

THE AMERICAN ACADEMY OF CLINICAL SEXOLOGISTS
AT MAIMONIDES UNIVERSITY

AN EXAMINATION OF THE EFFECTS OF MEDIA PROGRAMMING ON THE
REHABILITATION AND REINTEGRATION CONVICTED SEX OFFENDERS:
IMPLICATIONS FOR THERAPY

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DISSERTATION APPROVAL

This dissertation submitted by Pamela Farr Escobar has been read and approved by three faculty members of the American Academy of Clinical Sexologists at Maimonides University.

The final copies have been examined by the Dissertation Committee and the signatures which appear here verify the fact that any necessary changes have been incorporated and that the dissertation is now given the final approval with reference to content, form and mechanical accuracy.

The dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

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A human being is a part of the whole called by us universe, a part limited in time and space. He experiences himself, his thoughts and feeling as something separated from the rest, a kind of optical delusion of his consciousness. This delusion is a kind of prison for us, restricting us to our personal desires and to affection for a few persons nearest to us. Our task must be to free ourselves from this prison by widening our circle of compassion to embrace all living creatures and the whole of nature in its beauty.

~ Albert Einstein

It truly takes a village to produce a dissertation.

My thanks and my love goes to my husband Fernando. Without you none of this would have been possible. You are my heart and my courage.

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VITA

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ABSTRACT

This is an exploration of the impact and influence of mass media on the rehabilitation and reintegration of convicted sex offenders, and the implications for cognitive-behavioral sex offender therapy. As great numbers of convicted sex offenders attempt to reintegrate back into the community there is a concern for addressing their deviant behaviors while providing safety for the community. The media has focused on a few horrific cases and communities are demanding a solution to an extensive and complicated societal issue where there are few agreed to standards and norms. Constant media exposure and a horrified public have brought a spotlight of shame and humiliation to convicted sex offenders; sometimes including their family and victims. This has created a therapeutic and management conundrum where professionals are attempting to address the very issues of poor self-concept and compulsive deviant behaviors while offenders are bombarded with reporting and programs proclaiming them to be twisted incurable monsters. Twenty-seven convicted sex offenders tell their personal experience of attempting to survive in a hostile environment. They provide compelling evidence of the need for supportive and compassionate therapeutic intervention which also holds them accountable for their deviant sexual behaviors. This study offers insight into the emotional struggles of the offenders with implications for optimal therapeutic benefits.

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CHAPTER 1

INTRODUCTION

For the past twenty years there has been a significantly increased focus on sex offenders in this country. How the United States handles the issue of sexual offenses has changed rapidly and drastically. With the mass media focusing on a few horrific cases, grass roots community organizations have developed and are demanding a solution to an extensive and complicated societal issue where there are few agreed to standards and norms. Increasingly there has been a political movement to establish laws that provide for the prosecution and sentencing of sex offenders. As the numbers of incarcerated sex offenders increase and paroled offenders attempt to reintegrate back into the community, a concern arose as to how to address their deviant behaviors and provide safety to the community. Therapeutic interventions have long been considered appropriate management techniques for released offenders. Although there is limited research in the effectiveness of sex offender therapy, most professionals agree that a cognitive-behavioral approach with a focus on relapse prevention is the most effective course of treatment. Those few offenders that failed in their attempt to reintegrate and committed heinous sexual crimes and murders caused a community response with citizens demanding a registry and notification for all sex offenders' residences. Constant media exposure and a horrified public have brought a spotlight of shame and humiliation to convicted sex offenders; sometimes including their family and victims. This has created a therapeutic and management conundrum where professionals are attempting to address the very issues of poor self-concept and compulsive deviant behaviors while offenders

are bombarded with reporting and programs proclaiming them to be twisted incurable monsters.

The general public began to look more closely and consistently at violent and sexual offences perpetrated on children in the early 1980's when Adam Walsh was kidnapped and murdered. This was the first time the national media took such an interest; prior to this time most cases garnered only regional or local interest. Cable television had just expanded greatly by Ted Turner creating Cable News Network (CNN) the year before Adam was murdered. John Walsh formed The Center for Missing and Exploited Children and successfully kept this case in the public eye by using a media that was captivated with this gruesome crime. Eventually his personal anguish became a national television program crusading against child abuse and in 1987 John Walsh began hosting the television program *America's Most Wanted*. This program had viewers looking every week at criminals on the lam with a dramatic recreation of the crime. Not only was *America's Most Wanted* a ratings success, it was successful in helping law enforcement capture wanted fugitives (Walsh, J. with Schindehette, S.,1998). John Walsh was just one of the first parents that obtained a notoriety and publicity from championing prevention of child sexual assault and murder.

Today the media still seems to find benefits in producing many programs with content related to child sexual abuse and murder. Programs such as *Nancy Grace* on CNN, Bill O'Reilly's *O'Reilly Factor* on Fox News, most of the twenty-four hour news programs, local news programs, news papers, and national publications, will devote significant time and space to child sexual abuse cases. The NBC program *Dateline* has a running series of programs where potential sex abusers are contacting what they think are

children on the internet, and when they show up to the appointed meeting place, they are greeted with television cameras and law enforcement. Daytime television has seen entire programs devoted to covering sex offences. Oprah Winfrey, Dr. Phil McGraw, and Montel Williams, have several times on their programs featured sex abuse perpetrators and/or victims.

Most programs and print articles have in their intros and headings some very inflammatory language related to sex offenders. A lead-in usually includes such provocative labels as; psychopath, child predator, and pedophile, but often use the more the inciting terms; evil, pervert, fiend, and monster. Sometimes there seems to be little regard for accuracy, especially using the term pedophile (Texas Department of Health Services, 2005). Michael Jackson was often referred to as a pedophile during his lengthy criminal trial in California, when in fact; the alleged victim was claiming to be molested between the age of thirteen to fifteen; hardly prepubescent, but the term pedophile seems to grab public attention. This type of stirring language certainly keeps the subject of child sexual abuse in front of the entire nation, yet there may be a significant cost in public safety and in offender functionality within the community (Levenson, & Cotter, 2005).

Terrified citizens have demanded their government representatives create laws governing the prosecution, sentencing, and monitoring of convicted sex offenders that appears to reflect the level of concern generated by media coverage of tragic and dramatic cases. There seems to be grave concern among the general public that large numbers of unknown persons in the neighborhood are stalking children (Freeman-Longo, 1996). There also seems to be a belief that if everyone knows where convicted offenders live, children can be kept safe. In an attempt to provide the entire nation with the location

and information on every convicted sex offender in the United States, the federal government created a national registry program connecting all fifty states through a single internet web site.

The National Center for Missing & Exploited Children reports on their website; if all the states registries are taken collectively, there are over 550,000 registered sex offenders. The federal government has a sex offender web page with links to each state. There are several organizations that have web searches available complete with maps. Websites such as familywatchdog.us make it possible to locate sex offenders by state, county, zip code and map their location with proximity to any individual home. Many give detailed information to identify the offender including distinguishing marks and tattoos. Most registry pages have some information about the age of the victim and/or the type of offense. Each state has their own rules for registering and updating with time limits for reporting a residence change of the offender. Most states keep recent photographs of the offender (Department of Justice, 2002). Locating and identifying a sex offender is done quickly and easily with this system in place. Although some websites suggest that the reported information is not to be used for unlawful purposes, it has left some offenders vulnerable to personal harassment and property loss from vigilantism (Department of Justice, 2002).

In July of 2006 President George W. Bush signed into legislation a federal database that will track all convicted sex offenders with federal penalties for failure to register (Library of Congress, 2006). Undoubtedly it is known where convicted offenders are located, they are spread out all over the country and in neighborhoods living among the general population.

After completing their sentence most sex offenders are released from prison into a probation program for a significant length of time. Often as a part of the probation guidelines they are required to complete a sex offender therapy program (English, Pullen, & Jones 1996). It appears that most people believe sex offender therapy is desirable as a part of long term management of convicted sex offenders (Henham, 1998) and citizens have pressured legislators to require such therapy through statute and corrections guidelines (Robinson, 2003; Freeman-Longo, 1996). Unfortunately the attempt to manage convicted sex offenders in our communities has come to look more like a mass media witch hunt where there is unlimited freedom to make stereotypical generalizations about all sex offenders and portray that as fact, and to label and name-call offenders in a way that would not be tolerated in reference to any other group of people in this country (Texas Department of Health Services, 2005). From the frequency of discussion referencing to sex offenders, the American public seems to have an almost insatiable interest in sexual offences and sex offenders (Graber, 1977).

Legislation dictates how offenders are to be treated within the judicial system and the correctional system; unfortunately it does not provide for the care and management of the offenders after probation; yet these people will be reintegrated into communities (Robinson, 2003). Offenders are barraged daily by programs that emphatically declare they are the incurable scourge of the earth. Frequently they are the subject of neighborhood poster campaigns that draw attention to their residence. Free local newspapers frequently publish their personal information with mug shots. Some offenders have experienced neighborhood protests calling for their expulsion from their residence (Travis, Solomon, & Wahl, 2001. Travis, Robinson, & Solomon, 2002). A

registered offender in Washington State had his house set afire and completely burned by community vigilantes (Freeman-Longo, 1996).

All of this is likely to impact the offender's rehabilitation. While the offender is attempting to moderate undesirable feelings and behaviors that may increase potential for re-offending, they are flooded with negative messages about their hopeless condition. They are vulnerable to wholesale community rejection based on their sex offender status at the same time they are attempting to reintegrate into that same community. A therapeutic emphasis on gaining improved social skills and empathy can suffer when the offender is essentially isolated within the community and treated as a pariah (Stump, Beamish, & Shellenberger, 1999). This is an exploration of the impact and the influence of mass media on the rehabilitation of convicted sex offenders, and the implications for cognitive-behavioral sex offender therapy.

CHAPTER 2
LITERATURE REVIEW
DEVELOPMENT OF SEX OFFENDER LAW

The names of the children that have been a part of the media focus on children that have been sexually assaulted and murdered are unfortunately all too familiar; Jacob Wetterling, Polly Klaas, Jimmy Ryce, Megan Kanka, Adam Walsh, and Jessica Lunsford. The tragic ends of these young lives have generated both state and federal legislation that intends to protect the lives of all young children. The lone adult with her name attached to legislation is Pam Lynchner a Houston real estate agent who was brutally assaulted and survived to later become an advocate for sexual assault victims. In just a little over a decade the United States has gone from having little or no state or federal legislation specific to sexual abuse, to a very complex collection of state and federal laws that focus on child sexual abuse.

As early as the 1940's, the states of Arizona and California attempted to develop a registry of convicted sex offenders. During the next decade the idea of all states having a registry began to develop through a political movement fueled by increased awareness of sexual offending. Many states came on board with idea that there should be a national registry. Although there was little research available on developing these laws, politicians continued forward with rules for public access to the registries (Thomas, 2003). Court cases claiming civil rights infringements were significant obstacles to the development of registries restricted to sex offenders. Precedence for statutory procedures was seemingly a low level concern to many states and registry programs were often abandoned to expensive and resource heavy court proceedings. Development of a significant registry

and notification system throughout all the states lingered without much development for several more decades.

In 1989, Jacob Wetterling, his brother and a friend, were riding their bikes in St. Joseph, Minnesota. A masked man ordered the boys to throw down their bikes, turn off their flashlights, and lie face down on the ground. The gunman asked each of the boys his age. He told Jacob's brother and friend to run into the woods and not to look back, or he would shoot them. The boys ran toward the wooded area, and they glimpsed back to see the gunman grab Jacob. When they reached the wooded area, they turned to find that Jacob and the gunman were gone. Jacob has never been found. Investigators later learned that, unknown to local law enforcement, some halfway houses in St. Joseph housed sex offenders after their release from prison, and the suspect in Jacob's disappearance was residing in one of those houses (Barton 2000). In 1994 the U.S. Congress passed the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, which was the first federal requirement for a sex offender registry (Federal Register, 1996). The Wetterling Act in general sets minimum standards for state sex offender registration programs. States that fail to meet with these standards within the required time frame will be penalized through a mandatory ten percent reduction of formula grant funding under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. 3756), which is administered by the Bureau of Justice Assistance of the Department of Justice. Any funds that are not allocated to the non-complying states will be reallocated to states that are in compliance. The provisions of the Jacob Wetterling Act are threshold provisions and states are free to go beyond the minimum requirements that are stated in the act (Senate Committee On: Human Services &

Corrections, 1998).

Megan Kanka was kidnapped, raped, and murdered by a convicted sex offender living in her neighborhood. The Kanka family rallied public support to have local communities warned about sex offenders living in the area (Fodor, 2001). The New Jersey legislature passed Megan's Law in 1994, a notification law that required some way for citizens to determine where sex offenders live. Megan's Law was then passed as a federal law in 1996 as an amendment to the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act. This legislation authorizes local law enforcement agencies to notify the public about convicted sex offenders living, working or visiting their communities. Based on a typical one to three scale of risk level notification methods will vary. Notification methods for high risk offenders usually include door-to-door contact within the neighborhood where the offender is residing. Other means of notification include press releases, flyers, reverse 911 phone calls, and neighborhood meetings (Levenson & Cotter, 2005). Given the ease of use for the public and the lower resource intensive format of the internet, Megan's Law is the force behind the current internet registry system (Federal Register, 1997).

In 1990, a Houston, Texas real estate agent, Pam Lynchner, was attacked and sexually assaulted while showing a house to a prospective buyer. Her husband arrived and saved her life from the twice convicted violent man assaulting her. She then formed *Justice for All*, a victims' rights advocacy group that lobbies for tougher sentences for violent criminals. In 1997 The Lynchner Act, as an amendment to the Wetterling Act mandated the Federal Bureau of Investigation to establish and maintain a national sex offender registry by 1999, which is to be interactive with all state registries. This database

is also to be used to track the whereabouts and movements of sex offenders across the United States. The law requires sex offenders covered by its provision and in a state that does not have a minimally sufficient program as outlined in the original Wetterling Act, to register with the Federal Bureau of Investigation. The Federal Bureau of Investigation must periodically verify the offender's address and it may release information it deems necessary to protect the public. The law also contains provisions concerning notification to the Federal Bureau of Investigation and state agencies when a person subject to registration moves to another state (Thomas, 2003).

The first civil commitment act was established in Michigan in 1937 because of a much publicized heinous sexual assault and murder. Although this sexual psychopath law was short lived due to it being found unconstitutional, it was the basis for other states to create legislation to manage what was considered the mentally ill sex offender (Alexander, 2004). Sexual psychopath laws were built on the assumption that people who commit sexual crimes are unable to control their sexual urges due to mental illness (Schwartz, 2003). Minnesota was the state to set the standard in civil commitment of sex offenders and an additional thirty states followed with ongoing programs of sex offender confinement to state mental facilities until the mid 1980's. The popularity of civil commitment as a solution to sexually violent offenders began to diminish and very few states continued involuntary commitments resulting in increased incarceration to state penal facilities (Prentsky & Burgess, 2000). Only 16 states have a civil commitment law for sexually violent offenders and the statutes are seldom used for confinement (Greenhouse, 2002). One of the 16 states that currently utilize the involuntary civil commitment of sexually violent offenders is Florida. The state of Florida has one

of the more active and frequently used programs for civil commitment (Levenson, 2004).

Jimmy Ryce was kidnapped and killed by a convicted sex offender who had been released from prison after serving the time sentenced. After the capture and conviction of this perpetrator, Florida reconsidered the entire sentencing and monitoring process for sex offenders. The Jimmy Ryce Act was enacted and Florida had a civil commitment act that could extend indefinitely the states ability to confine sex offenders deemed a danger to the community (Presley, 1999). The United States Supreme Court ruled in *Kansas v. Hendricks*, that a state may hold a convicted sex offender beyond their sentence if they are deemed a danger to the community due to mental abnormality, and that such confinement does not constitute punishment (Travis, 2000).

Jessica Lunsford was kidnapped from her bedroom, tortured, raped and murdered, allegedly by her neighbor. He had reportedly worked at the school Jessica attended; and he had lived just across the street from her, but had failed to register as a sex offender at that location. Once again a state was considering how to better protect children from potential offenders. This led the state of Florida to develop the Jessica Lunsford Act, which increased sex offender sentencing guidelines and tightened the parameters of probation. There has been an increased penalty for lewd and lascivious molestation of a child to life in prison or a split sentence of a mandatory minimum twenty-five-year prison term, followed by lifetime supervision with electronic monitoring. Increasing from twenty to thirty years, the period of time before a sexual predator is allowed to petition to have the sexual predator designation removed and sexual predator/offender registration and reporting requirements have been extended. Sexual predators who murder their victims now qualify for the death penalty in capital cases. Designation for failing to re-

register as a sexual offender/predator or harboring or assisting a sexual predator/offender became a third degree felony. Requirements have been set for those already convicted of sex crimes to have electronic monitoring for the remainder of their probation. This law requires all county misdemeanor probation officials to search the sexual offender registry when a new offender is assigned to them (Florida Department of Corrections, 2005).

In the summer of 2006 President George W. Bush signed federal legislation that provides for a national sex offender registry along with federal penalties for failing to register. This federal law establishes a comprehensive national system for the registration of sex offenders with three tiers of sex offenders ranked for recidivism risk and potential for sexual violence. It requires all jurisdictions to enact criminal penalties for sex offenders who fail to comply with registration requirements and requires sex offenders to appear in person to verify their registration. The statute imposes a fine and/or term of imprisonment for up to twenty years on sex offenders who knowingly fail to register and makes registration as a sex offender a mandatory condition of probation and supervised release. This law eliminates the statute of limitations for prosecutions of child abduction and felony sex offenses against children. During times of national distress it directs the Attorney General to provide technical assistance to jurisdictions to help identify and locate sex offenders relocated due to a major disaster. This national registry requires convicted sex offenders to register even when they reside outside the state where their conviction and probation was established. This extension of the state registry system allows for tracking offender residence through a central website developed and maintained by the Department of Justice (Library of Congress, 2006)

DEVELOPMENT OF MEDIA PROGRAMING AND THE EFFECT ON PUBLIC PERCEPTION

The portion of sex offender law that requires registration and notification for the location information of convicted sex offenders would not be possible on the existing level without a way to widely disseminate the collected information. The internet, cable and satellite television have made such dissemination possible. It would be unusual for a day of television programming not include sex offenders as a news item or as the focus of a syndicated talk program (Sheley & Ashkins, 1981). How the issue is addressed is likely dictated by the audience the program is seeking. Vincent Sacco, in his 1995 investigation of how the media constructs stories of crime suggests, "The ways in which the news media collect, sort, and contextualize crime reports help to shape public consciousness regarding which conditions need to be seen as urgent problems, what kinds of problems they represent, and, by implication, how they should be resolved." In the review of the literature researchers agree that information on the internet and television significantly influences societal norms and would likely govern how society would chose to behave toward convicted sex offenders (Reeder & Coovert, 1986).

