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December 3, 2006

To: Sex Offender Committee
From: Scott Tornquist

I wanted to take a few minutes and share some of my thoughts while your committee is still deliberating.

First and foremost, thank you for the time and effort each of you has invested in this endeavor. This is a highly charged issue, and each of you has done an admirable job of remaining sensitive while seeking to enhance the safety of our citizens.

With respect to access of registered offenders to our parks, I do not think we should incorporate any language that is ambiguous (such as permitting excluded persons if they have a "legitimate reason"). Such ambiguity will make enforcement extremely difficult. Registered offenders should either be allowed in certain parks, or not allowed in certain parks...period.

If registered offenders are excluded from Central Park, we need to maintain access to public transportation at the bus station. Such access could be maintained by not including the bus station as part of the Central Park exclusion. Further, patrons can gain access to the bus without entering the park (perimeter sidewalks).

I am of the mind that we should work with law enforcement and identify one park that registered sex offenders can have access to. This park should include playground equipment. I know of one registered offender in the community that is on the registry as a result of consensual sex with a 17 year old (who he believed to be 19). He is now married and has kids. We need to be compassionate in our efforts to improve community safety. The individual in this example is a taxpaying citizen; to the extent the community is not at risk, we need to respect his rights to live in community.

If you concur, I would suggest we consider making East Park accessible to registered offenders during daylight hours. This maintains a community amenity for marginal people on the list, and gives them and their family's access to a number of cultural events.

I also believe the state legislature should repeal the 2000 ft residency restriction. This restriction, though well intended, has actually made enforcement more difficult as offenders have gone "underground". The legislature could either repeal the law outright, repeal it for communities such as ours that have enacted local controls, or soften up the restrictions. In any event, the ordinance you propose will be significantly more effective than the current state legislation in place. It would be my hope you could work together to lobby our legislators. If not, perhaps those of you that are so inclined could do so on a personal level.

It is my hope that the council will endorse the recommendations you bring forward, regardless of any personal issues we might have. I believe our citizen boards and commissions should be wholly supported by the council; we have empowered you to make recommendations, and we need to respect the depth and breadth you have invested in the process. For each of us to do so, we need access to the ordinance, and a chance to offer input, before your committee passes it our way.

To this end, I request that after you have completed the checkpoint with the city attorney, you publish the “final” proposed ordinance. This should be made available to the public and the council. After we have had a week or so to digest the material, I believe your committee should have one final public hearing. This is the opportunity my colleagues and I, as well as the general public, have to offer our thoughts for your consideration before you endorse the recommendation and forward to the council for action.

Finally, I’d like to see your committee continue into the foreseeable future, even if some of your members would like to step down and create an opening for others in the community to get involved. Whatever ordinance the council ultimately adopts should be reviewed by your committee 10-12 months after implementation. This review should include public hearings. Further, your committee is well positioned to track state revisions to the current law, lobby legislators for changes that may be needed, and make recommendations to the council for revisions to the Mason City ordinance as the local and state landscape changes.

Please understand the viewpoints herein are from my perspective as an individual, and they may or may not represent the collective viewpoint of the city council. I appreciate your consideration of these thoughts, and again, thank you for your service to our community.

Sincerely,

Scott Tornquist
Councilman, Mason City