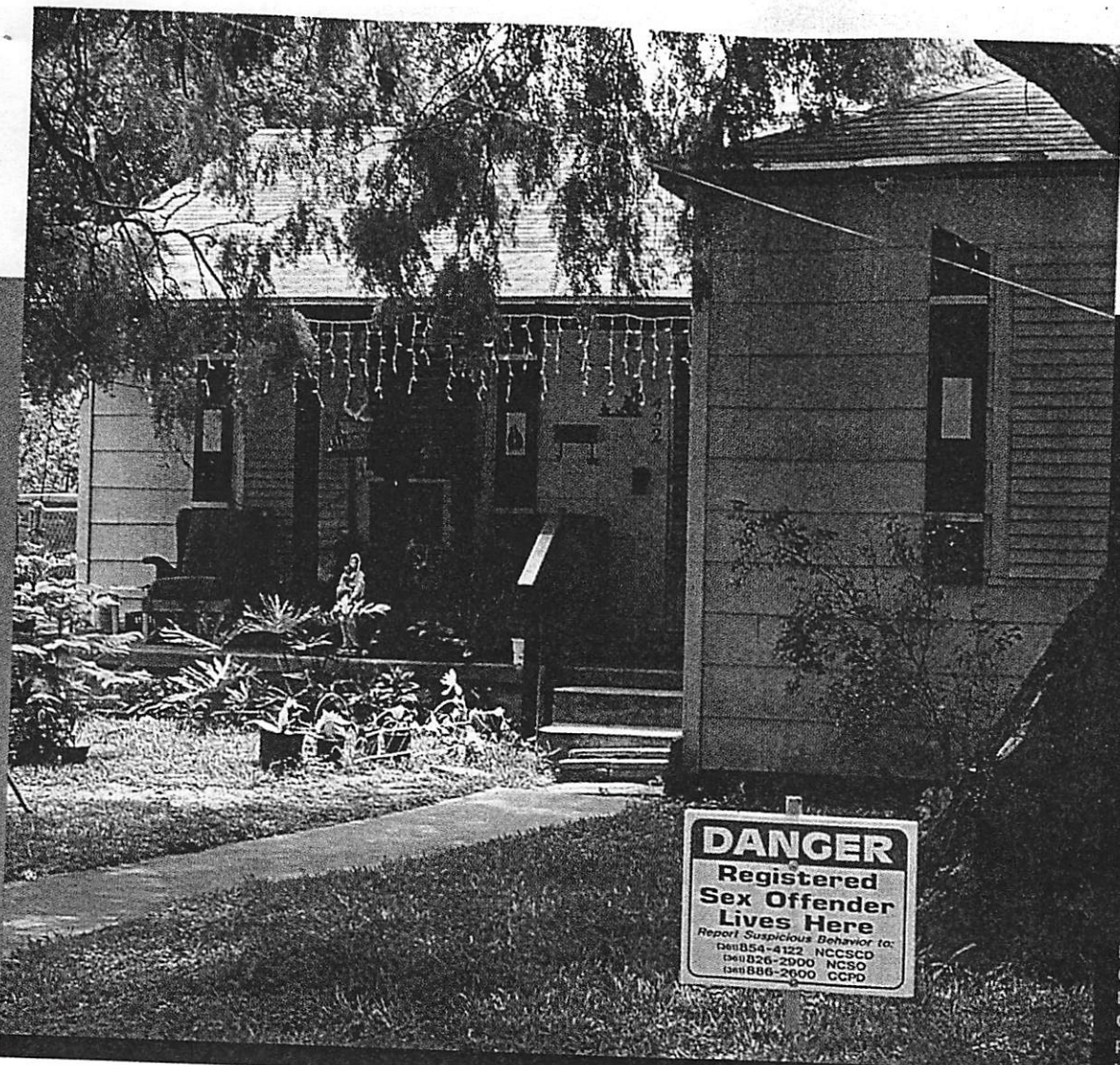


“The law gives parents the information they need to protect their children when a dangerous sexual predator is in their community.”
—Dick Zimmer, former congressman



Beware of person: Nueces County District Judge J. Manuel Banales has ordered 15 Corpus Christi, Texas, sex offenders to place DANGER signs in their front yards and on their cars

He's sitting in the front yard of a tiny clapboard cottage, hunched over in a rusting lawn chair that was left behind by the previous tenants. "Do me a favor, wouldja?" he says, as I ease my rental car into the dirt driveway alongside the house. "Park behind the pickup. My dad's gonna have to get the big truck in there when he gets home."