Societies have had a need for public safety information since humans began organizing and competing against nature and other human beings. Historically the dissemination of such information, the rapidity, accuracy, and scope has improved with each communication innovation. Sounding a seashell or animal antler horns, projecting human voices from locations that will amplify the voice, and using fire or explosives as signals, have all been forms of communicating public safety information. Print materials

became important when they could be mass produced. Posters were widely used to seek identification and capture of criminals in the early nineteenth century. Newspapers also were the primary source of news information until the mid twentieth century. In 1963 Americans reported they depended on television as their primary source of news information. Television has become the media source that people depend on for information about public safety, and most people assume the information is accurate and factual (Grabe, et al, 2000).

In the early 1950's the cost of producing television sets decreased and television programming became a popular form of entertainment in individual homes. By the mid twentieth century, most American homes had a television. In 1952 the National Broadcasting Corporation had begun a new format for news programming with the development of the *Today Show* (Weaver, 1994). It was an hour-long morning news program with both informational and entertainment segments. Since news programs were successful at attracting an audience the Columbia Broadcasting System in 1968 added *Sixty Minutes* to their prime time evening line up. The CBS program is an hour-long news and information program covering popular news content (Murray, 1994). Since the time of its inception *Sixty Minutes* has maintained very high ratings and set the standard for the newsmagazine format on television (Whiting, 1972). Television popularity ratings such as the Nielson Ratings influence what programming is made available to the viewer. These ratings indicate that newsmagazines and syndicated topical programming are ratings winners (Hartigan & Kleiner, 1984).

Development of news programming and a growing audience increased viewing options during the 1970's and has continued to grow through the new millennium. The

first time Americans viewed extensive government hearings on live television was with the Watergate hearings in 1973 (Garay, 1984). Only two years later the cable television boom began and viewers were no longer limited in their viewing choices. The second successful newsmagazine program *20/20* began in 1978 and in 1980 Ted Turner created the *Cable News Network* providing 24-hour news coverage (Bibb, 1993). The United States Supreme Court allowed television cameras in the courtroom for the first time in 1981, and America was able to witness first hand the judicial process (McCall, 1985). As news and entertainment choices expanded syndicated talk show programming filled many hours of airtime. Phil Donohue, Sally Jessie Rafael, and Oprah Winfrey became nationally known for their talk shows. These programs blended news, information, and entertainment into a seamless product (Heil & Peck, 1998). After the death of Adam Walsh, his father John began a media campaign that resulted in his hosting a new program format on television, *America's Most Wanted*. The program recreates crime scenarios in an attempt to encourage viewer participation in providing information to capture the perpetrator of the crime. Interactive television has become a typical experience for American viewers (Davie 2001).

With this blending of news and entertainment, it has become difficult to determine what is fact; and what is conjecture. The boundaries between factual reporting and news commentary have become increasingly blurred (Eschholtz, Chericos, & Gertz, 2003). Research has indicated that popular topics may drive programming focus, or programming focus may drive popular interests (Grabe, Zhou, & Barnett, 1999). A study on the influence of television programming shows that people are likely to modify their behaviors based on information coming from a news source (McQuivey, 1986) because

they perceive the information as accurate and applicable. Jaehnig, Weaver, and Fico state in their 1979 presentation to the Association for Education in Journalism in Houston that: “The individual’s store of information, which serves as the reference for individual definitions of normal and abnormal behavior, is today easily derived from the mass media.” Media then plays a role in constructing the viewer’s social reality (Shapiro & Lang, 1991).

The media has an old saying it uses when deciding what to put on the news program; if it bleeds, it leads (McQuivy, 1986). This approach indicates that news programs get the most viewers from stories that include graphic violence. Some researchers suggest that the media is overly focused on crime (Graber, 1977). This may lead viewers toward a lower concern for realistic exposure to potential crimes that are less violent, but more frequently committed (Jaehnig, Weaver, & Fico, 1979). From a study at Louisiana State University in 2005, Renita Coleman and David Perlmutter state,

Surveys of mass media content related to social violence suggest that it generally focuses on the individual, atomistic ‘act’ (e.g. the bang-bang car chase) rather than issues of cause and prevention. Yet, increasingly - but with controversy - doctors, health officials and activists have pushed for a ‘public health’ model of reporting news about crime and violence that looks at interactions between the victim, the agent of injury or death, and the environment in which the injury or death took place rather than viewing it in strictly individual terms. In this study of television news-magazine stories, we found a strong emphasis on episodic and personal stories, with minor allusions to greater social issues. The emphasis on entertainment seemed to negate any promised ‘public health’ angles. We conclude that the challenge for the public health model is to find ‘scripts’ that journalists deem to be publicly consumable and ratings friendly.

This emphasis on the individual crime can often leave the audience feeling insecure within their personal environment. The focus of news reporting has become such that the crime has become disjointed from societal reality and relevance with a resulting effect

of a focus on *stranger danger*.

Accuracy in crime reporting by the media has been researched very often and on a continuing basis. It has not been so much the facts of the individual crime that are disputed, but it is what has been left out of the report or the relevance of the crime to the situation. Noted authority on crime and psychiatric disorders, Dr. Fred Berlin, Department of Psychiatry and Behavioral Sciences, Johns Hopkins University School of Medicine, Baltimore, MD comments on media distortion of the public's perception of recidivism and psychiatric rehabilitation. In an article for the American Journal of Psychiatry in 1991, Dr. Berlin outlines this study:

Verbatim quotations were presented from a television news series that alleged criminal recidivism by nine patients purportedly treated for various paraphilias at a large, community-based sexual disorders clinic. Brief case vignettes about each of the nine were then reviewed. This allowed for comparisons between what the media had alleged and what had actually occurred. RESULTS: Two of the nine cases were relatively minor instances of recidivism involving no genital contact, although the media presentation had either failed to report this or had suggested otherwise. A third case of alleged recidivism involved a patient who was evaluated but never actually treated by the clinic in the community. A fourth patient had refused recommended clinic treatment upon prison release, and a fifth patient had been discharged from treatment at the clinic because of noncompliance years before recidivating. Other cases presented contained additional misleading information. None of the nine cases was reported by the media in the context of a balanced approach that included treatment successes. Clinic staff were constrained from responding publicly to correct certain misinformation because of patient-psychiatrist privilege. CONCLUSIONS: Inaccurate media presentations about psychiatric rehabilitation that ignore treatment successes and focus only on alleged failures do a disservice to patients, mental health workers, and society at large.

Dr. Berlin speaking with Chris Hansen on the television program Dateline expressed concern over the lack of distinction between varying levels of sexual offences. He says,

“I think we are very quick now to use the term predator.” (Hansen 2006), one of the frequently used terms associated with sex offence reporting.

What may be the most troubling aspect of media influence on society is the blurring of the boundaries between reality and fiction, between fact and opinion, between actuality and recreations. The American audience is fed a constant diet of programming that entertains through staged law enforcement activities such as *Cops*, or *NBC Dateline*: “How to Catch a Predator.” Yet the public is also entertained by national news and cable networks showing high speed police chases or hostage stand-offs. The most significant difference may be the genuine situation is usually aired without commercial breaks. Staged judicial proceedings such as *Judge Judy* or *The People’s Court* are not readily distinguishable from actual civil or criminal proceedings. These entertainment programs are televised arbitration, and a typical viewer would not likely be able to nuance the differences between a civil proceeding and legally binding arbitration. It is not obvious if a program is working with actual crime evidence as does the *Forensic Files* or fictional forensics such as *Cold Case* or *Crime Scene Investigations (CSI)*. The audience is trained to believe that forensic evidence can lead to a criminal conviction beyond a reasonable doubt in a forty-two-minute hour, and have a morally satisfying outcome.

PUBLIC PERCEPTION OF SEXUAL OFFENSES, NOTIFICATION:
AND HOW IT BECAME A PART OF MASS MEDIA

The public has been presented with a steady supply of quasi-factual television drama that suggests that sexual assaults are always reported (even if reluctantly), proven with indisputable forensic evidence, appropriately prosecuted by a faultless judicial system with dedicated and passionate jurists, eliciting a true and just result. Members of the public sometimes have difficulty distinguishing what may be true and what may be theater, especially if it is presented in a format where truthfulness and accuracy is expected (Potter, 1986; Shapiro & McDonald, 1992). From this, the typical understanding within the community is that the rule of law and the criminal justice system will adequately protect children from sexual assault. The public stance is it just needs to know who the offenders are and where they live, and then all children may be kept safe from harm by avoiding these people (Tewksbury, 2006). There is no significant concern that undetected and non-prosecuted offenders are actually the higher risk in the community (Malesky & Keim, 2001).

The public position is to have deterrence, no more victims (Stump, Beamish, & Shellenberger, 1999); the public official position is to have effective control (Robinson, 2003). Richard Tewksbury (2006) in exploring community safety measures for prevention of sexual assault finds, "Inherent in registration and notification statutes also is a belief in deterrence. If offenders know that community members are aware of their identity and presence, offenders may be less likely to re-offend, considering that their likelihood of detection, apprehension, and conviction would be enhanced." It is suggested by experts in sexual offending, the law, and rehabilitation of offenders, that this vigilance

on the part of the general public is a dismal failure if a reduction of offenses is the goal. There is no credible evidence that notification has any effect on recidivism of sex offenders either increasing or decreasing sexual offenses (Tewksbury, 2006). Rates of sexual assaults have not dropped since any of the child sexual abuse laws have been enacted. In fact rates of reports, prosecutions, and incarcerations, have remained very steady (Sample, & Bray, 2003).

Community activists in an emotional response to a child murder pressured political policy makers unfamiliar with the psychopathology of sexual offenders to legislate potential external control mechanisms with Megan's Law (Freeman-Longo, 1996). Laurie O. Robinson in a 2003 article in the *Annals of the New York Academy of Sciences* states, "... policy makers, elected officials, the media, and criminal justice practitioners still know relatively little about sex offending and how to deal with it. In fact, the response by government officials is still too often driven by anecdote and rhetoric rather than by facts, research, and successful practice."

Megan's Law in 1996 was the first sex offender notification law that required police agencies to inform the public where sex offenders were residing. Initially the police used leaflets or fliers to broadcast the information throughout a localized area. Some agencies held community notification meetings where information about the offender might be discussed at length. Other forms of notification have been marked automobile license plates, mug shots with identity information in the newspaper, signs posted in the offender's front yard, a state sponsored hotline with location and identity information, and even requiring the offender to knock on neighborhood doors and introduce himself (Thomas 2003).

Local television news programs have been more frequently reporting the relocation of a sex offender into a neighborhood from prison or from another state. The news station usually only reports this if the offender had committed a very violent crime including permanent physical injury or death of the victim, or has a very large number of known victims. People have begun to equate sexual assault with murder and mayhem. As the lines between sexual offenses, violent physical assaults, and child murder become more blurred, the public demands more laws to restrict convicted offenders, although none of the factual information had changed to indicate an increased child sexual assault problem. The nature of the language describing sexual offending has changed from professional legal and psychological nomenclature, to sound bites and media tease lines (Murray, Schwartz, & Lichter, 2001). The more dramatic the language, the more likely to grab viewer attention, and the more confused everyone is about the psychopathology of sexual offending. The explosion of media driven fear promoted even more extreme sex offense registry and notification laws. Levenson and Cotter (2005) have this to say about Megan's Law.

Because community notification was first proposed in response to the sexually motivated murder of a child, it was originally conceived as a strategy to combat predatory child sexual abuse. As legislation evolved in most states, notification became inclusive of all sexual perpetrators, including incestuous offenders, rapists of adults, non-contact offenders such as exhibitionists, and child pornographers.

Registry and notification has become extremely inclusive of any type of sexual offense.

A Michigan man is on the Michigan public sex offender registry website for a third degree felony of criminal sexual conduct. The actual criminal sexual behavior was sodomizing sheep (AP, 2006).

The development of the internet has made it possible for police agencies to develop websites where sex offender information can be accessed by the general public from their home computers. The public is concerned and is searching for information. This was clearly demonstrated when in 1998 the State of Virginia posted information on convicted sex offenders within the state to a website. In the first twelve hours the site was up, it was accessed forty-five thousand times (Malesky, & Keim, 2001). Members of the public are advised by the Department of Justice that publicly-accessible internet sites established by different states may not be comparable with respect to the comprehensiveness of offender-related information that is made available for public disclosure. Due to statutory differences, not all offender information may be available on each and every website.

A recent addition to the media coverage of registered sex offenders is a public access program in Binghamton, New York. A monthly series of half-hour television programs are designed to inform the public about sex offenders living in the Binghamton community. "Sex Offender Community Update" will be shown on the Time Warner Cable Public Access channel. Each episode will feature the names, faces, and addresses of convicted Level 3 sex offenders living in the area. The information used in the program is provided by the New York State Sex Offender Registry website and the Broome County Sheriff Department website.

This programming will include interviews with elected officials, law enforcement personnel and citizen activists. The interviews will contain information about the determination of risk levels, and community concerns of law enforcement and local government officials. The program's producer expressed interest in developing the

program because of his personal belief that the area has a disproportionate number of convicted sex offenders relocating in the city, and the growing issue of sex offenders. Steve Garlock, the program's producer, director and editor, says his reason for participating was simple. He wants the program to act as a deterrent to sex offenders locating in the area.

Since government officials for the most part have remained silent as Binghamton earned the dubious distinction as New York's per-capita sex offender capital, I wanted to use my time, resources and talent to tackle the problem. I hope the word gets out to sex offenders that if you're thinking of moving to Binghamton when you get out of prison, you're going to have your name, face and address on TV.

Binghamton city council representative Chris Papastrat states, "We were looking for a cost-effective way to inform the public and help individuals and families get the information they need to help protect themselves and their children. Time Warner's Public Access Channel seemed to be the best venue. There's much more of an impact when you see the face and name on your television screen." (ABC News Channel 34, 2006)

Broadcasting personal and criminal information on sex offenders after they complete their sentence places them uniquely outside standard prosecutorial sentencing guidelines. No other type of offender will receive the same post-incarceration scrutiny and exposure as the sex offender (Sample & Bray, 2003), and certainly there is no campaign to run other types of offenders out of town with public access programming. Yet, Presser and Gunnison (1999) explore such activities, and say, "Sex offender notification is commonly aligned with the contemporary trend toward community justice. Supporters of notification claim that the laws empower private citizens to protect themselves. They refer to notification as 'community management of offenders' and 'a

form of community policing’.” Consequently it appears there is a community based extension of criminal justice that extends beyond the established judicial model of punishment and rehabilitation, to a collaboration of government, community, and media that allows community management of a specific offender by coercion through media exposure. Exposure and possibly punishment beyond prescribed standards for criminal justice (Zevitz, & Farkas, 2000).

METHOD

This investigation into the effect of media programming on the rehabilitation and reintegration of convicted sex offenders was conducted through voluntary interviews with convicted sex offenders in a sex offender therapy program and with offenders completed with the program and still under supervision or listed on the State of Florida sex offender registry. All offenders currently reside in Pasco county Florida. They are living both in urban and rural settings and may have different restrictions based on; the date or location of their conviction, type of charge, age of their victim, number of offenses, and their residential location.

All of the offenders participating in the therapy program are currently on probation or community control; they are supervised by sex offender probation specialists through the Department of Corrections, State of Florida, All participants are on the Florida FLDE sex offender registry, and they are required under Florida statute to participate in an annual polygraph examination. Since the research was done in the west central Florida area, all of the offenders had experienced the collaborative approach to offender rehabilitation. They are monitored monthly through their therapy program, and probation receives a written report from the therapy program indicating participation and advancement through the program. This containment or collaborative approach is common practice for the criminal justice approach to sex offender rehabilitation and reintegration on the state of Florida. The therapist is required to report any therapeutic concerns or risks directly to probation. The therapy program is contracted with the Department of Corrections, State of Florida, to provide sex offender therapy. The state

in turn gives exclusive referrals to that program.

Those that had previously completed the sex offender program may still be on probation. Some participants had completed probation, yet they remain on the website registry. Most of the participants interviewed have served prison sentences; a few had not. The State of Florida divides convicted offenders into two groups; sexual offenders and predators. These distinctions are legal definitions and not necessarily indicative of violent or predatory tendencies. The different categories may be noted in the interviews due to the labeling on the internet or by the news agency when reporting. There was significant variation in the offenders interviewed in age, offense, prosecution, and sentence. Two offenders were not prosecuted under Florida sex offender guidelines and one is not on the registry, but they are both required to complete a sex offender therapy program as a part of their sentence. They are monitored by sex offender probation specialists with some sex offender regulations as a part of their probation guidelines. The interviews were conducted at the location of the sex offender therapy program and in a private therapy office.

Before asking the offender for the interview, assurance of anonymity was provided and the voluntary nature of the interviews was explained. When accessing the offenders through the therapy program, it was clearly established that no offender would receive special treatment for participating, nor would they in any way be coerced into participating. Ethical guidelines for psychosocial research were explained to the offenders in the group setting and by telephone conversation with those not attending the therapy group. In the explanation of ethical guidelines each offender was assured that they could in no way be identified by any statement made and quoted in this research

document. No names were recorded and only numbers would be used in the document to distinguish the different interviewees. Each person was allowed a time to ask questions about the ethical guidelines to promote the possibility that candid experiences would be expressed. The purpose of the research was explained and each offender responded affirmatively that they understood the purpose and that they would not receive any compensation for the interviews. Two offenders in the program and four not in the program declined to participate.

A total of twenty-seven offenders were interviewed. Twenty were from the sex offender therapy group and seven were post therapy participants. Not all registered sex offenders in Pasco County were asked to participate. In November 2006, there were six hundred forty-three registered offenders in Pasco County. The time and difficulty of interviewing that number of offenders was not conducive to achieving the sought after information; therefore the smaller sample from the east side of the county was utilized.

