

The truth is out there, but don't expect to get it from the media.

Dissemination of inaccurate and inflammatory information has plagued civilized man for centuries. When the subject deals with social bias or political issues, the task of presenting accurate, unbiased information is even more burdensome. It seems that responsible journalism is a thing of the past. Now, subject matter must be politically or socially correct to be presented to the public, especially if there is a financial issue associated with it. The so called "experts" continually propagate information that only tends to justify and perpetuate their financial security. Law Enforcement only adds to the problem, along with the media, in a determined effort to continue the hysteria, regardless of the issue. For when the public acts on emotional bias and not true facts and rational thinking, all citizens suffer. It therefore, is time to dispel some of the hysteria and prejudice, and educate the people on the subject of sex offenders (with their reoffense rate of less than 4%, that is **96%+ that will not reoffend in any type of sex crime**). **And of that 4% recent studies have come to the decision that it may be as low as 1/10 of 1%**

It is now also time to stop the shameful and dangerous tactics of the so called experts. Tactics designed not to treat offenders, but to line the pockets of these treatment providers at the expense of the public, victims and the offenders. Is it any wonder that the public is scared of persons that have been convicted of sex crimes returning from prison or being placed on probation in the community. Such misinformation only adds fuel to the fire of fear and distrust that people have about any thing that they don't understand. This same misinformation allows treatment providers and others to justify their mental, emotional and physical mistreatment, as well as outright sadistic torture of other human beings.

Research studies evaluating the effectiveness of current politically and socially acceptable treatment programs have resulted in the classification of three types of programs they can best be described as forced failure, possible, and none. Studies researching Behavior Modification programs that are approved and mandated by the courts the board of post prison supervision and probation officers and implemented by State Hospital's verified recidivism rates across the country. The (1989) Furby, Weinrott, and Blackshaw study of these studies being the most extensive and meticulously analytical. The studies found that offenders placed on probation with NO therapy are the least likely to re-offend. Offenders sent to jail or Prison also WITHOUT THERAPY are rated second least likely to re-offend. But those who are mandated, volunteer (under threat of prison or jail time) or are sentenced to Behavior Modification therapy are at least twice and as much as ten times as likely to re-offend in the committing of a new sex crime, and will commit other types of violent crimes at unreasonable rates as well. In the George Dix (1976) study, those who had been imprisoned and not treated, only 7.3% (That is about 1.1% per year) were convicted of subsequent sex offense and none of a subsequent non-sex offense. Those who had treatment were convicted at a rate of 16.7% for a subsequent sex offense and 12.5% of a subsequent non-sex related offense. That is a total conviction rate of **7.3% without treatment and 29.2% with treatment**.

In the state funded study for the legislator " Sex offenders in Oregon", by Marcia Morgan M.S., The Furby study was quoted as stating "there is as yet no evidence that clinical treatment reduces the rate of sex offense." Furby and her colleagues statement was omitted from the state report, Where they stated: "The recidivism rate of treated offenders is not lower than that for untreated offenders; if anything, it tends to be higher. Treated offenders were selected because of their amenability to treatment, many are later thrown out leaving only the cream of the crop. This is not true of those studies with non-treated offenders they were left with the ones that the treatment providers didn't want, they also could not throw out those that they thought would fail to make their numbers look better. In order to compare treated offenders fairly with non-treated offenders, we must take into account the total number who started the treatment and divide that number into those who have successfully completed the treatment and have not re-offend. Example, 100 start a program and 25 complete and of that 25 only 20 do not re-offend that is a failure rate of 80% not the 20% that the treatment providers proclaim. But the treatment providers use other ways to figure their numbers, ones that make their programs look good as possible. Some of those razzle dazzle evaluation are exposed by Robyn M. Dawes the widely recognized researcher on psychological evaluation in his book "House of Cards".

Why is it then when Furby looked at 24 exceptional North American study's with 9957 sex offenders, 5292 with treatment and 4665 without. The treated ones committed a new sex offense at 20.3% while *only 5.6% of the ones without treatment committed another sex offense*. The reconviction rate for any other types of crimes was 12.3% for untreated and 30.8% for those with treatment. That is a total reoffense rate for all crimes of **51.1%** for those treated and **17.9%** for those without treatment. From the Furby study even with treatment errors the majority of offenders (80%) do not have a new sex crime.

Irwin S. Dreiblatt, Ph. D of Pacific Psychological Services of Seattle Washington stated in *Retraining Adult Sex Offenders*. (by Fay Honey Knopp) " I become concerned that we get carried away with the notion of treatment as the only response to sex offenders. We get to far in viewing treatment as a universal response rather than a selected approach to appropriate individuals. One of the big changes in this big wave seems to be, " Well, now we can do something for the sex offenders, let us get everybody into treatment." I'm scared about that approach... there are a lot of sex offenders from whom we do not know what to do... I think the mental health community often oversells its product, and I think everyone needs to be cautious not to oversell... I am discouraged about the prospect of trying to provide treatment for everyone who comes along with the problem of sexual aggression."

The widely recognized researcher on psychological evaluation Robyn M. Dawes in his book *House of Cards "Psychology and Psychotherapy Built on Myth"*, stated "A person who claims that a treatment is effective must demonstrate that it has an effect in comparison to a hypothetical counterfactual, obtained through construction of a randomly constituted control group." Such randomized experiments are very necessary in evaluating treatments for emotional disorders and one of the best is what is called a "Wait List Control". This was used in the Florida Department of Health and Rehabilitative study from 1984 the people who had completed treatment re-offended in a sex crime at **13.6%** and other crimes at 18.6%. Those who did not complete treatment at **6.5%** for sex offense and 12.9% for other crimes and those that were on the list, but did not get into treatment re-offended in sex crimes at 5% and other crimes at 0%. The more the treatment, the more the criminal activity! On page 20 of the "*sex Offenders in Oregon*" the statement is made "Most studies nationally reported rates ranging from 27.6% to 41.0% for subsequent offense." They did not point out that those numbers are only for persons in treatment. The jacks study in 1962 looked into non-treated offenders showed the re-offense rate of 3.7% over 15 years that's 2/10 of 1% per year , this must be used as the base line set as laid out by Robyn Dawes any treatment program with a reoffence rate higher then 3.7% for a 15 year period must be consider a failure of the program not the individuals in it. In OHLINGER v. WATSON 652 F2d. 780, "Dr. McGovern's testimony of recidivism rate of approximately 15% at institutions providing what he considered adequate treatment programs." Note that he did not let the court know that with out treatment the reoffence rate is well under 10% and closer to numbers between 3% and 5%.

