

TESTIMONY OF STEPHANIE KANIPER SUPPORTING **SB 147**
RESIDENT OF JEFFERSON COUNTY, KANSAS
KANSAS SENATE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE, 2015 SESSION
February 17, 2015

Chairman Greg Smith and Honorable Members of the Committee, my name is Stephanie Kaniper. I am a Kansas constituent and live in Jefferson County. It is an honor to speak to you as a proponent of the "Community Defense Act," SB 147, which regulates sexually oriented businesses.

Jefferson County is located directly Northeast of Shawnee County. Four and one half years ago, Jefferson County residents stood in opposition to a sexually oriented business in the small town of Meriden, nine miles out of Topeka. The proximity of the business was the most disturbing to area community members because it is not only a mere 900 feet from the Jefferson West Middle School, but the property adjoins USD 340, Jeff West schools! Residential homes and a child day-care are also within the 1000 feet notification area of this business.

I'm a mother of Jeff West School children. I volunteer at school, church, libraries and at functions within the county. My husband and I moved to Jefferson County for the family values and high community standards of the small towns located there. The adult entertainment industry often suggests that those opposed to sexually oriented businesses simply not patronize these establishments. However, the location of this business left us without remedy when it came to protecting our children from its influence.

In 2011 and again in 2013, I stood before the Kansas House Federal and State Affairs Committee to plead for blanket protection from these types of businesses to be allowed near schools and other locations. I informed committee members of the secondary negative effects to a community, which are: increased crime, blight, property devaluation, prostitution, drug and human trafficking, increased sexually transmitted diseases, liability to community resources.

Opponents to this bill argued that statewide regulation is not necessary because "no sexually oriented business owner would open so close to a school or church anyway"... Jefferson County is a prime, real-time example as to the typical actions this industry is taking. Many small, medium and even large Kansas communities are vulnerable because they do not have zoning departments. Those that do may be inadequate or have no sexually oriented business ordinances. Many lack legal expertise and have scarce funds to withstand lengthy lawsuits.

The business owner in Jefferson County and his intentions to become annexed into the City of Meriden evidences this. A building permit was sought in May 2010, to expand the existing structure of the business. He disguised his intentions and maintained that he only planned to operate a "sports bar restaurant," which is documented in Meriden City Council Meeting Minutes of September 28, 2010. It wasn't until one week prior to this meeting in September that the applicant came forth to divulge the truth regarding his plans.

This course of action is common to the sexually oriented business industry. They push their agenda through the local process as quietly and quickly as possible, as not to alert the general public and thereby avoid an uprising. Many times, before the public knows the information, these applications are so far into the process that community members are unable to take a stand against them. This is part of the strategy for successfully opening a strip club or other sexually oriented business. This will continue to happen if we don't impose "time, place and manner" restrictions!

Jefferson County does have zoning regulations and residents battled this case within county guidelines. But - I submit to you, that we would not have had to be burdened with such use of our time and attention - and financial strain to the county - had this bill to regulate sexually oriented businesses become law.

We had a large community response opposed with over 300 people consistently attending the public hearings that were held and over 735 signatures on a petition. The population of Meriden was only around 750, where the concentrated concerns were held within the county.

Jefferson County was sued by the sexually oriented business owner. Even though we had county-wide zoning in place, the issue ended up costing our small county tens of thousands of dollars in legal fees to defend citizens' rights. Such intimidation is a typical tactic used against communities in order to silence opposition. With consistency to the industry's strategies, the attorneys claimed the county regulations to be unconstitutional.

Every county and community in the State of Kansas needs protection. We need protection against strip clubs and other sexually oriented businesses opening in such close proximity to our schools, churches, child day-care facilities, public libraries, public parks and residences!

As you may know, Missouri passed a law regulating sexually oriented businesses, which has been found to be constitutional on all points. This set a great precedent, but as a result, the State of Kansas has now become a target for infiltration by the sexually oriented business industry. We cannot take it granted that these businesses won't set up shop next door to other schools, residences and day-care facilities - *where our children are* - because there are currently no laws preventing them from doing so.

Please be aware that directly after the close of the Legislative Session in 2010, when this bill failed by ONE VOTE to become law, a strip club owner filed documents to open for business on property adjoining Jeff West schools. The sexually oriented business industry is standing by, ready to move to the next community. We need *state regulation* of sexually oriented businesses, or they will soon overtake our communities and strain the family values we hold dear!

In closing, I ask you to please vote for SB 147. Thank you for your time and consideration.

Respectfully submitted,
Stephanie Kaniper
Jefferson County, Kansas