

Testimony Before the Kansas State Legislative Judiciary Committee

Re: Senate Bill 288 – Prohibiting Sex Offenders from School Grounds and Activities

Presented by: Elizabeth Newcomer

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Chairman Sen. Kellie Warren, Vice Chairman Sen. Kenny Titus, and distinguished members of the Judiciary Committee,

Thank you for the opportunity to provide testimony on Senate Bill 288, a measure aimed at enhancing the safety of Kansas students by prohibiting registered sex offenders from attending school activities or being present on school grounds. I commend the intent behind this legislation, as protecting our children from potential harm is a priority we all share. However, I respectfully urge the committee to consider an amendment to address a specific group impacted by this bill: individuals between the ages of 18 and 21 who are enrolled in classes or services provided by school districts and require access to school campuses to participate in these programs.

SB 288, as currently written, establishes a broad prohibition that does not distinguish between predatory offenders and young adults who may be registered as sex offenders due to offenses committed as juveniles or in circumstances that do not indicate a continuing threat to students. For example, some individuals in this age group may be enrolled in alternative education programs, special education services, or vocational training offered by school districts—programs often located on school campuses. Without an exception, these young adults would be barred from accessing the very resources designed to support their rehabilitation, education, and reintegration into society.

Consider a hypothetical 19-year-old who, at age 16, was convicted of a low-level, non-violent offense requiring registration as a sex offender—perhaps a consensual relationship with a peer close in age that crossed legal boundaries. This individual, now enrolled in a GED program or a transition-to-work course provided by their local school district, would be unable to attend classes on campus under SB 288. This blanket prohibition risks undermining their ability to complete their education, secure employment, and become productive members of our communities—all outcomes that research shows reduce recidivism and enhance public safety.

I propose a narrowly tailored exception to SB 288 that would allow individuals aged 18 to 21, who are actively enrolled in school district programs, to access school campuses under specific conditions. These conditions could include:

1. Approval by the school district administration, in consultation with law enforcement or probation officers if applicable.

2. Supervision or monitoring during their time on campus, such as check-ins with school staff.
3. Restrictions limiting their presence to only those times and locations necessary for their enrolled programs.

Such an exception balances the need to protect students with the recognition that not all registered offenders pose the same level of risk. It also aligns with Kansas's commitment to rehabilitation, particularly for young adults transitioning out of the juvenile justice system or seeking to overcome past mistakes. Data from the U.S. Department of Justice indicates that recidivism rates for sex offenders decrease significantly with age, with younger individuals showing greater potential for successful rehabilitation when provided appropriate support—support that often includes access to education.

Without this amendment, SB 288 could inadvertently impede young adults striving to better themselves, while doing little to enhance safety in cases where no credible threat exists. Schools already have robust safety protocols, including background checks, visitor policies, and staff training, to mitigate risks. An exception with clear safeguards would allow districts to manage these situations on a case-by-case basis, ensuring both student safety and equitable access to education.

In conclusion, I support the overarching goal of SB 288 to safeguard our schools but urge the committee to amend the bill to include an exception for 18- to 21-year-olds enrolled in school district programs. This adjustment would preserve the bill's protective intent while avoiding unintended consequences that could hinder rehabilitation and education for young Kansans. I am happy to answer any questions or provide additional information to assist in your deliberations.

Thank you for your time and consideration.

Respectfully,

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