It is noteworthy that recidivism rates for sex offenders are lower than for the general criminal population. For example, one study of **108,580 NON-SEX** criminals released from prisons in 11 states in 1983 found that nearly 63% were rearrested for a nonsexual felony or serious misdemeanor within three years of their release from incarceration; **47%** were reconvicted; (Bureau of Justice Statistics). During September 1998, the Research Unit of the Arizona Department of Corrections. (ADC) completed an analysis of sex offenders released from ADC custody over the ten-year period from July 1988 through June 1998. 2,444 sex offenders were released from ADC custody over the ten-year period. The average period of follow-up (to June 30, 1998) for all sex offenders was 54.5 months. While sex offenders returned to prison for a variety of new crimes, **78 of the 2,444 or 3.2% returned for a new felony sex offense in ten years that is 3/10 of 1 percent per year.**

And from The Reconviction Rate of Federal Offenders 2003-02 by James Bonta, Tanya Ruggie, Mia Dauvergne, Solicitor General Canada The reconviction rate for the first fiscal year release cohort was 44.0%, 42.8% for the second release cohort and 40.6% for the third cohort. These reconviction rates were comparable to other rates reported internationally and from other Canadian studies using a similar methodology. Nonviolent reconvictions accounted for the majority of the reconvictions. The violent reconviction rate was much lower; approximately 13% for all three release cohorts and the **sexual offence reconviction rate was very low (0.7% or 7/10 of one percent to 1.7%**

Does this mean that all treatment programs cause people to re-offend? Maybe, there are some that use a humanistic approach, through self-awareness and self-management. Rather than probe the traumas of the past or desensitize maladapted behavior through behavior modification. One such program was the Child Sexual Abuse treatment program (CSATP) from Santa Clara county, California. According to the (CSATP) data from 1971 to 1982, they treated over 12,000 individuals, both victims and offenders. More clients than any other single agency in its field. Jean M. Goodwin in her book "*Sexual Abuse*" (1990) stated that the CSATP was rated the best program in the country with a maintained re-offense rate of less than 1%. This, without failing or removing people from the program. From this program, Parents United was started as a support group. Some Parents United programs still follow the original format, sadly, not most. Only through a personal choice can a person change his or her direction in life not by being forced in to it by anyone else. There are programs today in the Department of Corrections that people have chosen to be part of that have lessen re-offense rates for all

crimes. Some of them are Chuck Colson's Prison Fellowship for growth in spiritual strength and Christian values. Gordon Graham and Co.'s Breaking Barriers that has offered self esteem training for industry, education, government agencies, the military, labor/management and criminal justice systems in the U.S. and abroad. The seminars provide an awareness of the solutions to problems in positive ways, showing that everyone can win. The original Pathfinders organization in Oregon with their program including modules in team building, communication, problem solving, motivation, life planning and time, anger and stress management. The Pathfinders recidivism rate was less than 2% for the general prison population in 2000. These types of programs have a positive impact on everyone who participate. These programs are successful because they do not worry about the past but look only into changing the now and the future. In Pathfinders the Franklin reality model is used to help people change. The concept is that we all look at life through a window that has our beliefs on it and we make life decisions based on those beliefs this does not attack the person or tell them that they can never change, but rather challenges them to take down the window and clean off the crud then get on with life living in a new direction. Dr. William James said in the Prison Fellowship Bible study, *You are someone*, "The greatest discovery of our time is that anyone can become a better person by having positive attitudes. Prison Fellowship, Pathfinders, and Breaking Barriers all stress positive growth. Behavior modification treatments stress all that is negative about a person or situation. They point out how a person should spend all their time watching for negatives that they will never be able to change because they are bad and flawed people. Gordon Graham says that most major changes follow a significant emotional event. Interestingly in Child Sexual Abuse: Analysis of a Family Therapist Approach, Jerome A Kroth stated "*it is likely 98% of those new clients will not repeat the offense merely on the basis of the fact that the molest has been reported and the family secret broken*". That can only be considered an emotional event for an offender!

The studies revealed only a small percentage will re-offend without treatment. Roughly 7/10 of 1% to 8%, and if a type of therapy other than Sex Offender treatment or behavior modification is used, then the numbers seem lower still.

In the J.J. Peters 10 year follow-up report where the psychiatrist rated the members of a treatment group and then later their arrest records were looked into. The ones the psychiatrist rated best re-offended at 50%, those second best at 69.8%, and those that the psychiatrist rated as doing worst in their therapy re-offended at 35%. These therapists are in control of others' lives and in order to get more control they continue to feed the Criminal Justice System and the public misleading information. This type of thinking in anybody else the therapist would call diversion, justification and minimization. There are some that say the studies are for too short a time period. This might be true, longer studies could look into the post traumatic stress disability (PTSD) caused by treatment programs. Most of the treatments are like *Clock Work Orange* with their procedure verging on torture with their sadistic use of electro shock aversion, foul taste aversion, amyl nitrate conditioning, and aggressive confrontational conditioning.

