

# KLAAS ACTION REVIEW

THE NEWSLETTER OF THE MARC KLAAS FOUNDATION FOR CHILDREN

## A MESSAGE FROM MARC

As many of you know, on September 26, Polly's convicted killer was sentenced to death. In the courtroom, he made comments that victimized our family without consideration for the consequences. So far as we know, this is the first time a psychopath has so blatantly displayed throughout his trial the sadistic characteristics that separate him from the mainstream of good, honest citizens. It is our fervent wish that society takes heed of this important lesson and forever shuts the door on such remorseless action.

Thank you for all your kind thoughts, encouragement, and support during this long and difficult year. We are deeply grateful to the many caring people, around the country and around the world, who have helped and continue to help in our healing process. Just knowing that America supports us in our quest to rid the streets of individuals like Polly's killer gives us the strength and the nourishment we need.

In this issue of the *Klaas Action Review*, we extend a special thank you to the many donors who, with cash, equipment, support, and services, have helped the cause of child safety in our country. They are listed on pages 6-7 of this issue. We also profile Lynne Williams and Cheryl Foster, two donors with very

special ways of raising money for the Foundation's work (page 2). The Klaas Foundation for Children is a tax deductible, nonprofit agency with no salaried employees, and we depend on individual donations, large and small, to continue our efforts to create a safe future for our children.

In addition, this issue introduces and provides further information on some of the causes upon which we plan to focus during the coming year. A federal amendment supporting victims' rights during the justice process is one way we can make sure criminals end up behind bars; programs like California's newest version of sex offender registration is another. The Foundation also takes a look back at 1996 to identify its accomplishments in publicizing the need for better laws to protect our children at the local, state, and federal level.

There is a lifetime of work ahead of us. We rely on your help to carry it out. Let's beat crime in 1997!

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# CREATIVE GIVERS HELPING KIDS

By Joe Klaas

There is a bull market for bears in Northern California. These warm and fuzzy creatures—which their creator, Lynne William of San Jose, can't collect and refurbish fast enough—are assorted teddy bears. She and a friend, Marlene Scaglione, buy them from the Goodwill, Salvation Army, St. Vincent DePaul's, and other thrift shops. Lynne then cleans, repairs, and decorates them to

sell—a most unique way to raise needed funds for the Klaas Foundation for Children.

*"I donate half the proceeds to the Klaas Foundation for Children. I use the other half to buy thrift shop bears to fix up for sale."*

"It's a fun thing to do," Lynne says, surrounded by Teddy Bears in her home. "I only charge five dollars apiece for them. I donate half to the Klaas Foundation for Children. I use the other half to buy more thrift shop bears to fix up for sale. Some thrift shops like the idea so much they give me a discount."

All "Teddy Bears for Polly" are lovingly restored with variously colored fabric hearts sewn onto their chests. Purple ribbons adorn furry necks. Little pink folders bearing a portrait of Polly drawn by her Aunt Elizabeth Klaas are tied to their arms. Inside, the folders read:

"A bear for Polly—  
For children  
Everywhere...  
Please show you care.  
Please remember  
Polly  
When you see this  
Teddy Bear!"

Lynne began preparing and selling Bears for Polly in October 1996. By Thanksgiving weekend she reported, "I've already sold more than 250 Teddy Bears for Polly. I've been able to send \$600 toward the good works of the Foundation and buy a lot more Teddy Bears to fix up. Many of them were donated to the thrift shops by families with little boys who didn't wear them out like little girls do."

Thirty-five Bears for Polly were purchased by employees of Hewlett-Packard, she reported as she prepared more bears for display at YMCA "Juice Tastings" in San Jose and Palo Alto.

"Everyone wants them. I can't seem to make them fast enough," she says with a smile, as she stitched more big hearts onto little bears.

