

HB #2071
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Stalking Bill

Hello, My name is Kristyn Antonucci and I am honored to speak in support of Bill 2071. I look forward to sharing our personal story and need behind this bill to increase criminal penalties for stalking a minor. I have been a resident of Kansas the majority of my life, a business owner, a wife, and mom to three children.

March 10, 2020 was just like any other Tuesday. I went to pick my children up from their elementary school and was prepared to then shuffle them around after school activities. My children hopped into the car just like they always do when I turned around to notice that my normally jovial oldest daughter had a look of despair on her face. I immediately asked her what was the matter and she indicated that something bad had happened at school that day. She explained that her friends and classmates had approached her on the playground at their end of the day recess and told her upsetting news. She said that she didn't want to talk about the information she received in front of her little sister brother.... It was too inappropriate. She had tears bubbling in her eyes and tears running down her face.

I could hardly bear waiting to hear what had upset her so much. Once we arrived at our destination she told me that her classmates who were 9 and 10 years old had let my daughter know at recess that they believed that their 4th grade teacher had been taking inappropriate photos of her. They had seen him for months sneaking his phone or Ipad out, he would look around, and video and photograph her from behind while she was not looking. The sweet friends had indicated that they had told their parents. One friend had been so smart, she had even tried to switch desks with my daughter the week before to try and remove her from harm's way.

I was in complete shock and disbelief. The next morning, the teacher was confronted about what these girls had been witnessing. My daughter's 4th grade teacher admitted to having an obsession and infatuation with my 10 year old daughter. He admitted that he did in fact use his classroom as a place to photograph and video her for his own gratification. We were all shocked, stunned, mad, and upset. He had taken hundreds upon hundreds of videos and photos of her on the playground, walking down the hall, eating lunch, tying her shoe.

Upon interrogation, he further confessed additional alarming details and admitted that she fit his "type". She was not the first minor student he had photographed, but ultimately his behavior had escalated the furthest with her. A 1/3 of stalkers have more than one victim. How he described her and her childlike body disturbed law enforcement. The things he said about her in almost a boastful way were highly alarming. In my mind, he would have been arrested right there, on the spot. We were in utter SHOCK to know that a grown man in his 50's with children of his own would walk free that day after admitting that he viewed a child as sexually attractive,

that he would violate her trust and use his position of authority to take photos/videos of her backside and rewatch them when he went home, and had been searching for information on her and our family. He had researched enough to know what he could get away with and didn't believe that because he hadn't touched her at that point and that she was clothed in the pictures that he would be charged with anything.

My anger quickly turned to fear. This man who had been stalking my child for the last 8 months and who had done enough research on her and our family was now walking free. He knew where we lived, where her extra curricular activities were located, and obviously where she went to school. This man's obsession for her had bubbled up so much that he had gotten sloppy enough for children to catch on to his behavior. Here is a man who was willing to risk it all: his job, his wife, his status within his church, and a relationship with his own children for his obsession with my child. What else was this man capable of? What other lengths would he go to?

A forensic sweep of his personal electronics slowly came in. Day after day we were briefed by our amazing Child Victim Detective who would let us know what they found on his electronics that day. More photos of our child, additional searches for her online, looking up information on our family, looking up directions to her dance studio which was located just a mile from his home multiple times, looking up information on her dance studio, her competitions, and directions to her competitions. .

My innocent 10 year old daughter had to undergo police questioning. That day was really hard. She jumped on the trampoline and rode her bike before the detective arrived. My husband and I watched her play wondering how a grown man could view this child as sexually attractive... she is a CHILD. I watched in awe as she navigated the tough questions being asked while my husband and I sat in horror with tears flowing behind our sunglasses. The detective let her know that they were working hard to bring justice for her, and described how laws in Kansas don't always protect children like they should. She boldly declared that day that she wanted to help us work on changing laws to help and protect other children.

I began to sleep in the hallway between all of my children's bedrooms at night to make sure they were safe. To make sure he didn't try to get to our sweet girl. The fear was consuming. An announcement that Covid-19 was shutting down schools that very week was welcomed. I didn't want to let any of my kids out of arm's length and the shutdown was the best case scenario for our family.