It has long been realized that codependency and low self-esteem are some of the causes for interfamily sexual abuse. In Robert Bales' book, *Walking on Water*, he states that alternating fear and kindness, such as used in Behavior Modification, is one of the most highly sophisticated tortures used by man. This is a strong and effective way to condition someone's behavior. It also instills high anxiety and destroys self worth. The public has already seen the effects of PTSD in the violent acts of returning vets. At the present time the Criminal Justice System, treatment providers, and the uninformed public are placing an unreal amount of unneeded stress on offenders that the recidivism rates can not justify many times in violation of constitutional law (but they can do that to sex offenders their a special class and don't count as real people this is shown by the new laws that have been passed in total disregard to constitutional law). This stress will later show up as more crimes with many being violent. It may even be that many of the sex crimes today are the result of PTSD, if this is the case, then forcing the offender into more stressful situations is like placing a concrete cap on a volcano. It will be the offender and the public who will pay for those treatment mistakes, not the therapist (they will **not except the responsibility for their actions**)

It is interesting to note that the one study out of the 24 in the Furby resource that had more reconviction for those without treatment was when the untreated had spent longer times in prison averaging 54 months, and that the type of new crimes that were committed were assaultive and homosexual related. **While in the study the untreated incestuous and heterosexual pedophile reconvictions were still lower than that of their counter parts in treatment.**

The laws made on sex offenses since the 1990's have been passed on hysteria and misinformation and show an extreme prejudice to continuing vengeful punishments.

According to the US Supreme court in *Vitck vs Jones* 100 S.Ct 125, 'While a conviction and sentence extinguish an individual's right to freedom from confinement for the term of the sentence, they do not authorize the state to classify him as mentally ill and subject him to involuntary psychiatric treatment without affording additional due process protections'. And in *Ohlinger vs Watson* 652 F2d 775, it was brought out that people "have a constitutional right to such individual treatment as will give each of them a realistic opportunity to be cured or to improve his mental condition" and "rehabilitative rational is not only desirable, but it is constitutionally required" plus "adequate and effective treatment is constitutionally required". In *Griswald v. Connecticut* 85 S. Ct. 1681, the court stated "Various guarantees create zones of privacy. The right of association contained in the penumbra of the First Amendments one we have seen.... The fourth Amendment explicitly affirms the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." The Fifth Amendment in its self-incrimination Clause enables the citizen to create a zone of privacy which government may not force him to surrender to his detriment. The Ninth Amendment provides: the Enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people". The 4th and 5th Amendments were described in *Boyd v. United States*, 6 S. Ct. 524, 532, as protection against all governmental invasions "of the sanctity of a man's home and the privacies of life." And in *Stanley v. Georgia*, 89 S. Ct. 1243, 1248 " Our whole constitutional heritage rebels at the thought of giving government power to control men's minds". All this is set aside by the States because sex offenders are not people and have no rights. The coercing sex offenders into behavioral treatment programs on probation (in the community) and in prison, is showing total indifference to the concept of the Federal Constitution and to the needs and rights of offenders, victims and society as a whole.

In Henry Giarretto's, "integrated Treatment of Child Sexual Abuse", the treatment and training manual for CSATP, he showed that much of the trauma that comes to the victims of interfamily child sexual abuse comes from the Criminal Justice System as it relies primarily on two devices: Separation and Punishment. It seems that the courts primary interest in the child has to do with the testimony they can give to convict the alleged perpetrator. With the report of the crime the children are expected to recount the incidents in agonizing and embarrassing detail to the police officers, case workers and Prosecuting attorneys with continual assurance that this is needed to get the offender help. When the victim finds out that the information that they gave has placed a person they care about into prison. The backlash on the victims creates a deeper trauma and a strong trauma bond between the offenders and the victims. One of the first things learned by the CSATP group was that the victims interest were best served if the mother, father and the rest of the family are included in the there type of counseling plan. Apoint that is also addressed in *Beyond the best interest of the child* by Goldstein, Freud and Solnit the second prodition from this is "the child's best interested are served if she is permitted to continue her family life with as little interruption as possible even if this means reuniting her after appropriate intervention, with the offending parent The Federal courts stated in *Duchense v. Sugeran* 566 F2d 817 that "the most essential and basic aspect of familial privacy the right of the family to remain together without the coercive interference of the awesome power of the state. This right to the preservation of the family integrity encompasses the reciprocal right of both parent and children". With the large percentage of sex offender not re-offending why is it necessary to continue to punish, hound, threaten, and harass those that have paid their debt to society with years in prison. In *Sex offenders in Oregon*" page 20, noted that rates for reconviction are lower for sex offenders then those in the general prison population. **The jacks study in 1962 looked 3423 sex offenders for over 15 years Averaging out to 2/10 of 1% per year and found that over 96%Or 99.8% per year who have had no treatment will not re-offend in a sex-related crime. Why must that 96% + be punished because of the other less than 3.7% by forcing, through coercion, them into destructive treatment programs and community notification that only removes the chance for a person to start again and be a good member of the community?**

On page 21 of the "*Sex Offenders in Oregon*" ,Dr. R. Prentky, Bridgewater, Massachusetts and Dr. W. Marshall , Kingston, Ontario, Canada, give a formula for figuring the cost to tax payers. If we look at this in the light of the information from the 24 Furby studies shown in figure 1, we can see that with Behavior Modification Treatment 75% will NOT re-offend in any crimes, 21% will re-offend in some type of crime because of treatment, and 4% will re-offend no matter what is done. We can see at the if the cost of \$200,000. per crime, this will come out to an additional \$4,200,000 per every 100 for sex crimes for the treated offenders and another \$3,700,000 for non sex crimes committed by them. The treated sex offenders are going to cost the tax payers \$7.9 million dollars per 100 and commit more crimes then the untreated ones.

