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Judge in Calif. tells self-described pedophile to stay away from schools

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LOS ANGELES — A judge on Friday ordered a self-described pedophile to stay at least 10 yards from places where children congregate, including schools, playgrounds and child care centers.

The permanent injunction narrows an initial order earlier this month that had barred Jack McClellan from coming within 30 feet of any person younger than 18 anywhere in California.

The new order by Superior Court Judge Melvin Sandvig also prohibits McClellan from contacting, videotaping or photographing children without written consent from their guardian or parent.

The injunction allows civil action against McClellan if it is violated. A three-year restraining order carrying the same restrictions was also issued and given to law enforcement agencies throughout the state.

As he left the hearing, McClellan told reporters: "I don't know what I'm going to do now."

McClellan, 45, came to the attention of authorities for a Web site on which he had posted photos of children in public places and discussed how he liked to stake out parks, libraries, fast-food restaurants and other areas where little girls congregated.

McClellan maintained he launched the site as a form of therapy and wouldn't do anything illegal. He has never been charged with molestation. His Internet service provider took down his Web site more than a month ago.

Sandvig did not give specific reasons for revising his initial order but indicated he was aware of concerns about its constitutionality, given its sweeping nature.

"Minor children are a group that do need extra protection because they can't be watched 24-seven," the judge said.

McClellan was released from jail Tuesday after prosecutors dropped a case accusing him of violating the judge's initial order.

Prosecutors could not pursue the case after they determined the order was invalid because the judge failed to schedule and give McClellan proper notice of a hearing required to argue its merits.

McClellan was arrested Aug. 13 for investigation of violating the order when he was found near a child care center. He had a camera with him at the time, but he told a local TV station there wasn't any film in it.

Attorneys Anthony D. Zinnanti and Richard A. Patterson had sought the order on behalf of their children.

After the hearing, they said they believed McClellan would follow the restrictions.

Civil libertarians and others had argued that the original, sweeping restraining order had virtually barred McClellan from the state by forbidding him from going near any child.

With the modified order, Zinnanti said, McClellan is "not barred from having a life, but there is, however, a perimeter around children." He and Patterson had also offered to help McClellan get counseling, he said.

McClellan has been unemployed and living out of his car since arriving in Southern California this summer from Washington.

At the hearing, he was represented by attorney Robert J. Wilson, who said he was acting at the request of the American Civil Liberties Union of Southern California. However, Wilson was handed a note by the bailiff during the hearing that said the ACLU would not be taking McClellan's case.

"So Mr. McClellan is going to represent himself," Wilson said.

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