

Testimony in Support of SB 66
The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
February 12, 2013

Mr. Chair and members of the committee, my name is Missey Smith. I am in support of SB 66 but personally feel it does not go far enough. As the wife of a police officer, the mother of a murder victim and the fact that my family has been the target of a stalker I have some understanding of the judicial process and how things work.

You can go to most any police department and find out the crime rate for their jurisdiction. What I cannot find though, is what happens with an incident report once the police department has submitted it to the proper authorities, whether it is a district attorney or a city prosecutor. What is the prosecution rate? Not the conviction rate.

According to SB66 the report must include: The total number of all cases charged by the county attorney's Office. What if there were an incident report and no charges? It also states several times in the bill the total number of cases filed. Again, what if the prosecuting attorney does not file?

After Kelsey's murder in 2007, we learned that Kelsey's murderer had been caught with a 14 year old 3 years before he killed Kelsey. It was not until after Kelsey was killed that this person was charged with aggravated indecent liberties with a minor. Paul Morrison was the district attorney at the time that the killer was caught with the juvenile. He had a reputation of being a tough prosecutor. He had a zero tolerance policy on juveniles caught with alcohol. I guess he didn't have a zero tolerance policy when it came to adults having sex with minors. Where can the public go to find out what the prosecution rate is for Mr. Morrison? Why was this person not charged for having sex with a minor three years before he killed Kelsey? Where can I go to find out what was the resolution to the original report made by the Olathe Police Department?

Another example of this would be the fact that our family was the target of a stalker after Kelsey's murder. Mr. Edmond Fredland was in his 60's and looked like Mr. Rogers. He started off just showing up to different events held in Kelsey's honor and volunteered with our foundation. This man sent our daughter Lindsey, information regarding different German club events in the Johnson County area. To this day we have no idea how he knew Lindsey was studying German at K-State. He started to attend our church and would send me emails regarding what was going on with the women's ministry there. He stopped by our home and questioned us as to why we were not at church. He then contacted the photographer that had taken Kelsey's senior pictures (those seen in the news), to see if he could possibly buy more of her. The photographer, Tim Galyean, happened to be a friend of ours and called us to inform us of his phone call from Mr. Fredland. Tim stated that Mr. Fredland had started to ask personal questions about our family and our daughter Stevie in particular. He wanted to know if Stevie had moved back to Iowa or was still in the Kansas City area.

After the incident with him calling the photographer I sent Mr. Fredland an email, letting him know this was unacceptable and he needed to not have contact with us any longer. This did not stop him. He then showed up to a volunteer meeting we had for our Annual Kelsey Smith Foundation

Golf Classic. After the volunteer meeting he was sent a certified letter by Greg stating again to stay away from our family.

In July of 2009, I was contacted by Det. Candace Bridges of the Overland Park Police Department. She had received a call from Platte County (Missouri) Sheriff's Office regarding Mr. Fredland. He had written a long disturbing letter to a teen girl who was in the newspaper for receiving a scholarship. In the letter he had written that she should buy a yellow dress like the one Kelsey had and that she should switch from the flute to the clarinet like Kelsey.

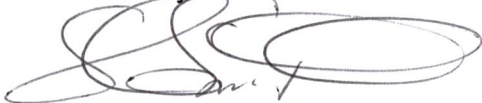
On July 20, 2009 we held our 3rd golf tournament and Mr. Fredland showed up. He came in the back door, would not leave and had to be escorted off of the premises by staff. He came back into the clubhouse to throw pictures of Kelsey on the table. I then contacted Det. Bridges again regarding this incident. She informed me that the golf course was in Lenexa and to file a report with them which we did. That is incident is Case Number 2009-29188. That report was then included with another incident report by Det. Bridges in which Mr. Fredland continued to contact our family by sending a letter to our home. In that report Det. Bridges stated that she was forwarding the reports to the Johnson County District Attorney's Office to review for charges against Mr. Fredland.

On September 25, 2009, we petitioned for protection from stalking order with the Johnson County District Court and were granted a temporary one. Then on Oct. 6, 2009 we were attending our daughter Dakota's concert at Shawnee Mission West. In walked Mr. Fredland. Once again, I had to call Det. Bridges. She had the OPPD come to the high school to detain him until the Johnson County Sheriff's Office could serve him with the temporary protection order. We were then granted a Final Protection from Stalking Order by the district court on October 15, 2009. This order included our two minor children still at home and Kelsey's grave. The judge even stated he found Mr. Fredland to be stalking. I have talked to District Attorney Howe regarding this matter. He has yet to answer me as to the resolution regarding these reports.

Since the protection order was granted Mr. Fredland has not had direct contact with our family but he did go on to contact some of Kelsey's friends stating he was concerned for our salvation and whether we would get to heaven at the time of the rapture to see Kelsey. He contacted our son in-law shortly after he and our daughter got married and has posted comments regarding Kelsey on blog sites.

I don't believe SB66 would cover the reports generated regarding Mr. Fredland, since there were never any charges filed. Yet I believe that this is a good start and that there should be some way for the public to know what reports are sent to their district attorney and how those reports were resolved.

Thank you

A handwritten signature in black ink, appearing to read 'Missey Smith', written over a white background.

Missey Smith