It needs to be pointed out that the criminal justice officials of the states have in their power the ability to stop or accelerate the self destructive cycle of dysfunctional individuals. Reacting punitively only perpetuates this cycle of destruction, and does nothing to stop it. Richard Seely, director of the Intensive Treatment Program for Minnesota Security Hospital, contends that punishment is a reinforcer to sex offenders, "a reinforcer of his own

shame, his own blame and his own grief, and that serves no purpose. The shame, guilt, and blame are usually the stuff from which the offense comes... There is probably no more ashamed group, ... the shame, blame model, and punishment just tends to reinforce it". Behavioral programs work off this shame and blame model forcing the offender to except responsibility for all the problems everyone he has had contact with have or will have. Everything that has happened or will happen, is the offender's fault. He is not even able to look to his past for the cause without being accessed of not excepting responsibility for his actions. No matter what, it's his fault, and he is to blame for everything. Any one with reasonable intelligence can see that this double standard in its self adds to the confusion, anger and frustration.

| Name of the Study and the Year | Years in the Study | Total Number In Study | IN TREATMENT | | | NOT IN TREATMENT | | | Not treated | Treated |
|---------------------------------|--------------------|-----------------------|--------------|-------------------------|-------------------------|------------------|-------------------------|-------------------------|-----------------------|-----------------------|
| | | | In Study | Sex Crimes Reconviction | percentage Reconviction | In Study | Sex Crimes Reconviction | percentage Reconviction | Other types of Crimes | Other types of Crimes |
| Dix 1976 | 6.5 | 47 | 30 | 6 | 20.0% | 17 | 2 | 11.8% | 2 | 6 |
| Florida Dept of Health 1984 | 1 | 273 | 74 | 4 | 5.4% | 199 | 10 | 5.0% | 34 | 9 |
| Florida Dept of health 1984 | 7 | 182 | 90 | 13 | 14.0% | 92 | 10 | 10.9% | 31 | 15 |
| Frisbie 1969 | 3 | 617 | 252 | 49 | 19.4% | 365 | 41 | 11.5% | 169 | 77 |
| Frisbie & Dondis | 6 | 1760 | 1760 | 468 | 26.6% | | | | | |
| Gagne 1985 | 2 | 87 | 87 | 24 | 27.6% | | | | | |
| Kramer | 3.5 | 55 | 55 | 8 | 14.6% | | | | | 15 |
| Maletzky 1980 | 3 | 100 | 100 | 13 | 12.5% | | | | | |
| Mass. post Audit Bur. 1979 | 20 | 254 | 254 | 65 | 25.5% | | | | | 117 |
| Mohr, Turner, and Jerry 1964 | 3 | 132 | 132 | 18 | 14.0% | | | | | |
| Morrow and Peterson 1966 | 5 | 43 | 43 | 21 | 48.0% | | | | | |
| Nagayama, Hall & Proctor 1986 | 5 | 342 | 342 | 94 | 27.5% | | | | | 141 |
| Pacht & Roberts 1968 | 2 | 461 | 461 | 115 | 25.0% | | | | | |
| J. J. Peters Inst 1980 | 10 | 231 | 147 | 20 | 13.6% | 84 | 6 | 7.2% | 50 | 81 |
| Peters & Roether 1971 | 3 | 224 | 130 | 10 | 7.7% | 94 | 3 | 3.2% | 23 | 29 |
| Prendergast 1978 | 10 | 324 | 324 | 30 | 9.3% | | | | | 39 |
| Quinsey Chaplin & Carrigan 1980 | 2.3 | 30 | 30 | 6 | 20.0% | | | | | |
| Roether & Peters 1972 | 1 | 64 | 64 | 13 | 20.0% | | | | | |
| Sylor 1979 | 12 | 402 | 402 | 89 | 22.1% | | | | | |
| Sturgeon & Taylor 1980 | 5 | 382 | 260 | 40 | 15.4% | 122 | 30 | 25.0% | | 75 |
| Wolf & Marino 1975 | 1 | 19 | 19 | 2 | 10.5% | | | | | |
| Davidson 1979 | 5 | 269 | 0 | 0 | 0.0% | 269 | 33 | 12.2% | 66 | |
| Jacks 1962 | 15 | 3423 | 0 | 0 | 0.0% | 3423 | 127 | 3.7% | 188 | |
| Blair 1960 | 5 | 236 | 236 | 52 | 22.0% | | | | | |
| Totals | | 9957 | 5292 | 1159 | 20.3% | 4665 | 262 | 5.6% | 563 | 604 |
| Totals for Non Sex Crimes | | | 1958 | 604 | 30.8% | 4547 | 563 | 12.3% | | |

In the Integrated Treatment of Child Sexual Abuse, Judge Leonard Edwards, stated "A family in which a parent has been involved in child abuse can, in most cases, be rehabilitated in most cases the entire family should be involved in a humanistic therapy... In Santa Clara County, reuniting families which have experienced serious child abuse has been accomplished in the great majority of cases... both the number of children returning home and the number of families remaining together after therapy is over 90%. Moreover, all of this has been accomplished with a remarkably low rate of reported recidivism. In the sexual abuse cases, for example, the recidivism rate is 00.6%"that is less then 1%. It was stated " the Court has recognized that a right of personal privacy, or a guarantee of certain areas or zones of privacy, does exist under the Constitution. In varying context, the Court or individual Justices have, indeed, found at least the root of that right to the first Amendment" Staley vs. Georgia 89 S. Ct. 1243,1247.