For three months we lived in fear hoping and waiting for him to be arrested, we were ready to breathe a sigh of relief. On June 12th, 2020 the call we had been waiting for finally came. We were notified that my daughter's 4th grade teacher would be arrested that day. I always took any calls from detectives or the District Attorney's office in my car to ensure that our children were not fully aware of the details of the situation. I had to protect the innocence of my daughter the best I could. She is not even in the room as I speak with you today. As I walked back into the house after hearing that he would be arrested, my daughter asked why I looked

so happy, so relieved. I did let her know that her teacher would be arrested that day. She gave me the biggest hug and said, thank you mom.

We received another call from the Assistant DA letting us know he would be charged with Reckless Stalking, a crime that carried a maximum sentence of year, if that, with a \$10,000 bond. The teacher was arrested and taken to the courthouse where he was officially booked and spent only a mere couple of hours at the jail. I don't think he actually even went behind bars.

That sense of relief quickly dispersed as the fear crept back. Our elation turned to sadness, then to anger, and then to fear. He was booked and almost immediately released where he now is angered and the bear has been poked. I felt more scared than I have ever felt. This man knows where we live. He has nothing stopping him from finding us. We decided it was best to spend the night at a relatives house as we felt more vulnerable than ever. That night, news that an Olathe teacher had been arrested for stalking his 10 year old student hit the airwaves. We are still waiting for the outcome of our case.

I had spent 3 months with the full intent of NEVER telling our story, never disclosing our identity. I watched as individuals and classmates who were aware of our story at no fault of their made assumptions about the case and story online. Because children were the ones who had reported him, our identity had quickly spread.

We decided with our daughter's permission to tell our story. Here is the thing, if you want to invoke change, it is impossible to do in the shadows. We quickly made it our mission to fight with law enforcement and the District Attorney's office to change Kansas laws to protect our children. The innocence, emotional and physical wellbeing, and the lifelong quality of life of our children should be valued far beyond protecting the bad guys. Our children are not meant to be preyed on by pedophiles that consume their innocence for their own sick gratification.

That leads me to why we are here today. We are grateful for the bi-partism representatives that have supported our cause. The original stalking bill, Jodi's Law, was originated by a courageous family who lost their beautiful 19 year old daughter to a stalker. He had preyed on her and her family starting when she was just 15 before taking her life. We hope to take their law and enforce additional punishments for those that stalk minor children 16 and younger. Stalking is a prerequisite to more harmful behavior and an actionable increase in punishment would help to prevent stalkers for engaging in additional behavior. 54% of victims of homicide reported stalking to police before they were murdered. Passing this bill would afford minor stalking victims the protection they deserve.

We wish to give a voice to the often voiceless. We believe this can be accomplished by raising this statute to a felony level as written in HB 2071.

At every turn of this process we were shocked to learn that our children are not fully protected whether it be in similar circumstances, child molestation, or sexual assaults. We never thought this would happen to our family, our child.

Our family with the help of law enforcement, the district attorney's office, and legislatures have made it our mission to update these archaic laws. I am hoping this is not the last time you will see me fighting for the rights of our kids.

This situation has made our elementary school child have to grow up way too fast, experience a loss of trust, nightmares, and overwhelming fear. No child should EVER have to go through a situation like this, and if they do, the predator should be punished accordingly. Detectives indicated that they believe that his obsession with our daughter was increasing and he was postering to do something horrific to our girl. We are forever grateful to those brave classmates who courageously stood up for our daughter.

There have been many times that our daughter comes and gives us big hugs or tells us thank you for standing up for her. We hope to take our passion to stand up for ALL kids.

We thank you so much for your time and hope that you too will partner with us to help keep Kansas children safe. We hope that you will agree that punishments need to be heightened to deter predators. We need to send a clear message to those that prey on our children that behavior like this has no place in our state. By passing HB 2071 we can begin the process of updating KS statutes to better prosecute those that violate our children.

Enough is enough...

Not our grandchildren, not our children, not our sons, #notyourdaughter