



DISTRICT ATTORNEY'S OFFICE OF CHESTER COUNTY

17 NORTH CHURCH STREET, SUITE 218

COURTHOUSE ANNEX

WEST CHESTER, PENNSYLVANIA 19380-3086

TELEPHONE: 610-344-6801

FAX: 610-344-5905

Anthony A. Sarcione
District Attorney

Charles Zagorskie
Chief County Detective

Good Morning-

I would like to thank the House Judiciary Committee for the opportunity to testify today.

My name is Steve Mills and I am employed by the District Attorney's Office as a Chester County Detective.

Currently, I am assigned to the District Attorney's Child Abuse Unit. I have been investigating Child Abuse cases since 1982. I've been with the County Detectives since 1979 and have been a police officer since 1969.

I believe the need for registration of convicted sex offenders is most imperative. One of the hardest jobs we have is identifying a pedophile prior to a child being abused. Why would we want to mainstream a pedophile back into society without advising possible victims around him?

Some major problems that have to be addressed for this type of legislation are as follows: 1) The Criminal History Information Act does not allow disclosures of this type. The Act will have to be amended to allow police to disclose if necessary. 2) If the Act were modified, it should at least include that police, probation or parole departments, report to local police that the offender is currently in their jurisdiction. 3) Serious offenders must be required to report to the local police and describe their crime and place of residence. 4) A question to be considered is whether we should be concerned with the rehabilitation of the offender in society or should we worry about the offender's next victim.

I believe House Bill 85 addresses many of the aforementioned issues for the Registration of Sexual Offenders.

It's a known fact that a pedophile can be treated but not cured. Just like an alcoholic or drug abuser. Once they stop their treatment, the percentage for re-offending is great.

Child Abuse is not a recent problem for legislators and law enforcement. It has just been on the back burner. Because we now

educate our children about "Good Touch and Bad Touch", we have an increased volume of child abuse cases just within our department. Our focus should not be merely on educating children, but rather focus on stopping the abuser before the abuse.

So why does it take the law makers so long to catch up? It was not until April 1990 that our law makers enacted the charge of **Aggravated Indecent Assault** which made penetration of a victim's genitals or anus with a part of the defendant's body, a Felony of the 2nd degree. Basically, this means digital penetration. However, what if a person penetrates a (6) year old's vagina with a bottle? This is **Indecent Assault**, a Misdemeanor of the 2nd degree.

In 1991, the legislature amended the Statute of Limitations, to extend the statute to include specific crimes against children. Some crimes were upgraded from Misdemeanor (2) to Misdemeanor (1). The State of Delaware completed similar changes years ago.

We allocate money for drug enforcement, why not child abuse related crimes? We in the Child Abuse field, especially in law enforcement, could make very good use of monies ear-marked for Child Abuse Investigations. Let's re-direct funding to include Child Abuse.

At the completion of an investigation we did quite a while ago and the perpetrator was arrested, one of his victims from 20 years ago called us. When she disclosed her abuse, her parents not only didn't believe her but told her not to say anything. The stigma and embarrassment in the parent's minds was overwhelming.

It takes a special type person to investigate these cases. One has to become a social worker with a badge. Because of the complexity of the investigations, it's a hard pill to swallow for a lot of police officers. Once you've found a police officer willing and able to conduct the investigation, you now have to train him or her.

In Chester County we received a Grant from the Pennsylvania Commission on Crime and Delinquency (PCCD). By directing these funds toward Child Abuse, we have formed a Child Abuse Unit which is made up of two staff Attorneys and two staff Detectives who do nothing except involve themselves with these type cases. We have our own segregated office space allowing us complete privacy during these sensitive investigations and interviews. Also through Grant funding, we formed a county wide Task Force made up of state and local police officers. Our task is to focus training in the area of child abuse. The Task Force meets once a month and has approximately 33 members.

95% of our investigations are conducted after a child has disclosed the abuse. This abuse continues to occur because no one else is aware that it is occurring.

One major investigation involved a man (age 67) who for a period of (40) years had been photographing young males. Specifically, their

genital area. During the "photography sessions", this man would perform oral sex on these young boys to cause an erection. Most of these young males fell victim to this man because they were run-aways or neighbors with dysfunctional households. This man was married and lived in nice areas. During the time frame that he was committing these acts, he moved several times to several different neighborhoods. We did not learn of this individual until the late 70's or 80's and our arrest was not made until 1991. This only occurred due to information supplied by a concerned citizen living in the pedophile's home. Following the arrest, several males in their 20's and 30's came forward with details of abuse they had suffered from this man. One victim has become a thief, one has become an admitted child abuser. Drug abuse is also a prevalent aftermath of child abuse victims.

In October 94, when I testified before the House of Representatives in the city of Coatesville, we had just arrested a 72 year old male for Child Sexual Abuse. On January 13, 1995, this man was sentenced to 20 to 80 years in prison. I've enclosed the newspaper article covering his arrest and sentencing.

Another investigation lead to the arrest of an ex-police officer. He had been arrested in the 1970's for abusing approximately (4) boys. This individual was sentenced to (2) years probation. In the 1980's, we investigated this same individual and located at least (8) more victims. Now this person is in jail for a long time. But why did these additional boys need to be abused? If the community knew, might these children be spared the damage they will now live with for the rest of their lives?

I have dealt with people who have abused children who were priests, police officers, involved with the Boy Scouts, teachers, and people from many walks of life. In the majority of cases when a person like this is arrested, the arrest is kept quiet so as not to embarrass the church, school or the affected group. But the community needs to know these people exist and more importantly, that sex offenders have the potential to abuse again.