I drop my gray Metro behind the old man's Ford, turn off the AM radio that offered only traditional gospel music as company along the back roads of South Carolina's coastal lowlands, and step out to greet the boy.

"You're Lucas?"

"Yep," he says, trying hard to act as if he's mastered the deep-fried diffidence of Southern men. Skinny, with a mop of blond hair, freckles, and a pair of ears everyone hopes he'll someday grow into, the 14-year-old looks a little younger than he sounded on the phone. After an awkward pause, he says, "I guess we should go inside."

Lucas [many of the names and identifying details in this story have been changed] purposefully plants himself on an old paisley couch in the living room, where he'll insist on staying for most of the afternoon. I had planned to take him, his stepmom, Rebecca, and maybe even Lucas Sr. out for a ride. I wanted them to show me the library and the massive Baptist and Assembly of God churches that draw all but a handful of this community each and every Sunday morning. I wanted Lucas to give me a tour of his school, the neighborhood where his girlfriend lives—all the places in town that define home for a teenage boy.

But Lucas and his family will have none of it. Those places are risky now. One careless word, one question asked a little too loudly, even being seen in this tight-knit neighborhood in the presence of a stranger with a pen and a tape recorder, and Lucas' secret could slip out. So we sit in the living room with the 19-inch color television and the plywood door with a fist-size hole in it (another souvenir of the last tenants, says Rebecca). Or in Lucas' bedroom, with the giant Garfield clock on the wall and the secondhand dresser where he keeps the mouthpiece from the tuba he plays in the school band.

The bedroom is Lucas' refuge, he says, and later that day, he'll retreat to it for a while. He'll tear a sheet of paper from a school notebook, sprawl on his bed alongside the Harry Potter books that he's read at least five times each, and write a letter to a little girl whom he misses very much, a letter he says he's long been forbidden to write:

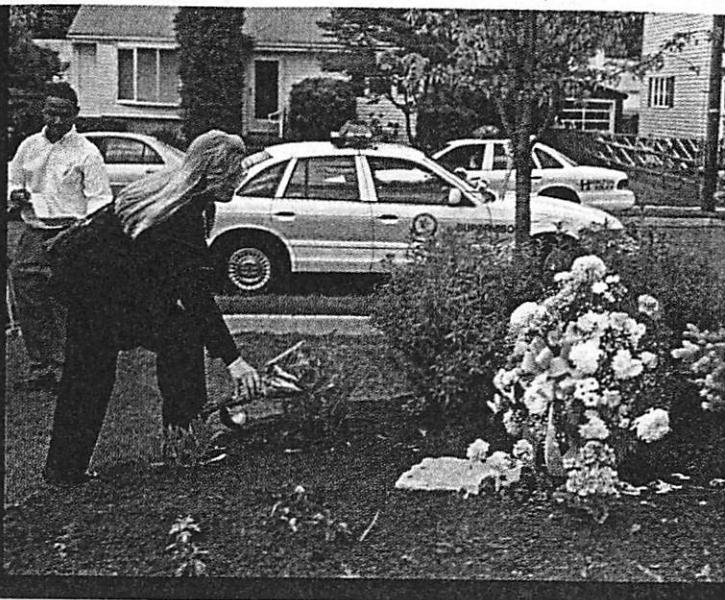
Dear Elly,

I'm writing to tell you I'm sorry. I know what I did was wrong and sorry will probably never be enough. And no matter what anybody says you'r [sic] never going to forget it. But all I really want to say is I'm sorry for what I did and I don't want you to be mad. But I guess in a way you always will be. But do me a favor and don't take it out on anybody. Just sit down with mom and talk about how you feel just don't take it out on anybody alright. I'm sorry.