In other cases "this Court has long recognized that freedom of personal choice in matters of marriage, family life is one of the liberties protected by the Due Process Claus of the 14 Amendment." Cleveland Board of Education vs. LaFleur 94 S. Ct. 791. "there does exist a privet realm of the family life which the state can not enter," Prince vs. Mass. 64 S. Ct 438, that has been afforded both substantive and procedural protection. "We deal with the right of privacy older than the Bill of Rights older than our political parties, older that our school system. Marriage is a coming together for better or for worse, hopefully enduring, and intimate to the degree of being sacred. It is the association that promotes a way of life, not causes; a harmony in living, not political faiths; a bilateral loyalty, not commercial or social protests. Yet is an association for as noble a purpose as any involved in our prior decision." Griswold vs. Connecticut, 85 S. Ct. 1678. Why is it then that Child Protective Services System in the states continue to interfere with marriages and force divorce on families by threatening removal of the children from the home if the remaining partner doesn't leave the offender. Child Protective Services officials continue to persecute the reformed offenders and the families that they live with. It is no wonder that when people talk about sex crimes in this country they refer to them as the "Salem Witch Hunts".And perhaps the therapist themselves are not to blame. They may be blindly following along on the information that was presented to them in school and at seminars that they take. They very well may be victims of their predecessors and of the desires for punishment of society. But if they choose after finding out about this information to continue on their path that has lead so many people to destruction and if they choose not to change and help those in need, Than they are not only to blame for the continuing misery. They should also be held criminally responsible for the damage that their therapy and misinformation has caused including the new victim's, rather they are victims of sexual abuse or of violence caused by their clients or perhaps of the misery suffered by family members of the offenders who want to be with them and are harassed by others.

How much trauma is really caused by the Criminal Justice System and the therapist? Are there any studies on the long-term effects of treatment on victims or are we just turning them over to the therapist hoping that the problem will just go away?

Since most children are molested by friends and family who have not been caught, it is those individuals that parents should be most worried and educate their children about and less about the small chance of convicted sex offenders re-offending. It is time to wake up the public and the Criminal Justice System to stop this travesty, this violation of a class of person's Constitutional rights for when we make a cask system and take one persons rights away, others rights will soon follow. This must stop for not only the sake of our society, but for the countless victims yet to come.

As for the risk assessment tools a recent study of the effectiveness of these tools showed None to be of any value.

<http://forensicpsychologist.blogspot.com/2011/06/violence-risk-meta-meta-instrument.html>

you must remember that the people coming up with These risk assessment tools are members of the same group that in the 1990s were telling everyone how dangerous and how untreatable people involved in sex crimes Were. And they didn't know what they were doing back then Any more than they do now then take a look at the J.J. Peters 10 year follow-up report where the psychiatrist rated the high risk members of a State hospital treatment group and then later their arrest records were looked into. The ones the psychiatrist rated best re-offended at 50%, those second best at 69.8%, and those that the psychiatrist rated as doing worst in their therapy re-offended at 35%.

| Accuracy | Tool | Comments |
|----------|-----------|--|
| 83% | SAVRY | Structured Assessment of Violence Risk in Youth Note: only effective for you youth offenders who have already committed a violent crime (no Brainier) |
| 70% | VRAG | Violence Risk Appraisal Guide (VRAG) Note: seems to be only used for mentally institutionalized persons who have committed a violent offense |
| 65% | SARA | Spousal Assault Risk Assessment (SARA) Note: associated with spousal assault |
| 63% | HCR-20 | Historical, Clinical, Risk Management-20 |
| 62% | SORAG | Sex Offender Risk Appraisal Guide |
| 47% | Static-99 | This is the one most commonalty used by sex offender management boards |
| 41% | SVR-20 | Sexual Violence Risk-20 |
| 36% | PCL-R | Psychopathy Checklist |
| 30% | LSI-R | Level of Service Inventory |
| | | |

As we see by the graph the treatment providers after years of attempting have still not come up with a accurate risk assessment. But by them pushing their unfounded theory's on risk assessment they have put countless thousands of individuals in stressful positions by giving them a Higher of a rating to reoffend that is not justified.

Ever wonder what the rate of new sex crimes for other professions is how about the sexual offense rate for police officers? Referring to this documentation:

www.ucimc.org/content/national-police-misconduct-statistics-released

Working with those numbers, according to the referenced link:

0.08% (1 in 116) officers are cited for misconduct

13% of those are sex offenses/ sex related.

800,000 estimated police officers in the US (that's one per RSO!)

Now let's crunch some numbers...

that makes ~ 6,873 instances of officer misconduct in a 6 month period of which 13% are sex related offenses giving us a grand total of...893 sex offenses committed by police officers during a six month period from April to Sept 2009 or nearly 18 per state! Estimating for the year that would be 1786 sex related offenses for police officers.

That would make about 3% of all new sex offenses are committed by police (1786/63000).

Police officers make up 0.3% of the population in the US (800,000/311,745,000).

Police commit one sex offense per 1,000 officers according to the numbers.

strangers commit less than 1% of all sex offenses. Police officers commit ~3%!

I say forget stranger danger, we have a new worry ... blue danger or pervs in a uniforms.

We're still trying to crunch realistic numbers for sex offenses by profession. Now, according to the AP, only 500 teachers were arrested as sex offenders out of 3.5 million teachers, which makes 0.014% of teachers committed sex offenses or 0.7% of all sex offenses were committed by teachers. The latest search was for clergy sex offenders since such a big deal is made about that. The only number we have found that's recent (2009) is 215 victims of sex offenses by clergy.

Oh yes WE must not forget to add in the re-offense rate for people on the registry for new sex crimes The June 2002: Department of Justice: Recidivism of Prisoners Released in 1994 (DOJ-2002) crime from 1994-1997. (DOJ-2002 page 5) we do know this, that during that time period (1994-1997): Of the released sex offenders 3.5% (339) Were reconvicted for a sex crime over a Three year period So for one year average there was 113 RECONVICTED for a sex offense. (DOJ-2003[p2]). Now for the (reality) plug-in (113/63000) We get 0.17% Or basically 2/10 of 1%. **According to the Department of Justice, most child sexual abuse victims are**

molested by family members (34%) or close acquaintances (59%) (Bureau of Justice Statistics, 2000).