## The Lazy Duck Boutique

Another Klaas Foundation donor with an unusual approach is an energetic nurse named Cheryl Foster. In 1981, Cheryl took an art class as a way to wind down from the stress of dealing with terminally ill children. Persuaded to market her crafts, she sold her modest inventory off a table in her living room. "We twisted all of our neighbors' and friends' arms and made \$700." Within two and a half years, Cheryl had 14 vendors selling Christmas and Easter wares out of her San Jose, California home. Thus was born the Lazy Duck Boutique.

In 1983, Cheryl's granddaughter Dana was born with cystic fibrosis and given little chance to survive to the age of ten. Nine separate doctors confirmed the diagnosis. Cheryl then combined her marketing, artistic, and health professional skills as a vehicle to raise money for cystic fibrosis research. She contracted with her vendors to donate a percentage of profits to Ronald McDonald House. Twice a year Cheryl turns her home into a retail outlet where a cadre of dedicated volunteers raise money to help terminally ill, abused, and abducted children.

Six years ago Cheryl was on the verge of taking her granddaughter to Lourdes, France for the healing waters. "You cannot go now," a nun at St. Lucias said. "The water is frozen." However, six months later a nun returned from Lourdes with some holy water for little Dana. One month later Dana tested negative for cystic fibrosis and she remains healthy to this day. Cheryl says that, "I believe in miracles. Like the nun, I can be a vessel through which many can work together to make the world a better place."

In August, Cheryl contacted the Klaas Foundation for Children and offered the philanthropic services of the Lazy Duck Boutique. In December, she sent a generous donation, fulfilling her promise to help make the world a better place. ■

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## FOUNDATION LOOKS BACK ON 1996

The Klaas Foundation is proud to point to several important accomplishments from 1996.

### Legislation:

The Foundation supported several pieces of new legislation, including:

- ◆ The Amber Hagerman Child Protection Act; signed into law October 1996.
- ◆ The Parental Empowerment and Child Protection Act (federal legislation to protect children's private

information from being sold by marketers without parental consent); to be presented at the 104th Congress.

- ◆ Promoted victims' rights amendments to the federal and state constitutions that treat children and other victims of crime with respect and dignity.

### Other Accomplishments:

- ◆ Implemented the KlaasKids Web site (<http://www.klaaskids.inter.net>) as a free resource for parents

concerned about children's issues.

- ◆ Distribution of 30,000 Child ID kits to children in Sonoma County School District.
- ◆ \$500 grant to Petaluma, California, Boys and Girls Club.
- ◆ Through WalMart, distributed 100,000 copies of *Polly's Guide to a Safe Halloween*.
- ◆ Wrote the child safety library for the San Francisco Chronicle City-Line call-in reference service. ■

## NEW VIDEO, PUBLIC APPEARANCES FOR FOUNDATION LEADERS

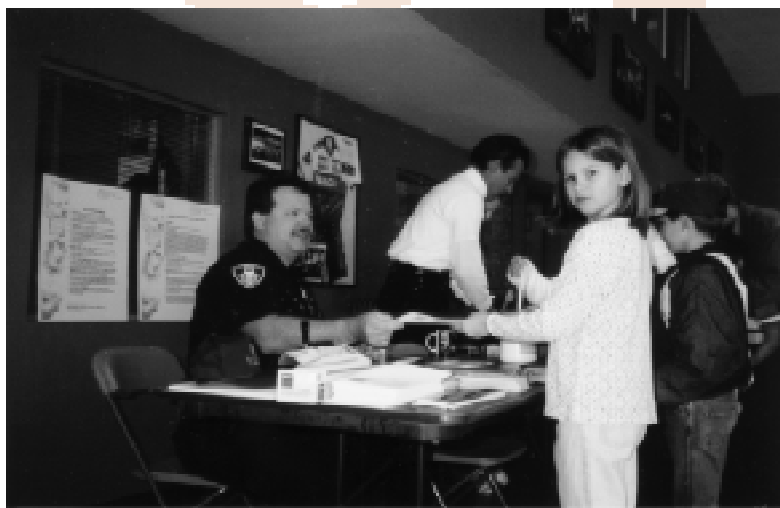
The Klaas Foundation for Children maintained a heavy schedule of activities and public appearances through the final quarter of 1996.

