

San Jose: Bill inspired by St. Frances Cabrini sex offender fiasco wins key approval

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SAN JOSE -- A bill spurred from parents' outrage over a convicted sex offender volunteering at a St. Frances Cabrini Parish festival last fall cleared its first hurdle this week, and supporters hope it will become a law that would prevent such a thing from ever happening again.

It would require school officials to consult with authorities before allowing a registered sex offender to volunteer at campus activities. If the offender is considered to be at risk of re-offending, the school would have to notify parents of its intention to allow the violator on campus.

The bill, which was approved by a state senate committee, was authored by Sen. Jim Beall (D-San Jose) after he was approached by concerned parents of students at the school.

"My bill is common sense," said Beall. "I think it would have really helped avoid all the confusion at St. Frances Cabrini, and I think the parents agree."

Last Oct. 6, molester Mark Gurries -- who was convicted in May 2010 on one count of lewd and lascivious acts on a minor under 14 -- was at the event attended by many children when he was spotted by a former student who knew his victim. Parents quickly demanded that Rev. Lieu Vu remove him from the festival.

It turned into a heated argument when Vu said Gurries, 51 -- who had a permission slip from the Diocese of San Jose -- had a right to be there. Hours later, a sheriff's deputy asked the unwanted volunteer to leave.

In the wake of the incident, parents blasted the church for allowing a convicted sex offender to work the festival, Vu resigned as the parish priest in November, and Gurries was sentenced last week to 30 days in county jail for violating his probation.

His probation included an order that Gurries "not work, be self-employed nor do volunteer work in (an) organization that involves supervision of children under 18 years."

John Hernandez, the father of a 6-year-old boy who attends St. Frances Cabrini, said that if SB 326 had been in place, Gurries' status as a probationer would have been discovered and he would not have been allowed to volunteer.

Hernandez was one of the parents who approached Beall earlier this year. Hernandez was initially stunned to learn about a sex offender being allowed on campus, and then joined other concerned parents as part of the school's newly formed safety committee. His task was looking at what could be done to prevent what happened through legislation.

"Once I got clarification on (current) law, I thought there were too many loopholes and vagueness in the way it is written," he said. "We thought the right step would be to go to Beall's office."

The bill was approved by the Senate Education Committee on Wednesday, and next heads to the Public Safety Committee.

Beall and supporters are optimistic it will pass. Beall said they heard some opposition from the Los Angeles Unified School District on points not key to the bill and will work with them before it comes up again.

"My feeling is that yeah, we're on our way," said Beall. "We feel that this bill will clarify an ambiguous statute that doesn't make it clear how educational institutions go about dealing with this issue."

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