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Consulting firm plots road map for emergency communications regionalization

Benton County sex offenders respond to information probe

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Tyler Richardson, Tri-City Herald

At least two lawsuits are expected to be filed this week on behalf of several Benton County sex offenders to try to stop the release of their personal information, their attorneys told the Herald on Thursday.

The lawsuits would put on hold the release of the names, addresses, birthdates and phone numbers of Benton County's 420 lowest-level sex offenders.

The two lawsuits are to be filed in Benton County Superior Court, according to the offenders' attorneys.

A Level 1 sex offender is the lowest rating in a three-level system that ranks an offender's likelihood of reoffending.

The offenders claim the release of the information could result in "irreparable harm" and could cause them to lose their jobs, say the attorneys.

Offenders fear the information also could put themselves and their families in danger.

"In most cases my clients' offenses were over 20 years ago," said John Ziobro of Richland, who is representing at least 10 offenders. "They don't want their families to know. They don't want their employers to know."

The pending lawsuits are the result of a records request by former Mesa Mayor Donna Zink.

Zink filed a Public Records Act request last month in Benton and Franklin counties for all the sex offender registration information for all Level 1 offenders. Franklin County already has given Zink its Level 1 offender information, and Benton County officials have said they are ready to release theirs to her.

"We are taking the position that the documents should be released," said Benton County Deputy Prosecutor Ryan Lukson. "We are prepared to release the documents."

The same information is available online for all Level 2 and 3 sex offenders in both counties because they are considered more likely to reoffend.

Personal information on Level 1 sex offenders is a public record and can be released under the state Public Records Act, according to the Office of the Attorney General.

On Thursday, Benton County Superior Court Judge Carrie Runge refused to sign an order blocking the release of some of the documents, including the release of some offenders' names.

Kennewick attorney John Bolliger told the Herald that Runge said the issue could be reconsidered if a lawsuit is filed.

Bolliger said his firm's client is reluctant to sue because he doesn't want his name made public.

"The catch-22 is that our client wants to keep his name out of the public domain," Bolliger said. "The only way the Superior Court provides an avenue to continue this is to have his name on a lawsuit. Our client feels like he is stuck between a rock and a hard place."

Two other Tri-City attorneys said their clients are prepared to challenge Zink's request by filing suit.

Zink could not be reached by the Herald about her request. However, she sent an email to Ziobro in response to his lawsuit.

"I think it would be nice to know if someone molested or raped a child before I drop them off to be babysat, leave them with the priest at a church or at the local youth club," she wrote Aug. 14. "Or are you going to try to prove it is so dangerous to the level one offenders and embarrassing to the families?"

She noted that the convictions are public and their registration information should be, too.

She told Ziobro that she will continue to seek the information despite the lawsuits.

"Yes, let's make this as public as possible and get this all ironed out so the public knows what info we can and can't have about sexual predators," she wrote. "I look forward to the appeal."

Michael F. Henry, a certified sex offender treatment counselor in Richland, said Level 1 sex offenders go through extensive treatment and only about 10 percent nationally will commit a new offense. A majority of Level 1 offenders are related to their victims.

"With Level 1 offenders the risk to re-offend is low," Henry said. "They are law-abiding citizens like me. I know many Level 1 (offenders) who live in the community and are very productive."

One offender -- who was convicted of a sex crime 17 years ago and served six months in jail -- believes the release of his information could have serious consequences.

"I am a single father putting my daughter through college. It would be terribly embarrassing to be the subject of a publication involving my name ...," the man said in the motion filed Thursday. "This matter could very easily result in loss of income from my job. I believe this would substantially damage me ..."

Henry -- who has been working with sex offenders for more than 20 years -- also believes releasing the information could open old wounds for victims.

"To out someone and bring their families and victims shame is counterproductive," he said. "Many victims share the same last name (as their offender) and can be stigmatized. It's not doing any good to protect the community in the long run."

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