Love
 Lucas

**"Telling these kids that they're criminals or predators, labeling them sex offenders, may actually be harmful and ironically may encourage them to become the very thing we fear them to be."
—Gail Ryan, treatment specialist**

Megan's death births a law: A Hamilton, New Jersey, resident places flowers at the memorial site Megan's Place, a small park built on the site where Megan Kanka was raped and murdered by Jesse Timmendequas on July 29, 1994



SIT DOWN IN FRONT OF A COMPUTER ANYWHERE IN THE WORLD, LOG on to South Carolina's Internet registry of sex offenders, and listed there among the adult pedophiles, sexual predators, serial rapists, and kiddie pornographers, you'll find Lucas Tanner Jr. He ended up on the list eight months ago when the state of South Carolina learned that he had been convicted of criminal sexual contact after a neighbor spotted the then-12-year-old rubbing his fully clothed body against his seven-year-old sister, Elly, in a concrete culvert behind his mother's house.

That was two years ago, back in Alabama, just before he was all but run out of town. Lucas is 14 now, an eighth-grader who's trying very hard to keep his past from his peers. And he's got plenty of company. At last count, there were 68 kids under the age of 18 on South Carolina's Internet registry (there are hundreds more in the 16 other states that post electronic files). And when you factor in the youths who are listed on sex-offender registries in states that haven't yet gone digital, the total swells to the thousands.

This, says Gail Ryan, an expert in the treatment of juvenile sex offenders, is "the new world" when it comes to punishing the young. Ryan, who runs a treatment program at the University of Colorado School of Medicine's Kempe Children's Center, continues: "Maybe it's the school shootings at Columbine and Paducah [Kentucky] and elsewhere, and the seemingly endless stream of federal reports that show juveniles flooding the nation's courts year after year. Maybe it's simply the fact that when faced with isolated incidents of horrific sex crimes, Americans just don't know what else to do. As a community, we're afraid of these kids."

And nowhere is that fear more concentrated than in the move to apply the nation's tough sex-crime statutes to juvenile offenders. Dubbed "Megan's laws" after seven-year-old Megan Kanka, a New Jersey girl who was raped and murdered in 1994 by an adult pedophile, the local and state measures (of which there is now a federal version) were enacted to keep predators at bay. They require convicted sex offenders to register with local police, and if one poses a great enough threat, authorities are required to warn entire communities of the transgressor in their midst. One severe extreme was seen recently in Corpus Christi, Texas, where a judge ordered convicted sex offenders to post huge red-and-white warning signs in front of their homes and on their cars (DANGER! REGISTERED SEX OFFENDER IN VEHICLE).

Perhaps a response to the early-'90s rise in arrests for sex crimes against juveniles (which rose 15 percent every year from 1989 to 1994), Megan's laws have been widely embraced by the public and lawmakers alike. But a mounting chorus of critics say these precautions are prone to abuse and error. The methods used to sort the monsters from those most likely to turn their lives around are unreliable, they say, and, in many cases, no distinction is drawn between those who commit comparatively minor

offenses and those who've committed the most heinous crimes. And sometimes the glare of well-meant publicity turns victims into two-time sufferers—men who have abused their own children have had their names and home addresses listed on registries, the unexpected result being the harsh exposure of the innocent.

Former congressman Dick Zimmer, the New Jersey Republican who shepherded the original Megan's law through the statehouse and then through the U.S. Congress, echoes the sentiments of the supporters when he says the kinks can be dealt with administratively, but the first priority is the safety of our kids. "The law gives parents the information they need to protect their children when a dangerous sexual predator is in their community," he says. Joe Dell Russo, a sex-crimes prosecutor in Passaic County, New Jersey, agrees, saying "a high risk is a high risk is a high risk. If a 13-year-old [classified as a high risk] moved into my neighborhood, I'd certainly want to know about it."

Still, the move to apply Megan's laws to juveniles is proving more and more problematic. "A few years ago, almost anything a juvenile did sexually was dismissed as 'boys will be boys,'" says Dr. Fred Berlin, who founded a clinic for sexual disorders at Johns Hopkins Hospital. "Now the pendulum has swung, but it's swung too far." In some states, children as young as ten are required to register with local authorities, in many cases for crimes as comparatively minor as groping or flashing. There are stories about 17-year-old boys who will spend the rest of their lives labeled rapists because they had what otherwise would have been consensual sex with girls who had not yet reached their 16th birthdays. There have been cases in which young victims of sexual abuse have turned their anger on other children—"abuse reactive behavior," therapists call it—and ended up on sexual-offender registries, while the adult who set the whole grim process in motion escaped punishment (at least until the youth gained the courage to turn him or her in).