Here's the breakdown thus far, in the Percentage of new sex crimes

Close acquaintances (59%)

Family members (34%)

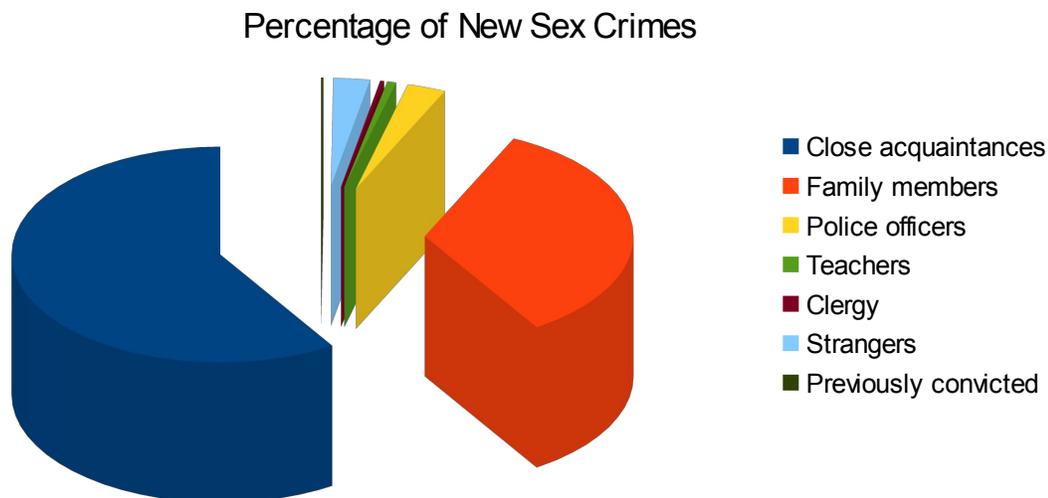
Police officers 3.0%

Teachers 0.7%

Clergy 0.3%

strangers 0.283% those who have not been convicted of a sex crime (note: this could include somebody that was met at a party or a street dance and does not necessarily mean an adult)

People on the registry/previously convicted 0.17% or 17/100 of 1 %.



Teachers, Clergy and people on the registry commit fewer **New** sex offenses than the protectors of society, our diligent law enforcement officers. From this information it would seem that one of the most single trusted segments of **our** society, **police officers: are over 14 times more likely to be involved in a new sex crime than people on the registry and teachers are over 3 times likely followed by clergy which are twice as likely.** Maybe before a police officer applies for a position he/she should be required to go through a sexual Predator evaluation?

Before we go any further we should also talk about the overall recidivism rates for convicted offenders. The Bureau of Justice Statistics conducted the largest recidivism study ever conducted in the United States, tracking prisoners from 15 states. This report examined inmates released from state prisons in 1994 found that 67% of them were arrested for at least one serious new crime within the first 3 years after release, and fifty-two percent of them were re-convicted of a new crime. The highest rates of recidivism (re-arrest) were for crimes involving stealing: larceny (75%), burglary (74%), robbery (70%), possessing of selling stolen property (77%) and stealing motor vehicles (79%). Trafficking in illegal weapons was also high at 70%. Recidivism for driving under the influence of alcohol or drugs was 51% and homicide was 41%. In this study, the recidivism rate for rape was 46% and for sexual assault was 41%. Apparently these sex crimes were committed by ex-convicts who had not formerly been convicted of a sex crime, because the same report goes on to say that "within 3 years following their release, 5.3% of sex offenders were re-arrested for another sex crime of that only **3.5% were reconvicted for another sex crime**" meaning that there is a fault's arrest rate of 35% and only **2% of the rapists** were arrested for another rape within the 3-year study period. **Therefore of the 46% of ex-convicts who were re-arrested for rape, 44% must not have been previously convicted of a sex crime,** but of another type of non sex crime.

The study involved 272,111 inmates .In this study, there were 27 times more non-sex offender ex-convicts than there were released sex-offenders. The ex-convicts who were not sex offenders actually committed **six times more new sex crimes than did the released sex offenders.** This study showed that **87% of new sex crimes in this study were committed by ex-convicts, not by registered sex offenders (USDOJ 2003.)** This study looked at only individuals who have a prior criminal record. When one considers

that most sex offenses are committed by those who have no prior criminal record, it is easy to see that the vast majority of new sex crimes are committed by someone other than a registered sex offender. (USDOJ 1994)

All these numbers and statistics tend to confuse folks and we recognize there are folks who will refuse to believe them at all. So, lets bring this into perspective. The June 2002: **Department of Justice: Recidivism of Prisoners Released in 1994 (DOJ-2002)** mentioned something most folks have overlooked, and we quote:

The fraction of all crimes that released prisoners accounted for:

The study (DOJ-2002) cannot measure precisely what fraction of all crimes the former prisoners were responsible for during the 3 years following their release. The closest measure is the fraction of all arrests for the seven serious crimes (murder, rape, robbery, aggravated assault, burglary, larceny, and motor vehicle theft). The number of "arrests" is not the number of "arrest charges (meaning a person can be charged with multiple crimes)" but the number of different days on which a person was arrested.

In 13 states (because of missing data Florida and Illinois could not be in this analysis) from 1994 to 1997, 234,358- released prisoners accounted for 140,534- arrests (table 5). During the period in the 13 states, **2,994,868 adults were arrested for the 7 serious crimes** according to the FBI.

Therefore, **REARRESTS of the released prisoners were 4.7% of all arrests for serious crime from 1994-1997.**" (DOJ-2002 page 5)

Let us try to understand what this is saying, **95.3% of all serious crime was committed by who? New Criminals, not recidivists!** Yes, we must acknowledge that, it is possible that some of those "new criminals" had records which go back many years. Like the study said, we cannot be precise!

