

# S. Tahoe loosens sex offender ordinance

By Kathryn Reed

Sex offenders in South Lake Tahoe will get to roam a little freer starting next month – including near parks, schools, arcades and other places children congregate.

This is all because the California Supreme Court refused to review a case from the Fourth Appellate District Court that ultimately made 40 local sex offender ordinances illegal.

“We as a city cannot regulate sex offenders in our community. That is pathetic,” City Attorney Tom Watson told the City Council on May 20.

The other choice was to be sued. The city had already been put on notice by the California Reform Sex Offender Laws group.

“The sex offender ordinance adopted by the city of South Lake Tahoe violates both the federal and state constitutions,” Janice Bellucci, president of that group, said in a statement last month. “The South Lake Tahoe ordinance is based upon two myths: (1) that registered citizens have a high rate of re-offense and (2) that strangers commit most sexual assaults.”

According to the Megan’s Law website there are 27 registered sex offenders in South Lake Tahoe. For a town that is 16.6 square miles, that equates to more than 1.5 sex offenders per square mile. But not every sex offender has to register.

The council agreed with Watson’s characterization of the need to amend the ordinance. They said it was with reluctance they were removing the part of the city’s ordinance that prohibited registered sex offenders from being within 300 feet of public parks and like areas or living within 2,000 feet of such an

area.

Schools, via the state, have separate rules keep to sex offenders off school grounds.

One of the problems with the city's ordinance is that a sex offender would be violating the law simply by driving past a school or even someplace like McDonald's that has a play structure.

"We can't regulate their free movement," City Manager Nancy Kerry said.

Watson added, "We were in essence criminalizing their right to travel."

The council and staff talked about the importance of educating parents and children to the threat of predators and that "when you see something, say something" should be the mantra.

El Dorado County in January revised its sex offender ordinance.

The council's vote was 3-1-1. Councilman Tom Davis voted no and JoAnn Conner abstained. Neither explained their vote. It will come back as a second reading and final vote in June.