The age range of those interviewed was from twenty-three to eighty years of age. There were no females enrolled in the program, and none available for interviews. There were only Caucasians enrolled in the program and available for interviews. One offender is originally from outside the United States, but is a naturalized citizen. All of the offenders interviewed are of western European descent, one participant's parents are from Puerto Rico, but he is socially and culturally oriented to the United States. The naturalized citizen had emigrated from Western Europe. English is the first language of all the offenders, except for the naturalized citizen, and he had learned English at a very young age. Two of the offenders had completed undergraduate studies, most had completed high school, two would be considered functionally illiterate. One of the

offenders of advanced age had suffered a stroke and experiences some short term memory loss. One was born with both physical and mental disabilities.

Two offenders had been prosecuted for aggravated child abuse and did not fall under the State of Florida sex offender guidelines, but they were interviewed along with the others since their offense was sexual in nature and they were required to complete a sex offender therapy program. Both had served time in prison and follow-up probation. Five of offenders are designated as predators, the rest are sexual offenders. No one had been prosecuted prior to the 1993 sexual predator designation, four had been prosecuted prior to the 1998 civil commitment act, and none had been convicted since the enactment of the 2006 Jessica Lunsford Act.

Every interview was taped for accuracy and due to the volume of information. Those tapes were destroyed as soon as the research was completed. Each interview lasted anywhere from five to twenty-five minutes. The offender was asked about their charges and the terms of their sentence. They were also asked about the length of time they had experienced probationary status to establish that they had experienced at least some time to attempt reintegration into the community. They were presented with a generalized question about the effect of media on their rehabilitation and reintegration into the community; and then without interruption, were allowed to speak. Each participant spoke until they indicated they were finished. All interviews were documented in a style that attempts to replicate the conversational pattern of the participant. No editing was done to the interviews except where identifying information could potentially reveal their participation. In the interviews, it is clearly notated where deletions have been made. The accuracy and authenticity of the interviews is imperative to the applicability of this study.

Interviews were utilized in this research as an accurate source of substantiation and documentation of convicted sex offenders' experiences in attempting to rehabilitate and reintegrate into their community. In exploring methods that would likely elicit the most information and the most applicable information relevant to optimal sex offender therapy practices; interviews were deemed to be the most appropriate vehicle. From Queens University, Kingston, United Kingdom, W.L. Marshall states, "This study (Marshall, 1996) points to the potential value ratings based on interviews as a valuable source of information and evaluation. We have often found that offenders reveal much more during interviews, and even during the first three or four treatment sessions, about their real beliefs, attitudes, distortions, and minimizing than is ever revealed on self-report measures."

CHAPTER 4

SPECIAL NOTES PERTAINING TO THE INTERVIEWS

To fully understand the concerns of the participants and to have clarity on some specific references in the interviews it is necessary to explain some terms, statutes, and current events referenced to in the interviews. The following explanations will make clear the references in the interviewees' conversations.

SEX OFFENDER CLASSIFICATIONS

The State of Florida has a two-tiered classification for convicted sex offenders.

The classifications are; Sex Offenders and Predators.

To be designated as a predator, the subject must have been found by the court to be a sexual predator. Florida law requires a written court finding for sexual predator status. Sexual predator designation only applies to sex offenses committed on or after October 1, 1993. In addition, the subject must have been convicted of either one first-degree felony sex crime, or two second degree felony sex crimes. In the latter situation, the second offense must occur within 10 years of the previous offense, conviction, or release from the sanction of the court, whichever is later. Additionally as of July 1, 2004, anyone civilly committed under the Florida Jimmy Ryce Sexually Violent Predator Act must also register as a sexual predator. See F.S. 775.21(3) for additional information regarding sexual predators. The sex offender designation applies to any listed sex offense, regardless of the date the offense was committed, for which an offender is being released on or after October 1, 1997 from the "sanction imposed" for the offense, or, is currently under the care, custody, or control of the Florida Department of Corrections (DOC). "Sanction imposed" includes, but is not limited to, a fine, probation, community control, parole, and conditional release, control release or incarceration. See F.S. 943.0435(12) for additional information regarding sexual offenders. This law was prospective rather than retroactive. If the subject was released from sanctions before the October 1, 1997 date, the subject is not required to register.

Registration on the State of Florida sex offender registry has a number of different rules for who must register, how long they register for, and whether or not the registry requirement is ever dropped. A sexual

predator or a sexual offender registration is for life, unless the offender has received a full pardon or had a conviction set aside in a post-conviction proceeding for any offense that met the criteria for the sexual predator or offender designation. However, if the offender was designated a sexual predator by a court before October 1, 1998, and has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 10 years and has not been arrested for any felony or misdemeanor offense since release; or if the offender was designated a sexual predator by a court on or after October 1, 1998, and have been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years, and have not been arrested for any felony or misdemeanor offense since release; or

he or she was designated a sexual predator by a court on or after September 1, 2005, and has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 30 years, and has not been arrested for any felony or misdemeanor offense since release; or if he or she were designated a sexual offender and has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 20 years and have not been arrested for any felony or misdemeanor offense since release; or

if he or she was designated a sexual offender who is released from all sanctions and were 18 years of age or under at the time the offense was committed and the victim was 12 years of age or older and adjudication was withheld for that offense, and who has had 10 years elapse since having been placed on probation, and have not been arrested for any felony or misdemeanor offense since the date of conviction of the qualifying offense;

he or she may petition the criminal division of the circuit court in the circuit in which they reside to remove the sexual predator designation. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing. The court has discretion to grant or deny the petition. Subjects that are granted relief of their sexual predator designation, unless specified in the order, must comply with the requirements for registration as sexual offenders and other requirements provided under s. 943.0435 or s. 944.607. Persons who are required to register as a sexual offender solely because of an out-of-state conviction and registration requirement, may be removed when they provide the department with an order issued by the court that designated them a sexual predator, a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided they no longer meet the criteria for registration as a sexual offender under the laws of this state. (FDLE, 2006)

THE JIMMY RYCE ACT

The Jimmy Ryce Act is the State of Florida civil commitment statute.

The Florida Legislature passed the Jimmy Ryce Act on May 1, 1998. The Act directs the Secretary of Children and Family Services to create a multidisciplinary team that will determine whether an inmate is a “sexually violent predator.” The only statutory guideline for the team’s composition is that it must include “two licensed psychiatrists or psychologists, or one licensed psychiatrist and one licensed psychologist.” One hundred and eighty days prior to releasing an inmate convicted of a sexually violent crime, the agency controlling the inmate must notify both the multidisciplinary team and the relevant state attorney of the inmate’s impending release. The team then determines whether the inmate is a “sexually violent predator.” A “sexually violent predator” is defined as “any person who: (a) Has been convicted of a sexually violent offense; and (b) Suffers from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.” Upon receipt of the team’s report and recommendation, the state attorney may elect to file a petition requesting the inmate’s commitment. After the petition for commitment has been filed, the judge must determine if probable cause exists to believe the inmate is a “sexually violent predator” within the meaning of the Act. If so, the inmate must be taken into custody and held in “an appropriate secure facility” until resolution of the commitment proceeding. The state attorney may petition for an adversarial probable cause hearing, and if one is granted, the respondent has a right to introduce evidence, be represented by counsel, cross-examine witnesses, and view and copy all reports and petitions in the file. The respondent, however, is not entitled to petition the court for an adversarial hearing; only the state attorney has this right. The trial for commitment is in many respects similar to a criminal proceeding. It must occur within thirty days after the determination of probable cause, unless either party shows good cause for a continuance. The respondent is entitled to counsel and may be appointed a public defender upon the requisite showing of indigence. Also, the respondent has a right to demand a trial by jury. A court or jury determination that the respondent is a sexually violent predator must be supported by clear and convincing evidence, and in the event of a jury trial, the decision must be unanimous. If a unanimous verdict is not forthcoming, but a majority of the jurors would classify the respondent as a sexually violent predator, the state attorney may request a new trial. Upon classification as a sexually violent predator, the respondent is committed to the care of the Department of Children and Family Services. The Department must maintain sexually violent predators in a secure

facility segregated from civilly committed patients who were not committed under the Jimmy Ryce Act.

During commitment, the inmate must be examined at least once annually to determine whether the inmate's dangerous condition has changed. The court must hold a limited probable cause hearing to determine whether probable cause exists "to believe that the person's condition has so changed that it is safe for the person to be at large and that the person will not engage in acts of sexual violence if discharged." The inmate has a right to have counsel at the hearing but does not have a right to be present. A determination of probable cause warrants the court to set a trial. At this stage in the proceedings, however, the inmate has no right to demand a jury trial. The inmate will remain committed if the state proves its burden "by clear and convincing evidence, that the person's mental condition remains such that it is not safe for the person to be at large and that, if released, the person is likely to engage in acts of sexual violence." Although an inmate may petition the court for release at any time, if the petitioner has previously filed an unsuccessful petition, the court may deny the petition if the court deems that the petition does not contain facts warranting a probable cause hearing. (Presley, 1999)

LEWD AND LACIVIOUS (L&L)

The term L&L means lewd and lascivious, a legal term defined by the State of Florida on the Florida Department of Law Enforcement (FDLE) sex offender website as:

800.04 Lewdly Fondle Or Assault, Commit Or Simulate Sexual Acts On Or In Presence Of A Child Under 16 In A Lewd, Lascivious Or Indecent Manner

A person who:

- (1) Handles, fondles, or assaults any child under the age of 16 years in a lewd, lascivious, or indecent manner;
- (2) Commits actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sadomasochistic abuse, actual lewd exhibition of the genitals, or any act or conduct which simulates that sexual battery is being or will be committed upon any child under the age of 16 years or forces or entices the child to commit any such act;
- (3) Commits an act defined as sexual battery under s. 794.011(1)(h) upon any child under the age of 16 years; or
- (4) Knowingly commits any lewd or lascivious act in the presence of any child under the age of 16 years, without committing the crime of sexual battery, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Neither the victim's lack of chastity

nor the victim's consent is a defense to the crime proscribed by this section. A mother's breastfeeding of her baby does not under any circumstance violate this section. (FDLE, 2006)

PEDOPHILE DEFINED

Pedophile is a term that comes up often in the interviews. It is not completely clear if the interviewees understand the exact term, but they seem to all have an idea that having sex with an older teen is not pedophilia. The DSM-IV criteria for pedophilia are as follows:

DSM-IV Criteria for Pedophilia

Over a period of at least six months, recurrent, intense, sexually arousing fantasies, sexual urges or behaviors involving sexual activity with a prepubescent child or children (generally age 13 or younger).

Has the person had repeated fantasies or urges about engaging in sexual activity with a child generally 13 years or younger, or has he actually had sexual encounters with a child? If a psychiatrist sees an individual who has engaged in sexual contact with a child, the diagnosis of pedophilia should be strongly considered. (An individual who committed a single act of molestation while under the influence of drugs, for example, but who had not intentionally targeted a child and was unaware of the victim's age, would not receive the diagnosis. However, this of course in no way diminishes the seriousness of the act of molestation.) A person need not have actual sexual contact with a child to be diagnosed with pedophilia. A person who is preoccupied with sexual urges and fantasies that disturb his functioning (that is, negatively affect his relations with others or impair his ability to work effectively) could also be diagnosed as having pedophilia, even without ever engaging in a sex act with a child. The fantasies, sexual urges or behaviors cause clinically significant distress or impairment in social, occupational or other important areas of functioning.

Is the problem clinically significant? That is, has it caused "significant distress or impairment in social, occupational or other important areas of functioning?" (Note: The same criterion is applied throughout the DSM-IV to other mental illnesses.) Under this criterion, a sexual encounter with a child constitutes "clinical significance." To make a DSM-IV diagnosis, the psychiatrist assesses the individual for either clinically significant distress or clinically significant impairment. Most individuals with psychiatric symptoms experience a subjective sense of distress that may include feelings such as pain, anguish, dysphoria

(unpleasant mood), shame, embarrassment or guilt. However, there are numerous situations in which the individual has symptoms or exhibits behaviors that do not cause any subjective sense of distress, but nonetheless would be judged "clinically significant" and warrant a diagnosis of a mental disorder if they come to the attention of a psychiatrist. In such situations, this judgment is based on whether the presentation causes significant impairment in one or more areas of functioning, including social, relational, occupational and academic functioning. For example, it is well recognized that many individuals who are experiencing serious problems related to substance abuse (e.g., violent behavior, poor work or poor school performance due to alcohol or other drug use) deny that their substance abuse is causing them any distress. Such individuals would be given a diagnosis of substance dependence or substance abuse, in spite of their denial, if the psychiatrist determines that these substance-induced problems are causing significant impairment. Similarly, many individuals who act on their pedophilic urges claim that their behavior is non-problematic and may even claim it is "beneficial" to the child. Nonetheless, the DSM-IV would consider such individuals to have pedophilia because, by definition, acting on pedophilic urges is considered to be an impairment in functioning.

The person is at least age 16 years and at least five years older than the child or children in Criterion A. Note: Do not include an individual in late adolescence involved in an ongoing sexual relationship with a 12- or 13- year-old.

Is the person at least 16 years old and at least five years older than the child who is the object of his fantasies or activities? Psychiatrists must use judgment when evaluating a person in late adolescence who is engaged in a single ongoing sexual relationship with a 12- or 13-year-old. Although such a person might not be considered as having pedophilia, such relationships often lead to other psychological, medical (e.g., sexually transmitted disease, pregnancy), social and family problems and should be strongly discouraged. (DSM-IV, 1994)

PROMINENT CHILD MURDER CASES IN FLORIDA 2004-2005

Between February 2004 and April 2005 there were three child murders on the west coast of Florida. These tragic murders in such close proximity garnered enormous media attention world wide. Two of the accused murderers had previous convictions for sex offenses.

Carlie Jane Brucia was an 11 year old girl from Florida who was raped and murdered by Joseph P. Smith. She was kidnapped from behind a car wash near her home in Sarasota on February 1, 2004, while returning from a sleepover at a friend's house. On February 6, police announced that Smith, a 37-year-old car mechanic with a long list of arrests for drug charges and one for kidnapping and false imprisonment, was arrested as the primary suspect. On November 17, 2005 the trial jury announced their verdict; Smith was guilty as charged. On December 1, 2005, the jury returned a recommendation for the death penalty. On March 15, 2006, he was sentenced to two terms of life imprisonment on the charges of sexual battery and kidnapping, and was sentenced to death by lethal injection for murder.

Jessica Marie Lunsford was abducted from her home in Homosassa, Florida on February 23, 2005. On March 19, 2005 police found Jessica's body buried in a hole, covered with leaves, at a residence across the street from her house. After approximately three weeks of intense searching for the young girl in and around the area of her home, a person of interest, John Evander Couey, was first arrested in Savannah, Georgia for an outstanding warrant; but was released after questioning because it was only a local warrant. Couey had a previous sexual offense conviction for lewd and lascivious assault on a child under the age of sixteen in Florida in 1991. Later Couey was arrested in Augusta, Georgia. On March 18, 2005, Couey confessed to having kidnapped and murdered Jessica Lunsford. In September, 2006 after the first trial for convicted sex offender John Couey ended abruptly during jury selection in Lake County, Circuit Judge Ric Howard deemed it impossible to find an unbiased panel. The Miami trial for the

accused killer of Jessica Lunsford is on schedule for February 2007. Candiotti and Courson, 2005; Ross, 2006)

Sarah Michelle Lunde was found dead and partially submerged in a pond near her home in Ruskin, Florida on April 14, 2005. David Onstott, 36, was ordered held without bond at an arraignment when he was charged with first-degree murder. Previously authorities had arrested Onstott in Apollo Beach, Florida, north of Ruskin, on a charge of aggravated assault with a deadly weapon. He had threatened a man with a screwdriver during an argument. He was also arraigned on a charge of failing to register as a sex offender, and had to remain in the Hillsborough County Jail. Although his bond was set at \$250,000, Onstott also was being held on a drunken driving warrant from Michigan. There is no bond for the Michigan charge, so he was held without bond. Onstott had a 1995 sexual battery conviction for assaulting a female acquaintance in her home, for which he served six years in prison and two years probation. The registered sex offender allegedly confessed to killing the girl, saying he got into an argument with her and he choked her to death in her home. (Graham, 2005).

CHARLIE CRIST: FLORIDA GOVERNOR 2007

Charlie Crist was elected governor of Florida in November 2006. Part of his campaign platform was to get tough on crime. His political ads featured John Walsh of America's Most Wanted and Crist referenced to himself as *Chain Gang Charlie*, and to sex offenders as *the worst of the worst*. The first political ad he aired in the governor's race focused on sexual predators. In his previous position as the Florida Attorney General (2000-2006) he was significantly involved in the development of additional sex offender

regulations and increased penalties. In the Issues section of his website charliecrist.com, he makes this statement.

You have told me that we need to fight back harder against those criminals who threaten our safety and the safety of our children. And I couldn't agree more. I'll be calling on the Legislature to enact stronger penalties and more effective policies aimed at those criminals who would prey upon Florida's children. With these measures, we will make Florida a better place where fear will only exist in the hearts of those who seek to harm us. (Crist, 2006)

SOFTWARE USED BY FLORIDA DEPARTMENT OF CORRECTIONS

There are two types of software mentioned in the interviews. Both of the programs are used by the State of Florida, for probation officers to monitor and maintain probationers under sex offender guidelines. The software referred to as *Keep-Out-Area* is a mapping software program that utilizes the most current information available to prevent a convicted sex offender from moving within proximity of the restricted entities; school, park, daycare, bus stop, or where children regularly congregate. The rapid growth and development in the state of Florida has the potential to negate the validity of the information almost immediately; often leaving probation officers with inaccurate information. When the software fails it can create a difficult situation for the probation officer and the sex offender resulting in professional embarrassment to the officer and more financial stress when the offender has to relocate.

The second type of software used by probation is one that can detect what has been on a sex offender's personal computer. It can determine if there has been any prohibited activity on that particular computer. It is able to extract information even if the data had been erased and overwritten by the user. Officers are able to explore all types of activities including; internet chat, instant messaging, VOIP phone logs, internet viewing

history, and GIF files that house images. This would expose the computer user's history and potentially extract materials prohibited to a probationer. It is unable to identify what materials are linked to each user; therefore probationers have to be very careful about their personal computer accessibility.

FDLE FLYER – DOC - PO

A flyer is how the State of Florida labels their photograph and information page on the FDLE sex offender website. The flyer has on it all the personal identifying information of the offender including distinguishing marks, scars, and tattoos with a recent mug shot. On this page the individual charges are listed along with the offender's current residential address. It denotes the designation of offender or predator, and whether the offender is incarcerated, on probation, parole, or has been released from corrections supervision. From this page information on vehicle and vessel registration is accessible.