However we do know this, that during that time period (1994-1997): **OF THE RELEASED SEX OFFENDER 24% (2,326) were RECONVICTED for non-sex offenses, and, 3.5% (339) were RECONVICTED for a sex offense.** (DOJ-2003[p2]).

Finally, remember that 04.7% above, well what percentage of those folks are actually RECONVICTED sex offenders? $2,326 + 339 = 2,665$ or .08898%. Therefore, **RECONVICTION of the released sex offender prisoners was .08898% of all arrests for serious crime and 00.0001% for a new sex crime from 1994-1997. By the Department of Justice: Recidivism of Prisoners Released in 1994(DOJ-2002)REPORT. HIGH RECIDIVISM?????**

Or another way to look at it is if a child is molested the chance that is done by a previous convicted sex offender is less then one-one thousandths (1/1000)of 1% and the possible that it is done a friend, family member, or a person in a trust position (teacher, principle, coach, police, therapists, etc.) or a person that has **not been caught and is not on the registry is 99.9998%**

A number of Ohio studies were looked at to find out exactly how many people on the registry in the state of Ohio were reconvicted for additional sex crimes and it was found that in any given year of the ten-year study that the **highest percentage of people on the registry that were involved in new sex crime was around 3/10 of 1% and got down to as low as 4/100 of one percent.**

| YEAR | One | two | Three | For | Five | Six | Seven | Eight | Nine | ten | Total |
|----------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|--------|
| Number on the registry | 21750 | 21686 | 21617 | 21584 | 21569 | 21556 | 21545 | 21529 | 21517 | 21513 | NA |
| Number not reoffending | 21686 | 21617 | 21584 | 21569 | 21556 | 21545 | 21529 | 21517 | 21513 | 21511 | 215627 |
| Number reoffending | 64 | 69 | 33 | 15 | 13 | 11 | 16 | 12 | 4 | 2 | 239 |
| Percentage Not reoffending | 99.71% | 99.69% | 99.85% | 99.94% | 99.94% | 99.95% | 99.93% | 99.95% | 99.99% | 99.996% | 99.99% |
| Percentage reoffending | 00.29% | 00.31% | 00.15% | 00.06% | 00.06% | 00.05% | 00.07% | 00.05% | 00.01% | 0.004% | 00.01% |

Note: Re-offenses in one year. There are more RSO registered than shown above. This data is only for the last ten years (2000-2010). Ohio has been had the registry since 1996. The extra four to five years. There is nearly an additional 5000 RSOs who have been on the registry from 10 to 15 years. They only add about 1 re-offense a year at the most. The re-offense rates for each year after released is based form the information found in ODRC Ten-Year Recidivism Follow-Up Of 1989 Sex Offenders Releases ; By Paul Konicek Ohio Department of Rehabilitation and Corrections, Office of Policy, Bureau of Planning and Evaluation;

Data collected from the Nebraska state patrol registry

NOTE: in the first line of the table 1971 through 1994 , covers a 23 year span, averaging out the 5% for a yearly average. You end up with 00.2% per year re-offense rate.

This data clearly shows that 99%+ of the people on the registry. Do not reoffend

In 16 years the registry has increased in size 776% .

While In 40 years only .00.002% per year of the people on the registry reoffended.

| year | re-offense | Not reoffending | re-offense % per Year | Single offense Tab 1 | Indeterminate Tab 2 | Multiple offenses Tab 3 | Added per year | Total on Registry | Registry increase % |
|-----------|------------|-----------------|-----------------------|----------------------|---------------------|-------------------------|----------------|-------------------|---------------------|
| 1971-1994 | 29 | 457 | 00.2% | 307 | 11 | 168 | N/A | 486 | Base Year |
| 1995 | 11 | 556 | 1% | 67 | 1 | 13 | 81 | 567 | 16% |
| 1996 | 7 | 664 | 1% | 88 | 2 | 14 | 104 | 671 | 18% |
| 1997 | 16 | 789 | 1% | 99 | 2 | 33 | 134 | 805 | 19% |
| 1998 | 13 | 965 | 1% | 152 | 2 | 19 | 173 | 978 | 20% |
| 1999 | 15 | 1136 | 1% | 156 | 3 | 14 | 173 | 1151 | 15% |
| 2000 | 16 | 1326 | 1% | 187 | 1 | 13 | 191 | 1342 | 14% |
| 2001 | 10 | 1531 | 00.6% | 190 | 0 | 9 | 199 | 1541 | 12% |
| 2002 | 25 | 1706 | 1% | 171 | 4 | 15 | 190 | 1731 | 12% |
| 2003 | 18 | 1931 | 1% | 211 | 1 | 6 | 218 | 1949 | 12% |
| 2004 | 24 | 2129 | 1% | 196 | 2 | 6 | 204 | 2153 | 10% |
| 2005 | 15 | 2426 | 00.6% | 209 | 9 | 10 | 228 | 2441 | 10% |
| 2006 | 14 | 2636 | 00.5% | 202 | 3 | 4 | 209 | 2650 | 8% |
| 2007 | 27 | 2808 | 00.9% | 177 | 3 | 5 | 185 | 2835 | 7% |
| 2008 | 23 | 3009 | 00.7% | 189 | 3 | 5 | 197 | 3032 | 7% |
| 2009 | 18 | 3230 | 00.5% | 211 | 2 | 3 | 216 | 3248 | 7% |
| 2010 | 20 | 3526 | 00.5% | 295 | 3 | 2 | 300 | 3546 | 9% |
| 2011 | 32 | 3742 | 00.8% | 220 | 6 | 0 | 226 | 3774 | 6% |
| TOTAL | 333 | 34567 | 00.002% | N/A | N/A | N/A | N/A | 3774 | 94 to 2011 776% |

