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Sat, 07 Jan 2006



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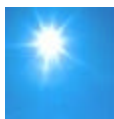
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Local Weather

Paris, IL

Current Conditions:



Fair, 32° F, feels like 23° F

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Paris schools sued for adopting strict sex offender policy



Written by M.D. BRADING

Fri, 06 Jan 2006

"John Doe" claims amended statute violates parental rights-

Two Paris school districts are faced with a civil suit from an Edgar County resident for adopting strict sex offender policies.

Paris District 95 and Crestwood Unit 4 are both accused of violating the constitutional and civil rights of an area parent who claims strict board policies prohibit the parent from actively participating in his children's school activities, thus denying their fundamental right as a parent. In a motion hearing Wednesday inside an Urbana federal courtroom, the parent's attorney Jason Crowder of Mattoon appeared before Judge Harold A. Baker requesting a preliminary injunction staying enforcement of the statute which will allow his client to continue attending activities involving the parent's children on school grounds.

Baker has reserved his decision until a later date.

The complaint is filed by the parent under the fictitious name of "John Doe" to protect his anonymity.

Superintendents Connie Sutton of District 95 and Lorraine Bailey of Unit 4, along with several board members from both school districts, were also present in the courtroom.

Doe was not present for the proceedings.

Crowder, limiting specifics on Doe's prior sex offender conviction, argued that by adopting a new sex offender policy, both schools "have and continue to violate" Doe's right to participate in his children's school functions and attend extracurricular activities.

Effective July 11, 2005, the sex offender statute was amended to close a loophole which allowed convicted sex offender parents or guardians to be present on school grounds without restriction.

The new law limits the presence of sex offender parents on school properties unless (i) they are required to attend conferences at the school with school personnel to discuss the child's academic or social progress; (ii) participate in child review conferences discussing special needs and education services; and (iii) to discuss other student issues concerning retention and promotion.

The amendment was supported by area legislators including chief sponsor of the bill Rep. Roger Eddy (R-Hutsonville) along with Rep. Chapin Rose (R-Mahomet) and Sen. Dale Righter (R-Mattoon).

The matter was brought to their attention by Paris Police Department's school resource officer Richie Wilson. Wilson took the matter to lawmakers after receiving numerous complaints by concerned Edgar County parents who noticed known convicted sex offenders

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were allowed on school grounds for extra curricular events and sporting events without supervision.

Crowder argued that Doe's conviction dates back 20 years and he has since participated in his children's school activities without restrictions prior to the amended statute.

Meanwhile Unit 4's attorney Joel Groenewold of Chicago filed a motion asking the court to remove Doe's fictitious name from the complaint and to proceed under his real name.

"Mere embarrassment is not sufficient to proceed under a fictitious name in this matter," Groenewold told Baker. "This is a matter of public interest."

Court documents reveal that Doe was convicted of a crime in 1985 that results in him being defined as a child sex offender. He has completed probation and has no other criminal history.

Doe is a business owner who fears his livelihood will be affected if the public is aware of his identity. His concern also extends to his family whom he believes will suffer embarrassment and emotional distress if he is made to state his real name in the matter.

Baker took into consideration the sensitive nature of the case, primarily involving Doe's children.

"The plaintiff seems to be concerned that his family will come under ridicule if his identity is revealed," said Baker. "The question of privacy and public interest collides here."

Baker questioned Crowder if Doe's children are aware of their father's conviction.

"There is public interest in judicial proceedings," he continued. "The public has the right to know."

Can you (Crowder) balance public interest against your client's concern of ridicule?"

Crowder responded that Doe's real identity has no bearing on public interest.

"Obviously this is a bothersome question," noted Baker. "I am not ready to shoot from the hip. I am going to think about it."

Baker's decision on both motions is expected with the next two weeks.

Meanwhile both schools stand by their respective school board's decision to adopt a strict sex offender policy.

"It's our responsibility to keep our students safe," said Sutton. "And we feel very strongly about it."

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