While it's true that most adult sex offenders started their patterns as children, Ryan says that "everybody looks at that backward and believes that all these kids are destined to be those adults. Nothing could be further from the truth. Most kids who engage in delinquent behavior don't go on to be adult criminals." As Dr. Robert Prentky, a Massachusetts psychologist who has spent his career studying sex offenders, puts it: "Our ability to address the question of 'dangerousness' is not something we can do sufficiently well to justify the kind of onerous, even Draconian, idea of community notification."

But change may be coming. In a New Jersey case that could have far-reaching ramifications on the way Megan's laws are applied to minors, a mentally disabled 16-year-old has taken his case to the state supreme court after police threatened to warn some two dozen schools, day-care centers, and community groups about his presence. His crime? He may have sexually assaulted a young girl when he was ten years old, but authorities aren't sure, says Craig Hubert, the teen's attorney. The two children were found in

their underwear, but there was no conclusive evidence that the girl had been penetrated. The boy, described in court papers as an "educable, mentally retarded child," speaks little English, Hubert says, and there's reason to believe he thought "sex" meant "kissing" when he admitted to the charges.

While New Jersey decides whether this scenario constitutes cruel and unusual punishment, it has recently ruled against posting juvenile sex offenders on the Internet, as South Carolina did with Lucas. That concept—electronic registration—wasn't considered when its Megan's law was first adopted, and it raises a host of nightmarish possibilities, says Robert Freeman-Longo, a South Carolina therapist and a vehement critic of the Megan's laws. In addition to facilitating the rumor mill, he says, registries could create a "one-stop-shopping venue for adult pedophiles searching for sexually precocious prey."

More to the point, there is growing concern that applying Megan's laws to kids may do more harm than good. Mark Chaffin, associate professor of

Lucas says he never felt settled at home. His father—a traveling salesman, when he worked—spent long periods of time on the road, and Lucas never felt he really belonged with his mother and his two sisters: Sandra is three years his junior, and Elly five. Though his mother denies it, Lucas insists, "My mom never really liked me much. Not really."

Those who know Lucas, even those who love him, admit he can be tough to take. He had a way of provoking people, kids and adults, without really intending to. "He's always been very young for his age," his grandmother Maureen Shaugnessey says. Until Lucas was ten, he slept surrounded by his prized collection of teddy bears. When they were very young, both he and Sandra were diagnosed with attention deficit and hyperactivity disorder. Perhaps it's why Lucas lied about little things, like the time when he was 12 and staying with his grandmother. She found a skillet left on the stove, a deep scratch in its nonstick coating. The boy

Lucas remembers pushing through the glass doorways at school only to be confronted with the relentless jeers of other kids. "Hi, rapist," one boy screeched at him. "How you doing, child molester?" called another.

pediatrics at the University of Oklahoma's Health Sciences Center, says in only the rarest of cases have teens and preteens developed the fetishes and fantasies—"arousal patterns," therapists call them—that mark their adult counterparts. "Telling these kids they're criminals or predators, labeling them as sex offenders, may actually be harmful, and ironically may encourage them to become the very thing we fear them to be," Chaffin says. "In the end, we may be shooting ourselves in the foot." Barry Straw, a sexually abused 14-year-old who became an abuser himself and is now thriving in therapy, is even more blunt. "I think it's kind of stupid because it might mess up their futures when they get older," he says. "Or they might just give up, because people are gonna know who they are when they're trying to make a change."

IT TAKES 15 MINUTES TO FIND LUCAS TANNER JR. ON THE INTERNET. But how he got there is a tale stretching across three Southern states and through at least three generations of a dysfunctional family. You have to wade through a box load of teddy bears and look into the blue eyes of a little girl who has only recently stopped having nightmares about her big brother. You have to meet Lucas' real mom, Jessica, a 36-year-old out-of-work dental hygienist, who was herself sexually abused through her preteen years by a brutal stepfather. You have to talk to Lucas' dad, who, by all accounts, has spent his life relying on a tough-guy demeanor to barrel his way through tough times and expected Lucas to do the same.

