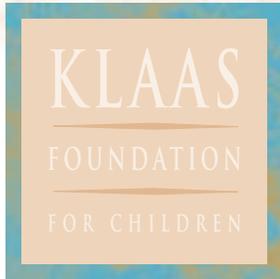


# KLAAS ACTION REVIEW

THE NEWSLETTER OF THE MARC KLAAS FOUNDATION FOR CHILDREN



## A MESSAGE FROM MARC

**F**or far too long, the burden of child safety has rested on the shoulders of our children. This abdication of responsibility has led to ever-increasing numbers of children at risk of abuse, abduction and neglect. If we are to truly effect the safety of children, we must adopt a national policy that addresses this issue from the President's cabinet to the family kitchen. By prioritizing legislative, community and family efforts, we can offer our children the opportunities our parents provided to us: a chance to grow up into productive citizens without a veil of fear.

The true power of Federal criminal justice legislation is its ability to set precedent. The administration's commitment to Megan's Law, a national sex offender registry, truth in sentencing, and increased utilization of computer technology in law enforcement sends a clear message to the states. Support for a two-strike law for child sexual molestation, the tracking and monitoring of paroled violent offenders, and coordinated efforts between the states and the sharing of information is equally as important. As with Megan's Law, financial incentives further encourage the states to support laws that prioritize child safety.

According to the Bureau of Justice Statistics Census of State and Local Law Enforcement Agencies,

in 1992 there were 24 full-time officers for every 10,000 residents nationwide. This equals one law enforcement official per 416 civilian residents. Therefore, it stands to reason that communities and neighborhoods are better served by creating crime prevention and awareness programs that include citizen's participation and cooperation with law enforcement to reduce crime in our communities. In the months, weeks, and days prior to Polly's abduction and murder many neighbors encountered her killer yet failed to report the ominous stranger to law enforcement. An effective neighborhood watch program circumvents apathy and denial.

On a more personal level, families need to be educated about the dangers that face children on a daily basis. California, with the oldest sex offender registry in the United States, currently has nearly 70,000 registrants. Only a small number of sex crimes are

*(cont. on page 3)*

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# KLAAS FOUNDATION MUSKETEERS

By Joe Klaas

As three Musketeers of France served their queen so long ago, three Musketeers of Law today serve children everywhere with legal assistance provided pro bono (at no charge) to the Klaas Foundation for Children.

The legal lions serving this most noble cause are Carl Stoney, David Alexander, and Robert White of the distinguished San Francisco law firm, Jackson Tufts Cole & Black, which occupies three floors at 650 California Street in San Francisco, CA.

## Foundation is Firm's Charity Project

"Our firm chose the Klaas Foundation for Children as its charity project," said Carl Stoney, Jr., who earned his University of California B.S. degree in 1967, and J.D. and M.B.A. degrees from the Boalt Hall School of Law (1970) and the Haas School of Business in 1971. "We could find no more rewarding cause than being the lawyers for Marc Klaas in his amazingly successful national crusade for children's rights."

Stoney, a Phi Beta Kappa, has lectured and written on various tax and corporate issues, and served on the Executive Committee of the Taxation Section of the State Bar of California from 1980–1983. Currently he is a member of the Taxation and Business Law Sections of the America Bar Association, and a certified specialist in Taxation Law by the California Board of Legal Specialization. He set up the Internal Revenue Service

501(c)(3) nonprofit tax status that makes all contributions to the Klaas Foundation for Children fully deductible.

## Doing All We Can for Child Safety

"We want to do all we can for child safety," said litigator David T. Alexander, who earned a B.A. with distinction in 1968 and a J.D. in 1971 from the University of Michigan. He became a trial attorney for the United States Department of Justice in 1971–72 and a law school instructor from 1972–73. He is a member of the Panel of Arbitrators of the American Arbitration Association and serves with the Antitrust Law Section of the American Bar Association.

