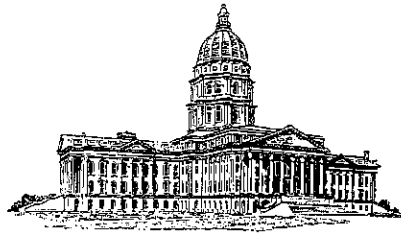


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The question is often asked why it sometimes takes victims so long, if at all, to come forward regarding crimes involving sexual abuse/violence. There are various reasons why; sometimes there is a fear of retaliation; sometimes victims don't want people to know. Others are afraid they might go through the process only to suffer personal attacks or find justice falls short in holding perpetrators accountable.

Last month a 67-year-old man was found guilty of soliciting sex from a minor. The man, who had prior convictions for battery and sexual battery, was issued a sentence lower than what was recommended. The judge in the case departed from sentencing guidelines as he felt the 13 and 14 year old girls – the victims involved - were “more aggressors, than participants.”

News of this situation caused outcry across the state. Social workers, doctors, teachers, parents and others have voiced concern indicating that 13 or 14-year-olds are far too young to understand the implications of engaging in sexual relations with an adult; that they can be coerced or taken advantage of. As the mother of 13 and 15-year-old girls, I recognize they are still quite naïve and don't always suspect adults of looking to manipulate or exploit them.

What needs to be mentioned is the judge in the case mentioned was not necessarily operating outside of the given parameters for sentencing. According to Kansas law, a judge can depart from sentencing guidelines if “substantial and compelling reasons” can be cited. It is likely though this was meant to be applied in a situation involving adults over the age of consent, not one where minors are the victims.

This bill is designed to close that loophole in sexually violent crimes involving victims who are minors under the age of consent. While it is difficult to label any victim as an “aggressor” in case, minors who are abused by adults should not be put in that category.