

A mile a minute....
that is how fast your child can disappear



A MESSAGE FROM MARC

In our cocoon, life was perfect. Or so it seemed. Then suddenly and without warning it all came unraveled. For 65 days we endured our own personal 9/11. Contrary to the declaration that kidnapping is a parent's worst nightmare, we became unknowing witnesses to the unspeakable acts of nightmare that we did not yet realize had occurred. That we ultimately emerged with reason, sanity and purpose is a testament to love, sacrifice and the unpredictable nature of life itself.

Let's back up for a minute. After a decade of sputters and starts our blended family was coming together as a family unit. We laughed, played and vacationed together. We worked, planned and faced adversity together. We would sit on the couch on Sunday evening; Violet on one side, Polly on the other and me in the middle. We would watch the Simpsons and laugh hysterically.

Violet would take Polly shopping and teach her about fashion and style. I taught her how to swim and play baseball. We were planning the future.

Our twelve-year-old Polly lived with her mom, Eve, 30 miles north in Petaluma, but spent weekends and holidays with us. After a decade she seemed comfortable living here and there.

I volunteered at her school as a teacher's aide from the time Polly

was in kindergarten until she entered middle school and it wasn't cool anymore. Polly was a good student, she played the piano and clarinet and she loved performing on the stage. She took pride in her accomplishments and was working very hard to overcome her shy nature. She also had fears. Polly slept with a nightlight and with her door ajar to lessen her fear of the bogeyman and the dark.

Polly was a beautiful girl, and like all beautiful girls she attracted the attention of others. Beauty that attracts the attention of the right people can be rewarded with happiness, fame or fortune. But, beauty that attracts the attention of the wrong people can be maimed, murdered or otherwise victimized.

In celebration of the car rental franchise I had just acquired, the three of us, along with one of Polly's girlfriends went to Disneyland and Knotts Berry Farm in March 1993.

We awoke at 5:00 am and drove down Interstate 5, the freeway that intersects California like an asphalt plumb line. By noon we were exploring Knotts Berry Farm. Within fifteen minutes Polly and her friend had

(Continued on Next Page)

"U.S. NEARS FEDERAL CHILD SAFETY STRATEGY WITH WALSH ACT" ... SEE PAGE 4"



(Continued from Page 1)

disappeared around a theme park intersection in their quest of discovery. Thirty desperate minutes later we finally located the girls. They were giggling hysterically as they enjoyed the kind of spinning ride that appeals only to children with very settled stomachs. We told them that if they left our sight during the remainder of the long weekend we would immediately return to the Bay Area. We proceeded to have a marvelous long weekend in sunny Southern California.

On a regular basis, we phoned Polly on those evenings that she was not with us, or she would phone us. Sometimes there was very little to talk about, but we did it anyway. I called her at 6:00 pm on Friday, October 1, 1993. Polly was happy and excited. She was preparing to host a slumber party with two of her girlfriends. The next day she was going to stay with us while Eve went on a job interview in Monterey. I told her I loved her and then hung up the phone. After that, Polly was no more.

Death

The ringing phone woke Violet at 11:30 pm that night. She answered and then pushed the receiver away with a horrified look on her face. The alarm in Violet's voice broke my slumber, so I took the phone and was told that, "Polly has been kidnapped and the police don't want a distraught father coming to Petaluma to trample on the evidence." The caller was Polly's estranged stepfather. We spent the rest of the night and morning confirming the dreaded message

and coming to terms with total disbelief. At 6:00 am the next morning on October 2, 1993, KCBS News radio confirmed that, "Polly Klaas had been kidnapped from her bedroom in Petaluma at approximately 10:30 pm the night before."

It's funny how we respond to trauma. As alarming as the initial phone call was, it was the news report that exposed the significance of what had happened. We then engaged in the incredibly difficult task of calling our families, one after another, to inform them that our child had been kidnapped. I remember that one of my three sisters responded like Violet. I could almost see her pushing the phone away in disgust and disbelief. Another sister whimpered quietly. My third sister said, "Don't do anything until I get there." After she arrived thirty minutes later, the three of us drove to Petaluma, and did not return to our condo until the hideous truth was finally revealed.