*"We could find no more rewarding cause than being the lawyers for Marc Klaas in his amazingly successful national crusade for children's rights."*

"We are glad to help Marc's efforts in Polly's memory," said Robert G. White, who attended Morehouse College, where he received his B.A. in 1983 and was elected to Phi Beta Kappa. He was a Marshall Scholar at the University of Kent at Canterbury, United Kingdom, receiving a B.A. with honors. He won his J.D. from Stanford Law School in 1989.

## Donations Go Straight to Kids' Rights

"The expertise and counsel of these fine gentlemen is awesome," said Marc Klaas. "With them aboard, not one penny of our supporters' contributions has ever had to be spent for legal services, but can go straight to financing the fight for our children's safety, health, and happiness. We are all truly grateful for their outstanding assistance."

Jackson Tufts Cole & Black also has offices at 50 Market Street in San Jose, where the Polly Klaas murder trial recently found its way to justice at last. ■

## THANK YOU TO OUR DONORS

Recent generous donors to the Klaas Foundation for Children include:

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# FOUNDATION WEB SITE CATCHES WORLD'S ATTENTION

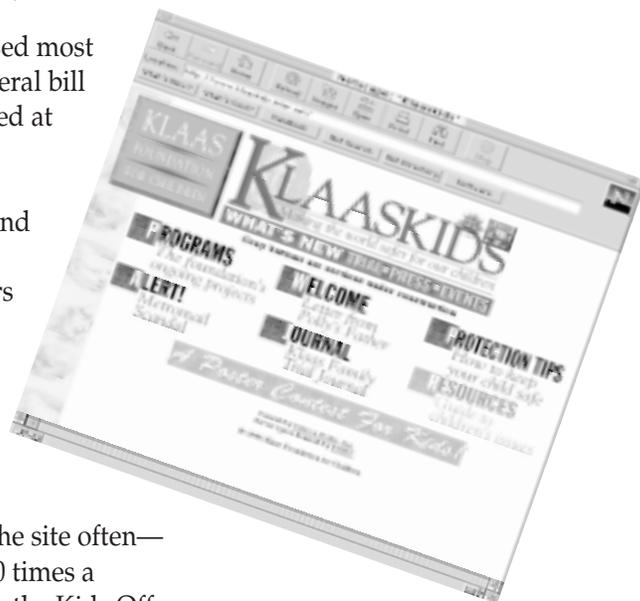
Since the Klaas Foundation launched its World Wide Web site on Feb. 6, 1,500 to 2,000 people daily have been using their computers to electronically drop in. From as far away as Sri Lanka and Australia, visitors have checked out the site's child safety tips, resource guide to information on children's issues, and updates on the Foundation's legislative goals in the United States. "Last week there were 61 visits from Singapore," said Mike Angiletta, principal owner of the San Francisco-based Silicon Media, which constructed and manages the site.

The other big draw has been Marc and Joe Klaas' daily journal of the trial of Richard Allen Davis, the now-convicted killer of Polly Klaas. "A main purpose of the journal is to give our perspective of the trial, to show what the impact is on the family," Marc Klaas said.

The site has focused most recently on a new federal bill (see story below) aimed at limiting the sale of marketing lists identifying children and details of their lives. The site allows visitors to send an electronic message to R. R. Donnelly, the principal company involved in selling the lists. Company representatives visit the site often—usually more than 100 times a week—to check up on the Kids Off Lists campaign, Angiletta said.

The site has won four awards from online organizations, including the Magellan Award for originality and social relevance.

The Web site address is <http://www.klaaskids.inter.net/> ■



*Material for this article was taken from one which appeared in the May 27, 1996, Press Democrat, written by Mary Callahan.*

## KIDS OFF LISTS: NEW CRIME BILL HEARING

It sometimes seems an unbearably slow process, but laws are being passed to help protect our children, and the Klaas Foundation is working to support and inform voters on the progress of proposed legislation. The most recent is the Children's Privacy Protection and Parental Empowerment Act of 1996 (HR3508), scheduled for hearings before Rep. Bill McCollum's House Judiciary Sub-Committee on Crime at 9:30 a.m., September 12, 1996.

