

EXHIBIT 2  
DATE 1/12/09  
HB 102

OFFICE OF THE CITY ATTORNEY

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January 9, 2009

RE: House Bill 102

Dear Chairman Stoker and Honorable Members of the House Judiciary Committee:

I am a prosecutor for the City of Missoula and I have prosecuted criminal cases for over 20 years. My purpose in writing is to ask you to please vote Do Pass on House Bill 102, the bill that makes a third offense sexual assault a felony.

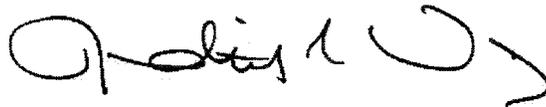
House Bill 102 creates a deterrent for offenders who repeatedly commit sexual assaults. Under current Montana Law, an offender who commits one or many sexual assaults does not receive felony penalties upon conviction, unless the victim is 15 or under. Sex offenders frequently commit repeat offenses.

Under House Bill 102, an offender who commits a third sexual assault can be charged with felony sexual assault. This is a good deterrent for repeat offenders. It also makes the sexual assault law consistent with Montana's indecent exposure law, which mandates felony penalties for a third offense. Mont. Code Ann. § 45-5-504 (2007).

I recently prosecuted an offender who had committed two sexual assaults on victims who were "easy prey" and vulnerable. His sexual assault convictions will never lead to a felony, if he reoffends, unless this important change is enacted. This law gives law enforcement and prosecutors an important tool to help protect Montanans from sexual predators.

Sincerely,

OFFICE OF THE CITY ATTORNEY



Judith L. Wang  
Assistant City Attorney