- ◆ Lessons learned the hard way in the successful but tragic search for Polly Klaas will be revealed in a training film now in pre-production for the Foundation. Producer/Director Linda Feferman, winner of a Special Merit Award at the Sundance Film Festival, is producing *Missing Kids: What To Do If Your Child Disappears*.

- ◆ Members of the Klaas family have appeared on the *Gordon Elliott*, *Leeza*, *Maureen O'Boyle*, *Sally Jesse Rafael*, and *Judge Judy* television programs to discuss various aspects of child safety.

- ◆ The Klaas Foundation conducted Child Safety Days in Springfield, Illinois; Monterey and Santa Rosa, California.

- ◆ Marc keynoted the M/CAP conference in Columbia, South



The Klaas Foundation has contracted to conduct Child Safety Days in communities throughout the United States under the sponsorship of individual automobile dealerships. The first program occurred with great success in Springfield, Illinois, on November 16.

Carolina; KidFest '96 in Rockville, Maryland; and the California Department of Justice CLETS Conference in Anaheim, California.

- ◆ The trail of Polly's killer concluded, and he now sits on death row at San Quentin Prison.
- ◆ Marc Klaas implemented town

hall meetings in Sacramento and Palos Verdes, California; Dallas, Texas; and Springfield, Illinois.

- ◆ Marc has most recently appeared on the *Larry King Show*, *the Today Show*, *Good Morning America*, and the *CBS Morning News*. ■

# LET'S CHANGE THE CONSTITUTION: A VICTIMS' RIGHTS AMENDMENT

By Marc Klaas

**M**ost of you know that in a final attempt to destroy my family at his sentencing hearing, Polly's killer accused me of molesting my own daughter. As the courtroom audience recoiled in horror and my mother moaned in agony, I bolted out of my seat in protest—only to be ordered out of the courthouse as the killer reveled in his sadistic attack.

This incident is just the latest demonstration of the imbalance of a system that overlooks innocent victims while serving legal professionals and defendants. We need a constitutional amendment that gives victims the same dignity, respect, and rights afforded the other players in the criminal justice system. A constitutional amendment for victims' rights includes three basic rights: the right to be informed; the right to be present; and the right to be heard throughout the criminal justice process.

## Whatever Happened to Victims' Rights?

A brief description of the evolution of America's criminal justice system explains the disparity in rights. At the dawn of our history, the colonies adopted the English common law tradition of private prosecutions that

*We need a constitutional amendment that gives victims the same dignity, respect, and rights afforded the other players in the criminal justice system.*

guaranteed crime victims the right to initiate and prosecute criminal cases. As the criminal justice system evolved, public prosecutors representing the interest of the state displaced private prosecutions, effectively excluding victims from participation. U.S. Supreme Court decisions in the 1960s expanded upon the rights of criminal

defendants, thereby eliminating any semblance of balance for crime victims.

Every year, 43 million Americans are victimized by crime. Four amendments to the U.S. Constitution specifically address defendants' rights, yet crime victims are never mentioned. It is an unfortunate irony that constitutional rights created to protect the innocent now shield the guilty. If we treated offenders as shabbily as we

treat victims, it would be considered cruel and unusual punishment.

A 1982 Presidential Task Force recommended that the United States Constitution specify fundamental rights for victims of crime. In April 1996, Senator Jon Kyl (R-AZ), Senator Dianne Feinstein (D-CA), and Representative Henry Hyde (R-OH) introduced the victims of crime constitutional amendment. On June 25, President Clinton endorsed a victims' rights amendment to the U.S. Constitution. Twenty-seven states have amended their constitutions to include crime victim amendments, with an average approval rating of 80 percent. A 1991 national public opinion poll found that nine out of ten Americans support an amendment to their state's constitution that would increase victims' rights.