Re-offense time frames

data collected from the Nebraska state patrol registry

this data indicates the length of time from the first conviction to a second conviction the numbers in the 1 to 5 year range and may be disproportionately high because some convictions may be from the same crime spree. But prosecuted at a later time thereby may not be considered a re-offense after intervention of first conviction.

| Re-offend after years | re-offenders in prison | re-offenders out of prison | re-offenders total |
|-----------------------|------------------------|----------------------------|--------------------|
| 1 to 5 years | 52 | 49 | 101 |
| 5 to 10 years | 39 | 56 | 95 |
| 10 to 15 years | 44 | 29 | 73 |
| 15 to 20years | 22 | 21 | 43 |
| After 20 years | 15 | 6 | 21 |
| Total percentages | 45% | 55% | 100% |

At the present time there are 3774 people on the Nebraska registry

| Re-offend in time span of | Number in prison | Number out of prison | Total reoffending for time span | Yearly % of people on registry that reoffend in time span |
|---------------------------|------------------|----------------------|---------------------------------|---|
| 1 to 5 years | 52 | 49 | 101 | 00.4% or 4/10 of one percent |
| 5 to 10 years | 39 | 56 | 95 | 00.4% or 4/10 of one percent |
| 10 to 15 years | 44 | 29 | 73 | 00.2% or 2/10 of one percent |
| 15 to 20 years | 22 | 21 | 43 | 00.2% or 2/10 of one percent |
| 20 to 50 years | 15 | 6 | 21 | 00.02% or 2/100 of one percent |
| Total 1 to 50 years | 172 | 161 | 333 | 00.17% or 17/100 of one percent |

we have come up with a couple of different recidivism rates for people on the registry both very very small but the most important one is yet to be looked at Because of all the studies that have been done one of the main factors that has been left out is the number of people who have been out of prison or off of probation for Five years 10 years 20 years even 30 years and have not had a reconviction for a new sex crime looking only at people who first come out of prison skews those numbers those are the hardest years for a person trying to reintegrate into society So the only accurate way to get the true recidivism is to find out how many people on the registry are reconvicted of a new sex crime per year And as far as the recidivism rate for sex offenders are concerned there are around 750,000 people on the registry at the present time. According to the Department of Justice: Recidivism of Prisoners Released in 1994(DOJ-2002)for the 15 reporting states That have two thirds of the registered offenders in the United States there were 339 new convictions for people on the registry over a three year period and that averages out to 113 per year and **that figures out to an average of 7.5 per state or 377 repeat sex offenses for the entire United States doing the numbers 750,000/377= 00.0005% that is to**

say of people on the registry's re-offenses rate is 5/10,000 of one percent per year or another way to put it is the percentage of people on the registry who do not reoffend is 99.9995%

Where is the high recidivism rate that everyone talks about, there is no empirical data to justify the registration and notification laws. **With this information I think that we have made our point!!**

One more thing needs to be pointed out there is enough information and data at this point to start forcing the truth to the surface

Sex offender laws are used to punish a class of person i.e. (sex offender / sexual addictions) and is punishing them more than other classes of people (sex offenders meet the requirements for a classification of persons (1) Sex offenders have suffered a history of discrimination, (2) there is no relationship to the defined characteristics of the group and their ability to participate in or contribute to society. (3) The characteristics were beyond the individuals control. (4) The group has a history of purposeful unequal treatment and been subjected to unique disabilities on the basis of stereotyped characteristics not truly indicative of their abilities. Thereby requiring protection under Equal protection Clause of the 14th Amendment. These laws are quite obviously based on a prejudice and a desire to harm a person or persons and not out of a true need especially when sex offenders have one of the lowest re-offense rates. The laws form a base for vindictive prosecution and vindictive punishment because of the prejudice against sex crimes that is not justified by proof or hard evidence. "Mere negative attitudes, or fear of a given group, will not suffice as legitimate governmental purpose for legislation" and "A bare desire to harm a politically unpopular group are not legitimate State interests". *City of Cleburne Tx. v. Cleburne Living Center* 105 S.Ct. 3249. These laws have created two very defined classes (A) Sex offenders and (B) Non sex offenders the non sex offenders have been allowed to lead lives without the interference of the government controlling their lives, where the sex offenders lives are controlled and monitored for life. Sex offenders have little or no way to regain the classification of a non sex offender thereby the law has created a class, non sex offenders, giving it privilege and immunity that the other class dose not have and making it impossible for anyone in the sex offender class to regain the rights and privileges of a non sex offender. These laws are vague and overboard in that there is no thought to the seriousness, the dangerousness, to other crimes, or the amount of reformation. Statues may be considered Vague and overboard Where the legislature fails to provide such minimal guidelines, a criminal statute may not permit "a standardless sweep [that] allows Police, Prosecutors, and Juries [or Judges] to pursue their personal predilections" *Kolender v. Lawson* 103 S.Ct. 1855. This violates the First, 5th, 8th, 9th, 10th, and 14 Amendment of the Federal Constitution **These laws are in fact a Bill of Attainder in violation of the State and Federal Constitutions.** this also is a violation of the double jeopardy rule.

That sex offenders are a member of a group that has and continues to suffer from bias, prejudice and misinformation. and that laws and rules based on such, violate the 14th Amendment of the The Ex Post Facto Cluse not only ensures that individuals have "fair warning" about the effect of criminal statutes, but also "restricts governmental power by restraining arbitrary and potentially vindictive legislation" *Weaver v. Graham* 101 S.Ct. @ 960, 963- 964. The prohibitions on "bills of Attainder" in Art. I §§ 9-10 cl. prohibit legislatures from singling out disfavored persons and meting out summary punishment for past conduct *Landgrar v. usi film products* 114 S.Ct @1497. These laws act as Bills of Attainders in violation of the State and Federal Constitutions. Some of these laws are a violation of the Nondelegation doctrine and the prohibition on special State laws as well as being both vague and overboard.

By Will Bassler