DOC refers to the Department of Corrections. In Florida the Department of Corrections supervises the prison system and felony probation services.

PO refers to a probation officer. All felony probation officers are employed by the state through the Department of Corrections.

CHAPTER 5
INTERVIEWS

Each offender was asked the following question and allowed to respond without interruption.

Since you have been released from prison and have come back into the community has any media programming whether it is the news, entertainment programming, prime time television, newspapers, magazines, radio, or internet, had any direct effect for you, your family, probation, or therapy?

#1 SEX OFFENDER – L&L ON CHILD UNDER 16 (VICTIM WAS GIRLFRIEND)

It was put in the newspaper that a sex offender was being released. I have yet to talk to anyone, and they do not talk to — they avoid me. I am twenty-four years old and I sometimes feel my life is over because of this label is on me. I have a sex offender label. People look in the newspaper and on the internet and see a lewd and lascivious on a child under sixteen, they automatically put me in a class as a pedophile. As the same class as a person sixty years old that is touching a little boy or girl that is five years old. They put me in there same class because they don't know. I feel the government or society should separate that to where there is like a part A or B where this person is like — okay — twenty-four or twenty-five and his victim was fourteen, fifteen, sixteen, seventeen or whatnot; okay — and they were boyfriend girlfriend at the time or something of those sorts instead of just the one L&L on a child under sixteen. Then people would know, people just don't know. It is just automatically — just human nature to think the worst. I stay locked up in the house. By my own choice I stay locked up in my house due to the

fact of sex offender probation. And — if I'm in Wal-Mart and any little kid comes up to me and says "have you seen my mommy?" I have to turn my back on him and not say nothing to him, that would be a violation of my probation and I would go back to prison.

I don't watch the news at all — it's depressing. I see more and more of these people the real pedophiles the real people like the Carlie Brucia thing or like this the new one. This Carlie Brucia died when I was like — when I was first sentenced and it's like the last I remember. They do these real things that make people like myself who done something, who, who has done something like who was accused of doing something and no one knows if it was happening or not, but now I'm in the same category as that guy. For example hypothetically like a seventy year old guy goes out and he kidnaps a six year old girl and he rapes her and kills her and they convict him, now he's a sexual predator and you know he does the rest of his life in prison that's going to be big on the news big on the media and now I'm a sex offender now people are going to look at that and see this guy on TV and they think, well look he's a sex offender he might do the same thing.

#2 PREDATOR – SEXUAL BATTERY ON A CHILD UNDER 12 (JUVENILE PROSECUTED AS ADULT)

That I am aware of a few days before I was released there was on TV and in the newspaper something about me coming home. There was since on it my address where I was working, where I got a job. I was just trying to avoid people since I got out. I was just trying to avoid confrontations and since then I was — there has been black marks spray painted on my house. I have had people say things and they say things like, I've had people call me baby raper [*sic*], you sex offender you don't need to be out on the

street. You don't belong. They are actually judging me not knowing my offense or anything like that what originally happened or anything.

I've actually had people who have met me and didn't know about my charges and act normal around me and when I eventually told them my charges and then they acted totally different around me and they acted like they didn't want to have anything to do with me. It has affected me. When they found the girl behind the church they [probation] automatically come down on sex offenders and had zero tolerance on probation and everything. Where they are not going to take anymore leniency on coming down on them. It has affected me in that you don't want to leave the house or anything like that. I've had my car spray painted two or three times, I've had my house spray painted it had, it was saying child molester, baby raper [*sic*]. If they didn't give my address, I would not have had so many problems.

#3 SEX OFFENDER – SEXUAL BATTERY ON CHILD UNDER 12

I am very, very fearful of my health and life. I mean I'm really scared. I'm an easy going guy; I'm not a violent person — I keep to myself. I have, you know, a group of friends. They all know about my offense and all. And, they even keep an eye on me. They come over just to check on me and make sure nobody has come and done me any harm, to me. It's just the way some people look at you, point their finger at you. You know as to identifying who you are. There's an ongoing — I guess I'm sentenced for life, I mean as far as, you know, you do your time and it's over with, that is not the case. And each time they have a little flair up or they want to use it for political, or whatever it may be, it makes it harder. Besides being in fear of my life they are always changing these new laws, making it more stricter and stricter. Like city council was because of a flair up

they was going to have a twenty-five hundred feet with no sex offender in the city and so forth. My only thought was; how are you protecting the children in the city if you are moving us out in the country where we're not even supervised? Where our neighbors don't even care what we're doing. So to me it just seemed really, really odd. If they can be gained by something political or the political sense of protecting the children, I mean the children — the children should be educated more than nowadays... Like choking that group of individuals, the offenders more and more into — they go beyond the rim of the laws, but they are trying to make laws as they go.

My family, they have never come out and said it, but you can see it in their eyes. They are being victimized by the community as well. They know their kid is a sex offender off living by themselves and their neighbors and all know, and they see me over there and they are constantly watched over there — you know, it's just a big headache. They look at them with suspicion. And that don't even, I've got to say, I'm one of the least violent people you would ever seen, and I get upset and I'm a sex offender. You get a predator that's more violent they're just as well, my own thoughts is, society is breeding their own terrorists group in — you get to the point where you have nothing else to lose, and you can't live out a normal life or semi-normal life, your going to pressure some of these people to go to the other way. That's why you're probably seeing some of these outbursts. They're snapping, that's my own view. Society is going down on them they can't keep a good job; they've got all these restrictions. I believe that should be for predators, yes. They by all means, let them go register two times a year. Let the law come to the house a couple of times a year, and all that. What they are doing, you see on late night TV, on certain channels they will run all the pictures down, and I mean they will

give your address, right down where you live. If you don't get fear from that, I mean — it just — there are people that go out there and just want to blow you away. So, you can't really live in peace.

One time I was going out of Wal-Mart about four or five months ago, somebody I've never even seen, "that's him, we're going to get him." And they walked off pointing — just two guys. First thing I thought was they recognized me on the internet, they know where I live at, so you get to the point that, what's the use. It's like society is throwing a can of gasoline on you and trying to light you up. That's the feeling.

Anything where you are dealing with a sex offender or predator relates. If they go out and kill three girls we all has to pay the price. My view is that day they interviewed me for Jimmy Rice before they released me from prison for at least six hours, to me I was thoroughly gone through hours after hours after hours. And the state let these three people out I believe that's on the state more than anything else because they didn't do their job correctly.

We're all just labeled as one and it's not category wise. Nothing but bad ever comes out on the news. It's not like that someone is getting help or as far as programs go there probably ain't no one in the world knows about it [sex offender therapy] except for sex offenders. Not even in the community are people aware of such a thing as sex offender therapy, it's just all bad news. I am grateful that I have my therapy and have learned how to control my deviant behavior. I am just torn up when I hear about a child being hurt. On the other hand I believe these reporters out there like *Geraldo at Large*, he's a good one at that, they just push people over the edge. If you have a little breathing

room, they just choke it out of you. It's always the bad, get um, hang um up, string um up with a lynch mob. I feel very, very edgy, always on guard.

#4 SEX OFFENDER - L&L ON A CHILD UNDER 12 (PROSECUTED OUTSIDE STATE OF FLORIDA)

Of course I'm on the internet. I've never had any problems of any kind until these new charges came up about what's-her-name that kid, Jessica and some of those others. The killings, now there are lots of folks going around advertising, look on the internet. That's where they got mine on the internet. I've had one incident, just up until now. I went down the road with my dog to take the garbage out and there's a kid down there. He hollered at me, "child molester, sex offender," or something like that. I didn't say nothing back, I just went on up to the house. It's the only thing I've had, I don't mingle too much with my neighbors. I sit back off the road. I have ten acres.

When I see it on TV or in the news paper, I mean it makes me feel bad, if people are doing that. Shoot they do it more than I have and here they didn't get eight years. I feel bad when I read it, poor kids. I always feel sorry for the kid, it affects their life. I haven't ever noticed any difference when this stuff is on the news. It's always bad. My family don't care much they know me.

Here with the inmates — not inmates — I guess ex-inmates, friends I have here talk about things, cause the more you hear on TV news the more push it gets out of them, they are out there working where I don't work, I can't work, so I don't hear all that stuff. They hear it. It more or less affects them. Really, really I don't remember how it affects them, my memory is gone. They just talk about day to day what happens to them. If you see it all on the news it makes it worse on them.

#5 SEX OFFENDER - L&L ON CHILD UNDER 16

I joined a bowling league and somebody told me there was a flyer outside of the building. I never saw it. At times I'm aware like what the therapist has said in our classes about as far as going into a men's room or something. To be perfectly honest with you I don't think about it a whole lot. But, if there were a child in it [public restroom] I would leave. I belong to two bowling leagues; I don't look around to see if there are children there. I'm not worried about it. I don't feel any feeling in the community that people — in other words that people are looking at me that they're mad at me or anything like that. I live like on a cul-de-sac and there are neighbors all around me and I haven't had anyone say anything to me. I don't know if they are aware that if I'm an offender or not. As far as somebody coming up and saying something to me, I haven't had that happen.

I perceive there tends to be some changes with probation when there is a lot on TV, there again I try not to be paranoid or anything, you know, I'm thinking something's going on because things are out there. They do not mistreat me or treat me coldly or anything, but it seemed they may be a little short, just not themselves. People above them may be saying, "We don't want this happening in our county." or, "You people keep an eye on these guys." or whatever. Even at times they may not be friendly with us, but they may become comfortable around us. But when something like that happens they are reminded of who we are and it may change their attitude also.

In therapy the topic comes up a lot. They talk about it a lot. When it comes up in therapy the therapist cuts it short if they start whining or something. And, I agree with him, you did the crime you are going to pay consequences I guess. So at times I can even feel not in class, but at home or something, I can feel a little angry at the way people

perceive us. In other words, every time — well not every time, but nine out of ten times the people that are on there, the officials, not the average person on the street, but nine out of ten times they call us these predators. And you say to yourself, I am not a predator, I am a sexual offender and there is a difference. It irritates me when they do this. Not everything is a sexual predator. I can't think of his name, the guy that his kid was killed, his head cut off. He even does this. He even calls us these predators, and he should be more aware. Like Geraldo Rivera calls us these predators and it just to me — I don't know how other people perceive it, but it angers me. I perceive a predator as what you think a predator is something like a big cat, a tiger, just waiting to pounce on people or something. And I feel sexual offenders they committed a crime and they — I don't believe are always looking to commit a crime. In other words it may have to do with circumstances like drinking or drugs, or whatever that allows them to commit that crime, had something to do with it. My own perception of it, a predator is just waiting to pounce on people any chance they get just to jump on a child. It angers me when they just call us a predator, or a pedophile. They are wired different; they want to — they are tuned toward young children.

The senators or someone stand up there and say these pedophiles. I don't think they should talk unless they are more educated, more educated in the nomenclature, what is going on, what these people are called, that's my own feeling. They shouldn't get on the TV and yap on the TV and not really know what they are talking about. They are deeming all sexual offenders are pedophiles, predators, they just lump them into one category. I guess in the eyes of the public maybe you are, I don't know. I don't feel that I am. Don't get me wrong I don't feel that I am any better than anyone who commits a

sexual crime, but I just don't feel we should be lumped together. We need some education of people out there. Like we talked about here, the recidivism rate is lower than most people think. I think the therapist said around fifteen percent recidivism rate is about what it is. When I was in prison I was in a treatment program and the man said the same thing there, about a fifteen percent rate for sexual offenders. That kind of angers you at times, all the misperceptions out there. The people really need to be educated and the press out there are the only ones that can really do it and hit a wide area. I can talk to one person and say what I feel or what could be changed. The popular view has to come through the TV.

#6 SEX OFFENDER – SEXUAL BATTERY ON A CHILD UNDER 12; L&L ON A CHILD UNDER 16 (ONE PROSECUTION MULTIPLE VICTIMS)

I have recently not sequestered myself, but I am more secluded in my home, maybe a little quicker trip to the mailbox. I want to keep non-confrontational to anyone who might find an eminent need to confront me with the situation. Not hostilely but just talking about the situation. I talk to friends and family openly, but not neighbors. My friends and family have confidence in me, not to the exclusion of awareness of the offenses, and not to the exclusion of being supportive. It hasn't happened yet, but I feel if they saw something that led them to concern they would confront me right away. They might approach me about seeing something on TV about certain situations; and do you think this might be a problem for you? I have made no secret about my situation, they would likely ask if it would create problems with people calling or coming to the house.

On three occasions I have had confrontations. Once when I first moved in there were flyers DOC web pages on everyone's mail box. The second time was after a major

news event, I came home and there were flyers everywhere, hanging from every imaginable place you could think of — trees, bushes, shrubbery, sign posts, any thing you could think of. There were literally dozens and dozens every which way you could see. At first I was surprised because I had been in the area for a while, more than a year. It was unexpected. I was then concerned because my picture was there and there were lots of people driving up and down the road, the flyers were again in many places. I was ashamed that I had placed myself in this situation. What happened nearly fifteen years ago would be just like today with my flyers being there. It was embarrassing, that my neighbors, even though they are aware would be seeing these flyers. Interestingly a lot of the neighbors took down the flyers, as did I.

I had a lady that was reacting after which I found out later. She actually came to my home and there was a knock at the door and I answered. I asked, “Yes ma’am can I help you please?” And uh, she was at the bottom of my little three step entry to my home and I said, “Can I help you?” She turns to her car fifteen to twenty feet away there’s a young child in the car, she says, “Is this the one?” And, the child says, “no.” The second time she says to the child, “Is this the one? Are you sure?” And, the second time the child says, “no” The third time she asks the child responds no and “let’s not go on.” At that time I had knew what was going on of course, and I didn’t know what *the one* was in particular was referring to, but the specifics that she says, which she mentioned, “you sex offenders. I’m aware of you sex offenders I don’t know what you’re looking for in these children. I don’t know why you do these things, you sex offenders do these things. I have a telephone in my hand right now, and if this young lady had said yes that’s the one. I’m forced to call the police at this moment in time.” And I said, “Now that we have

established that I'm not the one," from the girl who turned out to be her granddaughter, "what is it that we are asking?" Her granddaughter had said someone in a small light colored vehicle had stopped somewhere along the road where she was walking and made some kind of comment. Beyond that, I don't know what the comment was. Whether it was overt or not, I don't know. Now I have a small light colored car as do my neighbors on both sides and people all over the place. Anyway the girl was very adamant that I was not the one. I found out later there was an approach to the girl and this was the reaction on the lady's part. I now, I have gone a year without an incident, and I think that is because of the honesty between me and my neighbors.

With probation it can be anything from; are you aware now of this new regulation, aware of this incident? Are you aware of the new regulations that have resulted from this incident? Are you aware that you will have a serious problem with us if you do not abide by this regulation? Of course I am aware of all this. The stance or approach of probation seems to be more aggressive, they are of course bound by regulation. Their approach toward me after a major incident, it is broadcast around to be more aggressive, almost less trusting. I feel that, though it may be an assumption, but I feel less trusted. Many times probation will come to my house to visit, or I'll stop by there and uh things are very nearly approaching cordial, a professional cordial of course, but after an incident, I don't find that.

#7 SEX OFFENDER – SEXUAL BATTERY ON A CHILD UNDER 16 (VICTIM WAS GIRLFRIEND)

The Zephyrhills News posts our pictures every week — all of us. I don't watch no TV. I don't read no paper. I try not to see any of that stuff. I don't talk to people about it

— I pretty much keep to myself. My girlfriend's family, once they seen the Zephyr News and seen me in there, it kind of created a little conflict, but — uh — about six months — they pretty much disowned her, quit talking to her and everything. We are still together. I discussed it with the ones that would talk to me, they came around and we talked about it. They just wanted to know — the papers just put in there about a lewd and lascivious battery on a minor. They don't explain it. Usually they don't even put the age on it, so most folks look at probation, they think it is a six year old or eight year old, they just assume the worst.

I don't really allow people to know who I am and that way I don't really have to deal with all that. I just stay to myself, so I don't have to deal with it. I've had a couple of neighbors approach me after they seeing me on the internet. It was a weird confrontation. I have neighbors, you see, that have three young children or something, I ran into her one day because of, I found her dog and brought it back. Her dog got out. She just come out and asked me about it. I didn't lie to her about it. She said for me to tell her the truth, she'd believe it. So I didn't deny it, and she believed I found the dog. Other people would tell you differently, I have other neighbors that didn't take it so well. They have put up flyers; they tacked them up on the community bulletin board, telephone poles or something, just trying to bring more heat down on me. The only real problem I've had is getting a job and keeping a job. It just affects the entire rest of your life.

#8 NO SEX OFFENDER DESIGNATION - FELONY CHILD ABUSE (VICTIM WAS GIRLFRIEND)

When I first got arrested it was like my whole life changed. It was — like when I got out of jail everybody noticed me once I got back to town. They all knew what came,

like you're the kid in the newspaper, you're the one that got arrested at school. Is it true and blah, blah, blah. It's a heck of a lot to deal with when you're only 18 years old. I was on the front page of three local newspapers and in the Tampa paper. Everybody knew. My mother wanted to do something like totally outside the box and get me in like even more trouble, because she was so mad about what happened and she knew it wasn't true. But there wasn't nothing I could do. There wasn't nothing anybody could do. I got myself into this; I'm just trying to get myself out of this. My family has been there for me the whole time. If this stuff is on the news or something, it doesn't bother my family or my real friends.

At first I kind of had to like change my life — the way I live. I had to change the places I go — change the things that I did. I couldn't go out and play basketball at the churches and stuff where these girls play, and at the parks. Those are my guidelines and I didn't want to run into those people I got in trouble with. So I just basically just stayed at home, when to work, back home and stayed home. And, that's kind of how it is now. Sex offenses — that's a — that's a very bad crime in this nation — I should say, 'cause a lot of that stuff happens all over the place. Sometimes it gets overlooked and sometimes it doesn't, and it just seems to me when I got in trouble — it was like at a breaking point, because the kid — the children would come up missing in Tampa and they just found — just convicted the guy for killing the girl and using her as bait out in the ocean — and the girl came up missing in Sarasota. That all happened around the time I was arrested. They were really cracked down hard on it, they weren't letting anything go, nobody going without having some kind of — something on their record or something. But it is

something that needs to be stopped, like some older man doing something like that to a young child.

