

An unyielding advocate
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The house around the corner still bothers Polly Franks when she drives past, even though the man who once lived there can harm no more children.

Anger storms Franks' electric-blue eyes when she recalls what occurred in Joseph Smith's brick ranch house in Henrico County on a fall night in 1995.

Her 8- and 9-year-old daughters were asleep on the living-room couch, sleepover guests of Smith's daughter, who laid beside them. As they slept, Smith masturbated next to the girls until his wife walked in, exploded and kicked him out.

Two days later, Brenda Smith told Polly and her husband, Patrick Sweeney, close friends for 10 years, what had happened.

The news left Franks feeling betrayed, inadequate as a protector of her children and "in momma-bear rage" at Smith.

Determined to keep tabs on Smith and warn other families, Franks became a private investigator, her first step toward becoming a nationally recognized advocate for sexually abused children and other victims.

Becoming a private investigator "opened up a bunch of things to me and made me realize I had options," said Franks, 46, a founding member of the National Coalition of Victims in Action and a frequent guest on national news and talk shows.

"I felt powerless before because I couldn't stop it, and I felt like I was not being listened to by the authorities. I felt like I was being dismissed. My main beef was with the commonwealth's attorney's office and the people who didn't watch him."

Initially charged with three felony counts of child endangerment, Smith was convicted of misdemeanor charges of contributing to the delinquency of minors. He received a suspended sentence and a restraining order to stay away from the family.

Franks tracked Smith wherever he moved, from Henrico and Powhatan County to Richmond and Chesterfield County, anonymously warning parents of the molester in their midst.

Only later did Franks learn that Smith was a convicted sex offender from Texas known as the "Ski Mask Rapist" because that's all he wore. Even worse, he had made national news after being ordered to a new treatment program of "chemical castration" at the Johns Hopkins University Hospital, a treatment he stopped so he could father two daughters.

It was a treatment his wife knew about because she was the nurse who injected him. Still, his wife never disclosed that he was a sex offender to Franks, whose children often spent the night at the Smiths' home.

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And the bad news kept coming.

Smith was also the "Bandanna Bandit," who authorities believe broke into at least 70 homes in the Richmond area between 1987 and 1998. He earned the moniker because he sometimes only wore a red kerchief covering his face when he broke into homes and sexually abused children as they slept.

In 1999, Smith was sentenced to life in prison plus 20 years for sexually assaulting a 5-year-old girl.

A national registry of sex offenders didn't exist when Smith left Texas in 1983. Franks said had one been in place, the police would have nabbed him sooner.

"It's not a catch-all, but an accurate, up-to-date Web site can be a parent's best tool in protecting against those they don't know about. It certainly does help, and it would have helped us. In our case, we knew this person for 10 years, but we didn't know his full story," said Franks, who has championed such laws ever since.

In the fall, she testified before the state's crime commission about the need for all sex offenders to register.

"In the old system, we lost 19 percent of [sex offenders], according to a Times-Dispatch article," Franks said. "The old method just doesn't work."

The new law, effective July 1, requires all sex offenders to register. Currently, only violent sexual offenders are registered.

On an unseasonably warm winter afternoon recently, Franks visited the creek that meanders throughout her subdivision in western Henrico. This creek, where she once searched for turtles as a child, served as a covert pathway for Smith. In the darkness he traveled the shallow water, which ran behind his house, to other one-story homes where bedroom windows hang low.

Franks said Smith used the creek to throw off his scent when police began searching the area with dogs after residents reported a naked man riding a bike or breaking in and staring at or touching their children.

Loved ones are not surprised that Franks has turned a negative event into a calling on which she spends about 20 hours weekly. Her work ranges from high-profile appearances on such programs as ABC's "World News Tonight" and "20/20" and the Montel Williams show to consoling victims and their families, from lobbying politicians to coordinating letter campaigns protesting the early release of imprisoned sex offenders.

Franks began broadening her advocacy work several years ago after meeting other crime survivors, such as the parents of murdered children and survivors of the Columbine school massacre.

Born with a birth defect that left her legs malformed, Franks has never dwelled on that.

Walking with crutches didn't stop her the night she went to Smith's home to collect his trash. She took it home and found his Social Security number, which allowed her to get the address of every new residence he moved to.

"A lot of people told her she wouldn't do much of anything," said Sweeney, her husband. "She has raised three girls, has gone to college and been married 24 years."

He's proud of her accomplishments.

"I help her by not getting in her way. She has done lot of things she hadn't done before, taken a lot of trips. She had spoken on the steps of the Capitol and before one of the House committees in Washington," Sweeney said.

His wife has always been strong-willed, but "she has an angry side now - not with those who love her, but angry with things that happen that shouldn't."

"She has done such great things and continues to do," said Ed Beech, who trained Franks on how to be a private investigator and appeared with her on "The John Walsh Show."

Beech recalled that when Franks first began taking classes, she came in under a pretense of "just wanting to work from home."

When he learned the real deal, Beech, a jukido rhu expert, taught Franks how to protect herself by fighting someone on the floor, where she is stronger.

She also “enrolled in a firearms class to obtain a license to carry a concealed handgun,” she wrote in an article published by Good Housekeeping. “I wasn’t out to be Lady Rambo on crutches - just a little better equipped to protect my kids from the Joe Smiths of this world. Seated in my wheelchair on the firing range while the other students stood, I pretended the practice target was Joe.”

Whether she toils in anonymity or under television lights, Franks doesn’t plan to ease up her work for victims anytime soon.

“I’ll be doing this the rest of my life. I can’t imagine not doing it.”

One of the most horrifying incidents of her life, she said, “changed me for the better.”

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