Another consideration is funding for proactive investigations. With many of the perpetrators we deal with, if we had the time and man power to target specific individuals, we may have stopped the abuse before it occurred or at least could have lowered the number of victims.

Now in addressing House Bills 29 and 75, the age of consent bounces back and forth between 13-16 years of age depending on the particular section and sub-section of certain crimes. But isn't it odd that the legislature recognizes that you can not photograph a child under the age of 18 but the age of consent remains between the ages of 13 and 16? Also, the children I have personally interviewed between 13 and 17 years of age, did not want to engage in any type of sexual activity. Some were only mentally coerced. I believe that the age of consent differences should be eliminated. The standard should be 18

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years of age. If you can not photograph a child under the age of 18, then a child under 18 years of age shouldn't be able to consent to physical, sexual acts either. Ask yourself the question, "Is photographing less offensive than participating in sexual acts with a minor?"

Additionally, please note that neither bill addresses "foreign objects" under § 3125, **Aggravated Indecent Assault**.

We would like to suggest that you implement whatever legislation is necessary to mandate the registration of these offenders but we also need to focus on the training of police officers and prosecutors. We must also spread accurate, positive, public information, not just what the public sees on sensational T.V. and in the movie theaters. We need funding for proactive investigations and also new legislation upgrading the degree of the crime from a misdemeanor to a felony. This will also lead to stiffer sentences. Also, offenders should be mandated to complete specialized treatment programs while in prison and a follow up treatment plan after their release.

Lastly, I would like to thank Committee Members Cohen, Piccola and Hennessey for their insight to include new sentencing guidelines in House Bill 75.

Stephen J. Mills
Detective
Chester County Detectives

Saturday, January 14, 1995

Child molester receives 20-year minimum term

By MICHAEL P. RELLAHAN
Staff Writer

WEST CHESTER — Admitted child molester William Killian, who had sex with two young boys and took nude photographs of them in the basement of his Valley home, wasn't sentenced to life in jail Friday, as one of his victims requested.

But he might as well have been. Killian, 72, received a 20-to-80-year sentence in state prison from Judge Lawrence E. Wood, who told Killian he wanted a long jail term because he had no hope "that you can come back out and be a normal person."

"You don't see the world the way I see the world," Wood said. Killian's attorney, assistant public defender Jenny Steinen, said afterwards that the elderly man would probably never finish the sentence, since his health is deteriorating, and he will likely die before the end of the minimum term. In a pre-sentencing memorandum quoted by the prosecution, Steinen said Killian would not last 15 years in prison.

But Steinen agreed with Wood and prosecutor Amy L. Lord that her client had not come to terms with his actions and that society needed to be protected from him.

The last of Killian's two victims appeared in court Friday to tell Wood that he wanted Killian put in



WILLIAM KILLIAN

prison for life — not simply as punishment for his crimes, but so no other children could be harmed by him.

"He shouldn't get out on the street, because he'll strike again and hurt someone else," said the boy, whose name is being withheld by the Daily Local News.

Speaking in a quiet but clear voice, the boy told Wood he had been hospitalized for some time because of the trauma he suffered over the assaults.

"I had thoughts of hurting myself because of this," said the boy, who

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Molester

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is now 11 years old and attends school in Delaware. "I don't want him to get out again for my own benefit and for other people's too."

Killian, a former security guard at Lukens Steel, was arrested in August after another boy came forward and told police that Killian had been having sex with him in the elderly man's home on West Charles Street in Valley since 1989, when he was 6.

When Chester County detectives went to arrest Killian, they found him in a locked basement room with the 11-year-old who spoke in court Friday. Killian, known as "Uncle Bill" to his victims, was partially undressed, zipping up his pants. The young boy was dressed only in his underwear.

Killian pleaded guilty in November to multiple counts of involuntary deviate sexual intercourse, sexual abuse of children and corruption of minors. At that hearing, Killian asked if he could write letters to the 11-year-old, whom he said he had not wanted to hurt.

The request was denied and was an indication to Wood that Killian was not aware of the nature of his crimes.

"And you may never be," Wood said Friday.

The mother of the boy who originally came forward also spoke in court at the sentencing hearing. After the sentencing, she said that her son was proud of the fact that her son, now 11, had saved others from what Killian might have done.

"He stopped it from happening to (the 11-year-old), and he stopped it from happening to (others)," said the woman, whose name is being withheld to protect her son's identity. "Now, I can go back to him and say it's all over."

Her son did not appear in court. Lord, an assistant district attorney assigned to the county's child abuse unit, told Wood that he should not take into account Killian's age when fashioning his sentence.

"He gave no consideration to the ages of the victims he selected," she said. "The court should give him the same consideration as he gave his victims."

Steinen said that Killian was suffering from "organic brain damage" and "is probably not all there."

Lord also said that Killian had shown no remorse since his arrest and had even tried to blame the boy who came forward to tell of the incidents.

"If it wasn't for (him) squealing, I wouldn't be in this predicament," Lord quoted Killian as saying.

"He's sorry, but he's only sorry he was caught," Lord told Wood of Killian. "I suggest to you there is nothing you can do to rehabilitate Mr. Killian," she said. "Rehabilitation is not even a factor."

Wood agreed.

As it became clear while the judge went through each of the charges that he was going to give Killian a long prison term, the parents of each boy clasped each other on the shoulder.

Lord, whose last day in the district attorney's office was Friday, turned around at one point and winked in satisfaction at the 11-year-old.

"This helps me, because I know he's not going to get out and hurt any other kids," said the boy after Killian was led from the courtroom by a deputy sheriff.

"I was hoping for life," the boy said. "But that's probably life for him."