When I'm watching TV and I see like this forty or fifty year old guy that has molested this twelve or thirteen year old girl, I'm like — that's gross. How could they do that to somebody? And, in the same aspect I put it back on myself. Okay I was seventeen years old and dating a girl fifteen years old and when turned I turned eighteen we broke up. She then went back and told her parents about all we did and it came back on me. In the same aspect I blame the guy, and in the same aspect I blame the parents that raised the girl, because sometimes girls can do whatever they want, they can say something and they automatically believe them. That's what they may believe about me, but there was a three year age difference. I could have been in college now in Miami. I had been accepted into culinary arts and I would be working on my career. All that's on hold, I'm at ground zero.

**#9 NO SEX OFFENDER DESIGNATION - L&L ON A CHILD UNDER 16/
ADJUDICATION WITHHELD (VICTIM WAS GIRLFRIEND)**

Some of the things they say on the TV and news bothers me. A lot of times they try to blow it out of proportion. They try to make us look like we killed somebody, you know, instead of actually what was happening. They try to make us look like the only person who has done something wrong. That's hard on a person, you know. That destroys our family. It gets to me it does, I ain't going to lie to you — I go home and cry sometimes at night. The girl I had intercourse with was fifteen. She was in between being grown and — at her middle point I would call it. A lot of times those people you see about in TV is like with little kids and babies, and stuff like that. I mean I got two

newborn kids at home. They are two and three, and when I see a kid that small get hurt — my blood — my temperature starts boiling. I've actually sat up in a chair wanting to get into the TV and help them.

Sometimes when they talk about it on the news and on TV it kind of scares me, you know, how much more stuff are they going to put on top of me. How much worse are they going to make it for me? My family they know what happened, they don't look at me no different. They let me around their kids. They let me pick up their kids and hug their neck. They know me, they just wished I had been smarter and not done it, than do it.

#10 SEX OFFENDER – L&L ON A CHILD UNDER 12

When I like — the Charlie Christ thing on TV, when I see anything that has to do with sex offenders, I pretty much feel downgraded, as a person I mean, because of the label. I feel not as important as I was before in life. I feel like I don't have the support I used to have. I just feel like everything is turned against you — you know when you see those ads. Everybody's against you. And that hurts a lot to know that I was a citizen in town before that everybody knew in town — that everybody knew. And now everybody looks at me as a different person. I don't have as many friends come over as I used to. When I call now, some of my friends are now, "Hey I'm busy" when before it was like, "Hey buddy how's it going?" It's just a lot of people don't want to have anything to do with me any more. They felt better when I first denied it. They liked it better. When I told the truth was when they turned their back on me.

As soon as you see the label — as soon as you hear it on TV or in the newspaper that's it. They are talking about me. They are not talking about Joe Blow in North Carolina — they are talking about you. You are that person. It's like mine was a more

serious conviction than a lot of people. It's like I was one of the worst persons out there — I know I'm a better person inside and they can't see that. It shoots your spirits down, your faith down. It affects you. I have two kids and I have to explain to them that I am not a bad person, that I made a mistake and all that. I human just like everybody else you have to look after your own spirits as well as everybody else.

I've watched *Dateline* every single time. I don't think it's right, but they shouldn't be talking to those girls in the first place, but they're just setting them up — I have mixed emotions on that. You know my behavior has totally changed, like when I go anywhere where a kid is, I am scared to go to the store. I can't get my kids from the bus stop, I have to call a neighbor and ask them to go get my kids. As far as taking my kids out to eat, when they come up when I'm working, I have to make them sit away from any other kids. I don't have a chance to talk. My little nephew will want to say hi to me, I can't. You know, that hurts me.

#11 SEX OFFENDER – 2 COUNTS L&L ON CHILD UNDER 16 (ONE PROSECUTION MULTIPLE VICTIMS)

These few past years have been wild here on sex offenders. Probation has been all over the place, everybody's in an uproar. I've been on sex offender probation for the last thirteen years. When I started it was shameful no doubt, but this is crazy. I used to live kind of peaceably, minding my own business, not messing with nobody, very few problems. First they change probation, then rules, then more rules. These poor guys who are just starting out now have got it bad, real bad. Every time you turn on the TV it is all over about sex predators. Those politicians have been non stop about sex predators. It just stirs up the community and then probation and everybody has to mind their p's and q's.

Just one little step out of line and you are going back to prison, likely forever. Nobody I've ever known has killed a little kid. That's all they have on TV, killing kids and internet. I'm not ever sure how real all that stuff is. But it seems to make people real nervous and they want to hunt you down on the computer. It's scary how people know all about where you live. Mind you I've had no problems. I've lived in the same place a long time and I don't bother with nobody. So they can talk up all they want, it don't bother me none what their thinking of me as long as they leave me alone. I learned long years ago to keep my nose clean and my mouth shut and people won't bother you much. I have a good job and my boss likes me. People that know me know I'm no danger for killing their kids. I stay real close to those I know and don't mess with nobody else. My circle is kind of small. I am who I am and I can live with that. I don't mess with kids no more, haven't for a long, long time. I learned my lesson. I just want to be left alone. I'm good.

#12 SEX OFFENDER – L&L ON CHILD UNDER 16 (VICTIM GIRLFRIEND)

My life was over before it started. I was going to take over my dad's business and have a regular life. I was messed up and had sex with this girl, and now I have a life sentence. The problem is I am labeled just like the guys who have molested little children. I did not rape anybody or molest a child and I am not a pedophile. I had sex with a girl when we were really messed up at a party. She got busted by her mom and she pointed the finger at me. I don't resent her so much as I resent being called a pedophile. I'm not some pervert who molests children. I was nineteen and she was fourteen. If it had been any other type of incident I would have done the time and be building my life. There isn't any other type of crime that is in the news every day like sex offenders. I sometimes

wish I had just robbed a bank. TV sucks, every day all that stuff is thrown in your face. I don't even watch it — it's just too depressing.

#13 SEX OFFENDER – L&L EXHIBITION ON CHILD UNDER 16 (NO PHYSICAL CONTACT WITH VICTIMS)

I think I have been in the local newspaper every week for the past five years. I have had only one violation and that wasn't really my fault. I think they just are too lazy to get out and find a story so they put us in the newspaper just to fill it up. My mom cries every time she sees my picture, she is so ashamed. I feel really bad when she sees the newspaper. It has affected her real bad. She does not have so many friends anymore and her health is not very good. I think I broke her heart and she suffers. It is like I did the offense and she pays the real price. She cannot bring many people to her house because I live with her. None of her friends can come with their grandchildren, and she has to make sure they know. Of course she has to tell why they cannot bring their grandchildren and it breaks her heart again. She is stuck with me because it is so hard to find someplace to live that meets the restrictions, and I've not been good at keeping jobs. I don't have enough money to leave.

What is really hard for me is that she wants to talk about sex offenders all the time. She says that this person or that person is not like me. I've never touched a kid. I've never sexually assaulted — like raped anyone. I have only exposed and I really didn't mean to. So, she keeps saying that I am not like the sex offenders, and she will point them out when they are on the TV. She talks about each offense and how I am different. I really feel sad because she keeps wanting me to be so different. It just keeps it all under my nose. I wish people knew how hard it can make it for us when it is under your nose all

the time. Sometimes I don't want to leave work or I may stay in my room to avoid this conversation. Then I feel bad because she is lonely.

Probation can be hard. Mom has made friends with the officer. I think she looks forward to the visit. When I come home sometimes she is talking with him. It is hard for her to hear him talk to me like I'm some kind of a bad dog. I know they have a hard time because of all the media stuff. I think they get kicked a little at work. Every time something comes up in the news they seem to crack down. That makes the visit less pleasant and I think she feels like when they fuss at me they fuss at her too.

Therapy was just plain depressing. I had to sit and listen forever about how to keep from relapsing, what is your cycle. I don't have a problem with molesting children, so I was in the wrong place. I have a problem with getting depressed and smoking weed. When I get depressed and smoke weed that is when I have an incident. All this stuff on the news doesn't have anything to do with me, but it upsets my mom. At least she didn't have to go listen to the therapy group — that's real depressing.

The media affects my sister a lot. She will not come to visit because of my incident. She says Mom needs to kick me out. If I answer the phone she yells at me and tells me I'm lazy and no good, and that I'm killing my mom. She calls every time there is a program about new treatments for sex offenders. I think she would talk to my mom more if I was cured, so she is looking for a cure. She sends articles about medication and about anything that could make me better. All of this just makes me feel depressed.

#14 SEX OFFENDER – SEXUAL BATTERY COERCED ON CHILD; L&L ON CHILD UNDER 16; SEXUAL BATTERY ON CHILD UNDER 12 (PROSECUTED PRIOR TO 1993 PREDATOR DESIGNATION)

I've been out of prison 11 years and it has been pretty quiet. I've never had any problem. Only one time I had a piece of paper stuck to my car that said something about watch your kids and me being a sex offender. The kids are my kids. All my friends know what I did, I've had no problems. I don't ever change anything. I'm just who I am. I don't worry what other people think of me, I don't really care. If you don't like me, fine, that's your choice.

#15 SEX OFFENDER - L&L ON CHILD UNDER 16

I've heard some of the guys in the group talk about how they have seen their pictures in the news papers. I know I am on the internet. I myself have not seen anything in the media — in reference to myself. My lifestyle and my probation — as to what they have on there — what these people do disgust me. I mean it's appalling what these guys have done, like the Jessica Lunsford thing — Carlie Brucia — that's — those people definitely went way beyond what humanity should allow. That's — I agree with how the law handles them. What I don't agree with is that all of us are lumped into one big melting pot. Whether it's on the media or whether it's in the legal system in Florida we're just lumped into one big — one group, and to me a lot of the other gentlemen I have spoke to and even people that know me for years and years don't agree with how the things are handled. There's definitely an issue there because — there should be different levels according to what the crime was, which I don't see happening it's just everybody is — you did this, this is what you got, plain and simple. You're — I'm labeled as a sex

offender, but other than I am not put on the cable on the public access station, I'm not on there, that's the only difference between an offender and a predator. There is a major difference and they're not allowing that difference to be seen. Part of that — a lot of that is blame of the media and the bureaucrats, which the bureaucrats run the media. So I mean I don't see that. At least in my eyes they do — because they say what can be put on and what can't be put on, who can say this and who can say that. And — it's a far cry from a civilized type system. It really is — it's — like I said we are just really lumped into one group. I think it's just not fair. What we've done maybe wasn't fair to our victims — okay — depending on what the charge was — and the age of the person — and that's where I was leading to — so in my eyes and a lot of other people's eyes that I've spoken to about my charge — because I don't hide what happened.

The police approached me on it and asked me to come in for questioning, and I came in and I confessed. I had no qualms about doing it, and my — the girl that I had my incident with was a month and a half away from being sixteen years old, had been having sexual relations with other people that came along and — she was — there was a difference between her and me and this was when this all came out. It happened once and there was no intercourse — and I — for me to have for me to have something with somebody that was willing versus somebody that takes advantage of their eight year old daughter or their thirteen year old daughter, that's another thing. If they do something with their own children they have issues, they have major problems. And, obviously that is a person that has severe mental issues with their sexuality, and so forth and so on. That would be something else that just causes that's their release. But for somebody who's in my shoes to be in the same boat with somebody else that was molesting their thirteen

year old daughter for a year and a half, and for them to get lesser of a sentence than I did just because their charge happened a few years before mine.

I blame the media and the bureaucrats for that — because they — I have noticed that everything they do is a knee jerk reaction. Whatever the hot topic of the day they're going to run with it, run with it, run with it, especially around the elections. The media feeds right into it. That's basically it. They need to stop being so knee jerk reaction to everything that happens, and milking a story for weeks and months, and just constantly re-throwing it up in everybody's face. I mean — I mean — like I said. It's not like what happened to Lunsford and Brucia — that — that deserves attention, and I agree with that. But, for somebody who has a charge like mine — I mean — it's because of the media that there's the thousand foot rule, and I have a ten o' clock curfew, and that I'm under such stringent things. I mean — the only thing they haven't done to me was put me on an ankle bracelet.

To me I don't feel that somebody with a charge like mine and somebody that was molesting their daughter for a year and a half or two years should be in the same boat. And, what's funny about that is because that person, because his charge fell on before a certain date, doesn't have a curfew, and he's grandfathered in because he was already living in his house prior to the change in the laws, and so on and so forth. I'm sorry but that just — is not justice right there. I'm being labeled that some of these people that their charge is more serious — more serious offenders are doing. It just doesn't — its just not — I can't think of the word I want to use — but — there should be just different levels, when all this should go by the offense, not just by the labeling of the offense. There are different categories of what people have done.

16 – SEX OFFENDER - SEXUAL BATTERY COERCED ON CHILD

As far as the media my daughter and my wife were re-victimized to my offense. And, it starts out with the media. I want to say first of all — I uh — I molested my daughter the criteria was, a time window of about twenty-one — seventeen days and within that seventeen days I molested my daughter ten times. Then I lived with my daughter in the same house for another two years before my daughter disclosed it to my wife. My wife then — my wife immediately called the sheriff and four hours later I was — well first my wife confronted me and when she found I finally admitted and my daughter was telling the truth, my wife called the sheriff and I was arrested in like four hours. And, then came the first media error — I had lived in that area since 1969 and my name was very recognized and in the article that was printed in the paper, they made a mistake where they had me down — the time frame which was (dates deleted for identification purposes) which covered approximately seventeen days, but they added a year to that. They added a year to that of course my wife and my daughter went to the attorney — the prosecutor and set that straight. However one of our best friends when she discussed it — she was the — she was the maid of honor at our marriage twenty-five years ago, she discussed it with some friends and they were — sympathizing with me and she said, “Oh come on, he did it for such a long time...” and we lost that friendship. So this was caused more or less by the media. But, of course I would look at the paper to say they made a mistake and all and print it up. And the next thing was my wife teaching at school got an email from the school system that the county was going to place the sex offenders and predators with pictures in the school lobby. The same school my daughter

went to. My wife went to the principal and uh — there wasn't really very much I could do — but when it happened it turned out it was just predators, so I got out of that situation by a technical. But you got to remember that the uh — everybody in high school is computer knowledge — of kids, and so — my daughter — did have to — got re-victimized. I could not put my finger on it, because my daughter — was first in the (identifying information deleted) program and then she wanted to get out and skip one year, which indicated that she wanted to get out of there. She managed to graduate (identifying date deleted) as the second out of six hundred fifty students. She graduated and she got accepted by (identifying information deleted) College and she got the best scholarship available at (identifying information deleted).

I have noticed that Charlie Crist political advertisement had used the word despicable got cut out of the advertisement, I saw. When he used that word I was offended, because he was so — I'm not saying that, that my offense was not despicable — I felt and I still sometimes feel like the uh — scum of the earth, but — I know that when — the media addresses — and it only has a predator and a sex offender — that a lot of people are considered sex offenders — which, which they mark you — and that bothered me. And, I was bothered that they had it on television, that Charlie Crist now had come up with a new thing, and if you want to hear, just go on the website, and they have beaten us, I would call it political grandstanding, I call it being a harassment, because nobody speaks for us. I couldn't do it because it would implicate my daughter and my wife. So, we are already at the point where somebody has to right to an address on the FDLE website and within a certain radius, one mile or two mile, and you can find out who lives there, and Charlie wanted to — top that and he says now you can, if

somebody is coming into your neighborhood, all you have to do is list your email address with our website and we will notify you if somebody moves into your neighborhood. I have read the articles — I have read the articles that were written in such a way that it would make the reader believe that there is absolutely no rehabilitation for a sexual offender. And so I have learned from what I have heard here that they are talking mostly predators and a particular group of predators or the particular people they have categorized as pedophiles, and not believe that none of us are — cannot be rehabilitated. I have read articles, lots of articles from — Doctor — he is well known — I can't remember — old age I guess — he's in Tampa — the professor said, he took our side — it is more like a twenty percent that do that. Those are the items I have read. I look through the papers daily and see what is pro and what is con, I also — I'm not quite sure — I have a feeling that the new cases what with the new law — that the judges have the tendency to get them off the sexual offender, get them on the sexual violence or abuse predator. I have a feeling from reading that's what is happening.

#17 PREDATOR – SEXUAL BATTERY ON CHILD UNDER 16; SEXUAL BATTERY COERCED ON CHILD; L&L ON CHILD UNDER 12 (ONE PROSECUTION MULTIPLE VICTIMS)

Here's your problem — fear. All of us have to live under a cloud of fear. You always have to be watching your back. There is a witch hunt going on and the witches are sex offenders. They want us all caught up — rounded up like cattle and herded back to prison. And, when you think about going back in — most likely for your whole life — the cold sweat of fear breaks out all over you. Sometimes I wake up at night in a cold sweat when I have been dreaming about people pointing at me a yelling, “that's him —

that's him." It's like when the villagers went after the monster — holding torches and chasing him right — put out of town. None of us are ever safe. All it takes is one kid pointing a finger, or one adult. Say some person just doesn't like you. They make a complaint, call the cops — even say they saw you out looking at children — you're a goner. We all live like scared rabbits.

You know they were all over us at Halloween. You better not have a pumpkin. They checked us all to make sure we were not enticing kids with some decoration — made some guys take them down. I was so worried — I made sure there was no candy in my house. It's not like you have to do something to get in trouble. They are looking all the time to see if they can trip you up. You got any magazines — something on your computer. Where have you been — who's at your work — do you talk to kids? They watch your every move. I even drive out of my way so I don't have to even drive in front of a school.

Forget having a life. How are you going to have a date? Even if you could ever meet someone; where would you go? A movie theater is dark; would you chance going to the bathroom? Can't go to the beach — a park — a mall — a ball game. Even if you could get to something like that by not going out of the county, it would be very dangerous. Do you think one of us guys can find a decent woman that would be willing to stay home all the time? Do you suppose she would enjoy watching her back and mine? Forget having a life.

You could be good as gold and nobody will believe it. They say over and over that sex offenders are not curable. They talk about sex offenders re-offending. They show how to catch sex offenders and how all your kids are talking to sex offenders on the

internet. I don't even have a computer — I'll never have one either 'cause they are crawling all over with cops trying to catch anyone they can. The cops have more scams going than the scam artists, and some of these guys aren't so bright that when DOC comes checking they have things on their computers. Well, if I don't have one, they won't have anything on me.

I think most of the DOC people are as scared as we are. Every time a little something comes up, they are all over us. The past couple of years have been rough. For some time those little girls getting killed had everybody's hair standing up. I think the judges and the PO's were real scared because those guys had all been in trouble and they were — out — they had lots of charges. Somebody had to answer for them being out loose. That's why we are scared — some body has to answer.

