

Beacon Hill Byline by Mary Rogeness

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## **Extending the Statute of Limitations**

It's not over till it's over! That is one of the first lessons I learned in the legislature, and the lesson was reinforced this year in the saga of a bill to extend the statute of limitations for child sex offenders. The bill's supporters watched and hoped and expected it would be passed early this summer, and many thought it had in fact been passed. But there always seemed to be one more obstacle to overcome.

After many false hopes, the bill was enacted last Thursday, and at the Byline deadline, it needs only the governor's signature to become law. Of course that means it is not really over even now, so I hope I am not jumping the gun by writing.

Here are some highlights of the bill.

- It extends the statute of limitation for sex crimes against children from the current 15 years to 27 years. The time starts running after first reported or after the child reaches the age of 16.
- It extends the requirement for global positioning system monitoring to additional offenders.
- It imposes lifetime parole on level 3 offenders who fail to follow registration requirements.
- It requires prisoners to register their residence process before release from incarceration.

The path to enactment was meandering and difficult, and perhaps it provides an example of the saying that you don't want to see sausage or law being made. Here is a summary of that journey.

The first hurdle facing the bill was acquiring an endorsement from the judiciary committee, which first appeared disinterested in its passage. After unrelenting pressure of citizen activists and legislators, the committee drafted a comprehensive piece of legislation.

On July 26 that bill passed the house by a vote of 153 to 3, and it appeared to be on a roll. It went to the senate the very next day, and the senate passed it as well. But there was one glitch. The senate first added amendments to the house bill. And it sat, amended and unresolved, as the clock ticked down on legislative formal sessions.

It is often more difficult to pass a bill once formal sessions end, since a single legislator can veto any action. In this case, however, slow progress continued.

In August, the house rejected the senate amendments and returned the bill to the senate. The senate then removed one amendment but insisted (a formal legislative term) on others. As August turned to September, the house agreed to senate action, but added one further amendment.

Do you think it was then over? Not yet. Last Monday the senate accepted the house bill, making only a technical change. On Tuesday house lawyers delayed a bit longer while they decided whether the technical amendment altered the bill's intent (it did not).

Finally, on Thursday, both the house and the senate enacted the bill and sent it to Governor Romney.

Now the legislature has spoken. We took an important step to protect children from the horror of sex abuse, even as we know that the U.S. Constitution bars our law being applied to crimes that have already occurred. As legislators, we have an obligation

to protect our communities and to respond to public demand for greater security. This bill does just that.