

Beth G.

Testimony for SB420

Judiciary Hearing Feb 24

Hello. I am a friend of, and a witness to, a breach of privacy case that is currently ongoing. I am here to provide some context into why I believe this bill should be changed to include an automatic sex offender registration to those persons that perform acts of secret video recording of a person in the state of undress.

My friend and I were at a local retailer, out specifically shopping for swimsuits. We entered in to the dressing rooms, which we learned *after* our event occurred, are co-ed, as they are in many locations across the country. Even as a co-ed dressing room, the stalls at this location do not go floor to ceiling. There's a large gap between the floor and partition, and an even bigger gap at the top. It was midway through trying on our suits, that my friend realized there was a hand holding a cell phone encroaching into her stall. The hand and phone appeared multiple times under her partition, including one instance where the hand was so close it nearly bumped into her leg. She came to my stall and alerted me. I remained calm and entered her stall as she waited outside of it. I turned on the camera of my own phone, to attempt to verify her concerns. While in the stall, I saw the hand and phone under the bench seat, on the opposite side of the partition, but pointing towards where I was standing. I was able to capture this action on video. The rest of the details from there on, is now in the hands of a court.

The public relies on - and hopes - that laws will protect them from people who choose to invade their private moments. Personally, prior to this situation, I was naïve to the laws regarding classification of registered sex offenders. While changes to this bill will not impact the case we're currently fighting, I can do my part on behalf of my best friend, the young women here today, my children, and the hundreds if not thousands of voiceless victims – both male and females of all ages, to help make an impact on future cases. If an act like the ones you're hearing today – where a person is filmed while in the state of undress – can be immediately flagged as sexual in nature, it will help future victims find peace out of a very unpeaceful situation.

If a person who has taken photos or videos of another person in the state of undress has gone through the court process and then NOT been required to register as a sex offender as the result of his or her actions – how can we protect ourselves and our loved ones from the potential for this person to do such an act in the future? How can we keep intact the right to OUR privacy? We have standard punishments for crimes. I didn't speed in coming here, because I don't want to get pulled over, pay a fine, and have it on my insurance record. What justifies the punishment for the act of these person's wrongdoings? Most criminals find the term "Registered Sex Offender" as a scarlet letter on their lifetime record, limiting their activities to commit said act again.

Anthropologist Margaret Mead once said, "Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has." Margaret was known for her studies on the effect of imprinting on children – ie, that children learn from adult behavior. I am a mother of two young children. A boy, 7, and a pre-teen girl, 10. As I stand up for this cause, I'm teaching

my children that this is important and that they too can affect change in this world. Not only that, but they will learn that unlawful actions using a device to invade and film one's private moments, can have severely negative consequences.

My kids know of the situation from that day, and of the situations that happened to these young women and Ms. Dubill. They know that mom is in Topeka today, helping to stand up to change a law that will protect them in the future. I've had to have those tough conversations with my 10-year-old daughter on respecting her own privacy. If you are a parent and you have had to do the same, I am sure you've thought to yourself, "*Why* are we having to tell them these things at *such a young age*? We didn't have to worry about this when we were kids." I no longer send them into a dressing room alone. I judge – usually unfairly – men in *every* public situation that we're in. I teach my kids to be aware of their surroundings, aware of people's actions. But they're still just kids, and I can only do so much on *my own* to protect their privacy.

I know where the Registered Sex Offenders live in my neighborhood. I know when and where to be extra cautious while my kids are out playing, and what homes that I as a cautious parent would not want to send them to for trick or treating, or fundraising sales. But that's just a start to many others who may not have had to register. How can I confidently send my children to school, or my daughter to her music or softball lessons, or my son to his gymnastics, or his boy scout overnight camps, without knowing those businesses have been able to verify they are not hiring someone who has committed an act of a breach of privacy, that was undoubtably sexual in nature, in the past? Wouldn't you want the same for your children?

And as a 35-year old woman in this camera-ready world, how can I know that retail or restaurant employees - or franchise owners - are not secretly filming me while I am in the restroom or dressing room? What about in the restrooms at work? Or when I go to visit with my health providers? What about the AirBnB hosts I stay with when I go on vacation? A change to this law will flag employers to *educate* themselves on the history and potential actions of Registered Sex Offenders, which could limit any potential concerns to their patrons, customers, or clients. We have the right to privacy just as much as we have the right to fair employment, and education will protect us all.

My hope – along with the women in this room, and the voiceless victims – would be that changing this law will tell those that commit these types of crimes that it IS a big deal, and the crime they commit WILL affect their life from then on out. And perhaps, maybe, it would limit the number of cases like the ones you heard today, in the future.

We ask for your help in making this happen. I thank you for your time.