#18 – SEX OFFENDER SEXUAL BATTERY ON CHILD UNDER 16; L&L ON CHILD UNDER 16

I have never seen one single good word about people going to therapy and getting a hold of their issues. There must be a report about a sex offender every minute on television, but never a word about therapy. I see them talk about catching predators. That was really on all the political ads. All the famous people talk about catching predators. There must be thousands of websites about finding predators and catching predators. I just have never seen one single word about people making changes for the positive.

I wish I would wake up one day and see a story about a predator making a turn around. I understand what they mean when they talk about predators not being curable, but with therapy we can manage our behavior. I would love to wake up one day and see an encouraging story about a predator turning around his life. I know people that have

turned around their life. Does that — is that just not what people want to hear? I don't know. I'm just thinking that somehow people want to hear only the bad.

I live a quiet life — I work — I live — I — well, anyway, no one notices that I have worked and worked hard to turn my life around. I have listened and learned what is taught in group. It is important; really some of us have never had a good healthy life. What we learn in group, people don't ever see. I would like to wake up one day and see people on television talking about how good groups are — I would want people to know. I think they could maybe respect what we try to do.

They never talk about how hard we have to try. I wake up every morning and I have to choose not to re-offend. I have to struggle with deviant thoughts; like what we talk about in group. I have to choose not to think about triggers. I have to watch every day for red flags. Every day I have to choose. I don't know too many people that have to choose every day. I know there are alcoholics and drug users, but people do talk about their recovery. Yeah — maybe that's it — we don't get talked about with our recovery. I guess they get to recover, not just get caught again.

You know, this group is so good, I wish I could share it with people. It would be a great thing to show people what we talk about and how some struggle with their deviant thoughts. If people knew how many times a child was not touched because of how we learn to check our red flags. That would be good. Then maybe people would not down on us so bad. They would know we are just people with a different problem. Some people drink, some use drugs — just like them — we can stop too. I wonder some times why we are never recovering child molesters. Not even our group talks about recovering — maybe I'll bring that up. I would feel hopeful if I were recovering.

It's hard to feel hopeful sometimes. I know every day when I wake up I feel watched. I wonder who is watching me. I keep in mind where I go and who I speak to. I never want to scare people about their children. I would want to tell people they don't have to watch me so much. I am working on myself so I don't re-offend. I know I don't work on my book as much as I should, but I really try to pay attention in group. I want to get better for me and I want to get better for other people. It sure would be much easier if they knew about the good that goes on in group.

Since I've been around, I don't know one person that has re-offended. Now maybe someone has, but I am not aware of it, and I know all these guys. I have known some that have violated and gone back to prison, but that was for a DUI or something on the internet, but not re-offending. So, some of this group work is working pretty good or there would be many more re-offenses. I just wish people knew about this, I think they would be a lot less scared. Not that — I don't mind a bit — people keeping an eye on me. I find that I stay alert and watch my red flags. I wish the focus was not on catching us — catching us again. Those that need to be caught should be, but the rest of us want a more healthy life. I wish people would know we want a more healthy life.

#19 SEX OFFENDER – 2 COUNTS L&L ON CHILD UNDER 12 (ONE VICTIM)

I want you to know there is one reason I would even consider talking about this. I have put this in my past and I hate what I did. It was wrong — it was disgusting — and I will never ever allow myself to get my head into a place like that again. I have done my time in the program and I hated every word I had to write. I hated group, I hated the people in there — that was disgusting too. I wouldn't talk to anyone about this except that you explained this information was about sex offender therapy and for sex offender

therapists. I don't think anyone else gives a rat's crap about the offenders or the victims. The one reason for talking about this is — no one else talks about the root of all this — money.

I fell victim before I ever became the perp. I was addicted to one of the most hateful devious industries out there — pornography. A long time ago I fell into a deep depression. Not a very manly thing to be depressed. My work sucked, my marriage, sucked, and my life sucked. I could not pull myself up like a real man, so I found the most addictive substitute for real life. I would sit and watch porn all weekend. I couldn't get enough. I was doing a real manly thing. I bought I think hundreds of porn tapes. I didn't like magazines, I wanted live action. I wanted to watch it, hear, it — if they made it with heat and smell, I would have bought that too. I was consumed in pornography. I wallowed in it. I dove in head first and never wanted to come up for air. I became a non-thinking and ultimately non-feeling participant in a multi billion dollar industry. I craved my porn like an addict craves heroin. If I added up all the money I spent buying porn, it would likely make me sicker than I was when I watched that shit. I was so gullible for the disgusting crap they were selling, and someone more perverted than me is making this shit and making millions. You see now why it all starts with money.

If I was not idiot enough watching that — stuff — I began to sit around and jerk off to it. I mean if the video is not gross enough, I'm now like some pathetic little school boy; only I'm not hiding in my room — I'm in the den! You can imagine that my wife was not thrilled. I had gone from a somewhat decent husband to some drooling idiot jacking off in the den. I think she began to hate me. Why not? Every moment I had was consumed by my addiction — my choice. It went down hill fast from there. I'll leave out

the disgusting details, which you already know and leave off the self-castigating crap, which you also know. And, I enter into the worst nightmare of my life — which gets back to the money.

It's not about not caring for the kids. What I did was awful. I think they should have just shot me. But now come the lawyers — the judges — all the people that don't give a crap about the kid. I will tell you right now — I did not serve time in prison — I bought a very good attorney. We went to trial — I was found guilty, and I got twenty years probation. Thousands of dollars on my part, thousands of dollars from the court; and yet they did not put me away for twenty years. Notice that I hired an attorney — no prison. Notice that I have a good job — pay taxes. I smell money.

If you don't think the system doesn't play favorites, look at me. It is better for everybody if I stay out of prison and pay my taxes. Now what does that have to do with keeping a monster like me away from children? You can bet if my sorry butt had been poor and black I would be sitting in prison. Have you ever seen too many black guys in group? Mexicans? It might even be cheaper if they keep them in jail than support their entire growing family on welfare. Birth control — humm?

Probation — now that's a joke. You go in pay your money — they come to check on you. Oh, you have to go register too. Now all the little children are safe. No, an industry is supported. I could go back to exactly what I was doing and molest any kid I wanted. If this is our protection.... We support enough DOC bureaucrats that do nothing to start a small country. They make rules, change rules, change the changed rules; and make themselves look like they are doing something for a paycheck. Every now and then

the PO's yank your chain so they earn their paycheck too. I think they might get a bonus for every sex offender they violate. I smell money.

The politicians have it so easy. If they are against child molesters and for lower taxes; is that not an easy vote to get? If you noticed during this past election the politicians were falling all over themselves to be against child molesters. It didn't matter much what they were running for; they were one hundred percent against child molesters. "I'm running for county commission, and I want to lock up all the child sex predators!" The money that was invested into the commercials alone would float us all for a while. I can't imagine how much they spent. So now there is a large population of politicians that are cranking money into ads and living off us tax payers — so they can hate sex offenders. Easy — easy — easy. If they had to take a real position on a difficult issue... Well you see how much meaningful work they produce. Oh, and by the way — all that hating sex offenders; we still have the same amount of sex offenses as before it became a political hot topic. I — smell — money.

The crap they put on TV and the idiots that rant makes me want to smash the TV into oblivion. Every time Geraldo smirks, or Chris Hanson steps out to catch the predator — I want to puke. Those over paid sanctimonious jerks are just in it for the money. They have found a ratings bonanza and they are going to run it right into the ground. This is reality TV with a twist. They set these poor idiots up and reel them in like some mindless fish. Now you get a real cut across the cultures. I bet the smug jerks that watch this stuff get a real thrill when the internet predator is a Arab. Bad guys — really bad guys that want our poor little innocent young girls and boys that have their nasty little selves on MySpace. What a con job. By the way have you ever seen any of those poor smucks

convicted of anything? They will show you and arraignment and throw up some charges. Do you think anything really comes of it? Not on your civil liberties life. I smell money.

Did I cover everyone? I think I did. Well I did let off (name of therapist) since that was the only place that made any difference at all. I can tell you, that was the only money I spent that produced any long term helpful anything. I still hate it. I hated every moment, and I just want to put it behind me forever, but I did want to say — I will always believe it is all about money.

20 SEX OFFENDER – L&L ON CHILD UNDER 16

I don't pay no attention to the TV or the politicians or nothing. They're all against us. I ain't listening to no hatefulness — it gets me down — real down. My life's been hard enough. Nobody believes me, I ain't no dangerous sort. I never did nothing. Them high and mighties drug me into court and, and — and, I never did nothing to no little kid. I spent my time in prison — ain't like I hadn't been there before. They accused me and I had no chance 'cause I had a record already. I never did no sex stuff. I had a record 'cause of my drinking. I had a couple of DUI's. Them high and mighties think they can do just what they want 'cause their better than us — the little man. If you're poor and ain't got much schoolin', they'll take advantage. It just — I just got took advantage of. I ain't gonna listen to no — none of that you call media stuff. That's just more of them high and mighties taking advantage of us — little people. Like they ain't out there doing the same thing. They is — the only reason they ain't right next to me is, they ain't living regular like us little people. Yes sir, my life ain't no picnic. I can't go no where. My old lady, she fusses, "why can't we go here — why can't we go there?" She was mad as hell

'bout Halloween. Can't no little kids come up to our house and she's got some grandkids. All this stuff about how I done something to that little girl, and I ain't messing with no kid, and then how I'm so dangerous — like I'm going to jump out from behind — from out of somewhere to rape and murder some little kid. That's what they say on TV. Like everyone of us little man's gonna jump out of somewhere and rape and murder some little kid. Well — that sorts, they ought to be locked up, but I ain't one of those. I just want to be living my life and I don't want no more trouble. I'm just getting old and I don't want no more trouble. I'm mighty tired of living like a scared rat. I don't think half of them people they're talking about are anything — but someone like me that ain't never done nothing excepting they're unlucky enough to get caught up in something and — off you go. Now I'm in prison for life 'cause that girl said I did something, and I didn't. I have to go register — all the hell way over in New Port Richie for that internet thing. All my fucking life I have that sex offender thing wrapped 'round my neck. Shit.

#21 SEX OFFENDER – PROCURING A PERSON UNDER AGE 18 FOR PROSTITUTION

Probably — if anything I would feel a little defense and worried, you know — think I'm personally more alert than anything like just okay this is like what's going on — trying to figure out how to cope with the new things, especially after Jessica Lunsford. I mean after that it's like okay — everybody's going to be hard core basically — especially after that everybody's going to get even worse; a hard core crackdown. I think for people that got — with probation they're like with probation this is like a chance for me — a second chance for life. You know something screwed us up, or get lucky — or get extremely lucky where there's no proof or anything, they can't do anything in court

about it and they get off probation and turn around and do the same thing. In my opinion no matter what, even if you're accused, you should have to do something like counseling or whatever — just for something to better yourself — you know. There's nothing harmful in it's like saying you are what name you are — it's a chance to improve yourself just because. In my opinion it's pretty inexpensive. I'm encouraged — motivated.

22 SEX OFFENDER – POSSESSION OF CHILD PORNOGRAPHY; SOLICITING MINOR CHILD VIA INTERNET (NO PHYSICAL CONTACT WITH INTERNET VICTIM)

I had to move out of my home and away from my family because I was too close to a day care. I am currently in the middle of getting a divorce. I haven't lived with them in a year and a half. I would say I am more open minded to the effects of — you know what the limitations — have the way — the media portrays everyone as a blanket — across the board a pedophile, a predator — whatever. That you know, not to minimize anything — I do feel the media does cause a lot of problems, or misconceptions of — of offenders and trying to let them live where they can — live their lives — and get on with their lives, you know. Well, getting a job is almost impossible, but personally — embarrassed — and fear the people around you will not get to know you, and judge you; because of the label and those kinds of things. And, just the fact that everyone thinks — you know, you're some kind of a child murderer, or something like that, you know. I'll tell you, that's the way I view it. My friends and family treat me different, but not so much in a bad way. They — I guess being they know me as a person; they see the stories on the *Datelines* and those shows, they feel for me as — using as sort of an entertainment

to sell, you know to sell, to get people to watch it — to get the — making money off it. That's the way my family looks at it, instead of it being a serious subject. Instead it kind of turns into like a bit of a circus. They seem more sympathetic now also they know someone close to them, being affected by the law. The group here feels a lot of resentment to the right wing media — you know. I can feel they feel — angry, you know — with the Bill O'Reilly's and those kind of reporting. There are other shows. There is a real anger problem — and uh resentment that they put everyone in their kind of light — and just one side reporting, so no both sides of the story. I would appreciate it if they would interview therapists, people that do work with sex offenders, to get more facts straight and quit wording everyone as a pedophile, and just those things. I think the media does it to sell papers and that's what gets it done. It gives kind of a false sense of — uh — then they stir them up. But, I think if they'd just give both sides, talk to therapists, just report it both ways, you know — to be fair to the story.

It does amaze me that uh — I never met my victim, I never tried to meet my victim it was all via email or telephone. I never — I can't really relate to them trying to set up meetings at a stranger's house, like *Dateline*. To me — frankly I think they are gone there — they are crossing the line. To go to a girl's house — it's shocking — I'll admit it shocked me, you know to see that exactly live on — the reality of them doing it. Well I can relate to a certain extent, but then, with not going all the way with it, I — it — was bad enough. I can't relate to them going all the way through with the act of coming, and meeting, and all. It bothers me that I think it's an entrapment or something — um — I've felt that way about everything — I've felt that way about drug operations and, I feel

like maybe if the opportunity wasn't there — maybe they wouldn't act on it, you have the opportunity to go do what — to go follow through with it. So — um — I think it's — I've never agreed that the police should sell drugs to catch you, or things like that, or entrap. You know to pull an entrapment like that. My mom hates those shows — she really hates it. My wife, you know — it actually — they don't like it at all. They all feel like it doesn't serve any real purpose as far as making two-hour shows out of it.

I've kind of stayed away from that Foley — senator thing. Because I'm trying to — uh — move on a little bit. And, seeing someone of prominence get preferential treatment and maybe — uh, not get treated the same as I was — I don't read a whole lot about it, I seen it, but to sit down and read the stories and see the shows — I'm starting to get away from that a little bit. When this first all happened, I really was — I, everything that came up, every article — everything, I — I read. I paid attention to it, but I'm kind of falling off now.

I had *Channel 28 News* — the reporter, Don Germaise was at my door the day I was released from jail — with a camera at my door — knocking at my door, yelling my name. My daughter was next door with my neighbor with her friends. They were out there with the *ABC News* vans going around the neighborhood, knocking on doors asking if they knew me, what I was charged with. They were shocked obviously. My daughter did see all that was going on, I told my neighbor to keep her over there to protect her from — yeah they left and came back, they did this all day long. It pretty much was the lead story on that channel for the six o' clock news. Yeah — yeah — it was very hard. It has affected her life immensely — with her friends — just being embarrassed in the

neighborhood — getting on at the bus stop and everybody asking her “why is your dad on the news?” and, “Did you know your dad did this?” It definitely — I think she should actually see a therapist and talk about it. It has affected her that much over the last three years. It’s been three years now since the arrest. It’s affected my relationship with my wife and my daughter. My wife — we stayed together for a little while and tried to work it out — but, we’re divorcing.

23 SEX OFFENDER 110 COUNTS POSSESSION OF CHILD PORNOGRAPHY;
L&L ON CHILD UNDER 16 (L&L DUE TO EXPOSING CHILD IN HOME TO
PORNOGRAPHY)

Some busy body got on the computer and told everybody in the neighborhood about my moving back in with my parents. It upset my parents. These people did not confront me; they went a roundabout way and sent anonymous letters. They took my picture off the internet and sent that, no message or anything. I tend to keep to myself now, I don’t get out, I stay in my shell. I hibernate; I rarely come out any more.

I will say of the media, I do see now there are two different sides, there are two different sides of the coin on sex offenders. Yeah, now I see one side that says I see the harmfulness of it, but yet the other side I see a positive. I, yet I see from the other media a positive outlook on the other side, it’s like they have realized there are different levels, different degrees, different offenses, that they — that some view — there should be categories. Where the majority of the media is — a sex offender is a sex offender, and regardless they’re all child molesters. But, there are a few outlets that I know do, that separate them into — we’re doing our time, we’re not harming anybody, so they do look at it as — both sides.

With probation — wow — I have noticed a lot more restrictions. Restrictions being the place where they are not being as lenient and forgiving as they once were. I noticed that probation is more — well I'll tell you my own personal experience is with the last officer I had — he, he, viewed me as being an evil monster. And those were his exact words. So, I don't know if it was his personal voice or the media's voice, but yea, I believe there is some influence on the voice.

My folks are very concerned about my future. Just the public in general because of the media, they're clumping everybody in together — yes my family does have some concerns about my future. If the media would just realize and accept that there is ten percent that are dangerous, but there is a majority of us that — we make that mistake in life, and if they could see that we are honestly trying to be faithful and get the help that we need — that we try to move on so that we don't hurt anyone else — so we don't cause anyone else grief. If the media could just see the other percentage of us that are faithfully trying — if they could just give us that benefit. They could give us that benefit by not lumping everybody all into one big bunch. Don't focus so much on the ones that don't succeed. That's the ones they have seen are the ones that haven't succeeded — those are the ones that have hurt the chances of the ones who are faithfully honestly trying to get better that has put stumbling blocks and walls in front of all of us to try and hold us up. Yea, I think the media has hurt us.

24 PREDATOR - 8 COUNTS L&L ON CHILD UNDER 12 (ONE VICTIM)

Due to my predator — being out as a predator, you know in the neighborhood, even though I'm way out, the probation had to let everybody know. I live out on a piece

of property set way back, not close to anyone. They let me know right up front, probation did, that they had talked with pretty much all the neighbors. As far as when it originally occurred, it was in the news paper, but I don't know if there has been any more.

I'm just abiding by the probation rules and I have a travel log, I report in to my probation officer. But as far as the media, I don't think it has really affected anything I do; I just make sure I follow the rules. As far as when I go places, I always have someone with me. When I even go locally, I have someone with me. If I come somewhere like this I have my travel log, so basically I don't go anywhere without having someone with me. That way I don't have to — I have someone to back me.

