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House OKs bills targeting gangs, sex offenders

By Pat Kane, Capital News Service
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RICHMOND -- Two public safety measures by Sen. Mark Obenshain, R-Harrisonburg, have passed the House of Delegates unopposed. Both bills passed the Senate earlier in the session and found a welcome audience in the House.

Senate Bill 344 will give judges authority to ban people released on bail or parole, or those with a suspended sentence, from contacting gang members. The measure is a reaction to the 2003 slaying of Brenda Paz, a pregnant 17-year-old who was working with authorities to testify against her boyfriend. From behind bars, he called on fellow MS-13 gang members to kill her.

"People think of gang violence and gang crime as being limited to urban areas, but we in the Shenandoah Valley have seen numerous incidences of gang violence," Obenshain said.

The measure could reduce repeat offenses, as statistics say gang members are three times more likely to re-offend.

"The judge can say that your release is conditional on not having any contact. All too often, they're released, they go right back to their gang family," Obenshain said.

"It's a great provision. It's another measure to crack down on gang affiliation in Virginia. Gangs are a growing problem, especially in Northern Virginia," said fellow Republican Delegate C. Todd Gilbert of Shenandoah. "I think it's a good bill."

Delegates also agreed that sex offenders shouldn't be allowed to adopt children. SB 691 will deny adoption petitions to sexually violent predators.

Obenshain put the bill in following a case in Fluvanna County that allowed a sex offender to adopt a child despite the birth father's objection.

Judge Jean Harrison Clements wrote in the majority opinion that lawmakers had not enacted a ban. "The legislature could have included ... such a provision had it intended that a convicted sex offender be precluded from adopting a child, as a matter of law, but it did not."

Obenshain was stunned by the decision, and stepped up to enact a specific ban.

"It is disappointing that we have to pass a law to explain to judges that convicted sex offenders shouldn't be allowed to adopt," Obenshain said.

After receiving unanimous approval from both legislative chambers, SB 344 and SB 691 now go to Gov. Tim Kaine, who can sign them into law.

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