

# Sex-crime laws target of initiative by DeLay

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ARKANSAS DEMOCRAT-GAZETTE

Republican attorney general candidate Gunner DeLay on Friday called for several new measures intended to toughen state sex crime laws, including life sentences for rapists and people convicted of having sex with young children, and legislation that would allow authorities to prosecute people suspected of preparing online to lure a child for sex.

“People are fed up,” said DeLay, a former state senator from Fort Smith. “It’s going to resonate real well with the voters.”

DeLay took his opponent, Democrat Dustin McDaniel, to task, saying the Jonesboro state representative has not publicly supported life sentences for sexual predators.

McDaniel’s campaign manager, Melissa Moody, said the candidate was at a school assembly in Jonesboro Friday, then would be traveling and was unavailable for comment.

She said McDaniel supports life sentences “for the most dangerous and violent offenders,” and said the use or threat of violence, as well as the age of the victim, should be used in determining the sentence.

Under current law, forcible rape is punishable by 10 to 40 years or life in prison, and a law passed in this spring’s special session of the General Assembly made all sex with a child under 14 years of age punishable by a minimum of 25 years in prison.

DeLay said Friday that he wants mandatory life sentences for offenders convicted of either crime, and wants to raise the threshold for the child-sex offense to 15 years of age.

Since the passage in 2005 of a law outlawing “Internet stalking,” Arkansas law enforcement officials have gone online posing as children in order to snare adults suspected of attempting to lure young people for sex.

DeLay said Friday that he wants to make it easier for police to make arrests under that law, and wants to outlaw “grooming,” which he described as the process sexual predators use to “break down the defenses” of their would-be victims.

“It’s sexually suggestive conversation,” DeLay explained.

Police can’t make an arrest on the Internet stalking law until the suspect has actually set up a meeting, DeLay said. He would allow police to intervene before that.

“Right now, prosecutors have to wait for that magic line to be crossed,” he said. Under his proposal, “if someone’s engaging in sexually suggestive conversation with a minor, [law enforcement] could then take action.”

In an effort to protect from online predators children who set up Web pages on social networking sites such as MySpace. com and [Facebook.com](https://www.facebook.com), DeLay said he wants to require that minors get their parents’ permission before opening an account.

DeLay said further that juries should decide sex offenders’ risk level at trial. Examiners certified by the state now make that determination.

A sex offender’s risk level, which is based on the seriousness of the offense, the offender’s criminal history, and the likelihood the offender will commit another sex crime, determines whether those who live or work near a sex offender should be notified of the offender’s crimes.

A poll released Wednesday showed DeLay trailing McDaniel by 17 percentage points. The telephone poll of 493 likely voters, sponsored by KTHV-TV, Channel 11, Little Rock showed McDaniel leading 53 percent to 36 percent, with 10 percent undecided. The poll was conducted Monday and Tuesday. The margin of error is plus or minus 4.5 percent.