The purpose of the hearing is to present pros and cons regarding the regulation of the private database industry. Rep. Bob Franks (R-NJ) the House sponsor of the bill; Marc Rotenberg, president of the Electronic Privacy Information Center (EPIC); and Marc Klaas will be testifying on behalf of the legislation. The Federal Trade Commission seems to be supportive of the action thus far.

For more information on the marketing of the names and addresses of children—to anyone, without question or safeguard—see the story on page 6. ■

## MARC'S MESSAGE (CONT.)

reported. An even smaller number result in convictions and many offenders plea-bargain to non-sexual offenses. Therefore, parents should raise their children as if there is a predator living in their neighborhood, because there very well might be. Children need tools to protect themselves by learning how to avoid compromising situations.

In order to protect our children we must work together on every level and we must make this issue a high priority. By taking personal responsibility for our most innocent and vulnerable citizens, we ensure that the world our children inherit is safer and more secure than one we inherited from our parents. ■

*Best Wishes From Marc Klaas*

# SEX OFFENDER REGISTRATION AND TRACKING: WE NEED IT NOW

By U.S. Representative Dick Zimmer

In Arlington, Texas, Amber Hagerman was dragged from her bicycle and never seen alive again. Police have no suspects, but they think the crime was committed by a sexual predator.

In California, 12-year-old Polly Klaas was abducted from her own bedroom and brutally murdered. Her killer had been out on parole for three months and twice before had been arrested for kidnapping.

In Hamilton Township, New Jersey, seven-year-old Megan Kanka was raped and murdered, allegedly by a twice-convicted sex offender who lived across the street from her.

As evidenced by these tragic events, there is a need to arm communities with information about the whereabouts of previously convicted sex offenders. In many instances, lives could have been saved if only communities had known about these dangerous predators.

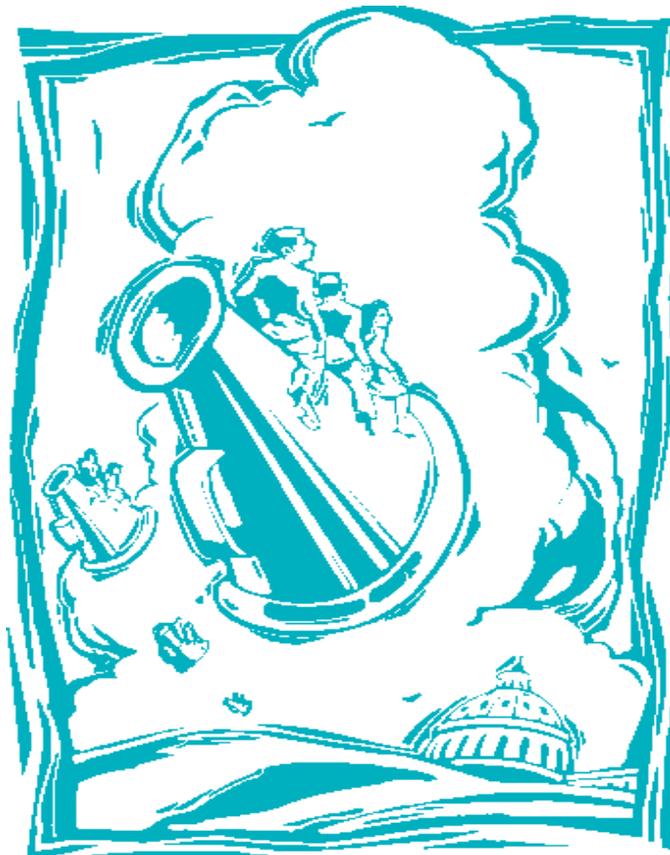
## Mobilizing the Community

After the death of Megan Kanka, her parents mobilized New Jersey and the nation in the fight for community

notification provisions. Had they known that an offender lived directly across the street from them, the Kankas would have been able to protect their daughter from harm. The Kankas and I were outraged by a recent article in the *New Jersey Law Journal* alleging that some of their neighbors had heard about a dangerous sex offender—but not the accused murderer currently waiting

