

Statement: Christa Dubill
SB420 – 2020
Senate Judiciary Committee

It was February 2016. I was at the grocery store.

When I got to the dairy section, I pulled my cart up to the center display to check a recipe on my phone so I'd know to buy half and half or heavy cream. As I stood there, I felt something behind me. It was more a sense than an actual touch, but I glanced behind me - mindlessly. What I saw in that moment stopped me in my tracks. I froze. And watched in a daze what was happening. It must've only been a few seconds but it plays out in slow motion in my mind.

Behind me was a man. Crouching. He had a handheld grocery basket and a cell phone. I could see the screen of his phone was on video. I could see the screen of his phone shooting his blurry fingers which were in front of the camera... and the blurry basket grid and the floor. I watched his shaky finger tap the red dot to start recording and then slowly turn the phone over and position it in the bottom corner of the basket.

As the man made a slight movement to start to stand I quickly turned back facing forward. I don't know why I didn't just confront him then. I stood there, staring at the shelves of dairy products in shock for what seemed like minutes. It was likely only seconds. Processing what I'd just seen.

As I "came to" and looked around. I saw the man standing less than ten feet in front of me. He was staring at the dairy wall. Still in shock, I took out my phone and took his picture.

I'll skip the rest, except to say I ended up confronting him and asked to see his phone. His immediate response was "That would be an invasion of my privacy". He ended up running from the store. Police found him later that day.

The District Attorney's office took up the case. I learned later one of several reasons they decided to pursue a conviction is because there'd been another woman in California accuse him of the same thing. Secretly recording her, in a grocery store... in the dairy section. In that case, she'd seen a blinking light in a backpack he'd lowered beneath her. She confronted him. Police later found him. Accept the video tape from the camcorder was missing. No evidence.

She came to Kansas and testified in my case. Finally had her chance to get justice because he did it again.

I shared my story publicly to raise awareness. I learned from the district attorney's office how prevalent this sort of thing is... How often he sees it... how tiny the cameras have gotten... and how hidden. I heard from women all over. Most encouraging and supportive. Some with similar stories. And some who accused me of just wanting attention. That part, too, is not uncommon.

In September of 2017, 19 months after that day in the grocery store, the man was found guilty by a jury, sentenced to 30 days shock time in jail, and made to register as a sex offender.

That's my personal story. Now for my professional story.

I was a news reporter and anchor for 20 years. Covered dozens of stories about this kind of thing happening.

A man convicted of purposefully going to a convenience store near a catholic school. He'd go before school, at lunch, and after school when the store was full of girls in skirts. He'd crouch behind them to tie his shoe, place his phone on the floor directly behind the girls in skirts - his phone recording directly up their skirts.

A man caught in a makeup store recording up a very young girls clothing. Another shopper - an unrelated mom - is the one who confronted the guy. That case is currently ongoing.

A man convicted of putting his phone on a floor of dressing room to secretly record the girl next to him undressing. When police found him, there were more than a hundred images on his phone of girls and women in many different dressing rooms across many different cities in several states. This man pleaded guilty, said he felt horrible and would never do it again. He walked out of court and the very next day was arrested for allegedly doing the same thing...to a teenage girl...in a dressing room. THAT case is also ongoing.

I learned as retail stores struggle to keep up with societal changes – like being more inclusive of gender identities – they have moved away from men’s and women’s dressing rooms and simply combined them as gender neutral or unisex dressing areas. One huge problem is dressing rooms still have minimal panels of division. I have now learned the men who do this know exactly which stores to go to, they know to watch for women and girls carrying in the “right” clothing. Like swimming suits for example, will likely cause the girl or woman get considerably more “undressed” than, say, a sweater. They know. And they watch for this. I’ve heard stories over and over again.

I’ve learned many stores don’t have a protocol for employees on how to handle a situation when a girl or woman catches someone she believes has recorded her. Many times the workers aren’t properly trained to make the right calls and give proper attention to the victim. Most victims are told there’s nothing to be done. The man has long left. The girl or woman is left to believe she simply needs to move on.

For the woman or girl who DOES notice and catches the guy...
Confronts the guy.

For the woman or girl who won’t let an uninformed worker simply dismiss her...
who insists police be called or calls them herself.

For the woman or girl who endures the inevitable judgement by sometimes even friends about whether she just wants attention...

Who sits through meetings with the DA.

Who has to wait weeks, months, sometimes years for the process to play out.

Who prepares to tell her story in front of attorneys, a judge, maybe even a jury.

For the woman or girl who stands up for herself and says she won’t allow it, perhaps it won’t surprise you some of these women and girls are also here today.

Because after all she’s done to fight back, all she’s done to spread awareness so other girls and women are more aware of their surroundings, all she’s done to make sure the person who did this to her can’t do it to anyone else... After all of that, she finds out Kansas law still puts this kind of crime in the same category as intercepting a telegraph or wiretapping someone’s phone.

It probably won’t surprise you that some of those girls and women want to change the law. We stand here today in support of SB420. Legislation which – if passed – would call this sort of crime exactly what it is – sexual in nature – and add it to the list of offenses which should require the perpetrator register as a sex offender.