The Tanners had always had a stormy relationship, and after years of fighting in rental homes and trailer parks from the Carolinas to Alabama, they finally divorced. Lucas, who was ten at the time, considers the split his own personal failure, as if his parents divorced because he did poorly in school or lingered a little too long at a friend's house or ate some of the vanilla ice cream without permission. "Sometimes I felt like it was because of me," he says. "Most of their fights were about me."

wasn't allowed to cook while she was out, but he'd fixed some eggs anyway. When she asked about the scratch, he denied any knowledge of it. "I said, 'Lucas. We're the only ones here,'" his grandmother says.

But there were other things that troubled Jessica more than Lucas' little fibs or his lack of focus at school. As a victim of sexual abuse herself, she says, she recognized the warning signs. "I had this old couch out in the garage, and I went out one day, and I saw Sandra lying down, and Lucas leaning over her. They were both fully dressed, but they jumped when I came in."

Jessica confronted the boy and his sister. Both denied that anything had happened, but Jessica didn't buy it. Since Lucas was the boy and was older, he bore the brunt of her anger. "I talked to him; I yelled at him," she says. "I even took him down to the juvenile hall, stood outside, and told him, 'That's where you're gonna end up if you keep doing that.'"

By the time Lucas was 12, Jessica says, she was ready to throw up her hands. The family, long fractured, had collapsed completely. After the divorce, Lucas Sr. had moved to South Carolina in search of work, then back to Alabama when he didn't find any. He remarried, and Jessica found a boyfriend. It was by all accounts a chaotic period and, Lucas says, his mother had little time for him. "She was on the phone or in her room all the time," he says. "She'd only be around me when I was in trouble." Lucas Sr., who observed the chaos from a distance, says, "His mama never, you know, never really worked with him. Never encouraged him to do stuff."

Jessica denies this. But she admits that as Lucas edged closer to adolescence, she felt less equipped to deal with him, opting to send him to stay with his father. She swears she was only thinking of his best interest, but Lucas sees it differently. "She just sort of dropped me off on the doorstep," he says.

Spin: You don't have to answer this question if you don't want to, but have you given any thought to what actually happened between you and Elly

back in Alabama? Do you think what you did was a crime?

Lucas: In a way, yes. And in a way, no.

Could you elaborate on that?

Well, in a way it's a crime because I was old enough to know better. But I was still young enough where I was experimenting with things, and the way I was brought up, I really didn't know much about it. I didn't know that it was wrong. Or that you'd get in trouble for doing it.

THE INCIDENT HAPPENED IN JUNE 1999. LUCAS, WHO WAS LIVING WITH his father in Alabama, was spending a weekend with his mother and sisters. Even now, two years later, it's difficult to piece together exactly what happened. The only people with a bird's-eye view of the event are the investigators from the Alabama Department of Human Resources. They interviewed Lucas, his sisters, and the other kids who were there on the day in question and compiled a confidential report that they haven't shared with Lucas' parents (the law doesn't permit it). This much is clear: It was the day Lucas Tanner Jr. became a dangerous criminal in the eyes of the law.

There was an old concrete ditch where a stream would sometimes run, cutting across the back of the development where Jessica and the children lived. "All the kids used to play down there," says Jessica, but it was a dangerous spot, and "Lucas and Sandra and Elly were forbidden to go there." But on this particular day, the Tanner kids went anyway. They were laughing and playing, and at some point a neighbor spotted Lucas fully clothed, lying down on top of his youngest sister, rubbing himself against her. It was, Lucas insists, an isolated incident.

The neighbor phoned the police; the police phoned the Department of

case file would be kept strictly confidential. If he successfully completed a treatment program, and if he had "no further problems until he was 18," then his records would be permanently sealed. And they promised that Elly would get counseling to help her get through the ordeal.

With no juvenile record, no prior history of abusing or sexually harassing children, and a family history that, though unstable, was not particularly abusive, Lucas was treated as an ideal candidate for rehabilitation. "Stigmatize [a kid like Lucas] and you risk making the situation worse," says the University of Oklahoma's Chaffin. "There's all kinds of risk. And not just vigilante activities, but of social rejection, the impairment of social development, the impairment of forming positive peer relationships."