We had stepped out of a life that would never be revisited. We could not predict the anguish or the alien environment that awaited us in Petaluma, because a user manual for responding to tragedy does not exist. The scene was revealed like an episodic cop show. The police were pacing purposefully in Polly's yard which was surrounded by yellow crime scene tape. We crossed over that barrier as television news crews, neighbors and curiosity seekers milled around its perimeter. We were told that the kidnapper had a beard. Everybody with a beard was an immediate suspect. We were also told that Polly's last words as she was being stolen into the night were, "Please don't hurt my mother and sister."

After a second sleepless night without resolution in a small, crowded motel room I stepped out into the early morning darkness. I crossed the street, walked to the middle of an empty supermarket parking lot, got down on my knees and screamed at God. Violet came shortly thereafter and quietly led me back to the motel. It only got worse from there.

(Continued on Page 3)

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(Continued from Page 2)

Violet and I became objects of curiosity in a frightening surrealistic dream. Everybody watched, but nobody could relate as the minute passed into hours, the hours into days, the days into weeks and the weeks turned into months. Fear controlled our emotions, and hunger and insomnia our physical well-being. We lost touch with reason, we lost weight and we became wan. Two constants guided us. We were always there for each other. Whenever I fell, Violet would lift me up; when she could not go on, I would lead her forward one step at a time. Also, every day would begin hopefully at 4:00 am and end in despair after 1:00 am. The two of us were in the middle of a storm with everyone and everything swirling around us, and we had no control whatsoever.

On December 4, 1993, the hideous truth was finally revealed. First, the police told Eve and me that our beloved daughter had been found dead, used and discarded on a trash pile near a freeway off ramp. Eve cried; I didn't. We then told our relatives and the volunteers who had stood by us during the ordeal. Finally, as the media went live with the story, Violet and I gathered our families and returned to Sausalito in a solemn caravan of grief. I thought that I had no tears left, but two hours later a rush of comprehension slammed me like an erupting volcano. The other men in the condo had to restrain me, to ensure that my exploding rage and pain did not cascade into a physical and psychological lava flow. Again, emotional awareness lagged behind intellectual understanding.

Recovery

The immediate aftermath of Polly's tragedy was pure torture. It was even worse than not knowing, because hope too was dead, and we were again faced with choices that life had not prepared us to make. We could have easily succumbed to

depression, alcoholism or drug addiction, as crawling into an emotional cave suggested a possible solution. We could have chosen another path that so many before us had taken and turned our backs on the entire ordeal. However, denial was not a viable option for us. Instead, we looked beyond our own agony and decided to fight back against evil. Although time blended and the days were indistinguishable from each other, I remember telling Violet that I would pursue an aggressive child safety agenda if I had to do so living out of a cardboard box by the side of the railroad track. She agreed that we would pursue this mission together; a choice easier said than done.

No longer fearful or stuck in time, anger dominated our emotions as profoundly as uncertainty dominated our future. We were emotionally needy and overwhelmed with pain. Violet and I were not independently wealthy, and there were forces pulling at us that we did not understand. I sought



help in professional counseling, while Violet preferred the counsel of family. I pursued a frantic agenda, trying to use my anger in positive ways, while Violet returned to a job that provided nothing more than a paycheck. The one thing that we agreed upon was that the work we had chosen was helping us in some way to cope with our pain.

We calculated that we had ninety days to achieve any cause related accomplishments. After that, we would be on borrowed time, as the next *cause de jour* would dominate the news cycle and another victim would grab the headlines. To that end we did not seriously consider book deals, TV movies or other pop entertainments. I believed that if we were going to give meaning to Polly's death, it would require a dedicated pursuit of meaningful legislation. Violet could see the vultures circling before we had even cremated our daughter and felt that it was blood money.

