All of this is describing one of the children that my ex-husband wasn't even convicted of abusing. She's not able to talk about it, so I don't even know the extent of the trauma that she endured. That's another huge flaw with the way this legislation is currently set up. The daughter that my ex-husband was convicted of abusing was over the age of 12 at the time. I am so proud of her ability to be brave and strong enough to come forward, and endure the countless interviews and questions and criminal court dates. Having walked through it with her, I can clearly see why it would be so difficult for an even younger victim to survive the process. We should not be required to find a victim of a particular age who is strong enough to testify in order to be able to establish the lifetime supervision that should be considered necessary for ANYONE that has sexually abused a child.

My other two daughters are currently functioning well, which I am incredibly grateful for, but I don't know how long that will last. Trauma is tricky in that way. It reaches up and chokes the air out of you in the middle of a normal day. You don't know what is coming or when. All three of my daughters have had their childhood shattered. And I don't believe there will ever come a day in their lives where they aren't somewhat affected by that, even on the good days. There is so much pain in my home, and I can't eradicate it. I can't love it out of them. I can't create so many happy memories that they don't feel the bad ones anymore. Child sexual abuse cannot be undone. Once a child has been violated, lost their sense of safety, their privacy, their body, their very self, they are forever changed. And since there's no way to undo it, we as a society should be stopping at nothing in order to prevent it.

I believe in forgiveness. I believe in the ability for people who've done really bad things to go on to live a positive life. But I'm not willing to gamble the safety of my children on it. If after my ex-husband's 5 year probation ended, I invited him back into my home, gave him access to my children again, you would tell me I was crazy. When he hurt my children again, you would tell me that I was responsible for allowing it to happen, because I gave him the access when I knew he was capable of this type of behavior. Well that's exactly what we're doing as a society right now. After 5 years we are sending these offenders back out into the world without any support for the ones struggling, and without any ability to restrict or redirect the behavior of the ones that are continuing to behave questionably. We

cannot be reckless with the safety of our children, we MUST do more to prevent child sexual abuse before it happens.

I'm not here for punishment or vindication. I am not asking for more jail time or chemical castration. I'm simply pointing out that we don't know what the future holds. We don't know what offenders are capable of down the road. At the time of my ex-husband's conviction, I had no idea that he would violate every single family court order he was given and that he would continue to seek unsupervised access to children. I am so incredibly grateful that his probation was modified to prevent him from doing these things, but also very aware that in a couple of years he can start doing it again. To any child, not just mine. I think it's safe to say that we don't understand the way that these types of offenders think or behave, so we cannot possibly understand what they will be capable of 6, or 10, or 20 years from now. We need to keep the door open to be able to mandate further treatment or restrict access to children if the supervising team is disturbed by an offender's behavior. We have no idea what's coming, and it's reckless and naive for us to think we do.

It's worth noting, that my husband recently reoffended. He was arrested several weeks ago for molesting two other little girls, ages 6 and 10. Younger than that defining age limit of 12 when it comes to whether or not an offender is subject to Lifetime Supervision, or simply the 5 year probation. His trial is set for this spring, so even if this bill passes this year, his conviction will occur before it goes into effect, and no matter how serious his convictions, or how long his jail term is, when he gets out of jail, he will still only be on probation for 5 years. Every single year that we wait on this bill, so many offenders like this slip through the cracks, and we miss the opportunity to ensure we can appropriately monitor and restrict them going forward. Our children deserve better. Once we know that someone is capable of this kind of horrific behavior, we have to ensure that we have the ability to step in and try our best to limit their access to children going forward. Forever, not just for 5 years.

My change.org petition now has over 48,000 signatures, and WJLA has run 3 stories. Inaction speaks volumes at this point. There is simply too much at stake for this bill to wait another year.

<https://www.change.org/p/governor-hogan-better-sex-offender-laws-to-protect-our-children-a2e241ce-e821-45ae-b9f3-7231f4a2c93b>

Annie Kenny
26366 Meadow Wood Dr
Mechanicsville, MD 20659