My friend that I live with — for one thing he doesn't watch the news. Anytime that he goes to bed early, we both pretty much do the same thing. He's on, we're both on social security, and he's the one that owns the property. But if I ever watch the news, and I'm pretty much interested in all this on the news, even if it's derogatory or whatever, I want to know what the news is, what the latest finding is or — I just have to face when I look at the news about sex offenders and — As far as I'm concerned I put myself in this position — that's the way it is. I have to live with it the rest of my life. I did that so whether it's derogatory or not, I live with most of it anyway. It doesn't affect my opinion or anything. The way I look at it — for one thing I'm a parent; I have five children and ten grandchildren. I look at it the way any other person looks at it — as a parent would look at things. Well, you can't say "I'm different," because you're not. Well, I'm a parent just like anyone else — I would feel the same way, just like anyone else. I can understand that.

The other thing is about the feet — how many feet from a daycare or whatever — a lot of that as far as I'm concerned doesn't really prevent a lot of things from someone who's going to do something like that. The fact that they live a thousand feet from someplace isn't like if they want to do it, a thousand feet isn't going to stop them. It's not like a fence, that thousand feet. I know they have to establish something — twenty-five hundred feet I can understand better the way people feel about it.

Here there was a lot of discussion about when in Zephyrhills; a lot was said about sex offenders. I believe they had a discussion about the twenty-five hundred feet. I believe — I was not really following it, but some of the guys live down there. They were following it; it was a local newspaper type of thing. I believe it was a fact that they were wanting to extend to twenty-five hundred feet from the thousand feet. They were talking because the police were kind of concerned because the fact that the sex offenders were there with them — within their jurisdiction — well, they were forced to move out past that, they would not actually be able to keep such a close eye on them as if they were in the city. It was actually a concern to the police. They thought it was actually a detriment to them keeping an eye on sex offenders — where as they felt the sheriff's department didn't have as much patrolling going on as much as the local police did. This was all brought up in group several times.

Actually here in the last few years it has been getting worse because of Lunsford and all those things with Lunsford. And so that those things come up and it seems that there were several of them during a period of time that were in the media. They keep bringing it up. I don't know — I forget which newscast it was I saw, but they were trying to get a change of venue or something like that. I don't know whether he has — it has

gone to trial yet or not. But as long as things like that are in the news media it's just not the attitude of most people is not going to change very much. And again, I don't blame them, because that's how I felt about it. Because I look at that like and ordinary other person would look at it with him and the situation he got himself into — and um, look at it like anyone else would; like a concerned parent would.

**# 25 PREDATOR – SEXUAL PERFORMANCE BY A CHILD UNDER AGE OF 18;
POSSESSES PHOTO OR PICTURE**

There's really not much to say, I hope you're not disappointed. Most everyone knows they — the media treat us real bad. They don't have a clue who we really are — that we have a life we're trying to live. It is really hard to try to do much anything 'cause we have such a bad rep. We aren't wanted around 'cause we are very much despised by people. I know what I did was wrong and I have served a sentence. I still have to serve a sentence. I don't think people realize how bad that hurts. I am nervous a lot. I have to be real careful not to come in contact with kids. They tend not to be careful and they want to crawl all over you, and sometimes that can be a real problem. I feel real bad 'cause I can't be around some of my friends and family. They all have kids, they trust me too much, but they won't if one of the kids says I did something. I always see on TV how they say we will do it over and over. They say we are going to get all the kids — they think that is all we think about. I think about how hard it would be for me to have kids. I can't be around kids, so I could not live with mine. They none of them think we can get better — I'm not so sure about some of that. It just seems like people feel better if they are mean to us.

#26 SEX OFFENDER 10 COUNTS L&L WITH A MINOR (PROSECUTED OUTSIDE STATE OF FLORIDA)

First you have to understand I was prosecuted in (name of state; identifying information deleted) under some very old laws that would not apply here. I have to live under the state of (identifying information deleted) sex offender guidelines that do not quite fit with Florida rules. Because of the (identifying information deleted) rules the probation here had to go from house to house notifying and go throughout the neighborhood to make sure there were no daycares. They thought it had to be a thousand feet away from the bus stop; well that wasn't a requirement of my original sentence. It put my probation officers through a lot of crap that he really didn't need to go through — I'll stick up for him on this and another count — and that's when they are wonderful. The *Keep-Out-Area* software failed him and I ended up buying a \$77,500.00 trailer that I can't live in. I paid cash for it. The people took the money and left. So I got stuck with the trailer. The daycare was two doors down on the other side of the street. Now this isn't a licensed — I mean the woman's licensed — still let's face it — she's a babysitter. After school the kids go with her — stay for an hour or two, their parents pick them up — they're gone. This is not a giant staffed daycare out here on (identifying information deleted) or whatever you call it; where kids are out there all day long. Because of that mail box having her name on it and babysitting, I can't live across the street even though I've never had a victim under sixteen.

My picture has been the focus of a local newspaper's attention. They have run my flyer three times in the last month and a half. I have not changed addresses, I have not changed phone numbers, I have not reregistered. They have seen fit to every other couple weeks run my picture again. I think some of this is the inconsistency between Florida law

and (identifying information deleted) law. Under Florida law I could not have been charged with the crime reported. In order to equate the (identifying information deleted) statute to the Florida statute they are using on the website; the victim under 16. And, the structure of the website needs to be looked at. This is a source of information for the general public and it's a source of information for the police departments. The police department personnel are probably trained in how to read this and interpret it — John Q. Public is not. So, when they see my original date of conviction in 2002, and they see me coming into the state in 2006, and what looks like another conviction; they don't understand. They think I'm a multiple sex offender. In the case of other people — although I haven't looked, this is what I'm told this evening by somebody who participates in the class that meets before us — every time he has had a technical violation, they have put on the website — new charge, and listed his original charge. That has a tendency to be misleading to the point of fraudulent. I had a seventeen year old victim in (identifying information deleted) there is no statute in Florida — Florida should quote the (identifying information deleted) statute. There's no reason for them to try to equate it with a law that doesn't apply in my case. This may be why I'm the focus of the newspaper. Because if they are uninformed — I don't know how many of the reporters are that well informed — and they all seem to be intent on getting their own little sound bite — getting their own little byline, and reporting what their fact checker can pass as fact. So, if they say that happened — and the fact checker goes to the website, and sure enough there it is on the website — probably that fact checker has not been trained in whatever police procedure has allowed them to turn one charge into three.

When the Lunsford case went to trial a few weeks ago — I went to the local grocery store — late in the evening, nine o’ clock...ish — nine o’ clock; I have a ten o’clock curfew. It had to be nine o’ clock — it’s only five minutes from the house. I went over there to grab a couple of things and scoot back to the house — and get back by curfew. And, I heard a little commotion on an aisle, the next aisle over that I was going to. Ho — I don’t know if it was somebody setting something up — or what — but, as I rounded the corner a thirty-ish looking woman with her small child — I won’t even gander at the age, but under five for sure — in the seat on the cart, and as I round the corner — mommy looks at the kid, and I’m looking at her and says — don’t uh no — she says, “stay close, there’s a sex offender in the store.” How? The kid couldn’t move. He’s sitting in the basket on the cart. He’s not going anywhere. That was her way of letting me know that she knew who I was. Okay — glad you know who I am. I can’t imagine the thoughts that went through the child’s mind. How that child was ever in any danger from me; but we’re all lumped together. Someone equated me to having an under sixteen victim. Those parents are right in assuming they have something to fear based on the information they are given.

I also lost my job. Mind you when I was let go I was told I didn’t have the skills they needed. It was a repair type job and everything I was handed to fix — I fixed. It may have taken me a few minutes to figure out the technology, but I got it fixed. But, I didn’t have the skills they needed. And, about the same time; there was this rash of reprints in the newspaper of this — uninformed or inappropriately designed or misleading — many of those words apply here — website. I agree that the law says I should be listed. I committed a crime and for that I have a life sentence. The life sentence is that I have to

register. I don't agree they have the right to print misleading material; or for someone to sit outside of the courtroom and try to equate one state's law to another state's law.

There's too much room for error there. And, it is quite obviously costing me — causing me a problem in trying to reintegrate back into society.

27 PREDATOR - SEXUAL BATTERY ON CHILD UNDER 16; SEXUAL BATTERY COERCED ON CHILD; L&L ON CHILD UNDER 12

The media is actually my best friend. They keep me up to date with what people are thinking about me. They keep me up to date on what the law will do to me. I have a big problem and it is a help for me to have everybody eye balling me. I need to be under the gun. I am helped if I am under scrutiny. I am a pedophile. I have had inappropriate sexual contact with several children over the years. I started early — maybe around thirteen. I, to this day like the idea of a child. I don't mean a teenager. All my victims have been young. The media helps keep me in line. I think it takes all of everybody watching me because I could just make a turn any day and be off and at it again. If I thought I could get away with it — I might try. I have a real problem — it's like an addiction or maybe a trance, I can't seem to control it myself. I am accountable for what I do, and that is not enough. I am under probation and that is not enough. I am in therapy and that is not enough. I need everybody watching me — then I feel safe. If I am feeling edgy, it's because I need more supervision. I'm not real good on my own. It is better if I have a lot of people doubting me — holding me up to the light. It's like I need the video cameras at Wal-Mart watching me. Like that — I need people to be watching everything I do, every step I take. I know if I step off and do it again, they will string me up — lock

me up and throw away the key — that helps me. I stay on the straight and narrow because they will string me up. The media — bring it on — it keeps people like me safe.

CHAPTER 6

CONCLUSIONS

In 1999 Susan Lea, Tim Auburn, and Karen Kibblewhite interviewed professionals working with sex offenders and they established there is not a *typical* sex offender. Therapists and probation officers expressed their frustration in continually having to work around the stereotyping of sex offenders. This created obstacles in therapy when offenders were assumed to have clichéd common characteristics. Participants from their study consistently asserted that sex offenders represent a very diverse group. They found offenders do not constitute a specific type of person or personality. Those interviewed in the Lea, Auburn, and Kibblewhite (1999) study were adamant there was no formula to recognize and distinguish a sex offender from any other person. The interviews conducted for this study confirm and corroborate their findings.

In reviewing the interviews it is apparent there are some common experiences for the convicted offender with a direct effect on their reintegration. The most problematic situations are related to sex offender guidelines linked to residential restrictions. The Florida thousand foot setback restriction, and some municipality's twenty-five hundred foot setback restriction from a school, park, daycare, bus stop, or where children regularly congregate; may cause difficulty for residing in an urban setting. The definitions of where children regularly congregate are subjective and often defined through the probation officer's pronouncement. There is seldom recourse for the offender to dispute the decision. The interviews correlate with a study by Jill Levenson and Leo Cotter (2005) where they found:

Overall, 50% of the respondents reported that proximity restrictions had forced them to move from a residence in which they were

living, and 25% indicated that they were unable to return to their residence after their conviction. Nearly half reported that residence restrictions prevented them from living with supportive family members. A considerable proportion reported that the geographical limitations created a financial hardship for them, and nearly 60% agreed or strongly agreed that they have suffered emotionally because of the restrictions.

When reentering the community after incarceration, few offenders have sufficient financial means to locate freely. They are often relying on family or friends to bridge the financial gap until they are fully employed and financially independent. This may place a significant burden on the offender and the support group if the potential residence is in a restricted location. Sometimes offenders have to relocate even after a residence has been approved because a restricted factor may have been overlooked at the time of probation's investigative process. The reentering offender may be at great risk should the residence approval be rescinded since he or she has only forty-eight hours to establish a permanent residence or be in violation of probation guidelines. Most of the offenders interviewed reported they were living in a rural and isolated setting. They often were unable to return to their previous residence and were frequently distanced from the primary support of family and friends, employment, and sex offender therapy programs.

Frequently offenders suggested a concern with the media and how their residence was exposed to vigilantism and the pressure that may come from their community to relocate even if in an approved residence. The belief expressed by the offenders in the interviews was that the media keeps their names, faces, and addresses in front of the public, increasing the risk of punitive action by a fear based community. They report FDLE flyers being posted, people confronting them at their residence, harassment, and

vandalism. In some cases the offender has to relocate for their personal safety and the safety of their family and friends.

The second most common subject of the interviews was the generalized labeling of sex offenders. Nearly every offender mentioned the lack of distinction among various types of sexual offenses. They complained of being lumped together and the frequency with which the media referred to all convicted sex offenders as predators and pedophiles. This was especially upsetting to the men convicted of a sex crime which was committed in the context of a romantic relationship socially acceptable to their peer group. The interviewees expressed serious concerns with media incorporating all sex offenders into a generalized group and how they portray all offenders as having violent and lethal behaviors. They experience apprehension in being grouped with drug addicts and murderers when they frequently have no previous violent criminal record.

The interviews produced an interesting insight into the confusion between the terms sex offender and predator. There appeared to be minimal clarity on what the terms actually mean. The offenders just like the public seem to equate the term predator with increased recidivism and predatory behavior and have no understanding that it is a legal term defined by Florida statute. Frequently in the interviews the term predator could have been interchanged with the term pedophile. They did seem to indicate that being a predator was a bad thing much worse than being a sex offender and if they were not classified as a predator they were quite distressed that people may think of them as a predator.

The term pedophile also was disconcerting for many of the offenders. Several mentioned their displeasure at being indiscriminately included into the label even when

their victim was post-pubescent. Although their terminology was somewhat less exact the point was clarified repeatedly by a number of the offenders. They did not desire to have sexual contact with a small child. Those persons were typically the ones who had a sexual relationship with a post-pubescent but minor child socially acceptable to their peer group. Although predator was considered an undesirable label, pedophile appears to be considered the more objectionable term and was described by some offenders as a more hopeless and grim condition.

Almost every offender mentioned that any type of sex offender is equated with a rapist murderer. They believe the media does a horrible job of reporting on sexually violent crimes and generalizing those behaviors out to all sex offenders. Perceptions of the offenders are that the media promotes the idea that sexual deviancy eventually results in sexually violent behavior. They resent the public being fed a steady diet distortion by the media of whom and what constitutes typical sex crimes. They all condemned sexually violent behavior and lamented that anyone would connect them to such a heinous act. They do see the reality of a fearful community and most related the experience of being watched by an angry community. It seems to add to the feelings of vulnerability and exacerbates their desire to isolate.

The offenders seem to believe the public takes a broad view of sex offenses and overestimates the threat of the individual offender. They expressed experiencing needless apprehension and additional scrutiny from the community originating from inaccurate stereotyping of convicted sex offenders. The majority of the offenders feel vulnerable to being misunderstood in some everyday behavior which could put them at risk for probation violation. They will drive out of their way to avoid driving in front of a school,

they will forgo religious services, internet access, certain restaurants, movie theaters, and recreational facilities to ensure their safety. There are many legitimate and permissible activities the offenders avoid in order to ensure an appearance of appropriateness. They suggest it is better to be cut off from the community than risk even the appearance of inappropriate conduct.

Repeatedly they expressed concern over reports that sex offenders are incurable and that recidivism rates are extremely high. The offenders suggested they develop a sense of hopelessness when the entire world believes they cannot attain some level of rehabilitation. Some suggested that alcoholics and drug addicts get more of a break than sex offenders because they can be in recovery while sex offenders cannot. The objection to the media is in it utilizing attention grabbing terms and phrases that do not accurately reflect research and statistics. They believe this is done to attract viewers, but exacting a price of hope for an offender.

A consistent concern for those interviewed was that sex offender therapy was rarely mentioned in the media. A number of participants articulated their appreciation for personal growth and progress through group therapy. One person interviewed conveyed his experience of choosing daily not to offend and looking for red flags and triggers. Others said a lack of media emphasis on therapeutic intervention suggests the offenders have no options for behavioral management, and that leaves them hopeless. One offender stated that no one but sex offenders knew about sex offender therapy that he had never come across anyone that had ever heard of such therapy. Those interviewed said they thought they would benefit from the public being informed about sex offender therapy programs and how therapy helps offenders manage their behavior.

While there is not a spotlight on recovery or therapeutic intervention, the spotlight on sex offenders in the media results in them feeling sentenced for life. The largest part of the offenders interviewed had served time in a state penitentiary. They exited from the facility with an understanding that their sentence had been served. Most expected to return to the community with some semblance of a normal life. When they reentered the community they found themselves almost as imprisoned as they were in the penitentiary. They have found a future that allows little freedom of choice on where they live, with whom they interact, where they travel, and how they leisure. The task of following sex offender probation guidelines can be daunting. When pressured, they may commit a technical violation to keep a job, a relationship, or to accommodate family members. Deliveries on the job may need to be made out of county, or a paramour may want to engage in a prohibited activity. Families will sometimes pressure probationers to visit at family gatherings when young children or even the victim may be present. These are some of the pressures that challenge offenders who are often feeling vulnerable and lonely.

The recent changes in state and federal laws require that even after probation ends most offenders will have to register for life. Most media entities obtain sex offender information from the FDLA sex offender website. As long as an offender has to register the media has access to their flyer and may use it as public information. The experience of having the local public access network and local newspapers run the FDLE flyers daily has been discouraging to some of the offenders knowing this could occur until the end of their natural life. They can be resentful when others convicted of crimes do not get the same unending attention; only sex offenders are *punished* beyond time served.

In order to avoid being recognized and possibly confronted many of the offenders report they seldom leave home except for work and necessities. They do not develop social connections and they rarely participate in community activities. Very few have a romantic relationship and they experience a high level of relationship failures. Sometimes the traditional holidays that the community enjoys may be when the offender has to hide away to avoid any appearance of impropriety. School sports, parades, religious services, and community holiday programs are often off limits for convicted offenders. This may prevent offenders from seeing their children, grandchildren, or other family members participate in important life events. The younger men can feel cut off from friends and families since most of the people their age have small children. The most trusted friend can become a liability to a sex offender once they have a child, even if the offender has not had a small child as a victim. If the child ever experienced or suggested an inappropriate sexual experience with any adult, the convicted offender is scrutinized first. Affectionate behaviors can be misinterpreted and it is the offender who may be more at risk than the child. Avoidance of contact is typical and frequently the interviewees reported feeling lonely and cut off from others.

A few of the offenders suggested their family has to pay a penalty for their offense. It was pointed out that families might be re-victimized when the media brings attention to the case. There are often identifiable features in the information disclosed about the criminal case in news reports. In cases of incest, the news report often identifies the victim when they identify the perpetrator. One offender relates the time a local television station came into the neighborhood to get information on his arrest and exposed his young daughter to more than the family was prepared to handle. She was

not the victim of the incident. She was later asked about her father's arrest and criminal activity by older students in her school. The young child was unable to respond because she was too young to understand what her father had done, but she experienced distress at the suggestion that her father was a bad man.