*Under current law, offenders are simply required to return a signed verification form to the state certifying their residence.*

to stand trial—living in their midst and falsely implying that the Kankas knew about him. To blame these courageous and committed parents for the death of their daughter is an indecency. In fact, this controversy shows why we need Megan's Law to ensure that official notification, instead of rumors and back fence gossip, will protect the innocent from harm.



On May 17, 1996, two years of hard work by Richard and Maureen Kanka reached their culmination when President Clinton signed into law my federal Megan's Law. As a result, local law enforcement agencies in all 50 states must now notify schools, day care centers, and parents—people who need to know—about the presence of dangerous offenders in their area.

## Victims' Rights Have First Claim

Opponents of Megan's Law are pursuing their cause in the courts, but the U.S. Supreme Court will wisely rule as New Jersey's high court already has: that the rights of potential victims are superior to the rights of convicted predators.

All states are required to have their own registry of sex offenders so they can keep track of their whereabouts,

but it is still possible for predators to disappear simply by moving to another state. That is why we must now take the logical next step and create a national sexual offender registration and tracking system.

I have introduced legislation to do just that. My bill would empower the Federal Bureau of Investigation to create a national registry to supplement the separate registries of the states and knit them together into a unified entity.

### Offenders Just Move Away from Record

Under current law, offenders are simply required to return a signed verification form to the state certifying their residence. Under my legislation, the offender would also be required to provide a set of fingerprints and a

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*We must now take the logical next step and create a national sexual offender registration and tracking system.*

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signed verification form to the FBI. Sex offenders also will be required to inform both the FBI and state authorities each time they move either within the state or to another state. The FBI will monitor their movements and issue an "alert" to all states if an offender fails to register and is deemed "missing."

Sex offenders who fail to register would face a maximum prison term of one year and a fine of up to \$100,000 for a first offense and a maximum prison term of ten years and fine of up to \$100,000 for subsequent offenses. Companion legislation has been introduced in the Senate by Joseph Biden (D-DE) and Phil Gramm (R-TX). President Clinton endorsed the concept recently in one of his weekly radio broadcasts. Prospects for early enactment are very good.

Parents should never have to endure the horror of losing a child to a sexual predator because they were not informed. We need to continue to press for this registration system to give our communities the extra security they deserve. ■

## CHILD SAFETY DAYS: HELPING COMMUNITIES PROTECT THEIR CHILDREN

One of most successful methods of building family safety awareness is the Child Safety Day events co-sponsored by the Klaas Foundation and the Child Safety Network Trust (CSN), a charitable trust dedicated to the safety and protection of children throughout the United States.

Child Safety Days are co-sponsored by the Klaas Foundation and Kiwanis Clubs in over 12,500 cities. During the average Child Safety Day, the police department is on hand to fingerprint kids and conduct bicycle safety demonstrations and DARE® programs; the fire department holds fire safety demonstrations, and the Kiwanis Club distributes free Child Safety Info Packs in a fund and festive atmosphere.

Since 1989, CSN has distributed Child Safety Info Packs to millions of families nationwide. Each Info Pack contains information on home safety, fire prevention, first aid, stranger danger, how to choose a child caretaker and baby sitter, disaster preparedness, gun safety, bicycle safety, water safety, pediatric trauma prevention, and more.

The Info Pack becomes a keepsake for parents, with a place to store the child's updated photograph every six months for three years, a medical and dental record, emergency contact list, immunization record, and an authorization for emergency surgery. These items are extremely helpful if the child is ever injured or abducted.