Life without Poly was alien and strange. We no longer living in a cocoon. Instead, we were

(Continued on Page 6)

A HOLISTIC APPROACH TO CHILD SAFETY

When my daughter Polly was kidnapped and murdered in 1993, the abduction, abuse and neglect of children was America's dirty little secret. As we searched for Polly, we quickly learned that there were no protocols or procedures in place to aid in her recovery. Sex offender management, let alone community notification, was not yet a concept. Dangerous known predators were serving life sentences on the installment plan. It seemed like telling children not to talk to strangers was a primary line of defense against victimization. In short, the mere idea of having a child kidnapped was enough to compel most Americans to close their eyes and turn their backs to a cruel and dangerous reality.

Many things have changed since those days of ignorance and denial. The good news is that as society's understanding of the issue has increased, progress has been steady and in some cases profound. From the family's kitchen table to the President's cabinet table, new ideas, technologies, protocols and legislation has swept the nation. The bad news is that every step forward is paved by the broken bodies of innocent young victims.

The years have afforded me numerous opportunities to speak with groups of children. They are always forthcoming and enthusiastic after hearing my story. They pepper me with questions and offer innocent suggestions. Inevitably, the children are concerned about their own safety and want common sense advice on how



they can best protect themselves. I am convinced that we can empower children into making smart choices and good decisions if we simply provide them with knowledge.

I don't mean "stranger danger," which is a failed concept from a time when we did not have good information. Stranger danger fosters confusion and actually compromises a child's safety. Refusing to talk to strangers limits life experience at best and eliminates opportunity at worst. After all, every child who goes with Mom to the grocery store sees their parent or caregiver regularly interact with strangers without consequence. Consider substituting some simple rules that can help a child make informed life decisions. One: Always check with their parents first. This simple rule provides them with guidance when they are unsure and helps them to avoid potentially compromising

situations like the infamous "puppy lure." Two: Always be outside with at least one other person. It's true, there is strength in numbers. Three: Trust your feelings. If something feels bad then it probably is bad. Four: Put physical distance between yourself and whatever is making you feel bad. Five: Children should understand that most strangers will help them out of a difficult situation. That includes the vast majority of men, but unfortunately, men cause most of the problems. Finally, I suggest that you give children over ten years old their own cell phone. This provides an important 24/7 safety link that cannot be over stated.

However, we must be careful not to put the burden of child safety on the shoulders of the children. We have only to look at horrific headlines or listen to the young survivors of predatory abduction to understand that even kids who know the so-

(Continued on Page 5)

(Continued from Page 4)

called rules make tragic mistakes. In separate instances my Polly, Elizabeth Smart and Jessica Lunsford all accompanied knife-wielding predators out of their bedrooms despite knowing better. Shawn Hornbeck and Ben Ownby, who were recently recovered near St. Louis, Missouri, also knew better than to go with a stranger. Videotape of Carlie Brucia's kidnapping or Shasta Groene following the pervert around a convenience store clearly demonstrates the formidable, if not impossible, challenge faced by young children who attempt to defend themselves against a determined predator. No, the responsibility belongs to the adults, and the sooner we acknowledge that fact, the sooner we will be able to properly address the problem.

What We Can Do

Children have a fundamental right to be protected from harm, and there are steps that can be taken at all levels of society to achieve that goal. At home, it helps to simply be familiar with your neighborhood. Know the best places for your children to play and places to avoid like alleys and dark stairwells. Show your children the safest routes to and from school. Know your children's friends, their addresses and phone numbers. Insist that your children be home before dark. The more you know about your neighborhood, the safer your family will be.

One of the simplest and most powerful crime fighting tools is a Neighborhood Watch program.

Neighborhood Watch simply asks neighbors to report suspicious persons and activities to local law enforcement. By monitoring and reporting crime responsibly and effectively, you will send a clear message to criminals: "We will not tolerate deviant behavior." By watching out for each other's children and property, neighbors become active crime fighting partners with law enforcement.