The ways in which the offender's family can be inconvenienced and humiliated are almost limitless. Spouses may be vulnerable to punitive actions because they are affiliated with the offender. Some spouses are expected to divorce the offender and if they choose not to they may lose friends, family relationships, and employment. Sometimes due to media scrutiny the family is just too humiliated to face the public and they will abandon their aspirations. One offender discovered his wife was parking a car displayed on the FDLE website as owned by a sex offender. It was parked in the school parking lot where she worked. This could have created a very difficult situation for her. Great care must be taken by the offender not to contaminate family and friends through affiliation.

Employment can be a challenge for a convicted sex offender. Several of the offenders told of the difficulty of getting a job or the sudden loss of a job following probation notification of the sex offender status. News broadcasts, public access television and local newspapers are often the source that identifies offenders in the workplace. Not all of the employees are necessarily notified about working with someone with a sex offender status. When an offender is revealed through media outlets the FDLE flyers may appear on the community bulletin board, be sent through company email and sometimes anonymous notes are left on desks or cars. The offenders have reported that sometimes they pick up on a change in attitude and a loss of friendliness at work due to

someone revealing their sex offender status. A few offenders have reported loss of career because where they may have to work would be a violation of sex offender guidelines.

The offenders have consistently throughout the interviews expressed feelings of vulnerability. They fear contact with children on any level. They fear false accusations. They fear confrontation. They fear for their personal safety. They fear loss of residence, overwhelming financial burdens, and they fear probation violation. But, most of all they fear going back to prison. This pervades every decision they make. In the interviews they often speak of things in terms of every day, all the time, everyone, and always. These absolute terms indicate the level of attentiveness to their situation and conduct that is required to manage life in the community as a convicted sex offender. They speak of the uncertainty of their situation and how someone else can commit a sex crime and their world comes crashing down. The fear of having no control over their destiny based on the mood of the public can be paralyzing.

The most passionate emotional eruptions in the interviews were the resentments expressed at being used for political purposes. More than a few of the offenders had caustic comments about politicians having a focus on sex offenders in their political campaigns. They feel exploited by politicians touting their political platform of getting tough on child sex predators as pandering to an easy vote. One interviewee suggested that locking up sex offenders and lowering taxes as a political platform are expedient vote procuring tactics that leave difficult political issues unaddressed. Another suggested that politicians are just a part of a self sustaining bureaucracy with little purpose and not particularly devoted to keeping children safe; just keeping their jobs. They believe they

are needlessly exposed to additional media exposure to promote someone's political career aspirations.

Media exposure of sex offenders or sex offenses in any context seems to have a negative impact on the convicted offender. Most offenders feel threatened and defenseless, and they may pay a personal price for someone else's behavior. Lowered self esteem, personal relationships, employment, and intensified probation conditions are sometimes the price paid. One man suggested that when media coverage intensifies the difficult circumstances of sex offender probation, offenders may feel fraught with anxiety make desperate poor choices when feeling hopeless; therefore defeating the entire purpose of sex offender regulations.

There were a couple of interesting exclusions from the interviews which would indicate a need for research on the topic of sex offenders and self concept. Only one of the offenders mentioned being used as entertainment and did so only in the context that his family thought it was poor entertainment. He did not express any resentment and seemed accepting that people were simply making money. The elevation to celebrity status and the financial benefits to parents marketing the tragedy of their murdered children did not come up in the interviews. Apparently that does not offend the sensibilities of any of the offenders interviewed. If any other group of people's arrests and convictions were documented solely for entertainment purposes, there would likely be some type of protest. Although there are a few programs that have factual depictions of criminals and criminal pursuit and capture; there is nothing on the level of those programs based on sex offenders.

Not one offender mentioned any blatant discrimination, bias, and generalized

vitriol spewed toward them based strictly on their criminal conviction. It is interesting that they do not express any personal insult from the name calling frequently done in the media. They are very concerned about having the correct legal label, or mental diagnosis, but the long list of unflattering names they are publicly called did not seem very disconcerting. They almost seemed resigned to accept the public's personal distaste for them.

No other groups of people are expected to tolerate to having their civil rights altered and to be different from the rest of the citizens. Bank robbers are not prohibited from living near banks. People with HIV are not prohibited from having sexual contact with others. Murderers are not required to register and have their personal information available on the internet. Alcoholics are free to go to bars where liquor is served. Even abusive parents who have had their children taken and placed in protective custody are free to continue to procreate. No other group is restricted on the behavior they might do as are sex offenders; and they did not protest this in their interviews.

CHAPTER 7

PRACTICE IMPLICATIONS

Research based evidence suggests that an individualized approach using cognitive-behavioral techniques is the most effective treatment for persons with sexually deviant behaviors. The therapy and the therapist need flexibility to adapt to the particular needs of the individual offender for optimal treatment to occur (Wakefield and Underwager 1991). This individualized cognitive-behavioral type of therapy can teach offenders the coping skills needed to prevent reoffending and reduce recidivism by more than fifty percent (Gendreau 1986). Programs that include cognitive restructuring, social skills training, victim empathy, and relapse prevention show promise in being effective in reducing deviant arousal and increasing appropriate sexual behaviors (Grossman, Martis, and Fichtner 1999). The primary focus of sex offender therapy programs at this time is relapse prevention training. This requires the offender to demonstrate a thorough knowledge of their emotional vulnerabilities and articulate a plan to recognize, stop, and redirect deviant behavior to make a more appropriate choice.

Though few high quality research studies have been done, researchers are guardedly optimistic from the information they have gathered. Studies indicate a reduction of recidivism among sex offenders in treatment (Hanson, et.al. 2002). Studies identified by Ross, Fabiano, and Ewles (1988) found reductions in recidivism between thirty and seventy-four percent. A meta-analytic review of psychological treatment for sex offenders (Hanson, et.al. 2002) found therapy dropouts consistently had higher recidivism rates than those in treatment regardless of the type of treatment program. It has been suggested by researchers that untreated sex offenders do not perceive the

implications of their deviant behavior because of denial (Stump, Beamish, and Shellenberger 1999). Those in treatment reported having a positive experience doing group therapy. They suggested it was one of the few places they could speak freely in a helpful atmosphere (Garrett, Oliver, Wilcox, and Middleton 2003).

The primary indicator of treatment success has been recidivism rates, or more importantly the reduction of recidivism. Little has been studied as to how the offender feels about the therapeutic experience or if they recognize any benefit from the treatment. Levenson and D'Amora (2005) point out treatment can focus on personal improvement, satisfaction, and fulfillment for the sex offender. Therapy can help the offender progress toward positive and rewarding behavior. Programs are not restricted to a focus of avoiding the negative consequences of relapse, but for an overall improvement in the offender's life. Increasing levels of self-esteem may be the more important indicator of long term treatment success than simply counting relapses. Studies have shown (Marshall 1997) immediately preceding a sex offense over sixty percent of offenders reported a significant drop in self-esteem. With the growing numbers of sex offenders reentering the community and with the studies that indicate improved self-esteem as a major component of success, it would be wise for the treatment provider to focus on improving the overall quality of life for the offender and in that improving self-esteem.

Although technically not a part of the therapeutic process, finding appropriate housing for an offender often becomes a collaborative effort of the therapist, probation officer, and other offenders already enrolled in the program. An offender reentering the community is likely not welcomed into the neighborhood. Sometimes it can be challenging to locate appropriate housing within sex offender guidelines in an accepting

neighborhood. Should the offender fail to secure appropriate housing they are frequently held in minimum security facilities until housing is found; in essence returning them to prison. This can be an opportunity for the treatment provider, probation officer, and sex offender group to develop a solid and trusting relationship with the reentering offender. They may be able to provide specific information about affordable housing in the area. The offenders enrolled in the program have likely had experience with which neighborhoods will accept convicted offenders and which will not accept them. At the time of reentry offenders are emotionally challenged by the hostility they experience within the community. They are vulnerable to the same type of emotional stressors that may have contributed to their original offense. If the sex offender collaborative and the offender group are viewed by the reentering offender as being accepting and supportive, that individual will likely experience a reduction in anxiety and begin to incorporate into the treatment program improving the probability for treatment success.

Arbitrary use of sex offender labeling can prove to be a very frustrating experience for anyone convicted of a sex crime. Every state within the United States has guidelines and statutes specific to that individual state. Continuity in labeling does not exist and confusion is entrenched in every component of sex offender management and certainly within the mass media. Sex offenders not classified as predators experience the same treatment from the community as predators. Predators are rarely distinguishable from sex offenders and in fact may have committed fewer offenses; but prosecutorial practices and legislative developments may be contradictory to equating the label with the offense. Not burdened by legal definitions the media imposes an additional assortment of labels on convicted sex offenders which are rarely accurate or useful for the

community and the offender. Media celebrities use inflammatory language to describe convicted sex offenders in general, and they typically only discuss the most egregious offenders. Accuracy in the media appears to be so compromised that every offender becomes a child sexual predator and pedophile regardless of the crime and the conviction. Such classification tends to pare the identity of the sex offender down to the offense. Other life roles are discounted and the sex offender label becomes the dominant identity of the offender (Presser and Gunnison 1999). Reinstating their humanity by validating the individual and developing hope through healthy behavioral options can create a real opportunity for healing.

A crucial component of sex offender therapy is to eradicate the condition of denial in the offender. Offenders struggle with self-image and acknowledging the extent of their deviant behavior. When offenders are assailed with inaccurate labeling that alters the depiction of their behavior and facts about the victim they can be distracted from a focus on accountability (Stump, Beamish, and Shellenberger 1999). Their defensiveness in refuting erroneously consigned sexual behaviors can actually exacerbate denial and promote rationalization and justification for their deviant behavior. This elicits from offenders such statements as convicted sex offender Debra LaFave made when interviewed by Matt Lauer for NBC Dateline.

Lauer: So what is the one thing you want people to know about you?

LaFave: That I committed a sex offense. But I'm not a sex offender, even though I'm labeled as that. I made a really, really, really bad choice.

Lauer: You don't see yourself as a predator?

LaFave: It's hard. It is so hard because I lived 23 years of my life, knowing who I was. I was a kindhearted person who loved children, who

would never, you know, do anything to break the law. I was a good person. And then now everything has just changed. So it's just really hard for me to accept that.

LaFave attributed her indiscretions to bipolar disorder and poor judgment during manic episodes. A more socially acceptable mental disorder and poor judgment are obviously substituted for accountability of her deviant behavior. She very subtly shifted in the interview from using a first person personal pronoun to a third person, and finally to an indefinite pronoun. Although subtle, it indicates her unwillingness to be accountable for the sexually deviant behavior she committed. Therapists need to be very aware of such subtleties and address the language issue so as to empower the offender and diminish denial.

The task of the therapist is to keep this distraction of defensiveness from high-jacking the individual offender and the sex offender therapy group, while balancing this with a need for the offender to develop improved self-esteem and accountability. The therapist may choose to validate the offender's position that they are not just like every other offender, and confirm that within their personal ethical parameters, they have moral limits that may distinguish them from other offenders while calling on them to be accountable for the offense they committed (Rex 1999). It may be helpful to explore with the offenders the media's lack of accuracy and accountability and connect that with how their own lack of accountability can equally encumber their treatment progress.

Also discouraging to the offender is the often repeated statement that sex offenders are not curable. They and the public seem to understand that the non-curable condition of a mental disorder is a condemnation to uncontrollably repeat the deviant behaviors. Without the potential for management and control over deviant behaviors the

offender is doomed. If their understanding is that they are somehow permanently disabled and destined to relapse eventually, they will likely surrender to being the victim of circumstantial pressures and either violate probation or re-offend. The perpetrator then becomes the victim and has an additional excuse to justify the deviant behavior (Freeman-Longo 1996). This victim stance can be difficult to mitigate since the locus of control is external. For the offender to successfully manage the deviant behavior internalizing the selective process for emotional coping optimizes the potential for control.

The therapeutic programs available to convicted sex offenders are rarely discussed in the media. An occasional news report will mention an offender participating in a program only if the reporter has interviewed an offender and the offender brings up the topic. In the interviews for this study several offenders spoke of their desire for the public to know they attend a program and they are actively working on moderating deviant thoughts and behaviors. The offender experiences hopefulness when presented with alternatives to sexually deviant behaviors. They would like the community to know that those alternatives exist and they are putting forth significant effort to utilize those behaviors on a daily basis.

Sex offender therapists are a curiosity to the general public. A discussion related to occupation brought about a startling revelation for this researcher when a well educated financial planner remarked in response to the sex offender therapist career choice, "Gee, you seem like such a nice lady." The public seems to draw a line between sex offenders and the rest of the world. If a person is married or related to, is a friend to, is a professional that works with, or is in any way helpful to a sex offender, that person is

contaminated through affiliation. It is important for the therapy professional to maintain pride in their profession and practice appropriate self-care to avoid burnout. This intense and demanding profession is challenging enough, but with public skepticism on career choice and affiliation, the therapist can be as defamed as the sex offender.

The ways in which the offender's family can be inconvenienced and humiliated are almost limitless. Spouses may be vulnerable to punitive actions because they are affiliated with the offender. Some spouses are expected to divorce the offender and if they choose not to they may lose friends, family relationships, and employment. Children are frequently confronted by their peers and ridiculed in their community. Parents of offenders may experience intolerance in the community for housing their adult child. Families can be separated and unable to visit because the offender may not be able to have contact with minor children. Offenders may not be able to join their families when they travel or attend a function where minor children are present. Frequently in-laws and other extended family may not be tolerant of the situation and the entire family is rejected. It can be helpful to have the family participate with the offender as an ad hoc service to the sex offender therapy program. If the family can be prepared to tolerate the typical experiences of living with sex offender guidelines; some of the discomfort may be moderated, yielding a healthier family.

Many factors in the post-incarceration sex offender's life are outside the parameters of personal control. The imposition of lifetime regulations and requirements by the government may give the offender the impression they have actually been given a life sentence (Henham 1998). They can feel resentful that their debt to society cannot be paid in the penalty phase of their sentence. They have had a shared experience with

inmates incarcerated for a variety of reasons. The commonality of this shared experience ends when all the inmates released complete their sentences and the sex offenders still have to register with full public access to their records. They believe every other inmate receives an opportunity to rehabilitate without the encumbrances sex offenders experience.

The potential for resentment is high as they encounter the difficulties of reestablishing life with the sex offender label. The label can permeate every aspect of their life and present a seemingly endless amount of obstacles. This may elicit as bitterness or resignation, and can be a serious distraction in the group (Zevitz and Farkas 2000). The group is well served by a therapist that can redirect them into a more useful discussion. Every group member is well aware of the limitations of life with the sex offender label. It is important to develop options and strategies for living with the label. As a couple of offenders lamented in the interviews; they wished they could have a recovery like the alcoholics. It seems hope may be a valuable piece of emotional equipment for an offender (Freeman-Longo 1996). Initially the most likely place for the offender to receive encouragement is in the therapy group. The challenge to the therapist is the balance between optimistic encouragement and realistic accountability (LaFond and Winick 2003).

Because the majority states classify offenders only by legal definition or by level of violence, most offenses are indistinguishable to the public. The community obtains nearly all sex offender information through the internet and television where pedophile has become synonymous with sex offender in the vernacular. Those offenders that have never had a prepubescent victim are usually mortified when they are referred to as a

pedophile. This can be problematic when groups are comprised of offenders with a variety of offenses. Non-pedophilic offenders can be very harsh with those that have very young victims. The pedophile offender can be further emotionally damaged by discrimination within the group. Therapeutic programs function optimally when the most similar offenders and offenses are grouped together. When this is not possible, the therapists must establish firm group rules to provide a safe environment to freely discuss all therapeutic issues.

Offenders that do not have prepubescent victims can emotionally entrench into denial. They frequently minimize their offense and deem it not so harmful because the victim was older, willing, not touched, or unaware of the incident. They may see themselves as persecuted by an unjust legal system and try to distance themselves from the derided pedophile. The public image of all sex offenders being pedophiles can deepen this denial and inhibit therapeutic progress for the non-pedophilic offender (Marshall 1996). It is important to the therapeutic progress to keep the group members accountable for their individual and specific offenses rather than allow them to participate in arguing an unfounded misperception that stereotypes sexual offenders.

Most sex offenders in therapy programs would be considered non-violent offenders by the public, probation, and by the members of the therapy group. Although harming anyone is the typical definition of violence, the absence of physical damage to many of the victims reduces the appearance of violence. When sex offenders are increasingly scrutinized following media coverage of child murders they may regress to a defensive posture and minimize their offense in comparison to the murder of a child. They express a feeling of helplessness for being judged by the public as guilty of gross

violence by virtue of having the sex offender label. Some so desperately want to disassociate from such situations that they are high risk for absconding (Malesky and Keim 2001). This is why strategies and coping skills are a necessity for optimal functioning and emotional health.

The apprehension from the community about the level of violence perpetrated by sex offenders can make interacting with the public awkward and uncomfortable. Some offenders reported being feared by people with small children. They begin to believe everyone is looking at them with a desire to disclose a breach of regulations and have them returned to prison. They have a concern for vigilante actions that may harm them, their family members, or their property. Eventually the offender may begin to feel as if the neighbors are stalking them. The offender's lack of self-esteem and assertiveness skills can emanate in an appearance of skulking around and avoidance that the public confuses with sinister intentions. Assertiveness skills are very necessary to the rehabilitation process. With these skills the offender can better communicate appropriate personal boundaries and avoid public misconception of their behavior. Direct and clear communication between the offender and community members can dissipate mutual misconceptions.

The isolation due to avoidance of social contact by the sex offender can exacerbate social skills deficits and further damage self-esteem. Lack of contact with offenders prevents the public from gaining a more accurate view of who sex offenders really are, and how they can moderate their deviant behaviors to have healthy interactions. A study done at the University of Minnesota reports many offenders do not experience a significant amount of positive emotions in their lives. They did not report

experiencing love, joy, and happiness (Gubrud and Rosser 1998). These may be the very types of deficits that drove them to offend in the first place (Marshall 1997). The therapist needs to be alert to the possibility of the offender isolating to avoid embarrassment and humiliation and paying the personal price of diminished self-esteem.

Over all the direct effect of media programming on convicted sex offenders was minimal. Some expressed annoyance with inaccurate portrayals and labels, but there was little ideological concern outside of what directly affects their daily life. It is the indirect effect of media programming that seems to be the most problematic. Public perception of sex offenders creates an atmosphere of fear and rejection within the community. The frantic desire to keep small children safe from sexual assault and the media marketability of child sexual assault and murder programming may make this topic relevant for many years. The sex offender therapist should be aware of the indirect negative effect from media programming on offenders and ensure there is a component of treatment committed to positive and rewarding behaviors.

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