Child Safety Days have become widely known community outreach events, with every family invited from local churches, synagogues, child care centers, elementary schools, Little Leagues, Boy Scouts, Girl Scouts, soccer leagues, etc. The Child Safety Day has been endorsed by over 170 U.S. Congressmen and Senators, as well as law enforcement, fire departments, and educators. ■

# DATA ON CHILDREN EASY, CHEAP TO GET

By Jim Herron Zamora

In our last issue of the Klaas Action Review, we ran an article on Metromail Corp., a marketing firm which sells information about children, including names, addresses, ages, and other sensitive data to buyers who are—or who say they are—seeking to sell consumer products for children. The story has been followed up by several reporters, and more recent findings are outlined in this article, which ran in the San Francisco Examiner in late spring.

To prove how easy it is for pedophiles to obtain mailing lists of kids, a Los Angeles television station reported that it obtained a detailed computer printout of the ages and addresses of 5,500 children living in Pasadena simply by sending \$277 to a Chicago database firm.

The television reporter gave her name as the Richard Allen Davis—the admitted killer of 12-year-old Polly Klaas—when ordering the list. The reporter, Kyra Phillips of KCBS-TV in Los Angeles, also gave the

name of a nonexistent children's clothing company and a non-working phone number to the company, Metromail Corp., in order to obtain the list.

"When I said, 'Richard Davis' they said, 'Oh, you have a famous name,'" Phillips said in an interview. "They asked for

no proof of business or identification. I could have been a legitimate business person or I could have been a sex criminal."

Klaas' father, Marc Klaas, has been crusading against inclusion of children's names in market databases sold to direct-mail firms, saying the lists make it easier for pedophiles to target children. Officials from Metromail, a unit of R. R. Donnelley & Sons, Inc., could not be reached for comment. But

Donnelley Vice President Steve Bono, quoted earlier in *USA Today*, said, "There is no evidence to suggest criminals are using direct-mailing lists to harm children or that the safeguards the industry has in place voluntarily are not adequate."

"Metromail has good and adequate policies in place to prevent the inappropriate dissemination of data through our marketing services," Susan Henricks, Metromail's president and CEO, wrote in a letter faxed to KCBS-TV last week.

"Unfortunately, in this instance, the proper procedures were not followed

and our system did not work. We're investigating why these procedures were not followed and will discipline those responsible. More importantly, we are taking steps to be sure that our procedures will be followed in the future."



## No Questions Asked

Phillips said she called Metromail the following Monday, told the firm she was from a company that wanted to sell children's clothes in Pasadena, and asked to buy a list of names of children between the ages of 1 and 12 and their family names

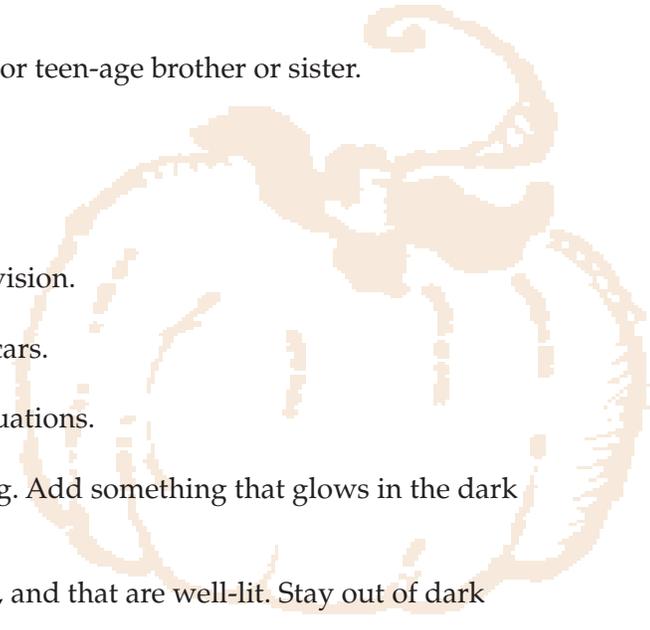
and addresses. She said Metromail asked for her name and her company's name address and phone number as well as the method of payment for the \$277 fee.