Making Powerful Progress

We have come a long way since Polly was kidnapped in 1993. For instance, the number of sexual abuse cases substantiated by child protective service (CPS) agencies dropped a remarkable 40% between 1992 and 2000, from an estimated 150,000 cases to 89,500 cases. I believe that increased awareness, social outrage and vigorous criminal justice reform are the most significant factors impacting this dramatic decline.

Public outrage over injustice has prompted legislators, law enforcement, and the media to finally prioritize this important issue. In the early 1990s it seemed as if recidivist violent offenders were serving life sentences on the installment plan, spinning through a turnstile system of justice in which their crimes became bolder and more predatory. In 1993, the average convicted child molester spent only 2.2 years in prison, and only two states had provisions for community notification of sex offenders. Kidnappings were investigated quietly. The media and the public were completely excluded from participating in the recovery effort.

The first and one of the most profound legislative changes to occur in the immediate wake of Polly's tragedy was California's Three Strikes and You're Out law. Driven by anger that a previously diagnosed sexually sadistic psychopath could be allowed access to an innocent little girl, Three Strikes established mandatory minimum sentences for compulsive serious and violent criminals. Upon a third conviction, this small population of recidivist offenders were sentenced to a term of twenty-five years to life, and spend at least 85% of that time in prison. Since enactment of the law in 1994, FBI statistics demonstrate that California's crime rate has decreased by twice the national average. We've had two million fewer victims, taxpayers have saved an estimated \$28.5 billion and dangerous career criminals have been taken off the street.

Megan's Law overwhelmed America in the aftermath of the July, 1994, kidnap and murder of seven-year-old Megan Kanka. Lured into the house of a convicted sex offender who needed help finding his puppy Megan was found raped and murdered three days later. The quiet eloquence of Megan's mother struck a public nerve when she argued that she never would have allowed her daughter



Megan Kanka

(Continued on Page 6)

A Message From Marc

(Continued from Page 3)

publicly trying to make a difference in the lives of others. It was apparent that little had been done to protect children from the very evil that victimized Polly. It was obvious to both of us that no single approach to the issue would fix the problem. We knew that in order to piece this maddening puzzle together we, would have to take a holistic approach to child safety (see the accompanying article, page 4).

We began with baby steps: I was the front man, giving voice to a joint vision, just as Violet organized, scheduled and helped to make that vision a reality. Where we had been intellectually lazy, we were now precise and confident.

Violet and I are convinced that real change requires intelligence, determination and the singular pursuit of a clear vision.

Both of us were working seven days a week and eighteen hours a day. Fortunately, doors opened for us as the public, media and politicians supported or at least were sympathetic toward our mission.

On September 13, 1994, President Clinton invited us to the White House to participate in a bill signing. We had worked very hard on the Violent Crime Control and Law Enforcement Act

of 1994. The largest crime bill in America's history put 100,000 police on the streets, provided \$10 billion for prevention programs and promoted truth in sentencing. Violet had to work, so I attended with my sister. The President invited me on stage and presented me with the pen that he used to sign the new law. It was a huge moment. Afterwards, my sister and I went back to the hotel and cried for hours because we were overwhelmed by grief.

Conclusion

Thirteen years later, Violet and I no longer work sixteen to twenty-hour days. We are no longer driven by overwhelming anger and we no longer want to die. Instead we have reintegrated into society and we take time to appreciate the beautiful things that life has to offer. Polly was the most important person that ever touched our lives and she will be sorely missed until we take our dying breaths. When she looked the devil in the eye, faced her own worst fears and sacrificed her life so that others might live, she provided us with clarity and gave meaning to our lives. She demonstrated a courage and resolve that we can only hope to emulate as we continue our mission to stop crimes against children. Her light did not shine for long, but it shone brightly. ■

A Holistic Approach to Child Safety

(Continued from Page 5)

to play alone in the front yard had she known that a con-victed sex offender was living across the street. By 1996, Megan's Law was national policy, with the objective of limiting recidivism by alerting the public to potential threats to public safety posed by convicted sex offenders. Critics warned that the new law would drive offenders underground and lead to vigilante retribution. Legislative tweaks and a U.S. Supreme Court ruling addressed the first issue, and the realization that America is a law-abiding

society that uses this critical information to protect children has eased concerns over the second. Currently, the public has the right to access personal and private information on registered sex offenders via state and local Internet websites.