But the Tanners were living in a small, sunbaked community that juts up from the flatlands, the kind of place where people love to stop and chat. And it didn't take long for Lucas' secret to make the rounds. It's not really clear how it happened. Lucas blames his mom. "She's a mouth," he says. Jessica contends that a neighborhood girl somehow found out about the whole sordid incident, "and she told everybody at school. It didn't help much that the day after his arrest, Lucas brought his [police documents] to school with him. I don't know why he did that."

Whatever the reasons, Lucas became a pariah. He remembers pushing through the glass doorways at school only to be confronted with the relentless jeers of other kids. "Hi, rapist," one boy screeched at him. "How you doing, child molester?" called another.

Over the next several months, things got worse. Before and after gym class, when the coach was out of sight, older kids harassed and attacked him on several occasions. "We'd be changing, and kids would come up; they'd



His father had given him this advice: "If they do that to you, then you beat the crap out of them." But when push came to shove, Lucas didn't have it in him. "It's hard when you've got these big kids who can pound your face in."

Signed, sealed, delivered: Then-President Clinton signs the bill for the federal Megan's law in 1996. Looking on, from left, are Megan Kanka's mother, Maureen; brother Jeremy, 7; then-congressman Dick Zimmer; and John Walsh, host of *America's Most Wanted*

Human Resources. But it wasn't until October that the Tanner clan learned they were under investigation. The investigators summoned the children and talked to them about what had happened in the culvert that day. Lucas and Elly told their stories; their parents weren't included in the conversation. Parents never are in cases like this, authorities in Alabama say, because so often the pattern of abuse goes far beyond the children. In this case, however, the DHR called Lucas' mom and told her they had proof that her son was a molester, and that Elly had been his victim. Lucas Sr. says he is still angry about the veil of secrecy that was thrown over the whole investigation. "Instead of finding out how they were raised or anything like that, they just said, 'All right, he's a sex offender. He's going to the D.A.'"

In the world of juvenile justice, however, Alabama is a reasonably enlightened state, and its approach with Lucas was hardly confrontational. The prosecutors brought him into a conference room where they spoke softly to him. They promised him and his parents that it would all remain hush-hush, that he'd serve two years' probation, and that, for the time being, his

shove me into the locker and start calling me all kinds of names."

Lucas likes to think of himself as a tough guy like his father, but he admits the abuse frightened him. "Some of these kids were really big; some of them were about 15, 16." His father had given him this advice: "If they do that to you, then you beat the crap out of them." But when push came to shove, Lucas didn't really have it in him. "It's kind of hard when you've got these big kids who can really pound your face in."

For months he endured the taunting and the jeers, and his schoolwork, never his strong suit, slipped even further. More important, Lucas, who had always been a lonely kid, felt more isolated than ever. "It made me feel that nobody wanted to be around me, that people hated me."

Finally, Lucas turned to the grown-ups for help—guidance counselors, teachers. "They tried," Lucas says. "They'd call the students into the office, and we'd talk about it. And they'd say, 'All right, I won't do that.' The next day, they're back at it again. There's really nothing people can do."

By January of this year, Lucas' father had come to realize that no matter how tough the boy got, he'd never be strong enough to fend off all the

bullies. Maybe the boy needed a fresh start, the old man thought. Maybe they all did. So, when a job opened up in South Carolina that would allow him to spend more time at home, father, son, and stepmom packed up and left.

They had no idea what they were walking into.

THERE AREN'T A LOT OF FOLKS WHO CAN AFFORD HOME COMPUTERS in this hard-luck spit of sand and dirt in South Carolina where Lucas and his family now live. There are a couple of aging PCs over at the local library, a few more in the middle school that Lucas attends, and a few more in the high school he'll be attending this fall. But out here, where horses nibble the brown grass that grows around magnolia trees, where ancient tractors held together with baling wire and prayers rattle across the open fields, the age of technology has not yet quite arrived. To Lucas and his family, that's a blessing.