"I said I couldn't pay by check or credit card because my purse was stolen," Phillips said. "They sent it one day later COD, and I paid by money order." Phillips received a list of addresses that included the parents' names, the family's address and the child's date of birth and gender.

"It's outrageous," Marc Klaas said of Phillips' report. "They have always said that they screen their

## HAVING A SAFE HALLOWEEN

Halloween is coming in just a few weeks and it's time to start thinking about teaching your children to be safe as they attend parties and go trick-or-treating. Following are some easy, common sense tips to help your children have a fun, safe holiday.

- 
-  Trick or Treat with a group, and take along a parent or teen-age brother or sister.
  -  Stay outside the homes you visit.
  -  Take a flashlight and walk on the sidewalks.
  -  Wear make-up instead of a mask that inhibits your vision.
  -  Cross streets at the crosswalks and stay away from cars.
  -  Trust your instincts! Stay away from any strange situations.
  -  Wear a costume that is light in color and not too long. Add something that glows in the dark or is reflective.
  -  Trick-or-treat in neighborhoods you know and trust, and that are well-lit. Stay out of dark alleys, dark stairwells, and remote locations.
  -  Discuss your Halloween route with your parents and the time you will return.
  -  Be sure all treats are wrapped and sealed. Eat them only after a parent checks them first.
  -  If you do not feel safe trick-or-treating, do not trick-or-treat.

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clients very carefully. But this is proof that they do not... child molesters, rapists, and murderers can access this very sensitive information."

### Marc Klaas' Crusade

Klaas has formed a new coalition called Kids Off Lists, devoted to getting children's names and personal information off marketing databases. He said parents should at least be allowed to give permission every time information about their children is sold to a direct-mail marketing firm.

"How would you like it if someone came to your door and said they had ordered private information

on your child using the name of an admitted child-killer?" asked Klaas, who was also interviewed in the televised report.

Pedophiles, he said, "have used computers to try to meet kids online, and I'm sure they'll figure out ways to utilize this too." Klaas' daughter was abducted from her Petaluma home and killed in October 1993. The suspect in the case, Richard Allen Davis, did not locate her through databases. Davis has pleaded not guilty. His attorney has said the ex-convict killed Polly but didn't sexually assault her.

Klaas is a shareholder in R. R. Donnelley and in March at the firm's

annual meeting in Chicago, he asked them to "purge the names of children from their computers."

Although other firms market family information, Klaas said he targeted Donnelley because it's the biggest firm in the business. "You've got to go after the biggest offender if you want to change anything," Klaas said. "They're the ones making the most money off our children." ■

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# JOIN THE FOUNDATION AND HELP FIGHT CRIME!

To join the Klaas Foundation for Children, please fill out this form and return it to the address below. Your tax-deductible membership costs just \$15.00 per year, and will entitle you to receive:

- The quarterly *Klaas Action Review*, with news and information, practical tips, events, and more.
- Regular *Klaas Action Update* sheets, alerting you to the latest happenings as they happen in the field of child safety.

Please check your areas of interest:

- I would like to receive information on starting a National Community Empowerment program.
- I would like to receive more safety information for my children.
- I would like to become more informed about how to support legislation against crime in my state.
- Other: \_\_\_\_\_

As a member, you will receive a 15% discount on all conferences, seminars, speaking tours, and events; and will be listed as a donating member in the Foundation's annual report and brochures.

As a personal gift, you will also receive the Children's Identification Packet and a beautiful "Polly, We Love You" pin, in memory of our inspiration, Polly Klaas.

Love your children. Keep them safe.

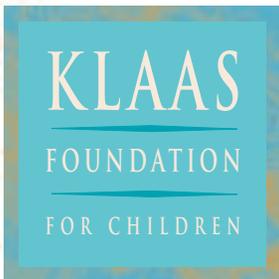
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