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## Bill would bar sex offenders from Internet

Critics of Codey plan warn against 'one-size-fits-all' law

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**BY RICK HEPP AND ROBERT SCHWANEBERG**

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Any person convicted of using a computer to commit a sex crime would be barred from accessing the Internet under legislation Senate President Richard Codey will introduce as a way to protect children surfing the Web.

"In these cases, we've got people who are just sick beyond belief and will do anything to continue their pedophile ways," said Codey (D-Essex). "Why should we allow them to ever get on a computer again and do the same thing all over?"

Under the proposal, which Codey would like to introduce before the Legislature breaks for the summer, offenders convicted of crimes such as luring an underage victim into a sexual encounter via a chat room or transmitting child pornography would be allowed to surf the Internet only if they got a court order. The lone exception would be if a parole or probation officer gives the offender permission to use the Internet to either find employment or do their job.

The offenders would be required to tell authorities if they live in a home with a computer and allow forensic specialists to search those computers or install software -- at the offender's expense -- to make sure they are not misusing them, said Timothy Lydon, counsel for the Senate Democratic Majority Office.

An offender who violates the ban could face 18 months behind bars.

The bill also would allow the state Parole Board to restrict Internet access for other sex offenders even if they did not use a computer to commit their crime, Lydon said.

Parole Board spokesman Ed Bray said the proposal is well-timed given the evolving understanding of sex offenders.

If an offender assaulted a 15-year-old boy by luring him into a car with promise of booze, the thinking used to be, the offender would use the same trap to target only 15-year-old boys in the future.

"The belief now is that sex offenders cross over both in age and gender for victims," Bray said. "It's also become apparent that offenders will adapt and, if they can't do it through one mode, they will look for a different path. If the legislation were to be enacted ... that would be a plus for us."

## MORE STRINGENT MONITORING

Placing restrictions on computer usage is nothing new.

Federal and state courts routinely restrict Internet access for sex offenders as a condition of probation or parole. New Jersey's Parole Board bars about 5 percent of the sex offenders under community supervision for life and uses many of the techniques proposed in the bill to enforce the ban, Bray said.

But only Florida and Nevada have legislation mandating it as a condition of parole. Codey's bill, if passed, would be tougher than either of those because it applies to a larger class of sex offenders and proposes more stringent monitoring guidelines.

Not everyone agrees all sex offenders need to be kept off-line.

Tom Rosenthal, spokesman for state Public Defender Yvonne Segars, said she is willing to work with Codey to develop a proposal that, rather than banishing sex offenders from the Internet, would keep them out of Web sites or chat rooms that might lure them into recidivism.

Rosenthal said it helped develop such "targeted" restrictions for one client who was facing a ban from the Internet.

"We wanted to keep this guy monitored so he wouldn't reoffend," Rosenthal said. "It shouldn't be the Internet that's the focus, it's the offender."

Nancy Sabin, executive director of the Jacob Wetterling Foundation in St. Paul, Minn., said her advice to legislators is: "Don't pass a one-size-fits-all Internet law."

She said the Internet, properly supervised, can be a tool to help low-risk sex offenders turn their lives around, while those intent on misusing it can use a friend's computer or log on at the library.

Parry Aftab, a Bergen County expert on Internet safety and executive director of wired-safety.org, said she has been "recommending for years" prosecutors and judges consider Internet restrictions when sentencing sex offenders. She said that is best done on a case-by-case basis, without legislation.

"We don't need a new law to make our kids safer," Aftab said. "We need to spend a lot more time and energy on education."

As part of his attack on online sex offenders, Codey also plans to propose legislation to increase the mandatory prison sentence to five years for those guilty of using a computer to lure a child and to impose a three-year minimum term for those who lure adults.

Codey, the senate president and former governor, also wants to require dating Web sites to prominently display whether they conduct background checks for participants and to post safety awareness tips.

Aftab, the Internet safety expert, questioned how New Jersey would enforce such a requirement and said it may be unnecessary.

"The market will drive it faster than a law will," Aftab said.

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