The January, 1996, kidnapping of nine-year-old Amber Hagerman occurred in front of witnesses. When Amber's remains were discovered three days after she was abducted, the public demanded to know why they were not immediately informed so that they could be

on the lookout for the black pickup truck used to kidnap Amber. Within months the first Amber Plan had been implemented in the Dallas-Ft. Worth metroplex. The idea was simple in concept and execution. When a child under 18 is kidnapped in front of a witness, and



Amber Hagerman

(Continued on Page 7)

(Continued from Page 6)

that child's life is endangered, and that information can assist in the recovery of the child, law enforcement will notify the public via a media phone tree. The National Amber Alert was the linchpin of the federal Protect Act of 2003. Despite transmogrifying the original concept into a convoluted, ad hoc bureaucracy, the national plan has shown significant success and is obviously with us to stay. Amber Alerts can currently be accessed via radio, television, highway signs, reverse 911 telephone notifications, text messaging and many other communication platforms.

The Adam Walsh Act

All of this legislation was well intentioned, yet remains flawed. Because the individual states control the vast majority of criminal justice, legislation policy remains inconsistent and uncoordinated. As many as twenty-five percent of registered sex offenders do not comply with current law. The 2006 Adam Walsh Children's Safety and Protection Act is changing all of that by forcing the states to work together toward a synchronized national strategy. By providing bonus payments to states that comply with the Walsh Act before its three-year timeline, and penalizing states that do not comply by reducing federal crime fighting funds, we might finally integrate sentencing, sex offender management and an Internet-based national sex offender registry.

The Walsh Act fully integrates Megan's Law and creates the Dru Sjodin National Sex Offender Public website. This

will provide one website from which citizens can access all of the 560,000



Adam Walsh

convicted sex offenders under the care, custody or control of corrections agencies in the United States. It expands sex offenders to include juvenile sex offenders; and requires states to notify each other when sex offender moves from one state to another. It further adds the "Use of the Internet to facilitate or commit a crime against a minor," as a crime that could trigger registration.

One of the most important objectives of the Walsh Act focuses on criminal sentencing. A public outraged that Jessica Lunsford could be sexually abused and then buried alive by an anonymous pervert living next door triggered massive sentencing reform. The death sentence or life without parole will be standard if a sex crime against a child results in their death. If the crime is kidnapping, aggravated sexual abuse, sexual abuse, maiming or results in serious bodily injury the offender will receive a sentence of thirty years to life. The bottom line is simple. The door revolves no more if you are convicted of committing a sex crime against a child.

The civil commitment clause of the Walsh Act requires state prisons to notify states attorneys

when predators are about to be released. State attorneys can then petition the court for continued confinement if that predator is considered a continuing threat to public safety. Failing to register or update registry information will carry a penalty of five to twenty years in prison. Compliance includes registration prior to release from prison or supervised release. Sex offenders will be required to reregister in person twice a year: Sexually violent predators will be required to re-register every three months. Any change of status requiring a registry update must be made three business days after the change occurs. The act further improves verification systems by requiring monthly verification, in-person verification every six months, and regular notarized verification mailings. First time sex offender will be required to register for at least twenty years; twice convicted offenders and sexually violent offenders for their lifetime.

There is no silver bullet that will eradicate crimes against children. This issue has been with us throughout our history and will continue to plague us as we move forward. However, if we continue to evolve rather than deny the issues surrounding crimes against children we can prevent future tragedies against innocent victims. And, we may finally reach an important plateau. Instead of predators representing our worst nightmare, we may begin to represent their worst nightmare. ■

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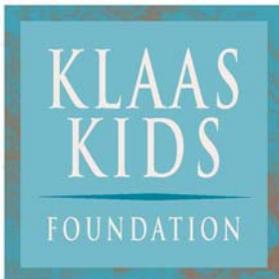
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