## When It's Time to Amend the Constitution

When high-profile killers purchase their freedom, and convicted baby murderers gain release after serving a minimal sentence, faith in the criminal justice system is undermined by a fear of retribution. When only nine percent of reported violent crimes are resolved with the perpetrator being incarcerated, criminal justice is perceived as justice for criminals. When this perception infects the majority of innocent people, the process is eroded by a reluctance to cooperate, which fosters still more criminal activity. According to U.S. Attorney-General Janet Reno, "Our criminal justice system will never be truly just until victims of crime have as many rights as criminals."

We should never lightly amend the United States Constitution. However, victims of crime will never be fairly treated by a system that does not afford them equal fundamental rights, and that can only be achieved through constitutional amendment. Thomas Jefferson eloquently stated the need to occasionally modify the ultimate law of the land: "I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered, and manners and opinions change; with the change of circumstances, institutions must advance also to keep pace with the times." ■

# SEX OFFENDER PUBLIC NOTIFICATION: CALIFORNIA'S BOLD STEP

By Randy C. Rossi, California Department of Justice

**T**he public and the legislature are just now realizing what sex crime victims and law enforcement officials have recognized for years: That sex offenders pose a threat to society and that the public deserves to know when they are in their community. In California, however, the question is not when but where. California has more than 70,000 registered sex offenders, more than one in every 250 men! Recent changes in the law will arm the public with information on these previously convicted sex offenders.

## California's "900" Sex Offender Number

On several occasions, California Attorney General Dan Lungren has sponsored legislation to expand the ability to notify the public of individuals who are required to register their whereabouts with local law enforcement due to previous sexual assault convictions. In 1994, the Attorney General sponsored Assembly Bill 2500, authored by Assemblywoman Barbara Alby, to establish with the California Department of Justice (DOJ) a "900" telephone number to give the public a means of checking whether an individual is a registered child molester. Thanks to the direct support and involvement of the Klaas Foundation for Children, the legislation became law and has been a tremendous success.

Since this line became operational in July 1995, over 6,900 checks have revealed more than 680 child molesters who collectively have worked their way into positions of direct contact with more than 54,000 children. This important piece of legislation also mandated that DOJ identify "high risk" child molesters and provide a subdirectory identifying these individuals to local law enforcement for public viewing purposes.

## High-Tech Data Disk IDs High Risk Criminals

In January 1996, in an effort to further expand law enforcement's ability to better protect the public from registered sex offenders, the California Attorney General sponsored AB 1562, also authored by Assemblywoman Barbara Alby. This bill, which became law in September 1996, is the most comprehensive sex offender notification law in the nation.

It requires the DOJ to provide to local law enforcement a computer file on CD-ROM which will list the most serious of the 57,000 registered sex offenders in California, as defined by law. The CD-ROM will segregate the information by county, zip code, and name, and will also contain information including photographs, name, descriptions, convictions, etc. Communities can expect that each zip code will have between 50 to 150 such individuals.

The CD will further identify "high risk" offenders who committed multiple crimes. Each county sheriff's department and municipal police department in cities with populations of more than 200,000 must make the information available to the public. Additionally, this law authorizes local law enforcement to proactively notify communities of these individuals.

## CD-ROM Available by Mid-Year

California and law enforcement now have a new tool to better protect society. This new law will build upon the demonstrated success of the "900" Sex Offender Identification Line, which is also expanded by this new law to go beyond offenders who have molested children, to include offenders who have sexually assaulted adults. The CD-ROM should be available to local law enforcement agencies by July 1997. ■

*California's new law, which went into effect in September 1996, is the most comprehensive sex offender notification system in the nation.*

**California's Sex Offender Identification Line can be accessed by calling 1-900-463-0400, Monday through Friday, 9:30 a.m. to 6:00 p.m.**

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- 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.

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