

Testimony 02/06/2012

Subject: House Bill 2494

Witness: Officer Anthony Brixius, Juvenile Investigator, Lawrence Police Department

Background:

Madam Chairman, members of the committee: House Bill 2494 represents a tremendous step forward in helping victims of child sexual abuse tell their story and obtain closure. In the last year I have had several discussions with my peers, county attorney and supervisors in regard to several child sexual abuse cases, which have extended past the statute of limitations. In those discussions, everyone has expressed the need for change for the well being of the victims of these crimes. I am fortunate to have the opportunity to share some of my experiences with you today.

Currently, I and two other officers of the Lawrence Police Department are assigned to investigate crimes against children in Lawrence. I have been in law enforcement for over eight years and in the assignment of Juvenile Investigator for the last two years. I have well over 150 hours of training in these cases, have participated in over 100 investigations and have conducted countless interviews with alleged victims of sexual abuse. What I would share with you today does not necessarily represent the views of the governing body of the City of Lawrence, but instead represents the views and experiences of myself and my partner, Officer Mark Unruh, who is also here and available for questions if needed. I would like to share with you several cases, which are as follows:

Case Examples:

April 2011- A 16 year old female reported her brother, who she grew up with and lived with for much of her life, repeatedly touched and sodomized her in their home in Lawrence KS. The suspect in this investigation was 7 years older than the victim. The victim could not be sure of her exact age when the acts occurred, but estimated they occurred 7-8 years previous to the report or 2-3 years past the statute of limitations.

November 2010- A 17 year old female was processed by an intake worker at a juvenile facility. As a matter of practice, intake workers often ask questions about family history, drugs, gangs, and sexual activity or abuse. The female disclosed she had been molested by her friend's grandfather when she was 7 years old, while living in Lawrence, KS. I contacted the female by telephone, since she lived out of town, expecting to explain to her the limits on prosecution based on the statute of limitations. Unfortunately this young lady was very aware of the limitations on our system and explained she first obtained the courage to report the same assault when she was 13 years old, 6 years past the initial act.

December 2011- An 18 year old girl reported to her School Resource Officer she had been molested by her older brother on multiple occasions when she was 13 years old. The report was made approximately five months after the statute of limitations expired. In this instance, the girl told her mother, but nothing was ever done and she never

received any counseling. The young lady said she had a lock put on her door to keep her brother from entering at night, said she still has nightmares, and to this day has to check out each room she sleeps in to make sure no one else is in the room before she sleeps.

January 2010-A 12 year old girl reported she had been inappropriately touched by her mother's live in boyfriend, who had recently moved out of the residence. At the time, the girl's 10 year old sister was interviewed and stated nothing happened with her. Approximately 9 months later, after the suspect had been removed from the residence for almost a year, the younger sibling came forward about two incidents of inappropriate contact between she and the then 30 year old suspect. Through interviews of the family, investigators learned the suspect had allegedly forcefully raped his cousin (19) a little over five years earlier and a second cousin (17) a little over five years earlier. The latter would fall within the new law. Neither case was known by law enforcement. In this instance, family dynamics and fear kept the incidents from being reported.

February 2011- Investigators of the Olathe Police Department contacted a 25 year old female believing she was one of multiple victims of a 40 year old male, when she was a juvenile. The victim reported that in 1997-1998, while in Lawrence, her stepfather came into her bedroom on multiple occasions and touched her inappropriately. The victim reported the incident to her mother when it occurred and law enforcement was never contacted. Despite being past the statute of limitations, the suspect was contacted and confessed to the crime.

August 2011- Investigators were contacted by a 19 year old woman, the woman's younger sister, and mother in regard to a sex crime. The woman reported that between the ages of 11 and 13 she was repeatedly raped, sodomized and photographed by her step father in their home. In June of 2006, the girl reported the incidents to her mother. The mother confronted her husband who made admissions to her about the incident. In July 2006, the mother and her two young girls moved out of the state. When asked, the girl and mother stated they did not tell authorities because the suspect had threatened them multiple times and they believed the suspect would kill them. This case was reported one month after the statute of limitations expired in Kansas. The primary difference in this case is that while the victims reported in Kansas, the offense occurred in Missouri. Missouri's statute of limitations, from my research is 20 years on child crimes. This investigation is ongoing and I believe it is currently being prosecuted in Missouri.

Conclusion:

The cases presented represent less than two years of time in a community of less than 100,000 people. Within a few minutes of going through my records, I was able to locate several examples of how a change in the statute could help victims who found the courage to share their story and face their fears. As I speak with victims of sexual abuse I find there are significant reasons why and when a victim chooses to disclose. We must understand victims, especially at a young age, may not understand what has happened is wrong, may have significant fears about "telling" on a family member or

person of authority, and we must remember these accusations are potentially embarrassing to such a level that a young mind may take several years, if ever, to convince themselves they are strong enough to come forward.

This committee has a tremendous opportunity, an opportunity to affect the lives of hundreds of young people in Kansas, who at the time could not protect themselves. I ask you to take note of national news and realize one offender often has multiple victims and those victims often take years to first come forward. I appreciate this committee taking the time and exploring this important issue. I would also like to thank you for taking the time to let me share my experiences with you and I look forward to your questions.

Thank you,

Anthony Brixius
Juvenile Investigator
Lawrence Kansas Police Department

Curriculum Vitae

Anthony J. Brixius

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Professional Work Experience

LAWRENCE, KS POLICE DEPARTMENT

Patrol Officer (July 2003-Nov 2009)

- Responsible for the investigation of misdemeanors, felonies, traffic accidents and service to the community

Juvenile Investigator (Nov 2009-Present)

- Responsible for the investigation of sexual and physical abuse crimes against children. Present cases to the District Attorney's Office for prosecution. Work with detectives on felony crimes against persons.

Other Assignments

- Field Training Officer, 26th, 27th & 28th Basic Recruit Academies
- Crisis Response Team: Counter Sniper (2007-Present)
- Domestic Violence Instructor: 28th, 29th & 30th Basic Recruit Academies
- C.S. LEEDS, Liaison
- Bicycle Patrol Officer
- Lawrence Police Officers Association Executive Board (2010-2012)
- 2010 Resource Study Group

Education

UNIVERSITY OF KANSAS, Lawrence, Kansas

Bachelor of Science, Secondary Education

Professional Training

Over 275 hours of specialized investigations training in narcotics, gangs, interview and interrogation, homicide and crimes against children.

Child Protection Training & Experience

- National Crimes Against Children Conference 19.5 hours (August '07)
- Finding Words Child Forensic Interviewing 40 hours (April '09)
- Child Abuse Investigations 36 hours (April '10)
- Independent Study: "How to Identify, Interview and Interrogate Child Abuse Offenders", *John E. Reid & Associates (David Buckley)*
- *Participated in approximately 100-150 interviews with children
- *Participated in over 100 investigations of alleged crimes against children
- Kinesic Interview Phase I 21 hours (August '05)

- Kinesic Interview Phase II 24 hours (August '06)
- Practical Homicide Investigation 24 hours (July '07)
- Finding Words and Beyond, Advanced Forensic Interviewing 16 hours (August '11)

Hours of Training: 180.5

Professional Organizations

Kansas Gang Investigators Association
Kansas Narcotics Investigators Association
Capitol Area Major Case Squad