They hadn't even had a chance to find a place of their own when Lucas Sr. received a summons to appear at the county sheriff's office. He was to bring his son with him. Lucas and his family had been told by the authorities in Alabama that he would be required to check in with the state in South Carolina, but the family had assumed that it was just a formality to transfer his probation from one state to another. They assumed wrong.

They were greeted at the front desk by a brusque and burly middle-aged detective in a suit. In Alabama, the authorities had been gentle, but here Lucas was whisked away and led into the bowels of the county jail. The detective left the boy alone on a bench, just outside a cell block where South Carolina's hardcore criminals are housed, awaiting trial or transport to state prison. Lucas sat frightened and alone for what seemed like an eternity. "I was like, 'Are they gonna lock me up or something?'" he says. Then a pair of uniformed officers took his fingerprints, stood him up against the wall, and snapped a mug shot. They told him he wasn't in Alabama anymore—his two-year probation was now indefinite probation, and every year, for the rest of his life, he would have to come down to the sheriff's office and register as a sex offender. They never said anything about posting his information on the Internet. In fact, Lucas hadn't had a clue about that until I found his name and address on the registry, got his number from information, and called him at home.

For the time being, Lucas can change for gym without being thrown into lockers and can walk to class without being taunted. He can go to the party that Suzanne, the girl he's smitten with, is throwing to celebrate the end of middle school. But he can't be alone with her; his probation bars him from being with an underage girl without a chaperone. So far, Lucas says, he's kept Suzanne in the dark about his past, and while he hates the idea, he knows the alternative could be far worse. She's "got no clue," he says. "And in a way, it's wrong. Keeping something secret in a relationship like that, it's like not being faithful."

There are mornings now when Lucas wakes up, eats his breakfast, and stands outside waiting for the bus, wondering if today's the day that someone will find out. "I'm kinda scared," he says. "When I go to school, it's, 'What's gonna happen today?' Is it gonna be the same thing that happened in Alabama, or is it gonna be that nobody's gonna go on that website?" He pauses for a moment. "It could, like, ruin my life. I couldn't walk into Winn-Dixie. Going to Wal-Mart, I'd get laughed at or picked on. It could ruin my parents' lives, too. People nowadays, they'd probably come and trash the house."

Jim Grady, a probation officer turned social worker who runs a treatment program for young sex offenders outside of Charleston, South Carolina, understands Lucas' worries. He's seen scores of other kids grapple with it, too. "It's a huge fear," he says. "These kids, they're operating from a position of horribly low self-esteem. Society is reinforcing that for them. And it's so unfortunate. It doesn't give them a chance. Labeling some 13-year-old kid with this scarlet letter that's going to follow him through life? My fear is it could become a self-fulfilling prophecy."

A few days after we spoke, curiosity got the best of Lucas, and he wandered over to the library and stared at one of the old computers. He thought about logging on, just to see himself boiled down to a rap sheet on the Internet. But then he realized: The monitors are out in the open. Someone might look over his shoulder and see. To this day, he's never seen the website.

IT'S BEEN THE BETTER PART OF A YEAR SINCE LUCAS LEFT ALABAMA. Jessica says that Elly, now nine, is no longer haunted by nightmares about her brother. Lately, the little girl has even started to ask about him. "She doesn't talk about it much," Jessica says. "But every now and then she'll say, 'I miss Daddy and Rebecca and Lucas.'" But there's still a large gulf between the boy and his sister.

"This thing in my old therapy group—you were supposed to write an 'I'm sorry' letter," Lucas says. "I told my mom about it, and she said no. She just wants Elly to forget it ever happened." When I tell Jessica about the letter her son wrote in his bedroom, putting his feelings down on paper for the first time, she agrees to let me read it over the phone. When I'm finished, there's silence on the other end. And then a sound. A sob? A sigh? It's hard to tell.

"That's the first time I really heard him say he was sorry," Jessica says after a long pause. "I guess he really wants to be forgiven."

Can he be? I ask.

"I think he already has been."

By whom?

"By Elly," she says softly. ■

"I'm kinda scared," Lucas says. "When I go to school, it's, 'What's gonna happen today?' Is it gonna be the same thing that happened in Alabama, or is it gonna be that nobody's gonna go on that website?"

