



# MISSOURI SENATE

JEFFERSON CITY

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## STATEMENT

### By State Senator John Loudon on Court Decision on Legislature's Child Protection Provisions

State Sen. John Loudon today issued the following statement on a decision by the United States District Court, Eastern District of Missouri, which lets stand key provisions of an omnibus sex crimes bill (SB 714) resoundingly passed by the Missouri General Assembly earlier this year. One aspect of the legislation prohibits registered sex offenders from offering candy at their homes during Halloween Trick-or-Treat nights.

This section specifically required sex offenders to:

- (1) Avoid all Halloween-related contact with children.
- (2) Remain inside his or her residence between the hours of 5 p.m. and 10:30 p.m.
- (3) Post a sign stating, "No candy or treats at this residence."
- (4) Leave all outside residential lighting off after 5 p.m.

Violation of any of these provisions could be charged as Class A misdemeanors.

Four Missouri-based sex offenders subsequently challenged the constitutionality of this prohibition, which was actively defended by the state's Attorney General's office. The district court today blocked the enforcement of the first two provisions; but let the latter two stand.

"Today's federal court ruling, while not universal in upholding provisions enacted by the Legislature in 2008, did cement two important elements designed to protect Missouri's children from harm.

"With Trick-or-Treat fast approaching, I appreciate the swift action by the court and am heartened to know that this year's ghosts and goblins will be walking door-to-door under stronger child-protection laws."

-State Senator John Loudon